

JOURNAL OF THE HOUSE OF REPRESENTATIVES

CONGRESS OF THE UNITED STATES

Begun and held at the Capitol, in the City of Washington, in the District of Columbia, on Tuesday, the third day of January, in the year of our Lord two thousand and twelve, being the *second session* of the ONE HUNDRED TWELFTH CONGRESS, held under the Constitution of the United States, and in the two hundred and thirty-sixth year of the independence of the United States.

TUESDAY, JANUARY 3, 2012 (1)

¶1.1 SECOND SESSION OF THE 112TH CONGRESS

The SPEAKER pro tempore, Mr. LATOURETTE, announced that this being the day fixed pursuant to the 20th Amendment of the Constitution of the United States for the meeting of the Second Session of the One Hundred Twelfth Congress, and called the House to order.

¶1.2 APPOINTMENT OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 3, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶1.3 ORGANIZATIONAL AND LEGISLATIVE BUSINESS DISPENSED WITH

The SPEAKER pro tempore, Mr. LATOURETTE, announced that, pursuant to section 4(a) of House Resolution 493, organizational or legislative business would not be conducted on this day.

And then,

¶1.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to section 4(c) of House Resolution 493, at 12 o'clock and 2 minutes p.m., declared the House adjourned until 10 a.m. on Friday, January 6, 2012.

FRIDAY, JANUARY 6, 2012 (2)

¶2.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 6, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶2.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced that, pursuant to section 4(b) of House Resolution 493, the Journal of the proceedings of Tuesday, January 3, 2012, was approved.

¶2.3 ORGANIZATIONAL AND LEGISLATIVE BUSINESS DISPENSED WITH

The SPEAKER pro tempore, Mr. DENHAM, announced that, pursuant to section 4(a) of House Resolution 493, organizational or legislative business would not be conducted on this day.

And then,

¶2.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. DENHAM, pursuant to section 4(c) of House Resolution 493, at 10 o'clock and 4 minutes a.m., declared the House adjourned until 2 p.m. on Tuesday, January 10, 2012.

¶2.5 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 901. Referral to the Committee on Energy and Commerce extended for a period ending not later than January 20, 2012.

¶2.6 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 973: Mrs. HARTZLER.
H.R. 1370: Mr. MULVANEY.
H.R. 1738: Mr. MURPHY of Pennsylvania.
H.R. 1744: Mr. MULVANEY.
H.R. 1831: Ms. NORTON.
H.R. 2154: Mr. SHERMAN.
H.R. 2236: Mr. SHERMAN.
H.R. 2499: Mr. MCDERMOTT.
H.R. 3545: Mr. PLATTS.
H.R. 3702: Mr. BERMAN, Mr. WELCH, and Mr. FILNER.
H. Res. 489: Mr. QUAYLE.

TUESDAY, JANUARY 10, 2012 (3)

¶3.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. ADERHOLT, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 10, 2012.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶3.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ADERHOLT, announced that, pursuant to section 4(b) of House Resolution 493, the Journal of the proceedings of Friday, January 6, 2012, was approved.

¶3.3 ORGANIZATIONAL AND LEGISLATIVE BUSINESS DISPENSED WITH

The SPEAKER pro tempore, Mr. ADERHOLT, announced that, pursuant to section 4(a) of House Resolution 493, organizational or legislative business would not be conducted on this day.

And then,

¶3.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. ADERHOLT, pursuant to section 4(c) of House Resolution 493, at 2 o'clock and 2 minutes p.m., declared the House adjourned until 11 a.m. on Friday, January 13, 2012.

¶3.5 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GIBSON (for himself and Mr. REED):

H.R. 3769. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the low-income housing credit that may be allocated in States damaged in 2011 by Hurricane Irene or Tropical Storm Lee; to the Committee on Ways and Means.

By Mrs. BLACK (for herself, Mrs. ADAMS, Mr. AKIN, Mr. AUSTRIA, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BONNER, Mr. BROOKS, Mr. BURGESS, Mr. BURTON of Indiana, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. CRAVAACK, Mr. CRAWFORD, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FINCHER, Mr. FITZPATRICK, Mr. FLAKE, Mr. FLEISCHMANN, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. GERLACH, Mr. GIBBS, Mr. GOHMERT, Mr. GOSAR, Mr. GRIFFIN of Arkansas, Mr. GUTHRIE, Mr. HARPER, Mr. HARRIS, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Ms. JENKINS, Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. King of Iowa, Mr. KINZINGER of Illinois, Mr. LABRADOR, Mr. LAMBORN, Mr. LANDRY, Mrs. LUMMIS, Mr. MARINO, Mr. MCCLIN-TOCK, Mr. MCCOTTER, Mr. MCHENRY, Mr. MILLER of Florida, Mr. MULVANEY, Mr. MURPHY of Pennsylvania, Mr. NUGENT, Mr. NUNNELEE, Mr. PALAZZO, Mr. PAUL, Mr. PITTS, Mr. POMPEO, Mrs. ROBY, Mr. ROSS of Florida, Mrs. SCHMIDT, Mr. SCHOCK, Mr. SIMPSON, Mr. STIVERS, Mr. TBERI, Mr. WALSH of Illinois, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. YOUNG of Florida, Mr. SCALISE, Mr. CANSECO, and Mr. QUAYLE):

H. Res. 509. A resolution disapproving of the President's appointment of four officers or employees of the United States during a period when no recess of the Congress for a period of more than three days was authorized by concurrent resolution and expressing the sense of the House of Representatives that those appointments were made in violation of the Constitution; to the Committee on the Judiciary.

¶3.6 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. CRAWFORD.
 H.R. 361: Mr. FARENTHOLD, Mr. MURPHY of Pennsylvania, Mr. BARLETTA, and Mr. PALAZZO.
 H.R. 456: Mr. ROTHMAN of New Jersey.
 H.R. 529: Mr. PAULSEN.
 H.R. 721: Mrs. BLACK.
 H.R. 750: Mr. GARDNER and Mr. AMASH.
 H.R. 965: Ms. WATERS.
 H.R. 996: Mr. CONYERS, Mr. MORAN, and Mr. JACKSON of Illinois.
 H.R. 1058: Mr. KISSELL.
 H.R. 1148: Mr. MCCOTTER and Mr. GIBSON.

H.R. 1244: Mr. GOODLATTE.
 H.R. 1653: Mr. CRENSHAW.
 H.R. 2077: Mr. LONG.
 H.R. 2412: Mr. THOMPSON of Mississippi.
 H.R. 3187: Ms. SLAUGHTER and Mr. CRAWFORD.
 H.R. 3307: Mrs. MALONEY.
 H.R. 3309: Mr. LATTA, Mr. KLINE, and Mr. STEARNS.
 H.R. 3332: Mr. HUIZENGA of Michigan.
 H.R. 3626: Mr. ISRAEL.
 H.R. 3676: Mr. REHBERG, Mr. DOGGETT, and Mr. BROOKS.
 H.R. 3702: Mr. DOGGETT.
 H.R. 3766: Mr. PLATTS.
 H.J. Res. 80: Mr. JACKSON of Illinois.
 H.J. Res. 86: Mr. BLUMENAUER.
 H.J. Res. 88: Ms. NORTON.
 H. Con. Res. 87: Mr. WALZ of Minnesota.
 H. Res. 134: Mr. SHIMKUS.
 H. Res. 137: Mr. WATT.
 H. Res. 304: Mr. VAN HOLLEN.
 H. Res. 489: Mr. LOBIONDO and Mr. GUTHRIE.

FRIDAY, JANUARY 13, 2012 (4)

¶4.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 January 13, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

¶4.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to section 4(b) of House Resolution 493, the Journal of the proceedings of Tuesday, January 10, 2012, was approved.

¶4.3 MESSAGE FROM THE PRESIDENT—DEBT LIMIT

The SPEAKER pro tempore, Mr. HARRIS, laid before the House the following communication from the President of the United States:

THE WHITE HOUSE,
 Washington, January 12, 2012.

Hon. JOHN BOEHNER,
 Speaker of the House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 3101A(a)(2)(A) of title 31, United States Code, I hereby certify that the debt subject to limit is within \$100,000,000,000 of the limit in 31 U.S.C. 3101(b) and that further borrowing is required to meet existing commitments.

Sincerely,

BARACK OBAMA,
 President.

By unanimous consent, the message was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112-81).

¶4.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
 U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, January 3, 2012.

Hon. JOHN A. BOEHNER,
 The Speaker, House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 3, 2012 at 1:02 p.m.:

That the Senate pursuant to the order of December 23, 2011, Senate appoints conferees H.R. 3630.

With best wishes, I am
 Sincerely,

KAREN L. HAAS,
 Clerk of the House.

¶4.5 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. HARRIS, laid before the House the following communication from Patrick Hirsch, Director, House Recording Studio, Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
 Washington, DC, January 4, 2012.

Hon. JOHN A. BOEHNER,
 Speaker, House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for testimony issued by the Superior Court of the District of Columbia in connection with a misdemeanor case now pending before that court.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

PATRICK HIRSCH,
 Director, House Recording Studio.

¶4.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
 U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, January 3, 2012.

Hon. JOHN A. BOEHNER,
 The Speaker, House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 3, 2012 at 1:02 p.m.:

That the Senate insists on the amendments to the bill and agrees to a conference asked by the House H.R. 3630.

With best wishes, I am
 Sincerely,

KAREN L. HAAS,
 Clerk of the House.

¶4.7 ORGANIZATIONAL AND LEGISLATIVE BUSINESS DISPENSED WITH

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to section 4(a) of House Resolution 493, organizational or legislative business would not be conducted on this day.

And then,

¶4.8 ADJOURNMENT

The SPEAKER pro tempore, Mr. HARRIS, pursuant to section 4(c) of House Resolution 493, at 11 o'clock and 5 minutes a.m., declared the House adjourned until 2 p.m. on Tuesday, January 17, 2012.

¶4.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LANDRY (for himself, Mr. DUNCAN of South Carolina, Mr. ROSS of Florida, Mrs. BLACK, Mr. ROGERS of Alabama, Mr. BURTON of Indiana, Mr. WESTMORELAND, Mr. JOHNSON of Ohio, Mr. GRIFFITH of Virginia, Mr. STEARNS, Mr. MILLER of Florida, Mr. GOWDY, Mr. SAM JOHNSON of Texas, Mrs. BLACKBURN, Mr. GOSAR, Mr. SCOTT of South Carolina, Mr. FRANKS of Arizona, Mr. BROOKS, Mr. MURPHY of Pennsylvania, Ms. JENKINS, Mr. SCALISE, and Mr. BARLETTA):

H.R. 3770. A bill to amend title 5, United States Code, to provide that payment for services may not be made to an individual appointed during a recess of the Senate to fill a vacancy in an existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Education and the Workforce and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Ms. CLARKE of New York, Ms. BROWN of Florida, Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. COHEN, Ms. RICHARDSON, and Ms. LEE of California):

H.R. 3771. A bill to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of Mississippi:

H.R. 3772. A bill to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. LEE of California (for herself, Ms. BASS of California, Ms. BORDALLO, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CAPUANO, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HONDA, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. RUSH, Mr. TOWNS, Mr. VAN HOLLEN, Ms. WATERS, Ms. WILSON of Florida, and Ms. WOOLSEY):

H. Res. 510. A resolution recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives, and expressing continued solidarity with the Haitian people; to the Committee on Foreign Affairs.

¶4.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 26: Mr. HIMES.
H.R. 104: Mr. CONYERS and Mr. BARTLETT.
H.R. 178: Mr. VAN HOLLEN.
H.R. 181: Mr. PETRI.
H.R. 476: Mr. HINOJOSA.
H.R. 654: Mr. MCDERMOTT.
H.R. 1085: Mr. BACA.
H.R. 1219: Ms. SEWELL, Mr. WILSON of South Carolina, Mr. CARTER, and Mrs. SCHMIDT.
H.R. 1259: Mr. MEEHAN.
H.R. 1370: Mr. COFFMAN of Colorado.
H.R. 1564: Mr. GRIJALVA.
H.R. 1738: Mr. MEEHAN, Ms. NORTON, Mr. GRIMM, Mr. COURTNEY, and Mr. BERMAN.
H.R. 2310: Mr. HASTINGS of Florida.
H.R. 2404: Mr. FILNER.
H.R. 2492: Mr. RUNYAN, Mr. FRANK of Massachusetts, Mr. ROSKAM, Mr. SHIMKUS, Mr. GIBSON, and Mr. ROONEY.
H.R. 2757: Mr. WELCH.
H.R. 2954: Mr. BACA.
H.R. 3059: Mr. SABLAN and Mr. BISHOP of New York.
H.R. 3283: Mrs. MCCARTHY of New York.
H.R. 3313: Mr. JACKSON of Illinois and Mr. CAPUANO.
H.R. 3324: Ms. JACKSON LEE of Texas.
H.R. 3435: Mr. BRADY of Pennsylvania.
H.R. 3527: Mr. KING of New York.
H.R. 3589: Mr. STIVERS and Mr. RIVERA.
H.R. 3608: Mr. YOUNG of Alaska.
H.R. 3618: Mr. MCDERMOTT.
H.R. 3627: Mr. PLATTS.
H.R. 3702: Ms. WOOLSEY, Mr. MORAN, Mr. GUTIERREZ, Mr. BLUMENAUER, and Mr. DEFAZIO.
H. Res. 475: Ms. JENKINS and Mr. MURPHY of Pennsylvania.
H. Res. 507: Mr. COHEN.
H. Res. 509: Mr. BARLETTA, Mr. BERG, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. CALVERT, Mr. CARTER, Mr. FORBES, Mr. GARDNER, Mr. GOODLATTE, Mr. GRIFFITH of Virginia, Mr. HERGER, Mr. HUELSKAMP, Mr. LANCE, Mrs. MYRICK, Mr. ROONEY, Mr. WEST, Mr. SESSIONS, Mr. STEARNS, Mr. ADERHOLT, Mr. BRADY of Texas, Mr. BUCSHON, Mr. GOWDY, Mrs. MILLER of Michigan, Mr. PRICE of Georgia, Mr. TIPTON, Mr. WOLF, and Mr. WOODALL.

TUESDAY, JANUARY 17, 2012 (5)

¶5.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WOMACK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 17, 2012.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶5.2 RECESS—2:01 P.M.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 1 minute p.m., until approximately 6:30 p.m.

¶5.3 AFTER RECESS—6:30 P.M.

The SPEAKER called the House to order.

¶5.4 CALL OF THE HOUSE

The SPEAKER ordered a call of the House to ascertain the presence of a

quorum, and the following-named Members responded.

¶5.5 [Roll No. 1]

Ackerman	Dold	Kucinich
Adams	Donnelly (IN)	Labrador
Aderholt	Doyle	Lamborn
Akin	Dreier	Lance
Alexander	Duffy	Landry
Altmire	Duncan (SC)	Langevin
Amash	Duncan (TN)	Lankford
Amodei	Edwards	Larsen (WA)
Andrews	Ellison	Larson (CT)
Austria	Ellmers	Latham
Baca	Emerson	LaTourette
Bachmann	Engel	Latta
Bachus	Farenthold	Lee (CA)
Baldwin	Fattah	Levin
Barletta	Filner	Lewis (CA)
Barrow	Fincher	Lewis (GA)
Bartlett	Fitzpatrick	LoBiondo
Barton (TX)	Flake	Loeb
Bass (NH)	Fleischmann	Long
Becerra	Fleming	Lowey
Benishke	Flores	Lucas
Berg	Forbes	Luetkemeyer
Biggett	Fortenberry	Lummis
Bilbray	Fox	Lungren, Daniel E.
Bilirakis	Frelinghuysen	Mack
Bishop (NY)	Fudge	Maloney
Black	Gallegly	Manzullo
Blackburn	Garamendi	Marchant
Blumenauer	Gardner	Markey
Boehner	Garrett	Matheson
Bonner	Gerlach	Matsui
Bono Mack	Gibbs	McCarthy (CA)
Boren	Gibson	McCarthy (NY)
Boswell	Gonzalez	McClintock
Boustany	Goodlatte	McCollum
Brady (PA)	Goss	McCotter
Brady (TX)	Gowdy	McDermott
Braley (IA)	Granger	McGovern
Brooks	Graves (GA)	McHenry
Broun (GA)	Graves (MO)	McIntyre
Brown (FL)	Green, Al	McKeon
Buchanan	Green, Gene	McKinley
Bucshon	Griffin (AR)	McMorris
Buerkle	Griffith (VA)	Rodgers
Burgess	Grimm	McNerney
Burton (IN)	Guinta	Meehan
Calvert	Guthrie	Meeks
Camp	Gutierrez	Mica
Canseco	Hahn	Michaud
Cantor	Hall	Miller (FL)
Capito	Hanabusa	Miller (MI)
Capps	Hanna	Miller (NC)
Capuano	Harper	Miller, Gary
Carnahan	Harris	Miller, George
Carney	Hartzler	Moore
Carson (IN)	Hastings (FL)	Mulvaney
Cassidy	Hastings (WA)	Murphy (CT)
Castor (FL)	Hayworth	Murphy (PA)
Chabot	Heck	Myrick
Chandler	Hensarling	Nadler
Chu	Herger	Neal
Cicilline	Herrera Beutler	Neugebauer
Clarke (MI)	Higgins	Nugent
Cleaver	Himes	Nunes
Clyburn	Hinojosa	Nunnelee
Coble	Hochul	Olson
Coffman (CO)	Holden	Oliver
Cole	Holt	Owens
Conaway	Hoyer	Palazzo
Connolly (VA)	Huelskamp	Pallone
Conyers	Huizenga (MI)	Pascarell
Cooper	Hultgren	Pastor (AZ)
Costa	Hunter	Paulsen
Courtney	Hurt	Payne
Cravaack	Israel	Pearce
Crawford	Issa	Pelosi
Crenshaw	Jackson (IL)	Pence
Critz	Jackson Lee	Perlmutter
Crowley	(TX)	Peters
Cuellar	Jenkins	Petri
Cummings	Johnson (IL)	Pingree (ME)
Davis (CA)	Johnson (OH)	Pitts
Davis (IL)	Johnson, Sam	Platts
Davis (KY)	Jones	Poe (TX)
DeFazio	Jordan	Polis
DeGette	Kaptur	Pompeo
DeLauro	Keating	Posey
Denham	Kelly	Price (GA)
Dent	Kildee	Price (NC)
DesJarlais	King (IA)	Quayle
Deutch	King (NY)	Quigley
Diaz-Balart	Kingston	Rahall
Dicks	Kinzinger (IL)	Rangel
Dingell	Kissell	Reed
Doggett	Kline	

Rehberg	Schilling	Towns
Reichert	Schmidt	Tsongas
Renacci	Schrader	Turner (NY)
Ribble	Schwartz	Turner (OH)
Richardson	Schweikert	Upton
Richmond	Scott (SC)	Van Hollen
Rigell	Scott (VA)	Velázquez
Rivera	Scott, Austin	Visclosky
Roby	Scott, David	Walberg
Roe (TN)	Sensenbrenner	Walden
Rogers (AL)	Serrano	Walsh (IL)
Rogers (KY)	Sessions	Walz (MN)
Rogers (MI)	Sewell	Wasserman
Rokita	Sherman	Schultz
Rooney	Shimkus	Watt
Ros-Lehtinen	Shuster	Waxman
Roskam	Sires	Webster
Ross (AR)	Smith (NE)	Welch
Ross (FL)	Smith (TX)	West
Rothman (NJ)	Smith (WA)	Whitfield
Royce	Southerland	Wilson (FL)
Runyan	Stearns	Wilson (SC)
Ruppersberger	Stivers	Wittman
Rush	Stutzman	Wolf
Ryan (OH)	Sullivan	Womack
Ryan (WI)	Sutton	Woodall
Sánchez, Linda	Terry	Woolsey
T.	Thompson (CA)	Yarmuth
Sanchez, Loretta	Thompson (MS)	Yoder
Sarbanes	Thompson (PA)	Young (AK)
Scalise	Thornberry	Young (FL)
Schakowsky	Tiberi	Young (IN)
Schiff	Tipton	

Thereupon, the SPEAKER announced that 378 Members had been recorded, a quorum.

Further proceedings under the call were dispensed with.

¶5.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, January 13, 2012.

Mr. WOMACK, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. WOMACK objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶5.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4458. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Registration of Foreign Boards of Trade (RIN: 3038-AD19) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4459. A letter from the Program Development and Regulatory Analysis, Department of Agriculture, transmitting the Department's final rule — Standards and Specifications for Timber Products Acceptable for Use by Rural Utilities Service Electric and Telecommunications Borrowers received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4460. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Farm Loan Programs Loan Making Activities (RIN: 0560-AI03) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4461. A letter from the Acting Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's final rule — Amending 7 CFR Part 4290, Rural Business Investment Program, and 7 CFR Part 1940, General (RIN: 0570-AA80) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4462. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [EPA-HQ-OPP-2011-0972; FRL-9329-9] received December 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4463. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Isoxaflutole; Pesticide Tolerances [EPA-HQ-OPP-2010-0845; FRL-8885-8] received December 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4464. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Butyl acrylate-methacrylic acid-styrene polymer; Tolerance Exemption [EPA-HQ-OPP-2011-0732; FRL-9327-6] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4465. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hexythiazox; Pesticide Tolerances [EPA-HQ-OPP-2010-0916; FRL-9327-7] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4466. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Captain Colin J. Kilrain, United States Navy, to wear the authorized insignia of the grade of rear admiral (lower half); to the Committee on Armed Services.

4467. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Michael C. Vitale, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

4468. A letter from the Acting Under Secretary, Department of Defense, transmitting proposed test and evaluation (T&E) budgets for FY 2012 that have not been certified as adequate by the Director of the Defense Test Resource Management Center (TRMC); to the Committee on Armed Services.

4469. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Utilization of Domestic Photovoltaic Devices (DFARS Case 2011-D046) (RIN: 0750-AH43) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4470. A letter from the Chief Counsel, Department of Health and Human Services, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8207] received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4471. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Net Worth Standard For Accredited Investors (RIN: 3235-AK90) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4472. A letter from the Acting Assistant General Counsel for Regulatory Services, De-

partment of Education, transmitting the Department's "Major" final rule — Race to the Top Fund Phase 3 [Docket ID: ED-2011-OS-0008] (RIN: 1894-AA01) received December 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4473. A letter from the Chief, Branch Policy, Regulations and Procedure Division of Longshore and Harbor Workers' Compensation Programs, Department of Labor, transmitting the Department's final rule — Regulations Implementing the Longshore and Harbor Workers' Compensation Act; Recreational Vessels (RIN: 1240-AA02) received December 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4474. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Establishment of Consumer Operated and Oriented Plan (CO-OP) Program [CMS-9983-F] (RIN: 0938-AQ98) received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4475. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions [EPA-R06-OAR-2011-0032; FRL-9613-3] received December 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4476. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Disapproval and Promulgation of Implementation Plans; Texas; Infrastructure and Interstate Transport Requirements for the 1997 Ozone and the 1997 and 2006 PM2.5 NAAQS [EPA-R06-OAR-2008-0638; FRL-9613-7] received December 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4477. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oklahoma; Interstate Transport of Pollution [EPA-R06-OAR-2007-0314; FRL-9613-2] received December 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4478. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Florida; Control of Hospital/Medical/Infectious Waste Incinerator (HMIWI) Emissions from Existing Facilities [EPA-R04-OAR-2011-0006(a); FRL-9611-8] received December 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4479. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule — National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044, FRL-9611-4] (RIN: 2060-AP52; RIN: 2060-AR31) received December 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4480. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; General Conformity Requirements for Federal Agencies Applicable to Federal Actions [EPA-R03-OAR-2011-0872; FRL-9504-7] received December 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4481. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Identification of Additional Qualifying Renewable Fuel Pathways Under the Renewable Fuel Standard Program [EPA-HQ-OAR-2011-0542; FRL-9502-2] (RIN: 2060-AR07) received December 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4482. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mandatory Reporting of Greenhouse Gases: Technical Revisions to the Petroleum and Natural Gas Systems Category of the Greenhouse Gas Reporting Rule [EPA-HQ-OAR-2011-0512; FRL-9501-9] (RIN: 2060-AR09) received December 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4483. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2011-0822; FRL-9505-8] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4484. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Kentucky Portion of the Cincinnati-Hamilton, OH-KY-IN 1977 Annual Fine Particulate Matter Non-attainment Area to Attainment [EPA-R04-OAR-2010-0937-201164; FRL-9506-3] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4485. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky; Visibility Impairment Prevention for Federal Class I Areas; Removal of Federally Promulgated Provisions [EPA-R04-OAR-2011-0867-201157(a); FRL-9507-3] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4486. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Oregon [EPA-R10-OAR-2008-0155; A-1-FRL-9248-1] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4487. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Extension of the Laboratory and Analytical Use Exemption for Essential Class I Ozone-Depleting Substances [EPA-HQ-OAR-2010-0672; FRL-9507-6] (RIN: 2060-AQ39) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric

Ozone: Listing of Substitutes for Ozone-Depleting Substances — Hydrocarbon Refrigerants [EPA-HQ-OAR-2009-0286; FRL-9507-7] (RIN: 2060-AP54) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4489. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2011-0897; FRL-9499-9] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4490. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Business Opportunity Rule (RIN: 3084-AB04) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4491. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants (RIN: 3150-AI10) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4492. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Criteria for Development of Evacuation Time Estimate Studies (RIN: 3150-AI10) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4493. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interim Staff Guidance Emergency Planning for Nuclear Power Plants (RIN: 3150-AI10) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4494. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

4495. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendments to the Export Administration Regulations: Facilitating enhanced public understanding of the provisions that implement the Comprehensive U.S. Sanctions Against Syria pursuant to the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 [Docket No.: 110627356-1475-01] (RIN: 0694-AF29) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4496. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report in accordance with Section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

4497. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period August 1 through September 30, 2011 pursuant to Section 620C(c) of the Foreign Assistance Act of 1961 as amended; to the Committee on Foreign Affairs.

4498. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting three reports related to the Global Fund; to the Committee on Foreign Affairs.

4499. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a

six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

4500. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-248, "Comprehensive Military and Overseas Voters Accommodation Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

4501. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-262, "Receiving Stolen Property and Public Safety Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

4502. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-247, "Closing of a Portion of the Public Alley in Square 5052, S.O. 10-00603, Act of 2011"; to the Committee on Oversight and Government Reform.

4503. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-263, "Oak Hill Conservation Easement Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

4504. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-242, "Electrician Equality Act of 2011"; to the Committee on Oversight and Government Reform.

4505. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-246, "Uniform Foreign-Country Money Judgements Recognition Act of 2011"; to the Committee on Oversight and Government Reform.

4506. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-252, "Ward Redistricting Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

4507. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-251, "Clarification of Personal Property Tax Revenue Reporting Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

4508. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-245, "William O. Lockridge Way Designation Act of 2011"; to the Committee on Oversight and Government Reform.

4509. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-250, "Income Tax Withholding Statements Electronic Submission Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

4510. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-243, "Executive Service Compensation Amendment Act 2011"; to the Committee on Oversight and Government Reform.

4511. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-249, "Economic Development Special Account Revival Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

4512. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-244, "Workforce Intermediary Establishment and Reform of First Source Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

4513. A letter from the Associate General Counsel for General Law (Acting), Department of Homeland Security, transmitting a

report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4514. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting fifteen reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4515. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4516. A letter from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4517. A letter from the Deputy Secretary, Department of the Interior, transmitting the Department's semiannual report from the office of the Inspector General for the period April 1, 2011 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4518. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's semiannual report from the Office of the Inspector General during the 6-month period ending September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4519. A letter from the Chief Financial Officer, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report addressing the Federal Managers' Financial Integrity Act and the Inspector General Act Amendments of 1978, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4520. A letter from the President, Federal Financing Bank, transmitting the Annual Report of the Federal Financing Bank for Fiscal Year 2011, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

4521. A letter from the Chairman, Federal Maritime Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4522. A letter from the Chairman, Federal Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period from April 1, 2011 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4523. A letter from the Chairman, National Credit Union Administration, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2011 through September 30, 2011; to the Committee on Oversight and Government Reform.

4524. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's fiscal year 2011 Performance and Accountability Report; to the Committee on Oversight and Government Reform.

4525. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2011 through December 31, 2011 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-

454; (H. Doc. No. 112-80); to the Committee on House Administration and ordered to be printed.

4526. A letter from the Clerk, U.S. House of Representatives, transmitting a list of reports pursuant to clause 2(b), Rule II of the Rules of the House of Representatives, pursuant to Rule II, clause 2(b), of the Rules of the House; (H. Doc. No. 112-79); to the Committee on House Administration and ordered to be printed.

4527. A letter from the Secretary, Department of the Interior, transmitting a draft bill and summary for a proposal to "[a]mend the Migratory Bird Hunting and Conservation Stamp Act to provide for a price increase for the Migratory Bird Hunting and Conservation Stamp, popularly known as the Duck Stamp"; to the Committee on Natural Resources.

4528. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, Yellowstone National Park (RIN: 1024-AD92) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4529. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA821) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4530. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA820) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4531. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Hudson Canyon Access Area to General Category Individual Fishing Quota Scallop Vessels [Docket No.: 070817467-8554-02] (RIN: 0648-XA789) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4532. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western and Central Pacific Fisheries for Highly Migratory Species; 2011 Bigeye Tuna Longline Fishery Closure [Docket No.: 090130102-91386-02] (RIN: 0648-XA780) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4533. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 3 [Docket No.: 0907301205-0289-02] (RIN: 0648-XA649) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4534. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Correction to Cod Landing Limit for Handgear B Vessels in the Common Pool Fishery [Docket No.: 0910051338-0151-02] (RIN: 0648-XA732) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4535. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Skates in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-2] (RIN: 0648-XA731) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4536. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-2] (RIN: 0648-XA734) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4537. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Framework Adjustment 46 [Docket No.: 110627355-1539-02] (RIN: 0648-BB08) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4538. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas [Docket No.: 110527309-1508-02] (RIN: 0648-BA90) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4539. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery Off the Southern Atlantic States; Amendment 15B [Docket No.: 110620342-1659-03] (RIN: 0648-BB55) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4540. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program [Docket No.: 0812081573-1645-03] (RIN: 0648-AX47) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4541. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Secretarial Emergency Action [Docket No.: 110818511-1641-03] (RIN: 0648-BB32) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4542. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; Limited Access Privilege Program [Docket No.: 100819383-1652-02] (RIN: 0648-BA18) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4543. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — List of Fisheries for 2012 [Docket No.: 110207104-1536-02] (RIN: 0648-BA76) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4544. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Prioritized Examination for Requests for Continued Examination [Docket No.: PTO-P-2011-0070] (RIN: 0651-AC65) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4545. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Ames Laboratory at Iowa State University in Ames, Iowa, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4546. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Y-12 facility in Oak Ridge, Tennessee, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4547. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from Vitro Manufacturing in Canonsburg, Pennsylvania, to be added to the Special Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4548. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from W.R. Grace and Company in Curtis Bay, Maryland, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4549. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on "data-mining" activities pursuant to Section 804 of the Implementing Recommendations of the 9/11 Commission Act of 2007 from January 1, 2008 to September 30, 2009; to the Committee on the Judiciary.

4550. A letter from the Rules Administrator, Department of Justice, transmitting the Department's final rule — Literacy Program [BOP-1036-F] (RIN: 1120-AA33) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4551. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the vicinity of Baton Rouge,

LA [Docket No.: USCG-2011-0841] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4552. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones, 2011 Asia-Pacific Economic Cooperation Conference, Oahu, HI [Docket No.: USCG-2011-0800] (RIN: 1625-AA87) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4553. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Columbia and Willamette Rivers, Dredge Vessels Patriot and Liberty [Docket ID: USCG-2011-0939] (RIN: 1625-AA87) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4554. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Truman-Hobbs alteration of the Elgin Joliet & Eastern Railroad Drawbridge, Morris, Illinois [Docket No.: USCG-2011-0961] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4555. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; The Old Club Connonade, Lake St. Clair, Muscamoot Bay, Harsens Island, MI [Docket No.: USCG-2011-0907] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4556. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine events, Wrightsville Channel; Wrightsville Beach, NC [Docket No.: USCG-2011-0885] (RIN: 1625-AA08) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4557. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Line of Sail Marine Parade, East River and Brunswick River, Brunswick, GA [Docket No.: USCG-2011-0830] (RIN: 1625-AA08) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4558. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Captain of the Port Lake Michigan Zone [Docket No.: USCG-2011-0489] (RIN: 1625-AA87) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4559. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Fireworks Displays in Captain of the Port Long Island Sound Zone [Docket No.: USCG-2011-0870] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4560. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Monte Foundation Fireworks Extravaganza, Aptos, CA [Docket No.: USCG-2011-0805] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4561. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone;

IJSBA World Finals; Lower Colorado River, Lake Havasu, AZ [Docket No.: USCG-2011-0838] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4562. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2011 Head of the South Regatta, Savannah River, Augusta, GA [Docket No.: USCG-2011-0861] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4563. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mainardi/Kinsey Wedding Fireworks, Lake Erie, Lakewood, OH [Docket No.: USCG-2011-0848] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4564. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; The Florida Orchestra Pops in the Park Fireworks Display, Tampa Bay, St. Petersburg, FL [Docket No.: USCG-2011-0834] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4565. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Passaic River, Harrison, NJ [Docket No.: USCG-2011-0268] (RIN: 1625-AA09) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4566. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Waverly Country Club Fireworks Display on the Willamette River, Portland, OR [Docket No.: USCG-2011-0899] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4567. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Bear Creek, Sparrows Point, MD [Docket No.: USCG-2011-0816] (RIN: 1625-AA09) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4568. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Apponagansett River, Dartmouth, MA [Docket No.: USCG-2011-0335] (RIN: 1625-AA09) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4569. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events; Chesapeake Bay Workboat Race; Back River, Messick Point, Poquoson, Virginia [Docket No.: USCG-2011-0934] (RIN: 1625-AA08) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4570. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Saugus River, Lynn, MA [Docket No.: USCG-2011-0857] (RIN: 1625-AA11) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4571. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Security Zone; Potomac River, Georgetown Channel, Washington, DC [Docket No.: USCG-2011-0929] (RIN: 1625-AA87) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4572. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Rotary Club of Fort Lauderdale New River Raft Race, New River, Fort Lauderdale, FL [Docket No.: USCG-2011-0589] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4573. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual Firework Displays within the Captain of the Port, Puget Sound Area of Responsibility [Docket No.: USCG-2010-0842] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4574. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Route 24 Bridge Construction, Tiverton and Portsmouth, RI [Docket No.: USCG-2011-0868] (RIN: 1625-AA11) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4575. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V DAVY CROCKETT, Columbia River [Docket No.: USCG-2010-0939] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4576. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Swim Around Charleston, Charleston, SC [Docket No.: USCG-2011-0575] (RIN: 1625-AA00) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4577. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Shipping and Transportation; Technical, Organizational, and Conforming Amendments [Docket No.: USCG-2011-0618] (RIN: 1625-AB77) received December 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4578. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2011-0721; Directorate Identifier 2010-NM-217-AD; Amendment 39-16861; AD 2011-23-10] (RIN: 2120-AA64) received December 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4579. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Drivers of CMVs: Restricting the Use of Cellular Phones [Docket No.: FMCSA-2010-0096] (RIN: 2137-AE65) received December 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4580. A letter from the Secretary, Department of Transportation, transmitting the Department's thirteenth report to Congress and the eleventh report to the President entitled, "The National Initiative for Increasing Safety Belt Use: The Buckle Up America Campaign"; to the Committee on Transportation and Infrastructure.

4581. A letter from the Senior Program Analyst, Department of Transportation, trans-

mitting the Department's final rule — Modification of Class E Airspace; Blythe, CA [Docket No.: FAA-2011-0585; Airspace Docket No. 11-AWP-9] received December 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4582. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Luray, VA [Docket No.: FAA-2011-0785; Airspace Docket No. 11-AEA-20] received December 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4583. A letter from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Corporation's annual financial audit and management report for the fiscal year 2011, in accordance with OMB Circular A-136; to the Committee on Transportation and Infrastructure.

4584. A letter from the Attorney-Advisor, Department of Transportation, transmitting the Department's final rule — Alternate Passenger Rail Service Pilot Program [Docket No.: FRA-2009-0108; Notice No. 2] (RIN: 2130-AC19) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4585. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "Department of Energy FY 2010 Methane Hydrate Program Report to Congress", pursuant to Section 968 of the Energy Policy Act of 2005; to the Committee on Science, Space, and Technology.

4586. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Medical Benefits for Newborn Children of Certain Woman Veterans (RIN: 2900-A005) received December 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4587. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2009 annual report on the Child Support Enforcement Program; to the Committee on Ways and Means.

4588. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — William & Sharon Norris v. Commissioner, T.C. Memo. 2011-161 received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4589. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Employer's Annual Federal Tax Return and Modifications to the Deposit Rules [TD 9566] (RIN: 1545-BK82) received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4590. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Sample Plan Amendment for Section 436 [Notice 2011-96] received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4591. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Targeted Populations Under Section 45(e)(2) [TD 9560] (RIN: 1545-BE89) received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4592. A letter from the Assistant Secretary, Department of Defense, transmitting an additional legislative proposal that the Department of Defense requests to be enacted during the first session of the 112th Congress; jointly to the Committees on Armed Services and Transportation and Infrastructure.

4593. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, "Second Biennial Report to Congress Responding to the Hydrogen and Fuel Cell Technical Advisory Committee (HTAC) Findings and Recommendations during Fiscal Years 2008 and 2009", pursuant to Public Law 109-58, section 807(d)(2); jointly to the Committees on Energy and Commerce and Science, Space, and Technology.

4594. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Ezogabine Into Schedule V [Docket No.: DEA-354] received December 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

4595. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104-45), a copy of Presidential Determination No. 2012-03 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from December 2, 2011 to the present, pursuant to Public Law 104-45, section 6 (109 Stat. 400); jointly to the Committees on Foreign Affairs and Appropriations.

4596. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Availability of Medicare Data for Performance Measurement [CMS-5059-F] (RIN: 0938-AQ17) received December 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶5.8 RESIGNATION OF SERGEANT AT ARMS

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE SERGEANT AT ARMS,
Washington, DC, January 17, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Capitol, Washington, DC.

DEAR MR. SPEAKER: I hereby offer my resignation as Sergeant at Arms of the House of Representatives, effective January 17, 2012. It has been a privilege and honor to serve this institution as Sergeant at Arms since the 104th Congress.

If I can ever be of service to the House of Representatives in the future, please do not hesitate to call upon me.

Sincerely,

WILSON LIVINGOOD,
Sergeant at Arms.

By unanimous consent, the resignation was accepted.

¶5.9 ORGANIZATIONAL RESOLUTION— ELECTION OF OFFICER

Mr. CANTOR submitted the following privileged resolution (H. Res. 511):

Resolved, That Paul D. Irving of the State of Florida, be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Paul D. Irving of the State of Florida was elected Sergeant at Arms of the House of Representatives.

Whereupon, Paul D. Irving, Sergeant at Arms, presented himself at the bar of the House and took the oath of office prescribed by law.

¶5.10 COMMITTEE TO NOTIFY THE PRESIDENT

Mr. CANTOR submitted the following privileged resolution (H. Res. 512):

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid upon the table.

¶5.11 APPOINTMENT OF COMMITTEE TO NOTIFY THE PRESIDENT

The SPEAKER, pursuant to the foregoing resolution, announced the appointment of Mr. CANTOR and Ms. PELOSI as members of the committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and that Congress is ready to receive any communication that he may be pleased to make.

¶5.12 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WEST, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Friday, January 13, 2012.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. WEST, announced that the yeas had it. So the Journal was approved.

¶5.13 CLERK TO NOTIFY SENATE OF A QUORUM

Mr. CANTOR submitted the following privileged resolution (H. Res. 513):

Resolved, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶5.14 HOUR OF MEETING

Mr. CANTOR submitted the following privileged resolution (H. Res. 514):

Resolved, That unless otherwise ordered, the hour of daily meeting of the House shall be 2 p.m. on Mondays; noon on Tuesdays (or 2 p.m. if no legislative business was conducted on the preceding Monday); noon on Wednesdays and Thursdays; and 9 a.m. on all other days of the week.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶5.15 ORDER OF BUSINESS—MORNING-HOUR DEBATE

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That the order of the House of January 5, 2011, providing for morning-hour debate, be extended for the remainder of the 112th Congress, except that House Resolution 514 shall supplant House Resolution 10.

¶5.16 MOTION TO PROCEED UNDER SECTION 3101A OF TITLE 31, UNITED STATES CODE

Mr. SCOTT of South Carolina, by direction of the Committee on Rules, reported (Rept. No. 112-365) the resolution (H. Res. 515) addressing a motion to proceed under section 3101A of title 31, United States Code.

When said resolution and report were referred to the House Calendar and ordered printed.

¶5.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. FARR, for today and January 18;

To Mrs. NAPOLITANO, for today;

To Mr. REYES, for today;

To Mr. MARINO, for today; and

To Mr. CULBERSON, for today.

And then,

¶5.18 ADJOURNMENT

On motion of Mr. GARAMENDI, at 8 o'clock and 31 minutes p.m., the House adjourned.

¶5.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. H.R. 2059. A bill to prohibit funding to the United Nations Population Fund (Rept. 112-361). Referred to the Committee of the Whole House on the state of the Union.

Mr. DANIEL E. LUNGREN of California: Committee on House Administration. House Resolution 496. Resolution adjusting the amount provided for the expenses of certain committees of the House of Representatives in the One Hundred Twelfth Congress (Rept. 112-362). Referred to the House Calendar.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 2309. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; with an amendment (Rept. 112-363, Pt. 1). Ordered to be printed.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3521. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes; with amendments (Rept. 112-364, Pt. 1). Ordered to be printed.

Mr. SCOTT of South Carolina: Committee on Rules. House Resolution 515. Resolution addressing a motion to proceed under section 3101A of title 31, United States Code (Rept. 112-365). Referred to the House Calendar.

Mr. BACHUS: Committee on Financial Services. H.R. 1221. A bill to suspend the current compensation packages for the senior executives of Fannie Mae and Freddie Mac and establish compensation for such positions in accordance with rates of pay for senior employees in the Executive Branch of the Federal Government, and for other purposes; with an amendment (Rept. 112-366, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶5.20 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 2309. Referral to the Committee on Rules extended for a period ending not later than March 1, 2012.

H.R. 3521. Referral to the Committee on Rules extended for a period ending not later than February 3, 2012.

¶5.21 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1221 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶5.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself, Mr. MCKINLEY, Mr. PITTS, Mr. GENE GREEN of Texas, Mr. GONZALEZ, and Mr. COSTA):

H.R. 3773. A bill to amend the Renewable Fuel Program in section 211(o) of the Clean Air Act to allow domestic alternative fuel to be used to satisfy a portion of the required applicable volume of renewable fuel; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Illinois:

H.R. 3774. A bill to reduce the salaries of Members of Congress and the amounts available for the salaries and expenses of offices of Members, committees, and the leadership of Congress by 50 percent, to provide for further reductions in the salaries of Members of Congress to the extent that Congress is in session for more than 60 days during any session of a Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, Rules, and Ethics, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PITTS:

H.R. 3775. A bill to provide dollars to the classroom; to the Committee on Education and the Workforce.

By Mr. GRIJALVA (for himself, Mr. HOLT, and Ms. WOOLSEY):

H.R. 3776. A bill to amend the Elementary and Secondary Education Act of 1965 regarding school libraries, and for other purposes; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska:

H.R. 3777. A bill to resolve title issues involving real property and equipment acquired using funds provided under the Alaska Kiln Drying Grant Program; to the Committee on Agriculture.

By Mr. SCHWEIKERT:

H.J. Res. 99. A joint resolution proposing an amendment to the Constitution of the

United States to require that an increase in the Federal debt requires approval from a majority of the legislatures of the several States; to the Committee on the Judiciary.

By Mr. CANTOR:

H. Res. 511. A resolution electing the Sergeant-at-Arms of the House of Representatives; considered and agreed to.

By Mr. CANTOR:

H. Res. 512. A resolution providing for a committee to notify the President of the assembly of the Congress; considered and agreed to.

By Mr. CANTOR:

H. Res. 513. A resolution to inform the Senate that a quorum of the House has assembled; considered and agreed to.

By Mr. CANTOR:

H. Res. 514. A resolution providing for the hour of meeting of the House; considered and agreed to.

15.23 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

173. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 145 urging the Congress and the Department of Labor to amend proposed work regulations that would limit youth employment on farms; to the Committee on Education and the Workforce.

174. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 13 urging the President and the Congress to provide resources to increase the supply of physicians in California; to the Committee on Energy and Commerce.

175. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 18 recognizing September 2011 as Sickle Cell Awareness Month in California; to the Committee on Energy and Commerce.

176. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 17 urging the Congress and the President to increase funding for these law enforcement and crime prevention programs and to pay the full costs of incarcerating undocumented criminals; to the Committee on the Judiciary.

177. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 15 urging the government to consider the California jobs and economic stimulus provided by the California floriculture industry when advancing free trade agreements; to the Committee on Ways and Means.

178. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 95 expressing support for the continued efforts of the Michigan Attorney General to oppose the Implementation of the Patient Protection and Affordable Care Act; jointly to the Committees on Energy and Commerce, Appropriations, Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, and Rules.

15.24 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 32: Mr. HOLT.
- H.R. 100: Mr. PALAZZO.
- H.R. 115: Mr. KIND.
- H.R. 121: Mr. BISHOP of Utah.
- H.R. 178: Mr. INSLIE.
- H.R. 205: Mrs. CHRISTENSEN, Mr. PALLONE, and Mr. GRIJALVA.
- H.R. 361: Mr. BERG and Mr. TURNER of Ohio.

- H.R. 401: Mr. YARMUTH.
- H.R. 413: Mr. GRIJALVA and Mr. JACKSON of Illinois.

- H.R. 419: Mr. COHEN.
- H.R. 453: Mr. COHEN.
- H.R. 456: Mr. MICHAUD.
- H.R. 466: Mr. CLARKE of Michigan.
- H.R. 494: Mr. FILNER.
- H.R. 520: Mrs. MALONEY.
- H.R. 587: Mrs. CAPPS.
- H.R. 591: Mr. QUIGLEY, Mr. JOHNSON of Georgia, and Mr. BLUMENAUER.
- H.R. 640: Ms. ESHOO and Mr. GONZALEZ.
- H.R. 645: Mr. MURPHY of Pennsylvania.
- H.R. 735: Mr. FORTENBERRY.
- H.R. 814: Mr. KISSELL.
- H.R. 835: Mr. UPTON and Mr. RUNYAN.
- H.R. 931: Ms. JENKINS and Mrs. HARTZLER.
- H.R. 938: Mrs. HARTZLER and Mr. HASTINGS of Florida.

- H.R. 998: Mr. RANGEL and Ms. KAPTUR.
- H.R. 1085: Mr. TIERNEY.
- H.R. 1130: Mr. KIND and Mr. ISRAEL.
- H.R. 1148: Mr. GOWDY and Mr. COSTELLO.
- H.R. 1173: Ms. JENKINS and Mr. ADERHOLT.
- H.R. 1175: Mr. PETERSON and Mr. NUGENT.
- H.R. 1182: Mr. GOSAR.
- H.R. 1294: Mr. MCDERMOTT.
- H.R. 1295: Mr. MCDERMOTT.
- H.R. 1311: Mr. KEATING.
- H.R. 1350: Mr. GUTIERREZ.
- H.R. 1375: Mr. SERRANO.
- H.R. 1385: Mr. MURPHY of Pennsylvania.
- H.R. 1418: Mr. CHABOT.
- H.R. 1543: Mr. MURPHY of Connecticut.
- H.R. 1564: Mr. FILNER and Mrs. MCCARTHY of New York.

- H.R. 1579: Ms. DELAURO.
- H.R. 1681: Mr. ENGEL.
- H.R. 1746: Ms. LEE of California.
- H.R. 1810: Mr. PRICE of North Carolina, Mr. PLATTS, Mr. CUMMINGS, Mr. LATOURETTE, Mr. RYAN of Ohio, and Ms. SLAUGHTER.
- H.R. 1811: Mrs. HARTZLER.
- H.R. 1845: Mrs. BONO MACK.
- H.R. 1897: Ms. WATERS.
- H.R. 1901: Mr. JOHNSON of Georgia.
- H.R. 1964: Mr. BARLETTA.
- H.R. 1978: Ms. SLAUGHTER.
- H.R. 2026: Mr. WALZ of Minnesota.
- H.R. 2077: Mr. PAUL.
- H.R. 2085: Ms. CHU and Ms. EDDIE BERNICE JOHNSON of Texas.

- H.R. 2086: Mr. CAPUANO.
- H.R. 2123: Ms. SCHWARTZ.
- H.R. 2139: Mrs. SCHMIDT, Mrs. MALONEY, Mr. CAPUANO, and Mr. GIBSON.
- H.R. 2140: Mr. MCDERMOTT.
- H.R. 2168: Ms. HIRONO.
- H.R. 2179: Mr. BONNER, Mrs. BLACKBURN, Mr. MARCHANT, and Mr. LONG.
- H.R. 2207: Mr. MURPHY of Connecticut.
- H.R. 2215: Mrs. MCCARTHY of New York.
- H.R. 2229: Mr. FILNER.
- H.R. 2284: Mr. HUIZENGA of Michigan.
- H.R. 2336: Mr. SHERMAN.
- H.R. 2412: Mr. ENGEL and Mr. CICILLINE.
- H.R. 2418: Mr. ROSS of Arkansas, Mr. OWENS, Mr. HOLDEN, and Mr. PETERSON.
- H.R. 2437: Ms. SCHWARTZ and Mr. GRIJALVA.
- H.R. 2487: Mr. MORAN.
- H.R. 2499: Mr. DEFAZIO, Mr. BACA, Mr. FILNER, and Mr. LOEBACK.
- H.R. 2514: Mr. STUTZMAN, Mr. ROSS of Florida, and Mr. QUAYLE.

- H.R. 2542: Mr. BROOKS.
- H.R. 2547: Mr. CLARKE of Michigan.
- H.R. 2689: Mr. CICILLINE.
- H.R. 2900: Mr. BISHOP of Utah.
- H.R. 2970: Ms. BALDWIN and Mr. BUTTERFIELD.
- H.R. 3032: Mr. ALEXANDER.
- H.R. 3059: Ms. EDDIE BERNICE JOHNSON of Texas.
- H.R. 3083: Mr. JOHNSON of Georgia.
- H.R. 3126: Mr. RUSH.
- H.R. 3156: Mr. MULVANEY.
- H.R. 3200: Ms. SLAUGHTER and Mr. STARK.
- H.R. 3236: Mr. DEFAZIO.

- H.R. 3269: Mr. MICHAUD, Mr. SHIMKUS, Mr. MACK, Mr. DOYLE, Mr. PALAZZO, and Mr. GENE GREEN of Texas.

- H.R. 3324: Mr. TIERNEY.
- H.R. 3400: Mr. FINCHER and Mr. HULTGREN.
- H.R. 3401: Mr. ISSA.
- H.R. 3418: Mr. GONZALEZ, Mr. GRIJALVA, Mr. CONYERS, and Mr. HINCHEY.
- H.R. 3425: Mr. LARSON of Connecticut.
- H.R. 3440: Mr. HUELSKAMP, Mr. AUSTRIA, and Mr. GOSAR.
- H.R. 3485: Mr. LEVIN.
- H.R. 3506: Mrs. MCCARTHY of New York.
- H.R. 3521: Mr. BERG.
- H.R. 3568: Mr. PETERSON, Mr. CONYERS, and Mr. HONDA.
- H.R. 3573: Mr. PAYNE.
- H.R. 3581: Mr. WESTMORELAND.
- H.R. 3594: Mr. AUSTRIA, Mr. GRAVES of Georgia, Ms. JENKINS, and Mr. MURPHY of Pennsylvania.

- H.R. 3596: Mrs. LOWEY, Mr. RAHALL, Mr. HIGGINS, Mr. SHERMAN, Mr. PASTOR of Arizona, Mr. OWENS, Mr. LOBIONDO, Mr. HINCHEY, Mr. KEATING, and Ms. CLARKE of New York.
- H.R. 3608: Mr. ROKITA, Mr. FLEISCHMANN, and Mrs. BLACK.
- H.R. 3625: Mrs. CHRISTENSEN and Ms. BROWN of Florida.
- H.R. 3627: Mr. MARKEY.
- H.R. 3632: Mr. STARK.
- H.R. 3634: Mr. NADLER.
- H.R. 3636: Mr. COURTNEY.
- H.R. 3639: Mr. GOWDY.
- H.R. 3643: Mr. ALTMIRE.
- H.R. 3648: Mr. YOUNG of Alaska.
- H.R. 3676: Mr. MANZULLO, Mrs. LUMMIS, Mr. AMODEI, and Mr. PEARCE.

- H.R. 3702: Mr. KEATING and Mr. CAPUANO.
- H.R. 3704: Mr. FARR.
- H.R. 3713: Mr. FILNER, Mr. COURTNEY, and Ms. SPEIER.
- H.R. 3770: Mr. WILSON of South Carolina, Mr. MANZULLO, Mr. FARENTHOLD, and Mr. MULVANEY.
- H.J. Res. 88: Mr. HINCHEY and Mr. SMITH of Washington.

- H.J. Res. 98: Mr. STEARNS, Mr. BURTON of Indiana, Mr. GARRETT, Mr. POSEY, Mr. GINGREY of Georgia, Mr. GIBBS, Mr. WILSON of South Carolina, Mrs. SCHMIDT, Mr. JORDAN, Mr. GIBSON, Mr. BURGESS, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. HUELSKAMP, Mr. MACK, Mr. GUINTA, Mr. HULTGREN, Mr. MILLER of Florida, Mr. PRICE of Georgia, Mr. FARENTHOLD, Mr. AUSTRIA, Mr. BERG, Mr. LATTI, Ms. JENKINS, Mr. FLAKE, Mr. MANZULLO, Mr. KINZINGER of Illinois, Mr. GOODLATTE, Mr. PALAZZO, Mr. BARLETTA, Mr. MULVANEY, Mr. MCKINLEY, Mr. WALBERG, Mr. BISHOP of Utah, Mr. SOUTHERLAND, Mr. BROOKS, Mr. HARRIS, Mr. AKIN, Ms. BUERKLE, Mr. SULLIVAN, Mr. LUTKEMEYER, Mr. BILIRAKIS, Mr. DESJARLAIS, Mr. NUGENT, Mr. AMODEI, Mr. GRIFFIN of Arkansas, Mr. ROSS of Florida, Mr. GARDNER, Mr. FORBES, Mr. COBLE, Mr. REHBERG, Mr. JONES, Mr. WESTMORELAND, Mr. POE of Texas, Mr. CHAFFETZ, Mr. TERRY, Mr. LAMBORN, Mr. GOHMERT, Mrs. LUMMIS, Mr. PAULSEN, Mr. NUNNELEE, Mrs. BIGGERT, Mr. CANSECO, Mr. JOHNSON of Ohio, Mr. MARCHANT, Mr. GRAVES of Georgia, and Mr. STUTZMAN.

- H. Con. Res. 60: Mr. GRIFFIN of Arkansas.
- H. Con. Res. 85: Mr. LEWIS of Georgia, Ms. CHU, Ms. BASS of California, and Mr. SERRANO.
- H. Res. 20: Ms. WATERS and Mr. LEVIN.
- H. Res. 282: Mr. ISSA.
- H. Res. 378: Mr. STARK.
- H. Res. 403: Mr. POSEY.
- H. Res. 460: Mr. COSTELLO, Mrs. LOWEY, Mr. ROSS of Arkansas, Ms. JACKSON LEE of Texas, and Mr. HASTINGS of Florida.
- H. Res. 475: Mr. NUGENT and Mr. ROKITA.
- H. Res. 507: Mr. BUCHANAN.
- H. Res. 509: Mr. LATHAM, Mr. GINGREY of Georgia, Mr. FARENTHOLD, Mr. MANZULLO, Mr. FORTENBERRY, and Mr. MCCAUL.

¶5.25 DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1161: Mr. SCHRADER.
H.R. 3261: Mr. QUAYLE.

WEDNESDAY, JANUARY 18, 2012 (6)

¶6.1 APPOINTMENT OF SPEAKER PRO
TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 18, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶6.2 RECESS—11:30 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 30 minutes a.m., until noon.

¶6.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. YODER, called the House to order.

¶6.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. YODER, announced he had examined and approved the Journal of the proceedings of Tuesday, January 17, 2012.

Mr. TONKO, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. TONKO objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶6.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4597. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Extension of Temporary Registration of Municipal Advisors [Release No.: 34-66020; File No. S7-19-10] (RIN: 3235-AK69) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4598. A letter from the Associate Chief, WTB, Federal Communications Commission,

transmitting the Commission's final rule — National Environmental Policy Act Compliance for Proposed Town Registrations, Effects of Communications Towers on Migratory Birds [WT Docket No.: 08-61, WT Docket No. 03-187] received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4599. A letter from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amending the Definition of Interconnected VoIP Service in Section 9.3 of the Commission's Rules, Wireless E911 Location Accuracy Requirements, E911 Requirements for IP-Enabled Service Providers [GN Docket No.: 11-117] [PS Docket No.: 07-114] [WC Docket No.: 05-196] received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4600. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List; and Implementation of Entity List Annual Review Changes [Docket No.: 11202715-1724-01] (RIN: 0694-AF46) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4601. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-146, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4602. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-136, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4603. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-124, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4604. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Registration and Licensing of Brokers, Brokering Activities, and Related Provisions (RIN: 1400-AC37) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4605. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category VII (RIN: 1400-AC77) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4606. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification pursuant to the Cooperative Threat Reduction Act of 1993; to the Committee on Foreign Affairs.

4607. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Correction of Administrative Errors; Court Orders and Legal Processes Affecting Thrift Savings Plan Accounts received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4608. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment

11 [Docket No.: 0808041037-1649-02] (RIN: 0648-AX05) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4609. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Pacific Cod Fishing in the Parallel Fishery in the Bering Sea and Aleutian Islands Management Area [Docket No.: 110207103-1113-01] (RIN: 0648-AY65) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4610. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Driggs, ID [Docket No.: FAA-2011-0837; Airspace Docket No. 11-ANM-17] received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4611. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2011-0971; Directorate Identifier 2011-CE-030-AD; Amendment 39-16862; AD 2011-23-11] (RIN: 2120-AA64) received December 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4612. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Schedule for Rating Disabilities; Evaluation of Amyotrophic Lateral Sclerosis (RIN: 2900-AN60) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4613. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Loan Guaranty Revised Loan Modification Procedures (RIN: 2900-AN78) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4614. A letter from the TTB Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Fort Ross-Seaview Viticultural Area [Docket No.: TTB-2011-0004; T.D. TTB-98; Re: Notice Nos. 34, 42, and 117] (RIN: 1513-AA64) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4615. A letter from the TTB Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Coombsville Viticultural Area [Docket No.: TTB-2011-0006; T.D. TTB-100; Ref: Notice No. 119] (RIN: 1513-AB81) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4616. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 482: Methods to Determine Taxable Income in Connection With a Cost Sharing Arrangement [TD 9568] (RIN: 1545-BI47) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4617. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Use of Differential Income Stream as a Consideration in Assessing the Best Method [TD 9569] (RIN: 1545-BK72) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶6.6 PROVIDING FOR MOTION TO PROCEED UNDER SECTION 3101A OF TITLE 31, UNITED STATES CODE

Mr. SCOTT of South Carolina, by direction of the Committee on Rules, called up the following resolution (H. Res. 515):

Resolved, That a motion to proceed with regard to a joint resolution of disapproval specified in subsection (a)(2) of section 3101A of title 31, United States Code—

(a) may be offered even if the joint resolution has not been reported to the House as contemplated by subsection (c)(3) of such section; and

(b) shall be in order only if offered by the Majority Leader or his designee.

When said resolution was considered. After debate,

Mr. SCOTT of South Carolina, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 238 Nays 176 Answered present 1

¶6.7 [Roll No. 2] YEAS—238

- Adams Crenshaw Harris
Aderholt Culberson Hartzier
Akin Davis (KY) Hastings (WA)
Alexander Denham Hayworth
Amash Dent Heck
Amodei DesJarlais Hensarling
Austria Diaz-Balart Herger
Bachmann Dold Herrera Beutler
Bachus Dreier Huelskamp
Barletta Duffy Huizenga (MI)
Bartlett Duncan (SC) Hultgren
Barton (TX) Duncan (TN) Hunter
Bass (NH) Ellmers Hurt
Benishek Emerson Issa
Berg Farenthold Jenkins
Biggart Fincher Johnson (IL)
Bilbray Fitzpatrick Johnson (OH)
Bilirakis Flake Johnson, Sam
Bishop (UT) Fleischmann Jones
Black Fleming Jordan
Blackburn Flores Kelly
Bonner Forbes King (IA)
Bono Mack Fortenberry King (NY)
Boustany Foss Kingston
Brady (TX) Franks (AZ) Kinzinger (IL)
Brooks Frelinghuysen Kissell
Broun (GA) Gallegly Kline
Buchanan Gardner Labrador
Bucshon Garrett Lamborn
Buerkle Gerlach Lance
Burgess Gibbs Lankford
Burton (IN) Gibson Latham
Calvert Gingrey (GA) LaTourette
Camp Gohmert Latta
Canseco Goodlatte Lewis (CA)
Cantor Gosar LoBiondo
Capito Gowdy Long
Carter Granger Lucas
Cassidy Graves (GA) Luetkemeyer
Chabot Graves (MO) Lummis
Chaffetz Griffin (AR) Lungren, Daniel
Coble Griffith (VA) E.
Coffman (CO) Guinta Mack
Cole Guthrie Manzullo
Conaway Hall Marchant
Cravaack Hanna Matheson
Crawford Harper McCarthy (CA)

- McCaull
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—176

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

NOT VOTING—18

- Berkley
Campbell
Cardoza
Carnahan
Farr
Filner
Giffords
Grimm
Heinrich
Hinchev
Inslee
Marino
Noem
Olson
Payne
Pelosi
Reyes
Speier

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶6.8 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, January 17, 2012.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. LEVIN demanded a recorded vote on agreeing to the Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 292 Nays 120 Answered present 1

¶6.9 [Roll No. 3] AYES—292

- Ackerman
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Beno Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carney
Carter
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clay
Coble
Cohen
Cole
Connelly (VA)
Cooper
Crenshaw
Critz
Crowley
Culberson
Davis (CA)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Eshoo
Camp
Canseco
Cantor
Capito
Carney
Carter
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clay
Coble
Cohen
Cole
Connelly (VA)
Cooper
Crenshaw
Critz
Crowley
Culberson
Davis (CA)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Eshoo
Ackerman
Aderholt
Akin
Alexander
Amodei
Austria
Baca
Bachmann
Barletta
Bartlett
Barton (TX)
Bass (NH)
Becerra
Berg
Berman
Biggart
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford

ANSWERED "PRESENT"—1

- Landry

Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larson (CT)
LaTourette
Latta
Lewis (CA)
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McColum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan

NOES—120

Adams
Andrews
Baldwin
Barrow
Bass (CA)
Benishkek
Bilbray
Bishop (NY)
Brady (PA)
Braley (IA)
Burgess
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coffman (CO)
Conaway
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Cuellar
Cummings
Davis (IL)
DeFazio
Dent
Dingell
Doggett
Dold
Donnelly (IN)

Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Petri
Pingree (ME)
Pitts
Platts
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rangel
Rehberg
Reichert
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schiff

Doyle
Duffy
Ellison
Fitzpatrick
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Green, Gene
Griffin (AR)
Grijalva
Hahn
Hanna
Hastings (FL)
Heck
Herrera Beutler
Higgins
Himes
Holden
Holt
Honda
Hoyer
Hunter
Israel
Jackson (IL)
Johnson (GA)
Johnson (OH)
Keating
Kind
Kucinich
Larsen (WA)
Latham
Lee (CA)
Levin

Thompson (CA)
Thompson (MS)
Tierney
Tipton

Towns
Velázquez
Visclosky
Walsh (IL)

Woodall
Yoder

ANSWERED "PRESENT"—1

Amash

NOT VOTING—20

Bachus
Berkley
Campbell
Cardoza
Cassidy
Farr
Fattah
Filner
Frank (MA)
Giffords
Gohmert
Heinrich
Hinchev
Inslie
Johnson, E. B.
Marino
Noem
Payne
Reyes
Speier

So the Journal was approved.

¶6.10 JOINT SESSION TO RECEIVE THE PRESIDENT

Mr. REED submitted the following privileged concurrent resolution (H. Con. Res. 96):

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 24, 2012, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶6.11 DEBT LIMIT

Mr. REED, pursuant to House Resolution 515, moved to consider the joint resolution (H.J. Res. 98) relating to the disapproval of the President's exercise of authority to increase the debt limit, as submitted under section 3101A of title 31, United States Code, on January 12, 2012.

Pursuant to section 3101A(c)(3) of title 31, United States Code, the motion was not debatable.

The question being put, viva voce, Will the House agree to said motion?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

So the motion was agreed to.

Pursuant to section 3101A(c)(4) of title 31, United States Code, the joint resolution was considered as read, and the previous question was considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate.

Pursuant to the statute, when said joint resolution was considered and read twice.

After debate, Pursuant to the statute, the previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said joint resolution?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which

demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative
Yeas 239
Nays 176
Answered present 2

¶6.12 [Roll No. 4] YEAS—239

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

NAYS—176

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra

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

ANSWERED "PRESENT"—2

Landry Walsh (IL)

NOT VOTING—16

Bartlett	Filner	Noem
Berkley	Giffords	Reyes
Brown (FL)	Heinrich	Simpson
Campbell	Hinchee	Speier
Cardoza	Inslee	
Farr	Marino	

So the joint resolution was passed.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶6.13 ADJOURNMENT OVER

On motion of Mr. TERRY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Thursday, January 19, 2012; and further, when the House adjourns on Thursday, January 19, 2012, it adjourn to meet at noon on Monday, January 23, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶6.14 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. BERKLEY, for January 17 and today; and
To Mr. REYES, for today.

And then,

¶6.15 ADJOURNMENT

On motion of Mr. WOODALL, pursuant to the previous order of the House, at 5 o'clock and 41 minutes p.m., the House adjourned until 10 a.m. on Thursday, January 19, 2012.

¶6.16 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 200. A bill to direct the Secretary of the Interior to conduct a study of water resources in the Rialto-Colton Basin in the State of California, and for other purposes (Rept. 112-367). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2070. A bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the nation on June 6, 1944, the morning of D-Day; with an amendment (Rept. 112-368). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2087. A bill to remove restrictions from a parcel of land situated in the Atlantic District, Accomack County, Virginia; with an amendment (Rept. 112-369). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2336. A bill to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; with an amendment (Rept. 112-370). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2752. A bill to amend the Mineral Leasing Act to authorize the Secretary of the Interior to conduct onshore oil and gas lease sales through Internet-based live lease sales, and for other purposes; with an amendment (Rept. 112-371). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2236. A bill to provide for the issuance of a Wildlife Refuge System Conservation Semipostal Stamp (Rept. 112-372, Pt. 1). Ordered to be printed.

¶6.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAMBORN:

H.R. 3778. A bill to amend the Congressional Budget Act of 1974 to establish a point of order to prohibit the extension of the public debt limit unless a concurrent resolution on the budget has been agreed to and is in effect; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS:

H.R. 3779. A bill to hold accountable Federal departments and agencies that fail to

meet goals relating to the participation of small business concerns in procurement contracts, to authorize Federal departments and agencies to give preference to small business concerns when procuring goods or services, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky:

H.R. 3780. A bill to amend the Internal Revenue Code of 1986 to allow an ordinary and necessary business expense deduction for contributions to regional infrastructure improvement zones, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois (for himself, Mr. JACKSON of Illinois, Mr. RUSH, and Mr. GUTIERREZ):

H.R. 3781. A bill to amend title 18, United States Code, to provide a criminal penalty for torture committed by law enforcement officers and others acting under color of law; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Mr. CAMP-

BELL, Mr. CHAFFETZ, Mr. DOGGETT, Mr. DOYLE, Ms. ESHOO, Mr. FARENTHOLD, Mr. HONDA, Ms. ZOE LOFGREN of California, Ms. MATSUI, Mr. POLIS, Ms. SPEIER, Mr. THOMPSON of California, Mr. JOHNSON of Illinois, Mr. STARK, Mr. LANGEVIN, Mr. MCHENRY, Mr. GEORGE MILLER of California, Mr. ROSS of Florida, Mr. SENSENBRENNER, Mr. HASTINGS of Florida, Mr. BACHUS, Mr. ELLISON, Mr. GRIJALVA, Mr. DEFAZIO, and Ms. WOOLSEY):

H.R. 3782. A bill to amend the Tariff Act of 1930 to address unfair trade practices relating to infringement of copyrights and trademarks by certain Internet sites, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of South Carolina (for

himself, Mr. HIGGINS, Mr. MACK, Mr. MCCAUL, Mrs. MYRICK, Ms. HOCHUL, Mr. MEEHAN, Mr. CANSECO, Mr. KING of Iowa, Mr. HULTGREN, Mr. FRANKS of Arizona, Mr. WALSH of Illinois, Mr. HUNTER, Mr. ROYCE, Mr. PITTS, Mrs. BLACKBURN, Mrs. LUMMIS, Mr. AUSTRIA, Mr. DESJARLAIS, Mr. QUAYLE, Mr. CULBERSON, Mr. CALVERT, Mr. BURTON of Indiana, Mr. POE of Texas, Mr. BILIRAKIS, and Mr. LAMBORN):

H.R. 3783. A bill to provide for a comprehensive strategy to counter Iran's growing presence and hostile activity in the Western Hemisphere, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KUCINICH (for himself, Mr. WOOLSEY, Mr. CONYERS, Mr. LANGEVIN, Ms. FUDGE, and Mr. FILNER):

H.R. 3784. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on oil and natural gas (and products thereof) and to allow an income tax credit for purchases of fuel-efficient passenger vehicles, and to allow grants for mass transit; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 3785. A bill to repeal section 1021 of the National Defense Authorization Act for Fiscal Year 2012; to the Committee on For-

eign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 3786. A bill to ensure clarity of regulations to improve the effectiveness of Federal regulatory programs while decreasing burdens on the regulated public; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. GRIJALVA, Mr. LEWIS of Georgia, and Mr. MCDERMOTT):

H.R. 3787. A bill to amend the Congressional Budget Act of 1974 to require a jobs score for each spending bill considered in Congress; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois:

H.R. 3788. A bill to ensure that State and local E911 fees, taxes, and surcharges are imposed in a fair and equitable manner with respect to prepaid mobile services; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 3789. A bill to amend the Truth in Lending Act to establish clear regulatory standards for mortgage servicers, and for other purposes; to the Committee on Financial Services.

By Mr. ISRAEL (for himself, Mr. TIBERI, Mr. FRANK of Massachusetts, Ms. NORTON, Mr. ELLISON, Mr. GRIJALVA, and Mr. HINCHEY):

H.R. 3790. A bill to amend title XVIII of the Social Security Act to provide comprehensive cancer patient treatment education under the Medicare Program and to provide for research to improve cancer symptom management; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS:

H.R. 3791. A bill to amend the Securities Exchange Act of 1934 to require annual disclosures relating to the compensation brackets in which an issuer's minority and women employees reside; to the Committee on Financial Services.

By Mr. ROGERS of Kentucky (for himself, Mr. YARMUTH, and Mr. GUTHRIE):

H.R. 3792. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Mill Springs Battlefield located in Pulaski and Wayne Counties, Kentucky, and the feasibility of its inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. SHULER:

H.R. 3793. A bill to establish State infrastructure banks for education; to the Committee on Education and the Workforce.

By Mr. STUTZMAN:

H.R. 3794. A bill to repeal the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973; to the Committee on Education and the Workforce.

By Mr. YARMUTH (for himself, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. FILNER, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. MCDERMOTT, Mr. MEEKS, Mr. MORAN, Mr. PETERS, Ms. ROYBAL-ALLARD, Ms. SEWELL, and Mr. TOWNS):

H.R. 3795. A bill to establish a grant program to preserve the legacy and ideals of Muhammad Ali and promote global respect, understanding, and communication, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KUCINICH:

H.J. Res. 100. A joint resolution proposing an amendment to the Constitution of the United States regarding the use of public funds to pay for campaigns for election to Federal office; to the Committee on the Judiciary.

By Mr. REED:

H. Con. Res. 96. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

By Mr. NUGENT (for himself, Mr. POSEY, Mr. WILSON of South Carolina, Mr. KINZINGER of Illinois, Mr. NEUGEBAUER, Mr. GRIFFIN of Arkansas, Mr. GARDNER, Mr. DUNCAN of South Carolina, Mr. LATTA, Mr. COLE, Mr. CASSIDY, Mr. ROONEY, Mr. DENHAM, Mrs. ROBY, Mrs. MILLER of Michigan, Mr. OLSON, Mr. CONAWAY, Mr. ROSKAM, Mr. BACHUS, Mr. BUCSHON, Mr. NUNNELEE, Mr. SCOTT of South Carolina, Mr. HUIZENGA of Michigan, Mrs. ADAMS, Mrs. ELLMERS, Ms. ROS-LEHTINEN, Mr. AMODEI, Mr. WEST, Mr. WOODALL, Mr. BILIRAKIS, Mr. BROUN of Georgia, Mr. GINGREY of Georgia, Mr. ROKITA, and Mr. YOUNG of Florida):

H. Res. 516. A resolution expressing the sense of the House of Representatives that the passage of a fiscal year 2013 Federal budget is of national importance; to the Committee on the Budget.

By Mr. ROGERS of Kentucky (for himself, Mr. DAVIS of Kentucky, Mr. YARMUTH, Mr. GUTHRIE, and Mr. CHANDLER):

H. Res. 517. A resolution to commemorate the 150th Anniversary of the Battle of Mill Springs and the significance of this battle during the Civil War; to the Committee on Natural Resources.

By Ms. SEWELL (for herself, Mr. BONNER, Mrs. ROBY, Mr. ADERHOLT, Mr. BROOKS, Mr. ROGERS of Alabama, and Mr. BACHUS):

H. Res. 518. A resolution congratulating the University of Alabama Crimson Tide football team for winning the 2011 Bowl Championship Series National Championship; to the Committee on Education and the Workforce.

By Ms. WATERS:

H. Res. 519. A resolution honoring Apostle Frederick K.C. Price on his 80th birthday; to the Committee on Oversight and Government Reform.

By Ms. WATERS:

H. Res. 520. A resolution recognizing the significance of the 45th anniversary of Kwanzaa Week; to the Committee on Oversight and Government Reform.

¶6.18 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Ms. PINGREE of Maine, Ms. CLARKE of New York, Mr. FARR, Mr. CLEAVER, Ms. TSONGAS, and Mr. FLEMING.

H.R. 83: Ms. NORTON.
 H.R. 104: Mr. SCHRADER and Mr. MARCHANT.
 H.R. 139: Mr. CLARKE of Michigan.
 H.R. 190: Mr. STARK.
 H.R. 303: Mr. INSLEE.
 H.R. 350: Mr. BRADY of Pennsylvania.
 H.R. 374: Ms. HERRERA BEUTLER and Mr. MURPHY of Pennsylvania.
 H.R. 402: Mr. MORAN.
 H.R. 431: Mr. MILLER of Florida.
 H.R. 459: Mrs. BONO MACK, Mr. BERG, and Mr. LEWIS of California.
 H.R. 507: Mr. MEEHAN and Mr. PLATTS.
 H.R. 511: Mr. YOUNG of Florida.
 H.R. 544: Ms. HAHN.
 H.R. 555: Mr. SABLAN.
 H.R. 572: Ms. HAHN.
 H.R. 607: Mr. CRITZ and Mrs. CHRISTENSEN.
 H.R. 733: Mr. GRIJALVA, Mr. CONYERS, and Mr. CRAWFORD.
 H.R. 856: Mr. AMODEI.
 H.R. 883: Mr. MCDERMOTT.
 H.R. 890: Mr. RIBBLE.
 H.R. 954: Mr. MILLER of Florida.
 H.R. 974: Mr. CONYERS and Mr. JACKSON of Illinois.
 H.R. 1124: Mr. CICILLINE.
 H.R. 1154: Mr. CONNOLLY of Virginia.
 H.R. 1167: Mr. GARDNER.
 H.R. 1195: Mr. KINZINGER of Illinois.
 H.R. 1265: Mr. MILLER of Florida.
 H.R. 1288: Mr. MORAN.
 H.R. 1332: Mr. MILLER of North Carolina, Ms. WILSON of Florida, Ms. RICHARDSON, Mr. MCDERMOTT, Mr. ANDREWS, Mr. GRAVES of Missouri, Mr. GERLACH, Ms. BORDALLO, Mr. MEEHAN, Mr. RUNYAN, and Mr. LANCE.
 H.R. 1417: Ms. WOOLSEY.
 H.R. 1418: Ms. HANABUSA.
 H.R. 1558: Mr. ALEXANDER.
 H.R. 1614: Ms. BROWN of Florida.
 H.R. 1639: Mr. JOHNSON of Illinois and Mr. GOWDY.
 H.R. 1697: Mr. PALAZZO, Mr. ADERHOLT, Mr. WOMACK, and Mr. REHBERG.
 H.R. 1704: Mr. BUTTERFIELD, Mr. JOHNSON of Georgia, Mr. MEEHAN, Mr. MCDERMOTT, and Mr. LANCE.
 H.R. 1738: Mr. PLATTS and Mr. TURNER of Ohio.
 H.R. 1775: Mr. MCCOTTER.
 H.R. 1792: Mr. VAN HOLLEN.
 H.R. 1903: Mr. HONDA.
 H.R. 1916: Mr. MARKEY.
 H.R. 1960: Mr. MORAN.
 H.R. 2014: Mr. ROSS of Arkansas and Mr. THOMPSON of Mississippi.
 H.R. 2026: Mr. ELLISON and Ms. MCCOLLUM.
 H.R. 2162: Mr. ROSS of Florida.
 H.R. 2179: Mr. DIAZ-BALART, Mr. CASSIDY, Mr. CONAWAY, and Mr. NUNNELEE.
 H.R. 2238: Mr. INSLEE.
 H.R. 2247: Ms. NORTON.
 H.R. 2288: Mr. POLIS.
 H.R. 2305: Ms. TSONGAS.
 H.R. 2335: Mr. JONES.
 H.R. 2357: Mr. PALAZZO.
 H.R. 2377: Mr. MCINTYRE.
 H.R. 2397: Mr. ROSS of Florida.
 H.R. 2414: Mr. FARENTHOLD.
 H.R. 2418: Mr. LOEBSACK, Mr. MCINTYRE, Mr. WALZ of Minnesota, Mr. KIND, and Mr. LUETKEMEYER.
 H.R. 2453: Mr. KLINE.
 H.R. 2459: Mr. PALAZZO.
 H.R. 2536: Ms. CHU, Mr. GRIMM, Mr. LANCE, Mr. MCDERMOTT, Mr. MEEHAN, and Mr. PLATTS.
 H.R. 2542: Mr. MILLER of Florida.
 H.R. 2595: Mr. MORAN, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. HONDA, and Mr. TOWNS.
 H.R. 2604: Mr. HIGGINS.
 H.R. 2634: Mr. HONDA.
 H.R. 2649: Mr. BOREN, Mr. GENE GREEN of Texas, Mr. OWENS, and Mr. SULLIVAN.
 H.R. 2652: Mr. RIBBLE and Mr. ROSS of Florida.
 H.R. 2679: Ms. MOORE, Ms. BALDWIN, and Ms. WOOLSEY.

H.R. 2682: Ms. MOORE.
 H.R. 2705: Mr. WELCH and Ms. SPEIER.
 H.R. 2733: Mr. KING of New York.
 H.R. 2741: Mr. HINCHEY.
 H.R. 2746: Mrs. NAPOLITANO.
 H.R. 2810: Mr. RIBBLE.
 H.R. 2902: Mr. GRIJALVA.
 H.R. 2948: Mr. WAXMAN and Mr. MCDERMOTT.
 H.R. 2954: Mr. KEATING.
 H.R. 2982: Mr. WEST.
 H.R. 3001: Mr. LEWIS of California, Mr. AMODEI, Mr. LOBIONDO, Mr. BASS of New Hampshire, Mr. FRELINGHUYSEN, Mr. TIBERI, Mr. DOLD, Mr. LATOURETTE, Mr. NUNES, Mr. KUCINICH, Mr. HUNTER, Mr. SMITH of Texas, Mr. STIVERS, Mr. HULTGREN, Mrs. McMORRIS RODGERS, Mr. REICHERT, Mr. CASSIDY, Mr. FORTENBERRY, Mr. FRANK of Massachusetts, Mrs. CAPITO, Mr. GOSAR, Mr. ROKITA, Mr. BERG, Mr. CLARKE of Michigan, Mr. JOHNSON of Georgia, Mrs. CHRISTENSEN, Mr. PAYNE, Ms. CLARKE of New York, Ms. WASSERMAN SCHULTZ, Mr. HANNA, Mr. PENCE, Mr. WESTMORELAND, Mr. RENACCI, Mrs. LOWEY, Mr. RUPPERSBERGER, Mr. POLIS, Mr. HECK, Mr. JACKSON of Illinois, Mr. SCHOCK, Mr. QUIGLEY, Mr. WAXMAN, and Mr. COSTELLO.
 H.R. 3053: Mr. STARK.
 H.R. 3087: Mrs. ADAMS.
 H.R. 3096: Mr. WITTMAN and Mr. POSEY.
 H.R. 3187: Mr. GIBSON and Ms. BALDWIN.
 H.R. 3203: Mr. MULVANEY.
 H.R. 3208: Mr. MULVANEY.
 H.R. 3209: Mr. MULVANEY.
 H.R. 3210: Mr. POSEY.
 H.R. 3211: Mr. SCHOCK.
 H.R. 3215: Mr. BILIRAKIS.
 H.R. 3216: Mr. STIVERS, Mr. LUJÁN, and Mr. SCHWEIKERT.
 H.R. 3259: Mr. RYAN of Ohio, Mr. PRICE of North Carolina, Mr. JACKSON of Illinois, and Mr. TOWNS.
 H.R. 3265: Mr. DESJARLAIS and Mr. RIBBLE.
 H.R. 3300: Mr. TOWNS, Mr. GRIJALVA, and Mr. CARSON of Indiana.
 H.R. 3324: Mr. ROTHMAN and Mr. SIRES.
 H.R. 3340: Mr. FILNER.
 H.R. 3399: Ms. BROWN of Florida and Mr. BOREN.
 H.R. 3409: Mr. BERG.
 H.R. 3437: Mr. YARMUTH.
 H.R. 3474: Mr. MURPHY of Pennsylvania.
 H.R. 3483: Ms. LEE of California, Mr. BRADY of Pennsylvania, and Ms. LINDA T. SÁNCHEZ of California.
 H.R. 3501: Mr. PENCE, Mr. YOUNG of Indiana, Mr. BUCSHON, Mr. BURTON of Indiana, Mr. VISCLOSKEY, Mr. DONNELLY of Indiana, Mr. CARSON of Indiana, and Mr. ROKITA.
 H.R. 3506: Ms. JENKINS.
 H.R. 3523: Mrs. McMORRIS RODGERS, Mr. SULLIVAN, Mr. MCKINLEY, Ms. ROS-LEHTINEN, Mr. COFFMAN of Colorado, and Mr. GOODLATTE.
 H.R. 3525: Ms. FUDGE.
 H.R. 3527: Mr. MATHESON.
 H.R. 3553: Mr. DEFAZIO.
 H.R. 3554: Mr. DEFAZIO.
 H.R. 3555: Mr. DEFAZIO and Mr. CLARKE of Michigan.
 H.R. 3573: Mr. COHEN.
 H.R. 3578: Mr. MULVANEY and Mr. BERG.
 H.R. 3581: Mr. SCOTT of South Carolina.
 H.R. 3582: Mr. MCHENRY, Mr. WOODALL, Mr. PITTS, Mr. HUELSKAMP, Mr. BARTON of Texas, Mr. WALBERG, Mr. KINGSTON, Mr. PEARCE, Mr. HARRIS, Mr. QUAYLE, Mr. POSEY, Mr. CULBERSON, Mrs. BLACKBURN, and Mr. FRANKS of Arizona.
 H.R. 3583: Mr. WALBERG, Mr. QUAYLE, Mr. AUSTIN SCOTT of Georgia, Mr. PITTS, Mrs. LUMMIS, and Mr. GOHMERT.
 H.R. 3600: Mr. COFFMAN of Colorado.
 H.R. 3606: Mr. OWENS.
 H.R. 3608: Mr. NUNNELEE.
 H.R. 3609: Mr. ROE of Tennessee, Mr. KINGSTON, Mr. AUSTIN SCOTT of Georgia, Mr. PITTS, Mrs. LUMMIS, Mr. GOHMERT, Mr.

WALBERG, Mr. HUIZENGA of Michigan, Mr. ROSS of Florida, and Mr. AMASH.
 H.R. 3612: Mr. RANGEL, Mr. WELCH, Mr. COURTNEY, Mr. MICHAUD, Mr. BUTTERFIELD, Mr. CRITZ, Mr. ROSS of Florida, Ms. LINDA T. SÁNCHEZ of California, Mr. GALLEGLY, and Mr. NUGENT.
 H.R. 3634: Mr. DUNCAN of South Carolina.
 H.R. 3643: Mr. PETRI and Mr. AMODEI.
 H.R. 3646: Mr. BRALEY of Iowa.
 H.R. 3662: Mr. HECK, Mr. CRENSHAW, Ms. FOXX, Mr. ROSS of Florida, Mr. COLE, Mr. JOHNSON of Ohio, and Mr. CULBERSON.
 H.R. 3676: Mr. SCOTT of South Carolina, Mr. JONES, and Mr. HECK.
 H.R. 3687: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 3695: Ms. BORDALLO and Ms. RICHARDSON.
 H.R. 3713: Mr. COBLE and Mr. MCNERNEY.
 H.R. 3750: Mr. RANGEL.
 H.R. 3760: Mr. LANCE.
 H.R. 3762: Ms. BROWN of Florida.
 H.R. 3767: Mr. GRIFFIN of Arkansas.
 H.R. 3770: Mr. LATTI, Mr. FLEMING, Mr. HUELSKAMP, Mr. COLE, Mr. NEUGEBAUER, Mr. PRICE of Georgia, Mr. LAMBORN, Mr. KINGSTON, Mr. HUIZENGA of Michigan, and Mr. GOHMERT.
 H.J. Res. 72: Mr. FARR.
 H.J. Res. 86: Mr. LUJÁN.
 H.J. Res. 97: Mr. JACKSON of Illinois and Ms. LEE of California.
 H.J. Res. 98: Mr. FLORES, Mr. SCOTT of South Carolina, Mr. NEUGEBAUER, and Mr. ROONEY.
 H. Res. 111: Ms. BALDWIN, Mr. OWENS, and Mr. HUNTER.
 H. Res. 220: Mr. CHABOT.
 H. Res. 225: Mr. MCDERMOTT.
 H. Res. 484: Mr. DANIEL E. LUNGRUN of California.
 H. Res. 509: Mr. HALL, Mr. CHABOT, Mr. OLSON, Mr. PEARCE, and Mr. RIBBLE.

¶6.19 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3261: Mr. HOLDEN and Mr. TERRY.
 H.R. 3622: Mr. TIBERI.

THURSDAY, JANUARY 19, 2012 (7)

¶7.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. REED, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 January 19, 2012.

I hereby appoint the Honorable TOM REED to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

¶7.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. REED, announced he had examined and approved the Journal of the proceedings of Wednesday, January 18, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶7.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4618. A letter from the Secretary, Commodity Futures Trading Commission, trans-

mitting the Commission's "Major" final rule — Real-Time Public Reporting of Swap Transaction Data (RIN: 3038-AD08) received January 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4619. A communication from the President of the United States, transmitting notification that the national emergency regarding terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112—82); to the Committee on Foreign Affairs and ordered to be printed.

4620. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Updated States of Legal Authority To Reflect Continuation of Emergency Declared in Executive Order 12938 [Docket No.: 111031662-1691-01] (RIN: 0694-AF44) received December 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4621. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations; Establishment of U.S. Munitions List Category XIX for Gas Turbine Engines (RIN: 1400-AC98) received December 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4622. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures [Docket No.: 100804324-1295-03] (RIN: 0648-BA01) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4623. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Program Improvement and Enhancement; Amendment 21-1 [Docket No.: 110616336-1627-02] (RIN: 0648-BB13) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4624. A letter from the Acting Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Allocations in the Gulf of Alaska; Amendment 83 [Docket No.: 100107012-1689-03] (RIN: 0648-AY53) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4625. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's "Major" final rule — Flightcrew Member Duty and Rest Requirements [Docket No.: FAA-2009-1093; Amdt. Nos. 117-1, 119-16, 121-357] (RIN: 2120-AJ58) received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4626. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's "Major" final rule — Hours of Service of Drivers [Docket No.: FMCSA-2004-19608] (RIN:2126-AB2) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4627. A letter from the Director of Regulation Policy and Management, Office of the

General Counsel, Department of Veterans, transmitting the Department's final rule — Payment or Reimbursement for Emergency Treatment Furnished by Non-VA Providers in Non-VA Facilities to Certain Veterans with Service-connected or Nonservice-connected Disabilities (RIN: 2900-AN49) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4628. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Employee Plans Determination Letter Program changes [Announcement 2011-82] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4629. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Revenue Ruling 2011-1 [Notice 2012-6] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶7.4 COMMUNICATION FROM THE
MINORITY LEADER—APPOINTMENT—
UNITED STATES ELECTION ASSISTANCE
COMMISSION BOARD OF ADVISORS

The SPEAKER pro tempore, Mr. REED, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 18, 2012.

Hon. JOHN BOEHNER,
*Speaker of the House of Representatives, U.S.
Capitol Building, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to Section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), I hereby appoint Mr. Gregory T. Moore of Washington, DC to the U.S. Election Assistance Commission Board of Advisors.

Thank you for your attention to his appointment.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

And then,

¶7.5 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. REED, by unanimous consent, and pursuant to the special order of the House agreed to on January 18, 2012, at 10 o'clock and 4 minutes a.m., declared the House adjourned until noon on Monday, January 23, 2012.

¶7.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. SENSENBRENNER (for, Mr. DANIEL E. LUNGREN of California, Mr. LANCE, and Ms. WASSERMAN SCHULTZ) introduced a bill (H.R. 3796) to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006; which was referred to the Committee on the Judiciary.

¶7.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 178: Mr. CRAVAACK.

H.R. 1200: Mr. MCGOVERN.

H.R. 3643: Mr. BOSWELL.

H.R. 3702: Mrs. NAPOLITANO and Mr. WALZ of Minnesota.

H.J. Res. 88: Ms. LEE of California.

H. Res. 516: Mr. TIBERI, Mrs. HARTZLER, and Mr. ROE of Tennessee.

MONDAY, JANUARY 23, 2012 (8)

¶8.1 APPOINTMENT OF SPEAKER PRO
TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Ms. FOXX, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 23, 2012.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶8.2 RECESS—12:20 P.M.

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 20 minutes p.m., until 2 p.m.

¶8.3 AFTER RECESS—2 P.M.

The SPEAKER called the House to order.

¶8.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, January 19, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶8.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4630. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyhalofop-butyl; Pesticide Tolerances [EPA-HQ-OPP-2011-0283; FRL-9330-1] received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4631. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Difenconazole; Pesticide Tolerances [EPA-HQ-OPP-2010-0959; FRL-9328-6] received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4632. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tepraloxym; Pesticide Tolerances [EPA-HQ-OPP-2010-0865; FRL-9330-2] received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4633. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Golden Parachute and Indemnification Payments; Technical Correction (RIN: 3133-AD73) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4634. A letter from the General Counsel, National Credit Union Administration,

transmitting the Administration's final rule — Community Development Revolving Loan Fund Access for Credit Unions (RIN: 3133-AD91) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4635. A letter from the Acting Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Family Educational Rights and Privacy [DOCKET ID: ED-2011-OM-0002] (RIN: 1880-AA86) received December 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4636. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedule of Controlled Substances: Placement of Carisoprodol Into Schedule IV [Docket No.: DEA-333] received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4637. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; California; Determinations of Failure to Attain the One-Hour Ozone Standard [EPA-R09-OAR-2011-0638; FRL-9612-8] received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4638. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of New Jersey; Regional Haze State Implementation Plan [EPA-R02-OAR-2011-0607; FRL-9611-2] received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4639. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: 2012 Renewable Fuel Standards [EPA-HQ-OAR-2010-0133; FRL-9614-4] (RIN: 2060-AQ76) received December 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4640. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-269, "Health Benefit Exchange Authority Establishment Act of 2011"; to the Committee on Oversight and Government Reform.

4641. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-270, "Presidential Primary Ballot Access Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4642. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-271, "Unemployment Compensation Federally Funded Extended Benefits Maximization Temporary Amendment Act 2012"; to the Committee on Oversight and Government Reform.

4643. A letter from the Chief, Division of Consultation, Recovery, HCP and State Grants, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reinstatement of Listing Protections for the Preble's Meadow Jumping Mouse [Docket ID: FWS-R6-ES-2011-0062] (RIN: 1018-AX93) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4644. A letter from the Chief, Branch of Permits and Regulations, Division of Migratory Bird Management, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; States Delegated Falconry Permitting Authority;

Technical Corrections to the Regulations [FWS-R9-MB-2011-0088; 91200-1231-9BPP] (RIN: 1018-AX98) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4645. A letter from the Biologist, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Concho Water Snake From the Federal List of Endangered and Threatened Wildlife and Removal of Designated Critical Habitat [FWS-R2-ES-2008-0080; 92220-1113-0000-C6] (RIN: 1018-AU97) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4646. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 26 and Amendment 29 Supplement [Docket No.: 110606316-1652-02] (RIN: 0648-BB15) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4647. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions in the Eastern Pacific Ocean [Docket No.: 110620342-1659-03] (RIN: 0648-B66) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4648. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #5 Through #26 [Docket No.: 100223162-1268-01] (RIN: 0648-XA551) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4649. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA782) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4650. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA710) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4651. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Harvest Specifications and Management Measures for the Remainder of the 2011 Fishery [Docket No.: 100804324-1265-02] (RIN: 0648-BA01) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4652. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries; Annual Catch Limits and Accountability Measures [Docket No.: 101102552-1319-02] (RIN: 0648-BA35) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4653. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gag Grouper Closure Measures [Docket No.: 110321211-1289-02] (RIN: 0648-BA94) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4654. A letter from the Acting Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Vessel Monitoring Systems [Docket No.: 110520295-1659-02] (RIN: 0648-BA64) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4655. A letter from the Special Master, September 11th Victim Compensation Fund, Department of Justice, transmitting the Department's final rule — James Zadroga 9/11 Health and Compensation Act of 2010 [Docket No.: CIV 151] (RIN: 1105-AB39) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4656. A letter from the Director, Office of Tribal Justice, Department of Justice, transmitting Department's final rule — Office of the Attorney General; Assumption of Concurrent Federal Criminal Jurisdiction in Certain Areas of Indian Country [Docket No.: OAG 142; AG Order No. 3314-2011] (RIN: 1105-AB38) received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4657. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date; Impact on Prevailing Wage Determinations (RIN: 1205-AB61) received December 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4658. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turbofan Engines [Docket No.: FAA-2011-1261; Directorate Identifier 2011-NE-38-AD; Amendment 39-16875; AD 2011-24-11] (RIN: 2120-AA64) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4659. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1256; Directorate Identifier 2011-NM-036-AD; Amendment 39-16874; AD 2011-24-10] (RIN: 2120-AA64) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4660. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2012-2) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means

¶8.6 RECESS—2:14 P.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 14 minutes p.m., until approximately 4 p.m.

¶8.7 AFTER RECESS—4:01 P.M.

The SPEAKER pro tempore, Ms. FOXX, called the House to order.

¶8.8 ROTA, COMMONWEALTH OF NORTHERN MARIANA ISLANDS

Mr. WITTMAN moved to suspend the rules and pass the bill (H.R. 1141) to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. WITTMAN and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WITTMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶8.9 ELECTRONIC DUCK STAMPS

Mr. WITTMAN moved to suspend the rules and pass the bill (H.R. 3117) to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. WITTMAN and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WITTMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶8.10 RECESS—4:16 P.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 16 minutes p.m., until approximately 6:30 p.m.

¶8.11 AFTER RECESS—6:31 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶8.12 H.R. 3117—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3117) to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; as amended.

The question being put,
Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 373
affirmative } Nays 1

¶8.13 [Roll No. 5]

YEAS—373

Ackerman	Connelly (VA)	Hall
Adams	Conyers	Hanabusa
Aderholt	Cooper	Hanna
Akin	Costello	Harper
Altmire	Courtney	Harris
Amash	Cravaack	Hartzler
Amodei	Crawford	Hastings (FL)
Andrews	Crenshaw	Hastings (WA)
Baca	Critz	Hayworth
Bachmann	Crowley	Heck
Bachus	Cuellar	Heinrich
Barletta	Cummings	Hensarling
Barrow	Davis (CA)	Herger
Bartlett	Davis (KY)	Herrera Beutler
Barton (TX)	DeGette	Higgins
Bass (CA)	DeLauro	Himes
Bass (NH)	Dent	Hinojosa
Becerra	DesJarlais	Hirono
Benishek	Deutch	Hochul
Berg	Diaz-Balart	Holden
Biggert	Dicks	Holt
Bilbray	Dingell	Honda
Bilirakis	Doggett	Hoyer
Bishop (GA)	Donnelly (IN)	Huelskamp
Bishop (NY)	Doyle	Huizenga (MI)
Bishop (UT)	Dreier	Hultgren
Black	Duffy	Hunter
Blackburn	Duncan (SC)	Hurt
Blumenauer	Duncan (TN)	Israel
Boren	Edwards	Issa
Boswell	Ellison	Jackson (IL)
Boustany	Ellmers	Jackson Lee
Braley (IA)	Emerson	(TX)
Brooks	Engel	Jenkins
Broun (GA)	Eshoo	Johnson (GA)
Brown (FL)	Farenthold	Johnson (OH)
Buchanan	Fattah	Johnson, E. B.
Bucshon	Fincher	Johnson, Sam
Buerkle	Fitzpatrick	Jones
Burgess	Fleischmann	Jordan
Burton (IN)	Fleming	Keating
Calvert	Flores	Kelly
Camp	Forbes	Kildee
Campbell	Fortenberry	King (IA)
Canseco	Foxx	King (NY)
Cantor	Frank (MA)	Kingston
Capito	Franks (AZ)	Kinzinger (IL)
Capps	Frelinghuysen	Kissell
Capuano	Fudge	Kline
Cardoza	Garamendi	Labrador
Carnahan	Gardner	Lamborn
Carney	Garrett	Lance
Carson (IN)	Gerlach	Landry
Cassidy	Gibbs	Langevin
Castor (FL)	Gibson	Lankford
Chabot	Gohmert	Larsen (WA)
Chaffetz	Gonzalez	Larson (CT)
Chandler	Goodlatte	Latham
Chu	Gowdy	Latta
Cicilline	Granger	Lee (CA)
Clarke (MI)	Graves (GA)	Levin
Clarke (NY)	Graves (MO)	Lewis (CA)
Clay	Green, Al	Lewis (GA)
Cleaver	Green, Gene	Lipinski
Coble	Griffin (AR)	LoBiondo
Coffman (CO)	Griffith (VA)	Loeb sack
Cohen	Grimm	Lofgren, Zoe
Cole	Guthrie	Long
Conaway	Hahn	Lowey

Lucas	Peterson
Luetkemeyer	Petri
Lujan	Pingree (ME)
Lummis	Pitts
Lungren, Daniel E.	Poe (TX)
Lynch	Polis
Manzullo	Pompeo
Marino	Posey
Matheson	Price (GA)
Matsui	Price (NC)
McCarthy (CA)	Quigley
McCarthy (NY)	Rahall
McCaul	Rangel
McClintock	Reed
McCollum	Rehberg
McCotter	Reichert
McDermott	Renacci
McGovern	Reyes
McHenry	Ribble
McIntyre	Richardson
McKinley	Richmond
McMorris	Rigell
Rodgers	Rivera
McNerney	Roby
Meehan	Roe (TN)
Meeks	Rogers (AL)
Mica	Rogers (KY)
Michaud	Rogers (MI)
Miller (FL)	Rohrabacher
Miller (MI)	Rokita
Miller (NC)	Rooney
Miller, Gary	Ros-Lehtinen
Moore	Roskam
Mulvaney	Ross (AR)
Murphy (GT)	Ross (FL)
Murphy (PA)	Rothman (NJ)
Myrick	Roybal-Allard
Nadler	Royce
Napolitano	Runyan
Neal	Ruppersberger
Neugebauer	Ryan (OH)
Nugent	Ryan (WI)
Nunes	Sanchez, Loretta
Nunnelee	Sarbanes
Olson	Scalise
Oliver	Schakowsky
Owens	Schiff
Palazzo	Schilling
Pallone	Schmidt
Pastor (AZ)	Schock
Paulsen	Schrader
Payne	Schwartz
Pearce	Schweikert
Pelosi	Scott (SC)
Perlmutter	Scott (VA)
Peters	Scott, Austin

Scott, David	Serrano
Sessions	Sessions
Sewell	Sewell
Shimkus	Shimkus
Shuster	Shuster
Simpson	Simpson
Sires	Sires
Smith (NE)	Smith (NE)
Smith (NJ)	Smith (NJ)
Smith (TX)	Smith (TX)
Southerland	Southerland
Stark	Stark
Stearns	Stearns
Stivers	Stivers
Stutzman	Stutzman
Sullivan	Sullivan
Sutton	Sutton
Terry	Terry
Thompson (CA)	Thompson (CA)
Thompson (MS)	Thompson (MS)
Thompson (PA)	Thompson (PA)
Thornberry	Thornberry
Tiberi	Tiberi
Tierney	Tierney
Tipton	Tipton
Tonko	Tonko
Tsongas	Tsongas
Turner (OH)	Turner (OH)
Upton	Upton
Van Hollen	Van Hollen
Velázquez	Velázquez
Visclosky	Visclosky
Walberg	Walberg
Walden	Walden
Walsh (IL)	Walsh (IL)
Walz (MN)	Walz (MN)
Wasserman	Wasserman
Schultz	Schultz
Waters	Waters
Waxman	Waxman
Welch	Welch
West	West
Westmoreland	Westmoreland
Wilson (FL)	Wilson (FL)
Wilson (SC)	Wilson (SC)
Wittman	Wittman
Wolf	Wolf
Womack	Womack
Woodall	Woodall
Woolsey	Woolsey
Yarmuth	Yarmuth
Yoder	Yoder
Young (AK)	Young (AK)
Young (FL)	Young (FL)
Young (IN)	Young (IN)

NAYS—1

Sensenbrenner

NOT VOTING—59

Alexander	Flake	Miller, George
Austria	Gallegly	Moran
Baldwin	Giffords	Noem
Berkley	Gingrey (GA)	Pascarell
Berman	Gosar	Paul
Bonner	Grijalva	Pence
Bono Mack	Guinta	Platts
Brady (PA)	Gutierrez	Rush
Brady (TX)	Hinchee	Sánchez, Linda T.
Butterfield	Inslee	Sherman
Carter	Johnson (IL)	Shuler
Clyburn	Kaptur	Slaughter
Costa	Kind	Smith (WA)
Culberson	Kucinich	Speier
Davis (IL)	LaTourette	Towns
DeFazio	Mack	Turner (NY)
Denham	Maloney	Watt
Dold	Marchant	Webster
Farr	Markey	Whitfield
Filner	McKeon	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶8.14 DECORUM STATEMENT

The SPEAKER made the following announcement:

“Members should periodically rededicate themselves to the core principles of proper parliamentary practice that are so essential to maintaining order and deliberacy in the House. The Chair believes that a few of these principles bear emphasis today.

“Members should refrain from trafficking the well when another (including the presiding officer) is addressing the House.

“Members should wear appropriate business attire during all sittings of the House, however brief their presence on the floor might be.

“Members who wish to speak on the floor should respectfully seek and obtain recognition from the presiding officer, taking the time to do so in proper forms (such as ‘I ask unanimous consent to address the House for 1 minute’).

“Members should take care to yield and reclaim time in an orderly fashion, bearing in mind that the official reporters of debate cannot properly transcribe two Members simultaneously.

“Members should address their remarks in debate to the presiding officer and not to others in the second person or to some perceived viewing audience.

“Members should not embellish the offering of a motion, the entry of a request, the making of a point of order, or the entry of an appeal with any statement of motive or other commentary, and should be aware that such utterances could render the motion, request, point of order, or appeal untimely.

“Following these basic standards of practice will foster an atmosphere of mutual and institutional respect. It will insure against personal confrontation among individual Members or between Members and the presiding officer. It will facilitate Members’ comprehension of, and participation in, the business of the House. It will enable accurate transcriptions of proceedings. In sum, it will ensure the comity that elevates spirited deliberations above mere argument.”

¶8.15 H.R. 1141—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1141) to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

The question being put,
Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 278
affirmative { Nays 100

¶8.16 [Roll No. 6]
YEAS—278

Ackerman	Gonzalez	Nunes
Altmire	Graves (MO)	Oliver
Amodei	Green, Al	Owens
Andrews	Green, Gene	Pallone
Baca	Griffith (VA)	Pastor (AZ)
Bachus	Grimm	Payne
Barletta	Guinta	Pelosi
Barrow	Guthrie	Perlmutter
Bartlett	Hahn	Peters
Barton (TX)	Hanabusa	Peterson
Bass (CA)	Hanna	Petri
Bass (NH)	Harper	Pingree (ME)
Becerra	Harris	Polis
Berg	Hastings (FL)	Price (GA)
Biggert	Hastings (WA)	Price (NC)
Billbray	Heck	Quigley
Bilirakis	Heinrich	Rahall
Bishop (GA)	Hensarling	Rangel
Bishop (NY)	Herger	Rehberg
Bishop (UT)	Herrera Beutler	Reichert
Blumenauer	Higgins	Reyes
Boren	Himes	Ribble
Boswell	Hinojosa	Richardson
Boustany	Hirono	Richmond
Braley (IA)	Hochul	Rigell
Brooks	Holden	Rivera
Brown (FL)	Holt	Roby
Buchanan	Honda	Roe (TN)
Burton (IN)	Hoyer	Rogers (AL)
Calvert	Hunter	Rogers (KY)
Camp	Hurt	Rogers (MI)
Canseco	Israel	Rohrabacher
Cantor	Issa	Rokita
Capito	Jackson (IL)	Rooney
Capps	Jackson Lee	Ros-Lehtinen
Capuano	(TX)	Ross (AR)
Cardoza	Jenkins	Rothman (NJ)
Carnahan	Johnson (GA)	Roybal-Allard
Carney	Johnson, E. B.	Runyan
Carson (IN)	Jones	Ruppersberger
Castor (FL)	Keating	Ryan (OH)
Chaffetz	Kelly	Ryan (WI)
Chandler	Kildee	Sanchez, Loretta
Chu	King (NY)	Sarbanes
Ciilline	Kissell	Schakowsky
Clarke (MI)	Labrador	Schiff
Clarke (NY)	Lamborn	Schock
Clay	Landry	Schrader
Cleaver	Langevin	Schwartz
Cohen	Lankford	Schweikert
Cole	Larsen (WA)	Scott (VA)
Connolly (VA)	Larson (CT)	Scott, Austin
Conyers	Lee (CA)	Scott, David
Cooper	Levin	Serrano
Costa	Lewis (CA)	Sewell
Costello	Lewis (GA)	Shimkus
Courtney	Lipinski	Simpson
Cravaack	Loebsock	Sires
Crawford	Lofgren, Zoe	Smith (NE)
Crenshaw	Long	Smith (NJ)
Critz	Lowe	Smith (TX)
Crowley	Lucas	Speier
Cuellar	Lujan	Stark
Cummings	Lungren, Daniel	Sullivan
Davis (CA)	E.	Sutton
Davis (KY)	Lynch	Thompson (CA)
DeGette	Marino	Thompson (MS)
DeLauro	Matheson	Tierney
Dent	Matsui	Tonko
Deutch	McCarthy (CA)	Tsongas
Diaz-Balart	McCarthy (NY)	Turner (OH)
Dicks	McCaul	Upton
Dingell	McClintock	Van Hollen
Doggett	McCollum	Velázquez
Dold	McDermott	Visclosky
Donnelly (IN)	McGovern	Walden
Doyle	McHenry	Walz (MN)
Dreier	McIntyre	Wasserman
Duffy	McKinley	Schultz
Edwards	McMorris	Waters
Ellison	Rodgers	Waxman
Elmiers	McNerney	Welch
Emerson	Meeke	West
Engel	Michaud	Wilson (FL)
Eshoo	Miller (NC)	Wilson (SC)
Fattah	Miller, Gary	Wittman
Fincher	Moore	Wolf
Fleming	Moran	Womack
Fortenberry	Murphy (CT)	Woodall
Frank (MA)	Murphy (PA)	Woolsey
Frelinghuysen	Myrick	Yarmuth
Fudge	Nadler	Yoder
Garamendi	Napolitano	Young (AK)
Gerlach	Neal	Young (FL)

NAYS—100

Adams	Gowdy	Palazzo
Aderholt	Granger	Paulsen
Akin	Graves (GA)	Pearce
Amash	Griffin (AR)	Pitts
Bachmann	Hall	Poe (TX)
Benishek	Hartzler	Pompeo
Black	Hayworth	Posey
Blackburn	Huelskamp	Quayle
Broun (GA)	Huizenga (MI)	Reed
Bucshon	Hultgren	Renacci
Buerkle	Johnson (OH)	Ross (FL)
Burgess	Johnson, Sam	Royce
Campbell	Jordan	Scalise
Cassidy	King (IA)	Schilling
Chabot	Kingston	Schmidt
Coble	Kinzinger (IL)	Scott (SC)
Coffman (CO)	Kline	Sensenbrenner
Conaway	Lance	Sessions
DesJarlais	Latham	Shuster
Duncan (SC)	Latta	Southerland
Duncan (TN)	LoBiondo	Stearns
Farenthold	Luetkemeyer	Stivers
Fitzpatrick	Lummis	Stutzman
Fleischmann	Manzullo	Terry
Flores	McCotter	Thompson (PA)
Forbes	Meehan	Thornberry
Fox	Mica	Tiberi
Franks (AZ)	Miller (FL)	Tipton
Gardner	Miller (MI)	Walberg
Garrett	Mulvaney	Walsh (IL)
Gibbs	Neugebauer	Westmoreland
Gibson	Nugent	Young (IN)
Gohmert	Nunnelee	
Goodlatte	Olson	

NOT VOTING—55

Alexander	Gallegly	Noem
Austria	Giffords	Pascrell
Baldwin	Gingrey (GA)	Paul
Berkley	Gosar	Pence
Berman	Grijalva	Platts
Bonner	Gutierrez	Roskman
Bono Mack	Hinchee	Rush
Brady (PA)	Inslee	Sánchez, Linda
Brady (TX)	Johnson (IL)	T.
Butterfield	Kaptur	Sherman
Carter	Kind	Shuler
Clyburn	Kucinich	Slaughter
Culberson	LaTourette	Smith (WA)
Davis (IL)	Mack	Towns
DeFazio	Maloney	Turner (NY)
Denham	Marchant	Watt
Farr	Markey	Webster
Filner	McKeon	Whitfield
Flake	Miller, George	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶8.17 NOTICE REQUIREMENT—

CONSIDERATION OF MOTION TO INSTRUCT CONFEREES—H.R. 3630

Mrs. CAPPs, pursuant to clause 7(c) of rule XXII, announced her intention to submit a motion to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, to file a conference report not later than February 17, 2012.

¶8.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

- To Mr. CLYBURN, for today;
- To Mr. CULBERSON, for today;
- To Mr. DAVIS of Illinois, for today;
- To Mr. DEFAZIO, for today and balance of the week;

To Mr. FARR, for today and balance of the week; and

To Mr. LATOURETTE, for today.
And then,

¶8.19 ADJOURNMENT

On motion of Mr. REED, at 9 o'clock and 56 minutes p.m., the House adjourned.

¶8.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAMP: Committee on Ways and Means. H.R. 1173. A bill to repeal the CLASS program (Rept. 112-342, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2606. A bill to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes; with an amendment (Rept. 112-373). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3117. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; with an amendment (Rept. 112-374). Referred to the Committee of the Whole House on the state of the Union.

¶8.21 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

[The following action occurred on January 20, 2012]

H.R. 901. Referral to the Committee on Energy and Commerce extended for a period ending not later than March 1, 2012.

¶8.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LOBIONDO:

H.R. 3797. A bill to amend chapter 178 of title 28 of the United States Code to permit during a 4-year period States to enact statutes that exempt from the operation of such chapter, lotteries, sweepstakes, and other betting, gambling, or wagering schemes involving professional and amateur sports; to the Committee on the Judiciary.

By Mr. SCHRADER (for himself, Mr. GALLEGLY, Mr. FARR, and Mr. DENHAM):

H.R. 3798. A bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes; to the Committee on Agriculture.

By Mr. LATHAM (for himself, Mr. COLE, Mr. CHABOT, Ms. JENKINS, Mr. BONNER, and Mr. NUNES):

H.R. 3799. A bill to prohibit the disbursement of funds for salaries and expenses of the offices of Members and committees of Congress and to hold the salaries of Members of Congress in escrow if Congress does not adopt a concurrent resolution on the budget on or before May 15 of each year, and for

other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA (for himself, Mr. RAHALL, Mr. CAMP, Mr. LEVIN, Mr. PETRI, Mr. COSTELLO, and Mr. LEWIS of Georgia):

H.R. 3800. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GIFFORDS (for herself and Mr. FLAKE):

H.R. 3801. A bill to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of South Carolina (for himself, Mr. WILSON of South Carolina, and Mr. JORDAN):

H.R. 3802. A bill to require an abortion provider, before performing an abortion, to wait for a period of at least 24 hours; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona (for himself, Mr. AKIN, Mr. GOHMERT, Mr. FLEMING, Mr. WALBERG, Mr. HUELSKAMP, Mr. PITTS, Mr. LAMBORN, Mr. SMITH of Texas, Mr. KINGSTON, Mr. SMITH of New Jersey, Mr. SOUTHERLAND, Mrs. SCHMIDT, Mr. ADERHOLT, Mr. HARRIS, Mr. BUCSHON, Mr. PENCE, Mr. HULTGREN, Mr. BOUSTANY, Mr. ROGERS of Alabama, Mr. MANZULLO, Mr. ROSS of Florida, Mrs. HARTZLER, Mr. FORTENBERRY, Mr. HERGER, Mr. CANSECO, Mr. LANKFORD, Mrs. LUMMIS, Mr. AUSTIN SCOTT of Georgia, Mr. ROE of Tennessee, Mr. NUNNELEE, Mr. MARCHANT, Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. JONES, Mr. LANDRY, Mr. BACHUS, Mr. ROGERS of Kentucky, Mrs. ROBY, Mr. MCKINLEY, Mr. LIPINSKI, Mr. KELLY, Mr. GOWDY, Mr. JORDAN, Mrs. BACHMANN, Mrs. ELLMERS, Mr. AMASH, Mr. ISSA, Mr. SCHWEIKERT, and Mr. SCALISE):

H.R. 3803. A bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUELSKAMP:

H.R. 3804. A bill to permanently extend tax relief and repeal certain tax increases; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JORDAN (for himself, Mr. AKIN, Mr. AUSTRIA, Mrs. BACHMANN, Mr.

BARTLETT, Mrs. BLACK, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CANSECO, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FLORES, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GARRETT, Mr. HALL, Mr. HERGER, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KELLY, Mr. KING of Iowa, Mr. KLINE, Mr. LIPINSKI, Mr. LONG, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCOTTER, Mr. MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mr. NUNNELEE, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROSS of Florida, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Mr. SOUTHERLAND, Mr. WESTMORELAND, Mr. HUELSKAMP, Mr. FLEMING, and Mr. MILLER of Florida):

H.R. 3805. A bill to ensure that women seeking an abortion receive an ultrasound and the opportunity to review the ultrasound before giving informed consent to receive an abortion; to the Committee on Energy and Commerce.

By Mr. MARINO:

H.R. 3806. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY of Connecticut:

H.R. 3807. A bill to provide for funding of the Low-Income Home Energy Assistance Program (LIHEAP) with a dedicated revenue source consisting of a tax on offshore oil production; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MYRICK (for herself, Mr. COBLE, and Mr. MCINTYRE):

H.R. 3808. A bill to amend the Immigration and Nationality Act with respect to detention of unlawfully present aliens who are apprehended for driving while intoxicated, and for other purposes; to the Committee on the Judiciary.

By Mr. PALLONE:

H.R. 3809. A bill to amend title 28 of the United States Code to exclude the State of New Jersey from the prohibition on professional and amateur sports gambling to the extent approved by the legislature of the State; to the Committee on the Judiciary.

By Mr. PETRI:

H.R. 3810. A bill to amend title 23, United States Code, to modify a provision relating to minimum penalties for repeat offenders for driving while intoxicated or driving under the influence, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. WILSON of Florida (for herself, Ms. BASS of California, Mr. BERMAN, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. LEE of California, Mr. LEWIS of Georgia, Mr.

MC GOVERN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUSH, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, and Mr. WATT):

H. Res. 521. A resolution expressing the sense of the House of Representatives that the United States should work with the Government of Haiti to address gender-based violence against women and children; to the Committee on Foreign Affairs.

18.23 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. DOLD and Mr. STIVERS.
 H.R. 83: Mrs. CHRISTENSEN, Mr. CLAY, Ms. RICHARDSON, Mr. JOHNSON of Georgia, Ms. HAHN, Mr. MICHAUD, Mrs. CAPPS, Mr. JACKSON of Illinois, and Mr. SABLAN.
 H.R. 104: Mr. HINCHLEY and Mr. GUTIERREZ.
 H.R. 110: Mr. SCHILLING.
 H.R. 140: Mr. SCOTT of South Carolina.
 H.R. 191: Mr. MCDERMOTT.
 H.R. 196: Mr. TOWNS.
 H.R. 217: Mr. FARENTHOLD and Mr. STIVERS.
 H.R. 265: Mr. BLUMENAUER.
 H.R. 266: Mr. BLUMENAUER.
 H.R. 267: Mr. BLUMENAUER.
 H.R. 300: Mr. HINOJOSA and Mrs. MALONEY.
 H.R. 365: Ms. RICHARDSON and Mr. RUNYAN.
 H.R. 436: Mr. MURPHY of Pennsylvania.
 H.R. 451: Mr. GRAVES of Georgia.
 H.R. 469: Mr. NADLER.
 H.R. 511: Mr. MILLER of Florida, Mr. WEST, and Mr. CRENSHAW.
 H.R. 605: Mrs. CAPITO.
 H.R. 668: Mrs. BACHMANN and Mr. GRIFFIN of Arkansas.
 H.R. 733: Ms. HIRONO.
 H.R. 735: Mr. ROKITA and Mr. HENSARLING.
 H.R. 763: Mrs. ELLMERS.
 H.R. 835: Mr. SMITH of Washington.
 H.R. 854: Mr. RIVERA.
 H.R. 905: Mr. FITZPATRICK.
 H.R. 931: Mrs. MYRICK and Mr. DUNCAN of South Carolina.
 H.R. 938: Mr. LONG.
 H.R. 965: Mr. SIREN.
 H.R. 973: Mr. ROYCE.
 H.R. 998: Ms. BORDALLO and Mr. CONYERS.
 H.R. 1063: Mr. DOLD, Mr. CLARKE of Michigan, Ms. BROWN of Florida, and Mr. GRIFFIN of Arkansas.
 H.R. 1093: Mr. MURPHY of Pennsylvania.
 H.R. 1148: Mr. PASCRELL and Mr. FORBES.
 H.R. 1173: Mr. CRAVAACK and Mr. FLAKE.
 H.R. 1179: Mr. TURNER of Ohio, Mr. OLSON, Mr. BENISHEK, and Ms. FOX.
 H.R. 1182: Mr. RIBBLE.
 H.R. 1195: Mrs. SCHMIDT and Mr. CONNOLLY of Virginia.
 H.R. 1236: Mrs. MYRICK, Mr. WATT, and Mr. MCHENRY.
 H.R. 1265: Ms. WASSERMAN SCHULTZ, Mr. JOHNSON of Illinois, Mr. ALTMIRE, and Mr. GOSAR.
 H.R. 1327: Ms. BROWN of Florida.
 H.R. 1332: Mr. NADLER and Mr. NEAL.
 H.R. 1348: Mr. CRITZ.
 H.R. 1370: Mr. SHUSTER.
 H.R. 1381: Mr. STARK.
 H.R. 1385: Mrs. BLACKBURN.
 H.R. 1386: Mr. NADLER, Mr. PRICE of North Carolina, Mr. REYES, and Mr. HASTINGS of Washington.
 H.R. 1418: Mr. AMODEI.
 H.R. 1433: Mr. AMODEI.
 H.R. 1523: Mr. CONNOLLY of Virginia.
 H.R. 1546: Ms. MATSUI, Mr. VAN HOLLEN, and Ms. SUTTON.
 H.R. 1564: Mr. JACKSON of Illinois.
 H.R. 1591: Mr. AUSTRIA.
 H.R. 1606: Mr. LOEBSSACK.

H.R. 1684: Mr. THOMPSON of Mississippi.
 H.R. 1733: Mr. FILNER.
 H.R. 1738: Mr. SCHILLING and Ms. PINGREE of Maine.
 H.R. 1744: Mrs. ADAMS.
 H.R. 1755: Mr. PASCRELL.
 H.R. 1756: Mr. OLVER and Mr. GUINTA.
 H.R. 1780: Mr. LOBIONDO.
 H.R. 1842: Mr. PASCRELL and Mr. CICILLINE.
 H.R. 1867: Mr. FITZPATRICK.
 H.R. 1895: Mr. COSTELLO, Mr. COHEN, Mr. JACKSON of Illinois, and Mr. RUSH.
 H.R. 1964: Mr. DESJARLAIS and Mr. WOMACK.
 H.R. 1971: Mr. FITZPATRICK.
 H.R. 2010: Mr. MCCOTTER.
 H.R. 2016: Mr. FRELINGHUYSEN, Mr. PRICE of North Carolina, and Mr. MILLER of North Carolina.
 H.R. 2033: Mr. NADLER.
 H.R. 2053: Mr. MCINTYRE.
 H.R. 2139: Mr. BILIRAKIS, Mr. SCOTT of South Carolina, and Ms. SCHAKOWSKY.
 H.R. 2179: Mr. WESTMORELAND.
 H.R. 2194: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 2195: Mr. GONZALEZ.
 H.R. 2269: Mr. JOHNSON of Georgia.
 H.R. 2313: Mr. ROSS of Florida.
 H.R. 2414: Mr. PITTS and Mr. JONES.
 H.R. 2487: Mr. JACKSON of Illinois and Mr. MURPHY of Pennsylvania.
 H.R. 2499: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. KILDEE.
 H.R. 2505: Mr. STARK and Mr. WALZ of Minnesota.
 H.R. 2514: Mr. RIBBLE.
 H.R. 2529: Mr. MCCAUL.
 H.R. 2679: Ms. HIRONO and Mr. ROSS of Arkansas.
 H.R. 2779: Mr. GIBSON.
 H.R. 2787: Mr. GUTHRIE.
 H.R. 2834: Mrs. ADAMS, Mr. HANNA, and Mr. BROUN of Georgia.
 H.R. 2885: Mr. MATHESON.
 H.R. 2955: Mr. RYAN of Ohio.
 H.R. 3000: Mr. LANKFORD.
 H.R. 3013: Mr. WALSH of Illinois.
 H.R. 3059: Mr. TERRY.
 H.R. 3066: Mr. ROKITA.
 H.R. 3138: Ms. BROWN of Florida.
 H.R. 3187: Mr. GINGREY of Georgia, Mr. ROSS of Arkansas, and Mr. QUIGLEY.
 H.R. 3200: Mr. TURNER of New York.
 H.R. 3203: Mr. ROKITA.
 H.R. 3205: Mr. ROKITA.
 H.R. 3209: Mrs. MCMORRIS RODGERS.
 H.R. 3213: Mr. SAM JOHNSON of Texas.
 H.R. 3214: Mr. ROKITA.
 H.R. 3216: Mr. TONKO.
 H.R. 3242: Ms. WOOLSEY.
 H.R. 3269: Mr. KEATING, Mr. FARENTHOLD, Mr. ENGEL, and Ms. DELAURO.
 H.R. 3276: Ms. ROS-LEHTINEN and Mr. WEBSTER.
 H.R. 3300: Mr. POLIS.
 H.R. 3307: Ms. SCHAKOWSKY, Mr. GUTIERREZ, Ms. NORTON, Mr. KEATING, Mrs. NAPOLITANO, Mr. MORAN, Mr. TIERNEY, and Ms. CHU.
 H.R. 3308: Mr. AMASH.
 H.R. 3316: Mr. AL GREEN of Texas.
 H.R. 3317: Mr. AL GREEN of Texas.
 H.R. 3364: Mr. MILLER of North Carolina, Ms. WATERS, Mr. GONZALEZ, Mr. BACA, and Mr. BOREN.
 H.R. 3368: Mr. HINCHEY, Mr. MICHAUD, and Mr. BLUMENAUER.
 H.R. 3380: Mr. JOHNSON of Illinois.
 H.R. 3400: Mr. AMODEI, Mr. NEUGEBAUER, Mr. FLEMING, and Mr. QUAYLE.
 H.R. 3423: Mr. CASSIDY, Mr. WALBERG, Mr. AUSTRIA, Mr. TURNER of Ohio, Mr. ROONEY, and Ms. HIRONO.
 H.R. 3442: Mr. ISRAEL.
 H.R. 3461: Mr. GARRETT, Mr. CANSECO, Mr. THORBERRY, Mr. HECK, Mr. ROSKAM, Mr. POMPEO, Mr. CRAWFORD, Mr. OWENS, Mr. DUNCAN of Tennessee, Mrs. BLACKBURN, and Mr. CONNOLLY of Virginia.

H.R. 3473: Mr. COSTELLO, Ms. BROWN of Florida, Mr. FILNER, Mr. HOLDEN, and Mr. MICHAUD.
 H.R. 3510: Ms. LEE of California, Mr. QUIGLEY, Mr. CICILLINE, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. ENGEL, Mr. CLARKE of Michigan, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, and Mr. HECK.
 H.R. 3527: Mr. ROSS of Arkansas.
 H.R. 3528: Ms. NORTON.
 H.R. 3533: Mr. LATOURETTE, Mr. GENE GREEN of Texas, Mr. PAYNE, Mr. HIGGINS, and Ms. SCHAKOWSKY.
 H.R. 3541: Mr. GOWDY, Mr. HALL, Mr. ROKITA, and Mr. LUETKEMEYER.
 H.R. 3548: Mr. DESJARLAIS, Mr. HULTGREN, Mr. JOHNSON of Ohio, Mr. BURTON of Indiana, Mr. GINGREY of Georgia, Mr. PALAZZO, Mr. MCCLINTOCK, Mr. FINCHER, and Mr. COLE.
 H.R. 3575: Mr. MCCLINTOCK and Mr. DUNCAN of Tennessee.
 H.R. 3577: Mr. BERG and Mr. SCOTT of South Carolina.
 H.R. 3579: Mr. RIBBLE.
 H.R. 3581: Mr. AMASH, Mr. WALSH of Illinois, Mr. MULVANEY, Mr. MCCLINTOCK, and Mr. WOODALL.
 H.R. 3582: Mr. AMASH, Mr. MCCLINTOCK, and Mr. SCALISE.
 H.R. 3583: Mr. AMASH.
 H.R. 3590: Mr. HOLT.
 H.R. 3596: Mr. ACKERMAN, Ms. LINDA T. SÁNCHEZ of California, and Mr. NADLER.
 H.R. 3599: Mr. DEFazio and Mr. SCHRADER.
 H.R. 3606: Mr. MEEHAN.
 H.R. 3609: Ms. FOX and Mr. CANSECO.
 H.R. 3612: Mr. FRANK of Massachusetts, Mr. JACKSON of Illinois, Mr. YOUNG of Florida, Mr. RIVERA, and Mr. McDERMOTT.
 H.R. 3615: Mr. PITTS.
 H.R. 3627: Mr. LOEBSSACK and Mr. MCKINLEY.
 H.R. 3636: Mr. LARSON of Connecticut.
 H.R. 3667: Mr. BENISHEK.
 H.R. 3670: Mrs. BLACKBURN and Mr. COFFMAN of Colorado.
 H.R. 3676: Mrs. MILLER of Michigan and Mr. YARMUTH.
 H.R. 3679: Mr. CONNOLLY of Virginia, Ms. BERKLEY, Mr. KILDEE, Ms. SLAUGHTER, and Mr. YOUNG of Alaska.
 H.R. 3702: Ms. SCHAKOWSKY, Mr. YARMUTH, Ms. PINGREE of Maine, Mr. JONES, Mr. CROWLEY, and Ms. CHU.
 H.R. 3770: Mr. HALL, Mr. ROKITA, Mr. BROUN of Georgia, Mr. LABRADOR, Mr. CANSECO, Mr. FORBES, and Mr. BURGESS.
 H.R. 3778: Mr. GINGREY of Georgia, Mr. POSEY, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. CULBERSON, Mr. MCCLINTOCK, and Mr. BURGESS.
 H.R. 3785: Mr. AMASH.
 H.J. Res. 78: Mrs. NAPOLITANO and Mr. VAN HOLLÉN.
 H. Res. 16: Mr. SCHIFF and Mr. SHERMAN.
 H. Res. 253: Mr. ALEXANDER.
 H. Res. 271: Mr. FORBES.
 H. Res. 407: Mr. BRALEY of Iowa.
 H. Res. 475: Mr. DUNCAN of South Carolina.
 H. Res. 490: Mr. KLINE, Mr. SMITH of New Jersey, Mr. LOBIONDO, Mr. BURGESS, Mr. FORBES, and Mr. YODER.
 H. Res. 507: Ms. GRANGER.
 H. Res. 509: Mr. LATTI, Mr. SCOTT of South Carolina, Mr. MARCHANT, Mr. WHITFIELD, Mr. MACK, and Mr. GUINTA.
 H. Res. 516: Mrs. LUMMIS, Mr. HASTINGS of Washington, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. LATHAM, Mr. FLORES, Mr. BONNER, Mr. LUETKEMEYER, Mr. MACK, Mr. LANKFORD, Mr. LAMBORN, Mr. MILLER of Florida, Mr. HULTGREN, Mr. FORBES, and Mr. AUSTIN SCOTT of Georgia.
 H. Res. 517: Mr. WHITFIELD.

§8.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3261: Mr. SCALISE, Mr. LUJÁN, Mr. GRIFFIN of Arkansas, and Mr. ROSS of Florida.
 H.R. 3609: Mr. AMASH.

TUESDAY, JANUARY 24, 2012 (9)

¶9.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. PAULSEN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 January 24, 2012.

I hereby appoint the Honorable ERIK PAULSEN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶9.2 MESSAGE FROM THE SENATE

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

H.R. 3237. An Act to amend the SOAR Act by clarifying the scope of coverage of the Act.

The message also announced that the Senate has agreed to, without amendment, a concurrent resolution of the House of the following title:

H. Con. Res. 96. A concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 1134. An Act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

The message also announced that pursuant to the unanimous consent agreement of December 17, 2011, by the President pro tempore and the Majority Leader during the adjournment of the Senate and pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, upon the recommendation of the Majority Leader, and in consultation with the Chairman of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair on behalf of the President pro tempore announced the reappointment and appointment of the following individuals to the United States-China Economic Security Review Commission: William A. Reinsch of Maryland for a term beginning January 1, 2012, and expiring December 31, 2013 (reappointment); and Carte P. Goodwin of West Virginia for a term beginning January 1, 2012, and expiring December 31, 2013, vice Patrick A. Mulloy of Virginia.

¶9.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. PAULSEN, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶9.4 RECESS—11:36 A.M.

The SPEAKER pro tempore, Mr. PAULSEN, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 36 minutes a.m., until noon.

¶9.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶9.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, January 23, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶9.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4661. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Live Swine, Swine Semen, Pork and Pork Products from Liechtenstein and Switzerland [Docket No.: APHIS-2009-0093] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4662. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8209] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4663. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4664. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Mine Safety Disclosure [Release Nos.: 33-9286; 34-66019; File No. S7-41-10] (RIN: 3235-AK83) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Adhesives and Selants Rule [EPA-R03-OAR-2011-0721; FRL-9609-2] received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4666. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revised Motor Vehicle Emission Budgets for the Charleston, Huntington, Parkersburg, Weirton, and Wheeling 8-Hour Ozone Maintenance Areas; Correction [FDMS Docket No.: EPA-03-OAR-2011-0511; FRL-9609-1] received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4667. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of areas for Air Quality Planning Purposes; Ohio and Indiana; Redesignation of the Ohio and Indiana Portions of the Cincinnati-Ham-

ilton 1997 Annual Fine Particulate Matter Nonattainment Area to Attainment [EPA-R05-OAR-2011-0017; EPA-R05-OAR-2011-0106; FRL-9610-3] received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4668. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oklahoma; Federal Implementation Plan for Interstate Transport of Pollution Affecting Visibility and Best Available Retrofit Technology Determinations [EPA-R06-OAR-2010-0190; FRL-9608-4] received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4669. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oregon; New Source Review/Prevention of Significant Deterioration Rule Revisions and Air Quality Permit Streamlining Rule Revisions [EPA-R10-OAR-2011-0767; FRL-9494-9] received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Regional Haze [EPA-R07-OAR-2011-0675; FRL-9611-3] received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4671. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Federal Implementation Plans for Iowa, Michigan, Missouri, Oklahoma, and Wisconsin and Determination for Kansas Regarding Interstate Transport of Ozone [EPA-HQ-OAR-2009-0491; FRL-9609-9] (RIN: 2060-AR01) received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4672. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing; Amendments [EPA-HQ-OAR-2008-0080; FRL-9610-2] (RIN: 2060-AR16) received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4673. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emissions Standards for Hazardous Air Pollutants From Secondary Lead Smelting [EPA-HQ-OAR-2011-0344; FRL-9610-9] (RIN: 2060-AQ68) received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4674. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station [EPA-HQ-OAR-2011-0081; FRL-9609-4] (RIN: 2060-AQ69) received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4675. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Winters, TX [Docket No.: FAA-2011-0608; Airspace Docket No. 11-ASW-7] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4676. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nashville, AR [Docket No.: FAA-2011-0497; Airspace Docket No. 11-ASW-4] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4677. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Danville Airport, PA [Docket No.: FAA-2011-0766; Airspace Docket No. 11-AEA-19] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4678. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Alice, TX [Docket No.: FAA-2011-0498; Airspace Docket No. 11-ASW-5] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4679. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Emmonak, AK [Docket No.: FAA-2011-0880; Airspace Docket No. 11-AAL-17] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4680. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ardmore, OK [Docket No.: FAA-2011-0851; Airspace Docket No. 11-ASW-10] received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4681. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment and Establishment of Air Traffic Routes; Northeast United States [Docket No.: FAA-2011-0376; Airspace Docket No. 10-AEA-11] (RIN: 2120-AA66) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4682. A letter from the Senior Regulations Specialist, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Federal Drug Testing Custody and Control Form; Technical Amendment [Docket: DOT-OST-2010-0161] (RIN: 2105-AE13) received December 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4683. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Tribal Child Welfare (RIN: 0970-AC41) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4684. A letter from the TTB Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Naches Heights Viticultural Area [Docket No.: TTB-2011-0005; T.D. TTB-99; Ref: Notice No. 118] (RIN: 1513-AB80) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4685. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Current Refundings of Tax-exempt Bonds in Certain Disaster Relief Bond Programs [Notice 2012-03] received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4686. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule

— HARP Safe Harbor Guidance for REITs (Rev. Proc. 2012-14) received December 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4687. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Safe Harbor Reporting Method for Eligible REMICs Required to Report on Schedule Q Information with Respect to REMIC Assets [Notice 2012-5] received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4688. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Deadline to Submit Opinion and Advisory Letter Applications for Pre-approved Defined Contribution Plans is Extended to April 2, 2012 (Announcement 2012-3) received December 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4689. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding Deduction and Capitalization of Expenditures Related to Tangible Property [TD 9564] (RIN: 1545-BJ93) received December 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4690. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2012-7) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶9.8 WORLD WAR II MEMORIAL PRAYER

Mr. JOHNSON of Ohio, moved to suspend the rules and pass the bill (H.R. 2070) to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the nation on June 6, 1944, the morning of D-Day; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. JOHNSON of Ohio, and Mr. SABLAN, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. JOHNSON of Ohio, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶9.9 WAR MEMORIAL PROTECTION

Mr. JOHNSON of Ohio, moved to suspend the rules and pass the bill (H.R. 290) to amend title 36, United States Code, to ensure that memorials commemorating the service of the United States Armed Forces may contain religious symbols, and for other purposes.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. JOHNSON of

Ohio, and Mr. SABLAN, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶9.10 BUFFALO SOLDIERS

Mr. JOHNSON of Ohio, moved to suspend the rules and pass the bill (H.R. 1022) to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. JOHNSON of Ohio, and Mr. SABLAN, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. FORTENBERRY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. JOHNSON of Ohio, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. FORTENBERRY, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, January 25, 2012.

¶9.11 AIRPORT AND AIRWAY EXTENSION

Mr. PETRI moved to suspend the rules and pass the bill (H.R. 3800) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The SPEAKER pro tempore, Mr. FORTENBERRY, recognized Mr. PETRI and Mr. COSTELLO, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. FORTENBERRY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶9.12 MOTION TO INSTRUCT CONFEREES—
H.R. 3630

Mrs. CAPPS submitted the motion to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, to file a conference report not later than February 17, 2012.

After debate,
By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,
Will the House agree to said motion?
The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mrs. CAPPS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶9.13 BUDGET FY 2013

Mr. RYAN of Wisconsin, moved to suspend the rules and agree to the following resolution (H. Res. 516):

Whereas the Congressional Budget Act of 1974 established the modern budgeting process;

Whereas the President is required to submit a budget to Congress each year;

Whereas the last time the House of Representatives passed a budget was on April 15, 2011;

Whereas the last time the Senate passed a budget was on April 29, 2009; and

Whereas people in the United States must routinely set budgets for themselves, their businesses, and their families: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the passage of a fiscal year 2013 Federal budget is of national importance.

The SPEAKER pro tempore, Mr. WOMACK, recognized Mr. RYAN of Wisconsin, and Mr. BLUMENAUER, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. WOMACK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. RYAN of Wisconsin, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced that further pro-

ceedings on the question were postponed.

¶9.14 RECESS—3:06 P.M.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 12(a) of rule I, declared the House in recess at 3 o'clock and 6 minutes p.m., subject to the call of the Chair.

¶9.15 AFTER RECESS—4:15 P.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶9.16 PROVIDING FOR CONSIDERATION OF H.R. 1173

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 112-375) the resolution (H. Res. 522) providing for consideration of the bill (H.R. 1173) to repeal the CLASS program.

When said resolution and report were referred to the House Calendar and ordered printed.

¶9.17 H. RES. 516—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 516) expressing the sense of the House of Representatives that the passage of a fiscal year 2013 Federal budget is of national importance.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative	<table border="0"> <tr><td>Yeas</td><td>410</td></tr> <tr><td>Nays</td><td>1</td></tr> <tr><td>Answered present</td><td>1</td></tr> </table>	Yeas	410	Nays	1	Answered present	1
		Yeas	410				
		Nays	1				
		Answered present	1				

¶9.18 [Roll No. 7] YEAS—410

- Ackerman
- Adams
- Aderholt
- Akin
- Alexander
- Altmire
- Amash
- Amodei
- Andrews
- Austria
- Baca
- Bachmann
- Bachus
- Baldwin
- Barletta
- Barrow
- Bartlett
- Barton (TX)
- Bass (CA)
- Bass (NH)
- Becerra
- Benishek
- Berg
- Berkley
- Biggart
- Bilbray
- Bilirakis
- Bishop (NY)
- Bishop (UT)
- Black
- Blackburn
- Blumenauer
- Bonner
- Bono Mack
- Boren
- Boswell
- Boustany
- Brady (PA)
- Braley (IA)
- Brooks
- Broun (GA)
- Brown (FL)
- Buchanan
- Bucshon
- Buerkle
- Burgess
- Butterfield
- Calvert
- Camp
- Campbell
- Canseco
- Cantor
- Capito
- Capps
- Capuano
- Cardoza
- Carnahan
- Carney
- Carson (IN)
- Carter
- Cassidy
- Castor (FL)
- Chabot
- Chaffetz
- Chandler
- Chu
- Ciulline
- Clarke (MI)
- Clarke (NY)
- Clay
- Cleaver
- Clyburn
- Coble
- Coffman (CO)
- Cohen
- Cole
- Conaway
- Connolly (VA)
- Conyers
- Cooper
- Costa
- Costello
- Courtney
- Cravaack
- Crawford
- Crenshaw
- Critz
- Crowley
- Cuellar
- Cummings
- Davis (CA)
- Davis (IL)
- Davis (KY)
- DeGette
- DeLauro
- Denham
- Dent
- DesJarlais
- Deutch
- Diaz-Balart
- Dicks
- Dingell
- Doggett
- Dold
- Donnelly (IN)
- Doyle
- Dreier
- Duffy
- Duncan (SC)
- Duncan (TN)
- Edwards
- Ellison
- Ellmers
- Emerson

- Engel
- Eshoo
- Farenthold
- Fattah
- Filner
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Flores
- Forbes
- Fortenberry
- Fox
- Franks (AZ)
- Frelinghuysen
- Fudge
- Gallely
- Garamendi
- Gardner
- Garrett
- Gerlach
- Gibbs
- Gibson
- Gingrey (GA)
- Gohmert
- Gonzalez
- Goodlatte
- Govdy
- Granger
- Graves (GA)
- Graves (MO)
- Green, Al
- Green, Gene
- Griffin (AR)
- Griffith (VA)
- Grijalva
- Grimm
- Guinta
- Guthrie
- Gutierrez
- Hahn
- Hall
- Hanabusa
- Hanna
- Harper
- Harris
- Hartzler
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Heck
- Heinrich
- Hensarling
- Herger
- Herrera Beutler
- Higgins
- Himes
- Hinojosa
- Hirono
- Hochul
- Holden
- Holt
- Hoyer
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hunter
- Hurt
- Inslee
- Israel
- Issa
- Jackson (IL)
- Jackson Lee
- Jenkins
- Johnson (GA)
- Johnson (IL)
- Johnson (OH)
- Johnson, E. B.
- Johnson, Sam
- Jones
- Jordan
- Kaptur
- Keating
- Kelly
- Kildee
- Kind
- King (IA)
- King (NY)
- Kingston
- Kinzinger (IL)
- Kissell
- Kline
- Kucinich
- Labrador
- Lamborn
- Lance
- Landry
- Langevin
- Lankford
- Larsen (WA)
- Larson (CT)
- Latham
- Latta
- Lee (CA)
- Levin
- Lewis (CA)
- Lewis (GA)
- Lipinski
- LoBiondo
- Loeb
- Loeb
- Lofgren, Zoe
- Long
- Lowe
- Lucas
- Luetkemeyer
- Lujan
- Lummis
- Lungren, Daniel E.
- Lynch
- Maloney
- Manzullo
- Marchant
- Marino
- Markey
- Matheson
- Matsui
- McCarthy (CA)
- McCarthy (NY)
- McCaul
- McClintock
- McCollum
- McCotter
- McDermott
- McGovern
- McHenry
- McIntyre
- McKeon
- McKinley
- McMorris
- Rodgers
- McNerney
- Meehan
- Meeke
- Mica
- Michaud
- Miller (FL)
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Moore
- Moran
- Mulvaney
- Murphy (CT)
- Murphy (PA)
- Myrick
- Nadler
- Napolitano
- Neal
- Neugebauer
- Noem
- Nugent
- Nunes
- Nunnelee
- Olson
- Olver
- Owens
- Palazzo
- Pallone
- Pascrell
- Pastor (AZ)
- Paulsen
- Payne
- Pearce
- Pelosi
- Pence
- Perlmutter
- Peters
- Peterson
- Petri
- Pingree (ME)
- Pitts
- Platts
- Poe (TX)
- Polis
- Pompeo
- Posey
- Price (GA)
- Price (NC)
- Quayle
- Quigley
- Rahall
- Rangel
- Reed
- Rehberg
- Reichert
- Renacci
- Reyes
- Ribble
- Richardson
- Richmond
- Rigell
- Rivera
- Roby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Rokita
- Rooney
- Ros-Lehtinen
- Roskam
- Ross (AR)
- Ross (FL)
- Rothman (NJ)
- Roybal-Allard
- Royce
- Runyan
- Ruppersberger
- Ryan (OH)
- Ryan (WI)
- Sanchez, Loretta
- Sarbanes
- Scalise
- Schakowsky
- Schiff
- Schilling
- Schmidt
- Schock
- Schwartz
- Schweikert
- Scott (SC)
- Scott (VA)
- Scott, Austin
- Scott, David
- Sensenbrenner
- Serrano
- Sessions
- Sewell
- Sherman
- Shimkus
- Shuler
- Shuster
- Simpson
- Sires
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Southerland
- Stark
- Stearns
- Stivers
- Stutzman
- Sullivan
- Sutton
- Terry
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Thornberry
- Tiberi
- Tierney
- Tipton
- Tonko
- Towns
- Tsongas
- Turner (NY)
- Turner (OH)
- Upton
- Van Hollen
- Velazquez
- Visclosky
- Walberg
- Walden
- Walsh (IL)
- Walz (MN)
- Wasserman
- Schultz
- Waters
- Waxman
- Webster
- West
- Westmoreland
- Whitfield
- Wilson (FL)
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woodall
- Woolsey
- Yarmuth
- Yoder
- Young (AK)
- Young (FL)
- Young (IN)

- NAYS—1
- Honda
- ANSWERED "PRESENT"—1
- Welch
- NOT VOTING—21
- Giffords
- Gosar
- Hinchee
- LaTourette
- Mack
- Miller, George
- Paul
- Rush
- Sánchez, Linda T.
- Schrader
- Slaughter
- Speier
- Watt

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶9.19 H.R. 2070—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2070) to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the nation on June 6, 1944, the morning of D-Day; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative	<table border="0"> <tr><td>Yeas</td><td>386</td></tr> <tr><td>Nays</td><td>26</td></tr> </table>	Yeas	386	Nays	26
		Yeas	386		
Nays	26				

¶9.20 [Roll No. 8] YEAS—386

- Ackerman
- Adams
- Aderholt
- Alexander
- Altmire
- Amash
- Amodei
- Andrews
- Austria
- Baca
- Bachmann
- Bachus
- Baldwin
- Barletta
- Barrow
- Bartlett
- Barton (TX)
- Bass (CA)
- Bass (NH)
- Becerra
- Benishek
- Berg
- Berkley
- Biggart
- Bilbray
- Bilirakis
- Bishop (NY)
- Bishop (UT)
- Black
- Blackburn
- Blumenauer
- Bonner
- Bono Mack
- Boren
- Boswell
- Boustany
- Brady (PA)
- Brady (IA)
- Brooks
- Brown (GA)
- Brown (FL)
- Buchanan
- Bucshon
- Buerkle
- Burgess
- Butterfield
- Calvert
- Camp
- Campbell
- Canseco
- Cantor
- Capito
- Capps
- Capuano
- Cardoza
- Carnahan
- Carney
- Carson (IN)
- Carter
- Cassidy
- Castor (FL)
- Chabot
- Chaffetz
- Chandler
- Ciulline
- Clarke (MI)
- Cleaver
- Clyburn
- Coble
- Coffman (CO)
- Cole
- Cummins
- Davis (CA)
- Davis (IL)
- Davis (KY)
- DeGette
- DeLauro
- Denham
- Dent
- DesJarlais
- Deutch
- Diaz-Balart
- Dicks
- Dingell
- Doggett
- Dold
- Donnelly (IN)
- Doyle
- Dreier
- Duffy
- Duncan (SC)
- Duncan (TN)
- Edwards
- Ellison
- Ellmers
- Emerson
- Davis (CA)
- Davis (IL)
- Davis (KY)
- DeGette
- DeLauro
- Denham
- Dent
- DesJarlais
- Deutch
- Diaz-Balart
- Dicks
- Dingell
- Doggett
- Dold
- Donnelly (IN)
- Doyle
- Dreier
- Duffy
- Duncan (SC)
- Duncan (TN)
- Edwards
- Ellison
- Ellmers
- Emerson

Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Nunes
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack

Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—26

Blumenauer
Chu
Clarke (NY)
Clay
Cohen
Conyers
Edwards
Ellison
Fudge

Grijalva
Gutierrez
Honda
Jackson (IL)
Lee (CA)
Maloney
McDermott
Moran
Nadler

NAYS—26

Payne
Gutierrez
Rangel
Scott (VA)
Serrano
Stark
Velázquez
Woolsey

Akin
Becerra
Berman
Bishop (GA)
Brady (TX)
Burton (IN)
Culberson
DeFazio

Farr
Giffords
Gosar
Hincheay
LaTourette
Mack
Miller, George
Paul

Reyes
Sánchez, Linda T.
Schrader
Slaughter
Watt

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

9.21 MOTION TO INSTRUCT CONFEREES TO H.R. 3630—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on the motion, by Mrs. CAPPS, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes.

The question being put, Will the House agree to said motion? The vote was taken by electronic device.

It was decided in the affirmative { Yeas 397 Nays 16

9.22 [Roll No. 9] YEAS—397

Ackerman
Adams
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barietta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishkek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Buschon
Buerkle
Burgess
Butterfield
Calvert
Camp

Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent

DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy

Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján

Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nader
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney

Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NAYS—16

Aderholt
Amash
Bachmann
Blackburn
Campbell
Flake

Long
Lummis
McClintock
McKinley
Neugebauer
Quayle

NOT VOTING—20

Berman
Brady (TX)

Burton (IN)
Conyers

Culberson
DeFazio

Farr	LaTourette	Sánchez, Linda
Giffords	Mack	T.
Gosar	McDermott	Schrader
Hinches	Miller, George	Slaughter
Hirono	Paul	Watt

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶9.23 HOUR OF MEETING

On motion of Mr. CARTER, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Wednesday, January 25, 2012.

¶9.24 RECESS—4:58 P.M.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 58 minutes p.m., until approximately 8:35 p.m. for a joint session with the Senate for the purpose of receiving an address from the President of the United States.

¶9.25 AFTER RECESS—8:40 P.M.

The SPEAKER called the House to order.

¶9.26 JOINT SESSION TO RECEIVE A MESSAGE FROM THE PRESIDENT

The Assistant Sergeant-at-Arms announced the Vice President and Members of the Senate, who entered the Hall of the House and took seats assigned to them, the Vice President taking the Chair to the right of the Speaker.

Whereupon, pursuant to House Concurrent Resolution 96, the SPEAKER called the joint session of the two Houses to order.

The SPEAKER announced the appointment of Messrs. CANTOR, MCCARTHY of California, HENSARLING, SESSIONS, PRICE of Georgia, Mrs. McMORRIS RODGERS, Mr. CARTER, Ms. PELOSI, Messrs. HOYER, LARSON of Connecticut, BECERRA, CLYBURN, ISRAEL, and Ms. SUTTON, as members of the Committee on the part of the House to escort the President into the Hall of the House.

The Vice President announced the appointment of Messrs. REID, DURBIN, SCHUMER, Mrs. MURRAY, Ms. STABENOW, Messrs. BEGICH, MCCONNELL, KYL, ALEXANDER, BARRASSO, THUNE, CORNYN, and BLUNT, as members of the committee on the part of the Senate to escort the President into the Hall of the House.

The Assistant Sergeant-at-Arms announced the Dean of the Diplomatic Corps, who entered the Hall of the House and took the seat assigned to him.

The Assistant Sergeant-at-Arms announced the Chief Justice of the United States and Associate Justices of the Supreme Court, who entered the Hall of the House and took seats assigned to them.

The Assistant Sergeant-at-Arms announced the Members of the President's Cabinet, who entered the Hall of

the House and took seats assigned to them.

The Sergeant-at-Arms announced the President of the United States at 9 o'clock and 5 minutes p.m., escorted by the committees of the two Houses, who entered the Hall of the House and, at the Clerk's desk, delivered the following message:

Mr. Speaker, Mr. Vice President, Members of Congress, distinguished guests, and fellow Americans:

Last month, I went to Andrews Air Force Base and welcomed home some of our last troops to serve in Iraq. Together, we offered a final, proud salute to the colors under which more than a million of our fellow citizens fought—and several thousand gave their lives.

We gather tonight knowing that this generation of heroes has made the United States safer and more respected around the world. For the first time in 9 years, there are no Americans fighting in Iraq. For the first time in two decades, Osama bin Laden is not a threat to this country. Most of al Qaeda's top lieutenants have been defeated. The Taliban's momentum has been broken, and some troops in Afghanistan have begun to come home.

These achievements are a testament to the courage, selflessness, and teamwork of America's Armed Forces. At a time when too many of our institutions have let us down, they exceed all expectations. They're not consumed with personal ambition. They don't obsess over their differences. They focus on the mission at hand. They work together.

Imagine what we could accomplish if we followed their example. Think about the America within our reach: a country that leads the world in educating its people; an America that attracts a new generation of high-tech manufacturing and high-paying jobs; a future where we're in control of our own energy, and our security and prosperity aren't so tied to unstable parts of the world; an economy built to last, where hard work pays off, and responsibility is rewarded.

We can do this. I know we can because we've done it before. At the end of World War II, when another generation of heroes returned home from combat, they built the strongest economy and middle class the world has ever known. My grandfather, a veteran of Patton's Army, got the chance to go to college on the GI Bill. My grandmother, who worked on a bomber assembly line, was part of a workforce that turned out the best products on Earth.

The two of them shared the optimism of a Nation that had triumphed over a depression and fascism. They understood they were part of something larger; they were contributing to a story of success that every American had a chance to share—the basic American promise that if you worked hard, you could do well enough to raise a family, own a home, send your kids to college, and put a little away for retirement.

The defining issue of our time is how to keep that promise alive. No challenge is more urgent. No debate is more important. We can either settle for a country where a shrinking number of people do really well, while a growing number of Americans barely get by. Or we can restore an economy where everyone gets a fair shot, everyone does their fair share, and everyone plays by the same set of rules. What's at stake are not Democratic values or Republican values, but American values. We have to reclaim them.

Let's remember how we got here. Long before the recession, jobs and manufacturing began leaving our shores. Technology made businesses more efficient but also made some jobs obsolete. Folks at the top saw their incomes rise like never before, but most hardworking Americans struggled with costs that were growing, paychecks that weren't, and personal debt that kept piling up.

In 2008, the house of cards collapsed. We learned that mortgages had been sold to people who couldn't afford or understand them. Banks had made huge bets and bonuses with other people's money. Regulators had looked the other way, or didn't have the authority to stop the bad behavior.

It was wrong. It was irresponsible. And it plunged our economy into a crisis that put millions out of work, saddled us with more debt, and left innocent, hardworking Americans holding the bag. In the 6 months before I took office, we lost nearly 4 million jobs. And we lost another 4 million before our policies were in full effect.

Those are the facts. But so are these. In the last 22 months, businesses have created more than 3 million jobs. Last year, they created the most jobs since 2005. American manufacturers are hiring again, creating jobs for the first time since the late 1990s. Together, we've agreed to cut the deficit by more than \$2 trillion. And we've put in place new rules to hold Wall Street accountable so a crisis like this never happens again.

The state of our Union is getting stronger. And we've come too far to turn back now. As long as I'm President, I will work with anyone in this Chamber to build on this momentum. But I intend to fight obstruction with action, and I will oppose any effort to return to the very same policies that brought on this economic crisis in the first place.

No, we will not go back to an economy weakened by outsourcing, bad debt, and phony financial profits. Tonight, I want to speak about how we move forward, and lay out a blueprint for an economy that's built to last—an economy built on American manufacturing, American energy, skills for American workers, and a renewal of American values.

This blueprint begins with American manufacturing.

On the day I took office, our auto industry was on the verge of collapse. Some even said we should let it die.

With a million jobs at stake, I refused to let that happen. In exchange for help, we demanded responsibility. We got workers and automakers to settle their differences. We got the industry to retool and restructure. Today, General Motors is back on top as the world's number one automaker. Chrysler has grown faster in the U.S. than any major car company. Ford is investing billions in U.S. plants and factories. And together, the entire industry added nearly 160,000 jobs.

We bet on American workers. We bet on American ingenuity. And tonight, the American auto industry is back.

What's happening in Detroit can happen in other industries. It can happen in Cleveland, Pittsburgh and Raleigh. We can't bring every job back that's left our shores. But right now, it's getting more expensive to do business in places like China. Meanwhile, America is more productive. A few weeks ago, the CEO of Master Lock told me that it now makes business sense for him to bring jobs back home. Today, for the first time in 15 years, Master Lock's unionized plant in Milwaukee is running at full capacity.

So we have a huge opportunity, at this moment, to bring manufacturing back. But we have to seize it. Tonight, my message to business leaders is simple: Ask yourselves what you can do to bring jobs back to your country, and your country will do everything we can to help you succeed.

We should start with our tax code. Right now, companies get tax breaks for moving jobs and profits overseas. Meanwhile, companies that choose to stay in America get hit with one of the highest tax rates in the world. It makes no sense, and everyone knows it.

So let's change it. First, if you're a business that wants to outsource jobs, you shouldn't get a tax deduction for doing it. That money should be used to cover moving expenses for companies like Master Lock that decide to bring jobs home.

Second, no American company should be able to avoid paying its fair share of taxes by moving jobs and profits overseas. From now on, every multinational company should have to pay a basic minimum tax, and every penny should go towards lowering taxes for companies that choose to stay here and hire here in America.

Third, if you're an American manufacturer, you should get a bigger tax cut. If you're a high-tech manufacturer, we should double the tax deduction you get for making your products here. And if you want to relocate in a community that was hit hard when a factory left town, you should get help financing a new plant, equipment, or training for new workers.

So my message is simple. It is time to stop rewarding businesses that ship jobs overseas and start rewarding companies that create jobs right here in America. Send me these tax reforms, and I will sign them right away.

We're also making it easier for American businesses to sell products all over

the world. Two years ago, I set a goal of doubling U.S. exports over 5 years. With the bipartisan trade agreements we signed into law, we're on track to meet that goal—ahead of schedule. Soon, there will be millions of new customers for American goods in Panama, Colombia and South Korea. Soon, there will be new cars on the streets of Seoul imported from Detroit, Toledo and Chicago.

I will go anywhere in the world to open new markets for American products. And I will not stand by when our competitors don't play by the rules. We've brought trade cases against China at nearly twice the rate as the last administration—and it's made a difference. Over a thousand Americans are working today because we've stopped a surge in Chinese tires. But we need to do more. It's not right when another country lets our movies, music and software be pirated. It's not fair when foreign manufacturers have a leg up on ours only because they're heavily subsidized.

Tonight, I'm announcing the creation of a Trade Enforcement Unit that will be charged with investigating unfair trading practices in countries like China. There will be more inspections to prevent counterfeit or unsafe goods from crossing our borders. And this Congress should make sure that no foreign company has an advantage over American manufacturing when it comes to accessing financing or new markets like Russia. Our workers are the most productive on Earth, and if the playing field is level, I promise you—America will always win.

I also hear from many business leaders who want to hire in the United States but can't find workers with the right skills. Growing industries in science and technology have twice as many openings as we have workers who can do the job. Think about that—openings at a time when millions of Americans are looking for work.

It's inexcusable. And we know how to fix it.

Jackie Bray is a single mom from North Carolina who was laid off from her job as a mechanic. Then Siemens opened a gas turbine factory in Charlotte and formed a partnership with Central Piedmont Community College. The company helped the college design courses in laser and robotics training. It paid Jackie's tuition, then hired her to help operate their plant.

I want every American looking for work to have the same opportunity as Jackie did. Join me in a national commitment to train 2 million Americans with skills that will lead directly to a job. My administration has already lined up more companies that want to help. Model partnerships between businesses like Siemens and community colleges in places like Charlotte, Orlando and Louisville are up and running. Now you need to give more community colleges the resources they need to become community career centers—places that teach people skills that businesses are looking for right

now, from data management to high-tech manufacturing.

And I want to cut through the maze of confusing training programs so that from now on people like Jackie have one program, one Web site, and one place to go for all the information and help that they need. It is time to turn our unemployment system into a reemployment system that puts people to work.

These reforms will help people get jobs that are open today. But to prepare for the jobs of tomorrow, our commitment to skills and education has to start earlier. For less than 1 percent of what our Nation spends on education each year, we've convinced nearly every State in the country to raise their standards for teaching and learning—the first time that's happened in a generation.

But challenges remain, and we know how to solve them. At a time when other countries are doubling down on education, tight budgets have forced States to lay off thousands of teachers. We know a good teacher can increase the lifetime income of a classroom by over \$250,000. A great teacher can offer an escape from poverty to the child who dreams beyond his circumstance. Every person in this Chamber can point to a teacher who changed the trajectory of their lives. Most teachers work tirelessly with modest pay, sometimes digging into their own pocket for school supplies just to make a difference.

Teachers matter. So instead of bashing them or defending the status quo, let's offer schools a deal. Give them the resources to keep good teachers on the job and reward the best ones. And in return, grant schools flexibility to teach with creativity and passion, to stop teaching to the test, and to replace teachers who just aren't helping kids learn. That's a bargain worth making.

We also know that when students don't walk away from their education, more of them walk the stage to get their diploma. When students are not allowed to drop out, they do better. So tonight, I am proposing that every State—every State—require that all students stay in high school until they graduate or turn 18.

When kids do graduate, the most daunting challenge can be the cost of college. At a time when Americans owe more in tuition debt than credit card debt, this Congress needs to stop the interest rates on student loans from doubling in July. Extend the tuition tax credit we started that saves millions of middle class families thousands of dollars, and give more young people the chance to earn their way through college by doubling the number of work-study jobs in the next 5 years.

Of course, it's not enough for us to increase student aid. We can't just keep subsidizing skyrocketing tuition; we'll run out of money. States also need to do their part by making higher education a higher priority in their

budgets, and colleges and universities have to do their part by working to keep costs down. Recently, I spoke with a group of college presidents who've done just that. Some schools redesign courses to help students finish more quickly. Some use better technology. The point is, it's possible. So let me put colleges and universities on notice: If you can't stop tuition from going up, the funding you get from taxpayers will go down. Higher education can't be a luxury. It is an economic imperative that every family in America should be able to afford.

Let's also remember that hundreds of thousands of talented, hardworking students in this country face another challenge—the fact that they aren't yet American citizens. Many were brought here as small children, are American through and through; yet they live every day with the threat of deportation. Others came more recently to study business and science and engineering; but as soon as they get their degree, we send them home to invent new products and create new jobs somewhere else. That doesn't make sense.

I believe as strongly as ever that we should take on illegal immigration. That's why my administration has put more boots on the border than ever before. That's why there are fewer illegal crossings than when I took office. The opponents of action are out of excuses. We should be working on comprehensive immigration reform right now. But if election-year politics keeps Congress from acting on a comprehensive plan, let's at least agree to stop expelling responsible young people who want to staff our labs, start new businesses, and defend this country. Send me a law that gives them a chance to earn their citizenship; I will sign it right away.

You see, an economy built to last is one where we encourage the talent and ingenuity of every person in this country. That means women should earn equal pay for equal work. It means we should support everyone who's willing to work and every risk-taker and entrepreneur who aspires to become the next Steve Jobs. After all, innovation is what America has always been about.

Most new jobs are created in startups and small businesses. So let's pass an agenda that helps them succeed. Tear down regulations that prevent aspiring entrepreneurs from getting the financing to grow. Expand tax relief to small businesses that are raising wages and creating good jobs. Both parties agree on these ideas. So put them in a bill and get it on my desk this year.

Innovation also demands basic research. Today, the discoveries taking place in our federally financed labs and universities could lead to new treatments that kill cancer cells but leave healthy ones untouched, new lightweight vests for cops and soldiers that can stop any bullet. Don't gut these investments in our budget. Don't let other countries win the race for the future. Support the same kind of re-

search and innovation that led to the computer chip and the Internet, to new American jobs and new American industries.

And nowhere is the promise of innovation greater than in American-made energy. Over the last 3 years, we've opened millions of new acres for oil and gas exploration. And tonight, I'm directing my administration to open more than 75 percent of our potential offshore oil and gas resources. Right now, American oil production is the highest that it's been in 8 years—that's right, 8 years. Not only that, last year we relied less on foreign oil than in any of the past 16 years. But with only 2 percent of the world's oil reserves, oil isn't enough. This country needs an all-out, all-of-the-above strategy that develops every available source of American energy, a strategy that's cleaner, cheaper, and full of new jobs.

We have a supply of natural gas that can last America nearly 100 years, and my administration will take every possible action to safely develop this energy. The experts believe this will support more than 600,000 jobs by the end of the decade. And I'm requiring all companies that drill for gas on public lands to disclose the chemicals they use because America will develop this resource without putting the health and safety of our citizens at risk.

The development of natural gas will create jobs and power trucks and factories that are cleaner and cheaper, proving that we don't have to choose between our environment and our economy. And by the way, it was public research dollars, over the course of 30 years, that helped develop the technologies to extract all this natural gas out of shale rock, reminding us that government support is critical in helping businesses get new energy ideas off the ground.

Now, what's true for natural gas is just as true for clean energy. In 3 years, our partnership with the private sector has already positioned America to be the world's leading manufacturer of high-tech batteries. Because of Federal investments, renewable energy use has nearly doubled, and thousands of Americans have jobs because of it.

When Bryan Ritterby was laid off from his job making furniture, he said he worried that at 55 no one would give him a second chance; but he found work at Energetx, a wind turbine manufacturer in Michigan. Before the recession, the factory only made luxury yachts. Today it's hiring workers like Bryan who said, I'm proud to be working in the industry of the future.

Our experience with shale gas, our experience with natural gas shows us that the payoffs on these public investments don't always come right away. Some technologies don't pan out. Some companies fail. But I will not walk away from the promise of clean energy. I will not walk away from workers like Bryan. I will not cede the wind or solar or battery industry to China or Germany because we refuse to make the same commitment here. We have sub-

sidized oil companies for a century. That's long enough. It's time to end the taxpayer giveaways to an industry that rarely has been more profitable and double down on a clean-energy industry that never has been more promising. Pass clean-energy tax credits, and create these jobs.

We can also spur energy innovation with new incentives. The differences in this Chamber may be too deep right now to pass a comprehensive plan to fight climate change, but there's no reason why Congress shouldn't at least set a clean-energy standard that creates a market for innovation. So far, you haven't acted. Well, tonight I will. I'm directing my administration to allow the development of clean energy on enough public land to power 3 million homes. And I'm proud to announce that the Department of Defense, working with us—the world's largest consumer of energy—will make one of the largest commitments to clean energy in history, with the Navy purchasing enough capacity to power 250,000 homes a year.

Of course, the easiest way to save money is to waste less energy. So here's a proposal: help manufacturers eliminate energy waste in their factories, and give businesses incentives to upgrade their buildings. Their energy bills will be \$100 billion lower over the next decade, and America will have less pollution, more manufacturing, and more jobs for construction workers who need them. Send me a bill that creates these jobs.

Building this new energy future should be just one part of a broader agenda to repair America's infrastructure. So much of America needs to be rebuilt. We've got crumbling roads and bridges, a power grid that wastes too much energy, an incomplete high-speed broadband network that prevents a small business owner in rural America from selling her products all over the world.

During the Great Depression, America built the Hoover Dam and the Golden Gate Bridge. After World War II, we connected our States with a system of highways. Democratic and Republican administrations invested in great projects that benefited everybody, from the workers who built them to the businesses that still use them today.

In the next few weeks, I will sign an executive order clearing away the red tape that slows down too many construction projects, but you need to fund these projects. Take the money we're no longer spending at war, use half of it to pay down our debt, and use the rest of it to do some nation-building right here at home.

There's never been a better time to build, especially since the construction industry was one of the hardest-hit when the housing bubble burst. Of course, construction workers weren't the only ones who were hurt. So were millions of innocent Americans who have seen their home values decline. And while government can't fix the problem on its own, responsible home-

owners shouldn't have to sit and wait for the housing market to hit bottom to get some relief.

And that's why I'm sending this Congress a plan that gives every responsible homeowner the chance to save about \$3,000 a year on their mortgage by refinancing at historically low rates. No more red tape. No more run-around from the banks. A small fee on the largest financial institutions will ensure that it won't add to the deficit and will give those banks that were rescued by taxpayers a chance to repay a deficit of trust.

Let's never forget: Millions of Americans who work hard and play by the rules every day deserve a government and a financial system that do the same. It's time to apply the same rules from top to bottom. No bailouts, no handouts, and no cop-outs. An America built to last insists on responsibility from everybody.

We've all paid the price for lenders who sold mortgages to people who couldn't afford them and buyers who knew they couldn't afford them. That's why we need smart regulations to prevent irresponsible behavior. Rules to prevent financial fraud or toxic dumping or faulty medical devices, these don't destroy the free market. They make the free market work better.

There is no question that some regulations are outdated, unnecessary, or too costly. In fact, I've approved fewer regulations in the first 3 years of my Presidency than my Republican predecessor did in his. I've ordered every Federal agency to eliminate rules that don't make sense. We've already announced over 500 reforms, and just a fraction of them will save business and citizens more than \$10 billion over the next 5 years. We got rid of one rule from 40 years ago that could have forced some dairy farmers to spend \$10,000 a year proving that they could contain a spill—because milk was somehow classified as an oil. With a rule like that, I guess it was worth crying over spill milk.

Now, I'm confident a farmer can contain a milk spill without a Federal agency looking over his shoulder. Absolutely. But I will not back down from making sure an oil company can contain the kind of oil spill we saw in the gulf 2 years ago. I will not back down from protecting our kids from mercury poisoning or making sure that our food is safe and our water is clean. I will not go back to the days when health insurance companies had unchecked power to cancel your policy, deny your coverage, or charge women differently than men.

And I will not go back to the days when Wall Street was allowed to play by its own set of rules. The new rules we passed restore what should be any financial system's core purpose: Getting funding to entrepreneurs with the best ideas, and getting loans to responsible families who want to buy a home or start a business or send their kids to college.

So, if you are a big bank or financial institution, you're no longer allowed to

make risky bets with your customers' deposits. You're required to write out a living will that details exactly how you'll pay the bills if you fail, because the rest of us are not bailing you out ever again. And if you're a mortgage lender, or a payday lender, or a credit card company, the days of signing people up for products they can't afford with confusing forms and deceptive practices, those days are over. Today American consumers finally have a watchdog in Richard Cordray, with one job: to look out for them.

We'll also establish a financial crimes unit of highly trained investigators to crack down on large-scale fraud and protect people's investments. Some financial firms violate major anti-fraud laws because there's no real penalty for being a repeat offender. That's bad for consumers, and it's bad for the vast majority of bankers and financial service professionals who do the right thing. So pass legislation that makes the penalties for fraud count.

And tonight, I'm asking my Attorney General to create a special unit of Federal prosecutors and leading State attorney generals to expand our investigations into the abusive lending and packaging of risky mortgages that led to the housing crisis. This new unit will hold accountable those who broke the law, speed assistance to homeowners, and help turn the page on an era of recklessness that hurt so many Americans.

Now, a return to the American values of fair play and shared responsibility will help protect our people and our economy. But it should also guide us as we look to pay down our debt and invest in our future.

Right now, our most immediate priority is stopping a tax hike on 160 million working Americans while the recovery is still fragile. People cannot afford losing \$40 out of each paycheck this year. There are plenty of ways to get this done. So let's agree right here, right now: no side issues, no drama. Pass the payroll tax cut without delay. Let's get it done.

When it comes to the deficit, we've already agreed to more than \$2 trillion in cuts and savings. But we need to do more, and that means making choices. Right now, we're poised to spend nearly \$1 trillion more on what was supposed to be a temporary tax break for the wealthiest 2 percent of Americans. Right now, because of loopholes and shelters in the Tax Code, a quarter of all millionaires pay lower tax rates than millions of middle class households. Right now, Warren Buffett pays a lower tax rate than his secretary.

Do we want to keep these tax cuts for the wealthiest Americans? Or do we want to keep our investments in everything else, like education and medical research, a strong military, and care for our veterans? Because if we're serious about paying down our debt, we can't do both.

The American people know what the right choice is. So do I. As I told the Speaker this summer, I'm prepared to

make more reforms to rein in the long-term costs of Medicare and Medicaid and strengthen Social Security so long as those programs remain a guarantee of security for seniors.

But, in return, we need to change our Tax Code so that people like me, and an awful lot of Members of Congress, pay our fair share of taxes. Tax reform should follow the Buffett rule. If you make more than \$1 million a year, you should not pay less than 30 percent in taxes. And my Republican friend TOM COBURN is right: Washington should stop subsidizing millionaires. In fact, if you're earning a million dollars a year, you shouldn't get special tax subsidies or deductions. On the other hand, if you make under \$250,000 a year, like 98 percent of American families, your taxes shouldn't go up. You're the ones struggling with rising costs and stagnant wages. You're the ones who need relief.

Now, you can call this class warfare all you want. But asking a billionaire to pay at least as much as his secretary in taxes? Most Americans would call that common sense.

We don't begrudge financial success in this country. We admire it. When Americans talk about folks like me paying my fair share of taxes, it's not because they envy the rich. It's because they understand that when I get a tax break I don't need and the country can't afford, it either adds to the deficit or somebody else has to make up the difference, like a senior on a fixed income, or a student trying to get through school, or a family trying to make ends meet. That's not right. Americans know that's not right. They know that this generation's success is only possible because past generations felt a responsibility to each other and to the future of their country, and they know our way of life will only endure if we feel that same sense of shared responsibility. That's how we'll reduce our deficit. That's an America built to last.

Now, I recognize that people watching tonight have differing views about taxes and debt, energy and health care. But no matter what party they belong to, I bet most Americans are thinking the same thing right about now: Nothing will get done in Washington this year, or next year, or maybe even the year after that, because Washington is broken.

Can you blame them for feeling a little cynical?

The greatest blow to our confidence in our economy last year didn't come from events beyond our control. It came from a debate in Washington over whether the United States would pay its bills or not. Who benefited from that fiasco?

I've talked tonight about the deficit of trust between Main Street and Wall Street, but the divide between this city and the rest of the country is at least as bad, and it seems to get worse every year. And some of this has to do with the corrosive influence of money and politics. So together, let's take some

steps to fix that. Send me a bill that bans insider trading by Members of Congress. I will sign it tomorrow.

Let's limit any elected official from owning stocks in industries they impact. Let's make sure people who bundle campaign contributions for Congress can't lobby Congress and vice versa, an idea that has bipartisan support, at least outside of Washington.

Some of what's broken has to do with the way Congress does its business these days. A simple majority is no longer enough to get anything, even routine business, passed through the Senate. Neither party has been blameless in these tactics. Now both parties should put an end to it.

For starters, I ask the Senate to pass a simple rule that all judicial and public service nominations receive a simple up-or-down vote within 90 days. The executive branch also needs to change. Too often it's inefficient, outdated, and remote. That's why I've asked this Congress to grant me the authority to consolidate the Federal bureaucracy so that our government is leaner, quicker, and more responsive to the needs of the American people.

Finally, none of this can happen unless we also lower the temperature in this town. We need to end the notion that the two parties must be locked in a perpetual campaign of mutual destruction, that politics is about clinging to rigid ideologies instead of building consensus around common-sense ideas.

I'm a Democrat, but I believe what Republican, Abraham Lincoln, believed—the government should do for people only what they cannot do better by themselves and no more. That's why my education reform offers more competition and more control for schools and States. That's why we're getting rid of regulations that don't work. That's why our health care law relies on a reformed private market, not a government program.

On the other hand, even my Republican friends who complain the most about government spending have supported federally financed roads and clean energy projects and Federal offices for the folks back home.

The point is we should all want a smarter, more effective government. And while we may not be able to bridge our biggest philosophical differences this year, we can make real progress.

With or without this Congress, I will keep taking actions that help the economy grow. But I can do a whole lot more with your help because when we act together, there's nothing the United States of America can't achieve.

That's the lesson we've learned from our actions abroad over the last few years. Ending the Iraq war has allowed us to strike decisive blows against our enemies. From Pakistan to Yemen, the al Qaeda operatives who remain are scrambling, knowing that they can't escape the reach of the United States of America.

From this position of strength we've begun to wind down the war in Afghan-

istan. Ten thousand of our troops have come home; 23,000 more will leave by the end of this summer. This transition to Afghan lead will continue, and we will build an enduring partnership with Afghanistan so that it is never again a source of attacks against America.

As the tide of war recedes, a wave of change has washed across the Middle East and North Africa, from Tunis to Cairo, from Sana'a to Tripoli. A year ago, Qadhafi was one of the world's longest serving dictators, a murderer with American blood on his hands. Today, he is gone. And in Syria, I have no doubt that the Assad regime will soon discover that the forces of change cannot be reversed and that human dignity cannot be denied.

How this incredible transformation will end remains uncertain. But we have a huge stake in the outcome. And while it's ultimately up to the people of the region to decide their fate, we will advocate for those values that have served our own country so well.

We will stand against violence and intimidation. We will stand for the rights and dignity of all human beings, men and women, Christians, Muslims, and Jews. We will support policies that lead to strong and stable democracies and open markets because tyranny is no match for liberty. And we will safeguard America's own security against those who threaten our citizens, our friends, and our interests.

Look at Iran. Through the power of our diplomacy, a world that was once divided about how to deal with Iran's nuclear program now stands as one. The regime is more isolated than ever before. Its leaders are faced with crippling sanctions. And as long as they shirk their responsibilities, this pressure will not relent.

Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal. But a peaceful resolution of this issue is still possible and far better. And if Iran changes course and meets its obligations, it can rejoin the Community of Nations.

The renewal of American leadership can be felt across the globe. Our oldest alliances in Europe and Asia are stronger than ever. Our ties to the Americas are deeper. Our ironclad commitment, and I mean ironclad to Israel security has meant the closest military cooperation between our two countries in history.

We've made it clear that America is a Pacific power. And a new beginning in Burma has lit a new hope.

From the coalitions we've built to secure nuclear materials to the missions we've led against hunger and disease, to the blows we've dealt our enemies, to the enduring power of our moral example, America is back.

Anyone who tells you otherwise, anyone who tells you that America is in decline or that our influence has waned doesn't know what they're talking about. That's not the message we get from leaders around the world who are

eager to work with us. That's not how people feel from Tokyo to Berlin, from Cape Town to Rio, where opinions of America are higher than they've been in years. Yes, the world is changing. No, we can't control every event. But America remains the one indispensable Nation in world affairs; and as long as I'm President, I intend to keep it that way.

That's why, working with our military leaders, I have proposed a new defense strategy that ensures we maintain the finest military in the world while saving nearly half a trillion dollars in our budget. To stay one step ahead of our adversaries, I have already sent this Congress legislation that will secure our country from the growing dangers of cyberthreats.

Above all, our freedom endures because of the men and women in uniform who defend it. As they come home, we must serve them as well as they've served us. That includes giving them the care and the benefits they have earned, which is why we've increased annual VA spending every year I've been President. And it means enlisting our veterans in the work of rebuilding our Nation.

With the bipartisan support of this Congress, we are providing new tax credits to companies that hire vets. Michelle and Jill Biden have worked with American businesses to secure a pledge of 135,000 jobs for veterans and their families. And tonight, I'm proposing a Veterans Job Corps that will help our communities hire veterans as cops and firefighters so that America is as strong as those who defend her.

Which brings me back to where I began. Those of us who've been sent here to serve can learn a thing or two from the service of our troops. When you put on that uniform, it doesn't matter if you're black or white, Asian, Latino, Native American, conservative or liberal, rich, poor, gay, straight. When you're marching into battle, you look out for the person next to you, or the mission fails. When you're in the thick of the fight, you rise or fall as one unit, serving one Nation, leaving no one behind.

And one of my proudest possessions is the flag that the SEAL team took with them on the mission to get bin Laden. On it are each of their names. Some may be Democrats, some may be Republicans; but that doesn't matter. Just like it didn't matter that day in the Situation Room when I sat next to Bob Gates, a man who was George Bush's Defense Secretary, and Hillary Clinton, a woman who ran against me for President.

All that mattered that day was the mission. No one thought about politics. No one thought about themselves. One of the young men involved in the raid later told me that he didn't deserve credit for the mission. It only succeeded, he said, because every single member of that unit did their job—the pilot who landed the helicopter that spun out of control, the translator who kept others from entering the com-

pound, the troops who separated the women and children from the fight, the SEALs who charged up the stairs.

More than that, the mission only succeeded because every member of that unit trusted each other, because you can't charge up those stairs into darkness and danger unless you know that there's somebody behind you watching your back.

So it is with America. Each time I look at that flag, I'm reminded that our destiny is stitched together like those 50 stars and those 13 stripes. No one built this country on their own. This Nation is great because we built it together. This Nation is great because we worked as a team. This Nation is great because we get each other's backs. And if we hold fast to that truth in this moment of trial, there is no challenge too great, no mission too hard. As long as we are joined in common purpose, as long as we maintain our common resolve, our journey moves forward, and our future is hopeful and the state of our Union will always be strong.

Thank you, God bless you and God bless the United States of America.

At 10 o'clock and 16 minutes p.m., the President of the United States retired from the Hall of the House, followed by his Cabinet.

The Chief Justice of the United States and Associate Justices of the Supreme Court retired from the Hall of the House.

The SPEAKER, at 10 o'clock and 23 minutes p.m., then declared the joint session of the two Houses dissolved.

The Vice President and Members of the Senate retired from the Hall of the House.

9.27 REFERENCE OF THE PRESIDENT'S MESSAGE

On motion of Mr. CANTOR, the message of the President, as delivered, together with the accompanying documents, was referred to the Committee of the Whole House on the state of the Union and ordered to be printed (H. Doc. 112-76).

9.28 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1134. An Act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values; to the Committee on Transportation and Infrastructure; in addition to the Committee on Natural Resources; in addition to the Committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

9.29 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3237. An Act to amend the SOAR Act by clarifying the scope of coverage of the Act.

9.30 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BRADY of Texas, for January 23 and balance of the week; and

To Mr. CULBERSON, for today. And then,

9.31 ADJOURNMENT

On motion of Mr. CANTOR, pursuant to the previous order of the House, at 10 o'clock and 24 minutes p.m., the House adjourned until 9 a.m. on Wednesday, January 25, 2012.

9.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 522. Resolution providing for consideration of the bill (H.R. 1173) to repeal the CLASS program (Rept. 112-375). Referred to the House Calendar.

9.33 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POE of Texas (for himself, Mr. BOREN, Mr. BARTON of Texas, Mr. CULBERSON, Mr. FARENTHOLD, Mr. SESSIONS, Mr. OLSON, Mr. BOUSTANY, Mr. MARCHANT, Mr. SCALISE, Mr. MCCAUL, and Mr. ROHRBACHER):

H.R. 3811. A bill to approve the Keystone XL pipeline project permit; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Mr. FALOMAVAEGA, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. SABLAN, Mr. SERRANO, and Ms. VELÁZQUEZ):

H.R. 3812. A bill to extend the supplemental security income program to Puerto Rico, the United States Virgin Islands, Guam, and American Samoa, and for other purposes; to the Committee on Ways and Means.

By Mr. ROSS of Florida:

H.R. 3813. A bill to amend title 5, United States Code, to secure the annuities of Federal civilian employees, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMASH (for himself, Mr. BURTON of Indiana, Mr. AKIN, Mr. PAUL, Mr. AUSTRIA, Mr. COLE, Mr. DUNCAN of Tennessee, Mr. BENISHEK, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. CHAFFETZ, Mr. QUAYLE, and Mr. GOHMERT):

H.R. 3814. A bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns; to the Committee on the Judiciary.

By Mr. AMODEI:

H.R. 3815. A bill to require the Secretary of the Interior to convey certain Federal land

to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself and Mr. LIPINSKI):

H.R. 3816. A bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HIMES:

H.R. 3817. A bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of electric instantaneous water heaters, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 3818. A bill to direct the Secretary of the Treasury to mint coins in commemoration of the battlefields of the Revolutionary War and the War of 1812, and for other purposes; to the Committee on Financial Services.

By Mr. HUIZENGA of Michigan:

H.R. 3819. A bill to amend the Internal Revenue Code of 1986 to allow the transfer of required minimum distributions from a retirement plan to a health savings account; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mr. SERRANO, Mr. LOEBBACH, and Mr. TOWNS):

H.R. 3820. A bill to amend the Internal Revenue Code of 1986 to modify the dependent care credit to take into account expenses for care of parents and grandparents who do not live with the taxpayer; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mrs. LOWEY, and Ms. DELAURO):

H.R. 3821. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. LOWEY:

H.R. 3822. A bill to require the Nuclear Regulatory Commission to retain and redistribute certain amounts collected as fines; to the Committee on Energy and Commerce.

By Mr. RIVERA:

H.R. 3823. A bill to authorize the cancellation of removal and adjustment of status of certain aliens who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Armed Services, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI (for himself, Mr. SMITH of New Jersey, Mr. REED, Ms. BORDALLO, Mr. JONES, Mr. MANZULLO, Mr. BACA, Mr. TOWNS, Mr. HOLT, Ms. KAPTUR, Mr. HOLDEN, Mr. GINGREY of Georgia, Mr. GRIJALVA, Mr. TIBERI, Mr. MURPHY of Pennsylvania, Mr. WILSON of South Carolina, Mr. HIGGINS, Mr. DAVIS of Illinois, Mr. DONNELLY of Indiana, Mr. BARLETTA, Mr. FITZPATRICK, Mr. QUIGLEY, Mr. KILDEE, Ms. MCCOLLUM, Mr. RUPPERSBERGER, Mr. YARMUTH, Mr. COURTNEY, Mr. CALVERT, Ms. DELAURO, Mr. FORBES, Mr. KELLY, Mr. COSTELLO, Mr. MCCAUL, Mr. PAYNE, Mr. RYAN of Ohio, Mr. NEAL, Mr. WOLF, Mr. AKIN, Mr. MCCOTTER, Mr. AUSTRIA, Mr. MICHAUD, Mr. SABLAN, Mr. GONZALEZ, Mr. GRIMM, and Ms. ESHOO):

H. Res. 523. A resolution supporting the contributions of Catholic schools; to the Committee on Education and the Workforce.

By Mrs. MCCARTHY of New York:

H. Res. 524. A resolution expressing the sense of the House of Representatives that

the Palestine Liberation Organization should not be allowed to maintain an official office in Washington, D.C.; to the Committee on Foreign Affairs.

By Ms. LINDA T. SÁNCHEZ of California:

H. Res. 525. A resolution expressing support for designation of the week of February 6 through February 10, 2012, as "National School Counseling Week"; to the Committee on Education and the Workforce.

By Mr. SHUSTER (for himself and Ms. SCHWARTZ):

H. Res. 526. A resolution expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders; to the Committee on Foreign Affairs.

¶9.34 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. CARSON of Indiana.
 H.R. 57: Mr. BARLETTA.
 H.R. 104: Mr. SCHILLING, Mr. HONDA, Ms. BROWN of Florida, and Mr. SOUTHERLAND.
 H.R. 114: Mr. MANZULLO.
 H.R. 153: Mrs. CAPITO.
 H.R. 187: Mr. MILLER of Florida.
 H.R. 196: Ms. ROYBAL-ALLARD and Mr. HASTINGS of Florida.
 H.R. 308: Ms. HAHN.
 H.R. 361: Mrs. ADAMS.
 H.R. 365: Mr. HANNA.
 H.R. 419: Mr. BLUMENAUER.
 H.R. 493: Mr. MCCOTTER.
 H.R. 547: Mr. COFFMAN of Colorado.
 H.R. 631: Ms. PINGREE of Maine.
 H.R. 676: Ms. HAHN and Mr. TOWNS.
 H.R. 680: Mr. PITTS.
 H.R. 735: Mrs. ADAMS.
 H.R. 750: Mr. FLEISCHMANN.
 H.R. 819: Mr. AL GREEN of Texas.
 H.R. 860: Mrs. BLACK, Ms. BORDALLO, Mr. AMODEI, and Mr. ROSKAM.
 H.R. 890: Mr. FITZPATRICK.
 H.R. 920: Mr. MANZULLO.
 H.R. 938: Mr. FATTAH and Ms. JENKINS.
 H.R. 1048: Mr. HASTINGS of Florida.
 H.R. 1084: Mr. ROTHMAN of New Jersey.
 H.R. 1092: Mr. COHEN and Mr. HONDA.
 H.R. 1167: Mr. FLEISCHMANN.
 H.R. 1175: Mr. RUNYAN, Mr. COFFMAN of Colorado, and Mr. PETRI.
 H.R. 1218: Mr. ALTMIRE.
 H.R. 1350: Ms. PINGREE of Maine.
 H.R. 1370: Mr. STIVERS.
 H.R. 1426: Ms. SUTTON.
 H.R. 1449: Ms. BROWN of Florida.
 H.R. 1479: Mr. MCDERMOTT.
 H.R. 1515: Mr. CLAY.
 H.R. 1533: Mr. GENE GREEN of Texas, Mr. CROWLEY, Mr. LIPINSKI, and Mr. HUIZENGA of Michigan.
 H.R. 1537: Mr. ANDREWS.
 H.R. 1549: Mr. KISSELL.
 H.R. 1564: Mr. VAN HOLLEN.
 H.R. 1568: Mr. GRIJALVA.
 H.R. 1576: Mr. LATHAM.
 H.R. 1621: Ms. HIRONO.
 H.R. 1639: Mr. SCALISE, Mr. LARSON of Connecticut, and Mr. ISSA.
 H.R. 1738: Mr. CONNOLLY of Virginia.
 H.R. 1744: Mr. LATHAM, Mr. JONES, and Mr. BISHOP of Utah.
 H.R. 1746: Mr. GARAMENDI.
 H.R. 1747: Mr. OWENS.
 H.R. 1783: Mr. BLUMENAUER.
 H.R. 1802: Ms. SEWELL and Mr. ROGERS of Alabama.
 H.R. 1830: Mrs. MYRICK.
 H.R. 1856: Mr. RIGELL.
 H.R. 1936: Mr. MEEHAN.

H.R. 1956: Ms. JENKINS.
 H.R. 1957: Mr. BILIRAKIS.
 H.R. 1960: Mr. CONNOLLY of Virginia.
 H.R. 1966: Mr. TIERNEY.
 H.R. 2014: Mr. HECK.
 H.R. 2020: Mr. MCCOTTER.
 H.R. 2140: Ms. SCHWARTZ.
 H.R. 2179: Mr. COLE and Mr. LOEBSACK.
 H.R. 2187: Mr. CLARKE of Michigan.
 H.R. 2190: Mr. NADLER.
 H.R. 2268: Mr. HURT.
 H.R. 2284: Mr. STIVERS and Mr. ROKITA.
 H.R. 2299: Mr. RAHALL.
 H.R. 2334: Mr. BERMAN and Mr. MCHENRY.
 H.R. 2335: Mr. NUNES.
 H.R. 2341: Mr. BACA.
 H.R. 2353: Mr. BLUMENAUER.
 H.R. 2435: Mr. THORNBERRY.
 H.R. 2443: Mr. SMITH of Texas.
 H.R. 2464: Mr. TOWNS.
 H.R. 2528: Mr. CANSECO.
 H.R. 2595: Mr. YOUNG of Florida, Mr. NADLER, and Mr. COLE.
 H.R. 2597: Mr. ANDREWS.
 H.R. 2689: Mr. LEWIS of Georgia.
 H.R. 2810: Mr. CANSECO.
 H.R. 2888: Ms. HIRONO.
 H.R. 2951: Mr. JOHNSON of Ohio.
 H.R. 2955: Mr. JOHNSON of Georgia and Mr. JACKSON of Illinois.
 H.R. 2969: Ms. LEE of California and Mr. LIPINSKI.
 H.R. 3028: Mr. WITTMAN.
 H.R. 3039: Mr. FITZPATRICK.
 H.R. 3059: Mr. MEEHAN, Ms. RICHARDSON, Mr. BERG, and Mr. MEEKS.
 H.R. 3061: Mr. SOUTHERLAND and Mrs. CHRISTENSEN.
 H.R. 3067: Mr. FRANK of Massachusetts, Mr. CICILLINE, Mr. SENSENBRENNER, Mr. MEEKS, Ms. CLARKE of New York, Ms. BALDWIN, Mrs. MCCARTHY of New York, Mr. SCOTT of Virginia, Mr. TONKO, Mr. HINCHEY, and Ms. HAHN.
 H.R. 3074: Mr. JONES and Ms. BUERKLE.
 H.R. 3096: Mr. POE of Texas.
 H.R. 3130: Mr. FARENTHOLD.
 H.R. 3159: Mr. WITTMAN.
 H.R. 3192: Mr. ROSS of Arkansas and Mr. HINCHEY.
 H.R. 3200: Mr. COSTA.
 H.R. 3206: Mr. ROKITA.
 H.R. 3211: Mr. MEEHAN.
 H.R. 3216: Mr. HECK.
 H.R. 3258: Mr. LOEBSACK.
 H.R. 3286: Mr. CUMMINGS and Mr. PRICE of North Carolina.
 H.R. 3324: Ms. SPEIER and Mr. BACA.
 H.R. 3337: Mr. NUNNELEE, Ms. SCHWARTZ, and Ms. BERKLEY.
 H.R. 3349: Mr. KING of New York.
 H.R. 3351: Mr. KING of New York.
 H.R. 3357: Mr. DEFazio.
 H.R. 3359: Mr. OWENS and Ms. SPEIER.
 H.R. 3400: Mrs. MILLER of Michigan.
 H.R. 3405: Mr. FILNER and Mrs. MCCARTHY of New York.
 H.R. 3423: Mr. JOHNSON of Illinois, Mrs. NAPOLITANO, and Mr. MEEHAN.
 H.R. 3437: Mr. HONDA.
 H.R. 3462: Ms. WATERS, Mr. MCGOVERN, and Ms. LEE of California.
 H.R. 3480: Mr. COBLE.
 H.R. 3510: Mr. WITTMAN and Mr. TERRY.
 H.R. 3521: Mr. GERLACH.
 H.R. 3533: Ms. SUTTON.
 H.R. 3545: Mr. WILSON of South Carolina.
 H.R. 3575: Mr. KLINE and Mr. MANZULLO.
 H.R. 3577: Mr. SCHRADER and Mr. MANZULLO.
 H.R. 3578: Mr. AMASH, Mr. PAULSEN, Mr. RIBBLE, Mr. MANZULLO, Mr. KLINE, and Mr. HUELSKAMP.
 H.R. 3581: Mr. KLINE.
 H.R. 3582: Mr. KLINE and Mr. MANZULLO.
 H.R. 3596: Ms. SLAUGHTER.
 H.R. 3606: Mr. SAM JOHNSON of Texas.
 H.R. 3610: Mr. BUCSHON.
 H.R. 3611: Mr. BUCSHON.

H.R. 3627: Mr. PAYNE.
 H.R. 3643: Mr. DESJARLAIS and Mr. MATHE-SON.
 H.R. 3658: Mr. COLE.
 H.R. 3661: Mr. REYES.
 H.R. 3662: Mr. JONES, Mr. HALL, Mr. CARTER, Mr. WESTMORELAND, Ms. JENKINS, and Mr. CALVERT.
 H.R. 3676: Mr. GUTHRIE.
 H.R. 3677: Mr. MCDERMOTT, Ms. SCHWARTZ, Mr. CLARKE of Michigan, Mr. ELLISON, and Mr. PETERS.
 H.R. 3695: Mr. MICHAUD, Mr. SABLAN, Mr. COHEN, and Ms. WOOLSEY.
 H.R. 3698: Mr. HULTGREN.
 H.R. 3704: Ms. SLAUGHTER.
 H.R. 3713: Mr. MEEHAN, Mr. MICA, Ms. PINGREE of Maine, Ms. RICHARDSON, Mr. AMODEI, Mr. WITTMAN, Mr. FITZPATRICK, Mr. HECK, and Mr. RUNYAN.
 H.R. 3714: Mr. BLUMENAUER, Mr. CONNOLLY of Virginia, and Ms. TSONGAS.
 H.R. 3723: Mr. LANDRY and Mr. KINZINGER of Illinois.
 H.R. 3747: Mr. LANCE.
 H.R. 3760: Mr. BACA, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. COURTNEY, Mr. COHEN, Mr. LUJÁN, Mr. MEEKS, Mr. HINOJOSA, Ms. VELÁZQUEZ, Mrs. NAPOLITANO, Mr. CUELLAR, Mr. ANDREWS, Mr. SERRANO, Mr. ELLISON, Mr. GONZALEZ, Ms. BALDWIN, Ms. MOORE, Mr. YARMUTH, Mr. PRICE of North Carolina, Ms. BASS of California, Mr. CROWLEY, Mr. DONNELLY of Indiana, Mr. ALTMIRE, Mr. ROTHMAN of New Jersey, Mr. PERLMUTTER, Mr. SARBANES, Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mr. RYAN of Ohio, Mr. CRITZ, Mr. CAPUANO, and Mr. HOLT.
 H.R. 3771: Mr. FILNER and Ms. WATERS.
 H.R. 3772: Mr. NUNNELEE, Mr. HARPER, and Mr. PALAZZO.
 H.R. 3778: Mr. CANSECO and Mr. MANZULLO.
 H.R. 3781: Ms. JACKSON LEE of Texas.
 H.R. 3785: Mr. JONES.
 H.R. 3795: Ms. WATERS.
 H.R. 3796: Mr. AMODEI, Mr. POE of Texas, Mr. GOWDY, and Mr. AUSTRIA.
 H.R. 3799: Mr. NUGENT and Mr. DUFFY.
 H.J. Res. 8: Mr. PRICE of North Carolina.
 H.J. Res. 13: Mr. WOLF.
 H.J. Res. 90: Mr. MCNERNEY, Mr. FILNER, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. MORAN, Ms. NORTON, Ms. SLAUGHTER, Ms. CHU, Mr. GEORGE MILLER of California, Mr. OLVER, and Mr. SHERMAN.
 H. Con. Res. 72: Mr. ROTHMAN of New Jersey.

H. Res. 25: Mr. LANGEVIN.
 H. Res. 111: Mr. MCCAUL.
 H. Res. 247: Mr. PITTS.
 H. Res. 333: Mr. PEARCE and Mr. MCDERMOTT.
 H. Res. 460: Mr. BERMAN, Ms. WOOLSEY, Mr. OWENS, Mr. REYES, Mr. RAHALL, and Ms. WATERS.
 H. Res. 474: Mr. LEVIN.
 H. Res. 489: Mr. COLE.
 H. Res. 507: Mr. POE of Texas, Mr. MARCHANT, and Mr. MCCAUL.
 H. Res. 509: Mr. STUTZMAN, Mr. SENSENBRENNER, Mr. RYAN of Wisconsin, Mr. WITTMAN, Mr. HURT, and Mr. SOUTHERLAND.

¶9.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3261: Mr. CARTER.

WEDNESDAY, JANUARY 25, 2012 (10)

¶10.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr.

CHAFFETZ, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 25, 2012.

I hereby appoint the Honorable JASON CHAFFETZ to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶10.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CHAFFETZ, announced he had examined and approved the Journal of the proceedings of Tuesday, January 24, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶10.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4691. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Increased Assessment Rate [Doc. No.: AMS-FV-11-0057; FV11-906-1 FR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4692. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus amyloliquefaciens* strain D747; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0944; FRL-9330-4] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4693. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8205] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4694. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Republic of Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4695. A letter from the Director, Office of Management and Budget, transmitting a report on appropriations legislation as required by section 251(a)(7) of the Balanced Budget and Emergency Deficit Control Act 1985, as amended; to the Committee on the Budget.

4696. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report for Fiscal Year 2010 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and the Workforce.

4697. A letter from the Administrator, Department of Transportation, transmitting a report on the activities of the National 911 Program; to the Committee on Energy and Commerce.

4698. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, Virginia, and West Virginia; Determinations of Attainment of the 1997 Fine Particle Standard for the Metropolitan Washington, DC-MD-VA and Martinsburg-Hagerstown, WV-MD Non-

attainment Areas [EPA-R03-OAR-2011-0801; FRL-9616-6] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Alaska [EPA-R10-OAR-2010-0917; FRL-9616-4] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4700. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution Revisions for the 1997 PM_{2.5} and 8-Hour Ozone NAAQS: "Significant Contribution", "Interference with Maintenance", and "Interference with Prevention of Significant Deterioration" Requirements; Revisions to Regulation No. 3 [EPA-R08-OAR-2007-1037; FRL-9506-8] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4701. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — EPAAR Clause for Compliance with EPA Policies for Information Resources Management [EPA-HQ-OARM-2010-0764; FRL-9616-2] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4702. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality Implementation Plans; California; San Joaquin Valley; Reasonably Available Control Technology for Ozone [EPA-R09-OAR-2011-0723; FRL-9616-5] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4703. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) [EPA-R09-OAR-2011-0547; FRL-9480-1] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4704. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Underground Storage Tank Program: Approved State Program for the State of Oregon [EPA-R10-UST-2011-0097; FRL-9615-4] received January 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4705. A letter from the Acting Secretary, Federal Trade Commission, transmitting Biennial report on the Do-Not-Call Registry for FY 2010 and 2011; to the Committee on Energy and Commerce.

4706. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4707. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and

pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, pursuant to 50 U.S.C. 1622(d); to the Committee on Foreign Affairs.

4708. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the August 21, 2011 — October 20, 2011 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on Foreign Affairs.

4709. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

4710. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000; to the Committee on Foreign Affairs.

4711. A letter from the Director, Office of Personnel Management, transmitting a report justifying the reasons for the extension of locality-based comparability payments to categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); to the Committee on Oversight and Government Reform.

4712. A letter from the Chair, Cost Accounting Standards Board, Office of Management and Budget, transmitting the Office's final rule — Cost Accounting Standards: Cost Accounting Standards 412 and 413 — Cost Accounting Standards Pension Harmonization Rule received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4713. A letter from the Chair, Cost Accounting Standards Board, Office of Management and Budget, transmitting the Office's final rule — Cost Accounting Standards: Change to the CAS Applicability Threshold for the Inflation Adjustment to the Truth in Negotiations Act Threshold received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4714. A letter from the Commissioner, Social Security Administration, transmitting the Administration's report for fiscal year 2011 on competitive sourcing efforts as required by Section 647(b) of Division F of the Consolidated Appropriations Act, 2004, Pub. L. 108-199; to the Committee on Oversight and Government Reform.

4715. A letter from the Chief, Division of Management Authority, International Affairs Program, Department of Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Regulation that Excludes U.S. Captive-Bred Scimitar-Horned Oryx, Addax, and Dama Gazelle from Certain

Prohibitions [Docket No.: FWS-R9-IA-2010-0056] (RIN: 1018-AX29) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4716. A letter from the Secretary, Federal Trade Commission, transmitting a report on the Pandemic and All-Hazards Preparedness Act Usage of Act's Antitrust Laws Exemption; to the Committee on the Judiciary.

4717. A letter from the Secretary, Department of Transportation, transmitting the fourth of five reports required by Section 1201(c) of the American Recovery and Reinvestment Act of 2009 (Recovery Act) detailing the Department's progress; to the Committee on Transportation and Infrastructure.

4718. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Pilot, Flight Instructor, and Pilot School Certification; Technical Amendment [Docket No.: FAA-2006-26661; Amdt. No. 61-129] (RIN: 2120-AI86) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4719. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Miscellaneous Amendments; Response to Appeals; Corrections [Docket No.: PHMSA-2009-0151(HM-218F)] (RIN: 2137-AE84) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4720. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a semi-annual report to Congress on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment, pursuant to 19 U.S.C. 2432(c) and (d); to the Committee on Ways and Means.

¶10.4 ULTRALIGHT AIRCRAFT SMUGGLING PREVENTION

Mr. REICHERT moved to suspend the rules and pass the bill (H.R. 3801) to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. REICHERT and Mr. LEVIN, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Mr. REICHERT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶10.5 RECESS—9:38 A.M.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 12(a) of rule I, declared the House in recess at

9 o'clock and 38 minutes a.m., for a period of less than 15 minutes.

¶10.6 AFTER RECESS—9:44 A.M.

The SPEAKER pro tempore, Mr. CHAFFETZ, called the House to order.

¶10.7 H.R. 1022—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1022) to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

The question being put,
Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 338
affirmative { Nays 70

¶10.8 [Roll No. 10] YEAS—338

- Adams
- Altmire
- Amodei
- Andrews
- Austria
- Baca
- Bachus
- Baldwin
- Barletta
- Barrow
- Bartlett
- Barton (TX)
- Bass (CA)
- Bass (NH)
- Becerra
- Berg
- Berkley
- Biggert
- Bilbray
- Bilirakis
- Bishop (GA)
- Bishop (NY)
- Bishop (UT)
- Black
- Blumenauer
- Bono Mack
- Boren
- Boswell
- Boustany
- Brady (PA)
- Brooks
- Brown (FL)
- Buchanan
- Butterfield
- Calvert
- Camp
- Canseco
- Cantor
- Capito
- Capps
- Capuano
- Cardoza
- Carnahan
- Carney
- Carson (IN)
- Castor (FL)
- Chabot
- Chaffetz
- Chandler
- Chu
- Cicilline
- Clarke (MI)
- Clarke (NY)
- Clay
- Cleaver
- Clyburn
- Coffman (CO)
- Cohen
- Cole
- Connolly (VA)
- Conyers
- Cooper
- Costa
- Costello
- Courtney
- Cravaack
- Crawford
- Crenshaw
- Critz
- Crowley
- Cueellar
- Cummings
- Davis (CA)
- Davis (IL)
- Davis (KY)
- DeGette
- DeLauro
- Denham
- Dent
- Deutch
- Diaz-Balart
- Dicks
- Dingell
- Doggett
- Dold
- Donnelly (IN)
- Doyle
- Dreier
- Duffy
- Duncan (TN)
- Edwards
- Ellison
- Engel
- Eshoo
- Fattah
- Filner
- Fincher
- Fleischmann
- Fleming
- Forbes
- Fortenberry
- Fox
- Frank (MA)
- Franks (AZ)
- Frelinghuysen
- Fudge
- Gallely
- Garamendi
- Gerlach
- Gibson
- Gohmert
- Gonzalez
- Gowdy
- Granger
- Green, Al
- Green, Gene
- Griffin (AR)
- Griffith (VA)
- Grijalva
- Grimm
- Guinta
- Guthrie
- Gutierrez
- Hahn
- Hall
- Hanabusa
- Hanna
- Harper
- Hartzler
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Heck
- Heinrich
- Herger
- Herrera Beutler
- Higgins
- Himes
- Hinojosa
- Hirono
- Hochul
- Holden
- Holt
- Honda
- Hoyer
- Hunter
- Insee
- Israel
- Issa
- Jackson (IL)
- Jackson Lee (TX)
- Jenkins
- Johnson (IL)
- Johnson, E. B.
- Johnson, Sam
- Jones
- Kaptur
- Keating
- Kelly
- Kildee
- Kind
- King (IA)
- King (NY)
- Kissell
- Kucinich
- Labrador
- Lamborn
- Lance
- Langevin
- Lankford
- Larsen (WA)
- Larson (CT)
- Latham
- Latta
- Lee (CA)
- Levin
- Lewis (CA)
- Lewis (GA)
- Lipinski
- LoBiondo
- Lofgren, Zoe
- Long
- Lowey
- Lucas
- Luetkemeyer
- Lujan
- Lummis

- Lungren, Daniel E.
- Lynch
- Maloney
- Marino
- Markey
- Matheson
- Matsui
- McCarthy (CA)
- McCarthy (NY)
- McCaul
- McClintock
- McCollum
- McCotter
- McDermott
- McGovern
- McIntyre
- McKeon
- McKinley
- McMorris
- Rodgers
- McNerney
- Meehan
- Meeks
- Mica
- Michaud
- Miller (FL)
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Miller, George
- Moore
- Moran
- Murphy (CT)
- Murphy (PA)
- Nadler
- Napolitano
- Neal
- Noem
- Nugent
- Nunes
- Olson
- Oliver
- Owens
- Pallone
- Pascrell
- Pastor (AZ)
- Paulsen
- Pelosi
- Perlmutter
- Peters
- Peterson
- Petri
- Pingree (ME)
- Pitts
- Platts
- Poe (TX)
- Polis
- Posey
- Price (NC)
- Quigley
- Rahall
- Rangel
- Reed
- Rehberg
- Reichert
- Reyes
- Ribble
- Richardson
- Richardson
- Rigell
- Roby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Rooney
- Roskam
- Ross (AR)
- Rothman (NJ)
- Roybal-Allard
- Royce
- Runyan
- Ruppersberger
- Rush
- Ryan (OH)
- Ryan (WI)
- Sanchez, Linda T.
- Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schiff
- Schilling
- Schmidt
- Schock
- Schrader
- Schwartz
- Schweikert
- Scott (SC)
- Scott (VA)
- Scott, Austin
- Scott, David
- Sensenbrenner
- Serrano
- Sessions
- Sewell
- Sherman
- Shimkus
- Shuler
- Simpson
- Sires
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Southerland
- Speier
- Stark
- Stivers
- Sutton
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Tiberi
- Tierney
- Tipton
- Tonko
- Towns
- Tsongas
- Turner (NY)
- Turner (OH)
- Upton
- Van Hollen
- Velazquez
- Viscoso
- Walz (MN)
- Wasserman
- Schultz
- Waxman
- Webster
- Welch
- West
- Whitfield
- Wilson (FL)
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woodall
- Woolsey
- Yarmuth
- Yoder
- Young (FL)

NAYS—70

- Aderholt
- Akin
- Alexander
- Amash
- Bachmann
- Benishek
- Blackburn
- Bonner
- Broun (GA)
- Bucshon
- Buerkle
- Burgess
- Carter
- Cassidy
- Coble
- Conaway
- DesJarlais
- Duncan (SC)
- Ellmers
- Farenthold
- Fitzpatrick
- Flake
- Flores
- Gardner
- Garrett
- Gibbs
- Gingrey (GA)
- Goodlatte
- Graves (GA)
- Graves (MO)
- Harris
- Hensarling
- Renacci
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hurt
- Johnson (OH)
- Jordan
- Kingston
- Kinzinger (IL)
- Kline
- Landry
- Manullo
- Marchant
- McHenry
- Mulvaney
- Myrick
- Neugebauer
- Nunnelee
- Palazzo
- Pearce
- Pence
- Pompeo
- Price (GA)
- Quayle
- Rokita
- Ross (FL)
- Scalise
- Shuster
- Stearns
- Stutzman
- Sullivan
- Terry
- Thornberry
- Walberg
- Walden
- Walsh (IL)
- Westmoreland
- Young (IN)

NOT VOTING—25

- Ackerman
- Berman
- Brady (TX)
- Braley (IA)
- Burton (IN)
- Campbell
- Culberson
- DeFazio
- Emerson
- Farr
- Giffords
- Gosar
- Hinchey
- Johnson (GA)
- LaTourette
- Loeb
- Mack
- Paul
- Payne
- Rivera
- Ros-Lehtinen
- Slaughter
- Waters
- Watt
- Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶10.9 H.R. 3801—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3801) to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 408
affirmative } Nays 0

¶10.10 [Roll No. 11]
YEAS—408

Adams	Coble	Goodlatte
Aderholt	Coffman (CO)	Gowdy
Akin	Cohen	Graves (GA)
Alexander	Cole	Graves (MO)
Altmire	Conaway	Green, Al
Amash	Connolly (VA)	Green, Gene
Amodei	Conyers	Griffin (AR)
Andrews	Cooper	Griffith (VA)
Austria	Costa	Grijalva
Baca	Costello	Grimm
Bachmann	Courtney	Guinta
Bachus	Cravaack	Guthrie
Baldwin	Crawford	Gutierrez
Barletta	Crenshaw	Hahn
Barrow	Critz	Hall
Bartlett	Crowley	Hanabusa
Barton (TX)	Cuellar	Hanna
Bass (CA)	Cummings	Harper
Bass (NH)	Davis (CA)	Harris
Becerra	Davis (IL)	Hartzler
Benishek	Davis (KY)	Hastings (FL)
Berg	DeGette	Hastings (WA)
Berkley	DeLauro	Hayworth
Biggart	Denham	Heck
Bilbray	Dent	Heinrich
Bilirakis	DesJarlais	Hensarling
Bishop (GA)	Diaz-Balart	Herrera Beutler
Bishop (NY)	Dicks	Higgins
Bishop (UT)	Dingell	Himes
Black	Doggett	Hinojosa
Blackburn	Dold	Hirono
Blumenauer	Donnelly (IN)	Hochul
Bonner	Doyle	Holden
Bono Mack	Dreier	Holt
Boren	Duffy	Honda
Boswell	Duncan (SC)	Hoyer
Boustany	Duncan (TN)	Huelskamp
Brady (PA)	Edwards	Huizenga (MI)
Brooks	Ellison	Hultgren
Broun (GA)	Ellmers	Hunter
Brown (FL)	Emerson	Hurt
Buchanan	Engel	Inslee
Bucshon	Eshoo	Israel
Buerkle	Farenthold	Issa
Burgess	Fattah	Jackson (IL)
Butterfield	Filner	Jackson Lee
Calvert	Fincher	(TX)
Camp	Fitzpatrick	Jenkins
Canseco	Flake	Johnson (GA)
Cantor	Fleischmann	Johnson (IL)
Capito	Fleming	Johnson (OH)
Capps	Flores	Johnson, E. B.
Capuano	Forbes	Johnson, Sam
Cardoza	Fortenberry	Jones
Carnahan	Fox	Jordan
Carney	Frank (MA)	Kaptur
Carson (IN)	Franks (AZ)	Keating
Carter	Frelinghuysen	Kelly
Cassidy	Fudge	Kildee
Castor (FL)	Gallely	Kind
Chabot	Garamendi	King (IA)
Chaffetz	Gardner	King (NY)
Chandler	Garrett	Kingston
Chu	Gerlach	Kinzinger (IL)
Cicilline	Gibbs	Kissell
Clarke (MI)	Gibson	Kline
Clarke (NY)	Giffords	Kucinich
Clay	Gingrey (GA)	Labrador
Cleaver	Gohmert	Lamborn
Clyburn	Gonzalez	Lance

Landry	Olver	Scott (SC)
Langevin	Owens	Scott (VA)
Lankford	Palazzo	Scott, Austin
Larsen (WA)	Pallone	Scott, David
Larson (CT)	Pascrell	Sensenbrenner
Latham	Pastor (AZ)	Serrano
Latta	Paulsen	Sessions
Lee (CA)	Payne	Sewell
Levin	Pearce	Sherman
Lewis (CA)	Pelosi	Shimkus
Lewis (GA)	Pence	Shuler
Lipinski	Perlmutter	Shuster
LoBiondo	Peters	Simpson
Lofgren, Zoe	Peterson	Sires
Long	Petri	Smith (NE)
Lowe	Pingree (ME)	Smith (NJ)
Lucas	Pitts	Smith (TX)
Lujan	Platts	Smith (WA)
Lummis	Poe (TX)	Southerland
Lungren, Daniel E.	Polis	Speier
Lynch	Pompeo	Stark
Maloney	Posey	Stearns
Manzullo	Price (GA)	Stivers
Marchant	Price (NC)	Stutzman
Marino	Quigley	Sullivan
Markey	Rangel	Sutton
Matheson	Reed	Terry
Matsui	Rehberg	Thompson (CA)
McCarthy (CA)	Reichert	Thompson (MS)
McCarthy (NY)	Renacci	Thompson (PA)
McCaul	Reyes	Thornberry
McClintock	Ribble	Tiberi
McColum	Richardson	Tierney
McCotter	Richmond	Tipton
McDermott	Rigell	Tonko
McGovern	Roby	Towns
McHenry	Roe (TN)	Tsongas
McIntyre	Rogers (AL)	Turner (NY)
McKeon	Rogers (KY)	Turner (OH)
McKinley	Rogers (MI)	Upton
McMorris	Rohrabacher	Van Hollen
Rodgers	Rokita	Velázquez
McNerney	Rooney	Viscosky
Meehan	Roskam	Walberg
Meeks	Ross (AR)	Walden
Mica	Ross (FL)	Walsh (IL)
Michaud	Rothman (NJ)	Walz (MN)
Miller (FL)	Roybal-Allard	Wasserman
Miller (MI)	Royce	Schultz
Miller (NC)	Runyan	Waters
Miller, Gary	Ruppersberger	Waxman
Miller, George	Rush	Webster
Moore	Ryan (OH)	Welch
Moran	Ryan (WI)	West
Mulvaney	Sánchez, Linda T.	Westmoreland
Murphy (CT)	Sanchez, Loretta	Whitfield
Murphy (PA)	Sarbanes	Wilson (FL)
Myrick	Scalise	Wilson (SC)
Nadler	Schakowsky	Wittman
Napolitano	Schiff	Wolf
Neal	Schilling	Womack
Neugebauer	Schmidt	Woodall
Noem	Schock	Woolsey
Nugent	Schrader	Yarmuth
Nunes	Schwartz	Yoder
Nunnelee	Schweikert	Young (FL)
Olson		Young (IN)

NOT VOTING—25

Ackerman	Farr	Paul
Berman	Gosar	Rahall
Brady (TX)	Granger	Rivera
Braley (IA)	Herger	Ros-Lehtinen
Burton (IN)	Hinche	Slaughter
Campbell	LaTourette	Watt
Culberson	Loeb	Young (AK)
DeFazio	Luetkemeyer	
Deutch	Mack	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶10.11 UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for

fiscal year 2001 (22 United States Code 7002), as amended, and the order of the House of January 5, 2011, announced that the Speaker appointed the following individual on the part of the House to the United States-China Economic and Security Review Commission for a term to expire December 31, 2013: Mr. Daniel M. Slane, Ohio.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶10.12 ADJOURNMENT OVER

On motion of Mr. McHENRY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, January 27, 2012; and further, when the House adjourns on Friday, January 27, 2012, it adjourn to meet at noon on Tuesday, January 31, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶10.13 PERMISSION TO FILE REPORTS

On motion of Mr. McHENRY, by unanimous consent, the Committee on the Budget was granted permission until 3 p.m., Monday, January 30, 2012, to file its reports to accompany (H.R. 3582) to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; and (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes.

¶10.14 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. MCKINLEY, laid before the House the following communication, which was read as follows:

JANUARY 25, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: In 2001, strongly holding the belief that there is no higher calling than serving my country, I went from selling tires in my Tucson family business to being a freshman representative in the Arizona State House. And for 10 years I served—in the Arizona legislature, in the United States Congress, and, after marrying Mark, as a proud military spouse. Always I fought for what I thought was right. But never did I question the character of those with whom I disagreed. Never did I let pass an opportunity to join hands with someone just because he or she held different ideals.

In public service, I found a venue for my pursuit of a stronger America—by ensuring the safety and security of all Americans, by producing clean energy here at home instead of importing oil from abroad, and by honoring our brave men and women in uniform with the benefits they earned. I found a way to care for others. And in the past year, I have found a value that is unbreakable even by the most vicious of attacks.

The tragic January 8th shooting in Tucson took the lives of six beautiful Americans and wounded 13 others, me included. Not a day goes by that I don't feel grief for the lives lost and so many others torn apart. Christina-Taylor Green, Dorothy Morris, John

Roll, Phyllis Schneck, Dorwan Stoddard, and Gabe Zimmerman embodied the best of America. Each in their own way, they committed their lives to serving their families, community and country, and they died performing a basic but important act of citizenship that's at the heart of our greatness as a nation. They will be remembered always by their country and by their Congress.

I don't remember much from that terrible day, but I have never forgotten my constituents, my colleagues, or the millions of Americans with whom I share great hopes for this nation. To all of them: Thank you for your prayers, your cards, your well wishes, and your support. And even as I have worked to regain my speech, thank you for your faith in my ability to be your voice.

The only way I ever served my district in Congress was by giving 100 percent. This past year, that's what I have given to my recovery. Thank you for your patience. From my first steps and first words after being shot to my current physical and speech therapy, I have given all of myself to being able to walk back onto the House floor this year to represent Arizona's 8th Congressional District. However, today I know that now is not the time. I have more work to do on my recovery before I can again serve in elected office.

This past year my colleagues and staff have worked to make sure my constituents were represented in Congress. But if I can't return, my district deserves to elect a U.S. Representative who can give 100 percent to the job now. For that reason, I have submitted the attached letter of resignation to Arizona Governor Jan Brewer.

Amid all that was lost on January 8th, there was also hope and faith. This past year, it is what I have often clung to: Hope that our government can represent the best of a nation, not the worst. Faith that Americans working together—in their communities, in our Congress—can succeed without qualification. Hope and faith that even as we are set back by tragedy or profound disagreement, in the end we come together as Americans to set a course toward greatness.

Everyday, I am working hard. I will recover and will return, and we will work together again, for Arizona and for all Americans.

Sincerely,

GABRIELLE GIFFORDS,
Member of Congress.

Enclosure.

JANUARY 25, 2012.

Hon. JANICE K. BREWER,
Arizona Governor, Executive Tower, West Washington Street, Phoenix, AZ.

DEAR GOVERNOR BREWER: In 2001, strongly holding the belief that there is no higher calling than serving my country, I went from selling tires in my Tucson family business to being a freshman representative in the Arizona State House. And for 10 years I served—in the Arizona legislature, in the United States Congress, and, after marrying Mark, as a proud military spouse. Always I fought for what I thought was right. But never did I question the character of those with whom I disagreed. Never did I let pass an opportunity to join hands with someone just because he or she held different ideals.

In public service, I found a venue for my pursuit of a stronger America—by ensuring the safety and security of all Americans, by producing clean energy here at home instead of importing oil from abroad, and by honoring our brave men and women in uniform with the benefits they earned. I found a way to care for others. And in the past year, I have found a value that is unbreakable even by the most vicious of attacks.

The tragic January 8th shooting in Tucson took the lives of six beautiful Americans and wounded 13 others, me included. Not a day

goes by that I don't feel grief for the lives lost and so many others torn apart. Christina-Taylor Green, Dorothy Morris, John Roll, Phyllis Schneck, Dorwan Stoddard, and Gabe Zimmerman embodied the best of America. Each in their own way, they committed their lives to serving their families, community and country, and they died performing a basic but important act of citizenship that's at the heart of our greatness as a nation. They will be remembered always by their country and by their Congress.

I don't remember much from that terrible day, but I have never forgotten my constituents, my colleagues, or the millions of Americans with whom I share great hopes for this nation. To all of them: Thank you for your prayers, your cards, your well wishes, and your support. And even as I have worked to regain my speech, thank you for your faith in my ability to be your voice.

The only way I ever served my district in Congress was by giving 100 percent. This past year, that's what I have given to my recovery. Thank you for your patience. From my first steps and first words after being shot to my current physical and speech therapy, I have given all of myself to being able to walk back onto the House floor this year to represent Arizona's 8th Congressional District. However, today I know that now is not the time. I have more work to do on my recovery before I can again serve in elected office.

This past year my colleagues and staff have worked to make sure my constituents were represented in Congress. But if I can't return, my district deserves to elect a U.S. Representative who can give 100 percent to the job now. For that reason, I am resigning from the U.S. House of Representatives effective at the end of today.

Amid all that was lost on January 8th, there was also hope and faith. This past year, it is what I have often clung to: Hope that our government can represent the best of a nation, not the worst. Faith that Americans working together—in their communities, in our Congress—can succeed without qualification. Hope and faith that even as we are set back by tragedy or profound disagreement, in the end we come together as Americans to set a course toward greatness.

Everyday, I am working hard. I will recover and will return, and we will work together again, for Arizona and for all Americans.

Sincerely,

GABRIELLE GIFFORDS,
Member of Congress.

¶10.15 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CULBERSON, for today.

And then,

¶10.16 ADJOURNMENT

On motion of Mr. KING of Iowa, pursuant to the previous order of the House, at 12 o'clock and 11 minutes p.m., the House adjourned until 11 a.m. on Friday, January 27, 2012.

¶10.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. HIRONO:

H.R. 3824. A bill to ensure that the Federal Aviation Administration addresses fatigue issues of flight attendants; to the Committee on Transportation and Infrastructure.

By Mr. POMPEO (for himself, Ms. JENKINS, Mr. YODER, and Mr. HUELSKAMP):

H.R. 3825. A bill to authorize the use of multifamily housing subject to a mortgage insured under section 207 of the National Housing Act as work force residential housing; to the Committee on Financial Services.

By Mr. COURTNEY (for himself, Mr. PETERS, Mr. REYES, Mr. HINOJOSA, Mr. JACKSON of Illinois, Mr. BRALEY of Iowa, Mr. STARK, Mr. CLARKE of Michigan, Mr. GRIJALVA, and Ms. NORTON):

H.R. 3826. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Education and the Workforce.

By Mr. GUTHRIE (for himself, Mr. BENISHEK, Mr. ROGERS of Michigan, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, and Mr. BARTON of Texas):

H.R. 3827. A bill to repeal the Patient-Centered Outcomes Research program and comparative effectiveness research funding; to the Committee on Ways and Means, and in addition to the Committees on Appropriations, the Budget, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUELSKAMP (for himself, Mrs. HARTZLER, Mr. HULTGREN, Mr. JOHNSON of Ohio, Mr. CANSECO, Mr. NUNNELLEE, Mr. AKIN, Mr. WESTMORELAND, Mr. LATTI, Mr. JONES, and Mr. KING of Iowa):

H.R. 3828. A bill to amend title 10, United States Code, to require that implementation of the repeal of the former Department of Defense policy concerning homosexual behavior in the Armed Forces not infringe upon the free exercise of religion by and the rights of conscience of members of the Armed Forces, including chaplains, and for other purposes; to the Committee on Armed Services.

By Ms. MOORE (for herself, Mr. ELLISON, Mr. PAYNE, Ms. SLAUGHTER, and Ms. SCHAKOWSKY):

H.R. 3829. A bill to require a criminal background check for employees of child care providers, family child care providers, and adults who reside in the private residences of family child care providers in States that receive funds from the Child Care and Development Block Grant Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROHRBACHER:

H.R. 3830. A bill to restrict the provision of defense articles and defense services to the Government of Iraq, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TERRY (for himself and Mr. THOMPSON of California):

H.R. 3831. A bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY:

H.R. 3832. A bill to amend the Internal Revenue Code of 1986 to provide for the equalization of the excise tax on liquefied natural gas and per energy equivalent of diesel; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself, Mr. DREIER, Mr. CARNAHAN, and Mr. PRICE of North Carolina):

H. Res. 527. A resolution expressing the sense of the House of Representatives regarding Tunisia's peaceful Jasmine Revolution; to the Committee on Foreign Affairs.

By Mr. HUNTER (for himself, Mr. MURPHY of Pennsylvania, Mr. ADERHOLT, Mr. AUSTRIA, Mr. BACHUS, Mr. BARLETTA, Ms. HERRERA BEUTLER, Mrs. BIGGERT, Mr. BILBRAY, Mr. BONNER, Ms. BORDALLO, Mr. BROUN of Georgia, Mr. CALVERT, Mr. CANSECO, Mr. CARTER, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CONAWAY, Mr. CRAVAACK, Mr. DENHAM, Mr. DENT, Mr. DOLD, Mr. FLEMING, Mr. FLORES, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. GERLACH, Mr. GIBSON, Mr. GINGREY of Georgia, Mr. GOODLATTE, Mr. GOSAR, Mr. GRIFFIN of Arkansas, Mr. GRIFFITH of Virginia, Mr. GRIMM, Mr. GUTHRIE, Ms. HANABUSA, Mr. HARPER, Mrs. HARTZLER, Mr. HASTINGS of Washington, Mr. HECK, Mr. HENSARLING, Mr. HERGER, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. HURT, Mr. JOHNSON of Ohio, Mr. KELLY, Mr. KINGSTON, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. LABRADOR, Mr. LANCE, Mr. LANGEVIN, Mr. LATHAM, Mr. LEWIS of California, Mr. LONG, Mr. LUETKEMEYER, Mr. MCCAUL, Mr. MCCOTTER, Mr. MCGOVERN, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. NEUGEBAUER, Mr. NUGENT, Mr. NUNNELEE, Mr. PALAZZO, Mr. PITTS, Mr. PRICE of Georgia, Mr. RIBBLE, Mr. ROGERS of Kentucky, Mr. ROONEY, Mr. RUNYAN, Mr. RUPPERSBERGER, Mr. RYAN of Wisconsin, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SCHILLING, Mrs. SCHMIDT, Mr. SCOTT of South Carolina, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. STIVERS, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. TURNER of New York, Mr. WEST, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. WOLF, Mr. YOUNG of Florida, Mr. YOUNG of Alaska, Mr. YOUNG of Indiana, Mr. BISHOP of Utah, Ms. PINGREE of Maine, and Mr. TURNER of Ohio):

H. Res. 528. A resolution honoring the service and sacrifice of the members of the United States Armed Forces in Operation Iraqi Freedom and Operation New Dawn; to the Committee on Armed Services.

By Mr. ROHRBACHER (for himself, Mr. GOHMERT, and Mr. KING of Iowa):

H. Res. 529. A resolution expressing the sense of the House of Representatives that the United States should not consider releasing Taliban prisoners, Abdul Haq Wasiq, Mullah Norullah Noori, Mullah Mohammed Fazl, and Mullah Khairullah Khairkhwa, from prison in Guantanamo Bay, Cuba, until Mullah Muhammed Omar has been turned over to United States custody; to the Committee on Armed Services.

¶10.18 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mrs. CAPITO.
H.R. 104: Mr. JOHNSON of Illinois, Mr. RUPPERSBERGER, and Mr. SESSIONS.
H.R. 121: Mrs. BLACK.
H.R. 124: Mrs. BLACK.
H.R. 190: Mr. CARSON of Indiana.
H.R. 555: Mr. RUPPERSBERGER.
H.R. 640: Mr. MCCOTTER.
H.R. 680: Mrs. CAPITO.
H.R. 729: Ms. HAHN.
H.R. 750: Mr. KINZINGER of Illinois.

H.R. 782: Mrs. CAPITO.
H.R. 951: Mrs. CAPITO.
H.R. 1057: Mr. COHEN and Ms. WILSON of Florida.

H.R. 1058: Mr. HECK.
H.R. 1085: Ms. HAHN.
H.R. 1148: Mr. PIERLUISI, Ms. CHU, and Mr. CRAWFORD.

H.R. 1179: Mr. CRITZ.
H.R. 1206: Mr. REED, Mrs. ADAMS, Mr. BISHOP of Georgia, Mr. MEEHAN, Mr. BISHOP of Utah, Mr. MANZULLO, Mr. BILBRAY, Mr. DUNCAN of Tennessee, Mr. LANDRY, Mr. PEARCE, and Mr. THOMPSON of Pennsylvania.
H.R. 1288: Ms. PINGREE of Maine and Mr. KEATING.

H.R. 1612: Ms. BALDWIN.
H.R. 1648: Mr. BISHOP of New York, Mr. PALLONE, and Mr. CONYERS.

H.R. 1697: Mr. BROUN of Georgia.
H.R. 1704: Mr. DEFAZIO.
H.R. 1712: Mr. CARTER.
H.R. 1739: Mr. CHABOT.
H.R. 1822: Mrs. CAPITO.
H.R. 1873: Mr. CICILLINE.
H.R. 1897: Mr. TOWNS, Ms. LEE of California, Mr. POE of Texas, Mr. CRITZ, Mr. VAN HOLLEN, and Mr. WELCH.

H.R. 1903: Mr. LEWIS of Georgia, and Mr. CLARKE of Michigan.

H.R. 1988: Mr. CONNOLLY of Virginia, Mr. SIREN, Mr. PASCRELL, Mr. ROTHMAN of New Jersey, Mrs. MCCARTHY of New York, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. CRITZ, Mr. CARSON of Indiana, Mr. HASTINGS of Florida, Mr. COURTNEY, Mr. HOLT, Mr. RANGEL, Mr. KEATING, Ms. KAPTUR, and Mr. KIND.

H.R. 2052: Mr. NUGENT.
H.R. 2082: Mr. STIVERS.
H.R. 2086: Mr. JACKSON of Illinois.
H.R. 2179: Ms. BORDALLO.
H.R. 2187: Mr. KEATING.
H.R. 2238: Mr. MCINTYRE.
H.R. 2245: Mr. ALTMIRE.
H.R. 2376: Mr. FRANK of Massachusetts.
H.R. 2412: Mr. THOMPSON of California.
H.R. 2444: Mr. HEINRICH.
H.R. 2514: Mr. FLEISCHMANN.
H.R. 2536: Mr. PRICE of North Carolina.
H.R. 2557: Mr. THOMPSON of Pennsylvania and Mr. GERLACH.

H.R. 2625: Mrs. LOWEY.
H.R. 2657: Mr. PRICE of North Carolina.
H.R. 2772: Mr. RIVERA.
H.R. 2880: Mrs. LOWEY.
H.R. 2955: Mr. LIPINSKI.
H.R. 2966: Mr. TOWNS, Mr. HEINRICH, Mr. LARSEN of Washington, Ms. SUTTON, Mr. FATTAH, and Ms. KAPTUR.

H.R. 2985: Mr. KEATING.
H.R. 3059: Mr. PRICE of North Carolina.
H.R. 3204: Mr. ROKITA.
H.R. 3208: Mr. ROKITA.
H.R. 3209: Mr. ROKITA.

H.R. 3276: Mr. MICA, Mr. MILLER of Florida, and Mr. CRENSHAW.
H.R. 3307: Mr. PRICE of North Carolina, Ms. SLAUGHTER, and Mr. JOHNSON of Illinois.
H.R. 3314: Mr. FRANK of Massachusetts.
H.R. 3315: Mr. SMITH of Washington and Mr. POLIS.

H.R. 3337: Mr. TURNER of Ohio, Ms. KAPTUR, Mr. RYAN of Ohio, Mr. CRITZ, and Mr. JOHNSON of Georgia.

H.R. 3353: Ms. SCHAKOWSKY and Mr. CONNOLLY of Virginia.
H.R. 3401: Mr. FRANKS of Arizona.
H.R. 3409: Mrs. CAPITO.
H.R. 3432: Mr. MORAN.
H.R. 3455: Mr. CRAWFORD.

H.R. 3461: Ms. GRANGER, Mr. AMODEI, Mr. FLEISCHMANN, and Mr. MEEHAN.
H.R. 3483: Mr. CLAY, Mr. CLEAVER, Mr. RANGEL, Ms. WILSON of Florida, Ms. SEWELL, Ms. HANABUSA, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. MILLER of North Carolina, Mr. CARSON of Indiana, Ms. CLARKE of New York, Ms. MOORE, Mr. RUSH,

Ms. VELÁZQUEZ, Mr. PAYNE, Ms. RICHARDSON, Mr. MEEKS, and Mr. PRICE of North Carolina.
H.R. 3490: Mr. PRICE of North Carolina.
H.R. 3515: Mr. MCDERMOTT and Ms. SLAUGHTER.

H.R. 3521: Mr. CUELLAR.
H.R. 3523: Mr. WOLF and Mr. FORBES.
H.R. 3533: Ms. JACKSON LEE of Texas.
H.R. 3542: Mr. JOHNSON of Georgia.
H.R. 3545: Mr. ROONEY and Mr. LONG.
H.R. 3548: Mr. ROSKAM, Mr. POE of Texas, and Mr. CANSECO.

H.R. 3571: Ms. PINGREE of Maine.
H.R. 3583: Mr. MANZULLO.
H.R. 3609: Mr. MANZULLO.
H.R. 3612: Ms. BORDALLO, Mr. GRIFFIN of Arkansas, Mrs. NAPOLITANO, and Mr. HIMES.
H.R. 3623: Mr. JOHNSON of Ohio.
H.R. 3625: Mrs. CAPPS.
H.R. 3638: Mr. COHEN and Ms. HAHN.
H.R. 3643: Mrs. BLACK.
H.R. 3681: Mr. DANIEL E. LUNGREN of California.

H.R. 3687: Mr. FILNER, Mr. BENISHEK, and Mr. REYES.
H.R. 3695: Mr. ELLISON.
H.R. 3702: Mr. BISHOP of New York.

H.R. 3737: Mr. BENISHEK.
H.R. 3762: Ms. SLAUGHTER.
H.R. 3770: Mrs. ROBY.
H.R. 3778: Mr. BISHOP of Utah and Mr. WESTMORELAND.

H.R. 3783: Mr. ISSA, Mr. CONAWAY, Mr. LONG, Mr. KING of New York, Mr. YOUNG of Indiana, and Mr. WOLF.
H.R. 3794: Mr. BUCHSON.
H.R. 3802: Mr. GOWDY, Mr. HUIZENGA of Michigan, and Ms. BORDALLO.

H.R. 3805: Mrs. HARTZLER, Mr. ROGERS of Kentucky, and Mr. LATTA.

H.R. 3814: Mr. WALBERG.
H.J. Res. 92: Mr. JACKSON of Illinois.
H. Con. Res. 63: Ms. RICHARDSON.
H. Res. 282: Ms. ESHOO and Ms. SCHAKOWSKY.

H. Res. 480: Mrs. BLACK.
H. Res. 523: Mr. LATTA.

¶10.19 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3784: Mr. LANGEVIN.

FRIDAY, JANUARY 27, 2012 (11)

¶11.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. THORNBERRY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
January 27, 2012.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶11.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. THORNBERRY, announced he had examined and approved the Journal of the proceedings of Wednesday, January 25, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶11.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4721. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Highly Erodible Land and Wetland Conservation (RIN: 0560-AH97) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4722. A letter from the Attorney, Office of the General Counsel, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Home Mortgage Disclosure (Regulation C) [Docket No.: CFPB-2011-0020] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4723. A letter from the Attorney, Office of the General Counsel, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Interstate Land Sales Registration Program (Regulations J, K, and L) [Docket No.: CFPB-2011-0025] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4724. A letter from the Attorney, Office of the General Counsel, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Privacy of Consumer Financial Information (Regulation P) [Docket No.: CFPB-2011-0028] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4725. A letter from the Attorney, Office of the General Counsel, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Fair Credit Reporting (Regulation V) [Docket No.: CFPB-2011-0029] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4726. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Remittance Transfers (RIN: 3133-AD94) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4727. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Administrative Simplification: Adoption of Standards for Health Care Electronic Funds Transfers (EFTs) and Remittance Advice [CMS-0024-IFC] (RIN: 0938-AQ11) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4728. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Attendance at NRC Staff-Sponsored Meetings [DT-11-23] received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4729. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Export and Reexport License Requirements for Certain Microwave and Millimeter Wave Electronic Components [Docket No.: 110825537-1539-02] (RIN: 0694-AF38) received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4730. A letter from the Assistant Director of Policy, Department of the Treasury, transmitting the Department's final rule — Reporting, Procedures and Penalties Regulations; Transnational Criminal Organizations Sanctions received January 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4731. A communication from the President of the United States, transmitting a notification of a Special Forces Operation; (H. Doc. No. 112-83); to the Committee on Foreign Affairs and ordered to be printed.

¶11.4 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER pro tempore, Mr. THORNBERRY, announced, under clause 5(d) of rule XX, that, in light of the resignation of the gentlewoman from Arizona [Ms. GIFFORDS], the whole number of the House is adjusted to 433.

¶11.5 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House the following communication from the Sergeant at Arms:

OFFICE OF THE SERGEANT AT ARMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 25, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally that, pursuant to Rule VIII of the Rules of the House of Representatives, the Office of the Sergeant at Arms has been served with a subpoena for documents issued by the United States District Court for the District of Columbia, in connection with a civil lawsuit currently pending before that court.

After consultation with the Office of General Counsel, I will make the determinations required by House Rule VIII.

Sincerely,

PAUL D. IRVING,
Sergeant at Arms.

¶11.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House the following communication from Nick Strader, Central Oregon Office Director, office of the Honorable Greg Walden:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
January 24, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Circuit Court for the County of Deschutes, Oregon, for witness testimony.

After consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

NICK STRADER,
Central Oregon Office Director.

¶11.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, January 26, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 26, 2012 at 5:50 p.m.:

That the Senate passed S. 2039.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶11.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. THORNBERRY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, January 26, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 26, 2012 at 5:18 p.m.:

That the Senate passed without amendment H.R. 3800.

That the Senate passed without amendment H.R. 3801.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶11.9 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2039. An Act to allow a State or local government to construct levees on certain properties otherwise designated as open space lands; to the Committee on Transportation and Infrastructure.

And then,

¶11.10 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. THORNBERRY, by unanimous consent, and pursuant to the special order of the House agreed to on January 25, 2012, at 11 o'clock and 5 minutes a.m., declared the House adjourned until noon on Tuesday, January 31, 2012.

¶11.11 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. S. 300. An act to prevent abuse of Government charge cards (Rept. 112-376, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶11.12 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. S. 300 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

¶11.13 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HALL (for himself and Mr. SMITH of Texas):

H.R. 3833. A bill to reauthorize surface transportation research programs, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BROOKS, Mr. LIPINSKI, Mrs. BIGGERT, and Mr. LUJAN):

H.R. 3834. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. DUFFY:

H.R. 3835. A bill to extend the pay limitation for Members of Congress and Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HAHN:

H.R. 3836. A bill to amend the Small Business Act to make permanent the Small Loan Advantage program, and for other purposes; to the Committee on Small Business.

By Ms. HAHN:

H.R. 3837. A bill to provide funds to each State to cover all the costs to repair or reconstruct a bridge determined by the Federal Highway Administration to be structurally deficient; to the Committee on Transportation and Infrastructure.

By Ms. HAHN:

H.R. 3838. A bill to authorize the Secretary of Transportation to establish a program to make grants to ports to enable ports to employ high school students during the summer; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. BURTON of Indiana, Mr. MEEKS, Mr. MACK, Mr. SIREN, Mr. DIAZ-BALART, Mr. RIVERA, and Mr. ENGEL):

H. Con. Res. 97. Concurrent resolution expressing the sense of Congress in honor of the life and legacy of Vaclav Havel; to the Committee on Foreign Affairs.

By Mr. McDERMOTT (for himself, Mr. DICKS, Mr. REICHERT, Mr. SMITH of Washington, and Mr. INSLEE):

H. Res. 530. A resolution honoring the Northwest Kidney Centers on its 50th anniversary; to the Committee on Energy and Commerce.

¶11.14 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Ms. KAPTUR.
 H.R. 88: Mr. WALSH of Illinois.
 H.R. 104: Mr. NUGENT, Mr. SULLIVAN, and Mr. PETERS.
 H.R. 675: Ms. HIRONO.
 H.R. 875: Mr. JOHNSON of Ohio.
 H.R. 904: Mr. MANZULLO.
 H.R. 1006: Mr. SHERMAN.
 H.R. 1063: Mr. LOEBSACK and Ms. HIRONO.
 H.R. 1175: Mr. SENSENBRENNER.
 H.R. 1193: Mr. MURPHY of Connecticut and Mr. GRIMM.
 H.R. 1386: Mr. CRITZ.
 H.R. 1513: Mr. CARNAHAN, Mr. SIREN, Ms. WILSON of Florida, and Mr. BACA.

H.R. 1639: Mr. STIVERS and Mr. AUSTRIA.
 H.R. 1648: Mr. FRANK of Massachusetts.
 H.R. 1744: Mr. ROGERS of Alabama and Mr. SHUSTER.

H.R. 1842: Mr. CARSON of Indiana and Mr. MORAN.

H.R. 1895: Mr. GRIJALVA.
 H.R. 2168: Mr. FILNER.
 H.R. 2241: Mr. STARK.
 H.R. 2437: Mr. PLATTS.
 H.R. 2468: Mr. HARRIS.
 H.R. 2492: Ms. ROYBAL-ALLARD.
 H.R. 2499: Mr. LATOURETTE.
 H.R. 2524: Mr. FATTAH.

H.R. 2529: Mr. DAVIS of Kentucky and Mr. GERLACH.

H.R. 2794: Mr. GALLEGLY and Mr. GENE GREEN of Texas.

H.R. 2866: Mr. MCCOTTER.
 H.R. 2969: Mr. LUJAN.
 H.R. 2970: Mr. REYES.
 H.R. 2982: Mr. OLVER.

H.R. 3200: Mr. GRIMM, Mr. HINOJOSA, Mr. ANDREWS, and Ms. BASS of California.

H.R. 3207: Mr. MURPHY of Pennsylvania and Mr. SESSIONS.

H.R. 3269: Mr. MEEHAN, Mr. MCKINLEY, Mr. AMODEI, and Ms. BUERKLE.

H.R. 3307: Mr. RENACCI and Mr. POLIS.
 H.R. 3399: Mr. THOMPSON of Pennsylvania.
 H.R. 3504: Ms. FOX.

H.R. 3522: Mr. JONES, Mr. TOWNS, and Mr. ISRAEL.

H.R. 3541: Mr. KINGSTON and Mr. AUSTIN SCOTT of Georgia.

H.R. 3551: Mr. PETRI.
 H.R. 3573: Ms. SCHAKOWSKY.

H.R. 3580: Mr. MANZULLO.
 H.R. 3582: Mr. STIVERS, Mr. FLAKE, Mr. BONNER, Mrs. BLACK, Mr. TIBERI, Mr. HULTGREN, Mr. MCKINLEY, Mr. HARPER, Mr. AUSTIN SCOTT of Georgia, Mr. RIVERA, Mr. GIBSON, Mr. AUSTRIA, Mr. JOHNSON of Ohio, Mr. CRAVAACK, Mr. GINGREY of Georgia, Mr. GRAVES of Georgia, and Mr. BARLETTA.

H.R. 3590: Mr. HINCHEY.

H.R. 3612: Mr. AUSTIN SCOTT of Georgia, Mr. JONES, and Mr. CARTER.

H.R. 3618: Ms. CHU and Mr. SMITH of Washington.

H.R. 3670: Ms. HIRONO.
 H.R. 3676: Mr. SIMPSON.
 H.R. 3704: Mr. OLVER.

H.R. 3769: Mr. HANNA and Mr. WELCH.
 H.R. 3770: Mr. FINCHER, Mr. RIBBLE, and Mr. AUSTIN SCOTT of Georgia.

H.R. 3785: Mr. DUNCAN of Tennessee.

H.R. 3803: Mr. NEUGEBAUER, Mr. RIBBLE, Mr. McINTYRE, and Mr. JOHNSON of Ohio.

H.R. 3805: Mr. AUSTIN SCOTT of Georgia.
 H.R. 3811: Mr. HALL, Mr. ROSS of Florida, Mr. GOODLATTE, Mr. SAM JOHNSON of Texas, Mr. GOHMERT, Mr. BROOKS, Mr. CHAFFETZ, Mr. LANDRY, Mr. CARTER, Mr. THORNBERRY, Mr. GRIMM, Mr. BURTON of Indiana, Mr. CONAWAY, Mr. PLATTS, Mr. BURGESS, Mr. ROE of Tennessee, Mr. ROONEY, Mrs. BLACK, Mrs. HARTZLER, Mr. COLE, and Mr. SMITH of Texas.

H. Res. 130: Ms. LEE of California.
 H. Res. 134: Mr. STIVERS.
 H. Res. 480: Mr. GUTHRIE.

H. Res. 524: Mr. BURTON of Indiana, Mr. KISSELL, Mr. PLATTS, Mr. McINTYRE, and Mr. WEST.

H. Res. 528: Mr. JONES.

TUESDAY, JANUARY 31, 2012 (12)

¶12.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 January 31, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶12.2 RECESS—12:14 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 14 minutes p.m., until 2 p.m.

¶12.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mrs. ELLMERS, called the House to order.

¶12.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. ELLMERS, announced she had examined and approved the Journal of the proceedings of Friday, January 27, 2012. Pursuant to clause 1 of rule I, the Journal was approved.

¶12.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4732. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Southeastern States; Suspension of Marketing Order Provisions [Doc. No.: AMS-FV-11-0027; FV11-953-1 FR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4733. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0077; FV-983-2 IR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4734. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — United States Standards for Grades of Frozen Okra [Document Number: AMS-FV-07-0100, FV-11-327] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4735. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011-2012 Marketing Year [Doc. No.: AMS-FV-10-0094; FV11-985-1A IR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4736. A letter from the Assistant Secretary of the Navy, Manpower and Reserve Affairs, Department of Defense, transmitting the Navy Fisher House annual report for Fiscal Year 2011; to the Committee on Armed Services.

4737. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Carroll F. Pollett, United

States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4738. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Disclosure Requirements for Depository Institutions Lacking Federal Deposit Insurance (Regulation I) [Docket No.: CFPB-2011-0024] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4739. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Real Estate Settlement Procedures Act (Regulation X) [Docket No.: CFPB-2011-0030] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4740. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Consumer Leasing (Regulation M) [Docket No.: CFPB-2011-0026] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4741. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Mortgage Acts and Practices — Advertising (Regulation N); Mortgage Assistance Relief Services (Regulation O) [Docket No.: CFPB-2011-0027] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4742. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — S.A.F.E. Mortgage Licensing Act (Regulations G & H) [Docket No.: CFPB-2011-0023] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4743. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Fair Debt Collection Practices Act (Regulation F) [Docket No.: CFPB-2011-0022] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4744. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Electronic Fund Transfers (Regulation E) [Docket No.: CFPB-2011-0021] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4745. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Equal Credit Opportunity (Regulation B) [Docket No.: CFPB-2011-0019] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4746. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth in Savings (Regulation DD) [Docket No.: CFPB-2011-0032] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4747. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) [Docket No.: CFPB-2011-0031] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4748. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the state of New York since September 24, 2011, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

4749. A letter from the Secretary, Department of Health and Human Services, transmitting an interim report entitled "The Children's Health Insurance Program: An Evaluation (1997 — 2010)"; to the Committee on Energy and Commerce.

4750. A letter from the Secretary, Department of Health and Human Services, transmitting a letter with a report entitled "Essential Health Benefits Bulletin"; to the Committee on Energy and Commerce.

4751. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4752. A letter from the Secretary, Department of Commerce, transmitting the annual report for FY 2011 of the Department's Bureau of Industry and Security (BIS); to the Committee on Foreign Affairs.

4753. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category VI (RIN: 1400-AC99) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4754. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. munitions List Category XX (RIN: 1400-AD01) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4755. A letter from the President, African Development Foundation, transmitting a letter fulfilling the annual requirements contained in the Inspector General Act of 1978, as amended, covering the period October 1, 2010 to September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4756. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Performance and Accountability Report for fiscal year 2011; to the Committee on Oversight and Government Reform.

4757. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period April 1, 2011 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4758. A letter from the Assistant Attorney General, Department of Justice, transmitting the "21st Century Department of Justice Appropriations Authorization Act", related to certain settlements and injunctive relief for the third quarter of 2011, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

4759. A letter from the President, American Academy of Arts and Letters, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 2010, pursuant to section 4 of its charter 36 U.S.C. 4204; to the Committee on the Judiciary.

4760. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the

Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4761. A letter from the Assistant Attorney General, Department of Justice, transmitting a letter concerning grants made during FY 2011 under Section 2806(b) of the Paul Coverdell National Forensic Science Improvement Act of 2000 (Pub. L. 106-561) to improve forensic science services; to the Committee on the Judiciary.

4762. A letter from the President, National Safety Council, transmitting the Council's Annual Financial and Audit Report for Fiscal Year 2011, pursuant to 36 U.S.C. 1101(36) and 1103; to the Committee on the Judiciary.

¶12.6 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mrs. ELLMERS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, January 31, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 31, 2012 at 10 a.m.:

That the Senate passed S. 1236.

That the Senate agreed to S. Con. Res. 34.
With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶12.7 FAA REAUTHORIZATION AND REFORM

On motion of Mr. CRAVAACK, by unanimous consent, the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. CRAVAACK, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

¶12.8 APPOINTMENT OF CONFEREES—H.R.

658

Thereupon, the SPEAKER pro tempore, Mrs. ELLMERS, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. MICA, PETRI, DUNCAN of Tennessee, GRAVES of

Missouri, SHUSTER, Mrs. SCHMIDT, Messrs. CRAVAACK, RAHALL, DEFAZIO, COSTELLO, BOSWELL, and CARNAHAN.

From the Committee on Science, Space, and Technology, for consideration of secs. 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X and title XIII of the House bill and secs. 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and sec. 732 of the Senate amendment, and modifications committed to conference: Messrs. HALL, PALAZZO, and Ms. Eddie Bernice JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of title XI of the House bill and titles VII and XI of the Senate amendment, and modifications committed to conference: Messrs. CAMP, TIBERI, and LEVIN.

Ordered, That the Clerk notify the Senate thereof.

¶12.9 RECESS—2:10 P.M.

The SPEAKER pro tempore, Mrs. ELLMERS, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 10 minutes p.m., subject to the call of the Chair.

¶12.10 AFTER RECESS—5:15 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶12.11 PROVIDING FOR CONSIDERATION OF H.R. 1173

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 522):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1173) to repeal the CLASS program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated January 31, 2012, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amend-

ments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶12.12 RECESS—6:16 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 6 o'clock and 16 minutes p.m., for a period of less than 15 minutes.

¶12.13 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶12.14 H. RES. 522—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 522) providing for consideration of the bill (H.R. 1173) to repeal the CLASS program.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 251 affirmative } Nays 157

¶12.15 [Roll No. 12]

YEAS—251

- Adams Boren Conaway
Aderholt Boustany Cravaack
Akin Brady (TX) Crawford
Alexander Brooks Crenshaw
Amash Broun (GA) Culberson
Amodei Buchanan Davis (KY)
Austria Bucshon Denham
Bachmann Buerkle Dent
Bachus Burgess DesJarlais
Barletta Calvert Diaz-Balart
Bartlett Camp Dicks
Barton (TX) Campbell Dold
Bass (NH) Canseco Donnelly (IN)
Benishek Cantor Dreier
Berg Capito Duffy
Berman Carney Duncan (SC)
Biggart Carter Duncan (TN)
Bilbray Cassidy Emlers
Bilirakis Chabot Emerson
Bishop (UT) Chandler Farenthold
Black Coble Fincher
Blackburn Coffman (CO) Fitzpatrick
Bonner Cole Flake

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

NAYS—157

- Ackerman Crowley Johnson (GA)
Altmire Cummings Johnson, E. B.
Andrews Davis (CA) Keating
Baca Davis (IL) Kucinich
Baldwin DeFazio Langevin
Barrow DeGette Larsen (WA)
Bass (CA) DeLauro Larson (CT)
Becerra Deutch Lee (CA)
Berkley Dingell Levin
Bishop (GA) Doggett Lewis (GA)
Bishop (NY) Doyle Loebsock
Blumenauer Edwards Lofgren, Zoe
Boswell Ellison Lowey
Brady (PA) Eshoo Lujan
Braley (IA) Farr Lynch
Capps Fattah Maloney
Capuano Fudge Markey
Cardoza Gonzalez Matsui
Carnahan Green, Al McCarthy (NY)
Carson (IN) Green, Gene McCollum
Castor (FL) Hahn McDermott
Chu Hanabusa McGovern
Cicilline Hastings (FL) McNerney
Clarke (MI) Heinrich Meeks
Clarke (NY) Himes Michaud
Clay Hinojosa Miller (NC)
Cleaver Hiron Miller, George
Clyburn Hochul Moore
Cohen Holden Moran
Connolly (VA) Holt Nadler
Conyers Honda Napolitano
Cooper Hoyer Neal
Costa Israel Oliver
Costello Jackson (IL) Owens
Courtney Jackson Lee Pallone
Critz (TX) Pascrell

Pastor (AZ)	Ryan (OH)	Stark
Payne	Sánchez, Linda	Sutton
Pelosi	T.	Thompson (CA)
Perlmutter	Sánchez, Loretta	Thompson (MS)
Peters	Sarbanes	Tierney
Peterson	Schakowsky	Tonko
Polis	Schiff	Towns
Price (NC)	Schwartz	Tsongas
Quigley	Scott (VA)	Van Hollen
Rahall	Scott, David	Velázquez
Rangel	Serrano	Walz (MN)
Reyes	Sewell	Waters
Richardson	Sherman	Watt
Richmond	Sires	Waxman
Rothman (NJ)	Slaughter	Wilson (FL)
Roybal-Allard	Smith (WA)	Woolsey
Ruppersberger	Speier	Yarmuth

NOT VOTING—24

Bono Mack	Grijalva	Pingree (ME)
Brown (FL)	Gutierrez	Platts
Burton (IN)	Higgins	Rush
Butterfield	Hinchey	Visclosky
Chaffetz	Inslee	Wasserman
Cuellar	Kaptur	Schultz
Engel	Kingston	Young (AK)
Filner	Mack	
Frank (MA)	Paul	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶12.16 NOTICE REQUIREMENT—

CONSIDERATION OF MOTION TO INSTRUCT CONFEREES—H.R. 3630

Mr. MICHAUD, pursuant to clause 7(c) of rule XXII, announced his intention to submit a motion to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, to recede from section 2123 of the House bill, relating to allowing a waiver of requirements under section 3304(a)(4) of the Internal Revenue Code of 1986, including a requirement that all money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation.

¶12.17 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 34. A concurrent resolution expressing the sense of Congress in honor of the life and legacy of Václav Havel; to the Committee on Foreign Affairs.

¶12.18 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on January 26, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 3237. An Act to amend the SOAR Act by clarifying the scope of coverage of the Act.

Karen L. Haas, Clerk of the House, further reported that on January 30, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 3800. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and

Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 3801. An Act to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

¶12.19 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. ROYBAL-ALLARD, for February 1 and February 2.

And then,

¶12.20 ADJOURNMENT

On motion of Mr. WOODALL, at 9 o'clock and 32 minutes p.m., the House adjourned.

¶12.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on January 25, 2012, the following reports were filed on January 30, 2012]

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3582. A bill to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; with an amendment (Rept. 112-377, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3578. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; with an amendment (Rept. 112-378). Referred to the Committee of the Whole House on the state of the Union.

[Submitted January 31, 2012]

Mr. DREIER: Committee on Rules. H.R. 3575. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; with amendments (Rept. 112-379, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3581. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes; with an amendment (Rept. 112-380, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶12.22 COMMITTEE DISCHARGED

[The following action occurred on January 30, 2012]

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 3582 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

[The following actions occurred on January 31, 2012]

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 3575 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committees on Oversight and Government Reform and Ways and Means discharged from further consideration. H.R. 3581 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

¶12.23 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself and Mr. DUNCAN of Tennessee):

H.R. 7. A bill to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY (for himself and Mr. BUCSHON):

H.R. 3839. A bill to address critical drug shortages; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. RANGEL, and Mr. CROWLEY):

H.R. 3840. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for employment tax treatment of professional service businesses; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Mr. GUTIERREZ, Mr. CONYERS, Mr. BERMAN, Mr. FILNER, Ms. SCHAKOWSKY, Mr. CLARKE of Michigan, Mr. BLUMENAUER, and Mr. GRIJALVA):

H.R. 3841. A bill to prevent foreclosure of, and provide for the reduction of principal on, mortgages held by Fannie Mae and Freddie Mac; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. BACHUS, Mrs. BLACKBURN, Mr. BROOKS, Mr. CARTER, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. HALL, Mr. HERGER, Mr. HUELSKAMP, Ms. JENKINS, Mr. JONES, Mr. KINZINGER of Illinois, Mr. LANDRY, Mr. LANKFORD, Mr. LONG, Mr. MANZULLO, Mr. MARCHANT, Mr. POMPEO, Mr. QUAYLE, Mr. ROSS of Florida, Mr. SCOTT of South Carolina, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H.R. 3842. A bill to prohibit Federal funding for lawsuits seeking to invalidate specified State laws that support the enforcement of Federal immigration laws; to the Committee on the Judiciary.

By Mr. BERMAN:

H.R. 3843. A bill to amend the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to provide for the imposition of sanctions with respect to the National Iranian Oil Company and the National Iranian Tanker Company; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROBY (for herself, Mr. HUIZENGA of Michigan, Mr. SOUTHERLAND, Mr. KINZINGER of Illinois, Mrs. ADAMS, Mr. HUELSKAMP, Mr. DUNCAN of South Carolina, Mr. WEST, Mr. GIBBS, Mrs. ELLMERS, Mr. CRAVAACK, Mr. JOHNSON of Ohio, Mr. GRIFFIN of Arkansas, Mr. REED, Mr. FITZPATRICK, Ms. HAYWORTH, Mr. GARDNER, Mr. BERG, Mr. BROOKS, Mr. DUFFY, Mr. CANSECO, Mrs. BLACK, Mr.

ROSS of Florida, Mr. DOLD, Mr. AUSTIN SCOTT of Georgia, Mr. FLORES, Mr. HULTGREN, Mr. CRAWFORD, and Mr. BACHUS):

H.R. 3844. A bill to provide for greater transparency and honesty in the Federal budget process; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS:

H.R. 3845. A bill to establish an alternative accountability model; to the Committee on Education and the Workforce.

By Mr. BLUMENAUER:

H.R. 3846. A bill to establish a National Commission for Independent Redistricting to prepare Congressional redistricting plans for all States and to require Congressional redistricting in a State to be conducted in accordance with the Commission plan for the State; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. WAXMAN, Ms. SCHAKOWSKY, and Ms. DELAURO):

H.R. 3847. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that a medical device is not marketed based on a determination that the device is substantially equivalent to a predicate device that has been recalled, corrected, or removed from the market because of an intrinsic flaw in technology or design that adversely affects safety, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DESJARLAIS:

H.R. 3848. A bill to prohibit the use of Federal money for print, radio, television or any other media advertisement, campaign, or form of publicity against the use of a food or beverage that is lawfully marketed under the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. FINCHER (for himself, Mr. DONNELLY of Indiana, and Mr. GARY G. MILLER of California):

H.R. 3849. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide an exception from the definition of loan originator for certain loans made with respect to manufactured homes, to amend the Truth in Lending Act to modify the definition of a high-cost mortgage, and for other purposes; to the Committee on Financial Services.

By Mr. GRAVES of Missouri (for himself, Mr. OWENS, and Mr. SCHILLING):

H.R. 3850. A bill to amend the Small Business Act with respect to goals for procurement contracts awarded to small business concerns, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri:

H.R. 3851. A bill to amend the Small Business Act with respect to Offices of Small and Disadvantaged Business Utilization, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 3852. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for

amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 3853. A bill to provide for semiannual actuarial studies of the FHA mortgage insurance program of the Secretary of Housing and Urban Development during periods that the Mutual Mortgage Insurance Fund does not meet minimum capital ratio requirements; to the Committee on Financial Services.

By Mr. PETERS:

H.R. 3854. A bill to amend title 23, United States Code, to help leverage private investment for transit oriented development near transit stations; to the Committee on Transportation and Infrastructure.

By Mr. QUIGLEY (for himself, Mr. BURTON of Indiana, Mr. CHABOT, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mr. DOLD, Mr. GRIMM, Mr. KINZINGER of Illinois, Mr. RIVERA, Mr. SHIMKUS, Mr. HIGGINS, Ms. KAPTUR, Mr. LIPINSKI, Mr. MURPHY of Connecticut, Ms. SCHAKOWSKY, and Mr. MEEKS):

H.R. 3855. A bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Mr. SOUTHERLAND (for himself, Mr. ROSS of Florida, Mr. RIVERA, Mr. WEST, Mrs. ADAMS, Mr. MILLER of Florida, Mr. ROONEY, Mr. BUCHANAN, and Mr. WEBSTER):

H.R. 3856. A bill to limit the authority of the Administrator of the Environmental Protection Agency with respect to certain numeric nutrient criteria, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TURNER of New York (for himself, Mr. KING of New York, Mr. ROGERS of Alabama, and Mr. GRIMM):

H.R. 3857. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes; to the Committee on Homeland Security.

By Mr. VAN HOLLEN (for himself, Mr. CUMMINGS, Ms. NORTON, Ms. EDWARDS, Mr. MCGOVERN, Mr. REYES, and Mr. LUJÁN):

H.R. 3858. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during 2013; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS (for herself, Mr. PAUL, Mrs. BLACK, Mrs. HARTZLER, Mr. YODER, Mr. HULTGREN, Mr. AKIN, Mr. SCHILLING, Mr. JONES, Mr. HERGER, and Mr. GOSAR):

H. Con. Res. 98. Concurrent resolution to express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only and has no force or effect unless enacted as law; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself, Mr. NEAL, Mr. HIGGINS, Mr. CARNAHAN, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. ENGEL, Mrs. MALONEY, Mr. KING of New York, Ms. CLARKE of New York, Mr. REED, Mr. RANGEL, Mr. SABLAN,

Mr. BACA, Ms. DELAURO, Mr. CAPUANO, Mr. BURTON of Indiana, Ms. RICHARDSON, Ms. SPEIER, Mr. CONYERS, Mr. LEVIN, Mr. GRIJALVA, Mr. PIERLUISI, Mrs. CHRISTENSEN, Mrs. MCCARTHY of New York, Mr. HINCHHEY, Mr. TURNER of New York, Mr. ACKERMAN, Ms. MCCOLLUM, Mrs. LOWEY, Ms. BORDALLO, Mr. FALDOMAVEGA, Mr. PRICE of North Carolina, Mrs. DAVIS of California, Ms. LORETTA SANCHEZ of California, Mr. HASTINGS of Florida, Mr. NADLER, Mr. COHEN, Mr. COOPER, and Mr. FRANK of Massachusetts):

H. Res. 531. A resolution recognizing the 40th anniversary of the National Cancer Act of 1971 and the more than 12,000,000 survivors of cancer alive today because of the commitment of the United States to cancer research and advances in cancer prevention, detection, diagnosis, and treatment; to the Committee on Energy and Commerce.

¶12.24 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[The following action occurred on January 30, 2012]

H.R. 3582: Mr. MACK, Mr. GARDNER, Mr. SULLIVAN, Ms. HAYWORTH, and Mr. BILIRAKIS.

[The following actions occurred on January 31, 2012]

H.R. 23: Mr. LANGEVIN and Mr. BUTTERFIELD.

H.R. 32: Mr. HASTINGS of Florida, Mrs. MCCARTHY of New York, and Mr. GEORGE MILLER of California.

H.R. 58: Mr. STIVERS and Mr. MURPHY of Pennsylvania.

H.R. 104: Mr. HASTINGS of Florida, Ms. LINDA T. SANCHEZ of California, and Mr. NEAL.

H.R. 152: Mr. GOSAR.

H.R. 196: Mr. FARR, Mr. KEATING, Ms. JACKSON LEE of Texas, Mr. OLVER, and Mr. CARSON of Indiana.

H.R. 237: Mr. COURTNEY.

H.R. 300: Ms. MCCOLLUM, Ms. MOORE, and Mr. RANGEL.

H.R. 329: Mr. GENE GREEN of Texas, Mr. MCDERMOTT, Mr. CRITZ, and Mr. REYES.

H.R. 361: Mr. CRAVAACK, Mr. KINGSTON, and Mr. RIGELL.

H.R. 365: Mr. POE of Texas and Mr. CARSON of Indiana.

H.R. 399: Mr. CLAY.

H.R. 431: Mrs. BLACK.

H.R. 452: Mr. DUNCAN of South Carolina.

H.R. 458: Mr. TOWNS and Ms. LEE of California.

H.R. 466: Mrs. DAVIS of California, and Mrs. MALONEY.

H.R. 488: Mr. AKIN.

H.R. 529: Mr. VAN HOLLEN.

H.R. 575: Mr. JONES and Mr. WESTMORELAND.

H.R. 645: Mr. STIVERS.

H.R. 677: Mr. FILNER, Mr. PETERS, Ms. SCHAKOWSKY, and Ms. MOORE.

H.R. 718: Mr. GRIFFIN of Arkansas.

H.R. 719: Mr. RIBBLE, Mr. HUIZENGA of Michigan, Mr. COHEN, Mr. DUFFY, Ms. BALDWIN, Mr. MCCOTTER, Ms. DELAURO, and Mr. JONES.

H.R. 721: Ms. BUERKLE and Mr. HASTINGS of Florida.

H.R. 733: Mr. POE of Texas.

H.R. 735: Mr. HASTINGS of Washington.

H.R. 812: Mr. HIMES, Mr. SCOTT of Virginia, Ms. BROWN of Florida, and Ms. MOORE.

H.R. 816: Mr. POE of Texas.

H.R. 835: Mr. CRAWFORD.

H.R. 870: Mr. CUMMINGS.

H.R. 890: Mr. OLVER, Mr. WALBERG, Mr. YOUNG of Alaska, Mr. HONDA, and Mr. LARSEN of Washington.

- H.R. 965: Mr. LANGEVIN.
H.R. 973: Mr. CRAVAACK.
H.R. 1048: Mr. DEUTCH and Mr. CLAY.
H.R. 1063: Mr. GARDNER.
H.R. 1148: Ms. LORETTA SANCHEZ of California, Mr. MCCAUL, Mr. TURNER of New York, Mr. MARCHANT, Mr. KEATING, Mr. SERRANO, Mr. HOYER, and Mr. PALLONE.
H.R. 1179: Mr. BERG, Mr. GUTHRIE, Mr. BONNER, Mr. RIBBLE, Mr. CRENSHAW, and Mrs. ADAMS.
H.R. 1206: Mr. GOWDY, Mr. KINGSTON, Mr. GALLEGLY, Mr. FINCHER, Mr. LANCE, and Mr. LATOURETTE.
H.R. 1219: Ms. BERKLEY.
H.R. 1236: Mr. CARNEY and Mr. HURT.
H.R. 1269: Mr. COHEN and Mr. DOGGETT.
H.R. 1321: Mr. DUNCAN of South Carolina.
H.R. 1340: Mrs. NOEM.
H.R. 1385: Mr. RENACCI.
H.R. 1397: Mr. CLARKE of Michigan.
H.R. 1417: Mr. CARNAHAN, Mr. RANGEL, and Mr. OLVER.
H.R. 1449: Ms. LEE of California and Mr. KISSELL.
H.R. 1464: Ms. CHU.
H.R. 1523: Mr. WEST.
H.R. 1543: Ms. MATSUI.
H.R. 1576: Mrs. MCMORRIS RODGERS.
H.R. 1587: Mr. HONDA.
H.R. 1621: Mr. DESJARLAIS and Mr. COLE.
H.R. 1639: Mr. DUNCAN of South Carolina.
H.R. 1648: Mr. GONZALEZ.
H.R. 1676: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1687: Mr. KING of Iowa.
H.R. 1711: Ms. MOORE.
H.R. 1715: Mr. WESTMORELAND.
H.R. 1722: Ms. ZOB LOFGREEN of California.
H.R. 1744: Mrs. SCHMIDT, Mr. DENT, and Mrs. EMERSON.
H.R. 1755: Mrs. ELLMERS.
H.R. 1756: Mr. KEATING.
H.R. 1803: Mr. GRIJALVA.
H.R. 1826: Mr. DEUTCH.
H.R. 1831: Mr. CLARKE of Michigan.
H.R. 1856: Mr. BACHUS.
H.R. 1865: Mr. CRAVAACK, Mr. PALAZZO, and Mr. COLE.
H.R. 1876: Mr. DOYLE and Ms. HAHN.
H.R. 1897: Mr. TIBERI, Mr. RANGEL, Mr. WILSON of South Carolina, and Mr. BERMAN.
H.R. 1903: Ms. NORTON, Ms. HAHN, and Mrs. CHRISTENSEN.
H.R. 1960: Mr. STIVERS.
H.R. 1971: Mr. CRITZ.
H.R. 1997: Mr. PALAZZO.
H.R. 2014: Mr. PETERS.
H.R. 2016: Mr. DOGGETT and Mr. HEINRICH.
H.R. 2028: Ms. PINGREE of Maine and Mr. MCGOVERN.
H.R. 2082: Mr. CLAY.
H.R. 2139: Mr. LATHAM, Mr. LATTA, Mr. BOREN, and Mr. MCINTYRE.
H.R. 2179: Mr. TURNER of Ohio, Mr. LOBIONDO, Mr. RYAN of Ohio, and Mr. JONES.
H.R. 2210: Mr. STARK.
H.R. 2256: Mr. SCHIFF, Mr. BUCHANAN, Mr. JACKSON of Illinois, Ms. RICHARDSON, Mr. BISHOP of New York, Mr. LANGEVIN, Mr. KILDEE, Mr. SIRES, Mrs. MCCARTHY of New York, and Mrs. NAPOLITANO.
H.R. 2288: Ms. SCHAKOWSKY and Mr. MORAN.
H.R. 2304: Mr. CRAVAACK.
H.R. 2376: Mr. DEUTCH.
H.R. 2412: Mr. NEAL, Mr. SHERMAN, and Mr. MARKEY.
H.R. 2429: Mr. PAUL.
H.R. 2487: Mr. OLVER, Mr. COHEN, and Mr. HONDA.
H.R. 2499: Ms. MCCOLLUM and Mr. HEINRICH.
H.R. 2501: Ms. TSONGAS.
H.R. 2569: Mr. FRANKS of Arizona and Mr. BASS of New Hampshire.
H.R. 2580: Mr. FLEISCHMANN.
H.R. 2604: Mr. HINCHEY.
H.R. 2679: Mr. BLUMENAUER.
H.R. 2682: Mr. KINGSTON.
H.R. 2697: Mr. POLIS, Mr. MEEKS, and Mr. LARSEN of Washington.
H.R. 2706: Mr. PALAZZO.
H.R. 2716: Mr. CLAY.
H.R. 2729: Mr. BOSWELL, Mr. PETERS, and Mr. FALCOMAVALGA.
H.R. 2834: Mr. CRAVAACK, Mr. PALAZZO, Mr. DUNCAN of South Carolina, Mr. STIVERS, and Mr. CALVERT.
H.R. 2902: Mr. KUCINICH, Ms. NORTON, Mr. LEWIS of Georgia, and Ms. PINGREE of Maine.
H.R. 2913: Mr. FITZPATRICK.
H.R. 2955: Ms. KAPTUR.
H.R. 2962: Mr. BOUSTANY, Mr. THOMPSON of California, and Mr. DAVIS of Kentucky.
H.R. 2969: Mr. RAHALL.
H.R. 2970: Mrs. MALONEY.
H.R. 2977: Mr. JONES.
H.R. 2978: Mr. POE of Texas, Mrs. LUMMIS, and Mr. WALBERG.
H.R. 2982: Ms. MOORE.
H.R. 3001: Mr. MEEHAN, Mr. STEARNS, Mr. GALLEGLY, and Mr. MCGOVERN.
H.R. 3030: Mr. GRIJALVA.
H.R. 3059: Mr. SMITH of Texas, Mr. ROSS of Florida, Ms. SEWELL, and Mr. WOMACK.
H.R. 3102: Mr. TOWNS and Mr. BERMAN.
H.R. 3145: Mr. BLUMENAUER.
H.R. 3151: Mr. ELLISON.
H.R. 3159: Mr. FRANKS of Arizona.
H.R. 3178: Mr. CLAY.
H.R. 3200: Mr. ROTHMAN of New Jersey, Ms. SPEIER, Mr. VAN HOLLEN, and Mrs. MALONEY.
H.R. 3206: Mr. MATHESON and Mr. BARROW.
H.R. 3209: Mr. MATHESON.
H.R. 3221: Ms. LEE of California.
H.R. 3243: Mr. AUSTIN SCOTT of Georgia.
H.R. 3266: Mrs. CAPPS.
H.R. 3269: Mr. THOMPSON of California, Mr. HOLDEN, Mr. KLINE, Mr. AUSTIN SCOTT of Georgia, and Mr. CROWLEY.
H.R. 3286: Mr. FARR.
H.R. 3298: Mrs. BIGGERT.
H.R. 3300: Mr. DOGGETT.
H.R. 3315: Mr. BENISHEK.
H.R. 3352: Mr. COSTA.
H.R. 3364: Mr. MARINO.
H.R. 3368: Ms. MCCOLLUM, Mr. PAUL, and Mr. STARK.
H.R. 3400: Mr. MCCOTTER and Mr. SCOTT of South Carolina.
H.R. 3407: Mr. DUNCAN of South Carolina.
H.R. 3418: Ms. NORTON and Mr. MCDERMOTT.
H.R. 3458: Mr. BOSWELL.
H.R. 3496: Mr. GRIJALVA.
H.R. 3510: Mr. BERMAN, Ms. LORETTA SANCHEZ of California, and Mr. THOMPSON of Pennsylvania.
H.R. 3521: Ms. JENKINS, Mr. UPTON, Mr. LOEBSACK, and Mr. POLIS.
H.R. 3523: Mr. GARY G. MILLER of California, Mr. STEARNS, and Mr. ISSA.
H.R. 3533: Mr. PETERS and Ms. BALDWIN.
H.R. 3541: Mr. JORDAN, Mr. SAM JOHNSON of Texas, Mr. CARTER, Mr. MARCHANT, and Mr. CONAWAY.
H.R. 3545: Mr. MCKEON and Mr. SCHRADER.
H.R. 3548: Mr. PETRI, Mr. WESTMORELAND, and Mr. KING of New York.
H.R. 3567: Mr. SCALISE.
H.R. 3568: Mr. COLE.
H.R. 3569: Ms. BASS of California.
H.R. 3575: Ms. HAYWORTH.
H.R. 3581: Mrs. BLACK.
H.R. 3596: Mr. FILNER, Ms. VELÁZQUEZ, Mr. DINGELL, Ms. PINGREE of Maine, Mr. BACA, Mr. KISSELL, and Mr. ROTHMAN of New Jersey.
H.R. 3606: Mr. SESSIONS and Mr. KING of New York.
H.R. 3608: Mr. CANSECO.
H.R. 3609: Mr. WESTMORELAND.
H.R. 3612: Mr. RUSH, Mr. RIBBLE, Mrs. DAVIS of California, and Mr. LATTA.
H.R. 3625: Mr. RANGEL and Ms. NORTON.
H.R. 3627: Mrs. DAVIS of California, Mrs. MCMORRIS RODGERS, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. MOORE, and Mrs. CAPPS.
H.R. 3643: Mr. KISSELL.
H.R. 3652: Mr. WALBERG, Mr. ROKITA, and Mr. SAM JOHNSON of Texas.
H.R. 3658: Mrs. EMERSON and Mr. JONES.
H.R. 3666: Mr. KINZINGER of Illinois.
H.R. 3667: Mr. MCDERMOTT and Mr. TIBERI.
H.R. 3676: Mr. VAN HOLLEN and Mr. BURGESS.
H.R. 3698: Mr. LATTA.
H.R. 3702: Mr. LUJÁN, Mr. COHEN, Mr. GRIJALVA, and Mr. HINCHEY.
H.R. 3704: Mr. GRIJALVA, Mr. SERRANO, Ms. LEE of California, and Mr. HONDA.
H.R. 3714: Ms. HIRONO.
H.R. 3764: Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. MCGOVERN.
H.R. 3767: Mr. LANCE, Mr. MEEHAN, Mr. RIVERA, and Mr. ROONEY.
H.R. 3770: Mr. AMODEI.
H.R. 3771: Mr. RUSH and Mr. STARK.
H.R. 3778: Mr. RIBBLE, Mr. BENISHEK, and Mr. AKIN.
H.R. 3798: Ms. PINGREE of Maine.
H.R. 3803: Mr. GUTHRIE, Mr. LONG, Mr. MILLER of Florida, Mrs. BLACK, Mr. BONNER, Mrs. BLACKBURN, Mr. GRAVES of Missouri, Mr. SAM JOHNSON of Texas, Mr. BARLETTA, Mr. GRIFFIN of Arkansas, Mr. KING of New York, Mr. CARTER, Mr. BISHOP of Utah, Mr. CONAWAY, and Mrs. ADAMS.
H.R. 3811: Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. ROKITA, Mr. REHBERG, and Mr. YODER.
H.R. 3814: Mr. HUIZENGA of Michigan and Mr. JONES.
H.R. 3820: Ms. SLAUGHTER, Mr. ENGEL, Mrs. MALONEY, Mr. NADLER, and Mr. KING of New York.
H.R. 3821: Mr. CONYERS and Ms. MOORE.
H.R. 3826: Mr. NADLER, Mr. BERMAN, Mr. RANGEL, Mrs. CAPPS, Mr. PALLONE, Mr. WELCH, Ms. ESHOO, Mr. CARSON of Indiana, Mr. MCDERMOTT, Mr. SARBANES, Ms. LEE of California, Mr. ELLISON, Mr. SHERMAN, Ms. HIRONO, Mr. ACKERMAN, Ms. SPEIER, Mr. LEWIS of Georgia, Ms. EDWARDS, Mr. CAPUANO, Mr. THOMPSON of Mississippi, Mr. DINGELL, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Ms. MOORE, Mr. SABLAN, Mr. PRICE of North Carolina, Ms. RICHARDSON, Ms. HAHN, Mr. MORAN, Mrs. MALONEY, Mr. FILNER, and Mr. COHEN.
H.R. 3828: Mr. HUIZENGA of Michigan, Mr. PITTS, Mr. MARCHANT, Mr. BURTON of Indiana, and Mr. LANKFORD.
H.R. 3833: Mr. NEUGEBAUER.
H.R. 3835: Mr. ROSS of Florida, Mr. OLSON, Mr. FITZPATRICK, and Mr. AMASH.
H.J. Res. 90: Mr. BLUMENAUER, Mr. GENE GREEN of Texas, and Mr. HONDA.
H.J. Res. 93: Mr. BROOKS.
H. Con. Res. 63: Ms. NORTON.
H. Res. 25: Ms. LORETTA SANCHEZ of California.
H. Res. 67: Mr. POSEY.
H. Res. 111: Ms. EDWARDS, Mr. GARRETT, Mr. FLEISCHMANN, Mr. AUSTRIA, Mr. RUSH, Ms. KAPTUR, Mr. MEEKS, Mr. HANNA, and Mr. CHABOT.
H. Res. 130: Mr. SMITH of Washington.
H. Res. 180: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 456: Ms. BROWN of Florida.
H. Res. 484: Mr. JOHNSON of Georgia and Mr. SHERMAN.
H. Res. 509: Mr. KINGSTON, Mr. AMODEI, and Mr. POE of Texas.
H. Res. 521: Mr. FILNER.
H. Res. 523: Mr. DOYLE and Mr. KING of New York.
H. Res. 525: Ms. NORTON, Mr. LOEBSACK, Mr. HOLT, Mr. REYES, and Ms. MCCOLLUM.
H. Res. 526: Mr. TURNER of Ohio.

WEDNESDAY, FEBRUARY 1, 2012 (13)**¶13.1 APPOINTMENT OF SPEAKER PRO TEMPORE**

The House was called to order at 10 a.m. by the SPEAKER pro tempore,

Mr. CRAVAACK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
February 1, 2012.

I hereby appoint the Honorable CHIP CRAVAACK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

113.2 RECESS—10:36 A.M.

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 36 minutes a.m., until noon.

113.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

113.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, January 31, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

113.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4763. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Southeastern States; Suspension of Marketing Order Provisions [Doc. No.: AMS-FV-11-0027; FV11-953-1 FR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4764. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4765. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4766. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Community Reinvestment Act Regulations [Docket ID: OCC-2011-0027] (RIN: 1557-AD60) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4767. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4768. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-293, "Willie Wood Way Designation Act of 2012"; to the Com-

mittee on Oversight and Government Reform.

4769. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-297, "William O'Neal Lockridge Memorial Library at Bellevue Designation Act of 2012"; to the Committee on Oversight and Government Reform.

4770. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-288, "Oak Hill Conservation Easement Act of 2012"; to the Committee on Oversight and Government Reform.

4771. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-289, "9/11 Memorial Grove Dedication Act of 2012"; to the Committee on Oversight and Government Reform.

4772. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-291, "Old Naval Hospital Real Property Exemption Act of 2012"; to the Committee on Oversight and Government Reform.

4773. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-292, "Lillian A. Gordon Water Play Area and Park Designation Act of 2012"; to the Committee on Oversight and Government Reform.

4774. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-290, "District of Columbia Government Comprehensive Merit Personnel Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4775. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-281, "Commission on African-American Affairs Establishment Act of 2012"; to the Committee on Oversight and Government Reform.

4776. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-280, "Southwest Duck Pond Designation Act of 2012"; to the Committee on Oversight and Government Reform.

4777. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-279, "Board of Medicine Membership and Licensing Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4778. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-285, "Military Parents' Child Custody and Visitation Rights Act of 2012"; to the Committee on Oversight and Government Reform.

4779. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-286, "Long-Term Care Ombudsman Program Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4780. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-287, "Human Rights Service of Process Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4781. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-278, "Captive Insurance Company Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4782. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-277, "Public Notice of Advisory Neighborhood Commissions Recommendations Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4783. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-276, "Board of Elections and Ethics Electoral Process Improvement Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4784. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-275, "Retirement Distribution Withholding Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

4785. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-274, "Green Building Compliance Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4786. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-273, "Processing Sales Tax Clarification Second Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4787. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-272, "District Department of Transportation Omnibus Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

4788. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-284, "Rev. Dr. Jerry A. Moore, Jr. Commemorative Plaza Designation Act of 2012"; to the Committee on Oversight and Government Reform.

4789. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-283, "Glover Park Community Center Designation Act of 2012"; to the Committee on Oversight and Government Reform.

4790. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-282, "Paul Washington Way Designation Act of 2012"; to the Committee on Oversight and Government Reform.

4791. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revising the Listing of the Gray Wolf (*Canis lupus*) in the Western Great Lakes [Docket No.: FWS-R3-ES-2011-0029] (RIN: 1018-AX57) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4792. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Eastern Pacific Ocean; Pelagic Fisheries; Vessel Identification Requirements [Docket No.: 110218143-1606-02] (RIN: 0648-BA49) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4793. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Adjustments to the Atlantic Bluefin Tuna General and Harpoon Category Regulations [Docket No.: 090508897-1635-03] (RIN: 0648-AX85) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4794. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Pelagic Fisheries; Closure of the Hawaii Shallow-Set Pelagic Longline Fishery Due To Reaching the Annual Limit

on Sea Turtle Interactions [Docket No.: 080225267-91393-03] (RIN: 0648-XA370) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4795. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; "Other Flatfish" in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA834) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4796. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Extension of Emergency Fishery Closure Due to the Presence of the Toxin that Causes Paralytic Shellfish Poisoning (PSP) [Docket No.: 050613158-5262-03] (RIN: 0648-BB59) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4797. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic; Amendment 10 [Docket No.: 100305126-1576-04] (RIN: 0648-AY72) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4798. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 11 [Docket No.: 0808041037-1687-03] (RIN: 0648-AX05) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4799. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; [Docket No.: 101228634-1149-02] (RIN: 0648-XA825) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4800. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Amendment 13 to the Coastal Pelagic Species Fishery Management Plan; Annual Catch Limits [Docket No.: 110606318-1655-02] (RIN: 0648-BA68) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

¶13.6 BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER, pursuant to 10 United States Code 4355(a), and the order of the House of January 5, 2011, appointed the following Members of the House to the Board of Visitors to the United States Military Academy: Messrs. SHIMKUS and WOMACK.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶13.7 ENROLLED BILLS SIGNED

The SPEAKER announced that, pursuant to clause 4 of rule I, he signed the following enrolled bills on Friday, January 27, 2012:

H.R. 3800. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 3801. An Act to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

¶13.8 SUBMISSION OF CONFERENCE REPORT—H.R. 658

Mr. MICA submitted a conference report (Rept. No. 112-381) on the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶13.9 MEMBERS OF CONGRESS AND FEDERAL EMPLOYEES PAY LIMITATION

Mr. ROSS of Florida, moved to suspend the rules and pass the bill (H.R. 3835) to extend the pay limitation for Members of Congress and Federal employees.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. ROSS of Florida, and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROSS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶13.10 CERTAIN COMMITTEES EXPENSES

Mr. Daniel E. LUNGREN of California, moved to suspend the rules and agree to the following resolution (H. Res. 496):

Resolved,

SECTION 1. ADJUSTMENT OF AMOUNTS OF COMMITTEE EXPENSES FOR THE ONE HUNDRED TWELFTH CONGRESS.

(a) AGGREGATE AMOUNT FOR CONGRESS.—Notwithstanding section 1(b) of House Resolution 147, the amount paid out of the applicable accounts of the House of Representatives with respect to the One Hundred Twelfth Congress for the expenses (including

the expenses of all staff salaries) of each committee named in such section shall be as follows: Committee on Agriculture, \$11,848,132; Committee on Armed Services, \$14,900,023; Committee on the Budget, \$11,680,246; Committee on Education and the Workforce, \$16,158,348; Committee on Energy and Commerce, \$21,678,149; Committee on Ethics, \$6,218,310; Committee on Financial Services, \$16,825,969; Committee on Foreign Affairs, \$17,331,982; Committee on Homeland Security, \$16,347,050; Committee on House Administration, \$10,118,345; Permanent Select Committee on Intelligence, \$9,977,660; Committee on the Judiciary, \$16,265,122; Committee on Natural Resources, \$15,235,867; Committee on Oversight and Government Reform, \$20,546,873; Committee on Rules, \$6,566,883; Committee on Science, Space, and Technology, \$12,671,660; Committee on Small Business, \$6,598,427; Committee on Transportation and Infrastructure, \$19,195,872; Committee on Veterans' Affairs, \$7,049,575; and Committee on Ways and Means, \$18,975,444.

(b) SECOND SESSION LIMITATIONS.—Notwithstanding section 3(b) of House Resolution 147, the amount provided for the expenses of each committee named in such section which shall be available for expenses incurred during the period beginning at noon on January 3, 2012, and ending immediately before noon on January 3, 2013 shall be not more than the following: Committee on Agriculture, \$5,658,638; Committee on Armed Services, \$7,374,759; Committee on the Budget, \$5,647,061; Committee on Education and the Workforce, \$7,812,094; Committee on Energy and Commerce, \$10,697,209; Committee on Ethics, \$3,393,775; Committee on Financial Services, \$8,384,705; Committee on Foreign Affairs, \$8,379,512; Committee on Homeland Security, \$7,903,326; Committee on House Administration, \$5,169,169; Permanent Select Committee on Intelligence, \$4,823,910; Committee on the Judiciary, \$7,863,716; Committee on Natural Resources, \$7,366,101; Committee on Oversight and Government Reform, \$9,933,819; Committee on Rules, \$3,174,898; Committee on Science, Space, and Technology, \$5,986,023; Committee on Small Business, \$3,383,536; Committee on Transportation and Infrastructure, \$9,280,649; Committee on Veterans' Affairs, \$3,446,830; and Committee on Ways and Means, \$9,174,079.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. Daniel E. LUNGREN of California, and Mr. BRADY of Pennsylvania, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶13.11 CONSTITUTION OF THE UNITED STATES

On motion of Mr. Daniel E. LUNGREN of California, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 90):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. POCKET VERSION OF THE UNITED STATES CONSTITUTION.

(a) IN GENERAL.—The 25th edition of the pocket version of the United States Constitution shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 235,500 copies of the document, of which 220,500 copies shall be for the use of the House of Representatives, 10,000 copies shall be for the use of the Senate, and 5,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$114,849, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

(c) DISTRIBUTION.—The copies of the document printed for the use of the House and the Senate under subsection (a) shall be distributed in accordance with—

(1) a distribution plan approved by the chair and ranking minority member of the Committee on House Administration of the House of Representatives, in the case of the copies printed for the use of the House; and

(2) a distribution plan approved by the chair and ranking minority member of the Committee on Rules and Administration of the Senate, in the case of the copies printed for the use of the Senate.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶13.12 WELFARE INTEGRITY NOW FOR CHILDREN AND FAMILIES

Mr. BOUSTANY moved to suspend the rules and pass the bill (H.R. 3567) to amend title IV of the Social Security Act to require States to implement policies to prevent assistance under the Temporary Assistance for Needy Families (TANF) program from being used in strip clubs, casinos, and liquor stores; as amended.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. BOUSTANY and Mr. DOGGETT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BOUSTANY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶13.13 FISCAL RESPONSIBILITY AND RETIREMENT SECURITY

The SPEAKER pro tempore, Mr. BOUSTANY, pursuant to House Resolution 522 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1173) to repeal the CLASS program.

The SPEAKER pro tempore, Mr. BOUSTANY, by unanimous consent, designated Mrs. MILLER of Michigan, as Chairman of the Committee of the Whole; and after some time spent therein,

¶13.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, submitted by Ms. JACKSON LEE of Texas:

Page 5, after line 19, add the following:

SEC. 3. STUDY ON THE IMPACT OF NOT HAVING LONG-TERM CARE INSURANCE ON THE FEDERAL, STATE, AND LOCAL GOVERNMENTS.

(a) STUDIES.—Section 2 shall not take effect until—

(1) the Director of the Congressional Budget Office completes a macroeconomic study and submits a report to the Congress on the impact on the Federal, State, and local governments of not having long-term care insurance; and

(2) the Secretary of Health and Human Services completes a study and submits a report to the Congress on the best practices necessary to have a viable, financially secure, and solvent long-term care insurance program.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

It was decided in the { Yeas 161 negative } Nays 263

¶13.15 [Roll No. 13]

AYES—161

Table with 3 columns: Name, State, and Party. Lists members such as Ackerman (DeLauro), Altmire (Deutch), Andrews (Dicks), Baca (Dingell), Baldwin (Doggett), Bass (CA) (Doyle), Becerra (Edwards), Berman (Ellison), Bishop (GA) (Engel), Bishop (NY) (Fattah), Blumenauer (Frank (MA)), Boswell (Fudge), Brady (PA) (Garamendi), Brown (FL) (Gonzalez), Butterfield (Green, Al), Capps (Green, Gene), Capuano (Grijalva), Carnahan (Gutierrez), Carney (Hahn), Chu (Hanabusa), Cicilline (Hastings (FL)), Clarke (MI) (Heinrich), Clarke (NY) (Higgins), Clay (Hinojosa), Cleaver (Hirono), Clyburn (Hochul), Cohen (Holden), Connolly (VA) (Holt), Conyers (Honda), Cooper (Hoyer), Costello (Insee), Courtney (Israel), Critz (Jackson (IL)), Crowley (Jackson Lee), Cuellar (TX), Cummings (Johnson (GA)), Davis (IL) (Johnson, E. B.), DeGette (Kaptur).

Table with 3 columns: Name, State, and Party. Lists members such as Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reyes, Richardson, Richmond, Rothman (NJ), Ruppersberger, Rush, Ryan (OH), Sanchez, Linda T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Sires, Slaughter, Smith (NJ), Smith (WA), Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velázquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth.

NOES—263

Table with 3 columns: Name, State, and Party. Lists members such as Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Berkley, Biggart, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Braley (IA), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Cardoza, Carter, Cassidy, Castor (FL), Chabot, Chaffetz, Chandler, Coble, Coffman (CO), Cole, Conaway, Costa, Cravaack, Crawford, Crenshaw, Culberson, Davis (CA), Davis (KY), DeFazio, Denham, Dent, DesJarlais, Diaz-Balart, Dold, Donnelly (IN), Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Eshoo, Farenthold, Farr, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Himes, Huelskamp, Huizenga (MI), Hultgren, Hunter, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, Kind, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, Latta, Lewis (CA), Lipinski, LoBiondo, Lofgren, Zoe, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Manzullo, Marchant, Marino, Matheson, McCarthy (CA), McCarthy (NY), McCaul, McClintock, McCotter, McHenry, McIntyre, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (CT), Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Perlmutter, Peterson, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (AR), Ross (FL), Royce, Runyan, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schrader, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuler, Shuster, Simpson, Smith (NE), Smith (TX), Souterland, Speier, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (PA).

Thornberry	Walsh (IL)	Womack
Tiberi	Webster	Woodall
Tipton	West	Yoder
Turner (NY)	Westmoreland	Young (AK)
Turner (OH)	Whitfield	Young (FL)
Upton	Wilson (SC)	Young (IN)
Walberg	Wittman	
Walden	Wolf	

NOT VOTING—8

Carson (IN)	LaTourette	Rohrabacher
Filner	Mack	Roybal-Allard
Hinchev	Paul	

So the amendment was not agreed to.

13.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, submitted by Ms. JACKSON LEE of Texas:

At the end of the bill, add the following:

SEC. 3. ENSURING MARKET PENETRATION FOR PRIVATE LONG-TERM CARE INSURANCE.

(a) IN GENERAL.—Section 2 shall not take effect until such date as the Secretary of Health and Human Services certifies to the Congress that at least 60 percent of individuals in the United States who are 25 years of age or older have private long-term care insurance.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

It was decided in the { Yeas 157 negative 264

13.17 [Roll No. 14]

AYES—157

Ackerman	Grijalva	Pallone
Andrews	Gutierrez	Pascarell
Baca	Hahn	Pastor (AZ)
Baldwin	Hanabusa	Payne
Bass (CA)	Hastings (FL)	Peters
Becerra	Heinrich	Pingree (ME)
Berman	Higgins	Polis
Bishop (GA)	Hinojosa	Price (NC)
Blumenauer	Hirono	Quigley
Boswell	Holden	Rahall
Brady (PA)	Holt	Rangel
Braley (IA)	Honda	Reyes
Brown (FL)	Hoyer	Richardson
Butterfield	Inslee	Richardson
Capps	Israel	Rothman (NJ)
Capuano	Jackson (IL)	Ruppersberger
Carnahan	Jackson Lee	Rush
Castor (FL)	(TX)	Ryan (OH)
Chu	Johnson (GA)	Sánchez, Linda T.
Ciilline	Johnson, E. B.	T.
Clarke (MI)	Kaptur	Sanchez, Loretta T.
Clarke (NY)	Keating	Sarbanes
Clay	Kildee	Schakowsky
Clyburn	Kissell	Schiff
Cohen	Kucinich	Schrader
Connolly (VA)	Langevin	Schwartz
Conyers	Larson (CT)	Scott (VA)
Costello	Lee (CA)	Scott, David
Courtney	Levin	Serrano
Critz	Lewis (GA)	Sewell
Crowley	Loebbeck	Sewell
Cummings	Lofgren, Zoe	Sherman
Davis (IL)	Lowe	Sires
DeFazio	Lujan	Slaughter
DeGette	Maloney	Smith (WA)
DeLauro	Markey	Speier
Deutch	Matsui	Stark
Dicks	McCarthy (NY)	Sutton
Dingell	McCollum	Thompson (CA)
Doggett	McDermott	Thompson (MS)
Doyle	McGovern	Tierney
Edwards	McNerney	Tonko
Ellison	Meeks	Towns
Engel	Michaud	Tsongas
Eshoo	Miller (NC)	Van Hollen
Farr	Miller, George	Velázquez
Fattah	Moore	Visclosky
Frank (MA)	Moran	Walz (MN)
Fudge	Nadler	Wasserman
Garamendi	Napolitano	Schultz
Gonzalez	Neal	Waters
Green, Al	Olver	

Watt	Welch	Woolsey
Waxman	Wilson (FL)	Yarmuth

NOES—264

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

NOT VOTING—11

Carson (IN)	Issa	Roybal-Allard
Filner	Mack	Royce
Flores	Paul	Sullivan
Hinchev	Pelosi	

So the amendment was not agreed to.

13.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, submitted by Mr. DEUTCH:

At the end of the bill, add the following new section:

SEC. 3. PREVENTING AN INCREASE IN MEDICAID SPENDING.

Section 2 (other than subsection (b)(3)(B) of such section) shall not take effect until 90 days after the date on which the Comptroller General of the United States certifies to Congress that failure to implement the CLASS program established under title XXXII of the Public Health Service Act will not increase State and Federal spending for long-term care under the Medicaid program under title XIX of the Social Security Act.

It was decided in the { Yeas 164 negative 260

13.19 [Roll No. 15]

AYES—164

Ackerman	Grijalva	Pastor (AZ)
Altmire	Gutierrez	Payne
Andrews	Hahn	Pelosi
Baca	Hanabusa	Perlmutter
Baldwin	Hastings (FL)	Peters
Bass (CA)	Heinrich	Pingree (ME)
Becerra	Higgins	Polis
Berman	Hinojosa	Price (NC)
Bishop (GA)	Hirono	Quigley
Blumenauer	Holden	Rahall
Boswell	Holt	Rangel
Brady (PA)	Honda	Reyes
Braley (IA)	Hoyer	Richardson
Brown (FL)	Inslee	Richmond
Butterfield	Israel	Rothman (NJ)
Capps	Jackson (IL)	Ruppersberger
Capuano	Jackson Lee	Rush
Cardoza	(TX)	Ryan (OH)
Carnahan	Johnson (GA)	Sánchez, Linda T.
Castor (FL)	Johnson, E. B.	T.
Chu	Kaptur	Sanchez, Loretta T.
Cielline	Keating	Sarbanes
Clarke (MI)	Kildee	Schakowsky
Clarke (NY)	Kissell	Schiff
Clay	Kucinich	Schwartz
Clyburn	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connolly (VA)	Larson (CT)	Serrano
Conyers	Lee (CA)	Sewell
Costello	Levin	Sherman
Courtney	Lewis (GA)	Sires
Critz	Loebbeck	Slaughter
Crowley	Lofgren, Zoe	Smith (WA)
Cummings	Lowe	Speier
Davis (IL)	Lujan	Stark
DeFazio	Lynch	Sutton
DeGette	Maloney	Thompson (CA)
DeLauro	Markey	Thompson (MS)
Deutch	Matsui	Tierney
Dicks	McCarthy (NY)	Tonko
Dingell	McCollum	Towns
Doggett	McDermott	Tsongas
Doyle	McGovern	Van Hollen
Edwards	McNerney	Velázquez
Ellison	Meeks	Visclosky
Engel	Michaud	Walz (MN)
Eshoo	Miller (NC)	Wasserman
Farr	Miller, George	Schultz
Fattah	Moore	Waters
Frank (MA)	Moran	Watt
Fudge	Nadler	Waxman
Garamendi	Napolitano	Welch
Gonzalez	Neal	Wilson (FL)
Green, Al	Olver	Woolsey
		Yarmuth

NOES—260

Adams	Bachus	Berkley
Aderholt	Barletta	Biggert
Akin	Barrow	Bilbray
Alexander	Bartlett	Bilirakis
Amash	Barton (TX)	Bishop (NY)
Amodei	Bass (NH)	Bishop (UT)
Austria	Benishek	Black
Bachmann	Berg	Blackburn

Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall

Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce

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

NOT VOTING—8

Carson (IN)
Filner
Franks (AZ)

Hinchey
LaTourette
Mack

Paul
Roybal-Allard

So the amendment was not agreed to.

13.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, submitted by Mr. DEUTCH:

At the end of the bill, add the following new section:

SEC. 3. CLASS PROGRAM FLEXIBILITY.

(a) IN GENERAL.—Subject to subsection (b), section 2 (other than subsection (b)(3)(B) of such section) shall not take effect until such date on which each of the following has been satisfied:

(1) The Secretary of Health and Human Services submits to Congress a report including a determination made by the Secretary on whether or not the Secretary has the authority to implement the CLASS program under title XXXII of the Public Health Service Act and develop and implement the benefit plans described in subsection (c).

(2) In the case the Secretary determines the Secretary does not have the authority described in paragraph (1), the Secretary includes in the report described in such paragraph recommendations for statutory changes needed, and a recommended list of statutory provisions that would need to be waived, to provide the Secretary with such authority.

(3) In the case the Secretary determines the Secretary does not have the authority described in paragraph (1), not later than 90 days after the submission of such report and recommendations, Congress has considered and rejected such recommendations.

(b) EXCEPTIONS.—

(1) Section 2 (other than subsection (b)(3)(B) of such section) shall not take effect if the Secretary of Health and Human Services determines under subsection (a)(1) that the Secretary has the authority described in such subsection and the Secretary develops the 3 benefit plans described in subsection (c).

(2) In the case the Secretary determines under subsection (a)(1) that the Secretary does not have the authority described in such subsection and Congress has not considered and rejected the recommendations described in subsection (a)(2) by the deadline described in subsection (a)(3), section 2 (other than subsection (b)(3)(B) of such section) shall not take effect and the Secretary shall have the authority to waive the provisions recommended by the Secretary to be waived under the report described in subsection (a)(2).

(c) ACTUARIALLY SOUND BENEFIT PLANS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall develop 3 actuarially sound benefit plans as alternatives for consideration for designation as the CLASS Independence Benefit Plan described in section 3203 of the Public Health Service Act that address adverse selection and have market appeal, regardless of whether such plans satisfy the requirements described in subsection (a)(1) of such section.

It was decided in the { Yeas 160 negative } Nays 264

13.21 [Roll No. 16]

AYES—160

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Beccerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Castor (FL)

Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch

Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins

Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kissell
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney

Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky

Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—264

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold

Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fanthorpe
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Hochul
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan

Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Peterson
Petri
Pitts

Platts	Royce	Terry
Poe (TX)	Runyan	Thompson (PA)
Pompeo	Ryan (WI)	Thornberry
Posey	Scalise	Tiberi
Price (GA)	Schilling	Tipton
Quayle	Schmidt	Turner (NY)
Reed	Schock	Turner (OH)
Rehberg	Schrader	Upton
Reichert	Schweikert	Walberg
Renacci	Scott (SC)	Walden
Ribble	Scott, Austin	Walsh (IL)
Rigell	Sensenbrenner	Webster
Rivera	Sessions	West
Roby	Shimkus	Westmoreland
Roe (TN)	Shuler	Whitfield
Rogers (AL)	Shuster	Wilson (SC)
Rogers (KY)	Simpson	Wittman
Rogers (MI)	Smith (NE)	Wolf
Rohrabacher	Smith (NJ)	Womack
Rokita	Smith (TX)	Woodall
Rooney	Southerland	Yoder
Ros-Lehtinen	Stearns	Young (AK)
Roskam	Stivers	Young (FL)
Ross (AR)	Stutzman	Young (IN)
Ross (FL)	Sullivan	

NOT VOTING—8

Carson (IN)	Gutierrez	Paul
Finler	Hinchee	Roybal-Allard
Gonzalez	Mack	

So the amendment was not agreed to.

After some further time, The SPEAKER pro tempore, Mr. YODER, assumed the Chair.

When Mr. DOLD, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fiscal Responsibility and Retirement Security Act of 2012”.

SEC. 2. REPEAL OF CLASS PROGRAM.

(a) REPEAL.—Title XXXII of the Public Health Service Act (42 U.S.C. 3001l et seq.; relating to the CLASS program) is repealed.

(b) CONFORMING CHANGES.—

(1)(A) Title VIII of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119, 846-847) is repealed.

(B) The table of contents contained in section 1(b) of such Act is amended by striking the items relating to title VIII.

(2) Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(A) by striking paragraphs (81) and (82);

(B) in paragraph (80), by inserting “and” at the end; and

(C) by redesignating paragraph (83) as paragraph (81).

(3) Section 6021(d) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396p note) is amended—

(A) in paragraph (2)(A)(iv)—

(i) by inserting “not” before “include”; and

(ii) by striking “and information” and inserting “or information”; and

(B) in paragraph (3)—

(i) in the heading, by striking “APPROPRIATION” and inserting “FUNDING”; and

(ii) by striking “2015” and inserting “2012”; and

(iii) by adding at the end the following new sentence: “There is authorized to be appropriated to carry out this subsection \$3,000,000 for each of fiscal years 2013 through 2015.”

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. GARAMENDI moved to recommit the bill to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 3. ENSURING LONG-TERM CARE SERVICES FOR SENIORS WITH ALZHEIMER'S DISEASE AND OTHER DISABLED INDIVIDUALS.

(a) IN GENERAL.—Section 2 shall not take effect until such date as the Secretary of Health and Human Services certifies that a national voluntary insurance program is in effect for purchasing community living assistance services and supports for individuals who—

(1) have—

(A) Alzheimer’s disease or other cognitive impairment;

(B) chronic diabetes, heart disease, or advanced stages of cancer;

(C) a disability or traumatic injury; or

(D) any other serious disease or health condition; and

(2) require assistance with two or more activities of daily living (such as eating, bathing, dressing, and toileting).

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the nays had it.

Mr. GARAMENDI demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the	{	Yeas	175
negative	{	Nays	247

13.22 [Roll No. 17] AYES—175

Ackerman	Costa	Heinrich
Altmire	Costello	Higgins
Andrews	Courtney	Himes
Baca	Critz	Hinojosa
Baldwin	Crowley	Hirono
Bass (CA)	Cuellar	Holden
Becerra	Cummings	Holt
Berkley	Davis (CA)	Honda
Berman	Davis (IL)	Hoyer
Bishop (GA)	DeFazio	Inslee
Bishop (NY)	DeGette	Israel
Blumenauer	DeLauro	Jackson (IL)
Boswell	Deutch	Jackson Lee
Brady (PA)	Dicks	(TX)
Braley (IA)	Dingell	Johnson (GA)
Brown (FL)	Doggett	Johnson, E. B.
Butterfield	Doyle	Kaptur
Capps	Edwards	Keating
Capuano	Ellison	Kildee
Cardoza	Engel	Kind
Carnahan	Eshoo	Kissell
Carney	Farr	Kucinich
Castor (FL)	Fattah	Langevin
Chu	Frank (MA)	Larsen (WA)
Cicilline	Fudge	Larson (CT)
Clarke (MI)	Garamendi	Lee (CA)
Clarke (NY)	Gonzalez	Levin
Clay	Green, Al	Lewis (GA)
Cleaver	Green, Gene	Loeback
Clyburn	Grijalva	Lofgren, Zoe
Cohen	Gutierrez	Lowey
Connolly (VA)	Hahn	Lujan
Conyers	Hanabusa	Lynch
Cooper	Hastings (FL)	Maloney

Markey	Peterson	Sires
Matsui	Pingree (ME)	Slaughter
McCarthy (NY)	Polis	Smith (WA)
McCollum	Price (NC)	Stark
McDermott	Quigley	Sutton
McGovern	Rahall	Thompson (CA)
McIntyre	Rangel	Thompson (MS)
McNerney	Reyes	Tierney
Meeks	Richardson	Tonko
Michaud	Richmond	Towns
Miller (NC)	Rothman (NJ)	Tsongas
Miller, George	Ruppersberger	Van Hollen
Moore	Rush	Velázquez
Moran	Ryan (OH)	Visclosky
Murphy (CT)	Sánchez, Linda T.	Walz (MN)
Nadler	Sanchez, Loretta Sarbanes	Wasserman Schultz
Napolitano	Schakowsky	Waters
Neal	Schiff	Watt
Olver	Schwartz	Waxman
Pallone	Scott (VA)	Welch
Pascrell	Scott, David	Wilson (FL)
Pastor (AZ)	Serrano	Woolsey
Payne	Sewell	Yarmuth
Pelosi	Sherman	
Perlmutter		
Peters		

NOES—247

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

Shuster Thompson (PA) Westmoreland
 Simpson Thornberry Whitfield
 Smith (NE) Tiberi Wilson (SC)
 Smith (NJ) Tipton Wittman
 Smith (TX) Turner (NY) Wolf
 Southerland Turner (OH) Womack
 Stearns Upton Woodall
 Stivers Walberg Yoder
 Stutzman Walden Young (AK)
 Sullivan Webster Young (FL)
 Terry West Young (IN)

NOT VOTING—10

Aderholt Lankford Speier
 Carson (IN) Mack Walsh (IL)
 Filner Paul
 Hincey Roybal-Allard

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*,
 Will the House pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. GARAMENDI demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 267
 affirmative { Nays 159

¶13.23 [Roll No. 18]
 AYES—267

Adams Cuellar Higgins
 Aderholt Culberson Himes
 Akin Davis (KY) Hochul
 Alexander DeFazio Huelskamp
 Amash Denham Huizenga (MI)
 Amodei Dent Hultgren
 Austria DesJarlais Hunter
 Bachmann Diaz-Balart Hurt
 Bachus Dold Issa
 Barletta Donnelly (IN) Jenkins
 Barrow Dreier Johnson (IL)
 Bartlett Duffy Johnson (OH)
 Barton (TX) Duncan (SC) Johnson, Sam
 Bass (NH) Duncan (TN) Jones
 Benishek Ellmers Jordan
 Berg Emerson Kelly
 Berkley Farenthold Kind
 Biggert Fincher King (IA)
 Bilbray Fitzpatrick King (NY)
 Bilirakis Flake Kingston
 Bishop (NY) Fleischmann Kinzinger (IL)
 Bishop (UT) Fleming Kline
 Black Flores Labrador
 Blackburn Forbes Lamborn
 Blumenauer Fortenberry Lance
 Boner Foez Landry
 Bono Mack Franks (AZ) Lankford
 Boren Frelinghuysen Larsen (WA)
 Boswell Gallegly Latham
 Boustany Gardner LaTourette
 Brady (TX) Garrett Latta
 Brooks Gerlach Lewis (CA)
 Broun (GA) Gibbs Lipinski
 Buchanan Gibson LoBiondo
 Bucshon Gingrey (GA) Loeb sack
 Buerkle Gohmert Long
 Burgess Goodlatte Lucas
 Burton (IN) Gosar Luetkemeyer
 Calvert Gowdy Lummis
 Camp Granger Lungren, Daniel
 Campbell Graves (GA) E.
 Canseco Graves (MO) Manzullo
 Cantor Griffin (AR) Marchant
 Capito Griffin (VA) Marino
 Carney Grimm Matheson
 Carter Guinta McCarthy (CA)
 Cassidy Guthrie McCaul
 Chabot Hall McClintock
 Chaffetz Hanna McCotter
 Chandler Harper McHenry
 Coble Harris McIntyre
 Coffman (CO) Hartzler McKeon
 Cole Hastings (WA) McKinley
 Conaway Hayworth McMorris
 Cooper Heck Rodgers
 Cravaack Hensarling Meehan
 Crawford Herger Mica
 Crenshaw Herrera Beutler Miller (FL)

Miller (MI) Rigell
 Miller, Gary Rivera
 Mulvaney Roby
 Murphy (CT) Roe (TN)
 Murphy (PA) Rogers (AL)
 Myrick Rogers (KY)
 Neugebauer Rogers (MI)
 Noem Rohrabacher
 Nugent Rokita
 Nunes Rooney
 Nunnelee Ros-Lehtinen
 Olson Roskam
 Owens Ross (AR)
 Palazzo Ross (FL)
 Paulsen Royce
 Pearce Runyan
 Pence Ryan (WI)
 Perlmutter Scalise
 Peterson Schilling
 Petri Schmidt
 Pitts Schock
 Platts Schrader
 Poe (TX) Schweikert
 Pompeo Scott (SC)
 Posey Scott, Austin
 Price (GA) Sensenbrenner
 Quayle Sessions
 Reed Shimkus
 Rehberg Shuler
 Reichert Shuster
 Renacci Simpson
 Ribble Smith (NE)

NOES—159

Ackerman Green, Gene
 Altmire Grijalva
 Andrews Gutierrez
 Baca Hahn
 Baldwin Hanabusa
 Bass (CA) Hastings (FL)
 Becerra Heinrich
 Berman Hinojosa
 Bishop (GA) Hirono
 Brady (PA) Holden
 Braley (IA) Holt
 Brown (FL) Honda
 Butterfield Hoyer
 Capps Inslee
 Capuano Israel
 Cardoza Jackson (IL)
 Carnahan Jackson Lee
 Castor (FL) (TX)
 Chu Johnson (GA)
 Cicilline Johnson, E. B.
 Clarke (MI) Kaptur
 Clarke (NY) Keating
 Clay Kildee
 Cleaver Kissell
 Clyburn Kucinich
 Cohen Langevin
 Connolly (VA) Larson (CT)
 Conyers Lee (CA)
 Costa Levin
 Costello Lewis (GA)
 Courtney Lofgren, Zoe
 Critz Lowey
 Crowley Lujan
 Cummings Lynch
 Davis (CA) Maloney
 Davis (IL) Markey
 DeGette Matsui
 DeLauro McCarthy (NY)
 Deutch McCollum
 Dicks McDermott
 Dingell McGovern
 Doggett McNerney
 Doyle Meeks
 Edwards Michaud
 Ellison Miller (NC)
 Engel Miller, George
 Eshoo Moore
 Farr Moran
 Fattah Nadler
 Frank (MA) Napolitano
 Fudge Neal
 Garamendi Olver
 Gonzalez Pallone
 Green, Al Pascrell

NOT VOTING—6

Carson (IN) Hincey Paul
 Filner Mack Roybal-Allard

So the bill was passed.
 A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶13.24 H.R. 3835—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3835) to extend the pay limitation for Members of Congress and Federal employees.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 309
 affirmative { Nays 117

¶13.25 [Roll No. 19]
 YEAS—309

Adams Donnelly (IN) King (IA)
 Aderholt Dreier King (NY)
 Akin Duffy Kingston
 Alexander Duncan (SC) Kinzinger (IL)
 Altmire Duncan (TN) Kissell
 Amash Ellmers Kline
 Amodei Emerson Labrador
 Andrews Engel Lamborn
 Austria Eshoo Lance
 Bachmann Farenthold Landry
 Bachus Fincher Langevin
 Baldwin Fitzpatrick Lankford
 Barletta Flake Latham
 Barrow Fleischmann LaTourette
 Barton (TX) Fleming Latta
 Bass (NH) Flores Lewis (CA)
 Benishek Forbes Lipinski
 Berg Fortenberry LoBiondo
 Berkley Foez Loeb sack
 Biggert Franks (AZ) Lofgren, Zoe
 Bilbray Frelinghuysen Long
 Bilirakis Gallegly Lowey
 Bishop (GA) Garamendi Lucas
 Bishop (NY) Gardner Luetkemeyer
 Bishop (UT) Garrett Lujan
 Black Gerlach Lummis
 Blackburn Gibbs Lungren, Daniel
 Boner Gibson E.
 Bono Mack Gingrey (GA) Manzullo
 Boren Gohmert Marchant
 Boswell Goodlatte Marino
 Boustany Gosar Matheson
 Brady (TX) Gowdy McCarthy (CA)
 Braley (IA) Granger McCaul
 Brooks Graves (GA) McClintock
 Broun (GA) Graves (MO) McCotter
 Buchanan Green, Gene McHenry
 Bucshon Griffin (AR) McIntyre
 Buerkle Griffith (VA) McKeon
 Burgess Grimm McKinley
 Burton (IN) Guinta McMorris
 Calvert Guthrie Rodgers
 Camp Hall McNerney
 Campbell Hanabusa Meehan
 Canseco Hanna Mica
 Cantor Harper Michaud
 Capito Harris Miller (FL)
 Capps Hartzler Miller (MI)
 Carney Hastings (WA) Miller, Gary
 Carter Hayworth Mulvaney
 Cassidy Heck Murphy (CT)
 Castor (FL) Heinrich Murphy (PA)
 Chabot Hensarling Myrick
 Chaffetz Herger Neugebauer
 Chandler Herrera Beutler Noem
 Cicilline Higgins Nugent
 Coble Himes Nunes
 Coffman (CO) Hochul Nunnelee
 Cole Huelskamp Olson
 Conaway Huizenga (MI) Owens
 Cooper Hultgren Palazzo
 Costa Hunter Paulsen
 Costello Hurt Pearce
 Cravaack Insee Pence
 Crawford Israel Perlmutter
 Crenshaw Issa Peterson
 Critz Jenkins Petri
 Cuellar Johnson (IL) Pingree (ME)
 Culberson Johnson (OH) Pitts
 Davis (KY) Johnson, Sam Platts
 DeFazio Jones Poe (TX)
 Denham Jordan Polis
 Dent Kaptur Pompeo
 DesJarlais Keating Posey
 Diaz-Balart Kelly Price (GA)
 Dold Kind Quayle

Quigley Schilling Thornberry
 Rahall Schmidt Tiberi
 Reed Schock Tierney
 Rehberg Schrader Tipton
 Reichert Schwartz Tonko
 Renacci Schweikert Tsongas
 Ribble Scott (SC) Turner (NY)
 Rigell Scott, Austin Turner (OH)
 Rivera Scott, David Upton
 Roby Sensenbrenner Walberg
 Roe (TN) Sessions Walden
 Rogers (AL) Shimkus Walsh (IL)
 Rogers (KY) Shuler Walz (MN)
 Rogers (MI) Shuster Wasserman
 Rohrabacher Simpson Schultz
 Rokita Slaughter Webster
 Rooney Smith (NE) West
 Ros-Lehtinen Smith (NJ) Westmoreland
 Roskam Smith (TX) Whitfield
 Ross (AR) Southerland Wilson (SC)
 Ross (FL) Speier Wittman
 Royce Stearns Wolf
 Runyan Stivers Womack
 Ruppertsberger Stutzman Woodall
 Ryan (OH) Sullivan Yarmuth
 Ryan (WI) Sutton Yoder
 Sanchez, Loretta Terry Young (FL)
 Scalise Thompson (PA) Young (IN)

NAYS—117

Ackerman Gonzalez Olver
 Baca Green, Al Pallone
 Bartlett Grijalva Pascarell
 Bass (CA) Gutierrez Pastor (AZ)
 Becerra Hahn Payne
 Berman Hastings (FL) Pelosi
 Blumenauer Hinojosa Peters
 Brady (PA) Hirono Price (NC)
 Brown (FL) Holden Rangel
 Butterfield Holt Reyes
 Capuano Honda Richardson
 Cardoza Hoyer Richmond
 Carnahan Jackson (IL) Rothman (NJ)
 Chu Jackson Lee Rush
 Clarke (MI) (TX) Sánchez, Linda
 Clarke (NY) Johnson (GA) T.
 Clay Johnson, E. B. Sarbanes
 Cleaver Kildee Schakowsky
 Clyburn Kucinich Schiff
 Cohen Larsen (WA) Scott (VA)
 Connolly (VA) Larson (CT) Serrano
 Conyers Lee (CA) Sewell
 Courtney Levin Sherman
 Crowley Lewis (GA) Sires
 Cummings Lynch Smith (WA)
 Davis (CA) Maloney Stark
 Davis (IL) Markey Thompson (CA)
 DeGette Matsui Thompson (MS)
 DeLauro McCarthy (NY) Towns
 Deutch McCollum Van Hollen
 Dicks McDermott Velázquez
 Dingell McGovern Visclosky
 Doggett Meeks Miller (NC) Waters
 Doyle Miller, George Watt
 Edwards Moore Waxman
 Ellison Moran Welch
 Farr Nadler Wilson (FL)
 Fattah Napolitano Woolsey
 Frank (MA) Neale Young (AK)
 Fudge

NOT VOTING—6

Carson (IN) Hinchey Paul
 Filner Mack Roybal-Allard

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶13.26 H.R. 3567—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3567) to amend title IV of the Social Security Act to require States to implement policies to prevent assistance under the

Temporary Assistance for Needy Families (TANF) program from being used in strip clubs, casinos, and liquor stores; as amended.

The question being put,
 Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 395
 affirmative { Nays 27

¶13.27 [Roll No. 20]
 YEAS—395

Ackerman Crawford Herrera Beutler
 Adams Crenshaw Higgins
 Aderholt Himes Critz
 Akin Crowley Hinojosa
 Alexander Cuellar Hirono
 Altmire Culberson Hochul
 Amodei Cummings Holden
 Andrews Davis (CA) Hoyer
 Austria Davis (KY) Huelskamp
 Baca DeFazio Huizenga (MI)
 Bachmann DeGette Hultgren
 Bachus DeLauro Hunter
 Baldwin Denham Hurt
 Barletta Dent Inslee
 Barrow DesJarlais Israel
 Bartlett Deutch Issa
 Barton (TX) Diaz-Balart Jackson (IL)
 Bass (NH) Dingell Jenkins
 Becerra Doggett Johnson (GA)
 Benishek Dold Johnson (IL)
 Berg Donnelly (IN) Johnson (OH)
 Berkley Doyle Johnson, E. B.
 Berman Dreier Johnson, Sam
 Biggert Duffy Jones
 Bilbray Duncan (SC) Jordan
 Bilirakis Duncan (TN) Kaptur
 Bishop (GA) Ellmers Keating
 Bishop (NY) Emerson Kelly
 Bishop (UT) Engel Kildee
 Black Eshoo Kind
 Blackburn Farenthold King (IA)
 Blumenauer Farr King (NY)
 Bonner Fattah Kingston
 Bono Mack Fincher Kinzinger (IL)
 Boren Fitzpatrick Kissell
 Boswell Flake Kline
 Boustany Fleischmann Kucinich
 Brady (PA) Fleming Labrador
 Brady (TX) Lamborn Lamborn
 Braley (IA) Forbes Lance
 Brooks Fortenberry Landry
 Broun (GA) Foxx Langevin
 Brown (FL) Franks (AZ) Lankford
 Buchanan Frelinghuysen Larsen (WA)
 Bucshon Fudge Larson (CT)
 Buerkle Gallegly Latham
 Burgess Garamendi LaTourette
 Burton (IN) Gardner Latta
 Butterfield Garrett Levin
 Calvert Gerlach Lewis (CA)
 Camp Gibbs Lewis (GA)
 Campbell Gibson Lipinski
 Canseco Gingrey (GA) LoBiondo
 Cantor Gohmert Loeb sack
 Capito Gonzalez Loftgren, Zoe
 Capps Goodlatte Long
 Capuano Gosar Lowey
 Cardoza Gowdy Lucas
 Carnahan Granger Luetkemeyer
 Carney Graves (GA) Luján
 Carter Graves (MO) Lummis
 Cassidy Green, Al Lungren, Daniel
 Castor (FL) Green, Gene E.
 Chabot Griffin (AR) Lynch
 Chaffetz Griffith (VA) Maloney
 Chandler Grimm Manzullo
 Chu Guinta Marchant
 Cicilline Guthrie Marino
 Clarke (MI) Gutierrez Matheson
 Cleaver Hahn Matsui
 Clyburn Hall McCarthy (CA)
 Coble Hanabusa McCarthy (NY)
 Coffman (CO) Hanna McCaul
 Cohen Harper McClintock
 Cole Harris McCollum
 Conaway Hartzler McCotter
 Connolly (VA) Hastings (FL) McDermott
 Cooper Hastings (WA) McHenry
 Costa Hayworth McIntyre
 Costello Heck McKeon
 Courtney Heinrich McKinley
 Cravaack Hensarling Mc Nerney

Meehan Renacci Smith (TX)
 Meeks Reyes Smith (WA)
 Mica Ribble Southerland
 Michaud Richardson Speier
 Miller (FL) Richmond Stearns
 Miller (MI) Rigell Stivers
 Miller (NC) Rivera Stutzman
 Miller, Gary Roby Sullivan
 Miller, George Roe (TN) Sutton
 Moran Rogers (AL) Terry
 Mulvaney Rogers (KY) Thompson (CA)
 Murphy (CT) Rogers (MI) Thompson (MS)
 Murphy (PA) Rohrabacher Thompson (PA)
 Myrick Rokita Thornberry
 Napolitano Rooney Tiberi
 Neal Ros-Lehtinen Tierney
 Neugebauer Roskam Tipton
 Noem Ross (AR) Towns
 Nugent Ross (FL) Tsongas
 Nunes Rothman (NJ) Turner (NY)
 Nunnelee Royce Turner (OH)
 Olson Runyan Ruppertsberger
 Owens Ruppertsberger Ryan (OH)
 Palazzo Ryan (WI) Van Hollen
 Pallone Ryan (WI) Velázquez
 Pascrell Sanchez, Loretta Visclosky
 Pastor (AZ) Sarbanes Walberg
 Paulsen Paulsen Schiff
 Pearce Pearce Schiff
 Pelosi Schilling Walsh (IL)
 Pence Schmidt Walz (MN)
 Perlmutter Schock Wasserman
 Peters Schrader Schultz
 Peterson Schwartz Watt
 Petri Schweikert Waxman
 Pingree (ME) Scott (SC) Webster
 Pitts Scott, Austin Welch
 Platts Scott, David West
 Poe (TX) Sensenbrenner Westmoreland
 Polis Serrano Whitfield
 Pompeo Sessions Wilson (SC)
 Posey Sewell Wittman
 Price (GA) Sherman Wolf
 Price (NC) Shimkus Womack
 Quayle Shuler Woodall
 Quigley Shuster Yarmuth
 Rahall Simpson Yoder
 Rangel Sires Reed
 Reed Slaughter Young (AK)
 Rehberg Smith (NE) Young (FL)
 Reichert Smith (NJ) Young (IN)

NAYS—27

Amash Holt Rush
 Bass (CA) Honda Sánchez, Linda
 Clarke (NY) Jackson Lee T.
 Clay (TX) Schakowsky
 Conyers Lee (CA) Scott (VA)
 Davis (IL) Markey Stark
 Edwards McGovern Waters
 Ellison Nadler Wilson (FL)
 Frank (MA) Olver Woolsey
 Grijalva Payne

NOT VOTING—10

Carson (IN) Hinchey Moore
 Dicks Mack Paul
 Filner McMorris Roybal-Allard
 Herger Rodgers

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶13.28 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 658

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-382) the resolution (H. Res. 533) providing for consideration of the conference report to accompany the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through

2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶13.29 PROVIDING FOR CONSIDERATION
OF H.R. 3578 AND H.R. 3582

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-383) the resolution (H. Res. 534) providing for consideration of the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; and providing for consideration of the bill (H.R. 3582) to amend the Congressional Budget Act of 1974 to provide for macro-economic analysis of the impact of legislation.

When said resolution and report were referred to the House Calendar and ordered printed.

¶13.30 MOTION TO INSTRUCT
CONFEREES—H.R. 3630

Mr. MICHAUD submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, and for other purposes, be instructed to recede from section 2123 of the House bill, relating to allowing a waiver of requirements under section 3304(a)(4) of the Internal Revenue Code of 1986, including a requirement that all money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. TIP-TON, announced that the yeas had it.

Mr. MICHAUD demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. TIP-TON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, February 2, 2012.

¶13.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CARSON of Indiana, for today and balance of the week.

And then,

¶13.32 ADJOURNMENT

On motion of Mr. GOHMERT, at 9 o'clock and 44 minutes p.m., the House adjourned.

¶13.33 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee of Conference. Conference report on H.R. 658. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes (Rept. 112-381). Ordered to be printed.

Mr. WEBSTER: Committee on Rules. H. Res. 533. A resolution providing for consideration of the conference report to accompany the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes (Rept. 112-382). Referred to the House Calendar.

Mr. WOODALL: Committee on Rules. H. Res. 534. A resolution providing for consideration of the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline, and providing for consideration of the bill (H.R. 3582) to amend the Congressional Budget Act of 1974 to provide for macro-economic analysis of the impact of legislation (Rept. 112-383). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 1734. A bill to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes; with an amendment (Rept. 112-384, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶13.34 TIME LIMITATION OF REFERRED
BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 2586. Referral to the Committee on Agriculture extended for a period ending not later than February 8, 2012.

H.R. 2682. Referral to the Committee on Agriculture extended for a period ending not later than February 8, 2012.

H.R. 2779. Referral to the Committee on Agriculture extended for a period ending not later than February 8, 2012.

¶13.35 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Oversight and Government Reform and Rules discharged from further consideration. H.R. 1734 referred to the Committee of the Whole House on the state of the Union.

¶13.36 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. MCMORRIS RODGERS (for herself, Mr. THOMPSON of California, and Mr. KIND):

H.R. 3859. A bill to amend title XVIII of the Social Security Act to protect and preserve

access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARAMENDI (for himself and Mr. RUSH):

H.R. 3860. A bill to amend title 38, United States Code, to clarify the responsibilities of small businesses with respect to the employment and reemployment rights of veterans; to the Committee on Veterans' Affairs.

By Mr. BENISHEK:

H.R. 3861. A bill to name the front circle drive on the north side of the Oscar G. Johnson Department of Veterans Affairs Medical Facility in Iron Mountain, Michigan, as the "Sergeant First Class James D. Priestap Drive"; to the Committee on Veterans' Affairs.

By Mr. QUAYLE (for himself, Mr. COBLE, and Mr. ROSS of Florida):

H.R. 3862. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND (for himself and Mr. PETRI):

H.R. 3863. A bill to provide for the payment of a benefit to members eligible for participation in the Post-Deployment/Mobilization Respite Absence program for days of non-participation due to Government error; to the Committee on Armed Services.

By Mr. CAMP:

H.R. 3864. A bill to amend the Internal Revenue Code of 1986 to extend authorities relating to the Highway Trust Fund, to provide revenues for highway programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 3865. A bill to amend the Internal Revenue Code of 1986 to extend the American Opportunity Tax Credit; to the Committee on Ways and Means.

By Mr. COHEN (for himself, Mr. FILLNER, Ms. JACKSON LEE of Texas, Ms. MOORE, Ms. LEE of California, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. ISRAEL, Mr. RUSH, Mr. ELLISON, Ms. SEWELL, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. FALCOMAVAEGA, Ms. CHU, Mr. JACKSON of Illinois, Ms. NORTON, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. PAYNE, Ms. SLAUGHTER, Mr. PASTOR of Arizona, Mr. BISHOP of New York, Mr. YARMUTH, Mr. COURTNEY, Mr. CARNAHAN, Mr. WELCH, Mr. PERLMUTTER, Mr. HONDA, Mr. THOMPSON of Mississippi, Mr. CAPUANO, Mr. DOYLE, Ms. WOOLSEY, Mr. TONKO, Mr. CLAY, Ms. RICHARDSON, Mr. BRALEY of Iowa, Mr. HOLDEN, Ms. HAHN, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Mr. FATTAH, and Mr. DAVID SCOTT of Georgia):

H.R. 3866. A bill to award a Congressional Gold Medal in honor of the pioneers and participants of the Civil Rights movement; to the Committee on Financial Services, and in addition to the Committee on House Admin-

istration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Georgia (for himself, Mr. PAUL, Mr. WESTMORELAND, Mr. MULVANEY, Mr. GARRETT, Mr. POE of Texas, Mr. MARCHANT, Mr. ROE of Tennessee, Mr. WILSON of South Carolina, Mr. STUTZMAN, Mr. QUAYLE, Mr. SCHWEIKERT, Mr. WALSH of Illinois, Mr. CULBERSON, Mr. POSEY, Mr. WOODALL, Mr. PRICE of Georgia, Mr. KING of Iowa, Mr. RIBBLE, and Mr. GINGREY of Georgia):

H.R. 3867. A bill to amend title 49, United States Code, to require certain air carriers and their agents and ticket agents to disclose certain costs and fees; to the Committee on Transportation and Infrastructure.

By Mr. RUSH:

H.R. 3868. A bill to grant the congressional gold medal to John H. Johnson in recognition of his outstanding contributions to the United States; to the Committee on Financial Services.

By Mr. GRIFFIN of Arkansas (for himself, Mr. ROSS of Arkansas, Mr. CRAWFORD, and Mr. WOMACK):

H.R. 3869. A bill to designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the "Sidney 'Sid' Sanders McMath Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. GRIFFIN of Arkansas (for himself, Mr. ROSS of Arkansas, Mr. CRAWFORD, and Mr. WOMACK):

H.R. 3870. A bill to designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the "Nicky 'Nick' Daniel Bacon Post Office"; to the Committee on Oversight and Government Reform.

By Mr. HUIZENGA of Michigan (for himself, Mr. BACHUS, and Mrs. CAPITO):

H.R. 3871. A bill to amend the Consumer Financial Protection Act of 2010 to preserve privilege for information submitted to the Bureau of Consumer Financial Protection; to the Committee on Financial Services.

By Mr. DANIEL E. LUNGREN of California:

H.R. 3872. A bill to provide a prize to the first manufacturer of highly-efficient mid-sized automobiles powered by gasoline; to the Committee on Energy and Commerce.

By Ms. MOORE:

H.R. 3873. A bill to provide funds to State courts for the provision of legal representation to parents and legal guardians with respect to child welfare cases; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 3874. A bill to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; to the Committee on Natural Resources.

By Mr. PETERS (for himself, Mr. MCNERNEY, and Mr. BISHOP of New York):

H.R. 3875. A bill to amend the Securities Exchange Act of 1934 to require the disclosure of the total number of a company's domestic and foreign employees; to the Committee on Financial Services.

By Mr. RIVERA:

H.R. 3876. A bill to prohibit the Secretary of the Interior from leasing Federal lands to any person who has violated the Trading with the Enemy Act or who conducts business with a state sponsor of terrorism, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHOCK (for himself and Mr. SCHILLING):

H.R. 3877. A bill to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that taxpayers reconcile amounts with respect to reportable payment transactions to amounts related to gross receipts and sales; to the Committee on Ways and Means.

By Mr. SCHRADER:

H.R. 3878. A bill to authorize the Secretary of the Interior to hold in trust for the benefit of the nine federally recognized Indian tribes in Oregon the Chemawa Indian School land and improvements, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER:

H.R. 3879. A bill to provide for streamlining the process of Federal approval for construction or expansion of petroleum refineries, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUAYLE (for himself, Mr. WESTMORELAND, Mr. COLE, Mrs. BLACKBURN, Mr. CANSECO, Mr. BOUTSTANY, Mrs. ADAMS, Mr. GRIMM, Mr. BROOKS, Mr. FARENTHOLD, Mr. FINCHER, Mr. STUTZMAN, Mr. RIBBLE, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. OLSON, Mr. MARCHANT, Mr. GOHMERT, Mr. POMPEO, and Mr. YODER):

H. Res. 532. A resolution expressing the sense of the House of Representatives that the President of the United States should appoint a special counsel to investigate Operation Fast and Furious and the Attorney General's knowledge and management of Operation Fast and Furious; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia (for himself, Ms. MOORE, Ms. MCCOLLUM, Ms. NORTON, Mr. SABLAN, and Mr. CONYERS):

H. Res. 535. A resolution expressing support for designation of the month of February 2011 as "National Teen Dating Violence Awareness and Prevention Month"; to the Committee on the Judiciary.

13.37 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 177: Mr. RIBBLE.
 H.R. 205: Mr. BACA, Mr. INSLEE, and Ms. MCCOLLUM.
 H.R. 265: Mr. FILNER.
 H.R. 266: Mr. FILNER.
 H.R. 267: Mr. FILNER.
 H.R. 284: Mr. LUJÁN.
 H.R. 374: Mr. SOUTHERLAND, Mr. ROGERS of Kentucky, and Mr. SCHWEIKERT.
 H.R. 436: Mr. KINGSTON.
 H.R. 452: Mr. AMODEI.
 H.R. 516: Mr. SCHILLING.
 H.R. 575: Mr. GOSAR.
 H.R. 593: Mr. SAM JOHNSON of Texas.
 H.R. 631: Mr. CLARKE of Michigan and Mr. WAXMAN.
 H.R. 689: Mr. WELCH and Mr. CARSON of Indiana.
 H.R. 724: Ms. HIRONO.
 H.R. 812: Mr. RIBBLE.
 H.R. 831: Mr. QUIGLEY.
 H.R. 860: Mr. FLEMING.
 H.R. 933: Mrs. MALONEY and Ms. WOOLSEY.
 H.R. 941: Mr. LEWIS of Georgia.
 H.R. 1031: Mr. LARSON of Connecticut.
 H.R. 1058: Mrs. CAPITO.
 H.R. 1113: Mr. CLAY.
 H.R. 1142: Mr. KING of New York.
 H.R. 1148: Mr. PAYNE, Ms. MOORE, Mr. WAXMAN, Ms. VELÁZQUEZ, Ms. LINDA T. SÁNCHEZ

of California, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Ms. JACKSON-LEE of Texas, Ms. ROYBAL-ALLARD, Ms. BASS of California, Ms. WILSON of Florida, Mr. CLYBURN, Mr. BISHOP of Georgia, Mrs. CHRISTENSEN, and Mr. AKIN.

H.R. 1179: Mr. SMITH of Texas, Mr. ADERHOLT, Mr. DANIEL E. LUNGREN of California, Mr. STUTZMAN, Mr. SAM JOHNSON of Texas, and Mr. AUSTRIA.

H.R. 1195: Ms. BERKLEY.
 H.R. 1206: Mr. REICHERT and Mr. AMODEI.
 H.R. 1274: Mr. GOSAR.
 H.R. 1283: Mr. BARLETTA.
 H.R. 1288: Mr. MURPHY of Connecticut.
 H.R. 1328: Mr. SCHIFF.
 H.R. 1381: Ms. MOORE.
 H.R. 1404: Ms. CHU, Mr. BACA, and Mr. VAN HOLLEN.

H.R. 1433: Mr. MCCLINTOCK.
 H.R. 1457: Mr. DOGGETT.
 H.R. 1463: Mr. WAXMAN.
 H.R. 1479: Mr. SCHIFF and Mr. TOWNS.
 H.R. 1483: Mr. ACKERMAN.
 H.R. 1501: Mr. DUNCAN of South Carolina.
 H.R. 1511: Mr. CARTER and Mr. OLSON.
 H.R. 1533: Mr. PETERS and Mr. RENACCI.
 H.R. 1558: Mr. PAULSEN.
 H.R. 1580: Mr. COFFMAN of Colorado, Mr. ROSS of Florida, and Mr. LATOURETTE.

H.R. 1639: Mr. PALAZZO.
 H.R. 1653: Mr. WOMACK.
 H.R. 1697: Mr. CRAVAACK and Mr. DUNCAN of Tennessee.

H.R. 1739: Mr. ROHRABACHER.
 H.R. 1744: Mr. ROHRABACHER.
 H.R. 1867: Mr. MCNERNEY.
 H.R. 1873: Mr. MCGOVERN.
 H.R. 1912: Ms. KAPTUR, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, and Mr. ROYCE.

H.R. 1953: Mr. BOREN.
 H.R. 1955: Mr. ROSS of Arkansas.
 H.R. 1997: Mr. AUSTIN SCOTT of Georgia.
 H.R. 2010: Mr. THORNBERRY.

H.R. 2012: Mr. STARK, Ms. RICHARDSON, Ms. MOORE, Mr. MARKEY, Mr. RANGEL, Ms. WILSON of Florida, and Ms. NORTON.
 H.R. 2028: Mr. MCNERNEY.

H.R. 2145: Mr. STUTZMAN, Mr. WILSON of South Carolina, and Mr. GOHMERT.
 H.R. 2168: Ms. LEE of California.
 H.R. 2179: Mr. WITTMAN.
 H.R. 2227: Mr. SULLIVAN.

H.R. 2234: Mr. REYES, Ms. WATERS, Ms. SPEIER, Mr. HONDA, Mrs. MALONEY, Mr. McDERMOTT, Mr. CARSON of Indiana, and Mr. STARK.

H.R. 2310: Ms. SUTTON.
 H.R. 2313: Mr. WEBSTER.
 H.R. 2364: Ms. BALDWIN.
 H.R. 2366: Mr. MURPHY of Pennsylvania.
 H.R. 2394: Mr. PRICE of North Carolina.
 H.R. 2412: Mr. LYNCH.

H.R. 2418: Mr. PENCE, Mr. GRAVES of Missouri, and Mr. NUNES.
 H.R. 2429: Mr. CONAWAY.
 H.R. 2499: Mr. LUJÁN.
 H.R. 2505: Ms. ZOE LOFGREN of California.
 H.R. 2529: Mr. BROUN of Georgia.
 H.R. 2541: Mr. PETRI.
 H.R. 2554: Mr. CLAY.
 H.R. 2741: Mr. STARK.
 H.R. 2746: Ms. CHU, Mr. ACKERMAN, and Mr. KING of New York.

H.R. 2787: Mr. RAHALL, Mr. OLVER, and Mr. MCCOTTER.
 H.R. 2809: Mr. CICILLINE.
 H.R. 2810: Mr. DUNCAN of South Carolina.
 H.R. 2938: Mr. BACA.
 H.R. 2945: Mr. RIBBLE.
 H.R. 3059: Ms. GRANGER, Mr. LOEBSACK, and Mr. AMODEI.

H.R. 3065: Mr. PALAZZO, Mr. COLE, and Mr. COBLE.
 H.R. 3156: Mr. ROHRABACHER.
 H.R. 3187: Mr. ACKERMAN, Ms. MOORE, Ms. LEE of California, Ms. RICHARDSON, Mr. CONYERS, Mr. JACKSON of Illinois, Mr. GENE

GREEN of Texas, Mr. FATTAH, Mr. RANGEL, and Mr. BURGESS.

H.R. 3200: Ms. ROYBAL-ALLARD and Mr. CRITZ.

H.R. 3203: Mr. MATHESON.

H.R. 3236: Mr. LUJÁN.

H.R. 3252: Ms. HOCHUL.

H.R. 3269: Mr. CANSECO and Mr. BOSWELL.

H.R. 3313: Mr. BACA, Ms. WOOLSEY, Mr. HOLDEN, and Mr. MORAN.

H.R. 3324: Ms. BASS of California.

H.R. 3395: Mr. LUETKEMEYER.

H.R. 3410: Mr. DUNCAN of South Carolina.

H.R. 3414: Mr. AUSTIN SCOTT of Georgia and Ms. HAYWORTH.

H.R. 3422: Mr. OLSON, Mr. WILSON of South Carolina, Mr. RIBBLE, Mr. QUAYLE, Mr. SCHWEIKERT, Mrs. LUMMIS, Mr. DUNCAN of South Carolina, Mr. POSEY, Mr. CHABOT, Mr. KING of Iowa, and Mr. GOHMERT.

H.R. 3423: Mr. PAYNE and Ms. MCCOLLUM.

H.R. 3435: Mr. DEUTCH, Mr. COSTA, and Mr. SARBANES.

H.R. 3483: Mr. JOHNSON of Georgia, Mr. COBLE, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. FUDGE, Mr. BISHOP of Georgia, Ms. BASS of California, Mr. WATT, Mr. SCOTT of Virginia, Mr. ELLISON, Mr. DAVID SCOTT of Georgia, Ms. WATERS, Ms. JACKSON LEE of Texas, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. FATTAH, Mr. DOYLE, Mr. CUMMINGS, Ms. EDWARDS, and Mr. CONYERS.

H.R. 3485: Mr. TIERNEY, Ms. SUTTON, and Mr. BISHOP of New York.

H.R. 3511: Mr. LARSON of Connecticut.

H.R. 3523: Mr. COLE and Mr. TURNER of Ohio.

H.R. 3541: Mrs. ELLMERS.

H.R. 3559: Mrs. BIGGERT.

H.R. 3577: Mr. STIVERS and Mr. GERLACH.

H.R. 3587: Mr. BERMAN.

H.R. 3589: Mr. MCCOTTER.

H.R. 3596: Mr. SERRANO, Mr. LUJÁN, Ms. KAPTUR, Mr. DOYLE, Mr. KILDEE, Mrs. MALONEY, Mr. GRIJALVA, Ms. WOOLSEY, Mr. CLAY, Ms. SUTTON, Mr. HOLDEN, Mr. MCDERMOTT, and Mr. CRITZ.

H.R. 3612: Mr. HANNA, Mr. TURNER of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEHAN, and Mr. KING of New York.

H.R. 3614: Mr. POLLS.

H.R. 3627: Mrs. NOEM.

H.R. 3639: Mr. WOODALL.

H.R. 3643: Mr. SCHILLING and Mr. BENISHEK.

H.R. 3662: Mr. KING of New York, Ms. GRANGER, and Mr. THOMPSON of Pennsylvania.

H.R. 3681: Mr. WILSON of South Carolina, Mrs. LUMMIS, Mr. POSEY, Mr. MARCHANT, and Mr. GINGREY of Georgia.

H.R. 3698: Mr. KLINE.

H.R. 3702: Mr. WAXMAN.

H.R. 3704: Mr. STARK and Ms. WOOLSEY.

H.R. 3762: Mr. MCNERNEY.

H.R. 3767: Mr. WILSON of South Carolina, Mr. HASTINGS of Florida, Ms. BUERKLE, and Mr. BOSWELL.

H.R. 3776: Mr. CONYERS.

H.R. 3778: Mr. PEARCE and Mr. WILSON of South Carolina.

H.R. 3795: Ms. NORTON.

H.R. 3796: Mr. KLINE.

H.R. 3803: Mr. SCHILLING, Mr. LATTA, Mr. WILSON of South Carolina, Mr. COLE, Mr. KLINE, Mr. PETERSON, and Mr. BROUN of Georgia.

H.R. 3805: Mr. ALEXANDER, Mrs. ADAMS, Mrs. ELLMERS, Ms. ROS-LEHTINEN, Mr. GOODLATTE, and Mr. CHABOT.

H.R. 3806: Mr. POSEY.

H.R. 3811: Mr. KING of New York, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mr. WOMACK, Mrs. MILLER of Michigan, Mr. MANZULLO, Mr. WILSON of South Carolina, Mr. RIBBLE, Mr. STUTZMAN, Mr. QUAYLE, Mr. SCHWEIKERT, Mr. WALSH of Illinois, Mr. CHABOT, Mr. KING of Iowa, and Mr. ADERHOLT.

H.R. 3814: Mr. GOSAR and Mr. MCCOTTER.

H.R. 3828: Mr. LANDRY, Mr. GINGREY of Georgia, Mr. NEUGEBAUER, Mr. WILSON of South Carolina, Mr. RIBBLE, Mr. STUTZMAN, Mr. GOHMERT, and Mr. WALBERG.

H.R. 3842: Mr. DUNCAN of South Carolina, Mr. KLINE, and Mr. PRICE of Georgia.

H.R. 3855: Mr. TOWNS, Mr. SCHOCK, and Mr. ACKERMAN.

H.R. 3858: Ms. SPEIER, Mr. FILNER, Mr. SMITH of Washington, Mr. PETERS, Ms. Hahn, Mr. POLIS, Mr. CICILLINE, Mr. LEVIN, Mr. GRIJALVA, Mr. COURTNEY, Mr. HOLT, Ms. HIRONO, Mr. HOYER, Mrs. CHRISTENSEN, Ms. CASTOR of Florida, Mr. CONYERS, Mr. WELCH, Mr. RUPERSBERGER, Mr. STARK, Mr. KIND, Mr. SCHRADER, Mr. COHEN, and Mr. HEINRICH.

H.J. Res. 88: Mr. TIERNEY.

H.J. Res. 90: Mr. TIERNEY.

H.J. Res. 99: Mrs. LUMMIS, Mr. POSEY, Mr. MULVANEY, Mr. WALBERG, Mr. MARCHANT, Mr. WILSON of South Carolina, and Mr. STUTZMAN.

H. Con. Res. 98: Mr. BROOKS and Mr. MARCHANT.

H. Res. 134: Mr. BASS of New Hampshire.

H. Res. 374: Mr. DIAZ-BALART.

H. Res. 460: Mr. BENISHEK, Ms. LORETTA SANCHEZ of California, Ms. SEWELL, Ms. CLARKE of New York, Ms. BALDWIN, Ms. BERKLEY, Mrs. CAPPS, Ms. MOORE, Ms. SCHKOWSKY, and Mr. SMITH of Washington.

H. Res. 524: Mr. CRITZ.

H. Res. 528: Mr. LATTA and Mr. DANIEL E. LUNGREN of California.

H. Res. 531: Mr. BISHOP of New York, Ms. SLAUGHTER, and Mr. MCGOVERN.

¶13.38 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3784: Ms. FUDGE.

THURSDAY, FEBRUARY 2, 2012 (14)

¶14.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. POE of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

February 2, 2012.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶14.2 RECESS—11:07 A.M.

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 7 minutes a.m., until noon.

¶14.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶14.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, February 1, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶14.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4801. A letter from the Acting Director, Policy Issuances Division, Department of Agriculture, transmitting the Department's final rule — Classes of Poultry [Docket No.: FSIS-2007-0048] (RIN: 0583-AC83) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4802. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Lists of Regions Classified With Respect to Certain Animal Diseases and States Approved To Receive Certain Imported Horses [Docket No.: APHIS-2009-0035] (RIN: 0579-AD05) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4803. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus subtilis* strain CX-9060; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0104; FRL-9330-9] received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4804. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Hong Kong pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4805. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Housing Goals: Mortgage Reporting Amendments (RIN: 2590-AA48) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4806. A letter from the Executive Secretary, National Labor Relations Board, transmitting the Board's final rule — Representation-Case Procedures (RIN: 3142-AA08) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4807. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Automatic Commercial Ice Makers [Docket No.: EERE-2010-BT-TP-0036] (RIN: 1904-AC38) received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4808. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Applications for Food and Drug Administration Approval To Market a New Drug; Revision of Postmarketing Reporting Requirements-Discontinuance [Docket No.: FDA-2011-N-0898] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4809. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Rome; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2011-0849-201153(a); FRL-9617-2] received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4810. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Colorado: Smoke, Opacity and Sulfur Dioxide Rule Revisions; Regulation 1 [EPA-R08-OAR-2011-0588; FRL-9614-8] received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4811. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New Mexico: Final Authorization of State-initiated Changes and Incorporation-by-Reference of State Hazardous Waste Management Program [EPA-R06-RCRA-2011-0407; FRL-9613-6] received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4812. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0789; FRL-9615-5] received January 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4813. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2 and 95 of the Commission's Rules to Provide Additional Spectrum for the Medical Device Radiocommunication Service in the 413-457 MHz band [ET Docket No.: 09-36] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4814. A letter from the Assistant Secretary, Department of Defense, transmitting a letter of justification for the implementation of Cooperative Threat Reduction; to the Committee on Foreign Affairs.

4815. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006; to the Committee on Foreign Affairs.

4816. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 205th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

4817. A letter from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting the Fellowship's Performance and Accountability Report and Financial Statements for the years 2011 and 2010; to the Committee on Oversight and Government Reform.

4818. A letter from the Executive Analyst, Department of Health and Human Services, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4819. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting seven reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4820. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-55; Introduction [Docket: FAR 2001-0076; Sequence 7] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4821. A letter from the Chief Acquisition Officer, General Services Administration,

transmitting the Administration's final rule — Federal Acquisition Regulation; Preventing Abuse of Interagency Contracts [FAC 2005-55; FAR Case 2008-032; Item I; Docket 2010-0107, Sequence 1] (RIN: 9000-AL69) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4822. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Transition to the System for Award Management (SAM) [FAC 2005-551 FAR Case 2011-021; Item II; Docket 2011-0021, Sequence 1] (RIN: 9000-AM14) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4823. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Declassification of National Security Information [FDMS NARA-11-0001] (RIN: 3095-AB64) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4824. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Extension of Statutory Period For Compensation For Certain Disabilities Due To Undiagnosed Illnesses and Medically Unexplained Chronic Multi-Symptom Illnesses (RIN: 2900-AO09) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4825. A letter from the Senior Advisor for Regulations, Social Security Administration, transmitting the Administration's final rule — Revisions to Rules of Conduct and Standards of Responsibility for Representatives [Docket No.: SSA-2011-0016] (RIN: 0960-AH32) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶14.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MCCLINTOCK, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 2012.
Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 2, 2012 at 9:40 a.m.:

That the Senate passed S. 1296.
That the Senate passed without amendment H.R. 588.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶14.7 PROVIDING FOR CONSIDERATION OF H.R. 3578 AND H.R. 3582

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 534):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline. All points of order against consideration of the bill are waived. In lieu of the

amendment in the nature of a substitute recommended by the Committee on the Budget now printed in the bill, an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112-9 dated January 25, 2012, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Jackson Lee of Texas or her designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3582) to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Budget now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112-10 dated January 25, 2012. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate, Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mr. McCLINTOCK, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 238 affirmative } Nays 177

¶14.8 [Roll No. 21]

YEAS—238

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

- Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield

NAYS—177

- Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Boren, Boswell, Brady (PA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Donnelly (IN), Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Frank (MA), Fudge, Garamendi, Gonzalez, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Heinrich, Higgins, Himes, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Inslie, Jackson (IL), Jackson Lee, Jackson Lee (TX), Johnson (GA), Johnson, E. B., Keating, Kildee, Kind, Kissell, Kucinich, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Loebsack, Lofgren, Zoe, Loney, Lujan, Lynch, Maloney, Markey, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McNeerney, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Napolitano, Neal, Owens

NOT VOTING—17

- Aderholt, Braley (IA), Carson (IN), Clyburn, Filner, Hinchey, Honda, Israel, Kaptur, Langevin, Mack, Oliver, Paul, Rothman (NJ), Roybal-Allard, Sires, Smith (NJ)

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. McCLINTOCK, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 238 affirmative } Nays 179

¶14.9 [Roll No. 22]

AYES—238

- Adams, Aderholt, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gintyre, Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Brady (TX), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, Latta, Lewis (CA), LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Manullo, Marchant, Marino, Matheson, McCarthy (CA), McCaul, McClintock, McConerty, McHenry, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem

NOES—179

- Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Castor (FL), Chandler, Chu, Cicilline, Brown (FL), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Gohmert, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (FL), Royce, Runyan, Scalise, Schilling, Schmidt, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (TX), Southerland, Stearns, Stivers, Stutzman

Connolly (VA)	Jackson Lee (TX)	Polis	Bartlett	Green, Gene	Pallone	Jordan	Myrick	Schock
Conyers	Johnson (GA)	Price (NC)	Bass (CA)	Grijalva	Pascarell	Kelly	Neugebauer	Schweikert
Cooper	Johnson, E. B.	Quigley	Becerra	Pastor (AZ)	Pastor (AZ)	King (IA)	Noem	Scott (SC)
Costa	Keating	Rahall	Berkley	Hahn	Payne	King (NY)	Nugent	Scott, Austin
Costello	Kildee	Rangel	Berman	Hall	Pearce	Kingston	Nunes	Sensenbrenner
Courtney	Kind	Reyes	Bishop (GA)	Hanabusa	Pelosi	Kinzinger (IL)	Nunnelee	Sessions
Critz	Kucinich	Richardson	Bishop (NY)	Hastings (FL)	Perlmutter	Kline	Olson	Shimkus
Crowley	Langevin	Richmond	Blumenauer	Heinrich	Peters	Labrador	Palazzo	Shuster
Cuellar	Larsen (WA)	Ross (AR)	Boren	Higgins	Peterson	Lamborn	Paulsen	Simpson
Cummings	Larsen (CT)	Ruppersberger	Boswell	Himes	Pingree (ME)	Lance	Pence	Smith (NE)
Davis (CA)	Lee (CA)	Rush	Brady (PA)	Hinojosa	Polis	Landry	Petri	Smith (NJ)
Davis (IL)	Levin	Ryan (OH)	Braley (IA)	Hirono	Price (NC)	Lankford	Pitts	Smith (TX)
DeFazio	Lewis (GA)	Sanchez, Linda	Brown (FL)	Hochul	Quigley	Latham	Platts	Southerland
DeGette	Lipinski	T.	Butterfield	Holden	Rahall	LaTourette	Poe (TX)	Stearns
DeLauro	Loebsack	Sanchez, Loretta	Capps	Holt	Rangel	Latta	Pompeo	Stivers
Deutch	Lofgren, Zoe	Sarbanes	Cardoza	Honda	Reyes	Lewis (CA)	Posey	Stutzman
Dicks	Lowe	Schakowsky	Carnahan	Hoyer	Richardson	LoBiondo	Price (GA)	Sullivan
Dingell	Lujan	Schiff	Carney	Inslee	Richmond	Long	Quayle	Terry
Doggett	Lynch	Schrader	Castor (FL)	Jackson (IL)	Ruppersberger	Lucas	Reed	Thompson (PA)
Donnelly (IN)	Maloney	Schwartz	Chandler	Jackson Lee (TX)	Rush	Lummis	Reichert	Thornberry
Doyle	Markey	Scott (VA)	Chu	Johnson (GA)	Ryan (OH)	Lungren, Daniel	Renacci	Tiberi
Edwards	Matsui	Scott, David	Ciulline	Johnson, E. B.	Sanchez, Linda	E.	Ribble	Tipton
Ellison	McCarthy (NY)	Serrano	Clarke (MI)	Keating	T.	Manzullo	Rigell	Tsongas
Engel	McCollum	Sewell	Clarke (NY)	Kildee	Sanchez, Loretta	Marchant	Rivera	Turner (NY)
Eshoo	McDermott	Sherman	Clay	Kind	Sarbanes	Marino	Roby	Turner (OH)
Farr	McGovern	Shuler	Cleaver	Kissell	Schakowsky	Matheson	Roe (TN)	Upton
Fattah	McIntyre	Slaughter	Clyburn	Kucinich	Schiff	McCarthy (CA)	Rogers (AL)	Walberg
Frank (MA)	McNerney	Smith (WA)	Cohen	Langevin	Schrader	McCaul	Rogers (KY)	Walden
Fudge	Meeks	Speier	Connolly (VA)	Larsen (WA)	Schwartz	McClintock	Rogers (MI)	Walsh (IL)
Garamendi	Michaud	Stark	Coopers	Larson (CT)	Scott (VA)	McCotter	Rohrabacher	Webster
Gonzalez	Miller (NC)	Sutton	Conyers	Lee (CA)	Scott, David	McHenry	Rokita	West
Green, Al	Miller, George	Thompson (CA)	Costa	Levin	Serrano	McKeon	Rooney	Westmoreland
Green, Gene	Moore	Thompson (MS)	Costello	Lewis (GA)	Sewell	McKinley	Ros-Lehtinen	Whitfield
Grijalva	Moran	Tierney	Courtney	Lipinski	Sherman	McMorris	Roskam	Wilson (SC)
Gutierrez	Murphy (CT)	Tonko	Critz	Loebsack	Shuler	Rodgers	Ross (AR)	Wittman
Hahn	Nadler	Towns	Crowley	Lofgren, Zoe	Slaughter	Meehan	Ross (FL)	Wolf
Hanabusa	Napolitano	Tsongas	Cuellar	Lowe	Smith (WA)	Mica	Royce	Womack
Hastings (FL)	Neal	Van Hollen	Cummings	Lujan	Speier	Miller (FL)	Runyan	Woodall
Heinrich	Neal	Velazquez	Davis (CA)	Lynch	Stark	Miller (MI)	Ryan (WI)	Yoder
Higgins	Olver	Walz (MN)	Davis (IL)	Maloney	Sutton	Miller, Gary	Scalise	Young (FL)
Himes	Owens	Walz (MN)	DeFazio	Markey	Thompson (CA)	Mulvaney	Schilling	Young (IN)
Hinojosa	Pallone	Wasserman	DeGette	Matsui	Thompson (MS)	Murphy (PA)	Schmidt	
Hochul	Pascarell	Schultz	Pastor (AZ)	McCarthy (NY)	Tierney			
Holden	Payne	Waters	Watt	McCollum	Tonko			
Holt	Pelosi	Watt	Waxman	McDermott	Towns			
Honda	Perlmutter	Welch	Dingell	McGovern	Van Hollen			
Hoyer	Peters	Wilson (FL)	Doggett	McIntyre	Velazquez			
Inslee	Peterson	Woolsey	Donnelly (IN)	McNerney	Visclosky			
Jackson (IL)	Pingree (ME)	Yarmuth	Doyle	Meeks	Walz (MN)			
			Edwards	Michaud	Wasserman			
			Ellison	Miller (NC)	Schultz			
			Engel	Miller, George	Waters			
			Eshoo	Moore	Watt			
			Farr	Moran	Waxman			
			Fattah	Murphy (CT)	Welch			
			Frank (MA)	Nadler	Wilson (FL)			
			Fudge	Napolitano	Woolsey			
			Garamendi	Neal	Yarmuth			
			Gonzalez	Olver	Young (AK)			
			Green, Al	Owens				

NOT VOTING—15

Akin	Hirono	Paul
Carson (IN)	Israel	Rothman (NJ)
Davis (KY)	Kaptur	Roybal-Allard
Filner	LaTourette	Sires
Hinchee	Mack	Smith (NJ)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶14.10 MOTION TO INSTRUCT CONFEREES TO H.R. 3630—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. MICHAUD, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 184
negative } Nays 236

¶14.11 [Roll No. 23]

YEAS—184

Ackerman	Andrews	Baldwin
Altmire	Baca	Barrow

NAYS—236

Adams	Carter	Garrett
Aderholt	Cassidy	Gerlach
Akin	Chabot	Gibbs
Alexander	Chaffetz	Gibson
Amodei	Coble	Gingrey (GA)
Austria	Coffman (CO)	Gohmert
Bachmann	Cole	Goodlatte
Bachus	Conaway	Gosar
Barletta	Cravaack	Gowdy
Barton (TX)	Crawford	Granger
Bass (NH)	Crenshaw	Graves (GA)
Benishek	Culberson	Graves (MO)
Berg	Davis (KY)	Griffin (AR)
Biggett	Denham	Griffith (VA)
Bilbray	Dent	Grimm
Bilirakis	DesJarlais	Guinta
Bishop (UT)	Diaz-Balart	Guthrie
Black	Dold	Hanna
Blackburn	Dreier	Harper
Bonner	Duffy	Harris
Bono Mack	Duncan (SC)	Hartzler
Boustany	Duncan (TN)	Hastings (WA)
Brady (TX)	Ellmers	Hayworth
Brooks	Emerson	Heck
Broun (GA)	Farenthold	Hensarling
Buchanan	Fincher	Herger
Bucshon	Fitzpatrick	Herrera Beutler
Buerkle	Flake	Huelskamp
Burgess	Fleischmann	Huizenga (MI)
Burton (IN)	Fleming	Hultgren
Calvert	Forbes	Hunter
Camp	Fortenberry	Hurt
Campbell	Fox	Issa
Canseco	Franks (AZ)	Johnson (IL)
Cantor	Frelinghuysen	Johnson (OH)
Capito	Gallegly	Johnson, Sam
	Gardner	Jones

NOT VOTING—12

Carson (IN)	Israel	Paul
Filner	Jenkins	Rothman (NJ)
Flores	Kaptur	Roybal-Allard
Hinchee	Mack	Sires

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶14.12 PRO-GROWTH BUDGETING ACT

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to House Resolution 534 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3582) to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation.

The SPEAKER pro tempore, Mr. McCLINTOCK, by unanimous consent, designated Mr. DOLD, as Chairman of the Committee of the Whole; and after some time spent therein,

¶14.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in Part B of House Report 112-383, submitted by Mr. PETERS:

Page 1, line 1, after “SHORT TITLE” insert “; FINDINGS”.

Page 1, line 2, insert “(a) SHORT TITLE.—” before “This Act”.

Page 1, after line 3, insert the following new subsection:

(b) FINDINGS.—Congress finds the following:

Ellmers	Lance	Rivera	Capps	Hirono	Perlmutter	Lungren, Daniel	Petri	Sessions
Emerson	Landry	Roby	Capuano	Hochul	Peters	E.	Pitts	Shimkus
Farenthold	Lankford	Roe (TN)	Carnahan	Holden	Pingree (ME)	Manzullo	Platts	Shuler
Fincher	Latham	Rogers (AL)	Carney	Holt	Polis	Marchant	Poe (TX)	Shuster
Flake	Latta	Rogers (KY)	Castor (FL)	Honda	Price (NC)	Marino	Pompeo	Simpson
Fleischmann	Lewis (CA)	Rogers (MI)	Chandler	Hoyer	Quigley	Matheson	Posey	Smith (NE)
Fleming	LoBiondo	Rohrabacher	Chu	Inslee	Rahall	McCarthy (CA)	Price (GA)	Smith (NJ)
Flores	Long	Rokita	Cicilline	Israel	Rangel	McCaul	Quayle	Smith (TX)
Forbes	Lucas	Rooney	Clarke (MI)	Jackson (IL)	Reyes	McClintock	Reed	Southerland
Fortenberry	Luetkemeyer	Ros-Lehtinen	Clarke (NY)	Jackson Lee	Richardson	McCotter	Rehberg	Stearns
Fox	Lummis	Roskam	Clay	(TX)	Richmond	McHenry	Reichert	Stivers
Franks (AZ)	Lungren, Daniel	Ross (FL)	Cleaver	Johnson (GA)	Ross (AR)	McIntyre	Renacci	Stutzman
Frelinghuysen	E.	Royce	Clyburn	Johnson, E. B.	Ruppersberger	McKeon	Ribble	Terry
Galleghy	Manzullo	Runyan	Cohen	Keating	Rush	McKinley	Rigell	Thompson (PA)
Gardner	Marchant	Ryan (WI)	Connolly (VA)	Kildee	Ryan (OH)	McMorris	Rivera	Thornberry
Garrett	Marino	Scalise	Conyers	Kind	Sánchez, Linda	Rodgers	Roby	Tiberi
Gerlach	Matheson	Schilling	Costello	Kissell	T.	Meehan	Roe (TN)	Tipton
Gibbs	McCarthy (CA)	Schmitt	Courtney	Kucinich	Sanchez, Loretta	Mica	Rogers (AL)	Turner (NY)
Gingrey (GA)	McCaul	Schweikert	Critz	Langevin	Sarbanes	Miller (FL)	Rogers (KY)	Turner (OH)
Gohmert	McClintock	Scott (SC)	Crowley	Larsen (WA)	Schakowsky	Miller (MI)	Rogers (MI)	Upton
Goodlatte	McCotter	Scott (SC)	Cuellar	Larson (CT)	Schiff	Miller, Gary	Rohrabacher	Walberg
Gosar	McHenry	Scott, Austin	Cummings	Lee (CA)	Schilling	Mulvaney	Rokita	Walden
Gowdy	McIntyre	Sensenbrenner	Davis (CA)	Levin	Schrader	Murphy (PA)	Rooney	Walsh (IL)
Granger	McKeon	Sessions	Davis (IL)	Lewis (GA)	Schwartz	Myrick	Ros-Lehtinen	Webster
Graves (GA)	McKinley	Shuler	DeFazio	Lipinski	Scott (VA)	Neugebauer	Roskam	West
Graves (MO)	McMorris	Shuster	DeGette	Loebback	Scott, David	Noem	Ross (FL)	Westmoreland
Griffin (AR)	Rodgers	Simpson	DeLauro	Lofgren, Zoe	Serrano	Nugent	Royce	Whitfield
Griffith (VA)	Meehan	Smith (NE)	Deutch	Lowey	Sewell	Nunes	Runyan	Wilson (SC)
Grimm	Mica	Smith (NJ)	Dingell	Lujan	Slaughter	Nunnelee	Ryan (WI)	Wittman
Guinta	Miller (FL)	Smith (TX)	Doggett	Lynch	Smith (WA)	Olson	Scalise	Wolf
Guthrie	Miller (MI)	Southerland	Doyle	Maloney	Speier	Owens	Schmidt	Womack
Hall	Miller, Gary	Stearns	Edwards	Markley	Stark	Palazzo	Schock	Woodall
Hanna	Mulvaney	Stivers	Ellison	Matsui	Sutton	Paulsen	Schweikert	Yoder
Harper	Murphy (PA)	Stutzman	Engel	McCarthy (NY)	Thompson (CA)	Pearce	Scott (SC)	Young (AK)
Harris	Myrick	Sullivan	Eshoo	McCollum	Thompson (MS)	Pence	Scott, Austin	Young (FL)
Hartzier	Neugebauer	Terry	Farr	McDermott	Tierney	Peterson	Sensenbrenner	Young (IN)
Hastings (WA)	Noem	Thompson (PA)	Fattah	McGovern	Tonko			
Hayworth	Nugent	Thornberry	Frank (MA)	McNerney	Towns			
Heck	Nunes	Tiberi	Fudge	Meeks	Tsongas	Berg	Garamendi	Paul
Hensarling	Nunnelee	Tipton	Gibson	Michaud	Van Hollen	Canseco	Hinchey	Rothman (NJ)
Herger	Olson	Turner (NY)	Gonzalez	Miller, George	Velázquez	Cardoza	Kaptur	Roybal-Allard
Herrera Beutler	Palazzo	Turner (OH)	Green, Al	Moore	Visclosky	Carson (IN)	Mack	Sherman
Huelskamp	Paulsen	Upton	Green, Gene	Moran	Walz (MN)	Dicks	Miller (NC)	Sires
Huizenga (MI)	Pearce	Walberg	Grijalva	Murphy (CT)	Wasserman	Filner	Pascrell	Sullivan
Hultgren	Pence	Walden	Gutierrez	Nadler	Schultz			
Hunter	Peterson	Walsh (IL)	Hahn	Napolitano	Waters			
Hurt	Petri	Webster	Hanabusa	Neal	Watt			
Issa	Pitts	West	Hastings (FL)	Oliver	Waxman			
Jenkins	Platts	Westmoreland	Heinrich	Pallone	Welch			
Johnson (OH)	Poe (TX)	Whitfield	Higgins	Pastor (AZ)	Wilson (FL)			
Johnson, Sam	Pompeo	Wilson (SC)	Himes	Payne	Woolsey			
Jordan	Posey	Wittman	Hinojosa	Pelosi	Yarmuth			
Kelly	Price (GA)	Wolf						
King (IA)	Quayle	Womack	Adams	Costa	Guinta			
King (NY)	Reed	Woodall	Aderholt	Cravaack	Guthrie			
Kingston	Rehberg	Yoder	Akin	Crawford	Hall			
Kinzinger (IL)	Reichert	Young (AK)	Alexander	Crenshaw	Hanna			
Kline	Renacci	Young (FL)	Amash	Culberson	Harper			
Labrador	Ribble	Young (IN)	Amodei	Davis (KY)	Harris			
Lamborn	Rigell		Austria	Denham	Hartzler			

NOT VOTING—18

Berg	Filner	Pascrell
Canseco	Gutierrez	Paul
Capuano	Hinchey	Rothman (NJ)
Cardoza	Kaptur	Roybal-Allard
Carnahan	LaTourette	Schock
Carson (IN)	Mack	Sires

So the amendment was not agreed to.

14.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in Part B of House Report 112-383, submitted by Ms. FUDGE:

Page 2, line 14, strike "and" and on line 15, before the period, insert ", and income inequality".

Page 3, line 7, strike "and" and on line 8, insert ", and income inequality" after "tax revenues".

It was decided in the { Yeas 171 negative 243

14.18 [Roll No. 26]

AYES—171

Ackerman	Bass (CA)	Blumenauer
Altmire	Becerra	Boswell
Andrews	Berkley	Brady (PA)
Baca	Berman	Braley (IA)
Baldwin	Bishop (GA)	Brown (FL)
Barrow	Bishop (NY)	Butterfield

NOES—243

Adams	Costa
Aderholt	Cravaack
Akin	Crawford
Alexander	Crenshaw
Amash	Culberson
Amodei	Davis (KY)
Austria	Denham
Bachmann	Dent
Bachus	DesJarlais
Barletta	Diaz-Balart
Bartlett	Dold
Barton (TX)	Donnelly (IN)
Bass (NH)	Dreier
Benishke	Duffy
Biggart	Duncan (SC)
Bilbray	Duncan (TN)
Bilirakis	Ellmers
Bishop (UT)	Emerson
Black	Farenthold
Blackburn	Fincher
Bonner	Fitzpatrick
Bono Mack	Flake
Boren	Fleischmann
Boustany	Fleming
Brady (TX)	Flores
Brooks	Forbes
Broun (GA)	Fortenberry
Buchanan	Fox
Buchson	Franks (AZ)
Buerkle	Frelinghuysen
Burgess	Galleghy
Burton (IN)	Gardner
Calvert	Garrett
Camp	Gerlach
Campbell	Gibbs
Cantor	Gingrey (GA)
Capito	Gohmert
Carter	Goodlatte
Cassidy	Gosar
Chabot	Gowdy
Chaffetz	Granger
Coble	Graves (GA)
Coffman (CO)	Graves (MO)
Cole	Griffin (AR)
Conaway	Griffith (VA)
Cooper	Grimm

Costa	Guinta
Cravaack	Guthrie
Crawford	Hall
Crenshaw	Hanna
Culberson	Harper
Davis (KY)	Harris
Denham	Hartzler
Dent	Hastings (WA)
DesJarlais	Hayworth
Diaz-Balart	Heck
Dold	Hensarling
Donnelly (IN)	Herger
Dreier	Herrera Beutler
Duffy	Huelskamp
Duncan (SC)	Huizenga (MI)
Duncan (TN)	Hultgren
Ellmers	Hunter
Emerson	Hurt
Farenthold	Issa
Fincher	Jenkins
Fitzpatrick	Johnson (IL)
Flake	Johnson (OH)
Fleischmann	Johnson, Sam
Fleming	Jones
Flores	Jordan
Forbes	Kelly
Fortenberry	King (IA)
Fox	King (NY)
Franks (AZ)	Kingston
Frelinghuysen	Kinzinger (IL)
Galleghy	Kline
Gardner	Labrador
Garrett	Lamborn
Gerlach	Lance
Gibbs	Landry
Gingrey (GA)	Lankford
Gohmert	Latham
Goodlatte	LaTourette
Gosar	Latta
Gowdy	Lewis (CA)
Granger	LoBiondo
Graves (GA)	Long
Graves (MO)	Lucas
Griffin (AR)	Luetkemeyer
Griffith (VA)	Lummis
Grimm	

So the amendment was not agreed to.

14.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in Part B of House Report 112-383, submitted by Ms. JACKSON LEE of Texas:

Page 2, line 18, after the period insert the following new sentence: "The analysis shall also include estimates of the potential impact, if any, on HUBZones (as such term is defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p)))".

It was decided in the { Yeas 173 negative 243

14.20 [Roll No. 27]

AYES—173

Ackerman	Cleaver	Gonzalez
Altmire	Clyburn	Green, Al
Andrews	Cohen	Green, Gene
Baca	Connolly (VA)	Grijalva
Baldwin	Conyers	Gutierrez
Barletta	Costello	Hahn
Barrow	Courtney	Hanabusa
Bartlett	Critz	Harris
Bass (CA)	Crowley	Hastings (FL)
Becerra	Cuellar	Heinrich
Berkley	Cummings	Higgins
Berman	Davis (CA)	Himes
Bishop (GA)	Davis (IL)	Hinojosa
Bishop (NY)	DeFazio	Hirono
Blumenauer	DeGette	Hochul
Boswell	DeLauro	Holden
Brady (PA)	Deutch	Holt
Braley (IA)	Dicks	Honda
Brown (FL)	Dingell	Hoyer
Butterfield	Doggett	Inslee
Capps	Doyle	Israel
Capuano	Edwards	Jackson (IL)
Carnahan	Ellison	Jackson Lee
Castor (FL)	Engel	(TX)
Chandler	Eshoo	Johnson (GA)
Chu	Farr	Johnson, E. B.
Cicilline	Fattah	Jones
Clarke (MI)	Frank (MA)	Keating
Clarke (NY)	Fudge	Kildee
Clay	Garamendi	Kissell

Kucinich	Olver	Scott (VA)	Sensenbrenner	Sullivan	West	Loeb sack	Pastor (AZ)	Serrano
Langevin	Owens	Scott, David	Sessions	Terry	Westmoreland	Lofgren, Zoe	Pelosi	Sewell
Larsen (WA)	Pallone	Serrano	Shimkus	Thompson (PA)	Whitfield	Lowey	Perlmutter	Sherman
Larson (CT)	Pastor (AZ)	Sewell	Shuler	Thornberry	Wilson (SC)	Lujan	Peters	Slaughter
Lee (CA)	Payne	Sherman	Shuster	Tiberi	Wittman	Lynch	Pingree (ME)	Smith (WA)
Levin	Pelosi	Slaughter	Simpson	Tipton	Wolf	Maloney	Polis	Speier
Lewis (GA)	Perlmutter	Smith (WA)	Smith (NE)	Turner (NY)	Womack	Markey	Price (NC)	Stark
Loeb sack	Peters	Speier	Smith (NJ)	Turner (OH)	Woodall	Matsui	Quigley	Sutton
Lofgren, Zoe	Pingree (ME)	Stark	Smith (TX)	Upton	Yoder	McCarthy (NY)	Rahall	Thompson (CA)
Lowey	Polis	Sutton	Southerland	Walberg	Young (AK)	McCollum	Rangel	Thompson (MS)
Lujan	Price (NC)	Thompson (CA)	Stearns	Walden	Young (FL)	McDermott	Reyes	Tierney
Lynch	Quigley	Thompson (MS)	Stivers	Walsh (IL)	Young (IN)	McGovern	Richardson	Tonko
Maloney	Rahall	Tierney	Stutzman	Webster		McIntyre	Richmond	Towns
Markey	Rangel	Tonko				McNerney	Ross (AR)	Tsongas
Matsui	Reyes	Towns				Meeks	Ruppersberger	Van Hollen
McCarthy (NY)	Richardson	Tsongas				Michaud	Rush	Velázquez
McCollum	Richmond	Van Hollen	Berg	Hinche y	Rothman (NJ)	Miller (NC)	Ryan (OH)	Visclosky
McDermott	Ross (AR)	Velázquez	Broun (GA)	Kaptur	Roybal-Allard	Miller, George	Sánchez, Linda	Walz (MN)
McGovern	Ruppersberger	Visclosky	Canseco	Mack	Sires	Moore	T.	Wasserman
McNerney	Rush	Walz (MN)	Cardoza	Napolitano	Waters	Moran	Sanchez, Loretta	Schultz
Meeks	Ryan (OH)	Wasserman	Carson (IN)	Pascarell		Murphy (CT)	Sarbanes	Schiff
Michaud	Sánchez, Linda	Schultz	Filner	Paul		Nadler	Schakowsky	Schiff
Miller (NC)	T.	Watt				Napoli tano	Schiff	Schiff
Miller, George	Sanchez, Loretta	Waxman				Neal	Schrader	Schrader
Moore	Sarbanes	Welch				Olver	Schwartz	Schwartz
Moran	Schakowsky	Wilson (FL)				Owens	Scott (VA)	Scott (VA)
Murphy (CT)	Schiff	Woolsey				Pallone	Scott, David	Scott, David
Nadler	Schilling	Yarmuth						
Neal	Schwartz							

NOT VOTING—16

So the amendment was not agreed to.

14.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in Part B of House Report 112-383, submitted by Mr. CICCILLINE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Jobs Score Act of 2012”.

SEC. 2. AMENDMENT TO THE CONGRESSIONAL BUDGET ACT OF 1974.

Section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653) is amended—

(1) in paragraph (2), by striking “and”;

(2) in paragraph (3), by striking the period and inserting “; and”;

(3) by inserting after paragraph (3) the following:

“(4) an estimate of the number of jobs which would be created, sustained, or lost in carrying out such bill or resolution in the fiscal year in which it is to become effective and in each of the 4 fiscal years following such fiscal year, together with the basis for each such estimate, and to the extent practicable, the analysis shall include regional and State-level estimates of jobs that would be created, sustained, or lost.”

It was decided in the { Yeas 174
negative Nays 245

14.22 [Roll No. 28] AYES—174

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

Shuster	Thornberry	Whitfield
Simpson	Tiberi	Wilson (SC)
Smith (NE)	Tipton	Wittman
Smith (NJ)	Turner (NY)	Wolf
Smith (TX)	Turner (OH)	Womack
Southerland	Upton	Woodall
Stearns	Walberg	Yoder
Stivers	Walden	Young (AK)
Stutzman	Walsh (IL)	Young (FL)
Sullivan	Webster	Young (IN)
Terry	West	
Thompson (PA)	Westmoreland	

NOT VOTING—13

Cardoza	Mack	Rothman (NJ)
Carson (IN)	Pascrell	Roybal-Allard
Filner	Paul	Sires
Hinchev	Payne	
Kaptur	Ros-Lehtinen	

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. BASS of New Hampshire, assumed the Chair.

When Mr. FLEISCHMANN, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pro-Growth Budgeting Act of 2012".

SEC. 2. MACROECONOMIC IMPACT ANALYSES.

(a) IN GENERAL.—Part A of title IV of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"MACROECONOMIC IMPACT ANALYSIS OF MAJOR LEGISLATION

"SEC. 407. (a) CONGRESSIONAL BUDGET OFFICE.—The Congressional Budget Office shall, to the extent practicable, prepare for each major bill or resolution reported by any committee of the House of Representatives or the Senate (except the Committee on Appropriations of each House), as a supplement to estimates prepared under section 402, a macroeconomic impact analysis of the budgetary effects of such bill or resolution for the ten fiscal-year period beginning with the first fiscal year for which an estimate was prepared under section 402 and each of the next three ten fiscal-year periods. Such estimate shall be predicated upon the supplemental projection described in section 202(e)(4). The Director shall submit to such committee the macroeconomic impact analysis, together with the basis for the analysis. As a supplement to estimates prepared under section 402, all such information so submitted shall be included in the report accompanying such bill or resolution.

"(b) ECONOMIC IMPACT.—The analysis prepared under subsection (a) shall describe the potential economic impact of the applicable major bill or resolution on major economic variables, including real gross domestic product, business investment, the capital stock, employment, interest rates, and labor supply. The analysis shall also describe the potential fiscal effects of the bill or resolution, including any estimates of revenue increases or decreases resulting from changes in gross domestic product. To the extent practicable, the analysis should use a variety of economic models in order to reflect the full range of possible economic outcomes resulting from the bill or resolution. The analysis (or a technical appendix to the analysis) shall specify the economic and econometric

models used, sources of data, relevant data transformations, and shall include such explanation as is necessary to make the models comprehensible to academic and public policy analysts.

"(c) DEFINITIONS.—As used in this section—

"(1) the term 'macroeconomic impact analysis' means—

"(A) an estimate of the changes in economic output, employment, interest rates, capital stock, and tax revenues expected to result from enactment of the proposal;

"(B) an estimate of revenue feedback expected to result from enactment of the proposal; and

"(C) a statement identifying the critical assumptions and the source of data underlying that estimate;

"(2) the term 'major bill or resolution' means any bill or resolution if the gross budgetary effects of such bill or resolution for any fiscal year in the period for which an estimate is prepared under section 402 is estimated to be greater than .25 percent of the current projected gross domestic product of the United States for any such fiscal year;

"(3) the term 'budgetary effect', when applied to a major bill or resolution, means the changes in revenues, outlays, deficits, and debt resulting from that measure; and

"(4) the term 'revenue feedback' means changes in revenue resulting from changes in economic growth as the result of the enactment of any major bill or resolution."

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget Act of 1974 is amended by inserting after the item relating to section 406 the following new item:

"Sec. 407. Macroeconomic impact analysis of major legislation."

SEC. 3. ADDITIONAL CBO REPORT TO BUDGET COMMITTEES.

Section 202(e) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraphs:

"(4)(A) After the President's budget submission under section 1105(a) of title 31, United States Code, in addition to the baseline projections, the Director shall submit to the Committees on the Budget of the House of Representatives and the Senate a supplemental projection assuming extension of current tax policy for the fiscal year commencing on October 1 of that year with a supplemental projection for the 10 fiscal-year period beginning with that fiscal year, assuming the extension of current tax policy.

"(B) For the purposes of this paragraph, the term 'current tax policy' means the tax policy in statute as of December 31 of the current year assuming—

"(i) the budgetary effects of measures extending the Economic Growth and Tax Relief Reconciliation Act of 2001;

"(ii) the budgetary effects of measures extending the Jobs and Growth Tax Relief Reconciliation Act of 2003;

"(iii) the continued application of the alternative minimum tax as in effect for taxable years beginning in 2011 pursuant to title II of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, assuming that for taxable years beginning after 2011 the exemption amount shall equal—

"(I) the exemption amount for taxable years beginning in 2011, as indexed for inflation; or

"(II) if a subsequent law modifies the exemption amount for later taxable years, the modified exemption amount, as indexed for inflation; and

"(iv) the budgetary effects of extending the estate, gift, and generation-skipping transfer tax provisions of title III of the Tax Relief,

Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

"(5) On or before July 1 of each year, the Director shall submit to the Committees on the Budget of the House of Representatives and the Senate, the Long-Term Budget Outlook for the fiscal year commencing on October 1 of that year and at least the ensuing 40 fiscal years."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BOSWELL moved to recommit the bill to the Committee on the Budget with instructions to report the bill back to the House forthwith with the following amendment:

After section 407(b) of the Congressional Budget Act of 1974 as added by section 2, insert the following new subsection (c) (and redesignate succeeding subsections accordingly):

"(c) IMPACTS ON MEDICARE BENEFITS, BENEFICIARIES, THE SOCIAL SECURITY AND MEDICARE TRUST FUNDS.—The Director of the Congressional Budget Office shall prepare for each major bill or resolution reported by any committee of the House of Representatives or the Senate (except the Committee on Appropriations of each House), as a supplement to estimates prepared under section 402, an impact analysis of the budgetary effects of such bill or resolution on Medicare benefits, beneficiaries, the Social Security and Medicare Trust Funds for the ten fiscal year period beginning with the first fiscal year for which an estimate was prepared under section 402 and each of the next three ten fiscal-year periods. The Director shall submit to such committee the impact analysis, together with the basis for the analysis. As a supplement to estimates prepared under section 402, all such information so submitted shall be included in the report accompanying such bill or resolution."

After debate, By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the nays had it.

Mr. BOSWELL demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 183 negative } Nays 237

¶14.23 [Roll No. 29]

AYES—183

Ackerman	Butterfield	Costa
Altmire	Capps	Costello
Andrews	Capuano	Courtney
Baca	Carnahan	Critz
Baldwin	Carney	Crowley
Barrow	Castor (FL)	Cuellar
Bass (CA)	Chandler	Cummings
Becerra	Chu	Davis (CA)
Berkley	Cielline	Davis (IL)
Berman	Clarke (MI)	DeFazio
Bishop (GA)	Clarke (NY)	DeGette
Bishop (NY)	Clay	DeLauro
Blumenauer	Cleaver	Deutch
Boren	Clyburn	Dicks
Boswell	Cohen	Dingell
Brady (PA)	Connolly (VA)	Doggett
Braley (IA)	Conyers	Donnelly (IN)
Brown (FL)	Cooper	Doyle

Edwards Lee (CA) Reyes
Ellison Levin Richardson
Engel Lewis (GA) Richmond
Eshoo Lipinski Ross (AR)
Farr Loeb sack Ruppertsberger
Fattah Lofgren, Zoe Rush
Frank (MA) Lowey Ryan (OH)
Fudge Lujan Sanchez, Linda
Garamendi Lynch T.
Gonzalez Maloney Sanchez, Loretta
Green, Al Markey Sarbanes
Green, Gene Matheson Schakowsky
Grijalva Matsui Schiff
Gutierrez McCarthy (NY) Schrader
Hahn McCollum Schwartz
Hanabusa McDermott Scott (VA)
Hastings (FL) McGovern Scott, David
Heinrich McIntyre Serrano
Higgins Mc Nerney Sherman
Himes Meeks Shuler
Hinojosa Michaud Slaughter
Hirono Miller (NC) Smith (WA)
Hochul Miller, George Speier
Holden Moore Stark
Holt Moran Sutton
Honda Murphy (CT) Thompson (CA)
Inslee Nadler Thompson (MS)
Israel Napolitano Tierney
Jackson (IL) Neal Tonko
Jackson Lee Oliver Towns
(TX) Owens Tsongas
Johnson (GA) Pallone Van Hollen
Johnson, E. B. Pastor (AZ) Velazquez
Jones Payne Visclosky
Kaptur Pelosi Walz (MN)
Keating Perlmutter Wasserman
Kildee Peters Schultz
Kind Peterson Waters
Kissell Pingree (ME) Watt
Kucinich Polis Waxman
Langevin Price (NC) Welch
Larsen (WA) Quigley Wilson (FL)
Larson (CT) Rahall Woolsey
Latham Rangel Yarmuth

NOES—237

Adams Diaz-Balart Hurt
Aderholt Dold Issa
Akin Dreier Jenkins
Alexander Duffy Johnson (IL)
Amash Duncan (SC) Johnson (OH)
Amodei Duncan (TN) Johnson, Sam
Austria Ellmers Jordan
Bachmann Emerson Kelly
Bachus Farenthold King (IA)
Barletta Fincher King (NY)
Bartlett Fitzpatrick Kingston
Barton (TX) Flake Kinzinger (IL)
Bass (NH) Fleischmann Kline
Benishek Fleming Labrador
Berg Flores Lamborn
Biggart Forbes Lance
Bilbray Fortenberry Landry
Bilirakis Foxx Lankford
Bishop (UT) Franks (AZ) LaTourette
Black Frelinghuysen Latta
Blackburn Gallegly Lewis (CA)
Bonner Gardner LoBiondo
Bono Mack Garrett Long
Boustany Gerlach Lucas
Brady (TX) Gibbs Luetkemeyer
Brooks Gibson Lummis
Broun (GA) Gingrey (GA) Lungren, Daniel
Buchanan Gohmert E.
Bucshon Goodlatte Manzullo
Buerkle Gosar Marchant
Burgess Gowdy Marino
Burton (IN) Granger McCarthy (CA)
Calvert Graves (GA) McCaul
Camp Graves (MO) McClintock
Campbell Griffin (AR) McCotter
Canseco Griffith (VA) McHenry
Cantor Grimm McKeon
Capito Guinta McKinley
Carter Guthrie McMorris
Cassidy Hall Rodgers
Chabot Hanna Meehan
Chaffetz Harper Mica
Coble Harris Miller (FL)
Coffman (CO) Hartzler Miller (MI)
Cole Hastings (WA) Miller, Gary
Conaway Hayworth Mulvaney
Cravaack Heck Murphy (PA)
Crawford Hensarling Myrick
Crenshaw Heger Neugebauer
Culberson Herrera Beutler Noem
Davis (KY) Huelskamp Nugent
Denham Huizenga (MI) Nunes
Dent Hultgren Nunnelee
DesJarlais Hunter Olson

Palazzo Paulsen Rooney
Pearce Ros-Lehtinen Sullivan
Pence Roskam Terry
Petri Ross (FL) Thompson (PA)
Pitts Royce Thornberry
Platts Runyan Tiberi
Poe (TX) Ryan (WI) Tipton
Pompeo Scalise Turner (NY)
Price (GA) Schilling Turner (OH)
Quayle Schmitt Upton
Reed Schweikert Waldberg
Rehberg Scott (SC) Walden
Reichert Scott, Austin Walsh (IL)
Renacci Sensenbrenner Webster
Ribble Shimkus Sessions West
Rigell Shuster Westmoreland
Rivera Simpson Whitfield
Roby Smith (NE) Wilson (SC)
Roe (TN) Smith (NJ) Wittman
Rogers (AL) Smith (TX) Wolf
Rogers (KY) Southerland Womack
Rogers (MI) Stearns Woodall
Rohrabacher Stivers Young (AK)
Rokita Stutzman Young (IN)

NOT VOTING—12

Cardoza Hoyer Rothman (NJ)
Carson (IN) Mack Roybal-Allard
Finler Pascrell Sewell
Hincey Paul Sires

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the nays had it.

Mr. GARAMENDI demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 242 Nays 179

14.24 [Roll No. 30]

AYES—242

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

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

NOES—179

Ackerman Fudge Murphy (CT)
Altmire Garamendi Nadler
Andrews Gonzalez Napolitano
Baca Baca Neal
Baldwin Baldwin Green, Al
Bass (CA) Bass (CA) Green, Gene
Becerra Gutierrez Oliver
Berkley Hahn Owens
Berman Hanabusa Pallone
Bishop (GA) Hastings (FL) Pastor (AZ)
Bishop (NY) Heinrich Payne
Blumenauer Higgins Pelosi
Boswell Himes Perlmutter
Brady (PA) Hinojosa Peters
Braley (IA) Hirono Pingree (ME)
Brown (FL) Hochul Polis
Butterfield Holden Price (NC)
Capps Capps Quigley
Capuano Capuano Rahall
Carnahan Carnahan Rangel
Carney Hoyer Reyes
Castor (FL) Castor (FL) Richardson
Chandler Chandler Jackson (IL)
Chu Chu Ross (AR)
Cicilline Cicilline Ruppertsberger
Clarke (MI) Johnson (GA) Rush
Clarke (NY) Johnson, E. B. Ryan (OH)
Clay Clay Sanchez, Linda
Cleaver Cleaver T.
Clyburn Clyburn Sanchez, Loretta
Cohen Cohen Sarbanes
Conolly (VA) Conolly (VA) Schakowsky
Conyers Conyers Schiff
Cooper Cooper Schwartz
Costa Costa Larsen (WA)
Costello Costello Larson (CT)
Courtney Courtney Lee (CA)
Critz Critz Levin
Crowley Lewis (GA) Sewell
Cuellar Cuellar Sherman
Cummings Cummings Shuler
Davis (CA) Davis (CA) Slaughter
Davis (IL) Davis (IL) Smith (WA)
DeFazio DeFazio Lujan Speier
DeGette DeGette Lynch Stark
DeLauro DeLauro Maloney Sutton
Deutch Deutch Markey Thompson (CA)
Dicks Dicks Matsui Thompson (MS)
Dingell Dingell McCarthy (NY) Tierney
Doggett Doggett McColium Tonko
Donnelly (IN) Donnelly (IN) McDermott Towns
Doyle Doyle McGovern Tsongas
Edwards Edwards Mc Nerney Van Hollen
Ellison Ellison Meeks Velazquez
Engel Engel Michaud Visclosky
Eshoo Eshoo Miller (NC) Walz (MN)
Farr Farr Miller, George Wasserman
Fattah Fattah Moore Schultz
Frank (MA) Moran Waters

Watt	Welch	Woolsey
Waxman	Wilson (FL)	Yarmuth

NOT VOTING—11

Cardoza	Mack	Roybal-Allard
Carson (IN)	Pascarell	Sires
Filner	Paul	Yoder
Hinchee	Rothman (NJ)	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶14.25 BUDGET BASELINE

Mr. RYAN of Wisconsin, pursuant to House Resolution 534, called up for consideration the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline.

Pending consideration of said bill,

Pursuant to House Resolution 534, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Budget, printed in the bill, the following amendment in the nature of a substitute, consisting of the text of Rules Committee Print 112-9, was considered as agreed to:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Baseline Reform Act of 2012”.

SEC. 2. THE BASELINE.

Section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“SEC. 257. THE BASELINE.

“(a) IN GENERAL.—(1) For any fiscal year, the baseline refers to a projection of current-year levels of new budget authority, outlays, or receipts and the surplus or deficit for the current year, the budget year, and the ensuing nine outyears based on laws enacted through the applicable date.

“(2) The baselines referred to in paragraph (1) shall be prepared annually.

“(b) DIRECT SPENDING AND RECEIPTS.—For the budget year and each outyear, estimates for direct spending in the baseline shall be calculated as follows:

“(1) IN GENERAL.—Laws providing or creating direct spending and receipts are assumed to operate in the manner specified in those laws for each such year and funding for entitlement authority is assumed to be adequate to make all payments required by those laws.

“(2) EXCEPTIONS.—(A)(I) No program established by a law enacted on or before the date of enactment of the Balanced Budget Act of 1997 with estimated current year outlays greater than \$50,000,000 a year shall be based on scoring by the Committees on the Budget or OMB, as applicable. OMB, CBO, and the Committees on the Budget shall consult on the scoring of such programs where there are differences between CBO and OMB.

“(ii) On the expiration of the suspension of a provision of law that is suspended under section 171 of Public Law 104-127 and that authorizes a program with estimated fiscal year outlays that are greater than \$50,000,000, for purposes of clause (i), the program shall be assumed to continue to operate in the same manner as the program operated immediately before the expiration of the suspension.

“(B) The increase for veterans’ compensation for a fiscal year is assumed to be the

same as that required by law for veterans’ pensions unless otherwise provided by law enacted in that session.

“(C) Excise taxes dedicated to a trust fund, if expiring, are assumed to be extended at current rates.

“(D) If any law expires before the budget year or any outyear, then any program with estimated current year outlays greater than \$50,000,000 that operates under that law shall be assumed to continue to operate under that law as in effect immediately before its expiration.

“(3) HOSPITAL INSURANCE TRUST FUND.—Notwithstanding any other provision of law, the receipts and disbursements of the Hospital Insurance Trust Fund shall be included in all calculations required by this Act.

“(c) DISCRETIONARY SPENDING.—For the budget year and each of the nine ensuing outyears, the baseline shall be calculated using the following assumptions regarding all amounts other than those covered by subsection (b):

“(1) ESTIMATED APPROPRIATIONS.—Budgetary resources other than unobligated balances shall be at the level provided for the budget year in full-year appropriation Acts. If for any account a full-year appropriation has not yet been enacted, budgetary resources other than unobligated balances shall be at the level available in the current year.

“(2) CURRENT-YEAR APPROPRIATIONS.—If, for any account, a continuing appropriation is in effect for less than the entire current year, then the current-year amount shall be assumed to equal the amount that would be available if that continuing appropriation covered the entire fiscal year. If law permits the transfer of budget authority among budget accounts in the current year, the current-year level for an account shall reflect transfers accomplished by the submission of, or assumed for the current year in, the President’s original budget for the budget year.

“(d) UP-TO-DATE CONCEPTS.—In calculating the baseline for the budget year or each of the nine ensuing outyears, current-year amounts shall be calculated using the concepts and definitions that are required for that budget year.

“(e) ASSET SALES.—Amounts realized from the sale of an asset shall not be included in estimates under section 251, 251A, 252, or 253 of this part or section 5 of the Statutory-Pay-As-You-Go Act of 2010 if that sale would result in a financial cost to the Government as determined pursuant to scorekeeping guidelines.”.

SEC. 3. ADDITIONAL CBO REPORT TO BUDGET COMMITTEES.

Section 202(e) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraphs:

“(4)(A) After the President’s budget submission under section 1105(a) of title 31, United States Code, in addition to the baseline projections, the Director shall submit to the Committees on the Budget of the House of Representatives and the Senate a supplemental projection assuming extension of current tax policy for the fiscal year commencing on October 1 of that year with a supplemental projection for the 10 fiscal-year period beginning with that fiscal year, assuming the extension of current tax policy.

“(B) For the purposes of this paragraph, the term ‘current tax policy’ means the tax policy in statute as of December 31 of the current year as-suming—

“(i) the budgetary effects of measures extending the Economic Growth and Tax Relief Reconciliation Act of 2001;

“(ii) the budgetary effects of measures extending the Jobs and Growth Tax Relief Reconciliation Act of 2003;

“(iii) the continued application of the alternative minimum tax as in effect for taxable years beginning in 2011 pursuant to title II of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, assuming that for taxable years beginning after 2011 the exemption amount shall equal—

“(I) the exemption amount for taxable years beginning in 2011, as indexed for inflation; or

“(II) if a subsequent law modifies the exemption amount for later taxable years, the modified exemption amount, as indexed for inflation; and

“(iv) the budgetary effects of extending the estate, gift, and generation-skipping transfer tax provisions of title III of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

“(5) On or before July 1 of each year, the Director shall submit to the Committees on the Budget of the House of Representatives and the Senate, the Long-Term Budget Outlook for the fiscal year commencing on October 1 of that year and at least the ensuing 40 fiscal years.”.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 534, the previous question was ordered on the bill, as amended.

The SPEAKER pro tempore, Mr. HURT, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill, as amended, were postponed.

¶14.26 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 588. An Act to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

And then,

¶14.27 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o’clock and 40 minutes p.m., the House adjourned.

¶14.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DREIER: Committee on Rules. H.R. 3521. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes; with an amendment (Rept. 112-364, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

¶14.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. ROS-LEHTINEN (for herself, Mr. ROYCE, and Mr. CHABOT):

H.R. 3880. A bill to require the imposition of sanctions on foreign financial institutions that are members of an entity that provides

services relating to secure communications, electronic funds transfers, or cable transfers to the Central Bank of Iran or sanctioned financial institutions; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK:

H.R. 3881. A bill to amend the Immigration and Nationality Act to provide authority for immigration judges to terminate proceedings or appoint counsel when necessary for aliens with mental disabilities, and for other purposes; to the Committee on the Judiciary.

By Mr. RIGELL (for himself, Mr. WITTMAN, Mr. HURT, Mr. GOODLATTE, and Mr. GRIFFITH of Virginia):

H.R. 3882. A bill to require inclusion of Lease Sale 220 in the proposed Outer Continental Shelf oil and gas leasing program for the 2012-2017 period, and for other purposes; to the Committee on Natural Resources.

By Mr. BROUN of Georgia (for himself, Mr. WILSON of South Carolina, Mr. CHABOT, Mr. SOUTHERLAND, Mr. FLORES, and Mr. HARRIS):

H.R. 3883. A bill to amend title 31, United States Code, to eliminate the requirement that the President submit a budget to the Congress each year, and for other purposes; to the Committee on the Budget, and in addition to the Committees on House Administration, Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mr. YOUNG of Indiana):

H.R. 3884. A bill to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for the expedited training and licensing of veterans with prior medical training, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAWFORD (for himself and Mr. LUETKEMEYER):

H.R. 3885. A bill to amend the Internal Revenue Code of 1986 to authorize agricultural producers to establish and contribute to tax-exempt farm risk management accounts; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida (for himself, Mr. GRIMM, Mr. SCHRADER, Mr. GRIJALVA, Mr. MORAN, Ms. LEE of California, Mr. KUCINICH, Mr. COHEN, Mr. KISSELL, Ms. BORDALLO, and Ms. NORTON):

H.R. 3886. A bill to expand the workforce of veterinarians specialized in the care and conservation of wild animals and their ecosystems, and to develop educational programs focused on wildlife and zoological veterinary medicine; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself and Mr. COURTNEY):

H.R. 3887. A bill to provide increased funding for the reinsurance for early retirees program; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL:

H.R. 3888. A bill to authorize microenterprise assistance for renewable energy

projects in developing countries; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself and Ms. ZOE LOFGREN of California):

H.R. 3889. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. MCCARTHY of California):

H.R. 3890. A bill to provide for additional Federal district judgeships; to the Committee on the Judiciary.

By Mr. MARKEY (for himself and Mr. SMITH of New Jersey):

H.R. 3891. A bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers; to the Committee on Energy and Commerce.

By Mr. McCLINTOCK (for himself, Mr. SCHIFF, Ms. ESHOO, Ms. LEE of California, Mr. FILNER, Mr. SHERMAN, Mr. BILBRAY, Mr. MCKEON, Mr. ROHRABACHER, Mr. DANIEL E. LUNGREN of California, Mr. DREIER, Mr. CARDOZA, Mr. NUNES, Ms. MATSUI, Mr. HUNTER, Mr. ROYCE, Mr. GALLEGLY, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. WAXMAN, Mr. BERMAN, Ms. SPEIER, Ms. HAHN, Mr. DENHAM, Mr. LEWIS of California, Mr. MCNERNEY, Mr. COSTA, Mr. BACA, Mr. CAMPBELL, Mr. GARAMENDI, Ms. CHU, Ms. BASS of California, Mr. CALVERT, Mr. MCCARTHY of California, Ms. RICHARDSON, Ms. LINDA T. SANCHEZ of California, Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Ms. WOOLSEY, Mrs. BONO MACK, Ms. WATERS, Mr. HONDA, Mr. THOMPSON of California, Ms. PELOSI, Mr. STARK, Mr. FARR, Mrs. DAVIS of California, Mr. HERGER, Mr. BECERRA, and Ms. ZOE LOFGREN of California):

H.R. 3892. A bill to designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the "Private First Class Victor A. Dew Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MULVANEY:

H.R. 3893. A bill to amend the Small Business Act with respect to subcontracting and insourcing, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART (for himself, Ms. ROS-LEHTINEN, Mr. SIRES, and Mr. RIVERA):

H. Res. 536. A resolution condemning the murder of Wilman Villar Mendoza and honoring his sacrifice in the cause of freedom for the Cuban people; to the Committee on Foreign Affairs.

¶14.30 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

179. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 20 memorializing the Congress to enact legislation that classifies forestry management activities as nonpoint sources under the federal

Clean Water Act; to the Committee on Transportation and Infrastructure.

180. Also, a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 21 urging the Congress and the United States Forest Service to take immediate and aggressive action to correct mismanagement of national forestlands; jointly to the Committees on Agriculture and Natural Resources.

¶14.31 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. CLAY.
 H.R. 83: Mr. KUCINICH.
 H.R. 104: Mr. STIVERS.
 H.R. 192: Mr. GUTIERREZ, Mr. CONYERS, Ms. DEGETTE, and Ms. HAHN.
 H.R. 196: Mr. LOEBSACK and Ms. NORTON.
 H.R. 420: Mr. ROKITA.
 H.R. 458: Mr. HEINRICH, Mr. CLAY, Ms. SPEIER, Mr. DAVIS of Illinois, Ms. WASSERMAN SCHULTZ, and Mr. LANGEVIN.
 H.R. 719: Mr. HURT.
 H.R. 733: Ms. CHU, Ms. LORETTA SANCHEZ of California, Ms. WATERS, Mr. BACA, Mr. BECERRA, Ms. VELAZQUEZ, Ms. BASS of California, Mr. GEORGE MILLER of California, Ms. MCCOLLUM, and Ms. SCHWARTZ.
 H.R. 938: Mrs. SCHMIDT.
 H.R. 997: Mr. HUELSKAMP and Mr. RAHALL.
 H.R. 1009: Mr. STEARNS.
 H.R. 1057: Mr. MCGOVERN and Mr. CLAY.
 H.R. 1065: Mrs. CAPITO.
 H.R. 1093: Mr. STIVERS.
 H.R. 1148: Mr. DICKS, Mr. NEAL, Mr. SABLON, Mr. YODER, Mr. PITTS, Mr. FATTAH, and Mr. RIGELL.
 H.R. 1179: Ms. JENKINS, Mr. BUCHANAN, Mr. MARINO, Mr. JORDAN, and Mr. WOLF.
 H.R. 1244: Mr. CULBERSON.
 H.R. 1267: Mr. HUNTER, Ms. HAHN, and Mr. SMITH of Washington.
 H.R. 1278: Mr. HOLT.
 H.R. 1354: Mr. RUSH.
 H.R. 1477: Mr. RUSH.
 H.R. 1489: Mrs. DAVIS of California.
 H.R. 1568: Mr. KEATING and Mr. HOLT.
 H.R. 1588: Mr. LATHAM.
 H.R. 1672: Mr. MCCOTTER, Mr. HUIZENGA of Michigan, Mr. MORAN, Mr. ROSS of Arkansas, Mr. MURPHY of Connecticut, Mr. FRANK of Massachusetts, and Mr. GONZÁLEZ.
 H.R. 1738: Mr. QUTGLEY.
 H.R. 1739: Mr. SMITH of Washington.
 H.R. 1777: Mr. AMODEI, Mr. BROUN of Georgia, Mr. FLEISCHMANN, Mr. GINGREY of Georgia, Mr. HULTGREN, Mrs. McMORRIS RODGERS, Mr. POE of Texas, and Mr. SCHWEIKERT.
 H.R. 1792: Mr. DOLD.
 H.R. 1897: Mr. LATHAM.
 H.R. 1903: Mr. CLAY and Mr. MCNERNEY.
 H.R. 2086: Mr. WATT.
 H.R. 2166: Mr. BUCHANAN.
 H.R. 2168: Mr. SENSENBRENNER.
 H.R. 2182: Ms. TSONGAS.
 H.R. 2238: Mr. HOLDEN and Mr. CRITZ.
 H.R. 2284: Mr. COFFMAN of Colorado and Mr. AMODEI.
 H.R. 2299: Mr. PEARCE.
 H.R. 2335: Mr. BENISHEK.
 H.R. 2364: Mr. ROTHMAN of New Jersey.
 H.R. 2429: Mr. POMPEO.
 H.R. 2487: Ms. SLAUGHTER.
 H.R. 2595: Mr. LEVIN.
 H.R. 2639: Mr. KUCINICH.
 H.R. 2697: Mr. HASTINGS of Florida.
 H.R. 2741: Ms. MCCOLLUM.
 H.R. 2758: Ms. WOOLSEY.
 H.R. 2809: Mr. CLAY.
 H.R. 2966: Mr. GUTIERREZ.
 H.R. 2978: Mr. CONAWAY.
 H.R. 2980: Mr. BACA.
 H.R. 2982: Mrs. CAPPS.
 H.R. 3001: Mr. GEORGE MILLER of California, Mr. MORAN, Mr. REYES, Mr. LEWIS of

Georgia, Mr. DAVIS of Illinois, Mr. CARNEY, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Ms. DELAURO, Mr. TOWNS, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVID SCOTT of Georgia, Mr. CLEAVER, Ms. WILSON of Florida, Ms. SEWELL, Mr. BISHOP of Georgia, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. CLYBURN, Mr. SCOTT of Virginia, Mr. WATT, Mr. RICHMOND, Mr. TONKO, Mr. COHEN, Mr. CUELLAR, Mr. INSLEE, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. BUTTERFIELD, Mr. ELLISON, Mr. SERRANO, Ms. VELÁZQUEZ, Ms. EDWARDS, Ms. JACKSON LEE of Texas, Mr. FATTAH, Mr. HOLT, Mr. PERLMUTTER, Ms. MOORE, Ms. BALDWIN, Ms. BASS of California, Mr. CONNOLLY of Virginia, Mr. ROTHMAN of New Jersey, Mr. RUSH, and Mr. CUMMINGS.

H.R. 3053: Mr. CLAY.

H.R. 3059: Mr. CLAY.

H.R. 3066: Mr. WOMACKK, MRS. NOEM and Mr. LATHAM.

H.R. 3151: Mr. FILNER, Mr. KUCINICH, and Mr. CLAY.

H.R. 3200: Mr. POLIS and Ms. PINGREE of Maine.

H.R. 3216: Mr. HARRIS.

H.R. 3221: Mr. LUJÁN and Mr. TONKO.

H.R. 3283: Mr. DOLD.

H.R. 3307: Mr. CICILLINE, Ms. LEE of California, Mr. PAYNE, and Mrs. NOEM.

H.R. 3322: Mr. KUCINICH.

H.R. 3323: Mr. THORNBERRY.

H.R. 3356: Mr. POE of Texas and Mr. LATOURRETTE.

H.R. 3359: Mr. CLAY and Ms. SCHAKOWSKY.

H.R. 3410: Mrs. NOEM.

H.R. 3422: Mrs. BLACKBURN.

H.R. 3440: Mr. MCCOTTER.

H.R. 3458: Mr. BENISHEK.

H.R. 3462: Mr. OLVER and Mr. STARK.

H.R. 3486: Mr. FILNER, Ms. SCHAKOWSKY, Mr. POLIS, Mr. KUCINICH, Mr. HONDA, and Mr. CLAY.

H.R. 3509: Mr. MCGOVERN.

H.R. 3510: Mr. MILLER of Florida and Mr. POLIS.

H.R. 3526: Mr. HIMES, Mr. BACA, Ms. MOORE, Ms. RICHARDSON, and Ms. MCCOLLUM.

H.R. 3545: Mr. WATT.

H.R. 3548: Mr. CONAWAY and Mr. CHABOT.

H.R. 3570: Ms. SLAUGHTER.

H.R. 3573: Mr. KUCINICH.

H.R. 3594: Mr. NUGENT, Mr. FORBES, Mr. LUETKEMEYER, Mr. STIVERS, and Mr. GOSAR.

H.R. 3596: Mr. HOLT, Mr. OLVER, Ms. HOCHUL, Mr. CLEAVER, Mr. TONKO, Mr. ENGEL, and Ms. HAHN.

H.R. 3599: Mr. THOMPSON of California.

H.R. 3606: Mr. WELCH, Mr. SMITH of Washington, and Ms. SEWELL.

H.R. 3612: Mr. OWENS and Mr. TONKO.

H.R. 3670: Mr. HUNTER and Mr. DANIEL E. LUNGREN of California.

H.R. 3676: Mrs. DAVIS of California, Mr. POLIS, Mr. SOUTHERLAND, and Mr. KUCINICH.

H.R. 3695: Ms. SPEIER, Mr. KINGSTON, and Mr. DANIEL E. LUNGREN of California.

H.R. 3698: Mr. DUNCAN of South Carolina.

H.R. 3702: Mr. CLAY and Mr. ROHRBACHER.

H.R. 3728: Mr. JONES.

H.R. 3733: Mr. FILNER.

H.R. 3742: Mr. YOUNG of Alaska, Mr. FRANKS of Arizona, and Mr. CARTER.

H.R. 3770: Mr. CULBERSON and Mr. BONNER.

H.R. 3771: Mr. POLIS.

H.R. 3778: Mr. LATTA and Mr. KINZINGER of Illinois.

H.R. 3794: Mr. ROKITA.

H.R. 3795: Mr. CLAY.

H.R. 3803: Mr. WOMACK, Mr. GOODLATTE, Mr. FINCHER, Mr. POMPEO, Mr. MCCOTTER, Mrs. EMERSON, Mr. CHABOT, Mr. YODER, Mr. PALAZZO, Mr. QUAYLE, Ms. JENKINS, and Mr. CALVERT.

H.R. 3805: Mr. POMPEO and Mr. SCHILLING.

H.R. 3811: Mrs. BLACKBURN, Mr. Austin SCOTT of Georgia, and Mr. BERG.

H.R. 3821: Ms. WOOLSEY, Mr. CLAY, and Mr. KUCINICH.

H.R. 3826: Mr. CLAY, Mr. LARSON of Connecticut, Mr. CICILLINE, Mr. KUCINICH, Mr. HINCHAY, Mr. LOEBSACK, Ms. WATERS, and Ms. WOOLSEY.

H.R. 3828: Mr. POMPEO and Mr. DUNCAN of South Carolina.

H.R. 3831: Mr. BARTLETT, Mr. BOSWELL, Mr. LOEBSACK, and Mr. LATHAM.

H.R. 3840: Mr. CONYERS and Mr. GRIJALVA.

H.R. 3842: Mr. FLORES, Mr. STUTZMAN, Mr. KINGSTON, Mr. AUSTIN SCOTT of Georgia, Mr. BROUN of Georgia, Mr. GINGREY of Georgia, Ms. BUERKLE, Mrs. HARTZLER, Mr. GOWDY, Mr. FLEISCHMANN, Mr. PEARCE, and Mr. BENISHEK.

H.R. 3844: Mr. QUAYLE.

H.R. 3848: Mr. DIAZ-BALART.

H.R. 3852: Mr. WELCH and Ms. CASTOR of Florida.

H.R. 3855: Mr. KUCINICH.

H.R. 3858: Mr. SHULER, Mr. SHERMAN, Mr. HASTINGS of Florida, Mr. LARSON of Connecticut, Mr. SCHIFF, Mr. COOPER, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Mr. HONDA, Mrs. DAVIS of California, Mr. TONKO, Ms. DEGETTE, Mr. PASCARELL, Mr. RAHALL, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. CLARKE of Michigan, Mrs. MCCARTHY of New York, Ms. ESHOO, Ms. MATSUI, Ms. CHU, Mr. LYNCH, Mr. THOMPSON of California, Mr. CONNOLLY of Virginia, Mr. BISHOP of New York, Mr. GUTIERREZ, Mr. DEFazio, Mr. NEAL, and Mrs. MALONEY.

H.R. 3867: Mr. HARRIS and Mr. CONAWAY.

H.R. 3868: Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Ms. LEE of California, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. RANGEL, Ms. BROWN of Florida, Mr. DAVIS of Illinois, Mr. DAVID SCOTT of Georgia, Mr. KUCINICH, Mr. PAYNE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, Mr. CUMMINGS, Mr. CLEAVER, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. MEEKS, Ms. MOORE, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Ms. BASS of California, Ms. FUDGE, Ms. WATERS, Mr. WATT, Mr. SCOTT of Virginia, Mr. BISHOP of Georgia, Ms. JACKSON LEE of Texas, Mr. COHEN, Ms. SEWELL, and Ms. CLARKE of New York.

H.R. 3877: Mr. LOBIONDO.

H. Con. Res. 98: Mr. POMPEO.

H. Res. 25: Mr. LUJÁN.

H. Res. 111: Mr. BISHOP of New York, Mr. HOLDEN, Mr. WITTMAN, Mr. DANIEL E. LUNGREN of California, and Mr. KINZINGER of Illinois.

H. Res. 137: Mrs. NOEM.

H. Res. 507: Mr. GRIFFIN of Arkansas.

H. Res. 526: Mrs. MCCARTHY of New York.

¶14.32 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

33. The SPEAKER presented a petition of Interstate Oil and Gas Compact Commission, New York, relative to Resolution 11.066 urging the repeal of section 526 of the Energy Independence and Security Act of 2007; to the Committee on Oversight and Government Reform.

34. Also, a petition of City of Lauderhill, Florida, relative to Resolution No. 11R-11-252 supporting S. 1836; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

35. Also, a petition of City of Lauderhill, Florida, relative to Resolution No. 11R-11-253 supporting H.R. 2914; jointly to the Committees on Education and the Workforce, Natural Resources, Agriculture, the Judiciary, Science, Space, and Technology, and Energy and Commerce.

¶14.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3764: Mr. JACKSON of Illinois.

FRIDAY, FEBRUARY 3, 2012 (15)

The House was called to order by the SPEAKER.

¶15.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, February 2, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶15.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4826. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 777-200, -200LR, -300, and -300ER Series Airplanes [Docket No.: FAA-2011-1317; Directorate Identifier 2011-NM-193-AD; Amendment 39-16893; AD 2011-26-03] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4827. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Inc. Airplanes [Docket No.: FAA-2011-0651; Directorate Identifier 2011-NM-041-AD; Amendment 39-16879; AD 2011-25-03] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4828. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turbo-prop Engines [Docket No.: FAA-2011-1298; Directorate Identifier 2011-NE-39-AD; Amendment 39-16888; AD 2011-25-12] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4829. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines [Docket No.: FAA-2011-1341; Directorate Identifier 2011-NE-41-AD; Amendment 39-16891; AD 2011-25-51] (RIN: 2120-AA64) received January 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4830. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 737-200, -200C, -300, -400, and -500 Series Airplanes [Docket No.: FAA-2011-0914; Directorate Identifier 2010-NM-166-AD; Amendment 39-16876; AD 2011-24-12] (RIN: 2120-AA64) received January 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4831. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-Powertrain GmbH & Co. KG Reciprocating Engines [Docket No.: FAA-2011-1299; Directorate Identifier 2011-NE-40-AD; Amendment 39-16878; AD 2011-25-02] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4832. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS350B, B1, B2, B3, BA, C D, and D1; and

AS355E, F, F1, F2, N, and NP Helicopters [Docket No.: FAA-2011-1158; Directorate Identifier 2010-SW-018-AD; Amendment 39-16847; AD 2011-22-05] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4833. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC 120B Helicopters [Docket No.: FAA-2011-0448; Directorate Identifier 2007-SW-51-AD; Amendment 39-16841; AD 2011-21-18] (RIN: 2102-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4834. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Quest Aircraft Design, LLC Airplanes [Docket No.: FAA-2011-1328; Directorate Identifier 2011-CE-037-AD; Amendment 39-16880; AD 2011-25-04] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4835. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1252; Directorate Identifier 2011-NM-036-AD; Amendment 39-16874; AD 2011-24-10] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4836. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0720; Directorate Identifier 2010-NM-252-AD; Amendment 39-16867; AD 2011-24-03] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4837. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (RRD) BR700-710 Series Turbofan Engines [Docket No.: FAA-2011-0684; Directorate Identifier 2010-NE-27-AD; Amendment 39-16842; AD 2011-22-01] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4838. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2007-27747; Directorate Identifier 2007-CE-030-AD; Amendment 39-16782; AD 2009-10-09 R2] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4839. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Corporation Airplanes [Docket No.: FAA-2010-1206; Directorate Identifier 2009-NM-216-AD; Amendment 39-16868; AD 2011-24-04] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4840. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Model GV and GV-SP Airplanes [Docket No.: FAA-2011-0572; Directorate Identifier 2011-NM-009-AD; Amendment 39-16866; AD 2011-24-02] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4841. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney division (PW) PW4000 Series Turbofan Engines [Docket No.: FAA-2011-0733; Directorate Identifier 2010-NE-36-AD; Amendment 39-16885; AD 2011-25-09] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4842. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; The Dalles, OR [Docket No.: FAA-2011-0893; Airspace Docket No. 11-ANM-18] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4843. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piaggio Aero Industries S.p.A. Airplanes [Docket No.: FAA-2011-0954; Directorate Identifier 2011-CE-028-AD; Amendment 39-16865; AD 2011-24-01] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4844. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 400) Airplanes [Docket No.: FAA-2011-0648; Directorate Identifier 2010-NM-276-AD; Amendment 39-16859; AD 2011-23-08] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4845. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. TPE331 Model Turboprop Engines [Docket No.: FAA-2011-0935; Directorate Identifier 2011-NE-28-AD; Amendment 39-16813; AD 2011-18-51R1] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4846. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada PT6A-15AG, -27, -28, -34, -34AG, -34B, and -36 Series Turboprop Engines [Docket No.: FAA-2011-1038; Directorate Identifier 2011-NE-31-AD; Amendment 39-16834; AD 2011-20-51] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4847. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0255; Directorate Identifier 2010-NM-253-AD; Amendment 39-16844; AD 2010-22-02] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4848. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No.: FAA-2011-0650; Directorate Identifier 2010-NM-257-AD; Amendment 39-16846; AD 2011-22-04] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4849. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France (Eurocopter) Model AS332C, AS332L, AS322L1, and AS332L2 Helicopters [Docket No.: FAA-2011-0939; Directorate Identifier 2010-SW-067-AD;

Amendment 39-16798; AD 2011-18-16] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4850. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-215-1A10, CL-215-6B11 (CL-215T Variant), and CL-125-6B11 (CL-415 Variant) Airplanes [Docket No.: FAA-2011-1096; Directorate Identifier 2011-NM-185-AD; Amendment 39-16848; AD 2011-22-06] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4851. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France (Eurocopter) Model EC225LP Helicopters [Docket No.: FAA-2011-1033; Directorate Identifier 2009-SW-43-AD; Amendment 39-16815; AD 2011-20-05] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4852. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-92A Helicopters [Docket No.: FAA-2011-0792; Directorate Identifier 2009-SW-19-AD; Amendment 39-16762; AD 2011-16-04] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4853. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France (Eurocopter) Model EC225LP Helicopters [Docket No.: FAA-2011-1074; Directorate Identifier 2010-SW-028-AD; Amendment 39-16834; AD 2011-21-11] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4854. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Erickson Air-Crane Incorporated Model S-64F Helicopters [Docket No.: FAA-2010-0909; Directorate Identifier 2010-SW-026-AD; Amendment 39-16835; AD 2011-21-12] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4855. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron, Inc. Model 204B, 205A, 205A-1, 205B, 210, 212, 412, 412CF, 412EP Helicopters [Docket No.: FAA-2011-1041; Directorate Identifier 2010-SW-109-AD; Amendment 39-16821; AD 2010-26-52] (RIN: 2120-AA64) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

15.3 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 658

Mr. WEBSTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 533):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes. All points of order against the conference report and

against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

When said resolution was considered. After debate,

On motion of Mr. WEBSTER, the previous question was ordered on the resolution to its adoption or rejection and, under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

15.4 FAA REAUTHORIZATION AND REFORM 2011

Mr. MICA, pursuant to H. Res. 533, called up the following conference report (Rept. No. 112-381):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658), to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “FAA Modernization and Reform Act of 2012”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Amendments to title 49, United States Code.

Sec. 3. Effective date.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

Sec. 101. Airport planning and development and noise compatibility planning and programs.

Sec. 102. Air navigation facilities and equipment.

Sec. 103. FAA operations.

Sec. 104. Funding for aviation programs.

Sec. 105. Delineation of Next Generation Air Transportation System projects.

Subtitle B—Passenger Facility Charges

Sec. 111. Passenger facility charges.

Sec. 112. GAO study of alternative means of collecting PFCs.

Sec. 113. Qualifications-based selection.

Subtitle C—Fees for FAA Services

Sec. 121. Update on overflights.

Sec. 122. Registration fees.

Subtitle D—Airport Improvement Program Modifications

Sec. 131. Airport master plans.

Sec. 132. AIP definitions.

Sec. 133. Recycling plans for airports.

Sec. 134. Contents of competition plans.

Sec. 135. Grant assurances.

Sec. 136. Agreements granting through-the-fence access to general aviation airports.

Sec. 137. Government share of project costs.

Sec. 138. Allowable project costs.

Sec. 139. Veterans' preference.

Sec. 140. Minority and disadvantaged business participation.

Sec. 141. Special apportionment rules.

Sec. 142. United States territories minimum guarantee.

Sec. 143. Reducing apportionments.

Sec. 144. Marshall Islands, Micronesia, and Palau.

Sec. 145. Use of apportioned amounts.

Sec. 146. Designating current and former military airports.

Sec. 147. Contract tower program.

Sec. 148. Resolution of disputes concerning airport fees.

Sec. 149. Sale of private airports to public sponsors.

Sec. 150. Repeal of certain limitations on Metropolitan Washington Airports Authority.

Sec. 151. Midway Island Airport.

Sec. 152. Miscellaneous amendments.

Sec. 153. Extension of grant authority for compatible land use planning and projects by State and local governments.

Sec. 154. Priority review of construction projects in cold weather States.

Sec. 155. Study on national plan of integrated airport systems.

Sec. 156. Airport privatization program.

TITLE II—NEXTGEN AIR TRANSPORTATION SYSTEM AND AIR TRAFFIC CONTROL MODERNIZATION

Sec. 201. Definitions.

Sec. 202. NextGen demonstrations and concepts.

Sec. 203. Clarification of authority to enter into reimbursable agreements.

Sec. 204. Chief NextGen Officer.

Sec. 205. Definition of air navigation facility.

Sec. 206. Clarification to acquisition reform authority.

Sec. 207. Assistance to foreign aviation authorities.

Sec. 208. Next Generation Air Transportation System Joint Planning and Development Office.

Sec. 209. Next Generation Air Transportation Senior Policy Committee.

Sec. 210. Improved management of property inventory.

Sec. 211. Automatic dependent surveillance-broadcast services.

Sec. 212. Expert review of enterprise architecture for NextGen.

Sec. 213. Acceleration of NextGen technologies.

Sec. 214. Performance metrics.

Sec. 215. Certification standards and resources.

Sec. 216. Surface systems acceleration.

Sec. 217. Inclusion of stakeholders in air traffic control modernization projects.

Sec. 218. Airspace redesign.

Sec. 219. Study on feasibility of development of a public internet web-based resource on locations of potential aviation obstructions.

Sec. 220. NextGen research and development center of excellence.

Sec. 221. Public-private partnerships.

Sec. 222. Operational incentives.

Sec. 223. Educational requirements.

Sec. 224. Air traffic controller staffing initiatives and analysis.

Sec. 225. Reports on status of greener skies project.

TITLE III—SAFETY

Subtitle A—General Provisions

Sec. 301. Judicial review of denial of airman certificates.

Sec. 302. Release of data relating to abandoned type certificates and supplemental type certificates.

Sec. 303. Design and production organization certificates.

Sec. 304. Cabin crew communication.

Sec. 305. Line check evaluations.

Sec. 306. Safety of air ambulance operations.

Sec. 307. Prohibition on personal use of electronic devices on flight deck.

Sec. 308. Inspection of repair stations located outside the United States.

Sec. 309. Enhanced training for flight attendants.

Sec. 310. Limitation on disclosure of safety information.

Sec. 311. Prohibition against aiming a laser pointer at an aircraft.

Sec. 312. Aircraft certification process review and reform.

Sec. 313. Consistency of regulatory interpretation.

Sec. 314. Runway safety.

Sec. 315. Flight Standards Evaluation Program.

Sec. 316. Cockpit smoke.

Sec. 317. Off-airport, low-altitude aircraft weather observation technology.

Sec. 318. Feasibility of requiring helicopter pilots to use night vision goggles.

Sec. 319. Maintenance providers.

Sec. 320. Study of air quality in aircraft cabins.

Sec. 321. Improved pilot licenses.

Subtitle B—Unmanned Aircraft Systems

Sec. 331. Definitions.

Sec. 332. Integration of civil unmanned aircraft systems into national airspace system.

Sec. 333. Special rules for certain unmanned aircraft systems.

Sec. 334. Public unmanned aircraft systems.

Sec. 335. Safety studies.

Sec. 336. Special rule for model aircraft.

Subtitle C—Safety and Protections

Sec. 341. Aviation Safety Whistleblower Investigation Office.

Sec. 342. Postemployment restrictions for flight standards inspectors.

Sec. 343. Review of air transportation oversight system database.

Sec. 344. Improved voluntary disclosure reporting system.

Sec. 345. Duty periods and flight time limitations applicable to flight crewmembers.

Sec. 346. Certain existing flight time limitations and rest requirements.

Sec. 347. Emergency locator transmitters on general aviation aircraft.

TITLE IV—AIR SERVICE IMPROVEMENTS

Subtitle A—Passenger Air Service Improvements

Sec. 401. Smoking prohibition.

Sec. 402. Monthly air carrier reports.

Sec. 403. Musical instruments.

Sec. 404. Extension of competitive access reports.

Sec. 405. Airfares for members of the Armed Forces.

Sec. 406. Review of air carrier flight delays, cancellations, and associated causes.

Sec. 407. Compensation for delayed baggage.

Sec. 408. DOT airline consumer complaint investigations.

Sec. 409. Study of operators regulated under part 135.

Sec. 410. Use of cell phones on passenger aircraft.

Sec. 411. Establishment of advisory committee for aviation consumer protection.

Sec. 412. Disclosure of seat dimensions to facilitate the use of child safety seats on aircraft.

Sec. 413. Schedule reduction.

Sec. 414. Ronald Reagan Washington National Airport slot exemptions.

Sec. 415. Passenger air service improvements.

Subtitle B—Essential Air Service

Sec. 421. Limitation on essential air service to locations that average fewer than 10 enplanements per day.

Sec. 422. Essential air service eligibility.

Sec. 423. Essential air service marketing.

- Sec. 424. Notice to communities prior to termination of eligibility for subsidized essential air service.
- Sec. 425. Restoration of eligibility to a place determined to be ineligible for subsidized essential air service.
- Sec. 426. Adjustments to compensation for significantly increased costs.
- Sec. 427. Essential air service contract guidelines.
- Sec. 428. Essential air service reform.
- Sec. 429. Small community air service.
- Sec. 430. Repeal of essential air service local participation program.
- Sec. 431. Extension of final order establishing mileage adjustment eligibility.

TITLE V—ENVIRONMENTAL STREAMLINING

- Sec. 501. Overflights of national parks.
- Sec. 502. State block grant program.
- Sec. 503. Airport funding of special studies or reviews.
- Sec. 504. Grant eligibility for assessment of flight procedures.
- Sec. 505. Determination of fair market value of residential properties.
- Sec. 506. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels.
- Sec. 507. Aircraft departure queue management pilot program.
- Sec. 508. High performance, sustainable, and cost-effective air traffic control facilities.
- Sec. 509. Sense of Congress.
- Sec. 510. Aviation noise complaints.
- Sec. 511. Pilot program for zero-emission airport vehicles.
- Sec. 512. Increasing the energy efficiency of airport power sources.

TITLE VI—FAA EMPLOYEES AND ORGANIZATION

- Sec. 601. Federal Aviation Administration personnel management system.
- Sec. 602. Presidential rank award program.
- Sec. 603. Collegiate training initiative study.
- Sec. 604. Frontline manager staffing.
- Sec. 605. FAA technical training and staffing.
- Sec. 606. Safety critical staffing.
- Sec. 607. Air traffic control specialist qualification training.
- Sec. 608. FAA air traffic controller staffing.
- Sec. 609. Air traffic controller training and scheduling.
- Sec. 610. FAA facility conditions.
- Sec. 611. Technical correction.

TITLE VII—AVIATION INSURANCE

- Sec. 701. General authority.
- Sec. 702. Extension of authority to limit third-party liability of air carriers arising out of acts of terrorism.
- Sec. 703. Clarification of reinsurance authority.
- Sec. 704. Use of independent claims adjusters.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Disclosure of data to Federal agencies in interest of national security.
- Sec. 802. FAA authority to conduct criminal history record checks.
- Sec. 803. Civil penalties technical amendments.
- Sec. 804. Consolidation and realignment of FAA services and facilities.
- Sec. 805. Limiting access to flight decks of all-cargo aircraft.
- Sec. 806. Consolidation or elimination of obsolete, redundant, or otherwise unnecessary reports; use of electronic media format.
- Sec. 807. Prohibition on use of certain funds.
- Sec. 808. Study on aviation fuel prices.
- Sec. 809. Wind turbine lighting.
- Sec. 810. Air-rail code sharing study.
- Sec. 811. D.C. Metropolitan Area Special Flight Rules Area.
- Sec. 812. FAA review and reform.
- Sec. 813. Use of mineral revenue at certain airports.

- Sec. 814. Contracting.
- Sec. 815. Flood planning.
- Sec. 816. Historical aircraft documents.
- Sec. 817. Release from restrictions.
- Sec. 818. Sense of Congress.
- Sec. 819. Human Intervention Motivation Study.
- Sec. 820. Study of aeronautical mobile telemetry.
- Sec. 821. Clarification of requirements for volunteer pilots operating charitable medical flights.
- Sec. 822. Pilot program for redevelopment of airport properties.
- Sec. 823. Report on New York City and Newark air traffic control facilities.
- Sec. 824. Cylinders of compressed oxygen or other oxidizing gases.
- Sec. 825. Orphan aviation earmarks.
- Sec. 826. Privacy protections for air passenger screening with advanced imaging technology.
- Sec. 827. Commercial space launch license requirements.
- Sec. 828. Air transportation of lithium cells and batteries.
- Sec. 829. Clarification of memorandum of understanding with OSHA.
- Sec. 830. Approval of applications for the airport security screening opt-out program.

TITLE IX—FEDERAL AVIATION RESEARCH AND DEVELOPMENT

- Sec. 901. Authorization of appropriations.
- Sec. 902. Definitions.
- Sec. 903. Unmanned aircraft systems.
- Sec. 904. Research program on runways.
- Sec. 905. Research on design for certification.
- Sec. 906. Airport cooperative research program.
- Sec. 907. Centers of excellence.
- Sec. 908. Center of excellence for aviation human resource research.
- Sec. 909. Interagency research on aviation and the environment.
- Sec. 910. Aviation fuel research and development program.
- Sec. 911. Research program on alternative jet fuel technology for civil aircraft.
- Sec. 912. Review of FAA's energy-related and environment-related research programs.
- Sec. 913. Review of FAA's aviation safety-related research programs.
- Sec. 914. Production of clean coal fuel technology for civilian aircraft.
- Sec. 915. Wake turbulence, volcanic ash, and weather research.
- Sec. 916. Reauthorization of center of excellence in applied research and training in the use of advanced materials in transport aircraft.
- Sec. 917. Research and development of equipment to clean and monitor the engine and APU bleed air supplied on pressurized aircraft.
- Sec. 918. Expert review of enterprise architecture for NextGen.
- Sec. 919. Airport sustainability planning working group.

TITLE X—NATIONAL MEDIATION BOARD

- Sec. 1001. Rulemaking authority.
- Sec. 1002. Runoff election rules.
- Sec. 1003. Bargaining representative certification.
- Sec. 1004. Oversight.

TITLE XI—AIRPORT AND AIRWAY TRUST FUND PROVISIONS AND RELATED TAXES

- Sec. 1100. Amendment of 1986 code.
- Sec. 1101. Extension of taxes funding airport and airway trust fund.
- Sec. 1102. Extension of airport and airway trust fund expenditure authority.
- Sec. 1103. Treatment of fractional aircraft ownership programs.
- Sec. 1104. Transparency in passenger tax disclosures.
- Sec. 1105. Tax-exempt bond financing for fixed-wing emergency medical aircraft.

- Sec. 1106. Rollover of amounts received in airline carrier bankruptcy.
- Sec. 1107. Termination of exemption for small jet aircraft on nonestablished lines.
- Sec. 1108. Modification of control definition for purposes of section 249.

TITLE XII—COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO-ACT OF 2010

- Sec. 1201. Compliance provision.
- SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.**

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. EFFECTIVE DATE.

Except as otherwise expressly provided, this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

SEC. 101. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

(a) AUTHORIZATION.—Section 48103 is amended to read as follows:

“§48103. Airport planning and development and noise compatibility planning and programs

“(a) IN GENERAL.—There shall be available to the Secretary of Transportation out of the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 to make grants for airport planning and airport development under section 47104, airport noise compatibility planning under section 47505(a)(2), and carrying out noise compatibility programs under section 47504(c) \$3,350,000,000 for each of fiscal years 2012 through 2015.

“(b) AVAILABILITY OF AMOUNTS.—Amounts made available under subsection (a) shall remain available until expended.”.

(b) OBLIGATIONAL AUTHORITY.—Section 47104(c) is amended in the matter preceding paragraph (1) by striking “After” and all the follows before “the Secretary” and inserting “After September 30, 2015.”.

SEC. 102. AIR NAVIGATION FACILITIES AND EQUIPMENT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48101(a) is amended by striking paragraphs (1) through (8) and inserting the following:

“(1) \$2,731,000,000 for fiscal year 2012.

“(2) \$2,715,000,000 for fiscal year 2013.

“(3) \$2,730,000,000 for fiscal year 2014.

“(4) \$2,730,000,000 for fiscal year 2015.”.

(b) SET-ASIDES.—Section 48101 is amended—

(1) by striking subsections (c), (d), (e), (h), and (i); and

(2) by redesignating subsections (f) and (g) as subsections (c) and (d), respectively.

SEC. 103. FAA OPERATIONS.

(a) IN GENERAL.—Section 106(k)(1) is amended by striking subparagraphs (A) through (H) and inserting the following:

“(A) \$9,653,000,000 for fiscal year 2012;

“(B) \$9,539,000,000 for fiscal year 2013;

“(C) \$9,596,000,000 for fiscal year 2014; and

“(D) \$9,653,000,000 for fiscal year 2015.”.

(b) AUTHORIZED EXPENDITURES.—Section 106(k)(2) is amended—

(1) by striking subparagraphs (A), (B), (C), and (D);

(2) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (A), (B), and (C), respectively; and

(3) in subparagraphs (A), (B), and (C) (as so redesignated) by striking “2004 through 2007” and inserting “2012 through 2015”.

(c) AUTHORITY TO TRANSFER FUNDS.—Section 106(k) is amended by adding at the end the following:

“(3) ADMINISTERING PROGRAM WITHIN AVAILABLE FUNDING.—Notwithstanding any other pro-

vision of law, in each of fiscal years 2012 through 2015, if the Secretary determines that the funds appropriated under paragraph (1) are insufficient to meet the salary, operations, and maintenance expenses of the Federal Aviation Administration, as authorized by this section, the Secretary shall reduce nonsafety-related activities of the Administration as necessary to reduce such expenses to a level that can be met by the funding available under paragraph (1)."

SEC. 104. FUNDING FOR AVIATION PROGRAMS.

(a) AIRPORT AND AIRWAY TRUST FUND GUARANTEE.—Section 48114(a)(1)(A) is amended to read as follows:

"(A) IN GENERAL.—The total budget resources made available from the Airport and Airway Trust Fund each fiscal year pursuant to sections 48101, 48102, 48103, and 106(k) shall—

"(i) in fiscal year 2013, be equal to 90 percent of the estimated level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year; and

"(ii) in fiscal year 2014 and each fiscal year thereafter, be equal to the sum of—

"(1) 90 percent of the estimated level of receipts plus interest credited to the Airport and Airway Trust Fund for that fiscal year; and

"(II) the actual level of receipts plus interest credited to the Airport and Airway Trust Fund for the second preceding fiscal year minus the total amount made available for obligation from the Airport and Airway Trust Fund for the second preceding fiscal year.

Such amounts may be used only for the aviation investment programs listed in subsection (b)(1)."

(b) TECHNICAL CORRECTION.—Section 48114(a)(1)(B) is amended by striking "subsection (b)" and inserting "subsection (b)(1)".

(c) ADDITIONAL AUTHORIZATIONS OF APPROPRIATIONS FROM THE GENERAL FUND.—Section 48114(a)(2) is amended by striking "2007" and inserting "2015".

(d) ESTIMATED LEVEL OF RECEIPTS PLUS INTEREST DEFINED.—Section 48114(b)(2) is amended—

(1) in the paragraph heading by striking "LEVEL" and inserting "ESTIMATED LEVEL"; and

(2) by striking "level of receipts plus interest" and inserting "estimated level of receipts plus interest".

(e) ENFORCEMENT OF GUARANTEES.—Section 48114(c)(2) is amended by striking "2007" and inserting "2015".

SEC. 105. DELINEATION OF NEXT GENERATION AIR TRANSPORTATION SYSTEM PROJECTS.

Section 44501(b) is amended—

(1) in paragraph (3) by striking "and" after the semicolon;

(2) in paragraph (4)(B) by striking "defense." and inserting "defense; and"; and

(3) by adding at the end the following:

"(5) a list of capital projects that are part of the Next Generation Air Transportation System and funded by amounts appropriated under section 48101(a)."

Subtitle B—Passenger Facility Charges

SEC. 111. PASSENGER FACILITY CHARGES.

(a) PFC DEFINED.—Section 40117(a)(5) is amended to read as follows:

"(5) PASSENGER FACILITY CHARGE.—The term 'passenger facility charge' means a charge or fee imposed under this section."

(b) PILOT PROGRAM FOR PFC AUTHORIZATIONS AT NONHUB AIRPORTS.—Section 40117(l) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraph (8) as paragraph (7).

(c) CORRECTION OF REFERENCES.—

(1) SECTION 40117.—Section 40117 is amended—

(A) in the section heading by striking "fees" and inserting "charges";

(B) in the heading for subsection (e) by striking "FEES" and inserting "CHARGES";

(C) in the heading for subsection (l) by striking "FEE" and inserting "CHARGE";

(D) in the heading for paragraph (5) of subsection (l) by striking "FEE" and inserting "CHARGE";

(E) in the heading for subsection (m) by striking "FEES" and inserting "CHARGES";

(F) in the heading for paragraph (1) of subsection (m) by striking "FEES" and inserting "CHARGES";

(G) by striking "fee" each place it appears (other than the second sentence of subsection (g)(4)) and inserting "charge"; and

(H) by striking "fees" each place it appears and inserting "charges".

(2) OTHER REFERENCES.—

(A) Subtitle VII is amended by striking "fee" and inserting "charge" each place it appears in each of the following sections:

(i) Section 47106(f)(1).

(ii) Section 47110(e)(5).

(iii) Section 47114(f).

(iv) Section 47134(g)(1).

(v) Section 47139(b).

(vi) Section 47521.

(vii) Section 47524(e).

(viii) Section 47526(2).

(B) Section 47521(5) is amended by striking "fees" and inserting "charges".

(3) CLERICAL AMENDMENT.—The analysis for chapter 401 is amended by striking the item relating to section 40117 and inserting the following:

"40117. Passenger facility charges."

SEC. 112. GAO STUDY OF ALTERNATIVE MEANS OF COLLECTING PFCs.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of alternative means of collecting passenger facility charges imposed under section 40117 of title 49, United States Code, that would permit such charges to be collected without being included in the ticket price. In conducting the study, the Comptroller General shall consider, at a minimum—

(1) collection options for arriving, connecting, and departing passengers at airports;

(2) cost sharing or allocation methods based on passenger travel to address connecting traffic; and

(3) examples of airport charges collected by domestic and international airports that are not included in ticket prices.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the study, including the Comptroller General's findings, conclusions, and recommendations.

SEC. 113. QUALIFICATIONS-BASED SELECTION.

It is the sense of Congress that airports should consider the use of qualifications-based selection in carrying out capital improvement projects funded using passenger facility charges collected under section 40117 of title 49, United States Code, with the goal of serving the needs of all stakeholders.

Subtitle C—Fees for FAA Services

SEC. 121. UPDATE ON OVERFLIGHTS.

(a) ESTABLISHMENT AND ADJUSTMENT OF FEES.—Section 45301(b) is amended to read as follows:

"(b) ESTABLISHMENT AND ADJUSTMENT OF FEES.—

"(1) IN GENERAL.—In establishing and adjusting fees under this section, the Administrator shall ensure that the fees are reasonably related to the Administration's costs, as determined by the Administrator, of providing the services rendered.

"(2) SERVICES FOR WHICH COSTS MAY BE RECOVERED.—Services for which costs may be recovered under this section include the costs of air traffic control, navigation, weather services, training, and emergency services that are available to facilitate safe transportation over the

United States and the costs of other services provided by the Administrator, or by programs financed by the Administrator, to flights that neither take off nor land in the United States.

"(3) LIMITATIONS ON JUDICIAL REVIEW.—Notwithstanding section 702 of title 5 or any other provision of law, the following actions and other matters shall not be subject to judicial review:

"(A) The establishment or adjustment of a fee by the Administrator under this section.

"(B) The validity of a determination of costs by the Administrator under paragraph (1), and the processes and procedures applied by the Administrator when reaching such determination.

"(C) An allocation of costs by the Administrator under paragraph (1) to services provided, and the processes and procedures applied by the Administrator when establishing such allocation.

"(4) AIRCRAFT ALTITUDE.—Nothing in this section shall require the Administrator to take into account aircraft altitude in establishing any fee for aircraft operations in en route or oceanic airspace.

"(5) COSTS DEFINED.—In this subsection, the term 'costs' includes operation and maintenance costs, leasing costs, and overhead expenses associated with the services provided and the facilities and equipment used in providing such services."

(b) ADJUSTMENT OF FEES.—Section 45301 is amended by adding at the end the following:

"(e) ADJUSTMENT OF FEES.—In addition to adjustments under subsection (b), the Administrator may periodically adjust the fees established under this section."

SEC. 122. REGISTRATION FEES.

(a) IN GENERAL.—Chapter 453 is amended by adding at the end the following:

"§ 45305. Registration, certification, and related fees

"(a) GENERAL AUTHORITY AND FEES.—Subject to subsection (b), the Administrator of the Federal Aviation Administration shall establish and collect a fee for each of the following services and activities of the Administration that does not exceed the estimated costs of the service or activity:

"(1) Registering an aircraft.

"(2) Reregistering, replacing, or renewing an aircraft registration certificate.

"(3) Issuing an original dealer's aircraft registration certificate.

"(4) Issuing an additional dealer's aircraft registration certificate (other than the original).

"(5) Issuing a special registration number.

"(6) Issuing a renewal of a special registration number reservation.

"(7) Recording a security interest in an aircraft or aircraft part.

"(8) Issuing an airman certificate.

"(9) Issuing a replacement airman certificate.

"(10) Issuing an airman medical certificate.

"(11) Providing a legal opinion pertaining to aircraft registration or recordation.

"(b) LIMITATION ON COLLECTION.—No fee may be collected under this section unless the expenditure of the fee to pay the costs of activities and services for which the fee is imposed is provided for in advance in an appropriations Act.

"(c) FEES CREDITED AS OFFSETTING COLLECTIONS.—

"(1) IN GENERAL.—Notwithstanding section 3302 of title 31, any fee authorized to be collected under this section shall—

"(A) be credited as offsetting collections to the account that finances the activities and services for which the fee is imposed;

"(B) be available for expenditure only to pay the costs of activities and services for which the fee is imposed, including all costs associated with collecting the fee; and

"(C) remain available until expended.

"(2) CONTINUING APPROPRIATIONS.—The Administrator may continue to assess, collect, and spend fees established under this section during any period in which the funding for the Federal

Aviation Administration is provided under an Act providing continuing appropriations in lieu of the Administration's regular appropriations.

"(3) ADJUSTMENTS.—The Administrator shall adjust a fee established under subsection (a) for a service or activity if the Administrator determines that the actual cost of the service or activity is higher or lower than was indicated by the cost data used to establish such fee."

(b) CLERICAL AMENDMENT.—The analysis for chapter 453 is amended by adding at the end the following:

"45305. Registration, certification, and related fees."

(c) FEES INVOLVING AIRCRAFT NOT PROVIDING AIR TRANSPORTATION.—Section 45302(e) is amended—

(1) by striking "A fee" and inserting the following:

"(1) IN GENERAL.—A fee"; and

(2) by adding at the end the following:

"(2) EFFECT OF IMPOSITION OF OTHER FEES.—A fee may not be imposed for a service or activity under this section during any period in which a fee for the same service or activity is imposed under section 45305."

Subtitle D—Airport Improvement Program Modifications

SEC. 131. AIRPORT MASTER PLANS.

Section 47101(g)(2) is amended—

(1) in subparagraph (B) by striking "and" at the end;

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following:

"(C) consider passenger convenience, airport ground access, and access to airport facilities; and"

SEC. 132. AIP DEFINITIONS.

(a) AIRPORT DEVELOPMENT.—Section 47102(3) is amended—

(1) in subparagraph (B)(iv) by striking "20" and inserting "9";

(2) in subparagraph (G) by inserting "and including acquiring glycol recovery vehicles," after "aircraft,"; and

(3) by adding at the end the following:

"(M) construction of mobile refueler parking within a fuel farm at a nonprimary airport meeting the requirements of section 112.8 of title 40, Code of Federal Regulations.

"(N) terminal development under section 47119(a).

"(O) acquiring and installing facilities and equipment to provide air conditioning, heating, or electric power from terminal-based, nonexclusive use facilities to aircraft parked at a public use airport for the purpose of reducing energy use or harmful emissions as compared to the provision of such air conditioning, heating, or electric power from aircraft-based systems."

(b) AIRPORT PLANNING.—Section 47102(5) is amended to read as follows:

"(5) 'airport planning' means planning as defined by regulations the Secretary prescribes and includes—

"(A) integrated airport system planning;

"(B) developing an environmental management system; and

"(C) developing a plan for recycling and minimizing the generation of airport solid waste, consistent with applicable State and local recycling laws, including the cost of a waste audit."

(c) GENERAL AVIATION AIRPORT.—Section 47102 is amended—

(1) by redesignating paragraphs (23) through (25) as paragraphs (25) through (27), respectively;

(2) by redesignating paragraphs (8) through (22) as paragraphs (9) through (23), respectively; and

(3) by inserting after paragraph (7) the following:

"(8) 'general aviation airport' means a public airport that is located in a State and that, as determined by the Secretary—

"(A) does not have scheduled service; or

"(B) has scheduled service with less than 2,500 passenger boardings each year."

(d) REVENUE PRODUCING AERONAUTICAL SUPPORT FACILITIES.—Section 47102 is amended by inserting after paragraph (23) (as redesignated by subsection (c)(2) of this section) the following:

"(24) 'revenue producing aeronautical support facilities' means fuel farms, hangar buildings, self-service credit card aeronautical fueling systems, airplane wash racks, major rehabilitation of a hangar owned by a sponsor, or other aeronautical support facilities that the Secretary determines will increase the revenue producing ability of the airport."

(e) TERMINAL DEVELOPMENT.—Section 47102 (as amended by subsection (c) of this section) is further amended by adding at the end the following:

"(28) 'terminal development' means—

"(A) development of—

"(i) an airport passenger terminal building, including terminal gates;

"(ii) access roads servicing exclusively airport traffic that leads directly to or from an airport passenger terminal building; and

"(iii) walkways that lead directly to or from an airport passenger terminal building; and

"(B) the cost of a vehicle described in section 47119(a)(1)(B)."

SEC. 133. RECYCLING PLANS FOR AIRPORTS.

Section 47106(a) is amended—

(1) in paragraph (4) by striking "and" at the end;

(2) in paragraph (5) by striking "proposed." and inserting "proposed; and"; and

(3) by adding at the end the following:

"(6) if the project is for an airport that has an airport master plan, the master plan addresses issues relating to solid waste recycling at the airport, including—

"(A) the feasibility of solid waste recycling at the airport;

"(B) minimizing the generation of solid waste at the airport;

"(C) operation and maintenance requirements;

"(D) the review of waste management contracts; and

"(E) the potential for cost savings or the generation of revenue."

SEC. 134. CONTENTS OF COMPETITION PLANS.

Section 47106(f)(2) is amended—

(1) by striking "patterns of air service,";

(2) by inserting "and" before "whether"; and

(3) by striking "and airfare levels" and all that follows before the period.

SEC. 135. GRANT ASSURANCES.

(a) GENERAL WRITTEN ASSURANCES.—Section 47107(a)(16)(D)(ii) is amended by inserting before the semicolon at the end the following: "except in the case of a relocation or replacement of an existing airport facility that meets the conditions of section 47110(d)".

(b) WRITTEN ASSURANCES ON ACQUIRING LAND.—

(1) USE OF PROCEEDS.—Section 47107(c)(2) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i) by striking "purpose—" and inserting "purpose (including land serving as a noise buffer either by being undeveloped or developed in a way that is compatible with using the land for noise buffering purposes)—";

(ii) in clause (iii) by striking "paid to the Secretary" and all that follows before the semicolon and inserting "reinvested in another project at the airport or transferred to another airport as the Secretary prescribes under paragraph (4)"; and

(B) in subparagraph (B)(iii) by striking "reinvested, on application" and all that follows before the period at the end and inserting "reinvested in another project at the airport or transferred to another airport as the Secretary prescribes under paragraph (4)".

(2) ELIGIBLE PROJECTS.—Section 47107(c) is amended by adding at the end the following:

"(4) In approving the reinvestment or transfer of proceeds under paragraph (2)(A)(iii) or (2)(B)(iii), the Secretary shall give preference, in descending order, to the following actions:

"(A) Reinvestment in an approved noise compatibility project.

"(B) Reinvestment in an approved project that is eligible for funding under section 47117(e).

"(C) Reinvestment in an approved airport development project that is eligible for funding under section 47114, 47115, or 47117.

"(D) Transfer to a sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport.

"(E) Payment to the Secretary for deposit in the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986.

"(5)(A) A lease at fair market value by an airport owner or operator of land acquired for a noise compatibility purpose using a grant provided under this subchapter shall not be considered a disposal for purposes of paragraph (2).

"(B) The airport owner or operator may use revenues from a lease described in subparagraph (A) for an approved airport development project that is eligible for funding under section 47114, 47115, or 47117.

"(C) The Secretary shall coordinate with each airport owner or operator to ensure that leases described in subparagraph (A) are consistent with noise buffering purposes.

"(D) The provisions of this paragraph apply to all land acquired before, on, or after the date of enactment of this paragraph."

SEC. 136. AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.

(a) IN GENERAL.—Section 47107 is amended by adding at the end the following:

"(t) AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.—

"(1) IN GENERAL.—Subject to paragraph (2), a sponsor of a general aviation airport shall not be considered to be in violation of this subtitle, or to be in violation of a grant assurance made under this section or under any other provision of law as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor enters into an agreement that grants to a person that owns residential real property adjacent to or near the airport access to the airfield of the airport for the following:

"(A) Aircraft of the person.

"(B) Aircraft authorized by the person.

"(2) THROUGH-THE-FENCE AGREEMENTS.—

"(A) IN GENERAL.—An agreement described in paragraph (1) between an airport sponsor and a property owner (or an association representing such property owner) shall be a written agreement that prescribes the rights, responsibilities, charges, duration, and other terms the airport sponsor determines are necessary to establish and manage the airport sponsor's relationship with the property owner.

"(B) TERMS AND CONDITIONS.—An agreement described in paragraph (1) between an airport sponsor and a property owner (or an association representing such property owner) shall require the property owner, at minimum—

"(i) to pay airport access charges that, as determined by the airport sponsor, are comparable to those charged to tenants and operators on-airport making similar use of the airport;

"(ii) to bear the cost of building and maintaining the infrastructure that, as determined by the airport sponsor, is necessary to provide aircraft located on the property adjacent to or near the airport access to the airfield of the airport;

"(iii) to maintain the property for residential, noncommercial use for the duration of the agreement;

"(iv) to prohibit access to the airport from other properties through the property of the property owner; and

“(v) to prohibit any aircraft refueling from occurring on the property.”.

(b) **APPLICABILITY.**—The amendment made by subsection (a) shall apply to an agreement between an airport sponsor and a property owner (or an association representing such property owner) entered into before, on, or after the date of enactment of this Act.

SEC. 137. GOVERNMENT SHARE OF PROJECT COSTS.

Section 47109 is amended—

(1) in subsection (a) by striking “provided in subsection (b) or subsection (c) of this section” and inserting “otherwise provided in this section”; and

(2) by adding at the end the following:

“(e) **SPECIAL RULE FOR TRANSITION FROM SMALL HUB TO MEDIUM HUB STATUS.**—If the status of a small hub airport changes to a medium hub airport, the Government’s share of allowable project costs for the airport may not exceed 90 percent for the first 2 fiscal years after such change in hub status.

“(f) **SPECIAL RULE FOR ECONOMICALLY DISTRESSED COMMUNITIES.**—The Government’s share of allowable project costs shall be 95 percent for a project at an airport that—

“(1) is receiving essential air service for which compensation was provided to an air carrier under subchapter II of chapter 417; and

“(2) is located in an area that meets one or more of the criteria established in section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)), as determined by the Secretary of Commerce.”.

SEC. 138. ALLOWABLE PROJECT COSTS.

(a) **ALLOWABLE PROJECT COSTS.**—Section 47110(b)(2)(D) is amended to read as follows:

“(D) if the cost is for airport development and is incurred before execution of the grant agreement, but in the same fiscal year as execution of the grant agreement, and if—

“(i) the cost was incurred before execution of the grant agreement because the airport has a shortened construction season due to climactic conditions in the vicinity of the airport;

“(ii) the cost is in accordance with an airport layout plan approved by the Secretary and with all statutory and administrative requirements that would have been applicable to the project if the project had been carried out after execution of the grant agreement, including submission of a complete grant application to the appropriate regional or district office of the Federal Aviation Administration;

“(iii) the sponsor notifies the Secretary before authorizing work to commence on the project;

“(iv) the sponsor has an alternative funding source available to fund the project; and

“(v) the sponsor’s decision to proceed with the project in advance of execution of the grant agreement does not affect the priority assigned to the project by the Secretary for the allocation of discretionary funds.”.

(b) **INCLUSION OF MEASURES TO IMPROVE EFFICIENCY OF AIRPORT BUILDINGS IN AIRPORT IMPROVEMENT PROJECTS.**—Section 47110(b) is amended—

(1) in paragraph (5) by striking “; and” and inserting a semicolon;

(2) in paragraph (6) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(7) if the cost is incurred on a measure to improve the efficiency of an airport building (such as a measure designed to meet one or more of the criteria for being considered a high-performance green building as set forth under section 401(13) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061(13))) and—

“(A) the measure is for a project for airport development;

“(B) the measure is for an airport building that is otherwise eligible for construction assistance under this subchapter; and

“(C) if the measure results in an increase in initial project costs, the increase is justified by expected savings over the life cycle of the project.”.

(c) **RELOCATION OF AIRPORT-OWNED FACILITIES.**—Section 47110(d) is amended to read as follows:

“(d) **RELOCATION OF AIRPORT-OWNED FACILITIES.**—The Secretary may determine that the costs of relocating or replacing an airport-owned facility are allowable for an airport development project at an airport only if—

“(1) the Government’s share of such costs will be paid with funds apportioned to the airport sponsor under section 47114(c)(1) or 47114(d);

“(2) the Secretary determines that the relocation or replacement is required due to a change in the Secretary’s design standards; and

“(3) the Secretary determines that the change is beyond the control of the airport sponsor.”.

(d) **NONPRIMARY AIRPORTS.**—Section 47110(h) is amended—

(1) by inserting “construction” before “costs of revenue producing”; and

(2) by striking “, including fuel farms and hangars.”.

(e) **BIRD-DETECTING RADAR SYSTEMS.**—Section 47110 is amended by adding at the end the following:

“(i) **BIRD-DETECTING RADAR SYSTEMS.**—The Administrator of the Federal Aviation Administration, upon the conclusion of all planned research by the Administration regarding avian radar systems, shall—

“(1) update Advisory Circular No. 150/5220-25 to specify which systems have been studied; and

“(2) within 180 days after such research is concluded, issue a final report on the use of avian radar systems in the national airspace system.”.

SEC. 139. VETERANS’ PREFERENCE.

Section 47112(c) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B) by striking “separated from” and inserting “discharged or released from active duty in”; and

(B) by adding at the end the following:

“(C) ‘Afghanistan-Iraq war veteran’ means an individual who served on active duty (as defined in section 101 of title 38) in the armed forces in support of Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn for more than 180 consecutive days, any part of which occurred after September 11, 2001, and before the date prescribed by presidential proclamation or by law as the last day of Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn (whichever is later), and who was discharged or released from active duty in the armed forces under honorable conditions.

“(D) ‘Persian Gulf veteran’ means an individual who served on active duty in the armed forces in the Southwest Asia theater of operations during the Persian Gulf War for more than 180 consecutive days, any part of which occurred after August 2, 1990, and before the date prescribed by presidential proclamation or by law, and who was discharged or released from active duty in the armed forces under honorable conditions.”; and

(2) in paragraph (2) by striking “Vietnam-era veterans and disabled veterans” and inserting “Vietnam-era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) owned and controlled by disabled veterans”.

SEC. 140. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

(a) **FINDINGS.**—Congress finds the following:

(1) While significant progress has occurred due to the establishment of the airport disadvantaged business enterprise program (49 U.S.C. 47107(e) and 47113), discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in airport-related markets across the Nation. These continuing barriers merit the continuation of the airport disadvantaged business enterprise program.

(2) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits. This testimony and documentation shows that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) This testimony and documentation demonstrates that discrimination across the Nation poses a barrier to full and fair participation in airport-related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and many aspects of airport-related business in the public and private markets.

(4) This testimony and documentation provides a strong basis that there is a compelling need for the continuation of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program to address race and gender discrimination in airport-related business.

(b) **STANDARDIZING CERTIFICATION OF DISADVANTAGED BUSINESS ENTERPRISES.**—Section 47113 is amended by adding at the end the following:

“(e) **MANDATORY TRAINING PROGRAM.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, the Secretary shall establish a mandatory training program for persons described in paragraph (3) to provide streamlined training on certifying whether a small business concern qualifies as a small business concern owned and controlled by socially and economically disadvantaged individuals under this section and section 47107(e).

“(2) **IMPLEMENTATION.**—The training program may be implemented by one or more private entities approved by the Secretary.

“(3) **PARTICIPANTS.**—A person referred to in paragraph (1) is an official or agent of an airport sponsor—

“(A) who is required to provide a written assurance under this section or section 47107(e) that the airport owner or operator will meet the percentage goal of subsection (b) of this section or section 47107(e)(1), as the case may be; or

“(B) who is responsible for determining whether or not a small business concern qualifies as a small business concern owned and controlled by socially and economically disadvantaged individuals under this section or section 47107(e).”.

(c) **INSPECTOR GENERAL REPORT ON PARTICIPATION IN FAA PROGRAMS BY DISADVANTAGED SMALL BUSINESS CONCERNS.**—

(1) **IN GENERAL.**—For each of fiscal years 2013 through 2015, the Inspector General of the Department of Transportation shall submit to Congress a report on the number of new small business concerns owned and controlled by socially and economically disadvantaged individuals, including those owned by veterans, that participated in the programs and activities funded using the amounts made available under this Act.

(2) **NEW SMALL BUSINESS CONCERNS.**—For purposes of subsection (a), a new small business concern is a small business concern that did not participate in the programs and activities described in subsection (a) in a previous fiscal year.

(3) **CONTENTS.**—The report shall include—

(A) a list of the top 25 and bottom 25 large and medium hub airports in terms of providing opportunities for small business concerns owned and controlled by socially and economically disadvantaged individuals to participate in the programs and activities funded using the amounts made available under this Act;

(B) the results of an assessment, to be conducted by the Inspector General, on the reasons why the top airports have been successful in providing such opportunities; and

(C) recommendations to the Administrator of the Federal Aviation Administration and Congress on methods for other airports to achieve results similar to those of the top airports.

SEC. 141. SPECIAL APPORTIONMENT RULES.

(a) **ELIGIBILITY TO RECEIVE PRIMARY AIRPORT MINIMUM APPORTIONMENT AMOUNT.**—Section 47114(d) is amended by adding at the end the following:

“(7) **ELIGIBILITY TO RECEIVE PRIMARY AIRPORT MINIMUM APPORTIONMENT AMOUNT.**—Notwithstanding any other provision of this subsection, the Secretary may apportion to an airport sponsor in a fiscal year an amount equal to the minimum apportionment available under subsection (c)(1)(B) if the Secretary finds that the airport—
“(A) received scheduled or unscheduled air service from a large certificated air carrier (as defined in part 241 of title 14, Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) in the calendar year used to calculate the apportionment; and
“(B) had more than 10,000 passenger boardings in the calendar year used to calculate the apportionment.”.

(b) **SPECIAL RULE FOR FISCAL YEARS 2012 AND 2013.**—Section 47114(c)(1) is amended—
(1) by striking subparagraphs (F) and (G); and
(2) by inserting after subparagraph (E) the following:

“(F) **SPECIAL RULE FOR FISCAL YEARS 2012 AND 2013.**—Notwithstanding subparagraph (A), for an airport that had more than 10,000 passenger boardings and scheduled passenger aircraft service in calendar year 2007, but in either calendar year 2009 or 2010, or in both years, the number of passenger boardings decreased to a level below 10,000 boardings per year at such airport, the Secretary may apportion in each of fiscal years 2012 and 2013 to the sponsor of such airport an amount equal to the amount apportioned to that sponsor in fiscal year 2009.”.

SEC. 142. UNITED STATES TERRITORIES MINIMUM GUARANTEE.

Section 47114 is amended by adding at the end the following:

“(g) **SUPPLEMENTAL APPORTIONMENT FOR PUERTO RICO AND UNITED STATES TERRITORIES.**—The Secretary shall apportion amounts for airports in Puerto Rico and all other United States territories in accordance with this section. This subsection does not prohibit the Secretary from making project grants for airports in Puerto Rico or other United States territories from the discretionary fund under section 47115.”.

SEC. 143. REDUCING APPORTIONMENTS.

Section 47114(f)(1) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) in the case of a charge of \$3.00 or less—
“(i) except as provided in clause (ii), 50 percent of the projected revenues from the charge in the fiscal year but not by more than 50 percent of the amount that otherwise would be apportioned under this section; or
“(ii) with respect to an airport in Hawaii, 50 percent of the projected revenues from the charge in the fiscal year but not by more than 50 percent of the excess of—
“(I) the amount that otherwise would be apportioned under this section; over
“(II) the amount equal to the amount specified in subclause (I) multiplied by the percentage of the total passenger boardings at the applicable airport that are comprised of interisland passengers; and
“(B) in the case of a charge of more than \$3.00—
“(i) except as provided in clause (ii), 75 percent of the projected revenues from the charge in the fiscal year but not by more than 75 percent of the amount that otherwise would be apportioned under this section; or
“(ii) with respect to an airport in Hawaii, 75 percent of the projected revenues from the

charge in the fiscal year but not by more than 75 percent of the excess of—

“(I) the amount that otherwise would be apportioned under this section; over

“(II) the amount equal to the amount specified in subclause (I) multiplied by the percentage of the total passenger boardings at the applicable airport that are comprised of interisland passengers.”.

SEC. 144. MARSHALL ISLANDS, MICRONESIA, AND PALAU.

Section 47115(j) is amended by striking “For fiscal years” and all that follows before “the sponsors” and inserting “For fiscal years 2012 through 2015.”.

SEC. 145. USE OF APPORTIONED AMOUNTS.

Section 47117(e)(1)(A) is amended—

(1) by striking “35 percent” in the first sentence and inserting “35 percent, but not more than \$300,000,000.”;

(2) by striking “and” after “47141.”;

(3) by striking “et seq.” and inserting “et seq.”, and for water quality mitigation projects to comply with the Act of June 30, 1948 (33 U.S.C. 1251 et seq.), approved in an environmental record of decision for an airport development project under this title.”; and

(4) by striking “such 35 percent requirement is” in the second sentence and inserting “the requirements of the preceding sentence are”.

SEC. 146. DESIGNATING CURRENT AND FORMER MILITARY AIRPORTS.

(a) **CONSIDERATIONS.**—Section 47118(c) is amended—

(1) in paragraph (1) by striking “or” after the semicolon;

(2) in paragraph (2) by striking “delays.” and inserting “delays; or”; and

(3) by adding at the end the following:

“(3) preserve or enhance minimum airfield infrastructure facilities at former military airports to support emergency diversionary operations for transoceanic flights in locations—
“(A) within United States jurisdiction or control; and
“(B) where there is a demonstrable lack of diversionary airports within the distance or flight-time required by regulations governing transoceanic flights.”.

(b) **DESIGNATION OF GENERAL AVIATION AIRPORTS.**—Section 47118(g) is amended—

(1) in the subsection heading by striking “AIRPORT” and inserting “AIRPORTS”; and

(2) by striking “one of the airports bearing a designation under subsection (a) may be a general aviation airport that was a former military installation” and inserting “3 of the airports bearing designations under subsection (a) may be general aviation airports that were former military installations”.

(c) **SAFETY-CRITICAL AIRPORTS.**—Section 47118 is amended by adding at the end the following:

“(h) **SAFETY-CRITICAL AIRPORTS.**—Notwithstanding any other provision of this chapter, a grant under section 47117(e)(1)(B) may be made for a federally owned airport designated under subsection (a) if the grant is for a project that is—
“(1) to preserve or enhance minimum airfield infrastructure facilities described in subsection (c)(3); and
“(2) necessary to meet the minimum safety and emergency operational requirements established under part 139 of title 14, Code of Federal Regulations.”.

(i) **SAFETY-CRITICAL AIRPORTS.**—Section 47118 is amended by adding at the end the following:

“(h) **SAFETY-CRITICAL AIRPORTS.**—Notwithstanding any other provision of this chapter, a grant under section 47117(e)(1)(B) may be made for a federally owned airport designated under subsection (a) if the grant is for a project that is—
“(1) to preserve or enhance minimum airfield infrastructure facilities described in subsection (c)(3); and
“(2) necessary to meet the minimum safety and emergency operational requirements established under part 139 of title 14, Code of Federal Regulations.”.

(i) **SAFETY-CRITICAL AIRPORTS.**—Section 47118 is amended by adding at the end the following:

“(h) **SAFETY-CRITICAL AIRPORTS.**—Notwithstanding any other provision of this chapter, a grant under section 47117(e)(1)(B) may be made for a federally owned airport designated under subsection (a) if the grant is for a project that is—
“(1) to preserve or enhance minimum airfield infrastructure facilities described in subsection (c)(3); and
“(2) necessary to meet the minimum safety and emergency operational requirements established under part 139 of title 14, Code of Federal Regulations.”.

SEC. 147. CONTRACT TOWER PROGRAM.

(a) **COST-BENEFIT REQUIREMENT.**—Section 47124(b) is amended—

(1) in paragraph (1)—

(A) by striking “(1) The Secretary” and inserting the following:

“(1) **CONTRACT TOWER PROGRAM.**—

“(A) **CONTINUATION.**—The Secretary”; and

(B) by adding at the end the following:

“(B) **SPECIAL RULE.**—If the Secretary determines that a tower already operating under the program continued under this paragraph has a benefit-to-cost ratio of less than 1.0, the airport

sponsor or State or local government having jurisdiction over the airport shall not be required to pay the portion of the costs that exceeds the benefit for a period of 18 months after such determination is made.

“(C) **USE OF EXCESS FUNDS.**—If the Secretary finds that all or part of an amount made available to carry out the program continued under this paragraph is not required during a fiscal year, the Secretary may use, during such fiscal year, the amount not so required to carry out the program established under paragraph (3).”; and

(2) in paragraph (2) by striking “(2) The Secretary” and inserting the following:

“(2) **GENERAL AUTHORITY.**—The Secretary”.

(b) **FUNDING; USE OF EXCESS FUNDS.**—Section 47124(b)(3) is amended by striking subparagraph (E) and inserting the following:

“(E) **FUNDING.**—Of the amounts appropriated pursuant to section 106(k)(1), not more than \$10,350,000 for each of fiscal years 2012 through 2015 may be used to carry out this paragraph.

“(F) **USE OF EXCESS FUNDS.**—If the Secretary finds that all or part of an amount made available under this paragraph is not required during a fiscal year, the Secretary may use, during such fiscal year, the amount not so required to carry out the program continued under paragraph (1).”.

(c) **FEDERAL SHARE.**—Section 47124(b)(4)(C) is amended by striking “\$1,500,000” and inserting “\$2,000,000”.

(d) **SAFETY AUDITS.**—Section 47124 is amended by adding at the end the following:

“(c) **SAFETY AUDITS.**—The Secretary shall establish uniform standards and requirements for regular safety assessments of air traffic control towers that receive funding under this section.”.

SEC. 148. RESOLUTION OF DISPUTES CONCERNING AIRPORT FEES.

(a) **IN GENERAL.**—Section 47129 is amended—

(1) by striking the section heading and inserting the following:

“**§47129. Resolution of disputes concerning airport fees**”;

(2) by inserting “AND FOREIGN AIR CARRIER” after “CARRIER” in the heading for subsection (d);

(3) by inserting “AND FOREIGN AIR CARRIER” after “CARRIER” in the heading for subsection (d)(2);

(4) by striking “air carrier” each place it appears and inserting “air carrier or foreign air carrier”;

(5) by striking “air carrier’s” each place it appears and inserting “air carrier’s or foreign air carrier’s”;

(6) by striking “air carriers” and inserting “air carriers or foreign air carriers”; and

(7) by striking “(as defined in section 40102 of this title)” in subsection (a) and inserting “(as those terms are defined in section 40102)”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 471 is amended by striking the item relating to section 47129 and inserting the following:

“47129. Resolution of disputes concerning airport fees.”.

SEC. 149. SALE OF PRIVATE AIRPORTS TO PUBLIC SPONSORS.

(a) **IN GENERAL.**—Section 47133(b) is amended—

(1) by striking “Subsection (a) shall not apply if” and inserting the following:

“(1) **PRIOR LAWS AND AGREEMENTS.**—Subsection (a) shall not apply if”; and

(2) by adding at the end the following:

“(2) **SALE OF PRIVATE AIRPORT TO PUBLIC SPONSOR.**—In the case of a privately owned airport, subsection (a) shall not apply to the proceeds from the sale of the airport to a public sponsor if—
“(A) the sale is approved by the Secretary;
“(B) funding is provided under this subchapter for any portion of the public sponsor’s acquisition of airport land; and
“(C) an amount equal to the remaining unamortized portion of any airport improvement

grant made to that airport for purposes other than land acquisition, amortized over a 20-year period, plus an amount equal to the Federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996, is repaid to the Secretary by the private owner.

“(3) TREATMENT OF REPAYMENTS.—Repayments referred to in paragraph (2)(C) shall be treated as a recovery of prior year obligations.”.

(b) APPLICABILITY TO GRANTS.—The amendments made by subsection (a) shall apply to grants issued on or after October 1, 1996.

SEC. 150. REPEAL OF CERTAIN LIMITATIONS ON METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.

Section 49108, and the item relating to section 49108 in the analysis for chapter 491, are repealed.

SEC. 151. MIDWAY ISLAND AIRPORT.

Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended by striking “for fiscal years” and all that follows before “from amounts” and inserting “for fiscal years 2012 through 2015”.

SEC. 152. MISCELLANEOUS AMENDMENTS.

(a) TECHNICAL CHANGES TO NATIONAL PLAN OF INTEGRATED AIRPORT SYSTEMS.—Section 47103 is amended—

(1) in subsection (a)—

(A) by striking “each airport to—” and inserting “the airport system to—”;

(B) in paragraph (1) by striking “system in the particular area,” and inserting “system, including connection to the surface transportation network; and”;

(C) in paragraph (2) by striking “; and” and inserting a period; and

(D) by striking paragraph (3);

(2) in subsection (b)—

(A) in paragraph (1) by striking the semicolon and inserting “; and”;

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2) (as so redesignated) by striking “, Short Takeoff and Landing/Very Short Takeoff and Landing aircraft operations;” and

(3) in subsection (d) by striking “status of the”.

(b) CONSOLIDATION OF TERMINAL DEVELOPMENT PROVISIONS.—Section 47119 is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) TERMINAL DEVELOPMENT PROJECTS.—

“(1) IN GENERAL.—The Secretary of Transportation may approve a project for terminal development (including multimodal terminal development) in a nonrevenue-producing public-use area of a commercial service airport—

“(A) if the sponsor certifies that the airport, on the date the grant application is submitted to the Secretary, has—

“(i) all the safety equipment required for certification of the airport under section 44706;

“(ii) all the security equipment required by regulation; and

“(iii) provided for access by passengers to the area of the airport for boarding or exiting aircraft that are not air carrier aircraft;

“(B) if the cost is directly related to moving passengers and baggage in air commerce within the airport, including vehicles for moving passengers between terminal facilities and between terminal facilities and aircraft; and

“(C) under terms necessary to protect the interests of the Government.

“(2) PROJECT IN REVENUE-PRODUCING AREAS AND NONREVENUE-PRODUCING PARKING LOTS.—In making a decision under paragraph (1), the Secretary may approve as allowable costs the expenses of terminal development in a revenue-producing area and construction, reconstruction, repair, and improvement in a nonrevenue-producing parking lot if—

“(A) except as provided in section 47108(e)(3), the airport does not have more than .05 percent of the total annual passenger boardings in the United States; and

“(B) the sponsor certifies that any needed airport development project affecting safety, security, or capacity will not be deferred because of the Secretary’s approval.”;

(3) in subsection (b)(4)(B) (as redesignated by paragraph (1) of this subsection) by striking “Secretary of Transportation” and inserting “Secretary”;

(4) in subsections (b)(3) and (b)(4)(A) (as redesignated by paragraph (1) of this subsection) by striking “section 47110(d)” and inserting “subsection (a)”;

(5) in subsection (b)(5) (as redesignated by paragraph (1) of this subsection) by striking “subsection (b)(1) and (2)” and inserting “subsections (c)(1) and (c)(2)”;

(6) in subsections (c)(1), (c)(2)(A), (c)(3), and (c)(4) (as redesignated by paragraph (1) of this subsection) by striking “section 47110(d) of this title” and inserting “subsection (a)”;

(7) in subsections (c)(2)(B) and (c)(5) (as redesignated by paragraph (1) of this subsection) by striking “section 47110(d)” and inserting “subsection (a)”;

(8) by adding at the end the following:

“(f) LIMITATION ON DISCRETIONARY FUNDS.—The Secretary may distribute not more than \$20,000,000 from the discretionary fund established under section 47115 for terminal development projects at a nonhub airport or a small hub airport that is eligible to receive discretionary funds under section 47108(e)(3).”.

(c) ANNUAL REPORT.—Section 47131(a) is amended—

(1) by striking “April 1” and inserting “June 1”; and

(2) by striking paragraphs (1), (2), (3), and (4) and inserting the following:

“(1) a summary of airport development and planning completed;

“(2) a summary of individual grants issued;

“(3) an accounting of discretionary and apportioned funds allocated;

“(4) the allocation of appropriations; and”.

(d) CORRECTION TO EMISSION CREDITS PROVISION.—Section 47139 is amended—

(1) in subsection (a) by striking “47102(3)(F),”; and

(2) in subsection (b)—

(A) by striking “47102(3)(F),”; and

(B) by striking “47103(3)(F),”.

(e) CONFORMING AMENDMENTS.—

(1) Section 40117(a)(3)(B) is amended by striking “section 47110(d)” and inserting “section 47119(a)”.

(2) Section 47108(e)(3) is amended—

(A) by striking “section 47110(d)(2)” and inserting “section 47119(a);” and

(B) by striking “section 47110(d)” and inserting “section 47119(a)”.

(f) CORRECTION TO SURPLUS PROPERTY AUTHORITY.—Section 47151(e) is amended by striking “(other than real property” and all that follows through “(10 U.S.C. 2687 note))”.

(g) DEFINITIONS.—

(1) CONGESTED AIRPORT.—Section 47175(2) is amended by striking “2001” and inserting “2004 or any successor report”.

(2) JOINT USE AIRPORT.—Section 47175 is amended by adding at the end the following:

“(7) JOINT USE AIRPORT.—The term ‘joint use airport’ means an airport owned by the Department of Defense, at which both military and civilian aircraft make shared use of the airfield.”.

SEC. 153. EXTENSION OF GRANT AUTHORITY FOR COMPATIBLE LAND USE PLANNING AND PROJECTS BY STATE AND LOCAL GOVERNMENTS.

Section 47141(f) is amended to read as follows:

“(f) SUNSET.—This section shall not be in effect after September 30, 2015.”.

SEC. 154. PRIORITY REVIEW OF CONSTRUCTION PROJECTS IN COLD WEATHER STATES.

The Administrator of the Federal Aviation Administration, to the extent practicable, shall

schedule the Administrator’s review of construction projects so that projects to be carried out in States in which the weather during a typical calendar year prevents major construction projects from being carried out before May 1 are reviewed as early as possible.

SEC. 155. STUDY ON NATIONAL PLAN OF INTEGRATED AIRPORT SYSTEMS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall begin a study to evaluate the formulation of the national plan of integrated airport systems (in this section referred to as the “plan”) under section 47103 of title 49, United States Code.

(b) CONTENTS OF STUDY.—The study shall include a review of the following:

(1) The criteria used for including airports in the plan and the application of such criteria in the most recently published version of the plan.

(2) The changes in airport capital needs as shown in the 2005–2009 and 2007–2011 plans, compared with the amounts apportioned or otherwise made available to individual airports between 2005 and 2010.

(3) A comparison of the amounts received by airports under the airport improvement program in airport apportionments, State apportionments, and discretionary grants during such fiscal years with capital needs as reported in the plan.

(4) The effect of transfers of airport apportionments under title 49, United States Code.

(5) An analysis on the feasibility and advisability of apportioning amounts under section 47114(c)(1) of title 49, United States Code, to the sponsor of each primary airport for each fiscal year an amount that bears the same ratio to the amount subject to the apportionment for fiscal year 2009 as the number of passenger boardings at the airport during the prior calendar year bears to the aggregate of all passenger boardings at all primary airports during that calendar year.

(6) A documentation and review of the methods used by airports to reach the 10,000 passenger enplanement threshold, including whether such airports subsidize commercial flights to reach such threshold, at every airport in the United States that reported between 10,000 and 15,000 passenger enplanements during each of the 2 most recent calendar years for which such data is available.

(7) Any other matters pertaining to the plan that the Secretary determines appropriate.

(c) REPORT TO CONGRESS.—

(1) SUBMISSION.—Not later than 36 months after the date that the Secretary begins the study under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(2) CONTENTS.—The report shall include—

(A) the findings of the Secretary on each of the issues described in subsection (b);

(B) recommendations for any changes to policies and procedures for formulating the plan; and

(C) recommendations for any changes to the methods of determining the amounts to be apportioned or otherwise made available to individual airports.

SEC. 156. AIRPORT PRIVATIZATION PROGRAM.

Section 47134(b) is amended in the matter preceding paragraph (1) by striking “5 airports” and inserting “10 airports”.

TITLE II—NEXTGEN AIR TRANSPORTATION SYSTEM AND AIR TRAFFIC CONTROL MODERNIZATION

SEC. 201. DEFINITIONS.

In this title, the following definitions apply:

(1) NEXTGEN.—The term “NextGen” means the Next Generation Air Transportation System.

(2) ADS-B.—The term “ADS-B” means automatic dependent surveillance-broadcast.

(3) ADS-B OUT.—The term “ADS-B Out” means automatic dependent surveillance-broad-

cast with the ability to transmit information from the aircraft to ground stations and to other equipped aircraft.

(4) ADS-B IN.—The term “ADS-B In” means automatic dependent surveillance-broadcast with the ability to transmit information from the aircraft to ground stations and to other equipped aircraft as well as the ability of the aircraft to receive information from other transmitting aircraft and the ground infrastructure.

(5) RNAV.—The term “RNAV” means area navigation.

(6) RNP.—The term “RNP” means required navigation performance.

SEC. 202. NEXTGEN DEMONSTRATIONS AND CONCEPTS.

In allocating amounts appropriated pursuant to section 48101(a) of title 49, United States Code, the Secretary of Transportation shall give priority to the following NextGen activities:

(1) Next Generation Transportation System—Demonstrations and Infrastructure Development.

(2) Next Generation Transportation System—Trajectory Based Operations.

(3) Next Generation Transportation System—Reduce Weather Impact.

(4) Next Generation Transportation System—Arrivals/Departures at High Density Airports.

(5) Next Generation Transportation System—Collaborative ATM.

(6) Next Generation Transportation System—Flexible Terminals and Airports.

(7) Next Generation Transportation System—Safety, Security, and Environment.

(8) Next Generation Transportation System—Systems Network Facilities.

(9) Center for Advanced Aviation System Development.

(10) Next Generation Transportation System—System Development.

(11) Data Communications in support of Next Generation Air Transportation System.

(12) ADS-B NAS-Wide Implementation.

(13) System-Wide Information Management.

(14) Next Generation Transportation System—Facility Consolidation and Realignment.

(15) En Route Modernization—D-Position Upgrade and System Enhancements.

(16) National Airspace System Voice System.

(17) Next Generation Network Enabled Weather.

(18) NextGen Performance Based Navigation Metroplex Area Navigation/Required Navigation Performance.

SEC. 203. CLARIFICATION OF AUTHORITY TO ENTER INTO REIMBURSABLE AGREEMENTS.

Section 106(m) is amended in the last sentence by inserting “with or” before “without reimbursement”.

SEC. 204. CHIEF NEXTGEN OFFICER.

Section 106 is amended by adding at the end the following:

“(S) CHIEF NEXTGEN OFFICER.—

“(1) IN GENERAL.—

“(A) APPOINTMENT.—There shall be a Chief NextGen Officer appointed by the Administrator, with the approval of the Secretary. The Chief NextGen Officer shall report directly to the Administrator and shall be subject to the authority of the Administrator.

“(B) QUALIFICATIONS.—The Chief NextGen Officer shall have a demonstrated ability in management and knowledge of or experience in aviation and systems engineering.

“(C) TERM.—The Chief NextGen Officer shall be appointed for a term of 5 years.

“(D) REMOVAL.—The Chief NextGen Officer shall serve at the pleasure of the Administrator, except that the Administrator shall make every effort to ensure stability and continuity in the leadership of the implementation of NextGen.

“(E) VACANCY.—Any individual appointed to fill a vacancy in the position of Chief NextGen Officer occurring before the expiration of the term for which the individual’s predecessor was appointed shall be appointed for the remainder of that term.

“(2) COMPENSATION.—

“(A) IN GENERAL.—The Chief NextGen Officer shall be paid at an annual rate of basic pay to be determined by the Administrator. The annual rate may not exceed the annual compensation paid under section 102 of title 3. The Chief NextGen Officer shall be subject to the postemployment provisions of section 207 of title 18 as if the position of Chief NextGen Officer were described in section 207(c)(2)(A)(i) of that title.

“(B) BONUS.—In addition to the annual rate of basic pay authorized by subparagraph (A), the Chief NextGen Officer may receive a bonus for any calendar year not to exceed 30 percent of the annual rate of basic pay, based upon the Administrator’s evaluation of the Chief NextGen Officer’s performance in relation to the performance goals set forth in the performance agreement described in paragraph (3).

“(3) ANNUAL PERFORMANCE AGREEMENT.—The Administrator and the Chief NextGen Officer, in consultation with the Federal Aviation Management Advisory Council, shall enter into an annual performance agreement that sets forth measurable organization and individual goals for the Chief NextGen Officer in key operational areas. The agreement shall be subject to review and renegotiation on an annual basis.

“(4) ANNUAL PERFORMANCE REPORT.—The Chief NextGen Officer shall prepare and transmit to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate an annual management report containing such information as may be prescribed by the Secretary.

“(5) RESPONSIBILITIES.—The responsibilities of the Chief NextGen Officer include the following:

“(A) Implementing NextGen activities and budgets across all program offices of the Federal Aviation Administration.

“(B) Coordinating the implementation of NextGen activities with the Office of Management and Budget.

“(C) Reviewing and providing advice on the Administration’s modernization programs, budget, and cost accounting system with respect to NextGen.

“(D) With respect to the budget of the Administration—

“(i) developing a budget request of the Administration related to the implementation of NextGen;

“(ii) submitting such budget request to the Administrator; and

“(iii) ensuring that the budget request supports the annual and long-range strategic plans of the Administration with respect to NextGen.

“(E) Consulting with the Administrator on the Capital Investment Plan of the Administration prior to its submission to Congress.

“(F) Developing an annual NextGen implementation plan.

“(G) Ensuring that NextGen implementation activities are planned in such a manner as to require that system architecture is designed to allow for the incorporation of novel and currently unknown technologies into NextGen in the future and that current decisions do not bias future decisions unfairly in favor of existing technology at the expense of innovation.

“(H) Coordinating with the NextGen Joint Planning and Development Office with respect to facilitating cooperation among all Federal agencies whose operations and interests are affected by the implementation of NextGen.

“(6) EXCEPTION.—If the Administrator appoints as the Chief NextGen Officer, pursuant to paragraph (1)(A), an Executive Schedule employee covered by section 5315 of title 5, then paragraphs (1)(B), (1)(C), (2), and (3) of this subsection shall not apply to such employee.

“(7) NEXTGEN DEFINED.—For purposes of this subsection, the term ‘NextGen’ means the Next Generation Air Transportation System.”.

SEC. 205. DEFINITION OF AIR NAVIGATION FACILITY.

Section 40102(a)(4) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E);

(2) by striking subparagraphs (B) and (C); and

(3) by inserting after subparagraph (A) the following:

“(B) runway lighting and airport surface visual and other navigation aids;

“(C) apparatus, equipment, software, or service for distributing aeronautical and meteorological information to air traffic control facilities or aircraft;

“(D) communication, navigation, or surveillance equipment for air-to-ground or air-to-air applications.”;

(4) in subparagraph (E) (as redesignated by paragraph (1) of this section)—

(A) by striking “another structure” and inserting “any structure, equipment.”; and

(B) by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(F) buildings, equipment, and systems dedicated to the national airspace system.”.

SEC. 206. CLARIFICATION TO ACQUISITION REFORM AUTHORITY.

Section 40110(c) is amended—

(1) by inserting “and” after the semicolon in paragraph (3);

(2) by striking paragraph (4); and

(3) by redesignating paragraph (5) as paragraph (4).

SEC. 207. ASSISTANCE TO FOREIGN AVIATION AUTHORITIES.

Section 40113(e) is amended—

(1) in paragraph (1)—

(A) by inserting “(whether public or private)” after “authorities”; and

(B) by striking “safety.” and inserting “safety or efficiency. The Administrator is authorized to participate in, and submit offers in response to, competitions to provide these services, and to contract with foreign aviation authorities to provide these services consistent with section 106(l)(6).”;

(2) in paragraph (2) by adding at the end the following: “The Administrator is authorized, notwithstanding any other provision of law or policy, to accept payments for services provided under this subsection in arrears.”; and

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

“(3) CREDITING APPROPRIATIONS.—Funds received by the Administrator pursuant to this section shall—

“(A) be credited to the appropriation current when the amount is received;

“(B) be merged with and available for the purposes of such appropriation; and

“(C) remain available until expended.”.

SEC. 208. NEXT GENERATION AIR TRANSPORTATION SYSTEM JOINT PLANNING AND DEVELOPMENT OFFICE.

(a) REDESIGNATION OF JPDO DIRECTOR TO ASSOCIATE ADMINISTRATOR.—

(1) ASSOCIATE ADMINISTRATOR FOR NEXT GENERATION AIR TRANSPORTATION SYSTEM PLANNING, DEVELOPMENT, AND INTERAGENCY COORDINATION.—Section 709(a) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note; 117 Stat. 2582) is amended—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) The head of the Office shall be the Associate Administrator for Next Generation Air Transportation System Planning, Development, and Interagency Coordination, who shall be appointed by the Administrator of the Federal Aviation Administration, with the approval of the Secretary. The Administrator shall appoint the Associate Administrator after consulting with the Chairman of the Next Generation Sen-

ior Policy Committee and providing advanced notice to the other members of that Committee.”

(2) **RESPONSIBILITIES.**—Section 709(a)(3) of such Act (as redesignated by paragraph (1) of this subsection) is amended—

(A) in subparagraph (G) by striking “; and” and inserting a semicolon;

(B) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(I) establishing specific quantitative goals for the safety, capacity, efficiency, performance, and environmental impacts of each phase of Next Generation Air Transportation System planning and development activities and measuring actual operational experience against those goals, taking into account noise pollution reduction concerns of affected communities to the extent practicable in establishing the environmental goals;

“(J) working to ensure global interoperability of the Next Generation Air Transportation System;

“(K) working to ensure the use of weather information and space weather information in the Next Generation Air Transportation System as soon as possible;

“(L) overseeing, with the Administrator and in consultation with the Chief NextGen Officer, the selection of products or outcomes of research and development activities that should be moved to a demonstration phase; and

“(M) maintaining a baseline modeling and simulation environment for testing and evaluating alternative concepts to satisfy Next Generation Air Transportation System enterprise architecture requirements.”

(3) **COOPERATION WITH OTHER FEDERAL AGENCIES.**—Section 709(a)(4) of such Act (as redesignated by paragraph (1) of this subsection) is amended—

(A) by striking “(4)” and inserting “(4)(A)”; and

(B) by striking at the end the following:

“(B) The Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the Secretary of Commerce, the Secretary of Homeland Security, and the head of any other Federal agency from which the Secretary of Transportation requests assistance under subparagraph (A) shall designate a senior official in the agency to be responsible for—

“(i) carrying out the activities of the agency relating to the Next Generation Air Transportation System in coordination with the Office, including the execution of all aspects of the work of the agency in developing and implementing the integrated work plan described in subsection (b)(5);

“(ii) serving as a liaison for the agency in activities of the agency relating to the Next Generation Air Transportation System and coordinating with other Federal agencies involved in activities relating to the System; and

“(iii) ensuring that the agency meets its obligations as set forth in any memorandum of understanding executed by or on behalf of the agency relating to the Next Generation Air Transportation System.

“(C) The head of a Federal agency referred to in subparagraph (B) shall—

“(i) ensure that the responsibilities of the agency relating to the Next Generation Air Transportation System are clearly communicated to the senior official of the agency designated under subparagraph (B);

“(ii) ensure that the performance of the senior official in carrying out the responsibilities of the agency relating to the Next Generation Air Transportation System is reflected in the official’s annual performance evaluations and compensation;

“(iii) establish or designate an office within the agency to carry out its responsibilities under the memorandum of understanding under the supervision of the designated official; and

“(iv) ensure that the designated official has sufficient budgetary authority and staff resources to carry out the agency’s Next Genera-

tion Air Transportation System responsibilities as set forth in the integrated plan under subsection (b).

“(D) Not later than 6 months after the date of enactment of this subparagraph, the head of each Federal agency that has responsibility for carrying out any activity under the integrated plan under subsection (b) shall execute a memorandum of understanding with the Office obligating that agency to carry out the activity.”

(4) **COORDINATION WITH OMB.**—Section 709(a) of such Act (117 Stat. 2582) is further amended by adding at the end the following:

“(6)(A) The Office shall work with the Director of the Office of Management and Budget to develop a process whereby the Director will identify projects related to the Next Generation Air Transportation System across the agencies referred to in paragraph (4)(A) and consider the Next Generation Air Transportation System as a unified, cross-agency program.

“(B) The Director of the Office of Management and Budget, to the extent practicable, shall—

“(i) ensure that—

“(I) each Federal agency covered by the plan has sufficient funds requested in the President’s budget, as submitted under section 1105(a) of title 31, United States Code, for each fiscal year covered by the plan to carry out its responsibilities under the plan; and

“(II) the development and implementation of the Next Generation Air Transportation System remains on schedule;

“(ii) include, in the President’s budget, a statement of the portion of the estimated budget of each Federal agency covered by the plan that relates to the activities of the agency under the Next Generation Air Transportation System; and

“(iii) identify and justify as part of the President’s budget submission any inconsistencies between the plan and amounts requested in the budget.

“(7) The Associate Administrator for Next Generation Air Transportation System Planning, Development, and Interagency Coordination shall be a voting member of the Joint Resources Council of the Federal Aviation Administration.”

(b) **INTEGRATED PLAN.**—Section 709(b) of such Act (117 Stat. 2583) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “meets air” and inserting “meets anticipated future air”; and

(B) by striking “beyond those currently included in the Federal Aviation Administration’s operational evolution plan”;

(2) at the end of paragraph (3) by striking “and”;

(3) at the end of paragraph (4) by striking the period and inserting “; and”;

(4) by adding at the end the following:

“(5) a multiagency integrated work plan for the Next Generation Air Transportation System that includes—

“(A) an outline of the activities required to achieve the end-state architecture, as expressed in the concept of operations and enterprise architecture documents, that identifies each Federal agency or other entity responsible for each activity in the outline;

“(B) details on a year-by-year basis of specific accomplishments, activities, research requirements, rulemakings, policy decisions, and other milestones of progress for each Federal agency or entity conducting activities relating to the Next Generation Air Transportation System;

“(C) for each element of the Next Generation Air Transportation System, an outline, on a year-by-year basis, of what is to be accomplished in that year toward meeting the Next Generation Air Transportation System’s end-state architecture, as expressed in the concept of operations and enterprise architecture documents, as well as identifying each Federal agency or other entity that will be responsible for each component of any research, development, or implementation program;

“(D) an estimate of all necessary expenditures on a year-by-year basis, including a statement of each Federal agency or entity’s responsibility for costs and available resources, for each stage of development from the basic research stage through the demonstration and implementation phase;

“(E) a clear explanation of how each step in the development of the Next Generation Air Transportation System will lead to the following step and of the implications of not successfully completing a step in the time period described in the integrated work plan;

“(F) a transition plan for the implementation of the Next Generation Air Transportation System that includes date-specific milestones for the implementation of new capabilities into the national airspace system;

“(G) date-specific timetables for meeting the environmental goals identified in subsection (a)(3)(I); and

“(H) a description of potentially significant operational or workforce changes resulting from deployment of the Next Generation Air Transportation System.”

(c) **NEXTGEN IMPLEMENTATION PLAN.**—Section 709(d) of such Act (117 Stat. 2584) is amended to read as follows:

“(d) **NEXTGEN IMPLEMENTATION PLAN.**—The Administrator shall develop and publish annually the document known as the NextGen Implementation Plan, or any successor document, that provides a detailed description of how the agency is implementing the Next Generation Air Transportation System.”

(d) **CONTINGENCY PLANNING.**—The Associate Administrator for Next Generation Air Transportation System Planning, Development, and Interagency Coordination shall, as part of the design of the System, develop contingency plans for dealing with the degradation of the System in the event of a natural disaster, major equipment failure, or act of terrorism.

SEC. 209. NEXT GENERATION AIR TRANSPORTATION SENIOR POLICY COMMITTEE.

(a) **MEETINGS.**—Section 710(a) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note; 117 Stat. 2584) is amended by inserting before the period at the end the following “and shall meet at least twice each year”.

(b) **ANNUAL REPORT.**—Section 710 of such Act (117 Stat. 2584) is amended by adding at the end the following:

“(e) **ANNUAL REPORT.**—

“(1) **SUBMISSION TO CONGRESS.**—Not later than 1 year after the date of enactment of this subsection, and annually thereafter on the date of submission of the President’s budget request to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to Congress a report summarizing the progress made in carrying out the integrated work plan required by section 709(b)(5) and any changes in that plan.

“(2) **CONTENTS.**—The report shall include—

“(A) a copy of the updated integrated work plan;

“(B) a description of the progress made in carrying out the integrated work plan and any changes in that plan, including any changes based on funding shortfalls and limitations set by the Office of Management and Budget;

“(C) a detailed description of—

“(i) the success or failure of each item of the integrated work plan for the previous year and relevant information as to why any milestone was not met; and

“(ii) the impact of not meeting the milestone and what actions will be taken in the future to account for the failure to complete the milestone;

“(D) an explanation of any change to future years in the integrated work plan and the reasons for such change; and

“(E) an identification of the levels of funding for each agency participating in the integrated work plan devoted to programs and activities

under the plan for the previous fiscal year and in the President's budget request."

SEC. 210. IMPROVED MANAGEMENT OF PROPERTY INVENTORY.

Section 40110(a) is amended by striking paragraphs (2) and (3) and inserting the following:

"(2) may construct and improve laboratories and other test facilities; and

"(3) may dispose of any interest in property for adequate compensation, and the amount so received shall—

"(A) be credited to the appropriation current when the amount is received;

"(B) be merged with and available for the purposes of such appropriation; and

"(C) remain available until expended."

SEC. 211. AUTOMATIC DEPENDENT SURVEILLANCE-BROADCAST SERVICES.

(a) REVIEW BY DOT INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct a review concerning the Federal Aviation Administration's award and oversight of any contracts entered into by the Administration to provide ADS-B services for the national airspace system.

(2) CONTENTS.—The review shall include, at a minimum—

(A) an examination of how the Administration manages program risks;

(B) an assessment of expected benefits attributable to the deployment of ADS-B services, including the Administration's plans for implementation of advanced operational procedures and air-to-air applications, as well as the extent to which ground radar will be retained;

(C) an assessment of the Administration's analysis of specific operational benefits, and benefit/costs analyses of planned operational benefits conducted by the Administration, for ADS-B In and ADS-B Out avionics equipage for airspace users;

(D) a determination of whether the Administration has established sufficient mechanisms to ensure that all design, acquisition, operation, and maintenance requirements have been met by the contractor;

(E) an assessment of whether the Administration and any contractors are meeting cost, schedule, and performance milestones, as measured against the original baseline of the Administration's program for providing ADS-B services;

(F) an assessment of how security issues are being addressed in the overall design and implementation of the ADS-B system;

(G) identification of any potential operational or workforce changes resulting from deployment of ADS-B; and

(H) any other matters or aspects relating to contract implementation and oversight that the Inspector General determines merit attention.

(3) REPORTS TO CONGRESS.—The Inspector General shall submit, periodically (and on at least an annual basis), to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under this subsection.

(b) RULEMAKING.—

(1) ADS-B IN.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking proceeding to issue guidelines and regulations relating to ADS-B In technology that—

(A) identify the ADS-B In technology that will be required under NextGen;

(B) subject to paragraph (2), require all aircraft operating in capacity constrained airspace, at capacity constrained airports, or in any other airspace deemed appropriate by the Administrator to be equipped with ADS-B In technology by 2020; and

(C) identify—

(i) the type of avionics required of aircraft for all classes of airspace;

(ii) the expected costs associated with the avionics; and

(iii) the expected uses and benefits of the avionics.

(2) READINESS VERIFICATION.—Before the Administrator completes an ADS-B In equipage rulemaking proceeding or issues an interim or final rule pursuant to paragraph (1), the Chief NextGen Officer shall verify that—

(A) the necessary ground infrastructure is installed and functioning properly;

(B) certification standards have been approved; and

(C) appropriate operational platforms interact safely and efficiently.

(c) USE OF ADS-B TECHNOLOGY.—

(1) PLANS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall develop, in consultation with appropriate employee and industry groups, a plan for the use of ADS-B technology for surveillance and active air traffic control.

(2) CONTENTS.—The plan shall—

(A) include provisions to test the use of ADS-B technology for surveillance and active air traffic control in specific regions of the United States with the most congested airspace;

(B) identify the equipment required at air traffic control facilities and the training required for air traffic controllers;

(C) identify procedures, to be developed in consultation with appropriate employee and industry groups, to conduct air traffic management in mixed equipage environments; and

(D) establish a policy in test regions referred to in subparagraph (A), in consultation with appropriate employee and industry groups, to provide incentives for equipage with ADS-B technology, including giving priority to aircraft equipped with such technology before the 2020 equipage deadline.

SEC. 212. EXPERT REVIEW OF ENTERPRISE ARCHITECTURE FOR NEXTGEN.

(a) REVIEW.—The Administrator of the Federal Aviation Administration shall enter into an arrangement with the National Research Council to review the enterprise architecture for the NextGen.

(b) CONTENTS.—At a minimum, the review to be conducted under subsection (a) shall—

(1) highlight the technical activities, including human-system design, organizational design, and other safety and human factor aspects of the system, that will be necessary to successfully transition current and planned modernization programs to the future system envisioned by the Joint Planning and Development Office of the Administration;

(2) assess technical, cost, and schedule risk for the software development that will be necessary to achieve the expected benefits from a highly automated air traffic management system and the implications for ongoing modernization projects; and

(3) determine how risks with automation efforts for the NextGen can be mitigated based on the experiences of other public or private entities in developing complex, software-intensive systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the review conducted pursuant to subsection (a).

SEC. 213. ACCELERATION OF NEXTGEN TECHNOLOGIES.

(a) OPERATIONAL EVOLUTION PARTNERSHIP (OEP) AIRPORT PROCEDURES.—

(1) OEP AIRPORTS REPORT.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, air carriers, general aviation representa-

tives, aircraft and avionics manufacturers, and third parties that have received letters of qualification from the Administration to design and validate required navigation performance flight paths for public use (in this section referred to as "qualified third parties") that includes the following:

(A) RNP/RNAV OPERATIONS FOR OEP AIRPORTS.—The required navigation performance and area navigation operations, including the procedures to be developed, certified, and published and the air traffic control operational changes, to maximize the fuel efficiency and airspace capacity of NextGen commercial operations at each of the 35 operational evolution partnership airports identified by the Administration and any medium or small hub airport located within the same metroplex area considered appropriate by the Administrator. The Administrator shall, to the maximum extent practicable, avoid overlays of existing flight procedures, but if unavoidable, the Administrator shall clearly identify each required navigation performance and area navigation procedure that is an overlay of an existing instrument flight procedure and the reason why such an overlay was used.

(B) COORDINATION AND IMPLEMENTATION ACTIVITIES FOR OEP AIRPORTS.—A description of the activities and operational changes and approvals required to coordinate and utilize the procedures at OEP airports.

(C) IMPLEMENTATION PLAN FOR OEP AIRPORTS.—A plan for implementing the procedures for OEP airports under subparagraph (A) that establishes—

(i) clearly defined budget, schedule, project organization, and leadership requirements;

(ii) specific implementation and transition steps;

(iii) baseline and performance metrics for—

(I) measuring the Administration's progress in implementing the plan, including the percentage utilization of required navigation performance in the national airspace system; and

(II) achieving measurable fuel burn and carbon dioxide emissions reductions compared to current performance;

(iv) expedited environmental review procedures and processes for timely environmental approval of area navigation and required navigation performance that offer significant efficiency improvements as determined by baseline and performance metrics under clause (iii);

(v) coordination and communication mechanisms with qualified third parties, if applicable;

(vi) plans to address human factors, training, and other issues for air traffic controllers surrounding the adoption of RNP procedures in the en route and terminal environments, including in a mixed operational environment; and

(vii) a lifecycle management strategy for RNP procedures to be developed by qualified third parties, if applicable.

(D) ADDITIONAL PROCEDURES FOR OEP AIRPORTS.—A process for the identification, certification, and publication of additional required navigation performance and area navigation procedures that may provide operational benefits at OEP airports, and any medium or small hub airport located within the same metroplex area as the OEP airport, in the future.

(2) IMPLEMENTATION SCHEDULE FOR OEP AIRPORTS.—The Administrator shall certify, publish, and implement—

(A) not later than 18 months after the date of enactment of this Act, 30 percent of the required procedures at OEP airports;

(B) not later than 36 months after the date of enactment of this Act, 60 percent of the required procedures at OEP airports; and

(C) before June 30, 2015, 100 percent of the required procedures at OEP airports.

(b) NON-OEP AIRPORTS.—

(1) NON-OEP AIRPORTS REPORT.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport opera-

tors, air carriers, general aviation representatives, aircraft and avionics manufacturers, and third parties that have received letters of qualification from the Administration to design and validate required navigation performance flight paths for public use (in this section referred to as “qualified third parties”) that includes the following:

(A) RNP OPERATIONS FOR NON-OEP AIRPORTS.—A list of required navigation performance procedures (as defined in FAA order 8260.52(d)) to be developed, certified, and published, and the air traffic control operational changes, to maximize the fuel efficiency and airspace capacity of NextGen commercial operations at 35 non-OEP small, medium, and large hub airports other than those referred to in subsection (a)(1). The Administrator shall choose such non-OEP airports considered appropriate by the Administrator to produce maximum operational benefits, including improved fuel efficiency and emissions reductions that do not have public RNP procedures that produce such benefits on the date of enactment of this Act. The Administrator shall, to the maximum extent practicable, avoid overlays of existing flight procedures, but if unavoidable, the Administrator shall clearly identify each required navigation performance procedure that is an overlay of an existing instrument flight procedure and the reason why such an overlay was used.

(B) COORDINATION AND IMPLEMENTATION ACTIVITIES FOR NON-OEP AIRPORTS.—A description of the activities and operational changes and approvals required to coordinate and to utilize the procedures required by subparagraph (A) at each of the airports described in such subparagraph.

(C) IMPLEMENTATION PLAN FOR NON-OEP AIRPORTS.—A plan for implementation of the procedures required by subparagraph (A) that establishes—

(i) clearly defined budget, schedule, project organization, and leadership requirements;

(ii) specific implementation and transition steps;

(iii) coordination and communications mechanisms with qualified third parties;

(iv) plans to address human factors, training, and other issues for air traffic controllers surrounding the adoption of RNP procedures in the en route and terminal environments, including in a mixed operational environment;

(v) baseline and performance metrics for—

(I) measuring the Administration’s progress in implementing the plan, including the percentage utilization of required navigation performance in the national airspace system; and

(II) achieving measurable fuel burn and carbon dioxide emissions reduction compared to current performance;

(vi) expedited environmental review procedures and processes for timely environmental approval of area navigation and required navigation performance that offer significant efficiency improvements as determined by baseline and performance metrics established under clause (v);

(vii) a description of the software and database information, such as a current version of the Noise Integrated Routing System or the Integrated Noise Model that the Administration will need to make available to qualified third parties to enable those third parties to design procedures that will meet the broad range of requirements of the Administration; and

(viii) lifecycle management strategy for RNP procedures to be developed by qualified third parties, if applicable.

(D) ADDITIONAL PROCEDURES FOR NON-OEP AIRPORTS.—A process for the identification, certification, and publication of additional required navigation performance procedures that may provide operational benefits at non-OEP airports in the future.

(2) IMPLEMENTATION SCHEDULE FOR NON-OEP AIRPORTS.—The Administrator shall certify, publish, and implement—

(A) not later than 18 months after the date of enactment of this Act, 25 percent of the required procedures for non-OEP airports;

(B) not later than 36 months after the date of enactment of this Act, 50 percent of the required procedures for non-OEP airports; and

(C) before June 30, 2016, 100 percent of the required procedures for non-OEP airports.

(c) COORDINATED AND EXPEDITED REVIEW.—

(1) IN GENERAL.—Navigation performance and area navigation procedures developed, certified, published, or implemented under this section shall be presumed to be covered by a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations) under chapter 3 of FAA Order 1050.1E unless the Administrator determines that extraordinary circumstances exist with respect to the procedure.

(2) NEXTGEN PROCEDURES.—Any navigation performance or other performance based navigation procedure developed, certified, published, or implemented that, in the determination of the Administrator, would result in measurable reductions in fuel consumption, carbon dioxide emissions, and noise, on a per flight basis, as compared to aircraft operations that follow existing instrument flight rules procedures in the same airspace, shall be presumed to have no significant affect on the quality of the human environment and the Administrator shall issue and file a categorical exclusion for the new procedure.

(d) DEPLOYMENT PLAN FOR NATIONWIDE DATA COMMUNICATIONS SYSTEM.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for implementation of a nationwide data communications system. The plan shall include—

(1) clearly defined budget, schedule, project organization, and leadership requirements;

(2) specific implementation and transition steps; and

(3) baseline and performance metrics for measuring the Administration’s progress in implementing the plan.

(e) IMPROVED PERFORMANCE STANDARDS.—

(1) ASSESSMENT OF WORK BEING PERFORMED UNDER NEXTGEN IMPLEMENTATION PLAN.—The Administrator shall clearly outline in the NextGen Implementation Plan document of the Administration the work being performed under the plan to determine—

(A) whether utilization of ADS-B, RNP, and other technologies as part of NextGen implementation will display the position of aircraft more accurately and frequently to enable a more efficient use of existing airspace and result in reduced consumption of aviation fuel and aircraft engine emissions; and

(B) the feasibility of reducing aircraft separation standards in a safe manner as a result of the implementation of such technologies.

(2) AIRCRAFT SEPARATION STANDARDS.—If the Administrator determines that the standards referred to in paragraph (1)(B) can be reduced safely, the Administrator shall include in the NextGen Implementation Plan a timetable for implementation of such reduced standards.

(f) THIRD-PARTY USAGE.—The Administration shall establish a program under which the Administrator is authorized to use qualified third parties in the development, testing, and maintenance of flight procedures.

SEC. 214. PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish and begin tracking national airspace system performance metrics, including, at a minimum, metrics with respect to—

(1) actual arrival and departure rates per hour measured against the currently published aircraft arrival rate and aircraft departure rate for the 35 operational evolution partnership airports;

(2) average gate-to-gate times;

(3) fuel burned between key city pairs;

(4) operations using the advanced navigation procedures, including performance based navigation procedures;

(5) the average distance flown between key city pairs;

(6) the time between pushing back from the gate and taking off;

(7) continuous climb or descent;

(8) average gate arrival delay for all arrivals;

(9) flown versus filed flight times for key city pairs;

(10) implementation of NextGen Implementation Plan, or any successor document, capabilities designed to reduce emissions and fuel consumption;

(11) the Administration’s unit cost of providing air traffic control services; and

(12) runway safety, including runway incursions, operational errors, and loss of standard separation events.

(b) BASELINES.—The Administrator, in consultation with aviation industry stakeholders, shall identify baselines for each of the metrics established under subsection (a) and appropriate methods to measure deviations from the baselines.

(c) PUBLICATION.—The Administrator shall make data obtained under subsection (a) available to the public in a searchable, sortable, and downloadable format through the Web site of the Administration and other appropriate media.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

(1) a description of the metrics that will be used to measure the Administration’s progress in implementing NextGen capabilities and operational results;

(2) information on any additional metrics developed; and

(3) a process for holding the Administration accountable for meeting or exceeding the metrics baselines identified in subsection (b).

SEC. 215. CERTIFICATION STANDARDS AND RESOURCES.

(a) PROCESS FOR CERTIFICATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a plan to accelerate and streamline the process for certification of NextGen technologies, including—

(1) establishment of updated project plans and timelines;

(2) identification of the specific activities needed to certify NextGen technologies, including the establishment of NextGen technical requirements for the manufacture of equipment, installation of equipment, airline operational procedures, pilot training standards, air traffic control procedures, and air traffic controller training;

(3) identification of staffing requirements for the Air Certification Service and the Flight Standards Service, taking into consideration the leveraging of assistance from third parties and designees;

(4) establishment of a program under which the Administration will use third parties in the certification process; and

(5) establishment of performance metrics to measure the Administration’s progress.

(b) CERTIFICATION INTEGRITY.—The Administrator shall ensure that equipment, systems, or services used in the national airspace system meet appropriate certification requirements regardless of whether the equipment, system, or service is publicly or privately owned.

SEC. 216. SURFACE SYSTEMS ACCELERATION.

(a) IN GENERAL.—The Chief Operating Officer of the Air Traffic Organization shall—

(1) evaluate the Airport Surface Detection Equipment-Model X program for its potential

contribution to implementation of the NextGen initiative;

(2) evaluate airport surveillance technologies and associated collaborative surface management software for potential contributions to implementation of NextGen surface management;

(3) accelerate implementation of the program referred to in paragraph (1); and

(4) carry out such additional duties as the Administrator of the Federal Aviation Administration may require.

(b) **EXPEDITED CERTIFICATION AND UTILIZATION.**—The Administrator shall—

(1) consider options for expediting the certification of Ground-Based Augmentation System technology; and

(2) develop a plan to utilize such a system at the 35 operational evolution partnership airports by December 31, 2012.

SEC. 217. INCLUSION OF STAKEHOLDERS IN AIR TRAFFIC CONTROL MODERNIZATION PROJECTS.

(a) **PROCESS FOR EMPLOYEE INCLUSION.**—Notwithstanding any other law or agreement, the Administrator of the Federal Aviation Administration shall establish a process or processes for including qualified employees selected by each exclusive collective bargaining representative of employees of the Administration impacted by the air traffic control modernization process to serve in a collaborative and expert capacity in the planning and development of air traffic control modernization projects, including NextGen.

(b) **ADHERENCE TO DEADLINES.**—Participants in these processes shall adhere, to the greatest extent possible, to all deadlines and milestones established pursuant to this title.

(c) **NO CHANGE IN EMPLOYEE STATUS.**—Participation in these processes by an employee shall not—

(1) serve as a waiver of any bargaining obligations or rights;

(2) entitle the employee to any additional compensation or benefits with the exception of a per diem, if appropriate; or

(3) entitle the employee to prevent or unduly delay the exercise of management prerogatives.

(d) **WORKING GROUPS.**—Except in extraordinary circumstances, the Administrator shall not pay overtime related to work group participation.

(e) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the implementation of this section.

SEC. 218. AIRSPACE REDESIGN.

(a) **FINDINGS.**—Congress finds the following:

(1) The airspace redesign efforts of the Federal Aviation Administration will play a critical near-term role in enhancing capacity, reducing delays, transitioning to more flexible routing, and ultimately saving money in fuel costs for airlines and airspace users.

(2) The critical importance of airspace redesign efforts is underscored by the fact that they are highlighted in strategic plans of the Administration, including Flight Plan 2009-2013 and the NextGen Implementation Plan.

(3) Funding cuts have led to delays and deferrals of critical capacity enhancing airspace redesign efforts.

(4) New runways planned for the period of fiscal years 2011 and 2012 will not provide estimated capacity benefits without additional funds.

(b) **NOISE IMPACTS OF NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE REDESIGN.**—

(1) **MONITORING.**—The Administrator of the Federal Aviation Administration, in conjunction with the Port Authority of New York and New Jersey and the Philadelphia International Airport, shall monitor the noise impacts of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign.

(2) **REPORT.**—Not later than 1 year following the first day of completion of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to monitoring conducted under paragraph (1).

SEC. 219. STUDY ON FEASIBILITY OF DEVELOPMENT OF A PUBLIC INTERNET WEB-BASED RESOURCE ON LOCATIONS OF POTENTIAL AVIATION OBSTRUCTIONS.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall carry out a study on the feasibility of developing a publicly searchable, Internet Web-based resource that provides information regarding the height and latitudinal and longitudinal locations of guy-wire and free-standing tower obstructions.

(b) **CONSIDERATIONS.**—In conducting the study, the Administrator shall consult with affected industries and appropriate Federal agencies.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit a report to the appropriate committees of Congress on the results of the study.

SEC. 220. NEXTGEN RESEARCH AND DEVELOPMENT CENTER OF EXCELLENCE.

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration may enter into an agreement, on a competitive basis, to assist in the establishment of a center of excellence for the research and development of NextGen technologies.

(b) **FUNCTIONS.**—The Administrator shall ensure that the center established under subsection (a)—

(1) leverages resources and partnerships, including appropriate programs of the Administration, to enhance the research and development of NextGen technologies by academia and industry; and

(2) provides educational, technical, and analytical assistance to the Administration and other Federal departments and agencies with responsibilities to research and develop NextGen technologies.

SEC. 221. PUBLIC-PRIVATE PARTNERSHIPS.

(a) **IN GENERAL.**—The Secretary may establish an avionics equipment incentive program for the purpose of equipping general aviation and commercial aircraft with communications, surveillance, navigation, and other avionics equipment as determined by the Secretary to be in the interest of achieving NextGen capabilities for such aircraft.

(b) **NEXTGEN PUBLIC-PRIVATE PARTNERSHIPS.**—The incentive program established under subsection (a) shall, at a minimum—

(1) be based on public-private partnership principles; and

(2) leverage and maximize the use of private sector capital.

(c) **FINANCIAL INSTRUMENTS.**—Subject to the availability of appropriated funds, the Secretary may use financial instruments to facilitate public-private financing for the equipage of general aviation and commercial aircraft registered under section 44103 of title 49, United States Code. To the extent appropriations are not made available, the Secretary may establish the program, provided the costs are covered by the fees and premiums authorized by subsection (d)(2). For purposes of this section, the term “financial instruments” means loan guarantees and other credit assistance designed to leverage and maximize private sector capital.

(d) **PROTECTION OF THE TAXPAYER.**—

(1) **LIMITATION ON PRINCIPAL.**—The amount of any guarantee under this program shall be limited to 90 percent of the principal amount of the underlying loan.

(2) **COLLATERAL, FEES, AND PREMIUMS.**—The Secretary shall require applicants for the incentive program to post collateral and pay such fees and premiums if feasible, as determined by the Secretary, to offset costs to the Government of

potential defaults, and agree to performance measures that the Secretary considers necessary and in the best interest of implementing the NextGen program.

(3) **USE OF FUNDS.**—Applications for this program shall be limited to equipment that is installed on general aviation or commercial aircraft and is necessary for communications, surveillance, navigation, or other purposes determined by the Secretary to be in the interests of achieving NextGen capabilities for commercial and general aviation.

(e) **TERMINATION OF AUTHORITY.**—The authority of the Secretary to issue such financial instruments under this section shall terminate 5 years after the date of the establishment of the incentive program.

SEC. 222. OPERATIONAL INCENTIVES.

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall issue a report that—

(1) identifies incentive options to encourage the equipage of aircraft with NextGen technologies, including a policy that gives priority to aircraft equipped with ADS-B technology;

(2) identifies the costs and benefits of each option; and

(3) includes input from industry stakeholders, including passenger and cargo air carriers, aerospace manufacturers, and general aviation aircraft operators.

(b) **DEADLINE.**—The Administrator shall issue the report before the earlier of—

(1) the date that is 6 months after the date of enactment of this Act; or

(2) the date on which aircraft are required to be equipped with ADS-B technology pursuant to the rulemaking under section 211(b).

SEC. 223. EDUCATIONAL REQUIREMENTS.

The Administrator of the Federal Aviation Administration shall make payments to the Department of Defense for the education of dependent children of those Administration employees in Puerto Rico and Guam as they are subject to transfer by policy and practice and meet the eligibility requirements of section 2164(c) of title 10, United States Code.

SEC. 224. AIR TRAFFIC CONTROLLER STAFFING INITIATIVES AND ANALYSIS.

As soon as practicable, and not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) ensure, to the extent practicable, a sufficient number of contract instructors, classroom space (including off-site locations as needed), and simulators to allow for an increase in the number of air traffic controllers at air traffic control facilities;

(2) distribute, to the extent practicable, the placement of certified professional air traffic controllers-in-training and developmental air traffic controllers at facilities evenly across the calendar year in order to avoid training bottlenecks;

(3) initiate an analysis, to be conducted in consultation with the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, of scheduling processes and practices, including overtime scheduling practices at those facilities;

(4) provide, to the extent practicable and where appropriate, priority to certified professional air traffic controllers-in-training when filling staffing vacancies at facilities;

(5) assess training programs at air traffic control facilities with below-average success rates to determine if training is being carried out in accordance with Administration standards, and conduct exit interview analyses with all candidates to determine potential weaknesses in training protocols, or in the execution of such training protocols; and

(6) prioritize, to the extent practicable, such efforts to address the recommendations for the facilities identified in the Department of Transportation's Office of the Inspector General Report Number: AV-2009-047.

SEC. 225. REPORTS ON STATUS OF GREENER SKIES PROJECT.

(a) **INITIAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to Congress a report on the strategy of the Administrator for implementing, on an accelerated basis, the NextGen operational capabilities produced by the Greener Skies project, as recommended in the final report of the RTCA NextGen Mid-Term Implementation Task Force that was issued on September 9, 2009.

(b) SUBSEQUENT REPORTS.—

(1) **IN GENERAL.**—Not later than 180 days after the Administrator submits to Congress the report required by subsection (a) and annually thereafter until the pilot program terminates, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress of the Administrator in carrying out the strategy described in the report submitted under subsection (a).

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) A timeline for full implementation of the strategy described in the report submitted under subsection (a).

(B) A description of the progress made in carrying out such strategy.

(C) A description of the challenges, if any, encountered by the Administrator in carrying out such strategy.

TITLE III—SAFETY**Subtitle A—General Provisions****SEC. 301. JUDICIAL REVIEW OF DENIAL OF AIRMAN CERTIFICATES.**

(a) **JUDICIAL REVIEW OF NTSB DECISIONS.**—Section 44703(d) is amended by adding at the end the following:

“(3) A person who is substantially affected by an order of the Board under this subsection, or the Administrator if the Administrator decides that an order of the Board will have a significant adverse impact on carrying out this subtitle, may seek judicial review of the order under section 46110. The Administrator shall be made a party to the judicial review proceedings. The findings of fact of the Board in any such case are conclusive if supported by substantial evidence.”.

(b) **CONFORMING AMENDMENT.**—Section 1153(c) is amended by striking “section 44709 or” and inserting “section 44703(d), 44709, or”.

SEC. 302. RELEASE OF DATA RELATING TO ABANDONED TYPE CERTIFICATES AND SUPPLEMENTAL TYPE CERTIFICATES.

Section 44704(a) is amended by adding at the end the following:

“(5) RELEASE OF DATA.—

“(A) **IN GENERAL.**—Notwithstanding any other provision of law, the Administrator may make available upon request, to a person seeking to maintain the airworthiness or develop product improvements of an aircraft, engine, propeller, or appliance, engineering data in the possession of the Administration relating to a type certificate or a supplemental type certificate for such aircraft, engine, propeller, or appliance, without the consent of the owner of record, if the Administrator determines that—

“(i) the certificate containing the requested data has been inactive for 3 or more years, except that the Administrator may reduce this time if required to address an unsafe condition associated with the product;

“(ii) after using due diligence, the Administrator is unable to find the owner of record, or the owner of record’s heir, of the type certificate or supplemental type certificate; and

“(iii) making such data available will enhance aviation safety.

“(B) **ENGINEERING DATA DEFINED.**—In this section, the term ‘engineering data’ as used with respect to an aircraft, engine, propeller, or ap-

pliance means type design drawing and specifications for the entire aircraft, engine, propeller, or appliance or change to the aircraft, engine, propeller, or appliance, including the original design data, and any associated supplier data for individual parts or components approved as part of the particular certificate for the aircraft, engine, propeller, or appliance.

“(C) **REQUIREMENT TO MAINTAIN DATA.**—The Administrator shall maintain engineering data in the possession of the Administration relating to a type certificate or a supplemental type certificate that has been inactive for 3 or more years.”.

SEC. 303. DESIGN AND PRODUCTION ORGANIZATION CERTIFICATES.

(a) **IN GENERAL.**—Section 44704(e) is amended to read as follows:

“(e) DESIGN AND PRODUCTION ORGANIZATION CERTIFICATES.—

“(1) **ISSUANCE.**—Beginning January 1, 2013, the Administrator may issue a certificate to a design organization, production organization, or design and production organization to authorize the organization to certify compliance of aircraft, aircraft engines, propellers, and appliances with the requirements and minimum standards prescribed under section 44701(a). An organization holding a certificate issued under this subsection shall be known as a certified design and production organization (in this subsection referred to as a ‘CDPO’).

“(2) **APPLICATIONS.**—On receiving an application for a CDPO certificate, the Administrator shall examine and rate the organization submitting the application, in accordance with regulations to be prescribed by the Administrator, to determine whether the organization has adequate engineering, design, and production capabilities, standards, and safeguards to make certifications of compliance as described in paragraph (1).

“(3) **ISSUANCE OF CERTIFICATES BASED ON CDPO FINDINGS.**—The Administrator may rely on certifications of compliance by a CDPO when making determinations under this section.

“(4) **PUBLIC SAFETY.**—The Administrator shall include in a CDPO certificate terms required in the interest of safety.

“(5) **NO EFFECT ON POWER OF REVOCATION.**—Nothing in this subsection affects the authority of the Secretary of Transportation to revoke a certificate.”.

(b) **APPLICABILITY.**—Before January 1, 2013, the Administrator of the Federal Aviation Administration may continue to issue certificates under section 44704(e) of title 49, United States Code, as in effect on the day before the date of enactment of this Act.

(c) **CLERICAL AMENDMENTS.**—Chapter 447 is amended—

(1) in the heading for section 44704 by striking “and design organization certificates” and inserting “, and design and production organization certificates”; and

(2) in the analysis for such chapter by striking the item relating to section 44704 and inserting the following:

“44704. Type certificates, production certificates, airworthiness certificates, and design and production organization certificates.”.

SEC. 304. CABIN CREW COMMUNICATION.

(a) **IN GENERAL.**—Section 44728 is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) MINIMUM LANGUAGE SKILLS.—

“(1) **IN GENERAL.**—No person may serve as a flight attendant aboard an aircraft of an air carrier, unless that person has demonstrated to an individual qualified to determine proficiency the ability to read, speak, and write English well enough to—

“(A) read material written in English and comprehend the information;

“(B) speak and understand English sufficiently to provide direction to, and understand

and answer questions from, English-speaking individuals;

“(C) write incident reports and statements and log entries and statements; and

“(D) carry out written and oral instructions regarding the proper performance of their duties.

“(2) **FOREIGN FLIGHTS.**—The requirements of paragraph (1) do not apply to a flight attendant serving solely between points outside the United States.”.

(b) **FACILITATION.**—The Administrator of the Federal Aviation Administration shall work with air carriers to facilitate compliance with the requirements of section 44728(f) of title 49, United States Code (as amended by this section).

SEC. 305. LINE CHECK EVALUATIONS.

Section 44729(h) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 306. SAFETY OF AIR AMBULANCE OPERATIONS.

(a) **IN GENERAL.**—Chapter 447 is amended by adding at the end the following:

“§ 44730. Helicopter air ambulance operations**“(a) COMPLIANCE REGULATIONS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 180 days after the date of enactment of this section, a part 135 certificate holder providing air ambulance services shall comply, whenever medical personnel are onboard the aircraft, with regulations pertaining to weather minimums and flight and duty time under part 135.

“(2) **EXCEPTION.**—If a certificate holder described in paragraph (1) is operating, or carrying out training, under instrument flight rules, the weather reporting requirement at the destination shall not apply if authorized by the Administrator of the Federal Aviation Administration.

“(b) **FINAL RULE.**—Not later than June 1, 2012, the Administrator shall issue a final rule, with respect to the notice of proposed rulemaking published in the Federal Register on October 12, 2010 (75 Fed. Reg. 62640), to improve the safety of flight crewmembers, medical personnel, and passengers onboard helicopters providing air ambulance services under part 135.

“(c) **MATTERS TO BE ADDRESSED.**—In conducting the rulemaking proceeding under subsection (b), the Administrator shall address the following:

“(1) Flight request and dispatch procedures, including performance-based flight dispatch procedures.

“(2) Pilot training standards, including establishment of training standards in—

“(A) preventing controlled flight into terrain; and

“(B) recovery from inadvertent flight into instrument meteorological conditions.

“(3) Safety-enhancing technology and equipment, including—

“(A) helicopter terrain awareness and warning systems;

“(B) radar altimeters; and

“(C) devices that perform the function of flight data recorders and cockpit voice recorders, to the extent feasible.

“(4) Such other matters as the Administrator considers appropriate.

“(d) **MINIMUM REQUIREMENTS.**—In issuing a final rule under subsection (b), the Administrator, at a minimum, shall provide for the following:

“(1) **FLIGHT RISK EVALUATION PROGRAM.**—The Administrator shall ensure that a part 135 certificate holder providing helicopter air ambulance services—

“(A) establishes a flight risk evaluation program, based on FAA Notice 8000.301 issued by the Administration on August 1, 2005, including any updates thereto;

“(B) as part of the flight risk evaluation program, develops a checklist for use by pilots in determining whether a flight request should be accepted; and

“(C) requires the pilots of the certificate holder to use the checklist.

“(2) OPERATIONAL CONTROL CENTER.—The Administrator shall ensure that a part 135 certificate holder providing helicopter air ambulance services using 10 or more helicopters has an operational control center that meets such requirements as the Administrator may prescribe.

“(e) SUBSEQUENT RULEMAKING.—

“(1) IN GENERAL.—Upon completion of the rulemaking required under subsection (b), the Administrator shall conduct a follow-on rulemaking to address the following:

“(A) Pilot training standards, including—

“(i) mandatory training requirements, including a minimum time for completing the training requirements;

“(ii) training subject areas, such as communications procedures and appropriate technology use; and

“(iii) establishment of training standards in—

“(I) crew resource management;

“(II) flight risk evaluation;

“(III) operational control of the pilot in command; and

“(IV) use of flight simulation training devices and line-oriented flight training.

“(B) Use of safety equipment that should be worn or used by flight crewmembers and medical personnel on a flight, including the possible use of shoulder harnesses, helmets, seatbelts, and fire resistant clothing to enhance crash survivability.

“(2) DEADLINES.—Not later than 180 days after the date of issuance of a final rule under subsection (b), the Administrator shall initiate the rulemaking under this subsection.

“(3) LIMITATION ON CONSTRUCTION.—Nothing in this subsection shall be construed to require the Administrator to propose or finalize any rule that would derogate or supersede the rule required to be finalized under subsection (b).

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) PART 135.—The term ‘part 135’ means part 135 of title 14, Code of Federal Regulations.

“(2) PART 135 CERTIFICATE HOLDER.—The term ‘part 135 certificate holder’ means a person holding an operating certificate issued under part 119 of title 14, Code of Federal Regulations, that is authorized to conduct civil helicopter air ambulance operations under part 135.

“§44731. Collection of data on helicopter air ambulance operations

“(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall require a part 135 certificate holder providing helicopter air ambulance services to submit to the Administrator, not later than 1 year after the date of enactment of this section, and annually thereafter, a report containing, at a minimum, the following data:

“(1) The number of helicopters that the certificate holder uses to provide helicopter air ambulance services and the base locations of the helicopters.

“(2) The number of flights and hours flown, by registration number, during which helicopters operated by the certificate holder were providing helicopter air ambulance services.

“(3) The number of flight requests for a helicopter providing air ambulance services that were accepted or declined by the certificate holder and the type of each such flight request (such as scene response, interfacility transport, organ transport, or ferry or repositioning flight).

“(4) The number of accidents, if any, involving helicopters operated by the certificate holder while providing air ambulance services and a description of the accidents.

“(5) The number of flights and hours flown under instrument flight rules by helicopters operated by the certificate holder while providing air ambulance services.

“(6) The time of day of each flight flown by helicopters operated by the certificate holder while providing air ambulance services.

“(7) The number of incidents, if any, in which a helicopter was not directly dispatched and arrived to transport patients but was not utilized for patient transport.

“(b) REPORTING PERIOD.—Data contained in a report submitted by a part 135 certificate holder under subsection (a) shall relate to such reporting period as the Administrator determines appropriate.

“(c) DATABASE.—Not later than 180 days after the date of enactment of this section, the Administrator shall develop a method to collect and store the data collected under subsection (a), including a method to protect the confidentiality of any trade secret or proprietary information provided in response to this section.

“(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing a summary of the data collected under subsection (a).

“(e) DEFINITIONS.—In this section, the terms ‘part 135’ and ‘part 135 certificate holder’ have the meanings given such terms in section 44730.”.

(b) AUTHORIZED EXPENDITURES.—Section 106(k)(2)(C) (as redesignated by this Act) is amended by inserting before the period the following: “and the development and maintenance of helicopter approach procedures”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 447 is amended by adding at the end the following:

“44730. Helicopter air ambulance operations.

“44731. Collection of data on helicopter air ambulance operations.”.

SEC. 307. PROHIBITION ON PERSONAL USE OF ELECTRONIC DEVICES ON FLIGHT DECK.

(a) IN GENERAL.—Chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“§44732. Prohibition on personal use of electronic devices on flight deck

“(a) IN GENERAL.—It is unlawful for a flight crewmember of an aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, to use a personal wireless communications device or laptop computer while at the flight crewmember’s duty station on the flight deck of such an aircraft while the aircraft is being operated.

“(b) EXCEPTIONS.—Subsection (a) shall not apply to the use of a personal wireless communications device or laptop computer for a purpose directly related to operation of the aircraft, or for emergency, safety-related, or employment-related communications, in accordance with procedures established by the air carrier and the Administrator of the Federal Aviation Administration.

“(c) ENFORCEMENT.—In addition to the penalties provided under section 46301 applicable to any violation of this section, the Administrator of the Federal Aviation Administration may enforce compliance with this section under section 44709 by amending, modifying, suspending, or revoking a certificate under this chapter.

“(d) PERSONAL WIRELESS COMMUNICATIONS DEVICE DEFINED.—In this section, the term ‘personal wireless communications device’ means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted.”.

(b) PENALTY.—Section 44711(a) is amended—

(1) by striking “or” after the semicolon in paragraph (8);

(2) by striking “title.” in paragraph (9) and inserting “title; or”; and

(3) by adding at the end the following:

“(10) violate section 44732 or any regulation issued thereunder.”.

(c) CONFORMING AMENDMENT.—The analysis for chapter 447 (as amended by this Act) is fur-

ther amended by adding at the end the following:

“44732. Prohibition on personal use of electronic devices on flight deck.”.

(d) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking procedure for regulations to carry out section 44732 of title 49, United States Code (as added by this section), and shall issue a final rule thereunder not later than 2 years after the date of enactment of this Act.

(e) STUDY.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall review relevant air carrier data and carry out a study—

(A) to identify common sources of distraction for the flight crewmembers on the flight deck of a commercial aircraft; and

(B) to determine the safety impacts of such distractions.

(2) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

(A) the findings of the study conducted under paragraph (1); and

(B) recommendations regarding how to reduce distractions for flight crewmembers on the flight deck of a commercial aircraft.

SEC. 308. INSPECTION OF REPAIR STATIONS LOCATED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“§44733. Inspection of repair stations located outside the United States

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator of the Federal Aviation Administration shall establish and implement a safety assessment system for all part 145 repair stations based on the type, scope, and complexity of work being performed. The system shall—

“(1) ensure that repair stations located outside the United States are subject to appropriate inspections based on identified risks and consistent with existing United States requirements;

“(2) consider inspection results and findings submitted by foreign civil aviation authorities operating under a maintenance safety or maintenance implementation agreement with the United States; and

“(3) require all maintenance safety or maintenance implementation agreements to provide an opportunity for the Administration to conduct independent inspections of covered part 145 repair stations when safety concerns warrant such inspections.

“(b) NOTICE TO CONGRESS OF NEGOTIATIONS.—The Administrator shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 30 days after initiating formal negotiations with foreign aviation authorities or other appropriate foreign government agencies on a new maintenance safety or maintenance implementation agreement.

“(c) ANNUAL REPORT.—The Administrator shall publish an annual report on the Administration’s oversight of part 145 repair stations and implementation of the safety assessment system required under subsection (a). The report shall—

“(1) describe in detail any improvements in the Administration’s ability to identify and track where part 121 air carrier repair work is performed;

“(2) include a staffing model to determine the best placement of inspectors and the number of inspectors needed;

“(3) describe the training provided to inspectors; and

“(4) include an assessment of the quality of monitoring and surveillance by the Administration of work performed by its inspectors and the inspectors of foreign authorities operating under a maintenance safety or maintenance implementation agreement.

“(d) ALCOHOL AND CONTROLLED SUBSTANCES TESTING PROGRAM REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary of State and the Secretary of Transportation, acting jointly, shall request the governments of foreign countries that are members of the International Civil Aviation Organization to establish international standards for alcohol and controlled substances testing of persons that perform safety-sensitive maintenance functions on commercial air carrier aircraft.

“(2) APPLICATION TO PART 121 AIRCRAFT WORK.—Not later than 1 year after the date of enactment of this section, the Administrator shall promulgate a proposed rule requiring that all part 145 repair station employees responsible for safety-sensitive maintenance functions on part 121 air carrier aircraft are subject to an alcohol and controlled substances testing program determined acceptable by the Administrator and consistent with the applicable laws of the country in which the repair station is located.

“(e) ANNUAL INSPECTIONS.—The Administrator shall ensure that part 145 repair stations located outside the United States are inspected annually by Federal Aviation Administration safety inspectors, without regard to where the station is located, in a manner consistent with United States obligations under international agreements. The Administrator may carry out inspections in addition to the annual inspection required under this subsection based on identified risks.

“(f) DEFINITIONS.—In this section, the following definitions apply:

“(1) PART 121 AIR CARRIER.—The term ‘part 121 air carrier’ means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

“(2) PART 145 REPAIR STATION.—The term ‘part 145 repair station’ means a repair station that holds a certificate issued under part 145 of title 14, Code of Federal Regulations.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“44733. Inspection of repair stations located outside the United States.”

SEC. 309. ENHANCED TRAINING FOR FLIGHT ATTENDANTS.

(a) IN GENERAL.—Chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“§44734. Training of flight attendants

“(a) TRAINING REQUIRED.—In addition to other training required under this chapter, each air carrier shall provide to flight attendants employed or contracted by such air carrier initial and annual training regarding—

- “(1) serving alcohol to passengers;
- “(2) recognizing intoxicated passengers; and
- “(3) dealing with disruptive passengers.

“(b) SITUATIONAL TRAINING.—In carrying out the training required under subsection (a), each air carrier shall provide to flight attendants situational training on the proper method for dealing with intoxicated passengers who act in a belligerent manner.

“(c) DEFINITIONS.—In this section, the following definitions apply:

“(1) AIR CARRIER.—The term ‘air carrier’ means a person, including a commercial enterprise, that has been issued an air carrier operating certificate under section 44705.

“(2) FLIGHT ATTENDANT.—The term ‘flight attendant’ has the meaning given that term in section 44728(g).”

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“44734. Training of flight attendants.”

SEC. 310. LIMITATION ON DISCLOSURE OF SAFETY INFORMATION.

(a) IN GENERAL.—Chapter 447 (as amended by this Act) is further amended by adding at the end the following:

“§44735. Limitation on disclosure of safety information

“(a) IN GENERAL.—Except as provided by subsection (c), a report, data, or other information described in subsection (b) shall not be disclosed to the public by the Administrator of the Federal Aviation Administration pursuant to section 552(b)(3)(B) of title 5 if the report, data, or other information is submitted to the Federal Aviation Administration voluntarily and is not required to be submitted to the Administrator under any other provision of law.

“(b) APPLICABILITY.—The limitation established by subsection (a) shall apply to the following:

“(1) Reports, data, or other information developed under the Aviation Safety Action Program.

“(2) Reports, data, or other information produced or collected under the Flight Operational Quality Assurance Program.

“(3) Reports, data, or other information developed under the Line Operations Safety Audit Program.

“(4) Reports, data, or other information produced or collected for purposes of developing and implementing a safety management system acceptable to the Administrator.

“(5) Reports, analyses, and directed studies, based in whole or in part on reports, data, or other information described in paragraphs (1) through (4), including those prepared under the Aviation Safety Information Analysis and Sharing Program (or any successor program).

“(c) EXCEPTION FOR DE-IDENTIFIED INFORMATION.—

“(1) IN GENERAL.—The limitation established by subsection (a) shall not apply to a report, data, or other information if the information contained in the report, data, or other information has been de-identified.

“(2) DE-IDENTIFIED DEFINED.—In this subsection, the term ‘de-identified’ means the process by which all information that is likely to establish the identity of the specific persons or entities submitting reports, data, or other information is removed from the reports, data, or other information.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this Act) is further amended by adding at the end the following:

“44735. Limitation on disclosure of safety information.”

(c) TECHNICAL CORRECTION.—Section 44703(i)(9)(B)(i) is amended by striking “section 552 of title 5” and inserting “section 552(b)(3)(B) of title 5”.

SEC. 311. PROHIBITION AGAINST AIMING A LASER POINTER AT AN AIRCRAFT.

(a) OFFENSE.—Chapter 2 of title 18, United States Code, is amended by inserting after section 39 the following:

“§39A. Aiming a laser pointer at an aircraft

“(a) OFFENSE.—Whoever knowingly aims the beam of a laser pointer at an aircraft in the special aircraft jurisdiction of the United States, or at the flight path of such an aircraft, shall be fined under this title or imprisoned not more than 5 years, or both.

“(b) LASER POINTER DEFINED.—As used in this section, the term ‘laser pointer’ means any device designed or used to amplify electromagnetic radiation by stimulated emission that emits a beam designed to be used by the operator as a pointer or highlighter to indicate, mark, or identify a specific position, place, item, or object.

“(c) EXCEPTIONS.—This section does not prohibit aiming a beam of a laser pointer at an aircraft, or the flight path of such an aircraft, by—

“(1) an authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer,

the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct such research and development or flight test operations;

“(2) members or elements of the Department of Defense or Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing, or training; or

“(3) by an individual using a laser emergency signaling device to send an emergency distress signal.

“(d) AUTHORITY TO ESTABLISH ADDITIONAL EXCEPTIONS BY REGULATION.—The Attorney General, in consultation with the Secretary of Transportation, may provide by regulation, after public notice and comment, such additional exceptions to this section as may be necessary and appropriate. The Attorney General shall provide written notification of any proposed regulations under this section to the Committees on the Judiciary of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, not less than 90 days before such regulations become final.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended—

(1) by moving the item relating to section 39 after the item relating to section 38; and

(2) by inserting after the item relating to section 39 the following:

“39A. Aiming a laser pointer at an aircraft”.

SEC. 312. AIRCRAFT CERTIFICATION PROCESS REVIEW AND REFORM.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, in consultation with representatives of the aviation industry, shall conduct an assessment of the certification and approval process under section 44704 of title 49, United States Code.

(b) CONTENTS.—In conducting the assessment, the Administrator shall consider—

(1) the expected number of applications for product certifications and approvals the Administrator will receive under section 44704 of such title in the 1-year, 5-year, and 10-year periods following the date of enactment of this Act;

(2) process reforms and improvements necessary to allow the Administrator to review and approve the applications in a fair and timely fashion;

(3) the status of recommendations made in previous reports on the Administration’s certification process;

(4) methods for enhancing the effective use of delegation systems, including organizational designation authorization;

(5) methods for training the Administration’s field office employees in the safety management system and auditing; and

(6) the status of updating airworthiness requirements, including implementing recommendations in the Administration’s report entitled “Part 23—Small Airplane Certification Process Study” (OK-09-3468, dated July 2009).

(c) RECOMMENDATIONS.—In conducting the assessment, the Administrator shall make recommendations to improve efficiency and reduce costs through streamlining and reengineering the certification process under section 44704 of such title to ensure that the Administrator can conduct certifications and approvals under such section in a manner that supports and enables the development of new products and technologies and the global competitiveness of the United States aviation industry.

(d) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the assessment, together with an explanation of how the Administrator will implement recommendations made

under subsection (c) and measure the effectiveness of the recommendations.

(e) **IMPLEMENTATION OF RECOMMENDATIONS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall begin to implement the recommendations made under subsection (c).

SEC. 313. CONSISTENCY OF REGULATORY INTERPRETATION.

(a) **ESTABLISHMENT OF ADVISORY PANEL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish an advisory panel comprised of both Government and industry representatives to—

(1) review the October 2010 report by the Government Accountability Office on certification and approval processes (GAO-11-14); and

(2) develop recommendations to address the findings in the report and other concerns raised by interested parties, including representatives of the aviation industry.

(b) **MATTERS TO BE CONSIDERED.**—The advisory panel shall—

(1) determine the root causes of inconsistent interpretation of regulations by the Administration's Flight Standards Service and Aircraft Certification Service;

(2) develop recommendations to improve the consistency of interpreting regulations by the Administration's Flight Standards Service and Aircraft Certification Service; and

(3) develop recommendations to improve communications between the Administration's Flight Standards Service and Aircraft Certification Service and applicants and certificate and approval holders for the identification and resolution of potentially adverse issues in an expeditious and fair manner.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the advisory panel, together with an explanation of how the Administrator will implement the recommendations of the advisory panel and measure the effectiveness of the recommendations.

SEC. 314. RUNWAY SAFETY.

(a) **STRATEGIC RUNWAY SAFETY PLAN.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop and submit to Congress a report containing a strategic runway safety plan.

(2) **CONTENTS OF PLAN.**—The strategic runway safety plan—

(A) shall include, at a minimum—

(i) goals to improve runway safety;

(ii) near- and long-term actions designed to reduce the severity, number, and rate of runway incursions, losses of standard separation, and operational errors;

(iii) time frames and resources needed for the actions described in clause (ii);

(iv) a continuous evaluative process to track performance toward the goals referred to in clause (i); and

(v) a review with respect to runway safety of every commercial service airport (as defined in section 47102 of title 49, United States Code) in the United States and proposed action to improve airport lighting, provide better signs, and improve runway and taxiway markings at those airports; and

(B) shall address the increased runway safety risk associated with the expected increased volume of air traffic.

(b) **PROCESS.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall develop a process for tracking and investigating operational errors, losses of standard separation, and runway incursions that includes procedures for—

(1) identifying who is responsible for tracking operational errors, losses of standard separa-

tion, and runway incursions, including a process for lower level employees to report to higher supervisory levels and for frontline managers to receive the information in a timely manner;

(2) conducting periodic random audits of the oversight process; and

(3) ensuring proper accountability.

(c) **PLAN FOR INSTALLATION AND DEPLOYMENT OF SYSTEMS TO PROVIDE ALERTS OF POTENTIAL RUNWAY INCURSIONS.**—Not later than June 30, 2012, the Administrator shall submit to Congress a report containing a plan for the installation and deployment of systems to alert air traffic controllers or flight crewmembers, or both, of potential runway incursions. The plan shall be integrated into the annual NextGen Implementation Plan of the Administration or any successor document.

SEC. 315. FLIGHT STANDARDS EVALUATION PROGRAM.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall modify the Flight Standards Evaluation Program—

(1) to include periodic and random reviews as part of the Administration's oversight of air carriers; and

(2) to prohibit an individual from participating in a review or audit of an office with responsibility for an air carrier under the program if the individual, at any time in the 5-year period preceding the date of the review or audit, had responsibility for inspecting, or overseeing the inspection of, the operations of that carrier.

(b) **ANNUAL REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Flight Standards Evaluation Program, including the Administrator's findings and recommendations with respect to the program.

(c) **FLIGHT STANDARDS EVALUATION PROGRAM DEFINED.**—In this section, the term "Flight Standards Evaluation Program" means the program established by the Federal Aviation Administration in FS 1100.1B CHG3, including any subsequent revisions thereto.

SEC. 316. COCKPIT SMOKE.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on the effectiveness of oversight activities of the Federal Aviation Administration relating to the use of new technologies to prevent or mitigate the effects of dense, continuous smoke in the cockpit of a commercial aircraft.

(b) **REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study.

SEC. 317. OFF-AIRPORT, LOW-ALTITUDE AIRCRAFT WEATHER OBSERVATION TECHNOLOGY.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall conduct a review of off-airport, low-altitude aircraft weather observation technologies.

(b) **SPECIFIC REVIEW.**—The review shall include, at a minimum, an examination of off-airport, low-altitude weather reporting needs, an assessment of technical alternatives (including automated weather observation stations), an investment analysis, and recommendations for improving weather reporting.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the results of the review.

SEC. 318. FEASIBILITY OF REQUIRING HELICOPTER PILOTS TO USE NIGHT VISION GOGGLES.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall carry out a study on the feasibility of requiring pilots of heli-

copters providing air ambulance services under part 135 of title 14, Code of Federal Regulations, to use night vision goggles during nighttime operations.

(b) **CONSIDERATIONS.**—In conducting the study, the Administrator shall consult with owners and operators of helicopters providing air ambulance services under such part 135 and aviation safety professionals to determine the benefits, financial considerations, and risks associated with requiring the use of night vision goggles.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 319. MAINTENANCE PROVIDERS.

(a) **REGULATIONS.**—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue regulations requiring that covered work on an aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, be performed by persons in accordance with subsection (b).

(b) **PERSONS AUTHORIZED TO PERFORM CERTAIN WORK.**—A person may perform covered work on aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, only if the person is employed by—

(1) a part 121 air carrier;

(2) a part 145 repair station or a person authorized under section 43.17 of title 14, Code of Federal Regulations (or any successor regulation); or

(3) subject to subsection (c), a person that—

(A) provides contract maintenance workers, services, or maintenance functions to a part 121 air carrier or part 145 repair station; and

(B) meets the requirements of the part 121 air carrier or the part 145 repair station, as appropriate.

(c) **TERMS AND CONDITIONS.**—Covered work performed by a person who is employed by a person described in subsection (b)(3) shall be subject to the following terms and conditions:

(1) The applicable part 121 air carrier shall be directly in charge of the covered work being performed.

(2) The covered work shall be carried out in accordance with the part 121 air carrier's maintenance manual.

(3) The person shall carry out the covered work under the supervision and control of the part 121 air carrier directly in charge of the covered work being performed on its aircraft.

(d) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **COVERED WORK.**—The term "covered work" means any of the following:

(A) Essential maintenance that could result in a failure, malfunction, or defect endangering the safe operation of an aircraft if not performed properly or if improper parts or materials are used.

(B) Regularly scheduled maintenance.

(C) A required inspection item (as defined by the Administrator).

(2) **PART 121 AIR CARRIER.**—The term "part 121 air carrier" means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

(3) **PART 145 REPAIR STATION.**—The term "part 145 repair station" means a repair station that holds a certificate issued under part 145 of title 14, Code of Federal Regulations.

(4) **PERSON.**—The term "person" means an individual, firm, partnership, corporation, company, or association that performs maintenance, preventative maintenance, or alterations.

SEC. 320. STUDY OF AIR QUALITY IN AIRCRAFT CABINS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration

shall initiate a study of air quality in aircraft cabins to—

(1) assess bleed air quality on the full range of commercial aircraft operating in the United States;

(2) identify oil-based contaminants, hydraulic fluid toxins, and other air toxins that appear in cabin air and measure the quantity and prevalence, or absence, of those toxins through a comprehensive sampling program;

(3) determine the specific amount and duration of toxic fumes present in aircraft cabins that constitutes a health risk to passengers;

(4) develop a systematic reporting standard for smoke and fume events in aircraft cabins; and

(5) identify the potential health risks to individuals exposed to toxic fumes during flight.

(b) **AUTHORITY TO MONITOR AIR IN AIRCRAFT CABINS.**—For purposes of conducting the study required by subsection (a), the Administrator of the Federal Aviation Administration shall require domestic air carriers to allow air quality monitoring on their aircraft in a manner that imposes no significant costs on the air carrier and does not interfere with the normal operation of the aircraft.

SEC. 321. IMPROVED PILOT LICENSES.

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall issue improved pilot licenses consistent with requirements under this section.

(b) **TIMING.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall—

(1) provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(A) a timeline for the phased issuance of improved pilot licenses under this section that ensures all pilots are issued such licenses not later than 2 years after the initial issuance of such licenses under paragraph (2); and

(B) recommendations for the Federal installation of infrastructure necessary to take advantage of information contained on improved pilot licenses issued under this section, which identify the necessary infrastructure, indicate the Federal entity that should be responsible for installing, funding, and operating the infrastructure at airport sterile areas, and provide an estimate of the costs of the infrastructure; and

(2) begin to issue improved pilot licenses consistent with the requirements of title 49, United States Code, and title 14, Code of Federal Regulations.

(c) **REQUIREMENTS.**—Improved pilot licenses issued under this section shall—

(1) be resistant to tampering, alteration, and counterfeiting;

(2) include a photograph of the individual to whom the license is issued for identification purposes; and

(3) be smart cards that—

(A) accommodate iris and fingerprint biometric identifiers; and

(B) are compliant with Federal Information Processing Standards-201 (FIPS-201) or Personal Identity Verification-Interoperability Standards (PIV-I) for processing through security checkpoints into airport sterile areas.

(d) **TAMPERING.**—To the extent practicable, the Administrator shall develop methods to determine or reveal whether any component or security feature of an improved pilot license issued under this section has been tampered with, altered, or counterfeited.

(e) **USE OF DESIGNEES.**—The Administrator may use designees to carry out subsection (a) to the extent practicable in order to minimize the burdens on pilots.

(f) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastruc-

ture of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the issuance of improved pilot licenses under this section.

(2) **EXPIRATION.**—The Administrator shall not be required to submit annual reports under this subsection after the date on which the Administrator has issued improved pilot licenses under this section to all pilots.

Subtitle B—Unmanned Aircraft Systems

SEC. 331. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) **ARCTIC.**—The term “Arctic” means the United States zone of the Chukchi Sea, Beaufort Sea, and Bering Sea north of the Aleutian chain.

(2) **CERTIFICATE OF WAIVER; CERTIFICATE OF AUTHORIZATION.**—The terms “certificate of waiver” and “certificate of authorization” mean a Federal Aviation Administration grant of approval for a specific flight operation.

(3) **PERMANENT AREAS.**—The term “permanent areas” means areas on land or water that provide for launch, recovery, and operation of small unmanned aircraft.

(4) **PUBLIC UNMANNED AIRCRAFT SYSTEM.**—The term “public unmanned aircraft system” means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft (as defined in section 40102 of title 49, United States Code).

(5) **SENSE AND AVOID CAPABILITY.**—The term “sense and avoid capability” means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft.

(6) **SMALL UNMANNED AIRCRAFT.**—The term “small unmanned aircraft” means an unmanned aircraft weighing less than 55 pounds.

(7) **TEST RANGE.**—The term “test range” means a defined geographic area where research and development are conducted.

(8) **UNMANNED AIRCRAFT.**—The term “unmanned aircraft” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

(9) **UNMANNED AIRCRAFT SYSTEM.**—The term “unmanned aircraft system” means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the pilot in command to operate safely and efficiently in the national airspace system.

SEC. 332. INTEGRATION OF CIVIL UNMANNED AIRCRAFT SYSTEMS INTO NATIONAL AIRSPACE SYSTEM.

(a) **REQUIRED PLANNING FOR INTEGRATION.**—

(1) **COMPREHENSIVE PLAN.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry, shall develop a comprehensive plan to safely accelerate the integration of civil unmanned aircraft systems into the national airspace system.

(2) **CONTENTS OF PLAN.**—The plan required under paragraph (1) shall contain, at a minimum, recommendations or projections on—

(A) the rulemaking to be conducted under subsection (b), with specific recommendations on how the rulemaking will—

(i) define the acceptable standards for operation and certification of civil unmanned aircraft systems;

(ii) ensure that any civil unmanned aircraft system includes a sense and avoid capability; and

(iii) establish standards and requirements for the operator and pilot of a civil unmanned aircraft system, including standards and requirements for registration and licensing;

(B) the best methods to enhance the technologies and subsystems necessary to achieve

the safe and routine operation of civil unmanned aircraft systems in the national airspace system;

(C) a phased-in approach to the integration of civil unmanned aircraft systems into the national airspace system;

(D) a timeline for the phased-in approach described under subparagraph (C);

(E) creation of a safe

(F) airspace designation for cooperative manned and unmanned flight operations in the national airspace system;

(G) establishment of a process to develop certification, flight standards, and air traffic requirements for civil unmanned aircraft systems at test ranges where such systems are subject to testing;

(H) the best methods to ensure the safe operation of civil unmanned aircraft systems and public unmanned aircraft systems simultaneously in the national airspace system; and

(I) incorporation of the plan into the annual NextGen Implementation Plan document (or any successor document) of the Federal Aviation Administration.

(3) **DEADLINE.**—The plan required under paragraph (1) shall provide for the safe integration of civil unmanned aircraft systems into the national airspace system as soon as practicable, but not later than September 30, 2015.

(4) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a copy of the plan required under paragraph (1).

(5) **ROADMAP.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall approve and make available in print and on the Administration’s Internet Web site a 5-year roadmap for the introduction of civil unmanned aircraft systems into the national airspace system, as coordinated by the Unmanned Aircraft Program Office of the Administration. The Secretary shall update the roadmap annually.

(b) **RULEMAKING.**—Not later than 18 months after the date on which the plan required under subsection (a)(1) is submitted to Congress under subsection (a)(4), the Secretary shall publish in the Federal Register—

(1) a final rule on small unmanned aircraft systems that will allow for civil operation of such systems in the national airspace system, to the extent the systems do not meet the requirements for expedited operational authorization under section 333 of this Act;

(2) a notice of proposed rulemaking to implement the recommendations of the plan required under subsection (a)(1), with the final rule to be published not later than 16 months after the date of publication of the notice; and

(3) an update to the Administration’s most recent policy statement on unmanned aircraft systems, contained in Docket No. FAA-2006-25714.

(c) **PILOT PROJECTS.**—

(1) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a program to integrate unmanned aircraft systems into the national airspace system at 6 test ranges. The program shall terminate 5 years after the date of enactment of this Act.

(2) **PROGRAM REQUIREMENTS.**—In establishing the program under paragraph (1), the Administrator shall—

(A) safely designate airspace for integrated manned and unmanned flight operations in the national airspace system;

(B) develop certification standards and air traffic requirements for unmanned flight operations at test ranges;

(C) coordinate with and leverage the resources of the National Aeronautics and Space Administration and the Department of Defense;

(D) address both civil and public unmanned aircraft systems;

(E) ensure that the program is coordinated with the Next Generation Air Transportation System; and

(F) provide for verification of the safety of unmanned aircraft systems and related naviga-

tion procedures before integration into the national airspace system.

(3) **TEST RANGE LOCATIONS.**—In determining the location of the 6 test ranges of the program under paragraph (1), the Administrator shall—

(A) take into consideration geographic and climatic diversity;

(B) take into consideration the location of ground infrastructure and research needs; and

(C) consult with the National Aeronautics and Space Administration and the Department of Defense.

(4) **TEST RANGE OPERATION.**—A project at a test range shall be operational not later than 180 days after the date on which the project is established.

(5) **REPORT TO CONGRESS.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of the termination of the program under paragraph (1), the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives a report setting forth the Administrator's findings and conclusions concerning the projects.

(B) **ADDITIONAL CONTENTS.**—The report under subparagraph (A) shall include a description and assessment of the progress being made in establishing special use airspace to fill the immediate need of the Department of Defense—

(i) to develop detection techniques for small unmanned aircraft systems; and

(ii) to validate the sense and avoid capability and operation of unmanned aircraft systems.

(d) **EXPANDING USE OF UNMANNED AIRCRAFT SYSTEMS IN ARCTIC.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan and initiate a process to work with relevant Federal agencies and national and international communities to designate permanent areas in the Arctic where small unmanned aircraft may operate 24 hours per day for research and commercial purposes. The plan for operations in these permanent areas shall include the development of processes to facilitate the safe operation of unmanned aircraft beyond line of sight. Such areas shall enable over-water flights from the surface to at least 2,000 feet in altitude, with ingress and egress routes from selected coastal launch sites.

(2) **AGREEMENTS.**—To implement the plan under paragraph (1), the Secretary may enter into an agreement with relevant national and international communities.

(3) **AIRCRAFT APPROVAL.**—Not later than 1 year after the entry into force of an agreement necessary to effectuate the purposes of this subsection, the Secretary shall work with relevant national and international communities to establish and implement a process, or may apply an applicable process already established, for approving the use of unmanned aircraft in the designated permanent areas in the Arctic without regard to whether an unmanned aircraft is used as a public aircraft, a civil aircraft, or a model aircraft.

SEC. 333. SPECIAL RULES FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.

(a) **IN GENERAL.**—Notwithstanding any other requirement of this subtitle, and not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall determine if certain unmanned aircraft systems may operate safely in the national airspace system before completion of the plan and rulemaking required by section 332 of this Act or the guidance required by section 334 of this Act.

(b) **ASSESSMENT OF UNMANNED AIRCRAFT SYSTEMS.**—In making the determination under subsection (a), the Secretary shall determine, at a minimum—

(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, and operation within visual

line of sight do not create a hazard to users of the national airspace system or the public or pose a threat to national security; and

(2) whether a certificate of waiver, certificate of authorization, or airworthiness certification under section 44704 of title 49, United States Code, is required for the operation of unmanned aircraft systems identified under paragraph (1).

(c) **REQUIREMENTS FOR SAFE OPERATION.**—If the Secretary determines under this section that certain unmanned aircraft systems may operate safely in the national airspace system, the Secretary shall establish requirements for the safe operation of such aircraft systems in the national airspace system.

SEC. 334. PUBLIC UNMANNED AIRCRAFT SYSTEMS.

(a) **GUIDANCE.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation shall issue guidance regarding the operation of public unmanned aircraft systems to—

(1) expedite the issuance of a certificate of authorization process;

(2) provide for a collaborative process with public agencies to allow for an incremental expansion of access to the national airspace system as technology matures and the necessary safety analysis and data become available, and until standards are completed and technology issues are resolved;

(3) facilitate the capability of public agencies to develop and use test ranges, subject to operating restrictions required by the Federal Aviation Administration, to test and operate unmanned aircraft systems; and

(4) provide guidance on a public entity's responsibility when operating an unmanned aircraft without a civil airworthiness certificate issued by the Administration.

(b) **STANDARDS FOR OPERATION AND CERTIFICATION.**—Not later than December 31, 2015, the Administrator shall develop and implement operational and certification requirements for the operation of public unmanned aircraft systems in the national airspace system.

(c) **AGREEMENTS WITH GOVERNMENT AGENCIES.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into agreements with appropriate government agencies to simplify the process for issuing certificates of waiver or authorization with respect to applications seeking authorization to operate public unmanned aircraft systems in the national airspace system.

(2) **CONTENTS.**—The agreements shall—

(A) with respect to an application described in paragraph (1)—

(i) provide for an expedited review of the application;

(ii) require a decision by the Administrator on approval or disapproval within 60 business days of the date of submission of the application; and

(iii) allow for an expedited appeal if the application is disapproved;

(B) allow for a one-time approval of similar operations carried out during a fixed period of time; and

(C) allow a government public safety agency to operate unmanned aircraft weighing 4.4 pounds or less, if operated—

(i) within the line of sight of the operator;

(ii) less than 400 feet above the ground;

(iii) during daylight conditions;

(iv) within Class G airspace; and

(v) outside of 5 statute miles from any airport, heliport, seaplane base, spaceport, or other location with aviation activities.

SEC. 335. SAFETY STUDIES.

The Administrator of the Federal Aviation Administration shall carry out all safety studies necessary to support the integration of unmanned aircraft systems into the national airspace system.

SEC. 336. SPECIAL RULE FOR MODEL AIRCRAFT.

(a) **IN GENERAL.**—Notwithstanding any other provision of law relating to the incorporation of

unmanned aircraft systems into Federal Aviation Administration plans and policies, including this subtitle, the Administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft, or an aircraft being developed as a model aircraft, if—

(1) the aircraft is flown strictly for hobby or recreational use;

(2) the aircraft is operated in accordance with a community-based set of safety guidelines and within the programming of a nationwide community-based organization;

(3) the aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;

(4) the aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft; and

(5) when flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation (model aircraft operators flying from a permanent location within 5 miles of an airport should establish a mutually-agreed upon operating procedure with the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport)).

(b) **STATUTORY CONSTRUCTION.**—Nothing in this section shall be construed to limit the authority of the Administrator to pursue enforcement action against persons operating model aircraft who endanger the safety of the national airspace system.

(c) **MODEL AIRCRAFT DEFINED.**—In this section, the term "model aircraft" means an unmanned aircraft that is—

(1) capable of sustained flight in the atmosphere;

(2) flown within visual line of sight of the person operating the aircraft; and

(3) flown for hobby or recreational purposes.

Subtitle C—Safety and Protections

SEC. 341. AVIATION SAFETY WHISTLEBLOWER INVESTIGATION OFFICE.

Section 106 (as amended by this Act) is further amended by adding at the end the following:

"(t) **AVIATION SAFETY WHISTLEBLOWER INVESTIGATION OFFICE.**—

"(1) **ESTABLISHMENT.**—There is established in the Federal Aviation Administration (in this subsection referred to as the "Agency") an Aviation Safety Whistleblower Investigation Office (in this subsection referred to as the "Office").

"(2) **DIRECTOR.**—

"(A) **APPOINTMENT.**—The head of the Office shall be the Director, who shall be appointed by the Secretary of Transportation.

"(B) **QUALIFICATIONS.**—The Director shall have a demonstrated ability in investigations and knowledge of or experience in aviation.

"(C) **TERM.**—The Director shall be appointed for a term of 5 years.

"(D) **VACANCIES.**—Any individual appointed to fill a vacancy in the position of the Director occurring before the expiration of the term for which the individual's predecessor was appointed shall be appointed for the remainder of that term.

"(3) **COMPLAINTS AND INVESTIGATIONS.**—

"(A) **AUTHORITY OF DIRECTOR.**—The Director shall—

"(i) receive complaints and information submitted by employees of persons holding certificates issued under title 14, Code of Federal Regulations (if the certificate holder does not have a similar in-house whistleblower or safety and regulatory noncompliance reporting process) and employees of the Agency concerning the possible existence of an activity relating to a violation of an order, a regulation, or any other provision of Federal law relating to aviation safety;

"(ii) assess complaints and information submitted under clause (i) and determine whether a

substantial likelihood exists that a violation of an order, a regulation, or any other provision of Federal law relating to aviation safety has occurred; and

“(iii) based on findings of the assessment conducted under clause (ii), make recommendations to the Administrator of the Agency, in writing, regarding further investigation or corrective actions.

“(B) DISCLOSURE OF IDENTITIES.—The Director shall not disclose the identity of an individual who submits a complaint or information under subparagraph (A)(i) unless—

“(i) the individual consents to the disclosure in writing; or

“(ii) the Director determines, in the course of an investigation, that the disclosure is required by regulation, statute, or court order, or is otherwise unavoidable, in which case the Director shall provide the individual reasonable advanced notice of the disclosure.

“(C) INDEPENDENCE OF DIRECTOR.—The Secretary, the Administrator, or any officer or employee of the Agency may not prevent or prohibit the Director from initiating, carrying out, or completing any assessment of a complaint or information submitted under subparagraph (A)(i) or from reporting to Congress on any such assessment.

“(D) ACCESS TO INFORMATION.—In conducting an assessment of a complaint or information submitted under subparagraph (A)(i), the Director shall have access to all records, reports, audits, reviews, documents, papers, recommendations, and other material of the Agency necessary to determine whether a substantial likelihood exists that a violation of an order, a regulation, or any other provision of Federal law relating to aviation safety may have occurred.

“(4) RESPONSES TO RECOMMENDATIONS.—Not later than 60 days after the date on which the Administrator receives a report with respect to an investigation, the Administrator shall respond to a recommendation made by the Director under paragraph (3)(A)(iii) in writing and retain records related to any further investigations or corrective actions taken in response to the recommendation.

“(5) INCIDENT REPORTS.—If the Director determines there is a substantial likelihood that a violation of an order, a regulation, or any other provision of Federal law relating to aviation safety has occurred that requires immediate corrective action, the Director shall report the potential violation expeditiously to the Administrator and the Inspector General of the Department of Transportation.

“(6) REPORTING OF CRIMINAL VIOLATIONS TO INSPECTOR GENERAL.—If the Director has reasonable grounds to believe that there has been a violation of Federal criminal law, the Director shall report the violation expeditiously to the Inspector General.

“(7) ANNUAL REPORTS TO CONGRESS.—Not later than October 1 of each year, the Director shall submit to Congress a report containing—

“(A) information on the number of submissions of complaints and information received by the Director under paragraph (3)(A)(i) in the preceding 12-month period;

“(B) summaries of those submissions;

“(C) summaries of further investigations and corrective actions recommended in response to the submissions; and

“(D) summaries of the responses of the Administrator to such recommendations.”.

SEC. 342. POSTEMPLOYMENT RESTRICTIONS FOR FLIGHT STANDARDS INSPECTORS.

(a) IN GENERAL.—Section 44711 is amended by adding at the end the following:

“(d) POSTEMPLOYMENT RESTRICTIONS FOR FLIGHT STANDARDS INSPECTORS.—

“(1) PROHIBITION.—A person holding an operating certificate issued under title 14, Code of Federal Regulations, may not knowingly employ, or make a contractual arrangement that permits, an individual to act as an agent or representative of the certificate holder in any mat-

ter before the Federal Aviation Administration if the individual, in the preceding 2-year period—

“(A) served as, or was responsible for oversight of, a flight standards inspector of the Administration; and

“(B) had responsibility to inspect, or oversee inspection of, the operations of the certificate holder.

“(2) WRITTEN AND ORAL COMMUNICATIONS.—For purposes of paragraph (1), an individual shall be considered to be acting as an agent or representative of a certificate holder in a matter before the Administration if the individual makes any written or oral communication on behalf of the certificate holder to the Administration (or any of its officers or employees) in connection with a particular matter, whether or not involving a specific party and without regard to whether the individual has participated in, or had responsibility for, the particular matter while serving as a flight standards inspector of the Administration.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall not apply to an individual employed by a certificate holder as of the date of enactment of this Act.

SEC. 343. REVIEW OF AIR TRANSPORTATION OVERSIGHT SYSTEM DATABASE.

(a) REVIEWS.—The Administrator of the Federal Aviation Administration shall establish a process by which the air transportation oversight system database of the Administration is reviewed by regional teams of employees of the Administration, including at least one employee on each team representing aviation safety inspectors, on a monthly basis to ensure that—

(1) any trends in regulatory compliance are identified; and

(2) appropriate corrective actions are taken in accordance with Administration regulations, advisory directives, policies, and procedures.

(b) MONTHLY TEAM REPORTS.—

(1) IN GENERAL.—A regional team of employees conducting a monthly review of the air transportation oversight system database under subsection (a) shall submit to the Administrator, the Associate Administrator for Aviation Safety, and the Director of Flight Standards Service a report each month on the results of the review.

(2) CONTENTS.—A report submitted under paragraph (1) shall identify—

(A) any trends in regulatory compliance discovered by the team of employees in conducting the monthly review; and

(B) any corrective actions taken or proposed to be taken in response to the trends.

(c) BIENNIAL REPORTS TO CONGRESS.—The Administrator, on a biennial basis, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the reviews of the air transportation oversight system database conducted under this section, including copies of reports received under subsection (b).

SEC. 344. IMPROVED VOLUNTARY DISCLOSURE REPORTING SYSTEM.

(a) VOLUNTARY DISCLOSURE REPORTING PROGRAM DEFINED.—In this section, the term “Voluntary Disclosure Reporting Program” means the program established by the Federal Aviation Administration through Advisory Circular 00–58A, dated September 8, 2006, including any subsequent revisions thereto.

(b) VERIFICATION.—The Administrator of the Federal Aviation Administration shall modify the Voluntary Disclosure Reporting Program to require inspectors to—

(1) verify that air carriers are implementing comprehensive solutions to correct the underlying causes of the violations voluntarily disclosed by such air carriers; and

(2) confirm, before approving a final report of a violation, that a violation with the same root causes, has not been previously discovered by an inspector or self-disclosed by the air carrier.

(c) SUPERVISORY REVIEW OF VOLUNTARY SELF-DISCLOSURES.—The Administrator shall establish

a process by which voluntary self-disclosures received from air carriers are reviewed and approved by a supervisor after the initial review by an inspector.

(d) INSPECTOR GENERAL STUDY.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct a study of the Voluntary Disclosure Reporting Program.

(2) REVIEW.—In conducting the study, the Inspector General shall examine, at a minimum, if the Administration—

(A) conducts comprehensive reviews of voluntary disclosure reports before closing a voluntary disclosure report under the provisions of the program;

(B) evaluates the effectiveness of corrective actions taken by air carriers; and

(C) effectively prevents abuse of the voluntary disclosure reporting program through its secondary review of self-disclosures before they are accepted and closed by the Administration.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under this section.

SEC. 345. DUTY PERIODS AND FLIGHT TIME LIMITATIONS APPLICABLE TO FLIGHT CREWMEMBERS.

(a) RULEMAKING ON APPLICABILITY OF PART 121 DUTY PERIODS AND FLIGHT TIME LIMITATIONS TO PART 91 OPERATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking proceeding, if such a proceeding has not already been initiated, to require a flight crewmember who is employed by an air carrier conducting operations under part 121 of title 14, Code of Federal Regulations, and who accepts an additional assignment for flying under part 91 of such title from the air carrier or from any other air carrier conducting operations under part 121 or 135 of such title, to apply the period of the additional assignment (regardless of whether the assignment is performed by the flight crewmember before or after an assignment to fly under part 121 of such title) toward any limitation applicable to the flight crewmember relating to duty periods or flight times under part 121 of such title.

(b) RULEMAKING ON APPLICABILITY OF PART 135 DUTY PERIODS AND FLIGHT TIME LIMITATIONS TO PART 91 OPERATIONS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall initiate a rulemaking proceeding to require a flight crewmember who is employed by an air carrier conducting operations under part 135 of title 14, Code of Federal Regulations, and who accepts an additional assignment for flying under part 91 of such title from the air carrier or any other air carrier conducting operations under part 121 or 135 of such title, to apply the period of the additional assignment (regardless of whether the assignment is performed by the flight crewmember before or after an assignment to fly under part 135 of such title) toward any limitation applicable to the flight crewmember relating to duty periods or flight times under part 135 of such title.

(c) SEPARATE RULEMAKING PROCEEDINGS REQUIRED.—The rulemaking proceeding required under subsection (b) shall be separate from the rulemaking proceeding required under subsection (a).

SEC. 346. CERTAIN EXISTING FLIGHT TIME LIMITATIONS AND REST REQUIREMENTS.

The Administrator of the Federal Aviation Administration may not finalize the interpretation proposed in Docket No. FAA–2010–1259, relating to rest requirements, and published in the Federal Register on December 23, 2010.

SEC. 347. EMERGENCY LOCATOR TRANSMITTERS ON GENERAL AVIATION AIRCRAFT.

(a) INSPECTION.—As part of the annual inspection of general aviation aircraft, the Admin-

istrator of the Federal Aviation Administration shall require a detailed inspection of each emergency locator transmitter (in this section referred to as an "ELT") installed in general aviation aircraft operating in the United States to ensure that the ELT is mounted and retained in accordance with the manufacturer's specifications.

(b) MOUNTING AND RETENTION.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall determine if the ELT mounting requirements and retention tests specified by Technical Standard Orders C91a and C126 are adequate to assess retention capabilities in ELT designs.

(2) REVISION.—Based on the determination under paragraph (1), the Administrator shall make any necessary revisions to the requirements and retention tests referred to in paragraph (1) to ensure that ELTs are properly retained in the event of an aircraft accident.

(c) REPORT.—Upon the completion of any revisions under subsection (b)(2), the Administrator shall submit a report on the implementation of this section to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE IV—AIR SERVICE IMPROVEMENTS

Subtitle A—Passenger Air Service Improvements

SEC. 401. SMOKING PROHIBITION.

(a) IN GENERAL.—Section 41706 is amended—

(1) in the section heading by striking "scheduled" and inserting "passenger"; and

(2) by striking subsections (a) and (b) and inserting the following:

"(a) SMOKING PROHIBITION IN INTERSTATE AND INTRASTATE AIR TRANSPORTATION.—An individual may not smoke—

"(1) in an aircraft in scheduled passenger interstate or intrastate air transportation; or

"(2) in an aircraft in nonscheduled passenger interstate or intrastate air transportation, if a flight attendant is a required crewmember on the aircraft (as determined by the Administrator of the Federal Aviation Administration).

"(b) SMOKING PROHIBITION IN FOREIGN AIR TRANSPORTATION.—The Secretary of Transportation shall require all air carriers and foreign air carriers to prohibit smoking—

"(1) in an aircraft in scheduled passenger foreign air transportation; and

"(2) in an aircraft in nonscheduled passenger foreign air transportation, if a flight attendant is a required crewmember on the aircraft (as determined by the Administrator or a foreign government)."

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 is amended by striking the item relating to section 41706 and inserting the following:

"41706. Prohibitions against smoking on passenger flights."

SEC. 402. MONTHLY AIR CARRIER REPORTS.

(a) IN GENERAL.—Section 41708 is amended by adding at the end the following:

"(c) DIVERTED AND CANCELLED FLIGHTS.—

"(1) MONTHLY REPORTS.—The Secretary shall require an air carrier referred to in paragraph (2) to file with the Secretary a monthly report on each flight of the air carrier that is diverted from its scheduled destination to another airport and each flight of the air carrier that departs the gate at the airport at which the flight originates but is cancelled before wheels-off time.

"(2) APPLICABILITY.—An air carrier that is required to file a monthly airline service quality performance report pursuant to part 234 of title 14, Code of Federal Regulations, shall be subject to the requirement of paragraph (1).

"(3) CONTENTS.—A monthly report filed by an air carrier under paragraph (1) shall include, at a minimum, the following information:

"(A) For a diverted flight—

"(i) the flight number of the diverted flight;

"(ii) the scheduled destination of the flight;

"(iii) the date and time of the flight;

"(iv) the airport to which the flight was diverted;

"(v) wheels-on time at the diverted airport;

"(vi) the time, if any, passengers deplaned the aircraft at the diverted airport; and

"(vii) if the flight arrives at the scheduled destination airport—

"(I) the gate-departure time at the diverted airport;

"(II) the wheels-off time at the diverted airport;

"(III) the wheels-on time at the scheduled arrival airport; and

"(IV) the gate-arrival time at the scheduled arrival airport.

"(B) For flights cancelled after gate departure—

"(i) the flight number of the cancelled flight;

"(ii) the scheduled origin and destination airports of the cancelled flight;

"(iii) the date and time of the cancelled flight;

"(iv) the gate-departure time of the cancelled flight; and

"(v) the time the aircraft returned to the gate.

"(4) PUBLICATION.—The Secretary shall compile the information provided in the monthly reports filed pursuant to paragraph (1) in a single monthly report and publish such report on the Internet Web site of the Department of Transportation."

(b) EFFECTIVE DATE.—Beginning not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall require monthly reports pursuant to the amendment made by subsection (a).

SEC. 403. MUSICAL INSTRUMENTS.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end the following:

"§ 41724. Musical instruments

"(a) IN GENERAL.—

"(1) SMALL INSTRUMENTS AS CARRY-ON BAGGAGE.—An air carrier providing air transportation shall permit a passenger to carry a violin, guitar, or other musical instrument in the aircraft cabin, without charging the passenger a fee in addition to any standard fee that carrier may require for comparable carry-on baggage, if—

"(A) the instrument can be stowed safely in a suitable baggage compartment in the aircraft cabin or under a passenger seat, in accordance with the requirements for carriage of carry-on baggage or cargo established by the Administrator; and

"(B) there is space for such stowage at the time the passenger boards the aircraft.

"(2) LARGER INSTRUMENTS AS CARRY-ON BAGGAGE.—An air carrier providing air transportation shall permit a passenger to carry a musical instrument that is too large to meet the requirements of paragraph (1) in the aircraft cabin, without charging the passenger a fee in addition to the cost of the additional ticket described in subparagraph (E), if—

"(A) the instrument is contained in a case or covered so as to avoid injury to other passengers;

"(B) the weight of the instrument, including the case or covering, does not exceed 165 pounds or the applicable weight restrictions for the aircraft;

"(C) the instrument can be stowed in accordance with the requirements for carriage of carry-on baggage or cargo established by the Administrator;

"(D) neither the instrument nor the case contains any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation of the United States; and

"(E) the passenger wishing to carry the instrument in the aircraft cabin has purchased an additional seat to accommodate the instrument.

"(3) LARGE INSTRUMENTS AS CHECKED BAGGAGE.—An air carrier shall transport as baggage a musical instrument that is the property of a

passenger traveling in air transportation that may not be carried in the aircraft cabin if—

"(A) the sum of the length, width, and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150 inches or the applicable size restrictions for the aircraft;

"(B) the weight of the instrument does not exceed 165 pounds or the applicable weight restrictions for the aircraft; and

"(C) the instrument can be stowed in accordance with the requirements for carriage of carry-on baggage or cargo established by the Administrator.

"(b) REGULATIONS.—Not later than 2 years after the date of enactment of this section, the Secretary shall issue final regulations to carry out subsection (a).

"(c) EFFECTIVE DATE.—The requirements of this section shall become effective on the date of issuance of the final regulations under subsection (b)."

(b) CONFORMING AMENDMENT.—The analysis for such subchapter is amended by adding at the end the following:

"41724. Musical instruments."

SEC. 404. EXTENSION OF COMPETITIVE ACCESS REPORTS.

Section 47107(s)(3) is amended to read as follows:

"(3) SUNSET PROVISION.—This subsection shall cease to be effective beginning October 1, 2015."

SEC. 405. AIRFARES FOR MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds that—

(1) the Armed Forces is comprised of approximately 1,450,000 members who are stationed on active duty at more than 6,000 military bases in 146 different countries;

(2) the United States is indebted to the members of the Armed Forces, many of whom are in grave danger due to their engagement in, or exposure to, combat;

(3) military service, especially in the current war against terrorism, often requires members of the Armed Forces to be separated from their families on short notice, for long periods of time, and under very stressful conditions;

(4) the unique demands of military service often preclude members of the Armed Forces from purchasing discounted advance airline tickets in order to visit their loved ones at home; and

(5) it is the patriotic duty of the people of the United States to support the members of the Armed Forces who are defending the Nation's interests around the world at great personal sacrifice.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all United States commercial air carriers should seek to lend their support with flexible, generous policies applicable to members of the Armed Forces who are traveling on leave or liberty at their own expense; and

(2) each United States air carrier, for all members of the Armed Forces who have been granted leave or liberty and who are traveling by air at their own expense, should—

(A) seek to provide reduced air fares that are comparable to the lowest airfare for ticketed flights and that eliminate to the maximum extent possible advance purchase requirements;

(B) seek to eliminate change fees or charges and any penalties;

(C) seek to eliminate or reduce baggage and excess weight fees;

(D) offer flexible terms that allow members to purchase, modify, or cancel tickets without time restrictions, and to waive fees (including baggage fees), ancillary costs, or penalties; and

(E) seek to take proactive measures to ensure that all airline employees, particularly those who issue tickets and respond to members of the Armed Forces and their family members, are trained in the policies of the airline aimed at benefiting members of the Armed Forces who are on leave or liberty.

SEC. 406. REVIEW OF AIR CARRIER FLIGHT DELAYS, CANCELLATIONS, AND ASSOCIATED CAUSES.

(a) **REVIEW.**—The Inspector General of the Department of Transportation shall conduct a review regarding air carrier flight delays, cancellations, and associated causes to update the 2000 report numbered CR-2000-112 and titled “Audit of Air Carrier Flight Delays and Cancellations”.

(b) **ASSESSMENTS.**—In conducting the review under subsection (a), the Inspector General shall assess—

(1) the need for an update on delay and cancellation statistics, including with respect to the number of chronically delayed flights and taxi-in and taxi-out times;

(2) air carriers’ scheduling practices;

(3) the need for a reexamination of capacity benchmarks at the Nation’s busiest airports;

(4) the impact of flight delays and cancellations on air travelers, including recommendations for programs that could be implemented to address the impact of flight delays on air travelers;

(5) the effect that limited air carrier service options on routes have on the frequency of delays and cancellations on such routes;

(6) the effect of the rules and regulations of the Department of Transportation on the decisions of air carriers to delay or cancel flights; and

(7) the impact of flight delays and cancellations on the airline industry.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under this section, including the assessments described in subsection (b).

SEC. 407. COMPENSATION FOR DELAYED BAGGAGE.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study to—

(1) examine delays in the delivery of checked baggage to passengers of air carriers; and

(2) assess the options for and examine the impact of establishing minimum standards to compensate a passenger in the case of an unreasonable delay in the delivery of checked baggage.

(b) **CONSIDERATION.**—In conducting the study, the Comptroller General shall take into account the additional fees for checked baggage that are imposed by many air carriers and how the additional fees should improve an air carrier’s baggage performance.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the results of the study.

SEC. 408. DOT AIRLINE CONSUMER COMPLAINT INVESTIGATIONS.

The Secretary of Transportation may investigate consumer complaints regarding—

(1) flight cancellations;

(2) compliance with Federal regulations concerning overbooking seats on flights;

(3) lost, damaged, or delayed baggage, and difficulties with related airline claims procedures;

(4) problems in obtaining refunds for unused or lost tickets or fare adjustments;

(5) incorrect or incomplete information about fares, discount fare conditions and availability, overcharges, and fare increases;

(6) the rights of passengers who hold frequent flyer miles or equivalent redeemable awards earned through customer-loyalty programs; and

(7) deceptive or misleading advertising.

SEC. 409. STUDY OF OPERATORS REGULATED UNDER PART 135.

(a) **STUDY REQUIRED.**—The Administrator of the Federal Aviation Administration, in consultation with interested parties, shall conduct a study of operators regulated under part 135 of title 14, Code of Federal Regulations.

(b) **CONTENTS.**—In conducting the study under subsection (a), the Administrator shall analyze the part 135 fleet in the United States, which shall include analysis of—

(1) the size and type of aircraft in the fleet;

(2) the equipment utilized by the fleet;

(3) the hours flown each year by the fleet;

(4) the utilization rates with respect to the fleet;

(5) the safety record of various categories of use and aircraft types with respect to the fleet, through a review of the database of the National Transportation Safety Board;

(6) the sales revenues of the fleet; and

(7) the number of passengers and airports served by the fleet.

(c) **REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

SEC. 410. USE OF CELL PHONES ON PASSENGER AIRCRAFT.

(a) **CELL PHONE STUDY.**—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a study on the impact of the use of cell phones for voice communications in an aircraft during a flight in scheduled passenger air transportation where currently permitted by foreign governments in foreign air transportation.

(b) **CONTENTS.**—The study shall include—

(1) a review of foreign government and air carrier policies on the use of cell phones during flight;

(2) a review of the extent to which passengers use cell phones for voice communications during flight; and

(3) a summary of any impacts of cell phone use during flight on safety, the quality of the flight experience of passengers, and flight attendants.

(c) **COMMENT PERIOD.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall publish in the Federal Register the results of the study and allow 60 days for public comment.

(d) **CELL PHONE REPORT.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 411. ESTABLISHMENT OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

(a) **IN GENERAL.**—The Secretary of Transportation shall establish an advisory committee for aviation consumer protection to advise the Secretary in carrying out activities relating to airline customer service improvements.

(b) **MEMBERSHIP.**—The Secretary shall appoint the members of the advisory committee, which shall be comprised of one representative each of—

(1) air carriers;

(2) airport operators;

(3) State or local governments with expertise in consumer protection matters; and

(4) nonprofit public interest groups with expertise in consumer protection matters.

(c) **VACANCIES.**—A vacancy in the advisory committee shall be filled in the manner in which the original appointment was made.

(d) **TRAVEL EXPENSES.**—Members of the advisory committee shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(e) **CHAIRPERSON.**—The Secretary shall designate, from among the individuals appointed under subsection (b), an individual to serve as chairperson of the advisory committee.

(f) **DUTIES.**—The duties of the advisory committee shall include—

(1) evaluating existing aviation consumer protection programs and providing recommendations for the improvement of such programs, if needed; and

(2) providing recommendations for establishing additional aviation consumer protection programs, if needed.

(g) **REPORT TO CONGRESS.**—Not later than February 1 of each of the first 2 calendar years beginning after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing—

(1) the recommendations made by the advisory committee during the preceding calendar year; and

(2) an explanation of how the Secretary has implemented each recommendation and, for each recommendation not implemented, the Secretary’s reason for not implementing the recommendation.

(h) **TERMINATION.**—The advisory committee established under this section shall terminate on September 30, 2015.

SEC. 412. DISCLOSURE OF SEAT DIMENSIONS TO FACILITATE THE USE OF CHILD SAFETY SEATS ON AIRCRAFT.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to require each air carrier operating under part 121 of title 14, Code of Federal Regulations, to post on the Internet Web site of the air carrier the maximum dimensions of a child safety seat that can be used on each aircraft operated by the air carrier to enable passengers to determine which child safety seats can be used on those aircraft.

SEC. 413. SCHEDULE REDUCTION.

(a) **IN GENERAL.**—If the Administrator of the Federal Aviation Administration determines that—

(1) the aircraft operations of air carriers during any hour at an airport exceed the hourly maximum departure and arrival rate established by the Administrator for such operations; and

(2) the operations in excess of the maximum departure and arrival rate for such hour at such airport are likely to have a significant adverse effect on the safe and efficient use of navigable airspace,

the Administrator shall convene a meeting of such carriers to reduce pursuant to section 41722 of title 49, United States Code, on a voluntary basis, the number of such operations so as not to exceed the maximum departure and arrival rate.

(b) **NO AGREEMENT.**—If the air carriers participating in a meeting with respect to an airport under subsection (a) are not able to agree to a reduction in the number of flights to and from the airport so as not to exceed the maximum departure and arrival rate, the Administrator shall take such action as is necessary to ensure such reduction is implemented.

(c) **SUBSEQUENT SCHEDULE INCREASES.**—Subsequent to any reduction in operations under subsection (a) or (b) at an airport, if the Administrator determines that the hourly number of aircraft operations at that airport is less than the amount that can be handled safely and efficiently, the Administrator shall ensure that priority is given to United States air carriers in permitting additional aircraft operations with respect to that hour.

SEC. 414. RONALD REAGAN WASHINGTON NATIONAL AIRPORT SLOT EXEMPTIONS.

(a) **INCREASE IN NUMBER OF SLOT EXEMPTIONS.**—Section 41718 is amended by adding at the end the following:

“(g) **ADDITIONAL SLOT EXEMPTIONS.**—

“(1) **INCREASE IN SLOT EXEMPTIONS.**—Not later than 90 days after the date of enactment of the FAA Modernization and Reform Act of 2012, the Secretary shall grant, by order 16 exemptions from—

“(A) the application of sections 49104(a)(5), 49109, and 41714 to air carriers to operate limited frequencies and aircraft on routes between Ronald Reagan Washington National Airport and airports located beyond the perimeter described in section 49109; and

“(B) the requirements of subparts K and S of part 93, Code of Federal Regulations.

“(2) NEW ENTRANTS AND LIMITED INCUMBENTS.—Of the slot exemptions made available under paragraph (1), the Secretary shall make 8 available to limited incumbent air carriers or new entrant air carriers (as such terms are defined in section 41714(h)). Such exemptions shall be allocated pursuant to the application process established by the Secretary under subsection (d). The Secretary shall consider the extent to which the exemptions will—

“(A) provide air transportation with domestic network benefits in areas beyond the perimeter described in section 49109;

“(B) increase competition in multiple markets;

“(C) not reduce travel options for communities served by small hub airports and medium hub airports within the perimeter described in section 49109;

“(D) not result in meaningfully increased travel delays;

“(E) enhance options for nonstop travel to and from the beyond-perimeter airports that will be served as a result of those exemptions;

“(F) have a positive impact on the overall level of competition in the markets that will be served as a result of those exemptions; or

“(G) produce public benefits, including the likelihood that the service to airports located beyond the perimeter described in section 49109 will result in lower fares, higher capacity, and a variety of service options.

“(3) IMPROVED NETWORK SLOTS.—Of the slot exemptions made available under paragraph (1), the Secretary shall make 8 available to incumbent air carriers qualifying for status as a non-limited incumbent carrier at Ronald Reagan Washington National Airport as of the date of enactment of the FAA Modernization and Reform Act of 2012. Each such non-limited incumbent air carrier—

“(A) may operate up to a maximum of 2 of the newly authorized slot exemptions;

“(B) prior to exercising an exemption made available under paragraph (1), shall discontinue the use of a slot for service between Ronald Reagan Washington National Airport and a large hub airport within the perimeter as described in section 49109, and operate, in place of such service, service between Ronald Reagan Washington National Airport and an airport located beyond the perimeter described in section 49109;

“(C) shall be entitled to return of the slot by the Secretary if use of the exemption made available to the carrier under paragraph (1) is discontinued;

“(D) shall have sole discretion concerning the use of an exemption made available under paragraph (1), including the initial or any subsequent beyond perimeter destinations to be served; and

“(E) shall file a notice of intent with the Secretary and subsequent notices of intent, when appropriate, to inform the Secretary of any change in circumstances concerning the use of any exemption made available under paragraph (1).

“(4) NOTICES OF INTENT.—Notices of intent under paragraph (3)(E) shall specify the beyond perimeter destination to be served and the slots the carrier shall discontinue using to serve a large hub airport located within the perimeter.

“(5) CONDITIONS.—Beyond-perimeter flight operations carried out by an air carrier using an exemption granted under this subsection shall be subject to the following conditions:

“(A) An air carrier may not operate a multi-aisle or widebody aircraft in conducting such operations.

“(B) An air carrier granted an exemption under this subsection is prohibited from trans-

ferring the rights to its beyond-perimeter exemptions pursuant to section 41714(j).

“(h) SCHEDULING PRIORITY.—In administering this section, the Secretary shall—

“(1) afford a scheduling priority to operations conducted by new entrant air carriers and limited incumbent air carriers over operations conducted by other air carriers granted additional slot exemptions under subsection (g) for service to airports located beyond the perimeter described in section 49109;

“(2) afford a scheduling priority to slot exemptions currently held by new entrant air carriers and limited incumbent air carriers for service to airports located beyond the perimeter described in section 49109, to the extent necessary to protect viability of such service; and

“(3) consider applications from foreign air carriers that are certificated by the government of Canada if such consideration is required by the bilateral aviation agreement between the United States and Canada and so long as the conditions and limitations under this section apply to such foreign air carriers.”.

(b) HOURLY LIMITATION.—Section 41718(c)(2) is amended to read as follows:

“(2) GENERAL EXEMPTIONS.—

“(A) HOURLY LIMITATION.—The exemptions granted—

“(i) under subsections (a) and (b) and departures authorized under subsection (g)(2) may not be for operations between the hours of 10:00 p.m. and 7:00 a.m.; and

“(ii) under subsections (a), (b), and (g) may not increase the number of operations at Ronald Reagan Washington National Airport in any 1-hour period during the hours between 7:00 a.m. and 9:59 p.m. by more than 5 operations.

“(B) USE OF EXISTING SLOTS.—A non-limited incumbent air carrier utilizing an exemption authorized under subsection (g)(3) for an arrival permitted between the hours of 10:01 p.m. and 11:00 p.m. under this section shall discontinue use of an existing slot during the same time period the arrival exemption is operated.”.

(c) LIMITED INCUMBENT DEFINITION.—Section 41714(h)(5) is amended—

(1) in subparagraph (A) by striking “20” and inserting “40”;

(2) by amending subparagraph (B) to read as follows:

“(B) for purposes of such sections, the term ‘slot’ shall not include—

“(i) ‘slot exemptions’;

“(ii) slots operated by an air carrier under a fee-for-service arrangement for another air carrier, if the air carrier operating such slots does not sell flights in its own name, and is under common ownership with an air carrier that seeks to qualify as a limited incumbent and that sells flights in its own name; or

“(iii) slots held under a sale and license-back financing arrangement with another air carrier, where the slots are under the marketing control of the other air carrier; and”.

(d) TRANSFER OF EXEMPTIONS.—Section 41714(j) is amended by striking the period at the end and inserting “, except through an air carrier merger or acquisition.”.

(e) DEFINITION OF AIRPORT PURPOSES.—Section 49104(a)(2)(A) is amended—

(1) in clause (ii) by striking “or” at the end;

(2) in clause (iii) by striking the period at the end and inserting “; or”;

(3) by adding at the end the following:

“(iv) a business or activity not inconsistent with the needs of aviation that has been approved by the Secretary.”.

SEC. 415. PASSENGER AIR SERVICE IMPROVEMENTS.

(a) IN GENERAL.—Subtitle VII is amended by inserting after chapter 421 the following:

“CHAPTER 423—PASSENGER AIR SERVICE IMPROVEMENTS

“Sec.

“42301. Emergency contingency plans.

“42302. Consumer complaints.

“42303. Use of insecticides in passenger aircraft.

“§42301. Emergency contingency plans

“(a) SUBMISSION OF AIR CARRIER AND AIRPORT PLANS.—Not later than 90 days after the date of enactment of this section, each of the following air carriers and airport operators shall submit to the Secretary of Transportation for review and approval an emergency contingency plan in accordance with the requirements of this section:

“(1) An air carrier providing covered air transportation at a commercial airport.

“(2) An operator of a commercial airport.

“(3) An operator of an airport used by an air carrier described in paragraph (1) for diversions.

“(b) AIR CARRIER PLANS.—

“(1) PLANS FOR INDIVIDUAL AIRPORTS.—An air carrier shall submit an emergency contingency plan under subsection (a) for—

“(A) each airport at which the carrier provides covered air transportation; and

“(B) each airport at which the carrier has flights for which the carrier has primary responsibility for inventory control.

“(2) CONTENTS.—An emergency contingency plan submitted by an air carrier for an airport under subsection (a) shall contain a description of how the carrier will—

“(A) provide adequate food, potable water, restroom facilities, comfortable cabin temperatures, and access to medical treatment for passengers onboard an aircraft at the airport when the departure of a flight is delayed or the disembarkation of passengers is delayed;

“(B) share facilities and make gates available at the airport in an emergency; and

“(C) allow passengers to deplane following an excessive tarmac delay in accordance with paragraph (3).

“(3) DEPLANING FOLLOWING AN EXCESSIVE TARMAC DELAY.—For purposes of paragraph (2)(C), an emergency contingency plan submitted by an air carrier under subsection (a) shall incorporate the following requirements:

“(A) A passenger shall have the option to deplane an aircraft and return to the airport terminal when there is an excessive tarmac delay.

“(B) The option described in subparagraph (A) shall be offered to a passenger even if a flight in covered air transportation is diverted to a commercial airport other than the originally scheduled airport.

“(C) Notwithstanding the requirements described in subparagraphs (A) and (B), a passenger shall not have an option to deplane an aircraft and return to the airport terminal in the case of an excessive tarmac delay if—

“(i) an air traffic controller with authority over the aircraft advises the pilot in command that permitting a passenger to deplane would significantly disrupt airport operations; or

“(ii) the pilot in command determines that permitting a passenger to deplane would jeopardize passenger safety or security.

“(c) AIRPORT PLANS.—An emergency contingency plan submitted by an airport operator under subsection (a) shall contain a description of how the operator, to the maximum extent practicable, will—

“(1) provide for the deplanement of passengers following excessive tarmac delays;

“(2) provide for the sharing of facilities and make gates available at the airport in an emergency; and

“(3) provide a sterile area following excessive tarmac delays for passengers who have not yet cleared United States Customs and Border Protection.

“(d) UPDATES.—

“(1) AIR CARRIERS.—An air carrier shall update each emergency contingency plan submitted by the carrier under subsection (a) every 3 years and submit the update to the Secretary for review and approval.

“(2) AIRPORTS.—An airport operator shall update each emergency contingency plan submitted by the operator under subsection (a) every 5 years and submit the update to the Secretary for review and approval.

“(e) APPROVAL.—

“(1) IN GENERAL.—Not later than 60 days after the date of the receipt of an emergency contingency plan submitted under subsection (a) or an update submitted under subsection (d), the Secretary shall review and approve or, if necessary, require modifications to the plan or update to ensure that the plan or update will effectively address emergencies and provide for the health and safety of passengers.

“(2) FAILURE TO APPROVE OR REQUIRE MODIFICATIONS.—If the Secretary fails to approve or require modifications to a plan or update under paragraph (1) within the timeframe specified in that paragraph, the plan or update shall be deemed to be approved.

“(3) ADHERENCE REQUIRED.—An air carrier or airport operator shall adhere to an emergency contingency plan of the carrier or operator approved under this section.

“(f) MINIMUM STANDARDS.—The Secretary shall establish, as necessary or desirable, minimum standards for elements in an emergency contingency plan required to be submitted under this section.

“(g) PUBLIC ACCESS.—An air carrier or airport operator required to submit an emergency contingency plan under this section shall ensure public access to the plan after its approval under this section on the Internet Web site of the carrier or operator or by such other means as determined by the Secretary.

“(h) REPORTS.—Not later than 30 days after any flight experiences an excessive tarmac delay, the air carrier responsible for such flight shall submit a written description of the incident and its resolution to the Aviation Consumer Protection Division of the Department of Transportation.

“(i) DEFINITIONS.—In this section, the following definitions apply:

“(1) COMMERCIAL AIRPORT.—The term ‘commercial airport’ means a large hub, medium hub, small hub, or nonhub airport.

“(2) COVERED AIR TRANSPORTATION.—The term ‘covered air transportation’ means scheduled or public charter passenger air transportation provided by an air carrier that operates an aircraft that as originally designed has a passenger capacity of 30 or more seats.

“(3) TARMAC DELAY.—The term ‘tarmac delay’ means the period during which passengers are on board an aircraft on the tarmac—

“(A) awaiting takeoff after the aircraft doors have been closed or after passengers have been boarded if the passengers have not been advised they are free to deplane; or

“(B) awaiting deplaning after the aircraft has landed.

“(4) EXCESSIVE TARMAC DELAY.—The term ‘excessive tarmac delay’ means a tarmac delay that lasts for a length of time, as determined by the Secretary.

“§ 42302. Consumer complaints

“(a) IN GENERAL.—The Secretary of Transportation shall establish a consumer complaints toll-free hotline telephone number for the use of passengers in air transportation and shall take actions to notify the public of—

“(1) that telephone number; and

“(2) the Internet Web site of the Aviation Consumer Protection Division of the Department of Transportation.

“(b) NOTICE TO PASSENGERS ON THE INTERNET.—An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include on the Internet Web site of the carrier—

“(1) the hotline telephone number established under subsection (a);

“(2) the e-mail address, telephone number, and mailing address of the air carrier for the submission of complaints by passengers about air travel service problems; and

“(3) the Internet Web site and mailing address of the Aviation Consumer Protection Division of

the Department of Transportation for the submission of complaints by passengers about air travel service problems.

“(c) NOTICE TO PASSENGERS ON BOARDING DOCUMENTATION.—An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats shall include the hotline telephone number established under subsection (a) on—

“(1) prominently displayed signs of the carrier at the airport ticket counters in the United States where the air carrier operates; and

“(2) any electronic confirmation of the purchase of a passenger ticket for air transportation issued by the air carrier.

“§ 42303. Use of insecticides in passenger aircraft

“(a) INFORMATION TO BE PROVIDED ON THE INTERNET.—The Secretary of Transportation shall establish, and make available to the general public, an Internet Web site that contains a listing of countries that may require an air carrier or foreign air carrier to treat an aircraft passenger cabin with insecticides prior to a flight in foreign air transportation to that country or to apply an aerosol insecticide in an aircraft cabin used for such a flight when the cabin is occupied with passengers.

“(b) REQUIRED DISCLOSURES.—An air carrier, foreign air carrier, or ticket agent selling, in the United States, a ticket for a flight in foreign air transportation to a country listed on the Internet Web site established under subsection (a) shall refer the purchaser of the ticket to the Internet Web site established under subsection (a) for additional information.”

(b) PENALTIES.—Section 46301 is amended in subsections (a)(1)(A) and (c)(1)(A) by inserting “chapter 423,” after “chapter 421.”

(c) APPLICABILITY OF REQUIREMENTS.—Except as otherwise provided, the requirements of chapter 423 of title 49, United States Code, as added by this section, shall begin to apply 60 days after the date of enactment of this Act.

(d) CLERICAL AMENDMENT.—The analysis for subtitle VII is amended by inserting after the item relating to chapter 421 the following:

“423. Passenger Air Service Improvements 42301”

Subtitle B—Essential Air Service

SEC. 421. LIMITATION ON ESSENTIAL AIR SERVICE TO LOCATIONS THAT AVERAGE FEWER THAN 10 ENPLANEMENTS PER DAY.

Section 41731 is amended—

(1) in subsection (a)(1) by amending subparagraph (B) to read as follows:

“(B) had an average of 10 enplanements per service day or more, as determined by the Secretary, during the most recent fiscal year beginning after September 30, 2012;”

(2) by amending subsection (c) to read as follows:

“(c) EXCEPTION FOR LOCATIONS IN ALASKA AND HAWAII.—Subparagraphs (B), (C), and (D) of subsection (a)(1) shall not apply with respect to locations in the State of Alaska or the State of Hawaii.”

(3) by amending subsection (d) to read as follows:

“(d) EXCEPTIONS FOR LOCATIONS MORE THAN 175 DRIVING MILES FROM THE NEAREST LARGE OR MEDIUM HUB AIRPORT.—Subsection (a)(1)(B) shall not apply with respect to locations that are more than 175 driving miles from the nearest large or medium hub airport.”; and

(4) by adding at the end the following:

“(e) WAIVERS.—For fiscal year 2013 and each fiscal year thereafter, the Secretary may waive, on an annual basis, subsection (a)(1)(B) with respect to a location if the location demonstrates to the Secretary’s satisfaction that the reason the location averages fewer than 10 enplanements per day is due to a temporary decline in enplanements.

“(f) DEFINITION.—For purposes of subsection (a)(1)(B), the term ‘enplanements’ means the

number of passengers enplaning, at an eligible place, on flights operated by the subsidized essential air service carrier.”

SEC. 422. ESSENTIAL AIR SERVICE ELIGIBILITY.

Section 41731(a)(1) is further amended—

(1) in subparagraph (C) by striking the period at the end and inserting “; and”; and

(2) by adding at the end the following:

“(D) is a community that, at any time during the period between September 30, 2010, and September 30, 2011, inclusive—

“(i) received essential air service for which compensation was provided to an air carrier under this subchapter; or

“(ii) received a 90-day notice of intent to terminate essential air service and the Secretary required the air carrier to continue to provide such service to the community.”

SEC. 423. ESSENTIAL AIR SERVICE MARKETING.

Section 41733(c)(1) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F);

(2) by striking “and” at the end of subparagraph (D); and

(3) by inserting after subparagraph (D) the following:

“(E) whether the air carrier has included a plan in its proposal to market its services to the community; and”

SEC. 424. NOTICE TO COMMUNITIES PRIOR TO TERMINATION OF ELIGIBILITY FOR SUBSIDIZED ESSENTIAL AIR SERVICE.

Section 41733 is amended by adding at the end the following:

“(f) NOTICE TO COMMUNITIES PRIOR TO TERMINATION OF ELIGIBILITY.—

“(1) IN GENERAL.—The Secretary shall notify each community receiving basic essential air service for which compensation is being paid under this subchapter on or before the 45th day before issuing any final decision to end the payment of such compensation due to a determination by the Secretary that providing such service requires a rate of subsidy per passenger in excess of the subsidy cap.

“(2) PROCEDURES TO AVOID TERMINATION.—

The Secretary shall establish, by order, procedures by which each community notified of an impending loss of subsidy under paragraph (1) may work directly with an air carrier to ensure that the air carrier is able to submit a proposal to the Secretary to provide essential air service to such community for an amount of compensation that would not exceed the subsidy cap.

“(3) ASSISTANCE PROVIDED.—The Secretary shall provide, by order, information to each community notified under paragraph (1) regarding—

“(A) the procedures established pursuant to paragraph (2); and

“(B) the maximum amount of compensation that could be provided under this subchapter to an air carrier serving such community that would comply with basic essential air service and the subsidy cap.”

SEC. 425. RESTORATION OF ELIGIBILITY TO A PLACE DETERMINED TO BE INELIGIBLE FOR SUBSIDIZED ESSENTIAL AIR SERVICE.

Section 41733 is further amended by adding at the end the following:

“(g) PROPOSALS OF STATE AND LOCAL GOVERNMENTS TO RESTORE ELIGIBILITY.—

“(1) IN GENERAL.—If the Secretary, after the date of enactment of this subsection, ends payment of compensation to an air carrier for providing basic essential air service to an eligible place because the Secretary has determined that providing such service requires a rate of subsidy per passenger in excess of the subsidy cap or that the place is no longer an eligible place pursuant to section 41731(a)(1)(B), a State or local government may submit to the Secretary a proposal for restoring compensation for such service. Such proposal shall be a joint proposal of the State or local government and an air carrier.

“(2) DETERMINATION BY SECRETARY.—The Secretary shall issue an order restoring the eligi-

bility of the otherwise eligible place to receive basic essential air service by an air carrier for compensation under subsection (c) if—

“(A) a State or local government submits to the Secretary a proposal under paragraph (1); and

“(B) the Secretary determines that—

“(i) the rate of subsidy per passenger under the proposal does not exceed the subsidy cap;

“(ii) the proposal is likely to result in an average number of enplanements per day that will satisfy the requirement in section 41731(a)(1)(B); and

“(iii) the proposal is consistent with the legal and regulatory requirements of the essential air service program.

“(h) **SUBSIDY CAP DEFINED.**—In this section, the term ‘subsidy cap’ means the subsidy-per-passenger cap established by section 332 of the Department of Transportation and Related Agencies Appropriations Act, 2000 (Public Law 106-69; 113 Stat. 1022).”

SEC. 426. ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.

(a) **EMERGENCY ACROSS-THE-BOARD ADJUSTMENT.**—Subject to the availability of funds, the Secretary may increase the rates of compensation payable to air carriers under subchapter II of chapter 417 of title 49, United States Code, to compensate such carriers for increased aviation fuel costs without regard to any agreement or requirement relating to the renegotiation of contracts or any notice requirement under section 41734 of such title.

(b) **EXPEDITED PROCESS FOR ADJUSTMENTS TO INDIVIDUAL CONTRACTS.**—

(1) **IN GENERAL.**—Section 41734(d) is amended by striking “continue to pay” and all that follows through “compensation sufficient—” and inserting “provide the carrier with compensation sufficient—”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall apply to compensation to air carriers for air service provided after the 30th day following the date of enactment of this Act.

(c) **SUBSIDY CAP.**—Subject to the availability of funds, the Secretary may waive, on a case-by-case basis, the subsidy-per-passenger cap established by section 332 of the Department of Transportation and Related Agencies Appropriations Act, 2000 (Public Law 106-69; 113 Stat. 1022). A waiver issued under this subsection shall remain in effect for a limited period of time, as determined by the Secretary.

SEC. 427. ESSENTIAL AIR SERVICE CONTRACT GUIDELINES.

(a) **COMPENSATION GUIDELINES.**—Section 41737(a)(1) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) in subparagraph (C) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(D) include provisions under which the Secretary may encourage an air carrier to improve air service for which compensation is being paid under this subchapter by incorporating financial incentives in an essential air service contract based on specified performance goals, including goals related to improving on-time performance, reducing the number of flight cancellations, establishing reasonable fares (including joint fares beyond the hub airport), establishing convenient connections to flights providing service beyond hub airports, and increasing marketing efforts; and

“(E) include provisions under which the Secretary may execute a long-term essential air service contract to encourage an air carrier to provide air service to an eligible place if it would be in the public interest to do so.”

(b) **DEADLINE FOR ISSUANCE OF REVISED GUIDANCE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue revised guidelines governing the rate of compensation payable under subchapter II of chapter 417 that incorporate the amendments made by this section.

(c) **UPDATE.**—Not later than 2 years after the date of issuance of revised guidelines pursuant to subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an update of the extent to which the revised guidelines have been implemented and the impact, if any, such implementation has had on air carrier performance and community satisfaction with air service for which compensation is being paid under subchapter II of chapter 417.

SEC. 428. ESSENTIAL AIR SERVICE REFORM.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 41742(a) is amended—

(1) in paragraph (1)—

(A) by inserting “for each fiscal year” before “is authorized”; and

(B) by striking “under this subchapter for each fiscal year” and inserting “under this subchapter”; and

(2) in paragraph (2) by striking “and \$54,699,454 for the period beginning on October 1, 2011, and ending on February 17, 2012,” and inserting “, \$143,000,000 for fiscal year 2012, \$118,000,000 for fiscal year 2013, \$107,000,000 for fiscal year 2014, and \$93,000,000 for fiscal year 2015”.

(b) **DISTRIBUTION OF ADDITIONAL FUNDS.**—Section 41742(b) is amended to read as follows:

“(b) **DISTRIBUTION OF ADDITIONAL FUNDS.**—Notwithstanding any other provision of law, in any fiscal year in which funds credited to the account established under section 45303, including the funds derived from fees imposed under the authority contained in section 45301(a), exceed the \$50,000,000 made available under subsection (a)(1), such funds shall be made available immediately for obligation and expenditure to carry out the essential air service program under this subchapter.”

(c) **AVAILABILITY OF FUNDS.**—Section 41742 is amended by adding at the end the following:

“(c) **AVAILABILITY OF FUNDS.**—The funds made available under this section shall remain available until expended.”

SEC. 429. SMALL COMMUNITY AIR SERVICE.

(a) **PRIORITIES.**—Section 41743(c)(5) is amended—

(1) by striking “and” at the end of subparagraph (D);

(2) in subparagraph (E) by striking “fashion.” and inserting “fashion; and”; and

(3) by adding at the end the following:

“(F) multiple communities cooperate to submit a regional or multistate application to consolidate air service into one regional airport.”

(b) **EXTENSION OF AUTHORIZATION.**—Section 41743(e)(2) is amended to read as follows:

“(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$6,000,000 for each of fiscal years 2012 through 2015 to carry out this section. Such sums shall remain available until expended.”

SEC. 430. REPEAL OF ESSENTIAL AIR SERVICE LOCAL PARTICIPATION PROGRAM.

Section 41747, and the item relating to section 41747 in the analysis for chapter 417, are repealed.

SEC. 431. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ADJUSTMENT ELIGIBILITY.

Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking “February 17, 2012.” and inserting “September 30, 2015.”

TITLE V—ENVIRONMENTAL STREAMLINING

SEC. 501. OVERFLIGHTS OF NATIONAL PARKS.

(a) **GENERAL REQUIREMENTS.**—Section 40128(a)(1)(C) is amended by inserting “or voluntary agreement under subsection (b)(7)” before “for the park”.

(b) **EXEMPTION FOR NATIONAL PARKS WITH 50 OR FEWER FLIGHTS EACH YEAR.**—Section 40128(a) is amended by adding at the end the following:

“(5) **EXEMPTION FOR NATIONAL PARKS WITH 50 OR FEWER FLIGHTS EACH YEAR.**—

“(A) **IN GENERAL.**—Notwithstanding paragraph (1), a national park that has 50 or fewer commercial air tour operations over the park each year shall be exempt from the requirements of this section, except as provided in subparagraph (B).

“(B) **WITHDRAWAL OF EXEMPTION.**—If the Director determines that an air tour management plan or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment, the Director shall withdraw the exemption of a park under subparagraph (A).

“(C) **LIST OF PARKS.**—

“(i) **IN GENERAL.**—The Director and Administrator shall jointly publish a list each year of national parks that are covered by the exemption provided under this paragraph.

“(ii) **NOTIFICATION OF WITHDRAWAL OF EXEMPTION.**—The Director shall inform the Administrator, in writing, of each determination to withdraw an exemption under subparagraph (B).

“(D) **ANNUAL REPORT.**—A commercial air tour operator conducting commercial air tour operations over a national park that is exempt from the requirements of this section shall submit to the Administrator and the Director a report each year that includes the number of commercial air tour operations the operator conducted during the preceding 1-year period over such park.”

(c) **AIR TOUR MANAGEMENT PLANS.**—Section 40128(b) is amended—

(1) in paragraph (1) by adding at the end the following:

“(C) **EXCEPTION.**—An application to begin commercial air tour operations at Crater Lake National Park may be denied without the establishment of an air tour management plan by the Director of the National Park Service if the Director determines that such operations would adversely affect park resources or visitor experiences.”; and

(2) by adding at the end the following:

“(7) **VOLUNTARY AGREEMENTS.**—

“(A) **IN GENERAL.**—As an alternative to an air tour management plan, the Director and the Administrator may enter into a voluntary agreement with a commercial air tour operator (including a new entrant commercial air tour operator and an operator that has interim operating authority) that has applied to conduct commercial air tour operations over a national park to manage commercial air tour operations over such national park.

“(B) **PARK PROTECTION.**—A voluntary agreement under this paragraph with respect to commercial air tour operations over a national park shall address the management issues necessary to protect the resources of such park and visitor use of such park without compromising aviation safety or the air traffic control system and may—

“(i) include provisions such as those described in subparagraphs (B) through (E) of paragraph (3);

“(ii) include provisions to ensure the stability of, and compliance with, the voluntary agreement; and

“(iii) provide for fees for such operations.

“(C) **PUBLIC REVIEW.**—The Director and the Administrator shall provide an opportunity for public review of a proposed voluntary agreement under this paragraph and shall consult with any Indian tribe whose tribal lands are, or may be, flown over by a commercial air tour operator under a voluntary agreement under this paragraph. After such opportunity for public review and consultation, the voluntary agreement may be implemented without further administrative or environmental process beyond that described in this subsection.

“(D) **TERMINATION.**—

“(i) **IN GENERAL.**—A voluntary agreement under this paragraph may be terminated at any time at the discretion of—

“(I) the Director, if the Director determines that the agreement is not adequately protecting park resources or visitor experiences; or

“(II) the Administrator, if the Administrator determines that the agreement is adversely affecting aviation safety or the national aviation system.

“(ii) EFFECT OF TERMINATION.—If a voluntary agreement with respect to a national park is terminated under this subparagraph, the operators shall conform to the requirements for interim operating authority under subsection (c) until an air tour management plan for the park is in effect.”

(d) INTERIM OPERATING AUTHORITY.—Section 40128(c) is amended—

(1) by striking paragraph (2)(I) and inserting the following:

“(I) may allow for modifications of the interim operating authority without further environmental review beyond that described in this subsection, if—

“(i) adequate information regarding the existing and proposed operations of the operator under the interim operating authority is provided to the Administrator and the Director;

“(ii) the Administrator determines that there would be no adverse impact on aviation safety or the air traffic control system; and

“(iii) the Director agrees with the modification, based on the professional expertise of the Director regarding the protection of the resources, values, and visitor use and enjoyment of the park.”; and

(2) in paragraph (3)(A) by striking “if the Administrator determines” and all that follows through the period at the end and inserting “without further environmental process beyond that described in this paragraph, if—

“(i) adequate information on the proposed operations of the operator is provided to the Administrator and the Director by the operator making the request;

“(ii) the Administrator agrees that there would be no adverse impact on aviation safety or the air traffic control system; and

“(iii) the Director agrees, based on the Director’s professional expertise regarding the protection of park resources and values and visitor use and enjoyment.”.

(e) OPERATOR REPORTS.—Section 40128 is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following:

“(d) COMMERCIAL AIR TOUR OPERATOR REPORTS.—

“(1) REPORT.—Each commercial air tour operator conducting a commercial air tour operation over a national park under interim operating authority granted under subsection (c) or in accordance with an air tour management plan or voluntary agreement under subsection (b) shall submit to the Administrator and the Director a report regarding the number of commercial air tour operations over each national park that are conducted by the operator and such other information as the Administrator and Director may request in order to facilitate administering the provisions of this section.

“(2) REPORT SUBMISSION.—Not later than 90 days after the date of enactment of the FAA Modernization and Reform Act of 2012, the Administrator and the Director shall jointly issue an initial request for reports under this subsection. The reports shall be submitted to the Administrator and the Director with a frequency and in a format prescribed by the Administrator and the Director.”.

SEC. 502. STATE BLOCK GRANT PROGRAM.

(a) GENERAL REQUIREMENTS.—Section 47128(a) is amended—

(1) in the first sentence by striking “prescribe regulations” and inserting “issue guidance”; and

(2) in the second sentence by striking “regulations” and inserting “guidance”.

(b) APPLICATIONS AND SELECTION.—Section 47128(b)(4) is amended by inserting before the semicolon the following: “, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), State and local environmental policy acts, Executive orders, agency regulations and guidance, and other Federal environmental requirements”.

(c) ENVIRONMENTAL ANALYSIS AND COORDINATION REQUIREMENTS.—Section 47128 is amended by adding at the end the following:

“(d) ENVIRONMENTAL ANALYSIS AND COORDINATION REQUIREMENTS.—A Federal agency, other than the Federal Aviation Administration, that is responsible for issuing an approval, license, or permit to ensure compliance with a Federal environmental requirement applicable to a project or activity to be carried out by a State using amounts from a block grant made under this section shall—

“(1) coordinate and consult with the State;

“(2) use the environmental analysis prepared by the State for the project or activity if such analysis is adequate; and

“(3) as necessary, consult with the State to describe the supplemental analysis the State must provide to meet applicable Federal requirements.”.

SEC. 503. AIRPORT FUNDING OF SPECIAL STUDIES OR REVIEWS.

Section 47173(a) is amended by striking “services of consultants in order to” and all that follows through the period at the end and inserting “services of consultants—

“(1) to facilitate the timely processing, review, and completion of environmental activities associated with an airport development project;

“(2) to conduct special environmental studies related to an airport project funded with Federal funds;

“(3) to conduct special studies or reviews to support approved noise compatibility measures described in part 150 of title 14, Code of Federal Regulations;

“(4) to conduct special studies or reviews to support environmental mitigation in a record of decision or finding of no significant impact by the Federal Aviation Administration; and

“(5) to facilitate the timely processing, review, and completion of environmental activities associated with new or amended flight procedures, including performance-based navigation procedures, such as required navigation performance procedures and area navigation procedures.”.

SEC. 504. GRANT ELIGIBILITY FOR ASSESSMENT OF FLIGHT PROCEDURES.

Section 47504 is amended by adding at the end the following:

“(e) GRANTS FOR ASSESSMENT OF FLIGHT PROCEDURES.—

“(1) IN GENERAL.—In accordance with subsection (c)(1), the Secretary may make a grant to an airport operator to assist in completing environmental review and assessment activities for proposals to implement flight procedures at such airport that have been approved as part of an airport noise compatibility program under subsection (b).

“(2) ADDITIONAL STAFF.—The Administrator may accept funds from an airport operator, including funds provided to the operator under paragraph (1), to hire additional staff or obtain the services of consultants in order to facilitate the timely processing, review, and completion of environmental activities associated with proposals to implement flight procedures at such airport that have been approved as part of an airport noise compatibility program under subsection (b).

“(3) RECEIPTS CREDITED AS OFFSETTING COLLECTIONS.—Notwithstanding section 3302 of title 31, any funds accepted under this section—

“(A) shall be credited as offsetting collections to the account that finances the activities and services for which the funds are accepted;

“(B) shall be available for expenditure only to pay the costs of activities and services for which the funds are accepted; and

“(C) shall remain available until expended.”.

SEC. 505. DETERMINATION OF FAIR MARKET VALUE OF RESIDENTIAL PROPERTIES.

Section 47504 (as amended by this Act) is further amended by adding at the end the following:

“(f) DETERMINATION OF FAIR MARKET VALUE OF RESIDENTIAL PROPERTIES.—In approving a project to acquire residential real property using financial assistance made available under this section or chapter 471, the Secretary shall ensure that the appraisal of the property to be acquired disregards any decrease or increase in the fair market value of the real property caused by the project for which the property is to be acquired, or by the likelihood that the property would be acquired for the project, other than that due to physical deterioration within the reasonable control of the owner.”.

SEC. 506. PROHIBITION ON OPERATING CERTAIN AIRCRAFT WEIGHING 75,000 POUNDS OR LESS NOT COMPLYING WITH STAGE 3 NOISE LEVELS.

(a) IN GENERAL.—Subchapter II of chapter 475 is amended by adding at the end the following:

“§47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels

“(a) PROHIBITION.—Except as otherwise provided by this section, after December 31, 2015, a person may not operate a civil subsonic jet airplane with a maximum weight of 75,000 pounds or less, and for which an airworthiness certificate (other than an experimental certificate) has been issued, to or from an airport in the United States unless the Secretary of Transportation finds that the aircraft complies with stage 3 noise levels.

“(b) AIRCRAFT OPERATIONS OUTSIDE 48 CONTIGUOUS STATES.—Subsection (a) shall not apply to aircraft operated only outside the 48 contiguous States.

“(c) TEMPORARY OPERATIONS.—The Secretary may allow temporary operation of an aircraft otherwise prohibited from operation under subsection (a) to or from an airport in the contiguous United States by granting a special flight authorization for one or more of the following circumstances:

“(1) To sell, lease, or use the aircraft outside the 48 contiguous States.

“(2) To scrap the aircraft.

“(3) To obtain modifications to the aircraft to meet stage 3 noise levels.

“(4) To perform scheduled heavy maintenance or significant modifications on the aircraft at a maintenance facility located in the contiguous 48 States.

“(5) To deliver the aircraft to an operator leasing the aircraft from the owner or return the aircraft to the lessor.

“(6) To prepare, park, or store the aircraft in anticipation of any of the activities described in paragraphs (1) through (5).

“(7) To provide transport of persons and goods in the relief of an emergency situation.

“(8) To divert the aircraft to an alternative airport in the 48 contiguous States on account of weather, mechanical, fuel, air traffic control, or other safety reasons while conducting a flight in order to perform any of the activities described in paragraphs (1) through (7).

“(d) REGULATIONS.—The Secretary may prescribe such regulations or other guidance as may be necessary for the implementation of this section.

“(e) STATUTORY CONSTRUCTION.—

“(1) AIP GRANT ASSURANCES.—Noncompliance with subsection (a) shall not be construed as a violation of section 47107 or any regulations prescribed thereunder.

“(2) PENDING APPLICATIONS.—Nothing in this section may be construed as interfering with, nullifying, or otherwise affecting determinations made by the Federal Aviation Administration, or to be made by the Administration, with respect to applications under part 161 of title 14,

Code of Federal Regulations, that were pending on the date of enactment of this section.”.

(b) CONFORMING AMENDMENTS.—

(1) PENALTIES.—Section 47531 is amended—

(A) in the section heading by striking “for violating sections 47528–47530”; and
(B) by striking “47529, or 47530” and inserting “47529, 47530, or 47534”.

(2) JUDICIAL REVIEW.—Section 47532 is amended by inserting “or 47534” after “47528–47531”.

(3) ANALYSIS.—The analysis for subchapter II of chapter 475 is amended—

(A) by striking the item relating to section 47531 and inserting the following:

“47531. Penalties.”; and

(B) by adding at the end the following:

“47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels.”.

SEC. 507. AIRCRAFT DEPARTURE QUEUE MANAGEMENT PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall carry out a pilot program at not more than 5 public-use airports under which the Federal Aviation Administration shall use funds made available under section 48101(a) to test air traffic flow management tools, methodologies, and procedures that will allow air traffic controllers of the Administration to better manage the flow of aircraft on the ground and reduce the length of ground holds and idling time for aircraft.

(b) SELECTION CRITERIA.—In selecting from among airports at which to conduct the pilot program, the Secretary shall give priority consideration to airports at which improvements in ground control efficiencies are likely to achieve the greatest fuel savings or air quality or other environmental benefits, as measured by the amount of reduced fuel, reduced emissions, or other environmental benefits per dollar of funds expended under the pilot program.

(c) MAXIMUM AMOUNT.—Not more than a total of \$2,500,000 may be expended under the pilot program at any single public-use airport.

SEC. 508. HIGH PERFORMANCE, SUSTAINABLE, AND COST-EFFECTIVE AIR TRAFFIC CONTROL FACILITIES.

The Administrator of the Federal Aviation Administration may implement, to the extent practicable, sustainable practices for the incorporation of energy-efficient design, equipment, systems, and other measures in the construction and major renovation of air traffic control facilities of the Administration in order to reduce energy consumption at, improve the environmental performance of, and reduce the cost of maintenance for such facilities.

SEC. 509. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the European Union directive extending the European Union’s emissions trading proposal to international civil aviation without working through the International Civil Aviation Organization (in this section referred to as the “ICAO”) in a consensus-based fashion is inconsistent with the Convention on International Civil Aviation, completed in Chicago on December 7, 1944 (TIAS 1591; commonly known as the “Chicago Convention”), and other relevant air services agreements and antithetical to building international cooperation to address effectively the problem of greenhouse gas emissions by aircraft engaged in international civil aviation;

(2) the European Union and its member states should instead work with other contracting states of ICAO to develop a consensual approach to addressing aircraft greenhouse gas emissions through ICAO; and

(3) officials of the United States Government, and particularly the Secretary of Transportation and the Administrator of the Federal Aviation Administration, should use all political, diplomatic, and legal tools at the disposal of the United States to ensure that the European Union’s emissions trading scheme is not applied to aircraft registered by the United

States or the operators of those aircraft, including the mandates that United States carriers provide emissions data to and purchase emissions allowances from or surrender emissions allowances to the European Union Member States.
SEC. 510. AVIATION NOISE COMPLAINTS.

Not later than 90 days after the date of enactment of this Act, each owner or operator of a large hub airport (as defined in section 40102(a) of title 49, United States Code) shall publish on an Internet Web site of the airport a telephone number to receive aviation noise complaints related to the airport.

SEC. 511. PILOT PROGRAM FOR ZERO-EMISSION AIRPORT VEHICLES.

(a) IN GENERAL.—Chapter 471 is amended by inserting after section 47136 the following:

“§47136a. Zero-emission airport vehicles and infrastructure

“(a) IN GENERAL.—The Secretary of Transportation may establish a pilot program under which the sponsor of a public-use airport may use funds made available under section 47117 or section 48103 for use at such airport to carry out activities associated with the acquisition and operation of zero-emission vehicles (as defined in section 88.102–94 of title 40, Code of Federal Regulations), including the construction or modification of infrastructure to facilitate the delivery of fuel and services necessary for the use of such vehicles.

“(b) LOCATION IN AIR QUALITY NONATTAINMENT AREAS.—

“(1) IN GENERAL.—A public-use airport may be eligible for participation in the program only if the airport is located in a nonattainment area (as defined in section 171 of the Clean Air Act (42 U.S.C. 7501)).

“(2) SHORTAGE OF APPLICANTS.—If the Secretary receives an insufficient number of applications from public-use airports located in such areas, the Secretary may permit public-use airports that are not located in such areas to participate in the program.

“(c) SELECTION CRITERIA.—In selecting from among applicants for participation in the program, the Secretary shall give priority consideration to applicants that will achieve the greatest air quality benefits measured by the amount of emissions reduced per dollar of funds expended under the program.

“(d) FEDERAL SHARE.—Notwithstanding any other provision of this subchapter, the Federal share of the costs of a project carried out under the program shall be 50 percent.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—The sponsor of a public-use airport carrying out activities funded under the program may not use more than 10 percent of the amounts made available under the program in any fiscal year for technical assistance in carrying out such activities.

“(2) USE OF UNIVERSITY TRANSPORTATION CENTER.—Participants in the program may use a university transportation center receiving grants under section 5506 in the region of the airport to receive the technical assistance described in paragraph (1).

“(f) MATERIALS IDENTIFYING BEST PRACTICES.—The Secretary may develop and make available materials identifying best practices for carrying out activities funded under the program based on projects carried out under section 47136 and other sources.”.

(b) REPORT ON EFFECTIVENESS OF PROGRAM.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) an evaluation of the effectiveness of the program established by section 47136a of title 49, United States Code (as added by this section);

(2) the performance measures used to measure such effectiveness, such as the goals for the

projects implemented and the amount of emissions reduction achieved through these projects;

(3) an assessment of the sufficiency of the data collected during the program to make a decision on whether or not to implement the program;

(4) an identification of all public-use airports that expressed an interest in participating in the program; and

(5) a description of the mechanisms used by the Secretary to ensure that the information and expertise gained by participants in the program is transferred among the participants and to other interested parties, including other public-use airports.

(c) CONFORMING AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 47136 the following: “47136a. Zero-emission airport vehicles and infrastructure.”.

(d) TECHNICAL AMENDMENT.—Section 47136(f)(2) is amended—

(1) in the paragraph heading by striking “ELIGIBLE CONSORTIUM” and inserting “UNIVERSITY TRANSPORTATION CENTER”; and

(2) by striking “an eligible consortium” and inserting “a university transportation center”.

SEC. 512. INCREASING THE ENERGY EFFICIENCY OF AIRPORT POWER SOURCES.

(a) IN GENERAL.—Chapter 471 is amended by inserting after section 47140 the following:

“§47140a. Increasing the energy efficiency of airport power sources

“(a) IN GENERAL.—The Secretary of Transportation shall establish a program under which the Secretary shall encourage the sponsor of each public-use airport to assess the airport’s energy requirements, including heating and cooling, base load, back-up power, and power for on-road airport vehicles and ground support equipment, in order to identify opportunities to increase energy efficiency at the airport.

“(b) GRANTS.—

“(1) IN GENERAL.—The Secretary may make grants from amounts made available under section 48103 to assist airport sponsors that have completed the assessment described in subsection (a) to acquire or construct equipment, including hydrogen equipment and related infrastructure, that will increase energy efficiency at the airport.

“(2) APPLICATION.—To be eligible for a grant under paragraph (1), the sponsor of a public-use airport shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.”.

(b) CONFORMING AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 47140 the following: “47140a. Increasing the energy efficiency of airport power sources.”.

TITLE VI—FAA EMPLOYEES AND ORGANIZATION

SEC. 601. FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

Section 40122(a) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by striking paragraph (2) and inserting the following:

“(2) DISPUTE RESOLUTION.—

“(A) MEDIATION.—If the Administrator does not reach an agreement under paragraph (1) or the provisions referred to in subsection (g)(2)(C) with the exclusive bargaining representative of the employees, the Administrator and the bargaining representative—

“(i) shall use the services of the Federal Mediation and Conciliation Service to attempt to reach such agreement in accordance with part 1425 of title 29, Code of Federal Regulations (as in effect on the date of enactment of the FAA Modernization and Reform Act of 2012); or

“(ii) may by mutual agreement adopt alternative procedures for the resolution of disputes or impasses arising in the negotiation of the collective-bargaining agreement.

“(B) MID-TERM BARGAINING.—If the services of the Federal Mediation and Conciliation Service under subparagraph (A)(i) do not lead to the resolution of issues in controversy arising from the negotiation of a mid-term collective-bargaining agreement, the Federal Service Impasses Panel shall assist the parties in resolving the impasse in accordance with section 7119 of title 5.

“(C) BINDING ARBITRATION FOR TERM BARGAINING.—

“(i) ASSISTANCE FROM FEDERAL SERVICE IMPASSES PANEL.—If the services of the Federal Mediation and Conciliation Service under subparagraph (A)(i) do not lead to the resolution of issues in controversy arising from the negotiation of a term collective-bargaining agreement, the Administrator and the exclusive bargaining representative of the employees (in this subparagraph referred to as the ‘parties’) shall submit their issues in controversy to the Federal Service Impasses Panel. The Panel shall assist the parties in resolving the impasse by asserting jurisdiction and ordering binding arbitration by a private arbitration board consisting of 3 members.

“(ii) APPOINTMENT OF ARBITRATION BOARD.—The Executive Director of the Panel shall provide for the appointment of the 3 members of a private arbitration board under clause (i) by requesting the Director of the Federal Mediation and Conciliation Service to prepare a list of not less than 15 names of arbitrators with Federal sector experience and by providing the list to the parties. Not later than 10 days after receiving the list, the parties shall each select one person from the list not later than 7 days after being selected. If either of the parties fails to select a person or if the 2 arbitrators are unable to agree on the third person in 7 days, the parties shall make the selection by alternately striking names on the list until one arbitrator remains.

“(iii) FRAMING ISSUES IN CONTROVERSY.—If the parties do not agree on the framing of the issues to be submitted for arbitration, the arbitration board shall frame the issues.

“(iv) HEARINGS.—The arbitration board shall give the parties a full and fair hearing, including an opportunity to present evidence in support of their claims and an opportunity to present their case in person, by counsel, or by other representative as they may elect.

“(v) DECISIONS.—The arbitration board shall render its decision within 90 days after the date of its appointment. Decisions of the arbitration board shall be conclusive and binding upon the parties.

“(vi) MATTERS FOR CONSIDERATION.—The arbitration board shall take into consideration such factors as—

“(I) the effect of its arbitration decisions on the Federal Aviation Administration’s ability to attract and retain a qualified workforce;

“(II) the effect of its arbitration decisions on the Federal Aviation Administration’s budget; and

“(III) any other factors whose consideration would assist the board in fashioning a fair and equitable award.

“(vii) COSTS.—The parties shall share costs of the arbitration equally.

“(3) RATIFICATION OF AGREEMENTS.—Upon reaching a voluntary agreement or at the conclusion of the binding arbitration under paragraph (2)(C), the final agreement, except for those matters decided by an arbitration board, shall be subject to ratification by the exclusive bargaining representative of the employees, if so requested by the bargaining representative, and the final agreement shall be subject to approval by the head of the agency in accordance with the provisions referred to in subsection (g)(2)(C).”

SEC. 602. PRESIDENTIAL RANK AWARD PROGRAM.

Section 40122(g)(2) is amended—

(1) in subparagraph (G) by striking “and” after the semicolon;

(2) in subparagraph (H) by striking “Board.” and inserting “Board; and”; and

(3) by adding at the end the following:

“(I) subsections (b), (c), and (d) of section 4507 (relating to Meritorious Executive or Distinguished Executive rank awards) and subsections (b) and (c) of section 4507a (relating to Meritorious Senior Professional or Distinguished Senior Professional rank awards), except that—

“(i) for purposes of applying such provisions to the personnel management system—

“(I) the term ‘agency’ means the Department of Transportation;

“(II) the term ‘senior executive’ means a Federal Aviation Administration executive;

“(III) the term ‘career appointee’ means a Federal Aviation Administration career executive; and

“(IV) the term ‘senior career employee’ means a Federal Aviation Administration career senior professional;

“(ii) receipt by a career appointee or a senior career employee of the rank of Meritorious Executive or Meritorious Senior Professional entitles the individual to a lump-sum payment of an amount equal to 20 percent of annual basic pay, which shall be in addition to the basic pay paid under the Federal Aviation Administration Executive Compensation Plan; and

“(iii) receipt by a career appointee or a senior career employee of the rank of Distinguished Executive or Distinguished Senior Professional entitles the individual to a lump-sum payment of an amount equal to 35 percent of annual basic pay, which shall be in addition to the basic pay paid under the Federal Aviation Administration Executive Compensation Plan.”

SEC. 603. COLLEGIATE TRAINING INITIATIVE STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on training options for graduates of the Collegiate Training Initiative program (in this section referred to as “CTI” programs) conducted under section 44506(c) of title 49, United States Code.

(b) CONTENTS.—The study shall analyze the impact of providing as an alternative to the current training provided at the Mike Monroney Aeronautical Center of the Federal Aviation Administration a new air traffic controller orientation session at such Center for graduates of CTI programs followed by on-the-job training for such new air traffic controllers who are graduates of CTI programs and shall include an analysis of—

(1) the cost effectiveness of such an alternative training approach; and

(2) the effect that such an alternative training approach would have on the overall quality of training received by graduates of CTI programs.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 604. FRONTLINE MANAGER STAFFING.

(a) STUDY.—Not later than 45 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall commission an independent study on frontline manager staffing requirements in air traffic control facilities.

(b) CONSIDERATIONS.—In conducting the study, the Administrator may take into consideration—

(1) the managerial tasks expected to be performed by frontline managers, including employee development, management, and counseling;

(2) the number of supervisory positions of operation requiring watch coverage in each air traffic control facility;

(3) coverage requirements in relation to traffic demand;

(4) facility type;

(5) complexity of traffic and managerial responsibilities;

(6) proficiency and training requirements; and

(7) such other factors as the Administrator considers appropriate.

(c) PARTICIPATION.—The Administrator shall ensure the participation of frontline managers who currently work in safety-related operational areas of the Administration.

(d) DETERMINATIONS.—The Administrator shall transmit any determinations made as a result of the study to the heads of the appropriate lines of business within the Administration, including the Chief Operating Officer of the Air Traffic Organization.

(e) REPORT.—Not later than 9 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study and a description of any determinations submitted to the Chief Operating Officer under subsection (d).

(f) DEFINITION.—In this section, the term “frontline manager” means first-level, operational supervisors and managers who work in safety-related operational areas of the Administration.

SEC. 605. FAA TECHNICAL TRAINING AND STAFFING.

(a) STUDY.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a study to assess the adequacy of the Administrator’s technical training strategy and improvement plan for airway transportation systems specialists (in this section referred to as “FAA systems specialists”).

(2) CONTENTS.—The study shall include—

(A) a review of the current technical training strategy and improvement plan for FAA systems specialists;

(B) recommendations to improve the technical training strategy and improvement plan needed by FAA systems specialists to be proficient in the maintenance of the latest technologies;

(C) a description of actions that the Administration has undertaken to ensure that FAA systems specialists receive up-to-date training on the latest technologies; and

(D) a recommendation regarding the most cost-effective approach to provide training to FAA systems specialists.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(b) WORKLOAD OF SYSTEMS SPECIALISTS.—

(1) STUDY BY NATIONAL ACADEMY OF SCIENCES.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall make appropriate arrangements for the National Academy of Sciences to conduct a study of the assumptions and methods used by the Federal Aviation Administration to estimate staffing needs for FAA systems specialists to ensure proper maintenance and certification of the national airspace system.

(2) CONSULTATION.—In conducting the study, the National Academy of Sciences shall—

(A) consult with the exclusive bargaining representative certified under section 7111 of title 5, United States Code; and

(B) include recommendations for objective staffing standards that maintain the safety of the national airspace system.

(3) REPORT.—Not later than 1 year after the initiation of the arrangements under paragraph (1), the National Academy of Sciences shall submit to Congress a report on the results of the study.

SEC. 606. SAFETY CRITICAL STAFFING.

(a) IN GENERAL.—Not later than October 1, 2012, the Administrator of the Federal Aviation

Administration shall implement, in as cost-effective a manner as possible, the staffing model for aviation safety inspectors developed pursuant to the National Academy of Sciences study entitled "Staffing Standards for Aviation Safety Inspectors". In doing so, the Administrator shall consult with interested persons, including the exclusive bargaining representative for aviation safety inspectors certified under section 7111 of title 5, United States Code.

(b) REPORT.—Not later than January 1 of each year beginning after September 30, 2012, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, the staffing model described in subsection (a).

SEC. 607. AIR TRAFFIC CONTROL SPECIALIST QUALIFICATION TRAINING.

Section 44506 is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) AIR TRAFFIC CONTROL SPECIALIST QUALIFICATION TRAINING.—

"(1) APPOINTMENT OF AIR TRAFFIC CONTROL SPECIALISTS.—The Administrator is authorized to appoint a qualified air traffic control specialist candidate for placement in an airport traffic control facility if the candidate has—

"(A) received a control tower operator certification (referred to in this subsection as a 'CTO' certificate); and

"(B) satisfied all other applicable qualification requirements for an air traffic control specialist position, including successful completion of orientation training at the Federal Aviation Administration Academy.

"(2) COMPENSATION AND BENEFITS.—An individual appointed under paragraph (1) shall receive the same compensation and benefits, and be treated in the same manner as, any other individual appointed as a developmental air traffic controller.

"(3) REPORT.—Not later than 2 years after the date of enactment of the FAA Modernization and Reform Act of 2012, the Administrator shall submit to Congress a report that evaluates the effectiveness of the air traffic control specialist qualification training provided pursuant to this section, including the graduation rates of candidates who received a CTO certificate and are working in airport traffic control facilities.

"(4) ADDITIONAL APPOINTMENTS.—If the Administrator determines that air traffic control specialists appointed pursuant to this subsection are more successful in carrying out the duties of an air traffic controller than air traffic control specialists hired from the general public without any such certification, the Administrator shall increase, to the maximum extent practicable, the number of appointments of candidates who possess such certification.

"(5) REIMBURSEMENT FOR TRAVEL EXPENSES ASSOCIATED WITH CERTIFICATIONS.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Administrator may accept reimbursement from an educational entity that provides training to an air traffic control specialist candidate to cover reasonable travel expenses of the Administrator associated with issuing certifications to such candidates.

"(B) TREATMENT OF REIMBURSEMENTS.—Notwithstanding section 3302 of title 31, any reimbursement authorized to be collected under subparagraph (A) shall—

"(i) be credited as offsetting collections to the account that finances the activities and services for which the reimbursement is accepted;

"(ii) be available for expenditure only to pay the costs of activities and services for which the reimbursement is accepted, including all costs associated with collecting such reimbursement; and

"(iii) remain available until expended."

SEC. 608. FAA AIR TRAFFIC CONTROLLER STAFFING.

(a) STUDY BY NATIONAL ACADEMY OF SCIENCES.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into appropriate arrangements with the National Academy of Sciences to conduct a study of the air traffic controller standards used by the Federal Aviation Administration (in this section referred to as the "FAA") to estimate staffing needs for FAA air traffic controllers to ensure the safe operation of the national airspace system in the most cost effective manner.

(b) CONSULTATION.—In conducting the study, the National Academy of Sciences shall consult with the exclusive bargaining representative of employees of the FAA certified under section 7111 of title 5, United States Code, and other interested parties, including Government and industry representatives.

(c) CONTENTS.—The study shall include—

(1) an examination of representative information on productivity, human factors, traffic activity, and improved technology and equipment used in air traffic control;

(2) an examination of recent National Academy of Sciences reviews of the complexity model performed by MITRE Corporation that support the staffing standards models for the en route air traffic control environment; and

(3) consideration of the Administration's current and estimated budgets and the most cost-effective staffing model to best leverage available funding.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the National Academy of Sciences shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 609. AIR TRAFFIC CONTROLLER TRAINING AND SCHEDULING.

(a) TRAINING STRATEGY AND IMPROVEMENT PLAN.—The Administrator of the Federal Aviation Administration shall conduct a study to assess the adequacy of training programs for air traffic controllers, including the Administrator's technical training strategy and improvement plan for air traffic controllers.

(1) CONTENTS.—The study shall include—

(A) a review of the current training system for air traffic controllers, including the technical training strategy and improvement plan;

(B) an analysis of the competencies required of air traffic controllers for successful performance in the current and future projected air traffic control environment;

(C) an analysis of the competencies projected to be required of air traffic controllers as the Federal Aviation Administration transitions to the Next Generation Air Transportation System;

(D) an analysis of various training approaches available to satisfy the air traffic controller competencies identified under subparagraphs (B) and (C);

(E) recommendations to improve the current training system for air traffic controllers, including the technical training strategy and improvement plan; and

(F) the most cost-effective approach to provide training to air traffic controllers.

(2) REPORT.—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(b) FACILITY TRAINING PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Administrator shall conduct a comprehensive review and evaluation of its Academy and facility training efforts. The Administrator shall—

(1) clarify responsibility for oversight and direction of the Academy's facility training program at the national level;

(2) communicate information concerning that responsibility to facility managers; and

(3) establish standards to identify the number of developmental air traffic controllers that can be accommodated at each facility, based on—

(A) the number of available on-the-job training instructors;

(B) available classroom space;

(C) the number of available simulators;

(D) training requirements; and

(E) the number of recently placed new personnel already in training.

(c) AIR TRAFFIC CONTROLLER SCHEDULING.—Not later than 60 days after the date of enactment of this Act, the Inspector General of the Department of Transportation shall conduct an assessment of the Federal Aviation Administration's air traffic controller scheduling practices.

(1) CONTENTS.—The assessment shall include, at a minimum—

(A) an analysis of how air traffic controller schedules are determined;

(B) an evaluation of how safety is taken into consideration when schedules are being developed and adopted;

(C) an evaluation of scheduling practices that are cost effective to the Government;

(D) an examination of how scheduling practices impact air traffic controller performance; and

(E) any recommendations the Inspector General may have related to air traffic controller scheduling practices.

(2) REPORT.—Not later than 120 days after the date of enactment of this Act, the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the assessment conducted under this subsection.

SEC. 610. FAA FACILITY CONDITIONS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of and review—

(1) the conditions of a sampling of Federal Aviation Administration facilities across the United States, including offices, towers, centers, and terminal radar air control;

(2) reports from employees of the Administration relating to respiratory ailments and other health conditions resulting from exposure to mold, asbestos, poor air quality, radiation, and facility-related hazards in facilities of the Administration;

(3) conditions of such facilities that could interfere with such employees' ability to effectively and safely perform their duties;

(4) the ability of managers and supervisors of such employees to promptly document and seek remediation for unsafe facility conditions;

(5) whether employees of the Administration who report facility-related illnesses are treated appropriately;

(6) utilization of scientifically approved remediation techniques to mitigate hazardous conditions in accordance with applicable State and local regulations and Occupational Safety and Health Administration practices by the Administration; and

(7) resources allocated to facility maintenance and renovation by the Administration.

(b) FACILITY CONDITION INDICES.—The Comptroller General shall review the facility condition indices of the Administration for inclusion in the recommendations under subsection (c).

(c) RECOMMENDATIONS.—Based on the results of the study and review of facility condition indices under subsection (a), the Comptroller General shall make such recommendations as the Comptroller General considers necessary—

(1) to prioritize those facilities needing the most immediate attention based on risks to employee health and safety;

(2) to ensure that the Administration is using scientifically approved remediation techniques in all facilities; and

(3) to assist the Administration in making programmatic changes so that aging facilities do not deteriorate to unsafe levels.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Administrator, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on results of the study, including the recommendations under subsection (c).

SEC. 611. TECHNICAL CORRECTION.

Section 40122(g)(3) is amended by adding at the end the following: “Notwithstanding any other provision of law, retroactive to April 1, 1996, the Board shall have the same remedial authority over such employee appeals that it had as of March 31, 1996.”

TITLE VII—AVIATION INSURANCE

SEC. 701. GENERAL AUTHORITY.

Section 44302(f)(1) is amended by striking “shall extend through” and all that follows through “the termination date” and inserting “shall extend through September 30, 2013, and may extend through December 31, 2013, the termination date”.

SEC. 702. EXTENSION OF AUTHORITY TO LIMIT THIRD-PARTY LIABILITY OF AIR CARRIERS ARISING OUT OF ACTS OF TERRORISM.

The first sentence of section 44303(b) is amended by striking “ending on” and all that follows through “the Secretary may certify” and inserting “ending on December 31, 2013, the Secretary may certify”.

SEC. 703. CLARIFICATION OF REINSURANCE AUTHORITY.

The second sentence of section 44304 is amended by striking “the carrier” and inserting “any insurance carrier”.

SEC. 704. USE OF INDEPENDENT CLAIMS ADJUSTERS.

The second sentence of section 44308(c)(1) is amended by striking “agent” and inserting “agent, or a claims adjuster who is independent of the underwriting agent.”

TITLE VIII—MISCELLANEOUS

SEC. 801. DISCLOSURE OF DATA TO FEDERAL AGENCIES IN INTEREST OF NATIONAL SECURITY.

Section 40119(b) is amended by adding at the end the following:

“(4) Section 552a of title 5 shall not apply to disclosures that the Administrator may make from the systems of records of the Administration to any Federal law enforcement, intelligence, protective service, immigration, or national security official in order to assist the official receiving the information in the performance of official duties.”

SEC. 802. FAA AUTHORITY TO CONDUCT CRIMINAL HISTORY RECORD CHECKS.

(a) IN GENERAL.—Chapter 401 is amended by adding at the end the following:

“§40130. FAA authority to conduct criminal history record checks

“(a) CRIMINAL HISTORY BACKGROUND CHECKS.—

“(1) ACCESS TO INFORMATION.—The Administrator of the Federal Aviation Administration, for certification purposes of the Administration only, is authorized—

“(A) to conduct, in accordance with the established request process, a criminal history background check of an airman in the criminal repositories of the Federal Bureau of Investigation and States by submitting positive identification of the airman to a fingerprint-based repository in compliance with section 217 of the National Crime Prevention and Privacy Compact Act of 1998 (42 U.S.C. 14616); and

“(B) to receive relevant criminal history record information regarding the airman checked.

“(2) RELEASE OF INFORMATION.—In accessing a repository referred to in paragraph (1), the Administrator shall be subject to the conditions and procedures established by the Department of Justice or the State, as appropriate, for other

governmental agencies conducting background checks for noncriminal justice purposes.

“(3) LIMITATION.—The Administrator may not use the authority under paragraph (1) to conduct criminal investigations.

“(4) REIMBURSEMENT.—The Administrator may collect reimbursement to process the fingerprint-based checks under this subsection, to be used for expenses incurred, including Federal Bureau of Investigation fees, in providing these services.

“(b) DESIGNATED EMPLOYEES.—The Administrator shall designate, by order, employees of the Administration who may carry out the authority described in subsection (a).”

(b) CLERICAL AMENDMENT.—The analysis for chapter 401 is amended by adding at the end the following:

“40130. FAA authority to conduct criminal history record checks.”

SEC. 803. CIVIL PENALTIES TECHNICAL AMENDMENTS.

Section 46301 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(A) by inserting “chapter 451,” before “section 47107(b)”;

(2) in subsection (a)(5)(A)(i)—

(A) by striking “or chapter 449” and inserting “chapter 449”; and

(B) by inserting after “44909” the following: “, or chapter 451”;

(3) in subsection (d)(2)—

(A) in the first sentence—

(i) by striking “44723) or” and inserting the following: “44723), chapter 451,”;

(ii) by striking “46302” and inserting “section 46302”; and

(iii) by striking “46318, or 47107(b)” and inserting “section 46318, section 46319, or section 47107(b)”;

(B) in the second sentence—

(i) by striking “46302” and inserting “section 46302”;

(ii) by striking “46303,” and inserting “or section 46303 of this title”; and

(iii) by striking “such chapter 449” and inserting “any of those provisions”; and

(4) in subsection (f)(1)(A)(i)—

(A) by striking “or chapter 449” and inserting “chapter 449”; and

(B) by inserting after “44909” the following: “, or chapter 451”.

SEC. 804. CONSOLIDATION AND REALIGNMENT OF FAA SERVICES AND FACILITIES.

(a) NATIONAL FACILITIES REALIGNMENT AND CONSOLIDATION REPORT.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall develop a report, to be known as the National Facilities Realignment and Consolidation Report, in accordance with the requirements of this subsection.

(2) PURPOSE.—The purpose of the report shall be—

(A) to support the transition to the Next Generation Air Transportation System; and

(B) to reduce capital, operating, maintenance, and administrative costs of the FAA where such cost reductions can be implemented without adversely affecting safety.

(3) CONTENTS.—The report shall include—

(A) recommendations of the Administrator on realignment and consolidation of services and facilities (including regional offices) of the FAA; and

(B) for each of the recommendations, a description of—

(i) the Administrator’s justification;

(ii) the projected costs and savings; and

(iii) the proposed timing for implementation.

(4) INPUT.—The report shall be developed by the Administrator (or the Administrator’s designee)—

(A) in coordination with the Chief NextGen Officer and the Chief Operating Officer of the Air Traffic Organization of the FAA; and

(B) with the participation of—

(i) representatives of labor organizations representing operations and maintenance employees of the air traffic control system; and

(ii) industry stakeholders.

(5) SUBMISSION TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit the report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(6) PUBLIC NOTICE AND COMMENT.—The Administrator shall publish the report in the Federal Register and allow 45 days for the submission of public comments.

(b) REPORT TO CONGRESS CONTAINING RECOMMENDATIONS OF ADMINISTRATOR.—Not later than 60 days after the last day of the period for public comment under subsection (a)(6), the Administrator shall submit to the committees specified in subsection (a)(5)—

(1) a report containing the recommendations of the Administrator on realignment and consolidation of services and facilities (including regional offices) of the FAA; and

(2) copies of any public comments received by the Administrator under subsection (a)(6).

(c) REALIGNMENT AND CONSOLIDATION OF FAA SERVICES AND FACILITIES.—Except as provided in subsection (d), the Administrator shall realign and consolidate the services and facilities of the FAA in accordance with the recommendations included in the report submitted under subsection (b).

(d) CONGRESSIONAL DISAPPROVAL.—

(1) IN GENERAL.—The Administrator may not carry out a recommendation for realignment or consolidation of services or facilities of the FAA that is included in the report submitted under subsection (b) if a joint resolution of disapproval is enacted disapproving such recommendation before the earlier of—

(A) the last day of the 30-day period beginning on the date of submission of the report; or

(B) the adjournment of Congress sine die for the session during which the report is transmitted.

(2) COMPUTATION OF 30-DAY PERIOD.—For purposes of paragraph (1)(A), the days on which either house of Congress is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in computation of the 30-day period.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) FAA.—The term “FAA” means the Federal Aviation Administration.

(2) REALIGNMENT; CONSOLIDATION.—

(A) IN GENERAL.—The terms “realignment” and “consolidation” include any action that—

(i) relocates functions, services, or personnel positions;

(ii) discontinues or severs existing facility functions or services; or

(iii) combines the results described in clauses (i) and (ii).

(B) EXCLUSION.—The terms do not include a reduction in personnel resulting from workload adjustments.

SEC. 805. LIMITING ACCESS TO FLIGHT DECKS OF ALL-CARGO AIRCRAFT.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with appropriate air carriers, aircraft manufacturers, and air carrier labor representatives, shall conduct a study to assess the feasibility of developing a physical means, or a combination of physical and procedural means, to prohibit individuals other than authorized flight crewmembers from accessing the flight deck of an all-cargo aircraft.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 806. CONSOLIDATION OR ELIMINATION OF OBSOLETE, REDUNDANT, OR OTHERWISE UNNECESSARY REPORTS; USE OF ELECTRONIC MEDIA FORMAT.

(a) CONSOLIDATION OR ELIMINATION OF REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Administrator of the Federal Aviation Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing—

(1) a list of obsolete, redundant, or otherwise unnecessary reports the Administration is required by law to submit to Congress or publish that the Administrator recommends eliminating or consolidating with other reports; and

(2) an estimate of the cost savings that would result from the elimination or consolidation of those reports.

(b) USE OF ELECTRONIC MEDIA FOR REPORTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Administration—

(A) may not publish any report required or authorized by law in a printed format; and

(B) shall publish any such report by posting it on the Administration's Internet Web site in an easily accessible and downloadable electronic format.

(2) EXCEPTION.—Paragraph (1) does not apply to any report with respect to which the Administrator determines that—

(A) its publication in a printed format is essential to the mission of the Administration; or

(B) its publication in accordance with the requirements of paragraph (1) would disclose matter—

(i) described in section 552(b) of title 5, United States Code; or

(ii) the disclosure of which would have an adverse impact on aviation safety or security, as determined by the Administrator.

SEC. 807. PROHIBITION ON USE OF CERTAIN FUNDS.

The Secretary of Transportation may not use any funds made available pursuant to this Act (including any amendment made by this Act) to name, rename, designate, or redesignate any project or program authorized by this Act (including any amendment made by this Act) for an individual then serving in Congress as a Member, Delegate, Resident Commissioner, or Senator.

SEC. 808. STUDY ON AVIATION FUEL PRICES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and report to Congress on the impact of increases in aviation fuel prices on the Airport and Airway Trust Fund and the aviation industry in general.

(b) CONTENTS.—The study shall include an assessment of the impact of increases in aviation fuel prices on—

- (1) general aviation;
- (2) commercial passenger aviation;
- (3) piston aircraft purchase and use;
- (4) the aviation services industry, including repair and maintenance services;
- (5) aviation manufacturing;
- (6) aviation exports; and
- (7) the use of small airport installations.

(c) ASSUMPTIONS ABOUT AVIATION FUEL PRICES.—In conducting the study required by subsection (a), the Comptroller General shall use the average aviation fuel price for fiscal year 2010 as a baseline and measure the impact of increases in aviation fuel prices that range from 5 percent to 200 percent over the 2010 baseline.

SEC. 809. WIND TURBINE LIGHTING.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study on wind turbine lighting systems.

(b) CONTENTS.—In conducting the study, the Administrator shall examine the following:

(1) The aviation safety issues associated with alternative lighting strategies, technologies, and regulations.

(2) The feasibility of implementing alternative lighting strategies or technologies to improve aviation safety.

(3) Any other issue relating to wind turbine lighting.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study, including information and recommendations concerning the issues examined under subsection (b).

SEC. 810. AIR-RAIL CODE SHARING STUDY.

(a) CODE SHARE STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study regarding—

(1) existing airline and intercity passenger rail code sharing arrangements; and

(2) the feasibility, costs to taxpayers and other parties, and benefits of increasing the intermodal connectivity of airline and intercity passenger rail facilities and systems to improve passenger travel.

(b) CONSIDERATIONS.—In conducting the study, the Comptroller General shall consider—

(1) the potential costs to taxpayers and other parties and benefits of the implementation of more integrated scheduling between airlines and Amtrak or other intercity passenger rail carriers achieved through code sharing arrangements;

(2) airport and intercity passenger rail operations that can improve connectivity between airports and intercity passenger rail facilities and stations;

(3) the experience of other countries with respect to airport and intercity passenger rail connectivity; and

(4) such other issues the Comptroller General considers appropriate.

(c) REPORT.—Not later than 1 year after initiating the study required by subsection (a), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study, including any conclusions of the Comptroller General resulting from the study.

SEC. 811. D.C. METROPOLITAN AREA SPECIAL FLIGHT RULES AREA.

(a) SUBMISSION OF PLAN TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with the Secretary of Homeland Security and the Secretary of Defense, shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for the D.C. Metropolitan Area Special Flight Rules Area.

(b) CONTENTS OF PLAN.—The plan shall outline specific changes to the D.C. Metropolitan Area Special Flight Rules Area that will decrease operational impacts and improve general aviation access to airports in the National Capital Region that are currently impacted by the zone.

SEC. 812. FAA REVIEW AND REFORM.

(a) AGENCY REVIEW.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall undertake a thorough review of each program, office, and organization within the Administration, including the Air Traffic Organization, to identify—

(1) duplicative positions, programs, roles, or offices;

(2) wasteful practices;

(3) redundant, obsolete, or unnecessary functions;

(4) inefficient processes; and

(5) ineffectual or outdated policies.

(b) ACTIONS TO STREAMLINE AND REFORM FAA.—Not later than 120 days after the date of enactment of this Act, the Administrator shall undertake such actions as may be necessary to

address the Administrator's findings under subsection (a), including—

(1) consolidating, phasing-out, or eliminating duplicative positions, programs, roles, or offices;

(2) eliminating or streamlining wasteful practices;

(3) eliminating or phasing-out redundant, obsolete, or unnecessary functions;

(4) reforming and streamlining inefficient processes so that the activities of the Administration are completed in an expedited and efficient manner; and

(5) reforming or eliminating ineffectual or outdated policies.

(c) AUTHORITY.—Notwithstanding any other provision of law, the Administrator shall have the authority to undertake the actions required under subsection (b).

(d) REPORT TO CONGRESS.—Not later than 150 days after the date of enactment of this Act, the Administrator shall submit to Congress a report on the actions taken by the Administrator under this section, including any recommendations for legislative or administrative actions.

SEC. 813. USE OF MINERAL REVENUE AT CERTAIN AIRPORTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Federal Aviation Administration may declare certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport to be revenue greater than the amount needed to carry out the 5-year projected maintenance needs of the airport in order to comply with the applicable design and safety standards of the Administration.

(b) USE OF REVENUE.—An airport sponsor that is in compliance with the conditions under subsection (c) may allocate revenue identified by the Administrator under subsection (a) for Federal, State, or local transportation infrastructure projects carried out by the airport sponsor or by a governing body within the geographical limits of the airport sponsor's jurisdiction.

(c) CONDITIONS.—An airport sponsor may not allocate revenue identified by the Administrator under subsection (a) unless the airport sponsor—

(1) enters into a written agreement with the Administrator that sets forth a 5-year capital improvement program for the airport, which—

(A) includes the projected costs for the operation, maintenance, and capacity needs of the airport in order to comply with applicable design and safety standards of the Administration; and

(B) appropriately adjusts such costs to account for inflation;

(2) agrees in writing—

(A) to waive all rights to receive entitlement funds or discretionary funds to be used at the airport under section 47114 or 47115 of title 49, United States Code, during the 5-year period of the capital improvement plan described in paragraph (1);

(B) to perpetually comply with sections 47107(b) and 47133 of such title, unless granted specific exceptions by the Administrator in accordance with this section; and

(C) to operate the airport as a public-use airport, unless the Administrator specifically grants a request to allow the airport to close; and

(3) complies with all grant assurance obligations in effect as of the date of the enactment of this Act during the 20-year period beginning on the date of enactment of this Act.

(d) COMPLETION OF DETERMINATION.—Not later than 90 days after receiving an airport sponsor's application and requisite supporting documentation to declare that certain mineral revenue is not needed to carry out the 5-year capital improvement program at such airport, the Administrator shall determine whether the airport sponsor's request should be granted. The Administrator may not unreasonably deny an application under this subsection.

(e) **RULEMAKING.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall promulgate regulations to carry out this section.

(f) **GENERAL AVIATION AIRPORT DEFINED.**—In this section, the term “general aviation airport” has the meaning given that term in section 47102 of title 49, United States Code, as amended by this Act.

SEC. 814. CONTRACTING.

When drafting contract proposals for training facilities under the general contracting authority of the Federal Aviation Administration, the Administrator of the Federal Aviation Administration shall ensure—

(1) the proposal is drafted so that all parties can fairly compete; and

(2) the proposal takes into consideration the most cost-effective location, accessibility, and services options.

SEC. 815. FLOOD PLANNING.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration, in consultation with the Administrator of the Federal Emergency Management Agency, shall conduct a review and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the state of preparedness and response capability for airports located in flood plains to respond to and seek assistance in rebuilding after catastrophic flooding.

(b) **ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.**—Section 1366(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e)) is amended by adding at the end the following:

“(6) **ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.**—The Director shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood levels or higher, if required by the Director or if required by any State or local ordinance, and in accordance with project implementation criteria established by the Director.”

SEC. 816. HISTORICAL AIRCRAFT DOCUMENTS.

(a) **PRESERVATION OF DOCUMENTS.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall take such actions as the Administrator determines necessary to preserve original aircraft type certificate engineering and technical data in the possession of the Federal Aviation Administration related to—

(A) approved aircraft type certificate numbers ATC 1 through ATC 713; and

(B) Group-2 approved aircraft type certificate numbers 2-1 through 2-544.

(2) **REVISION OF ORDER.**—Not later than 3 years after the date of enactment of this Act, the Administrator shall revise FAA Order 1350.15C, Item Number 8110. Such revision shall prohibit the destruction of the historical aircraft documents identified in paragraph (1).

(3) **CONSULTATION.**—The Administrator may carry out paragraph (1) in consultation with the Archivist of the United States and the Administrator of General Services.

(b) **AVAILABILITY OF DOCUMENTS.**—

(1) **FREEDOM OF INFORMATION ACT REQUESTS.**—The Administrator shall make the documents to be preserved under subsection (a)(1) available to a person—

(A) upon receipt of a request made by the person pursuant to section 552 of title 5, United States Code; and

(B) subject to a prohibition on use of the documents for commercial purposes.

(2) **TRADE SECRETS, COMMERCIAL, AND FINANCIAL INFORMATION.**—Section 552(b)(4) of such title shall not apply to requests for documents to be made available pursuant to paragraph (1).

(c) **HOLDER OF TYPE CERTIFICATE.**—

(1) **RIGHTS OF HOLDER.**—Nothing in this section shall affect the rights of a holder or owner of a type certificate identified in subsection (a)(1), nor require the holder or owner to pro-

vide, surrender, or preserve any original or duplicate engineering or technical data to or for the Federal Aviation Administration, a person, or the public.

(2) **LIABILITY.**—There shall be no liability on the part of, and no cause of action of any nature shall arise against, a holder of a type certificate, its authorized representative, its agents, or its employees, or any firm, person, corporation, or insurer related to the type certificate data and documents identified in subsection (a)(1).

(3) **AIRWORTHINESS.**—Notwithstanding any other provision of law, the holder of a type certificate identified in subsection (a)(1) shall only be responsible for Federal Aviation Administration regulation requirements related to type certificate data and documents identified in subsection (a)(1) for aircraft having a standard airworthiness certificate issued prior to the date the documents are released to a person by the Federal Aviation Administration under subsection (b)(1).

SEC. 817. RELEASE FROM RESTRICTIONS.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary of Transportation is authorized to grant to an airport, city, or county a release from any of the terms, conditions, reservations, or restrictions contained in a deed under which the United States conveyed to the airport, city, or county an interest in real property for airport purposes pursuant to section 16 of the Federal Airport Act (60 Stat. 179) or section 23 of the Airport and Airway Development Act of 1970 (84 Stat. 232).

(b) **CONDITION.**—Any release granted by the Secretary pursuant to subsection (a) shall be subject to the following conditions:

(1) The applicable airport, city, or county shall agree that in conveying any interest in the real property which the United States conveyed to the airport, city, or county, the airport, city, or county will receive consideration for such interest that is equal to its fair market value.

(2) Any consideration received by the airport, city, or county under paragraph (1) shall be used exclusively for the development, improvement, operation, or maintenance of a public airport by the airport, city, or county.

(3) Any other conditions required by the Secretary.

SEC. 818. SENSE OF CONGRESS.

It is the sense of Congress that Los Angeles World Airports, the operator of Los Angeles International Airport (LAX)—

(1) should consult on a regular basis with representatives of the community surrounding the airport regarding—

(A) the ongoing operations of LAX; and

(B) plans to expand, modify, or realign LAX facilities; and

(2) should include in such consultations any organization, the membership of which includes at least 100 individuals who reside within 10 miles of the airport, that notifies Los Angeles World Airports of its desire to be included in such consultations.

SEC. 819. HUMAN INTERVENTION MOTIVATION STUDY.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a Human Intervention Motivation Study program for cabin crew members employed by commercial air carriers in the United States.

SEC. 820. STUDY OF AERONAUTICAL MOBILE TELEMETRY.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with other Federal agencies, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Energy and Commerce of the House of Representatives a report that identifies—

(1) the current and anticipated, with respect to the next decade, need by civil aviation, in-

cluding equipment manufacturers, for aeronautical mobile telemetry services; and

(2) the potential impact to the aerospace industry of the introduction of a new radio service that operates in the same spectrum allocated to the aeronautical mobile telemetry service.

SEC. 821. CLARIFICATION OF REQUIREMENTS FOR VOLUNTEER PILOTS OPERATING CHARITABLE MEDICAL FLIGHTS.

(a) **REIMBURSEMENT OF FUEL COSTS.**—Notwithstanding any other law or regulation, in administering section 61.113(c) of title 14, Code of Federal Regulations (or any successor regulation), the Administrator of the Federal Aviation Administration shall allow an aircraft owner or operator to accept reimbursement from a volunteer pilot organization for the fuel costs associated with a flight operation to provide transportation for an individual or organ for medical purposes (and for other associated individuals), if the aircraft owner or operator has—

(1) volunteered to provide such transportation; and

(2) notified any individual that will be on the flight, at the time of inquiry about the flight, that the flight operation is for charitable purposes and is not subject to the same requirements as a commercial flight.

(b) **CONDITIONS TO ENSURE SAFETY.**—The Administrator may impose minimum standards with respect to training and flight hours for single-engine, multi-engine, and turbine-engine operations conducted by an aircraft owner or operator that is being reimbursed for fuel costs by a volunteer pilot organization, including mandating that the pilot in command of such aircraft hold an instrument rating and be current and qualified for the aircraft being flown to ensure the safety of flight operations described in subsection (a).

(c) **VOLUNTEER PILOT ORGANIZATION.**—In this section, the term “volunteer pilot organization” means an organization that—

(1) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code; and

(2) is organized for the primary purpose of providing, arranging, or otherwise fostering charitable medical transportation.

SEC. 822. PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a pilot program under which operators of up to 4 public-use airports may receive grants for activities related to the redevelopment of airport properties in accordance with the requirements of this section.

(b) **GRANTS.**—Under the pilot program, the Administrator may make a grant in a fiscal year, from funds made available for grants under section 47117(e)(1)(A) of title 49, United States Code, to an airport operator for a project—

(1) to support joint planning, engineering, design, and environmental permitting of projects, including the assembly and redevelopment of property purchased with noise mitigation funds made available under section 48103 of such title or passenger facility revenue collected under section 40117 of such title; and

(2) to encourage airport-compatible land uses and generate economic benefits to the local airport authority and adjacent community.

(c) **ELIGIBILITY.**—An airport operator shall be eligible to participate in the pilot program if—

(1) the operator has received approval for a noise compatibility program under section 47504 of such title; and

(2) the operator demonstrates, as determined by the Administrator—

(A) a readiness to implement cooperative land use management and redevelopment plans with neighboring local jurisdictions; and

(B) the probability of a clear economic benefit to neighboring local jurisdictions and financial return to the airport through the implementation of those plans.

(d) **DISTRIBUTION.**—The Administrator shall seek to award grants under the pilot program to airport operators representing different geographic areas of the United States.

(e) **PARTNERSHIP WITH NEIGHBORING LOCAL JURISDICTIONS.**—An airport operator shall use grant funds made available under the pilot program only in partnership with neighboring local jurisdictions.

(f) **GRANT REQUIREMENTS.**—The Administrator may not make a grant to an airport operator under the pilot program unless the grant is—

(1) made to enable the airport operator and local jurisdictions undertaking community redevelopment efforts to expedite those efforts;

(2) subject to a requirement that the local jurisdiction governing the property interests subject to the redevelopment efforts has adopted and will continue in effect zoning regulations that permit airport-compatible redevelopment; and

(3) subject to a requirement that, in determining the part of the proceeds from disposing of land that is subject to repayment and reinvestment requirements under section 47107(c)(2)(A) of such title, the total amount of a grant issued under the pilot program that is attributable to the redevelopment of such land shall be added to other amounts that must be repaid or reinvested under that section upon disposal of such land by the airport operator.

(g) **EXCEPTIONS TO REPAYMENT AND REINVESTMENT REQUIREMENTS.**—Amounts paid to the Secretary of Transportation under subsection (f)(3)—

(1) shall be available to the Secretary for, giving preference to the actions in descending order—

(A) reinvestment in an approved noise compatibility project at the applicable airport;

(B) reinvestment in another approved project at the airport that is eligible for funding under section 47117(e) of such title;

(C) reinvestment in an approved airport development project at the airport that is eligible for funding under section 47114, 47115, or 47117 of such title;

(D) transfer to an operator of another public airport to be reinvested in an approved noise compatibility project at such airport; and

(E) deposit in the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502);

(2) shall be available in addition to amounts authorized under section 48103 of such title;

(3) shall not be subject to any limitation on grant obligations for any fiscal year; and

(4) shall remain available until expended.

(h) **FEDERAL SHARE.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Federal share of the allowable costs of a project carried out under the pilot program shall be 80 percent.

(2) **ALLOWABLE COSTS.**—In determining the allowable costs, the Administrator shall deduct from the total costs of the activities described in subsection (b) that portion of the costs which is equal to that portion of the total property to be redeveloped under this section that is not owned or to be acquired by the airport operator pursuant to the noise compatibility program or that is not owned by the affected neighboring local jurisdictions or other public entities.

(i) **MAXIMUM AMOUNT.**—Not more than \$5,000,000 of the funds made available for grants under section 47117(e)(1)(A) of such title may be expended under the pilot program for any single public-use airport.

(j) **USE OF PASSENGER REVENUE.**—An airport operator participating in the pilot program may use passenger facility revenue collected under section 40117 of such title to pay any project cost described in subsection (b) that is not financed by a grant under the pilot program.

(k) **SUNSET.**—This section shall not be in effect after September 30, 2015.

SEC. 823. REPORT ON NEW YORK CITY AND NEWARK AIR TRAFFIC CONTROL FACILITIES.

Under previous agreements, the Federal Aviation Administration negotiated staffing levels at

the air traffic control facilities in the Newark and New York City areas. Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Federal Aviation Administration's staffing and scheduling plans for air traffic control facilities in the New York City and Newark Region for the 1-year period beginning on such date of enactment.

SEC. 824. CYLINDERS OF COMPRESSED OXYGEN OR OTHER OXIDIZING GASES.

(a) **IN GENERAL.**—Subject to subsections (b) and (c), entities transporting, in the State of Alaska, cylinders of compressed oxygen or other oxidizing gases aboard aircraft shall be exempt from compliance with the regulations described in subsection (d), to the extent that the regulations require that oxidizing gases transported aboard aircraft be enclosed in outer packaging capable of passing the flame penetration resistance test and the thermal resistance test, without regard to the end use of the cylinders.

(b) **APPLICABILITY OF EXEMPTION.**—The exemption provided under subsection (a) shall apply only if—

(1) transportation of the cylinders by a ground-based or water-based mode of transportation is unavailable and transportation by aircraft is the only practical means for transporting the cylinders to their destination;

(2) each cylinder is fully covered with a fire- or flame-resistant blanket that is secured in place; and

(3) the operator of the aircraft complies with the applicable notification procedures under section 175.33 of title 49, Code of Federal Regulations.

(c) **AIRCRAFT RESTRICTION.**—The exemption provided under subsection (a) shall apply only to the following types of aircraft:

(1) Cargo-only aircraft transporting the cylinders to a delivery destination that receives cargo-only service at least once a week.

(2) Passenger and cargo-only aircraft transporting the cylinders to a delivery destination that does not receive cargo-only service at least once a week.

(d) **DESCRIPTION OF REGULATORY REQUIREMENTS.**—The regulations described in this subsection are the regulations of the Pipeline and Hazardous Materials Safety Administration contained in sections 173.302(f)(3), 173.302(f)(4), 173.302(f)(5), 173.304(f)(3), 173.304(f)(4), and 173.304(f)(5) of title 49, Code of Federal Regulations.

SEC. 825. ORPHAN AVIATION EARMARKS.

(a) **EARMARK DEFINED.**—In this section, the term “earmark” means a statutory provision or report language included primarily at the request of a Senator or a Member, Delegate, or Resident Commissioner of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, or other expenditure with or to an entity or a specific State, locality, or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

(b) **RESCISSION.**—If any earmark relating to the Federal Aviation Administration has more than 90 percent of applicable appropriated amounts remaining available for obligation at the end of the 9th fiscal year beginning after the fiscal year in which those amounts were appropriated, the unobligated portion of those amounts is rescinded effective at the end of that 9th fiscal year, except that the Administrator of the Federal Aviation Administration may delay any such rescission if the Administrator determines that an obligation with respect to those amounts is likely to occur during the 12-month period beginning on the last day of that 9th fiscal year.

(c) **IDENTIFICATION AND REPORT.**—

(1) **AGENCY IDENTIFICATION.**—At the end of each fiscal year, the Administrator shall identify and report to the Director of the Office of Management and Budget every earmark related to the Administration and with respect to which there is an unobligated balance of appropriated amounts.

(2) **ANNUAL REPORT.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director shall submit to Congress and make available to the public on the Internet Web site of the Office a report that includes—

(A) a listing of each earmark related to the Administration and with respect to which there is an unobligated balance of appropriated amounts, which shall include the amount of the original earmark, the amount of the unobligated balance related to that earmark, and the date on which the funding expires, if applicable;

(B) the number of rescissions under subsection (b) and the savings resulting from those rescissions for the previous fiscal year; and

(C) a listing of earmarks related to the Administration with amounts scheduled for rescission at the end of the current fiscal year.

SEC. 826. PRIVACY PROTECTIONS FOR AIR PASSENGER SCREENING WITH ADVANCED IMAGING TECHNOLOGY.

Section 44901 is amended by adding at the end the following:

“(1) **LIMITATIONS ON USE OF ADVANCED IMAGING TECHNOLOGY FOR SCREENING PASSENGERS.**—

“(1) **DEFINITIONS.**—In this subsection, the following definitions apply:

“(A) **ADVANCED IMAGING TECHNOLOGY.**—The term ‘advanced imaging technology’—

“(i) means a device used in the screening of passengers that creates a visual image of an individual showing the surface of the skin and revealing other objects on the body; and

“(ii) may include devices using backscatter x-rays or millimeter waves and devices referred to as ‘whole-body imaging technology’ or ‘body scanning machines’.

“(B) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means—

“(i) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(ii) the Committee on Homeland Security of the House of Representatives.

“(C) **AUTOMATIC TARGET RECOGNITION SOFTWARE.**—The term ‘automatic target recognition software’ means software installed on an advanced imaging technology that produces a generic image of the individual being screened that is the same as the images produced for all other screened individuals.

“(2) **USE OF ADVANCED IMAGING TECHNOLOGY.**—Beginning June 1, 2012, the Assistant Secretary of Homeland Security (Transportation Security Administration) shall ensure that any advanced imaging technology used for the screening of passengers under this section—

“(A) is equipped with and employs automatic target recognition software; and

“(B) complies with such other requirements as the Assistant Secretary determines necessary to address privacy considerations.

“(3) **EXTENSION.**—

“(A) **IN GENERAL.**—The Assistant Secretary may extend the deadline specified in paragraph (2), if the Assistant Secretary determines that—

“(i) an advanced imaging technology equipped with automatic target recognition software is not substantially as effective at screening passengers as an advanced imaging technology without such software; or

“(ii) additional testing of such software is necessary.

“(B) **DURATION OF EXTENSIONS.**—The Assistant Secretary may issue one or more extensions under subparagraph (A). The duration of each extension may not exceed one year.

“(4) **REPORTS.**—

“(A) IN GENERAL.—Not later than 60 days after the deadline specified in paragraph (2), and not later than 60 days after the date on which the Assistant Secretary issues any extension under paragraph (3), the Assistant Secretary shall submit to the appropriate congressional committees a report on the implementation of this subsection.

“(B) ELEMENTS.—A report submitted under subparagraph (A) shall include the following:

“(i) A description of all matters the Assistant Secretary considers relevant to the implementation of the requirements of this subsection.

“(ii) The status of compliance by the Transportation Security Administration with such requirements.

“(iii) If the Administration is not in full compliance with such requirements—

“(I) the reasons for the noncompliance; and

“(II) a timeline depicting when the Assistant Secretary expects the Administration to achieve full compliance.

“(C) SECURITY CLASSIFICATION.—To the greatest extent practicable, a report prepared under subparagraph (A) shall be submitted in an unclassified format. If necessary, the report may include a classified annex.”

SEC. 827. COMMERCIAL SPACE LAUNCH LICENSE REQUIREMENTS.

Section 50905(c)(3) of title 51, United States Code, is amended by striking “Beginning 8 years after the date of enactment of the Commercial Space Launch Amendments Act of 2004,” and inserting “Beginning on October 1, 2015,”.

SEC. 828. AIR TRANSPORTATION OF LITHIUM CELLS AND BATTERIES.

(a) IN GENERAL.—The Secretary of Transportation, including a designee of the Secretary, may not issue or enforce any regulation or other requirement regarding the transportation by aircraft of lithium metal cells or batteries or lithium ion cells or batteries, whether transported separately or packed with or contained in equipment, if the requirement is more stringent than the requirements of the ICAO Technical Instructions.

(b) EXCEPTIONS.—

(1) PASSENGER CARRYING AIRCRAFT.—Notwithstanding subsection (a), the Secretary may enforce the prohibition on transporting primary (non-rechargeable) lithium batteries and cells aboard passenger carrying aircraft set forth in special provision A100 under section 172.102(c)(2) of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) CREDIBLE REPORTS.—Notwithstanding subsection (a), if the Secretary obtains a credible report with respect to a safety incident from a national or international governmental regulatory or investigating body that demonstrates that the presence of lithium metal cells or batteries or lithium ion cells or batteries on an aircraft, whether transported separately or packed with or contained in equipment, in accordance with the requirements of the ICAO Technical Instructions, has substantially contributed to the initiation or propagation of an onboard fire, the Secretary—

(A) may issue and enforce an emergency regulation, more stringent than the requirements of the ICAO Technical Instructions, that governs the transportation by aircraft of such cells or batteries, if that regulation—

(i) addresses solely deficiencies referenced in the report; and

(ii) is effective for not more than 1 year; and

(B) may adopt and enforce a permanent regulation, more stringent than the requirements of the ICAO Technical Instructions, that governs the transportation by aircraft of such cells or batteries, if—

(i) the Secretary bases the regulation upon substantial credible evidence that the otherwise permissible presence of such cells or batteries would substantially contribute to the initiation or propagation of an onboard fire;

(ii) the regulation addresses solely the deficiencies in existing regulations; and

(iii) the regulation imposes the least disruptive and least expensive variation from existing requirements while adequately addressing identified deficiencies.

(c) ICAO TECHNICAL INSTRUCTIONS DEFINED.—In this section, the term “ICAO Technical Instructions” means the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air (as amended, including amendments adopted after the date of enactment of this Act).

SEC. 829. CLARIFICATION OF MEMORANDUM OF UNDERSTANDING WITH OSHA.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) establish milestones, in consultation with the Occupational Safety and Health Administration, in a report to Congress—

(A) for the completion of work begun under the August 2000 memorandum of understanding between the Administrations; and

(B) to address issues that need further action, as set forth in the December 2000 joint report of the Administrations; and

(2) initiate development of a policy statement to set forth the circumstances in which requirements of the Occupational Safety and Health Administration may be applied to crewmembers while working in an aircraft.

SEC. 830. APPROVAL OF APPLICATIONS FOR THE AIRPORT SECURITY SCREENING OPT-OUT PROGRAM.

(a) IN GENERAL.—Section 44920(b) is amended to read as follows:

“(b) APPROVAL OF APPLICATIONS.—

“(1) IN GENERAL.—Not later than 120 days after the date of receipt of an application submitted by an airport operator under subsection (a), the Under Secretary shall approve or deny the application.

“(2) STANDARDS.—The Under Secretary shall approve an application submitted by an airport operator under subsection (a) if the Under Secretary determines that the approval would not compromise security or detrimentally affect the cost-efficiency or the effectiveness of the screening of passengers or property at the airport.

“(3) REPORTS ON DENIALS OF APPLICATIONS.—

“(A) IN GENERAL.—If the Under Secretary denies an application submitted by an airport operator under subsection (a), the Under Secretary shall provide to the airport operator, not later than 60 days following the date of the denial, a written report that sets forth—

“(i) the findings that served as the basis for the denial;

“(ii) the results of any cost or security analysis conducted in considering the application; and

“(iii) recommendations on how the airport operator can address the reasons for the denial.

“(B) SUBMISSION TO CONGRESS.—The Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a copy of any report provided to an airport operator under subparagraph (A).”

(b) WAIVERS.—Section 44920(d) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving the subparagraphs 2 ems to the right;

(2) by striking “The Under Secretary” and inserting the following:

“(1) IN GENERAL.—The Under Secretary”; and

(3) by adding at the end the following:

“(2) WAIVERS.—The Under Secretary may waive the requirement of paragraph (1)(B) for any company that is a United States subsidiary with a parent company that has implemented a foreign ownership, control, or influence mitigation plan that has been approved by the Defense Security Service of the Department of Defense prior to the submission of the application. The Under Secretary has complete discretion to re-

ject any application from a private screening company to provide screening services at an airport that requires a waiver under this paragraph.”

(c) RECOMMENDATIONS OF AIRPORT OPERATOR.—Section 44920 is amended by adding at the end the following:

“(h) RECOMMENDATIONS OF AIRPORT OPERATOR.—As part of any submission of an application for a private screening company to provide screening services at an airport, the airport operator shall provide to the Under Secretary a recommendation as to which company would best serve the security screening and passenger needs of the airport, along with a statement explaining the basis of the operator’s recommendation.”

(d) RECONSIDERATION OF APPLICATIONS PENDING AS OF JANUARY 1, 2011.—

(1) IN GENERAL.—Upon the request of an airport operator, the Secretary of Homeland Security shall reconsider any application for the screening of passengers and property that—

(A) was submitted by the operator of an airport pursuant to section 44920(a) of title 49, United States Code;

(B) was pending for final decision by the Secretary on any day between January 1, 2011, and February 3, 2011, and was resubmitted by the applicant in accordance with new guidelines provided by the Secretary after February 3, 2011; and

(C) has not been approved by the Secretary on or before the date of enactment of this Act.

(2) NOTICE TO AIRPORT OPERATORS.—In reconsidering an application submitted under paragraph (1), the Secretary shall—

(A) notify the airport operator that submitted the application that the Secretary will reconsider the application;

(B) if the application was initially denied, advise the operator of the findings that served as the basis for the denial; and

(C) request the operator to provide the Secretary with such additional information as the Secretary determines necessary to reconsider the application.

(3) DEADLINE; STANDARDS.—The Secretary shall approve or deny an application to be reconsidered under paragraph (1) not later than the 120th day following the date of the request for reconsideration from the airport operator. The Secretary shall apply the standards set forth in section 44920(b) of title 49, United States Code (as amended by this section), in approving and denying such application.

(4) REPORTS ON DENIALS OF APPLICATIONS.—

(A) IN GENERAL.—If the Secretary denies an application of an airport operator following reconsideration under this subsection, the Secretary shall provide to the airport operator a written report that sets forth—

(i) the findings that served as the basis for the denial; and

(ii) the results of any cost or security analysis conducted in considering the application.

(B) SUBMISSION TO CONGRESS.—The Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a copy of any report provided to an airport operator under subparagraph (A).

TITLE IX—FEDERAL AVIATION RESEARCH AND DEVELOPMENT

SEC. 901. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 48102(a) is amended—

(1) in the matter before paragraph (1) by striking “of this title” and inserting “of this title and, for each of fiscal years 2012 through 2015, under subsection (g)”; and

(2) by striking paragraphs (1) through (8);

(3) by redesignating paragraphs (9) through (15) as paragraphs (1) through (7), respectively;

(4) in paragraph (3) (as so redesignated)—

(A) in subparagraph (K) by adding “and” at the end; and

(B) in subparagraph (L) by striking “and” at the end; and

(5) by striking paragraph (16) and inserting the following:

“(8) \$168,000,000 for each of fiscal years 2012 through 2015.”.

(b) **SPECIFIC PROGRAM LIMITATIONS.**—Section 48102 is amended by inserting after subsection (f) the following:

“(g) **SPECIFIC AUTHORIZATIONS.**—The following programs described in the research, engineering, and development account of the national aviation research plan required under section 44501(c) are authorized:

- “(1) Fire Research and Safety.
- “(2) Propulsion and Fuel Systems.
- “(3) Advanced Materials/Structural Safety.
- “(4) Atmospheric Hazards—Aircraft Icing/Digital System Safety.
- “(5) Continued Airworthiness.
- “(6) Aircraft Catastrophic Failure Prevention Research.
- “(7) Flightdeck/Maintenance/System Integration Human Factors.
- “(8) System Safety Management.
- “(9) Air Traffic Control/Technical Operations Human Factors.
- “(10) Aeromedical Research.
- “(11) Weather Program.
- “(12) Unmanned Aircraft Systems Research.
- “(13) NextGen—Alternative Fuels for General Aviation.
- “(14) Joint Planning and Development Office.
- “(15) NextGen—Wake Turbulence Research.
- “(16) NextGen—Air Ground Integration Human Factors.
- “(17) NextGen—Self Separation Human Factors.
- “(18) NextGen—Weather Technology in the Cockpit.
- “(19) Environment and Energy Research.
- “(20) NextGen Environmental Research—Aircraft Technologies, Fuels, and Metrics.
- “(21) System Planning and Resource Management.

“(22) The William J. Hughes Technical Center Laboratory Facility.”.

(c) **PROGRAM AUTHORIZATIONS.**—From the other accounts described in the national aviation research plan required under section 44501(c) of title 49, United States Code, the following research and development activities are authorized:

- (1) Runway IncurSION Reduction.
- (2) System Capacity, Planning, and Improvement.
- (3) Operations Concept Validation.
- (4) NAS Weather Requirements.
- (5) Airspace Management Program.
- (6) NextGen—Air Traffic Control/Technical Operations Human Factors.
- (7) NextGen—Environment and Energy—Environmental Management System and Advanced Noise and Emissions Reduction.
- (8) NextGen—New Air Traffic Management Requirements.
- (9) NextGen—Operations Concept Validation—Validation Modeling.
- (10) NextGen—System Safety Management Transformation.
- (11) NextGen—Wake Turbulence—Recategorization.
- (12) NextGen—Operational Assessments.
- (13) NextGen—Staffed NextGen Towers.
- (14) Center for Advanced Aviation System Development.
- (15) Airports Technology Research Program—Capacity.
- (16) Airports Technology Research Program—Safety.
- (17) Airports Technology Research Program—Environment.
- (18) Airport Cooperative Research—Capacity.
- (19) Airport Cooperative Research—Environment.
- (20) Airport Cooperative Research—Safety.

SEC. 902. DEFINITIONS.

In this title, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the FAA.

(2) **FAA.**—The term “FAA” means the Federal Aviation Administration.

(3) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the same meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(4) **NASA.**—The term “NASA” means the National Aeronautics and Space Administration.

(5) **NOAA.**—The term “NOAA” means the National Oceanic and Atmospheric Administration.

SEC. 903. UNMANNED AIRCRAFT SYSTEMS.

(a) **RESEARCH INITIATIVE.**—Section 44504(b) is amended—

(1) in paragraph (6) by striking “and” after the semicolon;

(2) in paragraph (7) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(8) in conjunction with other Federal agencies, as appropriate, to develop technologies and methods to assess the risk of and prevent defects, failures, and malfunctions of products, parts, and processes for use in all classes of unmanned aircraft systems that could result in a catastrophic failure of the unmanned aircraft that would endanger other aircraft in the national airspace system.”.

(b) **SYSTEMS, PROCEDURES, FACILITIES, AND DEVICES.**—Section 44505(b) is amended—

(1) in paragraph (4) by striking “and” after the semicolon;

(2) in paragraph (5)(C) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) to develop a better understanding of the relationship between human factors and unmanned aircraft system safety; and

“(7) to develop dynamic simulation models for integrating all classes of unmanned aircraft systems into the national airspace system without any degradation of existing levels of safety for all national airspace system users.”.

SEC. 904. RESEARCH PROGRAM ON RUNWAYS.

Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator shall continue to carry out a research program under which the Administrator may make grants to and enter into cooperative agreements with institutions of higher education and pavement research organizations for research and technology demonstrations related to—

(1) the design, construction, rehabilitation, and repair of airfield pavements to aid in the development of safer, more cost effective, and more durable airfield pavements; and

(2) engineered material restraining systems for runways at both general aviation airports and airports with commercial air carrier operations.

SEC. 905. RESEARCH ON DESIGN FOR CERTIFICATION.

Section 44505 is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) **RESEARCH ON DESIGN FOR CERTIFICATION.**—

“(1) **RESEARCH.**—Not later than 1 year after the date of enactment of the FAA Modernization and Reform Act of 2012, the Administrator shall conduct research on methods and procedures to improve both confidence in and the timeliness of certification of new technologies for their introduction into the national airspace system.

“(2) **RESEARCH PLAN.**—Not later than 6 months after the date of enactment of the FAA Modernization and Reform Act of 2012, the Administrator shall develop a plan for the research under paragraph (1) that contains objectives, proposed tasks, milestones, and a 5-year budgetary profile.

“(3) **REVIEW.**—The Administrator shall enter into an arrangement with the National Re-

search Council to conduct an independent review of the plan developed under paragraph (2) and shall provide the results of that review to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 18 months after the date of enactment of the FAA Modernization and Reform Act of 2012.”.

SEC. 906. AIRPORT COOPERATIVE RESEARCH PROGRAM.

Section 44511(f) is amended—

(1) in paragraph (1) by striking “establish a 4-year pilot” and inserting “maintain an”; and

(2) in paragraph (4)—

(A) by striking “Not later than 6 months after the expiration of the program under this subsection,” and inserting “Not later than September 30, 2012,”; and

(B) by striking “program, including recommendations as to the need for establishing a permanent airport cooperative research program” and inserting “program”.

SEC. 907. CENTERS OF EXCELLENCE.

(a) **GOVERNMENT’S SHARE OF COSTS.**—Section 44513(f) is amended to read as follows:

“(f) **GOVERNMENT’S SHARE OF COSTS.**—The United States Government’s share of establishing and operating a center and all related research activities that grant recipients carry out shall not exceed 50 percent of the costs, except that the Administrator may increase such share to a maximum of 75 percent of the costs for a fiscal year if the Administrator determines that a center would be unable to carry out the authorized activities described in this section without additional funds.”.

(b) **ANNUAL REPORT.**—Section 44513 is amended by adding at the end the following:

“(h) **ANNUAL REPORT.**—The Administrator shall transmit annually to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate at the time of the President’s budget request a report that lists—

“(1) the research projects that have been initiated by each center in the preceding year;

“(2) the amount of funding for each research project and the funding source;

“(3) the institutions participating in each research project and their shares of the overall funding for each research project; and

“(4) the level of cost-sharing for each research project.”.

SEC. 908. CENTER OF EXCELLENCE FOR AVIATION HUMAN RESOURCE RESEARCH.

(a) **ESTABLISHMENT.**—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator may establish a center of excellence to conduct research on—

(1) human performance in the air transportation environment, including among air transportation personnel such as air traffic controllers, pilots, and technicians; and

(2) any other aviation human resource issue pertinent to developing and maintaining a safe and efficient air transportation system.

(b) **ACTIVITIES.**—Activities conducted under this section may include the following:

(1) Research, development, and evaluation of training programs for air traffic controllers, aviation safety inspectors, airway transportation safety specialists, and engineers.

(2) Research and development of best practices for recruitment of individuals into the aviation field for mission critical positions.

(3) Research, in consultation with other relevant Federal agencies, to develop a baseline of general aviation employment statistics and an analysis of future needs in the aviation field.

(4) Research and the development of a comprehensive assessment of the airframe and power plant technician certification process and its effect on employment trends.

(5) Evaluation of aviation maintenance technician school environments.

(6) Research and an assessment of the ability to develop training programs to allow for the transition of recently unemployed and highly skilled mechanics into the aviation field.

SEC. 909. INTERAGENCY RESEARCH ON AVIATION AND THE ENVIRONMENT.

(a) *IN GENERAL.*—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator, in coordination with NASA and after consultation with other relevant agencies, may maintain a research program to assess the potential effect of aviation activities on the environment and, if warranted, to evaluate approaches to address any such effect.

(b) *RESEARCH PLAN.*—

(1) *IN GENERAL.*—The Administrator, in coordination with NASA and after consultation with other relevant agencies, shall jointly develop a plan to carry out the research under subsection (a).

(2) *CONTENTS.*—The plan shall contain an inventory of current interagency research being undertaken in this area, future research objectives, proposed tasks, milestones, and a 5-year budgetary profile.

(3) *REQUIREMENTS.*—The plan—

(A) shall be completed not later than 1 year after the date of enactment of this Act;

(B) shall be submitted to Congress for review; and

(C) shall be updated, as appropriate, every 3 years after the initial submission.

SEC. 910. AVIATION FUEL RESEARCH AND DEVELOPMENT PROGRAM.

(a) *IN GENERAL.*—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator, in coordination with the Administrator of NASA, shall continue research and development activities into the qualification of an unleaded aviation fuel and safe transition to this fuel for the fleet of piston engine aircraft.

(b) *REQUIREMENTS.*—In carrying out the program under subsection (a), the Administrator shall, at a minimum—

(1) not later than 120 days after the date of enactment of this Act, develop a research and development plan containing the specific research and development objectives, including consideration of aviation safety, technical feasibility, and other relevant factors, and the anticipated timetable for achieving the objectives;

(2) assess the methods and processes by which the FAA and industry may expeditiously certify and approve new aircraft and recertify existing aircraft with respect to unleaded aviation fuel;

(3) assess technologies that modify existing piston engine aircraft to enable safe operation of the aircraft using unleaded aviation fuel and determine the resources necessary to certify those technologies; and

(4) develop recommendations for appropriate policies and guidelines to facilitate a transition to unleaded aviation fuel for piston engine aircraft.

(c) *COLLABORATION.*—In carrying out the program under subsection (a), the Administrator shall collaborate with—

(1) industry groups representing aviation consumers, manufacturers, and fuel producers and distributors; and

(2) other appropriate Federal agencies.

(d) *REPORT.*—Not later than 270 days after the date of enactment of this Act, the Administrator shall provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the plan, information obtained, and policies and guidelines developed pursuant to subsection (b).

SEC. 911. RESEARCH PROGRAM ON ALTERNATIVE JET FUEL TECHNOLOGY FOR CIVIL AIRCRAFT.

(a) *IN GENERAL.*—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator shall establish a

research program to assist in the development and qualification of jet fuel from alternative sources (such as natural gas, biomass, ethanol, butanol, and hydrogen) and other renewable sources.

(b) *AUTHORITY TO MAKE GRANTS.*—The Administrator shall carry out the program through the use of grants or other measures authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(c) *PARTICIPATION IN PROGRAM.*—

(1) *PARTICIPATION OF EDUCATIONAL AND RESEARCH INSTITUTIONS.*—In carrying out the program, the Administrator shall include participation by—

(A) educational and research institutions that have existing facilities and leverage private sector partnerships; and

(B) consortia with experience across the supply chain, including with research, feedstock development and production, small-scale development, testing, and technology evaluation related to the creation, processing, production, and transportation of alternative aviation fuel.

(2) *USE OF NASA FACILITIES.*—In carrying out the program, the Administrator shall consider utilizing the existing capacity in aeronautics research at Langley Research Center, Glenn Research Center, and other appropriate facilities of NASA.

(d) *DESIGNATION OF INSTITUTION AS A CENTER OF EXCELLENCE.*—

(1) *IN GENERAL.*—Not later than 180 days after the date of enactment of this Act, the Administrator may designate an institution described in subsection (c)(1)(A) as a Center of Excellence for Alternative Jet-Fuel Research in Civil Aircraft.

(2) *EFFECT OF DESIGNATION.*—The center designated under paragraph (1) shall become, upon its designation—

(A) a member of the Consortium for Continuous Low Energy, Emissions, and Noise of the FAA; and

(B) part of a Joint Center of Excellence with the Partnership for Air Transportation Noise and Emission Reduction FAA Center of Excellence.

SEC. 912. REVIEW OF FAA'S ENERGY-RELATED AND ENVIRONMENT-RELATED RESEARCH PROGRAMS.

(a) *REVIEW.*—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator shall enter into an arrangement for an independent external review of FAA energy-related and environment-related research programs. The review shall assess whether—

(1) the programs have well-defined, prioritized, and appropriate research objectives;

(2) the programs are properly coordinated with the energy-related and environment-related research programs at NASA, NOAA, and other relevant agencies;

(3) the programs have allocated appropriate resources to each of the research objectives; and

(4) there exist suitable mechanisms for transitioning the research results into the FAA's operational technologies and procedures and certification activities.

(b) *REPORT.*—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate containing the results of the review.

SEC. 913. REVIEW OF FAA'S AVIATION SAFETY-RELATED RESEARCH PROGRAMS.

(a) *REVIEW.*—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator shall enter into an arrangement for an independent external review of the FAA's aviation safety-related research programs. The review shall assess whether—

(1) the programs have well-defined, prioritized, and appropriate research objectives;

(2) the programs are properly coordinated with the safety research programs of NASA and other relevant Federal agencies;

(3) the programs have allocated appropriate resources to each of the research objectives;

(4) the programs should include a determination about whether a survey of participants across the air transportation system is an appropriate way to study safety risks within such system; and

(5) there exist suitable mechanisms for transitioning the research results from the programs into the FAA's operational technologies and procedures and certification activities in a timely manner.

(b) *AVIATION SAFETY-RELATED RESEARCH PROGRAMS TO BE ASSESSED.*—The FAA aviation safety-related research programs to be assessed under the review shall include, at a minimum, the following:

(1) Air traffic control/technical operations human factors.

(2) Runway incursion reduction.

(3) Flightdeck/maintenance system integration human factors.

(4) Airports technology research—safety.

(5) Airport Cooperative Research Program—safety.

(6) Weather Program.

(7) Atmospheric hazards/digital system safety.

(8) Fire research and safety.

(9) Propulsion and fuel systems.

(10) Advanced materials/structural safety.

(11) Aging aircraft.

(12) Aircraft catastrophic failure prevention research.

(13) Aeromedical research.

(14) Aviation safety risk analysis.

(15) Unmanned aircraft systems research.

(c) *REPORT.*—Not later than 14 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review.

SEC. 914. PRODUCTION OF CLEAN COAL FUEL TECHNOLOGY FOR CIVILIAN AIRCRAFT.

(a) *ESTABLISHMENT OF RESEARCH PROGRAM.*—Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator shall establish a research program related to developing jet fuel from clean coal.

(b) *AUTHORITY TO MAKE GRANTS.*—The Administrator shall carry out the program through grants or other measures authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(c) *PARTICIPATION IN PROGRAM.*—In carrying out the program, the Administrator shall include participation by educational and research institutions that have existing facilities and experience in the development and deployment of technology that processes coal into aviation fuel.

(d) *DESIGNATION OF INSTITUTION AS A CENTER OF EXCELLENCE.*—Not later than 180 days after the date of enactment of this Act, the Administrator may designate an institution described in subsection (c) as a Center of Excellence for Coal-to-Jet-Fuel Research.

SEC. 915. WAKE TURBULENCE, VOLCANIC ASH, AND WEATHER RESEARCH.

Not later than 60 days after the date of enactment of this Act, the Administrator shall—

(1) initiate an evaluation of proposals related to research on the nature of wake vortices that would increase national airspace system capacity by reducing existing spacing requirements between aircraft of all sizes;

(2) begin implementation of a system to improve volcanic ash avoidance options for aircraft, including the development of a volcanic ash warning and notification system for aviation; and

(3) coordinate with NOAA, NASA, and other appropriate Federal agencies to conduct research to reduce the hazards presented to commercial aviation related to—

(A) ground de-icing and anti-icing, ice pellets, and freezing drizzle;

(B) oceanic weather, including convective weather;

(C) en route turbulence prediction and detection; and

(D) all hazards during oceanic operations, where commercial traffic is high and only rudimentary satellite sensing is available.

SEC. 916. REAUTHORIZATION OF CENTER OF EXCELLENCE IN APPLIED RESEARCH AND TRAINING IN THE USE OF ADVANCED MATERIALS IN TRANSPORT AIRCRAFT.

Section 708(b) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 44504 note) is amended by striking “for fiscal year 2004” and inserting “for each of fiscal years 2012 through 2015”.

SEC. 917. RESEARCH AND DEVELOPMENT OF EQUIPMENT TO CLEAN AND MONITOR THE ENGINE AND APU BLEED AIR SUPPLIED ON PRESSURIZED AIRCRAFT.

(a) *IN GENERAL.*—Not later than 60 days after the date of enactment of this Act, the Administrator, to the extent practicable, shall implement a research program for the identification or development of appropriate and effective air cleaning technology and sensor technology for the engine and auxiliary power unit bleed air supplied to the passenger cabin and flight deck of a pressurized aircraft.

(b) *TECHNOLOGY REQUIREMENTS.*—The technology referred to in subsection (a) shall have the capacity, at a minimum—

(1) to remove oil-based contaminants from the bleed air supplied to the passenger cabin and flight deck; and

(2) to detect and record oil-based contaminants in the portion of the total air supplied to the passenger cabin and flight deck from bleed air.

(c) *REPORT.*—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives a report on the results of the research and development work carried out under this section.

SEC. 918. EXPERT REVIEW OF ENTERPRISE ARCHITECTURE FOR NEXTGEN.

(a) *REVIEW.*—The Administrator shall enter into an arrangement for an independent external review of the enterprise architecture for the Next Generation Air Transportation System.

(b) *CONTENTS.*—At a minimum, the review to be conducted under subsection (a) shall—

(1) highlight the technical activities, including human-system design, organizational design, and other safety and human factor aspects of the system, that will be necessary to successfully transition current and planned modernization programs to the future system envisioned by the Joint Planning and Development Office of the FAA;

(2) assess technical, cost, and schedule risk for the software development that will be necessary to achieve the expected benefits from a highly automated air traffic management system and the implications for ongoing modernization projects; and

(3) determine how risks with automation efforts for the Next Generation Air Transportation System can be mitigated based on the experiences of other public or private entities in developing complex, software-intensive systems.

(c) *REPORT.*—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the review conducted pursuant to subsection (a).

SEC. 919. AIRPORT SUSTAINABILITY PLANNING WORKING GROUP.

(a) *IN GENERAL.*—Not later than 90 days after the date of enactment of this Act, the Adminis-

trator shall prepare and submit a problem statement to the Transportation Research Board for the purpose of initiating a study under the Airport Cooperative Research Program on airport sustainability practices.

(b) *FUNCTIONS.*—The purpose of the study shall be—

(1) to examine and develop best airport practices and metrics for the sustainable design, construction, planning, maintenance, and operation of an airport;

(2) to examine potential standards for a rating system based on the best sustainable practices and metrics;

(3) to examine potential standards for a voluntary airport rating process based on the best sustainable practices, metrics, and ratings; and

(4) to examine and develop recommendations for future actions with regard to sustainability.

(c) *REPORT.*—Not later than 18 months after the date of initiation of the study, a report on the study shall be submitted to the Administrator and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

TITLE X—NATIONAL MEDIATION BOARD

SEC. 1001. RULEMAKING AUTHORITY.

Title I of the Railway Labor Act (45 U.S.C. 151 et seq.) is amended by inserting after section 10 the following:

“SEC. 10A. RULES AND REGULATIONS.

“(a) *IN GENERAL.*—The Mediation Board shall have the authority from time to time to make, amend, and rescind, in the manner prescribed by section 553 of title 5, United States Code, and after opportunity for a public hearing, such rules and regulations as may be necessary to carry out the provisions of this Act.

“(b) *APPLICATION.*—The requirements of subsection (a) shall not apply to any rule or proposed rule to which the third sentence of section 553(b) of title 5, United States Code, applies.”.

SEC. 1002. RUNOFF ELECTION RULES.

Paragraph Ninth of section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by inserting after the fourth sentence the following: “In any such election for which there are 3 or more options (including the option of not being represented by any labor organization) on the ballot and no such option receives a majority of the valid votes cast, the Mediation Board shall arrange for a second election between the options receiving the largest and the second largest number of votes.”.

SEC. 1003. BARGAINING REPRESENTATIVE CERTIFICATION.

Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by adding at the end the following:

“Twelfth. Showing of interest for representation elections. The Mediation Board, upon receipt of an application requesting that an organization or individual be certified as the representative of any craft or class of employees, shall not direct an election or use any other method to determine who shall be the representative of such craft or class unless the Mediation Board determines that the application is supported by a showing of interest from not less than 50 percent of the employees in the craft or class.”.

SEC. 1004. OVERSIGHT.

Title I of the Railway Labor Act (45 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 15. EVALUATION AND AUDIT OF MEDIATION BOARD.

“(a) *EVALUATION AND AUDIT OF MEDIATION BOARD.*—

“(1) *IN GENERAL.*—In order to promote economy, efficiency, and effectiveness in the administration of the programs, operations, and activities of the Mediation Board, the Comptroller General of the United States shall evaluate and audit the programs and expenditures of the Mediation Board. Such an evaluation and audit

shall be conducted not less frequently than every 2 years, but may be conducted as determined necessary by the Comptroller General or the appropriate congressional committees.

“(2) *RESPONSIBILITY OF COMPTROLLER GENERAL.*—In carrying out the evaluation and audit required under paragraph (1), the Comptroller General shall evaluate and audit the programs, operations, and activities of the Mediation Board, including, at a minimum—

“(A) information management and security, including privacy protection of personally identifiable information;

“(B) resource management;

“(C) workforce development;

“(D) procurement and contracting planning, practices, and policies;

“(E) the extent to which the Mediation Board follows leading practices in selected management areas; and

“(F) the processes the Mediation Board follows to address challenges in—

“(i) initial investigations of applications requesting that an organization or individual be certified as the representative of any craft or class of employees;

“(ii) determining and certifying representatives of employees; and

“(iii) ensuring that the process occurs without interference, influence, or coercion.

“(b) *IMMEDIATE REVIEW OF CERTIFICATION PROCEDURES.*—Not later than 180 days after the date of enactment of this section, the Comptroller General shall review the processes applied by the Mediation Board to certify or decertify representation of employees by a labor organization and make recommendations to the Board and appropriate congressional committees regarding actions that may be taken by the Board or Congress to ensure that the processes are fair and reasonable for all parties. Such review shall be conducted separately from any evaluation and audit under subsection (a) and shall include, at a minimum—

“(1) an evaluation of the existing processes and changes to such processes that have occurred since the establishment of the Mediation Board and whether those changes are consistent with congressional intent; and

“(2) a description of the extent to which such processes are consistent with similar processes applied to other Federal or State agencies with jurisdiction over labor relations, and an evaluation of any justifications for any discrepancies between the processes of the Mediation Board and such similar Federal or State processes.

“(c) *APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.*—In this section, the term ‘appropriate congressional committees’ means the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Health, Education, Labor, and Pensions of the Senate.”.

TITLE XI—AIRPORT AND AIRWAY TRUST FUND PROVISIONS AND RELATED TAXES

SEC. 1100. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 1101. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) *FUEL TAXES.*—Subparagraph (B) of section 4081(d)(2) is amended by striking “February 17, 2012” and inserting “September 30, 2015”.

(b) *TICKET TAXES.*—

(1) *PERSONS.*—Clause (ii) of section 4261(j)(1)(A) is amended by striking “February 17, 2012” and inserting “September 30, 2015”.

(2) *PROPERTY.*—Clause (ii) of section 4271(d)(1)(A) is amended by striking “February 17, 2012” and inserting “September 30, 2015”.

(c) *EFFECTIVE DATE.*—The amendments made by this section shall take effect on February 18, 2012.

SEC. 1102. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) is amended—

(1) by striking “February 18, 2012” in the matter preceding subparagraph (A) and inserting “October 1, 2015”, and

(2) by striking the semicolon at the end of subparagraph (A) and inserting “or the FAA Modernization and Reform Act of 2012;”.

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) is amended by striking “February 18, 2012” and inserting “October 1, 2015”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on February 18, 2012.

SEC. 1103. TREATMENT OF FRACTIONAL AIRCRAFT OWNERSHIP PROGRAMS.

(a) FUEL SURTAX.—

(1) IN GENERAL.—Subchapter B of chapter 31 is amended by adding at the end the following new section:

“SEC. 4043. SURTAX ON FUEL USED IN AIRCRAFT PART OF A FRACTIONAL OWNERSHIP PROGRAM.

“(a) IN GENERAL.—There is hereby imposed a tax on any liquid used (during any calendar quarter by any person) in a fractional program aircraft as fuel—

“(1) for the transportation of a qualified fractional owner with respect to the fractional ownership aircraft program of which such aircraft is a part, or

“(2) with respect to the use of such aircraft on account of such a qualified fractional owner, including use in deadhead service.

“(b) AMOUNT OF TAX.—The rate of tax imposed by subsection (a) is 14.1 cents per gallon.

“(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

“(1) FRACTIONAL PROGRAM AIRCRAFT.—The term ‘fractional program aircraft’ means, with respect to any fractional ownership aircraft program, any aircraft which—

“(A) is listed as a fractional program aircraft in the management specifications issued to the manager of such program by the Federal Aviation Administration under subpart K of part 91 of title 14, Code of Federal Regulations, and

“(B) is registered in the United States.

“(2) FRACTIONAL OWNERSHIP AIRCRAFT PROGRAM.—The term ‘fractional ownership aircraft program’ means a program under which—

“(A) a single fractional ownership program manager provides fractional ownership program management services on behalf of the fractional owners,

“(B) there are 1 or more fractional owners per fractional program aircraft, with at least 1 fractional program aircraft having more than 1 owner,

“(C) with respect to at least 2 fractional program aircraft, none of the ownership interests in such aircraft are—

“(i) less than the minimum fractional ownership interest, or

“(ii) held by the program manager referred to in subparagraph (A),

“(D) there exists a dry-lease aircraft exchange arrangement among all of the fractional owners, and

“(E) there are multi-year program agreements covering the fractional ownership, fractional ownership program management services, and dry-lease aircraft exchange aspects of the program.

“(3) DEFINITIONS RELATED TO FRACTIONAL OWNERSHIP INTERESTS.—

“(A) QUALIFIED FRACTIONAL OWNER.—The term ‘qualified fractional owner’ means any fractional owner which has a minimum fractional ownership interest in at least one fractional program aircraft.

“(B) MINIMUM FRACTIONAL OWNERSHIP INTEREST.—The term ‘minimum fractional ownership interest’ means, with respect to each type of aircraft—

“(i) a fractional ownership interest equal to or greater than 1/16 of at least 1 subsonic, fixed wing, or powered lift aircraft, or

“(ii) a fractional ownership interest equal to or greater than 1/32 of at least 1 rotorcraft aircraft.

“(C) FRACTIONAL OWNERSHIP INTEREST.—The term ‘fractional ownership interest’ means—

“(i) the ownership of an interest in a fractional program aircraft,

“(ii) the holding of a multi-year leasehold interest in a fractional program aircraft, or

“(iii) the holding of a multi-year leasehold interest which is convertible into an ownership interest in a fractional program aircraft.

“(D) FRACTIONAL OWNER.—The term ‘fractional owner’ means any person owning any interest (including the entire interest) in a fractional program aircraft.

“(4) DRY-LEASE AIRCRAFT EXCHANGE.—The term ‘dry-lease aircraft exchange’ means an agreement, documented by the written program agreements, under which the fractional program aircraft are available, on an as needed basis without crew, to each fractional owner.

“(5) SPECIAL RULE RELATING TO USE OF FRACTIONAL PROGRAM AIRCRAFT FOR FLIGHT DEMONSTRATION, MAINTENANCE, OR TRAINING.—For purposes of subsection (a), a fractional program aircraft shall not be considered to be used for the transportation of a qualified fractional owner, or on account of such qualified fractional owner, when it is used for flight demonstration, maintenance, or crew training.

“(6) SPECIAL RULE RELATING TO DEADHEAD SERVICE.—A fractional program aircraft shall not be considered to be used on account of a qualified fractional owner when it is used in deadhead service and a person other than a qualified fractional owner is separately charged for such service.

“(d) TERMINATION.—This section shall not apply to liquids used as a fuel in an aircraft after September 30, 2021.”.

(2) CONFORMING AMENDMENT.—Subsection (e) of section 4082 is amended by inserting “(other than kerosene with respect to which tax is imposed under section 4043)” after “In the case of kerosene”.

(3) TRANSFER OF REVENUES TO AIRPORT AND AIRWAY TRUST FUND.—Paragraph (1) of section 9502(b) is amended by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting after subparagraph (A) the following new subparagraph:

“(B) section 4043 (relating to surtax on fuel used in aircraft part of a fractional ownership program),”.

(4) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 31 is amended by adding at the end the following new item:

“Sec. 4043. Surtax on fuel used in aircraft part of a fractional ownership program.”.

(b) FRACTIONAL OWNERSHIP PROGRAMS TREATED AS NON-COMMERCIAL AVIATION.—Subsection (b) of section 4083 is amended by adding at the end the following new sentence: “Such term shall not include the use of any aircraft before October 1, 2015, if tax is imposed under section 4043 with respect to the fuel consumed in such use or if no tax is imposed on such use under section 4043 by reason of subsection (c)(5) thereof.”.

(c) EXEMPTION FROM TAX ON TRANSPORTATION OF PERSONS.—Section 4261, as amended by this Act, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

“(j) EXEMPTION FOR AIRCRAFT IN FRACTIONAL OWNERSHIP AIRCRAFT PROGRAMS.—No tax shall be imposed by this section or section 4271 on any air transportation if tax is imposed under section 4043 with respect to the fuel used in such transportation. This subsection shall not apply after September 30, 2015.”.

(d) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to fuel used after March 31, 2012.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to uses of aircraft after March 31, 2012.

(3) SUBSECTION (c).—The amendments made by subsection (c) shall apply to taxable transportation provided after March 31, 2012.

SEC. 1104. TRANSPARENCY IN PASSENGER TAX DISCLOSURES.

(a) IN GENERAL.—Section 7275 is amended—

(1) by redesignating subsection (c) as subsection (d),

(2) by striking “subsection (a) or (b)” in subsection (d), as so redesignated, and inserting “subsection (a), (b), or (c)”, and

(3) by inserting after subsection (b) the following new subsection:

“(c) NON-TAX CHARGES.—

“(1) IN GENERAL.—In the case of transportation by air for which disclosure on the ticket or advertising for such transportation of the amounts paid for passenger taxes is required by subsection (a)(2) or (b)(1)(B), if such amounts are separately disclosed, it shall be unlawful for the disclosure of such amounts to include any amounts not attributable to such taxes.

“(2) INCLUSION IN TRANSPORTATION COST.—Nothing in this subsection shall prohibit the inclusion of amounts not attributable to the taxes imposed by subsection (a), (b), or (c) of section 4261 in the disclosure of the amount paid for transportation as required by subsection (a)(1) or (b)(1)(A), or in a separate disclosure of amounts not attributable to such taxes.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable transportation provided after March 31, 2012.

SEC. 1105. TAX-EXEMPT BOND FINANCING FOR FIXED-WING EMERGENCY MEDICAL AIRCRAFT.

(a) IN GENERAL.—Subsection (e) of section 147 is amended by adding at the end the following new sentence: “The preceding sentence shall not apply to any fixed-wing aircraft equipped for, and exclusively dedicated to providing, acute care emergency medical services (within the meaning of section 4261(g)(2)).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

SEC. 1106. ROLLOVER OF AMOUNTS RECEIVED IN AIRLINE CARRIER BANKRUPTCY.

(a) GENERAL RULES.—

(1) ROLLOVER OF AIRLINE PAYMENT AMOUNT.—If a qualified airline employee receives any airline payment amount and transfers any portion of such amount to a traditional IRA within 180 days of receipt of such amount (or, if later, within 180 days of the date of the enactment of this Act), then such amount (to the extent so transferred) shall be treated as a rollover contribution described in section 402(c) of the Internal Revenue Code of 1986. A qualified airline employee making such a transfer may exclude from gross income the amount transferred, in the taxable year in which the airline payment amount was paid to the qualified airline employee by the commercial passenger airline carrier.

(2) TRANSFER OF AMOUNTS ATTRIBUTABLE TO AIRLINE PAYMENT AMOUNT FOLLOWING ROLLOVER TO ROTH IRA.—A qualified airline employee who has contributed an airline payment amount to a Roth IRA that is treated as a qualified rollover contribution pursuant to section 125 of the Worker, Retiree, and Employer Recovery Act of 2008, may transfer to a traditional IRA, in a trustee-to-trustee transfer, all or any part of the contribution (together with any net income allocable to such contribution), and the transfer to the traditional IRA will be deemed to have been made at the time of the rollover to the Roth IRA, if such transfer is made within 180 days of the date of the enactment of this Act. A qualified airline employee making such a transfer may exclude from gross income the airline payment amount previously rolled over to the Roth IRA, to the extent an amount attributable to the previous rollover was transferred to a tradi-

tional IRA, in the taxable year in which the airline payment amount was paid to the qualified airline employee by the commercial passenger airline carrier. No amount so transferred to a traditional IRA may be treated as a qualified rollover contribution with respect to a Roth IRA within the 5-taxable year period beginning with the taxable year in which such transfer was made.

(3) EXTENSION OF TIME TO FILE CLAIM FOR REFUND.—A qualified airline employee who excludes an amount from gross income in a prior taxable year under paragraph (1) or (2) may reflect such exclusion in a claim for refund filed within the period of limitation under section 6511(a) of such Code (or, if later, April 15, 2013).

(4) OVERALL LIMITATION ON AMOUNTS TRANSFERRED TO TRADITIONAL IRAS.—

(A) IN GENERAL.—The aggregate amount of airline payment amounts which may be transferred to 1 or more traditional IRAs under paragraphs (1) and (2) with respect to any qualified employee for any taxable year shall not exceed the excess (if any) of—

(i) 90 percent of the aggregate airline payment amounts received by the qualified airline employee during the taxable year and all preceding taxable years, over

(ii) the aggregate amount of such transfers to which paragraphs (1) and (2) applied for all preceding taxable years.

(B) SPECIAL RULES.—For purposes of applying the limitation under subparagraph (A)—

(i) any airline payment amount received by the surviving spouse of any qualified employee, and any amount transferred to a traditional IRA by such spouse under subsection (d), shall be treated as an amount received or transferred by the qualified employee, and

(ii) any amount transferred to a traditional IRA which is attributable to net income described in paragraph (2) shall not be taken into account.

(5) COVERED EXECUTIVES NOT ELIGIBLE TO MAKE TRANSFERS.—Paragraphs (1) and (2) shall not apply to any transfer by a qualified airline employee (or any transfer authorized under subsection (d) by a surviving spouse of the qualified airline employee) if at any time during the taxable year of the transfer or any preceding taxable year the qualified airline employee held a position described in subparagraph (A) or (B) of section 162(m)(3) with the commercial passenger airline carrier from whom the airline payment amount was received.

(b) TREATMENT OF AIRLINE PAYMENT AMOUNTS AND TRANSFERS FOR EMPLOYMENT TAXES.—For purposes of chapter 21 of the Internal Revenue Code of 1986 and section 209 of the Social Security Act, an airline payment amount shall not fail to be treated as a payment of wages by the commercial passenger airline carrier to the qualified airline employee in the taxable year of payment because such amount is excluded from the qualified airline employee's gross income under subsection (a).

(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) AIRLINE PAYMENT AMOUNT.—

(A) IN GENERAL.—The term "airline payment amount" means any payment of any money or other property which is payable by a commercial passenger airline carrier to a qualified airline employee—

(i) under the approval of an order of a Federal bankruptcy court in a case filed after September 11, 2001, and before January 1, 2007, and

(ii) in respect of the qualified airline employee's interest in a bankruptcy claim against the carrier, any note of the carrier (or amount paid in lieu of a note being issued), or any other fixed obligation of the carrier to pay a lump sum amount.

The amount of such payment shall be determined without regard to any requirement to deduct and withhold tax from such payment under sections 3102(a) of the Internal Revenue Code of 1986 and 3402(a) of such Code.

(B) EXCEPTION.—An airline payment amount shall not include any amount payable on the basis of the carrier's future earnings or profits.

(2) QUALIFIED AIRLINE EMPLOYEE.—The term "qualified airline employee" means an employee or former employee of a commercial passenger airline carrier who was a participant in a defined benefit plan maintained by the carrier which—

(A) is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code, and

(B) was terminated or became subject to the restrictions contained in paragraphs (2) and (3) of section 402(b) of the Pension Protection Act of 2006.

(3) TRADITIONAL IRA.—The term "traditional IRA" means an individual retirement plan (as defined in section 7701(a)(37) of the Internal Revenue Code of 1986) which is not a Roth IRA.

(4) ROTH IRA.—The term "Roth IRA" has the meaning given such term by section 408A(b) of such Code.

(d) SURVIVING SPOUSE.—If a qualified airline employee died after receiving an airline payment amount, or if an airline payment amount was paid to the surviving spouse of a qualified airline employee in respect of the qualified airline employee, the surviving spouse of the qualified airline employee may take all actions permitted under section 125 of the Worker, Retiree and Employer Recovery Act of 2008, or under this section, to the same extent that the qualified airline employee could have done had the qualified airline employee survived.

(e) EFFECTIVE DATE.—This section shall apply to transfers made after the date of the enactment of this Act with respect to airline payment amounts paid before, on, or after such date.

SEC. 1107. TERMINATION OF EXEMPTION FOR SMALL JET AIRCRAFT ON NON-ESTABLISHED LINES.

(a) IN GENERAL.—The first sentence of section 4281 is amended by inserting "or when such aircraft is a jet aircraft" after "an established line".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable transportation provided after March 31, 2012.

SEC. 1108. MODIFICATION OF CONTROL DEFINITION FOR PURPOSES OF SECTION 249.

(a) IN GENERAL.—Section 249(a) is amended by striking " , or a corporation in control of, or controlled by," and inserting " , or a corporation in the same parent-subsidiary controlled group (within the meaning of section 1563(a)(1) as".

(b) CONFORMING AMENDMENT.—Section 249(b) is amended—

(1) by striking all that precedes "is the issue price" and inserting:

"(b) ADJUSTED ISSUE PRICE.—For purposes of subsection (a), the adjusted issue price", and

(2) by striking paragraph (2).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to repurchases after the date of the enactment of this Act.

TITLE XII—COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO-ACT OF 2010

SEC. 1201. COMPLIANCE PROVISION.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

And the Senate agree to the same.

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

JOHN L. MICA,
THOMAS E. PETRI,
JOHN J. DUNCAN, Jr.,
SAM GRAVES,
BILL SHUSTER,
JEAN SCHMIDT,
CHIP CRAVAACK,
NICK J. RAHALL II,
PETER A. DEFAZIO,
JERRY F. COSTELLO,
LEONARD L. BOSWELL,
RUSS CARNAHAN,

From the Committee on Science, Space, and Technology, for consideration of sections 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X, and title XIII of the House bill and sections 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and section 732 of the Senate amendment, and modifications committed to conference:

RALPH M. HALL,
STEVEN M. PALAZZO,
EDDIE BERNICE JOHNSON,

From the Committee on Ways and Means, for consideration of title XI of the House bill and titles VIII and XI of the Senate amendment, and modifications committed to conference:

DAVE CAMP,
PATRICK J. TIBERI,
SANDER M. LEVIN,
Managers on the Part of the House.

JOHN D. ROCKEFELLER IV,
BARBARA BOXER,
BILL NELSON,
MARIA CANTWELL,
KAY BAILEY HUTCHISON,
JOHNNY ISAKSON,

From the Committee on Finance:
MAX BAUCUS,
Managers on the Part of the Senate.

When said conference report was considered.

After debate, Pursuant to House Resolution 533, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce, Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. PETRI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶15.5 BUDGET BASELINE

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. TIERNEY moved to recommit the bill to the Committee on the Budget with instructions to report the bill back to the House forthwith with the following amendment:

In section 257(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 as

added by section 2, strike “Budgetary” and insert “Except as provided in paragraph (3), budgetary” in paragraph (1) and after paragraph (2) add the following new paragraph:

“(3) MAINTAINING CURRENT FUNDING LEVELS IN REAL (INFLATION-ADJUSTED) TERMS FOR: PELL GRANTS AND EDUCATION PROGRAMS FOR STUDENTS; HEALTH AND ALL DISCRETIONARY SPENDING THAT PROVIDE BENEFITS FOR SENIORS; JOB, HEALTH, AND ALL DISCRETIONARY SPENDING THAT PROVIDE BENEFITS FOR VETERANS; AND HEALTH RESEARCH, INCLUDING NIH AND RESEARCH TO CURE CANCER.—The discretionary portions of budget functions 500 (Education, Training, Employment, and Social Services), 550 (Health), 570 (Medicare), 600 (Income Security), 650 (Social Security), and 700 (Veterans Benefits and Services), other than unobligated balances, shall be adjusted for inflation as follows:

“(A) The inflator used in paragraph (2) to adjust budgetary resources relating to personnel shall be the percent by which the average of the Bureau of Labor Statistics Employment Cost Index (wages and salaries, private industry workers) for that fiscal year differs from such index for the current year.

“(B) The inflator used in paragraph (2) to adjust all other budgetary resources shall be the percent by which the average of the estimated gross domestic product chain-type price index for that fiscal year differs from the average of such estimated index for the current year.”

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOMACK, announced that the nays had it.

Mr. TIERNEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 177
negative } Nays 238

¶15.6 [Roll No. 31]

YEAS—177

Ackerman	Connolly (VA)	Green, Gene
Altmire	Conyers	Grijalva
Andrews	Cooper	Gutierrez
Baca	Costa	Hanabusa
Baldwin	Costello	Hastings (FL)
Bass (CA)	Courtney	Higgins
Becerra	Critz	Himes
Berkley	Crowley	Hinojosa
Berman	Cuellar	Hirono
Bishop (GA)	Cummings	Hochul
Bishop (NY)	Davis (CA)	Holden
Blumenauer	Davis (IL)	Holt
Boren	DeFazio	Honda
Boswell	DeGette	Hoyer
Brady (PA)	DeLauro	Insee
Braley (IA)	Deutch	Israel
Brown (FL)	Dicks	Jackson (IL)
Butterfield	Dingell	Jackson Lee
Capps	Doggett	(TX)
Capuano	Donnelly (IN)	Johnson (GA)
Carmahan	Doyle	Johnson, E. B.
Carney	Edwards	Kaptur
Castor (FL)	Ellison	Keating
Chandler	Engel	Kildee
Chu	Eshoo	Kind
Cicilline	Farr	Kissell
Clarke (MI)	Fattah	Kucinich
Clarke (NY)	Frank (MA)	Langevin
Clay	Fudge	Larsen (WA)
Cleaver	Garamendi	Larson (CT)
Clyburn	Gonzalez	Lee (CA)
Cohen	Green, Al	Levin

Lewis (GA)	Pallone	Scott (VA)
Lipinski	Pascrell	Scott, David
Loeb sack	Pastor (AZ)	Serrano
Lofgren, Zoe	Payne	Sewell
Lowe y	Pelosi	Sherman
Lujan	Perlmutt er	Slaughter
Lynch	Peters	Smith (WA)
Maloney	Pingree (ME)	Stark
Markey	Price (NC)	Sutton
Matsui	Quigley	Thompson (CA)
McCarthy (NY)	Rahall	Thompson (MS)
McCollum	Rangel	Tierney
McDermott	Reyes	Tonko
McGovern	Richardson	Towns
McIntyre	Richardson	Tsongas
McNerney	Ross (AR)	Van Hollen
Meeks	Rothman (NJ)	Velázquez
Michaud	Roybal-Allard	Visclosky
Miller (NC)	Rush	Walz (MN)
Miller, George	Ryan (OH)	Wasserman
Moore	Sánchez, Linda	Schultz
Moran	T. Sanchez, Loretta	Waters
Murphy (CT)	Sarbanes	Watt
Nadler	Schakowsky	Waxman
Napolitano	Schiff	Welch
Neal	Schrader	Wilson (FL)
Oliver	Schwartz	Woolsey
Owens		Yarmuth

NAYS—238

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

Smith (NJ)	Tiberi	Whitfield
Smith (TX)	Tipton	Wilson (SC)
Southerland	Turner (NY)	Wittman
Stearns	Upton	Wolf
Stivers	Walberg	Womack
Stutzman	Walden	Woodall
Sullivan	Walsh (IL)	Yoder
Terry	Webster	Young (AK)
Thompson (PA)	West	Young (FL)
Thornberry	Westmoreland	Young (IN)

NOT VOTING—17

Burton (IN)	Heinrich	Ruppersberger
Cardoza	Hinche y	Shuler
Carson (IN)	Issa	Sires
Filner	Mack	Speier
Fortenberry	Paul	Turner (OH)
Hahn	Polis	

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*, Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOMACK, announced that the nays had it.

Mr. WOODALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 235
affirmative } Nays 177

¶15.7 [Roll No. 32]

YEAS—235

Adams	Duffy	King (IA)
Aderholt	Duncan (SC)	King (NY)
Akin	Duncan (TN)	Kingston
Alexander	Elmers	Kinzinger (IL)
Amash	Emerson	Kline
Amodei	Farenthold	Labrador
Austria	Fincher	Lamborn
Bachmann	Fitzpatrick	Lance
Bachus	Flake	Landry
Barletta	Fleischmann	Lankford
Barrow	Fleming	Latham
Bartlett	Flores	LaTourette
Barton (TX)	Forbes	Latta
Bass (NH)	Foxx	Lewis (CA)
Benishek	Frelinghuysen	LoBiondo
Berg	Galle gley	Long
Biggert	Gardner	Lucas
Bilbray	Garrett	Luetkemeyer
Bilirakis	Gerlach	Lummis
Bishop (UT)	Gibbs	Lungren, Daniel
Black	Gibson	E.
Blackburn	Gingrey (GA)	Manzullo
Bonner	Gohmert	Marchant
Bono Mack	Goodlatte	Marino
Boustany	Gosar	Matheson
Brady (TX)	Gowdy	McCarthy (CA)
Brooks	Granger	McCaul
Broun (GA)	Graves (GA)	McClintock
Buchanan	Green, Gene	McCotter
Bucshon	Griffin (AR)	McHenry
Buerkle	Griffith (VA)	McIntyre
Burgess	Grimm	McKeon
Burton (IN)	Guinta	McKinley
Calvert	Guthrie	McMorris
Camp	Hall	Rodgers
Canseco	Hanna	Meehan
Cantor	Harper	Mica
Capito	Harris	Miller (FL)
Carter	Hart zler	Miller (MI)
Cassidy	Hastings (WA)	Mulvaney
Chabot	Hayworth	Murphy (PA)
Chaffetz	Heck	Myrick
Coble	Hensarling	Neugebauer
Coffman (CO)	Herger	Noem
Cole	Herrera Beutler	Nugent
Conaway	Huelskamp	Nunes
Crawaack	Huizenga (MI)	Nunnelee
Crawford	Hultgren	Olson
Crenshaw	Hunter	Palazzo
Culberson	Hurt	Paulsen
Davis (KY)	Jenkins	Pearce
Dent	Johnson (IL)	Pence
DesJarlais	Johnson (OH)	Petri
Diaz-Balart	Johnson, Sam	Pitts
Dold	Jones	Platts
Dreier	Jordan	Poe (TX)
Duffy	Kelly	Pompeo

Posey	Runyan	Thompson (PA)
Price (GA)	Ryan (WI)	Thornberry
Quayle	Scalise	Tiberi
Reed	Schilling	Tipton
Rehberg	Schmidt	Turner (NY)
Reichert	Schock	Upton
Renacci	Schweikert	Walberg
Ribble	Scott (SC)	Walden
Rigell	Scott, Austin	Walsh (IL)
Rivera	Sensenbrenner	Webster
Roby	Sessions	West
Roe (TN)	Shimkus	Westmoreland
Rogers (AL)	Shuster	Whitfield
Rogers (KY)	Simpson	Wilson (SC)
Rogers (MI)	Smith (NE)	Wittman
Rohrabacher	Smith (TX)	Wolf
Rokita	Southerland	Womack
Rooney	Stearns	Woodall
Ros-Lehtinen	Stivers	Yoder
Roskam	Stutzman	Young (AK)
Ross (FL)	Sullivan	Young (FL)
Royce	Terry	Young (IN)

Ordered, That the Clerk request the concurrence of the Senate in said bill.

15.8 CONFERENCE REPORT TO H.R. 658— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to said conference report to the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

The question being put, Will the House agree to said conference report?

The vote was taken by electronic device.

It was decided in the { Yeas 248 affirmative Nays 169

15.9 [Roll No. 33]

YEAS—248

Adams	Dent	Kelly
Aderholt	DesJarlais	King (IA)
Akin	Diaz-Balart	King (NY)
Alexander	Dold	Kingston
Amodei	Dreyer	Kinzinger (IL)
Austria	Duffy	Kline
Bachmann	Duncan (TN)	Lance
Bachus	Elmiers	Landry
Barletta	Emerson	Lankford
Barrow	Farenthold	Latham
Bartlett	Fincher	LaTourette
Barton (TX)	Fitzpatrick	Latta
Bass (NH)	Flake	Lewis (CA)
Benishek	Fleischmann	Lipinski
Berg	Fleming	LoBiondo
Berkley	Flores	Long
Biggert	Forbes	Lucas
Bilbray	Fox	Luetkemeyer
Bilirakis	Frelinghuysen	Lummis
Bishop (GA)	Gallegly	Lungren, Daniel E.
Bishop (UT)	Gardner	Manzullo
Black	Garrett	Marchant
Blackburn	Gerlach	Marino
Bonner	Gibbs	Matheson
Bono Mack	Gibson	McCarthy (CA)
Boren	Gingrey (GA)	McCaul
Boswell	Goodlatte	McClintock
Boustany	Gosar	McCotter
Brady (TX)	Granger	McHenry
Brooks	Graves (GA)	McIntyre
Buchanan	Graves (MO)	McKeon
Bucshon	Griffin (AR)	McKinley
Buerkle	Griffith (VA)	McMorris
Burgess	Grimm	Rodgers
Burton (IN)	Guinta	Meehan
Calvert	Guthrie	Mica
Camp	Hall	Miller (FL)
Campbell	Hanabusa	Miller (MI)
Cantose	Hanna	Miller, Gary
Cantor	Harper	Murphy (PA)
Capito	Harris	Myrick
Carman	Hartzler	Neugebauer
Carter	Hastings (WA)	Noem
Cassidy	Hayworth	Nugent
Chabot	Heck	Nunes
Chaffetz	Hensarling	Nunnelee
Coble	Heger	Olson
Coffman (CO)	Herrera Beutler	Palazzo
Cole	Hirono	Paulsen
Conaway	Huelskamp	Pearce
Cooper	Huizenga (MI)	Pence
Costa	Hultgren	Perlmutter
Costello	Hunter	Petri
Cravaack	Hurt	Pitts
Crawford	Jenkins	Platts
Crenshaw	Johnson (IL)	Poe (TX)
Cuellar	Johnson (OH)	Polis
Culberson	Johnson, E. B.	Pompeo
Davis (CA)	Johnson, Sam	Posey
Davis (KY)	Jones	Price (GA)
Denham	Jordan	

Quayle	Runyan	Thornberry
Quigley	Ryan (WI)	Tiberi
Rahall	Scalise	Tipton
Reed	Schilling	Turner (NY)
Rehberg	Schmidt	Upton
Reichert	Schock	Walberg
Renacci	Schrader	Walden
Ribble	Schweikert	Walsh (IL)
Rigell	Scott, Austin	Webster
Rivera	Scott, David	West
Roby	Sessions	Westmoreland
Roe (TN)	Shimkus	Whitfield
Rogers (AL)	Shuster	Wilson (SC)
Rogers (KY)	Simpson	Wittman
Rogers (MI)	Smith (NE)	Wolf
Rohrabacher	Smith (NJ)	Womack
Rokita	Smith (TX)	Woodall
Rooney	Southerland	Yoder
Ros-Lehtinen	Stearns	Young (AK)
Roskam	Stivers	Young (FL)
Ross (AR)	Sullivan	Young (IN)
Ross (FL)	Terry	
Royce	Thompson (PA)	

NAYS—169

Ackerman	Gowdy	Owens
Altmire	Green, Al	Pallone
Amash	Green, Gene	Pascrell
Andrews	Grijalva	Pastor (AZ)
Baca	Gutierrez	Payne
Baldwin	Hastings (FL)	Pelosi
Bass (CA)	Higgins	Peters
Becerra	Himes	Peterson
Berkley	Hinojosa	Pingree (ME)
Berman	Hochul	Price (NC)
Bishop (GA)	Holden	Rangel
Bishop (NY)	Holt	Reyes
Blumenauer	Hoyer	Richardson
Brady (PA)	Inslee	Richmond
Brady (IA)	Israel	Rothman (NJ)
Brown (FL)	Jackson (IL)	Roybal-Allard
Butterfield	Jackson Lee	Ruppersberger
Capps	(TX)	Rush
Capuano	Johnson (GA)	Ryan (OH)
Carnahan	(TX)	Sánchez, Linda T.
Carney	Johnson, E. B.	Sánchez, Loretta Sarbanes
Castor (FL)	Kaptur	Schakowsky
Chandler	Keating	Schiff
Chu	Kildee	Schwartz
Cicilline	Kind	Scott (SC)
Clarke (MI)	Kissell	Scott (VA)
Clarke (NY)	Kucinich	Larsen (WA)
Clay	Labrador	Larson (CT)
Cleaver	Lamborn	Lee (CA)
Clyburn	Langevin	Conyers
Cohen	Larsen (WA)	Courtney
Connelly (VA)	Larson (CT)	Critz
Conyers	Lee (CA)	Crowley
Cooper	Levin	Cuellar
Costa	Lewis (GA)	Cummings
Costello	Lipinski	Davis (CA)
Courtney	Loeb sack	Davis (IL)
Critz	Lofgren, Zoe	DeFazio
Crowley	Lowe	DeGette
Cuellar	Lujan	DeLauro
Cummings	Lynch	Deutch
Davis (CA)	Maloney	Dicks
Davis (IL)	Markey	Dingell
DeFazio	Matsui	Doggett
DeGette	McCarthy (NY)	Donnelly (IN)
DeLauro	McCollum	Doyle
Deutch	McDermott	Duncan (SC)
Dicks	McGovern	Edwards
Dingell	McNerney	Ellison
Doggett	Meeke	Engel
Donnelly (IN)	Michaud	Eshoo
Doyle	Miller (NC)	Farr
Edwards	Miller, George	Fattah
Ellison	Moore	Frank (MA)
Engel	Moran	Fudge
Eshoo	Mulvaney	
Fattah	Murphy (CT)	
Frank (MA)	Nadler	
Fudge	Napolitano	
	Neal	
	Oliver	

NOT VOTING—15

Cardoza	Heinrich	Paul
Carson (IN)	Hinche	Shuler
Filner	Honda	Sires
Fortenberry	Issa	Speier
Hahn	Mack	Turner (OH)

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

¶15.10 PROVIDING FOR CONSIDERATION
OF H.R. 1734

Mr. WEBSTER, by direction of the Committee on Rules, reported (Rept. No. 112-385) the resolution (H. Res. 537) providing for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶15.11 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Monday, February 6, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶15.12 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶15.13 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO COTE D'IVOIRE

The SPEAKER pro tempore, Mr. Austin SCOTT of Georgia, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2012.

The situation in or in relation to Côte d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. Since the inauguration of President Alassane Ouattara in May 2011, the Government of Côte d'Ivoire and its people have made significant advances in the promotion of democratic, social, and economic development. Although considerable progress has been made, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I

have determined that it is necessary to continue the national emergency and related measures under Executive Order 13396 of February 7, 2006, Blocking Property of Certain Persons Contributing to the Conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, *February 3, 2012.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-84).

¶15.14 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. HAHN, for today;
To Mr. HEINRICH, for today; and
To Mr. TURNER of Ohio, for today.
And then,

¶15.15 ADJOURNMENT

On motion of Mr. FRANK of Massachusetts, pursuant to the previous order of the House, at 2 o'clock and 4 minutes p.m., the House adjourned until noon on Monday, February 6, 2012.

¶15.16 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER: Committee on Rules. House Resolution 537. Resolution providing for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes (Rept. 112-385). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 186. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; with an amendment (Rept. 112-386). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1162. A bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; with an amendment (Rept. 112-387). Referred to the Committee of the Whole House on the state of the Union.

¶15.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JACKSON of Illinois:

H.R. 3894. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Pullman Historic Site in Chicago, Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. MILLER of Florida:

H.R. 3895. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to clarify that all veterans programs are exempt from sequestration; to the Committee on the Budget.

By Mr. HASTINGS of Washington:

H.R. 3896. A bill to amend section 8007 of the Elementary and Secondary Education

Act of 1965 to extend eligibility for emergency and modernization grants to local educational agencies in which at least 10 percent of the property in each such agency is nontaxable due to the presence of the Federal Government, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CHABOT:

H.R. 3897. A bill to amend title XXVII of the Public Health Service Act to provide religious conscience protections for individuals and organizations; to the Committee on Energy and Commerce.

By Mr. KING of Iowa:

H.R. 3898. A bill to amend the Ethics in Government Act of 1978 and the Rules of the House of Representatives to strengthen financial disclosures by Members, officers, and employees of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself and Mr. DAVIS of Kentucky):

H.R. 3899. A bill to provide for rollover treatment to traditional IRAs of amounts received in airline carrier bankruptcy; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. WAXMAN, Mr. COHEN, Mr. CONNOLLY of Virginia, and Mr. WELCH):

H.R. 3900. A bill to ensure that oil transported through the Keystone XL pipeline is used to reduce United States dependence on Middle Eastern oil; to the Committee on Energy and Commerce.

By Mr. ISRAEL (for himself, Mr. RANGEL, Ms. LEE of California, Ms. LINDA T. SANCHEZ of California, Mr. CUMMINGS, Mr. BOSWELL, Mr. CONNOLLY of Virginia, Ms. DEGETTE, Mr. COSTA, Mr. PAYNE, Mr. LEVIN, Mr. MCINTYRE, Mr. CICILLINE, Ms. SPEIER, Mr. FITZPATRICK, Ms. MCCOLLUM, Mr. COOPER, Mr. GRIJALVA, Mr. HIGGINS, Mr. FRANK of Massachusetts, Mr. KISSELL, Mr. FALCOMA, Mr. TURNER of New York, Mr. POLIS, Mr. COHEN, and Ms. BORDALLO):

H. Res. 538. A resolution expressing support for designation of February 4, 2012, as National Cancer Prevention Day; to the Committee on Energy and Commerce.

¶15.18 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ROHRBACHER introduced a bill (H.R. 3901) for the relief of Dr. Shakeel Afridi; which was referred to the Committee on the Judiciary.

¶15.19 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Ms. LORETTA SANCHEZ of California.

H.R. 32: Mr. CLAY.

H.R. 36: Mr. CLAY.

H.R. 85: Mr. CLAY.

H.R. 115: Mr. OWENS.

H.R. 192: Mr. CONNOLLY of Virginia, Mr. RANGEL, and Mr. JACKSON of Illinois.

H.R. 245: Mr. QUAYLE.

H.R. 361: Mr. PETERSON.

H.R. 432: Ms. ZOE LOFGREN of California.

H.R. 436: Mr. JORDAN.

H.R. 459: Mr. POE of Texas and Mr. QUAYLE.

H.R. 494: Ms. HAHN.

H.R. 505: Ms. NORTON, Mr. GRIJALVA, Ms. WOOLSEY, Ms. DEGETTE, Ms. JACKSON LEE of Texas, Mrs. MALONEY, Mr. CICILLINE, Mrs. MCCARTHY of New York, and Ms. CHU.

H.R. 601: Mr. DEFAZIO.

H.R. 797: Ms. BROWN of Florida.
 H.R. 798: Mr. MICHAUD.
 H.R. 998: Mr. LARSEN of Washington.
 H.R. 1116: Ms. LORETTA SANCHEZ of California and Mr. PERLMUTTER.
 H.R. 1148: Mr. VISCLOSKY and Mrs. BACHMANN.
 H.R. 1163: Mr. PAYNE and Mr. RUSH.
 H.R. 1168: Mr. BROOKS.
 H.R. 1179: Mr. SCHWEIKERT, Mr. GOSAR, and Mr. HUNTER.
 H.R. 1206: Mr. PASTOR of Arizona, Mrs. ROBY, and Mr. GRAVES of Georgia.
 H.R. 1340: Mr. CARNEY and Mr. BERG.
 H.R. 1370: Mr. SMITH of Texas and Mr. GALLEGLY.
 H.R. 1380: Ms. LORETTA SANCHEZ of California.
 H.R. 1385: Mr. THOMPSON of Pennsylvania and Mr. JOHNSON of Ohio.
 H.R. 1568: Mr. HASTINGS of Florida.
 H.R. 1581: Mr. MILLER of Florida.
 H.R. 1588: Mr. WILSON of South Carolina.
 H.R. 1648: Mr. TIERNEY.
 H.R. 1681: Mr. TIERNEY.
 H.R. 1697: Mr. CRAWFORD and Mr. HUNTER.
 H.R. 1876: Mr. ROTHMAN of New Jersey.
 H.R. 1895: Mr. KUCINICH.
 H.R. 1960: Mr. MILLER of Florida.
 H.R. 2108: Mr. MATHESON.
 H.R. 2118: Mr. DUNCAN of South Carolina.
 H.R. 2139: Mr. ROTHMAN of New Jersey, Mr. CARSON of Indiana, Ms. HAHN, and Mr. POSEY.
 H.R. 2140: Ms. LORETTA SANCHEZ of California.
 H.R. 2181: Mr. FRANK of Massachusetts.
 H.R. 2238: Mrs. NOEM.
 H.R. 2268: Mr. CARTER.
 H.R. 2299: Mr. HUNTER.
 H.R. 2335: Mr. LANDRY.
 H.R. 2364: Mr. TIERNEY.
 H.R. 2429: Mr. JOHNSON of Ohio.
 H.R. 2569: Ms. WILSON of Florida, Mr. CANSECO, Mr. HASTINGS of Florida, Mrs. MCCARTHY of New York, and Mr. WEBSTER.
 H.R. 2607: Mr. BACA, Ms. MOORE, Mr. REYES, and Mr. KUCINICH.
 H.R. 2697: Mr. CARTER and Mr. BOREN.
 H.R. 2970: Ms. HAHN.
 H.R. 2982: Mr. MCGOVERN.
 H.R. 3030: Mr. ROTHMAN of New Jersey.
 H.R. 3042: Mrs. ELLMERS.
 H.R. 3059: Mr. GARRETT.
 H.R. 3086: Ms. VELÁZQUEZ and Mr. OWENS.
 H.R. 3221: Mr. VAN HOLLEN.
 H.R. 3307: Mr. COLE.
 H.R. 3313: Ms. ZOE LOFGREN of California.
 H.R. 3324: Mr. HEINRICH.
 H.R. 3339: Mr. SAM JOHNSON of Texas.
 H.R. 3365: Mr. COFFMAN of Colorado.
 H.R. 3423: Ms. ZOE LOFGREN of California, Ms. WATERS, and Mr. LATHAM.
 H.R. 3481: Mr. POSEY.
 H.R. 3483: Ms. NORTON.
 H.R. 3532: Mr. COLE.
 H.R. 3536: Mr. GRIJALVA.
 H.R. 3541: Mr. GOODLATTE, Mr. AUSTRIA, Mr. GRIFFIN of Arkansas, Mr. FLAKE, and Mr. HUNTER.
 H.R. 3553: Mrs. MALONEY, Mr. CLARKE of Michigan, Mr. CICILLINE, and Ms. ZOE LOFGREN of California.
 H.R. 3599: Mr. BLUMENAUER.
 H.R. 3608: Mr. GRAVES of Georgia.
 H.R. 3612: Mr. BOREN.
 H.R. 3634: Mr. COFFMAN of Colorado and Mr. JONES.
 H.R. 3643: Mr. SHULER, Mr. ROSS of Arkansas, Mr. SCHRADER, and Mr. BOREN.
 H.R. 3654: Mr. GRIJALVA and Ms. RICHARDSON.
 H.R. 3663: Mr. GOODLATTE.
 H.R. 3676: Mr. BISHOP of Utah.
 H.R. 3702: Ms. ZOE LOFGREN of California.
 H.R. 3712: Mr. BUTTERFIELD and Ms. BERKLEY.
 H.R. 3713: Mr. HASTINGS of Florida, Mr. PLATTS, Mr. SMITH of Texas, and Mrs. ADAMS.

H.R. 3767: Mr. REHBERG, Mr. LUETKEMEYER, Mr. SMITH of Texas, and Mr. LAMBORN.
 H.R. 3768: Mr. WESTMORELAND and Mr. AUSTIN SCOTT of Georgia.
 H.R. 3783: Mr. WESTMORELAND, Mr. ROSS of Florida, Mr. WOMACK, Mr. SCHWEIKERT, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. OLSON, Mr. MARCHANT, Mr. WALBERG, Mr. POSEY, Mr. GOHMERT, Mr. YODER, Mr. GINGREY of Georgia, Mr. MILLER of Florida, Mr. POMPEO, Mr. JOHNSON of Ohio, Mr. COFFMAN of Colorado, Ms. BUERKLE, and Mr. TURNER of New York.
 H.R. 3802: Mr. JONES, Mr. RIBBLE, and Mr. LATTA.
 H.R. 3803: Mr. WESTMORELAND, Mr. BURTON of Indiana, Mr. DUFFY, Mr. BUCHANAN, Mr. CASSIDY, Mr. BRADY of Texas, Mr. GRAVES of Georgia, Mr. CHAFFETZ, Mr. HUNTER, Mr. LUETKEMEYER, Mr. MCHENRY, and Mr. CRAVAACK.
 H.R. 3805: Mr. LUETKEMEYER and Mr. HUNTER.
 H.R. 3811: Mr. MILLER of Florida, Mr. CANSECO, Mrs. MCMORRIS RODGERS, Mr. JOHNSON of Ohio, Mr. BARTLETT, and Mr. HUNTER.
 H.R. 3814: Mr. LUETKEMEYER and Mr. SCOTT of South Carolina.
 H.R. 3826: Mr. HOLT, Ms. SUTTON, Mr. POLIS, and Mr. MURPHY of Connecticut.
 H.R. 3828: Mr. BOUSTANY.
 H.R. 3842: Mr. SULLIVAN and Mr. GRAVES of Missouri.
 H.R. 3867: Mr. RIGELL, Mr. LANDRY, and Mr. DESJARLAIS.
 H.R. 3875: Mr. ANDREWS, Ms. BASS of California, Mr. DEFAZIO, Mr. FARR, Mr. GARAMENDI, Ms. HAHN, Mr. GEORGE MILLER of California, Mr. HONDA, Mr. JACKSON of Illinois, Ms. LEE of California, Mr. LEVIN, Mr. THOMPSON of California, Ms. WOOLSEY, and Ms. SUTTON.
 H.R. 3877: Mr. GRAVES of Georgia.
 H.R. 3886: Mr. JOHNSON of Illinois and Mrs. CHRISTENSEN.
 H. Res. 509: Mr. LUETKEMEYER.
 H. Res. 532: Mr. SENSENBRENNER, Mr. WALBERG, and Mr. ROONEY.

MONDAY, FEBRUARY 6, 2012 (16)

¶16.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 6, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶16.2 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶16.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. DENHAM, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶16.4 RECESS—12:08 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at

12 o'clock and 8 minutes p.m., until 2 p.m.

¶16.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. DENHAM, called the House to order.

¶16.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced he had examined and approved the Journal of the proceedings of Friday, February 3, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶16.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4856. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — European Larch Canker; Expansion of Regulated Areas [Docket No.: APHIS-2011-0029] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4857. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement: New Designated Country-Armenia (DFARS Case 2011-D057) [Docket No.: DARS-2011-0082-0002] (RIN: 0750-AH48) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4858. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Trade Agreements Thresholds (DFARS Case 2012-D005) (RIN: 0750-AH50) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4859. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items (DFARS Case 2011-D034) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4860. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4861. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Incorporation of Revised ASTM Standards that Provide Flexibility in the Use of Alternatives to Mercury-Containing Industrial Thermometers [EPA-HQ-OPPT-2010-0581; FRL-8880-4] (RIN: 2070-AJ51) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4862. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Placer County Air Pollution Control District [EPA-R09-OAR-2011-0536; FRL-9618-2] received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4863. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Imperial County Air Pollution Control District [EPA-R09-OAR-2011-0987; FRL-9617-4] received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4864. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Milford, Utah) Station KCLS(FM), Pioche, Nevada; Station KPLD(FM), Kanab, Utah [MB Docket No.: 10-64] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4865. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures [MD Docket No.: 09-52] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4866. A letter from the Deputy Bureau Chief, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Amending the Definition on Interconnected VoIP Service in Section 9.3 of the Commission's Rules; Wireless E911 Location Accuracy Requirements; E911 Requirements for IP-Enabled Service Providers [GN Docket No.: 11-117] [PS Docket No.: 07-114] [WC Docket No.: 05-196] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4867. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Brand-Name Specifications [FAC 2005-55; FAR Case 2005-037; Item III; Docket 2006-0020, Sequence 26] (RIN: 9000-AK55) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4868. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Time-and-Materials and Labor-Hour Contracts for Commercial Items [FAC 2005-55; FAR Case 2009-43; Item IV; Docket 2010-0100, Sequence 1] (RIN: 9000-AL74) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4869. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Public Access to the Federal Awardee Performance and Integrity Information System [FAC 2005-55; FAR Case 2010-016; Item V; Docket 2010-0016, Sequence 1] (RIN: 9000-AL94) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4870. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Updated Financial Accounting Standards Board Accounting References [FAC 2005-55; FAR Case 2010-005; Item VI; Docket 2010-0005, Sequence 1] (RIN: 9000-AM00) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4871. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Implementation of Information Technology Security Provision [GSAR Amendment 2011-03; GSAR Case 2011-G503;

(Change 52) Docket 2011-0012, Sequence 1] (RIN: 3090-AJ15) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4872. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-55; Item VII; Docket 2011-0078; Sequence 4] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4873. A letter from the Senior Program Manager, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30818; Amdt. No. 3457] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4874. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Harmonization of Airworthiness Standards for Transport Category Airplanes — Landing Gear Retracting Mechanisms and Pilot Compartment View [Docket No.: FAA-2010-1193; Amdt. No. 25-136] (RIN: 2120-AJ80) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4875. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Chemical Mixtures Containing Listed Forms of Phosphorus and Change in Application Process [Docket No.: DEA-228F] (RIN: 1117-AA66) received December 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

¶16.8 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. DENHAM, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, February 6, 2012.

Hon. JOHN A. BOEHNER,

The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 6, 2012 at 9:47 a.m.:

That the Senate passed S. 2038.

With best wishes, I am

Sincerely,

KAREN L. HAAS,

Clerk of the House.

¶16.9 MESSAGE FROM THE PRESIDENT— NATIONAL EMERGENCY WITH RESPECT TO IRAN

The SPEAKER pro tempore, Mr. DENHAM, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and poli-

cies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 et seq.) (CISADA), I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses. To take further additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. Finally, to take additional steps with respect to the threat posed by Iran, I issued Executive Order 13590 on November 20, 2011, to authorize the Secretary of State to impose sanctions on persons providing certain goods, services, technology, information, or support that contribute either to Iran's development of petroleum resources or to Iran's production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions.

I have determined that additional sanctions are warranted, particularly in light of the deceptive practices of the Central Bank of Iran and other Iranian banks to conceal transactions of sanctioned parties, the deficiencies in Iran's anti-money laundering regime and the weaknesses in its implementation, and the continuing and unacceptable risk posed to the international financial system by Iran's activities.

The order also implements section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (NDAA) by blocking the property and interests in property of Iranian financial institutions pursuant to IEEPA.

The order blocks the property and interests in property of the following:

The Government of Iran, including the Central Bank of Iran;

Any Iranian financial institution, including the Central Bank of Iran; and

Persons determined by the Secretary of the Treasury, in consultation with

the Secretary of State, to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The prohibitions of the order do not apply to property and interests in property of the Government of Iran that were blocked pursuant to Executive Order 12170 of November 14, 1979, and thereafter made subject to the transfer directives set forth in Executive Order 12281 of January 19, 1981, and implementing regulations thereunder. In addition, nothing in the order prohibits transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IIEPA as may be necessary to carry out the blocking-related purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I have also delegated certain functions and authorities conferred by section 1245 of the NDAA to the Secretary of the Treasury and the Secretary of State in consultation with other appropriate agencies as specified in the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, *February 5, 2012.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-85).

¶16.10 RECESS—2:15 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 15 minutes p.m., until approximately 4:30 p.m.

¶16.11 AFTER RECESS—4:34 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶16.12 COROLLA WILD HORSES PROTECTION ACT

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 306) to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. HASTINGS of Washington, and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶16.13 NEW YORK CITY NATURAL GAS SUPPLY ENHANCEMENT

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 2606) to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. HASTINGS of Washington, and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, *viva voce*

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Washington, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, February 7, 2012.

The point of no quorum was considered as withdrawn.

¶16.14 QUILUTE INDIAN TRIBE TSUNAMI AND FLOOD PROTECTION

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. HASTINGS of Washington, and Mr. SABLAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Washington, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶16.15 RECESS—5:03 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 3 minutes p.m., for a period of less than 15 minutes.

¶16.16 AFTER RECESS—5:16 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶16.17 PROVIDING FOR CONSIDERATION OF H.R. 1734

Mr. WEBSTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 537):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112-11 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. WEBSTER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶16.18 RECESS—5:38 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 38 minutes p.m., until approximately 6:30 p.m.

¶16.19 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶16.20 H. RES. 537—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 537) providing for consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 233
affirmative } Nays 155

¶16.21 [Roll No. 34]

YEAS—233

Adams	Chaffetz	Gibson
Aderholt	Coble	Gingrey (GA)
Akin	Coffman (CO)	Gohmert
Alexander	Cole	Goodlatte
Amash	Conaway	Gosar
Amodei	Costa	Gowdy
Austria	Cravaack	Granger
Bachmann	Crawford	Graves (GA)
Bachus	Crenshaw	Graves (MO)
Barletta	Culbertson	Griffin (AR)
Bartlett	Davis (KY)	Griffith (VA)
Barton (TX)	Denham	Grimm
Bass (NH)	Dent	Guinta
Benishek	DesJarlais	Guthrie
Berg	Diaz-Balart	Hall
Biggert	Dold	Hanna
Bilbray	Dreier	Harper
Bilirakis	Duffy	Harris
Bishop (UT)	Duncan (SC)	Hartzler
Black	Duncan (TN)	Hastings (WA)
Blackburn	Ellmers	Hayworth
Bono Mack	Emerson	Heck
Boren	Farenthold	Hensarling
Boustany	Fincher	Hergert
Brady (TX)	Fitzpatrick	Herrera Beutler
Brooks	Flake	Huelskamp
Broun (GA)	Fleischmann	Huizenga (MI)
Buchanan	Fleming	Hultgren
Bucshon	Flores	Hunter
Burgess	Forbes	Hurt
Burton (IN)	Fortenberry	Issa
Calvert	Fox	Jenkins
Camp	Franks (AZ)	Johnson (OH)
Canseco	Frelinghuysen	Johnson, Sam
Cantor	Galleghy	Jones
Capito	Gardner	Jordan
Carter	Garrett	Kelly
Cassidy	Gerlach	King (IA)
Chabot	Gibbs	King (NY)

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

NAYS—155

Ackerman	Farr	Olver
Altmire	Fattah	Pallone
Andrews	Frank (MA)	Pastor (AZ)
Baca	Fudge	Pelosi
Baldwin	Garamendi	Perlmutter
Barrow	Gonzalez	Peters
Bass (CA)	Green, Al	Peterson
Becerra	Green, Gene	Pingree (ME)
Berkley	Hahn	Polis
Berman	Hanabusa	Price (NC)
Bishop (GA)	Hastings (FL)	Quigley
Bishop (NY)	Heinrich	Rahall
Blumenauer	Higgins	Rangel
Boswell	Himes	Richardson
Brady (PA)	Hinchee	Richmond
Bralley (IA)	Hinojosa	Roybal-Allard
Brown (FL)	Hirono	Ruppersberger
Butterfield	Hochul	Rush
Capps	Holden	Ryan (OH)
Capuano	Holt	Sánchez, Linda T.
Carnahan	Honda	Sánchez, Loretta
Carney	Hoyer	Sarbanes
Carson (IN)	Israel	Schakowsky
Castor (FL)	Jackson (IL)	Schiff
Chandler	Jackson Lee	Schrader
Chu	(TX)	Schwartz
Cicilline	Johnson (GA)	Scott (VA)
Clarke (MI)	Johnson, E. B.	Scott, David
Clarke (NY)	Kaptur	Serrano
Clay	Keating	Sewell
Cleaver	Kildee	Sherman
Cohen	Kind	Slaughter
Connolly (VA)	Kucinich	Speier
Cooper	Langevin	Stark
Costello	Larsen (WA)	Sutton
Courtney	Larson (CT)	Thompson (CA)
Critz	Lee (CA)	Thompson (MS)
Crowley	Levin	Tierney
Cuellar	Lewis (GA)	Tonko
Cummings	Loebsack	Tsongas
Davis (CA)	Davis (CA)	Velázquez
Davis (IL)	Lujan	Visclosky
DeFazio	Maloney	Walz (MN)
Markey	Markley	Wasserman
Matsui	McCarthy (NY)	Schultz
McCollum	McCollum	Waters
McDermott	McDermott	Watt
McGovern	McGovern	Waxman
Michaud	Michaud	Welch
Miller, George	Miller, George	Wilson (FL)
Moore	Moore	Woolsey
Napolitano	Napolitano	

NOT VOTING—44

Bonner	Cardoza	Ellison
Buerkle	Clyburn	Engel
Campbell	Conyers	Filner

Grijalva	Meeks	Reyes
Gutierrez	Miller (NC)	Rohrabacher
Inslee	Moran	Rooney
Johnson (IL)	Nadler	Rothman (NJ)
Kingston	Neal	Shuler
Kinzinger (IL)	Owens	Sires
Lipinski	Pascrell	Smith (WA)
Lowey	Paul	Towns
Lynch	Payne	Van Hollen
Mack	Pence	Yarmuth
Marchant	Poe (TX)	Young (AK)
McNerney	Price (GA)	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶16.22 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 658) ‘‘An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.’’.

¶16.23 H.R. 1162—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had voted in the affirmative.

Mr. HASTINGS of Washington, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 381
affirmative } Nays 7

¶16.24 [Roll No. 35]

YEAS—381

Ackerman	Becerra	Brady (TX)
Adams	Benishek	Bralley (IA)
Aderholt	Berg	Brooks
Akin	Berkley	Broun (GA)
Alexander	Berman	Brown (FL)
Altmire	Biggert	Buchanan
Amodei	Bilbray	Bucshon
Andrews	Bilirakis	Burgess
Austria	Bishop (GA)	Burton (IN)
Baca	Bishop (NY)	Butterfield
Bachmann	Bishop (UT)	Calvert
Bachus	Black	Camp
Baldwin	Blackburn	Canseco
Barletta	Blumenauer	Cantor
Barrow	Bono Mack	Capito
Bartlett	Boren	Capps
Barton (TX)	Boswell	Capuano
Bass (CA)	Boustany	Carnahan
Bass (NH)	Brady (PA)	Carney

Carson (IN) Hastings (FL) Napolitano
 Carter Hastings (WA) Neugebauer
 Cassidy Hayworth Noem
 Castor (FL) Heck Nugent
 Chabot Heinrich Nunes
 Chaffetz Hensarling Nunnelee
 Chandler Herger Olson
 Chu Herrera Beutler Olver
 Cicilline Higgins Pallone
 Clarke (MI) Himes Pastor (AZ)
 Clarke (NY) Hinchey Paulsen
 Clay Hinojosa Pearce
 Cleaver Hirono Pelosi
 Coble Hochul Perlmutter
 Coffman (CO) Holden Peters
 Cohen Holt Peterson
 Cole Honda Petri
 Conaway Hoyer Pingree (ME)
 Connolly (VA) Huelskamp Pitts
 Cooper Hultgren Platts
 Costa Hunter Polis
 Costello Israel Pompeo
 Courtney Issa Posey
 Cravaack Jackson (IL) Price (GA)
 Crawford Jackson Lee Price (NC)
 Crenshaw (TX) Quayle
 Critz Jenkins Quigley
 Crowley Johnson (GA) Rahall
 Cuellar Johnson (OH) Rangel
 Culberson Johnson, E. B. Reed
 Cummings Johnson, Sam Rehberg
 Davis (CA) Jones Reichert
 Davis (IL) Jordan Renacci
 Davis (KY) Kaptur Ribble
 DeFazio Keating Richardson
 DeGette Kelly Richmond
 DeLauro Kildee Rigell
 Denham Kind Rivera
 Dent King (IA) Roby
 DesJarlais King (NY) Roe (TN)
 Deutch Kissell Rogers (AL)
 Diaz-Balart Kline Rogers (KY)
 Dicks Kucinich Rogers (MI)
 Dingell Labrador Rokita
 Doggett Lamborn Ros-Lehtinen
 Dold Lance Roskam
 Donnelly (IN) Landry Ross (AR)
 Doyle Langevin Ross (FL)
 Dreier Lankford Royce
 Duffy Larsen (WA) Runyan
 Duncan (SC) Larson (CT) Ruppertsberger
 Duncan (TN) Latham Rush
 Edwards LaTourette Ryan (OH)
 Ellmers Latta Ryan (WI)
 Emerson Lee (CA) Sanchez, Linda
 Eshoo Levin T.
 Farenthold Lewis (CA) Sanchez, Loretta
 Farr Lewis (GA) Sarbanes
 Fattah LoBiondo Scalise
 Fincher Loeb sack Schakowsky
 Fitzpatrick Lofgren, Zoe Schiff
 Flake Long Schilling
 Fleischmann Lucas Schmidt
 Fleming Luetkemeyer Schock
 Flores Luján Schrader
 Forbes Lummis Schwartz
 Fortenberry Lungren, Daniel Schweikert
 Foxx E. Scott (SC)
 Frank (MA) Maloney Scott (VA)
 Franks (AZ) Manullo Scott, Austin
 Frelinghuysen Marino Scott, David
 Fudge Markey Sensenbrenner
 Gallegly Matheson Serrano
 Garamendi Matsui Sessions
 Gardner McCarthy (CA) Sewell
 Garrett McCarthy (NY) Sherman
 Gerlach McCaul Shimkus
 Gibbs McClintock Shuster
 Gibson McCollum Simpson
 Gingrey (GA) McCotter Slaughter
 Gohmert McDermott Smith (NE)
 Gonzalez McGovern Smith (NJ)
 Gosar McHenry Smith (TX)
 Gowdy McIntyre Southerland
 Granger McKeon Speier
 Graves (GA) McKinley Stark
 Graves (MO) McMorris Stearns
 Green, Al Rodgers Stivers
 Green, Gene Meehan Stutzman
 Griffin (AR) Mica Sullivan
 Grimm Michaud Sutton
 Guinta Miller (FL) Terry
 Guthrie Miller (MI) Thompson (CA)
 Hahn Miller, Gary Thompson (MS)
 Hall Miller, George Thompson (PA)
 Hanabusa Moore Thornberry
 Hanna Mulvaney Tiberi
 Harper Murphy (CT) Tierney
 Harris Murphy (PA) Tipton
 Hartzler Myrick Tonko

Tsongas Wasserman
 Turner (NY) Schultz
 Turner (OH) Waters
 Upton Watt
 Velázquez Waxman
 Visclosky Webster
 Walberg Welch
 Walden West
 Walsh (IL) Westmoreland
 Walz (MN) Whitfield

NAYS—7

Amash Huizenga (MI) Woodall
 Goodlatte Hurt
 Griffith (VA) Palazzo

NOT VOTING—44

Bonner Lipinski Pence
 Buerkle Lowey Poe (TX)
 Campbell Lynch Reyes
 Cardoza Mack Rohrabacher
 Clyburn Marchant Rooney
 Conyers McNeerney Rothman (NJ)
 Ellison Meeks Roybal-Allard
 Engel Miller (NC) Shuler
 Filner Moran Sires
 Grijalva Nadler Smith (WA)
 Gutierrez Neal Towns
 Inslee Owens Van Hollen
 Johnson (IL) Pascrell Yarmuth
 Kingston Paul Young (AK)
 Kinzinger (IL) Payne

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶16.25 PROVIDING FOR CONSIDERATION OF H.R. 3581

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-388) the resolution (H. Res. 539) providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶16.26 CIVILIAN PROPERTY REALIGNMENT

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to House Resolution 537 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, by unanimous consent, designated Mr. WOODALL as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. AMODEI, assumed the Chair.

When Mr. WOODALL, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶16.27 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on February 6, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 588. An Act to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

¶16.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. BUERKLE, for today;
 To Mr. CLYBURN, for today;
 To Mr. ENGEL, for today;
 To Mr. LYNCH, for today;
 To Mr. POE of Texas, for today;
 To Mr. REYES, for today; and
 To Mr. VAN HOLLEN, for today.
 And then,

¶16.29 ADJOURNMENT

On motion of Mrs. CHRISTENSEN, at 8 o'clock and 55 minutes p.m., the House adjourned.

¶16.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 539. Resolution providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes (Rept. 112-388). Referred to the House Calendar.

¶16.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. NORTON:

H.R. 3902. A bill to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia; to the Committee on Oversight and Government Reform.

By Ms. BALDWIN:

H.R. 3903. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 3904. A bill to modify the commencement date of the active force drawdown period used for the reimplementation of the temporary early retirement authority granted to the Secretary of Defense as an additional force management tool with which to effect the drawdown of military forces; to the Committee on Armed Services.

By Mr. BACA:

H.R. 3905. A bill to authorize the Secretary of Agriculture to award grants for the establishment of veterans gardens that are operated by veterans and designed to produce food that can be sold to individuals, schools, and restaurants; to the Committee on Agriculture.

By Mr. BISHOP of New York:

H.R. 3906. A bill to amend the Atlantic Striped Bass Conservation Act to allow rec-

reational fishing for Atlantic Striped Bass in the Block Island Sound transit zone; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 3907. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating certain lands along the northern coast of Maui, Hawaii, as a unit of the National Park System; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 3908. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Ka'u Coast on the island of Hawaii as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. MARINO:

H.R. 3909. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. GARAMENDI, Ms. ZOE LOFGREN of California, Ms. ESHOO, Ms. SPEIER, and Mr. STARK):

H.R. 3910. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes; to the Committee on Natural Resources.

By Mr. RIBBLE (for himself, Mr. RIGELL, and Mr. SCOTT of South Carolina):

H.J. Res. 101. A joint resolution proposing an amendment to the Constitution of the United States providing for Representatives to be chosen every four years, and limiting the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

¶16.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. HURT and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 104: Mr. KELLY.

H.R. 126: Mr. CRAVAACK.

H.R. 178: Ms. HAHN.

H.R. 191: Ms. HAHN.

H.R. 192: Mr. ROTHMAN of New Jersey and Mrs. MALONEY.

H.R. 284: Ms. HAHN.

H.R. 287: Ms. HAHN.

H.R. 374: Mr. WILSON of South Carolina, Mr. DESJARLAIS, Mr. MCHENRY, and Mr. WEBSTER.

H.R. 376: Mr. OWENS.

H.R. 476: Mr. BUCHANAN.

H.R. 494: Mr. DOYLE and Mr. TOWNS.

H.R. 511: Mr. HASTINGS of Florida and Ms. WILSON of Florida.

H.R. 615: Mr. YOUNG of Indiana, Mr. GIBBS, and Mr. FORBES.

H.R. 718: Mr. ELLISON.

H.R. 733: Mr. HALL and Mrs. CHRISTENSEN.

H.R. 870: Mr. KUCINICH.

H.R. 876: Ms. ZOE LOFGREN of California.

H.R. 890: Mr. GUTTERREZ.

H.R. 965: Ms. HAHN.

H.R. 1041: Mr. MEEHAN.

H.R. 1090: Mrs. LOWEY.

H.R. 1148: Mr. BARTLETT and Mr. FLEISCHMANN.

H.R. 1179: Mr. TURNER of New York, Mr. WHITFIELD, Mr. MEEHAN, Mr. POSEY, Mr. BRADY of Texas, Mrs. MILLER of Michigan, Mr. MCHENRY, Mr. ROYCE, Mr. GINGREY of Georgia, Mr. FINCHER, Mr. MICA, Mr. THOMP-

SON of Pennsylvania, Mr. BOUSTANY, Mr. ROGERS of Alabama, and Mr. COLE.

H.R. 1195: Ms. HAHN.

H.R. 1259: Mr. DIAZ-BALART, Mr. COLE, Mr. GOSAR, and Mr. FORBES.

H.R. 1385: Mr. FORBES.

H.R. 1402: Ms. HAHN.

H.R. 1672: Mrs. DAVIS of California and Mr. LUETKEMEYER.

H.R. 1739: Mr. LOBIONDO.

H.R. 1744: Mr. CALVERT.

H.R. 1777: Mr. FLAKE, Mr. LAMBORN, and Mr. GOWDY.

H.R. 1873: Mr. CLEAVER.

H.R. 1980: Mr. DUNCAN of South Carolina.

H.R. 1997: Mr. MICHAUD.

H.R. 2106: Mr. BONNER, Mr. SCHOCK, and Mr. TURNER of New York.

H.R. 2131: Mr. WILSON of South Carolina.

H.R. 2206: Mr. RIGELL and Mr. RIBBLE.

H.R. 2288: Ms. JENKINS.

H.R. 2295: Mr. UPTON.

H.R. 2367: Mr. COFFMAN of Colorado.

H.R. 2376: Mr. ELLISON.

H.R. 2487: Mr. BROUN of Georgia.

H.R. 2492: Mr. FORBES.

H.R. 2499: Mr. TOWNS.

H.R. 2513: Ms. PINGREE of Maine.

H.R. 2529: Mr. ROE of Tennessee.

H.R. 2569: Mr. RIVERA.

H.R. 2595: Mr. CLAY.

H.R. 2600: Mr. CICILLINE.

H.R. 2621: Mr. HEINRICH.

H.R. 2679: Mr. DOYLE.

H.R. 2738: Ms. SCHAKOWSKY.

H.R. 2746: Mrs. CAPPS and Mr. MORAN.

H.R. 2772: Mrs. ADAMS.

H.R. 2853: Mr. JONES, Ms. HAHN, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Ms. RICHARDSON, Mr. BOSWELL, and Mr. CARSON of Indiana.

H.R. 2898: Mr. STIVERS and Mr. ROSS of Florida.

H.R. 2955: Mr. KUCINICH and Mr. COBLE.

H.R. 2969: Mr. MORAN and Mr. RIVERA.

H.R. 3053: Mr. TOWNS, Ms. RICHARDSON, Mr. RUSH, and Mr. HONDA.

H.R. 3059: Mr. BRADY of Pennsylvania.

H.R. 3074: Mr. OWENS.

H.R. 3187: Mrs. NOEM, Mr. GRIFFIN of Arkansas, Mr. WHITFIELD, and Mrs. CAPITO.

H.R. 3200: Mr. REYES.

H.R. 3264: Mr. ROSS of Florida.

H.R. 3269: Ms. HOCHUL and Mr. FORBES.

H.R. 3286: Mr. LIPINSKI.

H.R. 3313: Mr. FARR.

H.R. 3314: Ms. SCHAKOWSKY.

H.R. 3324: Mr. DOYLE.

H.R. 3336: Mr. HOLDEN.

H.R. 3364: Ms. ZOE LOFGREN of California.

H.R. 3425: Ms. SCHAKOWSKY.

H.R. 3441: Mr. WOODALL.

H.R. 3442: Mr. GRIJALVA and Mr. PASTOR of Arizona.

H.R. 3443: Mr. GINGREY of Georgia.

H.R. 3485: Mr. ROTHMAN of New Jersey.

H.R. 3489: Mr. PLATTS.

H.R. 3497: Mr. MORAN.

H.R. 3510: Mr. COBLE.

H.R. 3511: Mr. ROE of Tennessee.

H.R. 3526: Mr. GERLACH, Mr. REYES, Ms. BROWN of Florida, Ms. SPEIER, Mr. ROSS of Arkansas, Mrs. MALONEY, Ms. NORTON, Mr. OLVER, Mr. MORAN, Mr. BOSWELL, Mr. ENGEL, Mr. CLARKE of Michigan, Ms. HAHN, Ms. WATERS, Mr. CUMMINGS, Mr. MARKEY, Mr. GONZALEZ, Ms. LINDA T. SANCHEZ of California, Mr. JACKSON of Illinois, and Ms. SLAUGHTER.

H.R. 3528: Mr. KUCINICH.

H.R. 3548: Mrs. MILLER of Michigan, Mr. BACHUS, Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. HARPER, Mr. MACK, Mr. CASIDY, Mrs. BONO MACK, Mr. CRENSHAW, Mr. CHAFFETZ, Mr. NUNES, Mr. SIMPSON, Mr. GERLACH, Mr. SENSENBRENNER, Mr. GRAVES of Missouri, Mr. GRIFFIN of Arkansas, Mr. DENHAM, Mr. CRAWFORD, Mr. AUSTIN SCOTT of Georgia, Mr. MCCAUL, Mr. LUCAS, Mr.

BROOKS, Mr. HURT, Mr. JORDAN, Mr. ROKITA, Mr. MULVANEY, Mr. GOWDY and Mr. YODER.

H.R. 3551: Mr. GRAVES of Georgia.

H.R. 3579: Mr. WESTMORELAND.

H.R. 3591: Mr. WELCH and Mr. FILNER.

H.R. 3596: Mr. FARR, Mr. LIPINSKI, and Mr. SCHIFF.

H.R. 3601: Mr. PEARCE.

H.R. 3606: Mr. HURT, Mr. WOMACK, and Mr. ROSS of Arkansas.

H.R. 3612: Ms. HAHN and Mr. HINCHEY.

H.R. 3615: Mr. FARENTHOLD.

H.R. 3627: Mr. MCGOVERN, Ms. WASSERMAN SCHULTZ, Ms. WOOLSEY, and Mr. DESJARLAIS.

H.R. 3637: Mr. SOUTHERLAND.

H.R. 3643: Mr. GRIFFIN of Arkansas and Mr. SOUTHERLAND.

H.R. 3676: Mr. TIPTON and Ms. JENKINS.

H.R. 3701: Mr. RANGEL, Ms. NORTON, Mr. COHEN, and Mr. CONYERS.

H.R. 3702: Ms. ESHOO.

H.R. 3704: Mrs. MCCARTHY of New York.

H.R. 3742: Mr. DANIEL E. LUNGREN of California.

H.R. 3767: Mr. CARTER.

H.R. 3803: Mr. STUTZMAN, Mr. BARTLETT, Mr. KING of Iowa, Mr. RAHALL, Mr. SCHOCK, Mr. DUNCAN of South Carolina, Mr. BENISHEK, Mr. FORBES, and Mr. ALEXANDER.

H.R. 3811: Mr. COBLE, Mr. CALVERT, Mr. LANKFORD, and Mr. BONNER.

H.R. 3814: Mr. FORBES.

H.R. 3821: Mr. RANGEL.

H.R. 3827: Mr. KISSELL.

H.R. 3828: Mr. PEARCE and Mr. FORBES.

H.R. 3842: Mr. COBLE and Mr. FORBES.

H.R. 3855: Mr. HULTGREN.

H.R. 3858: Mr. PALLONE, Mr. HOLDEN, and Mr. ISRAEL.

H.R. 3859: Mr. ROSS of Arkansas, and Mrs. EMERSON.

H.R. 3862: Mr. GALLEGLEY.

H.R. 3867: Mr. ROKITA.

H.R. 3877: Mr. BURTON of Indiana and Mr. RIBBLE.

H.R. 3884: Ms. NORTON, Mr. JACKSON of Illinois, Ms. SPEIER, Mr. HINCHEY, Mr. FILNER, Mr. SARBANES, Mr. ENGEL, Mr. SMITH of Washington, Ms. WOOLSEY, Ms. SLAUGHTER, Ms. CHU, Mr. AL GREEN of Texas, Mr. GARAMENDI, Mr. TOWNS, Ms. HAHN, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Ms. RICHARDSON, Mr. BOSWELL, and Mr. CARSON of Indiana.

H.R. 3895: Mr. BILIRAKIS.

H.J. Res. 47: Mrs. CAPPS.

H.J. Res. 81: Mr. LANGEVIN.

H. Con. Res. 98: Mr. ALEXANDER.

H. Res. 111: Mr. OLSON.

H. Res. 494: Mr. WALSH of Illinois.

H. Res. 503: Mr. AUSTRIA.

H. Res. 509: Mr. POSEY.

H. Res. 523: Ms. ROYBAL-ALLARD and Mr. PETRI.

H. Res. 532: Mrs. HARTZLER, Mr. SCHWEIKERT, and Mrs. ELLMERS.

TUESDAY, FEBRUARY 7, 2012 (17)

¶17.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. YOUNG of Indiana, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

February 7, 2012.

I hereby appoint the Honorable TODD C. YOUNG to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members

were recognized for morning-hour debate.

¶17.2 RECESS—10:24 A.M.

The SPEAKER pro tempore, Mr. YOUNG of Indiana, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 24 minutes a.m., until noon.

¶17.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶17.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WOMACK, announced he had examined and approved the Journal of the proceedings of Monday, February 6, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶17.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4876. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Real-Time Public Reporting of Swap Transaction Data (RIN: 3038-AD08) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4877. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus amyloliquefaciens* strain D747; Exemption from the Requirement of a Tolerance; Technical Correction [EPA-HQ-OPP-2010-0944; FRL-9334-3] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4878. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-B-1235] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4879. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Net Worth Standard for Accredited Investors [Release Nos.: 33-9287; IA-3341; IC-29891; File No.: S7-04-11] (RIN: 3235-AK90) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4880. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 Annual Fine Particulate Standard for the Philadelphia-Wilmington Nonattainment Area [EPA-R03-OAR-2011-0714; FRL-9620-3] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4881. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Missouri; Reasonably Available Control Technology (RACT) for the 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) [EPA-R07-OAR-2011-0859; FRL-9621-1] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4882. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Clean Vehicles Program [EPA-R03-OAR-2011-0605; FRL-9620-2] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4883. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Great Lakes Steamship Repower Incentive Program [EPA-HQ-OAR-2011-0928; FRL-9618-9] (RIN: 2060-XXXX) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4884. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Guidance for Fuel Cycle Facility Change Processes [Regulatory Guide 3.74] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4885. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Guidance on Making Changes to Emergency Plans for Nuclear Power Reactors [Regulatory Guide 1.219] received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4886. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's report on competitive sourcing efforts for fiscal year 2011; to the Committee on Oversight and Government Reform.

4887. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XA842) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4888. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component of the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA886) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4889. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Ground Fish Fishery; Biennial; Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BB65) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4890. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2012 Specifications and Management Measures and Secretarial Amendment 1 [Docket No.: 110908575-1687-03] (RIN: 0648-BB27) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4891. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Pilot, Flight Instructor, and Pilot School Certification; Technical Amendment [Docket No.: FAA-2006-26661; Amdt. No. 61-129] (RIN: 2120-

AI86) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4892. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Authorization to Use Lower Than Standard Takeoff, Approach and Landing Minimums at Military and Foreign Airports [Docket No.: FAA-2012-0007; Amdt. No. 135-126] (RIN: 2120-AK20) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4893. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacles Departure Procedures; Miscellaneous Amendments [Docket No.: 30817; Amdt. No. 3456] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4894. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30811; Amdt. No. 3451] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4895. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and Amendment of Class E Airspace; Los Angeles, CA [Docket No.: FAA-2011-0496; Airspace Docket No. 11-AWP-6] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4896. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Blythe, CA [Docket No.: FAA-2011-0585; Airspace Docket No. 11-AWP-9] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4897. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Umiat, AK [Docket No.: FAA-2011-0750; Airspace Docket No. 11-AAL-08] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4898. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Fayette, AL [Docket No.: FAA-2011-0559; Airspace Docket No. 11-ASO-23] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4899. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Tatitlek, AK [Docket No.: FAA-2011-0757; Airspace Docket No. 11-AAL-10] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4900. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class B Airspace; Seattle, WA [Docket No.: FAA-2011-0232; Airspace Docket No. 11-AWA-3] (RIN: 2120-AA66) received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4901. A letter from the Director, Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs, transmitting the Department's "Major" final rule — Vocational Rehabilitation and Employment Program — Changes to Subsis-

ence Allowance (RIN: 2900-AO10) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4902. A letter from the Director, National Legislative Commission, American Legion, transmitting the financial statement and independent audit of The American Legion, proceedings of the 93rd Annual National Convention of the American Legion, held in Minneapolis, Minnesota from August 26 — September 1, 2011, and a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 112—86); to the Committee on Veterans' Affairs and ordered to be printed.

4903. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Mailing of Tickets Under the Ticket to Work Program [Docket No.: SSA-2011-0034] (RIN: 0960-AH34) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4904. A letter from the General Counsel, Department of Commerce, transmitting draft legislation, entitled "Port State Measures Agreement Act of 2011"; jointly to the Committees on Transportation and Infrastructure, Foreign Affairs, Natural Resources, the Judiciary, Ways and Means, and Armed Services.

¶17.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOMACK, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 7, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 7, 2012 at 10:40 a.m.:

That the Senate passed with an amendment H.R. 347.

That the Senate passed S. 1794.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶17.7 PROVIDING FOR CONSIDERATION OF H.R. 3581

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 539):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Budget now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the na-

ture of a substitute consisting of the text of Rules Committee Print 112-13. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. WOODALL, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATHAM, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATHAM, pursuant to clause 8 of rule XX, announced that further proceedings on the resolution were postponed.

¶17.8 CIVILIAN PROPERTY REALIGNMENT

The SPEAKER pro tempore, Mr. LATHAM, pursuant to House Resolution 537 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes.

Mr. WOMACK, Acting Chairman, assumed the chair; and after some time spent therein,

¶17.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in House Report 112-385, submitted by Mr. CONNOLLY of Virginia:

Page 28, line 15, insert after "the Administrator." the following: "The Administrator

may also exclude property from any such transaction that the Administrator has determined is suitable for assignment to the Secretary of the Interior for transfer to a State, a political subdivision or instrumentality of a State, or a municipality for use as a public park or recreation area under section 550(e) of title 40, United States Code. In making such determination, the Administrator may consider the appraised value of the property and the highest and best use."

It was decided in the { Yeas 191
negative } Nays 230

¶17.10 [Roll No. 36] AYES—191

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

NOES—230

Adams	Biggart	Buerkle
Aderholt	Bilbray	Burgess
Akin	Bilirakis	Burton (IN)
Alexander	Bishop (UT)	Calvert
Amash	Black	Camp
Amodei	Blackburn	Campbell
Austria	Bonner	Canseco
Bachmann	Bono Mack	Cantor
Bachus	Boustany	Capito
Barletta	Brady (TX)	Carter
Bartlett	Brooks	Cassidy
Barton (TX)	Broun (GA)	Chabot
Benishak	Buchanan	Coble
Berg	Bucshon	Coffman (CO)

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

NOT VOTING—11

Carnahan	McNerney	Ryan (OH)
Cole	Neal	Sires
Ellison	Paul	Stutzman
Lipinski	Payne	

So the amendment was not agreed to. The SPEAKER resumed the Chair. When Mr. WOMACK, Acting Chairman, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 28, after line 15, insert the following:
(e) MCKINNEY-VENTO HOMELESS ASSISTANCE ACT REVIEW.—Upon the enactment of a joint resolution described in section 14(c) and for not more than 90 days after such enactment, the Secretary of Housing and Urban Development shall apply section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411) to the extent practicable, to any buildings identified for disposal in the approved recommendations that are not more than 25,000 square feet or valued at less than \$5,000,000.

Page 35, after line 14, insert the following:

SEC. 22. SENSE OF CONGRESS AND REPORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Civilian Property Realignment Commission, should take steps to provide assistance to small, minority, and woman-owned businesses seeking to be awarded contracts to redevelop federal property;

(2) the Civilian Property Realignment Commission and other appropriate Federal officials should conduct a public information campaign to advise small, minority, and women-owned business firms with respect to contracts for the sale or redevelopment of Federal property; and

(3) firms that are awarded contracts pertaining to the redevelopment of Federal property should, to the maximum extent practicable, seek to award subcontracts for such contracts to small, minority, and women-owned business firms.

(b) PROGRESS REPORTS.—Every 6 months, the Civilian Property Realignment Commission shall submit to the appropriate committees of Congress and the President, a report regarding contracting. Each such report shall indicate, as of the date of the submission of such report, the size of all business firms awarded contracts by the Commission and the size of all business firms awarded subcontracts under such contracts

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

SEC. 22. CONSIDERATION OF LIFE-CYCLE COST REQUIRED.

Section 3305 of title 40, United States Code, is amended by adding at the end the following new subsection:

“(d) CONSIDERATION OF LIFE-CYCLE COST REQUIRED.—

“(1) REQUIREMENT.—The Administrator shall ensure that the life-cycle cost of a public building is considered in the construction or lease of a public building described in paragraph (2).

“(2) FEDERAL BUILDINGS SUBJECT TO REQUIREMENT.—A public building is subject to the requirement under paragraph (1) if—

“(A) construction or lease of the building begins after the date of the enactment of the Civilian Property Realignment Act;

“(B) the estimated construction costs of the building exceed \$1,000,000;

“(C) in the case of a lease, the square footage of the property is more than 25,000 square feet; and

“(D) Federal funding comprises more than 50 percent of the funding for the estimated construction or lease costs of the building.

“(3) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) LIFE-CYCLE COST.—The term ‘life-cycle cost’ means the sum of the following costs, as estimated for the lifetime of a building:

“(i) Investment costs.

“(ii) Capital costs.

“(iii) Installation costs.

“(iv) Energy costs.

“(v) Operating costs.

“(vi) Maintenance costs.

“(vii) Replacement costs.

“(B) LIFETIME OF A BUILDING.—The term ‘lifetime of a building’ means, with respect to a building, the greater of—

“(i) the period of time during which the building is projected to be utilized; or

“(ii) 50 years.”

SEC. 23. LONG-TERM SAVINGS THROUGH LIFE-CYCLE COST ANALYSIS.

Section 3307(b) of title 40, United States Code, as amended by section 19, is further amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(9) with respect to any prospectus for the construction, alteration, or acquisition of any building or space to be leased, a statement by the Administrator describing the use of life-cycle cost analysis and any increased design, construction, or acquisition costs identified by such analysis that are offset by lower long-term costs.”

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The SPEAKER, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill were postponed.

¶17.11 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 1, 2012.

Hon. JOHN BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Steve Trout, Director of Elections, Office of the Secretary of State, State of Oregon, indicating that, according to the unofficial returns of the Special Election held January 31, 2012, the Honorable Suzanne Bonamici was elected Representative to Congress for the First Congressional District, State of Oregon.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

ELECTIONS DIVISION,
Salem, Oregon, February 1, 2012.

Re: Representative in Congress, First Congressional District in Oregon.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you the unofficial results of the Special Election held on Tuesday, January 31, 2012, for Representative in Congress from the First Congressional District of Oregon, show that Suzanne Bonamici received 111,570 or 53.82% of the total number of votes cast for that office.

It would appear from these unofficial results that Suzanne Bonamici was elected as Representative in Congress from the First Congressional District in Oregon.

To the best of our knowledge and belief at this time, there is no contest to the election.

As soon as the official results are certified on March 1, 2012, this office will provide you with an official Certificate of Election as required by law.

Sincerely,

STEVE TROUT,
Director of Elections.

¶17.12 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. DEFAZIO, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Ms. Bonamici, 1st District of the State of Oregon, has not been received by the Clerk of the House of Representatives, Ms. BONAMICI be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to her election.

Ms. BONAMICI then presented herself at the bar of the House and took the oath of office prescribed by law.

¶17.13 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the administration of the oath to Representative BONAMICI, the whole number of the House is adjusted to 434.

¶17.14 CIVILIAN PROPERTY REALIGNMENT

The SPEAKER, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 1734) to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of federal buildings and other civilian real property, and for other purposes.

Mr. MICHAUD moved to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the bill back to the House forthwith with the following amendment:

Page 4, after line 21, insert the following:

(x) Properties owned by the Department of Veterans Affairs or other properties used in connection with providing services for veterans, including hospitals, clinics, and facilities that provide job training, post traumatic stress disorder treatment, housing assistance, homeless services, and rehabilitative care.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the nays had it.

Mr. MICHAUD demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 186
negative } Nays 238

¶17.15 [Roll No. 37]

AYES—186

Ackerman	Chandler	Dingell
Altmire	Chu	Doggett
Andrews	Cicilline	Donnelly (IN)
Baca	Clarke (MI)	Doyle
Baldwin	Clarke (NY)	Edwards
Barrow	Clay	Engel
Bass (CA)	Cleaver	Eshoo
Becerra	Clyburn	Farr
Berkley	Cohen	Fattah
Berman	Connolly (VA)	Filner
Bishop (GA)	Conyers	Frank (MA)
Bishop (NY)	Cooper	Fudge
Blumenauer	Costa	Garamendi
Bonamici	Costello	Gonzalez
Boren	Courtney	Green, Al
Boswell	Critz	Green, Gene
Brady (PA)	Crowley	Grijalva
Bralley (IA)	Cuellar	Gutierrez
Brown (FL)	Cummings	Hahn
Butterfield	Davis (CA)	Hanabusa
Capps	Davis (IL)	Hastings (FL)
Capuano	DeFazio	Heinrich
Cardoza	DeGette	Higgins
Carney	DeLauro	Himes
Carson (IN)	Deutch	Hinchev
Castor (FL)	Dicks	Hinojosa

Hirono	McCollum	Sanchez, Loretta
Hochul	McDermott	Sarbanes
Holden	McGovern	Schakowsky
Holt	McIntyre	Schiff
Honda	Meeks	Schrader
Hoyer	Michaud	Schwartz
Inslee	Miller (NC)	Scott (VA)
Israel	Miller, George	Scott, David
Jackson (IL)	Moore	Serrano
Jackson Lee (TX)	Moran	Sewell
Johnson (GA)	Murphy (CT)	Sherman
Johnson, E. B.	Nadler	Shuler
Jones	Napolitano	Slaughter
Kaptur	Olver	Smith (WA)
Keating	Owens	Speier
Kildee	Pallone	Stark
Kind	Pascrell	Sutton
Kissell	Pastor (AZ)	Thompson (CA)
Kucinich	Pelosi	Thompson (MS)
Langevin	Perlmutter	Tierney
Larsen (WA)	Peters	Tonko
Larson (CT)	Peterson	Towns
Lee (CA)	Pingree (ME)	Tsongas
Levin	Polis	Van Hollen
Lewis (GA)	Price (NC)	Velázquez
Lipinski	Quigley	Visclosky
Loeb	Rahall	Walz (MN)
Loeb	Rangel	Wasserman
Lofgren, Zoe	Reyes	Schultz
Lowey	Richardson	Waters
Lujan	Richmond	Watt
Lynch	Ross (AR)	Waxman
Maloney	Rothman (NJ)	Welch
Markey	Roybal-Allard	Wilson (FL)
Matheson	Ruppersberger	Woolsey
Matsui	Rush	Yarmuth
McCarthy (NY)	Ryan (OH)	

NOES—238

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

Roe (TN)	Scott (SC)	Turner (NY)
Rogers (AL)	Scott, Austin	Turner (OH)
Rogers (KY)	Sensenbrenner	Upton
Rogers (MI)	Sessions	Walberg
Rohrabacher	Shimkus	Walden
Rokita	Shuster	Walsh (IL)
Rooney	Simpson	Webster
Ros-Lehtinen	Stivers	West
Roskam	Smith (NE)	Westmoreland
Ross (FL)	Smith (NJ)	Whitfield
Royce	Smith (TX)	Wilson (SC)
Runyan	Southerland	Wittman
Ryan (WI)	Stearns	Wolf
Sánchez, Linda	Stutzman	Womack
T.	Sullivan	Yoder
Scalise	Terry	Young (AK)
Schilling	Thompson (PA)	Young (FL)
Schmidt	Thornberry	Young (IN)
Schock	Tiberi	
Schweikert	Tipton	

NOT VOTING—9

Carnahan	McNerney	Payne
Ellison	Neal	Sires
Hurt	Paul	Woodall

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*, Will the House pass said bill?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. CONNOLLY of Virginia, demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 259
affirmative } Nays 164

¶17.16 [Roll No. 38]

AYES—259

Adams	Cooper	Hall
Aderholt	Costa	Harper
Akin	Cravaack	Harris
Alexander	Crawford	Hartzler
Amash	Crenshaw	Hastings (WA)
Amodei	Culberson	Hayworth
Austria	Davis (KY)	Heck
Bachmann	Denham	Hensarling
Bachus	Dent	Herger
Barletta	DesJarlais	Herrera Beutler
Barrow	Diaz-Balart	Himes
Gosar	Dold	Hochul
Bartlett	Donnelly (IN)	Huelskamp
Barton (TX)	Dreier	Huizenga (MI)
Bass (NH)	Duffy	Hultgren
Benishek	Duncan (SC)	Hunter
Berg	Duncan (TN)	Hurt
Berkley	Ellmers	Issa
Biggart	Emerson	Jenkins
Bilbray	Farenthold	Johnson (IL)
Bilirakis	Fincher	Johnson (OH)
Bishop (NY)	Fincher	Johnson, Sam
Bishop (UT)	Fitzpatrick	Jones
Black	Flake	Jordan
Blackburn	Fleischmann	Kelly
Bonner	Fleming	King (IA)
Bono Mack	Flores	King (NY)
Boren	Forbes	Kingston
Boustany	Fortenberry	Kinzinger (IL)
Brady (TX)	Fox	Kissell
Brooks	Franks (AZ)	Kline
Buchanan	Frelinghuysen	Labrador
Bucshon	Gallely	Lamborn
Buerkle	Gardner	Lance
Burgess	Garrett	Landry
Burton (IN)	Gerlach	Lankford
Black	Gibbs	Larsen (WA)
Blackburn	Gibson	Latham
Bonner	Gingrey (GA)	LaTourette
Bono Mack	Gohmert	Latta
Boren	Goodlatte	Lewis (CA)
Boustany	Gosar	LoBiondo
Brady (TX)	Gowdy	Long
Brooks	Granger	Lucas
Buchanan	Graves (GA)	Luetkemeyer
Bucshon	Graves (MO)	Lummis
Buerkle	Griffin (AR)	Lungren, Daniel
Burgess	Griffin (VA)	E.
Burton (IN)	Grimm	King
Black	Guinta	Mack
Blackburn	Guthrie	Maloney

Table with 3 columns: Names (Manzullo, Marchant, Marino, Matheson, etc.), Names (Platts, Poe (TX), Polis, etc.), Names (Sensenbrenner, Sessions, Shimkus, etc.)

Table with 3 columns: Names (Bass (CA), Carnahan, Ellison, etc.), Names (Hirono, McNeerney, Neal, etc.), Names (Payne, Sires)

So the bill was passed. A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

17.17 H. RES. 539—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 539) providing for consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes.

The question being put, Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 239 affirmative } Nays 181

17.18 [Roll No. 39]

YEAS—239

Table with 3 columns: Names (Adams, Aderholt, Akin, etc.), Names (Dreier, Duffy, Duncan, etc.), Names (Jordan, Kelly, King (IA), etc.)

Table with 3 columns: Names (Platts, Poe (TX), Pompeo, etc.), Names (Runyan, Ryan (WI), Scalise, etc.), Names (Thompson (PA), Thornberry, Tiberi, etc.)

NAYS—181

Table with 3 columns: Names (Ackerman, Andrews, Baca, etc.), Names (Fudge, Garamendi, Gonzalez, etc.), Names (Neal, Olver, Owens, etc.)

NOT VOTING—13

Table with 3 columns: Names (Connolly (VA), Ellison, Ellmers, etc.), Names (Murphy (CT), Paul, Payne, etc.), Names (Smith (NE), Sutton, Young (AK))

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to

Table with 3 columns: Names (Ackerman, Altmire, Andrews, etc.), Names (Garamendi, Gonzalez, Green, Al, etc.), Names (Pascrell, Pastor (AZ), Pelosi, etc.)

NOES—164

was, by unanimous consent, laid on the table.

¶17.19 BUDGET AND ACCOUNTING
TRANSPARENCY

The SPEAKER pro tempore, Mr. HURT, pursuant to House Resolution 539 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3581) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes.

The SPEAKER pro tempore, Mr. HURT, by unanimous consent, designated Mrs. MILLER of Michigan, as Chairman of the Committee of the Whole; and after some time spent therein,

¶17.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in House Report 112-388, submitted by Mr. TONKO:

At the end of the bill, add the following new title:

**TITLE IV—EFFECTIVE DATE;
ESTABLISHMENT OF COMMISSION**

SEC. 401. EFFECTIVE DATE; ESTABLISHMENT OF COMMISSION.

(a) EFFECTIVE DATE; ESTABLISHMENT.—The provisions of this Act are delayed until and may be superseded by the majority recommendations of a six member commission consisting of the Director of the Congressional Budget Office, the Director of the Office of Management and Budget, and four additional non-congressional members each appointed by the Speaker and Minority Leader of the House and the Majority and Minority leaders of the Senate. Such additional four Members shall have expertise in budgeting and accounting.

(b) RECOMMENDATIONS.—The recommendations of the commission shall reflect the best measure to accurately account for the costs of Federal credit programs, including an analysis of the fair value, market-based risk estimates, and the discount rates mandated by the Federal Credit Reform Act of 1990.

(c) CONGRESSIONAL VOTE REQUIRED.—Such recommendations shall take effect upon their enactment into law. Congress shall vote on the recommendations set forth in subsection (b) not later than 45 days after the date of submission of such recommendations to the Congress.

It was decided in the { Yeas 187
negative } Nays 238

¶17.21 [Roll No. 40]

AYES—187

Ackerman	Capus	Costa
Altmire	Capuano	Costello
Andrews	Cardoza	Courtney
Baca	Carnahan	Critz
Baldwin	Carney	Crowley
Bass (CA)	Carson (IN)	Cuellar
Becerra	Castor (FL)	Cummings
Berkley	Chandler	Davis (CA)
Berman	Chu	Davis (IL)
Bishop (GA)	Cielline	DeFazio
Bishop (NY)	Clarke (MI)	DeGette
Blumenauer	Clarke (NY)	DeLauro
Bonamici	Clay	Deutch
Boren	Cleaver	Dicks
Boswell	Clyburn	Dingell
Brady (PA)	Cohen	Doggett
Bralley (IA)	Connolly (VA)	Donnelly (IN)
Brown (FL)	Conyers	Doyle
Butterfield	Cooper	Engel

Eshoo	Lewis (GA)	Roybal-Allard
Farr	Lipinski	Ruppersberger
Fattah	Loeb	Rush
Filner	Lofgren, Zoe	Ryan (OH)
Frank (MA)	Lowey	Sánchez, Linda T.
Frue	Lujan	Sanchez, Loretta
Garamendi	Lynch	Sarbanes
Gibson	Maloney	Schakowsky
Gonzalez	Markey	Schiff
Green, Al	Matheson	Schrader
Green, Gene	Matsui	Schwartz
Grijalva	McCarthy (NY)	Scott (VA)
Gutierrez	McCollum	Scott, David
Hahn	McDermott	Serrano
Hanabusa	McGovern	Sewell
Hastings (FL)	McIntyre	Sherman
Heinrich	Meeks	Shuler
Higgins	Michaud	Sires
Himes	Miller (NC)	Slaughter
Hincheey	Miller, George	Smith (WA)
Hinojosa	Moore	Speier
Hirono	Moran	Stark
Hochul	Murphy (CT)	Sutton
Holden	Nadler	Thompson (CA)
Holt	Napolitano	Thompson (MS)
Honda	Neal	Tierney
Hoyer	Owens	Tonko
Inslee	Pallone	Towns
Israel	Pascrell	Tsongas
Jackson (IL)	Pastor (AZ)	Van Hollen
Jackson Lee	Pelosi	Velázquez
(TX)	Perlmutter	Visclosky
Johnson (GA)	Peters	Walz (MN)
Johnson, E. B.	Petri	Wasserman
Kaptur	Pingree (ME)	Schultz
Keating	Polis	Waters
Kildee	Price (NC)	Watt
Kind	Quigley	Waxman
Kissell	Rahall	Welch
Kucinich	Rangel	Wilson (FL)
Langevin	Reyes	Woolsey
Larsen (WA)	Richardson	Yarmuth
Larson (CT)	Richmond	
Lee (CA)	Ross (AR)	
Levin	Rothman (NJ)	

NOES—238

Adams	Dent	Hultgren
Aderholt	DesJarlais	Hunter
Akin	Diaz-Balart	Hurt
Alexander	Dold	Issa
Amash	Dreier	Jenkins
Amodei	Duffy	Johnson (IL)
Austria	Duncan (SC)	Johnson (OH)
Bachmann	Duncan (TN)	Johnson, Sam
Bachus	Ellmers	Jones
Barletta	Emerson	Jordan
Barrow	Farenthold	Kelly
Bartlett	Fincher	King (IA)
Barton (TX)	Fitzpatrick	King (NY)
Bass (NH)	Flake	Kingston
Benishek	Fleischmann	Kinzinger (IL)
Berg	Fleming	Kline
Biggart	Flores	Labrador
Bilbray	Forbes	Lamborn
Bilirakis	Fortenberry	Lance
Bishop (UT)	Franks (AZ)	Landry
Black	Frelinghuysen	Lankford
Blackburn	Gallely	Latham
Bonner	Gardner	Latta
Bono Mack	Garrett	Lewis (CA)
Boustany	Gerlach	LoBiondo
Brady (TX)	Gibbs	Long
Brooks	Gingrey (GA)	Lucas
Broun (GA)	Gohmert	Luetkemeyer
Buchanan	Goodlatte	Lummis
Bucshon	Gosar	Lungren, Daniel E.
Buerkle	Gowdy	Mack
Burgess	Granger	Manzullo
Burton (IN)	Graves (GA)	Marchant
Calvert	Graves (MO)	Marino
Camp	Griffin (AR)	McCarthy (CA)
Campbell	Griffith (VA)	McCaul
Canseco	Grimm	McClintock
Cantor	Guinta	McCotter
Capito	Guthrie	McHenry
Carter	Hall	McKeon
Cassidy	Hanna	McKinley
Chabot	Harper	McMorris
Chaffetz	Harris	Rodgers
Chafee	Hartzler	Meehan
Coble	Hastings (WA)	Mica
Coffman (CO)	Hayworth	Miller (FL)
Cole	Heck	Miller (MI)
Conaway	Hensarling	Miller, Gary
Cravaack	Hergert	Murphy (PA)
Crawford	Herrera Beutler	Myrick
Crenshaw	Huelskamp	Neugebauer
Culberson	Huizenga (MI)	Noem
Davis (KY)		
Denham		

Nugent	Rogers (MI)	Stivers
Nunes	Rohrabacher	Stutzman
Nunnelee	Rokita	Sullivan
Olson	Rooney	Terry
Palazzo	Ros-Lehtinen	Thompson (PA)
Paulsen	Roskam	Thornberry
Pearce	Ross (FL)	Tiberi
Pence	Royce	Tipton
Peterson	Runyan	Turner (NY)
Pitts	Ryan (WI)	Turner (OH)
Platts	Scalise	Upton
Poe (TX)	Schilling	Walberg
Pompeo	Schmidt	Walden
Posey	Schock	Walsh (IL)
Price (GA)	Schweikert	Webster
Quayle	Scott (SC)	West
Reed	Scott, Austin	Westmoreland
Rehberg	Sensenbrenner	Whitfield
Reichert	Sessions	Wilson (SC)
Renacci	Shimkus	Wittman
Ribble	Shuster	Wolf
Rigell	Simpson	Womack
Rivera	Smith (NE)	Woodall
Roby	Smith (NJ)	Yoder
Roe (TN)	Smith (TX)	Young (AK)
Rogers (AL)	Southerland	Young (FL)
Rogers (KY)	Stearns	Young (IN)

NOT VOTING—8

Edwards	McNerney	Paul
Ellison	Mulvaney	Payne
LaTourette	Olver	

So the amendment was not agreed to.

After some further time, The SPEAKER pro tempore, Mr. DOLD, assumed the Chair.

When Mr. KLINE, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 539, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Budget and Accounting Transparency Act of 2012”.

TITLE I—FAIR VALUE ESTIMATES

SEC. 101. CREDIT REFORM.

(a) IN GENERAL.—Title V of the Congressional Budget Act of 1974 is amended to read as follows:

“TITLE V—FAIR VALUE

“SEC. 501. PURPOSES.

“The purposes of this title are to—

“(1) measure more accurately the costs of Federal credit programs by accounting for them on a fair value basis;

“(2) place the cost of credit programs on a budgetary basis equivalent to other Federal spending;

“(3) encourage the delivery of benefits in the form most appropriate to the needs of beneficiaries; and

“(4) improve the allocation of resources among Federal programs.

“SEC. 502. DEFINITIONS.

“For purposes of this title:

“(1) The term ‘direct loan’ means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of such funds with or without interest. The term includes the purchase of, or participation in, a loan made by another lender and financing arrangements that defer payment for more than 90 days, including the sale of a Government asset on credit terms. The term does not include the acquisition of a federally guaranteed loan in satisfaction of default claims or the price support loans of the Commodity Credit Corporation.

“(2) The term ‘direct loan obligation’ means a binding agreement by a Federal

agency to make a direct loan when specified conditions are fulfilled by the borrower.

“(3) The term ‘loan guarantee’ means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any debt obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

“(4) The term ‘loan guarantee commitment’ means a binding agreement by a Federal agency to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

“(5)(A) The term ‘cost’ means the sum of the Treasury discounting component and the risk component of a direct loan or loan guarantee, or a modification thereof.

“(B) The Treasury discounting component shall be the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification thereof, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

“(C) The risk component shall be an amount equal to the difference between—

“(i) the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification thereof, estimated on a fair value basis, applying the guidelines set forth by the Financial Accounting Standards Board in Financial Accounting Standards #157, or a successor thereto, excluding administrative costs and any incidental effects on governmental receipts or outlays; and

“(ii) the Treasury discounting component of such direct loan or loan guarantee, or modification thereof.

“(D) The Treasury discounting component of a direct loan shall be the net present value, at the time when the direct loan is disbursed, of the following estimated cash flows:

“(i) Loan disbursements.

“(ii) Repayments of principal.

“(iii) Essential preservation expenses, payments of interest and other payments by or to the Government over the life of the loan after adjusting for estimated defaults, prepayments, fees, penalties, and other recoveries, including the effects of changes in loan terms resulting from the exercise by the borrower of an option included in the loan contract.

“(E) The Treasury discounting component of a loan guarantee shall be the net present value, at the time when the guaranteed loan is disbursed, of the following estimated cash flows:

“(i) Payments by the Government to cover defaults and delinquencies, interest subsidies, essential preservation expenses, or other payments.

“(ii) Payments to the Government including origination and other fees, penalties, and recoveries, including the effects of changes in loan terms resulting from the exercise by the guaranteed lender of an option included in the loan guarantee contract, or by the borrower of an option included in the guaranteed loan contract.

“(F) The cost of a modification is the sum of—

“(i) the difference between the current estimate of the Treasury discounting component of the remaining cash flows under the terms of a direct loan or loan guarantee and the current estimate of the Treasury discounting component of the remaining cash flows under the terms of the contract, as modified; and

“(ii) the difference between the current estimate of the risk component of the remaining cash flows under the terms of a direct loan or loan guarantee and the current estimate of the risk component of the remaining

cash flows under the terms of the contract as modified.

“(G) In estimating Treasury discounting components, the discount rate shall be the average interest rate on marketable Treasury securities of similar duration to the cash flows of the direct loan or loan guarantee for which the estimate is being made.

“(H) When funds are obligated for a direct loan or loan guarantee, the estimated cost shall be based on the current assumptions, adjusted to incorporate the terms of the loan contract, for the fiscal year in which the funds are obligated.

“(6) The term ‘program account’ means the budget account into which an appropriation to cover the cost of a direct loan or loan guarantee program is made and from which such cost is disbursed to the financing account.

“(7) The term ‘financing account’ means the nonbudget account or accounts associated with each program account which holds balances, receives the cost payment from the program account, and also includes all other cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

“(8) The term ‘liquidating account’ means the budget account that includes all cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991. These accounts shall be shown in the budget on a cash basis.

“(9) The term ‘modification’ means any Government action that alters the estimated cost of an outstanding direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) from the current estimate of cash flows. This includes the sale of loan assets, with or without recourse, and the purchase of guaranteed loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) such as a change in collection procedures.

“(10) The term ‘current’ has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(11) The term ‘Director’ means the Director of the Office of Management and Budget.

“(12) The term ‘administrative costs’ means costs related to program management activities, but does not include essential preservation expenses.

“(13) The term ‘essential preservation expenses’ means servicing and other costs that are essential to preserve the value of loan assets or collateral.

“SEC. 503. OMB AND CBO ANALYSIS, COORDINATION, AND REVIEW.

“(a) IN GENERAL.—For the executive branch, the Director shall be responsible for coordinating the estimates required by this title. The Director shall consult with the agencies that administer direct loan or loan guarantee programs.

“(b) DELEGATION.—The Director may delegate to agencies authority to make estimates of costs. The delegation of authority shall be based upon written guidelines, regulations, or criteria consistent with the definitions in this title.

“(c) COORDINATION WITH THE CONGRESSIONAL BUDGET OFFICE.—In developing estimation guidelines, regulations, or criteria to be used by Federal agencies, the Director shall consult with the Director of the Congressional Budget Office.

“(d) IMPROVING COST ESTIMATES.—The Director and the Director of the Congressional Budget Office shall coordinate the development of more accurate data on historical performance and prospective risk of direct loan and loan guarantee programs. They shall annually review the performance of

outstanding direct loans and loan guarantees to improve estimates of costs. The Office of Management and Budget and the Congressional Budget Office shall have access to all agency data that may facilitate the development and improvement of estimates of costs.

“(e) HISTORICAL CREDIT PROGRAMS COSTS.—The Director shall review, to the extent possible, historical data and develop the best possible estimates of adjustments that would convert aggregate historical budget data to credit reform accounting.

“SEC. 504. BUDGETARY TREATMENT.

“(a) PRESIDENT’S BUDGET.—Beginning with fiscal year 1992, the President’s budget shall reflect the Treasury discounting component of direct loan and loan guarantee programs. Beginning with fiscal year 2015, the President’s budget shall reflect the costs of direct loan and loan guarantee programs. The budget shall also include the planned level of new direct loan obligations or loan guarantee commitments associated with each appropriations request.

“(b) APPROPRIATIONS REQUIRED.—Notwithstanding any other provision of law, new direct loan obligations may be incurred and new loan guarantee commitments may be made for fiscal year 1992 and thereafter only to the extent that—

“(1) new budget authority to cover their costs is provided in advance in an appropriation Act;

“(2) a limitation on the use of funds otherwise available for the cost of a direct loan or loan guarantee program has been provided in advance in an appropriation Act; or

“(3) authority is otherwise provided in appropriation Acts.

“(c) EXEMPTION FOR DIRECT SPENDING PROGRAMS.—Subsections (b) and (e) shall not apply to—

“(1) any direct loan or loan guarantee program that constitutes an entitlement (such as the guaranteed student loan program or the veteran’s home loan guaranty program);

“(2) the credit programs of the Commodity Credit Corporation existing on the date of enactment of this title; or

“(3) any direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) made by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

“(d) BUDGET ACCOUNTING.—

“(1) The authority to incur new direct loan obligations, make new loan guarantee commitments, or modify outstanding direct loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) shall constitute new budget authority in an amount equal to the cost of the direct loan or loan guarantee in the fiscal year in which definite authority becomes available or indefinite authority is used. Such budget authority shall constitute an obligation of the program account to pay to the financing account.

“(2) The outlays resulting from new budget authority for the cost of direct loans or loan guarantees described in paragraph (1) shall be paid from the program account into the financing account and recorded in the fiscal year in which the direct loan or the guaranteed loan is disbursed or its costs altered.

“(3) All collections and payments of the financing accounts shall be a means of financing.

“(e) MODIFICATIONS.—An outstanding direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) shall not be modified in a manner that increases its costs unless budget authority for the additional cost has been provided in advance in an appropriation Act.

“(f) REESTIMATES.—When the estimated cost for a group of direct loans or loan guarantees for a given program made in a single

fiscal year is re-estimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be displayed as a distinct and separately identified subaccount in the program account as a change in program costs and a change in net interest. There is hereby provided permanent indefinite authority for these re-estimates.

“(g) ADMINISTRATIVE EXPENSES.—All funding for an agency’s administrative costs associated with a direct loan or loan guarantee program shall be displayed as distinct and separately identified subaccounts within the same budget account as the program’s cost.

“SEC. 505. AUTHORIZATIONS.

“(a) AUTHORIZATION FOR FINANCING ACCOUNTS.—In order to implement the accounting required by this title, the President is authorized to establish such non-budgetary accounts as may be appropriate.

“(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—

“(1) IN GENERAL.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay to the financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described in the preceding sentence, except that the rate of interest charged by the Secretary on lending to financing accounts (including amounts treated as lending to financing accounts by the Federal Financing Bank (hereinafter in this subsection referred to as the ‘Bank’) pursuant to section 405(b)) and the rate of interest paid to financing accounts on uninvested balances in financing accounts shall be the same as the rate determined pursuant to section 502(5)(G).

“(2) LOANS.—For guaranteed loans financed by the Bank and treated as direct loans by a Federal agency pursuant to section 406(b)(1), any fee or interest surcharge (the amount by which the interest rate charged exceeds the rate determined pursuant to section 502(5)(G) that the Bank charges to a private borrower pursuant to section 6(c) of the Federal Financing Bank Act of 1973 shall be considered a cash flow to the Government for the purposes of determining the cost of the direct loan pursuant to section 502(5). All such amounts shall be credited to the appropriate financing account.

“(3) REIMBURSEMENT.—The Bank is authorized to require reimbursement from a Federal agency to cover the administrative expenses of the Bank that are attributable to the direct loans financed for that agency. All such payments by an agency shall be considered administrative expenses subject to section 504(g). This subsection shall apply to transactions related to direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

“(4) AUTHORITY.—The authorities provided in this subsection shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate a direct loan or loan guarantee program.

“(5) TITLE 31.—All of the transactions provided in the subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code.

“(6) TREATMENT OF CASH BALANCES.—Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on these funds. The Secretary of the Treasury shall charge (or pay if the amount is negative) financing accounts an amount equal to the risk component for a direct loan or loan guarantee, or modification thereof. Such amount received by the Secretary of the Treasury shall be a means of financing and

shall not be considered a cash flow of the Government for the purposes of section 502(5).

“(c) AUTHORIZATION FOR LIQUIDATING ACCOUNTS.—(1) Amounts in liquidating accounts shall be available only for payments resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991, for—

“(A) interest payments and principal repayments to the Treasury or the Federal Financing Bank for amounts borrowed;

“(B) disbursements of loans;

“(C) default and other guarantee claim payments;

“(D) interest supplement payments;

“(E) payments for the costs of foreclosing, managing, and selling collateral that are capitalized or routinely deducted from the proceeds of sales;

“(F) payments to financing accounts when required for modifications;

“(G) administrative costs and essential preservation expenses, if—

“(i) amounts credited to the liquidating account would have been available for administrative costs and essential preservation expenses under a provision of law in effect prior to October 1, 1991; and

“(ii) no direct loan obligation or loan guarantee commitment has been made, or any modification of a direct loan or loan guarantee has been made, since September 30, 1991; or

“(H) such other payments as are necessary for the liquidation of such direct loan obligations and loan guarantee commitments.

“(2) Amounts credited to liquidating accounts in any year shall be available only for payments required in that year. Any unobligated balances in liquidating accounts at the end of a fiscal year shall be transferred to miscellaneous receipts as soon as practicable after the end of the fiscal year.

“(3) If funds in liquidating accounts are insufficient to satisfy obligations and commitments of such accounts, there is hereby provided permanent, indefinite authority to make any payments required to be made on such obligations and commitments.

“(d) REINSURANCE.—Nothing in this title shall be construed as authorizing or requiring the purchase of insurance or reinsurance on a direct loan or loan guarantee from private insurers. If any such reinsurance for a direct loan or loan guarantee is authorized, the cost of such insurance and any recoveries to the Government shall be included in the calculation of the cost.

“(e) ELIGIBILITY AND ASSISTANCE.—Nothing in this title shall be construed to change the authority or the responsibility of a Federal agency to determine the terms and conditions of eligibility for, or the amount of assistance provided by a direct loan or a loan guarantee.

“SEC. 506. TREATMENT OF DEPOSIT INSURANCE AND AGENCIES AND OTHER INSURANCE PROGRAMS.

“This title shall not apply to the credit or insurance activities of the Federal Deposit Insurance Corporation, National Credit Union Administration, Resolution Trust Corporation, Pension Benefit Guaranty Corporation, National Flood Insurance, National Insurance Development Fund, Crop Insurance, or Tennessee Valley Authority.

“SEC. 507. EFFECT ON OTHER LAWS.

“(a) EFFECT ON OTHER LAWS.—This title shall supersede, modify, or repeal any provision of law enacted prior to the date of enactment of this title to the extent such provision is inconsistent with this title. Nothing in this title shall be construed to establish a credit limitation on any Federal loan or loan guarantee program.

“(b) CREDITING OF COLLECTIONS.—Collections resulting from direct loans obligated or

loan guarantees committed prior to October 1, 1991, shall be credited to the liquidating accounts of Federal agencies. Amounts so credited shall be available, to the same extent that they were available prior to the date of enactment of this title, to liquidate obligations arising from such direct loans obligated or loan guarantees committed prior to October 1, 1991, including repayment of any obligations held by the Secretary of the Treasury or the Federal Financing Bank. The unobligated balances of such accounts that are in excess of current needs shall be transferred to the general fund of the Treasury. Such transfers shall be made from time to time but, at least once each year.”

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the items relating to title V and inserting the following:

“TITLE V—FAIR VALUE

“Sec. 501. Purposes.

“Sec. 502. Definitions.

“Sec. 503. OMB and CBO analysis, coordination, and review.

“Sec. 504. Budgetary treatment.

“Sec. 505. Authorizations.

“Sec. 506. Treatment of deposit insurance and agencies and other insurance programs.

“Sec. 507. Effect on other laws.”

SEC. 102. EFFECTIVE DATE.

The amendment made by section 101 shall take effect beginning with fiscal year 2014.

SEC. 103. BUDGETARY ADJUSTMENT.

(a) IN GENERAL.—Section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new sentence: “A change in discretionary spending solely as a result of the amendment to title V of the Congressional Budget Act of 1974 made by the Budget and Accounting Transparency Act of 2012 shall be treated as a change of concept under this paragraph.”

(b) REPORT.—Before adjusting the discretionary caps pursuant to the authority provided in subsection (a), the Office of Management and Budget shall report to the Committees on the Budget of the House of Representatives and the Senate on the amount of that adjustment, the methodology used in determining the size of that adjustment, and a program-by-program itemization of the components of that adjustment.

(c) SCHEDULE.—The Office of Management and Budget shall not make an adjustment pursuant to the authority provided in subsection (a) sooner than 60 days after providing the report required in subsection (b).

TITLE II—BUDGETARY TREATMENT

SEC. 201. CBO AND OMB STUDIES RESPECTING BUDGETING FOR COSTS OF FEDERAL INSURANCE PROGRAMS.

Not later than 1 year after the date of enactment of this Act, the Directors of the Congressional Budget Office and of the Office of Management and Budget shall each prepare a study and make recommendations to the Committees on the Budget of the House of Representatives and the Senate as to the feasibility of applying fair value concepts to budgeting for the costs of Federal insurance programs.

SEC. 202. ON-BUDGET STATUS OF FANNIE MAE AND FREDDIE MAC.

Notwithstanding any other provision of law, the receipts and disbursements, including the administrative expenses, of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President;

(2) the congressional budget; and
(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 203. EFFECTIVE DATE.

Section 202 shall not apply with respect to an enterprise (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) after the date that all of the following have occurred:

(1) The conservatorship for such enterprise under section 1367 of such Act (12 U.S.C. 4617) has been terminated.

(2) The Director of the Federal Housing Finance Agency has certified in writing that such enterprise has repaid to the Federal Government the maximum amount consistent with minimizing total cost to the Federal Government of the financial assistance provided to the enterprise by the Federal Government pursuant to the amendments made by section 1117 of the Housing and Economic Recovery Act of 2008 (Public Law 110-289; 122 Stat. 2683) or otherwise.

(3) The charter for the enterprise has been revoked, annulled, or terminated and the authorizing statute (as such term is defined in such section 1303) with respect to the enterprise has been repealed.

TITLE III—BUDGET REVIEW AND ANALYSIS

SEC. 301. CBO AND OMB REVIEW AND RECOMMENDATIONS RESPECTING RECEIPTS AND COLLECTIONS.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall prepare a study of the history of offsetting collections against expenditures and the amount of receipts collected annually, the historical application of the budgetary terms "revenue", "offsetting collections", and "offsetting receipts", and review the application of those terms and make recommendations to the Committees on the Budget of the House of Representatives and the Senate of whether such usage should be continued or modified. The Director of the Congressional Budget Office shall review the history and recommendations prepared by the Director of the Office of Management and Budget and shall submit comments and recommendations to such Committees.

SEC. 302. AGENCY BUDGET JUSTIFICATIONS.

Section 1108 of title 31, United States Code, is amended by inserting at the end the following new subsection:

"(h)(1) Whenever any agency prepares and submits written budget justification materials for any committee of the House of Representatives or the Senate, such agency shall post such budget justification on the same day of such submission on the 'open' page of the public website of the agency, and the Office of Management and Budget shall post such budget justification in a centralized location on its website, in the format developed under paragraph (2).

"(2) The Office of Management and Budget, in consultation with the Congressional Budget Office and the Government Accountability Office, shall develop and notify each agency of the format in which to post a budget justification under paragraph (1). Such format shall be designed to ensure that posted budget justifications for all agencies—

"(A) are searchable, sortable, and downloadable by the public;

"(B) are consistent with generally accepted standards and practices for machine-discoverability;

"(C) are organized uniformly, in a logical manner that makes clear the contents of a budget justification and relationships between data elements within the budget justification and among similar documents; and

"(D) use uniform identifiers, including for agencies, bureaus, programs, and projects."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. WALZ of Minnesota, moved to recommit the bill to the Committee on the Budget with instructions to report the bill back to the House forthwith with the following amendment:

Page 3, line 21, insert "(i)" after "(C)".
Page 3, line 23, strike "(i)" and insert "(I)".

Page 4, line 7, strike "(ii)" and insert "(II)".

Page 4, after line 9, insert the following:
"(ii) For loans to students or veterans, the risk component is zero."

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. DOLD, announced that the nays had it.

Mr. WALZ of Minnesota, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 190
negative } Nays 238

¶17.22

[Roll No. 41]

YEAS—190

Table listing names of members who voted 'Yeas' (190 total). Includes Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Donnelly (IN), Doyle, Engel, Eshoo, Farr, Fattah, Filner, Frank (MA), Fudge, Garamendi, Gonzalez, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Honda, Hoyer, Inslie, Israel, Jackson (IL), Jackson Lee, Cohen (TX), Johnson (GA), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Loebsock, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McNerney, McNeely, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napolitano, Neal, Olver, Owens, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reyes, Richardson, Richmond, Ross (AR), Rothman (NJ), Roybal-Allard, Ruppertsberger, Rush, Ryan (OH), Sanchez, Linda, T., Sanchez, Loretta, Sarbanes, Schakowsky.

Table listing names of members who voted 'Nays' (238 total). Includes Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Shuler, Sires, Slaughter, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velázquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth.

NAYS—238

Table listing names of members who voted 'Nays' (238 total). Includes Adams, Aderholt, Akin, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishke, Berg, Biggart, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Issa, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, E., Duffy, Mack, Manullo, Marchant, Marino, Emerson, McCauly, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foy, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, LaHram, LaTourrette, Latta, Lewis (CA), LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E., Mack, Manullo, Marchant, Marino, Emerson, McCauly, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foy, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (FL), Royce, Runyan, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN), Ellison, Payne.

NOT VOTING—5

Table listing names of members who did not vote: Alexander, Edwards, Ellison, Paul, Payne.

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. DOLD, announced that the yeas had it.

Mr. VAN HOLLEN demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 245
affirmative { Nays 180

¶17.23 [Roll No. 42]

AYES—245

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

Upton
Walberg
Walden
Walsh (IL)
Webster
West

NOES—180

Ackerman	Garamendi
Altmire	Gonzalez
Andrews	Green, Al
Baca	Green, Gene
Baldwin	Grijalva
Bass (CA)	Hahn
Becerra	Hanabusa
Berkley	Hastings (FL)
Berman	Heinrich
Bishop (GA)	Higgins
Bishop (NY)	Himes
Blumenauer	Hinchev
Bonamici	Hinojosa
Boren	Hirono
Boswell	Hochul
Brady (PA)	Holden
Braley (IA)	Holt
Brown (FL)	Honda
Butterfield	Hoyer
Capps	Inslee
Capuano	Israel
Cardoza	Jackson (IL)
Carnahan	Jackson Lee
Carney	(TX)
Carson (IN)	Johnson (GA)
Castor (FL)	Johnson, E. B.
Chandler	Kaptur
Chu	Keating
Ciçilline	Kildee
Clarke (MI)	Kind
Clarke (NY)	Kucinich
Clay	Langevin
Cleaver	Larsen (WA)
Clyburn	Larson (CT)
Coble	Lee (CA)
Cohen	Levin
Connolly (VA)	Lewis (GA)
Conyers	Lipinski
Costa	Loebsack
Costello	Lofgren, Zoe
Courtney	Lowe
Critz	Lujan
Crowley	Lynch
Cummings	Maloney
Davis (CA)	Markey
Davis (IL)	Matheson
DeGette	Matsui
DeLauro	McCarthy (NY)
Deutch	McCollum
Dicks	McDermott
Dingell	McGovern
Doggett	McIntyre
Donnelly (IN)	McNerney
Doyle	Meeks
Engel	Michaud
Eshoo	Miller (NC)
Farr	Miller, George
Fattah	Moore
Finler	Moran
Frank (MA)	Murphy (CT)
Fudge	Nadler

NOT VOTING—8

Edwards
Ellison
Gutierrez

Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Napolitano	Neal
Nugent	Oliver
Pallone	Pascroll
Pastor (AZ)	Pelosi
Perlmutter	Peters
Peters	Peterson
Pingree (ME)	Polis
Price (NC)	Rahall
Rangel	Reyes
Richardson	Richmond
Ross (AR)	Rothman (NJ)
Roybal-Allard	Ruppersberger
Rush	Ryan (OH)
Sánchez, Linda	T.
Sanchez, Loretta	Sarbanes
Schakowsky	Schiff
Schrader	Schwartz
Scott (VA)	Scott, David
Serrano	Sewell
Shuler	Sherman
Sires	Slaughter
Smith (WA)	Speier
Stark	Sutton
Thompson (CA)	Tonko
Towns	Tsongas
Velázquez	Visclosky
Walz (MN)	Wasserman
Waters	Schultz
Watt	Waxman
Welch	Woolsey
Yarmuth	Tierney
	Wilson (FL)
	Thompson (MS)

¶17.25 NOTICE REQUIREMENT—
CONSIDERATION OF MOTION TO
INSTRUCT CONFEREES—H.R. 3630

Mr. BISHOP of New York, pursuant to clause 7(c) of rule XXII, announced his intention to submit a motion to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, be instructed to file a conference report not later than February 17, 2012.

¶17.26 H.R. 2606—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2606) to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes; as amended.

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DOLD, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶17.27 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 658. An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

And then,

¶17.28 ADJOURNMENT

On motion of Mr. BARTLETT, at 7 o'clock and 45 minutes p.m., the House adjourned.

¶17.29 OATH OF OFFICE/MEMBERS,
RESIDENT COMMISSIONERS &
DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶17.24 PROVIDING FOR CONSIDERATION
OF H.R. 3521

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-389) the resolution (H. Res. 540) providing for consideration of the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 112th Congress, pursuant to the provisions of 2 U.S.C. 25:

SUZANNE BONAMICI, Oregon First.

17.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 540. Resolution providing for consideration of the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes (Rept. 112-389). Referred to the House Calendar.

17.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MURPHY of Pennsylvania (for himself, Mr. DOYLE, Mr. ALTMIRE, Mr. CRITZ, Mr. KELLY, Mr. BARLETTA, Mr. PITTS, Mr. GERLACH, and Mr. SHUSTER):

H.R. 3911. A bill to prohibit the permanent relocation of C-130 aircraft assigned to Pittsburgh 911th Airlift Wing; to the Committee on Armed Services.

By Mr. BISHOP of New York (for himself, Mr. RANGEL, Mr. HANNA, Mr. ISRAEL, Mr. SERRANO, Mr. KING of New York, Mr. GRIMM, Mr. ENGEL, Mr. HIGGINS, Mr. TONKO, Mr. OWENS, Mrs. LOWEY, Ms. SLAUGHTER, Mr. ACKERMAN, Mrs. MALONEY, Mr. TOWNS, Mr. HINCHEY, Ms. BUERKLE, Ms. HAYWORTH, Mrs. MCCARTHY of New York, Mr. CROWLEY, Ms. VELÁZQUEZ, Mr. NADLER, Mr. GIBSON, Ms. HOCHUL, Ms. CLARKE of New York, Mr. TURNER of New York, Mr. REED, and Mr. MEEKS):

H.R. 3912. A bill to designate the facility of the United States Postal Service located at 110 Mastic Road in Mastic Beach, New York, as the "Brigadier General Nathaniel Woodhull Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. DEFAZIO:

H.R. 3913. A bill to amend the Natural Gas Act with respect to application of the right to exercise eminent domain in construction of pipelines for the exportation of natural gas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. OWENS:

H.R. 3914. A bill to amend the Export Apple Act to permit the export of apples to Canada in bulk bins without certification by the Department of Agriculture; to the Committee on Agriculture.

By Mr. SCOTT of Virginia:

H.R. 3915. A bill to consolidate programs at the Department of Justice and enact the CAMPUS Safety Act of 2011; to the Committee on the Judiciary.

By Ms. WATERS:

H.R. 3916. A bill to reduce the operating costs of the United States Postal Service, to provide for continued postal services for certain areas, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. WATT:

H.R. 3917. A bill to extend the temporary suspension of duty on Disperse Red 60; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3918. A bill to extend temporarily the suspension of duty on Disperse Yellow 64; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3919. A bill to extend temporarily the suspension of duty on Vat Blue 66; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3920. A bill to extend temporarily the suspension of duty on Acid Black 172; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3921. A bill to extend temporarily the suspension of duty on Reactive Blue 224; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3922. A bill to extend the temporary suspension of duty on Cuprate (4-); to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3923. A bill to suspend temporarily the duty on certain other made up articles; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3924. A bill to extend temporarily the suspension of duty on Reactive Yellow 27; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3925. A bill to extend temporarily the suspension of duty on Disperse Blue 77; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3926. A bill to suspend temporarily the duty on other knitted or crocheted fabrics, of cotton, dyed, other, of single knit construction; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3927. A bill to extend temporarily the suspension of duty on Solvent Yellow 163; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3928. A bill to suspend temporarily the duty on 1H-Xantheno; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3929. A bill to extend temporarily the suspension of duty on Reactive Red 123; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3930. A bill to extend temporarily the suspension of duty on Reactive Black 5; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3931. A bill to suspend temporarily the duty on Disperse Blue 284; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3932. A bill to extend temporarily the suspension of duty on Reactive Red 198; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3933. A bill to extend temporarily the suspension of duty on Acid Blue 324; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3934. A bill to suspend temporarily the duty on Acid Yellow 151; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3935. A bill to extend temporarily the suspension of duty on Acid Blue 221; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3936. A bill to suspend temporarily the duty on Acid Yellow 137; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3937. A bill to extend temporarily the suspension of duty on Acid Yellow 230; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3938. A bill to extend temporarily the suspension of duty on Acid Red 414; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3939. A bill to suspend temporarily the duty on mixtures of Disperse Red 367; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3940. A bill to suspend temporarily the duty on Reduced Vat Blue 1; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3941. A bill to suspend temporarily the duty on Acid Red 278; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3942. A bill to suspend temporarily the duty on Direct Red 84; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3943. A bill to suspend temporarily the duty on Acetic acid; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3944. A bill to suspend temporarily the duty on Acid Yellow 79; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3945. A bill to suspend temporarily the duty on Acid Blue 171; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3946. A bill to suspend temporarily the duty on Reactive Blue 19; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3947. A bill to suspend temporarily the duty on Disperse Yellow 184:1; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3948. A bill to suspend temporarily the duty on Acid Red 182; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3949. A bill to suspend temporarily the duty on mixtures of (3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl)diazenyl]-2-[(2-hydroxyethoxy) ethylamino]-4-methyl-6-(phenylamino)-) and (3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl)diazenyl]-6-[(2-hydroxyethoxy) ethylamino]-4-methyl-2-(phenylamino)-); to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3950. A bill to suspend temporarily the duty on Direct Green 91; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3951. A bill to suspend temporarily the duty on Disperse Red 159; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3952. A bill to suspend temporarily the duty on Reactive Red 122; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3953. A bill to suspend temporarily the duty on mixtures of Cobaltate (2-) and Cobaltate (3-); to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3954. A bill to suspend temporarily the duty on Disperse Red 311; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3955. A bill to suspend temporarily the duty on Reactive Blue 187; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3956. A bill to suspend temporarily the duty on Disperse Yellow 71; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3957. A bill to suspend temporarily the duty on mixtures of Acid Black 244, (Chromate(2-)), (Cobaltate(1-)), and (Chromate(1-)); to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3958. A bill to suspend temporarily the duty on Acid Blue 284; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3959. A bill to suspend temporarily the duty on Basic Blue 94:1; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3960. A bill to suspend temporarily the duty on Disperse Orange 288; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3961. A bill to suspend temporarily the duty on Disperse Blue 284; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3962. A bill to suspend temporarily the duty on Disperse Blue 56; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3963. A bill to suspend temporarily the duty on Acid Blue 264; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3964. A bill to suspend temporarily the duty on mixtures of (9,10-Anthracenedione, 1,5-diamino-4,8-dihydroxy(4-hydroxyphenyl)-) and (9,10-Anthracenedione, 1,5-diamino-4,8-dihydroxy(4-methoxyphenyl)-); to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3965. A bill to suspend temporarily the duty on Acid Red 426; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3966. A bill to suspend temporarily the duty on mixtures of Reactive Blue 250 and Reactive Black 5; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3967. A bill to suspend temporarily the duty on mixtures of Reactive Black 5, Benzenesulfonic acid, and 1-Naphthalenesulfonic acid; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3968. A bill to suspend temporarily the duty on mixtures of Disperse Red 367, Benzo, and Acetic acid; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3969. A bill to suspend temporarily the duty on mixtures of Disperse Blue 77; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3970. A bill to suspend temporarily the duty on mixtures of Reactive Red 198 and Reactive Red 239; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3971. A bill to suspend temporarily the duty on mixtures of Reactive Blue 19; to the Committee on Ways and Means.

By Mr. WATT:

H.R. 3972. A bill to suspend temporarily the duty on certain woven fabrics of cotton; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 3973. A bill to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes; to the Committee on Natural Resources.

¶17.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 26: Mr. CLAY.

H.R. 32: Ms. HIRONO and Mr. JOHNSON of Georgia.

H.R. 139: Mrs. NAPOLITANO and Ms. MATSUI.

H.R. 178: Mr. SHIMKUS.

H.R. 192: Mr. QUIGLEY.

H.R. 210: Mr. PAUL.

H.R. 361: Mr. MULVANEY.

H.R. 365: Mr. CICILLINE.

H.R. 420: Mr. GIBBS.

H.R. 458: Ms. LINDA T. SÁNCHEZ of California.

H.R. 459: Mrs. SCHMIDT, Mr. BROOKS, and Mrs. BLACK.

H.R. 571: Mr. SABLAN.

H.R. 593: Mr. PEARCE.

H.R. 769: Mr. ROTHMAN of New Jersey.

H.R. 870: Mr. DAVID SCOTT of Georgia, Ms. WATERS, Mr. COHEN, Mr. YARMUTH, Ms. FUDGE, and Mr. GUTIERREZ.

H.R. 890: Mr. BARTLETT and Mr. JACKSON of Illinois.

H.R. 931: Mr. POSEY.

H.R. 975: Mr. SMITH of Washington and Mr. SHIMKUS.

H.R. 997: Mr. POE of Texas.

H.R. 1179: Mr. WESTMORELAND, Mr. BACHUS, Mrs. BLACK, Mr. REED, Mr. MULVANEY, Mr. PRICE of Georgia, Mr. REHBERG, Mr. BARTON of Texas, Mrs. NOEM, Mr. YODER, and Mr. YOUNG of Indiana.

H.R. 1206: Mr. WESTMORELAND.

H.R. 1288: Mr. SIREs, Mr. CARSON of Indiana, and Mr. RIGELL.

H.R. 1319: Mr. KEATING and Mr. CAPUANO.

H.R. 1340: Mrs. SCHMIDT.

H.R. 1370: Mr. PENCE.

H.R. 1385: Mr. HECK.

H.R. 1404: Ms. HAHN and Mr. CONNOLLY of Virginia.

H.R. 1418: Ms. BONAMICI and Mr. PAUL.

H.R. 1464: Mr. VAN HOLLEN.

H.R. 1558: Mr. STUTZMAN.

H.R. 1585: Mr. HUIZENGA of Michigan.

H.R. 1614: Mr. GARRETT.

H.R. 1639: Mr. ROGERS of Michigan.

H.R. 1668: Mr. HOLT.

H.R. 1675: Mr. MULVANEY and Ms. MOORE.

H.R. 1744: Mr. JOHNSON of Illinois and Mr. GALLEGLEY.

H.R. 2040: Mrs. NOEM, Mr. POE of Texas, and Mr. WALBERG.

H.R. 2086: Mr. PETERSON.

H.R. 2106: Mr. RIBBLE, Mr. RYAN of Ohio, and Mr. WILSON of South Carolina.

H.R. 2140: Mr. DICKS and Mr. ROTHMAN of New Jersey.

H.R. 2161: Mrs. LOWEY and Mrs. CAPPs.

H.R. 2182: Mr. MATHESON.

H.R. 2193: Mr. CARSON of Indiana.

H.R. 2245: Mrs. CAPPs.

H.R. 2280: Mr. ELLISON.

H.R. 2299: Mr. MULVANEY.

H.R. 2310: Mr. TIERNEY.

H.R. 2353: Mr. TONKO.

H.R. 2429: Mr. STUTZMAN.

H.R. 2487: Mr. POLIS.

H.R. 2492: Mr. DUFFY.

H.R. 2569: Mr. BACA.

H.R. 2595: Mr. MCGOVERN.

H.R. 2682: Mr. MCINTYRE.

H.R. 2874: Mr. YOUNG of Indiana.

H.R. 2885: Mr. STEARNS.

H.R. 2978: Mr. PRICE of Georgia and Mr. POMPEO.

H.R. 2982: Mr. POLIS.

H.R. 2985: Mr. LATTa, Ms. LEE of California, Mr. HIMES, Mr. COLE, Mr. DEUTCH, and Mr. SCOTT of South Carolina.

H.R. 3032: Mr. WITTMAN.

H.R. 3053: Mr. FILNER.

H.R. 3059: Mr. LATTa.

H.R. 3086: Mr. FRANK of Massachusetts, Mr. BOREN, Mrs. LOWEY, and Mr. CHANDLER.

H.R. 3159: Mr. FARENTHOLD.

H.R. 3173: Ms. HAHN and Mr. YOUNG of Indiana.

H.R. 3187: Mr. THOMPSON of California and Mr. CROWLEY.

H.R. 3199: Mrs. ADAMS and Mr. BROUN of Georgia.

H.R. 3200: Mr. SIMPSON.

H.R. 3276: Mr. MACK and Mr. SOUTHERLAND.

H.R. 3300: Mr. CARNAHAN.

H.R. 3336: Mr. MCINTYRE.

H.R. 3337: Mr. FILNER, Mrs. HARTZLER, Mr. TONKO, Mr. POSEY, and Mr. LIPINSKI.

H.R. 3341: Mr. FARR.

H.R. 3364: Mr. ROE of Tennessee.

H.R. 3393: Mr. LONG.

H.R. 3405: Ms. ZOE LOFGREN of California.

H.R. 3418: Mr. DOYLE.

H.R. 3435: Mr. LOEBsACK.

H.R. 3461: Mr. PENCE, Mrs. LOWEY, Mr. DENT, Mr. MARCHANT, Mr. CHANDLER, Ms. JENKINS, Mr. FORTENBERRY, Mr. COLE, Mrs. LUMMIS, Mr. STIVERS, Mr. WHITFIELD, Mr. FITZPATRICK, Mr. FORBES, Mrs. SCHMIDT, Mr. COBLE, and Mr. SCHILLING.

H.R. 3462: Mr. RUSH and Mr. RANGEL.

H.R. 3480: Mr. YODER.

H.R. 3481: Mr. ALEXANDER.

H.R. 3506: Mr. REICHERT.

H.R. 3523: Mr. BROOKS, Mr. HUIZENGA of Michigan, Mr. CARTER, and Mrs. HARTZLER.

H.R. 3541: Mr. LANDRY.

H.R. 3548: Mr. HENSARLING and Mrs. CAPITO.

H.R. 3591: Mr. MCDERMOTT.

H.R. 3596: Mr. STARK.

H.R. 3606: Mr. SCOTT of South Carolina and Mr. SCHOCK.

H.R. 3612: Ms. LEE of California, and Mr. POLIS.

H.R. 3635: Ms. HAHN and Mr. PETERS.

H.R. 3643: Mr. BARROW.

H.R. 3652: Mrs. BLACKBURN, Mrs. NOEM, and Mr. CONAWAY.

H.R. 3662: Mr. GINGREY of Georgia, Mr. COFFMAN of Colorado, Mr. LEWIS of California, Mr. GALLEGLEY, Mr. GARY G. MILLER of California, Mr. HERGER, and Mr. SAM JOHNSON of Texas.

H.R. 3663: Mr. GRIFFITH of Virginia.

H.R. 3666: Mr. LIPINSKI.

H.R. 3676: Mr. FARENTHOLD.

H.R. 3698: Mrs. MYRICK.

H.R. 3702: Mr. CLARKE of Michigan.

H.R. 3767: Mr. GERLACH, Mrs. DAVIS of California, Mr. DEUTCH, and Mr. DEFazio.

H.R. 3789: Mr. FILNER.

H.R. 3798: Mr. SMITH of Washington.

H.R. 3803: Mr. CRAWFORD and Mr. PEARCE.

H.R. 3805: Mr. HARRIS.

H.R. 3811: Mr. DUFFY.

H.R. 3816: Mr. POMPEO and Mrs. HARTZLER.

H.R. 3819: Mr. PAUL and Mr. BURTON of Indiana.

H.R. 3824: Mr. BRADY of Pennsylvania, Mr. BISHOP of New York, and Mr. MCKINLEY.

H.R. 3842: Mr. SCHWEIKERT and Mr. HARRIS.

H.R. 3848: Mr. SCHOCK and Mrs. BLACKBURN.

H.R. 3852: Ms. LEE of California and Mr. QUIGLEY.

H.R. 3856: Mr. BILIRAKIS, and Ms. ROSLEHTINEN.

H.R. 3866: Mr. SERRANO, Mr. CLEAVER, Mr. RANGEL, Mr. DINGELL, Mr. ALTMIRE, Mr. WALZ of Minnesota, Mr. COSTELLO, Mr. RAHALL, Mr. MICHAUD, Mr. LARSEN of Washington, Mr. NADLER, and Mr. DEFazio.

H.R. 3875: Mr. WELCH, and Mrs. CAPPs.

H.R. 3878: Mr. DEFazio.

H.R. 3895: Mr. JONES.

H.R. 3903: Ms. SUTTON, Mr. WELCH, Mr. JOHNSON of Georgia, Mr. JACKSON of Illinois, Mr. CONYERS, Ms. KAPTUR, Ms. MOORE, Mr. MCGOVERN, Ms. LEE of California, Mr. HONDA, Mr. FILNER, and Mr. CICILLINE.

H. Res. 298: Ms. ZOE LOFGREN of California.

H. Res. 460: Ms. ZOE LOFGREN of California, Mr. LANGEVIN, Mr. HOLT, Mr. CALVERT, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. ROYBAL-ALLARD.

H. Res. 532: Mr. NUNNELEE and Mr. FITZPATRICK.

¶17.33 PETITIONS

Under clause 3 of rule XII,

36. The SPEAKER presented a petition of the City of Lauderdale Lakes, Florida, rel-

ative to Resolution No. 2011-121 setting forth the City's 2012 Federal Legislative and Appropriations priorities; jointly to the Committees on Energy and Commerce, Transportation and Infrastructure, Homeland Security, the Judiciary, and Financial Services.

WEDNESDAY, FEBRUARY 8, 2012 (18)

¶18.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
February 8, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶18.2 RECESS—11:32 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 32 minutes a.m., until noon.

¶18.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶18.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, February 7, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶18.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4905. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Swap Data Recordkeeping and Reporting Requirements (RIN: 3038-AD19) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4906. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — New Animal Drugs; Cephalosporin Drugs; Extralabel Animal Drug Use; Order of Prohibition [Docket No.: FDA-2008-N-0326] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4907. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's report on assistance provided for sporting events during calendar year 2011; to the Committee on Armed Services.

4908. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4909. A letter from the Acting Chief, Planning and Regulatory Affairs, Department of Agriculture, transmitting the Department's

final rule — Applying for Free and Reduced Price Meals in the National School Lunch Program and School Breakfast Program and for Benefits in the Special Milk Program, and Technical Amendments [FNS-2007-0023] (RIN: 0584-AD54) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4910. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Ovarian Adnexal Mass Assessment Score Test System; Labeling; Black Box Restrictions [Docket No.: FDA-2011-D-0028] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4911. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Temperature-Indicating Devices; Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers; Correction [Docket No.: FDA-2007-N-0265] (formerly 2007N-2006) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4912. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Revisions to Labeling Requirements for Blood and Blood Components, Including Source Plasma [Docket No.: FDA-2003-N-0097] (Formerly 2003N-0211) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4913. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Participation in the Development and Use of Consensus Standards received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4914. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberator regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004, pursuant to 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

4915. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-12, Benchmark Survey of Foreign Direct Investment in the United States [Docket No.: 110822526-1715-02] (RIN: 0691-AA80) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4916. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 20-11 informing of an intent to sign the Framework Memorandum of Understanding with Australia and Canada; to the Committee on Foreign Affairs.

4917. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report including matters relating to the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Affairs.

4918. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to section 702 of the Foreign Relations Authorization Act for FY 2003 (Pub. L. 107-228), a report on the 2011

U.S.-Vietnam Human Rights Dialogue Meetings; to the Committee on Foreign Affairs.

4919. A letter from the Special Inspector General for Iraq Reconstruction, transmitting sixth lessons learned report entitled "Iraq Reconstruction: Lessons in Inspections of U.S.-funded Stabilization and Reconstruction Projects"; to the Committee on Foreign Affairs.

4920. A letter from the Acting Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4921. A letter from the Secretary, Department of Commerce, transmitting the Department's Performance and Accountability Report for fiscal year 2011; to the Committee on Oversight and Government Reform.

4922. A letter from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting in accordance with Section 647(b) of Title VI of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Commission's Report to Congress on FY 2011 Competitive Sourcing Efforts; to the Committee on Oversight and Government Reform.

4923. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-55; Small Entity Compliance Guidance [Docket: FAR 2011-0077, Sequence 7] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4924. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period of October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4925. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year ending September 30, 2010; to the Committee on Oversight and Government Reform.

4926. A letter from the Chair, Federal Election Commission, transmitting the Commission's final rule — Standards of Conduct [Notice 2011-16] (RIN: 3209-AA15) received December 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

4927. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sculpins in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA857) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4928. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 101126521-0640-02] (RIN: 0648-XA858) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4929. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Hawaii Advisory Committee; to the Committee on the Judiciary.

4930. A letter from the Senior Program Analyst, Department of Transportation, transmitting Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30810; Amdt. No. 3450] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4931. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30814; Amdt. No. 497] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4932. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Annual Report On Child Welfare Outcomes 2006-2009, pursuant to Public Law 105-89, section 203(a) (111 Stat. 2127); to the Committee on Ways and Means.

4933. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — United States Savings Bonds, Series EE and I received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4934. A letter from the Commissioner, Social Security Administration, transmitting a draft bill to improve work incentive provisions; to the Committee on Ways and Means.

18.6 PROVIDING FOR CONSIDERATION OF H.R. 3521

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 540):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget and Representative Simpson of Idaho or his designee. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on the Budget and Rules now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-12. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment

the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of February 9, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to a measure addressing securities trading based on non-public information.

When said resolution was considered.

After debate,

Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the nays had it.

Mr. WOODALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 240 affirmative } Nays 184

18.7 [Roll No. 43]

YEAS—240

- Adams Denham Hensarling
Aderholt Dent Herger
Amash DesJarlais Herrera Beutler
Amodei Diaz-Balart Huelskamp
Austria Dold Huizenga (MI)
Bachmann Dreier Hultgren
Bachus Duffy Hunter
Barletta Duncan (SC) Hurt
Bartlett Duncan (TN) Issa
Barton (TX) Ellmers Jenkins
Bass (NH) Emerson Johnson (IL)
Benishek Farenthold Johnson (OH)
Berg Fincher Johnson, Sam
Biggart Fitzpatrick Jones
Bilbray Flake Jordan
Bilirakis Fleischmann Kelly
Bishop (UT) Fleming Kind
Black Flores King (IA)
Blackburn Forbes King (NY)
Bonner Fortenberry Kingston
Bono Mack Foxx Kinzinger (IL)
Boren Franks (AZ) Kline
Boustany Frelinghuysen Labrador
Brady (TX) Gallegly Lamborn
Brooks Gardner Lance
Broun (GA) Garrett Landry
Buchanan Gerlach Lankford
Bucshon Gibbs Latham
Buerkle Gibson LaTourette
Burgess Gingrey (GA) Latta
Burton (IN) Gohmert Lewis (CA)
Calvert Goodlatte LoBiondo
Camp Gosar Long
Campbell Gowdy Lucas
Canseco Granger Luetkemeyer
Cantor Graves (GA) Lummis
Capito Graves (MO) Lungren, Daniel
Carter Griffith (AR) E.
Chabot Griffith (VA) Mack
Chaffetz Grimm Manzullo
Coble Guinta Marchant
Coffman (CO) Guthrie Marino
Cole Hall Matheson
Conaway Hanna McCarthy (CA)
Cravaack Harper McCaul
Crawford Harris McClintock
Crenshaw Hastings (WA) McCotter
Culberson Hayworth McHenry
Davis (KY) Heck McKeon

- McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert

- Renacci
Ribble
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Smith
Smith (NE)

NAYS—184

- Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Frank (MA)
Fudge

- Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

- Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Holt
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Kaptur
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—9

Akin Cassidy Payne
Alexander Fattah Pearce
Blumenauer Paul Roby

So the previous question on the resolution was ordered.

The question being put, viva voce,
Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 238
affirmative { Nays 175

¶18.8 [Roll No. 44]

YEAS—238

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

Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Sullivan
Terry

Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster

West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—175

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

NOT VOTING—20

Akin	Herrera Beutler	Payne
Blumenauer	Meehan	Polis
Butterfield	Mica	Roby
Cassidy	Miller (MI)	Ruppersberger
Chu	Miller, George	Sewell
Cole	Nunes	Stutzman
Franks (AZ)	Paul	

So the resolution was agreed to.
A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶18.9 EXPEDITED LINE-ITEM VETO AND RESCISSIONS

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to House Resolution 540 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill

(H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes.

The SPEAKER pro tempore, Mrs. EMERSON, by unanimous consent, designated Mr. DENHAM as Chairman of the Committee of the Whole; and after some time spent therein,

¶18.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-389, submitted by Mr. ALEXANDER:

Page 4, after line 24, add the following new subsection:

“(c) EXEMPTION FOR THE CORPS OF ENGINEERS.—The President may not propose the rescission under this part of all or part of any dollar amount of funding for the Corps of Engineers.”

It was decided in the { Yeas 128
negative { Nays 300

¶18.11 [Roll No. 45]

AYES—128

Alexander	Grimm	Peters
Altmire	Gutierrez	Peterson
Austria	Hanabusa	Price (NC)
Bachus	Harper	Rahall
Barletta	Harris	Rehberg
Barrow	Herrera Beutler	Reyes
Bishop (GA)	Hinchev	Richardson
Bishop (NY)	Holden	Richmond
Boswell	Jackson (IL)	Rogers (AL)
Boustany	Jackson Lee	Rogers (KY)
Brady (PA)	(TX)	Rooney
Brown (FL)	Johnson, E. B.	Ross (AR)
Butterfield	Jones	Rothman (NJ)
Calvert	Keating	Roybal-Allard
Capps	King (IA)	Runyan
Capuano	King (NY)	Ruppersberger
Cardoza	Kingston	Rush
Castor (FL)	Kucinich	Ryan (OH)
Chu	Landry	Sarbanes
Clyburn	Larson (CT)	Scalise
Coble	Latham	Schilling
Cole	LaTourette	Schwartz
Costa	Lewis (CA)	Sewell
Costello	Lipinski	Shimkus
Courtney	LoBiondo	Shuster
Crawford	Loebsack	Sires
Critz	Luján	Sutton
Culberson	Maloney	Terry
Cummings	Markey	Thompson (CA)
Davis (CA)	Matsui	Tierney
DeFazio	McCarthy (NY)	Tonko
DeLauro	McGovern	Turner (NY)
Dicks	McNerney	Walz (MN)
Doyle	Meehan	Wasserman
Emerson	Miller, Gary	Schultz
Fattah	Moore	Waters
Fitzpatrick	Nadler	Watt
Fortenberry	Napolitano	Waxman
Garamendi	Nunnelee	Welch
Gingrey (GA)	Palazzo	Wilson (FL)
Gonzalez	Pallone	Woolsey
Granger	Pascrell	Young (AK)
Green, Al	Pastor (AZ)	
Green, Gene	Perlmutter	

NOES—300

Ackerman	Berg	Broun (GA)
Adams	Berkley	Buchanan
Aderholt	Berman	Bucshon
Akin	Biggert	Buerkle
Amash	Bilbray	Burgess
Amodei	Bilirakis	Burton (IN)
Andrews	Bishop (UT)	Camp
Baca	Black	Campbell
Bachmann	Blackburn	Canseco
Baldwin	Bonamici	Cantor
Bartlett	Bonner	Capito
Barton (TX)	Bono Mack	Carnahan
Bass (CA)	Boren	Carney
Bass (NH)	Brady (TX)	Carson (IN)
Becerra	Braley (IA)	Carter
Benishak	Brooks	Chabot

Chaffetz	Holt	Pitts
Chandler	Honda	Platts
Cicilline	Hoyer	Poe (TX)
Clarke (MI)	Huelskamp	Polis
Clarke (NY)	Huizenga (MI)	Pompeo
Clay	Hultgren	Posey
Cleaver	Hunter	Price (GA)
Coffman (CO)	Hurt	Quayle
Cohen	Inslee	Quigley
Conaway	Israel	Rangel
Connolly (VA)	Issa	Reed
Conyers	Jenkins	Reichert
Cooper	Johnson (GA)	Renacci
Cravaack	Johnson (IL)	Ribble
Crenshaw	Johnson (OH)	Rigell
Crowley	Johnson, Sam	Rivera
Cuellar	Jordan	Roby
Davis (IL)	Kaptur	Roe (TN)
Davis (KY)	Kelly	Rogers (MI)
DeGette	Kildee	Rohrabacher
Denham	Kind	Rokita
Dent	Kinzinger (IL)	Ros-Lehtinen
DesJarlais	Kissell	Roskam
Deutch	Kline	Ross (FL)
Diaz-Balart	Labrador	Royce
Dingell	Lamborn	Ryan (WI)
Doggett	Lance	Sanchez, Linda
Dold	Langevin	T.
Donnelly (IN)	Lankford	Sanchez, Loretta
Dreier	Larsen (WA)	Schakowsky
Duffy	Latta	Schiff
Duncan (SC)	Lee (CA)	Schmidt
Duncan (TN)	Levin	Schock
Edwards	Lewis (GA)	Schrader
Ellison	Lofgren, Zoe	Schweikert
Ellmers	Long	Scott (SC)
Engel	Lowe	Scott (VA)
Eshoo	Lucas	Scott, Austin
Farenthold	Luetkemeyer	Scott, David
Farr	Lummis	Sensenbrenner
Filner	Lungren, Daniel	Serrano
Fincher	E.	Sessions
Flake	Lynch	Sherman
Fleischmann	Mack	Shuler
Fleming	Manzullo	Simpson
Flores	Marchant	Slaughter
Forbes	Marino	Smith (NE)
Fox	Matheson	Smith (NJ)
Frank (MA)	McCarthy (CA)	Smith (TX)
Franks (AZ)	McCaul	Smith (WA)
Frelinghuysen	McClintock	Southerland
Fudge	McCollum	Speier
Gallegly	McCotter	Stark
Gardner	McDermott	Stearns
Garrett	McHenry	Stivers
Gerlach	McKeon	Stutzman
Gibbs	McKinley	Sullivan
Gibson	McMorris	Thompson (MS)
Gohmert	Rodgers	Thompson (PA)
Goodlatte	Meeke	Thornberry
Gosar	Mica	Tiberi
Gowdy	Michaud	Tipton
Graves (GA)	Miller (FL)	Towns
Graves (MO)	Miller (MI)	Tsongas
Griffin (AR)	Miller (NC)	Turner (OH)
Griffith (VA)	Miller, George	Upton
Grijalva	Moran	Van Hollen
Guinta	Mulvaney	Velázquez
Guthrie	Murphy (CT)	Viscosky
Hahn	Murphy (PA)	Walberg
Hall	Myrick	Walden
Hanna	Neal	Walsh (IL)
Hartzler	Neugebauer	Waxman
Hastings (FL)	Noem	Webster
Hastings (WA)	Nugent	Welch
Hayworth	Nunes	Westmoreland
Heck	Olson	Whitfield
Heinrich	Olver	Wilson (SC)
Hensarling	Owens	Wittman
Heger	Paulsen	Wolf
Higgins	Pearce	Woodall
Himes	Pelosi	Yarmuth
Hinojosa	Pence	Yoder
Hirono	Petri	Young (FL)
Hochul	Pingree (ME)	Young (IN)

NOT VOTING—5

Blumenauer	McIntyre	Payne
Cassidy	Paul	

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. DENHAM, assumed the Chair.

When Mr. FLEISCHMANN, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Expedited Legislative Line-Item Veto and Rescissions Act of 2012”.

SEC. 2. CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS.

Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by striking all of part B (except for sections 1015, 1016, and 1013, which are transferred and redesignated as sections 1017, 1018, and 1019, respectively) and part C and by inserting after part A the following:

“PART B—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS**“CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS**

“SEC. 1011. (a) PROPOSED RESCISSIONS.—Within 10 days after the enactment of any bill or joint resolution providing any funding, the President may propose, in the manner provided in subsection (b), the rescission of all or part of any dollar amount of such funding.

“(b) SPECIAL MESSAGE.—If the President proposes that Congress rescind funding, the President shall transmit a special message to Congress containing the information specified in this subsection.

“(1) PACKAGING OF REQUESTED RESCISSIONS.—For each piece of legislation that provides funding, the President shall request at most 2 packages of rescissions and the rescissions in each package shall apply only to funding contained in that legislation. The President shall not include the same rescission in both packages.

“(2) TRANSMITTAL.—The President shall deliver each message requesting a package of rescissions to the Secretary of the Senate if the Senate is not in session and to the Clerk of the House of Representatives if the House is not in session. The President shall make a copy of the transmittal message publicly available, and shall publish in the Federal Register a notice of the message and information on how it can be obtained.

“(3) CONTENTS OF SPECIAL MESSAGE.—For each request to rescind funding under this part, the transmittal message shall—

“(A) specify—

“(i) the dollar amount to be rescinded;

“(ii) the agency, bureau, and account from which the rescission shall occur;

“(iii) the program, project, or activity within the account (if applicable) from which the rescission shall occur;

“(iv) the amount of funding, if any, that would remain for the account, program, project, or activity if the rescission request is enacted; and

“(v) the reasons the President requests the rescission.

“(B) designate each separate rescission request by number; and include proposed legislative text of an approval bill to accomplish the requested rescissions which may not include—

“(i) any changes in existing law, other than the rescission of funding; or

“(ii) any supplemental appropriations, transfers, or reprogrammings.

“GRANTS OF AND LIMITATIONS ON PRESIDENTIAL AUTHORITY

“SEC. 1012. (a) PRESIDENTIAL AUTHORITY TO WITHHOLD FUNDING.—Notwithstanding any

other provision of law and if the President proposes a rescission of funding under this part, the President may, subject to the time limits provided in subsection (c), temporarily withhold that funding from obligation.

“(b) WITHHOLDING AVAILABLE ONLY ONCE PER PROPOSED RESCISSION.—Except as provided in section 1019, the President may not invoke the authority to withhold funding granted by subsection (a) for any other purpose.

“(c) TIME LIMITS.—The President shall make available for obligation any funding withheld under subsection (a) on the earliest of—

“(1) the day on which the President determines that the continued withholding or reduction no longer advances the purpose of legislative consideration of the approval bill;

“(2) the 60th day following the date of enactment of the appropriations measure to which the approval bill relates; or

“(3) the last day that the President determines the obligation of the funding in question can no longer be fully accomplished in a prudent manner before its expiration.

“(d) DEFICIT REDUCTION.—

“(1) IN GENERAL.—Funds that are rescinded under this part shall be dedicated only to reducing the deficit or increasing the surplus.

“(2) ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.—Not later than 3 days of session after the date of enactment of an approval bill as provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the rescissions, and the Committees on Appropriations of the House of Representatives and the Senate shall report revised suballocations pursuant to section 302(b) of title III, as appropriate.

“(3) ADJUSTMENTS TO STATUTORY LIMITS.—Not later than 3 days after enactment of an approval bill provided under this section, the President shall revise downward by the amount of the rescissions applicable limits under the Balanced Budget and Emergency Deficit Control Act of 1985.

“PROCEDURES FOR EXPEDITED CONSIDERATION**“SEC. 1013. (a) EXPEDITED CONSIDERATION.—**

“(1) INTRODUCTION OF APPROVAL BILL.—The majority leader of each House or a designee shall (by request) introduce an approval bill as defined in section 1015 not later than the third day of session of that House after the date of receipt of a special message transmitted to the Congress under section 1011(b).

“(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

“(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an approval bill is referred shall report it to the House without amendment not later than the third legislative day after the date of its introduction. If a committee fails to report the bill within that period or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(B) PROCEEDING TO CONSIDERATION.—Not later than 3 legislative days after the approval bill is reported or a committee has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the approval bill in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within two legislative days after the day on which the proponent announces an intention to the House to offer the motion provided that such notice may not be given until the approval bill is re-

ported or a committee has been discharged from further consideration thereof. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that special message. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(C) CONSIDERATION.—If the motion to proceed is agreed to, the House shall immediately proceed to consider the approval bill in the House without intervening motion. The approval bill shall be considered as read. All points of order against the approval bill and against its consideration are waived. The previous question shall be considered as ordered on the approval bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the approval bill shall not be in order.

“(3) CONSIDERATION IN THE SENATE.—

“(A) COMMITTEE ACTION.—The appropriate committee of the Senate shall report without amendment the approval bill as defined in section 1015(2) not later than the third session day after introduction. If a committee fails to report the approval bill within that period or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, the Committee shall be automatically discharged from further consideration of the approval bill and it shall be placed on the appropriate calendar.

“(B) MOTION TO PROCEED.—Not later than 3 session days after the approval bill is reported in the Senate or the committee has been discharged thereof, it shall be in order for any Senator to move to proceed to consider the approval bill in the Senate. The motion shall be decided without debate and the motion to reconsider shall be deemed to have been laid on the table. Such a motion shall not be in order after the Senate has disposed of a prior motion to proceed with respect to the approval bill.

“(C) CONSIDERATION.—If a motion to proceed to the consideration of the approval bill is agreed to, the Senate shall immediately proceed to consideration of the approval bill without intervening motion, order, or other business, and the approval bill shall remain the unfinished business of the Senate until disposed of. Consideration on the bill in the Senate under this subsection, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours equally divided in the usual form. All points of order against the approval bill or its consideration are waived. Consideration in the Senate on any debatable motion or appeal in connection with the approval bill shall be limited to not more than 1 hour. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the approval bill is not in order. A motion to reconsider the vote by which the approval bill is agreed to or disagreed to is not in order.

“(4) AMENDMENTS PROHIBITED.—No amendment to, or motion to strike a provision from, an approval bill considered under this section shall be in order in either the Senate or the House of Representatives.

“(5) COORDINATION WITH ACTION BY OTHER HOUSE.—

“(A) IN GENERAL.—If, before passing the approval bill, one House receives from the other a bill—

“(i) the approval bill of the other House shall not be referred to a committee; and

“(ii) the procedure in the receiving House shall be the same as if no approval bill had been received from the other House until the

vote on passage, when the bill received from the other House shall supplant the approval bill of the receiving House.

“(B) This paragraph shall not apply to the House of Representatives.

“(b) LIMITATION.—Subsection (a) shall apply only to an approval bill, as such term is defined in section 1015(2), introduced pursuant to subsection (a)(1).

“(c) EXTENDED TIME PERIOD.—If Congress adjourns at the end of a Congress prior to the expiration of the periods described in sections 1012(c)(2) and 1014 and an approval bill was then pending in either House of Congress or a committee thereof, or an approval bill had not yet been introduced with respect to a special message, or before the applicable 10-day period specified in section 1011(a) has expired, then within the first 3 days of session, the President shall transmit to Congress an additional special message containing all of the information in the previous, pending special message and an approval bill may be introduced within the first five days of session of the next Congress and shall be treated as an approval bill under this part, and the time periods described in sections 1012(c)(2) and 1014 shall commence on the day of introduction of that approval bill.

“(d) APPROVAL BILL PROCEDURE.—In order for an approval bill to be considered under the procedures set forth in this part, the bill must meet the definition of an approval bill and must be introduced no later than the third day of session following the beginning of the period described in section 1013(a)(1) or the fifth day in the case of subsection (c).

“(e) CBO ESTIMATE.—Upon receipt of a special message under section 1101 proposing to rescind all or part of any funding, CBO shall prepare and submit to the appropriate committees of the House of Representatives and the Senate an estimate of the reduction in budget authority which would result from the enactment of the proposed rescissions.

“TREATMENT OF RESCISSIONS

“SEC. 1014. Rescissions proposed by the President under this part shall take effect only upon enactment of the applicable approval bill. If an approval bill is not enacted into law within 60 days from the enactment of the appropriation measure to which the approval bill relates, then the approval bill shall not be eligible for expedited consideration under the provisions of this part.

“DEFINITIONS

“SEC. 1015. As used in this part:

“(1) APPROPRIATION MEASURE.—The term ‘appropriation measure’ means an Act referred to in section 105 of title 1, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been enacted into law pursuant to article I, section 7, of the Constitution of the United States.

“(2) APPROVAL BILL.—The term ‘approval bill’ means a bill which only approves rescissions of funding in a special message transmitted by the President under this part and—

“(A) the title of which is as follows: ‘A bill approving the proposed rescissions transmitted by the President on _____’, the blank space being filled in with the date of transmission of the relevant special message and the public law number to which the message relates; and

“(B) which provides only the following after the enacting clause: ‘That the Congress approves the proposed rescissions _____’, the blank space being filled in with the list of the rescissions contained in the President’s special message, ‘as transmitted by the President in a special message on _____’, the blank space being filled in with the appropriate date, ‘regarding _____’, the

blank space being filled in with the public law number to which the special message relates.

“(3) RESCIND OR RESCISSION.—The terms ‘rescind’ or ‘rescission’ mean to permanently cancel or prevent budget authority or outlays available under an obligation limit from having legal force or effect.

“(4) CONGRESSIONAL BUDGET OFFICE.—The term ‘CBO’ means the Director of the Congressional Budget Office.

“(5) COMPTROLLER GENERAL.—The term ‘Comptroller General’ means the Comptroller General of the United States.

“(6) DEFERRAL OF BUDGET AUTHORITY.—The term ‘deferral of budget authority’ includes—

“(A) withholding or delaying the obligations or expenditure of budget authority (whether by establishing reserves or otherwise) provided for projects or activities; or

“(B) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of budget authority, including authority to obligate by contract in advance of appropriations as specifically authorized by law.

“(7) FUNDING.—(A) Except as provided in subparagraph (B), the term ‘funding’ means all or part of the dollar amount of budget authority or obligation limit—

“(i) specified in an appropriation measure, or the dollar amount of budget authority or obligation limit required to be allocated by a specific proviso in an appropriation measure for which a specific dollar figure was not included;

“(ii) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law; or

“(iii) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation measure or included in the statement of managers or the governing committee report accompanying such law.

“(B) The term ‘funding’ does not include—

“(i) direct spending;

“(ii) budget authority in an appropriation measure which funds direct spending provided for in other law;

“(iii) any existing budget authority canceled in an appropriation measure; or

“(iv) any restriction or condition in an appropriation measure or the accompanying statement of managers or committee reports on the expenditure of budget authority for an account, program, project, or activity, or on activities involving such expenditure.

“(8) WITHHOLD.—The terms ‘withhold’ and ‘withholding’ apply to any executive action or inaction that precludes the obligation of funding at a time when it would otherwise have been available to an agency for obligation. The terms do not include administrative or preparatory actions undertaken prior to obligation in the normal course of implementing budget laws.

“EXPIRATION

“SEC. 1016. On December 15, 2015, the amendments made by the Expedited Legislative Line-Item Veto and Rescissions Act of 2012 shall be replaced by the provisions of part B of the Impoundment Control Act of 1974 as in effect immediately before the date of enactment of the Expedited Legislative Line-Item Veto and Rescissions Act of 2012.”

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking “1017” and inserting “1013”; and

(2) in subsection (d), by striking “section 1017” and inserting “section 1013”.

(b) CLERICAL AMENDMENTS.—(1) The last sentence of section 1(a) of the Congressional

Budget and Impoundment Control Act of 1974 is amended to read as follows: "Sections 1011 through 1016 of part B of title X may be cited as the 'Expedited Legislative Line-Item Veto and Rescissions Act of 2012'."

(2) Section 1017 of such Act (as redesignated) is amended by striking "section 1012 or 1013" each place it appears and inserting "section 1011 or 1019" and section 1018 (as redesignated) is amended by striking "calendar" and "of continuous session".

(3) Section 1019(c) of such Act (as redesignated) is amended by striking "1012" and inserting "1011".

(4) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the items relating to parts B and C (including all of the items relating to the sections therein) of title X and inserting the following:

"PART B—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS

"Sec. 1011. Congressional consideration of proposed rescissions and deferrals of budget authority and obligation limitations.

"Sec. 1012. Grants of and limitations on presidential authority.

"Sec. 1013. Procedures for Expedited Consideration.

"Sec. 1014. Treatment of rescissions.

"Sec. 1015. Definitions.

"Sec. 1016. Expiration."

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to funding as defined in section 1015(8) of the Congressional Budget Act and Impoundment Control of 1974 in any Act enacted after the date of enactment of this Act.

SEC. 4. APPROVAL MEASURES CONSIDERED.

Section 314 of the Congressional Budget Act of 1974 is amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f) and by inserting after subsection (a) the following new subsection:

"(b) ADJUSTMENTS FOR RESCISSIONS.—(1) Whenever an approval bill passes the House of Representatives, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) by the total amount of reductions in budget authority and in outlays resulting from such approval bill.

"(2) As used in this subsection, the term 'approval bill' has the meaning given to such term in section 1015."

(2) in subsection (d) (as redesignated), by inserting "or (b)" after "subsection (a)".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. DENHAM, announced that the yeas had it.

Mr. LEVIN demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 254 affirmative } Nays 173

¶18.12 [Roll No. 46]

AYES—254

Adams Altmire Andrews
Akin Amodei Bachmann

Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bono Mack
Boren
Boswell
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Camp
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Conaway
Connolly (VA)
Cooper
Costa
Costello
Cravaack
Crawford
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (TN)
Ellmers
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

Ackerman
Aderholt
Alexander
Amash
Austria
Baca
Bachus
Baldwin
Becerra
Berkley
Berman
Bishop (GA)
Bonner
Boustany

Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Higgins
Himes
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Inslie
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Loeb sack
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem

NOES—173

Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Burton (IN)
Butterfield
Calvert
Capuano
Carson (IN)
Carter
Chu
Clarke (MI)
Clarke (NY)
Clay

Nugent
Nunes
Olson
Owens
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Webster
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Woodall
Yoder
Young (IN)

Cleaver
Clyburn
Cohen
Cole
Conyers
Courtney
Crenshaw
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro

Deutch
Dicks
Dingell
Doyle
Duncan (SC)
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Granger
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Herrera Beutler
Hinchee
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
King (IA)
Kucinich
Labrador

NOT VOTING—6

Blumenauer Long Paul
Cassidy McIntyre Payne

Landry
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Nunnelee
Oliver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Peterson
Pingree (ME)
Price (NC)
Rahall
Rangel
Reyes
Richardson
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney

Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Shuster
Simpson
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Velázquez
Viscosky
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Whitfield
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

¶18.13 CLERK TO CORRECT

ENGROSSMENT—H.R. 3521

On motion of Mr. RYAN of Wisconsin, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, punctuation, and cross references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

¶18.14 HOUR OF MEETING
On motion of Mr. RYAN of Wisconsin, by unanimous consent,
Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, February 9, 2012.

¶18.15 MOTION TO INSTRUCT

CONFEREES—H.R. 3630

Mr. BISHOP of New York, submitted the motion to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, to file a conference report not later than February 17, 2012.

After debate,
By unanimous consent, the previous question was ordered on the motion to

instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. RIVERA, announced that the yeas had it.

Mr. BISHOP of New York, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RIVERA, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, February 9, 2012.

¶18.16 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on February 8, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 658. An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

And then,

¶18.17 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 7 o'clock and 56 minutes p.m., the House adjourned until 9 a.m. on Thursday, February 9, 2012.

¶18.18 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUCAS: Committee on Agriculture. H.R. 2682. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes, with an amendment (Rept. 112-343, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 2779. A bill to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act, with an amendment (Rept. 112-344, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 2586. A bill to refine the definition of swap execution facility in the provisions regulating swap markets added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, with an amendment (Rept. 112-345, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 3336. A bill to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act, with an amendment (Rept. 112-390). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 3527. A bill to amend the Commodity

Exchange Act to clarify the definition of swap dealer, with an amendment (Rept. 112-391). Referred to the Committee of the Whole House on the state of the Union.

¶18.19 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY (for himself, Ms. LEE of California, Mr. CLARKE of Michigan, Mr. JACKSON of Illinois, Mr. STARK, Ms. WOOLSEY, Mr. HOLT, Mr. FILNER, Ms. SLAUGHTER, Mr. NADLER, Mr. BRADY of Pennsylvania, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. GRIJALVA, Ms. NORTON, Mr. BRALEY of Iowa, Mr. POLIS, Mr. HONDA, Mr. BLUMENAUER, Mr. FRANK of Massachusetts, Mr. ELLISON, Mrs. MALONEY, Ms. KAPTUR, Mr. DEFazio, Mr. BISHOP of New York, Mr. MCGOVERN, Ms. RICHARDSON, Mr. OLVER, Mr. MCDERMOTT, Mr. PAYNE, Ms. ESHOO, Mrs. CHRISTENSEN, Mr. TIERNEY, and Mr. FARR):

H.R. 3974. A bill to reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. ROGERS of Michigan (for himself and Mr. MARKEY):

H.R. 3975. A bill to amend title V of the Federal Food, Drug, and Cosmetic Act to extend the provisions of the Pediatric Medical Device Safety and Improvement Act; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3976. A bill to provide exporting assistance to small business concerns, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Small Business, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA:

H.R. 3977. A bill to consolidate, improve, and reauthorize programs that support families and victims in the justice system affected by domestic violence; to the Committee on the Judiciary.

By Mr. CLEAVER:

H.R. 3978. A bill to amend title 18, United States Code, to prohibit the dissemination of false information for the purpose of discouraging a student of an institution of higher education from registering to vote or voting in an election for Federal office, to require States which require individuals to present a photo identification as a condition of voting in elections for Federal office to accept a photo identification presented by a student which is issued by the school the student attends, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H.R. 3979. A bill to amend the Harmonized Tariff Schedule of the United States to extend to 2025 the production certificate program that allows refunds of duties on certain articles produced in United States insular possessions; to the Committee on Ways and Means.

By Ms. HERRERA BEUTLER (for herself and Mr. SCHRADER):

H.R. 3980. A bill to amend the Small Business Act with respect to procurement center representatives and acquisition planning, and for other purposes; to the Committee on Small Business.

By Mr. KLINE (for himself, Mr. CRAVAACK, Mr. PAULSEN, Mr. WALZ of Minnesota, and Mr. PETERSON):

H.R. 3981. A bill to amend title 10, United States Code, to expand the authority of the Secretary of the Army to loan or donate excess small arms to certain eligible organizations for funeral and other ceremonial purposes; to the Committee on Armed Services.

By Mr. LUETKEMEYER:

H.R. 3982. A bill to prohibit the Secretary of Health and Human Services from implementing certain rules relating to the health insurance coverage of sterilization and contraceptives approved by the Food and Drug Administration; to the Committee on Energy and Commerce.

By Mr. OWENS (for himself, Mr. WELCH, Mr. GIBSON, Mr. MICHAUD, Mr. TONKO, and Mr. HINCHEY):

H.R. 3983. A bill to permit aliens who lawfully enter the United States on valid visas as nonimmigrant elementary and secondary school students to attend public schools in the United States for longer than 1 year if such aliens reimburse the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Ms. DELAURO):

H.R. 3984. A bill to limit the quantity of arsenic and lead in beverages containing fruit juice pursuant to tolerances under section 406 of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. SCHILLING (for himself and Ms. CHU):

H.R. 3985. A bill to amend the Small Business Act with respect to mentor-protege programs, and for other purposes; to the Committee on Small Business.

By Mr. TONKO:

H.R. 3986. A bill to provide relief for the victims of Hurricane Irene and Tropical Storm Lee; to the Committee on Transportation and Infrastructure.

By Mr. WALSH of Illinois (for himself and Mr. CONNOLLY of Virginia):

H.R. 3987. A bill to amend the Small Business Act with respect to small business concern size standards, and for other purposes; to the Committee on Small Business.

By Mr. MURPHY of Pennsylvania (for himself, Mr. PALLONE, Mr. PRTTS, and Mr. WAXMAN):

H.R. 3988. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish user-fee programs for generic drugs and biosimilars; to the Committee on Energy and Commerce.

By Mr. POLIS:

H. Res. 541. A resolution amending the Rules of the House of Representatives to provide that the House may not consider major legislation unless it addresses one issue at a time; to the Committee on Rules.

By Mr. CLEAVER (for himself, Mr. CLARKE of Michigan, Ms. LEE of California, Ms. FUDGE, Mr. CLAY, Mr. AL GREEN of Texas, Ms. MOORE, Mr. MEEKS, Ms. WATERS, Mr. JACKSON of Illinois, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. RICHMOND, Mr. RUSH, Mr. BISHOP of Georgia, Mr. DAVIS of Illinois, Mr. TOWNS, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. PAYNE, Mr. RANGEL, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Geor-

gia, Mr. ELLISON, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, Mr. FATTAH, Ms. BASS of California, Ms. SEWELL, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Mrs. CHRISTENSEN, Mr. CARSON of Indiana, Ms. EDWARDS, Mr. CLYBURN, Ms. RICHARDSON, and Mr. WATT):

H. Res. 542. A resolution condemning the passage of legislation that would unduly burden an American citizen's ability to vote and opposing any State election law or proposed legislation that would have a disproportionate impact on vulnerable communities across the country; to the Committee on the Judiciary.

By Ms. HOCHUL (for herself, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H. Res. 543. A resolution honoring and remembering the victims of the crash of Continental Connection Flight 3407 in Clarence Center, New York, on February 12, 2009; to the Committee on Transportation and Infrastructure.

By Mr. ROTHMAN of New Jersey (for himself, Ms. CLARKE of New York, Mr. PIERLUISI, Mr. NADLER, Mr. MEEKS, Mr. COHEN, Mr. SERRANO, Mr. OWENS, Mr. ISRAEL, Mr. TOWNS, Mr. SIRES, Mr. BISHOP of New York, Mrs. LOWEY, Mr. ENGEL, Mr. RUPPERSBERGER, Mrs. MALONEY, Mr. PALLONE, Mr. ACKERMAN, Mr. PASCRELL, Mr. HINCHEY, Mr. GRIMM, Mr. HANNA, Mrs. MCCARTHY of New York, Mr. REED, Mr. PAYNE, Mr. HOLT, and Mr. MURPHY of Connecticut):

H. Res. 544. A resolution congratulating the National Football League champion New York Giants for winning Super Bowl XLVI; to the Committee on Oversight and Government Reform.

18.20 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. DAVIS of Kentucky.
 H.R. 100: Mr. STEARNS.
 H.R. 104: Mr. MCGOVERN and Mr. SAM JOHNSON of Texas.
 H.R. 139: Mr. CARNAHAN.
 H.R. 140: Mr. MURPHY of Pennsylvania.
 H.R. 184: Mr. MCCOTTER.
 H.R. 190: Mr. CLAY.
 H.R. 192: Mr. HOLT.
 H.R. 300: Mr. REYES.
 H.R. 494: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 511: Ms. ROS-LEHTINEN and Mr. DIAZ-BALART.
 H.R. 589: Mr. KEATING.
 H.R. 665: Mr. MULVANEY.
 H.R. 689: Mr. ELLISON.
 H.R. 726: Mr. BOREN.
 H.R. 769: Mr. JOHNSON of Georgia and Mr. TIERNEY.
 H.R. 809: Ms. ZOE LOFGREN of California.
 H.R. 864: Mr. KUCINICH.
 H.R. 870: Mr. KILDEE, Mr. ANDREWS, Ms. BROWN of Florida, Mr. NADLER, Mr. PASCRELL, Ms. SEWELL, Mr. TOWNS, and Mr. CLEAVER.
 H.R. 1015: Ms. WILSON of Florida.
 H.R. 1148: Ms. BONAMICI.
 H.R. 1149: Mr. GONZALEZ.
 H.R. 1179: Mr. RENACCI, Mr. NUGENT, Mr. SHUSTER, Mr. GUINTA, Mrs. ROBY, Mr. JOHNSON of Illinois, Mr. BROOKS, Mr. LANCE, Mr. LABRADOR, Mr. FLORES, Mr. SOUTHERLAND, Mr. GOHMERT, Mr. GIBBS, Mr. ROKITA, Mr. RIVERA, and Mr. ROE of Tennessee.
 H.R. 1195: Mr. GUTHRIE.
 H.R. 1340: Mr. BACHUS and Ms. JENKINS.
 H.R. 1367: Ms. KAPTUR.
 H.R. 1417: Mr. POLIS.

H.R. 1536: Mr. SAM JOHNSON of Texas, Mr. CONAWAY, and Mr. SMITH of Texas.
 H.R. 1564: Ms. RICHARDSON, Mrs. MALONEY, Mr. POLIS, and Mr. MORAN.
 H.R. 1602: Mr. POLIS.
 H.R. 1621: Mr. AUSTRIA.
 H.R. 1639: Mr. COFFMAN of Colorado and Mr. ROHRABACHER.
 H.R. 1697: Mr. KISSELL.
 H.R. 1781: Ms. LEE of California.
 H.R. 1842: Mr. WAXMAN, Mr. JOHNSON of Georgia, and Mr. MEEKS.
 H.R. 1873: Mr. GENE GREEN of Texas.
 H.R. 1895: Mr. BROOKS and Mr. ISRAEL.
 H.R. 1903: Mr. PETERS.
 H.R. 1912: Mr. HOLT.
 H.R. 1956: Mrs. BLACK.
 H.R. 2052: Mr. LATHAM.
 H.R. 2107: Mr. GRIJALVA.
 H.R. 2152: Mr. LOEBSACK, Mr. CHANDLER, Mr. ROSKAM, Mr. ACKERMAN, Mr. YOUNG of Alaska, and Ms. BERKLEY.
 H.R. 2168: Mr. ROHRABACHER.
 H.R. 2367: Mr. ROE of Tennessee and Mr. LUTTKEMEYER.
 H.R. 2453: Mr. ALTMIRE, Ms. BALDWIN, Mr. BARROW, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BOREN, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CARDOZA, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CLYBURN, Mr. DEUTCH, Mr. DICKS, Mr. DONNELLY of Indiana, Ms. HAHN, Mr. HINCHEY, Mr. HINOJOSA, Mr. INSLER, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. LUJAN, Ms. MCCOLLUM, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mrs. NAPOLITANO, Mr. PETERS, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. RAHALL, Mr. RICHMOND, Mr. RYAN of Ohio, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIRES, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Ms. VELAZQUEZ, Ms. WILSON of Florida, and Mr. FARR.
 H.R. 2464: Ms. PINGREE of Maine.
 H.R. 2497: Mr. GOSAR and Mr. STEARNS.
 H.R. 2517: Mr. FRANK of Massachusetts.
 H.R. 2529: Mr. GARDNER.
 H.R. 2679: Mr. PAYNE.
 H.R. 2777: Mr. HOLT and Mr. ROTHMAN of New Jersey.
 H.R. 2787: Mr. TOWNS and Mr. BURGESS.
 H.R. 2810: Mr. FLORES, Mr. RIGELL, and Mr. HULTGREN.
 H.R. 2913: Mr. YODER.
 H.R. 2921: Ms. CHU and Mr. BISHOP of Georgia.
 H.R. 2959: Mr. PETERSON.
 H.R. 3001: Ms. SCHAKOWSKY, Mr. LEVIN, Mr. CONYERS, and Mrs. MILLER of Michigan.
 H.R. 3086: Mr. GENE GREEN of Texas, Mrs. MALONEY, Mr. NEAL, Mr. GUTIERREZ, and Mr. LARSEN of Washington.
 H.R. 3200: Mr. ROGERS of Michigan and Mr. RYAN of Ohio.
 H.R. 3207: Mr. STEARNS.
 H.R. 3231: Mr. DENT and Mr. JOHNSON of Georgia.
 H.R. 3264: Mr. WALBERG.
 H.R. 3283: Mr. ROYCE.
 H.R. 3307: Mr. CRITZ.
 H.R. 3395: Mr. ROGERS of Michigan.
 H.R. 3435: Mr. DEFAZIO, Mr. SERRANO, and Mr. PERLMUTTER.
 H.R. 3482: Ms. WASSERMAN SCHULTZ.
 H.R. 3504: Mr. COBLE.
 H.R. 3506: Ms. HIRONO.
 H.R. 3510: Ms. BUERKLE and Mr. NUNES.
 H.R. 3528: Mr. FILNER and Mr. GRIJALVA.
 H.R. 3533: Mr. CLARKE of Michigan.
 H.R. 3541: Mr. SENSENBRENNER and Mr. GALLEGLY.
 H.R. 3559: Mr. HURT.
 H.R. 3585: Mr. BOSWELL and Mr. DEFAZIO.
 H.R. 3596: Mr. RUSH and Mr. PETERS.
 H.R. 3606: Mr. CARNAHAN.
 H.R. 3627: Mr. BURGESS.
 H.R. 3643: Mr. COSTA and Mr. CUELLAR.
 H.R. 3670: Mr. KING of New York, and Mr. MICA.

H.R. 3676: Mr. CHABOT, Mr. STEARNS, and Mr. FITZPATRICK.
 H.R. 3709: Mr. FORTENBERRY.
 H.R. 3744: Ms. SEWELL.
 H.R. 3747: Mrs. CAPITO, Mrs. MALONEY, and Mr. HOLT.
 H.R. 3760: Mr. PAYNE.
 H.R. 3767: Mr. LONG, Mr. OLVER, Mr. KIND, and Mr. CRITZ.
 H.R. 3781: Mr. CLARKE of Michigan.
 H.R. 3798: Mr. WEST, Mr. MORAN, and Mr. BERMAN.
 H.R. 3803: Mr. WOODALL, Mr. TERRY, Mr. DUNCAN of Tennessee, FARENTHOLD, and Mr. MULVANEY.
 H.R. 3811: Mr. LONG, Mr. GUINTA, and Mr. LUCAS.
 H.R. 3823: Mr. FILNER.
 H.R. 3826: Mr. DEFAZIO, Ms. BORDALLO, Ms. CHU, and Mr. LANGEVIN.
 H.R. 3828: Mrs. ELLMERS.
 H.R. 3839: Ms. HANABUSA.
 H.R. 3852: Ms. WOOLSEY.
 H.R. 3855: Ms. VELAZQUEZ.
 H.R. 3863: Ms. MOORE and Mr. DUFFY.
 H.R. 3865: Mr. COURTNEY.
 H.R. 3867: Mr. BURGESS, Ms. GRANGER, Mr. BROUN of Georgia, Mr. BENISHEK, Mrs. LUMMIS, and Mr. SOUTHERLAND.
 H.R. 3871: Mr. CANSECO.
 H.R. 3883: Mr. MULVANEY, Mr. BENISHEK, Mr. JORDAN, Mr. WALSH of Illinois, and Mrs. LUMMIS.
 H.R. 3897: Mr. WEST and Mr. AUSTRIA.
 H.R. 3910: Mr. HONDA.
 H.R. 3911: Mr. THOMPSON of Pennsylvania and Mr. MCKINLEY.
 H.J. Res. 71: Mr. RIBBLE.
 H.J. Res. 88: Ms. HAHN.
 H.J. Res. 90: Mr. BERMAN and Ms. HAHN.
 H.J. Res. 93: Mr. RIBBLE.
 H. Con. Res. 98: Mr. BARTON of Texas, Mr. HUELSKAMP, Mr. NUNNELEE, and Mr. STEARNS.
 H. Res. 134: Mr. AMODEI.
 H. Res. 282: Mr. GARAMENDI.
 H. Res. 526: Mr. DIAZ-BALART.

THURSDAY, FEBRUARY 9, 2012 (19)

19.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. CAPITO, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 9, 2012.

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

JOHN A. BOEHRER,
Speaker.

19.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. CAPITO, announced she had examined and approved the Journal of the proceedings of Wednesday, February 8, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

19.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4935. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Registration of Swap Dealers and Major Swap Participants (RIN: 3038-AC95) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4936. A letter from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's final rule — Definitions and Abbreviations (RIN: 0570-AA87) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4937. A letter from the Director, Credit, Travel and Grants Policy Division, Department of Agriculture, transmitting the Administration's final rule — Implementation of Office of Management and Budget Guidance on Drug-Free Workplace Requirements (RIN: 0505-AA14) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4938. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Organization; Standards of Conduct and Referral of Known or Suspected Criminal Violations; Definitions; Disclosure to Shareholders; and Disclosure to Investors in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System; Compensation, Retirement Programs, and Related Benefits (RIN: 3052-AC41) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4939. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Benjamin C. Freakley, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4940. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's FY 2011 report on Foreign Language Skill Proficiency Bonus; to the Committee on Armed Services.

4941. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Independent Research and Development Technical Descriptions (DFARS Case 2010-D011) (RIN: Number 0750-AG96) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4942. A letter from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Community Reinvestment Act Regulations (RIN: 3064-AD90) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4943. A letter from the Senior Vice President, Communications and Government Affairs, Corporation for Public Broadcasting, transmitting the Corporation's 2009 annual report on the provision of services to minority and diverse audiences by public broadcasting entities and public telecommunication entities, pursuant to 47 U.S.C. 396(m)(2); to the Committee on Energy and Commerce.

4944. A letter from the Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the September 30, 2011, status of loans and guarantees issued under Section 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4945. A letter from the Secretary, Department of Commerce, transmitting the Department's report on Foreign Policy-Based Export Controls for 2012; to the Committee on Foreign Affairs.

4946. A letter from the Secretary, Department of Commerce, transmitting a report on Export and Reexport License Requirements for Certain Microwave and Millimeter Wave Electronic Components; to the Committee on Foreign Affairs.

4947. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting the Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training FY 2011 Annual Report; to the Committee on Foreign Affairs.

4948. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report in accordance with Section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

4949. A letter from the Acting Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4950. A letter from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4951. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the FY 2011 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Oversight and Government Reform.

4952. A letter from the Assistant Attorney General, Department of Justice, transmitting a report on Elderly and Family Reunification for Certain Non-Violent Offenders Pilot Program; to the Committee on the Judiciary.

4953. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2010 Annual Report of the National Institute of Justice (NIJ); to the Committee on the Judiciary.

4954. A letter from the Immediate Past National President, Women's Army Corps Veterans' Association, transmitting the annual audit of the Association as of June 30, 2010, pursuant to 36 U.S.C. 1103 and 1101(64); to the Committee on the Judiciary.

4955. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, "Fundamental Properties of Asphalts and Modified Asphalts — III"; to the Committee on Transportation and Infrastructure.

4956. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2012-8) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4957. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-10] received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4958. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Interim Guidance on Informational Reporting to Employees of the Cost of Their Group Health Insurance Coverage [Notice 2012-9] received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4959. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2012-4) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4960. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Allocation and Apportionment of Interest Expense [TD 9571] (RIN: 1545-BJ84) received January 19, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

4961. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2012-4) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4962. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Medicare Advantage and Prescription Drug Benefit Programs: Negotiated Pricing and Remaining Revisions; Prescription Drug Benefit Program: Payments to Sponsors of Retiree Prescription Drug Plans [CMS-4131-F2] (RIN: 0938-AP64) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4963. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Implementation of the Methamphetamine Production Prevention Act of 2008 [Docket No.: DEA-328] (RIN: 1117-AB25) received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

4964. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Amendments to Regulations Regarding Eligibility for a Medicare Prescription Drug Subsidy [Docket No.: SSA-2010-0033] (RIN: 0960-AH24) received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

¶19.4 STOP TRADING ON CONGRESSIONAL KNOWLEDGE

Mr. SMITH of Texas, moved to suspend the rules and pass the bill of the Senate (S. 2038) to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. CAPITO, recognized Mr. SMITH of Texas, and Mr. CONYERS, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. CAPITO, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 417
affirmative } Nays 2

¶19.5 [Roll No. 47]
YEAS—417

Ackerman	Amodi	Barletta
Adams	Andrews	Barrow
Aderholt	Austria	Bartlett
Akin	Baca	Barton (TX)
Alexander	Bachmann	Bass (CA)
Altmire	Bachus	Bass (NH)
Amash	Baldwin	Becerra

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

NAYS—2

NOT VOTING—14

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶19.6 MOTION TO INSTRUCT CONFEREES TO H.R. 3630—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. CAPITO, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. BISHOP of New York, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3630) to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, and for other purposes.

The question being put, Will the House agree to said motion? The vote was taken by electronic device.

It was decided in the { Yeas 405
affirmative Nays 15

¶19.7 [Roll No. 48]

YEAS—405

Ackerman	Amodi	Barletta
Adams	Andrews	Barrow
Aderholt	Austria	Bartlett
Akin	Baca	Barton (TX)
Alexander	Bachus	Bass (CA)
Altmire	Baldwin	Bass (NH)

Rohrbacher	Scott, David	Turner (NY)
Rokita	Sensenbrenner	Turner (OH)
Rooney	Serrano	Upton
Ros-Lehtinen	Sessions	Van Hollen
Roskam	Sewell	Velázquez
Ross (AR)	Sherman	Visclosky
Ross (FL)	Shimkus	Walberg
Rothman (NJ)	Shuler	Walden
Roybal-Allard	Simpson	Walsh (IL)
Royce	Sires	Walz (MN)
Runyan	Slaughter	Wasserman
Ruppersberger	Smith (NE)	Schultz
Rush	Smith (NJ)	Waters
Ryan (OH)	Smith (TX)	Watt
Ryan (WI)	Smith (WA)	Waxman
Sánchez, Linda	Southerland	Webster
T.	Speier	Welch
Sánchez, Loretta	Stark	West
Sarbanes	Stearns	Westmoreland
Scalise	Stivers	Whitfield
Schakowsky	Sullivan	Wilson (FL)
Schiff	Sutton	Wilson (SC)
Schilling	Thompson (CA)	Wittman
Schmidt	Thompson (PA)	Womack
Schock	Thornberry	Woodall
Schrader	Tiberi	Woolsey
Schwartz	Tierney	Yarmuth
Schweikert	Tipton	Young (AK)
Scott (SC)	Tonko	Young (FL)
Scott (VA)	Towns	Young (IN)
Scott, Austin	Tsongas	

NAYS—15

Amash	Huelskamp	Quayle
Bachmann	Long	Rogers (AL)
Blackburn	Lummis	Stutzman
Campbell	McClintock	Wolf
Flake	Neugebauer	Yoder

NOT VOTING—13

Blumenauer	Fudge	Shuster
Burton (IN)	Michaud	Terry
Cardoza	Paul	Thompson (MS)
Carney	Platts	
Edwards	Ribble	

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶19.8 EMANCIPATION HALL

On motion of Mr. Daniel E. LUNGREN of California, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 99):

Whereas enslaved African-Americans provided labor essential to the construction of the United States Capitol;

Whereas in 2005 Congress created the Slave Labor Task Force to study the role that enslaved African-Americans played in the construction of the Capitol and to make recommendations to Congress on how to commemorate their contribution;

Whereas the report of the Architect of the Capitol entitled "History of Slave Laborers in the Construction of the United States Capitol" documents the role of slave labor in the construction of the Capitol;

Whereas enslaved African-Americans performed the backbreaking work of quarrying the stone which comprised many of the floors, walls, and columns of the Capitol;

Whereas enslaved African-Americans also participated in other facets of construction of the Capitol, including carpentry, masonry, carting, rafting, roofing, plastering, glazing, painting, and sawing;

Whereas the marble columns in the Old Senate Chamber and the sandstone walls of the East Front corridor remain as the lasting legacies of the enslaved African-Americans who worked the quarries;

Whereas slave-quarried stones from the remnants of the original Capitol walls can be found in Rock Creek Park in the District of Columbia;

Whereas the Statue of Freedom now atop the Capitol dome could not have been cast without the pivotal intervention of Philip Reid, an enslaved African-American foundry worker who deciphered the puzzle of how to separate the 5-piece plaster model for casting when all others failed;

Whereas the great hall of the Capitol Visitor Center was named Emancipation Hall to help acknowledge the work of the slave laborers who built the Capitol;

Whereas no narrative on the construction of the Capitol that does not include the contribution of enslaved African-Americans can fully and accurately reflect its history;

Whereas recognition of the contributions of enslaved African-Americans brings to all Americans an understanding of the continuing evolution of our representative democracy;

Whereas in 2007 the Slave Labor Task Force recommended to Congress the creation of a marker commemorating the contributions of enslaved African-Americans in the construction of the Capitol; and

Whereas the marker dedicated to the enslaved African-Americans who helped to build the Capitol reflects the charge of the Capitol Visitor Center to teach visitors about Congress and its development: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO UNVEIL MARKER DEDICATED TO ENSLAVED AFRICAN-AMERICANS WHO HELPED BUILD THE CAPITOL.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on February 28, 2012, for a ceremony to unveil the marker which acknowledges the role that slave labor played in the construction of the United States Capitol.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶19.9 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 1 p.m. on Monday, February 13, 2012.

¶19.10 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BURTON of Indiana, for today;

To Ms. EDWARDS, for today; and

To Mr. MICHAUD, for today.

And then,

¶19.11 ADJOURNMENT

On motion of Mr. BARTLETT, pursuant to the previous order of the House, at 2 o'clock and 14 minutes p.m., the House adjourned until 1 p.m. on Monday, February 13, 2012.

¶19.12 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3408. A bill to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes; with an amendment (Rept. 112-392). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3407. A bill to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, to ensure secure energy supplies for the continental Pacific Coast of the United States, lower prices, and reduce imports, and for other purposes; with an amendment (Rept. 112-393). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 3813. A bill to amend title 5, United States Code, to secure the annuities of Federal civilian employees, and for other purposes; with an amendment (Rept. 112-394, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3410. A bill to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, to provide fair and equitable revenue sharing for all coastal States, to formulate future offshore energy development plans in areas with the most potential, to generate revenue for American infrastructure, and for other purposes; with an amendment (Rept. 112-395). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 3864. A bill to amend the Internal Revenue Code of 1986 to extend authorities relating to the Highway Trust Fund, to provide revenues for highway programs, and for other purposes (Rept. 112-396, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶19.13 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Natural Resources discharged from further consideration. H.R. 2484 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on House Administration discharged from further consideration. H.R. 3813 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3864 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶19.14 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KLINE (for himself, Mr. HUNTER, Mr. ROE of Tennessee, Mr. PETRI, Mr. WILSON of South Carolina, Mr. THOMPSON of Pennsylvania, Mr. DESJARLAIS, Mrs. NOEM, Mrs. ROBY, and Mr. HECK):

H.R. 3989. A bill to support State and local accountability for public education, inform parents of their schools' performance, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KLINE (for himself, Mr. HUNTER, Mr. ROE of Tennessee, Mr. PETRI, Mr. WILSON of South Carolina, Mr. DESJARLAIS, Mrs. NOEM, Mrs. ROBY, and Mr. HECK):

H.R. 3990. A bill to encourage effective teachers in the classrooms of the United States and innovative education programs in our Nation's schools; referred to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ADAMS (for herself, Mr. ROSS of Florida, Mr. GOHMERT, Mr. BURGESS, Mr. WESTMORELAND, Mr. JONES, Mr. BROUN of Georgia, Mr. CHAFFETZ, Mrs. LUMMIS, Mr. GARDNER, Mr. POSEY, Mr. FLEMING, Mr. HUELSKAMP, Mrs. BLACKBURN, Mr. WEBSTER, Mr. MULVANEY, Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. COLE, Mr. ROE of Tennessee, Mr. WALBERG, Mr. WALSH of Illinois, Mrs. SCHMIDT, Mr. YODER, Mr. KING of Iowa, Mr. PEARCE, Mr. RIBBLE, Mr. HARRIS, Mr. PRICE of Georgia, Mr. BARTON of Texas, Mr. KINGSTON, Mr. RIVERA, Mr. CALVERT, and Mr. MACK):

H.R. 3991. A bill to prohibit the National Labor Relations Board from requiring that employers provide to the Board or to a labor organization the telephone number or email address of any employee; to the Committee on Education and the Workforce.

By Mr. BERMAN (for himself, Mr. SMITH of Texas, Ms. ZOE LOFGREN of California, and Ms. ROS-LEHTINEN):

H.R. 3992. A bill to allow otherwise eligible Israeli nationals to receive E-2 non-immigrant visas if similarly situated United States nationals are eligible for similar non-immigrant status in Israel; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Mr. SHERMAN, Mr. PAUL, Mr. MEEKS, Mr. KISSELL, and Mr. FILNER):

H.R. 3993. A bill to clarify the National Credit Union Administration authority to improve credit union safety and soundness; to the Committee on Financial Services.

By Mr. POMPEO (for himself, Mr. WESTMORELAND, Mr. KINZINGER of Illinois, and Mr. MILLER of Florida):

H.R. 3994. A bill to give States and localities the option to return unused Federal grant funds to the general fund of the Treasury for the purpose of deficit reduction; referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself and Mr. WAXMAN):

H.R. 3995. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and for other purposes; referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMODEI (for himself, Mr. HECK, and Ms. BERKLEY):

H.R. 3996. A bill to direct the Secretary of the Interior to convey to the Nevada System

of Higher Education certain Federal land located in Clark and Nye Counties, Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. BARROW:

H.R. 3997. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for expensing of environmental remediation costs; to the Committee on Ways and Means.

By Mr. BARROW:

H.R. 3998. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. BARROW:

H.R. 3999. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for mortgage insurance; to the Committee on Ways and Means.

By Mr. MACK (for himself, Mr. REBERG, Mr. BOREN, Mr. GRIFFIN of Arkansas, Mr. KISSELL, Ms. ROS-LEHTINEN, Mr. ROKITA, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. SCHOCK, Mr. LAMBORN, Mrs. NOEM, Mr. FLAKE, Mr. POE of Texas, Mr. RIVERA, Mr. BERG, Mr. DUNCAN of South Carolina, Mrs. LUMMIS, Mr. BISHOP of Utah, Mr. HERGER, Mrs. SCHMIDT, Mr. CHABOT, Mr. MANZULLO, Mr. KING of New York, Mrs. CAPITO, Mr. MCCLINTOCK, Mr. SAM JOHNSON of Texas, Mr. BURTON of Indiana, Mr. BROOKS, Mr. CARTER, Mr. WEST, Mr. COLE, Mr. BILIRAKIS, Mr. CANSECO, Ms. BUERKLE, Mrs. ELLMERS, Mr. BROUN of Georgia, Mr. DIAZ-BALART, Mr. CHAFFETZ, Mr. MILLER of Florida, Mr. LUCAS, Mr. LANDRY, Mr. ROYCE, Mr. CULBERSON, Mrs. BONO MACK, Mr. HUIZENGA of Michigan, Mr. DUNCAN of Tennessee, Mr. MCCAUL, Mr. BOUSTANY, Mrs. MILLER of Michigan, Mr. FARENTHOLD, Mr. RIGELL, and Mr. GIBBS):

H.R. 4000. A bill to approve the Keystone XL pipeline project, and for other purposes; referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Natural Resources, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 4001. A bill to amend the Internal Revenue Code of 1986 to allow partnerships invested in infrastructure property to be treated as publicly traded partnerships, to reduce the depreciation recovery periods for such property, and for other purposes; to the Committee on Ways and Means.

By Mr. CASSIDY (for himself, Mr. DEUTCH, Mr. HARPER, Mr. DUNCAN of Tennessee, Mr. ALEXANDER, Mr. WEST, Mr. BOUSTANY, Mr. CULBERSON, Mr. MCCAUL, Mr. LANDRY, Mr. SESSIONS, Mr. GRIFFIN of Arkansas, and Mr. HASTINGS of Florida):

H.R. 4002. A bill to amend the Securities Investor Protection Act of 1970 to provide one-time payments from the SIPC Fund for customers during a pending lawsuit by the Securities and Exchange Commission against the Securities Investor Protection Corporation, and for other purposes; to the Committee on Financial Services.

By Mr. COHEN (for himself, Ms. NORTON, Mr. GRIJALVA, Ms. KAPTUR, Ms. SEWELL, Ms. MCCOLLUM, Mr. GONZALEZ, and Mr. HASTINGS of Florida):

H.R. 4003. A bill to amend title 39, United States Code, to provide that the payment of a bill, invoice, or statement of account due, if made by mail, shall be considered to have been made on the date as of which the envelope which is used to transmit such payment

is postmarked; to the Committee on Oversight and Government Reform.

By Mr. DOYLE (for himself, Mr. YODER, and Mr. CLAY):

H.R. 4004. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Oversight and Government Reform.

By Ms. HAHN:

H.R. 4005. A bill to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them; to the Committee on Homeland Security.

By Ms. HAHN:

H.R. 4006. A bill to require the submission of a plan to ensure the placement of sufficient U.S. Customs and Border Protection officers at each of the ten international airports in the United States with the largest volume of international travelers to effectively combat security threats and vulnerabilities, and for other purposes; to the Committee on Homeland Security.

By Mr. HARRIS (for himself, Mr. HANNA, Ms. EDWARDS, Mr. BARTLETT, Mr. CUMMINGS, Mr. VAN HOLLEN, Mr. RANGEL, Ms. SLAUGHTER, Mr. SERRANO, and Ms. RICHARDSON):

H.R. 4007. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Natural Resources.

By Mr. HEINRICH (for himself, Mr. LUJÁN, and Mr. PEARCE):

H.R. 4008. A bill to establish the Cavernous Angioma CARE Center (Clinical Care, Awareness, Research and Education) of Excellence, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISSA:

H.R. 4009. A bill to prohibit Members of Congress, senior congressional staffers, and administration executives from making certain purchases or sales of registered securities, futures, swaps, security futures products, security-based swaps, and options, to prohibit bonus payments to executives at Fannie Mae and Freddie Mac, and for other purposes; referred to the Committee on Financial Services, and in addition to the Committees on House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. BRADY of Pennsylvania, Mr. HOYER, Mr. CLYBURN, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. BECERRA, Mr. WAXMAN, Mr. LEVIN, Ms. SLAUGHTER, Mr. ISRAEL, Mr. MARKEY, Mr. THOMPSON of California, Mr. PRICE of North Carolina, Mr. WELCH, Mr. DEUTCH, Mr. BISHOP of New York, Mr. PASCRELL, Mr. FARR, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mrs. CAPPS, Mr. JOHNSON of Georgia, Mr. HOLT, Mr. SARBANES, Mr. BOSWELL, Mr. ANDREWS, Mr. SCHIFF, Mr. NADLER, Ms. ESHOO, Ms. SCHWARTZ, Mrs. CHRISTENSEN, Mr. TONKO, Ms. ZOE LOFGREN of California, Ms. CASTOR of Florida, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mr. CARNAHAN, Mrs. MALONEY, Mr. STARK, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, Mr. YARMUTH, Ms. BONAMICI, Ms. HAHN, Ms. MATSUI, Ms. WOOLSEY, Ms. SPEIER, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SMITH

of Washington, Mr. SCOTT of Virginia, Ms. MCCOLLUM, Mr. GARAMENDI, Ms. LEE of California, Mr. JACKSON of Illinois, Ms. WATERS, Mr. CUMMINGS, Mr. CLEAVER, Mr. POLIS, Mr. MCNERNEY, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. DICKS, Ms. VELÁZQUEZ, Mr. RUPPERSBERGER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. EDWARDS, Mr. LOEBSACK, Mr. LYNCH, Mr. RUSH, Mr. SHERMAN, Mr. GONZALEZ, Mr. LARSEN of Washington, Mr. COSTA, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. FILNER, Mr. LEWIS of Georgia, Ms. DEGETTE, Mr. OLVER, Mr. HONDA, Mrs. NAPOLITANO, Mr. COHEN, Mr. ELLISON, and Ms. BASS of California):

H.R. 4010. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes; referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mr. SCOTT of Virginia, Mr. BLUMENAUER, Mr. CAPUANO, Mr. ELLISON, Mr. ENGEL, Mr. FILNER, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Mr. KUCINICH, Mrs. MALONEY, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MORAN, Ms. NORTON, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Mr. VAN HOLLEN, and Mr. WELCH):

H.R. 4011. A bill to modify certain provisions of law relating to torture; referred to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. MCGOVERN, and Ms. PINGREE of Maine):

H.R. 4012. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a community-supported agriculture promotion program; to the Committee on Agriculture.

By Mr. LEWIS of Georgia:

H. Con. Res. 99. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to unveil the marker which acknowledges the role that slave labor played in the construction of the United States Capitol; to the Committee on House Administration; considered and agreed to.

¶19.15 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Ms. CHU.
 H.R. 157: Mr. SCHWEIKERT.
 H.R. 505: Mr. DEUTCH and Mr. FILNER.
 H.R. 592: Mr. DEUTCH.
 H.R. 615: Mr. POSEY.
 H.R. 1148: Ms. CLARKE of New York.
 H.R. 1179: Mr. CULBERSON, Mr. BILLIRAKIS, Mrs. ELLMERS, Mr. DIAZ-BALART, Mr. WILSON of South Carolina, Mr. STIVERS, Mr. HERGER, and Mr. CAMPBELL.
 H.R. 1236: Mr. LONG.
 H.R. 1265: Mr. PERLMUTTER, Mr. SMITH of Texas, Mr. POE of Texas, Mr. CAPUANO, Mr. ROE of Tennessee, and Mr. FINCHER.
 H.R. 1327: Mr. WOMACK.
 H.R. 1418: Mr. ACKERMAN.
 H.R. 1426: Mr. HIGGINS.
 H.R. 1511: Mr. HINOJOSA.

H.R. 1515: Mr. LARSON of Connecticut.
 H.R. 1533: Mr. STIVERS.
 H.R. 1546: Mr. MEEHAN.
 H.R. 1564: Ms. HIRONO.
 H.R. 1578: Mr. PAYNE.
 H.R. 1648: Mr. CLARKE of Michigan and Mr. LARSEN of Washington.
 H.R. 1697: Mr. CARTER.
 H.R. 1744: Mr. YOUNG of Florida.
 H.R. 1777: Mrs. HARTZLER.
 H.R. 1897: Mrs. CAPITO and Mr. PAYNE.
 H.R. 1955: Mr. INSLER and Mr. MORAN.
 H.R. 1964: Mr. GRIFFIN of Arkansas, Mr. PETRI, Mr. CRENSHAW, and Mr. ROGERS of Alabama.
 H.R. 2019: Mr. CARNAHAN.
 H.R. 2085: Mr. RUSH and Mrs. NAPOLITANO.
 H.R. 2139: Ms. LINDA T. SANCHEZ of California, Mr. BILBRAY, Mr. MARINO, Ms. LORETTA SANCHEZ of California, Mr. GUTIERREZ, Mr. GOODLATTE, and Mr. COURTNEY.
 H.R. 2187: Mr. GEORGE MILLER of California, Ms. HAHN, and Mr. BACA.
 H.R. 2288: Mr. WALZ of Minnesota and Ms. LEE of California.
 H.R. 2299: Mr. SAM JOHNSON of Texas.
 H.R. 2311: Ms. SPEIER.
 H.R. 2412: Mr. KEATING.
 H.R. 2418: Mr. CARTER.
 H.R. 2505: Mr. CRENSHAW.
 H.R. 2569: Ms. ROS-LEHTINEN and Mrs. MILLER of Michigan.
 H.R. 2595: Mr. MCCOTTER.
 H.R. 2643: Mr. MORAN.
 H.R. 2689: Mr. FILNER.
 H.R. 2925: Mr. STEARNS.
 H.R. 2969: Mr. JOHNSON of Georgia, Mr. FARR, Mr. CONNOLLY of Virginia, and Mr. FILNER.
 H.R. 3003: Ms. HANABUSA and Mr. MCDERMOTT.
 H.R. 3015: Ms. LEE of California and Mr. CARNAHAN.
 H.R. 3059: Mr. BRALEY of Iowa and Mr. GRIJALVA.
 H.R. 3072: Mr. BURGESS.
 H.R. 3086: Mr. BRALEY of Iowa, Ms. MCCOLLUM, and Ms. NORTON.
 H.R. 3147: Mr. ACKERMAN.
 H.R. 3200: Mr. HONDA and Mr. PIERLUISI.
 H.R. 3266: Ms. ZOE LOFGREN of California.
 H.R. 3274: Mr. ROYCE.
 H.R. 3306: Mr. BROUN of Georgia and Mrs. BLACKBURN.
 H.R. 3307: Mr. DENT, Mr. DOYLE, and Ms. MCCOLLUM.
 H.R. 3308: Mr. FRANKS of Arizona and Mr. WILSON of South Carolina.
 H.R. 3395: Mr. FILNER.
 H.R. 3425: Mr. CLARKE of Michigan.
 H.R. 3510: Mr. ROGERS of Michigan and Mr. ANDREWS.
 H.R. 3548: Mr. ROYCE, Mr. STIVERS, and Mrs. BACHMANN.
 H.R. 3576: Mr. WESTMORELAND.
 H.R. 3585: Mr. VAN HOLLEN.
 H.R. 3606: Mr. LUETKEMEYER.
 H.R. 3625: Mr. SCHILLING.
 H.R. 3643: Mr. CRAWFORD.
 H.R. 3656: Mr. TIBERI.
 H.R. 3662: Mr. FRELINGHUYSEN, Mr. YOUNG of Alaska, Mr. SCHILLING, Mr. DESJARLAIS, Mrs. ADAMS, and Mr. RIVERA.
 H.R. 3695: Ms. HAHN.
 H.R. 3698: Mr. WESTMORELAND.
 H.R. 3702: Mr. KUCINICH and Ms. TSONGAS.
 H.R. 3712: Mr. FILNER and Mr. CRITZ.
 H.R. 3713: Mr. POSEY, Mr. WELCH, and Mr. BILBRAY.
 H.R. 3737: Mr. ROSKAM.
 H.R. 3786: Ms. BORDALLO.
 H.R. 3814: Mr. LABRADOR.
 H.R. 3825: Mr. ANDREWS.
 H.R. 3828: Mr. NUGENT.
 H.R. 3829: Mr. CLAY.
 H.R. 3831: Ms. JENKINS.
 H.R. 3839: Mr. HANNA.
 H.R. 3840: Mr. FILNER.
 H.R. 3855: Mr. HECK and Ms. WASSERMAN SCHULTZ.

H.R. 3860: Mr. RYAN of Ohio, Mr. BRALEY of Iowa, and Mr. TOWNS.
 H.R. 3877: Mr. ROSKAM.
 H.R. 3897: Mr. MICHAUD, Mr. STIVERS, Mr. MCCOTTER, and Mr. JOHNSON of Illinois.
 H.R. 3981: Mr. NUGENT.
 H. Res. 111: Mr. AMODEI and Mr. RENACCI.
 H. Res. 134: Ms. ZOE LOFGREN of California.
 H. Res. 220: Mr. CLAY.
 H. Res. 298: Mr. MCCOTTER and Mr. HANNA.
 H. Res. 525: Mr. LANGEVIN, Mr. MICHAUD, and Mr. RANGEL.
 H. Res. 532: Mr. GOODLATTE.

MONDAY, FEBRUARY 13, 2012 (20)

¶20.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 13, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHRER,
Speaker.

¶20.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Thursday, February 9, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶20.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4965. A letter from the Secretary, Department of Defense, transmitting the Annual Report of the Reserve Forces Policy Board for Fiscal Year 2011, pursuant to 10 U.S.C. 113 (c) and (e); to the Committee on Armed Services.

4966. A letter from the Assistant Secretary, Navy, Department of Defense, transmitting the Department's annual report listing all repairs and maintenance performed on any covered Navy vessel in any shipyard outside the United States or Guam during the preceding fiscal year; to the Committee on Armed Services.

4967. A letter from the Secretary, Department of Health and Human Services, transmitting fourth and fifth quarterly report on Progress Toward Promulgating Final Regulations for the Menu and Vending Machine Labeling Provisions of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.

4968. A letter from the Administrator, Environmental Protection Agency, transmitting a report entitled, "Biofuels and the Environment: First Triennial Report to Congress"; to the Committee on Energy and Commerce.

4969. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablock Act; to the Committee on Foreign Affairs.

4970. A letter from the Secretary, Department of Education, transmitting the sixty-third Semiannual Report to Congress of the

Office of the Inspector General for the period April 1, 2011, through September 30, 2011; to the Committee on Oversight and Government Reform.

4971. A letter from the Chief Human Capital Officer, Small Business Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4972. A letter from the Inspector General, Office of Inspector General, U.S. House of Representatives, transmitting a report entitled, "Capstone Summary — Improved Controls Needed Over Procurement Management Processes Report No. 12-CAO-04"; to the Committee on House Administration.

4973. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore — Off-Road Vehicle Management (RIN: 1024-AD85) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4974. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA887) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4975. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA884) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4976. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea Pollock Total Allowable Catch Amount [Docket No.: 101126521-0640-02] (RIN: 0648-XA906) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4977. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Pacific Cod Total Allowable Catch Amount [Docket No.: 101126521-0640-02] (RIN: 0648-XA903) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4978. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Recreational Accountability Measures [Docket No.: 111128700-1702-01] (RIN: 0648-BB66) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4979. A letter from the Secretary, Department of Transportation, transmitting the Department's report of obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs for Fiscal Year 2010 as of September 30, 2010; to the Committee on Transportation and Infrastructure.

4980. A letter from the Deputy General Counsel, Small Business Administration,

transmitting the Administration's final rule — Small Business Jobs Act: 504 Loan Program Debt Refinancing (RIN: 3245-AG17) received January 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

4981. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Permitted disparity in employer-provided contributions or benefits (Rev. Rul. 2012-5) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4982. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Dividend Equivalents from Sources within the United States [TD 9572] (RIN: 1545-BK53) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4983. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2012-5) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4984. A letter from the Director, Trade and Development Agency, transmitting the Agency's fiscal year 2011 annual report; to the Committee on Ways and Means.

And then,

¶20.4 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, at 1 o'clock and 2 minutes p.m., declared the House adjourned.

¶20.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 7. A bill to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes; with an amendment (Rept. 112-397). Referred to the Committee of the Whole House on the state of the Union.

¶20.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HERGER:

H.R. 4013. A bill to continue the employee payroll tax cut through 2012; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan (for himself, Mrs. CAPITO, and Mr. BACHUS):

H.R. 4014. A bill to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection; to the Committee on Financial Services.

By Mr. SCOTT of South Carolina:

H.R. 4015. A bill to repeal the conservation stewardship program of the Department of Agriculture; to the Committee on Agriculture.

¶20.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 452: Mr. BARROW.
 H.R. 494: Ms. WATERS.
 H.R. 679: Mr. OWENS.
 H.R. 692: Mr. STEARNS.
 H.R. 733: Mr. GINGREY of Georgia.
 H.R. 1179: Mr. FLAKE, Mr. POE of Texas, Mr. WOMACK, and Mr. SESSIONS.
 H.R. 1206: Mr. WOMACK.
 H.R. 1325: Mr. SCHILLING and Mr. SCHOCK.
 H.R. 1332: Mr. CHANDLER.
 H.R. 1358: Mr. FITZPATRICK.
 H.R. 1386: Mr. KING of New York and Mr. TOWNS.
 H.R. 1614: Mrs. MCMORRIS RODGERS.
 H.R. 1755: Mr. STIVERS.
 H.R. 1830: Mr. RIGELL.
 H.R. 1936: Mr. TONKO.
 H.R. 1960: Mr. GARAMENDI.
 H.R. 2077: Mr. GUINTA and Mr. GARDNER.
 H.R. 2088: Ms. SUTTON, Mr. ROTHMAN of New Jersey, Mr. FITZPATRICK, and Mrs. DAVIS of California.
 H.R. 2145: Mr. WESTMORELAND, Mr. HARRIS, Mr. BISHOP of Utah, and Ms. JENKINS.
 H.R. 2152: Mr. LARSON of Connecticut, Mr. GENE GREEN of Texas, Ms. MOORE, Mr. NEAL, and Ms. BUERKLE.
 H.R. 2179: Mr. COOPER and Mr. ROE of Tennessee.
 H.R. 2569: Mr. ROGERS of Alabama and Mr. CARDOZA.
 H.R. 2679: Mr. INSLEE.
 H.R. 2910: Mr. YOUNG of Indiana.
 H.R. 2962: Mr. WELCH.
 H.R. 3040: Mr. GOSAR.
 H.R. 3076: Mr. CLAY.
 H.R. 3207: Mr. FILNER.
 H.R. 3269: Mr. GUINTA, Mr. SCHILLING, and Mr. SIRES.
 H.R. 3283: Mr. SCHWEIKERT.
 H.R. 3510: Mr. COOPER.
 H.R. 3523: Mr. GRIMM, Mrs. MILLER of Michigan, Mr. GUTHRIE, Mr. ROGERS of Alabama, Mr. BENISHEK, and Mr. BROUN of Georgia.
 H.R. 3609: Mr. BROUN of Georgia.
 H.R. 3728: Mr. PITTS, Mr. ROSKAM, and Mr. AUSTIN SCOTT of Georgia.
 H.R. 3767: Ms. WOOLSEY and Mrs. MCCARTHY of New York.
 H.R. 3773: Mr. POE of Texas, Mr. MARCHANT, Mr. HALL, Mr. CANSECO, and Mr. ROSS of Arkansas.
 H.R. 3798: MCGOVERN and Mr. SABLAN.
 H.R. 3814: Mr. GOODLATTE, Mr. MCCLINTOCK, and Mr. WESTMORELAND.
 H.R. 3842: Mr. DAVIS of Kentucky.
 H.R. 3860: Mr. GRIJALVA.
 H.R. 3877: Mr. HULTGREN.
 H.R. 3895: Mr. BENISHEK, Mr. REHBERG, and Mr. WILSON of South Carolina.
 H.R. 3974: Mr. RANGEL, Mr. HASTINGS of Florida, and Mr. HINCHEY.
 H.R. 3995: Mr. VAN HOLLEN, Mr. PALLONE, Ms. SCHAKOWSKY, and Mr. BUTTERFIELD.
 H.J. Res. 101: Mr. MULVANEY.
 H. Res. 25: Mr. CICILLINE.
 H. Res. 351: Mr. BUCHANAN.
 H. Res. 526: Mr. KINZINGER of Illinois.

TUESDAY, FEBRUARY 14, 2012 (21)

¶21.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

February 14, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶21.2 RECESS—12:08 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 8 minutes p.m., until 2 p.m.

¶21.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. HARRIS, called the House to order.

¶21.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced he had examined and approved the Journal of the proceedings of Monday, February 13, 2012.

Ms. FOXX, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. HARRIS, announced that the yeas had it.

Ms. FOXX demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶21.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

4985. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyazofamid; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2011-0697; FRL-9332-5] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4986. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Etoxazole; Pesticide Tolerances [EPA-HQ-OPP-2010-0968; FRL-9334-9] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4987. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2010-1017; FRL-9332-1] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4988. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's Equipment Delivery Report for fiscal years 2009, 2010, and 2011; to the Committee on Armed Services.

4989. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Captain Christopher W. Grady, United States Navy, to wear the authorized insignia of the grade of rear admiral (lower half); to the Committee on Armed Services.

4990. A letter from the Secretary, Department of the Treasury, transmitting the an-

nual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 2011, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Financial Services.

4991. A letter from the Chief Counsel, Department of Health and Human Services, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-B-1237] received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4992. A letter from the Chief Counsel, Department of Health and Human Services, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4993. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's "Report to Congress on the Final Head Start Program Designation Renewal System"; to the Committee on Education and the Workforce.

4994. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Alternative Fuel Vehicle program report for FY 2011; to the Committee on Energy and Commerce.

4995. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Oklahoma; Infrastructure Requirements for 1997 8-Hour Ozone and the 1997 and 2006 PM_{2.5} NAAQS [EPA-R06-OAR-2008-0637; FRL-9622-5] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4996. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Consumer and Commercial Products [EPA-R03-OAR-2011-0730; FRL-9620-9] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4997. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina: Approval of Section 110(a)(1) Maintenance Plan for the Greensboro-Winston-Salem-High Point 1-Hour Ozone Maintenance Area to Maintain the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2011-0455-201131(a); FRL-9621-8] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4998. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans For Designated Facilities and Pollutants, State of West Virginia; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator Units, Plan Revision [EPA-R03-OAR-2011-0848; FRL-9620-6] received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4999. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Protection Against Turbine Missiles, Regulatory Guide 1.115, Revision 2, received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5000. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2011 annual report on the Benjamin A. Gilman International Scholarship Program, pursuant to Public Law 106-

309, section 304; to the Committee on Foreign Affairs.

5001. A letter from the Co-Chief Privacy Officers, Federal Election Commission, transmitting the Commission's Privacy Act Report for fiscal year 2011; to the Committee on Oversight and Government Reform.

5002. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's Performance and Accountability Report for Fiscal Year 2011; to the Committee on Oversight and Government Reform.

5003. A letter from the Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ending June 30, 2011, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

¶21.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 14, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 14, 2012 at 10:25 a.m.:

That the Senate passed without amendment H.R. 1162.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶21.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 13, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on February 13, 2012, at 2:14 p.m., and said to contain a message from the President whereby he submits his Budget of the United States Government for Fiscal Year 2013.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶21.8 BUDGET FY 2013

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

America was built on the idea that anyone who is willing to work hard and play by the rules, can make it if they try—no matter where they started out. By giving every American a fair shot, asking everyone to do their fair share, and ensuring that everyone played by the same rules, we built the great American middle class and made our country a model for the world.

Today, America is still home to the world's best universities, most productive workers, and most innovative companies. But for many Americans, the basic bargain at the heart of the American Dream has eroded.

Long before this recession hit, there was a widespread feeling that hard work had stopped paying off; that fewer and fewer of those who contributed to the success of our economy actually benefited from that success. Those at the very top grew wealthier while everyone else struggled with paychecks that did not keep up with the rising cost of everything from college tuition to groceries. And as a result, too many families found themselves taking on more and more debt just to keep up—often papered over by mounting credit card bills and home equity loans.

Then, in the middle of 2008, the house of cards collapsed. Too many mortgages had been sold to people who could not afford—or even understand—them. Banks had packaged too many risky loans into securities and then sold them to investors who were misled or misinformed about the risks involved. Huge bets had been made and huge bonuses had been paid out with other people's money. And the regulators who were supposed to prevent this crisis either looked the other way or did not have the authority to act.

In the end, this growing debt and irresponsibility helped trigger the worst economic crisis since the Great Depression. Combined with new tax cuts and new mandatory programs that had never been paid for, it threw our country into a deep fiscal hole. And millions of hardworking Americans lost their jobs, their homes, and their basic economic security.

Today, we are seeing signs that our economy is on the mend. But we are not out of the woods yet. Instead, we are facing a make-or-break moment for the middle class, and for all those who are fighting to get there. What is at stake is whether or not this will be a country where working people can earn enough to raise a family, build modest savings, own a home, and secure their retirement. This is the defining issue of our time.

This Budget reflects my deep belief that we must rise to meet this moment—both for our economy and for the millions of Americans who have worked so hard to get ahead.

We built this Budget around the idea that our country has always done best when everyone gets a fair shot, everyone does their fair share, and everyone plays by the same rules. It rejects the “you're on your own” economics that have led to a widening gap between the richest and poorest Americans that undermines both our belief in equal opportunity and the engine of our economic growth. When the middle class is shrinking, and families can no longer afford to buy the goods and services that businesses are selling, it drags down our entire economy. And countries with less inequality tend to have

stronger and steadier economic growth over the long run.

The way to rebuild our economy and strengthen the middle class is to make sure that everyone in America gets a fair shot at success. Instead of lowering our standards and our sights, we need to win a race to the top for good jobs that pay well and offer security for the middle class. To succeed and thrive in the global, high-tech economy, we need America to be a place with the highest-skilled, highest-educated workers; the most advanced transportation and communication networks; and the strongest commitment to research and technology in the world. This Budget makes investments that can help America win this race, create good jobs, and lead in the world economy.

And it does so with the understanding that we need an economy that is no longer burdened by years of debt and in which everyone shoulders their fair share to put our fiscal house in order. When I took office 3 years ago, my Administration was left an annual deficit of \$1.3 trillion, or 9.2 percent of GDP, and a projected 10-year deficit of more than \$8 trillion. These deficits were the result of a previous 8 years of undertaking initiatives, but not paying for them—especially two large tax cuts and a new Medicare prescription drug benefit—as well as the financial crisis and recession that made the fiscal situation worse as revenue decreased and automatic Government outlays increased to counter the downturn.

We have taken many steps to re-establish fiscal responsibility, from instituting a statutory pay-as-you-go rule for spending to going through the budget line by line looking for outdated, ineffective, or duplicative programs to cut or reform. Importantly, we enacted the Affordable Care Act, which will not only provide Americans with more affordable choices and freedom from insurance company abuses, but will also reduce our budget deficits by more than \$1 trillion over the next two decades.

As economic growth was beginning to take hold last year, I took further steps to put our Nation on a fiscally sustainable path that would strengthen the foundation of the economy for years to come. In April of 2011, I put forward my Framework for Shared Prosperity and Shared Fiscal Responsibility that built on the 2012 Budget to identify \$4 trillion in deficit reduction. During negotiations over extending the debt ceiling in the summer, I presented to congressional Republicans another balanced plan to achieve \$4 trillion in deficit reduction. Finally, in September, I sent my Plan for Economic Growth and Deficit Reduction to the Joint Select Committee on Deficit Reduction, which detailed a way to achieve \$3 trillion in deficit reduction on top of the \$1 trillion already achieved in the Budget Control Act of 2011 that I signed into law the previous month.

I also made sure that this plan covered the cost of the American Jobs

Act—a set of bipartisan, commonsense proposals designed to put more people back to work, put more money in the pockets of the middle class, and do so without adding a dime to the deficit at a time when it was clear that global events were slowing the economic recovery and our ability to create more jobs. Unfortunately, Republicans in Congress blocked both our deficit reduction measures and almost every part of the American Jobs Act for the simple reason that they were unwilling to ask the wealthiest Americans to pay their fair share.

In the year ahead, I will continue to pursue policies that will shore up our economy and our fiscal situation. Together with the deficit reduction I signed into law this past year, this Budget will cut the deficit by \$4 trillion over the next decade. This will put the country on a course to a level of deficits below 3 percent of GDP by the end of the decade, and will also allow us to stabilize the Federal debt relative to the size of the economy. To get there, this Budget contains a number of steps to put us on a fiscally sustainable path.

First, this Budget implements the tight discretionary spending caps that I signed into law in the Budget Control Act of 2011. These caps will generate approximately \$1 trillion in deficit reduction over the next decade. Building on reductions we already have made, this will result in a cut in discretionary spending of \$42 billion since 2010 when higher levels of Federal spending were essential to provide a jumpstart to the economy. Meeting the spending targets in this Budget meant some very difficult choices: reforming, consolidating, or freezing programs where we could; cutting programs that were not effective or essential and even some that were, but are now unaffordable; and precisely targeting our investments. Every department will feel the impact of these reductions as they cut programs or tighten their belts to free up more resources for areas critical to economic growth. And throughout the entire Government, we will continue our efforts to make programs and services work better and cost less: using competition and high standards to get the most from the grants we award; getting rid of excess Federal real estate; and saving billions of dollars by cutting overhead and administrative costs.

Second, this Budget begins the process of implementing my new defense strategy that reconfigures our force to meet the challenges of the coming decade. Over the past 3 years, we have made historic investments in our troops and their capabilities, military families, and veterans. After a decade of war, we are at an inflection point: American troops have left Iraq; we are undergoing a transition in Afghanistan so Afghans can assume more responsibility; and we have debilitated al Qaeda's leadership, putting that terrorist network on the path to defeat. At the same time, we have to renew

our economic strength here at home, which is the foundation of our strength in the world, and that includes putting our fiscal house in order. To ensure that our defense budget is driven by a clear strategy that reflects our national interests, I directed the Secretary of Defense and military leadership to undertake a comprehensive strategic review.

I presented the results of the review, reflecting my guidance and the full support of our Nation's military leadership, at the Pentagon on January 5. There are several key elements to this new strategy. To sustain a global reach, we will strengthen our presence in the Asia Pacific region and continue vigilance in the Middle East. We will invest in critical partnerships and alliances, including NATO, which has demonstrated time and again—most recently in Libya—that it is a force multiplier. Looking past Iraq and Afghanistan to future threats, the military no longer will be sized for large-scale, prolonged stability operations. The Department of Defense will focus modernization on emerging threats and sustaining efforts to get rid of outdated Cold War-era systems so that we can invest in the capabilities we need for the future, including intelligence, surveillance and reconnaissance capabilities. My Administration will continue to enhance capabilities related to counterterrorism and countering weapons of mass destruction, and we will also maintain the ability to operate in environments where adversaries try to deny us access. And, we will keep faith with those who serve by giving priority to our wounded warriors, service members' mental health, and the well-being of military families.

Adapting our forces to this new strategy will entail investing in high-priority programs, such as unmanned surveillance aircraft and upgraded tactical vehicles. It will mean terminating unnecessary and lower-priority programs such as the C-27 airlift aircraft and a new weather satellite and maintaining programs such as the Joint Strike Fighter at a reduced level. All told, reductions in the growth of defense spending will save \$487 billion over the next 10 years. In addition, the end of our military activities in Iraq and the wind-down of operations in Afghanistan will mean that the country will spend 24 percent less on overseas contingency operations (OCO) this year than it did last year, saving \$30 billion. I also am proposing a multi-year cap on OCO spending so that we fully realize the dividends of this change in policy.

Third, I believe that in our country, everyone must shoulder their fair share—especially those who have benefited the most from our economy. In the United States of America, a teacher, a nurse, or a construction worker who earns \$50,000 a year should not pay taxes at a higher rate than somebody making \$50 million. That is wrong. It is wrong for Warren Buffett's secretary to pay a higher tax rate than Warren

Buffett. This is not about class warfare; this is about the Nation's welfare. This is about making fair choices that benefit not just the people who have done fantastically well over the last few decades, but that also benefit the middle class, those fighting to get into the middle class, and the economy as a whole.

In the Budget, I reiterate my opposition to permanently extending the Bush tax cuts for families making more than \$250,000 a year and my opposition to a more generous estate tax than we had in 2009 benefiting only the very largest estates. These policies were unfair and unaffordable when they were passed, and they remain so today. I will push for their expiration in the coming year. I also propose to eliminate special tax breaks for oil and gas companies; preferred treatment for the purchase of corporate jets; tax rules that give a larger percentage deduction to the wealthiest two percent than to middle-class families for itemized deductions; and a loophole that allows some of the wealthiest money managers in the country to pay only 15 percent tax on the millions of dollars they earn. And I support tax reform that observes the "Buffett Rule" that no household making more than \$1 million annually should pay a smaller share of its income taxes than middle-class families pay.

Fourth, to build on the work we have done to reduce health care costs through the Affordable Care Act, I am proposing more than \$360 billion in reforms to Medicare, Medicaid, and other health programs over 10 years. The goal of these reforms is to make these critical programs more effective and efficient, and help make sure our health care system rewards high-quality medicine. What it does not do—and what I will not support—are efforts to turn Medicare into a voucher or Medicaid into a block grant. Doing so would weaken both programs and break the promise that we have made to American seniors, people with disabilities, and low-income families—a promise I am committed to keeping.

Finally, to address other looming, long-term challenges to our fiscal health, I have put forward a wide range of mandatory savings. These include reductions in agricultural subsidies, changes in Federal employee retirement and health benefits, reforms to the unemployment insurance system and the Postal Service, and new efforts to provide a better return to taxpayers from mineral development. Drawn from the plan I presented to the Joint Select Committee on Deficit Reduction, these mandatory proposals would save \$217 billion over the next decade.

Reining in our deficits is not an end in and of itself. It is a necessary step to rebuilding a strong foundation so our economy can grow and create good jobs. That is our ultimate goal. And as we tighten our belts by cutting, consolidating, and reforming programs, we also must invest in the areas that will be critical to giving every American a

fair shot at success and creating an economy that is built to last.

That starts with taking action now to strengthen our economy and boost job creation. We need to finish the work we started last year by extending the payroll tax cut and unemployment benefits for the rest of this year. We also need to take additional measures to put more people back to work. That is why I introduced the American Jobs Act last year, and why I will continue to put forward many of the ideas it contained, as well as additional measures, to put people back to work by rebuilding our infrastructure, providing businesses tax incentives to invest and hire, and giving States aid to rehire teachers and first responders.

We also know that education and lifelong learning will be critical for anyone trying to compete for the jobs of the future. That is why I will continue to make education a national mission. What one learns will have a big impact on what he or she earns: the unemployment rate for Americans with a college degree or more is only about half the national average, and the incomes of college graduates are twice as high as those without a high school diploma.

When I took office, I set the goal for America to have the highest proportion of college graduates in the world by 2020. To reach that goal, we increased the maximum annual Pell Grant by more than \$900 to help nearly 10 million needy students afford a college education. The 2013 Budget continues that commitment and provides the necessary resources to sustain the maximum award of \$5,635. In this Budget, I also propose a series of new proposals to help families with the costs of college including making permanent the American Opportunity Tax Credit, a partially refundable tax credit worth up to \$10,000 per student over 4 years of college, and rewarding colleges and universities that act responsibly in setting tuition, providing the best value, and serving needy students well.

To help our students graduate with the skills they will need for the jobs of the future, we are continuing our effort to prepare 100,000 science and math teachers over the next decade. To improve our elementary and secondary schools, we are continuing our commitment to the Race to the Top initiative that rewards the most innovative and effective ways to raise standards, recruit and retain good teachers, and raise student achievement. My Budget invests \$850 million in this effort, which already has been expanded to cover early learning and individual school districts.

And to prepare our workers for the jobs of tomorrow, we need to turn our unemployment system into a re-employment system. That includes giving more community colleges the resources they need to become community career centers—places that teach skills that businesses are looking for right now, from data management to high-tech manufacturing.

Once our students and workers gain the skills they need for the jobs of the future, we also need to make sure those jobs end up in America. In today's high-tech, global economy, that means the United States must be the best place in the world to take an idea from the drawing board to the factory floor to the store shelves. In this Budget, we are sustaining our level of investment in non-defense research and development (R&D) even as overall spending declines, thereby keeping us on track to double R&D funding in the key R&D agencies. We are supporting research at the National Institutes of Health that will accelerate the translation of new discoveries in biomedical science into new therapies and cures, along with initiatives at the Food and Drug Administration that will speed the approval of new medicines. We make important investments in the science and research needed to tackle the most important environmental challenges of our time, and we are investing in fields as varied as cyber-security, nano-technology, and advanced manufacturing. This Budget also puts an emphasis on the basic research that leads to the breakthroughs of tomorrow, which increasingly is no longer being conducted by the private sector, as well as helping inventors bring their innovations from laboratory to market.

This Budget reflects the importance of safeguarding our environment while strengthening our economy. We do not have to choose between having clean air and clean water and growing the economy. By conserving iconic American landscapes, restoring significant ecosystems from the Everglades to the Great Lakes, and achieving measurable improvements in water and air quality, we are working with communities to protect the natural resources that serve as the engines of their local economies.

Moreover, this Budget continues my Administration's commitment to developing America's diverse, clean sources of energy. The Budget eliminates unwarranted tax breaks for oil companies, while extending key tax incentives to spur investment in clean energy manufacturing and renewable energy production. The Budget also invests in R&D to catalyze the next generation of clean energy technologies. These investments will help us achieve our goal of doubling the share of electricity from clean energy sources by 2035. By promoting American leadership in advanced vehicle manufacturing, including funding to encourage greater use of natural gas in the transportation sector, the Budget will help us reach our goal of reducing oil imports by one-third by 2025 and position the United States to become the first country to have one million electric vehicles on the road by 2015. We also are working to decrease the amount of energy used by commercial and industrial buildings by 20 percent to complement our ongoing efforts to improving the efficiency of the residential sector. And we will work with the pri-

vate sector, utilities, and States to increase the energy productivity of American industries while investing in the innovative processes and materials that can dramatically reduce energy use.

It is also time for government to do its part to help make it easier for entrepreneurs, inventors, and workers to grow their businesses and thrive in the global economy. I am calling on Congress to immediately begin work on corporate tax reform that will close loopholes, lower the overall rate, encourage investment here at home, simplify taxes for America's small businesses, and not add a dime to the deficit. Moreover, to further assist these companies, we need a comprehensive reorganization of the parts of the Federal Government that help businesses grow and sell their products abroad. If given consolidation authority—which Presidents had for most of the 20th century—I will propose to consolidate six agencies into one Department, saving money, and making it easier for all companies—especially small businesses—get the help they need to thrive in the world economy.

Finally, this Budget advances the national security interests of the United States, including the security of the American people, the prosperity and trade that creates American jobs, and support for universal values around the world. It increases funding for the diplomatic efforts that strengthen the alliances and partnerships that improve international cooperation in meeting shared challenges, open new markets to American exports, and promote development. It invests in the intelligence and homeland security capabilities to detect, prevent, and defend against terrorist attacks against our country.

As we implement our new defense strategy, my Administration will invest in the systems and capabilities we need so that our Armed Forces are configured to meet the challenges of the coming decade. We will continue to invest in improving global health and food security so that we address the root causes of conflict and security threats. And we will keep faith with our men and women in uniform, their families, and veterans who have served their Nation.

These proposals will take us a long way towards strengthening the middle class and giving families the sense of security they have been missing for too long. But in the end, building an economy that works for everyone will require all of us to take responsibility. Parents will need to take greater responsibility for their children's education. Homeowners will have to take more responsibility when it comes to buying a house or taking out a loan. Businesses will have to take responsibility for doing right by their workers and our country. And those of us in public service will need to keep finding ways to make government more efficient and more effective.

Understanding and honoring the obligations we have to ourselves and each

other is what has made this country great. We look out for each other, pull together, and do our part. But Americans also deserve to know that their hard work will be rewarded.

This Budget is a step in the right direction. And I hope it will help serve as a roadmap for how we can grow the economy, create jobs, and give Americans everywhere the security they deserve.

BARACK OBAMA.

THE WHITE HOUSE, February 13, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (H. Doc. 112-78).

¶21.9 RECESS—2:44 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 44 minutes p.m., until approximately 4:45 p.m.

¶21.10 AFTER RECESS—4:47 P.M.

The SPEAKER pro tempore, Mr. McCLINTOCK, called the House to order.

¶21.11 JOHN J. COOK POST OFFICE

Mr. KELLY moved to suspend the rules and pass the bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

The SPEAKER pro tempore, Mr. McCLINTOCK, recognized Mr. KELLY and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McCLINTOCK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KELLY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, February 15, 2012.

¶21.12 LANCE CORPORAL MATTHEW P. PATHENOS POST OFFICE BUILDING

Mr. KELLY moved to suspend the rules and pass the bill (H.R. 3247) to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

The SPEAKER pro tempore, Mr. McCLINTOCK, recognized Mr. KELLY and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McCLINTOCK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KELLY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, February 15, 2012.

¶21.13 LANCE CORPORAL DREW W. WEAVER POST OFFICE BUILDING

Mr. KELLY moved to suspend the rules and pass the bill (H.R. 3248) to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

The SPEAKER pro tempore, Mr. McCLINTOCK, recognized Mr. KELLY and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McCLINTOCK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KELLY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, February 15, 2012.

¶21.14 RECESS—5:12 P.M.

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 12 minutes p.m., until approximately 6:30 p.m.

¶21.15 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. PAULSEN, called the House to order.

¶21.16 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PAULSEN, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, February 13, 2012.

The question being put,

Will the House agree to the Chair's approval of said Journal?

The vote was taken by electronic device.

It was decided in the affirmative

Table with 2 columns: Yeas (303), Nays (89), Answered present (1)

¶21.17 [Roll No. 49]

YEAS—303

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

NAYS—89

- List of names: Adams, Baldwin, Benishek, Bishop (NY), Boren, Brady (PA), Burgess, Capuano, Castor (FL), Chandler, Clarke (NY), Cleaver, Coffman (CO), Conaway, Costa, Costello, Courtney, Cravaack, Crenshaw, Critz, Davis (KY), DeFazio, Dold, Donnelly (IN), Fitzpatrick, Flores, Forbes, Foxx, Garrett, Gibson, Graves (MO), Green, Gene, Griffin (AR), Hanna, Hartzler, Hastings (FL), Heck, Herrera Beutler, Hoyer, Johnson (OH), Kind, Kucinich, Latham, Lee (CA), LoBiondo, Lynch, Marchant, Markey, Matheson, Matsui, McCotter, McDermott, McGovern, Miller (FL), Moore, Murphy (PA), Neal, Olver, Pastor (AZ), Pearce, Peters, Peterson, Poe (TX), Quayle, Rahall, Reed, Renacci, Ryan (OH), Sanchez, Linda T., Sarbanes, Schakowsky, Schilling, Schock, Sessions, Slaughter, Sutton, Terry, Thompson (CA), Thompson (MS), Tipton, Towns, Velázquez, Visclosky, Walberg, Wittman, Wolf, Woodall, Yoder, Young (AK)

ANSWERED "PRESENT"—1

- Amash

NOT VOTING—40

- Austria, Burton (IN), Butterfield, Campbell, Cardoza, Culberson, Davis (IL), Doggett, Duffy, Filner, Gardner, Gerlach, Gohmert, Gosar, Grijalva, Guinta, Gutierrez, Heinrich, Hirono, Johnson (IL), Jordan, LaTourette, Meeks, Noem, Pascrell, Paul, Payne, Rangel, Rohrabacher, Rush, Sanchez, Loretta, Scott (VA), Serrano, Shuler, Sires, Stivers, Tiberi, Tsongas, Walsh (IL), Young (FL)

So the Journal was approved.

¶21.18 RECESS—9:45 P.M.

The SPEAKER pro tempore, Mr. BENISHEK, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 45 minutes p.m., subject to the call of the Chair.

¶21.19 AFTER RECESS—11:17 P.M.

The SPEAKER pro tempore, Ms. FOXX, called the House to order.

¶21.20 PROVIDING FOR CONSIDERATION OF H.R. 3408, H.R. 3813, AND H.R. 7

Mr. WEBSTER, by direction of the Committee on Rules, reported (Rept. No. 112-398) the resolution (H. Res. 547) providing for consideration of the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes; providing for consideration of the bill (H.R. 3813) to amend title 5, United States Code, to secure the annuities of Federal civilian employees, and for other purposes; and providing for consideration of the bill

(H.R. 7) to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶21.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CAMPBELL, for today and February 15;

To Mr. CULBERSON, for today;

To Mr. DAVIS of Illinois, for today; and

To Mr. HEINRICH, for today.

And then,

¶21.22 ADJOURNMENT

On motion of Mr. WEBSTER, at 11 o'clock and 19 minutes p.m., the House adjourned.

¶21.23 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER Committee on Rules, House Resolution 547. Resolution providing for consideration of the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes; providing for consideration of the bill (H.R. 3813) to amend title 5, United States Code, to secure the annuities of Federal civilian employees, and for other purposes; and providing for consideration of the bill (H.R. 7) to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes (Rept. 112-398). Referred to the House Calendar.

¶21.24 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEVIN (for himself and Mr. RANGEL):

H.R. 4016. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities; to the Committee on Ways and Means.

By Mr. BASS of New Hampshire (for himself, Mr. MATHESON, Mr. DOLD, Mr. WELCH, Mr. BARROW, and Mr. FITZPATRICK):

H.R. 4017. A bill to promote efficient energy use in the Federal and private sectors, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself and Mr. SMITH of Texas):

H.R. 4018. A bill to improve the Public Safety Officers' Benefits Program; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 4019. A bill to increase employment and educational opportunities in, and improve the economic stability of, counties

containing Federal forest land, while also reducing the cost of managing such land, by providing such counties a dependable source of revenue from such land, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARAMENDI (for himself and Mr. DANIEL E. LUNGREN of California):

H.R. 4020. A bill to amend the National Flood Insurance Act of 1968 to allow the construction and improvement of structures used for agricultural production in floodplains, and for other purposes; to the Committee on Financial Services.

By Mr. FALEOMAVAEGA:

H.R. 4021. A bill to amend the Immigration and Nationality Act to waive certain requirements for naturalization for American Samoan United States nationals to become United States citizens; to the Committee on the Judiciary.

By Mr. HIGGINS (for himself, Ms. HOCHUL, and Mr. BRALEY of Iowa):

H.R. 4022. A bill to amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, and for other purposes; to the Committee on the Judiciary.

By Ms. HOCHUL (for herself and Mr. ROE of Tennessee):

H.R. 4023. A bill to amend title 38, United States Code, to improve the use of teleconsultation, teleretinal imaging, telemedicine, and telehealth coordination services for the provision of health care to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY:

H.R. 4024. A bill to suspend approval of liquefied natural gas export terminals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself and Mr. HOLT):

H.R. 4025. A bill to provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all natural gas produced pursuant to such leases shall be offered for sale only in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. MARKEY (for himself, Mr. MCGOVERN, Mr. WELCH, Mr. LARSON of Connecticut, and Ms. DELAURO):

H.R. 4026. A bill to reauthorize the Low-Income Home Energy Assistance Program for fiscal years 2013 through 2016, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATHESON (for himself and Mr. BISHOP of Utah):

H.R. 4027. A bill to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes"; to the Committee on Natural Resources.

By Mr. PASCRELL (for himself and Mr. CARNAHAN):

H.R. 4028. A bill to amend title 49, United States Code, to improve transportation for seniors, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POSEY (for himself, Ms. WATERS, Mr. WESTMORELAND, Mr. JONES, and Mr. PEARCE):

H.R. 4029. A bill to permit certain current loans that would otherwise be treated as non-accrual loans with accrual loans, and for other purposes; to the Committee on Financial Services.

By Mr. POSEY:

H.R. 4030. A bill to amend title 18, United States Code, to extend the post-employment restrictions on lobbying by Members of Congress and officers and employees of the legislative branch; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself and Mr. COLE):

H.R. 4031. A bill to provide that claims presented to an Indian Health Service contracting officer pursuant to the Indian Self-Determination and Education Assistance Act on or before October 31, 2005, involving claims that accrued after October 1, 1995 and on or before September 30, 1999, shall be deemed timely presented; to the Committee on Natural Resources.

By Mr. CHABOT:

H.J. Res. 102. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. QUAYLE (for himself, Mr. FRANKS of Arizona, Mr. GRIJALVA, Mr. GOSAR, Mr. PASTOR of Arizona, and Mr. SCHWEIKERT):

H. Con. Res. 100. Concurrent resolution recognizing February 14, 2012 as the centennial of the State of Arizona; to the Committee on Oversight and Government Reform.

By Mr. MCDERMOTT:

H. Res. 545. A resolution congratulating the World Affairs Council of Seattle on the occasion of its 61st anniversary and recognizing its contributions to the greater Seattle region and Washington State; to the Committee on Foreign Affairs.

By Mr. SCHOCK:

H. Res. 546. A resolution expressing the sense of the House of Representatives that the Department of State should raise the travel advisory for Egypt from the current level of "Travel Alert", in place since November 7, 2011, to "Travel Warning", the highest level of travel security advisory, until all 43 detained nongovernmental organization workers are given the freedom to leave Egypt; to the Committee on Foreign Affairs.

¶21.25 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 140: Mr. BRADY of Texas.

H.R. 181: Mr. RAHALL.

H.R. 186: Mr. HOLDEN.

H.R. 192: Ms. SCHAKOWSKY.

H.R. 324: Mr. COLE.

H.R. 333: Mr. AMODEI, Ms. HAHN, Mr. COHEN, Mr. CARSON of Indiana, and Mr. GRAVES of Missouri.

H.R. 374: Mr. MULVANEY and Mr. BROOKS.

H.R. 458: Mrs. MCCARTHY of New York, Mr. RANGEL, Mr. BISHOP of New York, Mr. LEWIS of Georgia, and Ms. WATERS.

H.R. 459: Mr. BISHOP of Utah and Mr. UPTON.

H.R. 494: Ms. CHU.

H.R. 498: Mr. CAMP and Mr. ROKITA.

H.R. 587: Mr. DOGGETT.

H.R. 769: Mr. PASCRELL and Mr. SIRES.

H.R. 780: Ms. HAHN.

H.R. 870: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHAY, Mr. MORAN, Ms. SCHAKOWSKY, Ms. SLAUGHTER, and Ms. HAHN.

H.R. 876: Mr. SCHRADER.

H.R. 890: Mr. DENT.

H.R. 892: Mrs. BACHMANN.

H.R. 1004: Mr. NUNES.
 H.R. 1063: Mr. BASS of New Hampshire.
 H.R. 1142: Mr. WOLF.
 H.R. 1172: Mr. FILNER.
 H.R. 1175: Mr. BURGESS and Ms. RICHARDSON.
 H.R. 1179: Mr. RYAN of Wisconsin, Mrs. EMERSON, Mr. BUSHON, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. UPTON, Mr. ALEXANDER, Mr. PETERSON, Mr. CARTER, and Mr. COBLE.
 H.R. 1206: Mr. LABRADOR and Mr. SMITH of New Jersey.
 H.R. 1265: Mr. ROONEY.
 H.R. 1322: Ms. KAPTUR.
 H.R. 1340: Mr. JONES, Mr. SHULER, and Mr. MEEHAN.
 H.R. 1370: Mr. REED and Mr. STEARNS.
 H.R. 1417: Mr. LEWIS of Georgia, Mr. PASCRELL, Ms. CHU, and Ms. SLAUGHTER.
 H.R. 1418: Mr. MILLER of North Carolina.
 H.R. 1511: Mr. ROE of Tennessee.
 H.R. 1639: Mr. CAMP and Mr. RIGELL.
 H.R. 1648: Mr. KEATING, Ms. TSONGAS, Mr. BRALEY of Iowa, and Mr. CLAY.
 H.R. 1718: Mr. KEATING, Mr. POLIS, and Ms. ZOE LOFGREN of California.
 H.R. 1738: Ms. BONAMICI, Mr. CARNAHAN, Mr. VAN HOLLEN, and Mr. KINZINGER of Illinois.
 H.R. 1867: Mr. ANDREWS.
 H.R. 1878: Mr. COHEN.
 H.R. 1946: Mrs. EMERSON.
 H.R. 1960: Mr. ROSS of Arkansas.
 H.R. 2106: Mr. HULTGREN, Mr. GALLEGLY, Mr. GRAVES of Missouri, and Mr. RIGELL.
 H.R. 2152: Mr. YARMUTH, Mr. COURTNEY, Mr. BACA, Mr. CLAY, Mr. MILLER of North Carolina, Mr. QUIGLEY, and Mr. LUETKEMEYER.
 H.R. 2288: Mr. YODER, Mr. CAPUANO, Ms. BORDALLO, Ms. WATERS, Mr. REYES, and Ms. PINGREE of Maine.
 H.R. 2299: Mr. RIGELL.
 H.R. 2370: Mr. CARNAHAN.
 H.R. 2412: Mr. PASCRELL.
 H.R. 2429: Mr. CRAWFORD.
 H.R. 2485: Mr. MICHAUD.
 H.R. 2487: Mr. PASCRELL.
 H.R. 2568: Mr. BONNER.
 H.R. 2607: Mr. FARR.
 H.R. 2674: Mrs. NOEM and Mr. HINOJOSA.
 H.R. 2679: Ms. DEGETTE.
 H.R. 2689: Mr. KUCINICH.
 H.R. 2777: Mr. LOBIONDO.
 H.R. 2827: Mr. MATHESON.
 H.R. 3001: Mr. HASTINGS of Florida, Mr. WALBERG, and Mr. CAMP.
 H.R. 3032: Mr. HIGGINS.
 H.R. 3057: Ms. RICHARDSON and Mr. PASTOR of Arizona.
 H.R. 3059: Mr. FRELINGHUYSEN and Mr. BACA.
 H.R. 3086: Mr. PASTOR of Arizona, Mr. PIERLUISI, Mr. LUJÁN, Mr. BACA, Mr. CARNAHAN, and Mr. DINGELL.
 H.R. 3185: Mr. GOODLATTE.
 H.R. 3187: Mr. COOPER, Ms. ESHOO, and Mr. YARMUTH.
 H.R. 3200: Mr. RUPPERSBERGER and Mr. MILLER of North Carolina.
 H.R. 3236: Mr. KIND.
 H.R. 3252: Mr. ROONEY.
 H.R. 3269: Mr. WESTMORELAND.
 H.R. 3300: Mrs. DAVIS of California and Mr. COURTNEY.
 H.R. 3315: Ms. SCHWARTZ.
 H.R. 3401: Mr. COFFMAN of Colorado.
 H.R. 3485: Mr. BRALEY of Iowa, Mr. PERLMUTTER, and Ms. NORTON.
 H.R. 3497: Mr. GUTHRIE.
 H.R. 3510: Mrs. CHRISTENSEN, Mr. AMODEI, and Ms. HAHN.
 H.R. 3515: Mr. KUCINICH and Mr. FILNER.
 H.R. 3523: Mr. LANCE, Mr. HASTINGS of Washington, Mr. DAVIS of Kentucky, and Mr. MEEHAN.
 H.R. 3526: Mr. ISRAEL and Ms. SCHAKOWSKY.
 H.R. 3542: Mr. FARR.

H.R. 3590: Mr. MCGOVERN and Mr. PAYNE.
 H.R. 3596: Mr. MORAN, Mr. MEEHAN, Ms. BROWN of Florida, Mr. HEINRICH, Mr. WELCH, and Mr. KUCINICH.
 H.R. 3606: Mr. RUSH, Mr. GARY G. MILLER of California, and Mr. CANSECO.
 H.R. 3612: Mr. LATHAM.
 H.R. 3615: Mr. WESTMORELAND.
 H.R. 3618: Ms. SEWELL.
 H.R. 3627: Mr. WILSON of South Carolina and Mr. THOMPSON of Pennsylvania.
 H.R. 3643: Mr. BRALEY of Iowa and Mr. RIGELL.
 H.R. 3676: Mr. ROONEY.
 H.R. 3698: Mr. JOHNSON of Ohio.
 H.R. 3760: Ms. HIRONO and Ms. NORTON.
 H.R. 3767: Ms. HIRONO, Mr. ROTHMAN of New Jersey, and Mr. BOREN.
 H.R. 3768: Mr. NUGENT and Mr. CARTER.
 H.R. 3769: Mr. HINCHHEY.
 H.R. 3786: Mr. BURTON of Indiana.
 H.R. 3789: Ms. SCHAKOWSKY and Mr. BLUMENAUER.
 H.R. 3803: Mr. BURGESS, Mr. ROSKAM, Mr. SCOTT of South Carolina, Mr. ROYCE, Mr. STIVERS, Mr. ROGERS of Michigan, Mr. BERG, Mr. PETRI, Mr. AUSTRIA, Mr. SULLIVAN, and Mr. CAMP.
 H.R. 3805: Mr. SAM JOHNSON of Texas.
 H.R. 3811: Mr. FINCHER.
 H.R. 3828: Mr. BISHOP of Utah and Mr. PALAZZO.
 H.R. 3829: Mr. CARNAHAN.
 H.R. 3855: Ms. WILSON of Florida.
 H.R. 3856: Mr. MACK.
 H.R. 3859: Mr. LUJÁN.
 H.R. 3877: Mr. HERGER and Mr. JOHNSON of Illinois.
 H.R. 3893: Mr. HANNA and Mr. WALSH of Illinois.
 H.R. 3909: Mr. PIERLUISI.
 H.R. 3973: Mr. GOSAR.
 H.R. 3981: Mr. GRIMM and Mr. LATTA.
 H.R. 3982: Mr. MCCAUL, Mr. SCOTT of South Carolina, Mr. OLSON, and Mr. AKIN.
 H.R. 3993: Mr. CLAY, Ms. SPEIER, and Mrs. MILLER of Michigan.
 H.R. 3994: Ms. JENKINS and Mr. JONES.
 H.R. 4000: Mr. COFFMAN of Colorado.
 H.R. 4003: Mr. GRIMM.
 H.R. 4010: Mr. CICILLINE, Mr. MORAN, Mr. PERLMUTTER, Mr. PETERS, Mr. REYES, Mr. CONNOLLY of Virginia, Mrs. DAVIS of California, Ms. NORTON, Ms. DELAURO, Ms. BALDWIN, Mr. ACKERMAN, Ms. SCHAKOWSKY, Ms. SUTTON, Mr. WALZ of Minnesota, Mr. FATTAH, Ms. CHU, Mr. COURTNEY, Mr. TOWNS, Mr. DAVIS of Illinois, and Mr. VISLOSKEY.
 H.J. Res. 88: Mr. McDERMOTT.
 H. Res. 111: Mr. CARTER, Mr. CAMPBELL, Ms. NORTON, and Mr. SABLAN.
 H. Res. 258: Ms. PINGREE of Maine.
 H. Res. 282: Mr. SHERMAN and Mr. QUIGLEY.
 H. Res. 440: Mr. STARK.
 H. Res. 507: Mr. ROSS of Arkansas.

WEDNESDAY, FEBRUARY 15, 2012 (22)

¶22.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Ms. FOXX, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 15, 2012.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members

were recognized for morning-hour debate.

¶22.2 RECESS—11:03 A.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 3 minutes a.m., until noon.

¶22.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶22.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, February 14, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶22.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Trichoderma virens* strain G-41; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0053; FRL-9333-5] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5005. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility for Repealing Its Floodplain Management Regulations [Docket ID: FEMA-2011-0020] received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5006. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — New Worth and Equity Ratio (RIN: 3133-AD87) received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5007. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Corporate Credit Unions (RIN: 3133-AD95) received January 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5008. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Covered Securities of Bats Exchange, Inc. [Release No.: 33-9295; File No.: S7-31-11] (RIN: 3235-AL20) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; Maryland; Determination of Nonattainment and Reclassification of the Baltimore 1997 8-Hour Ozone Nonattainment Area [EPA-R03-OAR-2011-0681-201124; FRL-9625-3] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5010. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nonconformance Penalties for On-highway Heavy Heavy-Duty Diesel Engines [AMS-FRL-9623-8] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5011. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval, Disapproval and Promulgation of Air Quality Implementation Plans; District of Columbia; Regional Haze State Implementation Plan [EPA-R03-OAR-2011-0913; FRL-9625-5] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Virginia's Regulation Regarding the Sulfur Dioxide National Ambient Air Quality Standard [EPA-R03-OAR-2011-0731; FRL-9625-8] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; San Joaquin Valley; Attainment Plan for 1997 8-hour Ozone Standards [EPA-R09-OAR-2011-0589; FRL-9624-5] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5014. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; South Coast; Attainment Plan for 1997 8-hour Ozone Standards [EPA-R09-OAR-2011-0622; FRL-9624-6] received January 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5015. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendments to the Queen Conch and Reef Fish Fishery Management Plans of Puerto Rico and the U.S. Virgin Islands [Docket No.: 100120037-1626-02] (RIN: 0648-AY55) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5016. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Amendments to the Reef Fish, Spiny Lobster, Queen Conch and Coral and Reef Associated Plants and Invertebrates Fishery Management Plans of Puerto Rico and the U.S. Virgin Islands [Docket No.: 101217620-1788-03] (RIN: 0648-BA62) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5017. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Inseason Adjustment to the 2012 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 101126522-0640-02] (RIN: 0648-XA917) received January 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5018. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Amendment 18 [Docket No.: 101206604-1758-02] (RIN: 0648-BB33) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5019. A letter from the Deputy Assistant Administrator For Regulatory Programs,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Amendment 88 [Docket No.: 110314196-1725-02] (RIN: 0648-BA97) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5020. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions for Bigeye Tuna and Yellowfin Tuna in Purse Seine Fisheries for 2012 [Docket No.: 11127732-1745-01] (RIN: 0648-BB73) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5021. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Removal of Standardized Bycatch Reporting Methodology Regulations [Docket No.: 111219777-1775-02] (RIN: 0648-BB52) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5022. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Ecosystem-Based Amendment 2 for the South Atlantic Region [Docket No.: 110831547-1736-02] (RIN: 0648-BB26) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5023. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Interim 2012 Summer Flounder, Scup, and Black Sea Bass Specifications; 2012 Research Set-Aside Projects [Docket No.: 111220786-1781-01] (RIN: 0648-AX795) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

¶22.6 PROVIDING FOR CONSIDERATION OF H.R. 3408, H.R. 3813, AND H.R. 7

Mr. WEBSTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 547):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Com-

mittee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of titles XIV and XVII of Rules Committee Print 112-14 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3813) to amend title 5, United States Code, to secure the annuities of Federal civilian employees, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill, an amendment in the nature of a substitute consisting of the text of title XVI of Rules Committee Print 112-14 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as or-

dered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 7) to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, an amendment in the nature of a substitute consisting of the text of titles I through XIII and title XV of Rules Committee Print 112-14 shall be considered as adopted in the House and in the Committee of the Whole. General debate shall be confined to the bill, as amended, and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 4. In preparing an amendment in the nature of a substitute to be adopted pursuant to this resolution, the Clerk shall retain the title and section designations as they appear in Rules Committee Print 112-14.

SEC. 5. In the engrossment of a measure addressed by the first or second section of this resolution, the Clerk is authorized to make technical and conforming changes to amendatory instructions.

SEC. 6. (a) In the engrossment of H.R. 7, the Clerk shall—

(1) await the disposition of H.R. 3408 and H.R. 3813;

(2) add the respective texts of H.R. 3408 and H.R. 3813, as passed by the House, to H.R. 7, retaining the title and section designations as they appear in Rules Committee Print 112-14 to the extent possible;

(3) conform the title of H.R. 7 to reflect the addition of the text of H.R. 3408 or H.R. 3813, as passed by the House, to the engrossment;

(4) assign appropriate designations to provisions within the engrossment; and

(5) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 3408 or H.R. 3813, as passed by the House, to the engrossment of H.R. 7, H.R. 3408 or H.R. 3813 (as the case may be) shall be laid on the table.

SEC. 7. The chair of each of the following committees is authorized, on behalf of the respective committee, to file a supplemental report to accompany any of the following measures:

(a) Natural Resources, with respect to H.R. 3407, 3408, and 3410;

(b) Ways and Means, with respect to H.R. 3864; and

(c) Oversight and Government Reform, with respect to H.R. 3813.

When said resolution was considered. After debate,

Mr. WEBSTER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 229 affirmative Nays 181

¶22.7 [Roll No. 50]

YEAS—229

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

NAYS—181

Ackerman	Barrow	Bishop (NY)
Altmire	Bass (CA)	Blumenauer
Andrews	Berkley	Bonamici
Baca	Berman	Boswell
Baldwin	Bishop (GA)	Brady (PA)

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

NOT VOTING—23

Becerra	Duffy	Payne
Blackburn	Guinta	Pitts
Campbell	Hartzler	Rangel
Canseco	Johnson (IL)	Renacci
Capito	Luetkemeyer	Serrano
Cardoza	Moore	Woolsey
Diaz-Balart	Pallone	Young (FL)
Doggett	Paul	

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the yeas had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 235 affirmative Nays 186

¶22.8 [Roll No. 51]

AYES—235

Aderholt	Bachus	Biggart
Akin	Barletta	Bilbray
Alexander	Bartlett	Bilirakis
Amash	Barton (TX)	Bishop (UT)
Amodei	Bass (NH)	Black
Austria	Benishkek	Blackburn
Bachmann	Berg	Bonner

Bono Mack
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buherle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Cravaack
 Crawford
 Crenshaw
 Culberson
 Davis (KY)
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dold
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guthrie
 Hall
 Hanna
 Harper
 Harris

Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Labradore
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette
 Latta
 Lewis (CA)
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paulsen
 Pearce

Pence
 Peterson
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmitt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (IN)

Hinchey
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 Kucinich
 Langevin
 Lipinski
 Larson (CT)
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lujan
 Lynch
 Maloney
 Markey
 Matsui
 McCarthy (NY)
 McCollum
 McDermott

McGovern
 McIntyre
 McNerney
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Olver
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Pelosi
 Perlmutter
 Peters
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Reyes
 Richardson
 Richmond
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta

Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Sewell
 Sherman
 Shuler
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Walz (MN)
 Wasserman
 Schultz
 Watt
 Waxman
 Welch
 Wilson (FL)
 Wolf
 Woolsey
 Yarmuth

Chaffetz
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cohen
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent
 DesJarlais
 Deutch
 Diaz-Balart
 Dicks
 Dingell
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Long
 Frelinghuysen
 Fudge
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Hartzler

Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
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 Cummings
 Davis (CA)
 Davis (IL)
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 DeFazio
 DeGette
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 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Long
 Frelinghuysen
 Fudge
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Hartzler

Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Holden
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Olver
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Pence
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Quigley
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Richmond
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta

NOT VOTING—12

Becerra
 Campbell
 Doggett
 Guinta
 Johnson (IL)
 Moore
 Paul
 Payne
 Rangel
 Serrano
 Waters
 Young (FL)

So the resolution was agreed to.
 A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

22.9 H.R. 2079—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the “John J. Cook Post Office”.

The question being put,
 Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 418
 affirmative } Nays 2

22.10 [Roll No. 52]
 YEAS—418

Ackerman
 Adams
 Altmire
 Andrews
 Baca
 Baldwin
 Barrow
 Bass (CA)
 Berkley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Boren
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)

Berkley
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Bishop (UT)
 Black
 Blackburn
 Blumenauer
 Bonamici
 Bonner
 Bono Mack
 Boren
 Boswell
 Bostany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brooks
 Broun (GA)

Brown (FL)
 Buchanan
 Bucshon
 Buherle
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Canseco
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chabot

Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Deutch

Dicks
 Dingell
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitts
 Filner
 Flake
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Green, Gene
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes

Dicks
 Dingell
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitts
 Filner
 Flake
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Green, Gene
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes

Dicks
 Dingell
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitts
 Filner
 Flake
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Green, Gene
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes

Dicks
 Dingell
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitts
 Filner
 Flake
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Green, Gene
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes

Simpson	Thornberry	Waters
Sires	Tiberi	Watt
Slaughter	Tierney	Waxman
Smith (NE)	Tipton	Webster
Smith (NJ)	Tonko	Welch
Smith (TX)	Towns	West
Smith (WA)	Tsongas	Westmoreland
Southerland	Turner (NY)	Whitfield
Speier	Turner (OH)	Wilson (FL)
Stark	Upton	Wilson (SC)
Stearns	Van Hollen	Wittman
Stivers	Velázquez	Wolf
Stutzman	Visclosky	Womack
Sullivan	Walberg	Woodall
Sutton	Walden	Woolsey
Terry	Walsh (IL)	Yarmuth
Thompson (CA)	Walz (MN)	Yoder
Thompson (MS)	Wasserman	Young (AK)
Thompson (PA)	Schultz	Young (IN)

NAYS—2

Harris

NOT VOTING—13

Becerra	Johnson (IL)	Rangel
Campbell	Moore	Serrano
Doggett	Palazzo	Young (FL)
Filner	Paul	
Guinta	Payne	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.11 H.R. 3247—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3247) to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 419 Nays 0

¶22.12 [Roll No. 53]

YEAS—419

Ackerman	Bishop (NY)	Capps
Adams	Bishop (UT)	Capuano
Aderholt	Black	Cardoza
Akin	Blackburn	Carnahan
Alexander	Blumenauer	Carney
Altmire	Bonamici	Carson (IN)
Amash	Bonner	Carter
Amodei	Bono Mack	Cassidy
Andrews	Boren	Castor (FL)
Austria	Boswell	Chabot
Baca	Boustany	Chaffetz
Bachmann	Brady (PA)	Chandler
Bachus	Brady (TX)	Chu
Baldwin	Braley (IA)	Cicilline
Barletta	Brooks	Clarke (MI)
Barrow	Brown (GA)	Clarke (NY)
Bartlett	Brown (FL)	Clay
Barton (TX)	Buchanan	Cleaver
Bass (CA)	Bucshon	Clyburn
Bass (NH)	Buerkle	Coble
Benishek	Burgess	Coffman (CO)
Berg	Burton (IN)	Cohen
Berkley	Butterfield	Cole
Berman	Calvert	Conaway
Biggart	Camp	Connolly (VA)
Bilbray	Canseco	Conyers
Bilirakis	Cantor	Cooper
Bishop (GA)	Capito	Costa

Costello	Huizenga (MI)	Nunes
Courtney	Hultgren	Nunnelee
Crawaack	Hunter	Olson
Crawford	Hurt	Olver
Crenshaw	Insee	Owens
Critz	Israel	Palazzo
Crowley	Issa	Pallone
Cuellar	Jackson (IL)	Pascarell
Culberson	Jackson Lee	Pastor (AZ)
Cummings	(TX)	Paulsen
Davis (CA)	Jenkins	Pearce
Davis (IL)	Johnson (GA)	Pelosi
Davis (KY)	Johnson (OH)	Pence
DeFazio	Johnson, E. B.	Perlmutter
DeGette	Johnson, Sam	Peters
DeLauro	Jones	Peterson
Denham	Jordan	Petri
Dent	Kaptur	Pingree (ME)
DesJarlais	Keating	Pitts
Deutch	Kelly	Platts
Diaz-Balart	Kildee	Poe (TX)
Dicks	Kind	Polis
Dingell	King (IA)	Pompeo
Dold	King (NY)	Posey
Donnelly (IN)	Kingston	Price (GA)
Doyle	Kinzinger (IL)	Price (NC)
Dreier	Kissell	Quayle
Duffy	Kline	Quigley
Duncan (SC)	Kucinich	Rahall
Duncan (TN)	Labrador	Reed
Edwards	Lamborn	Rehberg
Ellison	Lance	Reichert
Ellmers	Landry	Renacci
Emerson	Langevin	Reyes
Engel	Lankford	Ribble
Eshoo	Larsen (WA)	Richardson
Farenthold	Larson (CT)	Richmond
Farr	Latham	Rigell
Fattah	LaTourette	Rivera
Filner	Latta	Roby
Fincher	Lee (CA)	Roe (TN)
Fitzpatrick	Levin	Rogers (AL)
Flake	Lewis (CA)	Rogers (KY)
Fleischmann	Lewis (GA)	Rogers (MI)
Fleming	Lipinski	Rohrabacher
Flores	LoBiondo	Rokita
Forbes	Loebsack	Rooney
Fortenberry	Lofgren, Zoe	Ros-Lehtinen
Fox	Long	Roskam
Frank (MA)	Lowe	Ross (AR)
Franks (AZ)	Lucas	Ross (FL)
Frelinghuysen	Luetkemeyer	Rothman (NJ)
Fudge	Luján	Roybal-Allard
Gallely	Lummis	Royce
Garamendi	Lungren, Daniel	Ryunyan
Gardner	E.	Ruppersberger
Garrett	Lynch	Rush
Gerlach	Mack	Ryan (OH)
Gibbs	Maloney	Ryan (WI)
Gibson	Manzullo	Ryan (WI)
Gingrey (GA)	Marchant	Sánchez, Linda
Gohmert	Marino	T.
Gonzalez	Markey	Sanchez, Loretta
Goodlatte	Matheson	Sarbanes
Gosar	Matsui	Scalise
Gowdy	McCarthy (CA)	Schakowsky
Granger	McCarthy (NY)	Schiff
Graves (GA)	McCaul	Schilling
Graves (MO)	McClintock	Schmidt
Green, Al	McCollum	Schock
Griffin (AR)	McCotter	Schrader
Griffith (VA)	McDermott	Schwartz
Grijalva	McGovern	Schweikert
Grimm	McHenry	Scott (SC)
Guthrie	McIntyre	Scott (VA)
Gutierrez	McKeon	Scott, Austin
Hahn	McKinley	Scott, David
Hall	McMorris	Sensenbrenner
Hanabusa	Rodgers	Sessions
Hanna	McNerney	Sewell
Harper	Meehan	Sherman
Harris	Meeks	Shimkus
Hartzler	Mica	Shuler
Hastings (FL)	Michaud	Shuster
Hastings (WA)	Miller (FL)	Simpson
Hayworth	Miller (MI)	Sires
Heck	Miller (NC)	Slaughter
Heinrich	Miller, Gary	Smith (NE)
Hensarling	Miller, George	Smith (NJ)
Herger	Moran	Smith (TX)
Herrera Beutler	Mulvaney	Smith (WA)
Higgins	Murphy (CT)	Southerland
Himes	Murphy (PA)	Speier
Hinchoy	Myrick	Stark
Hinojosa	Nadler	Stearns
Hochul	Napolitano	Stivers
Holden	Neal	Stutzman
Holt	Neugebauer	Sullivan
Honda	Noem	Sutton
Hoyer	Nugent	Terry
		Thompson (CA)

Thompson (MS)	Visclosky	Whitfield
Thompson (PA)	Walberg	Wilson (FL)
Thornberry	Walden	Wilson (SC)
Tiberi	Walsh (IL)	Wittman
Tierney	Walz (MN)	Wolf
Tipton	Wasserman	Womack
Tonko	Schultz	Woodall
Towns	Waters	Woolsey
Tsongas	Watt	Yarmuth
Turner (NY)	Waxman	Yoder
Turner (OH)	Webster	Young (AK)
Upton	Welch	Young (IN)
Van Hollen	West	
Velázquez	Westmoreland	

NOT VOTING—14

Becerra	Hirono	Payne
Campbell	Huelskamp	Rangel
Doggett	Johnson (IL)	Serrano
Green, Gene	Moore	Young (FL)
Guinta	Paul	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶22.13 H.R. 3248—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3248) to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 412 Nays 0

¶22.14 [Roll No. 54]

YEAS—412

Ackerman	Boswell	Clyburn
Adams	Boustany	Coble
Aderholt	Brady (PA)	Coffman (CO)
Akin	Brady (TX)	Cole
Alexander	Braley (IA)	Conaway
Altmire	Brooks	Connolly (VA)
Amash	Brown (GA)	Conyers
Amodei	Brown (FL)	Cooper
Andrews	Buchanan	Costa
Austria	Bucshon	Costello
Baca	Buerkle	Courtney
Bachmann	Burgess	Crawaack
Bachus	Burton (IN)	Crawford
Baldwin	Butterfield	Crenshaw
Barletta	Calvert	Critz
Barrow	Camp	Crowley
Bartlett	Canseco	Cuellar
Barton (TX)	Cantor	Culberson
Bass (CA)	Capito	Cummings
Bass (NH)	Capps	Davis (IL)
Benishek	Capuano	Davis (KY)
Berg	Cardoza	DeFazio
Berkley	Carnahan	DeGette
Berman	Carney	DeLauro
Biggart	Carson (IN)	Denham
Bilbray	Carter	Dent
Bilirakis	Cassidy	DesJarlais
Bishop (GA)	Castor (FL)	Deutch
	Chabot	Diaz-Balart
	Chaffetz	Dicks
	Chandler	Dingell
	Chu	Dold
	Cicilline	Donnelly (IN)
	Clarke (MI)	Doyle
	Clarke (NY)	Dreier
	Clay	Duffy
	Cleaver	Duncan (SC)

Duncan (TN) Labrador
 Edwards Lamborn
 Ellison Lance
 Ellmers Landry
 Emerson Langevin
 Engel Lankford
 Eshoo Larsen (WA)
 Farenthold Larson (CT)
 Farr Latham
 Fattah LaTourette
 Filner Latta
 Fincher Lee (CA)
 Fitzpatrick Levin
 Flake Lewis (CA)
 Fleischmann Lewis (GA)
 Fleming Lipinski
 Flores LoBiondo
 Forbes Loebsock
 Fortenberry Lofgren, Zoe
 Fox Long
 Frank (MA) Lowey
 Franks (AZ) Lucas
 Frelinghuysen Luetkemeyer
 Fudge Lujan
 Gallegly Lummis
 Garamendi Lungren, Daniel
 Gardner E.
 Garrett Lynch
 Gerlach Mack
 Gibbs Maloney
 Gibson Manzullo
 Gingrey (GA) Marchant
 Gohmert Marino
 Gonzalez Markey
 Goodlatte Matheson
 Gosar Matsui
 Gowdy McCarthy (CA)
 Granger McCarthy (NY)
 Graves (GA) McCaul
 Graves (MO) McClintock
 Green, Al McCollum
 Griffin (AR) McCotter
 Griffith (VA) McDermott
 Grijalva McGovern
 Grimm McHenry
 Guthrie McIntyre
 Gutierrez McKeon
 Hahn McKinley
 Hall McMorris
 Hanabusa Rodgers
 Hanna McNeerney
 Harper Meehan
 Harris Meeks
 Hartzler Mica
 Hastings (FL) Michaud
 Hastings (WA) Miller (FL)
 Hayworth Miller (MI)
 Heck Miller (NC)
 Heinrich Miller, Gary
 Hensarling Miller, George
 Herrera Beutler Moran
 Higgins Murphy (CT)
 Himes Murphy (PA)
 Hinchey Myrick
 Hinojosa Nadler
 Hochul Napolitano
 Holden Neugebauer
 Holt Noem
 Honda Nugent
 Hoyer Nunes
 Huelskamp Nunnelee
 Huizenga (MI) Olson
 Hultgren Oliver
 Hunter Owens
 Hurt Palazzo
 Inslee Pallone
 Israel Pascrell
 Issa Pastor (AZ)
 Jackson (IL) Paulsen
 Jackson Lee (TX) Pearce
 Jenkins Pelosi
 Johnson (GA) Pence
 Johnson (OH) Perlmutter
 Johnson, E. B. Peters
 Johnson, Sam Peterson
 Jones Petri
 Jordan Pingree (ME)
 Kaptur Pitts
 Keating Platts
 Kelly Poe (TX)
 Kildee Polis
 Kind Pompeo
 King (IA) Price (GA)
 King (NY) Price (NC)
 Kingston Quayle
 Kinzinger (IL) Quigley
 Kissell Rahall
 Kline Reed
 Kucinich Rehberg

Reichert Renacci
 Yarmuth Yoder
 Young (AK) Young (IN)
 Woodall Woolsey
 Becerra
 Campbell
 Cohen
 Davis (CA)
 Doggett
 Green, Gene
 Guinta
 Herger
 Hirono
 Johnson (IL)
 Moore
 Mulvaney
 Neal
 Paul
 Payne
 Rangel
 Ruppertsberger
 Schock
 Serrano
 Watt
 Young (FL)

NOT VOTING—21

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

122.15 OIL SHALE RESOURCES DEVELOPMENT

The SPEAKER pro tempore, Mr. DOLD, pursuant to House Resolution 547 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes.

The SPEAKER pro tempore, Mr. DOLD, by unanimous consent, designated Mr. POE of Texas, as Chairman of the Committee of the Whole; and after some time spent therein,

122.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in Part A of House Report 112-398, submitted by Ms. ESHOO:

In section 14003(a), add at the end the following:

(3) ENSURING PUBLIC SAFETY.—Notwithstanding paragraphs (1) and (2), a permit shall not be issued or deemed to have been issued under this subsection until the Federal Energy Regulatory Commission examines and determines the relevance to the Keystone XL pipeline of the report issued by the Pipeline and Hazardous Materials Safety Administration, pursuant to the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112 90), describing the results of its review of hazardous liquid pipeline regulations and whether such regulations are sufficient to ensure the safety of pipelines used for the transportation of diluted bitumen.

It was decided in the { Yeas 173 negative } Nays 249

122.17 [Roll No. 55]

AYES—173

Ackerman
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Becerra
 Berkeley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Costello
 Courtney
 Crowley
 Cuellar
 Cummings

Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Deutch
 Dicks
 Dingell
 Doggett
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Filner
 Frank (MA)
 Fudge
 Garamendi
 Gibson
 Gonzalez
 Green, Al
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Harris
 Hastings (FL)
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jackson Lee (TX)
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 Kissell
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lewis (GA)
 Loebsock
 Lofgren, Zoe
 Lowey
 Lujan
 Maloney
 Markey
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McNeerney
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Napolitano
 Neal
 Oliver
 Pallone
 Pascrell
 Pastor (AZ)
 Pelosi
 Perlmutter
 Peters
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Richardson
 Richmond
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Sewell
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velazquez
 Visclosky
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth

NOES—249

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Amodei
 Austria
 Bachmann
 Bachus
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Biggert
 Bilbray
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Chandler
 Choble
 Coffman (CO)
 Cole
 Conaway
 Cooper
 Costa
 Cravaack
 Crawford
 Crenshaw
 Critz
 Culberson
 Davis (KY)
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dold
 Donnelly (IN)
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Forbes
 Foe
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Gene
 Griffith (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette
 Latta
 Lipinski
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Manzullo
 Marchant
 Marino
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers

Meehan Ribble Smith (NJ)
Mica Rigell Smith (TX)
Miller (FL) Rivera Southerland
Miller (MI) Roby Stearns
Miller, Gary Roe (TN) Stivers
Mulvaney Rogers (AL) Stutzman
Murphy (PA) Rogers (KY) Terry
Myrick Rogers (MI) Thompson (PA)
Neugebauer Rohrabacher Thornberry
Noem Rokita Tiberi
Nugent Rooney Tipton
Nunes Ros-Lehtinen Turner (NY)
Nunnelee Roskam Turner (OH)
Olson Ross (AR) Upton
Owens Ross (FL) Walberg
Paulsen Royce Walden
Pearce Runyan Walsh (IL)
Pence Ryan (WI) Walz (MN)
Peterson Scalise Webster
Petri Schilling West
Pitts Schmidt Westmoreland
Platts Schock Whitfield
Poe (TX) Schweikert Wilson (SC)
Pompeo Scott (SC) Wittman
Posey Scott, Austin Wolf
Price (GA) Sensenbrenner Womack
Quayle Sessions Woodall
Reed Shimkus Yoder
Rehberg Shuler Young (AK)
Reichert Shuster Young (FL)
Renacci Simpson Young (IN)
Reyes Smith (NE)

NOT VOTING—11

Bonner Lewis (CA) Rangel
Campbell Palazzo Serrano
Flores Paul Sullivan
Fortenberry Payne

So the amendment was not agreed to.

¶22.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in Part A of House Report 112-398, submitted by Mr. MAR-KEY:

Page 903, after line 22, insert the following new paragraph:

(3) ENERGY SECURITY.—Notwithstanding paragraph (1), the Federal Energy Regulatory Commission shall require every permit issued under this Act to include provisions that ensure that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum fuel products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States. The President may provide for waivers of such requirement in the following situations:

(A) Where the President determines that such a waiver is in the national interest because it—

(i) will not lead to an increase in domestic consumption of crude oil or refined petroleum products obtained from countries hostile to United States interests or with political and economic instability that compromises energy supply security;

(ii) will not lead to higher costs to refiners who purchase the crude oil than such refiners would have to pay for crude oil in the absence of such a waiver; and

(iii) will not lead to higher gasoline costs to consumers than consumers would have to pay in the absence of such a waiver.

(B) Where an exchange of crude oil or refined product provides for no net loss of crude oil or refined product consumed domestically.

(C) Where a waiver is necessary under the Constitution, a law, or an international agreement.

It was decided in the { Yeas 173
negative } Nays 254

¶22.19 [Roll No. 56]

AYES—173

Ackerman Green, Al Olver
Altmire Gutierrez Owens
Andrews Hahn Pallone
Baca Hanabusa Pascrell
Baldwin Hastings (FL) Pastor (AZ)
Barrow Heinrich Pelosi
Bass (CA) Higgins Perlmutter
Becerra Hinchey Peters
Berkley Hirono Pingree (ME)
Berman Hochul Platts
Bishop (GA) Holden Polis
Bishop (NY) Holt Price (NC)
Blumenauer Honda Quigley
Bonamici Hoyer Rahall
Boswell Israel Reyes
Brady (PA) Jackson (IL) Richardson
Braley (IA) Jackson Lee Rothman (NJ)
Brown (FL) (TX) Hurt
Butterfield Johnson (GA) Roybal-Allard
Capps Johnson, E. B. Ruppertsberger
Capuano Jones Rush
Carnahan Kaptur Ryan (OH)
Carney Keating Sánchez, Linda
Carson (IN) Kildee T.
Castor (FL) Kind Sanchez, Loretta
Chandler King (NY) Sarbanes
Chu Kissell Schakowsky
Cicilline Kucinich Schiff
Clarke (NY) Langevin Schrader
Clay Larson (CT) Schwartz
Cleaver Lee (CA) Scott, David
Clyburn Levin Sewell
Cohen Lewis (GA) Sherman
Connolly (VA) Lipinski Shuler
Conyers LoBiondo Sires
Courtney Loebsack Smith (WA)
Crowley Lofgren, Zoe Speier
Cummings Lowey Stark
Davis (CA) Luján Sutton
Davis (IL) Lynch Thompson (CA)
DeFazio Maloney Tierney
DeGette Markey Tonko
DeLauro Matsui Towns
Deutch McCarthy (NY) Tsongas
Dicks McColium Turner (NY)
Doggett McDermott Van Hollen
Donnelly (IN) McGovern Velázquez
Edwards McIntyre Vislosky
Ellison McNerney Walz (MN)
Engel Meeks Wasserman
Eshoo Michaud Schultz
Farr Miller (NC) Waters
Fattah Miller, George Watt
Finler Moore Waxman
Fitzpatrick Moran Welch
Fudge Murphy (CT) Wilson (FL)
Garamendi Nadler Woolsey
Gerlach Napolitano Yarmuth
Gibson Neal Young (FL)

NOES—254

Adams Burton (IN) Doyle
Aderholt Calvert Dreier
Akin Camp Duffy
Alexander Canseco Duncan (SC)
Amash Cantor Duncan (TN)
Amodei Capito Ellmers
Austria Cardoza Emerson
Bachmann Carter Farenthold
Bachus Cassidy Fincher
Bartletta Chabot Flake
Bartlett Chaffetz Fleischmann
Barton (TX) Clarck (MI) Fleming
Bass (NH) Coble Flores
Benishek Coffman (CO) Forbes
Berg Cole Fortenberry
Biggart Conaway Foxx
Bilbray Cooper Frank (MA)
Bilirakis Franks (AZ)
Bishop (UT) Costello Frelinghuysen
Black Cravaack Gallegly
Blackburn Crawford Gardner
Bonner Crenshaw Garrett
Bono Mack Critz
Boren Cuellar Gibbs
Boustany Culberson Gingrey (GA)
Brady (TX) Davis (KY) Gohmert
Brooks Denham Gonzalez
Broun (GA) Dent Goodlatte
Buchanan DesJarlais Gosar
Bucshon Diaz-Balart Gowdy
Buerkle Dingell Granger
Burgess Dold Graves (MO)
Graves (CA)

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

NOT VOTING—6

Campbell Payne Serrano
Paul Rangel Slaughter

So the amendment was not agreed to.

¶22.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in Part A of House Report 112-398, submitted by Mr. RUSH:

Page 903, after line 22, insert the following new paragraph:

(3) RESTRICTION ON USE OF EMINENT DOMAIN.—Notwithstanding paragraphs (1) and (2), a permit shall not be issued or deemed to have been issued under this subsection absent a condition that prohibits the permit recipient from initiating or threatening to initiate proceedings to invoke the power of eminent domain for the purpose of taking ownership, rights-of-way, easements, or other access or use of private property in the United States, for purposes of constructing or operating the Keystone XL pipeline, against the will of the property's owner.

It was decided in the { Yeas 149
negative } Nays 276

¶22.21 [Roll No. 57]

AYES—149

Ackerman Becerra Brown (FL)
Amash Berkley Butterfield
Andrews Berman Capps
Baca Bishop (NY) Capuano
Baldwin Bonamici Carnahan
Bass (CA) Boswell Carney

Carson (IN)	Israel	Quigley	Lucas	Pence	Scott, Austin	Fitzpatrick	Lewis (GA)	Runyan
Castor (FL)	Jackson (IL)	Reyes	Luetkemeyer	Perlmutter	Sensenbrenner	Fortenberry	Lipinski	Ruppersberger
Chu	Johnson (GA)	Richardson	Lummis	Peterson	Sessions	Frank (MA)	LoBiondo	Rush
Cicilline	Johnson, E. B.	Richmond	Lungren, Daniel	Petri	Shimkus	Fudge	Loebsack	Ryan (OH)
Clarke (MI)	Kaptur	Rothman (NJ)	E.	Pitts	Shuler	Garamendi	Lofgren, Zoe	Sánchez, Linda
Clarke (NY)	Keating	Roybal-Allard	Lynch	Platts	Shuster	Gibson	Lowe	T.
Clay	Kildee	Ruppersberger	Mack	Poe (TX)	Simpson	Gonzalez	Lujan	Sanchez, Loretta
Cleaver	Kind	Rush	Manzullo	Pompeo	Smith (NE)	Green, Al	Lynch	Sarbanes
Clyburn	Kissell	Ryan (OH)	Marchant	Posey	Smith (NJ)	Green, Gene	Maloney	Schakowsky
Cohen	Kucinich	Sánchez, Linda	Marino	Price (GA)	Smith (TX)	Grijalva	Markey	Schiff
Connelly (VA)	Langevin	T.	Matheson	Quayle	Southerland	Gutierrez	Matsui	Schrader
Conyers	Larson (CT)	Sánchez, Loretta	McCarthy (CA)	Rahall	Stearns	Hanabusa	McCarthy (NY)	Schwartz
Courtney	Lee (CA)	Sarbanes	McCaul	Reed	Stivers	Hastings (FL)	McCormack	Scott (VA)
Crowley	Levin	Schakowsky	McClintock	Rehberg	Stutzman	Heinrich	McDermott	Scott, David
Cummings	Lewis (GA)	Schiff	McCotter	Reichert	Sullivan	Higgins	McGovern	Sewell
Davis (CA)	Loebsack	Schrader	McHenry	Renacci	Terry	Himes	McIntyre	Sherman
Davis (IL)	Lofgren, Zoe	Schwartz	McIntyre	Ribble	Thompson (PA)	Hinchev	McNerney	Shuler
DeFazio	Lowe	Scott (VA)	McKeon	Rigell	Thornberry	Hinojosa	Meehan	Sires
DeGette	Lujan	Scott, David	McKinley	Rivera	Tiberi	Hirono	Meeks	Smith (WA)
DeLauro	Maloney	Sewell	McMorris	Roby	Tipton	Hochul	Michaud	Speier
Deutch	Markey	Sherman	Rodgers	Roe (TN)	Turner (NY)	Holden	Miller (NC)	Stark
Dicks	Matsui	Sires	Meehan	Rogers (AL)	Turner (OH)	Holt	Miller, George	Stivers
Dingell	McCarthy (NY)	Smith (WA)	Mica	Rogers (KY)	Upton	Honda	Moore	Sutton
Edwards	McCormack	Speier	Miller (FL)	Rogers (MI)	Visclosky	Hoyer	Moran	Thompson (CA)
Ellison	McDermott	Stark	Miller (MI)	Rohrabacher	Walberg	Inslee	Murphy (CT)	Thompson (MS)
Engel	McGovern	Sutton	Miller (NC)	Rokita	Walden	Israel	Nader	Tierney
Eshoo	McNerney	Thompson (CA)	Miller, Gary	Rooney	Walsh (IL)	Jackson (IL)	Napolitano	Tonko
Farr	Meeks	Thompson (MS)	Mulvaney	Ros-Lehtinen	Walz (MN)	Jackson Lee	Neal	Towns
Filner	Michaud	Thornberry	Murphy (PA)	Roskam	Webster	(TX)	Olver	Tsongas
Fortenberry	Miller, George	Townes	Myrick	Ross (AR)	West	Johnson (GA)	Owens	Van Hollen
Fudge	Moore	Tsongas	Ross (FL)	Ross (FL)	Whitfield	Johnson (OH)	Pallone	Velázquez
Garamendi	Moran	Van Hollen	Royce	Royce	Wilson (SC)	Johnson, E. B.	Pascarell	Visclosky
Gibson	Murphy (CT)	Velázquez	Nugent	Ryunan	Wittman	Jones	Pastor (AZ)	Walz (MN)
Grijalva	Nadler	Wasserman	Nunes	Ryan (WI)	Wolf	Kaptur	Pelosi	Wasserman
Gutierrez	Napolitano	Schultz	Nunnelee	Scalise	Womack	Keating	Perlmutter	Schultz
Hahn	Neal	Waters	Olson	Schilling	Woodall	Kildee	Peters	Waters
Hanabusa	Oliver	Watt	Owens	Schmidt	Yoder	Kind	Pingree (ME)	Watt
Hastings (FL)	Pallone	Waxman	Palazzo	Schock	Young (AK)	Kissell	Price (NC)	Waxman
Heinrich	Pascarell	Welch	Paulsen	Schweikert	Young (FL)	Kucinich	Quigley	Welch
Hinchev	Pastor (AZ)	Wilson (FL)	Pearce	Scott (SC)	Young (IN)	Langevin	Rahall	Wilson (FL)
Hinojosa	Pelosi	Woolsey				Larsen (WA)	Renacci	Woolsey
Hirono	Peters	Yarmuth				Larson (CT)	Reyes	Yarmuth
Holt	Pingree (ME)		Campbell	Payne	Slaughter	LaTourette	Richmond	Young (FL)
Honda	Polis		Doggett	Rangel	Westmoreland	Lee (CA)	Rothman (NJ)	
Hoyer	Price (NC)		Paul	Serrano		Levin	Roybal-Allard	

NOT VOTING—8

NOES—276

So the amendment was not agreed to.

NOES—234

Adams	Cooper	Griffith (VA)
Aderholt	Costa	Grimm
Akin	Costello	Guinta
Alexander	Cravaack	Guthrie
Altmire	Crawford	Hall
Amodei	Crenshaw	Hanna
Austria	Critz	Harper
Bachmann	Cuellar	Harris
Bachus	Culberson	Hartzler
Barletta	Davis (KY)	Hastings (WA)
Barrow	Denham	Hayworth
Bartlett	Dent	Heck
Barton (TX)	DesJarlais	Hensarling
Bass (NH)	Diaz-Balart	Hergert
Benishek	Dold	Herrera Beutler
Berg	Donnelly (IN)	Higgins
Biggett	Doyle	Himes
Bilbray	Dreier	Hochul
Bilirakis	Duffy	Holden
Bishop (GA)	Duncan (SC)	Huelskamp
Bishop (UT)	Duncan (TN)	Huizenga (MI)
Black	Ellmers	Hultgren
Blackburn	Emerson	Hunter
Blumenauer	Farenthold	Hurt
Bonner	Fattah	Inslee
Bono Mack	Fincher	Issa
Boren	Fitzpatrick	Jackson Lee
Boustany	Flake	(TX)
Brady (PA)	Fleischmann	Jenkins
Brady (TX)	Fleming	Johnson (IL)
Brale (IA)	Flores	Johnson (OH)
Brooks	Forbes	Johnson, Sam
Broun (GA)	Fox	Jones
Buchanan	Frank (MA)	Jordan
Bucshon	Franks (AZ)	Kelly
Buerkle	Frelinghuysen	King (IA)
Burgess	Gallely	King (NY)
Burton (IN)	Gardner	Kingston
Calvert	Garrett	Kinzing (IL)
Camp	Gerlach	Kline
Canseco	Gibbs	Labrador
Cantor	Gingrey (GA)	Lamborn
Capito	Gohmert	Lance
Cardoza	Gonzalez	Landry
Carter	Goodlatte	Lankford
Cassidy	Gosar	Larsen (WA)
Chabot	Gowdy	Latham
Chaffetz	Granger	LaTourette
Chandler	Graves (GA)	Latta
Coble	Graves (MO)	Lewis (CA)
Coffman (CO)	Green, Al	Lipinski
Cole	Green, Gene	LoBiondo
Conaway	Griffin (AR)	Long

¶22.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in Part A of House Report 112-398, submitted by Mr. DOYLE:

Page 906, after line 10, insert the following new section:

SEC. 14005. USE OF AMERICAN IRON AND STEEL.

Notwithstanding section 14003(a)(1) and (2), a permit shall not be issued or deemed to have been issued under this title unless the permit applicant certifies and provides adequate documentation to the Federal Energy Regulatory Commission that at least 75 percent of iron and steel to be used in the construction of the domestic portion of the pipeline and related facilities described in section 14002(b) is produced in North America.

It was decided in the { Yeas 193 negative } Nays 234

¶22.23 [Roll No. 58]

AYES—193

Ackerman	Capuano	Crowley
Altmire	Cardoza	Cummings
Andrews	Carnahan	Davis (CA)
Baca	Carney	Davis (IL)
Baldwin	Carson (IN)	DeFazio
Barrow	Castor (FL)	DeGette
Bass (CA)	Chandler	DeLauro
Becerra	Chu	Dent
Berkley	Cicilline	Deutch
Berman	Clarke (MI)	Dicks
Bilirakis	Clarke (NY)	Dingell
Bishop (GA)	Clay	Doggett
Bishop (NY)	Cleaver	Donnelly (IN)
Blumenauer	Clyburn	Doyle
Bonamici	Cohen	Edwards
Boswell	Connelly (VA)	Ellison
Brady (PA)	Conyers	Engel
Brale (IA)	Costa	Eshoo
Brown (FL)	Costello	Farr
Butterfield	Courtney	Fattah
Capps	Critz	Filner

Adams	DesJarlais	Hurt
Aderholt	Diaz-Balart	Issa
Akin	Dold	Jenkins
Alexander	Dreier	Johnson (IL)
Amash	Duffy	Johnson, Sam
Amodei	Duncan (SC)	Jordan
Austria	Duncan (TN)	Kelly
Bachmann	Ellmers	King (IA)
Bachus	Emerson	King (NY)
Barletta	Farenthold	Kingston
Bartlett	Fincher	Kinzing (IL)
Barton (TX)	Flake	Kline
Bass (NH)	Fleischmann	Labrador
Benishek	Fleming	Lamborn
Berg	Flores	Lance
Biggett	Forbes	Landry
Bilbray	Fox	Lankford
Bishop (UT)	Franks (AZ)	Latham
Black	Frelinghuysen	Latta
Blackburn	Gallely	Lewis (CA)
Bonner	Gardner	Long
Bono Mack	Garrett	Lucas
Boren	Gerlach	Luetkemeyer
Boustany	Gibbs	Lummis
Brady (TX)	Gingrey (GA)	Lungren, Daniel
Brooks	Gohmert	E.
Broun (GA)	Goodlatte	Mack
Buchanan	Gosar	Manzullo
Bucshon	Gowdy	Marchant
Buerkle	Granger	Marino
Burgess	Graves (GA)	Matheson
Burton (IN)	Graves (MO)	McCarthy (CA)
Calvert	Griffin (AR)	McCaul
Camp	Griffith (VA)	McClintock
Canseco	Grimm	McCotter
Cantor	Guinta	McHenry
Capito	Guthrie	McKeon
Carter	Hahn	McKinley
Cassidy	Hall	McMorris
Chabot	Hanna	Rodgers
Chaffetz	Harper	Mica
Coble	Harris	Miller (FL)
Coffman (CO)	Hartzler	Miller (MI)
Cole	Hastings (WA)	Miller, Gary
Conaway	Hayworth	Mulvaney
Cooper	Heck	Murphy (PA)
Cravaack	Hensarling	Myrick
Crawford	Hergert	Neugebauer
Crenshaw	Herrera Beutler	Noem
Cuellar	Huelskamp	Nugent
Culberson	Huizenga (MI)	Nunes
Davis (KY)	Hultgren	Nunnelee
Denham	Hunter	Olson

Cassidy Hochul
 Chabot Holden
 Chaffetz Huelskamp
 Chandler Huizenga (MI)
 Coble Hultgren
 Coffman (CO) Hunter
 Cole Hurt
 Conaway Issa
 Cooper Jackson Lee
 Costa (TX)
 Cravaack Jenkins
 Crawford Johnson (IL)
 Crenshaw Johnson (OH)
 Critz Johnson, Sam
 Cuellar Jones
 Culberson Jordan
 Davis (KY) Kelly
 Denham Kind
 Dent King (IA)
 DesJarlais King (NY)
 Diaz-Balart Kingston
 Dingell Kinzinger (IL)
 Dold Kline
 Donnelly (IN) Labrador
 Dreier Lamborn
 Duffy Lance
 Duncan (SC) Landry
 Duncan (TN) Lankford
 Ellmers Latham
 Emerson LaTourette
 Farenthold Latta
 Fincher Lewis (CA)
 Fitzpatrick LoBiondo
 Flake Long
 Fleischmann Lucas
 Fleming Luetkemeyer
 Flores Lummis
 Forbes Lungren, Daniel
 Fortenberry E.
 Foxx Mack
 Franks (AZ) Manzullo
 Frelinghuysen Marchant
 Gallegly Marino
 Gardner Matheson
 Garrett McCarthy (CA)
 Gerlach McCaul
 Gibbs McClintock
 Gibson McCotter
 Gingrey (GA) McHenry
 Gohmert McIntyre
 Gonzalez McKeon
 Goodlatte McKinley
 Gosar McMorris
 Gowdy Rodgers
 Granger Meehan
 Graves (GA) Mica
 Graves (MO) Michaud
 Green, Al Miller (FL)
 Green, Gene Miller (MI)
 Griffin (AR) Miller, Gary
 Griffith (VA) Mulvaney
 Grimm Murphy (PA)
 Guinta Myrick
 Guthrie Neugebauer
 Hall Noem
 Hanna Nugent
 Harper Nunes
 Harris Nunnelee
 Hartzler Olson
 Hastings (WA) Palazzo
 Hayworth Paulsen
 Heck Pearce
 Hensarling Pence
 Herger Peterson
 Herrera Beutler Petri
 Hinojosa Pitts

NOT VOTING—6

Campbell Payne Serrano
 Paul Rangel Slaughter

So the amendment was not agreed to.

22.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 9, printed in Part A of House Report 112-398, submitted by Mr. BISHOP of New York:

Page 948, beginning on line 3, strike part 4.
 Page 954, after line 19, insert the following new section:

SEC. 176 . PROHIBITION ON LEASE SALES IN CERTAIN AREAS.

No oil and gas lease sale may be conducted for any area of the outer Continental Shelf (as that term is defined in the Outer Conti-

mental Shelf Lands Act (33 U.S.C. 1331 et seq.)) for which any of the States of New York, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, or Maine is an affected State under section 2(f)(1) of the Outer Continental Shelf Lands Act (33 U.S.C. 1331(f)(1)).

It was decided in the { Yeas 169
 negative } Nays 257

22.29 [Roll No. 61]

AYES—169

Ackerman Gutierrez
 Andrews Hahn
 Baca Hanabusa
 Baldwin Hastings (FL)
 King (NY) Heinrich
 Higinns
 Berkley Himes
 Berman Hinchey
 Hinojosa
 Hirono
 Hochul
 Brady (PA) Holt
 Brown (FL) Honda
 Butterfield Hoyer
 Capps Inslee
 Israel
 Capuano Jackson (IL)
 Cardoza Jackson Lee
 Carnahan Carney
 Carson (IN) Johnson (GA)
 Castor (FL) Johnson, E. B.
 Chandler Kaptur
 Chu Keating
 Cielline Kildee
 Clarke (MI) Kissell
 Clarke (NY) Kucinich
 Clay Lance
 Clyburn Langevin
 Cohen Larsen (WA)
 Connolly (VA) Larson (CT)
 Conyers Lee (CA)
 Costello Levin
 Courtney Lewis (GA)
 Crowley Lipinski
 Cummings LoBiondo
 Sires
 Davis (CA) Lofgren, Zoe
 Davis (IL) Davis (IL)
 DeFazio Lujan
 DeGette Lynch
 DeLauro Maloney
 Deutch Markey
 Dicks Matsui
 Dingell McCarthy (NY)
 Doggett McCollum
 Doyle McDermott
 Edwards McGovern
 Ellison McNerney
 Engel Meeke
 Eshoo Miller (NC)
 Farr Miller, George
 Fattah Moore
 Filner Moran
 Frank (MA) Murphy (CT)
 Frelinghuysen Nadler
 Fudge Napolitano
 Garamendi Neal
 Graves (GA) Olver
 Grijalva Owens

NOES—257

Adams Bono Mack
 Aderholt Boren
 Akin Boswell
 Alexander Boustany
 Altmire Brady (TX)
 Amash Braley (IA)
 Amodei Brooks
 Austria Brown (GA)
 Bachmann Buchanan
 Bachus Buschon
 Barletta Buerkle
 Barrow Burgess
 Bartlett Burton (IN)
 Barton (TX) Calvert
 Bass (NH) Camp
 Benishek Canseco
 Berg Cantor
 Biggert Capito
 Bilbray Carter
 Bilirakis Cassidy
 Bishop (GA) Chabot
 Bishop (UT) Chaffetz
 Black Coble
 Blackburn Coffman (CO)
 Bonner Cole

Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Holden
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Hinojosa

Landry
 Lankford
 Latham
 LaTourette
 Latta
 Lewis (CA)
 Loebbeck
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paulsen
 Pearce
 Pence
 Peterson
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Pompeo
 Price (GA)
 Quayle
 Reed
 Rehberg
 Renacci
 Ribble
 Rigell
 Rivera

NOT VOTING—7

Campbell Payne Slaughter
 Cleaver Rangel
 Paul Serrano

So the amendment was not agreed to.

22.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 11, printed in Part A of House Report 112-398, submitted by Mr. LANDRY:

Beginning on page 952, line 19, strike section 17501(b) and insert the following:

(b) LIMITATION ON APPLICATION.—Sub-section (a) and the amendment made by sub-section (a) shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109 432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

(c) AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—Sec-tion 105(f)(1) of the Gulf of Mexico Energy

Security Act of 2006 (title I of division C of Public Law 109 432; (43 U.S.C. 1331 note)) is amended by striking "2055" and inserting "2022, and shall not exceed \$750,000,000 for each of fiscal years 2023 through 2055".

It was decided in the affirmative { Yeas 266 Nays 159

22.31 [Roll No. 62] AYES—266

- Adams Gerlach Myrick
Aderholt Gibbs Neugebauer
Akin Gohmert Noem
Alexander Gonzalez Nugent
Altmire Goodlatte Nunes
Amash Gosar Nunnelee
Amodei Gowdy Olson
Austria Granger Palazzo
Bachmann Bachmann (GA) Pastor (AZ)
Bachus Bachus (MO) Paulsen
Barletta Green, Al Pearce
Bartlett Green, Gene Pence
Barton (TX) Griffin (AR) Petri
Benishek Griffith (VA) Pitts
Berg Grimm Platts
Bilbray Guinta Poe (TX)
Bilirakis Guthrie Pompeo
Bishop (GA) Hall Posey
Bishop (UT) Hanabusa Price (GA)
Black Hanna Quayle
Blackburn Harper Reed
Bonner Harris Rehberg
Bono Mack Hartzler Reichert
Boren Hastings (WA) Renacci
Boustany Heck Reyes
Brady (TX) Hensarling Ribble
Brooks Herger Richardson
Broun (GA) Herrera Beutler Richmond
Brown (FL) Hinojosa Rigell
Buchanan Huelskamp Rivera
Bucshon Huizenga (MI) Roby
Buerkle Hultgren Roe (TN)
Burgess Hunter Rogers (AL)
Burton (IN) Hurt Rogers (KY)
Calvert Issa Rogers (MI)
Camp Jackson (IL) Rohrabacher
Canseco Jackson Lee Rokita
Cantor (TX) Jenkins Rooney
Capito Johnson (OH) Ros-Lehtinen
Carter Johnson, E. B. Roskam
Cassidy Johnson, Sam Ross (AR)
Chabot Jones Ross (FL)
Chaffetz Jordan Royce
Clarke (NY) Kelly Runyan
Clay King (IA) Rush
Clyburn King (NY) Ryan (WI)
Coble Kingston Scalise
Coffman (CO) Kinzinger (IL) Schilling
Cohen Kissell Schmidt
Cole Kline Schock
Conaway Labrador Schweikert
Cravaack Lamborn Scott (SC)
Crawford Lamborn Scott, Austin
Crenshaw Lance Scott, David
Culellar Landry Sensenbrenner
Culberson Lankford Sessions
Cummings Larson (CT) Sewell
Davis (IL) LaTham Shimkus
Davis (KY) LaTourrette Shuster
Denham Latta Simpson
Dent Lewis (CA) Smith (NE)
DesJarlais Long Smith (TX)
Diaz-Balart Lucas Southerland
Doggett Luetkemeyer Stearns
Dold Lungren, Daniel Stivers
Dreier E. Stutzman
Duffy Mack Sullivan
Duncan (SC) Manzullo Terry
Duncan (TN) Marchant Thompson (MS)
Ellmers Marino Thompson (PA)
Emerson Matheson Thornberry
Farenthold McCarthy (CA) Tiberi
Fincher McCaul Towns
Fitzpatrick McClintock Turner (NY)
Flake McCotter Turner (OH)
Fleischmann McHenry Upton
Fleming McIntyre Walberg
Flores McKeon Walden
Forbes McKinley Walsh (IL)
Fortenberry McMorris Webster
Foxy Rodgers West
Franks (AZ) Meehan Westmoreland
Frelinghuysen Mica Whitfield
Fudge Michaud Wilson (FL)
Gallegly Miller (FL) Wilson (SC)
Garamendi Miller, Gary Wittman
Gardner Mulvaney Wolf
Garrett Murphy (PA)

- Womack Yoder Young (FL)
Woodall Young (AK) Young (IN)
NOES—159
Ackerman Gibson Napolitano
Andrews Grijalva Neal
Baca Gutierrez Olver
Baldwin Hahn Owens
Barrow Hastings (FL) Pallone
Bass (CA) Hayworth Pascrell
Bass (NH) Heinrich Pelosi
Becerra Higgins Perlmutter
Berkley Himes Peters
Berman Hinchev Peterson
Biggert Hirono Pingree (ME)
Bishop (NY) Hochul Polis
Blumenauer Holden Price (NC)
Bonamici Holt Quigley
Boswell Honda Rahall
Brady (PA) Hoyer Rothman (NJ)
Braley (IA) Inslee Roybal-Allard
Butterfield Israel Ruppertsberger
Capps Johnson (GA) Ryan (OH)
Capuano Johnson (IL) Sánchez, Linda
Cardoza Kaptur T.
Carmahan Keating Sanchez, Loretta
Carney Kildee Sarbanes
Carson (IN) Kind Schakowsky
Castor (FL) Kucinich Schiff
Chandler Langevin Larsen (WA)
Chu Lee (CA) Scott (VA)
Cicilline Clarke (MI) Levin Sherman
Clarke (MI) Lewis (GA) Shuler
Connolly (VA) Lipinski Sires
Conyers Cooper LoBiondo Smith (NJ)
Costa Costa Loebsack Smith (WA)
Costello Lofgren, Zoe Speier
Courtney Lowey Stark
Critz Lujan Sutton
Crowley Lummis Thompson (CA)
Davis (CA) Lynch Tierney
DeFazio Maloney Tipton
DeGette Markey Tonko
DeLauro Matsui Tsongas
Deutch McCarthy (NY) Van Hollen
Dicks McColium Velázquez
Dingell McDermott Vislosky
Donnelly (IN) McGovern Walz (MN)
Doyle McNeerney Wasserman
Edwards Meeks Schultz
Ellison Miller (MI) Waters
Ellison Miller (NC) Watt
Engel Miller, George Waxman
Eshoo Moore Welch
Farr Moran Waxman
Fattah Moran Welch
Filner Murphy (CT) Woolsey
Frank (MA) Nadler Yarmuth

NOT VOTING—8

- Campbell Paul Serrano
Cleaver Payne Slaughter
Gingrey (GA) Rangel

So the amendment was agreed to.

22.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 12, printed in Part A of House Report 112-398, submitted by Mr. DEUTCH:

Page 954, after line 19, insert the following: SEC. 17603. ESTIMATE OF THE ECONOMIC IMPACT OF WORST-CASE DISCHARGE OF OIL.

A person shall not be eligible for a lease issued under this subtitle (including the amendments made by this subtitle) unless the person includes in the application for the lease an estimate of the economic impact, including job losses, resulting from a worst-case discharge of oil from facilities operated under the lease.

It was decided in the negative { Yeas 188 Nays 236

22.33 [Roll No. 63] AYES—188

- Ackerman Barrow Bishop (GA)
Altmire Bass (CA) Bishop (NY)
Andrews Becerra Blumenauer
Baca Berkley Bonamici
Baldwin Berman Boswell

- Brady (PA) Hanabusa Pallone
Braley (IA) Hastings (FL) Pascrell
Brown (FL) Heinrich Pastor (AZ)
Buchanan Higgins Pelosi
Butterfield Hinchev Peters
Capps Hinojosa Pingree (ME)
Capuano Hirono Polis
Cardoza Hochul Price (NC)
Carnahan Holden Quigley
Carney Holt Rahall
Carson (IN) Honda Reichert
Castor (FL) Hoyer Reyes
Chandler Himes Inslee
Chu Israel Richmond
Cicilline Jackson (IL) Ros-Lehtinen
Clarke (MI) Jackson Lee Rothman (NJ)
Clarke (NY) (TX) Roybal-Allard
Clay Johnson (GA) Ruppertsberger
Clyburn Johnson, E. B. Rush
Coffman (CO) Jones
Cohen Kaptur Ryan (OH)
Connolly (VA) Keating Sanchez, Linda
Conyers Kildee T.
Cooper Kissell Sanchez, Loretta
Costello Kucinich Sarbanes
Courtney Langevin Schakowsky
Critz Larson (CT) Schiff
Crowley Lee (CA) Schrader
Cuellar Levin Schwartz
Cummings Lewis (GA) Scott (VA)
Davis (CA) Lipinski Scott, David
Davis (IL) LoBiondo Sewell
DeFazio Loebsack Sherman
DeGette Lofgren, Zoe Sires
DeLauro Lowey Smith (NJ)
Dent Lujan Smith (WA)
Deutch Lynch Speier
Dicks Markey Stark
Dingell Matsui Sutton
Doggett McCarthy (NY) Thompson (CA)
Donnelly (IN) McColium Thompson (MS)
Doyle McDermott Tierney
Edwards McGovern Tonko
Ellison McIntyre Towns
Engel McNeerney Tsongas
Eshoo Meehan Van Hollen
Farr Meeks Velázquez
Fattah Michaud Visclosky
Filner Miller (FL) Walz (MN)
Fitzpatrick Miller (NC) Wasserman
Frank (MA) Miller, George Schultz
Fudge Moore Waters
Garamendi Moran Watt
Gibson Murphy (CT) Waxman
Gohmert Nadler Welch
Green, Al Napolitano Wilson (FL)
Grijalva Neal Woolsey
Gutierrez Olver Yarmuth
Hahn Owens Young (FL)

NOES—236

- Adams Chabot Goodlatte
Aderholt Chaffetz Gosar
Akin Coble Gowdy
Alexander Cole Granger
Amash Conaway Graves (GA)
Amodei Costa Graves (MO)
Austria Cravaack Green, Gene
Bachmann Crawford Griffin (AR)
Bachus Crenshaw Griffith (VA)
Barletta Culberson Grimm
Bartlett Davis (KY) Guinta
Barton (TX) Denham Guthrie
Bass (NH) DesJarlais Hall
Benishek Diaz-Balart Hanna
Berg Dold Harper
Biggert Dreier Harris
Bilbray Duffy Hartzler
Bilirakis Duncan (SC) Hastings (WA)
Bishop (UT) Duncan (TN) Hayworth
Black Ellmers Heck
Blackburn Emerson Hensarling
Bonner Farenthold Herger
Bono Mack Fincher Herrera Beutler
Boren Flake Huelskamp
Boustany Fleischmann Huizenga (MI)
Brady (TX) Fleming Hultgren
Brooks Flores Hunter
Broun (GA) Forbes Hurt
Bucshon Fortenberry Issa
Buerkle Foxx Jenkins
Cantor Franks (AZ) Johnson (IL)
Capito Frelinghuysen Johnson (OH)
Carter Gallegly Johnson, Sam
Cassidy Gardner Jordan
Garrett Garrett Kelly
Gerlach Gerlach Kind
Gibbs Gibbs King (IA)
Gingrey (GA) Gingrey (GA) King (NY)
Gonzalez Gonzalez Kingston

Kinzingler (IL)	Nunes	Schweikert
Kline	Nunnelee	Scott (SC)
Labrador	Olson	Scott, Austin
Lamborn	Palazzo	Sensenbrenner
Lance	Paulsen	Sessions
Landry	Pearce	Shimkus
Lankford	Pence	Shuler
Larsen (WA)	Perlmutter	Shuster
Latham	Peterson	Simpson
LaTourette	Petri	Smith (NE)
Latta	Pitts	Smith (TX)
Lewis (CA)	Platts	Southerland
Long	Poe (TX)	Stearns
Lucas	Pompeo	Stivers
Luetkemeyer	Posey	Stutzman
Lummis	Price (GA)	Sullivan
Lungren, Daniel E.	Quayle	Terry
Mack	Reed	Thompson (PA)
Manzullo	Rehberg	Thornberry
Marchant	Renacci	Tiberi
Marino	Ribble	Tipton
Matheson	Rigell	Turner (NY)
McCarthy (CA)	Rivera	Turner (OH)
McCaul	Roby	Upton
McClintock	Roe (TN)	Walberg
McCotter	Rogers (AL)	Walden
McHenry	Rogers (KY)	Walsh (IL)
McKeon	Rogers (MI)	Webster
McKinley	Rohrabacher	West
McMorris	Rokita	Westmoreland
Rodgers	Rooney	Whitfield
Mica	Roskam	Wilson (SC)
Miller (MI)	Ross (AR)	Wittman
Miller, Gary	Ross (FL)	Wolf
Mulvaney	Royce	Womack
Murphy (PA)	Runyan	Woodall
Myrick	Ryan (WI)	Yoder
Neugebauer	Scalise	Young (AK)
Noem	Schilling	Young (IN)
Nugent	Schmidt	
	Schock	

NOT VOTING—9

Campbell	Maloney	Rangel
Cleaver	Paul	Serrano
Himes	Payne	Slaughter

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. CASSIDY, assumed the Chair.

When Mr. CHAFFETZ, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶22.34 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore, Mr. CASSIDY, pursuant to 36 United States Code 2302, and the order of the House of January 5, 2011, announced that the Speaker appointed the following Member of the House to the United States Holocaust Memorial Council: Mr. ISRAEL.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶22.35 RECESS—8:54 P.M.

The SPEAKER pro tempore, Mrs. BLACK, pursuant to clause 12(a) of rule I, declared the House in recess at 8 o'clock and 54 minutes p.m., subject to the call of the Chair.

¶22.36 AFTER RECESS—9:29 P.M.

The SPEAKER pro tempore, Mrs. BLACK, called the House to order.

¶22.37 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1162. An Act to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

¶22.38 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. MOORE, for today until 3 p.m.

And then,

¶22.39 ADJOURNMENT

On motion of Mr. GOHMERT, at 9 o'clock and 30 minutes p.m., the House adjourned.

¶22.40 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Georgia (for himself, Mr. LEWIS of Georgia, Mr. McDERMOTT, and Mr. CONNOLLY of Virginia):

H.R. 4032. A bill to amend the Internal Revenue Code of 1986 to make permanent the 2010 increase in the deduction for start-up expenditures; to the Committee on Ways and Means.

By Mr. SULLIVAN:

H.R. 4033. A bill to amend the Indian Gaming Regulatory Act to provide for community approval before Indian class III gaming operations may take effect; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ:

H.R. 4034. A bill to amend title V of the Social Security Act to provide grants for school-based mentoring programs for at risk teenage girls to prevent and reduce teen pregnancy, and to provide student loan forgiveness for mentors participating in such programs; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself and Mr. LARSON of Connecticut):

H.R. 4035. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of Ohio:

H.R. 4036. A bill to amend the Legislative Reorganization Act of 1946 to impose a daily reduction in the rates of pay for Members of Congress if Congress fails to agree to a concurrent resolution on the budget; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN:

H.R. 4037. A bill to provide that no Federal funds may be used for any construction project in the Northern Mariana Islands the cost of which exceeds \$100,000, unless the workforce carrying out the project is composed of at least 60 percent United States workers; to the Committee on Oversight and Government Reform.

By Mr. ACKERMAN (for himself, Mr. HINCHEY, Mr. NADLER, Mr. MCGOVERN, Ms. WATERS, Mr. CICILLINE, and Mr. ELLISON):

H.R. 4038. A bill to amend the Internal Revenue Code of 1986 to provide a 4-year extension of the deduction for tuition and related expenses; to the Committee on Ways and Means.

By Mr. AMODEI (for himself, Mr. HECK, and Ms. BERKLEY):

H.R. 4039. A bill to convey certain Federal land to the city of Yerington, Nevada; to the Committee on Natural Resources.

By Mr. BACA (for himself, Mr. ROONEY, Mr. TIBERI, and Mr. AUSTRIA):

H.R. 4040. A bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on Financial Services.

By Mr. BERMAN (for himself and Mr. MANZULLO):

H.R. 4041. A bill to amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRALEY of Iowa:

H.R. 4042. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GALLEGLEY:

H.R. 4043. A bill to amend title 10, United States Code, to direct the Secretary of Defense to establish Southern Sea Otter Military Readiness Areas for national defense purposes, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER of Illinois:

H.R. 4044. A bill to amend the National Telecommunications and Information Administration Organization Act to create a Federal Spectrum Reallocation Commission, to provide for the use of a portion of the proceeds from the auction of reallocated Federal spectrum for deficit reduction, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KLINE:

H.R. 4045. A bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date; to the Committee on Armed Services.

By Mr. LAMBORN (for himself, Mrs. SCHMIDT, Mr. JONES, Mr. McCOTTER, Mr. LATTA, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mrs. BACHMANN, Mr. DUNCAN of South Carolina, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. CULBERSON, Mr. FLEMING, Mr. PEARCE, Mr. COLE, Mr. HARRIS, Mr. PAUL, Mrs. HARTZLER, Mr. GOHMERT, Mr. NEUGEBAUER, Mr. CONAWAY, and Mr. MARCHANT):

H.R. 4046. A bill to amend the General Education Provisions Act to prohibit Federal education funding for elementary or secondary schools that provide access to emergency postcoital contraception; to the Committee on Education and the Workforce.

By Mr. MURPHY of Connecticut:

H.R. 4047. A bill to require solicitations for Federal procurement contracts to include information about the applicability of Buy American law and whether foreign goods may be used to fulfill the requirements of the contracts; to the Committee on Oversight and Government Reform.

By Ms. CASTOR of Florida:

H. Res. 548. A resolution acknowledging the National Academy of Inventors (NAI) as

a driving factor in the world economy and the contributions of scientist-inventors across all disciplines; to the Committee on the Judiciary.

By Mr. ELLISON:

H. Res. 549. A resolution calling for democratic change in Syria; to the Committee on Foreign Affairs.

By Mr. GRIJALVA:

H. Res. 550. A resolution expressing the support of the House of Representatives for innovative transformative research conducted by early career faculty, and recognizing the Research Corporation for Science Advancement (RCSA) on its 100th anniversary for supporting such research; to the Committee on Science, Space, and Technology.

By Mr. SCHWEIKERT (for himself, Mr. FLAKE, Mr. QUAYLE, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. GOSAR, and Mr. FRANKS of Arizona):

H. Res. 551. A resolution celebrating the Arizona centennial; to the Committee on Oversight and Government Reform.

¶22.41 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. BERMAN.
 H.R. 178: Ms. WOOLSEY.
 H.R. 303: Mr. HOLDEN.
 H.R. 374: Mr. GOSAR and Mr. KINZINGER of Illinois.
 H.R. 383: Mr. CLAY.
 H.R. 459: Mr. CRAWFORD, Mr. BISHOP of Georgia, Mr. CASSIDY, and Mr. PEARCE.
 H.R. 466: Mr. GOODLATTE and Mr. CLAY.
 H.R. 481: Mr. HASTINGS of Florida.
 H.R. 615: Mr. MURPHY of Pennsylvania, Mr. HENSARLING, and Mr. SCHWEIKERT.
 H.R. 623: Mr. KUCINICH and Ms. NORTON.
 H.R. 665: Mrs. BLACK.
 H.R. 718: Ms. WATERS, Mr. ACKERMAN, and Mr. WALBERG.
 H.R. 735: Mrs. BONO MACK.
 H.R. 809: Ms. BALDWIN and Mr. CLAY.
 H.R. 812: Mr. GRIJALVA.
 H.R. 941: Ms. SCHAKOWSKY.
 H.R. 981: Mrs. ADAMS.
 H.R. 1084: Ms. HANABUSA.
 H.R. 1161: Mr. CRAVAACK.
 H.R. 1176: Mr. DICKS, Mr. RIGELL, Ms. ESHOO, and Ms. BERKLEY.
 H.R. 1179: Mr. CUELLAR, Mr. WITTMAN, Mr. SULLIVAN, Mr. GARDNER, and Mr. MCKINLEY.
 H.R. 1190: Mr. PRICE of North Carolina and Ms. CHU.
 H.R. 1265: Mr. MEEHAN.
 H.R. 1288: Mr. JOHNSON of Georgia and Mr. BISHOP of New York.
 H.R. 1303: Mr. CLAY.
 H.R. 1332: Mr. QUIGLEY.
 H.R. 1488: Mrs. DAVIS of California.
 H.R. 1513: Mr. SABLAN, Mr. ROHRBACHER, Mrs. MYRICK, Mr. JONES, Mr. GINGREY of Georgia, Mr. DUNCAN of Tennessee, and Mr. KINGSTON.
 H.R. 1578: Mr. CLAY.
 H.R. 1588: Mrs. SCHMIDT.
 H.R. 1724: Mr. CLAY.
 H.R. 1738: Mr. POLIS.
 H.R. 1744: Mr. YOUNG of Alaska, Mr. KING of New York, and Mr. FLAKE.
 H.R. 1802: Mr. CARNEY.
 H.R. 1819: Mr. SCHWEIKERT.
 H.R. 1865: Mrs. BLACK, Mr. CRENSHAW, and Mr. SCHWEIKERT.
 H.R. 1867: Mr. COHEN.
 H.R. 1912: Mr. ELLISON and Mr. SHERMAN.
 H.R. 1916: Mr. CLARKE of Michigan and Mr. FITZPATRICK.
 H.R. 1955: Mr. MILLER of North Carolina.
 H.R. 1960: Mr. COURTNEY.
 H.R. 1964: Mr. SHIMKUS.
 H.R. 2014: Mr. SMITH of Washington.
 H.R. 2016: Mr. BERMAN.

H.R. 2040: Mr. CANSECO.
 H.R. 2069: Mr. YOUNG of Indiana.
 H.R. 2085: Ms. TSONGAS and Mr. FATTAH.
 H.R. 2104: Ms. WATERS, Ms. DEGETTE, and Ms. TSONGAS.
 H.R. 2152: Mr. MCINTYRE, Mr. ALTMIRE, and Ms. WASSERMAN SCHULTZ.
 H.R. 2168: Ms. PINGREE of Maine.
 H.R. 2181: Mr. KEATING.
 H.R. 2182: Mr. GONZALEZ.
 H.R. 2245: Mr. MCCAUL.
 H.R. 2281: Ms. ZOE LOFGREN of California.
 H.R. 2284: Mr. ELLISON.
 H.R. 2288: Mr. BRADY of Pennsylvania.
 H.R. 2334: Ms. TSONGAS and Mr. BOREN.
 H.R. 2342: Ms. WATERS and Ms. NORTON.
 H.R. 2528: Mr. ROE of Tennessee, Mr. CHAFFETZ, Mrs. LUMMIS, Mr. GARRETT, Mr. HUELSKAMP, Mr. CONAWAY, Mr. SOUTHERLAND, Mr. MCHENRY, and Mr. GOHMERT.
 H.R. 2529: Mr. LATOURETTE.
 H.R. 2569: Mr. DUNCAN of South Carolina.
 H.R. 2607: Mr. CLARKE of Michigan and Ms. SCHAKOWSKY.
 H.R. 2697: Mr. SCHOCK.
 H.R. 2728: Mr. GRIJALVA.
 H.R. 2741: Ms. SCHAKOWSKY.
 H.R. 2834: Mr. GOSAR and Mr. MILLER of Florida.
 H.R. 2881: Ms. WILSON of Florida.
 H.R. 2959: Mr. SCHOCK.
 H.R. 2966: Mr. COFFMAN of Colorado.
 H.R. 2970: Mr. FRELINGHUYSEN.
 H.R. 2981: Mr. JACKSON of Illinois.
 H.R. 3053: Mr. ELLISON.
 H.R. 3059: Ms. PINGREE of Maine.
 H.R. 3061: Mr. BISHOP of New York.
 H.R. 3199: Mr. GRIFFIN of Arkansas and Mr. CAMPBELL.
 H.R. 3210: Mr. MATHESON.
 H.R. 3221: Mr. ELLISON.
 H.R. 3238: Mr. LANGEVIN, Mr. CICILLINE, Mr. NEAL, Mr. QUIGLEY, Mr. MORAN, Mr. HOLT, Mr. VAN HOLLEN, and Ms. PINGREE of Maine.
 H.R. 3264: Mr. BRADY of Texas, Mr. HARRIS, Mr. PEARCE, and Mr. WEST.
 H.R. 3307: Mr. BOUSTANY and Mr. BOREN.
 H.R. 3359: Mr. RANGEL.
 H.R. 3368: Mr. RANGEL and Mr. FATTAH.
 H.R. 3399: Mr. SCHOCK and Mr. BOSWELL.
 H.R. 3401: Mr. CANSECO and Mrs. BONO MACK.
 H.R. 3423: Mr. YODER, Mr. YARMUTH, Mr. CICILLINE, Mr. MCKINLEY, and Mr. ROE of Tennessee.
 H.R. 3483: Mr. WALZ of Minnesota, Mr. RYAN of Ohio, and Mr. FILNER.
 H.R. 3506: Mr. LATHAM.
 H.R. 3559: Mr. LUETKEMEYER.
 H.R. 3572: Mr. LANCE, Ms. HAHN, and Mr. COHEN.
 H.R. 3573: Mr. CLAY.
 H.R. 3612: Mr. TOWNS.
 H.R. 3634: Mr. SESSIONS and Mr. COBLE.
 H.R. 3646: Ms. BALDWIN.
 H.R. 3733: Mr. BLUMENAUER.
 H.R. 3785: Mr. STARK.
 H.R. 3798: Mr. COHEN, Mr. FILNER, and Mr. BACA.
 H.R. 3803: Mr. SENSENBRENNER, Mrs. MYRICK, and Mr. COBLE.
 H.R. 3806: Mr. BROOKS.
 H.R. 3808: Mr. ROSS of Florida.
 H.R. 3814: Mr. SCHWEIKERT.
 H.R. 3824: Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. PASTOR of Arizona.
 H.R. 3826: Mr. CONNOLLY of Virginia, Mr. BISHOP of New York, Ms. BASS of California, Mr. DOYLE, Mr. RAHALL, Mr. CARNAHAN, and Mr. WAXMAN.
 H.R. 3828: Mr. WOLF, Mr. GRIFFIN of Arkansas, and Mr. FRANKS of Arizona.
 H.R. 3840: Ms. LEE of California.
 H.R. 3842: Mr. FINCHER and Mr. HUNTER.
 H.R. 3844: Mrs. NOEM.
 H.R. 3855: Mr. BENISHEK.
 H.R. 3860: Ms. SCHAKOWSKY and Mr. REYES.
 H.R. 3863: Mr. RYAN of Wisconsin.

H.R. 3867: Mr. GOHMERT, Mr. DUNCAN of South Carolina, Mr. FLEMING, Mr. ROSS of Florida, and Mr. PEARCE.
 H.R. 3871: Mr. LUETKEMEYER.
 H.R. 3875: Mr. PAYNE and Mr. MICHAUD.
 H.R. 3881: Mr. POLIS, Mr. FILNER, and Mr. GRIJALVA.
 H.R. 3886: Mr. FARR.
 H.R. 3895: Mr. MICHAUD.
 H.R. 3903: Mr. HOLT, Mr. FARR, and Mr. ELLISON.
 H.R. 3910: Mr. THOMPSON of California.
 H.R. 3981: Mr. ELLISON.
 H.R. 3982: Mr. LONG, Mr. BROUN of Georgia, and Mr. CANSECO.
 H.R. 3991: Mr. LANKFORD.
 H.R. 3995: Ms. DEGETTE.
 H.R. 4000: Mr. GRIMM, Mr. HALL, and Mr. HULTGREN.
 H.R. 4010: Mr. PASTOR of Arizona, Mr. SERRANO, Mr. MURPHY of Connecticut, Mr. QUIGLEY, Mr. BLUMENAUER, and Mr. CAPUANO.
 H.R. 4014: Mr. LUETKEMEYER and Mr. CANSECO.
 H.J. Res. 101: Mr. JONES.
 H. Con. Res. 18: Mr. SHERMAN.
 H. Con. Res. 63: Mr. YOUNG of Alaska.
 H. Con. Res. 100: Mr. FLAKE.
 H. Res. 130: Mr. MORAN and Mr. MCNERNEY.
 H. Res. 298: Mr. LATHAM.
 H. Res. 460: Mr. DEUTCH, Mr. BRALEY of Iowa, Mr. KING of New York, Mr. AL GREEN of Texas, and Mr. FARR.
 H. Res. 503: Mrs. ADAMS and Mr. SCOTT of South Carolina.
 H. Res. 532: Mr. ROKITA.
 H. Res. 543: Ms. BUERKLE, Mr. ISRAEL, Mr. NADLER, Mrs. MALONEY, Mr. TOWNS, Mr. HINCHAY, Mr. OWENS, Mr. KING of New York, Mr. SERRANO, Mr. RANGEL, Mr. TONKO, and Mr. GIBSON.

THURSDAY, FEBRUARY 16, 2012 (23)

¶23.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 16, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶23.2 RECESS—11:30 A.M.

The SPEAKER pro tempore, Mr. RIBBLE, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 30 minutes a.m., until noon.

¶23.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶23.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, February 15, 2012.

Mr. QUAYLE, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. QUAYLE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶23.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5024. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways B-81, V-89, and V-169 in the Vicinity of Chadron, Nebraska [Docket No.: FAA-2010-1016; Airspace Docket No. 11-ACE-6] (RIN: 2120-AA66) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5025. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-2104A, B, C, D and E; Huntsville, AL [Docket No.: FAA-2010-0693; Airspace Docket No. 11-ASO-29] (RIN: 2120-AA66) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5026. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Huntington, WV [Docket No.: FAA-2011-1057; Airspace Docket No. 11-AEA-21] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5027. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation and Establishment of Compulsory Reporting Point; Alaska [Docket No.: FAA-2011-1238; Airspace Docket No. 11-AAL-20] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5028. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways V-320 and V-440; Alaska [Docket No.: FAA-2011-1014; Airspace Docket No. 11-AAL-19] (RIN: 2120-AA66) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5029. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Anaktuvuk Pass, AK [Docket No.: FAA-2011-0867; Airspace Docket No. 11-AAL-16] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5030. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; North Philadelphia, PA [Docket No.: FAA-2011-0625; Airspace Docket No. 11-AEA-16] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5031. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Byron, OH [Docket No.:

FAA-2011-0606; Airspace Docket No. 11-AGL-14] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5032. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Spearfish, SD [Docket No.: FAA-2011-0431; Airspace Docket No. 11-AGL-11] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5033. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Sturgis, SD [Docket No.: FAA-2011-0430; Airspace Docket No. 11-AGL-10] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5034. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to and Establishment of Restricted Areas; Warren Grove, NJ [Docket No.: FAA-2011-0104; Airspace Docket No. 11-AEA-2] (RIN: 2120-AA66) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5035. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAL-1] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5036. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Carroll, IA [Docket No.: FAA-2011-0845; Airspace Docket No. 11-ACE-19] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5037. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Stuart, IA [Docket No.: FAA-2011-0831; Airspace Docket No. 11-ACE-17] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5038. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Mercury, NV [Docket No.: FAA-2011-0894; Airspace Docket No. 11-AWP-14] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶23.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BASS of New Hampshire, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, February 16, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 16, 2012 at 9:48 a.m.:

That the Senate agreed to without amendment H. Con. Res. 99.

Appointments:
Washington's Farewell Address.
With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶23.7 RECESS—12:37 P.M.

The SPEAKER pro tempore, Mr. BASS of New Hampshire, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 37 minutes p.m., subject to the call of the Chair.

¶23.8 AFTER RECESS—3:16 P.M.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, called the House to order.

¶23.9 OIL SHALE RESOURCES DEVELOPMENT

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 547 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes.

Mr. WOODALL, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. DENHAM, assumed the Chair.

When Mr. WOODALL, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶23.10 SUBMISSION OF CONFERENCE REPORT—H.R. 3630

Mr. CAMP submitted a conference report (Rept. No. 112-399) on the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶23.11 OIL SHALE RESOURCES DEVELOPMENT

The SPEAKER pro tempore, Mr. DENHAM, pursuant to House Resolution 547 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3408) to set clear rules for the development of United States oil shale resources, to promote shale technology research and development, and for other purposes.

Mr. WOODALL, Acting Chairman, assumed the chair; and after some time spent therein,

¶23.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 13, printed in Part A of House Report 112-398, submitted by Mr. THOMPSON of California:

Page 954, after line 19, insert the following:
SEC. ____ LIMITATION ON LEASING OFF THE COAST OF NORTHERN CALIFORNIA.

Section 8(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

“(9) No oil and gas lease may be issued under this Act for any area of the outer Continental Shelf for which the State of Cali-

fornia is an affected State under section 2(f)(1) and that is located west of Marin, Sonoma, Mendocino, Humboldt, or Del Norte County, California.”

It was decided in the { Yeas 167 negative } Nays 253

¶23.13 [Roll No. 64]

AYES—167

- Ackerman, Andrews, Baldwin, Bass (CA), Becerra, Berkley, Berman, Bilbray, Bishop (NY), Blumenauer, Bonamici, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Clyburn, Coble, Cohen, Connolly (VA), Conyers, Costello, Courtney, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Dold, Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Filner, Frank (MA), Fudge, Garamendi, Gonzalez, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Holt, Honda, Hoyer, Insee, Israel, Jackson (IL), Jackson Lee, Carney (TX), Johnson (GA), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kissell, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Loeb sack, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Markey, Matsui, McCollum, McDermott, Dold, McGovern, Mc Nerney, Meeks, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napolitano, Neal, Oliver, Owens, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Reichert, Reyes, Richardson, Richmond, Rothman (NJ), Roybal-Allard, Ruppersberger, Rush, Ryan (OH), Sanchez, Linda T., Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Sewell, Sherman, Sires, Slaughter, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth

NOES—253

- Adams, Aderholt, Akin, Alexander, Altmire, Amash, Amodei, Baca, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bishop (GA), Bishop (UT), Black, Blackburn, Bonner, Boren, Boswell, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Buehler, Burgess, Burton (IN), Calvert, Camp, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Chandler, Coffman (CO), Cole, Conaway, Cooper, Costa, Cravaack, Crawford, Crenshaw, Critz, Cuellar, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Donnelly (IN), Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gowdy, Granger

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

NOT VOTING—13

- Austria, Bilirakis, Bono Mack, Campbell, Cleaver, Gosar, Mack, Paul, Payne, Rangel, Sanchez, Loretta, Serrano, Shuler

So the amendment was not agreed to.

¶23.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 15, printed in Part A of House Report 112-398, submitted by Ms. HANABUSA:

Page 954, after line 19, add the following new section:

SEC. 17603. SAFETY REQUIREMENTS.

The Secretary of the Interior shall require that drilling operations conducted under each lease issued under this subtitle (including the amendments made by this subtitle) meet requirements for—

- (1) third-party certification of safety systems related to well control, such as blowout preventers;
(2) performance of blowout preventers, including quantitative risk assessment standards, subsea testing, and secondary activation methods;
(3) independent third-party certification of well casing and cementing programs and procedures;
(4) mandatory safety and environmental management systems by operators on the outer Continental Shelf (as that term is used

in the Outer Continental Shelf Lands Act); and

(5) procedures and technologies to be used during drilling operations to minimize the risk of ignition and explosion of hydrocarbons.

It was decided in the { Yeas 189 negative } Nays 228

¶23.15 [Roll No. 65]

AYES—189

- Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Clyburn, Connolly (VA), Conyers, Cooper, Costello, Courtney, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Dent, Deutch, Dicks, Dingell, Doggett, Dold, Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Filner, Fitzpatrick, Frank (MA), Fudge, Garamendi, Gibson, Gonzalez, Green, Al, Grijalva, Gutierrez, Hahn, Hanabusa, Hanna, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Honda, Hoyer, Insee, Israel, Jackson (IL), Jackson Lee, Carney (TX), Johnson (GA), Johnson (IL), Johnson, E. B., Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loeb sack, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Markey, Matsui, McCarthy (NY), McDermott, McGovern, McIntyre, Mc Nerney, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napolitano, Neal, Oliver, Owens, Paulsen, Pascrell, Pastor (AZ), Paulsen, Pelosi, Perlmutter, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Reichert, Reyes, Richardson, Richmond, Ros-Lehtinen, Rothman (NJ), Roybal-Allard, Ruppersberger, Rush, Ryan (OH), Sanchez, Linda T., Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Sewell, Sherman, Sires, Slaughter, Smith (NJ), Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth, Young (FL), Bonner, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchson, Buerkle, Burgess, Burton (IN), Calvert, Camp, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Costa, Cravaack, Crawford, Crenshaw, Critz, Culberson, Davis (KY), Denham, DesJarlais, Diaz-Balart, Donnelly (IN), Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson

NOES—228

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

NOT VOTING—16

Austria	Harris	Sanchez, Loretta
Bono Mack	Mack	Serrano
Buchanan	Mulvaney	Shuler
Campbell	Paul	Sullivan
Cleaver	Payne	
Cohen	Rangel	

So the amendment was not agreed to.

23.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 16, printed in Part A of House Report 112-398, submitted by Mr. HASTINGS of Washington:

At the end of title XVII add the following:

Subtitle D—Streamlining Federal Review To Facilitate Renewable Energy Projects

SEC. 17801. SHORT TITLE.

This subtitle may be cited as the "Cutting Federal Red Tape to Facilitate Renewable Energy Act".

SEC. 17802. ENVIRONMENTAL REVIEW FOR RENEWABLE ENERGY PROJECTS.

(a) COMPLIANCE WITH NEPA FOR RENEWABLE ENERGY PROJECTS.—In complying with the National Environmental Policy Act of 1969 (41 U.S.C. 4321 et seq.) with respect to any action authorizing or facilitating a proposed renewable energy project, at the election of the applicant a Federal agency shall—

- (1) consider only the proposed action and the no action alternative;
- (2) analyze only the proposed action and the no action alternative; and

(3) identify and analyze potential mitigation measures only for the proposed action and the no action alternative.

(b) PUBLIC COMMENT.—In complying with the National Environmental Policy Act of 1969 with respect to a proposed renewable energy project, a Federal agency shall only consider public comments that specifically address the proposed action or the no action alternative (or both) and are filed within 30 days after publication of a draft environmental assessment or draft environmental impact statement.

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

(1) FEDERAL WATERS.—The term "Federal waters" means waters seaward of the coastal zone (as that term is defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)), to the limits of the exclusive economic zone or the Outer Continental Shelf, whichever is farther.

(2) OUTER CONTINENTAL SHELF.—The term "Outer Continental Shelf" has the meaning the term "outer Continental Shelf" has in the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(3) RENEWABLE ENERGY PROJECT.—The term "renewable energy project" means a project on Federal lands or in Federal waters, including a project on the Outer Continental Shelf, using wind, solar power, geothermal power, biomass, or marine and hydrokinetic energy to generate energy, that is constructed encouraging the use of equipment and materials manufactured in the United States.

It was decided in the { Yeas 250 affirmative } Nays 171

23.17

[Roll No. 66]

AYES—250

Adams	Culberson	Hensarling
Aderholt	Davis (KY)	Herger
Akin	Denham	Herrera Beutler
Alexander	Dent	Huelskamp
Altmire	DesJarlais	Huizenga (MI)
Amodei	Diaz-Balart	Hultgren
Baca	Donnelly (IN)	Hunter
Bachmann	Dreier	Hurt
Bachus	Duffy	Issa
Barletta	Duncan (SC)	Jenkins
Barrow	Duncan (TN)	Johnson (IL)
Bartlett	Ellmers	Johnson (OH)
Barton (TX)	Emerson	Johnson, Sam
Benishek	Farenthold	Jones
Berg	Fincher	Jordan
Biggart	Fitzpatrick	Kelly
Bilbray	Flake	King (IA)
Bilirakis	Fleischmann	King (NY)
Bishop (GA)	Fleming	Kingston
Bishop (UT)	Flores	Kinzinger (IL)
Black	Forbes	Kissell
Blackburn	Fortenberry	Kline
Bonner	Fox	Labrador
Boren	Franks (AZ)	Lamborn
Boswell	Frelinghuysen	Lance
Boustany	Gallegly	Landry
Brady (TX)	Gardner	Lankford
Brooks	Garrett	Latham
Broun (GA)	Gerlach	LaTourette
Buchanan	Gibbs	Latta
Bucshon	Gibson	Lewis (CA)
Buerkle	Gingrey (GA)	LoBiondo
Burgess	Gohmert	Loeb sack
Burton (IN)	Goodlatte	Long
Calvert	Gosar	Lucas
Camp	Gowdy	Luetkemeyer
Canseco	Granger	Lummis
Cantor	Graves (GA)	Lungren, Daniel
Capito	Graves (MO)	E.
Cardoza	Griffin (AR)	Manzullo
Carter	Griffith (VA)	Marchant
Cassidy	Grimm	Marino
Chabot	Guinta	Matheson
Chaffetz	Guthrie	McCarthy (CA)
Coble	Hall	McCaul
Coffman (CO)	Hanna	McClintock
Cole	Harper	McCotter
Conaway	Hartzler	McHenry
Cravaack	Hastings (WA)	McIntyre
Crawford	Hayworth	McKeon
Crenshaw	Heck	McKinley

McMorris	Reichert	Simpson
Rodgers	Renacci	Smith (NE)
Meehan	Reyes	Smith (NJ)
Mica	Ribble	Smith (TX)
Miller (FL)	Rigell	Southerland
Miller (MI)	Rokita	Stearns
Miller, Gary	Rivera	Stivers
Mulvaney	Roby	Stutzman
Murphy (PA)	Roe (TN)	Sullivan
Myrick	Rogers (AL)	Terry
Neugebauer	Rogers (KY)	Thompson (PA)
Noem	Rogers (MI)	Thornberry
Nugent	Rohrabacher	Tiberi
Nunes	Rokita	Tipton
Nunnelee	Rooney	Turner (NY)
Olson	Ros-Lehtinen	Turner (OH)
Palazzo	Roskam	Upton
Paulsen	Ross (AR)	Walberg
Pearce	Ross (FL)	Walden
Pence	Royce	Walsh (IL)
Perlmutter	Runyan	Webster
Peterson	Ryan (WI)	West
Petri	Scalise	Westmoreland
Pitts	Schilling	Whitfield
Platts	Schmidt	Wilson (SC)
Poe (TX)	Schock	Wittman
Polis	Schrader	Wolf
Pompeo	Schweikert	Womack
Posey	Scott (SC)	Woodall
Price (GA)	Scott, Austin	Yoder
Quayle	Sensenbrenner	Young (AK)
Reed	Sessions	Young (FL)
Rehberg	Shimkus	Young (IN)
	Shuster	

NOES—171

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

NOT VOTING—12

Austria	Mack	Rangel
Bono Mack	Pascarell	Sanchez, Loretta
Campbell	Paul	Serrano
Cleaver	Payne	Shuler

So the amendment was agreed to.

23.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 17, printed in Part A of House Report 112-398, submitted by Mr. MARKEY:

At the end of title XVII add the following:

Subtitle D—Miscellaneous Provisions

SEC. 17801. PROHIBITION ON EXPORT OF GAS.

Each oil and gas lease issued under this title (including the amendments made by this title) shall prohibit the export of gas produced under the lease.

It was decided in the { Yeas 168 negative } { Nays 254

23.19 [Roll No. 67] AYES—168

- Ackerman, Altmore, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (NY), Clay, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Doggett, Dold, Donnelly (IN), Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Filner, Fitzpatrick, Fudge, Garamendi, Gerlach, Gibson, Green, Al, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Hayworth, Heinrich, Higgins, Hirono, Hirono, Hochul, Holden, Holt, Honda, Insite, Israel, Jackson (IL), Jackson Lee, Johnson (GA), Johnson (IN), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Langevin, Larson (CT), Lee (CA), Levin, Lewis (GA), LoBiondo, Loeb, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Markey, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McNerney, Meeke, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napoliitano, Neal, Olver, Owens, Pallone, Pascarella, Pastor (AZ), Pelosi, Peters, Pingree (ME), Platts, Polis, Price (NC), Quigley, Rahall, Reyes, Richardson, Rothman (NJ), Roybal-Allard, Ruppberger, Rush, Sanchez, Linda T., Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Sewell, Sherman, Sires, Slaughter, Smith (NJ), Smith (WA), Speier, Stark, Sutton, Thompson (CA), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth

NOES—254

- Adams, Aderholt, Akin, Alexander, Amash, Amodei, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishke, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Blumenauer, Bonner, Boren, Boustany, Brady (TX), Brooks, Brown (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Butterfield, Calvert, Camp, Canseco, Cantor, Capito, Cardoza, Carter, Cassidy, Chabot, Chaffetz, Clarke (MI), Coble, Coffman (CO), Cole, Conaway

- Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Cuellar, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dingell, Doyle, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foy, Frank (MA), Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gibbs, Gingrey (GA), Gohmert, Gonzalez, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Gene, Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Heck, Hensarling, Herger, Herrera Beutler, Himes, Hinojosa, Hoyer, Huelskamp, Huizenga (MI), Hultgren, Hunter, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, Larsen (WA), Latham, LaTourette, Latta, Lewis (CA), Lipinski, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Manzullo, Marchant, Marino, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Perlmutter, Peterson, Petri, Pitts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Mack, Paul, Payne, Rangel, Sanchez, Loretta, Serrano, Shuler

NOT VOTING—11

- Austria, Bono Mack, Campbell, Cleaver

So the amendment was not agreed to.

23.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 18, printed in Part A of House Report 112-398, submitted by Mr. MARKEY:

At the end of title XVII add the following:

Subtitle D—Miscellaneous Provisions

SEC. 17801. ELIGIBILITY FOR NEW LEASES AND THE TRANSFER OF LEASES.

(a) ISSUANCE OF NEW LEASES.—

(1) IN GENERAL.—Beginning in fiscal year 2013, the Secretary of the Interior shall not accept bids on any new leases offered pursuant to this title (including the amendments made by this title) from a person described in paragraph (2) unless the person has re-

negotiated each covered lease with respect to which the person is a lessee, to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) PERSONS DESCRIBED.—A person referred to in paragraph (1) is a person that—

(A) is a lessee that—

(i) holds a covered lease on the date on which the Secretary considers the issuance of the new lease; or

(ii) was issued a covered lease before the date of enactment of this Act, but transferred the covered lease to another person or entity (including a subsidiary or affiliate of the lessee) after the date of enactment of this Act; or

(B) any other person that has any direct or indirect interest in, or that derives any benefit from, a covered lease.

(3) MULTIPLE LESSEES.—

(A) IN GENERAL.—For purposes of paragraph (1), if there are multiple lessees that own a share of a covered lease, the Secretary may implement separate agreements with any lessee with a share of the covered lease that modifies the payment responsibilities with respect to the share of the lessee to include price thresholds that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(B) TREATMENT OF SHARE AS COVERED LEASE.—Beginning on the effective date of an agreement under subparagraph (A), any share subject to the agreement shall not constitute a covered lease with respect to any lessees that entered into the agreement.

(b) TRANSFERS.—A lessee or any other person who has any direct or indirect interest in, or who derives a benefit from, a covered lease shall not be eligible to obtain by sale or other transfer (including through a swap, spinoff, servicing, or other agreement) any new lease offered pursuant to this title (including the amendments made by this title) or the economic benefit of any such new lease, unless the lessee or other person has—

(1) renegotiated each covered lease with respect to which the lessee or person is a lessee, to modify the payment responsibilities of the lessee or person to include price thresholds that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)); or

(2) entered into an agreement with the Secretary to modify the terms of all covered leases of the lessee or other person to include limitations on royalty relief based on market prices that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(c) DEFINITIONS.—In this section—

(1) COVERED LEASE.—The term “covered lease” means a lease for oil or gas production in the Gulf of Mexico that is—

(A) in existence on the date of enactment of this Act;

(B) issued by the Department of the Interior under section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104 58); and

(C) not subject to limitations on royalty relief based on market price that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) LESSEE.—The term “lessee” includes any person or other entity that controls, is

controlled by, or is in or under common control with, a lessee.

(3) NEW LEASE.—The term “new lease” means a lease issued in a lease sale under this title or the amendments made by this title.

It was decided in the { Yeas 183
negative } Nays 238

23.21 [Roll No. 68]

AYES—183

Ackerman	Frank (MA)	Napolitano
Andrews	Fudge	Oliver
Baca	Garamendi	Owens
Baldwin	Gerlach	Pallone
Bartlett	Gibson	Pascrell
Bass (CA)	Grijalva	Pastor (AZ)
Becerra	Gutierrez	Pelosi
Berkley	Hahn	Perlmutter
Berman	Hanabusa	Peters
Bishop (GA)	Hastings (FL)	Pingree (ME)
Bishop (NY)	Heinrich	Platts
Blumenauer	Higgins	Polis
Bonamici	Himes	Price (NC)
Boswell	Hinchey	Quigley
Brady (PA)	Hirono	Rahall
Braley (IA)	Hochul	Harris
Brown (FL)	Holden	Reyes
Buchanan	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Ros-Lehtinen
Capuano	Inslie	Rothman (NJ)
Carnahan	Israel	Roybal-Allard
Carney	Jackson (IL)	Ruppersberger
Carson (IN)	Johnson (GA)	Rush
Castor (FL)	Johnson, E. B.	Ryan (OH)
Chandler	Jones	Sánchez, Linda
Chu	Kaptur	T. Sarbanes
Ciulline	Keating	Schakowsky
Clarke (MI)	Kildee	Schiff
Clarke (NY)	Kind	Schrader
Clay	Kissell	Schwartz
Clyburn	Kucinich	Scott (VA)
Cohen	Langevin	Scott, David
Connolly (VA)	Larsen (WA)	Sewell
Conyers	Larson (CT)	Sherman
Cooper	Lee (CA)	Sires
Costello	Levin	Slaughter
Courtney	Lewis (GA)	Smith (NJ)
Critz	Lipinski	Smith (WA)
Crowley	LoBiondo	Speier
Cummings	Loebsack	Stark
Davis (CA)	Lofgren, Zoe	Sutton
Davis (IL)	Lowey	Thompson (CA)
DeFazio	Luján	Tierney
DeGette	Lynch	Tonko
DeLauro	Maloney	Towns
Dent	Markey	Tsongas
Deutch	Matsui	Van Hollen
Dicks	McCarthy (NY)	Velázquez
Dingell	McCollum	Viscosky
Doggett	McDermott	Walz (MN)
Dold	McGovern	Wasserman
Doyle	McIntyre	Schultz
Edwards	McNerney	Waters
Ellison	Meeks	Watt
Engel	Michaud	Waxman
Eshoo	Miller (NC)	Welch
Farr	Miller, George	Wilson (FL)
Fattah	Moore	Woolsey
Filner	Moran	Yarmuth
Fitzpatrick	Murphy (CT)	Young (FL)
Fortenberry	Nadler	

NOES—238

Adams	Boren	Conaway
Aderholt	Boustany	Costa
Akin	Brady (TX)	Cravaack
Alexander	Brooks	Crawford
Altmire	Brown (GA)	Crenshaw
Amash	Bucshon	Cuellar
Amodei	Buerkle	Culberson
Bachmann	Burgess	Davis (KY)
Bachus	Burton (IN)	Denham
Barletta	Calvert	DesJarlais
Barrow	Camp	Diaz-Balart
Barton (TX)	Canseco	Donnelly (IN)
Bass (NH)	Cantor	Dreier
Benishkek	Capito	Duffy
Berg	Cardoza	Duncan (SC)
Biggert	Carter	Duncan (TN)
Bilbray	Cassidy	Ellmers
Bilirakis	Chabot	Emerson
Bishop (UT)	Chaffetz	Farenthold
Black	Coble	Fincher
Blackburn	Coffman (CO)	Flake
Bonner	Cole	Fleischmann

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

NOT VOTING—12

Austria	Mack	Rangel
Bono Mack	Neal	Sanchez, Loretta
Campbell	Paul	Serrano
Cleaver	Payne	Shuler

So the amendment was not agreed to.

23.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 19, printed in Part A of House Report 112-398, submitted by Mr. LABRADOR:

At the end of title XVII add the following:
Subtitle D—Promotion of Timely Exploration for Geothermal Resources

SEC. 17801. SHORT TITLE.

This subtitle may be cited as the “Exploring for Geothermal Energy on Federal Lands Act”.

SEC. 17802. GEOTHERMAL EXPLORATION NOTICE AND EXCLUSION.

(a) DEFINITION OF GEOTHERMAL EXPLORATION TEST PROJECT.—In this section the term “geothermal exploration test project” means the drilling of a well to test or explore for geothermal resources on lands leased by the Department of the Interior for the development and production of geothermal resources, that—

- (1) is carried out by the holder of the lease;
- (2) causes—

(A) less than 5 acres of soil or vegetation disruption at the location of each geothermal exploration well; and

(B) not more than an additional 5 acres of soil or vegetation disruption during access or egress to the test site;

(3) is developed—

(A) no deeper than 2,500 feet;

(B) less than 8 inches in diameter;

(C) in a manner that does not require off-road motorized access other than to and from the well site along an identified off-road route for which notice is provided to the Secretary of the Interior under subsection (c);

(D) without construction of new roads other than upgrading of existing drainage crossings for safety purposes; and

(E) with the use of rubber-tired digging or drilling equipment vehicles;

(4) is completed in less than 45 days, including the removal of any surface infrastructure from the site; and

(5) requires the restoration of the project site within 3 years to approximately the condition that existed at the time the project began, unless the site is subsequently used as part of energy development on the lease.

(b) NEPA EXCLUSION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to a project that the Secretary of the Interior determines under subsection (c) is a geothermal exploration test project.

(c) NOTICE OF INTENT; REVIEW AND DETERMINATION.—

(1) REQUIREMENT TO PROVIDE NOTICE.—A leaseholder intending to carry out a geothermal exploration test project shall provide notice to the Secretary of the Interior not later than 30 days prior to the start of drilling under the project.

(2) REVIEW OF PROJECT.—The Secretary shall by not later than 10 days after receipt of a notice of intent under paragraph (1) from a leaseholder—

(A) review the project described in the notice and determine whether it is a geothermal exploration test project under subsection (a); and

(B) notify the leaseholder—

(i) that under subsection (b) of this section, section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) does not apply to the project; or

(ii) that section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) applies to the project, including clear and detailed findings on any deficiencies in the project that preclude the application of subsection (b) of this section to the project.

(3) OPPORTUNITY TO REMEDY.—If the Secretary provides notice under paragraph (2)(B)(ii) that section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) applies to the project, the Secretary shall provide the leaseholder an opportunity to remedy the deficiencies described in the notice prior to the date the leaseholder intended to start of drilling under the project.

It was decided in the { Yeas 244
affirmative } Nays 177

23.23 [Roll No. 69]

AYES—244

Adams	Bass (NH)	Boren
Aderholt	Benishkek	Boswell
Akin	Berg	Boustany
Alexander	Biggert	Brady (TX)
Amodei	Bilbray	Brooks
Bachmann	Bilirakis	Brown (GA)
Bachus	Bishop (GA)	Buchanan
Barletta	Bishop (UT)	Bucshon
Barrow	Black	Buerkle
Bartlett	Blackburn	Burgess
Barton (TX)	Bonner	Burton (IN)

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

NOES—177

Ackerman	Clarke (NY)	Eshoo
Altmire	Clay	Farr
Amash	Clyburn	Fattah
Andrews	Cohen	Filner
Baca	Connolly (VA)	Frank (MA)
Baldwin	Conyers	Fudge
Bass (CA)	Cooper	Garamendi
Becerra	Costello	Gonzalez
Berkley	Courtney	Green, Al
Berman	Critz	Green, Gene
Bishop (NY)	Crowley	Grijalva
Blumenauer	Cuellar	Gutierrez
Bonamic	Cummings	Hahn
Brady (PA)	Davis (CA)	Hanabusa
Braley (IA)	Davis (IL)	Hastings (FL)
Brown (FL)	DeFazio	Heinrich
Butterfield	DeGette	Higgins
Capps	DeLauro	Himes
Capuano	Deutch	Hinchesy
Carnahan	Dicks	Hinojosa
Carney	Dingell	Hirono
Carson (IN)	Doggett	Hochul
Castor (FL)	Dold	Holden
Chandler	Doyle	Holt
Chu	Edwards	Honda
Cicilline	Ellison	Hoyer
Clarke (MI)	Engel	Inslie

Israel	Michaud	Schiff
Jackson (IL)	Miller (NC)	Schrader
Jackson Lee	Miller, George	Schwartz
(TX)	Moore	Scott (VA)
Johnson (GA)	Moran	Scott, David
Johnson, E. B.	Murphy (CT)	Sewell
Kaptur	Nadler	Sherman
Keating	Napolitano	Sires
Kildee	Neal	Slaughter
Kucinich	Olver	Smith (NJ)
Langevin	Owens	Smith (WA)
Larsen (WA)	Pallone	Speier
Larson (CT)	Pascrell	Stark
Lee (CA)	Pastor (AZ)	Sutton
Levin	Pelosi	Thompson (CA)
Lewis (GA)	Perlmutter	Thompson (MS)
Lipinski	Peters	Thierney
LoBiondo	Pingree (ME)	Tonko
Loeb	Price (NC)	Towns
Loebach	Quigley	Tsongas
Lofgren, Zoe	Rahall	Van Hollen
Lowe	Reyes	Velázquez
Lujan	Richmond	Visclosky
Lynch	Rothman (NJ)	Walz (MN)
Maloney	Roybal-Allard	Wasserman
Markey	Runyan	Schultz
Matsui	Ruppersberger	Waters
McCarthy (NY)	Rush	Watt
McCollum	Ryan (OH)	Waxman
McDermott	Sánchez, Linda	Welch
McGovern	T.	Wilson (FL)
McNerney	Sarbanes	Woolsey
Meeks	Schakowsky	Yarmuth

NOT VOTING—12

Austria	Johnson (IL)	Rangel
Bono Mack	Mack	Sanchez, Loretta
Campbell	Paul	Serrano
Cleaver	Payne	Shuler

So the amendment was agreed to. The SPEAKER pro tempore, Mr. YODER, assumed the Chair.

When Mr. WOODALL, Acting Chairman, reported the bill back to the House with sundry further amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following sundry further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 935, line 7, strike “two other lease blocks” and insert “1 other lease block”.

Page 937, after line 13, insert the following:

(3) NATIONAL DEFENSE AREAS.—The United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

Page 941, beginning at line 1, strike “1 year after the date of enactment of this Act” and insert “December 31, 2015”.

Page 944, after line 22, insert the following new subparagraph:

(D) The Secretary shall conduct, and take into consideration the results of, an economic impact survey to determine any adverse economic effects that such lease sales within 100 miles of the western coast of Florida may have on the Florida Gulf coast fishing industry and tourism industry.

Page 945, line 8, strike “two other lease blocks” and insert “1 other lease block”.

Page 946, after line 22, insert the following:

(3) NATIONAL DEFENSE AREAS.—The United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

Page 952, beginning on line 17, strike “Federal program” and insert “Federal program, except in the case of a project for coastal wetlands conservation, coastal restoration, or hurricane protection, or an infrastructure project directly impacted by coastal wetland losses”.

Beginning on page 952, line 19, strike section 17501(b) and insert the following:

(b) LIMITATION ON APPLICATION.—Subsection (a) and the amendment made by subsection (a) shall not affect the application of section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109 432; (43 U.S.C. 1331 note)), as in effect before the enactment of this Act, with respect to revenues received by the United States under oil and gas leases issued for tracts located in the Western and Central Gulf of Mexico Outer Continental Shelf Planning Areas, including such leases issued on or after the date of the enactment of this Act.

(c) AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109 432; (43 U.S.C. 1331 note)) is amended by striking “2055” and inserting “2022, and shall not exceed \$750,000,000 for each of fiscal years 2023 through 2055”.

At the end of title XVII add the following:

Subtitle D—Streamlining Federal Review To Facilitate Renewable Energy Projects

SEC. 17801. SHORT TITLE.

This subtitle may be cited as the “Cutting Federal Red Tape to Facilitate Renewable Energy Act”.

SEC. 17802. ENVIRONMENTAL REVIEW FOR RENEWABLE ENERGY PROJECTS.

(a) COMPLIANCE WITH NEPA FOR RENEWABLE ENERGY PROJECTS.—In complying with the National Environmental Policy Act of 1969 (41 U.S.C. 4321 et seq.) with respect to any action authorizing or facilitating a proposed renewable energy project, at the election of the applicant a Federal agency shall—

(1) consider only the proposed action and the no action alternative;

(2) analyze only the proposed action and the no action alternative; and

(3) identify and analyze potential mitigation measures only for the proposed action and the no action alternative.

(b) PUBLIC COMMENT.—In complying with the National Environmental Policy Act of 1969 with respect to a proposed renewable energy project, a Federal agency shall only consider public comments that specifically address the proposed action or the no action alternative (or both) and are filed within 30 days after publication of a draft environmental assessment or draft environmental impact statement.

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

(1) FEDERAL WATERS.—The term “Federal waters” means waters seaward of the coastal zone (as that term is defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)), to the limits of the exclusive economic zone or the Outer Continental Shelf, whichever is farther.

(2) OUTER CONTINENTAL SHELF.—The term “Outer Continental Shelf” has the meaning the term “outer Continental Shelf” has in the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(3) RENEWABLE ENERGY PROJECT.—The term “renewable energy project” means a project on Federal lands or in Federal waters, including a project on the Outer Continental Shelf, using wind, solar power, geothermal power, biomass, or marine and hydrokinetic energy to generate energy, that is constructed encouraging the use of equipment and materials manufactured in the United States.

At the end of title XVII add the following:

Subtitle D—Promotion of Timely Exploration for Geothermal Resources

SEC. 17801. SHORT TITLE.

This subtitle may be cited as the “Exploring for Geothermal Energy on Federal Lands Act”.

SEC. 17802. GEOTHERMAL EXPLORATION NOTICE AND EXCLUSION.

(a) DEFINITION OF GEOTHERMAL EXPLORATION TEST PROJECT.—In this section the term “geothermal exploration test project” means the drilling of a well to test or explore for geothermal resources on lands leased by the Department of the Interior for the development and production of geothermal resources, that—

(1) is carried out by the holder of the lease; (2) causes—

(A) less than 5 acres of soil or vegetation disruption at the location of each geothermal exploration well; and

(B) not more than an additional 5 acres of soil or vegetation disruption during access or egress to the test site;

(3) is developed—

(A) no deeper than 2,500 feet;

(B) less than 8 inches in diameter;

(C) in a manner that does not require off-road motorized access other than to and from the well site along an identified off-road route for which notice is provided to the Secretary of the Interior under subsection (c);

(D) without construction of new roads other than upgrading of existing drainage crossings for safety purposes; and

(E) with the use of rubber-tired digging or drilling equipment vehicles;

(4) is completed in less than 45 days, including the removal of any surface infrastructure from the site; and

(5) requires the restoration of the project site within 3 years to approximately the condition that existed at the time the project began, unless the site is subsequently used as part of energy development on the lease.

(b) NEPA EXCLUSION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to a project that the Secretary of the Interior determines under subsection (c) is a geothermal exploration test project.

(c) NOTICE OF INTENT; REVIEW AND DETERMINATION.—

(1) REQUIREMENT TO PROVIDE NOTICE.—A leaseholder intending to carry out a geothermal exploration test project shall provide notice to the Secretary of the Interior not later than 30 days prior to the start of drilling under the project.

(2) REVIEW OF PROJECT.—The Secretary shall by not later than 10 days after receipt of a notice of intent under paragraph (1) from a leaseholder—

(A) review the project described in the notice and determine whether it is a geothermal exploration test project under subsection (a); and

(B) notify the leaseholder—

(i) that under subsection (b) of this section, section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) does not apply to the project; or

(ii) that section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) applies to the project, including clear and detailed findings on any deficiencies in the project that preclude the application of subsection (b) of this section to the project.

(3) OPPORTUNITY TO REMEDY.—If the Secretary provides notice under paragraph (2)(B)(ii) that section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) applies to the project, the Secretary shall provide the leaseholder an opportunity to remedy the deficiencies described in the notice prior to the date the leaseholder intended to start of drilling under the project.

At the end of the bill, add the following (and conform the table of contents accordingly):

TITLE XVIII—RESTORE ACT**SECTION 18001. SHORT TITLE.**

This title may be cited as the “Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012”.

SEC. 18002. FINDINGS.

Congress finds that—

(1) as a result of decades of oil and gas development in the Gulf of Mexico, producing and nonproducing States in the Gulf Coast region have borne substantial risks of environmental damage and economic harm, all of which culminated with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon*;

(2) the discharge of oil in the Gulf of Mexico that began following the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon* has caused substantial environmental destruction and economic harm to the people and communities of the Gulf Coast region;

(3)(A) in the report entitled “America’s Gulf Coast—A Long Term Recovery Plan after the Deepwater Horizon Oil Spill”, the Secretary of the Navy stated, “Together, the Gulf’s tourism and commercial and recreational fishing industries contribute tens of billions of dollars to the [United States] economy. More than 90 percent of the [N]ation’s offshore crude oil and natural gas is produced in the Gulf, and the [F]ederal treasury receives roughly \$4.5 billion dollars every year from offshore leases and royalties. And it is in the Gulf of Mexico that nearly one third of seafood production in the continental [United States] is harvested. America needs a healthy and resilient Gulf Coast, one that can support the diverse economies, communities, and cultures of the region.”;

(B) to address the needs of the Gulf Coast region, the Secretary of the Navy stated, “It is recommended that the President urge Congress to pass legislation that would dedicate a significant amount of any civil penalties recovered under the [Federal Water Pollution Control Act] from parties responsible for the *Deepwater Horizon* oil spill to those directly impacted by that spill.”; and

(C) to mitigate local challenges and help restore the resiliency of communities adversely affected by the spill, the Secretary of the Navy stated that the legislation described in subparagraph (B) should “[b]uild economic development strategies around community needs, and take particular efforts to address the needs of disadvantaged, underserved, and resource constrained communities”;

(4) in a final report to the President, the National Commission on the BP *Deepwater Horizon* Oil Spill and Offshore Drilling—

(A) stated, “Estimates of the cost of Gulf restoration, including but not limited to the Mississippi Delta, vary widely, but according to testimony before the Commission, full restoration of the Gulf will require \$15 billion to \$20 billion: a minimum of \$500 million annually for 30 years.”; and

(B) like the Secretary of the Navy, recommended that, to meet the needs described in subparagraph (A), a substantial portion of applicable penalties under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) be dedicated to long-term restoration of the Gulf of Mexico;

(5) taking into account the risks borne by Gulf Coast States for decades of oil and gas development and the environmental degradation suffered by the Gulf Coast region, the amounts received by the United States as payment of administrative, civil, or criminal penalties in connection with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon* should be expended—

(A) to restore the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, barrier islands, dunes, coastal wetlands, and economy of the Gulf Coast; and

(B) to address the associated economic harm suffered by the people and communities of the region;

(6) the projects and programs authorized by this title and the amendments made by this title should be carried out pursuant to contracts awarded in a manner that provides a preference to individuals and entities that reside in, are headquartered in, or are principally engaged in business in a Gulf Coast State; and

(7) Federal, State, and local officials should seek—

(A) to leverage the financial resources made available under this title; and

(B) to the maximum extent practicable, to ensure that projects funded pursuant to this title complement efforts planned or in operation to revitalize the natural resources and economic health of the Gulf Coast region.

SEC. 18003. GULF COAST RESTORATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the “Gulf Coast Restoration Trust Fund” (referred to in this section as the “Trust Fund”), consisting of such amounts as are deposited in the Trust Fund under this section or any other provision of law.

(b) TRANSFERS.—The Secretary of the Treasury shall deposit in the Trust Fund an amount equal to 80 percent of all administrative and civil penalties paid by responsible parties after the date of enactment of this title in connection with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon* pursuant to a court order, negotiated settlement, or other instrument in accordance with section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(c) EXPENDITURES.—Amounts in the Trust Fund, including interest earned on advances to the Trust Fund and proceeds from investment under subsection (d), shall be available, pursuant to a future Act of Congress enacted after the date of enactment of this Act—

(1) for expenditure to restore the Gulf Coast region from the *Deepwater Horizon* oil spill for undertaking projects and programs in the Gulf Coast region that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast region; and

(2) solely to Gulf Coast States and coastal political subdivisions to restore the ecosystems and economy of the Gulf Coast region.

(d) INVESTMENT.—Amounts in the Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) DEFINITIONS.—In this section:

(1) COASTAL POLITICAL SUBDIVISION.—The term “coastal political subdivision” means any local political jurisdiction that is immediately below the State level of government, including a county, parish, or borough, with a coastline that is contiguous with any portion of the United States Gulf of Mexico.

(2) DEEPWATER HORIZON OIL SPILL.—The term “*Deepwater Horizon* oil spill” means the blowout and explosion of the mobile offshore drilling unit *Deepwater Horizon* that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment.

(3) GULF COAST REGION.—The term “Gulf Coast region” means—

(A) in the Gulf Coast States, the coastal zones (as that term is defined in section 304

of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453) that border the Gulf of Mexico;

(B) any adjacent land, water, and watersheds, that are within 25 miles of those coastal zones of the Gulf Coast States; and

(C) all Federal waters in the Gulf of Mexico.

(4) GULF COAST STATE.—The term "Gulf Coast State" means any of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. CASTOR of Florida, moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end the following:

TITLE ___—MISCELLANEOUS PROVISIONS
SEC. ___. RESTRICTION ON PERMITS AND LEASES FOR THE GREAT LAKES AND THE FLORIDA EVERGLADES.

No Federal or State permit or lease shall be issued for new oil and gas slant, directional, or offshore drilling in, under, or within 5 miles of any of the Great Lakes or the Florida Everglades.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the nays had it.

Ms. CASTOR of Florida, demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 176 negative 241

23.24 [Roll No. 70]

AYES—176

- Ackerman Crowley Hirono
Altmire Cummings Hochul
Andrews Davis (CA) Holden
Baca Davis (IL) Holt
Baldwin DeFazio Hoyer
Bass (CA) DeGette Insole
Becerra DeLauro Israel
Berkley Deutch Jackson (IL)
Berman Dicks Jackson Lee
Bishop (GA) Dingell (TX)
Bishop (NY) Doggett Johnson (GA)
Blumenauer Donnelly (IN) Johnson, E. B.
Bonamici Doyle Kaptur
Brady (PA) Edwards Keating
Browne Ellison Kildee
Brown (FL) Engel Kind
Capps Eshoo Kissell
Capuano Farr Kucinich
Cardoza Fattah Langevin
Carnahan Filner Larsen (WA)
Carney Frank (MA) Larson (CT)
Carson (IN) Fudge Lee (CA)
Castor (FL) Garamendi Levin
Chandler Gonzalez Lewis (GA)
Cicilline Green, Al Lipinski
Clarke (MI) Grijalva Loebsock
Clay Gutierrez Lofgren, Zoe
Clyburn Hahn Lowey
Cohen Hanabusa Lujan
Connolly (VA) Hastings (FL) Lynch
Conyers Heinrich Maloney
Cooper Higgins Markey
Costello Himes Matsui
Courtney Hinchee McCarthy (NY)
Critz Hinojosa McCollum

- McDermott Price (NC)
McGovern Quigley
McIntyre Rahall
McNerney Reyes
Meeks Richardson
Michaud Richmond
Miller (NC) Rothman (NJ)
Miller, George Roybal-Allard
Moore Ruppertsberger
Moran Rush
Murphy (CT) Ryan (OH)
Nadler Sánchez, Linda
Napolitano T.
Neal Sarbanes
Oliver Schakowsky
Owens Schiff
Pallone Schrader
Pascrell Schwartz
Pastor (AZ) Scott (VA)
Pelosi Scott, David
Perlmutter Serrano
Peterson Sewell
Pingree (ME) Sherman
Polis Sires
Posey Slaughter

NOES—241

- Adams Foxx
Aderholt Franks (AZ)
Akin Frelinghuysen
Alexander Gallegly
Amash Gardner
Amodei Garrett
Bachmann Gerlach
Bachus Gibbs
Barletta Gibson
Barrow Gingrey (GA)
Bartlett Gohmert
Barton (TX) Goodlatte
Bass (NH) Gosar
Benishek Gowdy
Berg Granger
Biggart Graves (GA)
Bilbray Graves (MO)
Bilirakis Green, Gene
Bishop (UT) Griffin (AR)
Black Griffith (VA)
Blackburn Grimm
Bonner Guinta
Boren Guthrie
Boswell Hall
Boustany Hanna
Brady (TX) Harper
Brooks Harris
Broun (GA) Hartzler
Buchanan Hastings (WA)
Bucshon Hayworth
Buerkle Heck
Burgess Hensarling
Burton (IN) Herger
Calvert Herrera Beutler
Camp Huelskamp
Canseco Huizenga (MI)
Cantor Hultgren
Capito Hunter
Carter Hurt
Cassidy Issa
Chabot Jenkins
Chaffetz Johnson (IL)
Coble Johnson (OH)
Coffman (CO) Johnson, Sam
Cole Jones
Conaway Jordan
Costa Kelly
Cravaack King (IA)
Crawford King (NY)
Crenshaw Kingston
Cuellar Kinzinger (IL)
Culberson Kline
Davis (KY) Labrador
Denham Lamborn
Dent Lance
DesJarlais Landry
Diaz-Balart Lankford
Dold Latham
Dreier LaTourette
Duffy Latta
Duncan (SC) Lewis (CA)
Duncan (TN) LoBiondo
Ellmers Long
Emerson Lucas
Farenthold Luetkemeyer
Fincher Lummis
Fitzpatrick Manzullo
Flake Marchant
Forbes Marino
Fortenberry Matheson
Fleming McCarthy (CA)
Fosters McCaul
Gosar McClintock
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Heck
Hensarling
Neugebauer
Herger
Herrera Beutler
Nunes
Nunnelee
Olson
Owens
Palazzo
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stivers
Stutzman
Sullivan

- Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woff
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

- Austria
Bono Mack
Butterfield
Campbell
Chu
Clarke (NY)
Cleaver
Honda
Lungren, Daniel
E.
Mack
Paul
Payne
Rangel
Sanchez, Loretta
Shuler
Smith (TX)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. MARKEY demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 237 affirmative 187

23.25 [Roll No. 71]

AYES—237

- Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggart
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hochul
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pearce
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hochul
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pearce
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey

Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan

Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)

Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—187

Ackerman
Adams
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bilirakis
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Fudge
Garamendi

Gonzalez
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchoy
Hirono
Holden
Holt
Honda
Hoyer
Inslie
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Nugent
Oliver
Pallone

Pascrell
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reichert
Reyes
Richardson
Rivera
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Southerland
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOT VOTING—10

Austria
Bono Mack
Campbell
Cleaver
Mack
Paul
Payne
Rangel
Sanchez, Loretta
Shuler

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶23.26 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, February 15, 2012.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

So the Journal was approved.

¶23.27 COMMITTEE RESIGNATION—
MINORITY

The SPEAKER pro tempore, Mr. YODER, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 16, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: I hereby respectfully submit my resignation from the Committee on Homeland Security effective today, February 16, 2012. I have accepted an assignment to the House Armed Services Committee.

If you and your staff should have any questions or concerns, please feel free to contact me at 202 225 3531.

All the best,

JACKIE SPEIER,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶23.28 COMMITTEE RESIGNATION—
MINORITY

The SPEAKER pro tempore, Mr. YODER, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 16, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: I resign my position on the House Committee on the Budget, effective today, Thursday, February 16, 2012.

Sincerely,

PAUL D. TONKO,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶23.29 COMMUNICATION REGARDING
SUBPOENA

The SPEAKER pro tempore, Mr. YODER, laid before the House the following communication from Mr. DINGELL:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have

been served with a subpoena, issued by the United States District Court for the Eastern District of New York, to produce documents in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JOHN D. DINGELL,
Member of Congress.

¶23.30 COMMITTEE ELECTION—MINORITY

Mr. LARSON of Connecticut, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 553):

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Ms. Speier.

(2) COMMITTEE ON THE BUDGET.—Ms. Bonamici.

(3) COMMITTEE ON NATURAL RESOURCES.—Mr. Tonko.

(4) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Ms. Bonamici.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶23.31 PROVIDING FOR CONSIDERATION
OF THE CONFERENCE REPORT TO H.R.
3630

Mr. SCOTT of South Carolina, by direction of the Committee on Rules, reported (Rept. No. 112-400) the resolution (H. Res. 554) providing for consideration of the conference report to accompany the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶23.32 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. BONO MACK, for today and February 17; and

To Mr. CAMPBELL, for today and balance of the week.

And then,

¶23.33 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o'clock and 34 minutes p.m., the House adjourned.

¶23.34 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAMP: Committee on Conference. Conference report on H.R. 3630. A bill to provide incentives for the creation of jobs, and for other purposes (Rept. 112-399). Ordered to be printed.

Mr. SCOTT of South Carolina: Committee on Rules. House Resolution 554. Resolution providing for consideration of the conference report to accompany the bill (H.R. 3630) to

provide incentives for the creation of jobs, and for other purposes (Rept. 112-400). Referred to the House Calendar.

23.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Ohio:

H.R. 4048. A bill to amend title 38, United States Code, to clarify the contracting goals and preferences of the Department of Veterans Affairs with respect to small business concerns owned and controlled by veterans; to the Committee on Veterans' Affairs.

By Mr. NEAL (for himself and Mr. BLUMENAUER):

H.R. 4049. A bill to amend the Internal Revenue Code of 1986 to expand personal saving and retirement savings coverage by enabling employees not covered by qualifying retirement plans to save for retirement through automatic IRA arrangements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL:

H.R. 4050. A bill to simplify and enhance qualified retirement plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUTZMAN:

H.R. 4051. A bill to direct the Secretary of Labor to provide off-base transition training, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUTZMAN:

H.R. 4052. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish an honorary Excellence in Veterans Education Award; to the Committee on Veterans' Affairs.

By Mr. TOWNS (for himself, Mr. PLATTS, Mr. SCHRADER, Mr. CONNOLLY of Virginia, Mr. ALTMIRE, Mr. BARROW, Mr. BISHOP of Georgia, Mr. BOREN, Mr. BOSWELL, Mr. CARDOZA, Mr. COOPER, Mr. DONNELLY of Indiana, Mr. HOLDEN, Mr. MATHESON, Mr. MCINTYRE, Mr. MICHAUD, Mr. PETERSON, Mr. ROSS of Arkansas, Mr. DAVID SCOTT of Georgia, Mr. SHULER, and Mr. THOMPSON of California):

H.R. 4053. A bill to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending; to the Committee on Oversight and Government Reform.

By Mr. WALZ of Minnesota (for himself, Ms. SLAUGHTER, and Mr. QUIGLEY):

H.R. 4054. A bill to amend the Lobbying Disclosure Act of 1995 to require the disclosure of political intelligence activities, to amend title 18, United States Code, to enhance the prosecution of public corruption, and for other purposes; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Mr. JONES, Mr. CUMMINGS, Ms. DELAURO, Mr. QUIGLEY, Mr. COOPER, Mr. GRIJALVA, Mr. HONDA, Mr. POLIS, and Mr. ELLISON):

H.R. 4055. A bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Mrs. DAVIS of California, Mr. LEWIS of California, Mr. ROYCE, Mr. CALVERT, Mrs. BONO MACK, and Mr. HUNTER):

H.R. 4056. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent a State or political subdivision thereof from conducting or requiring duplicative inspections of establishments in which a drug or device is manufactured, processed, packed, or held by a manufacturer or wholesale distributor of the drug or device; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:

H.R. 4057. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENAUER:

H.R. 4058. A bill to amend title 11 of the United States Code to provide authority to modify certain mortgages on principal residences of debtors to prevent foreclosure; and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BONO MACK (for herself, Mr. INSLEE, Mr. COLE, Ms. ESHOO, Mr. GRIJALVA, Mr. KILDEE, and Mr. DEFAZIO):

H.R. 4059. A bill to amend the Communications Act of 1934 to establish a position for a representative of Indian Tribes on the Joint Board overseeing the implementation of universal service, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FLEISCHMANN:

H.R. 4060. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to cap the level of Federal spending at \$949 billion for each of fiscal years 2013 through 2021, and for other purposes; to the Committee on the Budget.

By Mr. HUNTER:

H.R. 4061. A bill to support statewide individual-level integrated postsecondary education data systems, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUNTER (for himself, Mr. MCCLINTOCK, Mr. COSTA, Ms. SPEIER, Mr. BILBRAY, Mr. SCHIFF, Mr. ROYCE, Mr. HERGER, Mr. DENHAM, Mr. MCNERNEY, Mr. CALVERT, Mr. DANIEL E. LUNGREN of California, Mr. GARAMENDI, Ms. ZOE LOFGREN of California, Ms. LEE of California, Mr. NUNES, Ms. WOOLSEY, Mr. GALLEGLY, Mr. STARK, Ms. RICHARDSON, Mrs. DAVIS of California, Mr. BERMAN, Mr. HONDA, Mr. BACA, Mr. CARDOZA, Ms. LINDA T. SANCHEZ of California, Mr. SHERMAN, Ms. ESHOO, Mr. FILNER, Mrs. NAPOLITANO, Mr. MCKEON, Mr. THOMPSON of California, Mr. WAXMAN, Ms. HAHN, Mr. CAMPBELL, Mrs.

CAPPS, Mr. ROHRBACHER, Ms. WATERS, Ms. BASS of California, Mrs. BONO MACK, Ms. CHU, Ms. MATSUI, and Mr. GEORGE MILLER of California):

H.R. 4062. A bill to designate the facility of the United States Postal Service located at 1444 Main Street in Ramona, California, as the "Nelson 'Mac' MacWilliams Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. MCDERMOTT (for himself, Mr. DICKS, Mr. MORAN, Mr. RANGEL, Mr. HONDA, Mr. FARR, Ms. LEE of California, Mrs. MCCARTHY of New York, Mr. PASCRELL, and Mr. GEORGE MILLER of California):

H.R. 4063. A bill to repeal section 512 of the Credit Card Accountability Responsibility and Disclosure Act of 2009 which relates to carrying certain weapons in National Parks; to the Committee on Natural Resources.

By Mr. MULVANEY (for himself, Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, Mr. WALSH of Illinois, Mr. CANSECO, Mr. BROUN of Georgia, Mr. FINCHER, Mr. WESTMORELAND, Mr. GRAVES of Georgia, Mr. SCHWEIKERT, Mr. MARCHANT, Mr. FLORES, Mr. ROE of Tennessee, Mr. YODER, and Mr. HUELSKAMP):

H.R. 4064. A bill to amend the Internal Revenue Code of 1986 to repeal certain tax increases; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Mr. SERRANO, Mr. SABLON, Mrs. CHRISTENSEN, Mr. FALCOMA, and Ms. VELÁZQUEZ):

H.R. 4065. A bill to amend title XVIII of the Social Security Act to provide parity to Puerto Rico hospitals with respect to inpatient hospital payments under the Medicare program; to the Committee on Ways and Means.

By Mr. PRICE of Georgia (for himself and Mr. KIND):

H.R. 4066. A bill to amend titles XVIII and XIX of the Social Security Act to exclude pathologists from incentive payments and penalties under Medicare and Medicaid relating to the meaningful use of electronic health records; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUAYLE (for himself and Mr. GOSAR):

H.R. 4067. A bill to approve the settlement of water rights claims of the Navajo Nation, the Hopi Tribe, and the allottees of the Navajo Nation and Hopi Tribe in the State of Arizona, to authorize construction of municipal water projects relating to the water rights claims, to resolve litigation against the United States concerning Colorado River operations affecting the States of California, Arizona, and Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. ROGERS of Alabama (for himself, Mr. CHAFFETZ, Mrs. BLACKBURN, and Mr. WALSH of Illinois):

H.R. 4068. A bill to require the Under Secretary for Science and Technology in the Department of Homeland Security to contract with an independent laboratory to study the health effects of backscatter x-ray machines used at airline checkpoints operated by the Transportation Security Administration and provide improved notice to airline passengers; to the Committee on Homeland Security.

By Mr. ROHRABACHER (for himself, Mr. COHEN, Mr. BARTLETT, Mr. STEARNS, Mr. KING of Iowa, Mr. SMITH of New Jersey, Mr. ROYCE, Mr. COBLE, Mr. FARENTHOLD, and Mr. GOHMERT):

H.R. 4069. A bill to award a Congressional Gold Medal to Dr. Shakeel Afridi; to the Committee on Financial Services.

By Mr. TURNER of New York:

H.R. 4070. A bill to clarify certain provisions relating to the interests of Iran in certain assets, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia (for himself, Mr. KLINE, Mr. ROONEY, Mr. WESTMORELAND, Mr. JONES, Mrs. BLACKBURN, Mr. LONG, Mr. NUNNELEE, Mr. HUIZENGA of Michigan, Mr. MARCHANT, Mr. PAUL, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. BILIRAKIS, Ms. JENKINS, Mr. LANKFORD, Mr. COBLE, Mr. CANSECO, Mr. GOSAR, Mr. LATTA, Mr. MULVANEY, Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, Mrs. BLACK, Mr. YODER, Mr. HUELSKAMP, Mr. ROE of Tennessee, Mr. SCHWEIKERT, Mr. COLE, Mr. CULBERSON, Mr. RIBBLE, Mr. WALSH of Illinois, Mr. QUAYLE, Mr. BROOKS, Mr. CONAWAY, Mr. KING of Iowa, Mr. GRAVES of Georgia, Mr. GOHMERT, Mr. WALBERG, Mr. OLSON, Mr. AKIN, Mr. BROUN of Georgia, Mrs. ROBY, Mr. LANDRY, Mrs. MYRICK, Mr. BOUSTANY, Mr. SULLIVAN, Mr. CARTER, Mr. GOWDY, Mr. DUNCAN of Tennessee, Mr. HARRIS, Mr. MACK, Mr. STIVERS, Mr. BUCSSON, Mr. DESJARLAIS, Mr. CALVERT, Mr. ALEXANDER, Mr. KINGSTON, Mr. WOMACK, Mr. AUSTRIA, Mr. GRIFFIN of Arkansas, Mr. SESSIONS, Mr. POMPEO, Mr. PEARCE, and Mr. AUSTIN SCOTT of Georgia):

H.J. Res. 103. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation election procedures; to the Committee on Education and the Workforce.

By Mr. GERLACH (for himself, Mr. NEAL, Mr. BUCHANAN, Mrs. BIGGERT, Mr. SAM JOHNSON of Texas, Mr. ROYCE, Mr. PAUL, Mr. SCHOCK, Mr. PLATTS, Mr. HERGER, Mr. TIBERI, Mr. BLBRAY, Mr. PAULSEN, Ms. JENKINS, Mr. WALBERG, Mr. WESTMORELAND, Mr. JONES, Mr. HUIZENGA of Michigan, Mr. LOBIONDO, Mr. FITZPATRICK, Mr. TURNER of Ohio, Mr. GARY G. MILLER of California, Mr. STIVERS, Mr. BISHOP of Utah, Mr. PITTS, Mr. WILSON of South Carolina, Mrs. BLACK, Mr. LATHAM, Mr. GUINTA, Mr. AUSTRIA, Mr. KING of Iowa, Mr. NUNES, Mr. CHAFFETZ, Mr. MURPHY of Connecticut, Mr. REICHERT, Mr. DAVIS of Kentucky, Mr. MARCHANT, Mr. GUTHRIE, Mr. LUETKEMEYER, Mr. TERRY, Mr. NEUGEBAUER, Mr. LEWIS of California, Mrs. CAPITO, Mr. CHABOT, Mr. MEEHAN, Mr. BOUSTANY, Mr. THOMPSON of Pennsylvania, Mr. PRICE of Georgia, Mr. DENT, Mr. MCCOTTER, Mr. BASS of New Hampshire, Mr. MILLER of Florida, Mr. DUNCAN of South Carolina, Mr. STUTZMAN, Mr. AKIN, Mr. LATTA, Mr. SCOTT of South Carolina, Mr. MCKEON, Ms. BERKLEY, Mr. LARSON of Connecticut, Mr. RANGEL, Mr. LEWIS

of Georgia, Mr. KIND, Mr. CICILLINE, Mr. LANGEVIN, Mr. WELCH, Mr. MICHAUD, Mr. STARK, Mr. PASCRELL, Mr. MORAN, Mrs. MCCARTHY of New York, Ms. SCHWARTZ, Mr. YARMUTH, Ms. PINGREE of Maine, Mr. HEINRICH, Mr. HOLT, Mr. FILNER, Mr. CARSON of Indiana, Mr. ANDREWS, Mr. MATHESON, Mr. COURTNEY, Mr. LOEBSACK, Mrs. MALONEY, Mr. McDERMOTT, Mr. MCGOVERN, Mr. BISHOP of New York, Mr. THOMPSON of California, Mr. BOSWELL, Mr. CAPUANO, Mr. HOLDEN, Ms. SPEIER, Mr. KEATING, Mr. BACA, Mr. BECERRA, Mr. LYNCH, Ms. WOOLSEY, Ms. LORETTA SANCHEZ of California, Mr. BRALEY of Iowa, Ms. MATSUI, Mr. PERLMUTTER, Mr. PAYNE, Ms. MOORE, Mr. KILDEE, Mr. ALTMIRE, Mr. FRANK of Massachusetts, Mr. CRITZ, and Mr. MARKEY):

H. Con. Res. 101. Concurrent resolution expressing the sense of the Congress that our current tax incentives for retirement savings provide important benefits to Americans to help plan for a financially secure retirement; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself, Mr. KUCINICH, Ms. KAPTUR, Mr. LATOURETTE, Mr. LATTA, Mr. CHABOT, Mr. TIBERI, Ms. SUTTON, and Ms. FUDGE):

H. Con. Res. 102. Concurrent resolution commemorating and praising the Honorable John Glenn on the 50th anniversary of his historic orbital space flight; to the Committee on Science, Space, and Technology.

By Mr. LIPINSKI (for himself, Mr. MANZULLO, Ms. SUTTON, Mr. HOLT, Mr. REYES, Ms. BORDALLO, Mr. HINOJOSA, Ms. ZOE LOFGREN of California, Mr. McNERNEY, Mr. BARTON of Texas, Mr. PAYNE, Mr. TONKO, Mr. ROHRABACHER, Ms. RICHARDSON, Mr. HONDA, Mr. CALVERT, Mr. McCAUL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRIJALVA, Mr. CARNAHAN, Mr. MILLER of North Carolina, Mrs. CHRISTENSEN, Mr. MCKINLEY, and Ms. HIRONO):

H. Res. 552. A resolution supporting the goals and ideals of National Engineers Week; to the Committee on Science, Space, and Technology.

By Mr. LARSON of Connecticut:

H. Res. 553. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. PAYNE (for himself, Mr. CONYERS, Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Mr. JACKSON of Illinois, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. MEEKS, Mr. CUMMINGS, Ms. FUDGE, Ms. SEWELL, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Mr. BISHOP of Georgia, Mr. RUSH, Ms. BROWN of Florida, Ms. LEE of California, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLEAVER, and Ms. WATERS):

H. Res. 555. A resolution to commemorate the life and accomplishments of Whitney Elizabeth Houston over the past 48 years; and expressing the condolences of the House of Representatives to her family upon her death; to the Committee on Education and the Workforce.

123.36 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Ms. BERKLEY.
H.R. 121: Mr. YODER.
H.R. 125: Mr. UPTON.
H.R. 205: Mr. KIND.
H.R. 262: Mr. WALZ of Minnesota.
H.R. 329: Mr. NUGENT and Mr. COURTNEY.
H.R. 409: Mr. ROSS of Florida and Mr. NUGENT.

H.R. 458: Mr. POLIS and Ms. MOORE.
H.R. 511: Mr. FARR and Mr. GALLEGLEY.
H.R. 556: Mr. NUGENT.
H.R. 587: Ms. WOOLSEY.
H.R. 601: Ms. CHU.
H.R. 711: Mr. DOGGETT.
H.R. 733: Mr. COSTELLO.
H.R. 769: Ms. PINGREE of Maine.
H.R. 807: Mr. BRADY of Pennsylvania, Mr. DINGELL, and Mr. LUJÁN.
H.R. 835: Mr. ALTMIRE.
H.R. 870: Mr. ELLISON, Mr. CARSON of Indiana, and Mr. MEEKS.
H.R. 931: Ms. GRANGER, Mr. BROUN of Georgia, Mr. CANSECO, Mr. BRADY of Texas, Mr. KING of Iowa, Mr. CULBERSON, Mr. COLE, Mr. DIAZ-BALART, Mr. PEARCE, Mr. WESTMORELAND, and Mr. WOODALL.
H.R. 1006: Mr. JORDAN.
H.R. 1175: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CRAVAACK, and Mr. RIBBLE.
H.R. 1179: Mr. LATOURETTE, Mr. AUSTIN SCOTT of Georgia, Mr. GRAVES of Georgia, Ms. ROS-LEHTINEN, Mr. AMASH, Mr. GRIMM, Mr. ROGERS of Kentucky, Mr. STEARNS, Mrs. CAPITO, and Mr. WEST.
H.R. 1186: Mr. LANKFORD.
H.R. 1206: Mr. PALAZZO.
H.R. 1340: Mr. CRAVAACK.
H.R. 1370: Mr. GRAVES of Georgia.
H.R. 1381: Mr. SIRES.
H.R. 1386: Mr. BISHOP of New York and Mr. BERMAN.
H.R. 1417: Mr. BLUMENAUER.
H.R. 1479: Ms. LEE of California.
H.R. 1524: Ms. NORTON.
H.R. 1558: Mr. SCHWEIKERT.
H.R. 1681: Mr. CONNOLLY of Virginia.
H.R. 1684: Mr. BRADY of Pennsylvania.
H.R. 1704: Mr. SIRES, Ms. BONAMICI, Mr. VAN HOLLEN, Mr. POLIS, Mr. DONNELLY of Indiana, Mr. TIERNEY, and Ms. JACKSON LEE of Texas.
H.R. 1738: Mr. LUJÁN.
H.R. 1744: Mr. REBERG.
H.R. 1895: Mr. RANGEL.
H.R. 1903: Mr. ELLISON.
H.R. 1912: Ms. SUTTON.
H.R. 1955: Mr. RANGEL.
H.R. 2020: Ms. DEGETTE and Mr. ROSS of Arkansas.
H.R. 2052: Mr. MANZULLO and Mr. THOMPSON of California.
H.R. 2088: Ms. NORTON.
H.R. 2098: Mr. FATTAH, Mr. DAVIS of Illinois, Ms. CLARKE of New York, and Ms. LEE of California.
H.R. 2179: Mrs. HARTZLER.
H.R. 2187: Mr. BRADY of Pennsylvania.
H.R. 2255: Mr. HONDA.
H.R. 2288: Mr. BOSWELL and Mr. MEEKS.
H.R. 2299: Mr. FLORES.
H.R. 2308: Mr. GARY G. MILLER of California.
H.R. 2310: Mrs. DAVIS of California.
H.R. 2335: Mr. MCHENRY, Mr. GRIFFIN of Arkansas, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. WALSH of Illinois, Mr. WESTMORELAND, Mr. CULBERSON, Mr. LAMBORN, Mr. KING of Iowa, Mr. MULVANEY, Mrs. LUMMIS, Mr. LANKFORD, Mr. ROE of Tennessee, Mr. HARRIS, Mr. PEARCE, Mr. BISHOP of Utah, Mr. YOUNG of Alaska, and Ms. BUERKLE.
H.R. 2367: Mr. McNERNEY.
H.R. 2387: Mr. RIGELL.
H.R. 2407: Mr. SCHIFF.
H.R. 2414: Mr. NUGENT.
H.R. 2529: Mr. BERG and Mr. ALEXANDER.
H.R. 2569: Mr. MATHESON, Mr. DEUTCH, Mr. GRIMM, Mr. CRENSHAW, Mr. STARK, and Mr. PIERLUISI.
H.R. 2595: Mr. GENE GREEN of Texas.
H.R. 2679: Ms. LEE of California.
H.R. 2866: Mr. SCHOCK and Mr. CAPUANO.
H.R. 2954: Mr. TONKO.
H.R. 3059: Mr. TONKO, Mr. LYNCH, and Mr. HALL.
H.R. 3068: Mr. CHABOT, Mr. FRANKS of Arizona, and Mrs. LUMMIS.

H.R. 3096: Mr. BUCHANAN.
 H.R. 3151: Mr. MICHAUD.
 H.R. 3156: Mr. HASTINGS of Florida.
 H.R. 3187: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. MEEKS.
 H.R. 3225: Mr. WATT.
 H.R. 3313: Ms. BROWN of Florida and Ms. HAHN.
 H.R. 3515: Mr. CONYERS, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, and Mr. RANGEL.
 H.R. 3523: Mr. SHUSTER, Mr. OLSON, Mr. KLINE, Mrs. BONO MACK, Mr. BACHUS, and Mr. SCHOCK.
 H.R. 3541: Mr. POMPEO.
 H.R. 3551: Mr. FARENTHOLD.
 H.R. 3572: Mr. MORAN and Mr. FILNER.
 H.R. 3586: Mr. SCHOCK.
 H.R. 3590: Mr. SMITH of New Jersey.
 H.R. 3596: Mr. TIERNEY, Mr. HONDA, and Mr. BERMAN.
 H.R. 3608: Mr. GARY G. MILLER of California and Mr. BROOKS.
 H.R. 3611: Mr. FORBES.
 H.R. 3618: Ms. WATERS.
 H.R. 3626: Mr. JACKSON of Illinois and Ms. WOOLSEY.
 H.R. 3635: Mr. TOWNS, Mr. RANGEL, and Mr. HINCHEY.
 H.R. 3654: Mr. STARK.
 H.R. 3662: Mr. OLSON, Mr. REHBERG, Mr. KINGSTON, and Mr. MCCAUL.
 H.R. 3674: Mr. MEEHAN.
 H.R. 3676: Mr. KLINE.
 H.R. 3698: Mr. COFFMAN of Colorado.
 H.R. 3767: Ms. BORDALLO.
 H.R. 3790: Mr. BISHOP of Georgia.
 H.R. 3803: Mr. GOSAR.
 H.R. 3805: Mr. RYAN of Wisconsin and Mr. OLSON.
 H.R. 3806: Mr. SCHILLING, Mr. WEST, and Ms. BUERKLE.
 H.R. 3811: Mr. GARY G. MILLER of California.
 H.R. 3820: Ms. CLARKE of New York.
 H.R. 3826: Mr. ISRAEL, Ms. WILSON of Florida, and Mr. TOWNS.
 H.R. 3828: Mr. KLINE.
 H.R. 3860: Ms. KAPTUR.
 H.R. 3866: Mr. MEEKS, Mr. STARK, and Ms. WILSON of Florida.
 H.R. 3895: Mr. LOBIONDO and Mr. FLORES.
 H.R. 3974: Ms. SCHAKOWSKY.
 H.R. 3982: Mr. MARCHANT and Mr. JOHNSON of Ohio.
 H.R. 4010: Ms. PINGREE of Maine, Ms. JACKSON LEE of Texas, and Mr. LUJAN.
 H.R. 4036: Mr. ROE of Tennessee, Mr. WALSH of Illinois, Mr. COLE, Mr. POSEY, Mrs. LUMMIS, and Mr. PEARCE.
 H.R. 4045: Mr. PAULSEN and Mr. CRAVAACK.
 H.R. 4046: Mrs. MCMORRIS RODGERS and Mr. HULTGREN.
 H.J. Res. 90: Ms. SCHAKOWSKY.
 H.J. Res. 102: Mr. LAMBORN, Mr. POSEY, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Mr. MULVANEY, Mrs. LUMMIS, and Mrs. SCHMIDT.
 H. Con. Res. 87: Mr. WEST.
 H. Res. 180: Ms. LORETTA SANCHEZ of California.
 H. Res. 253: Mr. SCHILLING.
 H. Res. 271: Mr. JORDAN.
 H. Res. 275: Mr. SHERMAN.
 H. Res. 367: Mr. WEST.
 H. Res. 538: Mr. OWENS, Mr. REED, Mr. JOHNSON of Georgia, Ms. SLAUGHTER, Mr. BURTON of Indiana, Mr. ROTHMAN of New Jersey, and Mr. CARTER.
 H. Res. 543: Mr. ENGEL.

FRIDAY, FEBRUARY 17, 2012 (24)

The House was called to order by the SPEAKER.

24.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of

the proceedings of Thursday, February 16, 2012.

Mr. PAULSEN, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. PAULSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

24.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5039. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2011-0836; Directorate Identifier 2010-NE-38-AD; Amendment 39-16898; AD 2011-26-08] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5040. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2011-0836; Directorate Identifier 2010-NE-38-AD; Amendment 39-16898; AD 2011-26-08] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5041. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada (Bell) Model 407 and 427 Helicopters [Docket No.: FAA-2011-1035; Directorate Identifier 2011-SW-038-AD; Amendment 39-16817; AD 2011-15-51] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5042. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines Turbofan Engines [Docket No.: FAA-2010-0494; Directorate Identifier 2010-NE-20-AD; Amendment 39-16884; AD 2011-25-08] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5043. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (Operations) Limited Airplanes [Docket No.: FAA-2011-0911; Directorate Identifier 2010-NM-248-AD; Amendment 39-16883; AD 2011-25-07] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5044. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines, Fuel Injected Reciprocating Engines [Docket No.: FAA-2007-0218; Directorate Identifier 92-ANE-56-AD; Amendment 39-16894; AD 2011-26-04] (RIN: 2120-AA64) received January 26, 2012, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5045. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-524 Series Turbofan Engines [Docket No.: FAA-2009-0162; Directorate Identifier 2004-NE-19-AD; Amendment 39-16803; AD 2011-18-21] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5046. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0649; Directorate Identifier 2011-NM-076-AD; Amendment 39-16882; AD 2011-25-06] (RIN: 2120-AA64) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5047. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Transportation for Individuals With Disabilities at Intercity, Commuter, and High Speed Passenger Railroad Station Platforms; Miscellaneous Amendments [Docket: OST-2006-23985] (RIN: 2105-AD54) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5048. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Grants and Cooperative Agreements to State and Local Governments: DOT Amendments on Regulations on Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations (RIN: 2105-AD60) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5049. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Parents Eligible for Burial (RIN: 2900-AO12) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5050. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Medical Foster Homes (RIN: 2900-AN80) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5051. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Damages received on Account of Personal Physical Sickness [TD 9573] (RIN: 1545-BF81) received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5052. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Restitution Payments under the Trafficking Victims Protection Act of 2000 [Notice 2012-12] received January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5053. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revenue Ruling: 2010 Prevailing State Assumed Interest Rates (Rev. Rul. 2012-6) received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5054. A letter from the Director, Office of Management and Budget, transmitting OMB's final sequestration report for fiscal

year 2012, pursuant to 2 U.S.C. 904; (H. Doc. No. 112—87); to the Committee on the Whole House on the State of the Union and ordered to be printed.

¶24.3 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 3630

Mr. SCOTT of South Carolina, by direction of the Committee on Rules, called up the following resolution (H. Res. 554):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

When said resolution was considered. After debate,

On motion of Mr. SCOTT of South Carolina, the previous question was ordered on the resolution to its adoption or rejection, and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶24.4 MIDDLE CLASS TAX RELIEF AND JOB CREATION

Mr. CAMP, pursuant to House Resolution 554, called up the following conference report (Rept. No. 112—399):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3630), to provide incentives for the creation of jobs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Middle Class Tax Relief and Job Creation Act of 2012”.

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

Sec. 1. Short title; table of contents.

TITLE I—EXTENSION OF PAYROLL TAX REDUCTION

Sec. 1001. Extension of payroll tax reduction.

TITLE II—UNEMPLOYMENT BENEFIT CONTINUATION AND PROGRAM IMPROVEMENT

Sec. 2001. Short title.

Subtitle A—Reforms of Unemployment Compensation to Promote Work and Job Creation

Sec. 2101. Consistent job search requirements.

Sec. 2102. State flexibility to promote the reemployment of unemployed workers.

Sec. 2103. Improving program integrity by better recovery of overpayments.

Sec. 2104. Data exchange standardization for improved interoperability.

Sec. 2105. Drug testing of applicants.

Subtitle B—Provisions Relating To Extended Benefits

Sec. 2121. Short title.

Sec. 2122. Extension and modification of emergency unemployment compensation program.

Sec. 2123. Temporary extension of extended benefit provisions.

Sec. 2124. Additional extended unemployment benefits under the Railroad Unemployment Insurance Act.

Subtitle C—Improving Reemployment Strategies Under the Emergency Unemployment Compensation Program

Sec. 2141. Improved work search for the long-term unemployed.

Sec. 2142. Reemployment services and reemployment and eligibility assessment activities.

Sec. 2143. Promoting program integrity through better recovery of overpayments.

Sec. 2144. Restore State flexibility to improve unemployment program solvency.

Subtitle D—Short-Time Compensation Program

Sec. 2160. Short title.

Sec. 2161. Treatment of short-time compensation programs.

Sec. 2162. Temporary financing of short-time compensation payments in States with programs in law.

Sec. 2163. Temporary financing of short-time compensation agreements.

Sec. 2164. Grants for short-time compensation programs.

Sec. 2165. Assistance and guidance in implementing programs.

Sec. 2166. Reports.

Subtitle E—Self-Employment Assistance

Sec. 2181. State administration of self-employment assistance programs.

Sec. 2182. Grants for self-employment assistance programs.

Sec. 2183. Assistance and guidance in implementing self-employment assistance programs.

Sec. 2184. Definitions.

TITLE III—MEDICARE AND OTHER HEALTH PROVISIONS

Subtitle A—Medicare Extensions

Sec. 3001. Extension of MMA section 508 reclassifications.

Sec. 3002. Extension of outpatient hold harmless payments.

Sec. 3003. Physician payment update.

Sec. 3004. Work geographic adjustment.

Sec. 3005. Payment for outpatient therapy services.

Sec. 3006. Payment for technical component of certain physician pathology services.

Sec. 3007. Ambulance add-on payments.

Subtitle B—Other Health Provisions

Sec. 3101. Qualifying individual program.

Sec. 3102. Transitional medical assistance.

Subtitle C—Health Offsets

Sec. 3201. Reduction of bad debt treated as an allowable cost.

Sec. 3202. Rebase Medicare clinical laboratory payment rates.

Sec. 3203. Rebasing State DSH allotments for fiscal year 2021.

Sec. 3204. Technical correction to the disaster recovery FMAP provision.

Sec. 3205. Prevention and Public Health Fund.

TITLE IV—TANF EXTENSION

Sec. 4001. Short title.

Sec. 4002. Extension of program.

Sec. 4003. Data exchange standardization for improved interoperability.

Sec. 4004. Spending policies for assistance under State TANF programs.

Sec. 4005. Technical corrections.

TITLE V—FEDERAL EMPLOYEES RETIREMENT

Sec. 5001. Increase in contributions to Federal Employees’ Retirement System for new employees.

Sec. 5002. Foreign Service Pension System.

Sec. 5003. Central Intelligence Agency Retirement and Disability System.

TITLE VI—PUBLIC SAFETY COMMUNICATIONS AND ELECTROMAGNETIC SPECTRUM AUCTIONS

Sec. 6001. Definitions.

Sec. 6002. Rule of construction.

Sec. 6003. Enforcement.

Sec. 6004. National security restrictions on use of funds and auction participation.

Subtitle A—Reallocation of Public Safety Spectrum

Sec. 6101. Reallocation of D block to public safety.

Sec. 6102. Flexible use of narrowband spectrum.

Sec. 6103. 470 512 MHz public safety spectrum.

Subtitle B—Governance of Public Safety Spectrum

Sec. 6201. Single public safety wireless network licensee.

Sec. 6202. Public safety broadband network.

Sec. 6203. Public Safety Interoperability Board.

Sec. 6204. Establishment of the First Responder Network Authority.

Sec. 6205. Advisory committees of the First Responder Network Authority.

Sec. 6206. Powers, duties, and responsibilities of the First Responder Network Authority.

Sec. 6207. Initial funding for the First Responder Network Authority.

Sec. 6208. Permanent self-funding; duty to assess and collect fees for network use.

Sec. 6209. Audit and report.

Sec. 6210. Annual report to Congress.

Sec. 6211. Public safety roaming and priority access.

Sec. 6212. Prohibition on direct offering of commercial telecommunications service directly to consumers.

Sec. 6213. Provision of technical assistance.

Subtitle C—Public Safety Commitments

Sec. 6301. State and Local Implementation Fund.

Sec. 6302. State and local implementation.

Sec. 6303. Public safety wireless communications research and development.

Subtitle D—Spectrum Auction Authority

Sec. 6401. Deadlines for auction of certain spectrum.

Sec. 6402. General authority for incentive auctions.

Sec. 6403. Special requirements for incentive auction of broadcast TV spectrum.

Sec. 6404. Certain conditions on auction participation prohibited.

Sec. 6405. Extension of auction authority.

Sec. 6406. Unlicensed use in the 5 GHz band.

Sec. 6407. Guard bands and unlicensed use.

Sec. 6408. Study on receiver performance and spectrum efficiency.

Sec. 6409. Wireless facilities deployment.

Sec. 6410. Functional responsibility of NTIA to ensure efficient use of spectrum.

Sec. 6411. System certification.

Sec. 6412. Deployment of 11 GHz, 18 GHz, and 23 GHz microwave bands.

Sec. 6413. Public Safety Trust Fund.

Sec. 6414. Study on emergency communications by amateur radio and impediments to amateur radio communications.

Subtitle E—Next Generation 9 1 1 Advancement Act of 2012

Sec. 6501. Short title.

Sec. 6502. Definitions.

Sec. 6503. Coordination of 9 1 1 implementation.

Sec. 6504. Requirements for multi-line telephone systems.

Sec. 6505. GAO study of State and local use of 9 1 1 service charges.

Sec. 6506. Parity of protection for provision or use of Next Generation 9 1 1 services.

Sec. 6507. Commission proceeding on autodialing.

Sec. 6508. Report on costs for requirements and specifications of Next Generation 9 1 1 services.

Sec. 6509. Commission recommendations for legal and statutory framework for Next Generation 9 1 1 services.

Subtitle F—Telecommunications Development Fund

Sec. 6601. No additional Federal funds.

Sec. 6602. Independence of the Fund.

Subtitle G—Federal Spectrum Relocation

Sec. 6701. Relocation of and spectrum sharing by Federal Government stations.

Sec. 6702. Spectrum Relocation Fund.

Sec. 6703. National security and other sensitive information.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 7001. Repeal of certain shifts in the timing of corporate estimated tax payments.

Sec. 7002. Repeal of requirement relating to time for remitting certain merchandise processing fees.

Sec. 7003. Treatment for PAYGO purposes.

TITLE I—EXTENSION OF PAYROLL TAX REDUCTION

SEC. 1001. EXTENSION OF PAYROLL TAX REDUCTION.

(a) *IN GENERAL.*—Subsection (c) of section 601 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (26 U.S.C. 1401 note) is amended to read as follows:

“(c) **PAYROLL TAX HOLIDAY PERIOD.**—The term ‘payroll tax holiday period’ means calendar years 2011 and 2012.”.

(b) *CONFORMING AMENDMENTS.*—Section 601 of such Act (26 U.S.C. 1401 note) is amended by striking subsections (f) and (g).

(c) *EFFECTIVE DATE.*—The amendments made by this section shall apply to remuneration received, and taxable years beginning, after December 31, 2011.

TITLE II—UNEMPLOYMENT BENEFIT CONTINUATION AND PROGRAM IMPROVEMENT

SEC. 2001. SHORT TITLE.

This title may be cited as the “Extended Benefits, Reemployment, and Program Integrity Improvement Act”.

Subtitle A—Reforms of Unemployment Compensation to Promote Work and Job Creation

SEC. 2101. CONSISTENT JOB SEARCH REQUIREMENTS.

(a) *IN GENERAL.*—Section 303(a) of the Social Security Act is amended by adding at the end the following:

“(12) A requirement that, as a condition of eligibility for regular compensation for any week, a claimant must be able to work, available to work, and actively seeking work.”.

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall apply to weeks beginning after the end of the first session of the State legislature which begins after the date of enactment of this Act.

SEC. 2102. STATE FLEXIBILITY TO PROMOTE THE REEMPLOYMENT OF UNEMPLOYED WORKERS.

Title III of the Social Security Act (42 U.S.C. 501 and following) is amended by adding at the end the following:

“DEMONSTRATION PROJECTS

“SEC. 305. (a) The Secretary of Labor may enter into agreements, with up to 10 States that submit an application described in subsection (b), for the purpose of allowing such States to conduct demonstration projects to test and evaluate measures designed—

“(1) to expedite the reemployment of individuals who have established a benefit year and are otherwise eligible to claim unemployment compensation under the State law of such State; or

“(2) to improve the effectiveness of a State in carrying out its State law with respect to reemployment.

“(b) The Governor of any State desiring to conduct a demonstration project under this section shall submit an application to the Secretary of Labor. Any such application shall include—

“(1) a general description of the proposed demonstration project, including the authority (under the laws of the State) for the measures to be tested, as well as the period of time during which such demonstration project would be conducted;

“(2) if a waiver under subsection (c) is requested, a statement describing the specific aspects of the project to which the waiver would apply and the reasons why such waiver is needed;

“(3) a description of the goals and the expected programmatic outcomes of the demonstration project, including how the project would contribute to the objective described in subsection (a)(1), subsection (a)(2), or both;

“(4) assurances (accompanied by supporting analysis) that the demonstration project would operate for a period of at least 1 calendar year and not result in any increased net costs to the State’s account in the Unemployment Trust Fund;

“(5) a description of the manner in which the State—

“(A) will conduct an impact evaluation, using a methodology appropriate to determine the effects of the demonstration project, including on individual skill levels, earnings, and employment retention; and

“(B) will determine the extent to which the goals and outcomes described in paragraph (3) were achieved;

“(6) assurances that the State will provide any reports relating to the demonstration project, after its approval, as the Secretary of Labor may require; and

“(7) assurances that employment meets the State’s suitable work requirement and the requirements of section 3304(a)(5) of the Internal Revenue Code of 1986.

“(c) The Secretary of Labor may waive any of the requirements of section 3304(a)(4) of the Internal Revenue Code of 1986 or of paragraph (1) or (5) of section 303(a), to the extent and for the period the Secretary of Labor considers necessary to enable the State to carry out a demonstration project under this section.

“(d) A demonstration project under this section—

“(1) may be commenced any time after the date of enactment of this section;

“(2) may not be approved for a period of time greater than 3 years; and

“(3) must be completed by not later than December 31, 2015.

“(e) Activities that may be pursued under a demonstration project under this section are limited to—

“(1) subsidies for employer-provided training, such as wage subsidies; and

“(2) direct disbursements to employers who hire individuals receiving unemployment compensation, not to exceed the weekly benefit amount for each such individual, to pay part of the cost of wages that exceed the unemployed individual’s prior benefit level.

“(f) The Secretary of Labor shall, in the case of any State for which an application is submitted under subsection (b)—

“(1) notify the State as to whether such application has been approved or denied within 30 days after receipt of a complete application; and

“(2) provide public notice of the decision within 10 days after providing notification to the State in accordance with paragraph (1).

Public notice under paragraph (2) may be provided through the Internet or other appropriate means. Any application under this section that has not been denied within the 30-day period described in paragraph (1) shall be deemed approved, and public notice of any approval under

this sentence shall be provided within 10 days thereafter.

“(g) The Secretary of Labor may terminate a demonstration project under this section if the Secretary determines that the State has violated the substantive terms or conditions of the project.

“(h) Funding certified under section 302(a) may be used for an approved demonstration project.”.

SEC. 2103. IMPROVING PROGRAM INTEGRITY BY BETTER RECOVERY OF OVERPAYMENTS.

(a) *USE OF UNEMPLOYMENT COMPENSATION TO REPAY OVERPAYMENTS.*—Section 3304(a)(4)(D) of the Internal Revenue Code of 1986 and section 303(g)(1) of the Social Security Act are each amended by striking “may” and inserting “shall”.

(b) *USE OF UNEMPLOYMENT COMPENSATION TO REPAY FEDERAL ADDITIONAL COMPENSATION OVERPAYMENTS.*—Section 303(g)(3) of the Social Security Act is amended by inserting “Federal additional compensation,” after “trade adjustment allowances.”.

(c) *EFFECTIVE DATE.*—The amendments made by this section shall apply to weeks beginning after the end of the first session of the State legislature which begins after the date of enactment of this Act.

SEC. 2104. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) *IN GENERAL.*—Title IX of the Social Security Act is amended by adding at the end the following:

“DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY

“Data Exchange Standards

“SEC. 911. (a)(1) The Secretary of Labor, in consultation with an interagency work group which shall be established by the Office of Management and Budget, and considering State and employer perspectives, shall, by rule, designate a data exchange standard for any category of information required under title III, title XII, or this title.

“(2) Data exchange standards designated under paragraph (1) shall, to the extent practicable, be nonproprietary and interoperable.

“(3) In designating data exchange standards under this subsection, the Secretary of Labor shall, to the extent practicable, incorporate—

“(A) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization;

“(B) interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model; and

“(C) interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulations Council.

“Data Exchange Standards for Reporting

“(b)(1) The Secretary of Labor, in consultation with an interagency work group established by the Office of Management and Budget, and considering State and employer perspectives, shall, by rule, designate data exchange standards to govern the reporting required under title III, title XII, or this title.

“(2) The data exchange standards required by paragraph (1) shall, to the extent practicable—

“(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format;

“(B) be consistent with and implement applicable accounting principles; and

“(C) be capable of being continually upgraded as necessary.

“(3) In designating reporting standards under this subsection, the Secretary of Labor shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Markup Language.”.

(b) EFFECTIVE DATES.—

(1) DATA EXCHANGE STANDARDS.—The Secretary of Labor shall issue a proposed rule under section 911(a)(1) of the Social Security Act (as added by subsection (a)) within 12 months after the date of the enactment of this section, and shall issue a final rule under such section 911(a)(1), after public comment, within 24 months after such date of enactment.

(2) DATA REPORTING STANDARDS.—The reporting standards required under section 911(b)(1) of such Act (as so added) shall become effective with respect to reports required in the first reporting period, after the effective date of the final rule referred to in paragraph (1) of this subsection, for which the authority for data collection and reporting is established or renewed under the Paperwork Reduction Act.

SEC. 2105. DRUG TESTING OF APPLICANTS.

Section 303 of the Social Security Act is amended by adding at the end the following:

“(1)(I) Nothing in this Act or any other provision of Federal law shall be considered to prevent a State from enacting legislation to provide for—

“(A) testing an applicant for unemployment compensation for the unlawful use of controlled substances as a condition for receiving such compensation, if such applicant—

“(i) was terminated from employment with the applicant’s most recent employer (as defined under the State law) because of the unlawful use of controlled substances; or

“(ii) is an individual for whom suitable work (as defined under the State law) is only available in an occupation that regularly conducts drug testing (as determined under regulations issued by the Secretary of Labor); or

“(B) denying such compensation to such applicant on the basis of the result of the testing conducted by the State under legislation described in subparagraph (A).

“(2) For purposes of this subsection—

“(A) the term ‘unemployment compensation’ has the meaning given such term in subsection (d)(2)(A); and

“(B) the term ‘controlled substance’ has the meaning given such term in section 102 of the Controlled Substances Act (21 U.S.C. 802).”.

Subtitle B—Provisions Relating To Extended Benefits**SEC. 2121. SHORT TITLE.**

This subtitle may be cited as the “Unemployment Benefits Extension Act of 2012”.

SEC. 2122. EXTENSION AND MODIFICATION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) EXTENSION.—Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note) is amended—

(1) in subsection (a)—

(A) by striking “Except as provided in subsection (b), an” and inserting “An”; and

(B) by striking “March 6, 2012” and inserting “January 2, 2013”; and

(2) by striking subsection (b) and inserting the following:

“(b) TERMINATION.—No compensation under this title shall be payable for any week subsequent to the last week described in subsection (a).”.

(b) MODIFICATIONS RELATING TO TRIGGERS.—

(1) FOR SECOND-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 4002(c) of such Act is amended—

(A) in the subsection heading, by striking “SPECIAL RULE” and inserting “SECOND-TIER EMERGENCY UNEMPLOYMENT COMPENSATION”; and

(B) in paragraph (1), by striking “At” and all that follows through “augmented by an amount” and inserting “If, at the time that the amount established in an individual’s account under subsection (b) is exhausted or at any time thereafter, such individual’s State is in an extended benefit period (as determined under paragraph (2)), such account shall be augmented by an amount (hereinafter ‘second-tier emergency unemployment compensation’)”;

(C) by redesignating paragraph (2) as paragraph (4); and

(D) by inserting after paragraph (1) the following:

“(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if such a period would then be in effect for such State under such Act if—

“(A) section 203(f) of the Federal-State Extended Unemployment Compensation Act of 1970 were applied to such State (regardless of whether the State by law had provided for such application); and

“(B) such section 203(f)—

“(i) were applied by substituting the applicable percentage under paragraph (3) for ‘6.5 percent’ in paragraph (1)(A)(i) thereof; and

“(ii) did not include the requirement under paragraph (1)(A)(ii) thereof.

“(3) APPLICABLE PERCENTAGE.—The applicable percentage under this paragraph is, for purposes of determining if a State is in an extended benefit period as of a date occurring in a week ending—

“(A) before June 1, 2012, 0 percent; and

“(B) after the last week under subparagraph (A), 6 percent.”.

(2) FOR THIRD-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 4002(d) of such Act is amended—

(A) in paragraph (2)(A), by striking “under such Act” and inserting “under the Federal-State Extended Unemployment Compensation Act of 1970”; and

(B) in paragraph (2)(B)(ii)(I), by striking the matter after “substituting” and before “in paragraph (1)(A)(i) thereof” and inserting “the applicable percentage under paragraph (3) for ‘6.5 percent’”;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

“(3) APPLICABLE PERCENTAGE.—The applicable percentage under this paragraph is, for purposes of determining if a State is in an extended benefit period as of a date occurring in a week ending—

“(A) before June 1, 2012, 6 percent; and

“(B) after the last week under subparagraph (A), 7 percent.”.

(3) FOR FOURTH-TIER EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 4002(e) of such Act is amended—

(A) in paragraph (2)(A), by striking “under such Act” and inserting “under the Federal-State Extended Unemployment Compensation Act of 1970”; and

(B) in paragraph (2)(B)(ii)(I), by striking the matter after “substituting” and before “in paragraph (1)(A)(i) thereof” and inserting “the applicable percentage under paragraph (3) for ‘6.5 percent’”;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

“(3) APPLICABLE PERCENTAGE.—The applicable percentage under this paragraph is, for purposes of determining if a State is in an extended benefit period as of a date occurring in a week ending—

“(A) before June 1, 2012, 8.5 percent; and

“(B) after the last week under subparagraph (A), 9 percent.”.

(c) MODIFICATIONS RELATING TO WEEKS OF EMERGENCY UNEMPLOYMENT COMPENSATION.—

(1) NUMBER OF WEEKS IN FIRST TIER BEGINNING AFTER SEPTEMBER 2, 2012.—Section 4002(b) of such Act is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) SPECIAL RULE RELATING TO AMOUNTS ESTABLISHED IN AN ACCOUNT AS OF A WEEK ENDING AFTER SEPTEMBER 2, 2012.—Notwithstanding any provision of paragraph (1), in the case of any

account established as of a week ending after September 2, 2012—

“(A) paragraph (1)(A) shall be applied by substituting ‘54 percent’ for ‘80 percent’; and

“(B) paragraph (1)(B) shall be applied by substituting ‘14 weeks’ for ‘20 weeks’.”.

(2) NUMBER OF WEEKS IN THIRD TIER BEGINNING AFTER SEPTEMBER 2, 2012.—Section 4002(d) of such Act is amended by adding after paragraph (4) (as so redesignated by subsection (b)(2)(C)) the following:

“(5) SPECIAL RULE RELATING TO AMOUNTS ADDED TO AN ACCOUNT AS OF A WEEK ENDING AFTER SEPTEMBER 2, 2012.—Notwithstanding any provision of paragraph (1), if augmentation under this subsection occurs as of a week ending after September 2, 2012—

“(A) paragraph (1)(A) shall be applied by substituting ‘35 percent’ for ‘50 percent’; and

“(B) paragraph (1)(B) shall be applied by substituting ‘9 times’ for ‘13 times’.”.

(3) NUMBER OF WEEKS IN FOURTH TIER.—Section 4002(e) of such Act is amended by adding after paragraph (4) (as so redesignated by subsection (b)(3)(C)) the following:

“(5) SPECIAL RULES RELATING TO AMOUNTS ADDED TO AN ACCOUNT.—

“(A) MARCH TO MAY OF 2012.—

“(i) SPECIAL RULE.—Notwithstanding any provision of paragraph (1) but subject to the following 2 sentences, if augmentation under this subsection occurs as of a week ending after the date of enactment of this paragraph and before June 1, 2012 (or if, as of such date of enactment, any fourth-tier amounts remain in the individual’s account)—

“(I) paragraph (1)(A) shall be applied by substituting ‘62 percent’ for ‘24 percent’; and

“(II) paragraph (1)(B) shall be applied by substituting ‘16 times’ for ‘6 times’.

The preceding sentence shall apply only if, at the time that the account would be augmented under this subparagraph, such individual’s State is not in an extended benefit period as determined under the Federal-State Extended Unemployment Compensation Act of 1970. In no event shall the total amount added to the account of an individual under this subparagraph cause, in the case of an individual described in the parenthetical matter in the first sentence of this clause, the sum of the total amount previously added to such individual’s account under this subsection (as in effect before the date of enactment of this paragraph) and any further amounts added as a result of the enactment of this clause, to exceed the total amount allowable under subclause (I) or (II), as the case may be.

“(ii) LIMITATION.—Notwithstanding any other provision of this title, the amounts added to the account of an individual under this subparagraph may not cause the sum of the amounts previously established in or added to such account, plus any weeks of extended benefits provided to such individual under the Federal-State Extended Unemployment Compensation Act of 1970 (based on the same exhaustion of regular compensation under section 4001(b)(1)), to in the aggregate exceed the lesser of—

“(I) 282 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under the State law; or

“(II) 73 times the individual’s average weekly benefit amount (as determined under subsection (b)(3)) for the benefit year.

“(B) AFTER AUGUST OF 2012.—Notwithstanding any provision of paragraph (1), if augmentation under this subsection occurs as of a week ending after September 2, 2012—

“(i) paragraph (1)(A) shall be applied by substituting ‘39 percent’ for ‘24 percent’; and

“(ii) paragraph (1)(B) shall be applied by substituting ‘10 times’ for ‘6 times’.”.

(d) ORDER OF PAYMENTS REQUIREMENT.—

(1) IN GENERAL.—Section 4001(e) of such Act is amended to read as follows:

“(e) COORDINATION RULE.—An agreement under this section shall apply with respect to a

State only upon a determination by the Secretary that, under the State law or other applicable rules of such State, the payment of extended compensation for which an individual is otherwise eligible must be deferred until after the payment of any emergency unemployment compensation under section 4002, as amended by the Unemployment Benefits Extension Act of 2012, for which the individual is concurrently eligible.”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 4001(b)(2) of such Act is amended—

(A) by striking “or extended compensation”; and

(B) by striking “law (except as provided under subsection (e));” and inserting “law;”.

(e) FUNDING.—Section 4004(e)(1) of such Act is amended—

(1) in subparagraph (G), by striking “and” at the end; and

(2) by inserting after subparagraph (H) the following:

“(I) the amendments made by section 2122 of the Unemployment Benefits Extension Act of 2012; and”.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (b), (c), and (d) shall take effect as of February 28, 2012, and shall apply with respect to weeks of unemployment beginning after that date.

(2) WEEK DEFINED.—For purposes of this subsection, the term “week” has the meaning given such term under section 4006 of the Supplemental Appropriations Act, 2008.

SEC. 2123. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) IN GENERAL.—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111 5 (26 U.S.C. 3304 note), is amended—

(1) by striking “March 7, 2012” each place it appears and inserting “December 31, 2012”; and

(2) in subsection (c), by striking “August 15, 2012” and inserting “June 30, 2013”.

(b) EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110 449; 26 U.S.C. 3304 note) is amended by striking “August 15, 2012” and inserting “June 30, 2013”.

(c) EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “February 29, 2012” and inserting “December 31, 2012”; and

(2) in subsection (f)(2), by striking “February 29, 2012” and inserting “December 31, 2012”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112-78).

SEC. 2124. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) EXTENSION.—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act, as added by section 2006 of the American Recovery and Reinvestment Act of 2009 (Public Law 96 111 5) and as amended by section 9 of the Worker, Homeownership, and Business Assistance Act of 2009 (Public Law 111 92), section 505 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (Public Law 111 312), and section 202 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112-78), is amended—

(1) by striking “August 31, 2011” and inserting “June 30, 2012”; and

(2) by striking “February 29, 2012” and inserting “December 31, 2012”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section

2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) FUNDING FOR ADMINISTRATION.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$500,000 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

Subtitle C—Improving Reemployment Strategies Under the Emergency Unemployment Compensation Program

SEC. 2141. IMPROVED WORK SEARCH FOR THE LONG-TERM UNEMPLOYED.

(a) IN GENERAL.—Section 4001(b) of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note) is amended—

(1) by striking “and” at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting “; and”; and

(3) by adding at the end the following:

“(4) are able to work, available to work, and actively seeking work.”.

(b) ACTIVELY SEEKING WORK.—Section 4001 of such Act is amended by adding at the end the following:

“(h) ACTIVELY SEEKING WORK.—

“(1) IN GENERAL.—For purposes of subsection (b)(4), the term ‘actively seeking work’ means, with respect to any individual, that such individual—

“(A) is registered for employment services in such a manner and to such extent as prescribed by the State agency;

“(B) has engaged in an active search for employment that is appropriate in light of the employment available in the labor market, the individual’s skills and capabilities, and includes a number of employer contacts that is consistent with the standards communicated to the individual by the State;

“(C) has maintained a record of such work search, including employers contacted, method of contact, and date contacted; and

“(D) when requested, has provided such work search record to the State agency.

“(2) RANDOM AUDITING.—The Secretary shall establish for each State a minimum number of claims for which work search records must be audited on a random basis in any given week.”.

SEC. 2142. REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) PROVISION OF SERVICES AND ACTIVITIES.—Section 4001 of such Act, as amended by section 2141(b), is further amended by added at the end the following:

“(i) PROVISION OF SERVICES AND ACTIVITIES.—

“(1) IN GENERAL.—An agreement under this section shall require the following:

“(A) The State which is party to such agreement shall provide reemployment services and reemployment and eligibility assessment activities to each individual—

“(i) who, on or after the 30th day after the date of enactment of the Extended Benefits, Reemployment, and Program Integrity Improvement Act, begins receiving amounts described in subsections (b) and (c); and

“(ii) while such individual continues to receive emergency unemployment compensation under this title.

“(B) As a condition of eligibility for emergency unemployment compensation for any week—

“(i) a claimant who has been duly referred to reemployment services shall participate in such services; and

“(ii) a claimant shall be actively seeking work (determined applying subsection (i)).

“(2) DESCRIPTION OF SERVICES AND ACTIVITIES.—The reemployment services and in-person reemployment and eligibility assessment activities provided to individuals receiving emergency unemployment compensation described in paragraph (1)—

“(A) shall include—

“(i) the provision of labor market and career information;

“(ii) an assessment of the skills of the individual;

“(iii) orientation to the services available through the one-stop centers established under title I of the Workforce Investment Act of 1998; and

“(iv) review of the eligibility of the individual for emergency unemployment compensation relating to the job search activities of the individual; and

“(B) may include the provision of—

“(i) comprehensive and specialized assessments;

“(ii) individual and group career counseling;

“(iii) training services;

“(iv) additional reemployment services; and

“(v) job search counseling and the development or review of an individual reemployment plan that includes participation in job search activities and appropriate workshops.

“(3) PARTICIPATION REQUIREMENT.—As a condition of continuing eligibility for emergency unemployment compensation for any week, an individual who has been referred to reemployment services or reemployment and eligibility assessment activities under this subsection shall participate in such services or activities, unless the State agency responsible for the administration of State unemployment compensation law determines that—

“(A) such individual has completed participating in such services or activities; or

“(B) there is justifiable cause for failure to participate or to complete participating in such services or activities, as determined in accordance with guidance to be issued by the Secretary.”.

(b) ISSUANCE OF GUIDANCE.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue guidance on the implementation of the reemployment services and reemployment and eligibility assessment activities required to be provided under the amendment made by subsection (a).

(c) FUNDING.—

(1) IN GENERAL.—Section 4004(c) of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note) is amended—

(A) by striking “STATES.—There” and inserting the following: “STATES.—

“(1) ADMINISTRATION.—There”; and

(B) by adding at the end the following new paragraph:

“(2) REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.—

“(A) APPROPRIATION.—There are appropriated from the general fund of the Treasury, for the period of fiscal year 2012 through fiscal year 2013, out of the employment security administration account (as established by section 901(a) of the Social Security Act), such sums as determined by the Secretary of Labor in accordance with subparagraph (B) to assist States in providing reemployment services and reemployment and eligibility assessment activities described in section 4001(h)(2).

“(B) DETERMINATION OF TOTAL AMOUNT.—The amount referred to in subparagraph (A) is the amount the Secretary of Labor estimates is equal to—

“(i) the number of individuals who will receive reemployment services and reemployment eligibility and assessment activities described in section 4001(h)(2) in all States through the date specified in section 4007(b)(3); multiplied by

“(ii) \$85.

“(C) DISTRIBUTION AMONG STATES.—Of the amounts appropriated under subparagraph (A),

the Secretary of Labor shall distribute amounts to each State, in accordance with section 4003(c), that the Secretary estimates is equal to—

“(i) the number of individuals who will receive reemployment services and reemployment and eligibility assessment activities described in section 4001(h)(2) in such State through the date specified in section 4007(b)(3); multiplied by
“(ii) \$85.”

(2) **TRANSFER OF FUNDS.**—Section 4004(e) of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note) is amended—

(A) in paragraph (1)(G), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following paragraph:

“(3) to the Employment Security Administration account (as established by section 901(a) of the Social Security Act) such sums as the Secretary of Labor determines to be necessary in accordance with subsection (c)(2) to assist States in providing reemployment services and reemployment eligibility and assessment activities described in section 4001(h)(2).”

SEC. 2143. PROMOTING PROGRAM INTEGRITY THROUGH BETTER RECOVERY OF OVERPAYMENTS.

Section 4005(c)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note) is amended—

(1) by striking “may” and inserting “shall”; and

(2) by striking “except that” and all that follows through “made” and inserting “in accordance with the same procedures as apply to the recovery of overpayments of regular unemployment benefits paid by the State”.

SEC. 2144. RESTORE STATE FLEXIBILITY TO IMPROVE UNEMPLOYMENT PROGRAM SOLVENCY.

Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note) shall not apply with respect to a State that has enacted a law before March 1, 2012, that, upon taking effect, would violate such subsection.

Subtitle D—Short-Time Compensation Program

SEC. 2160. SHORT TITLE.

This subtitle may be cited as the “Layoff Prevention Act of 2012”.

SEC. 2161. TREATMENT OF SHORT-TIME COMPENSATION PROGRAMS.

(a) **DEFINITION.**—

(1) **IN GENERAL.**—Section 3306 of the Internal Revenue Code of 1986 (26 U.S.C. 3306) is amended by adding at the end the following new subsection:

“(v) **SHORT-TIME COMPENSATION PROGRAM.**—For purposes of this part, the term ‘short-time compensation program’ means a program under which—

“(1) the participation of an employer is voluntary;

“(2) an employer reduces the number of hours worked by employees in lieu of layoffs;

“(3) such employees whose workweeks have been reduced by at least 10 percent, and by not more than the percentage, if any, that is determined by the State to be appropriate (but in no case more than 60 percent), are not disqualified from unemployment compensation;

“(4) the amount of unemployment compensation payable to any such employee is a pro rata portion of the unemployment compensation which would otherwise be payable to the employee if such employee were unemployed;

“(5) such employees meet the availability for work and work search test requirements while collecting short-time compensation benefits, by being available for their workweek as required by the State agency;

“(6) eligible employees may participate, as appropriate, in training (including employer-spon-

sored training or worker training funded under the Workforce Investment Act of 1998) to enhance job skills if such program has been approved by the State agency;

“(7) the State agency shall require employers to certify that if the employer provides health benefits and retirement benefits under a defined benefit plan (as defined in section 414(j)) or contributions under a defined contribution plan (as defined in section 414(i)) to any employee whose workweek is reduced under the program that such benefits will continue to be provided to employees participating in the short-time compensation program under the same terms and conditions as though the workweek of such employee had not been reduced or to the same extent as other employees not participating in the short-time compensation program;

“(8) the State agency shall require an employer to submit a written plan describing the manner in which the requirements of this subsection will be implemented (including a plan for giving advance notice, where feasible, to an employee whose workweek is to be reduced) together with an estimate of the number of layoffs that would have occurred absent the ability to participate in short-time compensation and such other information as the Secretary of Labor determines is appropriate;

“(9) the terms of the employer’s written plan and implementation shall be consistent with employer obligations under applicable Federal and State laws; and

“(10) upon request by the State and approval by the Secretary of Labor, only such other provisions are included in the State law that are determined to be appropriate for purposes of a short-time compensation program.”

(2) **EFFECTIVE DATE.**—Subject to paragraph (3), the amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(3) **TRANSITION PERIOD FOR EXISTING PROGRAMS.**—In the case of a State that is administering a short-time compensation program as of the date of the enactment of this Act and the State law cannot be administered consistent with the amendment made by paragraph (1), such amendment shall take effect on the earlier of—

(A) the date the State changes its State law in order to be consistent with such amendment; or
(B) the date that is 2 years and 6 months after the date of the enactment of this Act.

(b) **CONFORMING AMENDMENTS.**—

(1) **INTERNAL REVENUE CODE OF 1986.**—

(A) Subparagraph (E) of section 3304(a)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

“(E) amounts may be withdrawn for the payment of short-time compensation under a short-time compensation program (as defined under section 3306(v));”

(B) Subsection (f) of section 3306 of the Internal Revenue Code of 1986 is amended—

(i) by striking paragraph (5) (relating to short-time compensation) and inserting the following new paragraph:

“(5) amounts may be withdrawn for the payment of short-time compensation under a short-time compensation program (as defined in subsection (v)); and”; and

(ii) by redesignating paragraph (5) (relating to self-employment assistance program) as paragraph (6).

(2) **SOCIAL SECURITY ACT.**—Section 303(a)(5) of the Social Security Act is amended by striking “the payment of short-time compensation under a plan approved by the Secretary of Labor” and inserting “the payment of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986)”.

(3) **UNEMPLOYMENT COMPENSATION AMENDMENTS OF 1992.**—Subsections (b) through (d) of section 401 of the Unemployment Compensation Amendments of 1992 (26 U.S.C. 3304 note) are repealed.

SEC. 2162. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION PAYMENTS IN STATES WITH PROGRAMS IN LAW.

(a) **PAYMENTS TO STATES.**—

(1) **IN GENERAL.**—Subject to paragraph (3), there shall be paid to a State an amount equal to 100 percent of the amount of short-time compensation paid under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a)) under the provisions of the State law.

(2) **TERMS OF PAYMENTS.**—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary’s estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) **LIMITATIONS ON PAYMENTS.**—

(A) **GENERAL PAYMENT LIMITATIONS.**—No payments shall be made to a State under this section for short-time compensation paid to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents’ allowances) under the State law payable to such individual for a week of total unemployment.

(B) **EMPLOYER LIMITATIONS.**—No payments shall be made to a State under this section for benefits paid to an individual by the State under a short-time compensation program if such individual is employed by the participating employer on a seasonal, temporary, or intermittent basis.

(b) **APPLICABILITY.**—

(1) **IN GENERAL.**—Payments to a State under subsection (a) shall be available for weeks of unemployment—

(A) beginning on or after the date of the enactment of this Act; and

(B) ending on or before the date that is 3 years and 6 months after the date of the enactment of this Act.

(2) **THREE-YEAR FUNDING LIMITATION FOR COMBINED PAYMENTS UNDER THIS SECTION AND SECTION 2163.**—States may receive payments under this section and section 2163 with respect to a total of not more than 156 weeks.

(c) **TWO-YEAR TRANSITION PERIOD FOR EXISTING PROGRAMS.**—During any period that the transition provision under section 2161(a)(3) is applicable to a State with respect to a short-time compensation program, such State shall be eligible for payments under this section. Subject to paragraphs (1)(B) and (2) of subsection (b), if at any point after the date of the enactment of this Act the State enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a), the State shall be eligible for payments under this section after the effective date of such enactment.

(d) **FUNDING AND CERTIFICATIONS.**—

(1) **FUNDING.**—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of carrying out this section.

(2) **CERTIFICATIONS.**—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(e) **DEFINITIONS.**—In this section:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of Labor.

(2) **STATE; STATE AGENCY; STATE LAW.**—The terms “State”, “State agency”, and “State law” have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 2163. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION AGREEMENTS.**(a) FEDERAL-STATE AGREEMENTS.—**

(1) **IN GENERAL.**—Any State which desires to do so may enter into, and participate in, an agreement under this section with the Secretary provided that such State's law does not provide for the payment of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a)).

(2) **ABILITY TO TERMINATE.**—Any State which is a party to an agreement under this section may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF FEDERAL-STATE AGREEMENT.—

(1) **IN GENERAL.**—Any agreement under this section shall provide that the State agency of the State will make payments of short-time compensation under a plan approved by the State. Such plan shall provide that payments are made in accordance with the requirements under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a).

(2) LIMITATIONS ON PLANS.—

(A) **GENERAL PAYMENT LIMITATIONS.**—A short-time compensation plan approved by a State shall not permit the payment of short-time compensation to an individual by the State during a benefit year in excess of 26 times the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for a week of total unemployment.

(B) **EMPLOYER LIMITATIONS.**—A short-time compensation plan approved by a State shall not provide payments to an individual if such individual is employed by the participating employer on a seasonal, temporary, or intermittent basis.

(3) **EMPLOYER PAYMENT OF COSTS.**—Any short-time compensation plan entered into by an employer must provide that the employer will pay the State an amount equal to one-half of the amount of short-time compensation paid under such plan. Such amount shall be deposited in the State's unemployment fund and shall not be used for purposes of calculating an employer's contribution rate under section 3303(a)(1) of the Internal Revenue Code of 1986.

(c) PAYMENTS TO STATES.—

(1) **IN GENERAL.**—There shall be paid to each State with an agreement under this section an amount equal to—

(A) one-half of the amount of short-time compensation paid to individuals by the State pursuant to such agreement; and

(B) any additional administrative expenses incurred by the State by reason of such agreement (as determined by the Secretary).

(2) **TERMS OF PAYMENTS.**—Payments made to a State under paragraph (1) shall be payable by way of reimbursement in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(3) **FUNDING.**—There are appropriated, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary for purposes of carrying out this section.

(4) **CERTIFICATIONS.**—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this section.

(d) APPLICABILITY.—

(1) **IN GENERAL.**—An agreement entered into under this section shall apply to weeks of unemployment—

(A) beginning on or after the date on which such agreement is entered into; and

(B) ending on or before the date that is 2 years and 13 weeks after the date of the enactment of this Act.

(2) **TWO-YEAR FUNDING LIMITATION.**—States may receive payments under this section with respect to a total of not more than 104 weeks.

(e) **SPECIAL RULE.**—If a State has entered into an agreement under this section and subsequently enacts a State law providing for the payment of short-time compensation under a short-time compensation program that meets the definition of such a program under section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a), the State—

(1) shall not be eligible for payments under this section for weeks of unemployment beginning after the effective date of such State law; and

(2) subject to paragraphs (1)(B) and (2) of section 2162(b), shall be eligible to receive payments under section 2162 after the effective date of such State law.

(f) DEFINITIONS.—In this section:

(1) **SECRETARY.**—The term "Secretary" means the Secretary of Labor.

(2) **STATE; STATE AGENCY; STATE LAW.**—The terms "State", "State agency", and "State law" have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 2164. GRANTS FOR SHORT-TIME COMPENSATION PROGRAMS.**(a) GRANTS.—**

(1) **FOR IMPLEMENTATION OR IMPROVED ADMINISTRATION.**—The Secretary shall award grants to States that enact short-time compensation programs (as defined in subsection (i)(2)) for the purpose of implementation or improved administration of such programs.

(2) **FOR PROMOTION AND ENROLLMENT.**—The Secretary shall award grants to States that are eligible and submit plans for a grant under paragraph (1) for such States to promote and enroll employers in short-time compensation programs (as so defined).

(3) ELIGIBILITY.—

(A) **IN GENERAL.**—The Secretary shall determine eligibility criteria for the grants under paragraphs (1) and (2).

(B) **CLARIFICATION.**—A State administering a short-time compensation program, including a program being administered by a State that is participating in the transition under the provisions of sections 301(a)(3) and 302(c), that does not meet the definition of a short-time compensation program under section 3306(v) of the Internal Revenue Code of 1986 (as added by 211(a)), and a State with an agreement under section 2163, shall not be eligible to receive a grant under this section until such time as the State law of the State provides for payments under a short-time compensation program that meets such definition and such law.

(b) AMOUNT OF GRANTS.—

(1) **IN GENERAL.**—The maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying \$100,000,000 (less the amount used by the Secretary under subsection (e)) by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 1103) for purposes of determining such State's share of any excess amount (as described in subsection (a)(1) of such section) that would have been subject to transfer to State accounts, as of October 1, 2010, under the provisions of subsection (a) of such section.

(2) **AMOUNT AVAILABLE FOR DIFFERENT GRANTS.**—Of the maximum incentive payment determined under paragraph (1) with respect to a State—

(A) one-third shall be available for a grant under subsection (a)(1); and

(B) two-thirds shall be available for a grant under subsection (a)(2).

(c) GRANT APPLICATION AND DISBURSAL.—

(1) **APPLICATION.**—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and complete with

such information as the Secretary may require. In no case may the Secretary award a grant under this section with respect to an application that is submitted after December 31, 2014.

(2) **NOTICE.**—The Secretary shall, within 30 days after receiving a complete application, notify the State agency of the State of the Secretary's findings with respect to the requirements for a grant under paragraph (1) or (2) (or both) of subsection (a).

(3) **CERTIFICATION.**—If the Secretary finds that the State law provisions meet the requirements for a grant under subsection (a), the Secretary shall thereupon make a certification to that effect to the Secretary of the Treasury, together with a certification as to the amount of the grant payment to be transferred to the State account in the Unemployment Trust Fund (as established in section 904(a) of the Social Security Act (42 U.S.C. 1104(a))) pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer to the State account within 7 days after receiving such certification.

(4) **REQUIREMENT.**—No certification of compliance with the requirements for a grant under paragraph (1) or (2) of subsection (a) may be made with respect to any State whose—

(A) State law is not otherwise eligible for certification under section 303 of the Social Security Act (42 U.S.C. 503) or approvable under section 3304 of the Internal Revenue Code of 1986; or

(B) short-time compensation program is subject to discontinuation or is not scheduled to take effect within 12 months of the certification.

(d) **USE OF FUNDS.**—The amount of any grant awarded under this section shall be used for the implementation of short-time compensation programs and the overall administration of such programs and the promotion and enrollment efforts associated with such programs, such as through—

(1) the creation or support of rapid response teams to advise employers about alternatives to layoffs;

(2) the provision of education or assistance to employers to enable them to assess the feasibility of participating in short-time compensation programs; and

(3) the development or enhancement of systems to automate—

(A) the submission and approval of plans; and

(B) the filing and approval of new and ongoing short-time compensation claims.

(e) **ADMINISTRATION.**—The Secretary is authorized to use 0.25 percent of the funds available under subsection (g) to provide for outreach and to share best practices with respect to this section and short-time compensation programs.

(f) **RECOUPMENT.**—The Secretary shall establish a process under which the Secretary shall recoup the amount of any grant awarded under paragraph (1) or (2) of subsection (a) if the Secretary determines that, during the 5-year period beginning on the first date that any such grant is awarded to the State, the State—

(1) terminated the State's short-time compensation program; or

(2) failed to meet appropriate requirements with respect to such program (as established by the Secretary).

(g) **FUNDING.**—There are appropriated, out of moneys in the Treasury not otherwise appropriated, to the Secretary, \$100,000,000 to carry out this section, to remain available without fiscal year limitation.

(h) **REPORTING.**—The Secretary may establish reporting requirements for States receiving a grant under this section in order to provide oversight of grant funds.

(i) DEFINITIONS.—In this section:

(1) **SECRETARY.**—The term "Secretary" means the Secretary of Labor.

(2) **SHORT-TIME COMPENSATION PROGRAM.**—The term "short-time compensation program" has the meaning given such term in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a).

(3) STATE; STATE AGENCY; STATE LAW.—The terms “State”, “State agency”, and “State law” have the meanings given those terms in section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

SEC. 2165. ASSISTANCE AND GUIDANCE IN IMPLEMENTING PROGRAMS.

(a) IN GENERAL.—In order to assist States in establishing, qualifying, and implementing short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a)), the Secretary of Labor (in this section referred to as the “Secretary”) shall—

(1) develop model legislative language which may be used by States in developing and enacting such programs and periodically review and revise such model legislative language;

(2) provide technical assistance and guidance in developing, enacting, and implementing such programs;

(3) establish reporting requirements for States, including reporting on—

(A) the number of estimated averted layoffs;

(B) the number of participating employers and workers; and

(C) such other items as the Secretary of Labor determines are appropriate.

(b) MODEL LANGUAGE AND GUIDANCE.—The model language and guidance developed under subsection (a) shall allow sufficient flexibility by States and participating employers while ensuring accountability and program integrity.

(c) CONSULTATION.—In developing the model legislative language and guidance under subsection (a), and in order to meet the requirements of subsection (b), the Secretary shall consult with employers, labor organizations, State workforce agencies, and other program experts.

SEC. 2166. REPORTS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 4 years after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress and to the President a report or reports on the implementation of the provisions of this subtitle.

(2) REQUIREMENTS.—Any report under paragraph (1) shall at a minimum include the following:

(A) A description of best practices by States and employers in the administration, promotion, and use of short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986, as added by section 2161(a)).

(B) An analysis of the significant challenges to State enactment and implementation of short-time compensation programs.

(C) A survey of employers in all States to determine the level of interest in participating in short-time compensation programs.

(b) FUNDING.—There are appropriated, out of any moneys in the Treasury not otherwise appropriated, to the Secretary of Labor, \$1,500,000 to carry out this section, to remain available without fiscal year limitation.

Subtitle E—Self-Employment Assistance

SEC. 2181. STATE ADMINISTRATION OF SELF-EMPLOYMENT ASSISTANCE PROGRAMS.

(a) AVAILABILITY FOR INDIVIDUALS RECEIVING EXTENDED COMPENSATION.—Title II of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended by inserting at the end the following new section:

“AUTHORITY TO CONDUCT SELF-EMPLOYMENT ASSISTANCE PROGRAMS

“SEC. 208. (a)(1) At the option of a State, for any weeks of unemployment beginning after the date of enactment of this section, the State agency of the State may establish a self-employment assistance program, as described in subsection (b), to provide for the payment of extended compensation as self-employment assistance allowances to individuals who would otherwise satisfy the eligibility criteria under this title.

“(2) Subject to paragraph (3), the self-employment assistance allowance described in paragraph (1) shall be paid to an eligible individual from such individual’s extended compensation account, as described in section 202(b), and the amount in such account shall be reduced accordingly.

“(3)(A) Subject to subparagraph (B), for purposes of self-employment assistance programs established under this section and section 4001(j) of the Supplemental Appropriations Act, 2008, an individual shall be provided with self-employment assistance allowances under such programs for a total of not greater than 26 weeks (referred to in this section as the ‘combined eligibility limit’).

“(B) For purposes of an individual who is participating in a self-employment assistance program established under this section and has not reached the combined eligibility limit as of the date on which such individual exhausts all rights to extended compensation under this title, the individual shall be eligible to receive self-employment assistance allowances under a self-employment assistance program established under section 4001(j) of the Supplemental Appropriations Act, 2008, until such individual has reached the combined eligibility limit, provided that the individual otherwise satisfies the eligibility criteria described under title IV of such Act.

“(b) For the purposes of this section, the term ‘self-employment assistance program’ means a program as defined under section 3306(t) of the Internal Revenue Code of 1986, except as follows:

“(1) all references to ‘regular unemployment compensation under the State law’ shall be deemed to refer instead to ‘extended compensation under title II of the Federal-State Extended Unemployment Compensation Act of 1970’;

“(2) paragraph (3)(B) shall not apply;

“(3) clause (i) of paragraph (3)(C) shall be deemed to state as follows:

“(i) include any entrepreneurial training that the State or non-profit organizations may provide in coordination with programs of training offered by the Small Business Administration, which may include business counseling, mentorship for participants, access to small business development resources, and technical assistance; and”;

“(4) the reference to ‘5 percent’ in paragraph (4) shall be deemed to refer instead to ‘1 percent’; and

“(5) paragraph (5) shall not apply.

“(c) In the case of an individual who is eligible to receive extended compensation under this title, such individual shall not receive self-employment assistance allowances under this section unless the State agency has a reasonable expectation that such individual will be entitled to at least 13 times the individual’s average weekly benefit amount of extended compensation and emergency unemployment compensation.

“(d)(1) An individual who is participating in a self-employment assistance program established under this section may elect to discontinue participation in such program at any time.

“(2) For purposes of an individual whose participation in a self-employment assistance program established under this section is terminated pursuant to subsection (a)(3) or who has discontinued participation in such program, if the individual continues to satisfy the eligibility requirements for extended compensation under this title, the individual shall receive extended compensation payments with respect to subsequent weeks of unemployment, to the extent that amounts remain in the account established for such individual under section 202(b).”.

(b) AVAILABILITY FOR INDIVIDUALS RECEIVING EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110 252; 26 U.S.C. 3304 note), as amended by sections 2141(b) and 2142(a), is further amended by inserting at the end the following new subsection:

“(j) AUTHORITY TO CONDUCT SELF-EMPLOYMENT ASSISTANCE PROGRAM.—

“(1) IN GENERAL.—

“(A) ESTABLISHMENT.—Any agreement under subsection (a) may provide that the State agency of the State shall establish a self-employment assistance program, as described in paragraph (2), to provide for the payment of emergency unemployment compensation as self-employment assistance allowances to individuals who would otherwise satisfy the eligibility criteria specified in subsection (b).

“(B) PAYMENT OF ALLOWANCES.—Subject to subparagraph (C), the self-employment assistance allowance described in subparagraph (A) shall be paid to an eligible individual from such individual’s emergency unemployment compensation account, as described in section 4002, and the amount in such account shall be reduced accordingly.

“(C) LIMITATION ON SELF-EMPLOYMENT ASSISTANCE FOR INDIVIDUALS RECEIVING EXTENDED COMPENSATION AND EMERGENCY UNEMPLOYMENT COMPENSATION.—

“(i) COMBINED ELIGIBILITY LIMIT.—Subject to clause (ii), for purposes of self-employment assistance programs established under this subsection and section 208 of the Federal-State Extended Unemployment Compensation Act of 1970, an individual shall be provided with self-employment assistance allowances under such programs for a total of not greater than 26 weeks (referred to in this subsection as the ‘combined eligibility limit’).

“(ii) CARRYOVER RULE.—For purposes of an individual who is participating in a self-employment assistance program established under this subsection and has not reached the combined eligibility limit as of the date on which such individual exhausts all rights to extended compensation under this title, the individual shall be eligible to receive self-employment assistance allowances under a self-employment assistance program established under section 208 of the Federal-State Extended Unemployment Compensation Act of 1970 until such individual has reached the combined eligibility limit, provided that the individual otherwise satisfies the eligibility criteria described under title II of such Act.

“(2) DEFINITION OF ‘SELF-EMPLOYMENT ASSISTANCE PROGRAM’.—For the purposes of this section, the term ‘self-employment assistance program’ means a program as defined under section 3306(t) of the Internal Revenue Code of 1986, except as follows:

“(A) all references to ‘regular unemployment compensation under the State law’ shall be deemed to refer instead to ‘emergency unemployment compensation under title IV of the Supplemental Appropriations Act, 2008’;

“(B) paragraph (3)(B) shall not apply;

“(C) clause (i) of paragraph (3)(C) shall be deemed to state as follows:

“(i) include any entrepreneurial training that the State or non-profit organizations may provide in coordination with programs of training offered by the Small Business Administration, which may include business counseling, mentorship for participants, access to small business development resources, and technical assistance; and”;

“(D) the reference to ‘5 percent’ in paragraph (4) shall be deemed to refer instead to ‘1 percent’; and

“(E) paragraph (5) shall not apply.

“(3) AVAILABILITY OF SELF-EMPLOYMENT ASSISTANCE ALLOWANCES.—In the case of an individual who is eligible to receive emergency unemployment compensation payment under this title, such individual shall not receive self-employment assistance allowances under this subsection unless the State agency has a reasonable expectation that such individual will be entitled to at least 13 times the individual’s average weekly benefit amount of extended compensation and emergency unemployment compensation.

“(4) PARTICIPANT OPTION TO TERMINATE PARTICIPATION IN SELF-EMPLOYMENT ASSISTANCE PROGRAM.—

“(A) TERMINATION.—An individual who is participating in a self-employment assistance program established under this subsection may elect to discontinue participation in such program at any time.

“(B) CONTINUED ELIGIBILITY FOR EMERGENCY UNEMPLOYMENT COMPENSATION.—For purposes of an individual whose participation in the self-employment assistance program established under this subsection is terminated pursuant to paragraph (1)(C) or who has discontinued participation in such program, if the individual continues to satisfy the eligibility requirements for emergency unemployment compensation under this title, the individual shall receive emergency unemployment compensation payments with respect to subsequent weeks of unemployment, to the extent that amounts remain in the account established for such individual under section 4002(b) or to the extent that such individual commences receiving the amounts described in subsections (c), (d), or (e) of such section, respectively.”

SEC. 2182. GRANTS FOR SELF-EMPLOYMENT ASSISTANCE PROGRAMS.

(a) IN GENERAL.—

(1) ESTABLISHMENT OR IMPROVED ADMINISTRATION.—Subject to the requirements established under subsection (b), the Secretary shall award grants to States for the purposes of—

(A) improved administration of self-employment assistance programs that have been established, prior to the date of the enactment of this Act, pursuant to section 3306(t) of the Internal Revenue Code of 1986 (26 U.S.C. 3306(t)), for individuals who are eligible to receive regular unemployment compensation;

(B) development, implementation, and administration of self-employment assistance programs that are established, subsequent to the date of the enactment of this Act, pursuant to section 3306(t) of the Internal Revenue Code of 1986, for individuals who are eligible to receive regular unemployment compensation; and

(C) development, implementation, and administration of self-employment assistance programs that are established pursuant to section 208 of the Federal-State Extended Unemployment Compensation Act of 1970 or section 4001(j) of the Supplemental Appropriations Act, 2008, for individuals who are eligible to receive extended compensation or emergency unemployment compensation.

(2) PROMOTION AND ENROLLMENT.—Subject to the requirements established under subsection (b), the Secretary shall award additional grants to States that submit approved applications for a grant under paragraph (1) for such States to promote self-employment assistance programs and enroll unemployed individuals in such programs.

(b) APPLICATION AND DISBURSAL.—

(1) APPLICATION.—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as is determined appropriate by the Secretary. In no case shall the Secretary award a grant under this section with respect to an application that is submitted after December 31, 2013.

(2) NOTICE.—Not later than 30 days after receiving an application described in paragraph (1) from a State, the Secretary shall notify the State agency as to whether a grant has been approved for such State for the purposes described in subsection (a).

(3) CERTIFICATION.—If the Secretary determines that a State has met the requirements for a grant under subsection (a), the Secretary shall make a certification to that effect to the Secretary of the Treasury, as well as a certification as to the amount of the grant payment to be transferred to the State account in the Unemployment Trust Fund under section 904 of the

Social Security Act (42 U.S.C. 1104). The Secretary of the Treasury shall make the appropriate transfer to the State account not later than 7 days after receiving such certification.

(c) ALLOTMENT FACTORS.—For purposes of allotting the funds available under subsection (d) to States that have met the requirements for a grant under this section, the amount of the grant provided to each State shall be determined based upon the percentage of unemployed individuals in the State relative to the percentage of unemployed individuals in all States.

(d) FUNDING.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, \$35,000,000 for the period of fiscal year 2012 through fiscal year 2013 for purposes of carrying out the grant program under this section.

SEC. 2183. ASSISTANCE AND GUIDANCE IN IMPLEMENTING SELF-EMPLOYMENT ASSISTANCE PROGRAMS.

(a) MODEL LANGUAGE AND GUIDANCE.—For purposes of assisting States in establishing, improving, and administering self-employment assistance programs, the Secretary shall—

(1) develop model language that may be used by States in enacting such programs, as well as periodically review and revise such model language; and

(2) provide technical assistance and guidance in establishing, improving, and administering such programs.

(b) REPORTING AND EVALUATION.—

(1) REPORTING.—The Secretary shall establish reporting requirements for States that have established self-employment assistance programs, which shall include reporting on—

(A) the total number of individuals who received unemployment compensation and—

(i) were referred to a self-employment assistance program;

(ii) participated in such program; and

(iii) received an allowance under such program;

(B) the total amount of allowances provided to individuals participating in a self-employment assistance program;

(C) the total income (as determined by survey or other appropriate method) for businesses that have been established by individuals participating in a self-employment assistance program, as well as the total number of individuals employed through such businesses; and

(D) any additional information, as determined appropriate by the Secretary.

(2) EVALUATION.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report that evaluates the effectiveness of self-employment assistance programs established by States, including—

(A) an analysis of the implementation and operation of self-employment assistance programs by States;

(B) an evaluation of the economic outcomes for individuals who participated in a self-employment assistance program as compared to individuals who received unemployment compensation and did not participate in a self-employment assistance program, including a comparison as to employment status, income, and duration of receipt of unemployment compensation or self-employment assistance allowances; and

(C) an evaluation of the state of the businesses started by individuals who participated in a self-employment assistance program, including information regarding—

(i) the type of businesses established;

(ii) the sustainability of the businesses;

(iii) the total income collected by the businesses;

(iv) the total number of individuals employed through such businesses; and

(v) the estimated Federal and State tax revenue collected from such businesses and their employees.

(c) FLEXIBILITY AND ACCOUNTABILITY.—The model language, guidance, and reporting re-

quirements developed by the Secretary under subsections (a) and (b) shall—

(1) allow sufficient flexibility for States and participating individuals; and

(2) ensure accountability and program integrity.

(d) CONSULTATION.—For purposes of developing the model language, guidance, and reporting requirements described under subsections (a) and (b), the Secretary shall consult with employers, labor organizations, State agencies, and other relevant program experts.

(e) ENTREPRENEURIAL TRAINING PROGRAMS.—The Secretary shall utilize resources available through the Department of Labor and coordinate with the Administrator of the Small Business Administration to ensure that adequate funding is reserved and made available for the provision of entrepreneurial training to individuals participating in self-employment assistance programs.

(f) SELF-EMPLOYMENT ASSISTANCE PROGRAM.—For purposes of this section, the term “self-employment assistance program” means a program established pursuant to section 3306(t) of the Internal Revenue Code of 1986 (26 U.S.C. 3306(t)), section 208 of the Federal-State Extended Unemployment Compensation Act of 1970, or section 4001(j) of the Supplemental Appropriations Act, 2008, for individuals who are eligible to receive regular unemployment compensation, extended compensation, or emergency unemployment compensation.

SEC. 2184. DEFINITIONS.

In this subtitle:

(1) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(2) STATE; STATE AGENCY.—The terms “State” and “State agency” have the meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

TITLE III—MEDICARE AND OTHER HEALTH PROVISIONS

Subtitle A—Medicare Extensions

SEC. 3001. EXTENSION OF MMA SECTION 508 RECLASSIFICATIONS.

(a) IN GENERAL.—Section 106(a) of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395 note), as amended by section 117 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110 173), section 124 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110 275), sections 3137(a) and 10317 of the Patient Protection and Affordable Care Act (Public Law 111 148), section 102(a) of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111 309), and section 302(a) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended by striking “November 30, 2011” and inserting “March 31, 2012”.

(b) SPECIAL RULE.—

(1) IN GENERAL.—Subject to paragraph (2), for purposes of implementation of the amendment made by subsection (a), including for purposes of the implementation of paragraph (2) of section 117(a) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110 173), for the period beginning on December 1, 2011, and ending on March 31, 2012, the Secretary of Health and Human Services shall use the hospital wage index that was promulgated by the Secretary of Health and Human Services in the Federal Register on August 18, 2011 (76 Fed. Reg. 51476), and any subsequent corrections.

(2) EXCEPTION.—In determining the wage index applicable to hospitals that qualify for wage index reclassification, the Secretary shall, for the period described in paragraph (1), include the average hourly wage data of hospitals whose reclassification was extended pursuant to the amendment made by subsection (a) only if including such data results in a higher applicable reclassified wage index. Any revision to hospital wage indexes made as a result of this paragraph shall not be effected in a budget neutral manner.

(c) TIMEFRAME FOR PAYMENTS.—

(1) **IN GENERAL.**—The Secretary shall make payments required under subsections (a) and (b) by not later than June 30, 2012.

(2) **OCTOBER 2011 AND NOVEMBER 2011 CONFORMING CHANGE.**—Section 302(c) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112-78) is amended by striking “December 31, 2012” and inserting “June 30, 2012”.

SEC. 3002. EXTENSION OF OUTPATIENT HOLD HARMLESS PAYMENTS.

(a) **IN GENERAL.**—Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)), as amended by section 308 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended—

(1) in subclause (II)—

(A) in the first sentence, by striking “March 1, 2012” and inserting “January 1, 2013”; and

(B) in the second sentence, by striking “or the first two months of 2012” and inserting “or 2012”; and

(2) in subclause (III), in the first sentence, by striking “March 1, 2012” and inserting “January 1, 2013”.

(b) **REPORT.**—Not later than July 1, 2012, the Secretary of Health and Human Services shall submit to the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report including recommendations for which types of hospitals should continue to receive hold harmless payments described in subclauses (II) and (III) of section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)) in order to maintain adequate beneficiary access to outpatient services. In conducting such report, the Secretary should examine why some similarly situated hospitals do not receive such hold harmless payments and are able to rely only on the prospective payment system for hospital outpatient department services under section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)).

SEC. 3003. PHYSICIAN PAYMENT UPDATE.

(a) **IN GENERAL.**—Section 1848(d)(13) of the Social Security Act (42 U.S.C. 1395w 4(d)(13)), as added by section 301 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended—

(1) in the heading, by striking “FIRST TWO MONTHS OF 2012” and inserting “2012”;

(2) in subparagraph (A), by striking “the period beginning on January 1, 2012, and ending on February 29, 2012” and inserting “2012”;

(3) in the heading of subparagraph (B), by striking “REMAINING PORTION OF 2012” and inserting “2013”; and

(4) in subparagraph (B), by striking “for the period beginning on March 1, 2012, and ending on December 31, 2012, and for 2013” and inserting “for 2013”.

(b) **MANDATED STUDIES ON PHYSICIAN PAYMENT REFORM.**—

(1) **STUDY BY SECRETARY ON OPTIONS FOR BUNDLED OR EPISODE-BASED PAYMENT.**—

(A) **IN GENERAL.**—The Secretary of Health and Human Services shall conduct a study that examines options for bundled or episode-based payments, to cover physicians’ services currently paid under the physician fee schedule under section 1848 of the Social Security Act (42 U.S.C. 1395w 4), for one or more prevalent chronic conditions (such as cancer, diabetes, and congestive heart failure) or episodes of care for one or more major procedures (such as medical device implantation). In conducting the study, the Secretary shall consult with medical professional societies and other relevant stakeholders. The study shall include an examination of related private payer payment initiatives.

(B) **REPORT.**—Not later than January 1, 2013, the Secretary shall submit to the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the study conducted under this paragraph. The Secretary

shall include in the report recommendations on suitable alternative payment options for services paid under such fee schedule and on associated implementation requirements (such as timelines, operational issues, and interactions with other payment reform initiatives).

(2) **GAO STUDY OF PRIVATE PAYER INITIATIVES.**—

(A) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study that examines initiatives of private entities offering or administering health insurance coverage, group health plans, or other private health benefit plans to base or adjust physician payment rates under such coverage or plans for performance on quality and efficiency, as well as demonstration of care delivery improvement activities (such as adherence to evidence-based guidelines and patient-shared decision making programs). In conducting such study, the Comptroller General shall consult, to the extent appropriate, with medical professional societies and other relevant stakeholders.

(B) **REPORT.**—Not later than January 1, 2013, the Comptroller General shall submit to the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the study conducted under this paragraph. Such report shall include an assessment of the applicability of the payer initiatives described in subparagraph (A) to the Medicare program and recommendations on modifications to existing Medicare performance-based initiatives.

SEC. 3004. WORK GEOGRAPHIC ADJUSTMENT.

(a) **IN GENERAL.**—Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w 4(e)(1)(E)), as amended by section 303 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended by striking “before March 1, 2012” and inserting “before January 1, 2013”.

(b) **REPORT.**—Not later than June 15, 2013, the Medicare Payment Advisory Commission shall submit to the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report that assesses whether any adjustment under section 1848 of the Social Security Act (42 U.S.C. 1395w 4) to distinguish the difference in work effort by geographic area is appropriate and, if so, what that level should be and where it should be applied. The report shall also assess the impact of the work geographic adjustment under such section, including the extent to which the floor on such adjustment impacts access to care.

SEC. 3005. PAYMENT FOR OUTPATIENT THERAPY SERVICES.

(a) **APPLICATION OF ADDITIONAL REQUIREMENTS.**—Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)), as amended by section 304 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended—

(1) by inserting “(A)” after “(5)”;

(2) in the first sentence, by striking “February 29, 2012” and inserting “December 31, 2012”;

(3) in the first sentence, by inserting “and if the requirement of subparagraph (B) is met” after “medically necessary”;

(4) in the second sentence, by inserting “made in accordance with such requirement” after “receipt of the request”; and

(5) by adding at the end the following new subparagraphs:

“(B) In the case of outpatient therapy services for which an exception is requested under the first sentence of subparagraph (A), the claim for such services shall contain an appropriate modifier (such as the KX modifier used as of the date of the enactment of this subparagraph) indicating that such services are medically necessary as justified by appropriate documentation in the medical record involved.

“(C)(i) In applying this paragraph with respect to a request for an exception with respect

to expenses that would be incurred for outpatient therapy services (including services described in subsection (a)(8)(B)) that would exceed the threshold described in clause (ii) for a year, the request for such an exception, for services furnished on or after October 1, 2012, shall be subject to a manual medical review process that is similar to the manual medical review process used for certain exceptions under this paragraph in 2006.

“(ii) The threshold under this clause for a year is \$3,700. Such threshold shall be applied separately—

“(I) for physical therapy services and speech-language pathology services; and

“(II) for occupational therapy services.”.

(b) **TEMPORARY APPLICATION OF THERAPY CAP TO THERAPY FURNISHED AS PART OF HOSPITAL OUTPATIENT SERVICES.**—Section 1833(g) of such Act (42 U.S.C. 1395l(g)) is amended—

(1) in each of paragraphs (1) and (3), by striking “but not described in section 1833(a)(8)(B)” and inserting “but (except as provided in paragraph (6)) not described in subsection (a)(8)(B)”; and

(2) by adding at the end the following new paragraph:

“(6) In applying paragraphs (1) and (3) to services furnished during the period beginning not later than October 1, 2012, and ending on December 31, 2012, the exclusion of services described in subsection (a)(8)(B) from the uniform dollar limitation specified in paragraph (2) shall not apply to such services furnished during 2012.”.

(c) **REQUIREMENT FOR INCLUSION ON CLAIMS OF NPI OF PHYSICIAN WHO REVIEWS THERAPY PLAN.**—Section 1842(t) of such Act (42 U.S.C. 1395u(t)) is amended—

(1) by inserting “(1)” after “(t)”; and

(2) by adding at the end the following new paragraph:

“(2) Each request for payment, or bill submitted, for therapy services described in paragraph (1) or (3) of section 1833(g), including services described in section 1833(a)(8)(B), furnished on or after October 1, 2012, for which payment may be made under this part shall include the national provider identifier of the physician who periodically reviews the plan for such services under section 1861(p)(2).”.

(d) **IMPLEMENTATION.**—The Secretary of Health and Human Services shall implement such claims processing edits and issue such guidance as may be necessary to implement the amendments made by this section in a timely manner. Notwithstanding any other provision of law, the Secretary may implement the amendments made by this section by program instruction. Of the amount of funds made available to the Secretary for fiscal year 2012 for program management for the Centers for Medicare & Medicaid Services, not to exceed \$9,375,000 shall be available for such fiscal year and the first 3 months of fiscal year 2013 to carry out section 1833(g)(5)(C) of the Social Security Act (relating to manual medical review), as added by subsection (a).

(e) **EFFECTIVE DATE.**—The requirement of subparagraph (B) of section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)), as added by subsection (a), shall apply to services furnished on or after March 1, 2012.

(f) **MEDPAC REPORT ON IMPROVED MEDICARE THERAPY BENEFITS.**—Not later than June 15, 2013, the Medicare Payment Advisory Commission shall submit to the Committees on Energy and Commerce and Ways and Means of the House of Representatives and to the Committee on Finance of the Senate a report making recommendations on how to improve the outpatient therapy benefit under part B of title XVIII of the Social Security Act. The report shall include recommendations on how to reform the payment system for such outpatient therapy services under such part so that the benefit is better designed to reflect individual acuity, condition, and therapy needs of the patient. Such report shall include an examination of private sector

initiatives relating to outpatient therapy benefits.

(g) **COLLECTION OF ADDITIONAL DATA.**—

(1) **STRATEGY.**—The Secretary of Health and Human Services shall implement, beginning on January 1, 2013, a claims-based data collection strategy that is designed to assist in reforming the Medicare payment system for outpatient therapy services subject to the limitations of section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)). Such strategy shall be designed to provide for the collection of data on patient function during the course of therapy services in order to better understand patient condition and outcomes.

(2) **CONSULTATION.**—In proposing and implementing such strategy, the Secretary shall consult with relevant stakeholders.

(h) **GAO REPORT ON MANUAL MEDICAL REVIEW PROCESS IMPLEMENTATION.**—Not later than May 1, 2013, the Comptroller General of the United States shall submit to the Committees on Energy and Commerce and Ways and Means of the House of Representatives and to the Committee on Finance of the Senate a report on the implementation of the manual medical review process referred to in section 1833(g)(5)(C) of the Social Security Act, as added by subsection (a). Such report shall include aggregate data on the number of individuals and claims subject to such process, the number of reviews conducted under such process, and the outcome of such reviews.

SEC. 3006. PAYMENT FOR TECHNICAL COMPONENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES.

Section 542(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106 554), as amended by section 732 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395w 4 note), section 104 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395w 4 note), section 104 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110 173), section 136 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110 275), section 3104 of the Patient Protection and Affordable Care Act (Public Law 111 148), section 105 of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111 309), and section 305 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended by striking “and the first two months of 2012” and inserting “and the first six months of 2012”.

SEC. 3007. AMBULANCE ADD-ON PAYMENTS.

(a) **GROUND AMBULANCE.**—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)), as amended by section 306(a) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended—

(1) in the matter preceding clause (i), by striking “March 1, 2012” and inserting “January 1, 2013”; and

(2) in each of clauses (i) and (ii), by striking “March 1, 2012” and inserting “January 1, 2013” each place it appears.

(b) **AIR AMBULANCE.**—Section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110 275), as amended by sections 3105(b) and 10311(b) of the Patient Protection and Affordable Care Act (Public Law 111 148), section 106(b) of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111 309) and section 306(b) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended by striking “February 29, 2012” and inserting “December 31, 2012”.

(c) **SUPER RURAL AMBULANCE.**—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)), as amended by section 306(c) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended in the first sentence by striking “March 1, 2012” and inserting “January 1, 2013”.

(d) **GAO REPORT UPDATE.**—Not later than October 1, 2012, the Comptroller General of the United States shall update the GAO report GAO 07 383 (relating to Ambulance Providers: Costs and Expected Medicare Margins Vary Greatly) to reflect current costs for ambulance providers.

(e) **MEDPAC REPORT.**—The Medicare Payment Advisory Commission shall conduct a study of—

(1) the appropriateness of the add-on payments for ambulance providers under paragraphs (12)(A) and (13)(A) of section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)) and the treatment of air ambulance providers under section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110 275);

(2) the effect these add-on payments and such treatment have on the Medicare margins of ambulance providers; and

(3) whether there is a need to reform the Medicare ambulance fee schedule under such section and, if so, what should such reforms be, including whether the add-on payments should be included in the base rate.

Not later than June 15, 2013, the Commission shall submit to the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on such study and shall include in the report such recommendations as the Commission deems appropriate.

Subtitle B—Other Health Provisions

SEC. 3101. QUALIFYING INDIVIDUAL PROGRAM.

(a) **EXTENSION.**—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)), as amended by section 310(a) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended by striking “February” and inserting “December”.

(b) **EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.**—Section 1933(g) of such Act (42 U.S.C. 1396u 3(g)), as amended by section 310(b) of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), is amended—

(1) in paragraph (2)—

(A) in subparagraph (P), by striking “and” after the semicolon;

(B) in subparagraph (Q), by striking “February 29, 2012, the total allocation amount is \$150,000,000.” and inserting “September 30, 2012, the total allocation amount is \$450,000,000; and”; and

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

“(R) for the period that begins on October 1, 2012, and ends on December 31, 2012, the total allocation amount is \$280,000,000.”; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “or (P)” and inserting “(P), or (R)”.

SEC. 3102. TRANSITIONAL MEDICAL ASSISTANCE.

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r 6(f)), as amended by section 311 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78), are each amended by striking “February 29” and inserting “December 31”.

Subtitle C—Health Offsets

SEC. 3201. REDUCTION OF BAD DEBT TREATED AS AN ALLOWABLE COST.

(a) **HOSPITALS.**—Section 1861(v)(1)(T) of the Social Security Act (42 U.S.C. 1395x(v)(1)(T)) is amended—

(1) in clause (iii), by striking “and” at the end;

(2) in clause (iv)—

(A) by striking “a subsequent fiscal year” and inserting “fiscal years 2001 through 2012”; and

(B) by striking the period at the end and inserting “, and”; and

(3) by adding at the end the following:

“(v) for cost reporting periods beginning during fiscal year 2013 or a subsequent fiscal year,

by 35 percent of such amount otherwise allowable.”.

(b) **SKILLED NURSING FACILITIES.**—Section 1861(v)(1)(V) of such Act (42 U.S.C. 1395x(v)(1)(V)) is amended—

(1) in the matter preceding clause (i), by striking “with respect to cost reporting periods beginning on or after October 1, 2005” and inserting “and (beginning with respect to cost reporting periods beginning during fiscal year 2013) for covered skilled nursing services described in section 1888(e)(2)(A) furnished by hospital providers of extended care services (as described in section 1883)”;

(2) in clause (i), by striking “reduced by” and all that follows through “allowable; and” and inserting the following: “reduced by—

“(I) for cost reporting periods beginning on or after October 1, 2005, but before fiscal year 2013, 30 percent of such amount otherwise allowable; and

“(II) for cost reporting periods beginning during fiscal year 2013 or a subsequent fiscal year, by 35 percent of such amount otherwise allowable.”; and

(3) in clause (ii), by striking “such section shall not be reduced.” and inserting “such section—

“(I) for cost reporting periods beginning on or after October 1, 2005, but before fiscal year 2013, shall not be reduced;

“(II) for cost reporting periods beginning during fiscal year 2013, shall be reduced by 12 percent of such amount otherwise allowable;

“(III) for cost reporting periods beginning during fiscal year 2014, shall be reduced by 24 percent of such amount otherwise allowable; and

“(IV) for cost reporting periods beginning during a subsequent fiscal year, shall be reduced by 35 percent of such amount otherwise allowable.”.

(c) **CERTAIN OTHER PROVIDERS.**—Section 1861(v)(1) of such Act (42 U.S.C. 1395x(v)(1)) is amended by adding at the end the following new subparagraph:

“(W)(i) In determining such reasonable costs for providers described in clause (ii), the amount of bad debts otherwise treated as allowable costs which are attributable to deductibles and coinsurance amounts under this title shall be reduced—

“(I) for cost reporting periods beginning during fiscal year 2013, by 12 percent of such amount otherwise allowable;

“(II) for cost reporting periods beginning during fiscal year 2014, by 24 percent of such amount otherwise allowable; and

“(III) for cost reporting periods beginning during a subsequent fiscal year, by 35 percent of such amount otherwise allowable.

“(ii) A provider described in this clause is a provider of services not described in subparagraph (T) or (V), a supplier, or any other type of entity that receives payment for bad debts under the authority under subparagraph (A).”.

(d) **CONFORMING AMENDMENT FOR HOSPITAL SERVICES.**—Section 4008(c) of the Omnibus Budget Reconciliation Act of 1987 (42 U.S.C. 1395 note), as amended by section 8402 of the Technical and Miscellaneous Revenue Act of 1988 and section 6023 of the Omnibus Budget Reconciliation Act of 1989, is amended by adding at the end the following new sentence: “Effective for cost reporting periods beginning on or after October 1, 2012, the provisions of the previous two sentences shall not apply.”.

SEC. 3202. REBASE MEDICARE CLINICAL LABORATORY PAYMENT RATES.

Section 1833(h)(2)(A) of the Social Security Act (42 U.S.C. 1395i(h)(2)(A)) is amended—

(1) in clause (i), by striking “paragraph (4)” and inserting “clause (v), subparagraph (B), and paragraph (4)”;

(2) by moving clause (iv), subclauses (I) and (II) of such clause, and the flush matter at the end of such clause 6 ems to the left; and

(3) by adding at the end the following new clause:

“(v) The Secretary shall reduce by 2 percent the fee schedules otherwise determined under clause (i) for 2013, and such reduced fee schedules shall serve as the base for 2014 and subsequent years.”.

SEC. 3203. REBASING STATE DSH ALLOTMENTS FOR FISCAL YEAR 2021.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r 4(f)) is amended—

(1) by redesignating paragraph (8) as paragraph (9);

(2) in paragraph (3)(A) by striking “paragraphs (6) and (7)” and inserting “paragraphs (6), (7), and (8)”;

(3) by inserting after paragraph (7) the following new paragraph:

“(8) REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2021.—With respect to fiscal year 2021, for purposes of applying paragraph (3)(A) to determine the DSH allotment for a State, the amount of the DSH allotment for the State under paragraph (3) for fiscal year 2020 shall be equal to the DSH allotment as reduced under paragraph (7).”.

SEC. 3204. TECHNICAL CORRECTION TO THE DIS-ASTER RECOVERY FMAP PROVISION.

(a) IN GENERAL.—Section 1905(aa) of the Social Security Act (42 U.S.C. 1396d(aa)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “the Federal medical assistance percentage determined for the fiscal year” and all that follows through the period and inserting “the State’s regular FMAP shall be increased by 50 percent of the number of percentage points by which the State’s regular FMAP for such fiscal year is less than the Federal medical assistance percentage determined for the State for the preceding fiscal year after the application of only subsection (a) of section 5001 of Public Law 111 5 (if applicable to the preceding fiscal year) and without regard to this subsection, subsections (y) and (z), and subsections (b) and (c) of section 5001 of Public Law 111 5.”; and

(B) in subparagraph (B), by striking “Federal medical assistance percentage determined for the preceding fiscal year” and all that follows through the period and inserting “State’s regular FMAP for such fiscal year shall be increased by 25 percent of the number of percentage points by which the State’s regular FMAP for such fiscal year is less than the Federal medical assistance percentage received by the State during the preceding fiscal year.”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking “Federal medical assistance percentage determined for the State for the fiscal year” and all that follows through “Act,” and inserting “State’s regular FMAP for the fiscal year”;

(ii) by striking “subsection (y)” and inserting “subsections (y) and (z)”;

(B) in subparagraph (B), by striking “Federal medical assistance percentage determined for the State for the fiscal year” and all that follows through “Act,” and inserting “State’s regular FMAP for the fiscal year”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) In this subsection, the term ‘regular FMAP’ means, for each fiscal year for which this subsection applies to a State, the Federal medical assistance percentage that would otherwise apply to the State for the fiscal year, as determined under subsection (b) and without regard to this subsection, subsections (y) and (z), and section 10202 of the Patient Protection and Affordable Care Act.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2013.

SEC. 3205. PREVENTION AND PUBLIC HEALTH FUND.

Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u 11(b)) is

amended by striking paragraphs (2) through (6) and inserting the following:

“(2) for each of fiscal years 2012 through 2017, \$1,000,000,000;

“(3) for each of fiscal years 2018 and 2019, \$1,250,000,000;

“(4) for each of fiscal years 2020 and 2021, \$1,500,000,000; and

“(5) for fiscal year 2022, and each fiscal year thereafter, \$2,000,000,000.”.

TITLE IV—TANF EXTENSION

SEC. 4001. SHORT TITLE.

This title may be cited as the “Welfare Integrity and Data Improvement Act”.

SEC. 4002. EXTENSION OF PROGRAM.

(a) FAMILY ASSISTANCE GRANTS.—Section 403(a)(1) of the Social Security Act (42 U.S.C. 603(a)(1)) is amended—

(1) in subparagraph (A), by striking “each of fiscal years 1996” and all that follows through “2003” and inserting “fiscal year 2012”;

(2) in subparagraph (B)—

(A) by inserting “(as in effect just before the enactment of the Welfare Integrity and Data Improvement Act)” after “this paragraph” the 1st place it appears; and

(B) by inserting “(as so in effect)” after “this paragraph” the 2nd place it appears; and

(3) in subparagraph (C), by striking “2003” and inserting “2012”.

(b) HEALTHY MARRIAGE PROMOTION AND RESPONSIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of such Act (42 U.S.C. 603(a)(2)(D)) is amended by striking “2011” each place it appears and inserting “2012”.

(c) MAINTENANCE OF EFFORT REQUIREMENT.—Section 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is amended—

(1) in subparagraph (A), by striking “fiscal year” and all that follows through “2013” and inserting “a fiscal year”;

(2) in subparagraph (B)(ii)—

(A) by striking “for fiscal years 1997 through 2012,”; and

(B) by striking “407(a) for the fiscal year,” and inserting “407(a).”.

(d) TRIBAL GRANTS.—Section 412(a) of such Act (42 U.S.C. 612(a)) is amended in each of paragraphs (1)(A) and (2)(A) by striking “each of fiscal years 1997” and all that follows through “2003” and inserting “fiscal year 2012”.

(e) STUDIES AND DEMONSTRATIONS.—Section 413(h)(1) of such Act (42 U.S.C. 613(h)(1)) is amended by striking “each of fiscal years 1997 through 2002” and inserting “fiscal year 2012”.

(f) CENSUS BUREAU STUDY.—Section 414(b) of such Act (42 U.S.C. 614(b)) is amended by striking “each of fiscal years 1996” and all that follows through “2003” and inserting “fiscal year 2012”.

(g) CHILD CARE ENTITLEMENT.—Section 418(a)(3) of such Act (42 U.S.C. 618(a)(3)) is amended by striking “appropriated” and all that follows and inserting “appropriated \$2,917,000,000 for fiscal year 2012.”.

(h) GRANTS TO TERRITORIES.—Section 1108(b)(2) of such Act (42 U.S.C. 1308(b)(2)) is amended by striking “fiscal years 1997 through 2003” and inserting “fiscal year 2012”.

(i) PREVENTION OF DUPLICATE APPROPRIATIONS FOR FISCAL YEAR 2012.—Expenditures made pursuant to the Short-Term TANF Extension Act (Public Law 112 35) and the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112 78) for fiscal year 2012 shall be charged to the applicable appropriation or authorization provided by the amendments made by this section for such fiscal year.

(j) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 4003. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) IN GENERAL.—Section 411 of the Social Security Act (42 U.S.C. 611) is amended by adding at the end the following:

“(d) DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.—

“(1) DATA EXCHANGE STANDARDS.—

“(A) DESIGNATION.—The Secretary, in consultation with an interagency work group which shall be established by the Office of Management and Budget, and considering State and tribal perspectives, shall, by rule, designate a data exchange standard for any category of information required to be reported under this part.

“(B) DATA EXCHANGE STANDARDS MUST BE NONPROPRIETARY AND INTEROPERABLE.—The data exchange standard designated under subparagraph (A) shall, to the extent practicable, be nonproprietary and interoperable.

“(C) OTHER REQUIREMENTS.—In designating data exchange standards under this section, the Secretary shall, to the extent practicable, incorporate—

“(i) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization;

“(ii) interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model; and

“(iii) interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulatory Council.

“(2) DATA EXCHANGE STANDARDS FOR REPORTING.—

“(A) DESIGNATION.—The Secretary, in consultation with an interagency work group established by the Office of Management and Budget, and considering State and tribal perspectives, shall, by rule, designate data exchange standards to govern the data reporting required under this part.

“(B) REQUIREMENTS.—The data exchange standards required by subparagraph (A) shall, to the extent practicable—

“(i) incorporate a widely-accepted, nonproprietary, searchable, computer-readable format;

“(ii) be consistent with and implement applicable accounting principles; and

“(iii) be capable of being continually upgraded as necessary.

“(C) INCORPORATION OF NONPROPRIETARY STANDARDS.—In designating reporting standards under this paragraph, the Secretary shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Markup Language.”.

(b) EFFECTIVE DATES.—

(1) DATA EXCHANGE STANDARDS.—The Secretary of Health and Human Services shall issue a proposed rule under section 411(d)(1) of the Social Security Act within 12 months after the date of the enactment of this section, and shall issue a final rule under such section 411(d)(1), after public comment, within 24 months after such date of enactment.

(2) DATA REPORTING STANDARDS.—The reporting standards required under section 411(d)(2) of such Act shall become effective with respect to reports required in the first reporting period, after the effective date of the final rule referred to in paragraph (1) of this subsection, for which the authority for data collection and reporting is established or renewed under the Paperwork Reduction Act.

SEC. 4004. SPENDING POLICIES FOR ASSISTANCE UNDER STATE TANF PROGRAMS.

(a) STATE REQUIREMENT.—Section 408(a) of the Social Security Act (42 U.S.C. 608(a)) is amended by adding at the end the following:

“(12) STATE REQUIREMENT TO PREVENT UNAUTHORIZED SPENDING OF BENEFITS.—

“(A) IN GENERAL.—A State to which a grant is made under section 403 shall maintain policies and practices as necessary to prevent assistance provided under the State program funded under this part from being used in any electronic benefit transfer transaction in—

“(i) any liquor store;

“(ii) any casino, gambling casino, or gaming establishment; or

“(iii) any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

“(B) DEFINITIONS.—For purposes of subparagraph (A) —

“(i) LIQUOR STORE.—The term ‘liquor store’ means any retail establishment which sells exclusively or primarily intoxicating liquor. Such term does not include a grocery store which sells both intoxicating liquor and groceries including staple foods (within the meaning of section 3(r) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(r))).

“(ii) CASINO, GAMBLING CASINO, OR GAMING ESTABLISHMENT.—The terms ‘casino’, ‘gambling casino’, and ‘gaming establishment’ do not include—

“(I) a grocery store which sells groceries including such staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities; or

“(II) any other establishment that offers casino, gambling, or gaming activities incidental to the principal purpose of the business.

“(iii) ELECTRONIC BENEFIT TRANSFER TRANSACTION.—The term ‘electronic benefit transfer transaction’ means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service.”

(b) PENALTY.—Section 409(a) of such Act (42 U.S.C. 609(a)) is amended by adding at the end the following:

“(16) PENALTY FOR FAILURE TO ENFORCE SPENDING POLICIES.—

“(A) IN GENERAL.—If, within 2 years after the date of the enactment of this paragraph, any State has not reported to the Secretary on such State’s implementation of the policies and practices required by section 408(a)(12), or the Secretary determines, based on the information provided in State reports, that any State has not implemented and maintained such policies and practices, the Secretary shall reduce, by an amount equal to 5 percent of the State family assistance grant, the grant payable to such State under section 403(a)(1) for—

“(i) the fiscal year immediately succeeding the year in which such 2-year period ends; and

“(ii) each succeeding fiscal year in which the State does not demonstrate that such State has implemented and maintained such policies and practices.

“(B) REDUCTION OF APPLICABLE PENALTY.—The Secretary may reduce the amount of the reduction required under subparagraph (A) based on the degree of noncompliance of the State.

“(C) STATE NOT RESPONSIBLE FOR INDIVIDUAL VIOLATIONS.—Fraudulent activity by any individual in an attempt to circumvent the policies and practices required by section 408(a)(12) shall not trigger a State penalty under subparagraph (A).”

(c) ADDITIONAL STATE PLAN REQUIREMENTS.—Section 402(a)(1)(A) of such Act (42 U.S.C. 602(a)(1)(A)) is amended by adding at the end the following:

“(vii) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 408(a)(12), including a plan to ensure that recipients of the assistance have adequate access to their cash assistance.

“(viii) Ensure that recipients of assistance provided under the State program funded under this part have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.”

(d) CONFORMING AMENDMENT.—Section 409(c)(4) of such Act (42 U.S.C. 609(c)(4)) is amended by striking “or (13)” and inserting “(13), or (16)”.

SEC. 4005. TECHNICAL CORRECTIONS.

(a) Section 404(d)(1)(A) of the Social Security Act (42 U.S.C. 604(d)(1)(A)) is amended by striking “subtitle 1 of Title” and inserting “Subtitle A of title”.

(b) Sections 407(c)(2)(A)(i) and 409(a)(3)(C) of such Act (42 U.S.C. 607(c)(2)(A)(i) and 609(a)(3)(C)) are each amended by striking “403(b)(6)” and inserting “403(b)(5)”.

(c) Section 409(a)(2)(A) of such Act (42 U.S.C. 609(a)(2)(A)) is amended by moving clauses (i) and (ii) 2 ems to the right.

(d) Section 409(c)(2) of such Act (42 U.S.C. 609(c)(2)) is amended by inserting a comma after “appropriate”.

(e) Section 411(a)(1)(A)(ii)(III) of such Act (42 U.S.C. 611(a)(1)(A)(ii)(III)) is amended by striking the last close parenthesis.

TITLE V—FEDERAL EMPLOYEES RETIREMENT

SEC. 5001. INCREASE IN CONTRIBUTIONS TO FEDERAL EMPLOYEES’ RETIREMENT SYSTEM FOR NEW EMPLOYEES.

(a) DEFINITIONS.—Section 8401 of title 5, United States Code, is amended—

(1) in paragraph (35), by striking “and” at the end;

(2) in paragraph (36), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(37) the term ‘revised annuity employee’ means any individual who—

“(A) on December 31, 2012—

“(i) is not an employee or Member covered under this chapter;

“(ii) is not performing civilian service which is creditable service under section 8411; and

“(iii) has less than 5 years of creditable civilian service under section 8411; and

“(B) after December 31, 2012, becomes employed as an employee or becomes a Member covered under this chapter performing service which is creditable service under section 8411.”

(b) INCREASE IN CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(1) by striking “The applicable percentage under this paragraph for civilian service” and inserting “(A) The applicable percentage under this paragraph for civilian service by employees or Members other than revised annuity employees”; and

(2) by adding at the end the following:

“(B) The applicable percentage under this paragraph for civilian service by revised annuity employees shall be as follows:

“Employee	9.3	After December 31, 2012.
Congressional employee	9.3	After December 31, 2012.
Member	9.3	After December 31, 2012.
Law enforcement officer, firefighter, member of the Capitol Police, member of the Supreme Court Police, or air traffic controller	9.8	after December 31, 2012.
Nuclear materials courier	9.8	After December 31, 2012.
Customs and border protection officer	9.8	After December 31, 2012.”

(c) REDUCTION IN CONGRESSIONAL ANNUITIES.—

(1) IN GENERAL.—Section 8415 of title 5, United States Code, is amended—

(A) by redesignating subsections (d) through (m) as subsections (e) through (n), respectively; and

(B) by inserting after subsection (c) the following:

“(d) Notwithstanding any other provision of law, the annuity of an individual described in subsection (b) or (c) who is a revised annuity employee shall be computed in the same manner as in the case of an individual described in subsection (a).”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 8422(d)(2) of title 5, United States Code, is amended by striking “section 8415(l)” and inserting “section 8415(m)”.

(B) Section 8452(d)(1) of title 5, United States Code, is amended by striking “subsection (g)” and inserting “subsection (h)”.

(C) Section 8468(b)(1)(A) of title 5, United States Code, is amended by striking “section 8415(a) through (h)” and inserting “section 8415(a) through (i)”.

(D) Section 805(a)(2)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)(2)(B)) is amended by striking “section 8415(d)” and inserting “section 8415(e)”.

(E) Section 806(a) of the Foreign Service Act of 1980 (22 U.S.C. 4046(a)) is amended by striking “section 8415(d)” each place it appears and inserting “section 8415(e)”.

(F) Section 855(b) of the Foreign Service Act of 1980 (22 U.S.C. 4071d(b)) is amended—

(i) in paragraph (2)(A), by striking “section 8415(d)(1)” and inserting “section 8415(e)(1)”; and

(ii) in paragraph (5), by striking “section 8415(f)(1)” and inserting “section 8415(g)(1)”.

(G) Section 303(b)(1) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2153(b)(1)) is amended by striking “section 8415(d)” and inserting “section 8415(e)”.

SEC. 5002. FOREIGN SERVICE PENSION SYSTEM.

(a) DEFINITION.—Section 852 of the Foreign Service Act of 1980 (22 U.S.C. 4071a) is amended—

(1) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively; and

(2) by inserting after paragraph (6) the following:

“(7) the term ‘revised annuity participant’ means any individual who—

“(A) on December 31, 2012—

“(i) is not a participant;

“(ii) is not performing service which is creditable service under section 854; and

“(iii) has less than 5 years creditable service under section 854; and

“(B) after December 31, 2012, becomes a participant performing service which is creditable service under section 854;”.

(b) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4071e(a)(2)) is amended—

(1) by striking “The applicable percentage under this subsection” and inserting “(A) The applicable percentage for a participant other than a revised annuity participant”; and

(2) by adding at the end the following:

“(B) The applicable percentage for a revised annuity participant shall be as follows:

“9.85 After December 31, 2012”.

SEC. 5003. CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM.

Section 211(a) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2021(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraphs (1) and (2) and inserting the following:

“(1) DEFINITION.—In this subsection, the term ‘revised annuity participant’ means an individual who—

“(A) on December 31, 2012—

“(i) is not a participant;

“(ii) is not performing qualifying service; and

“(iii) has less than 5 years of qualifying service; and

“(B) after December 31, 2012, becomes a participant performing qualifying service.

“(2) CONTRIBUTIONS.—

“(A) **IN GENERAL.**—Except as provided in subsection (d), 7 percent of the basic pay received by a participant other than a revised annuity participant for any pay period shall be deducted and withheld from the pay of that participant and contributed to the fund.

“(B) **REVISED ANNUITY PARTICIPANTS.**—Except as provided in subsection (d), 9.3 percent of the basic pay received by a revised annuity participant for any pay period shall be deducted and withheld from the pay of that revised annuity participant and contributed to the fund.

“(3) AGENCY CONTRIBUTIONS.—

“(A) **IN GENERAL.**—An amount equal to 7 percent of the basic pay received by a participant other than a revised annuity participant shall be contributed to the fund for a pay period for the participant from the appropriation or fund which is used for payment of the participant’s basic pay.

“(B) **REVISED ANNUITY PARTICIPANTS.**—An amount equal to 4.7 percent of the basic pay received by a revised annuity participant shall be contributed to the fund for a pay period for the revised annuity participant from the appropriation or fund which is used for payment of the revised annuity participant’s basic pay.”

TITLE VI—PUBLIC SAFETY COMMUNICATIONS AND ELECTROMAGNETIC SPECTRUM AUCTIONS**SEC. 6001. DEFINITIONS.**

In this title:

(1) **700 MHZ BAND.**—The term “700 MHz band” means the portion of the electromagnetic spectrum between the frequencies from 698 megahertz to 806 megahertz.

(2) **700 MHZ D BLOCK SPECTRUM.**—The term “700 MHz D block spectrum” means the portion of the electromagnetic spectrum between the frequencies from 758 megahertz to 763 megahertz and between the frequencies from 788 megahertz to 793 megahertz.

(3) **APPROPRIATE COMMITTEES OF CONGRESS.**—Except as otherwise specifically provided, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(4) **ASSISTANT SECRETARY.**—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(5) **BOARD.**—The term “Board” means the Board of the First Responder Network Authority established under section 6204(b).

(6) **BROADCAST TELEVISION LICENSEE.**—The term “broadcast television licensee” means the licensee of—

(A) a full-power television station; or

(B) a low-power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations.

(7) **BROADCAST TELEVISION SPECTRUM.**—The term “broadcast television spectrum” means the portions of the electromagnetic spectrum between the frequencies from 54 megahertz to 72 megahertz, from 76 megahertz to 88 megahertz, from 174 megahertz to 216 megahertz, and from 470 megahertz to 698 megahertz.

(8) **COMMERCIAL MOBILE DATA SERVICE.**—The term “commercial mobile data service” means any mobile service (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)) that is—

(A) a data service;

(B) provided for profit; and

(C) available to the public or such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the Commission.

(9) **COMMERCIAL MOBILE SERVICE.**—The term “commercial mobile service” has the meaning given such term in section 332 of the Communications Act of 1934 (47 U.S.C. 332).

(10) **COMMERCIAL STANDARDS.**—The term “commercial standards” means the technical

standards followed by the commercial mobile service and commercial mobile data service industries for network, device, and Internet Protocol connectivity. Such term includes standards developed by the Third Generation Partnership Project (3GPP), the Institute of Electrical and Electronics Engineers (IEEE), the Alliance for Telecommunications Industry Solutions (ATIS), the Internet Engineering Task Force (IETF), and the International Telecommunication Union (ITU).

(11) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

(12) **CORE NETWORK.**—The term “core network” means the core network described in section 6202(b)(1).

(13) **EMERGENCY CALL.**—The term “emergency call” means any real-time communication with a public safety answering point or other emergency management or response agency, including—

(A) through voice, text, or video and related data; and

(B) nonhuman-initiated automatic event alerts, such as alarms, telematics, or sensor data, which may also include real-time voice, text, or video communications.

(14) **EXISTING PUBLIC SAFETY BROADBAND SPECTRUM.**—The term “existing public safety broadband spectrum” means the portion of the electromagnetic spectrum between the frequencies—

(A) from 763 megahertz to 768 megahertz;

(B) from 793 megahertz to 798 megahertz;

(C) from 768 megahertz to 769 megahertz; and

(D) from 798 megahertz to 799 megahertz.

(15) **FIRST RESPONDER NETWORK AUTHORITY.**—The term “First Responder Network Authority” means the First Responder Network Authority established under section 6204.

(16) **FORWARD AUCTION.**—The term “forward auction” means the portion of an incentive auction of broadcast television spectrum under section 6403(c).

(17) **INCENTIVE AUCTION.**—The term “incentive auction” means a system of competitive bidding under subparagraph (G) of section 309(j)(8) of the Communications Act of 1934, as added by section 6402.

(18) **INTEROPERABILITY BOARD.**—The term “Interoperability Board” means the Technical Advisory Board for First Responder Interoperability established under section 6203.

(19) **MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTOR.**—The term “multichannel video programming distributor” has the meaning given such term in section 602 of the Communications Act of 1934 (47 U.S.C. 522).

(20) **NARROWBAND SPECTRUM.**—The term “narrowband spectrum” means the portion of the electromagnetic spectrum between the frequencies from 769 megahertz to 775 megahertz and between the frequencies from 799 megahertz to 805 megahertz.

(21) **NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK.**—The term “nationwide public safety broadband network” means the nationwide, interoperable public safety broadband network described in section 6202.

(22) **NEXT GENERATION 9 1 1 SERVICES.**—The term “Next Generation 9 1 1 services” means an IP-based system comprised of hardware, software, data, and operational policies and procedures that—

(A) provides standardized interfaces from emergency call and message services to support emergency communications;

(B) processes all types of emergency calls, including voice, text, data, and multimedia information;

(C) acquires and integrates additional emergency call data useful to call routing and handling;

(D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;

(E) supports data or video communications needs for coordinated incident response and management; and

(F) provides broadband service to public safety answering points or other first responder entities.

(23) **NIST.**—The term “NIST” means the National Institute of Standards and Technology.

(24) **NTIA.**—The term “NTIA” means the National Telecommunications and Information Administration.

(25) **PUBLIC SAFETY ANSWERING POINT.**—The term “public safety answering point” has the meaning given such term in section 222 of the Communications Act of 1934 (47 U.S.C. 222).

(26) **PUBLIC SAFETY ENTITY.**—The term “public safety entity” means an entity that provides public safety services.

(27) **PUBLIC SAFETY SERVICES.**—The term “public safety services”—

(A) has the meaning given the term in section 337(f) of the Communications Act of 1934 (47 U.S.C. 337(f)); and

(B) includes services provided by emergency response providers, as that term is defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(28) **PUBLIC SAFETY TRUST FUND.**—The term “Public Safety Trust Fund” means the trust fund established under section 6413(a)(1).

(29) **RADIO ACCESS NETWORK.**—The term “radio access network” means the radio access network described in section 6202(b)(2).

(30) **REVERSE AUCTION.**—The term “reverse auction” means the portion of an incentive auction of broadcast television spectrum under section 6403(a), in which a broadcast television licensee may submit bids stating the amount it would accept for voluntarily relinquishing some or all of its broadcast television spectrum usage rights.

(31) **STATE.**—The term “State” has the meaning given such term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(32) **ULTRA HIGH FREQUENCY.**—The term “ultra high frequency” means, with respect to a television channel, that the channel is located in the portion of the electromagnetic spectrum between the frequencies from 470 megahertz to 698 megahertz.

(33) **VERY HIGH FREQUENCY.**—The term “very high frequency” means, with respect to a television channel, that the channel is located in the portion of the electromagnetic spectrum between the frequencies from 54 megahertz to 72 megahertz, from 76 megahertz to 88 megahertz, or from 174 megahertz to 216 megahertz.

SEC. 6002. RULE OF CONSTRUCTION.

Each range of frequencies described in this title shall be construed to be inclusive of the upper and lower frequencies in the range.

SEC. 6003. ENFORCEMENT.

(a) **IN GENERAL.**—The Commission shall implement and enforce this title as if this title is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.). A violation of this title, or a regulation promulgated under this title, shall be considered to be a violation of the Communications Act of 1934, or a regulation promulgated under such Act, respectively.

(b) **EXCEPTIONS.**—

(1) **OTHER AGENCIES.**—Subsection (a) does not apply in the case of a provision of this title that is expressly required to be carried out by an agency (as defined in section 551 of title 5, United States Code) other than the Commission.

(2) **NTIA REGULATIONS.**—The Assistant Secretary may promulgate such regulations as are necessary to implement and enforce any provision of this title that is expressly required to be carried out by the Assistant Secretary.

SEC. 6004. NATIONAL SECURITY RESTRICTIONS ON USE OF FUNDS AND AUCTION PARTICIPATION.

(a) **USE OF FUNDS.**—No funds made available by subtitle B or C may be used to make payments under a contract to a person described in subsection (c).

(b) **AUCTION PARTICIPATION.**—A person described in subsection (c) may not participate in a system of competitive bidding under section

309(j) of the Communications Act of 1934 (47 U.S.C. 309(j))—

(1) that is required to be conducted by this title; or

(2) in which any spectrum usage rights for which licenses are being assigned were made available under clause (i) of subparagraph (G) of paragraph (8) of such section, as added by section 6402.

(c) **PERSON DESCRIBED.**—A person described in this subsection is a person who has been, for reasons of national security, barred by any agency of the Federal Government from bidding on a contract, participating in an auction, or receiving a grant.

Subtitle A—Reallocation of Public Safety Spectrum

SEC. 6101. REALLOCATION OF D BLOCK TO PUBLIC SAFETY.

(a) **IN GENERAL.**—The Commission shall reallocate the 700 MHz D block spectrum for use by public safety entities in accordance with the provisions of this Act.

(b) **SPECTRUM ALLOCATION.**—Section 337(a) of the Communications Act of 1934 (47 U.S.C. 337(a)) is amended—

(1) by striking “24” in paragraph (1) and inserting “34”; and

(2) by striking “36” in paragraph (2) and inserting “26”.

SEC. 6102. FLEXIBLE USE OF NARROWBAND SPECTRUM.

The Commission may allow the narrowband spectrum to be used in a flexible manner, including usage for public safety broadband communications, subject to such technical and interference protection measures as the Commission may require.

SEC. 6103. 470 512 MHZ PUBLIC SAFETY SPECTRUM.

(a) **IN GENERAL.**—Not later than 9 years after the date of enactment of this title, the Commission shall—

(1) reallocate the spectrum in the 470 512 MHz band (referred to in this section as the “T-Band spectrum”) currently used by public safety eligibles as identified in section 90.303 of title 47, Code of Federal Regulations; and

(2) begin a system of competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) to grant new initial licenses for the use of the spectrum described in paragraph (1).

(b) **AUCTION PROCEEDS.**—Proceeds (including deposits and upfront payments from successful bidders) from the competitive bidding system described in subsection (a)(2) shall be available to the Assistant Secretary to make grants in such sums as necessary to cover relocation costs for the relocation of public safety entities from the T-Band spectrum.

(c) **RELOCATION.**—Relocation shall be completed not later than 2 years after the date on which the system of competitive bidding described in subsection (a)(2) is completed.

Subtitle B—Governance of Public Safety Spectrum

SEC. 6201. SINGLE PUBLIC SAFETY WIRELESS NETWORK LICENSE.

(a) **REALLOCATION AND GRANT OF LICENSE.**—Notwithstanding any other provision of law, and subject to the provisions of this Act, the Commission shall reallocate and grant a license to the First Responder Network Authority for the use of the 700 MHz D block spectrum and existing public safety broadband spectrum.

(b) **TERM OF LICENSE.**—

(1) **INITIAL LICENSE.**—The license granted under subsection (a) shall be for an initial term of 10 years from the date of the initial issuance of the license.

(2) **RENEWAL OF LICENSE.**—Prior to expiration of the term of the initial license granted under subsection (a) or the expiration of any subsequent renewal of such license, the First Responder Network Authority shall submit to the Commission an application for the renewal of

such license. Such renewal application shall demonstrate that, during the preceding license term, the First Responder Network Authority has met the duties and obligations set forth under this Act. A renewal license granted under this paragraph shall be for a term of not to exceed 10 years.

(c) **FACILITATION OF TRANSITION.**—The Commission shall take all actions necessary to facilitate the transition of the existing public safety broadband spectrum to the First Responder Network Authority.

SEC. 6202. PUBLIC SAFETY BROADBAND NETWORK.

(a) **ESTABLISHMENT.**—The First Responder Network Authority shall ensure the establishment of a nationwide, interoperable public safety broadband network.

(b) **NETWORK COMPONENTS.**—The nationwide public safety broadband network shall be based on a single, national network architecture that evolves with technological advancements and initially consists of—

(1) a core network that—

(A) consists of national and regional data centers, and other elements and functions that may be distributed geographically, all of which shall be based on commercial standards; and

(B) provides the connectivity between—

(i) the radio access network; and

(ii) the public Internet or the public switched network, or both; and

(2) a radio access network that—

(A) consists of all cell site equipment, antennas, and backhaul equipment, based on commercial standards, that are required to enable wireless communications with devices using the public safety broadband spectrum; and

(B) shall be developed, constructed, managed, maintained, and operated taking into account the plans developed in the State, local, and tribal planning and implementation grant program under section 6302(a).

SEC. 6203. PUBLIC SAFETY INTEROPERABILITY BOARD.

(a) **ESTABLISHMENT.**—There is established within the Commission an advisory board to be known as the “Technical Advisory Board for First Responder Interoperability”.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—

(A) **VOTING MEMBERS.**—Not later than 30 days after the date of enactment of this title, the Chairman of the Commission shall appoint 14 voting members to the Interoperability Board, of which—

(i) 4 members shall be representatives of wireless providers, of which—

(I) 2 members shall be representatives of national wireless providers;

(II) 1 member shall be a representative of regional wireless providers; and

(III) 1 member shall be a representative of rural wireless providers;

(ii) 3 members shall be representatives of equipment manufacturers;

(iii) 4 members shall be representatives of public safety entities, of which—

(I) not less than 1 member shall be a representative of management level employees of public safety entities; and

(II) not less than 1 member shall be a representative of employees of public safety entities;

(iv) 3 members shall be representatives of State and local governments, chosen to reflect geographic and population density differences across the United States; and

(v) all members shall have specific expertise necessary to developing technical requirements under this section, such as technical expertise, public safety communications expertise, and commercial network experience.

(B) **NON-VOTING MEMBER.**—The Assistant Secretary shall appoint 1 non-voting member to the Interoperability Board.

(2) **PERIOD OF APPOINTMENT.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), members of the Interoperability

Board shall be appointed for the life of the Interoperability Board.

(B) **REMOVAL FOR CAUSE.**—A member of the Interoperability Board may be removed for cause upon the determination of the Chairman of the Commission.

(3) **VACANCIES.**—Any vacancy in the Interoperability Board shall not affect the powers of the Interoperability Board, and shall be filled in the same manner as the original appointment.

(4) **CHAIRPERSON AND VICE CHAIRPERSON.**—The Interoperability Board shall select a Chairperson and Vice Chairperson from among the members of the Interoperability Board.

(5) **QUORUM.**—A majority of the members of the Interoperability Board shall constitute a quorum.

(c) **DUTIES OF THE INTEROPERABILITY BOARD.**—

(1) **DEVELOPMENT OF TECHNICAL REQUIREMENTS.**—Not later than 90 days after the date of enactment of this Act, the Interoperability Board, in consultation with the NTIA, NIST, and the Office of Emergency Communications of the Department of Homeland Security, shall—

(A) develop recommended minimum technical requirements to ensure a nationwide level of interoperability for the nationwide public safety broadband network; and

(B) submit to the Commission for review in accordance with paragraph (3) recommended minimum technical requirements described in subparagraph (A).

(2) **CONSIDERATION.**—In developing recommended minimum technical requirements under paragraph (1), the Interoperability Board shall base the recommended minimum technical requirements on the commercial standards for Long Term Evolution (LTE) service.

(3) **APPROVAL OF RECOMMENDATIONS.**—

(A) **IN GENERAL.**—Not later than 30 days after the date on which the Interoperability Board submits recommended minimum technical requirements under paragraph (1)(B), the Commission shall approve the recommendations, with any revisions it deems necessary, and transmit such recommendations to the First Responder Network Authority.

(B) **REVIEW.**—Any actions taken under subparagraph (A) shall not be reviewable as a final agency action.

(d) **TRAVEL EXPENSES.**—The members of the Interoperability Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Interoperability Board.

(e) **EXEMPTION FROM FACAA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Interoperability Board.

(f) **TERMINATION OF AUTHORITY.**—The Interoperability Board shall terminate 15 days after the date on which the Commission transmits the recommendations to the First Responder Network Authority under subsection (c)(3)(A).

SEC. 6204. ESTABLISHMENT OF THE FIRST RESPONDER NETWORK AUTHORITY.

(a) **ESTABLISHMENT.**—There is established as an independent authority within the NTIA the “First Responder Network Authority” or “FirstNet”.

(b) **BOARD.**—

(1) **IN GENERAL.**—The First Responder Network Authority shall be headed by a Board, which shall consist of—

(A) the Secretary of Homeland Security;

(B) the Attorney General of the United States;

(C) the Director of the Office of Management and Budget; and

(D) 12 individuals appointed by the Secretary of Commerce in accordance with paragraph (2).

(2) **APPOINTMENTS.**—

(A) **IN GENERAL.**—In making appointments under paragraph (1)(D), the Secretary of Commerce shall—

(i) appoint not fewer than 3 individuals to represent the collective interests of the States, localities, tribes, and territories;

(ii) seek to ensure geographic and regional representation of the United States in such appointments;

(iii) seek to ensure rural and urban representation in such appointments; and

(iv) appoint not fewer than 3 individuals who have served as public safety professionals.

(B) REQUIRED QUALIFICATIONS.—

(i) IN GENERAL.—Each member appointed under paragraph (1)(D) should meet not less than 1 of the following criteria:

(I) PUBLIC SAFETY EXPERIENCE.—Knowledge and experience in the use of Federal, State, local, or tribal public safety or emergency response.

(II) TECHNICAL EXPERTISE.—Technical expertise and fluency regarding broadband communications, including public safety communications.

(III) NETWORK EXPERTISE.—Expertise in building, deploying, and operating commercial telecommunications networks.

(IV) FINANCIAL EXPERTISE.—Expertise in financing and funding telecommunications networks.

(ii) EXPERTISE TO BE REPRESENTED.—In making appointments under paragraph (1)(D), the Secretary of Commerce shall appoint—

(I) not fewer than 1 individual who satisfies the requirement under subclause (II) of clause (i);

(II) not fewer than 1 individual who satisfies the requirement under subclause (III) of clause (i); and

(III) not fewer than 1 individual who satisfies the requirement under subclause (IV) of clause (i).

(C) CITIZENSHIP.—No individual other than a citizen of the United States may serve as a member of the Board.

(c) TERMS OF APPOINTMENT.—

(1) INITIAL APPOINTMENT DEADLINE.—Members of the Board shall be appointed not later than 180 days after the date of the enactment of this title.

(2) TERMS.—

(A) LENGTH.—

(i) IN GENERAL.—Each member of the Board described in subparagraphs (A) through (C) of subsection (b)(1) shall serve as a member of the Board for the life of the First Responder Network Authority.

(ii) APPOINTED INDIVIDUALS.—The term of office of each individual appointed to be a member of the Board under subsection (b)(1)(D) shall be 3 years. No member described in this clause may serve more than 2 consecutive full 3-year terms.

(B) EXPIRATION OF TERM.—Any member whose term has expired may serve until such member's successor has taken office, or until the end of the calendar year in which such member's term has expired, whichever is earlier.

(C) APPOINTMENT TO FILL VACANCY.—Any member appointed to fill a vacancy occurring prior to the expiration of the term for which that member's predecessor was appointed shall be appointed for the remainder of the predecessor's term.

(D) STAGGERED TERMS.—With respect to the initial members of the Board appointed under subsection (b)(1)(D)—

(i) 4 members shall serve for a term of 3 years; and

(ii) 4 members shall serve for a term of 2 years; and

(iii) 4 members shall serve for a term of 1 year.

(3) VACANCIES.—A vacancy in the membership of the Board shall not affect the Board's powers, and shall be filled in the same manner as the original member was appointed.

(d) CHAIR.—

(1) SELECTION.—The Secretary of Commerce shall select, from among the members of the Board appointed under subsection (b)(1)(D), an individual to serve for a 2-year term as Chair of the Board.

(2) CONSECUTIVE TERMS.—An individual may not serve for more than 2 consecutive terms as Chair of the Board.

(e) MEETINGS.—

(1) FREQUENCY.—The Board shall meet—

(A) at the call of the Chair; and

(B) not less frequently than once each quarter.

(2) TRANSPARENCY.—Meetings of the Board, including any committee of the Board, shall be open to the public. The Board may, by majority vote, close any such meeting only for the time necessary to preserve the confidentiality of commercial or financial information that is privileged or confidential, to discuss personnel matters, or to discuss legal matters affecting the First Responder Network Authority, including pending or potential litigation.

(f) QUORUM.—Eight members of the Board shall constitute a quorum, including at least 6 of the members appointed under subsection (b)(1)(D).

(g) COMPENSATION.—

(1) IN GENERAL.—The members of the Board appointed under subsection (b)(1)(D) shall be compensated at the daily rate of basic pay for level IV of the Executive Schedule for each day during which such members are engaged in performing a function of the Board.

(2) PROHIBITION ON COMPENSATION.—A member of the Board appointed under subparagraphs (A) through (C) of subsection (b)(1) shall serve without additional pay, and shall not otherwise benefit, directly or indirectly, as a result of their service to the First Responder Network Authority, but shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the First Responder Network Authority.

SEC. 6205. ADVISORY COMMITTEES OF THE FIRST RESPONDER NETWORK AUTHORITY.

(a) ADVISORY COMMITTEES.—The First Responder Network Authority—

(1) shall establish a standing public safety advisory committee to assist the First Responder Network Authority in carrying out its duties and responsibilities under this subtitle; and

(2) may establish additional standing or ad hoc committees, panels, or councils as the First Responder Network Authority determines are necessary.

(b) SELECTION OF AGENTS, CONSULTANTS, AND EXPERTS.—

(1) IN GENERAL.—The First Responder Network Authority shall select parties to serve as its agents, consultants, or experts in a fair, transparent, and objective manner, and such agents may include a program manager to carry out certain of the duties and responsibilities of deploying and operating the nationwide public safety broadband network described in subsections (b) and (c) of section 6206.

(2) BINDING AND FINAL.—If the selection of an agent, consultant, or expert satisfies the requirements under paragraph (1), the selection of that agent, consultant, or expert shall be final and binding.

SEC. 6206. POWERS, DUTIES, AND RESPONSIBILITIES OF THE FIRST RESPONDER NETWORK AUTHORITY.

(a) GENERAL POWERS.—The First Responder Network Authority shall have the authority to do the following:

(1) To exercise, through the actions of its Board, all powers specifically granted by the provisions of this subtitle, and such incidental powers as shall be necessary.

(2) To hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the First Responder Network Authority considers necessary to carry out its responsibilities and duties.

(3) To obtain grants and funds from and make contracts with individuals, private companies, organizations, institutions, and Federal, State, regional, and local agencies.

(4) To accept, hold, administer, and utilize gifts, donations, and bequests of property, both

real and personal, for the purposes of aiding or facilitating the work of the First Responder Network Authority.

(5) To spend funds under paragraph (3) in a manner authorized by the Board, but only for purposes that will advance or enhance public safety communications consistent with this title.

(6) To take such other actions as the First Responder Network Authority (through the Board) may from time to time determine necessary, appropriate, or advisable to accomplish the purposes of this title.

(b) DUTY AND RESPONSIBILITY TO DEPLOY AND OPERATE A NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK.—

(1) IN GENERAL.—The First Responder Network Authority shall hold the single public safety wireless license granted under section 6201 and take all actions necessary to ensure the building, deployment, and operation of the nationwide public safety broadband network, in consultation with Federal, State, tribal, and local public safety entities, the Director of NIST, the Commission, and the public safety advisory committee established in section 6205(a), including by, at a minimum—

(A) ensuring nationwide standards for use and access of the network;

(B) issuing open, transparent, and competitive requests for proposals to private sector entities for the purposes of building, operating, and maintaining the network that use, without materially changing, the minimum technical requirements developed under section 6203;

(C) encouraging that such requests leverage, to the maximum extent economically desirable, existing commercial wireless infrastructure to speed deployment of the network; and

(D) managing and overseeing the implementation and execution of contracts or agreements with non-Federal entities to build, operate, and maintain the network.

(2) REQUIREMENTS.—In carrying out the duties and responsibilities of this subsection, including issuing requests for proposals, the First Responder Network Authority shall—

(A) ensure the safety, security, and resiliency of the network, including requirements for protecting and monitoring the network to protect against cyberattack;

(B) promote competition in the equipment market, including devices for public safety communications, by requiring that equipment for use on the network be—

(i) built to open, non-proprietary, commercially available standards;

(ii) capable of being used by any public safety entity and by multiple vendors across all public safety broadband networks operating in the 700 MHz band; and

(iii) backward-compatible with existing commercial networks to the extent that such capabilities are necessary and technically and economically reasonable;

(C) promote integration of the network with public safety answering points or their equivalent; and

(D) address special considerations for areas or regions with unique homeland security or national security needs.

(3) RURAL COVERAGE.—In carrying out the duties and responsibilities of this subsection, including issuing requests for proposals, the nationwide, interoperable public safety broadband network, consistent with the license granted under section 6201, shall require deployment phases with substantial rural coverage milestones as part of each phase of the construction and deployment of the network. To the maximum extent economically desirable, such proposals shall include partnerships with existing commercial mobile providers to utilize cost-effective opportunities to speed deployment in rural areas.

(4) EXECUTION OF AUTHORITY.—In carrying out the duties and responsibilities of this subsection, the First Responder Network Authority may—

(A) obtain grants from and make contracts with individuals, private companies, and Federal, State, regional, and local agencies;

(B) hire or accept voluntary services of consultants, experts, advisory boards, and panels to aid the First Responder Network Authority in carrying out such duties and responsibilities;

(C) receive payment for use of—

(i) network capacity licensed to the First Responder Network Authority; and

(ii) network infrastructure constructed, owned, or operated by the First Responder Network Authority; and

(D) take such other actions as may be necessary to accomplish the purposes set forth in this subsection.

(c) OTHER SPECIFIC DUTIES AND RESPONSIBILITIES.—

(1) ESTABLISHMENT OF NETWORK POLICIES.—In carrying out the requirements under subsection (b), the First Responder Network Authority shall develop—

(A) requests for proposals with appropriate—

(i) timetables for construction, including by taking into consideration the time needed to build out to rural areas and the advantages offered through partnerships with existing commercial providers under paragraph (3);

(ii) coverage areas, including coverage in rural and nonurban areas;

(iii) service levels;

(iv) performance criteria; and

(v) other similar matters for the construction and deployment of such network;

(B) the technical and operational requirements of the network;

(C) practices, procedures, and standards for the management and operation of such network;

(D) terms of service for the use of such network, including billing practices; and

(E) ongoing compliance review and monitoring of the—

(i) management and operation of such network;

(ii) practices and procedures of the entities operating on and the personnel using such network; and

(iii) necessary training needs of network operators and users.

(2) STATE AND LOCAL PLANNING.—

(A) REQUIRED CONSULTATION.—In developing requests for proposals and otherwise carrying out its responsibilities under this Act, the First Responder Network Authority shall consult with regional, State, tribal, and local jurisdictions regarding the distribution and expenditure of any amounts required to carry out the policies established under paragraph (1), including with regard to the—

(i) construction of a core network and any radio access network build out;

(ii) placement of towers;

(iii) coverage areas of the network, whether at the regional, State, tribal, or local level;

(iv) adequacy of hardening, security, reliability, and resiliency requirements;

(v) assignment of priority to local users;

(vi) assignment of priority and selection of entities seeking access to or use of the nationwide public safety interoperable broadband network established under subsection (b); and

(vii) training needs of local users.

(B) METHOD OF CONSULTATION.—The consultation required under subparagraph (A) shall occur between the First Responder Network Authority and the single officer or governmental body designated under section 6302(d).

(3) LEVERAGING EXISTING INFRASTRUCTURE.—In carrying out the requirement under subsection (b), the First Responder Network Authority shall enter into agreements to utilize, to the maximum extent economically desirable, existing—

(A) commercial or other communications infrastructure; and

(B) Federal, State, tribal, or local infrastructure.

(4) MAINTENANCE AND UPGRADES.—The First Responder Network Authority shall ensure the

maintenance, operation, and improvement of the nationwide public safety broadband network, including by ensuring that the First Responder Network Authority updates and revises any policies established under paragraph (1) to take into account new and evolving technologies.

(5) ROAMING AGREEMENTS.—The First Responder Network Authority shall negotiate and enter into, as it determines appropriate, roaming agreements with commercial network providers to allow the nationwide public safety broadband network to roam onto commercial networks and gain prioritization of public safety communications over such networks in times of an emergency.

(6) NETWORK INFRASTRUCTURE AND DEVICE CRITERIA.—The Director of NIST, in consultation with the First Responder Network Authority and the Commission, shall ensure the development of a list of certified devices and components meeting appropriate protocols and standards for public safety entities and commercial vendors to adhere to, if such entities or vendors seek to have access to, use of, or compatibility with the nationwide public safety broadband network.

(7) REPRESENTATION BEFORE STANDARD SETTING ENTITIES.—The First Responder Network Authority, in consultation with the Director of NIST, the Commission, and the public safety advisory committee established under section 6205(a), shall represent the interests of public safety users of the nationwide public safety broadband network before any proceeding, negotiation, or other matter in which a standards organization, standards body, standards development organization, or any other recognized standards-setting entity addresses the development of standards relating to interoperability.

(8) PROHIBITION ON NEGOTIATION WITH FOREIGN GOVERNMENTS.—The First Responder Network Authority shall not have the authority to negotiate or enter into any agreements with a foreign government on behalf of the United States.

(d) EXEMPTION FROM CERTAIN LAWS.—Any action taken or decisions made by the First Responder Network Authority shall be exempt from the requirements of—

(1) section 3506 of title 44, United States Code (commonly referred to as the Paperwork Reduction Act);

(2) chapter 5 of title 5, United States Code (commonly referred to as the Administrative Procedures Act); and

(3) chapter 6 of title 5, United States Code (commonly referred to as the Regulatory Flexibility Act).

(e) NETWORK CONSTRUCTION FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Network Construction Fund”.

(2) USE OF FUND.—Amounts deposited into the Network Construction Fund shall be used by the—

(A) First Responder Network Authority to carry out this section, except for administrative expenses; and

(B) NTIA to make grants to States under section 6302(e)(3)(C)(iii)(I).

(f) TERMINATION OF AUTHORITY.—The authority of the First Responder Network Authority shall terminate on the date that is 15 years after the date of enactment of this title.

(g) GAO REPORT.—Not later than 10 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on what action Congress should take regarding the 15-year sunset of authority under subsection (f).

SEC. 6207. INITIAL FUNDING FOR THE FIRST RESPONDER NETWORK AUTHORITY.

(a) BORROWING AUTHORITY.—Prior to the deposit of proceeds into the Public Safety Trust Fund from the incentive auctions to be carried out under section 309(j)(8)(G) of the Communications Act of 1934 or the auction of spectrum pursuant to section 6401, the NTIA may borrow

from the Treasury such sums as may be necessary, but not to exceed \$2,000,000,000, to implement this subtitle. The NTIA shall reimburse the Treasury, without interest, from funds deposited into the Public Safety Trust Fund.

(b) PROHIBITION.—

(1) IN GENERAL.—Administrative expenses of the First Responder Network Authority may not exceed \$100,000,000 during the 10-year period beginning on the date of enactment of this title.

(2) DEFINITION.—For purposes of this subsection, the term “administrative expenses” does not include the costs incurred by the First Responder Network Authority for oversight and audits to protect against waste, fraud, and abuse.

SEC. 6208. PERMANENT SELF-FUNDING; DUTY TO ASSESS AND COLLECT FEES FOR NETWORK USE.

(a) IN GENERAL.—Notwithstanding section 337 of the Communications Act of 1934 (47 U.S.C. 337), the First Responder Network Authority is authorized to assess and collect the following fees:

(1) NETWORK USER FEE.—A user or subscription fee from each entity, including any public safety entity or secondary user, that seeks access to or use of the nationwide public safety broadband network.

(2) LEASE FEES RELATED TO NETWORK CAPACITY.—

(A) IN GENERAL.—A fee from any entity that seeks to enter into a covered leasing agreement.

(B) COVERED LEASING AGREEMENT.—For purposes of subparagraph (A), a “covered leasing agreement” means a written agreement resulting from a public-private arrangement to construct, manage, and operate the nationwide public safety broadband network between the First Responder Network Authority and secondary user to permit—

(i) access to network capacity on a secondary basis for non-public safety services; and

(ii) the spectrum allocated to such entity to be used for commercial transmissions along the dark fiber of the long-haul network of such entity.

(3) LEASE FEES RELATED TO NETWORK EQUIPMENT AND INFRASTRUCTURE.—A fee from any entity that seeks access to or use of any equipment or infrastructure, including antennas or towers, constructed or otherwise owned by the First Responder Network Authority resulting from a public-private arrangement to construct, manage, and operate the nationwide public safety broadband network.

(b) ESTABLISHMENT OF FEE AMOUNTS; PERMANENT SELF-FUNDING.—The total amount of the fees assessed for each fiscal year pursuant to this section shall be sufficient, and shall not exceed the amount necessary, to recoup the total expenses of the First Responder Network Authority in carrying out its duties and responsibilities described under this subtitle for the fiscal year involved.

(c) ANNUAL APPROVAL.—The NTIA shall review the fees assessed under this section on an annual basis, and such fees may only be assessed if approved by the NTIA.

(d) REQUIRED REINVESTMENT OF FUNDS.—The First Responder Network Authority shall reinvest amounts received from the assessment of fees under this section in the nationwide public safety interoperable broadband network by using such funds only for constructing, maintaining, operating, or improving the network.

SEC. 6209. AUDIT AND REPORT.

(a) AUDIT.—

(1) IN GENERAL.—The Secretary of Commerce shall enter into a contract with an independent auditor to conduct an audit, on an annual basis, of the First Responder Network Authority in accordance with general accounting principles and procedures applicable to commercial corporate transactions. Each audit conducted under this paragraph shall be made available to the appropriate committees of Congress.

(2) LOCATION.—Any audit conducted under paragraph (1) shall be conducted at the place or

places where accounts of the First Responder Network Authority are normally kept.

(3) ACCESS TO FIRST RESPONDER NETWORK AUTHORITY BOOKS AND DOCUMENTS.—

(A) IN GENERAL.—For purposes of an audit conducted under paragraph (1), the representatives of the independent auditor shall—

(i) have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the First Responder Network Authority that pertain to the financial transactions of the First Responder Network Authority and are necessary to facilitate the audit; and

(ii) be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(B) REQUIREMENT.—All books, accounts, records, reports, files, papers, and property of the First Responder Network Authority shall remain in the possession and custody of the First Responder Network Authority.

(b) REPORT.—

(1) IN GENERAL.—The independent auditor selected to conduct an audit under this section shall submit a report of each audit conducted under subsection (a) to—

(A) the appropriate committees of Congress;

(B) the President; and

(C) the First Responder Network Authority.

(2) CONTENTS.—Each report submitted under paragraph (1) shall contain—

(A) such comments and information as the independent auditor determines necessary to inform Congress of the financial operations and condition of the First Responder Network Authority;

(B) any recommendations of the independent auditor relating to the financial operations and condition of the First Responder Network Authority; and

(C) a description of any program, expenditure, or other financial transaction or undertaking of the First Responder Network Authority that was observed during the course of the audit, which, in the opinion of the independent auditor, has been carried on or made without the authority of law.

SEC. 6210. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the First Responder Network Authority shall submit an annual report covering the preceding fiscal year to the appropriate committees of Congress.

(b) REQUIRED CONTENT.—The report required under subsection (a) shall include—

(1) a comprehensive and detailed report of the operations, activities, financial condition, and accomplishments of the First Responder Network Authority under this section; and

(2) such recommendations or proposals for legislative or administrative action as the First Responder Network Authority deems appropriate.

(c) AVAILABILITY TO TESTIFY.—The members of the Board and employees of the First Responder Network Authority shall be available to testify before the appropriate committees of the Congress with respect to—

(1) the report required under subsection (a);

(2) the report of any audit conducted under section 6210; or

(3) any other matter which such committees may determine appropriate.

SEC. 6211. PUBLIC SAFETY ROAMING AND PRIORITY ACCESS.

The Commission may adopt rules, if necessary in the public interest, to improve the ability of public safety networks to roam onto commercial networks and to gain priority access to commercial networks in an emergency if—

(1) the public safety entity equipment is technically compatible with the commercial network;

(2) the commercial network is reasonably compensated; and

(3) such access does not preempt or otherwise terminate or degrade all existing voice conversations or data sessions.

SEC. 6212. PROHIBITION ON DIRECT OFFERING OF COMMERCIAL TELECOMMUNICATIONS SERVICE DIRECTLY TO CONSUMERS.

(a) IN GENERAL.—The First Responder Network Authority shall not offer, provide, or market commercial telecommunications or information services directly to consumers.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the First Responder Network Authority and a secondary user from entering into a covered leasing agreement pursuant to section 6208(a)(2)(B). Nothing in this section shall be construed to limit the First Responder Network Authority from collecting lease fees related to network equipment and infrastructure pursuant to section 6208(a)(3).

SEC. 6213. PROVISION OF TECHNICAL ASSISTANCE.

The Commission may provide technical assistance to the First Responder Network Authority and may take any action necessary to assist the First Responder Network Authority in effectuating its duties and responsibilities under this subtitle.

Subtitle C—Public Safety Commitments

SEC. 6301. STATE AND LOCAL IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the State and Local Implementation Fund.

(b) AMOUNTS AVAILABLE FOR STATE AND LOCAL IMPLEMENTATION GRANT PROGRAM.—Any amounts borrowed under subsection (c)(1) and any amounts in the State and Local Implementation Fund that are not necessary to reimburse the general fund of the Treasury for such borrowed amounts shall be available to the Assistant Secretary to implement section 6302.

(c) BORROWING AUTHORITY.—

(1) IN GENERAL.—Prior to the end of fiscal year 2022, the Assistant Secretary may borrow from the general fund of the Treasury such sums as may be necessary, but not to exceed \$135,000,000, to implement section 6302.

(2) REIMBURSEMENT.—The Assistant Secretary shall reimburse the general fund of the Treasury, without interest, for any amounts borrowed under paragraph (1) as funds are deposited into the State and Local Implementation Fund.

(d) TRANSFER OF UNUSED FUNDS.—If there is a balance remaining in the State and Local Implementation Fund on September 30, 2022, the Secretary of the Treasury shall transfer such balance to the general fund of the Treasury, where such balance shall be dedicated for the sole purpose of deficit reduction.

SEC. 6302. STATE AND LOCAL IMPLEMENTATION.

(a) ESTABLISHMENT OF STATE AND LOCAL IMPLEMENTATION GRANT PROGRAM.—The Assistant Secretary, in consultation with the First Responder Network Authority, shall take such action as is necessary to establish a grant program to make grants to States to assist State, regional, tribal, and local jurisdictions to identify, plan, and implement the most efficient and effective way for such jurisdictions to utilize and integrate the infrastructure, equipment, and other architecture associated with the nationwide public safety broadband network to satisfy the wireless communications and data services needs of that jurisdiction, including with regards to coverage, siting, and other needs.

(b) MATCHING REQUIREMENTS; FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of any activity carried out using a grant under this section may not exceed 80 percent of the eligible costs of carrying out that activity, as determined by the Assistant Secretary, in consultation with the First Responder Network Authority.

(2) WAIVER.—The Assistant Secretary may waive, in whole or in part, the requirements of paragraph (1) for good cause shown if the Assistant Secretary determines that such a waiver is in the public interest.

(c) PROGRAMMATIC REQUIREMENTS.—Not later than 6 months after the date of enactment of this Act, the Assistant Secretary, in consultation with the First Responder Network Authority, shall establish requirements relating to the grant program to be carried out under this section, including the following:

(1) Defining eligible costs for purposes of subsection (b)(1).

(2) Determining the scope of eligible activities for grant funding under this section.

(3) Prioritizing grants for activities that ensure coverage in rural as well as urban areas.

(d) CERTIFICATION AND DESIGNATION OF OFFICER OR GOVERNMENTAL BODY.—In carrying out the grant program established under this section, the Assistant Secretary shall require each State to certify in its application for grant funds that the State has designated a single officer or governmental body to serve as the coordinator of implementation of the grant funds.

(e) STATE NETWORK.—

(1) NOTICE.—Upon the completion of the request for proposal process conducted by the First Responder Network Authority for the construction, operation, maintenance, and improvement of the nationwide public safety broadband network, the First Responder Network Authority shall provide to the Governor of each State, or his designee—

(A) notice of the completion of the request for proposal process;

(B) details of the proposed plan for buildout of the nationwide, interoperable broadband network in such State; and

(C) the funding level for the State as determined by the NTIA.

(2) STATE DECISION.—Not later than 90 days after the date on which the Governor of a State receives notice under paragraph (1), the Governor shall choose whether to—

(A) participate in the deployment of the nationwide, interoperable broadband network as proposed by the First Responder Network Authority; or

(B) conduct its own deployment of a radio access network in such State.

(3) PROCESS.—

(A) IN GENERAL.—Upon making a decision to opt-out under paragraph (2)(B), the Governor shall notify the First Responder Network Authority, the NTIA, and the Commission of such decision.

(B) STATE REQUEST FOR PROPOSALS.—Not later than 180 days after the date on which a Governor provides notice under subparagraph (A), the Governor shall develop and complete requests for proposals for the construction, maintenance, and operation of the radio access network within the State.

(C) SUBMISSION AND APPROVAL OF ALTERNATIVE PLAN.—

(i) IN GENERAL.—The State shall submit an alternative plan for the construction, maintenance, operation, and improvements of the radio access network within the State to the Commission, and such plan shall demonstrate—

(I) that the State will be in compliance with the minimum technical interoperability requirements developed under section 6203; and

(II) interoperability with the nationwide public safety broadband network.

(ii) COMMISSION APPROVAL OR DISAPPROVAL.—Upon submission of a State plan under clause (i), the Commission shall either approve or disapprove the plan.

(iii) APPROVAL.—If the Commission approves a plan under this subparagraph, the State—

(I) may apply to the NTIA for a grant to construct the radio access network within the State that includes the showing described in subparagraph (D); and

(II) shall apply to the NTIA to lease spectrum capacity from the First Responder Network Authority.

(iv) DISAPPROVAL.—If the Commission disapproves a plan under this subparagraph, the construction, maintenance, operation, and improvements of the network within the State

shall proceed in accordance with the plan proposed by the First Responder Network Authority.

(D) **FUNDING REQUIREMENTS.**—In order to obtain grant funds and spectrum capacity leasing rights under subparagraph (C)(iii), a State shall demonstrate—

(i) that the State has—
(I) the technical capabilities to operate, and the funding to support, the State radio access network;

(II) has the ability to maintain ongoing interoperability with the nationwide public safety broadband network; and

(III) the ability to complete the project within specified comparable timelines specific to the State;

(ii) the cost-effectiveness of the State plan submitted under subparagraph (C)(i); and

(iii) comparable security, coverage, and quality of service to that of the nationwide public safety broadband network.

(f) **USER FEES.**—If a State chooses to build its own radio access network, the State shall pay any user fees associated with State use of elements of the core network.

(g) **PROHIBITION.**—

(1) **IN GENERAL.**—A State that chooses to build its own radio access network shall not provide commercial service to consumers or offer wholesale leasing capacity of the network within the State except directly through public-private partnerships for construction, maintenance, operation, and improvement of the network within the State.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to prohibit the State and a secondary user from entering into a covered leasing agreement. Any revenue gained by the State from such a leasing agreement shall be used only for constructing, maintaining, operating, or improving the radio access network of the State.

(h) **JUDICIAL REVIEW.**—

(1) **IN GENERAL.**—The United States District Court for the District of Columbia shall have exclusive jurisdiction to review a decision of the Commission made under subsection (e)(3)(C)(iv).

(2) **STANDARD OF REVIEW.**—The court shall affirm the decision of the Commission unless—

(A) the decision was procured by corruption, fraud, or undue means;

(B) there was actual partiality or corruption in the Commission; or

(C) the Commission was guilty of misconduct in refusing to hear evidence pertinent and material to the decision or of any other misbehavior by which the rights of any party have been prejudiced.

SEC. 6303. PUBLIC SAFETY WIRELESS COMMUNICATIONS RESEARCH AND DEVELOPMENT.

(a) **NIST DIRECTED RESEARCH AND DEVELOPMENT PROGRAM.**—From amounts made available from the Public Safety Trust Fund, the Director of NIST, in consultation with the Commission, the Secretary of Homeland Security, and the National Institute of Justice of the Department of Justice, as appropriate, shall conduct research and assist with the development of standards, technologies, and applications to advance wireless public safety communications.

(b) **REQUIRED ACTIVITIES.**—In carrying out the requirement under subsection (a), the Director of NIST, in consultation with the First Responder Network Authority and the public safety advisory committee established under section 6205(a), shall—

(1) document public safety wireless communications technical requirements;

(2) accelerate the development of the capability for communications between currently deployed public safety narrowband systems and the nationwide public safety broadband network;

(3) establish a research plan, and direct research, that addresses the wireless communications needs of public safety entities beyond what can be provided by the current generation of broadband technology;

(4) accelerate the development of mission critical voice, including device-to-device “talkaround” capability over broadband networks, public safety prioritization, authentication capabilities, and standard application programming interfaces for the nationwide public safety broadband network, if necessary and practical;

(5) accelerate the development of communications technology and equipment that can facilitate the eventual migration of public safety narrowband communications to the nationwide public safety broadband network; and

(6) convene working groups of relevant government and commercial parties to achieve the requirements in paragraphs (1) through (5).

Subtitle D—Spectrum Auction Authority

SEC. 6401. DEADLINES FOR AUCTION OF CERTAIN SPECTRUM.

(a) **CLEARING CERTAIN FEDERAL SPECTRUM.**—

(1) **IN GENERAL.**—The President shall—

(A) not later than 3 years after the date of the enactment of this Act, begin the process of withdrawing or modifying the assignment to a Federal Government station of the electromagnetic spectrum described in paragraph (2); and

(B) not later than 30 days after completing the withdrawal or modification, notify the Commission that the withdrawal or modification is complete.

(2) **SPECTRUM DESCRIBED.**—The electromagnetic spectrum described in this paragraph is the 15 megahertz of spectrum between 1675 megahertz and 1710 megahertz identified under paragraph (3).

(3) **IDENTIFICATION BY SECRETARY OF COMMERCE.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall submit to the President a report identifying 15 megahertz of spectrum between 1675 megahertz and 1710 megahertz for reallocation from Federal use to non-Federal use.

(b) **REALLOCATION AND AUCTION.**—

(1) **IN GENERAL.**—Notwithstanding paragraph (15)(A) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), not later than 3 years after the date of the enactment of this Act, the Commission shall, except as provided in paragraph (4)—

(A) allocate the spectrum described in paragraph (2) for commercial use; and

(B) through a system of competitive bidding under such section, grant new initial licenses for the use of such spectrum, subject to flexible-use service rules.

(2) **SPECTRUM DESCRIBED.**—The spectrum described in this paragraph is the following:

(A) The frequencies between 1915 megahertz and 1920 megahertz.

(B) The frequencies between 1995 megahertz and 2000 megahertz.

(C) The frequencies described in subsection (a)(2).

(D) The frequencies between 2155 megahertz and 2180 megahertz.

(E) Fifteen megahertz of contiguous spectrum to be identified by the Commission.

(3) **PROCEEDS TO COVER 110 PERCENT OF FEDERAL RELOCATION OR SHARING COSTS.**—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of section 309(j)(16)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

(4) **DETERMINATION BY COMMISSION.**—If the Commission determines that the band of frequencies described in paragraph (2)(A) or the band of frequencies described in paragraph (2)(B) cannot be used without causing harmful interference to commercial mobile service licensees in the frequencies between 1930 megahertz and 1995 megahertz, the Commission may not—

(A) allocate such band for commercial use under paragraph (1)(A); or

(B) grant licenses under paragraph (1)(B) for the use of such band.

(c) **AUCTION PROCEEDS.**—Section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)) is amended—

(1) in subparagraph (A), by striking “(D), and (E),” and inserting “(D), (E), (F), and (G),”;

(2) in subparagraph (C)(i), by striking “subparagraph (E)(ii)” and inserting “subparagraphs (D)(ii), (E)(ii), (F), and (G)”;

(3) in subparagraph (D)—

(A) by striking the heading and inserting “PROCEEDS FROM REALLOCATED FEDERAL SPECTRUM.—”;

(B) by striking “Cash” and inserting the following:

“(i) **IN GENERAL.**—Except as provided in clause (ii), cash”;

(C) by adding at the end the following:

“(ii) **CERTAIN OTHER PROCEEDS.**—Notwithstanding subparagraph (A) and except as provided in subparagraph (B), in the case of proceeds (including deposits and upfront payments from successful bidders) attributable to the auction of eligible frequencies described in paragraph (2) of section 113(g) of the National Telecommunications and Information Administration Organization Act that are required to be auctioned by section 6401(b)(1)(B) of the Middle Class Tax Relief and Job Creation Act of 2012, such portion of such proceeds as is necessary to cover the relocation or sharing costs (as defined in paragraph (3) of such section 113(g)) of Federal entities relocated from such eligible frequencies shall be deposited in the Spectrum Relocation Fund. The remainder of such proceeds shall be deposited in the Public Safety Trust Fund established by section 6413(a)(1) of the Middle Class Tax Relief and Job Creation Act of 2012.”;

(4) by adding at the end the following:

“(F) **CERTAIN PROCEEDS DESIGNATED FOR PUBLIC SAFETY TRUST FUND.**—Notwithstanding subparagraph (A) and except as provided in subparagraphs (B) and (D)(ii), the proceeds (including deposits and upfront payments from successful bidders) from the use of a system of competitive bidding under this subsection pursuant to section 6401(b)(1)(B) of the Middle Class Tax Relief and Job Creation Act of 2012 shall be deposited in the Public Safety Trust Fund established by section 6413(a)(1) of such Act.”.

SEC. 6402. GENERAL AUTHORITY FOR INCENTIVE AUCTIONS.

Section 309(j)(8) of the Communications Act of 1934, as amended by section 6401(c), is further amended by adding at the end the following:

“(G) **INCENTIVE AUCTIONS.**—

“(i) **IN GENERAL.**—Notwithstanding subparagraph (A) and except as provided in subparagraph (B), the Commission may encourage a licensee to relinquish voluntarily some or all of its licensed spectrum usage rights in order to permit the assignment of new initial licenses subject to flexible-use service rules by sharing with such licensee a portion, based on the value of the relinquished rights as determined in the reverse auction required by clause (ii)(1), of the proceeds (including deposits and upfront payments from successful bidders) from the use of a competitive bidding system under this subsection.

“(ii) **LIMITATIONS.**—The Commission may not enter into an agreement for a licensee to relinquish spectrum usage rights in exchange for a share of auction proceeds under clause (i) unless—

“(I) the Commission conducts a reverse auction to determine the amount of compensation that licensees would accept in return for voluntarily relinquishing spectrum usage rights; and

“(II) at least two competing licensees participate in the reverse auction.

“(iii) **TREATMENT OF REVENUES.**—Notwithstanding subparagraph (A) and except as provided in subparagraph (B), the proceeds (including deposits and upfront payments from successful bidders) from any auction, prior to the end of fiscal year 2022, of spectrum usage rights made available under clause (i) that are not shared with licensees under such clause shall be deposited as follows:

“(I) \$1,750,000,000 of the proceeds from the incentive auction of broadcast television spectrum

required by section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 shall be deposited in the TV Broadcaster Relocation Fund established by subsection (d)(1) of such section.

“(II) All other proceeds shall be deposited—

“(aa) prior to the end of fiscal year 2022, in the Public Safety Trust Fund established by section 6413(a)(1) of such Act; and

“(bb) after the end of fiscal year 2022, in the general fund of the Treasury, where such proceeds shall be dedicated for the sole purpose of deficit reduction.

“(iv) CONGRESSIONAL NOTIFICATION.—At least 3 months before any incentive auction conducted under this subparagraph, the Chairman of the Commission, in consultation with the Director of the Office of Management and Budget, shall notify the appropriate committees of Congress of the methodology for calculating the amounts that will be shared with licensees under clause (i).

“(v) DEFINITION.—In this subparagraph, the term ‘appropriate committees of Congress’ means—

“(I) the Committee on Commerce, Science, and Transportation of the Senate;

“(II) the Committee on Appropriations of the Senate;

“(III) the Committee on Energy and Commerce of the House of Representatives; and

“(IV) the Committee on Appropriations of the House of Representatives.”.

SEC. 6403. SPECIAL REQUIREMENTS FOR INCENTIVE AUCTION OF BROADCAST TV SPECTRUM.

(a) REVERSE AUCTION TO IDENTIFY INCENTIVE AMOUNT.—

(1) IN GENERAL.—The Commission shall conduct a reverse auction to determine the amount of compensation that each broadcast television licensee would accept in return for voluntarily relinquishing some or all of its broadcast television spectrum usage rights in order to make spectrum available for assignment through a system of competitive bidding under subparagraph (G) of section 309(j)(8) of the Communications Act of 1934, as added by section 6402.

(2) ELIGIBLE RELINQUISHMENTS.—A relinquishment of usage rights for purposes of paragraph (1) shall include the following:

(A) Relinquishing all usage rights with respect to a particular television channel without receiving in return any usage rights with respect to another television channel.

(B) Relinquishing all usage rights with respect to an ultra high frequency television channel in return for receiving usage rights with respect to a very high frequency television channel.

(C) Relinquishing usage rights in order to share a television channel with another licensee.

(3) CONFIDENTIALITY.—The Commission shall take all reasonable steps necessary to protect the confidentiality of Commission-held data of a licensee participating in the reverse auction under paragraph (1), including withholding the identity of such licensee until the reassignments and reallocations (if any) under subsection (b)(1)(B) become effective, as described in subsection (f)(2).

(4) PROTECTION OF CARRIAGE RIGHTS OF LICENSEES SHARING A CHANNEL.—A broadcast television station that voluntarily relinquishes spectrum usage rights under this subsection in order to share a television channel and that possessed carriage rights under section 338, 614, or 615 of the Communications Act of 1934 (47 U.S.C. 338; 534; 535) on November 30, 2010, shall have, at its shared location, the carriage rights under such section that would apply to such station at such location if it were not sharing a channel.

(b) REORGANIZATION OF BROADCAST TV SPECTRUM.—

(1) IN GENERAL.—For purposes of making available spectrum to carry out the forward auction under subsection (c)(1), the Commission—

(A) shall evaluate the broadcast television spectrum (including spectrum made available

through the reverse auction under subsection (a)(1)); and

(B) may, subject to international coordination along the border with Mexico and Canada—

(i) make such reassignments of television channels as the Commission considers appropriate; and

(ii) reallocate such portions of such spectrum as the Commission determines are available for reallocation.

(2) FACTORS FOR CONSIDERATION.—In making any reassignments or reallocations under paragraph (1)(B), the Commission shall make all reasonable efforts to preserve, as of the date of the enactment of this Act, the coverage area and population served of each broadcast television licensee, as determined using the methodology described in OET Bulletin 69 of the Office of Engineering and Technology of the Commission.

(3) NO INVOLUNTARY RELOCATION FROM UHF TO VHF.—In making any reassignments under paragraph (1)(B)(i), the Commission may not involuntarily reassign a broadcast television licensee—

(A) from an ultra high frequency television channel to a very high frequency television channel; or

(B) from a television channel between the frequencies from 174 megahertz to 216 megahertz to a television channel between the frequencies from 54 megahertz to 88 megahertz.

(4) PAYMENT OF RELOCATION COSTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), from amounts made available under subsection (d)(2), the Commission shall reimburse costs reasonably incurred by—

(i) a broadcast television licensee that was reassigned under paragraph (1)(B)(i) from one ultra high frequency television channel to a different ultra high frequency television channel, from one very high frequency television channel to a different very high frequency television channel, or, in accordance with subsection (g)(1)(B), from a very high frequency television channel to an ultra high frequency television channel, in order for the licensee to relocate its television service from one channel to the other;

(ii) a multichannel video programming distributor in order to continue to carry the signal of a broadcast television licensee that—

(I) is described in clause (i);

(II) voluntarily relinquishes spectrum usage rights under subsection (a) with respect to an ultra high frequency television channel in return for receiving usage rights with respect to a very high frequency television channel; or

(III) voluntarily relinquishes spectrum usage rights under subsection (a) to share a television channel with another licensee; or

(iii) a channel 37 incumbent user, in order to relocate to other suitable spectrum, provided that all such users can be relocated and that the total relocation costs of such users do not exceed \$300,000,000. For the purpose of this section, the spectrum made available through relocation of channel 37 incumbent users shall be deemed as spectrum reclaimed through a reverse auction under section 6403(a).

(B) REGULATORY RELIEF.—In lieu of reimbursement for relocation costs under subparagraph (A), a broadcast television licensee may accept, and the Commission may grant as it considers appropriate, a waiver of the service rules of the Commission to permit the licensee, subject to interference protections, to make flexible use of the spectrum assigned to the licensee to provide services other than broadcast television services. Such waiver shall only remain in effect while the licensee provides at least 1 broadcast television program stream on such spectrum at no charge to the public.

(C) LIMITATION.—The Commission may not make reimbursements under subparagraph (A) for lost revenues.

(D) DEADLINE.—The Commission shall make all reimbursements required by subparagraph (A) not later than the date that is 3 years after the completion of the forward auction under subsection (c)(1).

(5) LOW-POWER TELEVISION USAGE RIGHTS.—Nothing in this subsection shall be construed to alter the spectrum usage rights of low-power television stations.

(c) FORWARD AUCTION.—

(1) AUCTION REQUIRED.—The Commission shall conduct a forward auction in which—

(A) the Commission assigns licenses for the use of the spectrum that the Commission reallocates under subsection (b)(1)(B)(ii); and

(B) the amount of the proceeds that the Commission shares under clause (i) of section 309(j)(8)(G) of the Communications Act of 1934 with each licensee whose bid the Commission accepts in the reverse auction under subsection (a)(1) is not less than the amount of such bid.

(2) MINIMUM PROCEEDS.—

(A) IN GENERAL.—If the amount of the proceeds from the forward auction under paragraph (1) is not greater than the sum described in subparagraph (B), no licenses shall be assigned through such forward auction, no reassignments or reallocations under subsection (b)(1)(B) shall become effective, and the Commission may not revoke any spectrum usage rights by reason of a bid that the Commission accepts in the reverse auction under subsection (a)(1).

(B) SUM DESCRIBED.—The sum described in this subparagraph is the sum of—

(i) the total amount of compensation that the Commission must pay successful bidders in the reverse auction under subsection (a)(1);

(ii) the costs of conducting such forward auction that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)); and

(iii) the estimated costs for which the Commission is required to make reimbursements under subsection (b)(4)(A).

(C) ADMINISTRATIVE COSTS.—The amount of the proceeds from the forward auction under paragraph (1) that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)) shall be sufficient to cover the costs incurred by the Commission in conducting the reverse auction under subsection (a)(1), conducting the evaluation of the broadcast television spectrum under subparagraph (A) of subsection (b)(1), and making any reassignments or reallocations under subparagraph (B) of such subsection, in addition to the costs incurred by the Commission in conducting such forward auction.

(3) FACTOR FOR CONSIDERATION.—In conducting the forward auction under paragraph (1), the Commission shall consider assigning licenses that cover geographic areas of a variety of different sizes.

(d) TV BROADCASTER RELOCATION FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the TV Broadcaster Relocation Fund.

(2) PAYMENT OF RELOCATION COSTS.—Any amounts borrowed under paragraph (3)(A) and any amounts in the TV Broadcaster Relocation Fund that are not necessary for reimbursement of the general fund of the Treasury for such borrowed amounts shall be available to the Commission to make the payments required by subsection (b)(4)(A).

(3) BORROWING AUTHORITY.—

(A) IN GENERAL.—Beginning on the date when any reassignments or reallocations under subsection (b)(1)(B) become effective, as provided in subsection (f)(2), and ending when \$1,000,000,000 has been deposited in the TV Broadcaster Relocation Fund, the Commission may borrow from the Treasury of the United States an amount not to exceed \$1,000,000,000 to use toward the payments required by subsection (b)(4)(A).

(B) REIMBURSEMENT.—The Commission shall reimburse the general fund of the Treasury, without interest, for any amounts borrowed under subparagraph (A) as funds are deposited into the TV Broadcaster Relocation Fund.

(4) TRANSFER OF UNUSED FUNDS.—If any amounts remain in the TV Broadcaster Reloca-

tion Fund after the date that is 3 years after the completion of the forward auction under subsection (c)(1), the Secretary of the Treasury shall—

(A) prior to the end of fiscal year 2022, transfer such amounts to the Public Safety Trust Fund established by section 6413(a)(1); and

(B) after the end of fiscal year 2022, transfer such amounts to the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(e) **NUMERICAL LIMITATION ON AUCTIONS AND REORGANIZATION.**—The Commission may not complete more than one reverse auction under subsection (a)(1) or more than one reorganization of the broadcast television spectrum under subsection (b).

(f) **TIMING.**—

(1) **CONTEMPORANEOUS AUCTIONS AND REORGANIZATION PERMITTED.**—The Commission may conduct the reverse auction under subsection (a)(1), any reassignments or reallocations under subsection (b)(1)(B), and the forward auction under subsection (c)(1) on a contemporaneous basis.

(2) **EFFECTIVENESS OF REASSIGNMENTS AND REALLOCATIONS.**—Notwithstanding paragraph (1), no reassignments or reallocations under subsection (b)(1)(B) shall become effective until the completion of the reverse auction under subsection (a)(1) and the forward auction under subsection (c)(1), and, to the extent practicable, all such reassignments and reallocations shall become effective simultaneously.

(3) **DEADLINE.**—The Commission may not conduct the reverse auction under subsection (a)(1) or the forward auction under subsection (c)(1) after the end of fiscal year 2022.

(4) **LIMIT ON DISCRETION REGARDING AUCTION TIMING.**—Section 309(j)(15)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(15)(A)) shall not apply in the case of an auction conducted under this section.

(g) **LIMITATION ON REORGANIZATION AUTHORITY.**—

(1) **IN GENERAL.**—During the period described in paragraph (2), the Commission may not—

(A) involuntarily modify the spectrum usage rights of a broadcast television licensee or reassign such a licensee to another television channel except—

(i) in accordance with this section; or

(ii) in the case of a violation by such licensee of the terms of its license or a specific provision of a statute administered by the Commission, or a regulation of the Commission promulgated under any such provision; or

(B) reassign a broadcast television licensee from a very high frequency television channel to an ultra high frequency television channel, unless—

(i) such a reassignment will not decrease the total amount of ultra high frequency spectrum made available for reallocation under this section; or

(ii) a request from such licensee for the reassignment was pending at the Commission on May 31, 2011.

(2) **PERIOD DESCRIBED.**—The period described in this paragraph is the period beginning on the date of the enactment of this Act and ending on the earliest of—

(A) the first date when the reverse auction under subsection (a)(1), the reassignments and reallocations (if any) under subsection (b)(1)(B), and the forward auction under subsection (c)(1) have been completed;

(B) the date of a determination by the Commission that the amount of the proceeds from the forward auction under subsection (c)(1) is not greater than the sum described in subsection (c)(2)(B); or

(C) September 30, 2022.

(h) **PROTEST RIGHT INAPPLICABLE.**—The right of a licensee to protest a proposed order of modification of its license under section 316 of the Communications Act of 1934 (47 U.S.C. 316) shall not apply in the case of a modification made under this section.

(i) **COMMISSION AUTHORITY.**—Nothing in subsection (b) shall be construed to—

(1) expand or contract the authority of the Commission, except as otherwise expressly provided; or

(2) prevent the implementation of the Commission's "White Spaces" Second Report and Order and Memorandum Opinion and Order (FCC 08 260, adopted November 4, 2008) in the spectrum that remains allocated for broadcast television use after the reorganization required by such subsection.

SEC. 6404. CERTAIN CONDITIONS ON AUCTION PARTICIPATION PROHIBITED.

Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended by adding at the end the following new paragraph:

"(17) **CERTAIN CONDITIONS ON AUCTION PARTICIPATION PROHIBITED.**—

"(A) **IN GENERAL.**—Notwithstanding any other provision of law, the Commission may not prevent a person from participating in a system of competitive bidding under this subsection if such person—

"(i) complies with all the auction procedures and other requirements to protect the auction process established by the Commission; and

"(ii) either—

"(I) meets the technical, financial, character, and citizenship qualifications that the Commission may require under section 303(l)(1), 308(b), or 310 to hold a license; or

"(II) would meet such license qualifications by means approved by the Commission prior to the grant of the license.

"(B) **CLARIFICATION OF AUTHORITY.**—Nothing in subparagraph (A) affects any authority the Commission has to adopt and enforce rules of general applicability, including rules concerning spectrum aggregation that promote competition."

SEC. 6405. EXTENSION OF AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking "2012" and inserting "2022".

SEC. 6406. UNLICENSED USE IN THE 5 GHZ BAND.

(a) **MODIFICATION OF COMMISSION REGULATIONS TO ALLOW CERTAIN UNLICENSED USE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), not later than 1 year after the date of the enactment of this Act, the Commission shall begin a proceeding to modify part 15 of title 47, Code of Federal Regulations, to allow unlicensed U NII devices to operate in the 5350 5470 MHz band.

(2) **REQUIRED DETERMINATIONS.**—The Commission may make the modification described in paragraph (1) only if the Commission, in consultation with the Assistant Secretary, determines that—

(A) licensed users will be protected by technical solutions, including use of existing, modified, or new spectrum-sharing technologies and solutions, such as dynamic frequency selection; and

(B) the primary mission of Federal spectrum users in the 5350 5470 MHz band will not be compromised by the introduction of unlicensed devices.

(b) **STUDY BY NTIA.**—

(1) **IN GENERAL.**—The Assistant Secretary, in consultation with the Department of Defense and other impacted agencies, shall conduct a study evaluating known and proposed spectrum-sharing technologies and the risk to Federal users if unlicensed U NII devices were allowed to operate in the 5350 5470 MHz band and in the 5850 5925 MHz band.

(2) **SUBMISSION.**—The Assistant Secretary shall submit to the Commission and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(A) not later than 8 months after the date of the enactment of this Act, a report on the portion of the study required by paragraph (1) with respect to the 5350 5470 MHz band; and

(B) not later than 18 months after the date of the enactment of this Act, a report on the por-

tion of the study required by paragraph (1) with respect to the 5850 5925 MHz band.

(c) **DEFINITIONS.**—In this section:

(1) **5350 5470 MHZ BAND.**—The term "5350 5470 MHz band" means the portion of the electromagnetic spectrum between the frequencies from 5350 megahertz to 5470 megahertz.

(2) **5850 5925 MHZ BAND.**—The term "5850 5925 MHz band" means the portion of the electromagnetic spectrum between the frequencies from 5850 megahertz to 5925 megahertz.

SEC. 6407. GUARD BANDS AND UNLICENSED USE.

(a) **IN GENERAL.**—Nothing in subparagraph (G) of section 309(j)(8) of the Communications Act of 1934, as added by section 6402, or in section 6403 shall be construed to prevent the Commission from using relinquished or other spectrum to implement band plans with guard bands.

(b) **SIZE OF GUARD BANDS.**—Such guard bands shall be no larger than is technically reasonable to prevent harmful interference between licensed services outside the guard bands.

(c) **UNLICENSED USE IN GUARD BANDS.**—The Commission may permit the use of such guard bands for unlicensed use.

(d) **DATABASE.**—Unlicensed use shall rely on a database or subsequent methodology as determined by the Commission.

(e) **PROTECTIONS AGAINST HARMFUL INTERFERENCE.**—The Commission may not permit any use of a guard band that the Commission determines would cause harmful interference to licensed services.

SEC. 6408. STUDY ON RECEIVER PERFORMANCE AND SPECTRUM EFFICIENCY.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study to consider efforts to ensure that each transmission system is designed and operated so that reasonable use of adjacent spectrum does not excessively impair the functioning of such system.

(b) **REQUIRED CONSIDERATIONS.**—In conducting the study required by subsection (a), the Comptroller General shall consider—

(1) the value of—

(A) improving receiver performance as it relates to increasing spectral efficiency;

(B) improving the operation of services that are located in adjacent spectrum; and

(C) narrowing the guard bands between adjacent spectrum use;

(2) the role of manufacturers, commercial licensees, and government users with respect to their transmission systems and the use of adjacent spectrum;

(3) the feasibility of industry self-compliance with respect to the design and operational requirements of transmission systems and the reasonable use of adjacent spectrum; and

(4) the value of action by the Commission and the Assistant Secretary to establish, by rule, technical requirements or standards for non-Federal and Federal use, respectively, with respect to the reasonable use of portions of the radio spectrum that are adjacent to each other.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report on the results of the study required by subsection (a) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) **TRANSMISSION SYSTEM DEFINED.**—In this section, the term "transmission system" means any telecommunications, broadcast, satellite, commercial mobile service, or other communications system that employs radio spectrum.

SEC. 6409. WIRELESS FACILITIES DEPLOYMENT.

(a) **FACILITY MODIFICATIONS.**—

(1) **IN GENERAL.**—Notwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104 104) or any other provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change

the physical dimensions of such tower or base station.

(2) **ELIGIBLE FACILITIES REQUEST.**—For purposes of this subsection, the term “eligible facilities request” means any request for modification of an existing wireless tower or base station that involves—

(A) collocation of new transmission equipment;

(B) removal of transmission equipment; or

(C) replacement of transmission equipment.

(3) **APPLICABILITY OF ENVIRONMENTAL LAWS.**—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of the National Historic Preservation Act or the National Environmental Policy Act of 1969.

(b) **FEDERAL EASEMENTS AND RIGHTS-OF-WAY.**—

(1) **GRANT.**—If an executive agency, a State, a political subdivision or agency of a State, or a person, firm, or organization applies for the grant of an easement or right-of-way to, in, over, or on a building or other property owned by the Federal Government for the right to install, construct, and maintain wireless service antenna structures and equipment and backhaul transmission equipment, the executive agency having control of the building or other property may grant to the applicant, on behalf of the Federal Government, an easement or right-of-way to perform such installation, construction, and maintenance.

(2) **APPLICATION.**—The Administrator of General Services shall develop a common form for applications for easements and rights-of-way under paragraph (1) for all executive agencies that shall be used by applicants with respect to the buildings or other property of each such agency.

(3) **FEE.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, the Administrator of General Services shall establish a fee for the grant of an easement or right-of-way pursuant to paragraph (1) that is based on direct cost recovery.

(B) **EXCEPTIONS.**—The Administrator of General Services may establish exceptions to the fee amount required under subparagraph (A)—

(i) in consideration of the public benefit provided by a grant of an easement or right-of-way; and

(ii) in the interest of expanding wireless and broadband coverage.

(4) **USE OF FEES COLLECTED.**—Any fee amounts collected by an executive agency pursuant to paragraph (3) may be made available, as provided in appropriations Acts, to such agency to cover the costs of granting the easement or right-of-way.

(c) **MASTER CONTRACTS FOR WIRELESS FACILITY SITINGS.**—

(1) **IN GENERAL.**—Notwithstanding section 704 of the Telecommunications Act of 1996 or any other provision of law, and not later than 60 days after the date of the enactment of this Act, the Administrator of General Services shall—

(A) develop 1 or more master contracts that shall govern the placement of wireless service antenna structures on buildings and other property owned by the Federal Government; and

(B) in developing the master contract or contracts, standardize the treatment of the placement of wireless service antenna structures on building rooftops or facades, the placement of wireless service antenna equipment on rooftops or inside buildings, the technology used in connection with wireless service antenna structures or equipment placed on Federal buildings and other property, and any other key issues the Administrator of General Services considers appropriate.

(2) **APPLICABILITY.**—The master contract or contracts developed by the Administrator of General Services under paragraph (1) shall apply to all publicly accessible buildings and other property owned by the Federal Government, unless the Administrator of General Services decides that issues with respect to the siting of a wireless service antenna structure on a spe-

cific building or other property warrant non-standard treatment of such building or other property.

(3) **APPLICATION.**—The Administrator of General Services shall develop a common form or set of forms for wireless service antenna structure siting applications under this subsection for all executive agencies that shall be used by applicants with respect to the buildings and other property of each such agency.

(d) **EXECUTIVE AGENCY DEFINED.**—In this section, the term “executive agency” has the meaning given such term in section 102 of title 40, United States Code.

SEC. 6410. FUNCTIONAL RESPONSIBILITY OF NTIA TO ENSURE EFFICIENT USE OF SPECTRUM.

Section 103(b)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 902(b)(2)) is amended by adding at the end the following:

“(U) The responsibility to promote the best possible and most efficient use of electromagnetic spectrum resources across the Federal Government, subject to and consistent with the needs and missions of Federal agencies.”.

SEC. 6411. SYSTEM CERTIFICATION.

Not later than 6 months after the date of the enactment of this Act, the Director of the Office of Management and Budget shall update and revise section 33.4 of OMB Circular A 11 to reflect the recommendations regarding such Circular made in the Commerce Spectrum Management Advisory Committee Incentive Subcommittee report, adopted January 11, 2011.

SEC. 6412. DEPLOYMENT OF 11 GHZ, 18 GHZ, AND 23 GHZ MICROWAVE BANDS.

(a) **FCC REPORT ON REJECTION RATE.**—Not later than 9 months after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the rejection rate for the spectrum described in subsection (c).

(b) **GAO STUDY ON DEPLOYMENT.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study to assess whether the spectrum described in subsection (c) is being deployed in such a manner that, in areas with high demand for common carrier licenses for the use of such spectrum, market forces—

(A) provide adequate incentive for the efficient use of such spectrum; and

(B) ensure that the Federal Government receives maximum revenue for such spectrum through competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)).

(2) **FACTORS FOR CONSIDERATION.**—In conducting the study required by paragraph (1), the Comptroller General shall take into consideration—

(A) spectrum that is adjacent to the spectrum described in subsection (c) and that was assigned through competitive bidding under section 309(j) of the Communications Act of 1934; and

(B) the rejection rate for the spectrum described in subsection (c), current as of the time of the assessment and as projected for the future, in markets in which there is a high demand for common carrier licenses for the use of such spectrum.

(3) **REPORT.**—Not later than 9 months after the date of the enactment of this Act, the Comptroller General shall submit a report on the study required by paragraph (1) to—

(A) the Commission; and

(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) **SPECTRUM DESCRIBED.**—The spectrum described in this subsection is the portions of the electromagnetic spectrum between the frequencies from 10,700 megahertz to 11,700 mega-

hertz, from 17,700 megahertz to 19,700 megahertz, and from 21,200 megahertz to 23,600 megahertz.

(d) **REJECTION RATE DEFINED.**—In this section, the term “rejection rate” means the number and percent of applications (whether made to the Commission or to a third-party coordinator) for common carrier use of spectrum that were not granted because of lack of availability of such spectrum or interference concerns of existing licensees.

(e) **NO ADDITIONAL FUNDS AUTHORIZED.**—Funds necessary to carry out this section shall be derived from funds otherwise authorized to be appropriated.

SEC. 6413. PUBLIC SAFETY TRUST FUND.

(a) **ESTABLISHMENT OF PUBLIC SAFETY TRUST FUND.**—

(1) **IN GENERAL.**—There is established in the Treasury of the United States a trust fund to be known as the Public Safety Trust Fund.

(2) **AVAILABILITY.**—Amounts deposited in the Public Safety Trust Fund shall remain available through fiscal year 2022. Any amounts remaining in the Fund after the end of such fiscal year shall be deposited in the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(b) **USE OF FUND.**—As amounts are deposited in the Public Safety Trust Fund, such amounts shall be used to make the following deposits or payments in the following order of priority:

(1) **REPAYMENT OF AMOUNT BORROWED FOR FIRST RESPONDER NETWORK AUTHORITY.**—An amount not to exceed \$2,000,000,000 shall be available to the NTIA to reimburse the general fund of the Treasury for any amounts borrowed under section 6207.

(2) **STATE AND LOCAL IMPLEMENTATION FUND.**—\$135,000,000 shall be deposited in the State and Local Implementation Fund established by section 6301.

(3) **BUILDOUT BY FIRST RESPONDER NETWORK AUTHORITY.**—\$7,000,000,000, reduced by the amount borrowed under section 6207, shall be deposited in the Network Construction Fund established by section 6206.

(4) **PUBLIC SAFETY RESEARCH.**—\$100,000,000 shall be available to the Director of NIST to carry out section 6303.

(5) **DEFICIT REDUCTION.**—\$20,400,000,000 shall be deposited in the general fund of the Treasury, where such amount shall be dedicated for the sole purpose of deficit reduction.

(6) **9 1 1, E9 1 1, AND NEXT GENERATION 9 1 1 IMPLEMENTATION GRANTS.**—\$115,000,000 shall be available to the Assistant Secretary and the Administrator of the National Highway Traffic Safety Administration to carry out the grant program under section 158 of the National Telecommunications and Information Administration Organization Act, as amended by section 6503 of this title.

(7) **ADDITIONAL PUBLIC SAFETY RESEARCH.**—\$200,000,000 shall be available to the Director of NIST to carry out section 6303.

(8) **ADDITIONAL DEFICIT REDUCTION.**—Any remaining amounts deposited in the Public Safety Trust Fund shall be deposited in the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(c) **INVESTMENT.**—Amounts in the Public Safety Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be credited to, and become a part of, the Fund.

SEC. 6414. STUDY ON EMERGENCY COMMUNICATIONS BY AMATEUR RADIO AND IMPEDIMENTS TO AMATEUR RADIO COMMUNICATIONS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commission, in consultation with the Office of Emergency Communications in the Department of Homeland Security, shall—

(1) complete a study on the uses and capabilities of amateur radio service communications in emergencies and disaster relief; and

(2) submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such study.

(b) CONTENTS.—The study required by subsection (a) shall include—

(1)(A) a review of the importance of emergency amateur radio service communications relating to disasters, severe weather, and other threats to lives and property in the United States; and

(B) recommendations for—

(i) enhancements in the voluntary deployment of amateur radio operators in disaster and emergency communications and disaster relief efforts; and

(ii) improved integration of amateur radio operators in the planning and furtherance of initiatives of the Federal Government; and

(2)(A) an identification of impediments to enhanced amateur radio service communications, such as the effects of unreasonable or unnecessary private land use restrictions on residential antenna installations; and

(B) recommendations regarding the removal of such impediments.

(c) EXPERTISE.—In conducting the study required by subsection (a), the Commission shall use the expertise of stakeholder entities and organizations, including the amateur radio, emergency response, and disaster communications communities.

Subtitle E—Next Generation 9 1 1 Advancement Act of 2012

SEC. 6501. SHORT TITLE.

This subtitle may be cited as the “Next Generation 9 1 1 Advancement Act of 2012”.

SEC. 6502. DEFINITIONS.

In this subtitle, the following definitions shall apply:

(1) 9 1 1 SERVICES AND E9 1 1 SERVICES.—The terms “9 1 1 services” and “E9 1 1 services” shall have the meaning given those terms in section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942), as amended by this subtitle.

(2) MULTI-LINE TELEPHONE SYSTEM.—The term “multi-line telephone system” or “MLTS” means a system comprised of common control units, telephone sets, control hardware and software and adjunct systems, including network and premises based systems, such as Centrex and VoIP, as well as PBX, Hybrid, and Key Telephone Systems (as classified by the Commission under part 68 of title 47, Code of Federal Regulations), and includes systems owned or leased by governmental agencies and non-profit entities, as well as for profit businesses.

(3) OFFICE.—The term “Office” means the 9 1 1 Implementation Coordination Office established under section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942), as amended by this subtitle.

SEC. 6503. COORDINATION OF 9 1 1 IMPLEMENTATION.

Section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) is amended to read as follows:

“SEC. 158. COORDINATION OF 9 1 1, E9 1 1, AND NEXT GENERATION 9 1 1 IMPLEMENTATION.

“(a) 9 1 1 IMPLEMENTATION COORDINATION OFFICE.—

“(1) ESTABLISHMENT AND CONTINUATION.—The Assistant Secretary and the Administrator of the National Highway Traffic Safety Administration shall—

“(A) establish and further a program to facilitate coordination and communication between Federal, State, and local emergency communications systems, emergency personnel, public safety organizations, telecommunications carriers, and telecommunications equipment manufacturers and vendors involved in the implementation of 9 1 1 services; and

“(B) establish a 9 1 1 Implementation Coordination Office to implement the provisions of this section.

“(2) MANAGEMENT PLAN.—

“(A) DEVELOPMENT.—The Assistant Secretary and the Administrator shall develop a management plan for the grant program established under this section, including by developing—

“(i) plans related to the organizational structure of such program; and

“(ii) funding profiles for each fiscal year of the duration of such program.

“(B) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of enactment of the Next Generation 9 1 1 Advancement Act of 2012, the Assistant Secretary and the Administrator shall submit the management plan developed under subparagraph (A) to—

“(i) the Committees on Commerce, Science, and Transportation and Appropriations of the Senate; and

“(ii) the Committees on Energy and Commerce and Appropriations of the House of Representatives.

“(3) PURPOSE OF OFFICE.—The Office shall—

“(A) take actions, in concert with coordinators designated in accordance with subsection (b)(3)(A)(ii), to improve coordination and communication with respect to the implementation of 9 1 1 services, E9 1 1 services, and Next Generation 9 1 1 services;

“(B) develop, collect, and disseminate information concerning practices, procedures, and technology used in the implementation of 9 1 1 services, E9 1 1 services, and Next Generation 9 1 1 services;

“(C) advise and assist eligible entities in the preparation of implementation plans required under subsection (b)(3)(A)(iii);

“(D) receive, review, and recommend the approval or disapproval of applications for grants under subsection (b); and

“(E) oversee the use of funds provided by such grants in fulfilling such implementation plans.

“(4) REPORTS.—The Assistant Secretary and the Administrator shall provide an annual report to Congress by the first day of October of each year on the activities of the Office to improve coordination and communication with respect to the implementation of 9 1 1 services, E9 1 1 services, and Next Generation 9 1 1 services.

“(b) 9 1 1, E9 1 1, AND NEXT GENERATION 9 1 1 IMPLEMENTATION GRANTS.—

“(1) MATCHING GRANTS.—The Assistant Secretary and the Administrator, acting through the Office, shall provide grants to eligible entities for—

“(A) the implementation and operation of 9 1 1 services, E9 1 1 services, migration to an IP-enabled emergency network, and adoption and operation of Next Generation 9 1 1 services and applications;

“(B) the implementation of IP-enabled emergency services and applications enabled by Next Generation 9 1 1 services, including the establishment of IP backbone networks and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations; and

“(C) training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 9 1 1 services.

“(2) MATCHING REQUIREMENT.—The Federal share of the cost of a project eligible for a grant under this section shall not exceed 60 percent.

“(3) COORDINATION REQUIRED.—In providing grants under paragraph (1), the Assistant Secretary and the Administrator shall require an eligible entity to certify in its application that—

“(A) in the case of an eligible entity that is a State government, the entity—

“(i) has coordinated its application with the public safety answering points located within the jurisdiction of such entity;

“(ii) has designated a single officer or governmental body of the entity to serve as the coordinator of implementation of 9 1 1 services, except that such designation need not vest such coordi-

nator with direct legal authority to implement 9 1 1 services, E9 1 1 services, or Next Generation 9 1 1 services or to manage emergency communications operations;

“(iii) has established a plan for the coordination and implementation of 9 1 1 services, E9 1 1 services, and Next Generation 9 1 1 services; and

“(iv) has integrated telecommunications services involved in the implementation and delivery of 9 1 1 services, E9 1 1 services, and Next Generation 9 1 1 services; or

“(B) in the case of an eligible entity that is not a State, the entity has complied with clauses (i), (iii), and (iv) of subparagraph (A), and the State in which it is located has complied with clause (ii) of such subparagraph.

“(4) CRITERIA.—Not later than 120 days after the date of enactment of the Next Generation 9 1 1 Advancement Act of 2012, the Assistant Secretary and the Administrator shall issue regulations, after providing the public with notice and an opportunity to comment, prescribing the criteria for selection for grants under this section. The criteria shall include performance requirements and a timeline for completion of any project to be financed by a grant under this section. The Assistant Secretary and the Administrator shall update such regulations as necessary.

“(c) DIVERSION OF 9 1 1 CHARGES.—

“(1) DESIGNATED 9 1 1 CHARGES.—For the purposes of this subsection, the term ‘designated 9 1 1 charges’ means any taxes, fees, or other charges imposed by a State or other taxing jurisdiction that are designated or presented as dedicated to deliver or improve 9 1 1 services, E9 1 1 services, or Next Generation 9 1 1 services.

“(2) CERTIFICATION.—Each applicant for a matching grant under this section shall certify to the Assistant Secretary and the Administrator at the time of application, and each applicant that receives such a grant shall certify to the Assistant Secretary and the Administrator annually thereafter during any period of time during which the funds from the grant are available to the applicant, that no portion of any designated 9 1 1 charges imposed by a State or other taxing jurisdiction within which the applicant is located are being obligated or expended for any purpose other than the purposes for which such charges are designated or presented during the period beginning 180 days immediately preceding the date of the application and continuing through the period of time during which the funds from the grant are available to the applicant.

“(3) CONDITION OF GRANT.—Each applicant for a grant under this section shall agree, as a condition of receipt of the grant, that if the State or other taxing jurisdiction within which the applicant is located, during any period of time during which the funds from the grant are available to the applicant, obligates or expends designated 9 1 1 charges for any purpose other than the purposes for which such charges are designated or presented, eliminates such charges, or redesignates such charges for purposes other than the implementation or operation of 9 1 1 services, E9 1 1 services, or Next Generation 9 1 1 services, all of the funds from such grant shall be returned to the Office.

“(4) PENALTY FOR PROVIDING FALSE INFORMATION.—Any applicant that provides a certification under paragraph (2) knowing that the information provided in the certification was false shall—

“(A) not be eligible to receive the grant under subsection (b);

“(B) return any grant awarded under subsection (b) during the time that the certification was not valid; and

“(C) not be eligible to receive any subsequent grants under subsection (b).

“(d) FUNDING AND TERMINATION.—

“(1) IN GENERAL.—From the amounts made available to the Assistant Secretary and the Administrator under section 6413(b)(6) of the Middle Class Tax Relief and Job Creation Act of

2012, the Assistant Secretary and the Administrator are authorized to provide grants under this section through the end of fiscal year 2022. Not more than 5 percent of such amounts may be obligated or expended to cover the administrative costs of carrying out this section.

“(2) **TERMINATION.**—Effective on October 1, 2022, the authority provided by this section terminates and this section shall have no effect.

“(e) **DEFINITIONS.**—In this section, the following definitions shall apply:

“(1) **9 1 1 SERVICES.**—The term ‘9 1 1 services’ includes both E9 1 1 services and Next Generation 9 1 1 services.

“(2) **E9 1 1 SERVICES.**—The term ‘E9 1 1 services’ means both phase I and phase II enhanced 9 1 1 services, as described in section 20.18 of the Commission’s regulations (47 C.F.R. 20.18), as in effect on the date of enactment of the Next Generation 9 1 1 Advancement Act of 2012, or as subsequently revised by the Commission.

“(3) **ELIGIBLE ENTITY.**—

“(A) **IN GENERAL.**—The term ‘eligible entity’ means a State or local government or a tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(1))).

“(B) **INSTRUMENTALITIES.**—The term ‘eligible entity’ includes public authorities, boards, commissions, and similar bodies created by one or more eligible entities described in subparagraph (A) to provide 9 1 1 services, E9 1 1 services, or Next Generation 9 1 1 services.

“(C) **EXCEPTION.**—The term ‘eligible entity’ does not include any entity that has failed to submit the most recently required certification under subsection (c) within 30 days after the date on which such certification is due.

“(4) **EMERGENCY CALL.**—The term ‘emergency call’ refers to any real-time communication with a public safety answering point or other emergency management or response agency, including—

“(A) through voice, text, or video and related data; and

“(B) nonhuman-initiated automatic event alerts, such as alarms, telematics, or sensor data, which may also include real-time voice, text, or video communications.

“(5) **NEXT GENERATION 9 1 1 SERVICES.**—The term ‘Next Generation 9 1 1 services’ means an IP-based system comprised of hardware, software, data, and operational policies and procedures that—

“(A) provides standardized interfaces from emergency call and message services to support emergency communications;

“(B) processes all types of emergency calls, including voice, data, and multimedia information;

“(C) acquires and integrates additional emergency call data useful to call routing and handling;

“(D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;

“(E) supports data or video communications needs for coordinated incident response and management; and

“(F) provides broadband service to public safety answering points or other first responder entities.

“(6) **OFFICE.**—The term ‘Office’ means the 9 1 1 Implementation Coordination Office.

“(7) **PUBLIC SAFETY ANSWERING POINT.**—The term ‘public safety answering point’ has the meaning given the term in section 222 of the Communications Act of 1934 (47 U.S.C. 222).

“(8) **STATE.**—The term ‘State’ means any State of the United States, the District of Columbia, Puerto Rico, American Samoa, Guam, the United States Virgin Islands, the Northern Mariana Islands, and any other territory or possession of the United States.”.

SEC. 6504. REQUIREMENTS FOR MULTI-LINE TELEPHONE SYSTEMS.

(a) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the

Administrator of General Services, in conjunction with the Office, shall issue a report to Congress identifying the 9 1 1 capabilities of the multi-line telephone system in use by all Federal agencies in all Federal buildings and properties.

(b) **COMMISSION ACTION.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Commission shall issue a public notice seeking comment on the feasibility of MLTS manufacturers including within all such systems manufactured or sold after a date certain, to be determined by the Commission, one or more mechanisms to provide a sufficiently precise indication of a 9 1 1 caller’s location, while avoiding the imposition of undue burdens on MLTS manufacturers, providers, and operators.

(2) **SPECIFIC REQUIREMENT.**—The public notice under paragraph (1) shall seek comment on the National Emergency Number Association’s “Technical Requirements Document On Model Legislation E9 1 1 for Multi-Line Telephone Systems” (NENA 06 750, Version 2).

SEC. 6505. GAO STUDY OF STATE AND LOCAL USE OF 9 1 1 SERVICE CHARGES.

(a) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a study of—

(1) the imposition of taxes, fees, or other charges imposed by States or political subdivisions of States that are designated or presented as dedicated to improve emergency communications services, including 9 1 1 services or enhanced 9 1 1 services, or related to emergency communications services operations or improvements; and

(2) the use of revenues derived from such taxes, fees, or charges.

(b) **REPORT.**—Not later than 18 months after initiating the study required by subsection (a), the Comptroller General shall prepare and submit a report on the results of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives setting forth the findings, conclusions, and recommendations, if any, of the study, including—

(1) the identity of each State or political subdivision that imposes such taxes, fees, or other charges; and

(2) the amount of revenues obligated or expended by that State or political subdivision for any purpose other than the purposes for which such taxes, fees, or charges were designated or presented.

SEC. 6506. PARITY OF PROTECTION FOR PROVISION OR USE OF NEXT GENERATION 9 1 1 SERVICES.

(a) **IMMUNITY.**—A provider or user of Next Generation 9 1 1 services, a public safety answering point, and the officers, directors, employees, vendors, agents, and authorizing government entity (if any) of such provider, user, or public safety answering point, shall have immunity and protection from liability under Federal and State law to the extent provided in subsection (b) with respect to—

(1) the release of subscriber information related to emergency calls or emergency services;

(2) the use or provision of 9 1 1 services, E9 1 1 services, or Next Generation 9 1 1 services; and

(3) other matters related to 9 1 1 services, E9 1 1 services, or Next Generation 9 1 1 services.

(b) **SCOPE OF IMMUNITY AND PROTECTION FROM LIABILITY.**—The scope and extent of the immunity and protection from liability afforded under subsection (a) shall be the same as that provided under section 4 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a) to wireless carriers, public safety answering points, and users of wireless 9 1 1 service (as defined in paragraphs (4), (3), and (6), respectively, of section 6 of that Act (47 U.S.C. 615b)) with respect to such release, use, and other matters.

SEC. 6507. COMMISSION PROCEEDING ON AUTODIALING.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Commission shall initiate a proceeding to create a specialized Do-Not-Call registry for public safety answering points.

(b) **FEATURES OF THE REGISTRY.**—The Commission shall issue regulations, after providing the public with notice and an opportunity to comment, that—

(1) permit verified public safety answering point administrators or managers to register the telephone numbers of all 9 1 1 trunks and other lines used for the provision of emergency services to the public or for communications between public safety agencies;

(2) provide a process for verifying, no less frequently than once every 7 years, that registered numbers should continue to appear upon the registry;

(3) provide a process for granting and tracking access to the registry by the operators of automatic dialing equipment;

(4) protect the list of registered numbers from disclosure or dissemination by parties granted access to the registry; and

(5) prohibit the use of automatic dialing or “robocall” equipment to establish contact with registered numbers.

(c) **ENFORCEMENT.**—The Commission shall—

(1) establish monetary penalties for violations of the protective regulations established pursuant to subsection (b)(4) of not less than \$100,000 per incident nor more than \$1,000,000 per incident;

(2) establish monetary penalties for violations of the prohibition on automatically dialing registered numbers established pursuant to subsection (b)(5) of not less than \$10,000 per call nor more than \$100,000 per call; and

(3) provide for the imposition of fines under paragraphs (1) or (2) that vary depending upon whether the conduct leading to the violation was negligent, grossly negligent, reckless, or willful, and depending on whether the violation was a first or subsequent offence.

SEC. 6508. REPORT ON COSTS FOR REQUIREMENTS AND SPECIFICATIONS OF NEXT GENERATION 9 1 1 SERVICES.

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Office, in consultation with the Administrator of the National Highway Traffic Safety Administration, the Commission, and the Secretary of Homeland Security, shall prepare and submit a report to Congress that analyzes and determines detailed costs for specific Next Generation 9 1 1 service requirements and specifications.

(b) **PURPOSE OF REPORT.**—The purpose of the report required under subsection (a) is to serve as a resource for Congress as it considers creating a coordinated, long-term funding mechanism for the deployment and operation, accessibility, application development, equipment procurement, and training of personnel for Next Generation 9 1 1 services.

(c) **REQUIRED INCLUSIONS.**—The report required under subsection (a) shall include the following:

(1) How costs would be broken out geographically and allocated among public safety answering points, broadband service providers, and third-party providers of Next Generation 9 1 1 services.

(2) An assessment of the current state of Next Generation 9 1 1 service readiness among public safety answering points.

(3) How differences in public safety answering points’ access to broadband across the United States may affect costs.

(4) A technical analysis and cost study of different delivery platforms, such as wireline, wireless, and satellite.

(5) An assessment of the architectural characteristics, feasibility, and limitations of Next Generation 9 1 1 service delivery.

(6) An analysis of the needs for Next Generation 9 1 1 services of persons with disabilities.

(7) Standards and protocols for Next Generation 9 1 1 services and for incorporating Voice over Internet Protocol and "Real-Time Text" standards.

SEC. 6509. COMMISSION RECOMMENDATIONS FOR LEGAL AND STATUTORY FRAMEWORK FOR NEXT GENERATION 9 1 1 SERVICES.

Not later than 1 year after the date of the enactment of this Act, the Commission, in coordination with the Secretary of Homeland Security, the Administrator of the National Highway Traffic Safety Administration, and the Office, shall prepare and submit a report to Congress that contains recommendations for the legal and statutory framework for Next Generation 9 1 1 services, consistent with recommendations in the National Broadband Plan developed by the Commission pursuant to the American Recovery and Reinvestment Act of 2009, including the following:

(1) A legal and regulatory framework for the development of Next Generation 9 1 1 services and the transition from legacy 9 1 1 to Next Generation 9 1 1 networks.

(2) Legal mechanisms to ensure efficient and accurate transmission of 9 1 1 caller information to emergency response agencies.

(3) Recommendations for removing jurisdictional barriers and inconsistent legacy regulations including—

(A) proposals that would require States to remove regulatory roadblocks to Next Generation 9 1 1 services development, while recognizing existing State authority over 9 1 1 services;

(B) eliminating outdated 9 1 1 regulations at the Federal level; and

(C) preempting inconsistent State regulations.

Subtitle F—Telecommunications Development Fund

SEC. 6601. NO ADDITIONAL FEDERAL FUNDS.

Section 309(j)(8)(C)(iii) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(C)(iii)) is amended to read as follows:

"(iii) the interest accrued to the account shall be deposited in the general fund of the Treasury, where such amount shall be dedicated for the sole purpose of deficit reduction."

SEC. 6602. INDEPENDENCE OF THE FUND.

Section 714 of the Communications Act of 1934 (47 U.S.C. 614) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) **INDEPENDENT BOARD OF DIRECTORS.**—The Fund shall have a Board of Directors consisting of 5 people with experience in areas including finance, investment banking, government banking, communications law and administrative practice, and public policy. The Board of Directors shall select annually a Chair from among the directors. A nominating committee, comprised of the Chair and 2 other directors selected by the Chair, shall appoint additional directors. The Fund's bylaws shall regulate the other aspects of the Board of Directors, including provisions relating to meetings, quorums, committees, and other matters, all as typically contained in the bylaws of a similar private investment fund."

(2) in subsection (d)—

(A) by striking "(after consultation with the Commission and the Secretary of the Treasury)";

(B) by striking paragraph (1); and

(C) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(3) in subsection (g), by striking "subsection (d)(2)" and inserting "subsection (d)(1)".

Subtitle G—Federal Spectrum Relocation

SEC. 6701. RELOCATION OF AND SPECTRUM SHARING BY FEDERAL GOVERNMENT STATIONS.

(a) **IN GENERAL.**—Section 113 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923) is amended—

(1) in subsection (g)—

(A) by striking the heading and inserting "RELOCATION OF AND SPECTRUM SHARING BY FEDERAL GOVERNMENT STATIONS.—";

(B) by amending paragraph (1) to read as follows:

"(1) **ELIGIBLE FEDERAL ENTITIES.**—Any Federal entity that operates a Federal Government station authorized to use a band of eligible frequencies described in paragraph (2) and that incurs relocation or sharing costs because of planning for an auction of spectrum frequencies or the reallocation of spectrum frequencies from Federal use to exclusive non-Federal use or to shared use shall receive payment for such relocation or sharing costs from the Spectrum Relocation Fund, in accordance with this section and section 118. For purposes of this paragraph, Federal power agencies exempted under subsection (c)(4) that choose to relocate from the frequencies identified for reallocation pursuant to subsection (a) are eligible to receive payment under this paragraph."

(C) by amending paragraph (2)(B) to read as follows:

"(B) any other band of frequencies reallocated from Federal use to non-Federal use or to shared use after January 1, 2003, that is assigned by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j))."

(D) by amending paragraph (3) to read as follows:

"(3) **RELOCATION OR SHARING COSTS DEFINED.**—

"(A) **IN GENERAL.**—For purposes of this section and section 118, the term 'relocation or sharing costs' means the costs incurred by a Federal entity in connection with the auction of spectrum frequencies previously assigned to such entity or the sharing of spectrum frequencies assigned to such entity (including the auction or a planned auction of the rights to use spectrum frequencies on a shared basis with such entity) in order to achieve comparable capability of systems as before the relocation or sharing arrangement. Such term includes, with respect to relocation or sharing, as the case may be—

"(i) the costs of any modification or replacement of equipment, spares, associated ancillary equipment, software, facilities, operating manuals, training, or compliance with regulations that are attributable to relocation or sharing;

"(ii) the costs of all engineering, equipment, software, site acquisition, and construction, as well as any legitimate and prudent transaction expense, including term-limited Federal civil servant and contractor staff necessary to carry out the relocation or sharing activities of a Federal entity, and reasonable additional costs incurred by the Federal entity that are attributable to relocation or sharing, including increased recurring costs associated with the replacement of facilities;

"(iii) the costs of research, engineering studies, economic analyses, or other expenses reasonably incurred in connection with—

"(I) calculating the estimated relocation or sharing costs that are provided to the Commission pursuant to paragraph (4)(A);

"(II) determining the technical or operational feasibility of relocation to 1 or more potential relocation bands; or

"(III) planning for or managing a relocation or sharing arrangement (including spectrum coordination with auction winners);

"(iv) the one-time costs of any modification of equipment reasonably necessary—

"(I) to accommodate non-Federal use of shared frequencies; or

"(II) in the case of eligible frequencies reallocated for exclusive non-Federal use and assigned through a system of competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) but with respect to which a Federal entity retains primary allocation or protected status for a period of time after the completion of the competitive bidding proc-

ess, to accommodate shared Federal and non-Federal use of such frequencies for such period; and

"(v) the costs associated with the accelerated replacement of systems and equipment if the acceleration is necessary to ensure the timely relocation of systems to a new frequency assignment or the timely accommodation of sharing of Federal frequencies.

"(B) **COMPARABLE CAPABILITY OF SYSTEMS.**—For purposes of subparagraph (A), comparable capability of systems—

"(i) may be achieved by relocating a Federal Government station to a new frequency assignment, by relocating a Federal Government station to a different geographic location, by modifying Federal Government equipment to mitigate interference or use less spectrum, in terms of bandwidth, geography, or time, and thereby permitting spectrum sharing (including sharing among relocated Federal entities and incumbents to make spectrum available for non-Federal use) or relocation, or by utilizing an alternative technology; and

"(ii) includes the acquisition of state-of-the-art replacement systems intended to meet comparable operational scope, which may include incidental increases in functionality."

(E) in paragraph (4)—

(i) in the heading, by striking "RELOCATIONS COSTS" and inserting "RELOCATION OR SHARING COSTS";

(ii) by striking "relocation costs" each place it appears and inserting "relocation or sharing costs"; and

(iii) in subparagraph (A), by inserting "or sharing" after "such relocation";

(F) in paragraph (5)—

(i) by striking "relocation costs" and inserting "relocation or sharing costs"; and

(ii) by inserting "or sharing" after "for relocation"; and

(G) by amending paragraph (6) to read as follows:

"(6) **IMPLEMENTATION OF PROCEDURES.**—The NTIA shall take such actions as necessary to ensure the timely relocation of Federal entities' spectrum-related operations from frequencies described in paragraph (2) to frequencies or facilities of comparable capability and to ensure the timely implementation of arrangements for the sharing of frequencies described in such paragraph. Upon a finding by the NTIA that a Federal entity has achieved comparable capability of systems, the NTIA shall terminate or limit the entity's authorization and notify the Commission that the entity's relocation has been completed or sharing arrangement has been implemented. The NTIA shall also terminate such entity's authorization if the NTIA determines that the entity has unreasonably failed to comply with the timeline for relocation or sharing submitted by the Director of the Office of Management and Budget under section 118(d)(2)(C)."

(2) by redesignating subsections (h) and (i) as subsections (k) and (l), respectively; and

(3) by inserting after subsection (g) the following:

"(h) **DEVELOPMENT AND PUBLICATION OF RELOCATION OR SHARING TRANSITION PLANS.**—

"(1) **DEVELOPMENT OF TRANSITION PLAN BY FEDERAL ENTITY.**—Not later than 240 days before the commencement of any auction of eligible frequencies described in subsection (g)(2), a Federal entity authorized to use any such frequency shall submit to the NTIA and to the Technical Panel established by paragraph (3) a transition plan for the implementation by such entity of the relocation or sharing arrangement. The NTIA shall specify, after public input, a common format for all Federal entities to follow in preparing transition plans under this paragraph.

"(2) **CONTENTS OF TRANSITION PLAN.**—The transition plan required by paragraph (1) shall include the following information:

"(A) The use by the Federal entity of the eligible frequencies to be auctioned, current as of the date of the submission of the plan.

“(B) The geographic location of the facilities or systems of the Federal entity that use such frequencies.

“(C) The frequency bands used by such facilities or systems, described by geographic location.

“(D) The steps to be taken by the Federal entity to relocate its spectrum use from such frequencies or to share such frequencies, including timelines for specific geographic locations in sufficient detail to indicate when use of such frequencies at such locations will be discontinued by the Federal entity or shared between the Federal entity and non-Federal users.

“(E) The specific interactions between the eligible Federal entity and the NTIA needed to implement the transition plan.

“(F) The name of the officer or employee of the Federal entity who is responsible for the relocation or sharing efforts of the entity and who is authorized to meet and negotiate with non-Federal users regarding the transition.

“(G) The plans and timelines of the Federal entity for—

“(i) using funds received from the Spectrum Relocation Fund established by section 118;

“(ii) procuring new equipment and additional personnel needed for relocation or sharing;

“(iii) field-testing and deploying new equipment needed for relocation or sharing; and

“(iv) hiring and relying on contract personnel, if any, needed for relocation or sharing.

“(H) Factors that could hinder fulfillment of the transition plan by the Federal entity.

“(3) TECHNICAL PANEL.—

“(A) ESTABLISHMENT.—There is established within the NTIA a panel to be known as the Technical Panel.

“(B) MEMBERSHIP.—

“(i) NUMBER AND APPOINTMENT.—The Technical Panel shall be composed of 3 members, to be appointed as follows:

“(I) One member to be appointed by the Director of the Office of Management and Budget (in this subsection referred to as ‘OMB’).

“(II) One member to be appointed by the Assistant Secretary.

“(III) One member to be appointed by the Chairman of the Commission.

“(ii) QUALIFICATIONS.—Each member of the Technical Panel shall be a radio engineer or a technical expert.

“(iii) INITIAL APPOINTMENT.—The initial members of the Technical Panel shall be appointed not later than 180 days after the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012.

“(iv) TERMS.—The term of a member of the Technical Panel shall be 18 months, and no individual may serve more than 1 consecutive term.

“(v) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member’s term until a successor has taken office. A vacancy shall be filled in the manner in which the original appointment was made.

“(vi) NO COMPENSATION.—The members of the Technical Panel shall not receive any compensation for service on the Technical Panel. If any such member is an employee of the agency of the official that appointed such member to the Technical Panel, compensation in the member’s capacity as such an employee shall not be considered compensation under this clause.

“(C) ADMINISTRATIVE SUPPORT.—The NTIA shall provide the Technical Panel with the administrative support services necessary to carry out its duties under this subsection and subsection (i).

“(D) REGULATIONS.—Not later than 180 days after the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012, the NTIA shall, after public notice and comment and subject to approval by the Director of OMB, adopt regulations to govern the workings of the Technical Panel.

“(E) CERTAIN REQUIREMENTS INAPPLICABLE.—The Federal Advisory Committee Act (5 U.S.C. App.) and sections 552 and 552b of title 5, United States Code, shall not apply to the Technical Panel.

“(4) REVIEW OF PLAN BY TECHNICAL PANEL.—

“(A) IN GENERAL.—Not later than 30 days after the submission of the plan under paragraph (1), the Technical Panel shall submit to the NTIA and to the Federal entity a report on the sufficiency of the plan, including whether the plan includes the information required by paragraph (2) and an assessment of the reasonableness of the proposed timelines and estimated relocation or sharing costs, including the costs of any proposed expansion of the capabilities of a Federal system in connection with relocation or sharing.

“(B) INSUFFICIENCY OF PLAN.—If the Technical Panel finds the plan insufficient, the Federal entity shall, not later than 90 days after the submission of the report by the Technical panel under subparagraph (A), submit to the Technical Panel a revised plan. Such revised plan shall be treated as a plan submitted under paragraph (1).

“(5) PUBLICATION OF TRANSITION PLAN.—Not later than 120 days before the commencement of the auction described in paragraph (1), the NTIA shall make the transition plan publicly available on its website.

“(6) UPDATES OF TRANSITION PLAN.—As the Federal entity implements the transition plan, it shall periodically update the plan to reflect any changed circumstances, including changes in estimated relocation or sharing costs or the timeline for relocation or sharing. The NTIA shall make the updates available on its website.

“(7) CLASSIFIED AND OTHER SENSITIVE INFORMATION.—

“(A) CLASSIFIED INFORMATION.—If any of the information required to be included in the transition plan of a Federal entity is classified information (as defined in section 798(b) of title 18, United States Code), the entity shall—

“(i) include in the plan—

“(I) an explanation of the exclusion of any such information, which shall be as specific as possible; and

“(II) all relevant non-classified information that is available; and

“(ii) discuss as a factor under paragraph (2)(H) the extent of the classified information and the effect of such information on the implementation of the relocation or sharing arrangement.

“(B) REGULATIONS.—Not later than 180 days after the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012, the NTIA, in consultation with the Director of OMB and the Secretary of Defense, shall adopt regulations to ensure that the information publicly released under paragraph (5) or (6) does not contain classified information or other sensitive information.

“(i) DISPUTE RESOLUTION PROCESS.—

“(1) IN GENERAL.—If a dispute arises between a Federal entity and a non-Federal user regarding the execution, timing, or cost of the transition plan submitted by the Federal entity under subsection (h)(1), the Federal entity or the non-Federal user may request that the NTIA establish a dispute resolution board to resolve the dispute.

“(2) ESTABLISHMENT OF BOARD.—

“(A) IN GENERAL.—If the NTIA receives a request under paragraph (1), it shall establish a dispute resolution board.

“(B) MEMBERSHIP AND APPOINTMENT.—The dispute resolution board shall be composed of 3 members, as follows:

“(i) A representative of the Office of Management and Budget (in this subsection referred to as ‘OMB’), to be appointed by the Director of OMB.

“(ii) A representative of the NTIA, to be appointed by the Assistant Secretary.

“(iii) A representative of the Commission, to be appointed by the Chairman of the Commission.

“(C) CHAIR.—The representative of OMB shall be the Chair of the dispute resolution board.

“(D) VACANCIES.—Any vacancy in the dispute resolution board shall be filled in the manner in which the original appointment was made.

“(E) NO COMPENSATION.—The members of the dispute resolution board shall not receive any compensation for service on the board. If any such member is an employee of the agency of the official that appointed such member to the board, compensation in the member’s capacity as such an employee shall not be considered compensation under this subparagraph.

“(F) TERMINATION OF BOARD.—The dispute resolution board shall be terminated after it rules on the dispute that it was established to resolve and the time for appeal of its decision under paragraph (7) has expired, unless an appeal has been taken under such paragraph. If such an appeal has been taken, the board shall continue to exist until the appeal process has been exhausted and the board has completed any action required by a court hearing the appeal.

“(3) PROCEDURES.—The dispute resolution board shall meet simultaneously with representatives of the Federal entity and the non-Federal user to discuss the dispute. The dispute resolution board may require the parties to make written submissions to it.

“(4) DEADLINE FOR DECISION.—The dispute resolution board shall rule on the dispute not later than 30 days after the request was made to the NTIA under paragraph (1).

“(5) ASSISTANCE FROM TECHNICAL PANEL.—The Technical Panel established under subsection (h)(3) shall provide the dispute resolution board with such technical assistance as the board requests.

“(6) ADMINISTRATIVE SUPPORT.—The NTIA shall provide the dispute resolution board with the administrative support services necessary to carry out its duties under this subsection.

“(7) APPEALS.—A decision of the dispute resolution board may be appealed to the United States Court of Appeals for the District of Columbia Circuit by filing a notice of appeal with that court not later than 30 days after the date of such decision. Each party shall bear its own costs and expenses, including attorneys’ fees, for any appeal under this paragraph.

“(8) REGULATIONS.—Not later than 180 days after the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012, the NTIA shall, after public notice and comment and subject to approval by OMB, adopt regulations to govern the working of any dispute resolution boards established under paragraph (2)(A) and the role of the Technical Panel in assisting any such board.

“(9) CERTAIN REQUIREMENTS INAPPLICABLE.—The Federal Advisory Committee Act (5 U.S.C. App.) and sections 552 and 552b of title 5, United States Code, shall not apply to a dispute resolution board established under paragraph (2)(A).

“(j) RELOCATION PRIORITIZED OVER SHARING.—

“(1) IN GENERAL.—In evaluating a band of frequencies for possible reallocation for exclusive non-Federal use or shared use, the NTIA shall give priority to options involving reallocation of the band for exclusive non-Federal use and shall choose options involving shared use only when it determines, in consultation with the Director of the Office of Management and Budget, that relocation of a Federal entity from the band is not feasible because of technical or cost constraints.

“(2) NOTIFICATION OF CONGRESS WHEN SHARING CHOSEN.—If the NTIA determines under paragraph (1) that relocation of a Federal entity from the band is not feasible, the NTIA shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives of the determination, including the specific technical or cost constraints on which the determination is based.”.

(b) CONFORMING AMENDMENT.—Section 309(j) of the Communications Act of 1934 is further

amended by striking “relocation costs” each place it appears and inserting “relocation or sharing costs”.

SEC. 6702. SPECTRUM RELOCATION FUND.

Section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928) is amended—

(1) by striking “relocation costs” each place it appears and inserting “relocation or sharing costs”;

(2) by amending subsection (c) to read as follows:

“(c) **USE OF FUNDS.**—The amounts in the Fund from auctions of eligible frequencies are authorized to be used to pay relocation or sharing costs of an eligible Federal entity incurring such costs with respect to relocation from or sharing of those frequencies.”;

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting “or sharing” before the semicolon;

(ii) in subparagraph (B), by inserting “or sharing” before the period at the end;

(iii) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(iv) by inserting before subparagraph (B), as so redesignated, the following:

“(A) unless the eligible Federal entity has submitted a transition plan to the NTIA as required by paragraph (1) of section 113(h), the Technical Panel has found such plan sufficient under paragraph (4) of such section, and the NTIA has made available such plan on its website as required by paragraph (5) of such section.”;

(B) by striking paragraph (3); and

(C) by adding at the end the following:

“(3) **TRANSFERS FOR PRE-AUCTION COSTS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the Director of OMB may transfer to an eligible Federal entity, at any time (including prior to a scheduled auction), such sums as may be available in the Fund to pay relocation or sharing costs related to pre-auction estimates or research, as such costs are described in section 113(g)(3)(A)(iii).

“(B) **NOTIFICATION.**—No funds may be transferred pursuant to subparagraph (A) unless—

“(i) the notification provided under paragraph (2)(C) includes a certification from the Director of OMB that—

“(I) funds transferred before an auction will likely allow for timely implementation of relocation or sharing, thereby increasing net expected auction proceeds by an amount not less than the time value of the amount of funds transferred; and

“(II) the auction is intended to occur not later than 5 years after transfer of funds; and

“(ii) the transition plan submitted by the eligible Federal entity under section 113(h)(1) provides—

“(I) to the fullest extent possible, for sharing and coordination of eligible frequencies with non-Federal users, including reasonable accommodation by the eligible Federal entity for the use of eligible frequencies by non-Federal users during the period that the entity is relocating its spectrum uses (in this clause referred to as the “transition period”);

“(II) for non-Federal users to be able to use eligible frequencies during the transition period in geographic areas where the eligible Federal entity does not use such frequencies;

“(III) that the eligible Federal entity will, during the transition period, make itself available for negotiation and discussion with non-Federal users not later than 30 days after a written request therefor; and

“(IV) that the eligible Federal entity will, during the transition period, make available to a non-Federal user with appropriate security clearances any classified information (as defined in section 798(b) of title 18, United States Code) regarding the relocation process, on a need-to-know basis, to assist the non-Federal

user in the relocation process with such eligible Federal entity or other eligible Federal entities.

“(C) **APPLICABILITY TO CERTAIN COSTS.**—

“(i) **IN GENERAL.**—The Director of OMB may transfer under subparagraph (A) not more than \$10,000,000 for costs incurred after June 28, 2010, but before the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012.

“(ii) **SUPPLEMENT NOT SUPPLANT.**—Any amounts transferred by the Director of OMB pursuant to clause (i) shall be in addition to any amounts that the Director of OMB may transfer for costs incurred on or after the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012.

“(4) **REVERSION OF UNUSED FUNDS.**—Any amounts in the Fund that are remaining after the payment of the relocation or sharing costs that are payable from the Fund shall revert to and be deposited in the general fund of the Treasury, for the sole purpose of deficit reduction, not later than 8 years after the date of the deposit of such proceeds to the Fund, unless within 60 days in advance of the reversion of such funds, the Director of OMB, in consultation with the NTIA, notifies the congressional committees described in paragraph (2)(C) that such funds are needed to complete or to implement current or future relocation or sharing arrangements.”;

(4) in subsection (e)—

(A) in paragraph (1)(B)—

(i) in clause (i), by striking “subsection (d)(2)(A)” and inserting “subsection (d)(2)(B)”;

(ii) in clause (ii), by striking “subsection (d)(2)(B)” and inserting “subsection (d)(2)(C)”;

(B) in paragraph (2)—

(i) by striking “entity’s relocation” and inserting “relocation of the entity or implementation of the sharing arrangement by the entity”;

(ii) by inserting “or the implementation of such arrangement” after “such relocation”;

(iii) by striking “subsection (d)(2)(A)” and inserting “subsection (d)(2)(B)”;

(5) by adding at the end the following:

“(f) **ADDITIONAL PAYMENTS FROM FUND.**—

“(1) **AMOUNTS AVAILABLE.**—Notwithstanding subsections (c) through (e), after the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012, there are appropriated from the Fund and available to the Director of OMB for use in accordance with paragraph (2) not more than 10 percent of the amounts deposited in the Fund from auctions occurring after such date of enactment of licenses for the use of spectrum vacated by eligible Federal entities.

“(2) **USE OF AMOUNTS.**—

“(A) **IN GENERAL.**—The Director of OMB, in consultation with the NTIA, may use amounts made available under paragraph (1) to make payments to eligible Federal entities that are implementing a transition plan submitted under section 113(h)(1) in order to encourage such entities to complete the implementation more quickly, thereby encouraging timely access to the eligible frequencies that are being reallocated for exclusive non-Federal use or shared use.

“(B) **CONDITIONS.**—In the case of any payment by the Director of OMB under subparagraph (A)—

“(i) such payment shall be based on the market value of the eligible frequencies, the timeliness with which the eligible Federal entity clears its use of such frequencies, and the need for such frequencies in order for the entity to conduct its essential missions;

“(ii) the eligible Federal entity shall use such payment for the purposes specified in clauses (i) through (v) of section 113(g)(3)(A) to achieve comparable capability of systems affected by the reallocation of eligible frequencies from Federal use to exclusive non-Federal use or to shared use;

“(iii) such payment may not be made if the amount remaining in the Fund after such pay-

ment will be less than 10 percent of the winning bids in the auction of the spectrum with respect to which the Federal entity is incurring relocation or sharing costs; and

“(iv) such payment may not be made until 30 days after the Director of OMB has notified the congressional committees described in subsection (d)(2)(C).

“(g) **RESTRICTION ON USE OF FUNDS.**—No amounts in the Fund on the day before the date of the enactment of the Middle Class Tax Relief and Job Creation Act of 2012 may be used for any purpose except—

“(1) to pay the relocation or sharing costs incurred by eligible Federal entities in order to relocate from the frequencies the auction of which generated such amounts; or

“(2) to pay relocation or sharing costs related to pre-auction estimates or research, in accordance with subsection (d)(3).”.

SEC. 6703. NATIONAL SECURITY AND OTHER SENSITIVE INFORMATION.

Part B of title I of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 et seq.) is amended by adding at the end the following:

“SEC. 119. NATIONAL SECURITY AND OTHER SENSITIVE INFORMATION.

“(a) **DETERMINATION.**—If the head of an Executive agency (as defined in section 105 of title 5, United States Code) determines that public disclosure of any information contained in a notification or report required by section 113 or 118 would reveal classified national security information, or other information for which there is a legal basis for nondisclosure and the public disclosure of which would be detrimental to national security, homeland security, or public safety or would jeopardize a law enforcement investigation, the head of the Executive agency shall notify the Assistant Secretary of that determination prior to the release of such information.

“(b) **INCLUSION IN ANNEX.**—The head of the Executive agency shall place the information with respect to which a determination was made under subsection (a) in a separate annex to the notification or report required by section 113 or 118. The annex shall be provided to the subcommittee of primary jurisdiction of the congressional committee of primary jurisdiction in accordance with appropriate national security stipulations but shall not be disclosed to the public or provided to any unauthorized person through any means.”.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 7001. REPEAL OF CERTAIN SHIFTS IN THE TIMING OF CORPORATE ESTIMATED TAX PAYMENTS.

The following provisions of law (and any modification of any such provision which is contained in any other provision of law) shall not apply with respect to any installment of corporate estimated tax:

(1) Section 201(b) of the Corporate Estimated Tax Shift Act of 2009.

(2) Section 561 of the Hiring Incentives to Restore Employment Act.

(3) Section 505 of the United States-Korea Free Trade Agreement Implementation Act.

(4) Section 603 of the United States-Colombia Trade Promotion Agreement Implementation Act.

(5) Section 502 of the United State-Panama Trade Promotion Agreement Implementation Act.

SEC. 7002. REPEAL OF REQUIREMENT RELATING TO TIME FOR REMITTING CERTAIN MERCHANDISE PROCESSING FEES.

(a) **REPEAL.**—The Trade Adjustment Assistance Extension Act of 2011 (title II of Public Law 112 40; 125 Stat. 402) is amended by striking section 263.

(b) **CLERICAL AMENDMENT.**—The table of contents for such Act is amended by striking the item relating to section 263.

SEC. 7003. TREATMENT FOR PAYGO PURPOSES.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained

pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

And the Senate agree to the same.
That the Senate recede from its amendment to the title of the bill.

DAVE CAMP,
FRED UPTON,
KEVIN BRADY,
GREG WALDEN,
TOM PRICE,
TOM REED,
RENEE L. ELLMERS,
NAN A.S. HAYWORTH,
SANDER M. LEVIN,
XAVIER BECERRA,
CHRIS VAN HOLLEN,
ALLYSON Y. SCHWARTZ,
HENRY A. WAXMAN,

Managers on the Part of the House.

MAX BAUCUS,
JACK REED,
BENJAMIN L. CARDIN,
ROBERT P. CASEY, Jr.,

Managers on the Part of the Senate.

Pending consideration of said conference report,

The SPEAKER pro tempore, Mrs. CAPITO, pursuant to clause 8 of rule XXII, divided the time for debate among Messrs. CAMP, LEVIN, and HOYER, for 20 minutes each.

When said conference report was considered.

After debate,

Pursuant to House Resolution 554, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mr. CAMP demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 293
affirmative { Nays 132

¶24.5 [Roll No. 72]
YEAS—293

Alexander	Buchon	Cuellar
Altmire	Butterfield	Culberson
Amodei	Calvert	Davis (CA)
Andrews	Camp	Davis (KY)
Austria	Canseco	DeGette
Baca	Cantor	DeLauro
Baldwin	Capito	Denham
Barletta	Capps	Dent
Barrow	Carnahan	Deuth
Bartlett	Carney	Diaz-Balart
Bass (CA)	Carson (IN)	Dicks
Bass (NH)	Castor (FL)	Dingell
Becerra	Chandler	Doggett
Benishek	Chu	Dold
Berg	Ciulline	Donnelly (IN)
Berkley	Clarke (MI)	Doyle
Berman	Clyburn	Dreier
Biggert	Coble	Duffy
Bilbray	Coffman (CO)	Ellmers
Bilirakis	Cohen	Emerson
Bishop (GA)	Cole	Engel
Bishop (NY)	Conaway	Eshoo
Blumenauer	Conyers	Fattah
Bonamici	Costa	Fincher
Boren	Courtney	Fitzpatrick
Boswell	Cravaack	Fleischmann
Brady (PA)	Crawford	Flores
Brady (TX)	Crenshaw	Frank (MA)
Bralley (IA)	Critz	Frelinghuysen
Buchanan	Crowley	Garamendi

Gerlach	Long
Gibbs	Lowey
Gibson	Lucas
Gonzalez	Luetkemeyer
Green, Al	Lujan
Green, Gene	Lujárgen, Daniel
Griffin (AR)	E.
Grijalva	Mack
Grimm	Maloney
Guinta	Manullo
Guthrie	Marchant
Hahn	Marino
Hanabusa	Markey
Hanna	Matheson
Harper	Matsui
Hartzler	McCarthy (CA)
Hastings (WA)	McCarthy (NY)
Hayworth	McCaul
Heck	McCollum
Heinrich	McGovern
Hensarling	McHenry
Herger	McIntyre
Herrera Beutler	McKeon
Higgins	McMorris
Himes	Rodgers
Hinchee	McNerney
Hinojosa	Meehan
Hirono	Meeke
Hochul	Michaud
Holden	Miller (MI)
Holt	Miller (NC)
Honda	Miller, Gary
Huelskamp	Miller, George
Huizenga (MI)	Moore
Hultgren	Murphy (CT)
Hunter	Murphy (PA)
Hurt	Myrick
Inslee	Nadler
Israel	Napolitano
Issa	Neal
Jackson (IL)	Nunes
Jackson Lee	Nunnelee
(TX)	Oliver
Jenkins	Owens
Johnson (OH)	Palazzo
Johnson, Sam	Pallone
Jones	Pascrell
Kaptur	Pastor (AZ)
Keating	Paulsen
Kelly	Pelosi
Kildee	Pence
King (NY)	Perlmutter
Kinzinger (IL)	Peters
Kissell	Pitts
Kline	Platts
Kucinich	Polis
Lance	Price (GA)
Langevin	Price (NC)
Larsen (WA)	Quigley
Larson (CT)	Rahall
Latham	Reed
LaTourette	Rehberg
Latta	Reichert
Levin	Renacci
Lewis (CA)	Ribble
Lewis (GA)	Richardson
Lipinski	Richmond
LoBiondo	Rigell
Loeb sack	Rivera
Lofgren, Zoe	Rogers (KY)

NAYS—132

Ackerman	Cooper
Adams	Costello
Aderholt	Cummings
Akin	Davis (IL)
Amash	DeFazio
Bachmann	DesJarlais
Bachus	Duncan (SC)
Barton (TX)	Duncan (TN)
Bishop (UT)	Edwards
Black	Ellison
Blackburn	Farenthold
Bonner	Farr
Boustany	Filner
Brooks	Flake
Broun (GA)	Fleming
Buerkle	Forbes
Burgess	Fortenberry
Burton (IN)	Fox
Capuano	Franks (AZ)
Cardoza	Fudge
Carter	Gallely
Cassidy	Gardner
Chabot	Garrett
Chaffetz	Gingrey (GA)
Clarke (NY)	Gohmert
Clay	Goodlatte
Cleaver	Gowdy
Connolly (VA)	Granger

Rogers (MI)	Moran
Rooney	Mulvaney
Ros-Lehtinen	Neugebauer
Roskam	Noem
Ross (AR)	Nugent
Rothman (NJ)	Olson
Roybal-Allard	Pearce
Runyan	Peterson
Ruppersberger	Petri
Rush	Pingree (ME)
Sánchez, Linda	Poe (TX)
T.	Pompeo
Sanchez, Loretta	Posey
Scalise	Quayle
Schakowsky	Reyes
Schiff	Roby
Schilling	
McCaul	
Schock	
Schwartz	
Schweikert	
Scott (SC)	
Scott, David	
Serrano	
Sewell	
Sherman	
Shimkus	
Shuster	
Sires	
Slaughter	
Smith (NE)	
Smith (NJ)	
Smith (TX)	
Southerland	
Speier	
Stark	
Stearns	
Stivers	
Stutzman	
Sutton	
Thompson (MS)	
Thompson (PA)	
Tiberi	
Tierney	
Tipton	
Tonko	
Towns	
Tsongas	
Turner (NY)	
Turner (OH)	
Upton	
Velázquez	
Walden	
Walsh (IL)	
Walz (MN)	
Wasserman	
Schultz	
Waters	
Watt	
Waxman	
Webster	
Westmoreland	
Wittman	
Womack	
Yarmuth	
Yoder	
Young (AK)	
Young (FL)	
Young (IN)	

Moran
Mulvaney
Neugebauer
Noem
Nugent
Olson
Pearce
Peterson
Petri
Pingree (ME)
Poe (TX)
Pompeo
Posey
Quayle
Reyes
Roby

Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Ross (FL)
Royce
Ryan (OH)
Ryan (WI)
Sarbanes
Schmidt
Schrader
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Simpson

Smith (WA)
Sullivan
Terry
Thompson (CA)
Thornberry
Van Hollen
Visclosky
Walberg
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wolf
Woodall
Woolsey

NOT VOTING—8

Bono Mack
Brown (FL)
Campbell

Gosar
Paul
Payne

Rangel
Shuler

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶24.6 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, February 16, 2012.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

So the Journal was approved.

¶24.7 COMMITTEE ON ETHICS

The SPEAKER pro tempore, Mr. WOMACK, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ETHICS,
February 17, 2012.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to House Rule XI, clause 3(b)(5) and Committee Rule 9(e), and with the unanimous approval of the Committee on Ethics (Committee), I am writing to request the appointment of six substitute Members, necessitated by voluntary recusals, to serve for any Committee proceeding related to the Matter of Representative Maxine Waters (the matter) currently before this Committee.

TIMING OF RECUSAL

Prior to the end of the 111th Congress, the bipartisan leadership of the Committee/each recognized the need to hire outside counsel to complete this matter. On July 20, 2011, the Committee announced that it voted unanimously to hire Attorney Billy Martin as outside counsel to review, advise and assist the Committee in completing the matter.

A key phase of Mr. Martin's assistance is to review allegations that this Committee violated due process rights or rules attaching to Representative Waters. In addition, Mr. Martin was asked to address whether recusal of any Members of the Committee should be considered and when would be the most appropriate time for his recommendations regarding recusal.

Mr. Martin has informed the Committee that he has reviewed tens of thousands of

pages of documents, and has interviewed current and former Committee Members as well as current and former Committee staff. Each current and former Committee Member and current employee, who was requested for interview, fully cooperated with Mr. Martin.

However, Mr. Martin has advised that one necessary witness has refused to appear voluntarily and, when subpoenaed to testify, communicated to the Committee that the witness would refuse to answer questions on the basis of the witness's Fifth Amendment privilege.

The witness's refusal to answer questions prevents the completion of the due process review. While Mr. Martin had advised that the most appropriate time to present his recommendations regarding recusal would be upon the completion of his due process review, he has now counseled the Committee to advance that timing and consider the recusal recommendations prior to considering the witness's refusal to testify.

As the Committee must now determine its next steps in this matter, Mr. Martin has recommended that the leadership of the current Committee and four Members who served on the Committee in the 111th Congress consider recusal from further proceedings in this matter. After careful consideration, these six Committee Members have requested their voluntary recusal.

REASONS FOR RECUSAL

Mr. Speaker, the record should note that these recusal requests are not based on any indication of any wrongdoing or inappropriate partisanship by the Members. In fact, Mr. Martin has advised the Committee that, to date:

1. He has not discovered any evidence to indicate actual bias or partiality by any current Member or staff of the Committee;
2. He has not discovered any evidence that should cause a mandatory recusal of any current Member or staff of the Committee; and
3. There is no conflict which would require the disqualification or recusal of any current Member or staff of the Committee.

Instead, these recusal requests come from Members of the Committee who voluntarily cooperated with Mr. Martin's review, voluntarily appeared for interviews with Mr. Martin, and voluntarily produced a voluminous number of documents in their possession. The Members requested recusal because:

1. They believe that, out of an abundance of caution and to avoid even an appearance of unfairness, their voluntary recusal will eliminate the possibility of questions being raised as to the partiality or bias of Committee Members considering this matter;
2. They want to assure the public, the House, and Representative Waters that this investigation is continuing in a fair and unbiased manner; and
3. They want to move this matter forward in a manner that supports the greatest public confidence in the ultimate conclusions of the Committee.

Both the Committee and Mr. Martin recognize that recusal is an extremely rare occurrence and should not be sought without careful consideration by the Members. While the Members believe that they each can render an impartial and unbiased decision in any proceeding related to this matter, the Committee takes this extraordinary measure—in this unique circumstance—to further the best interests of the House and to permit this matter to be brought to a conclusion.

VOLUNTARY RECUSAL OF SIX MEMBERS

Therefore, Members of the Committee who have requested recusal are: Representative Jo Bonner, Representative Linda T. Sanchez, Representative Michael T. McCaul, Representative K. Michael Conaway, Representative Charles W. Dent, and Representative Gregg Harper. The Committee has unani-

mously accepted and approved these requests.

Furthermore, outside counsel has discovered no evidence indicating bias or partiality on the part of former Members or requiring the exclusion of any former Members of the Committee from serving as substitute Members. However, out of an abundance of caution and for the same reasons as the current Members volunteering their recusal, Mr. Martin has recommended that no Member who served on the Committee in the 111th Congress should serve as a substitute Member in this matter. In addition, for the same reasons, no current Committee staff who had previously worked on the matter will be involved in further proceedings in the matter.

The Committee has taken these steps, pursuant to House Rule XI, clause 3(b)(5) and Committee Rule 9(e). Accordingly, I request that six substitute Members of the Committee be appointed. These substitute Members will serve the Committee only for the purpose of bringing the Matter of Representative Waters to a fair and just conclusion. The service of the substitute Members will end with the conclusion of the Matter of Representative Waters. I shall remain Chairman of the Committee, Representative Sanchez shall remain the Ranking Member, and all other recused Members will continue to serve on the Committee for all other purposes.

Sincerely,

JO BONNER,
Chairman.

Whereupon,

The SPEAKER pro tempore, Mr. WOMACK, by unanimous consent and pursuant to clause 3(b)(5) of rule XI, announced the Speaker's designation of the following Members to act in any proceeding of the Committee on Ethics relating to the Matter of Representative Maxine Waters: Messrs. GOODLATTE, LATOURETTE, and SIMPSON, Mrs. CAPITO, and Messrs. GRIFFIN of Arkansas, and SARBANES.

¶24.8 DEPOSITION OF WILLIAM R. CLEMENS

Mr. DREIER, by unanimous consent, submitted the following privileged resolution (H. Res. 558):

Whereas on February 5, 2008, William R. Clemens voluntarily appeared in Washington, DC and was deposed by the Committee on Oversight and Government Reform of the House of Representatives in connection with that Committee's investigation into the use of steroids and other performance-enhancing substances in professional sports, and in Major League Baseball in particular;

Whereas the written transcript of Mr. Clemens' deposition, prepared by the Official Reporters of the House, with an Errata Sheet prepared by Mr. Clemens' counsel included as an Appendix, is the official House record of that proceeding;

Whereas this deposition and Mr. Clemens' public appearance before the Committee on Oversight and Government Reform on February 13, 2008, raised significant questions about Mr. Clemens' truthfulness, as a result of which the then Chair and ranking minority member jointly requested, on or about February 27, 2008, that the Department of Justice investigate whether Mr. Clemens committed perjury or knowingly made false statements in the course of the deposition or his February 13, 2008 public appearance;

Whereas the Department of Justice did in fact investigate whether Mr. Clemens committed perjury or knowingly made false statements in the course of his February 5,

2008 deposition and/or his February 13, 2008 public appearance before the Committee;

Whereas as a result of the Department of Justice's investigation, Mr. Clemens subsequently was indicted by a grand jury on one count of obstruction of Congress in violation of sections 1505 and 1515(b) of title 18, United States Code, 3 counts of making false statements in violation of sections 1001(a)(2) and (c)(2) of title 18, United States Code, and 2 counts of perjury in violation of section 1621(1) of title 18, United States Code;

Whereas the Department of Justice has requested via letter that the House voluntarily provide to it a copy of the on-the-record portions of an audio backup file of Mr. Clemens' deposition;

Whereas by the privileges and rights of the House of Representatives, an audio backup file of Mr. Clemens' deposition may not be taken from the possession or control of the Clerk of the House of Representatives by mandate of process of the article III courts of the United States, and may not be provided pursuant to requests by the court or the parties to *United States of America v. Clemens* except at the direction of the House; and

Whereas it is the judgment of the House of Representatives that, in the particular circumstances of this case, providing a copy of the on-the-record portions of an audio backup file of Mr. Clemens' deposition to the prosecuting attorneys in the case of *United States v. Clemens* would promote the ends of justice in a manner consistent with the privileges and rights of the House: Now, therefore, be it

Resolved, That the House of Representatives directs the Clerk of the House to provide for use at trial a copy of the on-the-record portions of the audio backup file of the deposition of William R. Clemens that was conducted by the Committee on Oversight and Government Reform on February 5, 2008, to the prosecuting attorneys in the case of *United States of America v. Clemens*, No. 1:10-cr-00223-RBW (D.D.C.).

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶24.9 ADJOURNMENT OVER

On motion of Mr. DREIER, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Tuesday, February 21, 2012; and further, when the House adjourns on Tuesday, February 21, 2012, it adjourn to meet at 10 a.m. on Friday, February 24, 2012; and further, when the House adjourns on Friday, February 24, 2012, it adjourn to meet at 2 p.m. on Monday, February 27, 2012.

¶24.10 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶24.11 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3630) "An Act to provide incentives for the creation of jobs, and for other purposes."

¶24.12 MESSAGE FROM THE PRESIDENT—
ECONOMIC REPORT OF THE PRESIDENT

The SPEAKER pro tempore, Mr. CANSECO, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

One of the fundamental tenets of the American economy has been that if you work hard, you can do well enough to raise a family, own a home, send your kids to college, and put a little money away for retirement. That's the promise of America.

The defining issue of our time is how to keep that promise alive. We can either settle for a country where a shrinking number of people do very well while a growing number of Americans barely get by, or we can restore an economy where everyone gets a fair shot, everyone does their fair share, and everyone plays by the same set of rules.

Long before the recession that began in December 2007, job growth was insufficient for our growing population. Manufacturing jobs were leaving our shores. Technology made businesses more efficient, but also made some jobs obsolete. The few at the top saw their incomes rise like never before, but most hardworking Americans struggled with costs that were growing, paychecks that were not, and personal debt that kept piling up.

In 2008, the house of cards collapsed. We learned that mortgages had been sold to people who could not afford them or did not understand them. Banks had made huge bets and doled out big bonuses with other people's money. Regulators had looked the other way, or did not have the authority to stop the bad behavior. It was wrong. It was irresponsible. And it plunged our economy into a crisis that put millions out of work, saddled us with more debt, and left innocent, hardworking Americans holding the bag.

In the year before I took office, we lost nearly 5 million private sector jobs. And we lost almost another 4 million before our policies were in full effect.

Those are the facts. But so are these: In the last 23 months, businesses have created 3.7 million jobs. Last year, they created the most jobs since 2005. American manufacturers are hiring again, creating jobs for the first time since the late 1990s. And we have put in place new rules to hold Wall Street accountable, so a crisis like this never happens again.

Some, however, still advocate going back to the same economic policies that stacked the deck against middle-class Americans for way too many years. And their philosophy is simple: We are better off when everybody is left to fend for themselves and play by their own rules.

That philosophy is wrong. The more Americans who succeed, the more America succeeds. These are not Democratic values or Republican values.

They are American values. And we have to reclaim them.

This is a make-or-break moment for the middle class, and for all those who are working to get into the middle class. It is a moment when we go back to the ways of the past—to growing deficits, stagnant incomes and job growth, declining opportunity, and rising inequality—or we can make a break from the past. We can build an economy by restoring our greatest test strengths: American manufacturing, American energy, skills for American workers, and a renewal of American values—an economy built to last.

When it comes to the deficit, we have already agreed to more than \$2 trillion in cuts and savings. But we need to do more, and that means choices. Right now, we are poised to spend nearly \$1 trillion more on what was supposed to be a temporary tax break for the wealthiest 2 percent of Americans. Right now, because of loopholes and shelters in the tax code, a quarter of all millionaires pay lower tax rates than millions of middle-class households. I believe that tax reform should follow the Buffett Rule. If you make more than \$1 million a year, you should not pay less than 30 percent in taxes. In fact, if you are earning a million dollars a year, you should not get special tax subsidies or deductions. On the other hand, if you make under \$250,000 a year, like 98 percent of American families do, your taxes should not go up.

Americans know that this generation's success is only possible because past generations felt a responsibility to each other, and to the future of their country. Now it is our turn. Now it falls to us to live up to that same sense of shared responsibility.

This year's Economic Report of the President, prepared by the Council of Economic Advisers, describes the emergency rescue measures taken to end the recession and support the ongoing recovery, and lays out a blueprint for an economy built to last. It explains how we are restoring our strengths as a Nation—our innovative economy, our strong manufacturing base, and our workers—by investing in the technologies of the future, in companies that create jobs here in America, and in education and training programs that will prepare our workers for the jobs of tomorrow. We must ensure that these investments benefit everyone and increase opportunity for all Americans or we risk threatening one of the features that defines us as a Nation—that America is a country in which anyone can do well, regardless of how they start out.

No one built this country on their own. This Nation is great because we built it together. If we remember that truth today, join together in common purpose, and maintain our common resolve, then I am as confident as ever that our economic future is hopeful and strong.

BARACK OBAMA.
THE WHITE HOUSE, February 17, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Joint Economic Committee and ordered to be printed (H. Doc. 112-77).

And then,

¶24.13 ADJOURNMENT

On motion of Mr. WOODALL, pursuant to the previous order of the House, at 2 o'clock and 8 minutes p.m., the House adjourned until noon on Tuesday, February 21, 2012.

¶24.14 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1433. A bill to protect private property rights; with an amendment (Rept. 112-401). Referred to the Committee of the Whole House on the state of the Union.

¶24.15 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BALDWIN (for herself and Mr. RIBBLE):

H.R. 4071. A bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries; to the Committee on Ways and Means.

By Mr. MILLER of Florida (for himself and Mr. STUTZMAN):

H.R. 4072. A bill to amend title 38, United States Code, to improve employment services for veterans by consolidating various programs in the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 4073. A bill to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875; to the Committee on Natural Resources.

By Mr. BROUN of Georgia (for himself, Mr. WILSON of South Carolina, and Mr. COBLE):

H.R. 4074. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. TURNER of New York (for himself, Mr. GRIMM, Mr. KING of New York, and Mr. PALAZZO):

H.R. 4075. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified elementary and secondary education tuition; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 4076. A bill to amend the Truth in Lending Act to add a rule of construction relating to certain payments to an employee of a mortgage originator; to the Committee on Financial Services.

By Mr. ROYCE:

H.R. 4077. A bill to authorize the Secretary of State to pay a reward to combat

transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GRIFFIN of Arkansas (for himself, Mr. SMITH of Texas, Mr. COBLE, Mr. GALLEGLEY, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. POE of Texas, Mr. CHAFFETZ, Mr. MARINO, Mr. GOWDY, Mr. ROSS of Florida, Mrs. ADAMS, Mr. QUAYLE, Mr. AMODEI, and Mr. CARTER):

H.R. 4078. A bill to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself, Ms. WATERS, and Mrs. NAPOLITANO):

H.R. 4079. A bill to amend title 38, United States Code, to require recipients of grants and other assistance from the Secretary of Veterans Affairs for the provision of housing and other services for homeless veterans to comply with codes relevant to operations and level of care provided, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ACKERMAN:

H.R. 4080. A bill to direct the Architect of the Capitol to acquire a statue of "The Unknown Slave" for permanent display in Emancipation Hall in the Capitol Visitor Center, and for other purposes; to the Committee on House Administration.

By Mr. GRAVES of Missouri (for himself and Mr. WEST):

H.R. 4081. A bill to amend the Small Business Act to consolidate and revise provisions relating to contract bundling, and for other purposes; to the Committee on Small Business.

By Mr. HIGGINS (for himself, Mr. MCINTYRE, Mr. MORAN, Mr. McDERMOTT, Mr. BACA, and Mr. HINCHEY):

H.R. 4082. A bill to amend title VII of the Social Security Act to require the President to transmit the annual budget of the Social Security Administration without revisions to Congress, and for other purposes; to the Committee on Ways and Means.

By Mr. PALLONE (for himself, Mr. LANGEVIN, Ms. NORTON, Ms. PINGREE of Maine, Mr. CICILLINE, Mr. MICHAUD, and Mr. ENGEL):

H.R. 4083. A bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children; to the Committee on Energy and Commerce.

By Mr. TIERNEY (for himself, Ms. SLAUGHTER, Mr. DEFAZIO, Mr. GEORGE MILLER of California, Mr. MCGOVERN, Mr. JACKSON of Illinois, Mr. VISCLOSKEY, Mr. KUCINICH, Mr. WELCH, Ms. KAPTUR, Ms. SCHAKOWSKY, Ms. HIRONO, and Mr. GRIJALVA):

H.R. 4084. A bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit card accounts under open end consumer credit plans, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself, Mr. COURTNEY, Mr. OWENS, Ms. HOCHUL, Mr. HIGGINS, and Mr. OLVER):

H.R. 4085. A bill to amend the Food, Conservation, and Energy Act of 2008 to extend and improve the milk income loss contract program; to the Committee on Agriculture.

By Mr. ALEXANDER (for himself, Mr. HARRIS, Mr. BASS of New Hampshire, Mr. CASSIDY, Mr. BOUSTANY, Mr. WITTMAN, Mr. CARTER, Mr. ROKITA, Mr. HARPER, Ms. FOXX, Mr. SCOTT of South Carolina, Mr. TIPTON, Mr. SCALISE, Mr. BENISHEK, and Mr. LANDRY):

H.J. Res. 104. A joint resolution disapproving a rule submitted by the Department of Labor relating to Temporary Non-agricultural Employment of H-2B Aliens in the United States; to the Committee on the Judiciary.

By Mr. BOSWELL (for himself, Mr. CARDOZA, Mr. COSTA, Mr. HOLDEN, Mr. BOREN, Mr. CHANDLER, Mr. DAVID SCOTT of Georgia, Mr. LOEBSSACK, and Mr. BRALEY of Iowa):

H. Con. Res. 103. Concurrent resolution expressing the sense of Congress that the effective Federal tax rate paid by the President and Vice-President of the United States, and Members of the House of Representatives and Senate, should not be less than the effective Federal tax rate paid by middle class Americans; to the Committee on Ways and Means.

By Mr. ROHRBACHER (for himself, Mr. GOHMERT, and Mr. KING of Iowa):

H. Con. Res. 104. Concurrent resolution expressing the sense of Congress that the people of Baluchistan, currently divided between Pakistan, Iran, and Afghanistan, have the right to self-determination and to their own sovereign country; to the Committee on Foreign Affairs.

By Mr. PITTS (for himself, Mr. FRANKS of Arizona, Mr. SHULER, Mr. WOLF, Mr. MCGOVERN, Mr. ELLISON, and Mr. CARTER):

H. Res. 556. A resolution condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy; to the Committee on Foreign Affairs.

By Mr. PASCRELL:

H. Res. 557. A resolution expressing the sense of the House of Representatives that the current property tax deduction on private residences should not be further restricted; to the Committee on Ways and Means.

By Mr. DREIER:

H. Res. 558. A resolution directing the Clerk of the House of Representatives to provide a copy of the on-the-record portions of the audio backup file of the deposition of William R. Clemens that was conducted by the Committee on Oversight and Government Reform on February 5, 2008, to the prosecuting attorneys in the case of United States of America v. Clemens, No. 1:10-cr-00223-RBW (D.D.C.); considered and agreed to.

By Mr. MCKINLEY:

H. Res. 559. A resolution calling for the release of United States citizens being held by the Government of Egypt; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Mr. CARNAHAN, Mr. BURGESS, Mrs. CAPITO, and Mr. YOUNG of Florida):

H. Res. 560. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Energy and Commerce.

By Mr. GINGREY of Georgia:

H. Res. 561. A resolution recognizing the National Association of Journeymen Linemen and the profession of Journeymen Linemen and the contributions of these brave men and women to protect public safety and

expressing support for designation of April 18, 2012, as National Journeymen Linemen Day; to the Committee on Energy and Commerce.

¶24.16 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 104: Mr. SCOTT of Virginia.
- H.R. 210: Mr. AMODEI and Mr. CARNAHAN.
- H.R. 324: Mr. BOREN.
- H.R. 420: Mr. CRENSHAW and Mr. YOUNG of Indiana.
- H.R. 481: Ms. WOOLSEY and Mr. FILNER.
- H.R. 494: Mrs. LOWEY.
- H.R. 505: Mrs. LOWEY.
- H.R. 591: Mr. JACKSON of Illinois.
- H.R. 592: Mr. STARK.
- H.R. 605: Mr. TURNER of Ohio.
- H.R. 708: Mr. PRICE of North Carolina.
- H.R. 718: Mr. CAPUANO.
- H.R. 894: Mr. CLAY.
- H.R. 930: Mr. SCHRADER.
- H.R. 1004: Mrs. BLACK.
- H.R. 1179: Mr. PETRI, Mr. QUAYLE, Mr. FLEISCHMANN, Mr. LUCAS, Mr. ROHRBACHER, Mr. GERLACH, Mr. SHIMKUS, and Mr. MCCARTHY of California.
- H.R. 1404: Mr. PASCRELL.
- H.R. 1418: Mr. CARSON of Indiana.
- H.R. 1483: Ms. NORTON.
- H.R. 1488: Ms. SPEIER and Mr. HIMES.
- H.R. 1511: Mr. SCHOCK and Mr. LATHAM.
- H.R. 1589: Mr. HANNA.
- H.R. 1639: Mr. WALSH of Illinois.
- H.R. 1681: Mr. SCOTT of Virginia.
- H.R. 1781: Ms. WATERS.
- H.R. 1860: Mr. MILLER of Florida.
- H.R. 1955: Mrs. CAPPS and Mr. BISHOP of New York.
- H.R. 2233: Mr. FILNER.
- H.R. 2245: Ms. HAHN.
- H.R. 2288: Mr. LOBIONDO.
- H.R. 2404: Mr. DINGELL.
- H.R. 2505: Ms. DEGETTE.
- H.R. 2529: Mrs. BLACK, Mrs. MCMORRIS RODGERS, and Mr. WALSH of Illinois.
- H.R. 2569: Mr. DIAZ-BALART.
- H.R. 2595: Mr. RANGEL.
- H.R. 2669: Mr. BRALEY of Iowa, Mr. ROTHMAN of New Jersey, Mr. GARAMENDI, Mr. LANGEVIN, Mr. COSTELLO, Mr. JACKSON of Illinois, and Mr. BRADY of Pennsylvania.
- H.R. 2689: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STARK, Mr. DAVIS of Illinois, Mr. RANGEL, and Mr. CONYERS.
- H.R. 2697: Mr. HERGER and Mr. SMITH of Washington.
- H.R. 2888: Mr. MICHAUD.
- H.R. 2902: Ms. BASS of California and Ms. RICHARDSON.
- H.R. 2957: Mr. FILNER, Mr. GUTIERREZ, Mr. MORAN, and Mrs. MALONEY.
- H.R. 2969: Mr. ROSS of Arkansas and Mr. MICHAUD.
- H.R. 2970: Mr. CLAY.
- H.R. 3046: Mr. RANGEL, Mrs. CAPPS, Mr. HOLDEN, Mr. DOGGETT, and Mr. KIND.
- H.R. 3066: Mr. COBLE.
- H.R. 3074: Mr. HULTGREN.
- H.R. 3086: Mr. COLE, Mr. YOUNG of Alaska, and Mr. FILNER.
- H.R. 3283: Ms. HAYWORTH.
- H.R. 3337: Ms. PINGREE of Maine, Mr. STARK, and Mr. CICILLINE.
- H.R. 3365: Mr. LABRADOR, Ms. WOOLSEY, and Mr. FILNER.
- H.R. 3506: Mr. TIBERI.
- H.R. 3510: Mr. ROSKAM and Mr. MCNERNEY.
- H.R. 3513: Mr. JACKSON of Illinois, Mr. FILNER, Mr. GRIJALVA, and Mr. COHEN.
- H.R. 3533: Mr. STARK.
- H.R. 3545: Mr. HASTINGS of Florida.
- H.R. 3551: Mr. LAMBORN and Mr. BROUN of Georgia.
- H.R. 3596: Mr. SARBANES.
- H.R. 3612: Mr. GUTIERREZ and Mr. MANZULLO.

H.R. 3627: Mr. BISHOP of New York, Mr. ROSS of Arkansas, and Mr. BUTTERFIELD.

H.R. 3661: Mr. PETERS.

H.R. 3695: Ms. LEE of CALIFORNIA and Ms. MCCOLLUM.

H.R. 3709: Mr. AMASH.

H.R. 3712: Mr. REYES, Mr. McDERMOTT, and Ms. BORDALLO.

H.R. 3713: Mr. BISHOP of Utah and Mr. MARINO.

H.R. 3770: Mr. MCCOTTER.

H.R. 3798: Mr. LEVIN, Mr. CLARKE of Michigan, and Mr. PETERS.

H.R. 3814: Mr. BOUSTANY and Mr. GENE GREEN of Texas.

H.R. 3826: Mr. MILLER of North Carolina, Mr. McGOVERN, and Mr. LARSEN of Washington.

H.R. 3881: Ms. MOORE.

H.R. 3894: Mr. GUTIERREZ, Mr. JOHNSON of Illinois, Mr. COSTELLO, Mr. RUSH, Mr. DAVIS of Illinois, Mr. SCHOCK, Mr. DOLD, and Ms. SCHAKOWSKY.

H.R. 3994: Mr. LONG.

H.R. 4000: Mr. SCHILLING and Mr. CONAWAY.

H.R. 4010: Mr. HINCHEY, Ms. KAPTUR, and Mr. McDERMOTT.

H.R. 4018: Mr. GERLACH and Mr. HOLT.

H.R. 4032: Mr. TOWNS, Ms. NORTON, Mr. PETERS, Mr. RYAN of Ohio, Ms. LEE of California, Mr. HASTINGS of Florida, and Mr. CARNAHAN.

H.R. 4040: Mr. STIVERS, Mr. RICHMOND, Mr. BASS of New Hampshire, Mr. DOLD, Mr. SIMPSON, Mr. BENISHEK, Mr. GOWDY, Mr. MULVANEY, Mr. SOUTHERLAND, Mr. ACKERMAN, Mr. BECERRA, Mr. BOSWELL, Mr. CAPUANO, Mr. CLAY, Mr. COURTNEY, Mr. CUELLAR, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HONDA, Mr. HUNTER, Mr. KIND, Mr. LATOURETTE, Mr. LUJÁN, Mr. LYNCH, Mrs. MCCARTHY of New York, Mr. MCCARTHY of California, Mr. MEEKS, Mr. PASTOR of Arizona, Mr. PERLMUTTER, Mr. REYES, Mr. SHERMAN, Mr. SHIMKUS, Mr. SIRES, Mr. WATT, Mr. YARMUTH, and Mr. YOUNG of Alaska.

H.R. 4062: Mr. GARY G. MILLER of California.

H.J. Res. 78: Mr. McGOVERN.

H.J. Res. 83: Ms. LORETTA SANCHEZ of California and Ms. LINDA T. SANCHEZ of California.

H. Con. Res. 102: Mr. STIVERS.

H. Res. 474: Ms. NORTON and Mr. CICILLINE.

H. Res. 552: Mr. KILDEE.

¶24.17 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. BARLETTA.

H.R. 1964: Ms. JENKINS.

H.R. 3086: Mr. FRANK of Massachusetts.

TUESDAY, FEBRUARY 21, 2012 (25)

¶25.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

February 21, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶ 25.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced he had examined

and approved the Journal of the proceedings of Friday, February 17, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶25.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5055. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Registration of Swap Dealers and Major Swap Participants (RIN: 3038-AC95) January 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5056. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Protection of Cleared Swaps Customer Contracts and Collateral; Conforming Amendments to the Commodity Broker Bankruptcy Provisions (RIN: Number 3038-AC99) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5057. A letter from the Director, Program Dev. and Regulatory Analysis, Rural Development Utilities Program, Department of Agriculture, transmitting the Department's final rule — Electric Engineering, Architectural Services, Design Policies and Construction Standards (RIN: 0572-AC20) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5058. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — National Dairy Promotion and Research Program; Amendments to the Order [Document No.: AMS-DA-11-0007; DA-11-02] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5059. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Irish potatoes Grown in Colorado; Modification of the Handling Regulation for Area No. 3 [Doc. No.: AMS-FV-11-0051; FV11-948-1 FR] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5060. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Disclosure to Investors in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System (RIN: 3052-AC77) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5061. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Direct Single Family Housing Loans and Grants (RIN: 0575-AC81) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5062. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Privacy Act Implementation (RIN: 2590-AA46) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5063. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Freedom of Information Act Implementation (RIN: 2590-AA44) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5064. A letter from the Acting Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's "Major" final rule — Nutrition

Standards in the National School Lunch and School Breakfast Programs [FNS-2007-0038] (RIN: 0584-AD59) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5065. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's "Major" final rule — Reasonable Contract or Arrangement Under Section 408(b)(2) — Fee Disclosure (RIN: 1210-AB08) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5066. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's "Major" final rule — Senior Community Service Employment Program; Final Rule, Additional Indicator on Volunteer Work (RIN: 1205-AB60) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5067. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedures for Refrigerators, Refrigerator-Freezers, and Freezers [Docket No.: EERE-2009-BT-TP-0003] (RIN: 1904-AB92) received January 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5068. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for General Service Fluorescent Lamps, General Service Incandescent Lamps, and Incandescent Reflector Lamps [Docket No.: EERE-2011-BT-TP-0012] (RIN: 1904-AC45) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5069. A letter from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Revision 1 to the Safety Evaluation by the Office of Nuclear Reactor Regulation Materials Reliability Program: Pressurized Water Reactor Internals Inspection and Evaluations Guidelines (MRP-227, Revision 0) Project No. 669 received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5070. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — New Mexico Regulatory Program [SATS No.: NM-048-FOR; Docket ID OSM-2010-0014] received January 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5071. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Annual Catch Limits and Accountability Measures [Docket No.: 100902424-1331-03] (RIN: 0648-BA23) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5072. A letter from the Deputy Assistant Administrator, Department of Justice, transmitting the Department's final rule — Technical Amendments and Corrections to DEA Regulations [Docket No.: DEA-356] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5073. A letter from the Director of Regulation Policy and Management, office of the General Counsel, Department of Veterans Af-

fairs, transmitting the Department's final rule — Dental Conditions (RIN: 2900-AN28) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5074. A letter from the Director, Regulations Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Tribal Veterans Cemetery Grants (RIN: 2900-AN90) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

And then,

¶25.4 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. HARRIS, by unanimous consent, and pursuant to the special order of the House agreed to on February 17, 2012, at 12 o'clock and 2 minutes p.m., declared the House adjourned until 10 a.m. on Friday, February 24, 2012.

¶25.5 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1063: Mrs. NOEM and Ms. SCHAKOWSKY.
 H.R. 1166: Mr. NUGENT.
 H.R. 1175: Mr. LANKFORD, Mr. LUCAS, and Mr. GENE GREEN of Texas.
 H.R. 1426: Mr. DIAZ-BALART.
 H.R. 1488: Ms. SCHAKOWSKY and Mr. KUCINICH.
 H.R. 2071: Mr. SMITH of Washington.
 H.R. 2834: Mr. MCINTYRE and Mr. SCHWEIKERT.
 H.R. 2866: Mr. HULTGREN.
 H.R. 3059: Mr. BOREN.
 H.R. 3068: Mr. MANZULLO.
 H.R. 3216: Mr. BROUN of Georgia.
 H.R. 3498: Mr. HASTINGS of Florida and Mr. PASCARELL.
 H.R. 3612: Mr. SCHILLING and Mr. FITZPATRICK.
 H.R. 3662: Mr. MACK and Mr. DIAZ-BALART.
 H.R. 3769: Ms. BUERKLE.
 H.R. 3783: Mr. FORBES, Mr. FARENTHOLD, Mrs. SCHMIDT, Mr. SCOTT of South Carolina, Mr. CHABOT, Mr. GRIFFIN of Arkansas, Mr. ROHRBACHER, and Mr. GALLEGLY.
 H.R. 3808: Mr. GARY G. MILLER of California.
 H.R. 3877: Mr. PAULSEN and Mrs. BLACK.
 H.R. 3897: Mr. JOHNSON of Ohio and Mr. MARCHANT.
 H.R. 3988: Mr. DINGELL.
 H.R. 4070: Mr. BROUN of Georgia and Mr. SHERMAN.
 H. Res. 298: Ms. LEE of California.

FRIDAY, FEBRUARY 24, 2012 (26)

¶26.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 24, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶26.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had ex-

amined and approved the Journal of the proceedings of Tuesday, February 21, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶26.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5075. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Business Systems-Definition and Administration (DFARS Case 2009-D038) (RIN: 0750-AG58) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5076. A letter from the Attorney-Advisor, Division of Legislation and Regulations, Department of Transportation, transmitting the Department's final rule — Retrospective Review under E.O. 13563: Shipping — Deletion of Obsolete Regulations [Docket No.: MARAD 2010-0004] (RIN: 2133-AB80) received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5077. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-8213] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5078. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No. FEMA-8211] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5079. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Financial Crimes Enforcement Network; Anti-Money Laundering Program and Suspicious Activity Report Filing Requirements for Residential Mortgage Lenders and Originators (RIN: 1506-AB02) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5080. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Family Educational Rights and Privacy [Docket ID: ED-2011-OM-0002] (RIN: 1880-AA86) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5081. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act (RIN: 1210-AB44) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5082. A letter from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting the Authority's final rule — Procedures of the Panel; Impasses Arising Pursuant to Agency Determinations Not to Establish or to Terminate Flexible or Compressed Work Schedules received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5083. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Race to the Top Fund Phase 3 [Docket ID: ED-2011-OS-0008] (RIN:

1894-AA01) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5084. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Further Amendments to General Regulations of the Food and Drug Administration to Incorporate Tobacco Products [Docket No.: FDA-2011-N-0121] (RIN: 0910-AG60) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5085. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Revisions to Labeling Requirements for Blood and Blood Components, Including Source Plasma; Correction [Docket No.: FDA-2003-N-0097; Formerly 2003N-0211] received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5086. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Storage Reporting Requirements of Interstate and Intrastate Natural Gas Companies [Docket No.: RM11-4-000; Order No. 757] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5087. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5088. A communication from the President of the United States, transmitting a declaration of a national emergency with respect to blocking the property of certain persons with respect to Libya, pursuant to 50 U.S.C. 1703(b); (H. Doc. No. 112-88); to the Committee on Foreign Affairs and ordered to be printed.

5089. A communication from the President of the United States, transmitting notification that the national emergency with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, as amended and expanded on February 26, 2004, is to continue in effect beyond March 1, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-89); to the Committee on Foreign Affairs and ordered to be printed.

5090. A letter from the Acting Deputy Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; U.S. Navy Training in 12 Range Complexes and U.S. Air Force Space Vehicle and Test Flight Activities in California [Docket No.: 111019636-2033-02] (RIN: 0648-BB53) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5091. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Revised Jurisdictional Threshold for Section 7A of the Clayton Act received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5092. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30824; Amdt. No. 3462] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5093. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30825; Amdt. No. 3463] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5094. A letter from the Assistant Administrator for Strategic Infrastructure, National Aeronautics and Space Administration, transmitting the Administration's final rule — Procedures for Implementation of the National Environment Policy Act [Notice (12-004)] (RIN: 2700-AD71) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

¶26.4 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. LATOURETTE, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. HARRIS, signed the following enrolled bill on Tuesday, February 21, 2012:

H.R. 3630. An Act to provide incentives for the creation of jobs, and for other purposes. And then,

¶26.5 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, and pursuant to the special order of the House agreed to on February 17, 2012, at 10 o'clock and 2 minutes a.m., declared the House adjourned until 2 p.m. on Monday, February 27, 2012.

¶26.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. CONYERS, Mr. SMITH of Texas, and Mr. COHEN):

H.R. 4086. A bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title; to the Committee on the Judiciary.

By Mr. MARKEY:

H.R. 4087. A bill to provide for the development and dissemination of best practices to ensure that visually-impaired and blind individuals in the United States have safe, consistent, reliable, and independent access to the information in prescription drug labeling; to the Committee on Energy and Commerce.

By Mr. QUAYLE:

H.R. 4088. A bill to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes; to the Committee on Financial Services.

¶26.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 531: Mr. DOGGETT.

H.R. 931: Mr. MACK.

H.R. 1321: Mr. CRAVAACK.

H.R. 1332: Mr. LANGEVIN.

H.R. 1385: Mr. LATTA.

H.R. 1738: Ms. BASS of California, Ms. WOOLSEY, and Mr. YARMUTH.

H.R. 1755: Mr. DUFFY.

H.R. 2179: Mr. FARENTHOLD, Mr. REYES, and Mr. HINOJOSA.

H.R. 2404: Mr. LEVIN.

H.R. 2479: Ms. SCHAKOWSKY.

H.R. 2524: Mr. BLUMENAUER.

H.R. 2978: Mr. LATTA.

H.R. 3307: Ms. ZOE LOFGREN of California and Mr. SCOTT of Virginia.

H.R. 3461: Mr. COFFMAN of Colorado, Mr. FRELINGHUYSEN, Mr. KLINE, Mr. TURNER of Ohio, Mr. MCKINLEY, and Mrs. MYRICK.

H.R. 3612: Mr. ROTHMAN of New Jersey, Mr. BOSWELL, Mr. ACKERMAN, Mr. BASS of New Hampshire, and Mrs. MALONEY.

H.R. 3662: Mr. HANNA.

H.R. 3767: Mr. GARAMENDI, Mr. ROGERS of Kentucky, Mr. SCHILLING, Mr. CALVERT, Mr. SHUSTER, and Mr. HINOJOSA.

H.R. 3769: Mr. TURNER of New York.

H.R. 3811: Mr. MCCOTTER.

H.R. 3860: Mr. BOSWELL.

H.R. 3877: Mr. MEEHAN, Mr. FORBES, and Mr. GOSAR.

H.R. 3992: Mr. POE of Texas and Mr. GALLEGLY.

H.R. 4000: Mrs. BLACKBURN and Mr. PENCE.
H. Res. 526: Mr. POE of Texas and Mrs. EMERSON.

H. Res. 556: Mr. ADERHOLT, Mr. MORAN, Mr. CONYERS, Mr. WHITFIELD, Mr. ROE of Tennessee, Mr. KING of Iowa, Mr. GOWDY, Mr. PENCE, Mr. MCDERMOTT, Mr. HARPER, Mr. MURPHY of Pennsylvania, Mr. BILIRAKIS, Mr. FORBES, Mr. LANCE, Ms. JENKINS, Mr. BURTON of Indiana, Mr. HULTGREN, Mr. BACHUS, Mr. MCCOTTER, Mr. LAMBORN, Mr. HERGER, and Mrs. BACHMANN.

MONDAY, FEBRUARY 27, 2012 (27)

¶27.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
February 27, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶27.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced he had examined and approved the Journal of the proceedings of Friday, February 24, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶27.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5095. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Robert F. Willard, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

5096. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John D. Gardner, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5097. A letter from the Associate General Counsel for Legislation and Regulations, De-

partment of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA) Single Family Lender Insurance Process: Eligibility, Indemnification, and Termination [Docket No.: FR-5156-F-02] (RIN: 2502-A158) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5098. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity [Docket No.: FR 5359-F-02] (RIN: 2501-AD49) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5099. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act (RIN: 1210-AB44) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5100. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Summary of Benefits and Coverage and Uniform Glossary — Templates, Instructions, and Related Materials; and Guidance for Compliance received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5101. A letter from the Assistant Secretary, Employee Benefits Administration, Department of Labor, transmitting the Department's final rule — Summary of Benefits and Coverage and Uniform Glossary (RIN: 1210-AB52) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5102. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-54, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5103. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 1-12 informing of an intent to sign a Project Agreement with the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

5104. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a message from the Speaker of the National Assembly of the Republic of Korea; to the Committee on Foreign Affairs.

5105. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5106. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

5107. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule —

Guidelines for Determining Probability of Causation under the Energy Employees Occupational Illness Compensation Program Act of 2000; Revision of Guidelines on Non-Radiogenic Cancers [Docket Number: NIOSH-209] (RIN: 0920-AA39) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5108. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date (RIN: 1205-AB61) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5109. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the Annual Report of Little League Baseball, Incorporated for the fiscal year ending September 30, 2011, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

5110. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting Sabine-Neches Waterway Channel Improvement Project Southeast Texas and Southwest Louisiana Final Environmental Impact Statement and Ocean Dredged Material Disposal Sites Final Environmental Impact Statement; (H. Doc. No. 112—90); to the Committee on Transportation and Infrastructure and ordered to be printed.

5111. A letter from the Director, Regulations Policy and Management Staff, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Schedule for Rating Disabilities; AL Amyloidosis (Primary Amyloidosis) (RIN: 2900-AN75) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5112. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Foreign Tax Credit Splitting Events [TD 9577] (RIN: 1545-BK50) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5113. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary [TD 9575] (RIN: 1545-BJ94) received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5114. A letter from the Secretary, Department of Health and Human Services, transmitting the Medicare Ombudsman report to Congress for the year 2010; jointly to the Committees on Energy and Commerce and Ways and Means.

¶27.4 RECESS—2:14 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 14 minutes p.m., until approximately 4 p.m.

¶27.5 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶27.6 AMENDMENT OF THE SENATE TO H.R. 347

Mr. SMITH of Texas, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Restricted Buildings and Grounds Improvement Act of 2011".

SEC. 2. RESTRICTED BUILDING OR GROUNDS.

Section 1752 of title 18, United States Code, is amended to read as follows:

"§ 1752. Restricted building or grounds

"(a) Whoever—

"(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

"(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

"(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstructs or impedes ingress or egress to or from any restricted building or grounds; or

"(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so, shall be punished as provided in subsection (b).

"(b) The punishment for a violation of subsection (a) is—

"(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

"(A) the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

"(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

"(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

"(c) In this section—

"(1) the term 'restricted buildings or grounds' means any posted, cordoned off, or otherwise restricted area—

"(A) of the White House or its grounds, or the Vice President's official residence or its grounds;

"(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

"(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

"(2) the term 'other person protected by the Secret Service' means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.".

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. SMITH of Georgia, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶27.7 RECESS—4:14 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 14 minutes p.m., until approximately 6:30 p.m.

¶27.8 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. DENHAM, called the House to order.

¶27.9 PROVIDING FOR CONSIDERATION OF H.R. 2117

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112—404) the resolution (H. Res. 563) providing for consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965.

When said resolution and report were referred to the House Calendar and ordered printed.

¶27.10 AMENDMENT OF THE SENATE TO H.R. 347—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 388 affirmative } Nays 3

¶27.11 [Roll No. 73]

YEAS—388

Ackerman	Brady (PA)	Conyers
Adams	Brady (TX)	Cooper
Aderholt	Braley (IA)	Costa
Alexander	Brooks	Costello
Altmire	Buchanan	Courtney
Andrews	Bucshon	Cravaack
Austria	Buerkle	Crawford
Baca	Burgess	Crenshaw
Bachmann	Burton (IN)	Critz
Bachus	Butterfield	Crowley
Baldwin	Calvert	Cuellar
Barletta	Camp	Cummings
Barrow	Canseco	Davis (CA)
Bartlett	Cantor	Davis (IL)
Barton (TX)	Capito	Davis (KY)
Bass (CA)	Capps	DeFazio
Bass (NH)	Capuano	DeGette
Becerra	Cardoza	DeLauro
Benishek	Carney	Denham
Berg	Carson (IN)	Dent
Berkley	Carter	DesJarlais
Berman	Cassidy	Deutch
Biggert	Castor (FL)	Diaz-Balart
Billirakis	Chabot	Dicks
Bishop (GA)	Chaffetz	Doggett
Bishop (NY)	Chandler	Dold
Bishop (UT)	Chu	Donnelly (IN)
Black	Cicilline	Doyle
Blackburn	Clarke (MI)	Dreier
Blumenauer	Clyburn	Duffy
Bonamici	Coble	Duncan (SC)
Bonner	Coffman (CO)	Duncan (TN)
Bono Mack	Cohen	Edwards
Boren	Cole	Ellmers
Boswell	Conaway	Emerson
Boustany	Connolly (VA)	Engel

Eshoo	LaTourette	Rigell
Farenthold	Latta	Rivera
Farr	Levin	Roby
Fattah	Lewis (CA)	Roe (TN)
Fincher	Lewis (GA)	Rogers (AL)
Fitzpatrick	Lipinski	Rogers (KY)
Flake	LoBiondo	Rogers (MI)
Fleischmann	Loebsock	Rohrabacher
Fleming	Lofgren, Zoe	Rokita
Flores	Long	Rooney
Forbes	Lowe	Ros-Lehtinen
Fortenberry	Lucas	Roskam
Fox	Luetkemeyer	Ross (AR)
Frank (MA)	Lujan	Ross (FL)
Frelinghuysen	Lummis	Rothman (NJ)
Fudge	Lungren, Daniel E.	Roybal-Allard
Gallegly		Royce
Garamendi	Lynch	Ryunyan
Gardner	Mack	Ruppersberger
Garrett	Maloney	Ryan (OH)
Gerlach	Manzullo	Ryan (WI)
Gibbs	Markey	Sánchez, Linda T.
Gibson	Matheson	Sanchez, Loretta
Gingrey (GA)	Matsui	Sarbanes
Gohmert	McCarthy (CA)	Scalise
Gonzalez	McCarthy (NY)	Schakowsky
Goodlatte	McCaul	Schiff
Gosar	McClintock	Schilling
Gowdy	McCollum	Schmidt
Granger	McCotter	Schock
Graves (GA)	McDermott	Schrader
Graves (MO)	McGovern	Schwartz
Green, Al	McHenry	Schweikert
Green, Gene	McIntyre	Scott (SC)
Griffin (AR)	McKeon	Scott (VA)
Griffith (VA)	McKinley	Scott, Austin
Grimm	McMorris	Scott, David
Guinta	Rodgers	Sensenbrenner
Guthrie	McNerney	Serrano
Hahn	Meehan	Sessions
Hall	Meeke	Sewell
Hanabusa	Mica	Sherman
Hanna	Michaud	Shimkus
Harper	Miller (FL)	Shuster
Harris	Miller (MI)	Simpson
Hartzler	Miller (NC)	Sires
Hastings (FL)	Miller, Gary	Slaughter
Hastings (WA)	Miller, George	Smith (NE)
Hayworth	Moore	Smith (NJ)
Heck	Moran	Smith (TX)
Heinrich	Mulvaney	Southerland
Hensarling	Murphy (CT)	Stearns
Herger	Murphy (PA)	Stivers
Herrera Beutler	Myrick	Stutzman
Higgins	Nadler	Sullivan
Himes	Napolitano	Sutton
Hinchee	Neal	Terry
Hinojosa	Neugebauer	Thompson (CA)
Hochul	Noem	Thompson (MS)
Holden	Nugent	Thompson (PA)
Holt	Nunes	Tiberi
Honda	Nunnelee	Tipton
Hoyer	Olson	Tonko
Huelskamp	Olver	Tsongas
Huizenga (MI)	Owens	Turner (NY)
Hultgren	Palazzo	Turner (OH)
Hunter	Pallone	Upton
Hurt	Pastor (AZ)	Van Hollen
Israel	Paulsen	Velázquez
Issa	Pearce	Visclosky
Jackson Lee (TX)	Pelosi	Walberg
Jenkins	Pence	Walden
Johnson (GA)	Perlmutter	Walsh (IL)
Johnson (OH)	Peters	Walz (MN)
Johnson, E. B.	Peterson	Wasserman
Johnson, Sam	Petri	Schultz
Jones	Pingree (ME)	Waters
Jordan	Pitts	Watt
Keating	Poe (TX)	Waxman
Kelly	Polis	Webster
Kildee	Pompeo	Welch
Kind	Posey	West
King (IA)	Price (GA)	Westmoreland
King (NY)	Price (NC)	Whitfield
Kinzinger (IL)	Quayle	Wilson (FL)
Kissell	Quigley	Wilson (SC)
Kline	Rahall	Wittman
Labrador	Reed	Wolf
Lamborn	Rehberg	Womack
Lance	Reichert	Woodall
Lankford	Renacci	Yarmuth
Larsen (WA)	Reyes	Yoder
Larson (CT)	Ribble	Young (FL)
Latham	Richardson	Young (IN)
	Richmond	

NAYS—3

Amash	Broun (GA)	Ellison
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NOT VOTING—42

Akin	Gutierrez	Paul
Amodei	Hirono	Payne
Bilbray	Inslee	Platts
Brown (FL)	Jackson (IL)	Rangel
Campbell	Johnson (IL)	Rush
Carnahan	Kaptur	Shuler
Clarke (NY)	Kingston	Smith (WA)
Clay	Kucinich	Speier
Cleaver	Landry	Stark
Culberson	Langevin	Thornberry
Dingell	Lee (CA)	Tierney
Filner	Marchant	Towns
Franks (AZ)	Marino	Woolsey
Grijalva	Pascrell	Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶27.12 MOMENT OF SILENCE IN MEMORY OF THE LATE HONORABLE KATIE HALL

The SPEAKER pro tempore, Mr. PALAZZO, announced that all Members stand and observe a moment of silence in memory of the late Honorable Katie Hall.

¶27.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BILBRAY, for today;
To Mr. CULBERSON, for today; and
To Mr. JACKSON of Illinois, for today.

And then,

¶27.14 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o'clock and 40 minutes p.m., the House adjourned.

¶27.15 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 665. A bill to establish a pilot program for the expedited disposal of Federal real property; with an amendment (Rept. 112–402). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1837. A bill to address certain water-related concerns on the San Joaquin River, and for other purposes; with an amendment (Rept. 112–403). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 563. A resolution providing for consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965 (Rept. 112–404). Referred to the House Calendar.

¶27.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. MILLER of Florida (for himself, Mr. BENISHEK, Mr. FLAKE, Mr. YOUNG of Alaska, Mr. ROSS of Arkansas, Mr. BOREN, Mr. LATTA, and Mr. SHULER):

H.R. 4089. A bill to protect and enhance opportunities for recreational hunting, fishing and shooting; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN:

H.R. 4090. A bill to reauthorize the National Dam Safety Program Act, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE:

H.R. 4091. A bill to assist low-income individuals in obtaining medically recommended dental care; to the Committee on Energy and Commerce.

By Mr. GIBSON:

H.R. 4092. A bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide clarification of the relationship of certain constitutional rights to provisions of law relating to the military detention of certain covered person; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SEWELL (for herself and Mrs. ROBY):

H. Res. 562. A resolution directing the Office of the Historian to compile oral histories from current and former Members of the House of Representatives involved in the historic and annual Selma to Montgomery, Alabama, marches, as well as the civil rights movement in general, for the purposes of expanding or augmenting the historic record and for public dissemination and education; to the Committee on House Administration.

By Ms. SCHAKOWSKY (for herself, Mr. BACA, Mr. BRADY of Pennsylvania, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CLARKE of Michigan, Mr. CLEAVER, Mr. CONYERS, Mr. COURTNEY, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. ELLISON, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. JACKSON LEE of Texas, Ms. KAPTUR, Mr. KUCINICH, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Ms. RICHARDSON, Mr. SABLAN, Mr. SERRANO, Ms. SPEIER, Ms. WOOLSEY, and Mr. WELCH):

H. Res. 564. A resolution recognizing the critical importance of the supplemental nutrition assistance program (SNAP), formerly called the food stamp program; to the Committee on Agriculture.

By Mr. WEST (for himself, Mr. ROONEY, Mr. RIVERA, Mr. DIAZ-BALART, Mr. HASTINGS of Florida, and Mr. MILLER of Florida):

H. Res. 565. A resolution commemorating the 100th anniversary of the Palm City Community in Martin County, Florida; to the Committee on Oversight and Government Reform.

¶27.17 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. OLVER.

H.R. 23: Mr. ROTHMAN of New Jersey.
 H.R. 32: Mr. REYES.
 H.R. 104: Mr. LANGEVIN and Ms. BALDWIN.
 H.R. 205: Mr. PEARCE.
 H.R. 207: Mr. BACA.
 H.R. 218: Mr. HINOJOSA.
 H.R. 329: Mr. BROOKS, Mr. DOGGETT, and Mr. RANGEL.
 H.R. 385: Ms. SCHAKOWSKY and Mr. JACKSON of Illinois.
 H.R. 409: Mr. BURGESS.
 H.R. 452: Mr. KLINE and Mr. PASCRELL.
 H.R. 459: Mr. LIPINSKI and Mr. CONAWAY.
 H.R. 481: Mr. MURPHY of Connecticut.
 H.R. 511: Mr. BERMAN and Mr. PIERLUISI.
 H.R. 631: Mr. GENE GREEN of Texas and Mr. ROTHMAN of New Jersey.
 H.R. 640: Ms. SCHWARTZ.
 H.R. 757: Mr. DEUTCH.
 H.R. 777: Mr. BISHOP of New York and Ms. BERKLEY.
 H.R. 799: Ms. LEE of California, Mr. JACKSON of Illinois, Mr. GONZALEZ, Mr. WEST, and Mr. ROTHMAN of New Jersey.
 H.R. 807: Mr. STARK.
 H.R. 812: Mr. SCHILLING.
 H.R. 876: Mr. LANGEVIN.
 H.R. 892: Mr. KUCINICH.
 H.R. 930: Mr. RYAN of Ohio.
 H.R. 931: Mr. NUNNELEE.
 H.R. 1004: Mr. BERG.
 H.R. 1114: Mr. CAPUANO.
 H.R. 1164: Mr. FINCHER.
 H.R. 1167: Mr. CONAWAY.
 H.R. 1206: Mr. RUNYAN, Mr. DESJARLAIS, and Mr. GIBBS.
 H.R. 1330: Mr. GUTIERREZ.
 H.R. 1332: Ms. DELLAURO and Mr. DOYLE.
 H.R. 1340: Mrs. BLACK.
 H.R. 1342: Mr. MEEHAN.
 H.R. 1370: Mr. HUELSKAMP.
 H.R. 1386: Mr. RANGEL.
 H.R. 1404: Mr. GARAMENDI.
 H.R. 1418: Mr. GENE GREEN of Texas.
 H.R. 1505: Mr. RUNYAN.
 H.R. 1558: Mr. MURPHY of Pennsylvania.
 H.R. 1581: Mr. CRAVAACK.
 H.R. 1588: Mr. FORBES.
 H.R. 1672: Mr. STEARNS, Mr. ANDREWS, Mr. RYAN of Ohio, and Mr. PLATTS.
 H.R. 1681: Ms. BASS of California.
 H.R. 1738: Mr. DOYLE.
 H.R. 1895: Mr. MORAN, Mr. CLAY, and Mrs. NAPOLITANO.
 H.R. 1912: Mr. HONDA.
 H.R. 2071: Ms. BONAMICI.
 H.R. 2085: Mr. TIERNEY and Mr. CAPUANO.
 H.R. 2131: Mr. HARRIS.
 H.R. 2168: Mr. CLARKE of Michigan.
 H.R. 2179: Mr. BENISHEK.
 H.R. 2245: Mr. FITZPATRICK, Mr. BLUMENAUER, and Mr. COURTNEY.
 H.R. 2267: Mr. FORBES, Mr. KISSELL, Mr. SRES, Mr. GONZALEZ, Mr. KEATING, Mr. JACKSON of Illinois, and Mr. BACA.
 H.R. 2288: Mrs. CAPPS, Ms. ZOE LOFGREN of California, Ms. SLAUGHTER, and Ms. HAHN.
 H.R. 2328: Mr. LANGEVIN.
 H.R. 2353: Mr. KIND.
 H.R. 2404: Mrs. DAVIS of California.
 H.R. 2437: Mr. FATTAH.
 H.R. 2446: Mr. MEEKS and Mr. McCOTTER.
 H.R. 2499: Mr. PAYNE, Mr. ELLISON, and Mr. POSEY.
 H.R. 2513: Mr. MORAN and Mrs. DAVIS of California.
 H.R. 2529: Mrs. LUMMIS.
 H.R. 2634: Ms. PINGREE of Maine and Mr. MCGOVERN.
 H.R. 2657: Mr. CLAY.
 H.R. 2738: Mr. FARR and Ms. MATSUI.
 H.R. 2896: Mr. LANCE, Mr. ROTHMAN of New Jersey, Mr. HOLT, Mr. SRES, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. PALLONE, and Mr. RUNYAN.
 H.R. 2955: Ms. SUTTON.
 H.R. 2969: Mr. GENE GREEN of Texas.
 H.R. 3014: Mr. MARKEY.
 H.R. 3059: Mrs. NAPOLITANO.

H.R. 3066: Mr. WILSON of South Carolina.
 H.R. 3083: Mr. ROTHMAN of New Jersey.
 H.R. 3086: Mr. ROTHMAN of New Jersey, Mr. AL GREEN of Texas, Mr. QUIGLEY, Ms. LINDA T. SANCHEZ of California, Mr. HONDA, Mr. THOMPSON of Mississippi, Mrs. DAVIS of California, and Mr. VISLOSKEY.
 H.R. 3207: Mr. MEEHAN.
 H.R. 3269: Mr. TONKO, Mr. WOMACK, Mr. KIND, Mr. YOUNG of Indiana, Mrs. CAPITO, Mr. SCHRADER, Ms. ZOE LOFGREN of California, Ms. SCHAKOWSKY, and Mr. RYAN of Ohio.
 H.R. 3275: Mrs. MYRICK.
 H.R. 3324: Mr. COHEN.
 H.R. 3353: Mr. PRICE of North Carolina.
 H.R. 3356: Mr. SAM JOHNSON of Texas, Mr. WEST, and Mr. BILBRAY.
 H.R. 3364: Mr. BRALEY of Iowa and Mr. LOEBACK.
 H.R. 3373: Ms. MOORE, Ms. CHU, Ms. LEE of California, and Ms. SPEIER.
 H.R. 3462: Mr. KILDEE.
 H.R. 3464: Mr. JACKSON of Illinois.
 H.R. 3476: Mr. CONNOLLY of Virginia.
 H.R. 3485: Mr. HEINRICH.
 H.R. 3496: Mr. HOLT.
 H.R. 3506: Mr. BLUMENAUER.
 H.R. 3523: Mr. ROE of Tennessee, Mr. FLEISCHMANN, and Mr. BACA.
 H.R. 3526: Mr. CLAY, Mrs. MCMORRIS RODGERS, Ms. LEE of California, Ms. KAPTUR, Mr. PLATTS, Ms. WASSERMAN SCHULTZ, and Mr. MCGOVERN.
 H.R. 3528: Ms. LEE of California.
 H.R. 3566: Ms. BASS of California.
 H.R. 3612: Mr. LEWIS of Georgia and Ms. CHU.
 H.R. 3626: Ms. LEE of California.
 H.R. 3627: Mr. KISSELL.
 H.R. 3643: Mr. OWENS, Mr. PAUL, and Mr. ROKITA.
 H.R. 3676: Mr. UPTON.
 H.R. 3679: Mr. GRIJALVA.
 H.R. 3702: Mr. BISHOP of Utah.
 H.R. 3704: Mr. HIMES.
 H.R. 3723: Mr. MANZULLO.
 H.R. 3767: Mr. COURTNEY and Mr. WEST.
 H.R. 3770: Mr. DUNCAN of Tennessee.
 H.R. 3783: Mr. CRAVAACK and Mr. GOSAR.
 H.R. 3805: Mr. LAMBORN.
 H.R. 3821: Mr. BLUMENAUER and Mr. COURTNEY.
 H.R. 3827: Mr. WHITFIELD.
 H.R. 3828: Mr. FINCHER.
 H.R. 3831: Mr. PAUL.
 H.R. 3855: Mr. ENGEL, Mr. McDERMOTT, and Mr. ROTHMAN of New Jersey.
 H.R. 3860: Mr. RANGEL.
 H.R. 3863: Mr. RIBBLE.
 H.R. 3877: Mr. NUGENT.
 H.R. 3893: Mr. CHABOT and Mr. GRAVES of Missouri.
 H.R. 3895: Mr. BARLETTA, Mr. ROTHMAN of New Jersey, Mr. NUGENT, Mr. JOHNSON of Ohio, and Mr. FILNER.
 H.R. 3914: Mr. HANNA.
 H.R. 3974: Mr. DOGGETT and Mr. PRICE of North Carolina.
 H.R. 3981: Ms. MCCOLLUM and Mr. COURTNEY.
 H.R. 3984: Mr. DOYLE, Mr. RUSH, and Ms. SLAUGHTER.
 H.R. 3989: Mr. KELLY.
 H.R. 3990: Mr. KELLY.
 H.R. 3991: Mr. DUNCAN of Tennessee.
 H.R. 3992: Mr. PENCE, Ms. LINDA T. SANCHEZ of California, Mr. NADLER, and Mr. POLIS.
 H.R. 3994: Mrs. BLACK, Mr. ROSS of Florida, and Mr. PAUL.
 H.R. 4010: Mr. HINOJOSA, Mr. COSTELLO, Mr. DOGGETT, Mr. ROTHMAN of New Jersey, Mr. RYAN of Ohio, Ms. CLARKE of New York, Mr. DOYLE, Mr. KUCINICH, and Mr. NEAL.
 H.R. 4038: Mr. POLIS.
 H.R. 4045: Mr. BOSWELL, Ms. MCCOLLUM, and Mr. WALZ of Minnesota.
 H.R. 4046: Mr. MANZULLO and Mr. ROE of Tennessee.

H.R. 4061: Mr. ANDREWS.
 H.R. 4065: Ms. BORDALLO.
 H.R. 4078: Mr. GOODLATTE.
 H.R. 4080: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 4082: Mr. PIERLUISI.
 H.J. Res. 103: Mr. ROSS of Florida and Mr. FINCHER.
 H. Res. 111: Mrs. MALONEY, Mr. HINCHEY, Mr. GUTIERREZ, Mr. MARINO, Mr. GOODLATTE, Mr. PEARCE, Mr. FITZPATRICK, Mr. MARCHANT, and Mr. MORAN.
 H. Res. 130: Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Res. 262: Mr. MCGOVERN.
 H. Res. 351: Mr. STARK.
 H. Res. 484: Ms. ZOE LOFGREN of California, Mr. CONNOLLY of Virginia, Mr. ROYCE, Mr. MARKEY, Mr. MORAN, and Mr. STARK.
 H. Res. 542: Mr. ROTHMAN of New Jersey.
 H. Res. 555: Mr. PASCRELL.
 H. Res. 556: Mr. NUNNELEE, Mr. JORDAN, Mrs. HARTZLER, Mr. POMPEO, Mr. MARINO, Mr. KINZINGER of Illinois, Mr. KELLY, Mr. DUNCAN of Tennessee, Mr. SMITH of Texas, Mr. ROSS of Florida, Mr. SMITH of New Jersey, Mr. PEARCE, Mr. LATHAM, Mr. WILSON of South Carolina, Mr. LANKFORD, Ms. FOXX, Mr. GENE GREEN of Texas, and Mrs. MCMORRIS RODGERS.
 H. Res. 560: Mrs. DAVIS of California.

TUESDAY, FEBRUARY 28, 2012 (28)

¶28.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. FITZPATRICK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 28, 2012.

I hereby appoint the Honorable MICHAEL G. FITZPATRICK to act as Speaker pro tempore on this day.

JOHN A. BOEHRER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶28.2 RECESS—10:31 A.M.

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 31 minutes a.m., until noon.

¶28.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶28.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, February 27, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶28.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5115. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century

Communications and Video Accessibility Act of 2010 [MB Docket No.: 11-154] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5116. A letter from the Chairperson, National Committee on Vital and Health Statistics, transmitting the Tenth Annual Report to Congress on the Implementation of the Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act (HIPAA); to the Committee on Energy and Commerce.

5117. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Amendment to the Export Administration Regulations: Addition of a Reference to a Provision of the Iran Sanctions Act of 1996 (ISA) and Statement of the Licensing Policy for Transactions Involving Persons Sanctioned under the ISA [Docket No.: 110718395-1482-01] (RIN: 0694-AF30) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5118. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 22-11 informing of an intent to sign the Memorandum of Understanding with Australia; to the Committee on Foreign Affairs.

5119. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246)), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), the functions of which have been delegated to the Department of State; to the Committee on Foreign Affairs.

5120. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Foreign Affairs.

5121. A letter from the Acting Director, Office of Management and Budget, transmitting a legislative proposal entitled, "Reforming and Consolidating Government Act of 2012"; to the Committee on Oversight and Government Reform.

5122. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species: Designation of Critical Habitat for Cook Inlet Beluga Whale [Docket No.: 090224232-0457-04] (RIN: 0648-AX50) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5123. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species: Final Rule To Revise the Critical Habitat Designation for the Endangered Leatherback Sea Turtle [Docket No.: 0808061067-1664-03] (RIN: 0648-AX06) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5124. A letter from the Secretary, Department of Health and Human Services, trans-

mitting the Department's determination on a petition on behalf of workers from the Linde Ceramics Plant in Tonawanda, New York, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

5125. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Hooker Electrochemical Corporation in Niagara Falls, New York, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

5126. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the combined monthly report on allocations and obligations by the Army Corps of Engineers; to the Committee on Transportation and Infrastructure.

5127. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30821; Amdt. No. 3460] received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5128. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — FAA-Approved Portable Oxygen Concentrators; Technical Amendment [Docket No.: FAA-2011-1343; Amdt. No. 121-358] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5129. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30822; Amdt. No. 3461] received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5130. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rollover from qualified defined contribution plan to qualified defined benefit plan to obtain additional annuity (Rev. Rul. 2012-4) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶28.6 COMMUNICATION FROM THE
PARLIAMENTARIAN—RESIGNATION—
JOHN V. SULLIVAN

The SPEAKER laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, OFFICE OF THE PARLIAMENTARIAN,
Washington, DC, February 28, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As you know, the skill and dedication of the team with whom I serve in the Office of the Parliamentarian and the Office of Compilation of Precedents are unsurpassed. In my judgment they are ready to continue their commitment to excellence in the procedural practice of the House without me. I appreciate your allowing me to lead the office to this juncture. Please now accept my resignation effective March 31, 2012.

I am grateful to you and your predecessors, Mr. Speaker, for supporting the exercise of independent professional judgment by your parliamentarians. It is a credit to the House that its presiding officers shed their partisan cloaks and follow our considered advice.

It has been my honor to serve in the Office of the Parliamentarian for 25 years. To whatever extent I have made good of the opportunity, I credit the steady support of my wife, Nancy Sands Sullivan, and the inspiration of our children, Michael, Margaret, and Matthew.

Sincerely,
JOHN V. SULLIVAN,
Parliamentarian.

¶28.7 APPOINTMENT OF THE
PARLIAMENTARIAN OF THE HOUSE OF
REPRESENTATIVES—THOMAS J.
WICKHAM, JR.

The SPEAKER, pursuant to section 287a of title 2, United States Code, appointed Thomas J. Wickham, Jr., as Parliamentarian of the House of Representatives to succeed John V. Sullivan, resigned.

¶28.8 PROVIDING FOR CONSIDERATION OF
H.R. 2117

Ms. FOXX, by direction of the Committee on Rules, called up the following resolution (H. Res. 563):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute.

It was decided in the { Yeas 170
negative } Nays 247

28.15 [Roll No. 75]

AYES—170

- Ackerman Gonzalez
Altmire Green, Al
Andrews Green, Gene
Baca Grijalva
Baldwin Gutierrez
Barrow Hahn
Bass (CA) Hanabusa
Becerra Hastings (FL)
Berkley Heinrich
Berman Higgins
Bishop (GA) Himes
Bishop (NY) Hinchey
Blumenauer Hirono
Boswell Hochul
Brady (PA) Holden
Braley (IA) Holt
Brown (FL) Honda
Butterfield Hoyer
Capps Inslee
Capuano Israel
Carnahan Jackson Lee
Carney (TX)
Carson (IN) Johnson (GA)
Castor (FL) Johnson, E. B.
Chandler Keating
Chu Kildee
Cicilline Kind
Clarke (MI) Kissell
Clarke (NY) Kucinich
Clyburn Langevin
Cohen Larsen (WA)
Connolly (VA) Larson (CT)
Conyers Levin
Cooper Lewis (GA)
Costa Lipinski
Courtney Loeb sack
Crowley Lofgren, Zoe
Cuellar Lowey
Cummings Lujan
Davis (CA) Maloney
DeFazio Markey
DeGette Matsui
DeLauro McCarthy (NY)
Deutch McCollum
Dicks McDermott
Dingell McGovern
Doggett McIntyre
Doyle Mc Nerney
Edwards Meeks
Ellison Michaud
Engel Miller (NC)
Eshoo Miller, George
Farr Moore
Fattah Moran
Filner Murphy (CT)
Frank (MA) Nadler
Fudge Napolitano
Garamendi Neal

NOES—247

- Adams Calvert
Aderholt Camp
Alexander Campbell
Amash Canseco
Amodei Cantor
Austria Capito
Bachmann Carter
Bachus Cassidy
Barletta Chabot
Bartlett Chaffetz
Barton (TX) Coble
Bass (NH) Coffman (CO)
Benishek Cole
Berg Conaway
Biggart Costello
Bilbray Cravaack
Bilirakis Crawford
Bishop (UT) Crenshaw
Black Critz
Blackburn Culberson
Bonamici Davis (KY)
Bonner Denham
Bono Mack Granger
Boren DesJarlais
Boustany Diaz-Balart
Brady (TX) Dold
Brooks Donnelly (IN)
Broun (GA) Dreier
Buchanan Duffy
Buchson Duncan (SC)
Buerkle Duncan (TN)
Burgess Ellmers
Burton (IN) Emerson

- Hartzler McKean
Hastings (WA) McKinley
Hayworth McMorris
Heck Rodgers
Hensarling Meehan
Herger Mica
Herrera Beutler Miller (FL)
Huelskamp Miller (MI)
Huizenga (MI) Miller, Gary
Hultgren Mulvaney
Hunter Murphy (PA)
Hurt Myrick
Issa Neugebauer
Jenkins Noem
Johnson (IL) Nugent
Johnson (OH) Nunes
Johnson, Sam Nunnelee
Jones Olson
Jordan Owens
Kelly Palazzo
King (IA) Paul
King (NY) Paulsen
Kingston Pearce
Kinzinger (IL) Pence
Kline Petri
Labrador Pitts
Lamborn Platts
Lance Poe (TX)
Lankford Pompeo
Latham Posey
LaTourette Price (GA)
Latta Quayle
Lewis (CA) Reed
LoBiondo Rehberg
Long Reichert
Lucas Renacci
Luetkemeyer Ribble
Lummis Rigell
Lungren, Daniel Rivera
E. Roby
Mack Roe (TN)
Manzullo Rogers (AL)
Marchant Rogers (KY)
Marino Rogers (MI)
Matheson Rohrabacher
McCarthy (CA) Rokita
McCaul Rooney
McClintock Ros-Lehtinen
McCotter Roskam
McHenry Ross (AR)

NOT VOTING—16

- Akin Grimm
Cardoza Hinojosa
Clay Jackson (IL)
Cleaver Kaptur
Davis (IL) Landry
Gosar Lee (CA)

So the amendment was not agreed to.

28.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in House Report 112-404, submitted by Mr. BISHOP of New York:

Strike subsection (b) of section 2 of the bill.

It was decided in the { Yeas 160
negative } Nays 255

28.17 [Roll No. 76]

AYES—160

- Ackerman Carney
Altmire Carson (IN)
Baca Castor (FL)
Baldwin Chu
Baldwin (TX) Cicilline
Bass (CA) Clarke (MI)
Becerra Clarke (NY)
Berkley Clyburn
Berman Cohen
Bishop (GA) Connolly (VA)
Bishop (NY) Conyers
Blumenauer Cooper
Bonamici Costa
Boswell Costello
Brady (PA) Courtney
Braley (IA) Crowley
Brown (FL) Cuellar
Butterfield Cummings
Capps Davis (CA)
Capuano Davis (IL)

- Ross (FL) Green, Gene
Royce Grijalva
Runyan Gutierrez
Ryan (WI) Hahn
Scalise Hanabusa
Schilling Hastings (FL)
Schmidt Heinrich
Schock Higgins
Schrader Himes
Schweikert Hinchey
Scott (SC) Miller, George
Scott, Austin Moore
Sensenbrenner Hirono
Sessions Honda
Shimkus Hoyer
Shuster Israel
Simpson Jackson Lee
Smith (NE) Neal
Smith (NJ) Johnson (GA)
Smith (TX) Johnson, E. B.
Southerland Keating
Stearns Kildee
Stivers Kind
Stutzman Kucinich
Sullivan Langevin
Terry Larsen (WA)
Thompson (PA) Larson (CT)
Thornberry Levin
Tiberi Lewis (GA)
Tipton Lipinski
Towns Lofgren, Zoe
Turner (NY) Lowey
Turner (OH) Lujan
Upton Lynch
Walberg Maloney
Walden Markey

NOES—255

- Adams Farenthold
Aderholt Fincher
Alexander Fitzpatrick
Amash Flake
Amodei Fleischmann
Andrews Fleming
Austria Flores
Bachmann Forbes
Bachus Fortenberry
Barletta Barletta
Barrow Franks (AZ)
Bartlett Frelinghuysen
Bass (NH) Gallegly
Benishek Gardner
Berg Garrett
Biggart Gerlach
Bilbray Gibbs
Bilirakis Gibson
Bishop (UT) Gingrey (GA)
Black Gohmert
Blackburn Goodlatte
Bonner Gosar
Bono Mack Gowdy
Boren Granger
Boustany Graves (GA)
Brooks Graves (MO)
Broun (GA) Griffin (AR)
Buchanan Griffith (VA)
Bucshon Grimm
Buerkle Guinta
Burgess Guthrie
Burton (IN) Hall
Calvert Hanna
Camp Harper
Campbell Harris
Canseco Hartzler
Capito Hastings (WA)
Carter Hayworth
Cassidy Heck
Chabot Hensarling
Chaffetz Herger
Chandler Herrera Beutler
Coble Hochul
Coffman (CO) Holden
Cole Holt
Conaway Huelskamp
Cravaack Huizenga (MI)
Crawford Hultgren
Crenshaw Hunter
Critz Hurt
Culberson Inslee
Davis (KY) Issa
Denham Jenkins
Dent Johnson (IL)
DesJarlais Johnson (OH)
Diaz-Balart Johnson, Sam
Dold Jones
Dreier Jordan
Duffy Kelly
Duncan (SC) King (IA)
Ellmers King (NY)
Emerson Kingston
Engel Kinzinger (IL)

- Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velazquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Reed Schilling Tiberi Jackson Lee Miller, George Schilling Scott (SC) Stivers Webster
Rehberg Schmidt Tipton (TX) Moore Schrader Scott, Austin Stutzman West
Reichert Schock Towns Johnson (GA) Moran Sullivan Sensenbrenner West
Renacci Schrader Turner (NY) Johnson, E. B. Murphy (CT) Sessions Terry Whitfield
Ribble Schweikert Turner (OH) Keating Nadler Scott (VA) Shimkus Thompson (PA) Wilson (SC)
Rigell Scott (SC) Upton Kildee Napolitano Scott, David Shuler Thornberry Wittman
Rivera Scott, Austin Walberg Kind Napolitano Serrano Sewell Shuster Tiberi Wolf
Roby Sensenbrenner Upton Kingstone Neal Serrano Sherman Simpson Turner (NY) Womack
Roe (TN) Sessions Walsh (IL) Owens Sires Smith (NE) Turner (OH) Woodall
Rogers (AL) Shimkus Walsh (MN) Pallone Smith (NJ) Walberg Yoder
Rogers (KY) Shuler Webster West Young (FL)
Rogers (MI) Simpson West Young (IN)
Rohrabacher Sires Westmoreland
Rokita Smith (NE) Whitfield
Rooney Smith (NJ) Whitfield
Ros-Lehtinen Smith (TX) Wilson (SC)
Roskam Southernland Wittman
Ross (AR) Stearns Wolf
Ross (FL) Stivers Womack
Royce Stutzman Woodall
Runyan Sullivan Yoder
Ryan (WI) Thompson (PA) Young (FL)
Scalise Thornberry Young (IN)

NOT VOTING—18

Akin Cleaver Pascrell Brady (TX) Duncan (TN) Payne Cantor Jackson (IL) Rangel Cardoza Kaptur Shuster Carnahan Landry Terry Clay Lee (CA) Young (AK)

So the amendment was not agreed to.

28.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 112-404, submitted by Mr. POLIS:

At the end of the bill, add the following:

SEC. 3. EFFECTIVE AND EFFICIENT USE OF TAXPAYER DOLLARS AND PROTECTION FROM POTENTIAL WASTE, FRAUD, AND ABUSE.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Education shall provide a proposal to Congress on how the Secretary will, through the authority of the Secretary to promulgate regulations related to institutional eligibility for participation under title IV of the Higher Education Act of 1965, prevent waste, fraud, and abuse of Federal financial aid dollars by institutions of higher education under such Act to ensure the effective and efficient use of taxpayer dollars.

It was decided in the Yeas 199 negative Nays 217

28.19 [Roll No. 77]

AYES—199

Ackerman Clyburn Fattah Altmire Coffman (CO) Filner Baca Cohen Fitzpatrick Baldwin Connolly (VA) Fudge Barrow Conyers Garamendi Bass (CA) Cooper Gardner Becerra Costa Gardlach Berkley Costello Gibson Berman Courtney Gonzalez Biggart Critz Green, Al Bishop (GA) Crowley Green, Gene Bishop (NY) Cuellar Grijalva Blumenauer Cummings Gutierrez Bonamici Davis (CA) Hahn Boren Davis (IL) Hanabusa Boswell DeFazio Hanna Brady (PA) DeGette DeLauro Hastings (FL) Braley (IA) DeLauro Heinrich Butterfield Dent Higgins Capito Dicks Hinchey Capps Dingell Hinojosa Capuano Doggett Dold Carney Dold Hirono Carson (IN) Donnelly (IN) Hochul Castor (FL) Doyle Holden Chandler Edwards Holt Chu Ellison Honda Cicilline Engel Hoyer Clarke (MI) Eshoo Inslee Clarke (NY) Farr Israel

Jackson Lee Johnson (GA) Johnson, E. B. Keating Kildee Kind Kingstone Kissell Kucinich Lance Langevin Larsen (WA) Larson (CT) Levin Lewis (GA) Lipinski Loeb sack Lofgren, Zoe Lowey Lujan Lynch Maloney Markey Matheson Matsui McCarthy (NY) McClintock McDermott McGovern McIntyre McNearney Meehan Meeks Michaud Miller (MI) Miller (NC) Forbes Fortenberry Foyx Frank (MA) Franks (AZ) Frelinghuysen Gallegly Garrett Gibbs Gingrey (GA) Gohmert Goodlatte Gosar Gowdy Granger Graves (GA) Graves (MO) Griffin (AR) Griffith (VA) Grimm Guinta Guthrie Hall Hartsler Harris Hartzler Hastings (WA) Hayworth Heck Hensarling Herger Herrera Beutler Huelskamp Huizenga (MI) Hultgren Hunter Hurt Issa Jenkins Johnson (IL) Johnson (OH) Johnson, Sam Jones Jordan Kelly King (IA) King (NY) Kinzinger (IL) Kline Labrador Lamborn Lankford Latham LaTourrette Latta Lewis (CA) LoBiondo Long Lucas Luetkemeyer Lummis

NOES—217

Adams Aderholt Alexander Amash Amodei Andrews Austria Bachmann Bachus Barletta Bartlett Barton (TX) Bass (NH) Benishek Berg Bilbray Bilirakis Bishop (UT) Black Blackburn Bonner Bono Mack Boustany Brady (TX) Brooks Broun (GA) Buchanan Bucshon Buerkle Burgess Burton (IN) Calvert Camp Campbell Canseco Carter Cassidy Chabot Chaffetz Coble Cole Conaway Cravaack Crawford Crenshaw Culberson Davis (KY) Denham DesJarlais Diaz-Balart Dreier Duffy Duncan (SC) Ellmers Emerson Farenthold Fincher Flake Fleischmann Fleming Flores

Scott (SC) Stivers Webster Scott, Austin Stutzman West Sensenbrenner Sullivan Sensenbrenner West Sessions Terry Whitfield Shimkus Thompson (PA) Wilson (SC) Shuler Thornberry Wittman Shuster Tiberi Wolf Simpson Turner (NY) Womack Smith (NE) Turner (OH) Woodall Smith (NJ) Walberg Yoder Smith (TX) Walden Young (FL) Southerland Walsh (IL) Young (IN)

NOT VOTING—17

Akin Duncan (TN) Payne Cantor Jackson (IL) Rangel Cardoza Kaptur Reichert Carnahan Landry Ruppertsberger Clay Lee (CA) Young (AK) Cleaver McColium

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. CHAFFETZ, assumed the Chair.

When Mrs. EMERSON, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Academic Freedom in Higher Education Act".

SEC. 2. REPEAL OF REGULATIONS RELATING TO STATE AUTHORIZATION AND DEFINING CREDIT HOUR.

(a) REGULATIONS REPEALED.—

(1) REPEAL.—The following regulations (including any supplement or revision to such regulations) are repealed and shall have no legal effect:

(A) STATE AUTHORIZATION.—Sections 600.4(a)(3), 600.5(a)(4), 600.6(a)(3), 600.9, and 668.43(b) of title 34, Code of Federal Regulations (relating to State authorization), as added or amended by the final regulations published by the Department of Education in the Federal Register on October 29, 2010 (75 Fed. Reg. 66832 et seq.).

(B) DEFINITION OF CREDIT HOUR.—The definition of the term "credit hour" in section 600.2 of title 34, Code of Federal Regulations, as added by the final regulations published by the Department of Education in the Federal Register on October 29, 2010 (75 Fed. Reg. 66946), and clauses (i)(A), (ii), and (iii) of subsection (k)(2) of section 668.8 of such title, as amended by such final regulations (75 Fed. Reg. 66949 et seq.).

(2) EFFECT OF REPEAL.—To the extent that regulations repealed by paragraph (1) amended regulations that were in effect on June 30, 2011, the provisions of the regulations that were in effect on June 30, 2011, and were so amended are restored and revived as if the regulations repealed by paragraph (1) had not taken effect.

(b) REGULATIONS DEFINING CREDIT HOUR PROHIBITED.—The Secretary of Education shall not promulgate or enforce any regulation or rule that defines the term "credit hour" for any purpose under the Higher Education Act of 1965 on or after the date of enactment of this section.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mrs. CAPPs moved to recommit the bill to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill add the following:
 (c) PROTECTING STUDENTS FROM HIGHER LOAN COSTS AND A DEVALUED EDUCATIONAL DEGREE.—Nothing in subsection (b) shall limit the authority of the Secretary of Education to promulgate or enforce any regulation or rule under title IV of the Higher Education Act of 1965—

- (1) for the purpose of reducing the cost of higher education for students; or
- (2) during any year in which the interest rate for subsidized Direct Federal Stafford Loans used to purchase credit hours under such title is higher than 3.4 percent.

After debate,
 By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,
 Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the nays had it.

Mrs. CAPPS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 176
 negative } Nays 241

¶28.20 [Roll No. 78]
 AYES—176

- | | | |
|---------------|----------------|------------------|
| Ackerman | Farr | McIntyre |
| Altmire | Fattah | McNerney |
| Andrews | Filner | Meeks |
| Baca | Frank (MA) | Michaud |
| Baldwin | Fudge | Miller (NC) |
| Bass (CA) | Garamendi | Miller, George |
| Becerra | Gonzalez | Moore |
| Berkley | Green, Al | Moran |
| Berman | Green, Gene | Murphy (CT) |
| Bishop (GA) | Grijalva | Nadler |
| Bishop (NY) | Gutierrez | Napolitano |
| Blumenauer | Hahn | Neal |
| Bonamici | Hanabusa | Olver |
| Boren | Hastings (FL) | Pallone |
| Boswell | Heinrich | Pascrell |
| Brady (PA) | Higgins | Pastor (AZ) |
| Brale (IA) | Himes | Pelosi |
| Brown (FL) | Hinchee | Perlmutter |
| Butterfield | Hinojosa | Peters |
| Capps | Hirono | Pingree (ME) |
| Capuano | Hochul | Polis |
| Carnahan | Holden | Price (NC) |
| Carney | Holt | Quigley |
| Carson (IN) | Honda | Rahall |
| Castor (FL) | Hoyer | Reyes |
| Chandler | Insee | Richardson |
| Chu | Israel | Richmond |
| Cicilline | Jackson Lee | Ross (AR) |
| Clarke (MI) | (TX) | Rothman (NJ) |
| Clarke (NY) | Johnson (GA) | Roybal-Allard |
| Clyburn | Johnson, E. B. | Ruppersberger |
| Cohen | Kaptur | Rush |
| Connolly (VA) | Keating | Ryan (OH) |
| Conyers | Kildee | Sanchez, Linda |
| Cooper | Kind | T. |
| Costello | Kissell | Sanchez, Loretta |
| Courtney | Kucinich | Sarbanes |
| Critz | Langevin | Schakowsky |
| Crowley | Larsen (WA) | Schiff |
| Cuellar | Larson (CT) | Schwartz |
| Cummings | Levin | Scott (VA) |
| Davis (CA) | Lewis (GA) | Scott, David |
| Davis (IL) | Lipinski | Serrano |
| DeFazio | Loeb sack | Sewell |
| DeGette | Lofgren, Zoe | Sherman |
| DeLauro | Lowe y | Shuler |
| Deutch | Lujan | Slaughter |
| Dicks | Lynch | Smith (WA) |
| Dingell | Maloney | Speier |
| Doggett | Markey | Stark |
| Donnelly (IN) | Matsui | Sutton |
| Doyle | McCarthy (NY) | Thompson (CA) |
| Edwards | McCollum | Thompson (MS) |
| Ellison | McDermott | Tierney |
| Eshoo | McGovern | Tonko |

- Towns
- Tsongas
- Van Hollen
- Velázquez
- Visclosky

- Walz (MN)
- Wasserman
- Schultz
- Waters
- Watt

- Waxman
- Welch
- Wilson (FL)
- Woolsey

NOES—241

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

NOT VOTING—16

- Akin
- Cardoza
- Cassidy
- Clay
- Cleaver
- Hall
- Jackson (IL)
- Landry
- Lankford
- Lee (CA)
- McMorris
- Rodgers

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

Will the House pass said bill?
 The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. KLINE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 303
 affirmative } Nays 114

¶28.21 [Roll No. 79]
 AYES—303

- | | | |
|---------------|-----------------|-----------------|
| Adams | Doyle | Lankford |
| Aderholt | Dreier | Larsen (WA) |
| Alexander | Duffy | Latham |
| Altmire | Duncan (SC) | LaTourrette |
| Amash | Duncan (TN) | Latta |
| Amodei | Ellmers | Lewis (CA) |
| Andrews | Emerson | Lipinski |
| Austria | Engel | LoBiondo |
| Baca | Farenthold | Loeb sack |
| Bachmann | Fincher | Long |
| Bachus | Fitzpatrick | Lowey |
| Baldwin | Flake | Lucas |
| Barletta | Fleischmann | Luetkemeyer |
| Barrow | Fleming | Lummis |
| Bartlett | Flores | Lungren, Daniel |
| Barton (TX) | Forbes | E. |
| Bass (NH) | Fortenberry | Mack |
| Benishek | Fox | Manzullo |
| Berg | Franks (AZ) | Marchant |
| Berkley | Frelinghuysen | Marino |
| Biggert | Galle y | Matheson |
| Bilbray | Gardner | McCarthy (CA) |
| Bilirakis | Garrett | McCarthy (NY) |
| Bishop (GA) | Gerlach | McCaul |
| Bishop (UT) | Gibbs | McClintock |
| Black | Gibson | McCotter |
| Blackburn | Gingrey (GA) | McIntyre |
| Bonamici | Gohmert | McKeon |
| Bonner | Goodlatte | McKinley |
| Bono Mack | Gosar | McMorris |
| Boren | Gowdy | Rodgers |
| Boswell | Granger | Meehan |
| Boustany | Graves (GA) | Mica |
| Brady (TX) | Graves (MO) | Michaud |
| Brale (IA) | Griffin (AR) | Miller (FL) |
| Brooks | Griffith (VA) | Miller (MI) |
| Broun (GA) | Grimm | Miller, Gary |
| Buchanan | Guinta | Moore |
| Bucshon | Guthrie | Mulvaney |
| Buerkle | Hanabusa | Murphy (PA) |
| Burgess | Hanna | Myrick |
| Burton (IN) | Harper | Neugebauer |
| Butterfield | Harris | Noem |
| Calvert | Hartzler | Nugent |
| Camp | Hastings (FL) | Nunes |
| Campbell | Hastings (WA) | Nunnelee |
| Canseco | Hayworth | Olson |
| Cantor | Heck | Owens |
| Capito | Hensarling | Palazzo |
| Carter | Herger | Pascrell |
| Chabot | Herrera Beutler | Pastor (AZ) |
| Chaffetz | Higgins | Paul |
| Chandler | Hinchee | Paulsen |
| Chu | Hochul | Pearce |
| Cicilline | Holden | Pence |
| Clarke (MI) | Holt | Perlmutter |
| Clarke (NY) | Huelskamp | Peterson |
| Clyburn | Huizenga (MI) | Petri |
| Cohen | Hultgren | Pitts |
| Connolly (VA) | Hurt | Platts |
| Conyers | Insee | Poe (TX) |
| Cooper | Issa | Poe (TX) |
| Costello | Issa | Price |
| Courtney | Jenkins | Pompeo |
| Critz | Johnson (IL) | Posey |
| Crowley | Johnson (OH) | Price (GA) |
| Cuellar | Johnson, Sam | Quayle |
| Cummings | Jones | Rahall |
| Davis (CA) | Jones | Reed |
| Davis (IL) | Jordan | Rehberg |
| DeFazio | Kelly | Reichert |
| DeGette | Kind | Renacci |
| DeLauro | King (IA) | Reyes |
| Deutch | King (NY) | Ribble |
| Dicks | Kingston | Rigell |
| Dingell | Kinzinger (IL) | Rivera |
| Doggett | Kissell | Roby |
| Donnelly (IN) | Kline | Roe (TN) |
| Doyle | Labrador | Rogers (AL) |
| Edwards | Lamborn | Rogers (KY) |
| Ellison | Lance | |
| Eshoo | | |

So the motion to recommit with instructions was not agreed to.
 The question being put, viva voce,

Rogers (MI)	Sewell	Towns
Rohrabacher	Shimkus	Turner (NY)
Rokita	Shuler	Turner (OH)
Rooney	Shuster	Upton
Ros-Lehtinen	Simpson	Visclosky
Roskam	Sires	Walberg
Ross (AR)	Smith (NE)	Walden
Ross (FL)	Smith (NJ)	Walsh (IL)
Royce	Smith (TX)	Walz (MN)
Runyan	Smith (WA)	Webster
Ruppersberger	Southerland	Welch
Ryan (OH)	Stearns	West
Ryan (WI)	Stivers	Westmoreland
Scalise	Stutzman	Whitfield
Schilling	Sullivan	Wilson (SC)
Schmidt	Sutton	Wittman
Schock	Terry	Wolf
Schrader	Thompson (MS)	Womack
Schweikert	Thompson (PA)	Woodall
Scott (SC)	Thornberry	Yoder
Scott, Austin	Tiberi	Young (FL)
Sensenbrenner	Tipton	Young (IN)
Sessions	Tonko	

NOES—114

Ackerman	Green, Gene	Olver
Bass (CA)	Grijalva	Pallone
Becerra	Gutierrez	Pelosi
Berman	Hahn	Peters
Bishop (NY)	Heinrich	Pingree (ME)
Blumenauer	Himes	Price (NC)
Brady (PA)	Hinojosa	Quigley
Brown (FL)	Hirono	Richardson
Capps	Honda	Richmond
Carmahan	Hoyer	Rothman (NJ)
Castor (FL)	Jackson Lee	Roybal-Allard
Chu	(TX)	Rush
Cicilline	Johnson (GA)	Sánchez, Linda
Clarke (MI)	Johnson, E. B.	T.
Clarke (NY)	Kaptur	Sanchez, Loretta
Cohen	Keating	Sarbanes
Conyers	Kildee	Schakowsky
Cooper	Kucinich	Schiff
Courtney	Langevin	Schwartz
Crowley	Larson (CT)	Scott (VA)
Cummings	Levin	Scott, David
Davis (CA)	Lewis (GA)	Serrano
Davis (IL)	Lofgren, Zoe	Sherman
DeGette	Lujan	Slaughter
DeLauro	Lynch	Speier
Deutch	Maloney	Stark
Dingell	Markey	Thompson (CA)
Doggett	Matsui	Tierney
Edwards	McColum	Tsongas
Ellison	McDermott	Van Hollen
Eshoo	McGovern	Velázquez
Farr	McNerney	Wasserman
Fattah	Meeke	Schultz
Filner	Miller (NC)	Waters
Frank (MA)	Miller, George	Watt
Fudge	Moran	Waxman
Garamendi	Nadler	Wilson (FL)
Gonzalez	Napolitano	Woolsey
Green, Al	Neal	Yarmuth

NOT VOTING—16

Akin	Hunter	Murphy (CT)
Cardoza	Israel	Payne
Clay	Jackson (IL)	Rangel
Cleaver	Landry	Young (AK)
Crawford	Lee (CA)	
Hall	McHenry	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶28.22 PROVIDING FOR CONSIDERATION OF H.R. 1837

Mr. BISHOP of Utah, by direction of the Committee on Rules, reported (Rept. No. 112-405) the resolution (H. Res. 566) providing for consideration of the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶28.23 PRIVATE PROPERTY RIGHTS

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 1433) to protect private property rights; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. SMITH of Texas, and Mr. NADLER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CRAWFORD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶28.24 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. CRAWFORD, laid before the House the following communication from Sandra Hanlon, District Representative, office of the Honorable Steve King:

FEBRUARY 24, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, this is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena ad testificandum issued by the United States District Court for the Northern District of Iowa.

After consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

SANDRA HANLON,
District Representative,
Congressman Steve King.

¶28.25 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶28.26 MESSAGE FROM THE PRESIDENT—INDIVIDUALS OF NATIONAL SECURITY INTEREST

The SPEAKER pro tempore, Mr. CRAWFORD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Attached is the text of a Presidential Policy Directive establishing procedures to implement section 1022 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112 81) (the "Act"), which I hereby submit to the Congress, as required under section 1022(c)(1) of the Act. The Directive also includes a written certification that it is in the national security interests of

the United States to waive the requirements of section 1022(a)(1) of the Act with respect to certain categories of individuals, which I hereby submit to the Congress in accordance with section 1022(a)(4) of the Act.

BARACK OBAMA.

THE WHITE HOUSE, February 28, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Armed Services and ordered to be printed (H. Doc. 112-91).

¶28.27 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on February 22, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 3630. An Act to provide incentives for the creation of jobs, and for other purposes.

¶28.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JACKSON of Illinois, for today.

And then,

¶28.29 ADJOURNMENT

On motion of Mr. GOHMERT, at 7 o'clock and 10 minutes p.m., the House adjourned.

¶28.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Rules. House Resolution 566. Resolution providing for consideration of the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes (Rept. 112-405). Referred to the House Calendar.

¶28.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHAFFETZ (for himself, Mr. ALTMIRE, and Mr. GOWDY):

H.R. 4093. A bill to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JONES:

H.R. 4094. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASSIDY (for himself and Mr. Ross of Arkansas):

H.R. 4095. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of Internet pharmacies; to the Committee on Energy and Commerce.

By Mr. GIBSON (for himself and Mr. THOMPSON of California):

H.R. 4096. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Ways and Means.

By Mr. MICA (for himself, Mr. DENHAM, and Ms. NORTON):

H.R. 4097. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself, Mr. CLARKE of Michigan, Mr. PETERS, Mr. SCOTT of Virginia, Ms. JACKSON LEE of Texas, Ms. WATERS, Mr. COHEN, Mr. JOHNSON of Georgia, and Ms. CHU):

H.R. 4098. A bill to improve public safety through increased law enforcement presence and enhanced public safety equipment and programs, and for other purposes; to the Committee on the Judiciary.

By Mr. DENT (for himself, Mr. TONKO, Mr. BARLETTA, Mrs. CHRISTENSEN, Mr. CONNOLLY of Virginia, Mr. CRITZ, Mr. DINGELL, Mr. DOYLE, Mr. ENGEL, Mr. FITZPATRICK, Mr. GERLACH, Mr. GIBSON, Mr. GRIJALVA, Mr. HANNA, Ms. HAYWORTH, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. LATOURETTE, Mrs. LOWEY, Mr. MARINO, Mr. MEEHAN, Mr. PLATTS, Mr. RYAN of Ohio, Mr. TIERNEY, Ms. TSONGAS, Mr. PASTOR of Arizona, and Mr. MCGOVERN):

H.R. 4099. A bill to authorize a National Heritage Area Program, and for other purposes; to the Committee on Natural Resources.

By Ms. BORDALLO (for herself, Mr. GUINTA, Mr. FARR, Mr. SABLAN, Mr. PIERLUISI, Mr. FALEOMAVAEGA, and Mrs. CHRISTENSEN):

H.R. 4100. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANK of Massachusetts:

H.R. 4101. A bill to amend the Fair Debt Collection Practices Act to exempt a debt collector from liability when leaving certain voice mail messages for a consumer with respect to a debt as long as the debt collector follows regulations prescribed by the Bureau of Consumer Financial Protection on the appropriate manner in which to leave such a message, and for other purposes; to the Committee on Financial Services.

By Mr. ISRAEL:

H.R. 4102. A bill to amend the Small Business Act to establish a loan program to assist and provide incentives for manufacturers to reinvest in making products in the United States, and for other purposes; to the Committee on Small Business.

By Mr. JONES:

H.R. 4103. A bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes; to the Committee on Armed Services.

By Mr. RENACCI:

H.R. 4104. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Financial Services.

By Ms. HANABUSA (for herself and Ms. HIRONO):

H. Con. Res. 105. Concurrent resolution authorizing the use of Emancipation Hall in

the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha; to the Committee on House Administration.

128.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. CRENSHAW.
 H.R. 104: Mr. WALSH of Illinois.
 H.R. 135: Mr. CLAY.
 H.R. 178: Mr. POLIS and Ms. CHU.
 H.R. 191: Ms. NORTON and Mr. SERRANO.
 H.R. 192: Mr. GARAMENDI and Mr. MCGOVERN.
 H.R. 210: Mr. REYES.
 H.R. 303: Ms. CHU and Mr. JONES.
 H.R. 374: Mr. BONNER.
 H.R. 456: Mr. JOHNSON of Illinois.
 H.R. 498: Mr. BISHOP of Utah.
 H.R. 587: Mr. INSLEE and Mr. LUJÁN.
 H.R. 687: Ms. CHU.
 H.R. 733: Mrs. BIGGERT.
 H.R. 769: Mr. HONDA and Mr. VISCLOSKEY.
 H.R. 860: Ms. SPEIER.
 H.R. 891: Mr. TOWNS.
 H.R. 964: Mrs. MCCARTHY of New York.
 H.R. 1110: Ms. CHU.
 H.R. 1175: Mr. REYES.
 H.R. 1179: Mr. LOBIONDO, Mr. RUNYAN, Mr. CHAFFETZ, Mr. HENSARLING, and Mr. GALLEGLY.
 H.R. 1195: Mr. GOSAR.
 H.R. 1206: Mr. SCHILLING.
 H.R. 1267: Ms. HANABUSA and Mr. DEFazio.
 H.R. 1297: Ms. CHU.
 H.R. 1340: Mrs. MYRICK.
 H.R. 1426: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 1474: Mr. ROSS of Arkansas.
 H.R. 1509: Mrs. DAVIS of California.
 H.R. 1546: Mr. DIAZ-BALART.
 H.R. 1614: Ms. SEWELL.
 H.R. 1621: Mr. PETERSON.
 H.R. 1639: Mr. CANSECO.
 H.R. 1676: Mr. BLUMENAUER.
 H.R. 1697: Mr. MCCOTTER and Mr. UPTON.
 H.R. 1744: Mr. HASTINGS of Washington.
 H.R. 1748: Mr. ACKERMAN.
 H.R. 1755: Mr. NUGENT.
 H.R. 1789: Mr. ROTHMAN of New Jersey.
 H.R. 1895: Mr. COURTNEY and Mr. TIERNEY.
 H.R. 1912: Ms. ROYBAL-ALLARD.
 H.R. 1955: Mrs. DAVIS of California and Mr. PRICE of North Carolina.
 H.R. 1957: Mr. SCHOCK.
 H.R. 1964: Mr. TIERNEY and Mr. QUIGLEY.
 H.R. 1971: Ms. CASTOR of Florida and Mr. BRALEY of Iowa.
 H.R. 1984: Ms. LEE of California and Mr. PERLMUTTER.
 H.R. 1997: Mr. HUNTER.
 H.R. 2016: Ms. HAHN.
 H.R. 2139: Ms. SLAUGHTER, Ms. HANABUSA, Mr. BOSWELL, Mr. WESTMORELAND, and Ms. CAPITO.
 H.R. 2148: Mr. DEFazio.
 H.R. 2152: Ms. CASTOR of Florida, Mr. POLIS, Mr. AL GREEN of Texas, and Mr. RAHALL.
 H.R. 2194: Ms. MOORE.
 H.R. 2195: Mr. PRICE of North Carolina and Mr. CONNOLLY of Virginia.
 H.R. 2299: Mr. SCHWEIKERT.
 H.R. 2310: Ms. HAHN, Mr. QUIGLEY, and Mr. JACKSON of Illinois.
 H.R. 2313: Mr. MURPHY of Pennsylvania.
 H.R. 2335: Mr. QUAYLE, Mr. SCHWEIKERT, and Mr. CALVERT.
 H.R. 2429: Mr. SMITH of Nebraska.
 H.R. 2435: Mr. CULBERSON.
 H.R. 2499: Mr. COURTNEY.
 H.R. 2505: Mr. PRICE of North Carolina.
 H.R. 2554: Mr. AL GREEN of Texas.
 H.R. 2600: Mr. FATTAH and Ms. ROSLEHTINEN.
 H.R. 2674: Mr. GENE GREEN of Texas.
 H.R. 2902: Mr. CLAY and Mr. SABLAN.

H.R. 2959: Mr. SULLIVAN.

H.R. 3001: Mr. KILDEE, Mr. ALTMIRE, Mr. ANDREWS, Mr. BACA, Mr. BARROW, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BOSWELL, Mr. CAPUANO, Mr. CARDOZA, Mr. CARSON of Indiana, Mr. CHANDLER, Mr. CICILLINE, Mr. COOPER, Mr. COURTNEY, Mr. DINGELL, Mr. DONNELLY of Indiana, Mr. FILNER, Mr. HIGGINS, Mr. HINCHEY, Mr. HONDA, Mr. KIND, Mr. LYNCH, Mr. MCDERMOTT, Mr. PALLONE, Mr. PASCRELL, Mr. SCHIFF, Ms. SLAUGHTER, Ms. SPEIER, Mrs. BIGGERT, Mr. NEAL, and Mr. KINZINGER of Illinois.

H.R. 3059: Mr. CASSIDY, Mr. NADLER, and Mr. TURNER of New York.

H.R. 3102: Ms. BROWN of Florida.

H.R. 3125: Ms. LORETTA SANCHEZ of California, Ms. SPEIER, Ms. CHU, Mr. GARAMENDI, Mr. SCHIFF, and Mr. COSTA.

H.R. 3145: Mr. SARBANES and Mr. CUMMINGS.

H.R. 3162: Mr. PALAZZO.

H.R. 3173: Mrs. BIGGERT, Mr. GRIMM, and Mr. GENE GREEN of Texas.

H.R. 3187: Mr. INSLEE and Mr. GRIJALVA.

H.R. 3238: Mr. KEATING, Mr. FRANK of Massachusetts, and Mr. CARNEY.

H.R. 3306: Mr. GOWDY.

H.R. 3308: Mrs. ADAMS.

H.R. 3368: Mr. PAYNE.

H.R. 3399: Mr. FORBES and Mr. ROSS of Arkansas.

H.R. 3435: Mr. DOYLE.

H.R. 3506: Mr. ROGERS of Alabama.

H.R. 3510: Mr. KILDEE and Mrs. CAPPS.

H.R. 3523: Mr. BOSWELL and Mrs. NOEM.

H.R. 3528: Mr. GUTIERREZ and Mr. STARK.

H.R. 3534: Mr. GOWDY.

H.R. 3558: Mr. PAUL.

H.R. 3561: Mr. WALZ of Minnesota.

H.R. 3596: Mrs. NAPOLITANO, Mr. DOGGETT, Mr. BRALEY of Iowa, Ms. LORETTA SANCHEZ of California, Mr. CAPUANO, and Mr. COURTNEY.

H.R. 3606: Mr. LARSEN of Washington, Mr. SCHILLING, and Mr. MANZULLO.

H.R. 3652: Mr. NUNNELE.

H.R. 3667: Mrs. LUMMIS.

H.R. 3676: Mr. SCALISE.

H.R. 3684: Mr. TURNER of New York.

H.R. 3713: Mr. HANNA, Mr. BONNER, Mr. CONNOLLY of Virginia, and Ms. HIRONO.

H.R. 3737: Mr. ROTHMAN of New Jersey, Mr. ANDREWS, Ms. VELÁZQUEZ, and Mr. BARTLETT.

H.R. 3760: Mr. HIMES.

H.R. 3767: Mrs. NOEM and Mr. LANGEVIN.

H.R. 3826: Mr. HIGGINS, Ms. SLAUGHTER, Mr. GARAMENDI, Mr. GONZALEZ, Mr. BUTTERFIELD, Mrs. NAPOLITANO, Mr. LUJÁN, Ms. CLARKE of New York, and Mr. RYAN of Ohio.

H.R. 3848: Mr. BROUN of Georgia, Mr. RIBBLE, Mr. POMPEO, Mrs. BLACK, Mr. COBLE, Mr. JONES, Mr. DUNCAN of Tennessee, and Mrs. HARTZLER.

H.R. 3849: Mr. FITZPATRICK and Mr. DUNCAN of Tennessee.

H.R. 3850: Mr. CHABOT, Mrs. ELLMERS, Mr. MULVANEY, and Mr. WALSH of Illinois.

H.R. 3851: Mr. CHABOT, Mr. MULVANEY, and Mr. WALSH of Illinois.

H.R. 3866: Ms. BROWN of Florida.

H.R. 3877: Mr. MCCOTTER.

H.R. 3895: Mrs. NOEM, Mr. OLSON, and Mr. ROONEY.

H.R. 3916: Mr. GRIMM, Ms. BASS of California, Ms. RICHARDSON, Mr. FARR, Mr. FILNER, Ms. SLAUGHTER, Ms. NORTON, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Mr. GRIJALVA, Mr. REYES, Mr. CLAY, Ms. SEWELL, and Mr. RANGEL.

H.R. 3980: Mr. GRAVES of Missouri, Mr. MULVANEY, Mr. CHABOT, and Mr. WALSH of Illinois.

H.R. 3982: Mr. KINGSTON.

H.R. 3985: Mr. CHABOT, Mr. GRAVES of Missouri, Mr. MULVANEY, and Mr. WALSH of Illinois.

H.R. 3992: Mr. DEUTCH.
 H.R. 3993: Mr. MCCOTTER, Mr. BLUMENAUER, and Mr. UPTON.
 H.R. 4018: Mr. WELCH.
 H.R. 4035: Mr. GERLACH.
 H.R. 4045: Mr. PETERSON.
 H.R. 4046: Mr. NUNNELEE and Mr. CANSECO.
 H.R. 4049: Mr. STARK, Mr. MCGOVERN, and Mr. HONDA.
 H.R. 4055: Ms. LEE of California and Mr. KUCINICH.
 H.R. 4058: Mr. KUCINICH.
 H.R. 4060: Mrs. BLACKBURN, Mr. DUNCAN of Tennessee, Mr. HARRIS, and Mr. AMODEI.
 H.R. 4064: Mr. GOWDY and Mr. MILLER of Florida.
 H.R. 4070: Mr. ANDREWS and Mr. POSEY.
 H.R. 4077: Mr. BERMAN, Mr. BURTON of Indiana, Mr. SHERMAN, Mr. CHABOT, and Mr. SCHOCK.
 H.R. 4081: Mr. CHABOT, Mr. MULVANEY, and Mr. WALSH of Illinois.
 H.J. Res. 90: Mr. CONNOLLY of Virginia and Mr. KEATING.
 H.J. Res. 104: Mrs. MYRICK, Mr. LANKFORD, and Mr. PALAZZO.
 H. Con. Res. 87: Ms. BORDALLO, Mr. COURTNEY, and Mr. BRADY of Pennsylvania.
 H. Res. 19: Mr. GUTIERREZ.
 H. Res. 25: Ms. HAHN.
 H. Res. 134: Mr. KILDEE.
 H. Res. 262: Mr. ROSS of Arkansas.
 H. Res. 298: Mr. MCGOVERN, Mr. COHEN, Mr. GIBSON, and Mr. PRICE of North Carolina.
 H. Res. 494: Mr. CLAY.
 H. Res. 526: Mr. MARINO.
 H. Res. 546: Mr. DOLD.
 H. Res. 556: Mrs. ELLMERS, Mr. CONAWAY, Mr. MCINTYRE, Mr. BERMAN, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. BROWN of Georgia, Mr. KLINE, Mr. HARRIS, Mr. GARY G. MILLER of California, Mr. SMITH of Nebraska, Mr. ROYCE, Mr. BROOKS, Mr. SCOTT of South Carolina, Ms. ROS-LEHTINEN, Mr. PALAZZO, Mr. BUCSHON, Mr. JOHNSON of Ohio, Mrs. NOEM, Mr. REED, Mr. CANSECO, Mr. CHABOT, Mrs. SCHMIDT, Mr. QUAYLE, Mr. HASTINGS of Florida, and Mr. SHERMAN.
 H. Res. 560: Mr. SERRANO.
 H. Res. 564: Mr. DEUTCH, Mr. GENE GREEN of Texas, Ms. BROWN of Florida, and Mr. MORAN.

WEDNESDAY, FEBRUARY 29, 2012 (29)

¶29.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WOODALL, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 February 29, 2012.

I hereby appoint the Honorable ROB WOODALL to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶29.2 RECESS—11:13 A.M.

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 13 minutes a.m., until noon.

¶29.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. YODER, called the House to order.

¶29.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. YODER, announced he had examined and approved the Journal of the proceedings of Tuesday, February 28, 2012.

Mr. LANCE, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. LANCE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶29.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5131. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Award Fee Reduction or Denial for Health or Safety Issues (DFARS Case 2011-D033) (RIN: 0750-AH37) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5132. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of five officers to wear the authorized insignia of the grade rear admiral; to the Committee on Armed Services.

5133. A letter from the Under Secretary, Department of Defense, transmitting request of an extension to deliver the report on the current and future military strategy of Iran; to the Committee on Armed Services.

5134. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8215] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5135. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5136. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2011 annual performance report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA), as amended, pursuant to 21 U.S.C. 379g note; to the Committee on Energy and Commerce.

5137. A letter from the Secretary, Department of Energy, transmitting uncosted obligation balances of the Department, pursuant to 42 U.S.C. 13526; to the Committee on Energy and Commerce.

5138. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Appliance Labeling Rule (RIN: 3084-AB03) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5139. A letter from the Deputy Associate Director for Management and Administra-

tion and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5140. A letter from the Secretary of the Board of Governors, Postal Service, transmitting the Service's report, as required by Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

5141. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30823; Amdt. No. 498] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5142. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2012-7) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5143. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application for Recognition as a 501(c)(29) Organization [TD 9574] (RIN: 1545-BK64) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5144. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Application of survivor annuity requirements to deferred annuity contracts under a defined contribution plan (Rev. Rul. 2012-3) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5145. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the progress on implementing the goals and responsibilities of the Medicare-Medicaid Coordination Office; jointly to the Committees on Energy and Commerce and Ways and Means.

¶29.6 ORDER OF BUSINESS—ON CONSIDERATION OF H. RES. 562

On motion of Mr. BISHOP of Utah, by unanimous consent,

Ordered, That it may be in order at any time through the legislative day of March 1, 2012, to consider in the House the resolution (H. Res. 562) directing the Office of the Historian to compile oral histories from current and former Members of the House of Representatives involved in the historic and annual Selma to Montgomery, Alabama, marches, as well as the civil rights movement in general, for the purposes of expanding or augmenting the historic record and for public dissemination and education; the resolution be considered as read; and the previous question be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees.

¶29.7 PROVIDING FOR CONSIDERATION OF H.R. 1837

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 566):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112 15. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. BISHOP of Utah, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 241 Nays 178

¶29.8 [Roll No. 80] YEAS—241

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

NAYS—178

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

NOT VOTING—14

- Ackerman, Bass (CA), Cantor, Crowley, Goodlatte, Lee (CA), Myrick, Nadler, Paul, Payne, Rangel, Ros-Lehtinen, Sherman, Woolsey

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 245 Nays 173

¶29.9 [Roll No. 81] AYES—245

- Adams, Biggert, Buerkle, Aderholt, Bilbray, Burgess, Akin, Bilirakis, Burton (IN), Alexander, Bishop (UT), Calvert, Amash, Black, Camp, Amodei, Blackburn, Campbell, Austria, Bonner, Canseco, Bachmann, Bono Mack, Capito, Bachus, Boren, Cardoza, Barletta, Boustany, Carter, Bartlett, Brady (TX), Cassidy, Barton (TX), Brooks, Chabot, Bass (NH), Broun (GA), Chaffetz, Buchanan, Coble, Berg, Bucshon, Coffman (CO)

Cole Johnson (OH) Quayle Kucinich Olver Scott, David
Conaway Johnson, Sam Reed Langevin Owens Serrano Cole
Costa Jones Rehberg Langelin Owens Serrano Connolly (VA)
Cravaack Jordan Reichert Larson (WA) Pallone Sewell Cooper
Crawford Kelly Renacht Larson (CT) Pascrell Sherman Courtney
Crenshaw King (IA) Ribble Lewis (GA) Pelosi Slaughter Crenshaw
Culberson King (NY) Rigell Lipinski Perlmutter Cuellar Langevin
Davis (KY) Kingston Roby Loeb sack Peters Smith (WA) Cuellar
Denham Kinzinger (IL) Roe (TN) Lowey Pingree (ME) Stark Lankford
Dent Kissell Rogers (AL) Lujan Price (NC) Sutton Thompson (CA)
DesJarlais Kline Labrador Rogers (KY) Quigley Thompson (MS)
Diaz-Balart Diaz Labrador Rogers (MI) Rahall Tierney Thompson (MS)
Dreier Lamborn Rohrabacher Markey Reyes Richardson Tonko
Duffy Lance Lankford Rooney Roskam McCarthy (NY) Richmond (NJ)
Duncan (SC) Latham Ross (AR) McDermott Roybal-Allard Tsongas
Duncan (TN) LaTourette Ross (FL) McGovern Rothman (NJ) Van Hollen
Ellmers Latta Latham Royce Ryan (OH) Rush Velázquez
Emerson Farenthold Lewis (CA) McNeerney Ryan (OH) Visclosky
Farenthold Lewis (CA) LoBiondo Runyan Ryan (OH) Walz (MN)
Fincher LoBiondo Runyan Meeks Sánchez, Linda T. Wasserman
Fitzpatrick Long Lucas Scalise Schilling Schmidt Moore Moran
Flake Lucas Luetkemeyer Schmiedt Moore Moran Murphy (CT)
Fleischmann Lummis Schock Schweikert Murphy (CT)
Fleming Lummis Schock Schweikert Napolitano Schwartz
Flores Lungren, Daniel E. Scott (AZ) Scott (VA) Yarmuth
Forbes Mack Manullo Scott, Austin Sensenbrenner Sessions
Fortenberry Foxx Manullo Scott, Austin Sensenbrenner Sessions
Franks (AZ) Marchant Marino Shimkus Ackerman Goodlatte Rangel
Frelinghuysen Gallegly Matheson Shuler Bass (CA) Lee (CA) Rivera
Gardner McCarty (CA) Shuster Simpson Smith (NE) Nadler Ros-Lehtinen
Garrett McCaul Simpson Smith (NJ) Paul Ruppertsberger
Gerlach McClintock Smith (TX) Cantor Schwart Woolsey
Gibbs McCotter Southernland Stearns Stutzman Sullivan Terry
Gibson McHenry Smith (TX) Crowley Tipton Turner (NY)
Gingrey (GA) McKeon Southernland Stearns Stutzman Sullivan Terry
Gomert McKeon Southernland Stearns Stutzman Sullivan Terry
Gosar McKinley Stearns Stutzman Sullivan Terry
Gowdy McMorris Stearns Stutzman Sullivan Terry
Granger Rodgers Meehan Mica Terry
Graves (GA) Meehan Mica Terry Thompson (PA)
Graves (MO) Meehan Mica Terry Thornberry Tiberi
Griffin (AR) Miller (FL) Miller (MI) Miller, Gary
Griffith (VA) Miller (MI) Miller, Gary Upton
Grimm Mulvaney Upton Walberg Walden Walsh (IL)
Guinta Mulvaney Upton Walberg Walden Walsh (IL)
Guthrie Murphy (PA) Myrick Neugebauer Webster
Hall Myrick Neugebauer West Westmoreland
Hanna Neugebauer Noem Pearce Whitfield Wilson (SC)
Harper Noem Pearce Whitfield Wittman
Harris Nugent Nunes Peterson Wolf
Hartzler Nunes Peterson Wolf Womack
Hastings (WA) Nunnelee Olson Palazzo Woodall
Hayworth Olson Palazzo Woodall Yoder
Heck Palazzo West Young (AK)
Hensarling Paulsen Whitfield Young (FL)
Herger Pearce Pence Wittman Young (IN)
Herrera Beutler Pence Wittman Young (IN)
Huelskamp Peterson Wolf Womack
Huizenga (MI) Petri Womack Woodall Yoder
Hultgren Pitts Womack Young (AK)
Hunter Platts Woodall Young (FL)
Hurt Poe (TX) Young (AK) Young (FL)
Issa Pompeo Posey Price (GA)
Jenkins Posey Price (GA)
Johnson (IL) Price (GA)

Johnson (OH) Reed Langevin Owens Serrano Scott, David
Johnson, Sam Reed Langevin Owens Serrano Connolly (VA)
Jones Rehberg Larson (WA) Pallone Sewell Cooper
Jordan Reichert Larson (CT) Pascrell Sherman Courtney
Kelly Renacht Larson (GA) Pelosi Slaughter Crenshaw
King (IA) Ribble Lewis (GA) Peters Smith (WA) Cuellar
King (NY) Rigell Lipinski Perlmutter Cuellar Langevin
Kingston Roby Loeb sack Peters Smith (WA) Cuellar
Kinzinger (IL) Roe (TN) Lowey Pingree (ME) Stark Lankford
Kissell Rogers (AL) Lujan Price (NC) Sutton Thompson (CA)
Kline Labrador Rogers (KY) Quigley Thompson (MS)
Labrador Rogers (MI) Rahall Tierney Thompson (MS)
Lamborn Rohrabacher Markey Reyes Richardson Tonko
Lance Lankford Rooney Roskam McCarthy (NY) Richmond (NJ)
Duffy Lance Lankford Rooney Roskam McCarthy (NY) Richmond (NJ)
Duncan (SC) Latham Ross (AR) McDermott Roybal-Allard Tsongas
Duncan (TN) LaTourette Ross (FL) McGovern Rothman (NJ) Van Hollen
Ellmers Latta Latham Royce Ryan (OH) Rush Velázquez
Emerson Farenthold Lewis (CA) McNeerney Ryan (OH) Visclosky
Farenthold Lewis (CA) LoBiondo Runyan Ryan (OH) Walz (MN)
Fincher LoBiondo Runyan Meeks Sánchez, Linda T. Wasserman
Fitzpatrick Long Lucas Scalise Schilling Schmidt Moore Moran
Flake Lucas Luetkemeyer Schmiedt Moore Moran Murphy (CT)
Fleischmann Lummis Schock Schweikert Murphy (CT)
Fleming Lummis Schock Schweikert Napolitano Schwartz
Flores Lungren, Daniel E. Scott (AZ) Scott (VA) Yarmuth
Forbes Mack Manullo Scott, Austin Sensenbrenner Sessions
Fortenberry Foxx Manullo Scott, Austin Sensenbrenner Sessions
Franks (AZ) Marchant Marino Shimkus Ackerman Goodlatte Rangel
Frelinghuysen Gallegly Matheson Shuler Bass (CA) Lee (CA) Rivera
Gardner McCarty (CA) Shuster Simpson Smith (NE) Nadler Ros-Lehtinen
Garrett McCaul Simpson Smith (NJ) Paul Ruppertsberger
Gerlach McClintock Smith (TX) Cantor Schwart Woolsey
Gibbs McCotter Southernland Stearns Stutzman Sullivan Terry
Gibson McHenry Smith (TX) Crowley Tipton Turner (NY)
Gingrey (GA) McKeon Southernland Stearns Stutzman Sullivan Terry
Gomert McKeon Southernland Stearns Stutzman Sullivan Terry
Gosar McKinley Stearns Stutzman Sullivan Terry
Gowdy McMorris Stearns Stutzman Sullivan Terry
Granger Rodgers Meehan Mica Terry
Graves (GA) Meehan Mica Terry Thompson (PA)
Graves (MO) Meehan Mica Terry Thornberry Tiberi
Griffin (AR) Miller (FL) Miller (MI) Miller, Gary
Griffith (VA) Miller (MI) Miller, Gary Upton
Grimm Mulvaney Upton Walberg Walden Walsh (IL)
Guinta Mulvaney Upton Walberg Walden Walsh (IL)
Guthrie Murphy (PA) Myrick Neugebauer Webster
Hall Myrick Neugebauer West Westmoreland
Hanna Neugebauer Noem Pearce Whitfield Wilson (SC)
Harper Noem Pearce Whitfield Wittman
Harris Nugent Nunes Peterson Wolf
Hartzler Nunes Peterson Wolf Womack
Hastings (WA) Nunnelee Olson Palazzo Woodall
Hayworth Olson Palazzo Woodall Yoder
Heck Palazzo West Young (AK)
Hensarling Paulsen Whitfield Young (FL)
Herger Pearce Pence Wittman Young (IN)
Herrera Beutler Pence Wittman Young (IN)
Huelskamp Peterson Wolf Womack
Huizenga (MI) Petri Womack Woodall Yoder
Hultgren Pitts Womack Young (AK)
Hunter Platts Woodall Young (FL)
Hurt Poe (TX) Young (AK) Young (FL)
Issa Pompeo Posey Price (GA)
Jenkins Posey Price (GA)
Johnson (IL) Price (GA)

NOT VOTING—15

Ackerman Goodlatte Rangel
Bass (CA) Lee (CA) Rivera
Braley (IA) Nadler Ros-Lehtinen
Cantor Paul Ruppertsberger
Crowley Payne Woolsey

So the resolution was agreed to.
A motion to reconsider the vote
whereby said resolution was agreed to
was, by unanimous consent, laid on the
table.

29.10 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr.
YODER, pursuant to clause 8 of rule
XX, announced the unfinished business
to be the question on agreeing to the
Chair's approval of the Journal of
Tuesday, February 28, 2012.

The question being put, viva voce,
Will the House agree to the Chair's
approval of said Journal?

The SPEAKER pro tempore, Mr.
YODER, announced that the yeas had
it.

Mr. HASTINGS of Washington, de-
manded that the vote be taken by the
yeas and nays, which demand was sup-
ported by one-fifth of the Members
present, so the yeas and nays were or-
dered.

The vote was taken by electronic de-
vice.

It was decided in the affirmative
Yeas 283
Nays 127
Answered 2

29.11 [Roll No. 82]

YEAS—283

Aderholt Bilirakis Burton (IN)
Alexander Bishop (GA) Butterfield
Altmire Black Calvert
Amodei Blackburn Camp
Austria Blumenauer Campbell
Baca Bonamici Canseco
Bachmann Bonner Capito
Bachus Bono Mack Capps
Barietta Boren Carnahan
Barrow Boustany Carney
Bartlett Brady (TX) Carney (IN)
Barton (TX) Braley (IA) Carter
Bass (NH) Brooks Cassidy
Becerra Broun (GA) Chabot
Berg Brown (FL) Chaffetz
Berkley Buchanan Cicilline
Biggart Bucshon Coble
Bilbray Buerkle Cohen

Cole Kissell Reyes
Connolly (VA) Kline Richardson
Cooper Labrador Rigell
Courtney Lamborn Rivera
Crawford Landry Roby
Crenshaw Langevin Rogers (AL)
Cuellar Lankford Rogers (KY)
Culberson Larsen (WA) Rogers (MI)
Davis (CA) Larson (CT) Rohrabacher
DeGette LaTourette Rokita
DeLauro Latta Roskam
Denham Levin Ross (AR)
DesJarlais Lewis (CA) Ross (FL)
Deutch Lipinski Rothman (NJ)
Diaz-Balart Loeb sack Ross (FL)
Dingell Lofgren, Zoe Roybal-Allard
Doggett Long Royce
Dreier Lowey Runyan
Duncan (SC) Lucas Ruppertsberger
Duncan (TN) Luetkemeyer Ryan (WI)
Edwards Lujan Sanchez, Loretta
Ellison Lungren, Daniel
Ellmers E. Schiff
Engel Mack Schmidt
Eshoo Maloney Schock
Farenthold Manzullo Schrader
Farr Marchant Schwartz
Fincher Marino Schweikert
Flake Matsui Scott (SC)
Fleischmann McCarthy (CA) Scott (VA)
Forbes McCarthy (NY) Scott, Austin
Fortenberry McCaul Scott, David
Frank (MA) McClintock Sensenbrenner
Franks (AZ) McCollum Serrano
Frelinghuysen McHenry Sessions
Gallegly McIntyre Sewell
Garamendi McKeon Sherman
Gerlach McKinley Shimkus
Gingrey (GA) McMorris Shuster
Gonzalez Rodgers Simpson
Gosar McNeerney Smith (NE)
Gowdy Meehan Smith (NJ)
Granger Meeks Smith (TX)
Graves (GA) Mica Smith (WA)
Green, Al Michaud Stark
Green, Gene Miller (FL) Stearns
Griffith (VA) Miller (MI) Stutzman
Grimm Miller (NC) Sullivan
Guinta Miller, Gary Sutton
Guthrie Miller, George Moran
Hahn Moran Thompson (PA)
Hall Mulvaney Thornberry
Hanabusa Murphy (CT) Tiberi
Harris Myrick Tonko
Hartzler Napolitano Towns
Hastings (WA) Neugebauer Tsongas
Hayworth Noem Turner (NY)
Heinrich Nugent Upton
Hensarling Nunes Van Hollen
Herger Nunnelee Walden
Higgins Olson Walz (MN)
Hinojosa Palazzo Wasserman
Hirono Pascrell Schultz
Hochul Paulsen Watt
Huizenga (MI) Pelosi Waxman
Hultgren Pence Webster
Hurt Perlmutter Welch
Issa Petri West
Jenkins Pitts Westmoreland
Johnson (GA) Platts Whitfield
Johnson (IL) Polis Wilson (FL)
Johnson, Sam Pompeo Wilson (SC)
Kaptur Posey Wolf
Kelly Price (GA) Womack
Kildee Price (NC) Yarmuth
King (IA) Quigley Young (FL)
King (NY) Rehberg Young (IN)
Kingston Reichert

NAYS—127

Adams Conyers Fudge
Andrews Costa Gardner
Baldwin Costello Garrett
Barrow Cravaack Gibbs
Becerra Critz Gibson
Berkley Courtney Cummings
Berman Cuellar Davis (IL)
Bishop (GA) Cummings Graves (MO)
Bishop (NY) Davis (IL) Griffin (AR)
Blumenauer Davis (KY) Grijalva
Bonamici DeFazio Gutierrez
Boswell DeGette Hanna
Brady (PA) DeLauro Hastings (FL)
Brown (FL) Deutch Heck
Butterfield Dicks Herrera Beutler
Capps Dingell Doyle Himes
Capuano Doggett Duffy Hinchey
Carnahan Donnelly (IN) Emerson Holden
Carney Doyle Fattah Holt
Carson (IN) Edwards Filner Honda
Castor (FL) Ellison Frank (MA) Hoyer
Chandler Engel Fudge Hunter
Chu Eshoo Garamendi
Cicilline Farr Keating
Clarke (MI) Fattah
Clarke (NY) Filner
Cleaver Fitzpatrick
Clyburn Foxx

NOES—173

Altmire Cohen
Andrews Connolly (VA)
Baca Conyers
Baldwin Grijalva
Barrow Costello
Becerra Courtney
Berkley Critz
Berman Cuellar
Bishop (GA) Cummings
Bishop (NY) Davis (CA)
Blumenauer Davis (IL)
Bonamici DeFazio
Boswell DeGette
Brady (PA) DeLauro
Brown (FL) Deutch
Butterfield Dicks
Capps Dingell
Capuano Doggett
Carnahan Donnelly (IN)
Carney Doyle
Carson (IN) Edwards
Castor (FL) Ellison
Chandler Engel
Chu Eshoo
Cicilline Farr
Clarke (MI) Fattah
Clarke (NY) Filner
Cleaver Frank (MA)
Clyburn Fudge
Garamendi

Inslée	Moore	Sarbanes
Israel	Murphy (PA)	Schakowsky
Jackson (IL)	Neal	Schilling
Jackson Lee (TX)	Olver	Shuler
Johnson (OH)	Pallone	Sires
Johnson, E. B. Jones	Pastor (AZ)	Slaughter
Jordan	Pearce	Southerland
Keating	Peters	Stivers
Kind	Peterson	Terry
Kinzinger (IL)	Pingree (ME)	Thompson (CA)
Kucinich	Poe (TX)	Thompson (MS)
Lance	Quayle	Tierney
Latham	Rahall	Tipton
Lewis (GA)	Reed	Turner (OH)
LoBiondo	Renacci	Velázquez
Lynch	Ribble	Visclosky
Markey	Richmond	Walberg
Matheson	Roe (TN)	Walsh (IL)
McCotter	Rooney	Waters
McDermott	Rush	Wittman
McGovern	Ryan (OH)	Woodall
	Sánchez, Linda T.	Yoder
		Young (AK)

It was decided in the { Yeas 178
negative } Nays 239

¶29.15 [Roll No. 83]
AYES—178

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

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

ANSWERED "PRESENT"—2

Amash	Owens
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NOT VOTING—21

Ackerman	Fleming	Lummis
Akin	Flores	Nadler
Bass (CA)	Gohmert	Paul
Berman	Goodlatte	Payne
Bishop (UT)	Harper	Rangel
Cantor	Huelskamp	Ros-Lehtinen
Crowley	Lee (CA)	Woolsey

So the Journal was approved.

¶29.12 HOUR OF MEETING

On motion of Mr. HASTINGS of Washington, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, March 1, 2012.

¶29.13 SAN JOAQUIN VALLEY WATER RELIABILITY

The SPEAKER pro tempore, Mr. MACK, pursuant to House Resolution 566 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes.

The SPEAKER pro tempore, Mr. MACK, by unanimous consent, designated Mr. YODER as Chairman of the Committee of the Whole; and after some time spent therein,

¶29.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-405, submitted by Mr. THOMPSON of California:

After section 2, insert the following:

SEC. 3. EFFECTIVE DATE CONDITIONS.

Notwithstanding sections 104, 105, 110, and 111 and title III, nothing in this Act or the amendments made by this Act shall take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, certifies that the provisions of this Act and the amendments made by this Act will not result in the loss of agriculture, agriculture-related, fishery, or fishery-related jobs or revenue in California counties north of the Sacramento-San Joaquin River Delta.

NOES—239

Adams	Buerkle	Ellmers
Aderholt	Burgess	Emerson
Akin	Burton (IN)	Farenthold
Alexander	Calvert	Fincher
Amash	Camp	Fitzpatrick
Amodei	Campbell	Flake
Austria	Canseco	Fleischmann
Bachmann	Capito	Fleming
Bachus	Cardoza	Flores
Barletta	Carter	Forbes
Bartlett	Cassidy	Fortenberry
Barton (TX)	Chabot	Foxx
Bass (NH)	Chaffetz	Franks (AZ)
Benishek	Coble	Frelinghuysen
Berg	Coffman (CO)	Gallely
Biggett	Cole	Gardner
Bilbray	Conaway	Garrett
Bilirakis	Costa	Gerlach
Bishop (GA)	Cravaack	Gibbs
Bishop (UT)	Crawford	Gibson
Black	Crenshaw	Gingrey (GA)
Blackburn	Culberson	Goodlatte
Bonner	Denham	Gosar
Bono Mack	Dent	Gowdy
Boren	DesJarlais	Granger
Brady (TX)	Dold	Graves (GA)
Brooks	Dreier	Graves (MO)
Broun (GA)	Duffy	Griffin (AR)
Buchanan	Duncan (SC)	Griffith (VA)
Bucshon	Duncan (TN)	Grimm

NOT VOTING—16

Bass (CA)	Lee (CA)	Rangel
Boustany	Nadler	Rush
Boustan	Palazzo	Schakowsky
Davis (KY)	Paul	Schmidt
Diaz-Balart	Payne	
Gohmert	Pelosi	

So the amendment was not agreed to.

¶29.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in House Report 112-405, submitted by Mr. MCNERNEY:

After section 2, insert the following:

SEC. 3. EFFECTIVE DATE CONDITIONS.

Notwithstanding sections 104, 105, 110, and 111, and title III, this Act and the amendments made by this Act shall not take effect until the Secretary of the Interior, in consultation with other Federal agencies with relevant expertise, determines that this Act and the amendments made by this Act shall not have a harmful effect on the quality or safety of drinking water supplies for residents of the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

It was decided in the { Yeas 178
negative } Nays 242

¶29.17 [Roll No. 84]

AYES—178

Ackerman	Barrow	Bishop (NY)
Altmire	Becerra	Blumenauer
Andrews	Berkley	Bonamici
Baca	Berman	Boswell
Baldwin	Bishop (GA)	Brady (PA)

Brale (IA) Heinrich
Brown (FL) Higgins
Butterfield Himes
Capps Hinchey
Capuano Hinojosa
Carnahan Hirono
Carney Hochul
Carson (IN) Holden
Castor (FL) Holt
Chandler Honda
Chu Hoyer
Cicilline Inslee
Clarke (MI) Israel
Clarke (NY) Jackson (IL)
Clay Jackson Lee
Cleaver (TX)
Clyburn Johnson (GA)
Cohen Johnson, E. B.
Connolly (VA) Kaptur
Conyers Keating
Cooper Kildee
Costello Kind
Courtney Kissell
Critz Kucinich
Crowley Langevin
Cuellar Larsen (WA)
Cummings Larson (CT)
Davis (IL) Levin
DeFazio Lewis (GA)
DeGette Lipinski
DeLauro Loebbeck
Dreun, Zoe Lofgren, Zoe
Dicks Lowey
Dingell Lujan
Doggett Lynch
Donnelly (IN) Maloney
Doyle Markey
Edwards Matsui
Ellison McCarthy (NY)
Engel McCollum
Eshoo McDermott
Farr McGovern
Fattah McIntyre
Filner McNerney
Frank (MA) Meeke
Fudge Michaud
Garamendi Miller (NC)
Gibson Moore
Gonzalez Green, Al
Green, Gene Grijalva
Gutierrez Hahn
Hahn Hahn
Hanabusa Owens
Hastings (FL) Pallone

NOES—242

Adams Chaffetz
Aderholt Coble
Akin Coffman (CO)
Alexander Cole
Amash Conaway
Amodei Costa
Austria Cravaack
Bachmann Crawford
Bachus Crenshaw
Barletta Culberson
Bartlett Davis (KY)
Barton (TX) Denham
Bass (NH) Dent
Benishek DesJarlais
Berg Diaz-Balart
Biggett Dold
Bilbray Dreier
Bilirakis Duffy
Bishop (UT) Duncan (SC)
Black Duncan (TN)
Blackburn Ellmers
Bonner Emerson
Bono Mack Farenthold
Boren Fincher
Boustany Fitzpatrick
Brady (TX) Flake
Brooks Fleischmann
Broun (GA) Fleming
Buchanan Flores
Bucshon Forbes
Buerkle Fortenberry
Burgess Foss
Burton (IN) Franks (AZ)
Calvert Frelinghuysen
Camp Gallely
Campbell Gardner
Canseco Garrett
Capito Gerlach
Cardoza Gibbs
Carter Gingrey (GA)
Cassidy Goodlatte
Chabot Gosar

Lankford Palazzo
Latham Paulsen
LaTourette Pearce
Latta Pence
Lewis (CA) Peterson
LoBiondo Petri
Long Pitts
Lucas Platts
Luetkemeyer Poe (TX)
Lummis Pompeo
Lungren, Daniel Posey
E. Price (GA)
Mack Quayle
Manzullo Reed
Marchant Rehberg
Marino Reichert
Matheson Renacci
McCarthy (CA) Ribble
McCaul Rigell
McClintock Rivera
McCotter Roby
McHenry Roe (TN)
McKeon Rogers (AL)
McKinley Rogers (MI)
Mohr Rohrabacher
Rodgers Rokita
Meehan Rooney
Mica Ros-Lehtinen
Miller (FL) Roskam
Miller (MI) Ross (AR)
Miller, Gary Ross (FL)
Mulvaney Royce
Murphy (PA) Runyan
Myrick Ryan (WI)
Neugebauer Scalise
Noem Schilling
Nugent Schmidt
Nunes Schock
Nunnelee Schweikert
Olson Scott (SC)

NOT VOTING—13

Bass (CA) Nadler
Cantor Paul
Davis (CA) Payne
Gohmert Rangel
Lee (CA) Rogers (KY)

So the amendment was not agreed to.

29.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in House Report 112-405, submitted by Mr. McNERNEY:

After section 2, insert the following:

SEC. 3. EFFECTIVE DATE CONDITIONS.

Notwithstanding sections 104, 105, 110, and 111, and title III, this Act and the amendments made by this Act shall not take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, determines that carrying out this Act and the amendments made by this Act shall not have a harmful effect on water quality or water availability for agricultural producers in the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

It was decided in the { Yeas 177
negative } Nays 243

29.19 [Roll No. 85]

AYES—177

Ackerman Capps
Altmire Capuano
Andrews Carnahan
Baca Carney
Baldwin Carson (IN)
Barrow Castor (FL)
Becerra Chandler
Berkley Chu
Berman Cicilline
Bishop (NY) Clarke (MI)
Blumenauer Clarke (NY)
Bonamici Clay
Boswell Cleaver
Brady (PA) Clyburn
Brale (IA) Cohen
Brown (FL) Connolly (VA)
Butterfield Conyers

Edwards Langevin
Ellison Larsen (WA)
Engel Larson (CT)
Eshoo Levin
Farr Lewis (GA)
Fattah Lipinski
Filner Loebbeck
Frank (MA) Lofgren, Zoe
Fudge Lowey
Garamendi Lujan
Gibson Lynch
Gonzalez Maloney
Green, Al Markey
Green, Gene Matsui
Grijalva McCarthy (NY)
Gutierrez McCollum
Hahn McDermott
Hanabusa McGovern
Hastings (FL) McIntyre
Heinrich McNerney
Higgins Meeke
Himes Michaud
Hinchey Miller (NC)
Hinojosa Miller, George
Hirono Moore
Hochul Moran
Holden Murphy (CT)
Holt Napolitano
West Neal
Honda Oliver
Hoyer Owens
Inslee Pallone
Israel Pascrell
Jackson (IL) Pastor (AZ)
Jackson Lee Pelosi
(TX) Peters
Johnson (GA) Pingree (ME)
Johnson, E. B. Polis
Kaptur Price (NC)
Keating Quigley
Kildee Rahall
Kind Reyes
Kissell Richardson
Kucinich

NOES—243

Adams Denham
Aderholt Dent
Akin DesJarlais
Alexander Diaz-Balart
Amash Dreier
Amodei Duffy
Austria Duncan (SC)
Bachmann Duncan (TN)
Bachus Ellmers
Barletta Emerson
Bartlett Farenthold
Barton (TX) Fincher
Bass (NH) Fitzpatrick
Benishek Flake
Berg Fleischmann
Biggett Fleming
Bilbray Flores
Bilirakis Forbes
Bishop (GA) Foss
Bishop (UT) Franks (AZ)
Black Frelinghuysen
Blackburn Gallegly
Bonner Gardner
Bono Mack Garrett
Boren Gerlach
Boustany Gibbs
Brady (TX) Gingrey (GA)
Brooks Goodlatte
Broun (GA) Gosar
Buchanan Gowdy
Bucshon Granger
Buerkle Graves (GA)
Burgess Graves (MO)
Burton (IN) Griffith (AR)
Calvert Griffith (VA)
Camp Grimm
Campbell Guinta
Canseco Guthrie
Capito Hall
Cardoza Carter
Carter Hanna
Cassidy Harper
Chabot Harris
Chaffetz Hartzler
Coble Hastings (WA)
Coffman (CO) Hayworth
Cole Heck
Conaway Hensarling
Cooper Herger
Costa Herrera Beutler
DeFazio Huelskamp
DeGette King (IA)
DeLauro King (NY)
Deutch Kingdon
Dicks Kinzinger (IL)
Dingell Kline
Doggett Labrador
Donnelly (IN) Lamborn
Doyle Lance
Davis (KY) Landry

Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)

Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers

Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky

Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney

Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Womack
Woodall

Yoder
Young (AK)

Young (FL)
Young (IN)

NOT VOTING—9

So the amendment was not agreed to.

29.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, printed in House Report 112-405, submitted by Mrs. NAPOLITANO:

Page 4, line 15, after the period insert the following: "Charges for all delivered water shall include interest, as determined by the Secretary of the Treasury, on the basis of average market yields on outstanding marketable obligations of the United States with the remaining periods of maturity comparable to the applicable reimbursement period of the project, adjusted to the nearest 1/8 of 1 percent on the underpaid balance of the allocable project cost."

It was decided in the { Yeas 174
negative } Nays 250

NOT VOTING—13

Bass (CA)
Cantor
Fortenberry
Gohmert
Lee (CA)

Nadler
Paul
Payne
Pitts
Rangel

Rush
Schakowsky
Smith (NJ)

So the amendment was not agreed to.

29.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 112-405, submitted by Mr. GARAMENDI:

Strike section 103.

It was decided in the { Yeas 181
negative } Nays 243

29.21 [Roll No. 86]

AYES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio

DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio

Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Caneseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxen
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett

NOES—243

Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick

Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

29.23 [Roll No. 87]

AYES—174

Ackerman
Altmire
Andrews
Baca
Baldwin
Barton (TX)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Lynch
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner

Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Lynch
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner

Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—250

Table listing names of members and their affiliations under the NOES—250 section.

NOT VOTING—9

Table listing names of members who did not vote under the NOT VOTING—9 section.

So the amendment was not agreed to.

¶29.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in House Report

112-405, submitted by Mr. GARAMENDI:

Strike section 105.

It was decided in the negative { Yeas 178 Nays 247

¶29.25 [Roll No. 88]

AYES—178

Table listing names of members and their affiliations under the AYES—178 section.

NOES—247

Table listing names of members and their affiliations under the NOES—247 section.

Table listing names of members and their affiliations in the right-hand column.

NOT VOTING—8

Table listing names of members who did not vote under the NOT VOTING—8 section.

So the amendment was not agreed to.

¶29.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in House Report 112-405, submitted by Mr. MARKEY:

Amend subsection (a) of section 108 to read as follows:

(a) OPERATION.—Notwithstanding any other provision of this Act, the Central Valley Project and the State Water Project shall be operated in a manner that meets all obligations under State and Federal law, with operational constraints that are based on the best available science.

It was decided in the negative { Yeas 180 Nays 244

¶29.27 [Roll No. 89]

AYES—180

Table listing names of members and their affiliations under the AYES—180 section.

Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Finer
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda

NOES—244

Hoyer
Inslie
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Finer
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda

Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Ruybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Viscosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson

Bass (CA)
Cantor
Lee (CA)

NOT VOTING—9

Nadler
Paul
Payne

Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner

Rangel
Ribble
Rigell

Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Sec. 207. Compliance with Central Valley Project Improvement Act.
Sec. 208. No private right of action.
Sec. 209. Implementation.
Sec. 210. Repayment contracts and acceleration of repayment of construction costs.
Sec. 211. Repeal.
Sec. 212. Water supply mitigation.
Sec. 213. Additional Authorities.

TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS

Sec. 301. Repayment contracts and acceleration of repayment of construction costs.
TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS PRESERVATION AND PROTECTION

Sec. 401. Water rights and area-of-origin protections.
Sec. 402. Sacramento River settlement contracts.
Sec. 403. Sacramento River Watershed Water Service Contractors.
Sec. 404. No redirected adverse impacts.

TITLE V—MISCELLANEOUS

Sec. 501. Precedent.
TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

SEC. 101. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and
(2) by adding at the end the following:

“(g) to ensure that water dedicated to fish and wildlife purposes by this title is replaced and provided to Central Valley Project water contractors by December 31, 2016, at the lowest cost reasonably achievable; and
“(h) to facilitate and expedite water transfers in accordance with this Act.”.

SEC. 102. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:
“(a) the term ‘anadromous fish’ means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;”;

(2) in subsection (l), by striking “and,”
(3) in subsection (m), by striking the period and inserting “; and”, and
(4) by adding at the end the following:

“(n) the term ‘reasonable flows’ means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.”.

SEC. 103. CONTRACTS.

Section 3404 of the Central Valley Project Improvement Act (106 Stat. 4708) is amended—

(1) in the heading, by striking “limitation on contracting and contract reform” and inserting “contracts”; and
(2) by striking the language of the section and by adding:

“(a) RENEWAL OF EXISTING LONG-TERM CONTRACTS.—Upon request of the contractor, the Secretary shall renew any existing long-term repayment or water service contract that provides for the delivery of water from the Central Valley Project for a period of 40 years.
“(b) ADMINISTRATION OF CONTRACTS.—Except as expressly provided by this Act, any existing long-term repayment or water serv-

So the amendment was not agreed to.
The SPEAKER pro tempore, Mr. GARDNER, assumed the Chair.

When Mr. WESTMORELAND, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Sacramento-San Joaquin Valley Water Reliability Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

Sec. 101. Amendment to purposes.

Sec. 102. Amendment to definition.

Sec. 103. Contracts.

Sec. 104. Water transfers, improved water management, and conservation.

Sec. 105. Fish, wildlife, and habitat restoration.

Sec. 106. Restoration fund.

Sec. 107. Additional authorities.

Sec. 108. Bay-Delta Accord.

Sec. 109. Natural and artificially spawned species.

Sec. 110. Authorized service area.

Sec. 111. Regulatory streamlining.

TITLE II—SAN JOAQUIN RIVER RESTORATION

Sec. 201. Repeal of the San Joaquin River settlement.

Sec. 202. Purpose.

Sec. 203. Definitions.

Sec. 204. Implementation of restoration.

Sec. 205. Disposal of property; title to facilities.

Sec. 206. Compliance with applicable law.

ice contract for the delivery of water from the Central Valley Project shall be administered pursuant to the Act of July 2, 1956 (70 Stat. 483).

“(c) DELIVERY CHARGE.—Beginning on the date of the enactment of this Act, a contract entered into or renewed pursuant to this section shall include a provision that requires the Secretary to charge the other party to such contract only for water actually delivered by the Secretary.”

SEC. 104. WATER TRANSFERS, IMPROVED WATER MANAGEMENT, AND CONSERVATION.

Section 3405 of the Central Valley Project Improvement Act (106 Stat. 4709) is amended as follows:

(1) In subsection (a)—
 (A) by inserting before “Except as provided herein” the following: “The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act or any other provision of Federal reclamation law and the National Environmental Policy Act of 1969.”;

(B) in paragraph (1)(A), by striking “to combination” and inserting “or combination”;

(C) in paragraph (2), by adding at the end the following:

“(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of such proposal. If such district or agency or the Secretary determines that such proposal is incomplete, such district or agency or the Secretary shall state with specificity what must be added to or revised in order for such proposal to be complete.
 “(F) Except as provided in this section, the Secretary shall not impose mitigation or other requirements on a proposed transfer, but the contracting district from which the water is coming or the agency shall retain all authority under State law to approve or condition a proposed transfer.”;

(D) by adding at the end the following:
 “(4) Notwithstanding any other provision of Federal reclamation law—
 “(A) the authority to make transfers or exchanges of, or banking or recharge arrangements using, Central Valley Project water that could have been conducted before October 30, 1992, is valid, and such transfers, exchanges, or arrangements shall not be subject to, limited, or conditioned by this title; and
 “(B) this title shall not supersede or revoke the authority to transfer, exchange, bank, or recharge Central Valley Project water that existed prior to October 30, 1992.”.

(2) In subsection (b)—
 (A) in the heading, by striking “METERING” and inserting “MEASUREMENT”; and
 (B) by inserting after the first sentence the following: “The contracting district or agency, not including contracting districts serving multiple agencies with separate governing boards, shall ensure that all contractor-owned water delivery systems within its boundaries measure surface water at the district or agency’s facilities up to the point the surface water is commingled with other water supplies.”.

(3) By striking subsection (d).
 (4) By redesignating subsections (e) and (f) as subsections (d) and (e), respectively.
 (5) By amending subsection (e) as redesignated by paragraph (4)—
 (A) by striking “as a result of the increased repayment” and inserting “that exceed the cost-of-service”;

(B) by inserting “the delivery of” after “rates applicable to”; and
 (C) by striking “, and all increased revenues received by the Secretary as a result of

the increased water prices established under subsection 3405(d) of this section.”.

SEC. 105. FISH, WILDLIFE, AND HABITAT RESTORATION.

Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended as follows:

(1) In subsection (b)—
 (A) in paragraph (1)(B)—
 (i) by striking “is authorized and directed to” and inserting “may”;

(ii) by inserting “reasonable water” after “to provide”;

(iii) by striking “anadromous fish, except that such” and inserting “anadromous fish. Such”;

(iv) by striking “Instream flow” and inserting “Reasonable instream flow”;

(v) by inserting “and the National Marine Fisheries Service” after “United States Fish and Wildlife Service”;

(vi) by striking “California Department of Fish and Game” and inserting “United States Geological Survey”;

(B) in paragraph (2)—
 (i) by striking “primary purpose” and inserting “purposes”;

(ii) by striking “but not limited to” before “additional obligations”;

(iii) by adding after the period the following: “All Central Valley Project water used for the purposes specified in this paragraph shall be credited to the quantity of Central Valley Project yield dedicated and managed under this paragraph by determining how the dedication and management of such water would affect the delivery capability of the Central Valley Project during the 1928 to 1934 drought period after fishery, water quality, and other flow and operational requirements imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, have been met. To the fullest extent possible and in accordance with section 3411, Central Valley Project water dedicated and managed pursuant to this paragraph shall be reused to fulfill the Secretary’s remaining contractual obligations to provide Central Valley Project water for agricultural or municipal and industrial purposes.”;

(C) by amending paragraph (2)(C) to read:

“(C) If by March 15th of any year the quantity of Central Valley Project water forecasted to be made available to water service or repayment contractors in the Delta Division of the Central Valley Project is below 75 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.”.

(2) By adding at the end the following:

“(i) SATISFACTION OF PURPOSES.—By pursuing the activities described in this section, the Secretary shall be deemed to have met the mitigation, protection, restoration, and enhancement purposes of this title.”.

SEC. 106. RESTORATION FUND.

(a) IN GENERAL.—Section 3407(a) of the Central Valley Project Improvement Act (106 Stat. 4726) is amended as follows:

(1) By inserting “(1) IN GENERAL.—” before “There is hereby”.

(2) By striking “Not less than 67 percent” and all that follows through “Monies” and inserting “Monies”.

(3) By adding at the end the following:

“(2) PROHIBITIONS.—The Secretary may not directly or indirectly require a donation or other payment to the Restoration Fund—

“(A) or environmental restoration or mitigation fees not otherwise provided by law, as a condition to—

“(i) providing for the storage or conveyance of non-Central Valley Project water pursuant to Federal reclamation laws; or
 “(ii) the delivery of water pursuant to section 215 of the Reclamation Reform Act of 1982 (Public Law 97–293; 96 Stat. 1270); or
 “(B) for any water that is delivered with the sole intent of groundwater recharge.”.

(b) CERTAIN PAYMENTS.—Section 3407(c)(1) of the Central Valley Project Improvement Act is amended—

(1) by striking “mitigation and restoration”;

(2) by striking “provided for or”; and
 (3) by striking “of fish, wildlife” and all that follows through the period and inserting “of carrying out all activities described in this title.”.

(c) ADJUSTMENT AND ASSESSMENT OF MITIGATION AND RESTORATION PAYMENTS.—Section 3407(d)(2) of the Central Valley Project Improvement Act is amended by inserting “, or after October 1, 2013, \$4 per megawatt-hour for Central Valley Project power sold to power contractors (October 2013 price levels)” after “\$12 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project”.

(d) COMPLETION OF ACTIONS.—Section 3407(d)(2)(A) of the Central Valley Project Improvement Act is amended by inserting “no later than December 31, 2020,” after “That upon the completion of the fish, wildlife, and habitat mitigation and restoration actions mandated under section 3406 of this title.”.

(e) REPORT; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended by adding at the end the following:

“(g) REPORT ON EXPENDITURE OF FUNDS.—At the end of each fiscal year, the Secretary, in consultation with the Restoration Fund Advisory Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

“(h) ADVISORY BOARD.—
 “(1) ESTABLISHMENT.—There is hereby established the Restoration Fund Advisory Board (hereinafter in this section referred to as the ‘Advisory Board’) composed of 12 members selected by the Secretary, each for four-year terms, one of whom shall be designated by the Secretary as Chairman. The members shall be selected so as to represent the various Central Valley Project stakeholders, four of whom shall be from CVP agricultural users, three from CVP municipal and industrial users, three from CVP power contractors, and two at the discretion of the Secretary. The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.
 “(2) DUTIES.—The duties of the Advisory Board are as follows:

“(A) To meet at least semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out pursuant to the Central Valley Project Improvement Act.
 “(B) To ensure that any advice or recommendation made by the Advisory Board to the Secretary reflect the independent judgment of the Advisory Board.
 “(C) Not later than December 31, 2013, and annually thereafter, to transmit to the Secretary and Congress recommendations required under subparagraph (A).
 “(D) Not later than December 31, 2013, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406 of this title.

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 “(D) Not later than December 31, 2013, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406 of this title.

“(3) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.”.

SEC. 107. ADDITIONAL AUTHORITIES.

(a) AUTHORITY FOR CERTAIN ACTIVITIES.—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4728) is amended to read as follows:

“(C) CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.—

“(1) IN GENERAL.—The Secretary is authorized to enter into contracts pursuant to Federal reclamation law and this title with any Federal agency, California water user or water agency, State agency, or private organization for the exchange, impoundment, storage, carriage, and delivery of nonproject water for domestic, municipal, industrial, fish and wildlife, and any other beneficial purpose.

“(2) LIMITATION.—Nothing in this subsection shall be deemed to supersede the provisions of section 103 of Public Law 99-546 (100 Stat. 3051).

“(3) AUTHORITY FOR CERTAIN ACTIVITIES.—The Secretary shall use the authority granted by this subsection in connection with requests to exchange, impound, store, carry, or deliver nonproject water using Central Valley Project facilities for any beneficial purpose.

“(4) RATES.—The Secretary shall develop rates not to exceed the amount required to recover the reasonable costs incurred by the Secretary in connection with a beneficial purpose under this subsection. Such rates shall be charged to a party using Central Valley Project facilities for such purpose. Such costs shall not include any donation or other payment to the Restoration Fund.

“(5) CONSTRUCTION.—This subsection shall be construed and implemented to facilitate and encourage the use of Central Valley Project facilities to exchange, impound, store, carry, or deliver nonproject water for any beneficial purpose.”.

(b) REPORTING REQUIREMENTS.—Section 3408(f) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) by striking “Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries” and inserting “Natural Resources”;

(2) in the second sentence, by inserting before the period at the end the following: “, including progress on the plan required by subsection (j)”;

(3) by adding at the end the following: “The filing and adequacy of such report shall be personally certified to the Committees referenced above by the Regional Director of the Mid-Pacific Region of the Bureau of Reclamation.”.

(c) PROJECT YIELD INCREASE.—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) By redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking “In order to minimize adverse effects, if any, upon” and inserting “(1) IN GENERAL.—In order to minimize adverse effects upon”.

(3) By striking “needs, the Secretary,” and all that follows through “submit to the Congress, a” and inserting “needs, the Secretary, on a priority basis and not later than September 30, 2013, shall submit to Congress a”.

(4) By striking “increase,” and all that follows through “options:” and inserting “increase, as soon as possible but not later than September 30, 2016 (except for the construction of new facilities which shall not be limited by that deadline), the water of the Central Valley Project by the amount dedicated

and managed for fish and wildlife purposes under this title and otherwise required to meet the purposes of the Central Valley Project including satisfying contractual obligations. The plan required by this subsection shall include recommendations on appropriate cost-sharing arrangements and authorizing legislation or other measures needed to implement the intent, purposes, and provisions of this subsection and a description of how the Secretary intends to use the following options—”.

(5) In subparagraph (A), by inserting “and construction of new water storage facilities” before the semicolon.

(6) In subparagraph (F), by striking “and” at the end.

(7) In subparagraph (G), by striking the period and all that follows through the end of the subsection and inserting “; and”.

(8) By inserting after subparagraph (G) the following:

“(H) Water banking and recharge.”.

(9) By adding at the end the following:

“(2) IMPLEMENTATION OF PLAN.—The Secretary shall implement the plan required by paragraph (1) commencing on October 1, 2013. In order to carry out this subsection, the Secretary shall coordinate with the State of California in implementing measures for the long-term resolution of problems in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.

“(3) FAILURE OF THE PLAN.—Notwithstanding any other provision of Federal reclamation law, if by September 30, 2016, the plan required by paragraph (1) fails to increase the annual delivery capability of the Central Valley Project by 800,000 acre-feet, implementation of any non-mandatory action under section 3406(b)(2) shall be suspended until the plan achieves an increase in the annual delivery capability of the Central Valley Project by 800,000 acre-feet.”.

(d) TECHNICAL CORRECTION.—Section 3408(h) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) in paragraph (1), by striking “paragraph (h)(2)” and inserting “paragraph (2)”;

(2) in paragraph (2), by striking “paragraph (h)(i)” and inserting “paragraph (1)”.

(e) WATER STORAGE PROJECT CONSTRUCTION.—The Secretary, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability, and Environmental Improvement Act (Public Law 108-361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance these projects. No additional Federal funds are authorized for the activities authorized in sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108-361. However, each water storage project under sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108-361 is authorized for construction if non-Federal funds are used for financing and constructing the project.

SEC. 108. BAY-DELTA ACCORD.

(a) CONGRESSIONAL DIRECTION REGARDING CENTRAL VALLEY PROJECT AND CALIFORNIA STATE WATER PROJECT OPERATIONS.—The Central Valley Project and the State Water Project shall be operated pursuant to the water quality standards and operational constraints described in the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, and such operations shall proceed without regard to the Endangered Species Act of 1973

(16 U.S.C. 1531 et seq.) or any other law pertaining to the operation of the Central Valley Project and the California State Water Project. Implementation of this section shall be in strict conformance with the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994.

(b) APPLICATION OF LAWS TO OTHERS.—Neither a Federal department nor the State of California, including any agency or board of the State of California, shall impose on any water right obtained pursuant to State law, including a pre-1914 appropriative right, any condition that restricts the exercise of that water right in order to conserve, enhance, recover or otherwise protect any species that is affected by operations of the Central Valley Project or California State Water Project. Nor shall the State of California, including any agency or board of the State of California, restrict the exercise of any water right obtained pursuant to State law, including a pre-1914 appropriative right, in order to protect, enhance, or restore under the Public Trust Doctrine any public trust value. Implementation of the “Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government” dated December 15, 1994, shall be in strict compliance with the water rights priority system and statutory protections for areas of origin.

(c) COSTS.—No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) NATIVE SPECIES PROTECTION.—California law is preempted with respect to any restriction on the quantity or size of non-native fish taken or harvested that preys upon one or more native fish species that occupy the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

SEC. 109. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous fish species present in the Sacramento and San Joaquin Rivers or their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

SEC. 110. AUTHORIZED SERVICE AREA.

The authorized service area of the Central Valley Project shall include the area within the boundaries of the Kettleman City Community Services District, California, as those boundaries exist on the date of the enactment of this title. Notwithstanding the provisions of the Act of October 30, 1992 (Public Law 102-575, 106 Stat. 4600 et seq.), upon enactment of this title, the Secretary is authorized and directed to enter into a long-term contract in accordance with the reclamation laws with the Kettleman City Community Services District, California, for the delivery of up to 900 acre-feet of Central Valley Project water for municipal and industrial use. The Secretary may temporarily reduce deliveries of the quantity of water made available pursuant to up to 25 percent of such total whenever reductions due to hydrologic circumstances are imposed upon agricultural deliveries of Central Valley Project water. If any additional infrastructure or related-costs are needed to imple-

ment this section, such costs shall be the responsibility of the non-Federal entity.

SEC. 111. REGULATORY STREAMLINING.

(a) **APPLICABILITY OF CERTAIN LAWS.**—Filing of a Notice of Determination or a Notice of Exemption for any project, including the issuance of a permit under State law, related to any project of the CVP or the delivery of water therefrom in accordance with the California Environmental Quality Act shall be deemed to meet the requirements of section 102(2)(C) of the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)) for that project or permit.

(b) **CONTINUATION OF PROJECT.**—The Bureau of Reclamation shall not be required to cease or modify any major Federal action or other activity related to any project of the CVP or the delivery of water there from pending completion of judicial review of any determination made under the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) **PROJECT DEFINED.**—For the purposes of this section:

(1) **CVP.**—The term “CVP” means the Central Valley Project.

(2) **PROJECT.**—The term “project”—

(A) means an activity that—

(i) is undertaken by a public agency, funded by a public agency, or that requires an issuance of a permit by a public agency;

(ii) has a potential to result in physical change to the environment; and

(iii) may be subject to several discretionary approvals by governmental agencies;

(B) may include construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit; or

(C) as defined under the California Environmental Quality Act in section 21065 of the California Public Resource Code.

TITLE II—SAN JOAQUIN RIVER RESTORATION

SEC. 201. REPEAL OF THE SAN JOAQUIN RIVER SETTLEMENT.

As of the date of enactment of this title, the Secretary shall cease any action to implement the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S-88-1658 LKK/GGH).

SEC. 202. PURPOSE.

Section 10002 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended by striking “implementation of the Settlement” and inserting “restoration of the San Joaquin River”.

SEC. 203. DEFINITIONS.

Section 10003 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

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

“(1) The term ‘Restoration Flows’ means the additional water released or bypassed from Friant Dam to insure that the target flow entering Mendota Pool, located approximately 62 river miles downstream from Friant Dam, does not fall below 50 cubic feet per second.”;

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

“(3) The term ‘Water Year’ means March 1 through the last day of February of the following Calendar Year, both dates inclusive.”; and

(3) by adding at the end the following new paragraph:

“(4) The term ‘Critical Water Year’ means when the total unimpaired runoff at Friant Dam is less than 400,000 acre-feet, as forecasted as of March 1 of that water year by the California Department of Water Resources.”.

SEC. 204. IMPLEMENTATION OF RESTORATION.

Section 10004 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “authorized and directed” and all that follows through “in the Settlement:” and inserting “authorized to carry out the following.”;

(B) by striking paragraphs (1), (2), (4), and (5);

(C) in paragraph (3)—

(i) by striking “(3)” and inserting “(1)”;

and

(ii) by striking “paragraph 13 of the Settlement” and inserting “this part”; and

(D) by adding at the end the following new paragraphs:

“(2) In each Water Year, commencing in the Water Year starting on March 1, 2013—

“(A) shall modify Friant Dam operations so as to release the Restoration Flows for that Water Year, except in any Critical Water Year;

“(B) shall ensure that the release of Restoration Flows are maintained at the level prescribed by this part, but that Restoration Flows do not reach downstream of Mendota Pool;

“(C) shall release the Restoration Flows in a manner that improves the fishery in the San Joaquin River below Friant Dam, but upstream of Gravelly Ford in existence as of the date of the enactment of this part, and the associated riparian habitat; and

“(D) may, without limiting the actions required under paragraphs (A) and (C) and subject to subsections 10004(a)(3) and 10004(l), use the Restoration Flows to enhance or restore a warm water fishery downstream of Gravelly Ford to and including Mendota Pool, if the Secretary determines that it is reasonable, prudent, and feasible to do so; and

“(3) Not later than 1 year after the date of the enactment of this section, the Secretary shall develop and implement, in cooperation with the State of California, a reasonable plan, to fully recirculate, recapture, reuse, exchange, or transfer all Restoration Flows and provide such recirculated, recaptured, reused, exchanged, or transferred flows to those contractors within the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project that relinquished the Restoration Flows so recirculated, recaptured, reused, exchanged, or transferred. Such a plan shall address any impact on ground water resources within the service area of the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project and mitigation may include ground water banking and recharge projects. Such a plan shall not impact the water supply or water rights of any entity outside the Friant Division, Hidden unit, and Buchanan Unit of the Central Valley Project. Such a plan shall be subject to applicable provisions of California water law and the Secretary’s use of Central Valley Project facilities to make Project water (other than water released from Friant Dam pursuant to this part) and water acquired through transfers available to existing south-of-Delta Central Valley Project contractors.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “the Settlement” and inserting “this part”; and

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(3) in subsection (c), by striking “the Settlement” and inserting “this part”;

(4) by striking subsection (d) and inserting the following:

“(d) **MITIGATION OF IMPACTS.**—Prior to October 1, 2013, the Secretary shall identify—

“(1) the impacts associated with the release of Restoration Flows prescribed in this part;

“(2) the measures which shall be implemented to mitigate impacts on adjacent and downstream water users, landowners and agencies as a result of Restoration Flows prescribed in this part; and

“(3) prior to the implementation of decisions or agreements to construct, improve, operate, or maintain facilities that the Secretary determines are needed to implement this part, the Secretary shall implement all mitigations measures identified in subsection (d)(2) before Restoration Flows are commenced.”;

(5) in subsection (e), by striking “the Settlement” and inserting “this part”;

(6) in subsection (f), by striking “the Settlement” and all that follows through “section 10011” and insert “this part”;

(7) in subsection (g)—

(A) by striking “the Settlement and” before this part; and

(B) by striking “or exchange contract” and inserting “exchange contract, or water rights settlement or holding contracts”;

(8) in subsection (h)—

(A) by striking “INTERIM” in the header;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “Interim Flows under the Settlement” and inserting “Restoration Flows under this part”;

(ii) in subparagraph (C)—

(I) in clause (i), by striking “Interim” and inserting “Restoration”; and

(II) in clause (ii), by inserting “and” after the semicolon;

(iii) in subparagraph (D), by striking “and” at the end; and

(iv) by striking subparagraph (E);

(C) in paragraph (2)—

(i) by striking “Interim” and inserting “Restoration”;

(ii) by striking subparagraph (A); and

(iii) by striking “(B) exceed” and inserting “exceed”;

(D) in paragraph (3), by striking “Interim” and inserting “Restoration”; and

(E) by striking paragraph (4) and inserting the following:

“(4) **CLAIMS.**—Within 60 days of enactment of this Act the Secretary shall promulgate a rule establishing a claims process to address current and future claims including, but not limited to, ground water seepage, flooding, or levee instability damages caused as a result of, arising out of, or related to implementation of subtitle A of title X of Public Law 111-11.”;

(9) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “the Settlement and parts I and III” and inserting “this part”;

(ii) in subparagraph (A), by inserting “and” after the semicolon;

(iii) in subparagraph (B)—

(I) by striking “additional amounts authorized to be appropriated, including the”; and

(II) by striking “; and” and inserting a period; and

(iv) by striking subparagraph (C); and

(B) by striking paragraph (3); and

(10) by adding at the end the following new subsections:

“(k) **NO IMPACTS ON OTHER INTERESTS.**—No Central Valley Project or other water other than San Joaquin River water impounded by or bypassed from Friant Dam shall be used to implement subsection (a)(2) unless such use is on a voluntary basis. No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the

Buchanan Unit, unless such costs are incurred on a voluntary basis. The implementation of this part shall not result directly or indirectly in any reduction in water supplies or water reliability on any Central Valley Project contractor, any State Water Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such reductions or costs are incurred on a voluntary basis.

“(1) PRIORITY.—All actions taken under this part shall be subordinate to the Secretary’s use of Central Valley Project facilities to make Project water available to Project contractors, other than water released from the Friant Dam pursuant to this part.

“(m) IN GENERAL.—Notwithstanding section 8 of the Reclamation Act of 1902, except as provided in this part, including title IV of the Sacramento and San Joaquin Valleys Water Reliability Act, this part preempts and supersedes any State law, regulation, or requirement that imposes more restrictive requirements or regulations on the activities authorized under this part. Nothing in this part shall alter or modify the obligations, if any, of the Friant Division, Hidden Unit, and Buchanan Unit of the Central Valley Project, or other water users on the San Joaquin River or its tributaries, under orders issued by the State Water Resources Control Board pursuant to the Porter-Cologne Water Quality Control Act (California Water Code sections 13000 et seq.). Any such order shall be consistent with the congressional authorization for any affected Federal facility as it pertains to the Central Valley Project.

“(n) PROJECT IMPLEMENTATION.—Projects to implement this title shall be phased such that each project shall follow the sequencing identified below and include at least the—

- “(1) project purpose and need;
- “(2) identification of mitigation measures;
- “(3) appropriate environmental review; and
- “(4) prior to releasing Restoration Flows under this part, the Secretary shall—

“(A) complete the implementation of mitigation measures required; and

“(B) complete implementation of the project.”

SEC. 205. DISPOSAL OF PROPERTY; TITLE TO FACILITIES.

Section 10005 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a), by striking “the Settlement authorized by this part” and inserting “this part”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary” and inserting “The Secretary”; and

(ii) by striking “the Settlement authorized by this part” and inserting “this part”; and

(B) by striking paragraph (2); and

(3) in subsection (c)—

(A) in paragraph (1), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2)—

(i) by striking “through the exercise of its eminent domain authority”; and

(ii) by striking “the Settlement” and inserting “this part”; and

(C) in paragraph (3), by striking “section 10009(c)” and inserting “section 10009”.

SEC. 206. COMPLIANCE WITH APPLICABLE LAW.

Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “unless otherwise provided by this part” before the period at the end; and

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(2) in subsection (b), by inserting “, unless otherwise provided by this part” before the period at the end;

(3) in subsection (c)—

(A) in paragraph (2), by striking “section 10004” and inserting “this part”; and

(B) in paragraph (3), by striking “the Settlement” and inserting “this part”; and

(4) in subsection (d)—

(A) by inserting “, including without limitation to sections 10004(d) and 10004(h)(4) of this part,” after “implementing this part”; and

(B) by striking “for implementation of the Settlement”.

SEC. 207. COMPLIANCE WITH CENTRAL VALLEY PROJECT IMPROVEMENT ACT.

Section 10007 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in the matter preceding paragraph (1),

(A) by striking “the Settlement” and inserting “enactment of this part”; and

(B) by inserting: “and the obligations of the Secretary and all other parties to protect and keep in good condition any fish that may be planted or exist below Friant Dam including any obligations under section 5937 of the California Fish and Game Code and the public trust doctrine, and those of the Secretary and all other parties under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)” before “, provided”; and

(2) in paragraph (1), by striking “, as provided in the Settlement”.

SEC. 208. NO PRIVATE RIGHT OF ACTION.

Section 10008(a) of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) by striking “not a party to the Settlement” after “person or entity”; and

(2) by striking “or the Settlement” before the period and inserting “unless otherwise provided by this part. Any Central Valley Project long-term water service or repayment contractor within the Friant Division, Hidden unit, or Buchanan Unit adversely affected by the Secretary’s failure to comply with section 10004(a)(3) of this part may bring an action against the Secretary for injunctive relief or damages, or both.”

SEC. 209. IMPLEMENTATION.

Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in the header by striking “; settlement fund”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “the Settlement” the first place it appears and inserting “this part”;

(ii) by striking “, estimated to total” and all that follows through “subsection (b)(1),”; and

(iii) by striking “provided however,” and all that follows through “\$110,000,000 of State funds”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “(A) IN GENERAL.—The Secretary” and inserting “The Secretary”;

(ii) by striking subparagraph (B); and

(C) in paragraph (3)—

(i) by striking “Except as provided in the Settlement, to” and inserting “To”; and

(ii) by striking “this Settlement” and inserting “this part”;

(3) in subsection (b)(1)—

(A) by striking “In addition” through “however, that the” and inserting “The”;

(B) by striking “such additional appropriations only in amounts equal to”; and

(C) by striking “or the Settlement” before the period;

(4) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “the Settlement” and inserting “this part”;

(ii) in subparagraph (C), by striking “from the sale of water pursuant to the Settlement, or”; and

(iii) in subparagraph (D), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2), by striking “the Settlement and” before “this part”; and

(5) by striking subsections (d) through (f).

SEC. 210. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

Section 10010 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(D), by striking “the Settlement and” before “this part”; and

(B) in paragraph (4)(C), by striking “the Settlement and” before “this part”;

(2) in subsection (c), by striking paragraph (3);

(3) in subsection (d)(1), by striking “the Settlement” in both places it appears and inserting “this part”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) by striking “Interim Flows or Restoration Flows, pursuant to paragraphs 13 or 15 of the Settlement” and inserting “Restoration Flows, pursuant to this part”;

(ii) by striking “Interim Flows or” before “Restoration Flows”; and

(iii) by striking “the Interim Flows or Restoration Flows or is intended to otherwise facilitate the Water Management Goal, as described in the Settlement” and inserting “Restoration Flows”; and

(B) in paragraph (2)—

(i) by striking “except as provided in paragraph 16(b) of the Settlement” after “Friant Division long-term contractor”; and

(ii) by striking “the Interim Flows or Restoration Flows or to facilitate the Water Management Goal” and inserting “Restoration Flows”.

SEC. 211. REPEAL.

Section 10011 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is repealed.

SEC. 212. WATER SUPPLY MITIGATION.

Section 10202(b) of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in paragraph (1), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”;

(2) in paragraph (2), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “meet the Restoration Goal as described in part I of this subtitle” and inserting “recover Restoration Flows as described in this part”;

(B) in subparagraph (C)—

(i) by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”; and

(ii) by striking “, and for ensuring appropriate adjustment in the recovered water account pursuant to section 10004(a)(5)”.

SEC. 213. ADDITIONAL AUTHORITIES.

Section 10203 of the San Joaquin River Restoration Settlement Act (Public Law 111-11) is amended—

(1) in subsection (b)—

(A) by striking “section 10004(a)(4)” and inserting “section 10004(a)(3)”; and

(B) by striking “, provided” and all that follows through “section 10009(f)(2)”; and

(2) by striking subsection (c).

TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS

SEC. 301. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

(a) CONVERSION OF CONTRACTS.—

(1) Not later than 1 year after enactment, the Secretary of the Interior, upon request of the contractor, shall convert all existing long-term Central Valley Project contracts entered under subsection (e) of section 9 of the Act of August 4, 1939 (53 Stat. 1196), to a contract under subsection (d) of section 9 of said Act (53 Stat. 1195), under mutually agreeable terms and conditions.

(2) Upon request of the contractor, the Secretary is further authorized to convert, not later than 1 year after enactment, any Central Valley Project long-term contract entered under subsection (c)(2) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to a contract under subsection (c)(1) of section 9 of said Act, under mutually agreeable terms and conditions.

(3) All contracts entered into pursuant to paragraph (1) shall—

(A) require the repayment, either in lump sum or by accelerated prepayment, of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Irrigation Capital Allocations by Contractor, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor, no later than January 31, 2013, or if made in approximately equal annual installments, no later than January 31, 2016; such amount to be discounted by the Treasury Rate. An estimate of the remaining amount of construction costs as of January 31, 2013, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days after enactment;

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the converted contract or not reflected in the schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversions under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law, provided that the reference to the amount of \$5,000,000 shall not be a precedent in any other context; and

(C) provide that power revenues will not be available to aid in repayment of construction costs allocated to irrigation under the contract.

(4) All contracts entered into pursuant to paragraph (2) shall—

(A) require the repayment in lump sum of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Municipal and Industrial Water Rates, as adjusted to reflect payments not reflected in such schedule, and properly assignable for ultimate return by the contractor, no later than January 31, 2016. An estimate of the remaining amount of construction costs as of January 31, 2016, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days after enactment; and

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the contract or not reflected in the schedule referenced in subparagraph (A), and properly assignable to such contractor, shall be repaid in not more than 5 years after notification of the allocation if such amount is a result of a collective annual allocation of capital costs to the contractors exercising contract conversions under this subsection of less than \$5,000,000. If such amount is \$5,000,000 or greater, such cost shall be repaid as provided by applicable reclamation law,

provided that the reference to the amount of \$5,000,000 shall not be a precedent in any other context.

(b) FINAL ADJUSTMENT.—The amounts paid pursuant to subsection (a) shall be subject to adjustment following a final cost allocation by the Secretary of the Interior upon completion of the construction of the Central Valley Project. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are greater than what has been paid by the contractor, the contractor shall be obligated to pay the remaining allocated costs. The term of such additional repayment contract shall be no less than 1 year and no more than 10 years, however, mutually agreeable provisions regarding the rate of repayment of such amount may be developed by the parties. In the event that the final cost allocation indicates that the costs properly assignable to the contractor are less than what the contractor has paid, the Secretary of the Interior is authorized and directed to credit such overpayment as an offset against any outstanding or future obligation of the contractor.

(c) APPLICABILITY OF CERTAIN PROVISIONS.—

(1) Notwithstanding any repayment obligation under subsection (a)(3)(B) or subsection (b), upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs as provided in subsection (a)(3)(A), the ownership and full-cost pricing limitations of any provision of Federal reclamation law shall not apply to lands in such district.

(2) Notwithstanding any repayment obligation under paragraph (3)(B) or paragraph (4)(B) of subsection (a), or subsection (b), upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs as provided in paragraphs (3)(A) and (4)(A) of subsection (a), such contractor shall continue to pay applicable operation and maintenance costs and other charges applicable to such repayment contracts pursuant to the then-current rate-setting policy and applicable law.

(d) CERTAIN REPAYMENT OBLIGATIONS NOT ALTERED.—Implementation of the provisions of this section shall not alter the repayment obligation of any other long-term water service or repayment contractor receiving water from the Central Valley Project, or shift any costs that would otherwise have been properly assignable to any contractors absent this section, including operations and maintenance costs, construction costs, or other capitalized costs incurred after the date of enactment of this Act, to other such contractors.

(e) STATUTORY INTERPRETATION.—Nothing in this part shall be construed to affect the right of any long-term contractor to use a particular type of financing to make the payments required in paragraph (3)(A) or paragraph (4)(A) of subsection (a).

(f) DEFINITION OF TREASURY RATE.—For purposes of this section, "Treasury Rate" shall be defined as the 20-year Constant Maturity Treasury rate published by the United States Department of the Treasury as of October 1, 2012.

TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS PRESERVATION AND PROTECTION

SEC. 401. WATER RIGHTS AND AREA-OF-ORIGIN PROTECTIONS.

Notwithstanding the provisions of this Act, Federal reclamation law, or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)—

(1) the Secretary of the Interior ("Secretary") is directed, in the operation of the Central Valley Project, to strictly adhere to State water rights law governing water

rights priorities by honoring water rights senior to those belonging to the Central Valley Project, regardless of the source of priority;

(2) the Secretary is directed, in the operation of the Central Valley Project, to strictly adhere to and honor water rights and other priorities that are obtained or exist pursuant to the provisions of California Water Code sections 10505, 10505.5, 11128, 11460, and 11463; and sections 12200 to 12220, inclusive; and

(3) any action that affects the diversion of water or involves the release of water from any Central Valley Project water storage facility taken by the Secretary or the Secretary of the Department of Commerce to conserve, enhance, recover, or otherwise protect any species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall be applied in a manner that is consistent with water right priorities established by State law.

SEC. 402. SACRAMENTO RIVER SETTLEMENT CONTRACTS.

In the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), in the Bay-Delta and on the Sacramento River, the Secretary and the Secretary of Commerce are directed to apply any limitations on the operation of the Central Valley Project or to formulate any "reasonable prudent alternative" associated with the operation of the Central Valley Project in a manner that strictly adheres to and applies the water rights priorities for "Project Water" and "Base Supply" provided for in the Sacramento River Settlement Contracts. Article 3(i) of the Sacramento River Settlement Contracts shall not be utilized by the United States as means to provide shortages to the Sacramento River Settlement Contracts that are different than those provided for in Article 5(a) of those contracts.

SEC. 403. SACRAMENTO RIVER WATERSHED WATER SERVICE CONTRACTORS.

(a) IN GENERAL.—Subject to subsection (b) and the absolute priority of the Sacramento River Settlement Contractors to Sacramento River supplies over Central Valley Project diversions and deliveries to other contractors, the Secretary is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(1) Not less than 100% of their contract quantities in a "Wet" year.

(2) Not less than 100% of their contract quantities in an "Above Normal" year.

(3) Not less than 100% of their contract quantities in a "Below Normal" year.

(4) Not less than 75% of their contract quantities in a "Dry" year.

(5) Not less than 50% of their contract quantities in a "Critically Dry" year.

(b) PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in subsection (a) shall be deemed to (i) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary, (ii) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies, (iii) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies, or (iv) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies. Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern or affect, directly or indirectly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or its facilities.

(c) DEFINITIONS.—In this section:
 (1) The term “existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed” means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.
 (2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40–30–30) Index.

SEC. 404. NO REDIRECTED ADVERSE IMPACTS.

The Secretary shall insure that there are no redirected adverse water supply or fiscal impacts to those within the Sacramento River or San Joaquin River watershed or to the State Water Project arising from the Secretary’s operation of the Central Valley Project to meet legal obligations imposed by or through any State or Federal agency, including, but not limited to those legal obligations emanating from the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or this Act, or actions or activities implemented to meet the twin goals of improving water supply or addressing environmental needs of the Bay Delta.

TITLE V—MISCELLANEOUS

SEC. 501. PRECEDENT.

Congress finds and declares that—
 (1) coordinated operations between the Central Valley Project and the State Water Project, previously requested and consented to by the State of California and the Federal Government, require assertion of Federal supremacy to protect existing water rights throughout the system; and
 (2) these circumstances are unique to California.

Therefore, nothing in this Act shall serve as precedent in any other State.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. GARAMENDI moved to recommend the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

After section 2, insert the following:

SEC. 3. PROTECTING THE CONSTITUTION AND STATES’ RIGHTS.

Consistent with the tenth amendment to the United States Constitution, nothing in this Act shall preempt or supersede State law, including State water law.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. GARDNER, announced that the yeas had it.

Mr. GARAMENDI demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 178
 negative } Nays 248

¶29.28 [Roll No. 90]
 AYES—178

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

NOES—248

- Adams
- Aderholt
- Akin
- Alexander
- Altmire
- Amash
- Amodei
- Austria
- Bachmann
- Bachus
- Barletta
- Bartlett
- Barton (TX)
- Bass (NH)
- Benishek
- Berg
- Biggert
- Bilbray
- Bilirakis
- Bishop (UT)
- Black
- Blackburn
- Bonner
- Bono Mack
- Boren
- Boustany
- Brady (TX)
- Brooks
- Broun (GA)
- Buchanan
- Bucshon
- Buerkle
- Burgess
- Burton (IN)
- Calvert
- Camp
- Campbell
- Canseco
- Capito
- Cardoza
- Carter
- Cassidy
- Chabot
- Chaffetz
- Coble
- Coffman (CO)
- Cole
- Conaway
- Costa
- Cravaack
- Crawford
- Crenshaw
- Culberson
- Davis (KY)
- Denham
- Dent
- DesJarlais
- Diaz-Balart
- Dold
- Dreier
- Duffy
- Duncan (SC)
- Duncan (TN)
- Ellmers
- Emerson
- Farenthold
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Flores
- Forbes
- Fortenberry
- Foxx
- Franks (AZ)
- Frelinghuysen
- Galegally
- Gardner
- Garrett
- Gerlach
- Gibbs
- Gibson
- Gingrey (GA)
- Gohmert
- Goodlatte
- Gosar
- Govdy
- Granger
- Graves (GA)

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

NOT VOTING—7

- Bass (CA)
- Cantor
- Lee (CA)
- Nadler
- Paul
- Payne
- Rangel

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GARDNER, announced that the yeas had it.

Mrs. NAPOLITANO demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 246
 affirmative } Nays 175
 Answered present 1

¶29.29 [Roll No. 91]
 AYES—246

- Adams
- Aderholt
- Akin
- Alexander
- Altmire
- Amodei
- Austria
- Baca
- Bachmann
- Bachus
- Barletta
- Bartlett
- Barton (TX)
- Bass (NH)
- Benishek
- Berg
- Biggert
- Bilbray
- Bilirakis
- Bishop (GA)
- Bishop (UT)
- Black
- Blackburn
- Bonner
- Bono Mack
- Boren
- Boustany
- Brady (TX)
- Brooks
- Broun (GA)
- Buchanan
- Bucshon
- Buerkle
- Burgess
- Burton (IN)
- Calvert
- Camp
- Campbell
- Canseco

Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp

Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landy
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)

Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (LL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore

Moran
Murphy (CT)
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader

Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. ISSA and Ms. NORTON, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

29.32 CONDEMNING THE GOVERNMENT OF IRAN

Mr. PITTS moved to suspend the rules and agree to the following resolution (H. Res. 556); as amended:

Whereas the United Nations Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights recognize that every individual has "the right to freedom of thought, conscience and religion", which includes the "freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance";

Whereas Iran is a member of the United Nations and signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that religious minorities, including Nematullahi Sufi Muslims, Sunnis, Baha'is, and Christians, face human rights violations in Iran;

Whereas in recent years, there has been a significant increase in the number of incidents of Iranian authorities raiding religious services, detaining worshippers and religious leaders, and harassing and threatening members of religious minorities;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that Iranian intelligence officials are known to threaten Christian converts with arrest and apostasy charges if they do not return to Islam;

Whereas the Department of State's most recent report on International Religious Freedom, released on September 13, 2011, states that Iran's "laws and policies severely restrict freedom of religion," and notes "government imprisonment, harassment, intimidation, and discrimination based on religious beliefs" including "death sentences for apostasy or evangelism";

Whereas in October 2009, Youcef Nadarkhani, an Iranian Christian, protested an Iranian law that would impose Islam on his Christian children;

Whereas in September 2010, an Iranian court accused Youcef Nadarkhani of abandoning the Islamic faith of his ancestors, and condemned him to death for apostasy;

Whereas the Iranian court sentenced Youcef Nadarkhani to death by hanging;

Whereas on December 5, 2010, Youcef Nadarkhani appealed his conviction and sentence to the Supreme Revolutionary Court in Qom, Iran, and the court held that if it

ANSWERED "PRESENT"—1

Shuler

NOT VOTING—11

Bass (CA)
Cantor
Lee (CA)
McIntyre

Meeks
Murphy (PA)
Nadler
Paul

Payne
Rangel
Whitfield

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

29.30 ST. CROIX RIVER CROSSING PROJECT

Mr. PETRI moved to suspend the rules and pass the bill of the Senate (S. 1134) to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. PETRI and Ms. MCCOLLUM, each for 20 minutes.

After debate,

The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-thirds of the Members present had voted in the affirmative.

Ms. MCCOLLUM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DESJARLAIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, March 1, 2012.

29.31 DISTRICT OF COLUMBIA HOME RULE

Mr. ISSA moved to suspend the rules and pass the bill (H.R. 3902) to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia; as amended.

NOES—175

Ackerman
Amash
Andrews
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Brale (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay

Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr

Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Critz
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Doyle
Honda
Hoyer
Inslee
Israel
Jackson (IL)

could be proven that he was a practicing Muslim in adulthood, his death sentence should be carried out unless he recants his Christian faith and adopts Islam;

Whereas from September 25 to September 28, 2011, an Iranian court held hearings to determine if Youcef Nadarkhani was a practicing Muslim in adulthood, and held that he had abandoned the faith of his ancestors and must be sentenced to death if he does not recant his faith;

Whereas on numerous occasions the judiciary of Iran offered to commute Youcef Nadarkhani's sentence if he would recant his faith;

Whereas numerous Government of Iran officials have attempted to coerce Youcef Nadarkhani to recant his Christian faith and accept Islam in exchange for his freedom;

Whereas Youcef Nadarkhani continues to refuse to recant his faith;

Whereas the Government of Iran continues to indefinitely imprison Youcef Nadarkhani for choosing to practice Christianity; and

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that, at the time of his report, on October 19, 2011, Iran had secretly executed 146 people during that calendar year, and in 2010, Iran secretly executed more than 300 people: Now, therefore, be it Resolved, That the House of Representatives—

(1) condemns the Government of Iran for its ongoing and systemic violations of the human rights of the Iranian people, including the state-sponsored persecution of religious minorities in Iran, and its continued failure to uphold its international obligations, including with respect to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

(2) calls for the Government of Iran to exonerate and immediately and unconditionally release Youcef Nadarkhani and all other individuals held or charged on account of their religious or political beliefs;

(3) calls on the Administration to designate additional Iranian officials, as appropriate, for human rights abuses pursuant to section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111 195); and

(4) reaffirms that freedom of religious belief and practice is a universal human right and a fundamental individual freedom that every government must protect and must never abridge.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. PITTS and Mr. HIGGINS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. PITTS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DESJARLAIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, March 1, 2012.

¶29.33 BOARD OF VISITORS TO THE UNITED STATES MILITARY ACADEMY

The SPEAKER pro tempore, Mr. DESJARLAIS, pursuant to 10 United

States Code 4355(a), clause 10 of rule 1, and the order of the House of January 5, 2011, announced that the Speaker appointed the following Members of the House to the Board of Visitors to the United States Military Academy: Mr. HINCHEY and Ms. Loretta SANCHEZ of California.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶29.34 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the speaker:

H.R. 347. An Act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

¶29.35 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. NADLER, for today.

And then,

¶29.36 ADJOURNMENT

On motion of Mr. GARDNER, pursuant to the previous order of the House, at 9 o'clock and 2 minutes p.m., the House adjourned until 9 a.m. on Thursday, March 1, 2012.

¶29.37 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CAMP (for himself, Mr. LEVIN, Mr. BRADY of Texas, Mr. McDERMOTT, Mr. HERGER, Mr. NUNES, Mr. DAVIS of Kentucky, Mr. REICHERT, Mr. Boustany, Mr. ROSKAM, Mr. GERLACH, Mr. BUCHANAN, Mr. SCHOCK, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr. REED, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Mr. SESSIONS, Ms. SLAUGHTER, Ms. BALDWIN, Mr. MICHAUD, Mr. HIGGINS, Mr. WALBERG, Mr. CRITZ, Mr. JOHNSON of Ohio, Mr. KELLY, Mr. MCKINLEY, Mr. RENACCI, Mr. RIBBLE, Mr. STIVERS, Mr. RICHMOND, Mr. DOGGETT, Mr. STARK, Mr. GENE GREEN of Texas, Mr. DONNELLY of Indiana, Mr. OWENS, Mr. CICILLINE, Mr. LIPINSKI, Mr. LOEBACK, Ms. BERKLEY, Ms. SCHWARTZ, Mr. LATOURETTE, Mr. DINGELL, Mr. CRAWFORD, Mr. CRAVAACK, Mr. ROE of Tennessee, Mr. CONYERS, Mr. PETERSON, Mr. MCCOTTER, Mr. GIBBS, Mr. TURNER of Ohio, Mrs. ELLMERS, Mr. HASTINGS of Florida, Mr. SCHILLING, Mr. JOHNSON of Georgia, Mr. HULTGREN, Mr. SHERMAN, Mr. COOPER, Mr. LONG, Mr. MCGOVERN, Mr. MCINTYRE, Mr. NEAL, Mr. CROWLEY, Mr. LARSON of Connecticut, Ms. SUTTON, Ms. SCHAKOWSKY, Mr. VIS-CLOSKY, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. DEFAZIO, Ms. NORTON, Mr. ALTMIRE, Mr. CLAY, Mr. DOYLE, Mr. HOLDEN, Ms. LINDA T. SANCHEZ of California, Mr. RUSH, Mr. ROSS of Arkansas, Ms. MOORE, Mr. PETERS, Ms. KAPTUR, Mr. MORAN, Mr. SHULER, Ms. BASS of California, Mr. KISSELL, Mr. CARSON of Indiana, Mr. MEEKS, Ms. DELAURO, Mr. TONKO, Mr. BRADY of

Pennsylvania, Mr. ELLISON, Mr. KILDEE, Mr. CLARKE of Michigan, Mr. YARMUTH, Mr. PALLONE, and Mr. RAHALL):

H.R. 4105. A bill to apply the counter-vailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, and Mr. SERRANO):

H.R. 4106. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN (for himself, Mr. CLEAVER, Ms. BORDALLO, Mr. AUSTRIA, Ms. NORTON, and Mr. LATTI):

H.R. 4107. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I; to the Committee on Financial Services.

By Ms. BERKLEY:

H.R. 4108. A bill to amend the Internal Revenue Code of 1986 to increase and extend the credit for qualifying advanced energy projects, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY:

H.R. 4109. A bill to designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a land exchange with the United Water Conservation District of California, and for other purposes; to the Committee on Natural Resources.

By Mr. McCAUL (for himself and Ms. ROS-LEHTINEN):

H.R. 4110. A bill to restrict assistance to Pakistan unless the Secretary of State certifies to Congress that the Government of Pakistan is not aiding, assisting, advising, or informing the Haqqani network in any capacity, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GENE GREEN of Texas:

H.R. 4111. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain State foster care program payments made to the biological parents of disabled children; to the Committee on Ways and Means.

By Mr. MARINO (for himself and Mr. MEEHAN):

H.R. 4112. A bill to allow screening entities to submit, receive, and screen criminal history record information for purposes of criminal history record information searches on private security officers under the Private Security Officer Employment Authorization Act of 2004; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE:

H.R. 4113. A bill to amend title II of the Elementary and Secondary Education Act of

1965 to help close the gaps in principal preparation and provide new principals with the support and tools they need to meet the complex challenges of school leadership; to the Committee on Education and the Workforce.

By Mr. RUNYAN:

H.R. 4114. A bill to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. STIVERS (for himself and Mr. WALZ of Minnesota):

H.R. 4115. A bill to amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans employment and training, that the State ensures that training received by a veteran while on active duty is taken into consideration in granting certain State certifications or licenses, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RIBBLE (for himself and Mr. RIGELL):

H.J. Res. 105. A joint resolution proposing an amendment to the Constitution of the United States limiting the number of times Senators and Representatives may be elected; to the Committee on the Judiciary.

By Mr. HOYER (for himself, Mr. CONNOLLY of Virginia, Ms. EDWARDS, Mr. MORAN, Ms. NORTON, Mr. VAN HOLLEN, and Mr. WOLF):

H. Con. Res. 106. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. AL GREEN of Texas (for himself, Mr. BUTTERFIELD, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Ms. BORDALLO, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. NORTON, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. MEEKS, Mr. RANGEL, Ms. RICHARDSON, Mr. RUSH, Ms. SEWELL, Mr. WATT, Ms. WILSON of Florida, Mr. CARNAHAN, Ms. BASS of California, Mr. RICHMOND, Mr. CLYBURN, Mr. COHEN, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. PAYNE, Ms. WATERS, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Mr. SCOTT of Virginia, Mr. CUELLAR, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Ms. MOORE, Mr. ELLISON, Mr. CARSON of Indiana, Ms. EDWARDS, Ms. FUDGE, and Mr. WEST):

H. Res. 567. A resolution recognizing the significance of Black History Month; to the Committee on Education and the Workforce.

129.38 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 115: Ms. CHU.
 H.R. 140: Mr. UPTON.
 H.R. 273: Mr. GOSAR, Mr. COURTNEY, and Mr. HINOJOSA.
 H.R. 303: Mr. ROONEY, Mr. SCHRADER, and Mr. TIERNEY.
 H.R. 324: Mr. ROTHMAN of New Jersey, Ms. SUTTON, Mr. SIRES, and Mr. HOLDEN.
 H.R. 327: Mr. ROTHMAN of New Jersey, Mr. HOLT, Mr. GENE GREEN of Texas, and Mr. COSTELLO.

H.R. 329: Mr. LARSON of Connecticut and Mr. SCHRADER.
 H.R. 370: Mr. HONDA.
 H.R. 396: Mr. THOMPSON of California.
 H.R. 452: Mr. GRAVES of Georgia.
 H.R. 458: Mrs. DAVIS of California and Mr. GARAMENDI.
 H.R. 511: Mr. POLIS.
 H.R. 555: Ms. ZOE LOFGREN of California.
 H.R. 576: Ms. BROWN of Florida.
 H.R. 664: Mr. DOGGETT.
 H.R. 692: Mr. LAMBORN.
 H.R. 719: Mr. CUELLAR and Mr. MCINTYRE.
 H.R. 745: Mrs. HARTZLER.
 H.R. 777: Ms. BONAMICI.
 H.R. 785: Mr. LANDRY.
 H.R. 807: Mr. CLARKE of Michigan.
 H.R. 860: Mr. MARINO, Mr. DESJARLAIS, Mr. REHBERG, Ms. CASTOR of Florida, and Mr. SCHIFF.
 H.R. 892: Mr. ELLISON.
 H.R. 964: Mrs. MALONEY.
 H.R. 1041: Mr. DAVID SCOTT of Georgia and Mr. FORBES.
 H.R. 1167: Mr. QUAYLE.
 H.R. 1172: Mr. PAYNE.
 H.R. 1175: Mr. SCHOCK.
 H.R. 1179: Mr. HURT, Mr. GIBSON, Mr. ISSA, Mr. DESJARLAIS, and Mr. SIMPSON.
 H.R. 1182: Mr. ROSS of Florida and Mr. QUAYLE.
 H.R. 1206: Mr. GRIFFITH of Virginia, Mr. BONNER, and Mrs. HARTZLER.
 H.R. 1259: Mr. AMODEI, Mr. HENSARLING, Ms. BUERKLE, and Mr. CRAVAACK.
 H.R. 1332: Mr. COSTA and Mr. HIMES.
 H.R. 1342: Mr. ROTHMAN of New Jersey.
 H.R. 1375: Mr. ANDREWS, Mr. DEFazio, Mr. FITZPATRICK, Mrs. CHRISTENSEN, and Ms. MATSUI.
 H.R. 1412: Mr. DOLD.
 H.R. 1418: Mr. MARCHANT.
 H.R. 1451: Ms. BONAMICI and Ms. DELAURO.
 H.R. 1498: Mr. HONDA and Ms. HAHN.
 H.R. 1505: Mr. COBLE.
 H.R. 1561: Mr. RANGEL and Ms. WOOLSEY.
 H.R. 1639: Mr. UPTON.
 H.R. 1738: Mr. GARAMENDI.
 H.R. 1756: Mr. BENISHEK.
 H.R. 1781: Mr. AL GREEN of Texas and Mr. COHEN.
 H.R. 1842: Mr. FILNER.
 H.R. 1919: Mr. CLAY.
 H.R. 1936: Ms. CASTOR of Florida.
 H.R. 1946: Mr. KISSELL.
 H.R. 2077: Mr. DUFFY, Mr. HECK, Mrs. BACHMANN, and Mr. BROWN of Georgia.
 H.R. 2104: Mr. BARTLETT, Mr. MCGOVERN, Mr. GARAMENDI, Mr. BLUMENAUER, Mr. RANGEL, Mr. MCKINLEY, Ms. SPEIER, and Mr. BERMAN.
 H.R. 2124: Mr. HARRIS.
 H.R. 2139: Mr. SARBANES and Ms. WILSON of Florida.
 H.R. 2145: Mr. MARCHANT and Mr. NUNNELEE.
 H.R. 2179: Mr. GRIFFITH of Virginia and Mrs. BLACK.
 H.R. 2182: Ms. MATSUI.
 H.R. 2187: Mr. FARR.
 H.R. 2242: Mr. KISSELL.
 H.R. 2245: Mr. CRITZ and Ms. RICHARDSON.
 H.R. 2268: Mr. PENCE.
 H.R. 2288: Mr. RUNYAN.
 H.R. 2299: Mr. GRIFFITH of Virginia.
 H.R. 2364: Mr. HIMES.
 H.R. 2381: Mr. PETRI.
 H.R. 2563: Mr. ROYCE.
 H.R. 2595: Mr. PAYNE.
 H.R. 2600: Ms. WOOLSEY.
 H.R. 2689: Ms. WATERS, Ms. KAPTUR, Ms. CHU, Mr. TOWNS, Ms. RICHARDSON, Ms. JACKSON LEE of Texas, Mr. CUMMINGS, Mrs. CHRISTENSEN, and Mr. PAYNE.
 H.R. 2697: Mr. BUCSHON, Ms. BONAMICI, Mr. HULTGREEN, and Mr. MARINO.
 H.R. 2698: Mr. REHBERG.
 H.R. 2718: Mr. WELCH.
 H.R. 2787: Mr. BARROW and Mr. CONNOLLY of Virginia.

H.R. 2941: Mr. KING of New York.
 H.R. 3001: Mr. VAN HOLLEN.
 H.R. 3015: Mr. BARROW and Mr. MCGOVERN.
 H.R. 3039: Mr. MURPHY of Connecticut.
 H.R. 3066: Mr. PALAZZO.
 H.R. 3130: Mr. SCHWEIKERT.
 H.R. 3132: Ms. ROYBAL-ALLARD.
 H.R. 3134: Mr. NADLER.
 H.R. 3143: Mr. DANIEL E. LUNGREN of California.
 H.R. 3145: Mr. LARSON of Connecticut.
 H.R. 3164: Ms. HAHN and Mr. SHERMAN.
 H.R. 3179: Mr. MARCHANT, Mr. YOUNG of Indiana, Ms. NORTON, and Mr. AUSTIN SCOTT of Georgia.
 H.R. 3187: Mr. PAYNE and Ms. HAYWORTH.
 H.R. 3192: Mr. CONNOLLY of Virginia.
 H.R. 3200: Mr. SARBANES, Ms. HANABUSA, and Mr. BARLETTA.
 H.R. 3252: Mr. WEST.
 H.R. 3264: Mrs. ADAMS, Mrs. BACHMANN, and Mr. FLEMING.
 H.R. 3269: Mr. FLEISCHMANN.
 H.R. 3307: Ms. BONAMICI.
 H.R. 3324: Ms. WASSERMAN SCHULTZ.
 H.R. 3368: Mr. CONYERS, Mr. PASTOR of Arizona, and Mr. GUTIERREZ.
 H.R. 3423: Mr. MICA, Mrs. BLACKBURN, Mr. HINCHBY, Mr. ENGEL, Mrs. MALONEY, and Mr. KISSELL.
 H.R. 3458: Mr. INSLEE.
 H.R. 3481: Mr. MURPHY of Pennsylvania.
 H.R. 3525: Mr. CLEAVER.
 H.R. 3541: Mr. WEST, Mr. STIVERS, Mr. OLSON, Mr. SCHWEIKERT, and Mr. GINGREY of Georgia.
 H.R. 3573: Mr. BRADY of Pennsylvania.
 H.R. 3591: Ms. BONAMICI.
 H.R. 3596: Mr. BOSWELL.
 H.R. 3634: Mrs. MYRICK.
 H.R. 3643: Mr. LANCE.
 H.R. 3646: Mr. ELLISON.
 H.R. 3710: Mr. RICHMOND, Mr. AL GREEN of Texas, Mr. DAVIS of Illinois, Ms. SEWELL, Mr. TOWNS, and Mr. THOMPSON of Mississippi.
 H.R. 3720: Mr. LAMBORN.
 H.R. 3728: Mr. BARTLETT and Mr. HARRIS.
 H.R. 3773: Mr. CUELLAR.
 H.R. 3783: Mrs. ADAMS, Mr. HARRIS, and Mr. MARINO.
 H.R. 3798: Mr. ROTHMAN of New Jersey, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. RANGEL, Mr. OLVER, Mr. WELCH, Mr. FITZPATRICK, Mr. SMITH of New Jersey, and Mr. GARY G. MILLER of California.
 H.R. 3803: Mr. LUCAS, Mr. FLAKE, Mr. KINZINGER of Illinois, Mr. COSTELLO, Mr. RYAN of Wisconsin, Mr. OLSON, and Mr. RIVERA.
 H.R. 3805: Mr. SCHWEIKERT.
 H.R. 3806: Mr. HARRIS.
 H.R. 3826: Ms. DELAURO and Mr. SIRES.
 H.R. 3842: Mr. NUNNELEE.
 H.R. 3847: Ms. SLAUGHTER.
 H.R. 3849: Mr. COLE, Mr. SULLIVAN, and Mr. JONES.
 H.R. 3855: Mr. HUNTER, Mr. FILNER, and Mr. PASCRELL.
 H.R. 3863: Mr. SENSENBRENNER.
 H.R. 3881: Ms. NORTON and Mr. MORAN.
 H.R. 3895: Mr. ROE of Tennessee.
 H.R. 3911: Mr. HOLDEN.
 H.R. 3981: Mr. AUSTIN SCOTT of Georgia.
 H.R. 3984: Mr. GUTIERREZ and Mr. NADLER.
 H.R. 3992: Mr. ACKERMAN.
 H.R. 4010: Mr. ENGEL, Mr. RICHMOND, Mr. CLARKE of Michigan, Ms. MOORE, Mr. HASTINGS of Florida, Mrs. MCCARTHY of New York, Mr. GRIJALVA, Mrs. LOWEY, Mr. KILDEE, and Mr. CARSON of Indiana.
 H.R. 4017: Mr. ROTHMAN of New Jersey.
 H.R. 4038: Mr. GUTIERREZ.
 H.R. 4040: Mr. ALEXANDER, Mr. BARROW, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BISHOP of Georgia, Mr. BOREN, Mr. BOUTSTANY, Mr. CALVERT, Mr. CAMPBELL, Mr. CANSECO, Mr. CARNEY, Mr. CARTER, Mr. CHANDLER, Mr. CLARKE of Michigan, Mr. CLYBURN, Mr. COOPER, Mr. COSTA, Mr. CRENSHAW,

Mr. CROWLEY, Mr. GALLEGLY, Mr. GOHMERT, Mr. KING of Iowa, Mr. KLINE, Mr. LEWIS of California, Mr. MACK, Mrs. MALONEY, Mr. MCKEON, Mr. MICA, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Mr. RAHALL, Mr. REHBERG, Mr. ROSS of Arkansas, Ms. ROYBAL-ALLARD, Mr. SCHRADER, Mr. SHULER, Mr. TOWNS, Mr. VAN HOLLEN, Mr. YOUNG of Florida, Mr. KUCINICH, and Mr. FALEMOVAEGA.

H.R. 4046: Mr. WALBERG, Mr. BARTON of Texas, and Mr. HUELSKAMP.

H.R. 4069: Mr. PITTS, Mr. BILBRAY, Mr. HUNTER, Mr. HERGER, Mr. FRANKS of Arizona, Mr. JONES, Mr. KINGSTON, Mr. WOLF, and Mr. WEST.

H.R. 4070: Mr. JONES and Mr. DENT.

H.R. 4087: Ms. ROS-LEHTINEN and Mr. MORAN.

H.R. 4089: Mr. DUNCAN of South Carolina.

H.R. 4095: Mr. ROGERS of Kentucky.

H.J. Res. 78: Mr. ENGEL.

H.J. Res. 88: Mr. ENGEL.

H.J. Res. 103: Mr. PALAZZO and Mr. ROKITA.

H.J. Res. 104: Mr. YODER.

H. Res. 25: Mr. PASCRELL.

H. Res. 271: Mr. BARTON of Texas and Mrs. HARTZLER.

H. Res. 341: Mrs. CAPPS, Mr. MCGOVERN, Mr. GRIJALVA, and Mr. DOYLE.

H. Res. 413: Ms. HOCHUL.

H. Res. 485: Mr. RANGEL, Mr. WOLF, and Mr. LIPINSKI.

H. Res. 526: Mr. RIVERA.

H. Res. 546: Mrs. MYRICK.

H. Res. 552: Ms. MCCOLLUM.

H. Res. 556: Mr. MARCHANT, Mr. AKIN, Mr. CAPUANO, Mr. WALBERG, Mr. DEUTCH, Mr. WOMACK, Mr. GARDNER, Mr. RIVERA, Mr. VAN HOLLEN, Mr. FILNER, Mrs. BLACK, Mr. GOODLATTE, Mr. NUNES, Mr. SCHOCK, Mr. GOSAR, Mr. TURNER of New York, Mr. WESTMORELAND, Ms. BUERKLE, Mr. WEBSTER, Mr. GRIF-FITH of Virginia, Mr. MEEHAN, Mr. ROSKAM, Mr. BRADY of Texas, Mrs. ADAMS, Mr. REHBERG, Mr. ROGERS of Alabama, Mr. RIGELL, Mr. TOWNS, Mr. HIGGINS, Mr. David SCOTT of Georgia, Mr. PASCRELL, Mr. SIRES, Mr. SCHWEIKERT, Mr. COSTA, Mr. LUETKEMEYER, Mr. ROTHMAN of New Jersey, Mr. SCALISE, Mr. CICILLINE, Mr. LIPINSKI, Mr. JOHNSON of Georgia, Mrs. LOWEY, Mr. HUNTER, Mr. KING of New York, Mr. MCCAUL, Mr. YOUNG of Florida, Ms. BASS of California, Mr. PETERS, Mr. COURTNEY, Mr. CONNOLLY of Virginia, Ms. KAPTUR, and Mr. ANDREWS.

¶29.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1912: Mr. ROYCE.

THURSDAY, MARCH 1, 2012 (30)

¶30.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. YODER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

March 1, 2012.

I hereby appoint the Honorable KEVIN YODER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶30.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. YODER, announced he had examined

and approved the Journal of the proceedings of Wednesday, February 29, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶30.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5146. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

5147. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of a violation of the Antideficiency Act; to the Committee on Appropriations.

5148. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8213] received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5149. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's 2010 Annual Report of the Securities Investor Protection Corporation; to the Committee on Financial Services.

5150. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Patent Compensation Board Regulations (RIN: 1990-AA33) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5151. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — DOE Patent Licensing Regulations (RIN: 1990-AA41) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5152. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Procedures for Placement and Monitoring of Work with the U.S. Department of Energy, Management Directive 11.7, DT-12-02 received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5153. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Poland (Transmittal No. 02-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5154. A letter from the Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for February 26, 2011 — August 25, 2011; to the Committee on Foreign Affairs.

5155. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction Program; to the Committee on Foreign Affairs.

5156. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the fourteenth quarterly report on the Afghanistan reconstruction, pursuant to Public Law 110-181, section 1229; to the Committee on Foreign Affairs.

5157. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Sunshine Act Report for 2011; to the Committee on Oversight and Government Reform.

5158. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the detailed boundary of Sturgeon Wild and Scenic River in Michigan, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

5159. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Change of Addresses for Regional Offices, Addition of One New Address, and Correction of Names of House and Senate Committees We Must Notify [Docket No.: FWS-R9-NWRS-2011-0108] (RIN: 1018-AU89) received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5160. A letter from the Acting Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations: Areas of the National Park System, Cape Cod National Seashore (RIN: 1024-AD88) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5161. A letter from the FWS Chief, Branch of Aquatic Invasive Species, Department of the Interior, transmitting the Department's final rule — Injurious Wildlife Species; Listing Three Python Species and One Anaconda Species as Injurious Reptiles [FWS-R9-FHC-2008-0015; FXFR1336090000N5-123-FF09F14000] received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5162. A letter from the Chief, Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Bald Eagles Nesting in Sonoran Desert Area of Central Arizona Removed from the List of Endangered and Threatened Wildlife [Docket ID: FWS-R2-ES-2011-0069] (RIN: 1018-AX08) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5163. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Issuance of Full Validity L Visas to Qualified Applicants received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5164. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the Tribal-State Road Maintenance Agreements for 2011, pursuant to Public Law 109-59, section 1119(k); to the Committee on Transportation and Infrastructure.

5165. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2012 [Notice 2012-19] received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶30.4 HISTORIC SELMA TO MONTGOMERY, ALABAMA, MARCHES

Mr. Daniel E. LUNGREN of California, pursuant to the order of the House of February 29, 2012, called up the following resolution (H. Res. 562):

Whereas in 1965, civil rights advocates participated in three marches from Selma to Montgomery, Alabama, marking a watershed moment of the civil rights movement;

Whereas the first march took place on March 7, 1965, during which 600 civil rights activists, led by now-Representative John Lewis and Reverend Hosea Williams, began a march to protest unfair voter registration practices and the shooting death of Jimmie

Lee Jackson during a voter registration drive;

Whereas marchers progressed only six blocks from the Brown Chapel A.M.E. Church to the Edmund Pettus Bridge, where many were tear-gassed and beaten;

Whereas two days later, on March 9, 1965, Reverend Martin Luther King, Jr., led a symbolic march of 2,000 people to the Edmund Pettus Bridge, all kneeling there to pray;

Whereas, on March 21, 1965, with protection from the Alabama National Guard, more than 3,000 people set out from Selma again led by Rev. King, marching an average of 12 miles a day along Route 80 and sleeping in farm fields;

Whereas that group grew to 25,000 participants by the time it reached Montgomery on March 25, 1965, where Rev. King delivered one of his most venerated speeches;

Whereas as a result of this historic three-week period, Congress passed the Voting Rights Act of 1965, five months after the third march, as a recognition of the right of all United States citizens to fully participate in the electoral process;

Whereas in 1996, Congress created the 54-mile long Selma-to-Montgomery National Historic Trail along the route of this third march, starting at the Brown Chapel A.M.E. Church in Selma, crossing the Edmund Pettus Bridge, and ending at the Alabama State Capitol in Montgomery;

Whereas beginning in 1998, Members of Congress have participated in an annual civil rights pilgrimage to the Selma-to-Montgomery National Historic Trail, to visit the historic sites, participate in fellowship, and recognize the achievements of the civil rights movement;

Whereas the Office of the Historian, first established in 1983, researches, preserves, and interprets the rich institutional history of the House of Representatives in order to share it with Members, staff, and the public, and serves as the institutional memory to inspire greater understanding of the House of Representatives' central role in United States history;

Whereas Members of the House of Representatives have included participants in the historic 1965 marches and in the annual pilgrimages thereafter; and

Whereas the collection of oral memories of march participants who have served in the House of Representatives, and will continue to serve in the House of Representatives, is essential to the preservation of the history of the institution: Now, therefore, be it

Resolved, That the House of Representatives directs the Office of the Historian to compile oral histories from current and former Members of the House of Representatives involved in the historic and annual Selma to Montgomery, Alabama, marches, as well as the civil rights movement in general, for the purposes of expanding or augmenting the historic record and for public dissemination and education.

When said resolution was considered. After debate,

Pursuant to the order of the House of February 29, 2012, the previous question was ordered on the resolution and the preamble.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BISHOP of Utah, announced that the yeas had it.

Mr. LEWIS of Georgia, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 418 Nays 0

¶30.5 [Roll No. 92] YEAS—418

- Ackerman, Adams, Aderholt, Akin, Alexander, Altmire, Amash, Amodei, Andrews, Austria, Baca, Bachmann, Bachus, Baldwin, Barletta, Barrow, Bartlett, Barton (TX), Bass (CA), Bass (NH), Becerra, Benishek, Berg, Berkeley, Berman, Biggert, Bilbray, Bilirakis, Bishop (GA), Bishop (NY), Bishop (UT), Black, Blackburn, Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Boustany, Brady (PA), Brady (TX), Braley (IA), Brooks, Brown (GA), Brown (FL), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Butterfield, Calvert, Camp, Canseco, Cantor, Capito, Capps, Capuano, Carnahan, Carney, Carson (IN), Carter, Cassidy, Castor (FL), Chabot, Chaffetz, Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Clyburn, Coble, Coffman (CO), Cohen, Cole, Conaway, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Culberson, Cummings, Davis (CA), Davis (IL), Davis (KY), DeFazio, DeGette, DeLauro, Denham, Dent, Dent, DesJarlais, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Dold, Johnson (GA), Johnson (IL), Johnson (OH), Johnson, E. B., Johnson, Sam, Jones, Jordan, Keating, Kelly, Kildee, Ellmers, Emerson, Engel, Eshoo, Farenthold, Farr, Fattah, Filner, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Portenberry, Foy, Frank (MA), Frelinghuysen, Fudge, Gallegly, Garamendi, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Gonzalez, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Al, Green, Gene, Griffin (AR), Griffith (VA), Grijalva, Grimm, Guinta, Guthrie, Gutierrez, Matsui, Hahn, Hall, Hanabusa, Hanna, Harper, Harris, Hartzler, Hastings (FL), Hastings (WA), Hayworth, Heck, Heinrich, Hensarling, Herger, Herrera Beutler, Higgs, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Honda, Hoyer, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Inslee, Israel, Issa, Jackson (IL), Jackson Lee, Dicks (TX), Jenkins, Johnson (GA), Johnson (IL), Johnson (OH), Johnson, E. B., Johnson, Sam, Jones, Jordan, Keating, Kelly, Kildee, Ellmers, Emerson, Engel, Eshoo, Farenthold, Farr, Fattah, Filner, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Portenberry, Foy, Frank (MA), Frelinghuysen, Fudge, Gallegly, Garamendi, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Gonzalez, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Al, Green, Gene, Griffin (AR), Griffith (VA), Grijalva, Grimm, Guinta, Guthrie, Gutierrez, Matsui, Hahn, Hall, Hanabusa, Hanna, Harper, Harris, Hartzler, Hastings (FL), Hastings (WA), Hayworth, Heck, Heinrich, Hensarling, Herger, Herrera Beutler, Higgs, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Moran, Mulvaney, Murphy (CT), Murphy (PA), Myrick, Napolitano, Neal, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Owens, Palazzo, Pallone, Pascrell, Pastor (AZ), Paulsen, Pearce, Pelosi, Pence, Perlmutter, Peters, Peterson, Petri, Pingree (ME), Pitts, Platts, Poe (TX), Polis, Pompeo, Posey, Price (GA), Price (NC), Quayle, Quigley, Rahall, Reed, Rehberg, Reichert, Renacci, Reyes, Ribble, Richardson, Richmond, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (AR), Ross (FL), Rothman (NJ), Roybal-Allard, Royce, Runyan, Ruppersberger, Rush, Ryan (OH), Ryan (WI), Sanchez, Loretta, Sarbanes, Scalise, Schakowsky, Schiff, Schilling, Schmidt, Schock, Schrader, Schwartz, Schweikert, Scott (SC), Scott (VA), Scott, Austin, Scott, David, Sensenbrenner, Serrano, Sessions, Sewell, Sherman, Shuler, Shuster, Simpson, Sires, Slaughter, Smith (NE), Smith (NJ), Smith (TX), Smith (WA), Southerland, Speier, Stark, Stearns, Stivers, Stutzman, Sullivan, Sutton, Terry, Thompson (CA), Thompson (MS), Thompson (PA), Thornberry, Tiberi, Tierney, Tipton, Tonko, Towns, Tsongas, Turner (NY), Turner (OH), Van Hollen, Velázquez, Visclosky, Walberg, Walden, Walsh (IL), Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Webster, Welch, West, Westmoreland, Whitfield, Wilson (FL), Wilson (SC), Wittman, Wolf, Womack, Woodall, Woolsey, Yarmuth, Yoder, Young (AK), Young (FL), Young (IN)

NOT VOTING—15

- Campbell, Cardoza, Cleaver, Franks (AZ), Goodlatte, Kaptur, McMorris, Rodgers, Meeks, Nadler, Olver, Paul, Payne, Rangel, Sánchez, Linda T., Shimkus

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶30.6 S. 1134—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1134) to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 339 Nays 80

¶30.7 [Roll No. 93] YEAS—339

- Adams, Aderholt, Alexander, Altmire, Amodei, Austria, Baca, Bachmann, Bachus, Baldwin, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Becerra, Benishek, Berg, Berkeley, Bilbray, Bilirakis, Bishop (GA), Bishop (UT), Black

Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger

Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hahn
Hall
Harper
Harris
Hartzer
Hastings (FL)
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hunter
Hurt
Insee
Issa
Jackson (IL)
Jackson Lee
Clay (TX)
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landy
Lankford
Larsen (WA)
Larsen (CT)
Latham
LaTourrette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowe
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger

Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolfe
Womack
Woodall
Yoder
Young (AK)
Young (IN)
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger

NAYS—80

NOT VOTING—14

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§30.8 H. RES. 556—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 556) condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy; as amended.

The question being put, Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 417 Nays 1

§30.9 [Roll No. 94]

YEAS—417

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishesk
Berg
Berkley
Berman
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon

Murphy (PA)
Napolitano
Pallone
Polis
Price (NC)
Quigley
Roybal-Allard
Sarbanes
Schiff
Schmidt
Serrano
Sherman
Simpson
Slaughter
Speier
Stark
Stutzman
Thompson (CA)
Velázquez
Wasserman
Schultz
Waters
Waxman
Welch
Woolsey
Yarmuth
Young (FL)
Nadler
Paul
Payne
Rangel
Shimkus

Schmidt	Stark	Walz (MN)
Schock	Stearns	Wasserman
Schrader	Stivers	Schultz
Schwartz	Stutzman	Waters
Schweikert	Sullivan	Watt
Scott (SC)	Sutton	Waxman
Scott (VA)	Terry	Webster
Scott, Austin	Thompson (CA)	Welch
Scott, David	Thompson (MS)	West
Sensenbrenner	Thompson (PA)	Westmoreland
Serrano	Thornberry	Whitfield
Sessions	Tiberi	Wilson (FL)
Sewell	Tierney	Wilson (SC)
Sherman	Tipton	Wittman
Shuler	Tonko	Wolf
Shuster	Towns	Womack
Simpson	Tsongas	Woodall
Sires	Turner (NY)	Woolsey
Slaughter	Turner (OH)	Yarmuth
Smith (NE)	Upton	Yoder
Smith (NJ)	Van Hollen	Young (AK)
Smith (TX)	Velázquez	Young (FL)
Smith (WA)	Visclosky	Young (IN)
Southerland	Walberg	
Speier	Walden	

NAYS—1

Capps
NOT VOTING—15

Campbell	McMorris	Payne
Cardoza	Rodgers	Rangel
Cleaver	Meeks	Shimkus
Goodlatte	Murphy (CT)	Walsh (IL)
Kaptur	Nadler	
Landry	Paul	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶30.10 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Monday, March 5, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶30.11 SOCIAL SECURITY ADVISORY BOARD

The SPEAKER pro tempore, Mr. DUNCAN of South Carolina, pursuant to section 703 of the Social Security Act (42 United States Code 903), the order of the House of January 5, 2011, and upon the recommendation of the Minority Leader, announced that the Speaker reappointed the following member on the part of the House to the Social Security Advisory Board for a term of six years: Ms. Barbara Kennelly, Hartford, Connecticut.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶30.12 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. SHIMKUS, for today; and
To Mr. NADLER, for today.
And then,

¶30.13 ADJOURNMENT

On motion of Mr. KING of Iowa, pursuant to the previous order of the House, at 1 o'clock and 50 minutes p.m., the House adjourned until noon on Monday, March 5, 2012.

¶30.14 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 3606. A bill to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, with an amendment. (Rept. 112-406). Referred to the Committee of the Whole House on the state of the Union.

¶30.15 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 901. Referral to the Committee on Energy and Commerce extended for a period ending not later than March 9, 2012.

H.R. 2309. Referral to the Committee on Rules extended for a period ending not later than March 30, 2012.

¶30.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LATHAM:

H.R. 4116. A bill to provide for regulatory accountability and for the revision of economically burdensome regulations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Rules, the Budget, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKEON:

H.R. 4117. A bill to prohibit the use of private security contractors and members of the Afghan Public Protection Force to provide security for members of the Armed Forces and military installations and facilities in Afghanistan, and for other purposes; to the Committee on Armed Services.

By Mr. CRITZ (for himself, Ms. VELÁZQUEZ, Mr. CICILLINE, and Ms. HAHN):

H.R. 4118. A bill to amend the Small Business Act to provide for increased small business participation in multiple award contracts, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYES (for himself, Mr. QUAYLE, Mr. DREIER, and Mr. THOMPSON of Mississippi):

H.R. 4119. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself, Mr. COURTNEY, Mr. FITZPATRICK, and Mr. PAYNE):

H.R. 4120. A bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screen-

ing tests, regardless of whether therapeutic intervention is required during the screening; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER (for himself, Ms. HAHN, Mr. CICILLINE, Ms. CHU, Ms. VELÁZQUEZ, Mr. PETERS, and Mr. RICHMOND):

H.R. 4121. A bill to provide for a program to provide Federal contracts to early stage small businesses, and for other purposes; to the Committee on Small Business.

By Mr. MCKEON (for himself, Ms. LORETTA SANCHEZ of California, Mr. FARR, and Mr. KUCINICH):

H.R. 4122. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Natural Resources.

By Mr. McDERMOTT (for himself, Mr. ACKERMAN, Mr. MCGOVERN, Mr. PASTOR of Arizona, Mr. STARK, Ms. SUTTON, Mr. TIERNEY, Mr. KIND, Ms. DELAURO, Mr. RANGEL, Ms. CHU, Mr. LEVIN, Mr. BRADY of Pennsylvania, Mr. LOEBSACK, Mr. VISLOSKEY, Mr. JACKSON of Illinois, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. NADLER, Mr. WALZ of Minnesota, Ms. SPEIER, Ms. MCCOLLUM, Mrs. MALONEY, Mr. CONYERS, Ms. NORTON, Mr. GUTIERREZ, Mr. HOLT, and Mr. LEWIS of Georgia):

H.R. 4123. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois (for himself, Mrs. CAPPS, Mr. BUTTERFIELD, Mr. TOWNS, Mr. HUNTER, Mr. HULTGREN, Mr. SCHILLING, and Mr. SCHOCK):

H.R. 4124. A bill to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Energy and Commerce.

By Mr. BROOKS (for himself, Mr. ROGERS of Alabama, Mr. JONES, Mr. TURNER of Ohio, and Mr. FRANKS of Arizona):

H.R. 4125. A bill to ensure the effectiveness of the missile defense system of the United States, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Ms. NORTON, Ms. MOORE, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ELLISON, and Ms. SCHAKOWSKY):

H.R. 4126. A bill to amend the National Voter Registration Act of 1993 to require each voter registration agency in a State which requires an individual to present a government-issued photo identification as a condition of voting in an election for Federal office to provide such an identification without charge upon request to any such individual who does not otherwise possess one, and for other purposes; to the Committee on House Administration.

By Mr. HECK (for himself, Mrs. ELLMERS, Mr. DESJARLAIS, Mr. AMODEI, Ms. BERKLEY, Mr. ROE of Tennessee, Mr. BENISHEK, Mr. PRICE of Georgia, and Mr. SESSIONS):

H.R. 4127. A bill to amend title XVIII of the Social Security Act to exempt certain requests by physicians for consultations by radiation oncologists from the limitation on certain physician referrals under Medicare; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. STUTZMAN, Mr. KINZINGER of Illinois, Mr. DENHAM, Mr. PALAZZO, Mr. ROONEY, Mr. QUAYLE, Mr. GUTHRIE, Mr. FRANKS of Arizona, Mr. GRIMM, Mr. ISSA, Mr. PITTS, Mrs. BACHMANN, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mr. MULVANEY, Mr. WALSH of Illinois, and Mr. BILBRAY):

H.R. 4128. A bill to recognize a primary measure of national unemployment for purposes of the Federal Government; to the Committee on Education and the Workforce.

By Mr. LANGEVIN (for himself and Mr. CICILLINE):

H.R. 4129. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council; to the Committee on Natural Resources.

By Mr. PAYNE (for himself and Mr. RANGEL):

H.R. 4130. A bill to award posthumously a Congressional Gold Medal to Althea Gibson, in recognition of her ground breaking achievements in athletics and her commitment to ending racial discrimination and prejudice within the world of athletics; to the Committee on Financial Services.

By Mr. PIERLUISI (for himself, Mr. RANGEL, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. SABLAN):

H.R. 4131. A bill to facilitate land acquisition for the consolidation of lands located within the boundaries of, or abutting the boundaries of, El Yunque National Forest in Puerto Rico, and to further the protection of the ecological integrity and biological diversity of the National Forest, and for other purposes; to the Committee on Natural Resources.

By Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. CHABOT, Mr. ACKERMAN, Mr. ROYCE, Mr. SHERMAN, Mr. SCOTT of South Carolina, Mr. HASTINGS of Florida, Mr. TURNER of New York, and Mr. DEUTCH):

H. Res. 568. A resolution expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability; to the Committee on Foreign Affairs.

By Mr. ELLISON:

H. Res. 569. A resolution recognizing the tenth anniversary of the tragic communal violence in Gujarat, India; to the Committee on Foreign Affairs.

¶30.17 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. DENHAM.
H.R. 361: Mr. GRIFFITH of Virginia.
H.R. 365: Mr. NUGENT.
H.R. 452: Mr. REYES and Mr. MACK.
H.R. 498: Mr. NUGENT.
H.R. 583: Mr. POLIS.
H.R. 719: Mr. HALL.

H.R. 749: Mrs. BLACK.

H.R. 890: Mr. ANDREWS, Ms. CHU, and Mr. PASCRELL.

H.R. 1065: Mr. LARSON of Connecticut.

H.R. 1206: Mr. HENSARLING and Mr. JONES.

H.R. 1236: Mrs. DAVIS of California, Mrs. BIGGERT, Mr. HULTGREN, Ms. BONAMICI, and Mr. PASTOR of Arizona.

H.R. 1265: Mr. CRENSHAW, Mr. HARRIS, Mr. BASS of New Hampshire, Mr. LEWIS of Georgia, Mr. DEUTCH and Mr. WEST.

H.R. 1283: Ms. CHU and Mr. RAHALL.

H.R. 1381: Mr. ROTHMAN of New Jersey.

H.R. 1397: Mr. HINOJOSA.

H.R. 1418: Ms. JACKSON LEE of Texas.

H.R. 1426: Mr. CHABOT.

H.R. 1479: Mr. PRICE of North Carolina.

H.R. 1546: Mr. PERLMUTTER.

H.R. 1648: Ms. BROWN of Florida and Mr. BUTTERFIELD.

H.R. 1695: Mr. HEINRICH.

H.R. 1699: Mr. SCHILLING.

H.R. 1741: Mr. COBLE.

H.R. 1744: Mr. COBLE.

H.R. 1755: Mr. MATHESON.

H.R. 1792: Mr. ALTMIRE.

H.R. 1897: Mr. REYES.

H.R. 1964: Mr. RIBBLE.

H.R. 2003: Mr. CICILLINE.

H.R. 2106: Mr. DANIEL E. LUNGREN of California, Mr. MARINO, Mr. PITTS, and Ms. BUERKLE.

H.R. 2188: Mr. KING of Iowa.

H.R. 2288: Mr. MCKINLEY.

H.R. 2557: Mr. MEEHAN and Mr. BOSWELL.

H.R. 2697: Mrs. MALONEY and Mr. WALDEN.

H.R. 2896: Mr. PASCRELL and Mr. GARRETT.

H.R. 2959: Mr. BERG.

H.R. 2960: Mr. HALL.

H.R. 3059: Mr. GARY G. MILLER of California.

H.R. 3067: Mr. YODER, Mr. POLIS, Ms. KAPTUR, Mr. STARK, Mr. SCHOCK, Mr. LARSON of Connecticut, Mr. RUSH, Ms. HOCHUL, Ms. MCCOLLUM, Mr. DUFFY, Mr. FARR, and Mrs. MALONEY.

H.R. 3086: Mr. COURTNEY and Mr. MATHESON.

H.R. 3091: Mr. PLATTS.

H.R. 3114: Mr. DOGGETT.

H.R. 3187: Ms. BORDALLO.

H.R. 3236: Mr. DAVID SCOTT of Georgia.

H.R. 3269: Mr. GRIFFITH of Virginia and Mr. DUNCAN of South Carolina.

H.R. 3283: Mr. HINOJOSA.

H.R. 3286: Mrs. DAVIS of California.

H.R. 3313: Ms. SCHAKOWSKY.

H.R. 3401: Mr. COBLE.

H.R. 3461: Mrs. MCCARTHY of New York, Ms. JACKSON LEE of Texas, Mr. LOEBSACK, and Ms. BUERKLE.

H.R. 3511: Mr. MATHESON.

H.R. 3515: Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Mr. CUMMINGS, Mr. TOWNS, Mr. CLAY, Ms. KAPTUR, Ms. WATERS, and Mr. PAYNE.

H.R. 3523: Mr. WITTMAN.

H.R. 3534: Mr. POLIS.

H.R. 3596: Ms. EDWARDS, Mr. LOEBSACK, and Mr. PITTS.

H.R. 3610: Mr. CLAY.

H.R. 3611: Mr. CLAY.

H.R. 3612: Mr. MORAN.

H.R. 3661: Mr. REICHERT and Mr. NUNES.

H.R. 3663: Mrs. MCMORRIS RODGERS.

H.R. 3676: Mr. LAMBORN.

H.R. 3710: Mr. GONZALEZ.

H.R. 3769: Mr. OWENS.

H.R. 3785: Mr. GRIFFITH of Virginia.

H.R. 3828: Mr. LAMBORN.

H.R. 3839: Ms. DEGETTE.

H.R. 3880: Mr. SHERMAN.

H.R. 3895: Mr. RUSH.

H.R. 3982: Mr. GIBBS.

H.R. 4010: Mr. PIERLUISI, Mr. CUELLAR, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Mr. SABLAN, and Mr. SIRES.

H.R. 4032: Mr. CONYERS, Ms. BROWN of Florida, Mr. VAN HOLLEN, Mr. FILNER, Mr. HONDA, and Ms. RICHARDSON.

H.R. 4060: Mr. FRANKS of Arizona, Mr. WALSH of Illinois, Mr. GOHMERT, Mr. ROSS of Florida, and Mr. GOWDY.

H.R. 4070: Ms. ROS-LEHTINEN and Mr. COBLE.

H.R. 4094: Mrs. ELLMERS.

H.R. 4105: Mr. MURPHY of Pennsylvania, Mr. LYNCH, Mr. PETRI, Mrs. BIGGERT, Mr. WOMACK, Mr. GRIFFIN of Arkansas, Mr. GEORGE MILLER of California, Mr. CARNAHAN, Ms. HOCHUL, and Mr. SMITH of Washington.

H.J. Res. 13: Mr. MICHAUD, Mr. BOUSTANY, Mr. DESJARLAIS, Mr. MICA, Mr. MARINO, Mr. SHIMKUS, Mr. BISHOP of Utah, Mr. JONES, Mr. WEST, Mr. BERG, Mr. ROTHMAN of New Jersey, Ms. ROS-LEHTINEN, and Mr. ROONEY.

H.J. Res. 90: Mr. ENGEL.

H. Con. Res. 87: Mr. RUNYAN and Mr. FORBES.

H. Con. Res. 101: Mr. FINCHER, Mr. GALLEGLY, Mr. ACKERMAN, Mr. GENE GREEN of Texas, Ms. LINDA T. SANCHEZ of California, Mr. PRICE of North Carolina, and Mr. SCHIFF.

H. Res. 134: Ms. BORDALLO.

H. Res. 298: Mr. DEUTCH.

H. Res. 506: Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. ROYCE, Mr. SCHIFF, Mr. ACKERMAN, Mr. DIAZ-BALART, Mr. RIVERA, Mr. SIRES, Mr. PALLONE, Mr. ROHRBACHER, Mr. MANZULLO, Ms. WILSON of Florida, Mr. SMITH of New Jersey, Mr. GALLEGLY, Mrs. ELLMERS, and Mr. CARTER.

H. Res. 526: Mr. ENGEL.

H. Res. 543: Mrs. MCCARTHY of New York.

H. Res. 559: Mrs. ELLMERS and Mr. WOLF.

H. Res. 564: Mr. CUMMINGS and Mr. NADLER.

MONDAY, MARCH 5, 2012 (31)

¶31.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

March 5, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHRNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶31.2 RECESS—12:09 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 9 minutes p.m., until 2 p.m.

¶31.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. DENHAM, called the House to order.

¶31.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced he had examined and approved the Journal of the proceedings of Thursday, March 1, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶31.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5166. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Establishment of User Fees for Filovirus Testing of Nonhuman Primate Liver Samples (RIN: 0920-AA47) [Docket No.: CDC-2012-0003] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5167. A letter from the Director, Bureau of Economic Affairs, Department of Commerce, transmitting the Department's final rule — International Services Surveys: Amendments to the BE-120, Benchmark Survey of Transactions in Selected Services and Intangible Assets With Foreign Persons [Docket No.: 11012021-1680-03] (RIN: 0691-AA76) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5168. A letter from the Assistant Director for Policy, Department of the Treasury, transmitting the Department's final rule — Cote d'Ivoire Sanctions Regulations; Darfur Sanctions Regulations; Democratic Republic of the Congo Sanctions Regulations received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5169. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Reinstatement of Coverage Pertaining to Final Payment Under Construction and Building Service Contracts [GSAR Amendment 2012-01; GSAR Case 2010-G509 (Change 53) Docket 2011-0009; Sequence 1] (RIN: 3090-AJ13) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5170. A letter from the Chief Operating Officer/President, Resolution Funding Corporation, transmitting the Corporation's Statement on the System of Internal Controls and the 2011 Audited Financial Statements; to the Committee on Oversight and Government Reform.

5171. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Texas Regulatory Program [SATS Nos. TX-061-FOR; TX-062-FOR; TX-063-FOR; Docket No. OSM-2011-0007] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5172. A letter from the Chief of Staff, National Indian Gaming Commission, transmitting the Commission's final rule — Review and Approval of Existing Ordinances or Resolutions; Repeal (RIN: 3141-AA45) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5173. A letter from the Comptroller, National Indian Gaming Commission, transmitting the Commission's final rule — Fees received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5174. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Atka Mackerel Total Allowable Catch Amount [Docket No.: 101126521-0640-02] (RIN: 0648-XA901) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5175. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alas-

ka; Final 2011 and 2012 Harvest Specifications for Groundfish [Docket No.: 111220788-1785-02] (RIN: 0648-XA855) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5176. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Generic Annual Catch Limits/Accountability Measures Amendment for the Gulf of Mexico [Docket No.: 100217097-1757-02] (RIN: 0648-AY22) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5177. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

5178. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's statement of actions with respect to the Government Accountability Office report entitled, "National Aeronautics and Space Administration: Acquisition Approach for Commercial Crew Transportation Includes Good Practices, but Faces Significant Challenges" (GAO-12-282), dated December 15, 2011; to the Committee on Science, Space, and Technology.

5179. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's statement of actions with respect to the Government Accountability Office (GAO) report entitled, "International Space Station: Approaches for Ensuring Utilization Through 2020 Are Reasonable But Should Be Revisited as NASA Gains More Knowledge of On-Orbit Performance" (GAO-12-162), dated December 15, 2011; to the Committee on Science, Space, and Technology.

5180. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Definition of a Taxpayer [TD 9576] (RIN: 1545-BF73) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶31.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. DENHAM, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 2, 2012 at 10:18 a.m.:

That the Senate agreed to S. Con. Res. 35.
That the Senate agreed to S. Con. Res. 36.
With best wishes, I am

Sincerely,
KAREN L. HAAS,
Clerk of the House.

¶31.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. DENHAM, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 2, 2012, at 11:23 a.m., and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to Zimbabwe.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶31.8 NATIONAL EMERGENCY WITH RESPECT TO ZIMBABWE

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2012.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

The United States welcomes the opportunity to modify the targeted sanctions regime when blocked persons demonstrate a clear commitment to respect the rule of law, democracy, and human rights. The United States has committed to continue its review of the targeted sanctions list for Zimbabwe to ensure it remains current and addresses the concerns for which it was created. We hope that events on the ground will allow us to take additional action to recognize progress in Zimbabwe in the future. The goal of a peaceful, democratic Zimbabwe remains foremost in our consideration of any action.

BARACK OBAMA.

THE WHITE HOUSE, *March 2, 2012.*
By unanimous consent, the message, together with the accompanying pa-

pers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-92).

¶31.9 RECESS—2:16 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 16 minutes p.m., until approximately 5 p.m.

¶31.10 AFTER RECESS—5 P.M.

The SPEAKER pro tempore, Mr. BROOKS, called the House to order.

¶31.11 ROY SCHALLERN ROOD POST OFFICE

Mr. FARENTHOLD moved to suspend the rules and pass the bill (H.R. 3637) to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the "Roy Schallern Rood Post Office Building".

The SPEAKER pro tempore, Mr. BROOKS, recognized Mr. FARENTHOLD and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BROOKS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FARENTHOLD demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BROOKS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶31.12 PRIVATE ISAAC T. CORTES POST OFFICE

Mr. FARENTHOLD moved to suspend the rules and pass the bill (H.R. 3413) to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

The SPEAKER pro tempore, Mr. BROOKS, recognized Mr. FARENTHOLD and Mr. CROWLEY, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BROOKS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶31.13 JAMES M. FITZGERALD COURTHOUSE

Mr. DENHAM moved to suspend the rules and pass the bill of the Senate (S. 1710) to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the "James M. Fitzgerald United States Courthouse".

The SPEAKER pro tempore, Mr. BROOKS, recognized Mr. DENHAM and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BROOKS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶31.14 RECESS—5:29 P.M.

The SPEAKER pro tempore, Mr. BROOKS, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 29 minutes p.m., until approximately 6:30 p.m.

¶31.15 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. DENHAM, called the House to order.

¶31.16 PROVIDING FOR CONSIDERATION OF H.R. 2842

Mr. BISHOP of Utah, by direction of the Committee on Rules, reported (Rept. No. 112-408) the resolution (H. Res. 570) providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶31.17 H.R. 3637—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3637) to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the "Roy Schallern Rood Post Office Building".

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 362
Nays 2

¶31.18 [Roll No. 95] YEAS—362

Ackerman	Dent	Kissell
Adams	DesJarlais	Kline
Aderholt	Diaz-Balart	Lamborn
Akin	Dingell	Lance
Alexander	Dold	Landry
Altmire	Dreier	Langevin
Amash	Duffy	Lankford
Amodei	Duncan (SC)	Larsen (WA)
Andrews	Duncan (TN)	Larson (CT)
Austria	Edwards	Latham
Baca	Ellison	LaTourette
Bachmann	Ellmers	Latta
Bachus	Emerson	Lee (CA)
Baldwin	Eshoo	Levin
Barletta	Farenthold	Lewis (CA)
Barrow	Farr	Lipinski
Bartlett	Fattah	LoBiondo
Barton (TX)	Filner	Loeb sack
Bass (CA)	Fincher	Loftgren, Zoe
Bass (NH)	Fitzpatrick	Long
Becerra	Flake	Lucas
Benishek	Fleming	Luetkemeyer
Berg	Flores	Lujan
Berkley	Fortenberry	Lummis
Berman	Fox	Lungren, Daniel
Biggert	Frank (MA)	E.
Bilbray	Frelinghuysen	Mack
Bilirakis	Gallegly	Maloney
Bishop (GA)	Garamendi	Marchant
Bishop (UT)	Gardner	Marino
Black	Garrett	Markey
Blackburn	Gerlach	Matheson
Blumenauer	Gibbs	Matsui
Bonamici	Gibson	McCarthy (CA)
Bono Mack	Gingrey (GA)	McCarthy (NY)
Boren	Gonzalez	McCaul
Boswell	Goodlatte	McClintock
Boustany	Gowdy	McCollum
Brady (PA)	Granger	McDermott
Brady (TX)	Graves (GA)	McGovern
Braley (IA)	Graves (MO)	McHenry
Brooks	Green, Al	McIntyre
Brown (GA)	Green, Gene	McKeon
Buchanan	Griffin (AR)	McKinley
Bucshon	Griffith (VA)	McMorris
Buerkle	Grimm	Rodgers
Burgess	Guinta	McNerney
Butterfield	Guthrie	Meehan
Calvert	Hahn	Meeks
Camp	Hall	Mica
Canseco	Hanabusa	Michaud
Cantor	Hanna	Miller (MI)
Capito	Harper	Miller (NC)
Capps	Harris	Miller, Gary
Capuano	Hartzler	Mulvaney
Carnahan	Hastings (FL)	Murphy (PA)
Carney	Hastings (WA)	Myrick
Carson (IN)	Hayworth	Napolitano
Carter	Heck	Neal
Cassidy	Heinrich	Neugebauer
Castor (FL)	Hensarling	Noem
Chabot	Herger	Nugent
Chaffetz	Herrera Beutler	Nunes
Chandler	Higgins	Nunnelee
Chu	Himes	Olson
Ciulline	Hinche	Olver
Clarke (MI)	Hochul	Owens
Clay	Holden	Palazzo
Cleaver	Holt	Pallone
Clyburn	Honda	Pascrell
Coble	Hoyer	Pastor (AZ)
Coffman (CO)	Huelskamp	Paulsen
Cohen	Huizenga (MI)	Pearce
Cole	Hultgren	Pelosi
Conaway	Hunter	Pence
Connolly (VA)	Hurt	Peters
Conyers	Israel	Peterson
Cooper	Issa	Petri
Costa	Jackson (IL)	Pitts
Costello	Jackson Lee	Platts
Courtney	(TX)	Poe (TX)
Crawford	Jenkins	Polis
Crenshaw	Johnson (OH)	Pompeo
Critz	Johnson, E. B.	Posey
Crowley	Johnson, Sam	Price (GA)
Cuellar	Jones	Price (NC)
Culberson	Keating	Quayle
Cummings	Kelly	Quigley
Davis (CA)	Kildee	Reed
Davis (KY)	Kind	Rehberg
DeFazio	King (IA)	Reichert
DeGette	King (NY)	Renacci
DeLauro	Kingston	Ribble
Denham	Kinzinger (IL)	Richardson

Rivera	Schweikert	Tiberi
Roby	Scott (SC)	Tierney
Roe (TN)	Scott (VA)	Tipton
Rogers (AL)	Scott, Austin	Tonko
Rogers (KY)	Scott, David	Turner (NY)
Rogers (MI)	Sensenbrenner	Upton
Rohrabacher	Serrano	Van Hollen
Rokita	Sessions	Walberg
Rooney	Sewell	Walden
Ros-Lehtinen	Shimkus	Walsh (IL)
Roskam	Shuler	Walz (MN)
Ross (FL)	Sires	Wasserman
Rothman (NJ)	Slaughter	Schultz
Roybal-Allard	Smith (NE)	Watt
Runyan	Smith (NJ)	Webster
Rush	Smith (TX)	Welch
Ryan (OH)	Smith (WA)	West
Ryan (WI)	Southerland	Whitfield
Sánchez, Linda	Stark	Wilson (FL)
T.	Stearns	Wilson (SC)
Sarbanes	Stivers	Wolf
Scalise	Stutzman	Womack
Schakowsky	Sullivan	Woodall
Schiff	Sutton	Terry
Schilling	Terry	Yarmuth
Schmidt	Thompson (CA)	Yoder
Schock	Thompson (MS)	Young (AK)
Schrader	Thompson (PA)	Young (IN)
Schwartz	Thornberry	

NAYS—2

Cravaack

Rigell

NOT VOTING—69

Bishop (NY)	Hirono	Rahall
Bonner	Inslee	Rangel
Brown (FL)	Johnson (GA)	Reyes
Burton (IN)	Johnson (IL)	Richmond
Campbell	Jordan	Ross (AR)
Cardoza	Kaptur	Royce
Clarke (NY)	Kucinich	Ruppersberger
Davis (IL)	Labrador	Sanchez, Loretta
Deutch	Lewis (GA)	Sherman
Dicks	Lowe	Shuster
Doggett	Lynch	Simpson
Donnelly (IN)	Manzullo	Speier
Doyle	McCotter	Towns
Engel	Miller (FL)	Tsongas
Fleischmann	Miller, George	Turner (OH)
Forbes	Moore	Velázquez
Franks (AZ)	Moran	Visclosky
Fudge	Murphy (CT)	Waters
Gohmert	Nadler	Waxman
Gosar	Paul	Westmoreland
Grijalva	Payne	Wittman
Gutierrez	Perlmutter	Woolsey
Hinojosa	Pingree (ME)	Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶31.19 JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

On motion of Mr. Daniel E. LUNGREN of California, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 35):

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this resolution referred to as the "joint committee") consisting of 3 Senators and 3 Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 21, 2013.

SEC. 2. SUPPORT OF THE JOINT COMMITTEE.

The joint committee—

(1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of those departments and agencies, in connection with the inaugural proceedings and ceremonies; and

(2) may accept gifts and donations of goods and services to carry out its responsibilities.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶31.20 CAPITOL ROTUNDA AND EMANCIPATION HALL

On motion of Mr. Daniel E. LUNGREN of California, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 36):

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL.

The rotunda and Emancipation Hall of the United States Capitol are authorized to be used on January 21, 2013, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶31.21 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1134. An Act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

¶31.22 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 1, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 347. An Act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

¶31.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BISHOP of New York, for today;

To Mr. DAVIS of Illinois, for today and March 8;

To Ms. MOORE, for today and March 6; and

To Mr. REYES, for today.

And then,

¶31.24 ADJOURNMENT

On motion of Mr. KING of Iowa, at 8 o'clock and 7 minutes p.m., the House adjourned.

¶31.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 940. A bill to establish standards for covered bond programs and a covered bond regulatory oversight program, and for other purposes; with an amendment (Rept. 112-407, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 570. Resolution providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes (Rept. 112-408). Referred to the House Calendar.

¶31.26 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than March 30, 2012.

¶31.27 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STEARNS (for himself and Mr. TOWNS):

H.R. 4132. A bill to amend section 506 of the Federal Food, Drug, and Cosmetic Act to expedite approval of drugs for serious or life-threatening diseases or conditions; to the Committee on Energy and Commerce.

By Mr. CANTOR (for himself, Mr. HOYER, Ms. ROS-LEHTINEN, and Mr. BERMAN):

H.R. 4133. A bill to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BLACK:

H.R. 4134. A bill to amend the Internal Revenue Code of 1986 to clarify that any person who, for a commercial purpose, makes available for consumer use a machine capable of producing tobacco products, is a manufacturer of tobacco products; to the Committee on Ways and Means.

By Mr. FLAKE:

H.R. 4135. A bill to permit United States companies to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARDNER (for himself, Mrs. BLACKBURN, Mr. BUCSHON, Mrs. McMORRIS RODGERS, Mr. JOHNSON of Ohio, Mr. CANSECO, Mr. TERRY, Mr. SULLIVAN, Mrs. MYRICK, Mr. COFFMAN of Colorado, and Mr. GRIFFITH of Virginia):

H.R. 4136. A bill to provide for the development of a plan to increase oil and gas pro-

duction under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in conjunction with a drawdown of petroleum reserves from the Strategic Petroleum Reserve; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas (for himself and Mr. NEAL):

H.R. 4137. A bill to make permanent the exclusion from gross income for employer-provided educational assistance; to the Committee on Ways and Means.

By Ms. LEE of California:

H.R. 4138. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DANIEL E. LUNGREN of California:

H.R. 4139. A bill to amend the Internal Revenue Code of 1986 to extend permanently the 100 percent exclusion of gain from the sale or exchange of qualified small business stock; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut:

H.R. 4140. A bill to amend title 38, United States Code, to eliminate the time limitation for use of eligibility and entitlement to educational assistance under the Montgomery GI Bill; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. BERMAN, Mr. MCGOVERN, Ms. WOOLSEY, Mr. COHEN, and Ms. BASS of California):

H.R. 4141. A bill to direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUNYAN:

H.R. 4142. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans; to the Committee on Veterans' Affairs.

By Mr. TIBERI (for himself and Mr. PASCRELL):

H.R. 4143. A bill to amend the Internal Revenue Code of 1986 to extend the period during which transfers of excess pension assets may be made to retiree health accounts and to provide for the transfer of such assets to retiree group term life insurance accounts; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

31.28 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mrs. MALONEY.
 H.R. 85: Mr. CLARKE of Michigan.
 H.R. 178: Ms. BONAMICI.
 H.R. 303: Mr. JOHNSON of Ohio and Mr. CARNAHAN.
 H.R. 409: Mr. LATHAM, Mr. PIERLUISI, Mr. SCHRADER, and Mr. TERRY.
 H.R. 436: Mr. GALLEGLY.
 H.R. 451: Mr. KISSELL.
 H.R. 452: Mr. ROSS of Arkansas, Mr. CRENSHAW, and Mr. CARNAHAN.
 H.R. 512: Mr. HINOJOSA.
 H.R. 546: Mr. SCHILLING.
 H.R. 605: Mr. MARINO and Mr. SCHWEIKERT.
 H.R. 664: Mr. LATHAM.
 H.R. 708: Mr. YODER.
 H.R. 733: Mr. BROUN of Georgia.
 H.R. 750: Mr. QUAYLE.
 H.R. 854: Mr. KIND.
 H.R. 860: Mr. BOREN.
 H.R. 890: Mr. MCCAUL, Mr. FATTAH, and Mr. FALLOMAVAEGA.
 H.R. 931: Mr. FARENTHOLD and Mr. HALL.
 H.R. 972: Mr. JONES.
 H.R. 978: Mr. FORTENBERRY.
 H.R. 979: Ms. WOOLSEY, Mr. FILNER, and Mr. JONES.
 H.R. 998: Ms. VELÁZQUEZ.
 H.R. 1057: Mr. HINOJOSA.
 H.R. 1093: Mr. MANZULLO.
 H.R. 1106: Mr. HINOJOSA.
 H.R. 1164: Mr. FRANKS of Arizona.
 H.R. 1332: Mr. HOLT and Mr. RUSH.
 H.R. 1370: Mr. QUAYLE.
 H.R. 1397: Ms. VELÁZQUEZ.
 H.R. 1404: Mr. OWENS.
 H.R. 1483: Ms. LEE of California.
 H.R. 1488: Mr. FATTAH.
 H.R. 1521: Mr. CONYERS, Mr. CUMMINGS, Ms. JACKSON LEE of Texas, Mr. PAYNE, Mr. RANGEL, Mr. WATT, and Mr. SCOTT of Virginia.
 H.R. 1547: Mr. ALTMIRE.
 H.R. 1549: Mr. TIBERI, Mr. HANNA, Mr. STIVERS, and Mrs. BLACKBURN.
 H.R. 1558: Mr. MANZULLO.
 H.R. 1561: Mrs. NAPOLITANO and Mr. CLEAVER.
 H.R. 1581: Mr. LATTI.
 H.R. 1639: Mr. MCINTYRE.
 H.R. 1653: Mr. FRELINGHUYSEN and Mr. JORDAN.
 H.R. 1681: Mr. HINOJOSA.
 H.R. 1687: Mr. SHERMAN.
 H.R. 1700: Mrs. BLACK and Mr. CHABOT.
 H.R. 1744: Mr. SIMPSON and Mr. SESSIONS.
 H.R. 1755: Mr. WELCH.
 H.R. 1789: Mr. GENE GREEN of Texas, Mr. QUIGLEY, and Mr. GUTIERREZ.
 H.R. 1811: Mr. RAHALL.
 H.R. 1842: Mr. PAYNE.
 H.R. 1873: Mr. HINOJOSA.
 H.R. 1878: Mr. ROTHMAN of New Jersey.
 H.R. 1880: Mr. SMITH of Washington.
 H.R. 1895: Mr. CARNAHAN.
 H.R. 1909: Mr. BARTLETT.
 H.R. 1997: Mr. MANZULLO.
 H.R. 2020: Mr. PIERLUISI.
 H.R. 2069: Mr. CARNAHAN.
 H.R. 2071: Mr. STARK.
 H.R. 2077: Mr. GRAVES of Georgia, Mr. CHABOT, Mr. WALBERG, and Mr. HENSARLING.
 H.R. 2088: Mr. FATTAH, Mr. ACKERMAN, Mr. DOYLE, Mrs. MALONEY, Ms. BONAMICI, Mr. COURTNEY, Mr. ELLISON, Mr. FILNER, and Mr. GRIJALVA.
 H.R. 2179: Mrs. ELLMERS and Mr. WILSON of South Carolina.
 H.R. 2182: Mr. LATHAM.
 H.R. 2206: Mr. ROSS of Florida.
 H.R. 2288: Ms. DELLAURO.
 H.R. 2325: Mr. TONKO.
 H.R. 2505: Mr. BRADY of Texas and Mr. ROGERS of Alabama.

H.R. 2529: Mr. BARROW.
 H.R. 2569: Mr. DAVID SCOTT of Georgia.
 H.R. 2834: Mr. WESTMORELAND and Mr. MANZULLO.
 H.R. 2866: Mr. BROUN of Georgia.
 H.R. 2896: Mr. LOBIONDO and Mr. SMITH of New Jersey.
 H.R. 2906: Mr. HINOJOSA.
 H.R. 2950: Mr. HONDA.
 H.R. 2952: Mr. GUTHRIE.
 H.R. 3036: Mr. CLAY.
 H.R. 3059: Mr. HURT and Mr. SCOTT of South Carolina.
 H.R. 3142: Mr. MILLER of Florida.
 H.R. 3187: Mr. SESSIONS.
 H.R. 3216: Mr. SCHRADER and Mr. KISSELL.
 H.R. 3251: Mr. CARNAHAN.
 H.R. 3307: Mr. FILNER, Mrs. MCCARTHY of New York, Mr. KIND, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHEY, and Mr. RANGEL.
 H.R. 3315: Mr. HONDA.
 H.R. 3381: Mr. ROGERS of Michigan.
 H.R. 3389: Mr. CLAY.
 H.R. 3393: Mr. BUCHANAN.
 H.R. 3399: Mr. SHULER.
 H.R. 3405: Mr. CONNOLLY of Virginia.
 H.R. 3409: Mr. GOSAR.
 H.R. 3417: Mr. BARLETTA.
 H.R. 3496: Mr. PASCRELL.
 H.R. 3506: Mr. ALTMIRE and Mr. MICHAUD.
 H.R. 3523: Mr. HULTGREN, Mrs. BLACKBURN, Mr. HASTINGS of Florida, and Mr. HURT.
 H.R. 3528: Mr. BLUMENAUER, Ms. WILSON of Florida, and Ms. RICHARDSON.
 H.R. 3542: Ms. NORTON and Ms. BROWN of Florida.
 H.R. 3572: Mr. CHABOT and Mr. OLVER.
 H.R. 3608: Mr. GRAVES of Missouri.
 H.R. 3612: Mr. LOBIONDO and Mr. BARLETTA.
 H.R. 3625: Mr. LEVIN.
 H.R. 3627: Mr. LUETKEMEYER, Ms. ESHOO, Mr. GENE GREEN of Texas, and Mr. LUJÁN.
 H.R. 3643: Mr. SULLIVAN.
 H.R. 3676: Mr. QUAYLE.
 H.R. 3704: Mr. ROTHMAN of New Jersey.
 H.R. 3720: Mr. STEARNS.
 H.R. 3767: Mr. PLATTS, Mr. RUNYAN, and Mr. AUSTRIA.
 H.R. 3806: Mr. PAUL.
 H.R. 3814: Mr. MANZULLO.
 H.R. 3842: Mr. BUCSHON.
 H.R. 3849: Mr. DOLD.
 H.R. 3850: Mr. WEST and Mr. HANNA.
 H.R. 3851: Mr. WEST and Mr. HANNA.
 H.R. 3855: Ms. NORTON and Mr. JOHNSON of Ohio.
 H.R. 3856: Mr. POSEY.
 H.R. 3893: Mr. WEST.
 H.R. 3895: Mr. FLEISCHMANN and Mr. FORBES.
 H.R. 3900: Ms. BERKLEY.
 H.R. 3911: Mr. FITZPATRICK.
 H.R. 3974: Ms. CHU and Ms. SPEIER.
 H.R. 3980: Mr. WEST and Mr. HANNA.
 H.R. 3981: Mr. BUCHANAN, Mr. NUNNELEE, and Mr. WESTMORELAND.
 H.R. 3991: Mr. NUNNELEE and Mr. GINGREY of Georgia.
 H.R. 4010: Mr. LIPINSKI, Mr. INSLEE, Ms. BROWN of Florida, Mr. HIMES, Mr. CARDOZA, and Ms. WILSON of Florida.
 H.R. 4023: Mr. HANNA.
 H.R. 4030: Mr. JOHNSON of Illinois.
 H.R. 4038: Mr. PETERS and Mr. KUCINICH.
 H.R. 4040: Mr. ANDREWS, Mr. BARLETTA, Mr. BERMAN, Mrs. BLACK, Mr. BRADY of Texas, Mr. BRADY of Pennsylvania, Mr. BURTON of Indiana, Mr. CARDOZA, Mr. CARSON of Indiana, Mr. COBLE, Mr. COHEN, Mr. CONYERS, Mr. CRAVAACK, Mr. DAVIS of Illinois, Mr. CRITZ, Mr. DAVIS of Kentucky, Mr. DENHAM, Mr. DENT, Mr. DIAZ-BALART, Mr. DONNELLY of Indiana, Mr. DOYLE, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FARR, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FORTENBERRY, Mr. FRANK of Massachusetts, Mr. FRANKS of Arizona, Mr. GERLACH, Mr. GONZALEZ, Mr. HECK, Mr. HOLDEN, Mr. HOYER, Mr. ISRAEL, Mr.

ISSA, Mr. JACKSON of Illinois, Mr. JORDAN, Mr. KELLY, Mr. KISSELL, Mr. LAMBORN, Mr. LARSON of Connecticut, Mr. LOBIONDO, Mr. LUCAS, Mr. DANIEL E. LUNGREN of California, Mr. MARKEY, Ms. MATSUI, Mrs. McMORRIS RODGERS, Mr. MILLER of Florida, Mr. MURPHY of Pennsylvania, Mr. NEAL, Mr. NUNES, Mr. OLSON, Mr. PASCRELL, Mr. PEARCE, Mr. PRICE of Georgia, Mr. ROHRBACHER, Mr. ROSKAM, Mr. ROTHMAN of New Jersey, Mr. RUNYAN, Mr. RYAN of Ohio, Mrs. SCHMIDT, Mr. SCOTT of South Carolina, Mr. SESSIONS, Mr. SHUSTER, Mr. THOMPSON of Mississippi, Mr. TURNER of Ohio, Ms. WATERS, Mr. WEST, Mr. WILSON of South Carolina, Mr. YODER, and Mr. YOUNG of Indiana.

- H.R. 4046: Mr. FORBES.
- H.R. 4070: Mr. BRALEY of Iowa.
- H.R. 4078: Mr. FORBES and Mr. SCHWEIKERT.
- H.R. 4080: Ms. LEE of California.
- H.R. 4081: Mr. HANNA.
- H.R. 4082: Mr. ANDREWS.
- H.R. 4083: Mr. GENE GREEN of Texas.
- H.R. 4089: Mr. TIPTON, Mr. ALTMIRE, Mr. MANZULLO, and Mr. FARENTHOLD.
- H.R. 4105: Mr. BARLETTA, Ms. SEWELL, Mr. BROOKS, Mr. BONNER, Mr. NUGENT, Mr. MEEHAN, Mr. ROHRBACHER, Mr. FITZPATRICK, Mr. KINZINGER of Illinois, Mr. LANDRY, Mr. MURPHY of Connecticut, Mr. DANIEL E. LUNGREN of California, Mr. TIERNEY, Mr. FORTENBERRY, Mr. LUETKEMEYER, and Mrs. BONO MACK.
- H.R. 4118: Ms. CHU, Mr. RICHMOND, Mr. PETERS, and Ms. CLARKE of New York.
- H.R. 4124: Ms. CHU, Mr. WEST, Ms. SPEIER, Ms. RICHARDSON, and Mr. SMITH of Washington.
- H.R. 4128: Mr. HULTGREN and Mrs. ELLMERS.
- H.R. 4131: Mr. SERRANO.
- H.J. Res. 86: Mr. MURPHY of Connecticut.
- H.J. Res. 103: Mr. GRAVES of Missouri.
- H. Con. Res. 87: Ms. RICHARDSON, Mr. COFFMAN of Colorado, and Mr. BACA.
- H. Res. 111: Mr. HIMES, Mr. AKIN, Mr. BLBRAY, and Mr. ROHRBACHER.
- H. Res. 130: Mr. HINOJOSA.
- H. Res. 177: Mr. SIRES.
- H. Res. 271: Mr. SESSIONS and Mr. SOUTHERLAND.
- H. Res. 282: Mr. STARK.
- H. Res. 351: Mrs. CHRISTENSEN.
- H. Res. 454: Ms. HIRONO.
- H. Res. 460: Mr. CICILLINE, Mr. CLAY, Mr. HIMES, Mr. PAYNE, Mr. KIND, and Mr. SCOTT of Virginia.
- H. Res. 484: Mr. FILNER, Mrs. DAVIS of California, and Mr. MCGOVERN.
- H. Res. 490: Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. CONAWAY, Mr. GARDNER, and Mr. OLSON.
- H. Res. 506: Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. JACKSON of Illinois, Mr. FRANKS of Arizona, Mr. CAPUANO, and Mr. BERMAN.
- H. Res. 526: Mr. SIRES and Mr. LAMBORN.
- H. Res. 555: Mr. PALLONE.
- H. Res. 568: Mr. DOLD.

TUESDAY, MARCH 6, 2012 (32)

32.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Ms. JENKINS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 6, 2012.

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

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members

were recognized for morning-hour debate.

32.2 RECESS—11:01 A.M.

The SPEAKER pro tempore, Ms. JENKINS, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 1 minute a.m., until noon.

32.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

32.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, March 5, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

32.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5181. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Captain Hugh D. Wetherald, United States Navy, to wear the authorized insignia of the grade of rear admiral (lower half); to the Committee on Armed Services.

5182. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Cedric T. Wins, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

5183. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Exceptions or Alternatives to Labeling Requirements for Products Held by the Strategic National Stockpile [Docket No.: FDA-2006-N-0364] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5184. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act [CMS-9992-F] (RIN: 0938-AQ74) received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5185. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on the System of Internal Controls and the 2011 Audited Financial Statements; to the Committee on Oversight and Government Reform.

5186. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (Operations) Limited Airplanes [Docket No.: FAA-2011-0908; Directorate Identifier 2010-NM-251-AD; Amendment 39-16870; AD 2011-24-06] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5187. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a statement of actions with respect to the GAO report entitled: "NASA: Key Controls NASA Employs to Guide Use and Management of Funded Space Act Agreements are Generally Sufficient but Some Could Be Strengthened and Clarified"; to the Committee on Science, Space, and Technology.

5188. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, Engagement in Additional Work Activities and Expenditures for Other Benefits and Services, April-June 2011: A Temporary Assistance for Needy Families (TANF) Report to Congress; to the Committee on Ways and Means.

5189. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application of Section 267 to Section 304 Transactions [Notice 2012-15] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5190. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Physical Inspection Pilot Program [Notice 2012-18] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5191. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Department's final rule — Section 51 — Work Opportunity Tax Credit; Section 52 — Special Rules; Section 311(e) — Credit for Employment of Qualified Veterans [Notice 2012-13] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5192. A letter from the Inspector General, Department of Health and Human Services, transmitting Community Living Assistance Services and Supports Program: 2011 Report to Congress; jointly to the Committees on Energy and Commerce and Ways and Means.

5193. A letter from the Special Inspector General For Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) January 2012 Quarterly Report and Semiannual Report; jointly to the Committees on Foreign Affairs and Appropriations.

5194. A letter from the Assistant Attorney General, Department of Justice, transmitting fourth quarterly report of FY 2011 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

5195. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Report to Congress: Under the Temporary Payroll Tax Cut Continuation Act of 2011 Section 501(b)(2) Concerning the Presidential Permit Application of the Proposed Keystone XL Pipeline; jointly to the Committees on Transportation and Infrastructure, Foreign Affairs, Energy and Commerce, and Natural Resources.

32.6 COUNTERVAILING DUTY PROVISIONS

Mr. CAMP moved to suspend the rules and pass the bill (H.R. 4105) to apply the countervailing duty provisions of the Tariff Act of 1930 to non-market economy countries, and for other purposes.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. CAMP and Mr. LEVIN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶32.7 PROVIDING FOR CONSIDERATION OF H.R. 2842

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 570):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except: (1) those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII dated at least one day before the day of consideration of the amendment; and (2) pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

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

When said resolution was considered. After debate,

Mr. BISHOP of Utah, moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*, Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to

clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶32.8 H.R. 4105—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4105) to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 370 Nays 39

¶32.9 [Roll No. 96]

YEAS—370

Ackerman	Cohen	Guthrie
Adams	Cole	Gutierrez
Aderholt	Conaway	Hahn
Akin	Connolly (VA)	Hanabusa
Alexander	Conyers	Hanna
Altmire	Cooper	Harper
Amodei	Costa	Hartzler
Andrews	Costello	Hastings (FL)
Austria	Courtney	Hastings (WA)
Baca	Cravaack	Hayworth
Bachus	Crawford	Heck
Baldwin	Crenshaw	Heinrich
Barletta	Critz	Herger
Barrow	Crowley	Herrera Beutler
Bartlett	Cuellar	Higgins
Barton (TX)	Culberson	Himes
Bass (CA)	Cummings	Hinchee
Bass (NH)	Davis (CA)	Hirono
Becerra	Davis (KY)	Hochul
Benishek	DeFazio	Holden
Berg	DeGette	Holt
Berkley	DeLauro	Honda
Berman	Denham	Hoyer
Biggart	Dent	Huizenga (MI)
Bilbray	DesJarlais	Hultgren
Bilirakis	Deutch	Hunter
Bishop (GA)	Diaz-Balart	Hurt
Black	Dicks	Inslee
Blackburn	Dingell	Israel
Blumenauer	Dold	Issa
Bonamici	Donnelly (IN)	Jackson (IL)
Bonner	Doyle	Jackson Lee
Bono Mack	Dreier	(TX)
Boren	Duffy	Jenkins
Boswell	Duncan (TN)	Johnson (GA)
Boustany	Edwards	Johnson (IL)
Brady (PA)	Ellison	Johnson (OH)
Brady (TX)	Ellmers	Johnson, E. B.
Braley (IA)	Emerson	Johnson, Sam
Brooks	Engel	Jones
Brown (FL)	Eshoo	Keating
Buchanan	Farenthold	Kelly
Bucshon	Farr	Kildee
Buerkle	Filner	Kind
Burton (IN)	Fitzpatrick	King (NY)
Butterfield	Fleischmann	Kinzinger (IL)
Calvert	Forbes	Kissell
Camp	Fortenberry	Kline
Cantor	Foxo	Landry
Capito	Frank (MA)	Langevin
Capps	Frelinghuysen	Lankford
Capuano	Gallegly	Larsen (WA)
Carnahan	Garamendi	Larson (CT)
Carney	Gerlach	Latham
Carson (IN)	Gibbs	LaTourette
Carter	Gibson	Latta
Cassidy	Gingrey (GA)	Lee (CA)
Castor (FL)	Gonzalez	Levin
Chabot	Goodlatte	Lewis (CA)
Chandler	Gowdy	Lewis (GA)
Chu	Granger	Lipinski
Ciциlline	Graves (MO)	LoBiondo
Clarke (MI)	Green, Al	Loebsock
Clarke (NY)	Green, Gene	Lofgren, Zoe
Clay	Griffin (AR)	Long
Cleaver	Griffith (VA)	Lowey
Clyburn	Grijalva	Lucas
Coble	Grimm	Luetkemeyer
Coffman (CO)	Guinta	Lujan

Lummis	Pingree (ME)	Sherman
Lungren, Daniel E.	Pitts	Shimkus
Lynch	Platts	Shuler
Maloney	Poe (TX)	Shuster
Manzullo	Polis	Simpson
Marchant	Posey	Sires
Marino	Price (GA)	Slaughter
Markey	Price (NC)	Smith (NE)
Matheson	Quigley	Smith (NJ)
Matsui	Rahall	Smith (TX)
McCarthy (CA)	Reed	Smith (WA)
McCarthy (NY)	Rehberg	Stark
McCaul	Reichert	Stivers
McCollum	Renacci	Stutzman
McDermott	Reyes	Sullivan
McGovern	Ribble	Sutton
McHenry	Richardson	Terry
McIntyre	Richmond	Thompson (CA)
McKeon	Rigell	Thompson (MS)
McKinley	Rivera	Thompson (PA)
McMorris	Roby	Thornberry
Rodgers	Roe (TN)	Tiberi
McNerney	Rogers (AL)	Tierney
Meehan	Rogers (KY)	Tipton
Meeks	Rogers (MI)	Tonko
Mica	Rohrabacher	Towns
Michaud	Rokita	Tsongas
Miller (MI)	Rooney	Turner (NY)
Miller (NC)	Ros-Lehtinen	Turner (OH)
Miller, Gary	Roskam	Upton
Miller, George	Ross (AR)	Van Hollen
Moran	Ross (FL)	Velazquez
Murphy (CT)	Rothman (NJ)	Walberg
Murphy (PA)	Roybal-Allard	Walden
Myrick	Royce	Walz (MN)
Nadler	Ryunyan	Wasserman
Napolitano	Ruppersberger	Schultz
Neal	Rush	Waters
Neugebauer	Ryan (OH)	Watt
Noem	Ryan (WI)	Waxman
Nunes	Sánchez, Linda T.	Webster
Nunnelee	Sanchez, Loretta	Welch
Olson	Sarbanes	West
Olver	Schakowsky	Westmoreland
Owens	Schiff	Whitfield
Palazzo	Schilling	Wilson (FL)
Pallone	Schock	Wilson (SC)
Pascrell	Schrader	Wittman
Pastor (AZ)	Scott (VA)	Wolf
Paulsen	Scott, Austin	Womack
Pelosi	Scott, David	Woodall
Pence	Sensenbrenner	Woolsey
Peters	Serrano	Yarmuth
Peterson	Sessions	Young (AK)
Petri	Sewell	Young (FL)

NAYS—39

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

NOT VOTING—24

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

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶32.10 MOMENT OF SILENCE IN MEMORY OF THE LATE HONORABLE DONALD M. PAYNE

The SPEAKER announced that all Members stand and observe a moment of silence in memory of the late Honorable Donald M. Payne.

¶32.11 THE LATE HONORABLE DONALD M. PAYNE

Mr. SMITH of New Jersey, submitted the following privileged resolution (H. Res. 571):

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

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

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

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

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

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶32.12 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the passing of the gentleman from New Jersey [Mr. PAYNE], the whole number of the House is adjusted to 433.

¶32.13 H. RES. 570—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 570) providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

The question being put, Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the { Yeas 232 affirmative } Nays 177

¶32.14 [Roll No. 97] YEAS—232

Adams	Bachus	Bilbray
Aderholt	Barletta	Bilirakis
Akin	Bartlett	Bishop (UT)
Alexander	Barton (TX)	Black
Amash	Bass (NH)	Blackburn
Amodei	Benishek	Bonner
Austria	Berg	Bono Mack
Bachmann	Biggert	Boren

Boustany	Harris	Pitts
Brady (TX)	Hartzler	Platts
Brooks	Hastings (WA)	Poe (TX)
Broun (GA)	Hayworth	Pompeo
Buchanan	Heck	Posey
Bucshon	Hensarling	Price (GA)
Buerkle	Herger	Quayle
Burgess	Herrera Beutler	Reed
Burton (IN)	Huelskamp	Rehberg
Calvert	Huizenga (MI)	Reichert
Camp	Hultgren	Renacci
Canseco	Hunter	Ribble
Cantor	Hurt	Rigell
Capito	Issa	Rivera
Carter	Jenkins	Roby
Cassidy	Johnson (IL)	Roe (TN)
Chabot	Johnson (OH)	Rogers (AL)
Chaffetz	Johnson, Sam	Rogers (KY)
Chandler	Jones	Rogers (MI)
Coffman (CO)	Jordan	Rohrabacher
Cole	Kelly	Rokita
Conaway	King (NY)	Rooney
Cravaack	Kingston	Ros-Lehtinen
Crawford	Kinzinger (IL)	Ross (AR)
Crenshaw	Kline	Ross (FL)
Culberson	Lamborn	Royce
Davis (KY)	Lance	Ryunan
Denham	Landry	Ryan (WI)
Dent	Lankford	Scalise
DesJarlais	Latham	Schilling
Diaz-Balart	Latta	Schmidt
Dold	Lewis (CA)	Schock
Dreier	LoBiondo	Schweikert
Duffy	Long	Scott (SC)
Duncan (SC)	Lucas	Scott, Austin
Duncan (TN)	Luetkemeyer	Sensenbrenner
Elmiers	Lummis	Sessions
Emerson	Lungren, Daniel	Shimkus
Farenthold	E.	Shuster
Fincher	Mack	Simpson
Fitzpatrick	Manzullo	Smith (NE)
Flake	Marchant	Smith (NJ)
Fleischmann	Marino	Smith (TX)
Fleming	Matheson	Southerland
Flores	McCarthy (CA)	Stearns
Forbes	McCaul	Stivers
Fortenberry	McClintock	Stutzman
Fox	McHenry	Sullivan
Franks (AZ)	McKeon	Terry
Frelinghuysen	McKinley	Thompson (PA)
Gallegly	McMorris	Thornberry
Gardner	Rodgers	Tiberi
Garrett	Meehan	Tipton
Gerlach	Mica	Turner (NY)
Gibbs	Miller (MI)	Turner (OH)
Gingrey (GA)	Miller, Gary	Upton
Goodlatte	Mulvaney	Walberg
Gosar	Murphy (PA)	Walden
Gowdy	Myrick	Walsh (IL)
Granger	Neugebauer	Webster
Graves (GA)	Noem	West
Graves (MO)	Nugent	Westmoreland
Griffin (AR)	Nunes	Whitfield
Griffith (VA)	Nunnelee	Wittman
Grimm	Olson	Wolf
Guinta	Palazzo	Womack
Guthrie	Paulsen	Woodall
Hall	Pearce	Yoder
Hanna	Pence	Young (FL)
Harper	Petri	Young (IN)

NAYS—177

Ackerman	Clarke (NY)	Eshoo
Altmire	Clay	Farr
Andrews	Cleaver	Fattah
Baca	Clyburn	Filner
Baldwin	Cohen	Frank (MA)
Barrow	Connolly (VA)	Garamendi
Bass (CA)	Conyers	Gonzalez
Becerra	Cooper	Green, Al
Berkley	Costa	Green, Gene
Berman	Costello	Grijalva
Bishop (GA)	Courtney	Gutierrez
Bishop (NY)	Critz	Hahn
Blumenauer	Crowley	Hanabusa
Bonamici	Cuellar	Hastings (FL)
Boswell	Cummings	Heinrich
Brady (PA)	Davis (CA)	Higgins
Braley (IA)	Davis (IL)	Himes
Brown (FL)	DeFazio	Hinchesy
Butterfield	DeGette	Hirono
Capps	DeLauro	Hochul
Capuano	Deutch	Holden
Carnahan	Dicks	Holt
Carney	Dingell	Honda
Carson (IN)	Donnelly (IN)	Hoyer
Castor (FL)	Doyle	Inslee
Chu	Edwards	Israel
Cicilline	Ellison	Jackson (IL)
Clarke (MI)	Engel	

Jackson Lee (TX)	Moran	Schrader
Johnson (GA)	Murphy (CT)	Schwartz
Johnson, E. B.	Nadler	Scott (VA)
Keating	Napolitano	Scott, David
Kildee	Neal	Serrano
Kind	Oliver	Sewell
Kissell	Owens	Sherman
Langevin	Pallone	Shuler
Larsen (WA)	Pascrell	Sires
Larson (CT)	Pastor (AZ)	Slaughter
Lee (CA)	Pelosi	Smith (WA)
Levin	Perlmutter	Stark
Lewis (GA)	Peters	Sutton
Lipinski	Peterson	Thompson (CA)
Loeb	Pingree (ME)	Thompson (MS)
Loeb	Polis	Tierney
Lofgren, Zoe	Price (NC)	Tonko
Lowey	Quigley	Towns
Lujan	Rahall	Tsongas
Lynch	Reyes	Van Hollen
Maloney	Richardson	Velázquez
Markey	Richmond	Walz (MN)
Matsui	Rothman (NJ)	Wasserman
McCarthy (NY)	Roybal-Allard	Schultz
McCollum	Ruppersberger	Waters
McDermott	Rush	Watt
McGovern	Ryan (OH)	Waxman
McIntyre	Sánchez, Linda	Welch
McNerney	T.	Wilson (FL)
Meeks	Sanchez, Loretta	Woolsey
Michaud	Sarbanes	Yarmuth
Miller (NC)	Schakowsky	
Miller, George	Schiff	

NOT VOTING—24

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

So the previous question on the resolution was ordered.

The question being put, *viva voce*, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MCHENRY, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶32.15 SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS

The SPEAKER pro tempore, Mr. MCHENRY, pursuant to House Resolution 570 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

The SPEAKER pro tempore, Mr. MCHENRY, by unanimous consent, designated Mr. CHAFFETZ as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MCCLINTOCK, assumed the Chair.

When Mr. CHAFFETZ, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶32.16 PROVIDING FOR CONSIDERATION OF H.R. 3606

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 112-409) the resolution (H. Res. 572) providing for consideration of the bill

(H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

When said resolution and report were referred to the House Calendar and ordered printed.

¶32.17 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1710. An Act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

And then,

¶32.18 ADJOURNMENT

On motion of Mr. JONES, pursuant to House Resolution 571, at 6 o'clock and 48 minutes p.m., the House adjourned out of respect for the late Honorable Donald M. Payne, until 10 a.m., Wednesday, March 7, 2012.

¶32.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. Supplemental report on H.R. 3606. A bill to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies (Rept. 112-406, Pt. 2). Referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 572. Resolution providing for consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies (Rept. 112-409). Referred to the House Calendar.

¶32.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BACA:

H.R. 4144. A bill to amend the State Small Business Credit Initiative Act of 2010 to allow participating States to provide program funds to community development housing organizations for development of affordable housing; to the Committee on Financial Services.

By Mr. CHABOT:

H.R. 4145. A bill to reform the program for rental assistance under section 8 of the United States Housing Act of 1937, and for other purposes; to the Committee on Financial Services.

By Mr. ELLISON (for himself, Mr. PAULSEN, and Mr. WALZ of Minnesota):

H.R. 4146. A bill to authorize the Secretary of the Army to take actions to manage the threat of Asian carp traveling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently de-

termined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN:

H.R. 4147. A bill to amend title XIX of the Social Security Act to provide States an option to cover a children's program of all-inclusive coordinated care (ChiPACC) under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. PETRI:

H.R. 4148. A bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. SOUTHERLAND:

H.R. 4149. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H. Res. 571. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Donald M. Payne, a Representative from the State of New Jersey; considered and agreed to.

By Ms. WOOLSEY (for herself, Ms. WASSERMAN SCHULTZ, Ms. MOORE, Mr. OLVER, Ms. BORDALLO, Ms. NORTON, Ms. MCCOLLUM, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. RANGEL, Ms. RICHARDSON, Mr. VAN HOLLEN, Mr. CAPUANO, Mr. GRIJALVA, Mr. LANGEVIN, Mr. FARR, Ms. LORETTA SANCHEZ of California, Mr. HINGHEY, Ms. CLARKE of New York, Ms. SPEIER, Mr. REYES, Mr. KIND, Mrs. DAVIS of California, Ms. LEE of California, Mr. CARNAHAN, Ms. MATSUI, Mr. CONYERS, Mr. SIRES, and Ms. SCHAKOWSKY):

H. Res. 573. A resolution supporting the goals and ideals of National Women's History Month; to the Committee on Oversight and Government Reform.

¶32.21 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. MCCOTTER.
 H.R. 32: Mr. HINOJOSA, Mr. KISSELL, and Ms. BONAMICI.
 H.R. 157: Mr. LUETKEMEYER and Mr. AMODEI.
 H.R. 192: Ms. SLAUGHTER.
 H.R. 303: Ms. BONAMICI, Mr. BERG, and Mr. AMODEI.
 H.R. 333: Ms. HOCHUL and Ms. CHU.
 H.R. 431: Mrs. LUMMIS.
 H.R. 450: Mr. JONES, Mr. BENISHEK, and Mr. WALSH of Illinois.
 H.R. 452: Mr. ADERHOLT and Mr. HASTINGS of Washington.
 H.R. 469: Ms. NORTON and Mr. SMITH of Washington.
 H.R. 578: Mr. BUCHANAN.
 H.R. 854: Mr. RYAN of Ohio.
 H.R. 870: Mr. ROTHMAN of New Jersey and Mr. BISHOP of Georgia.
 H.R. 925: Mr. HINOJOSA.
 H.R. 972: Mr. MANZULLO.
 H.R. 1176: Mr. ISRAEL.
 H.R. 1179: Ms. GRANGER.
 H.R. 1190: Mr. PIERLUISI.
 H.R. 1206: Mr. RIGELL, Mrs. BLACK, and Mr. YOUNG of Alaska.
 H.R. 1236: Mr. COURTNEY.
 H.R. 1265: Mr. BRALEY of Iowa, Mr. WEBSTER, Mr. GARY G. MILLER of California, and Mr. LUETKEMEYER.
 H.R. 1267: Mr. SCHRADER.
 H.R. 1288: Ms. HAHN, Mr. BACA, Mr. HONDA, Mr. DOYLE, Mr. BOSWELL, and Mr. LATTA.
 H.R. 1443: Mr. MANZULLO.

H.R. 1488: Ms. BONAMICI.
 H.R. 1505: Mr. GUTHRIE.
 H.R. 1509: Ms. WASSERMAN SCHULTZ.
 H.R. 1614: Mr. ALEXANDER.
 H.R. 1639: Mr. BARTLETT.
 H.R. 1681: Mr. CLARKE of Michigan and Ms. BONAMICI.
 H.R. 1697: Mr. TIBERI, Mr. GIBBS, Ms. GRANGER, Mr. FARENTHOLD, and Mr. WOLF.
 H.R. 1704: Ms. HAHN and Mr. PERLMUTTER.
 H.R. 1718: Mrs. CAPPS.
 H.R. 1738: Mr. CLARKE of Michigan and Mr. LEWIS of Georgia.
 H.R. 1742: Mr. TOWNS, Mr. TIERNEY, Mr. JOHNSON of Georgia, Mr. LATHAM, and Mr. PLATTS.
 H.R. 1746: Ms. ZOE LOFGREN of California.
 H.R. 1760: Mrs. CAPPS.
 H.R. 1802: Mr. FITZPATRICK.
 H.R. 1903: Ms. CLARKE of New York and Mr. SIRES.
 H.R. 1922: Mr. ROSS of Florida.
 H.R. 1956: Mrs. MYRICK.
 H.R. 1964: Mr. DUFFY.
 H.R. 1971: Mr. KISSELL.
 H.R. 2003: Mr. FILNER.
 H.R. 2016: Mr. DOYLE, Ms. RICHARDSON, and Mr. CARNAHAN.
 H.R. 2106: Ms. JACKSON LEE of Texas, Mr. DAVID SCOTT of Georgia, Mr. AL GREEN of Texas, Ms. WILSON of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 2108: Mr. FORTENBERRY and Mr. SCHRADER.
 H.R. 2139: Mr. GALLEGLY, Mr. GEORGE MILLER of California, and Mr. HARPER.
 H.R. 2152: Mr. CAPUANO.
 H.R. 2159: Ms. SPEIER and Mr. CHANDLER.
 H.R. 2179: Mr. BILIRAKIS and Mr. JOHNSON of Ohio.
 H.R. 2194: Ms. RICHARDSON.
 H.R. 2245: Mr. BROOKS and Mr. ACKERMAN.
 H.R. 2288: Mr. MCCOTTER.
 H.R. 2324: Mr. REYES, Ms. BONAMICI, Ms. HIRONO, and Mrs. LOWEY.
 H.R. 2412: Mr. DOYLE.
 H.R. 2485: Mr. RIBBLE.
 H.R. 2492: Mr. LATHAM.
 H.R. 2502: Mr. PIERLUISI.
 H.R. 2557: Mr. THOMPSON of California and Mr. ACKERMAN.
 H.R. 2655: Mr. HEINRICH and Mr. TURNER of Ohio.
 H.R. 2695: Mr. DOGGETT and Mr. MORAN.
 H.R. 2696: Mr. DOGGETT, Mr. MCGOVERN, and Mr. MORAN.
 H.R. 2738: Mr. KEATING.
 H.R. 2805: Mr. CLARKE of Michigan.
 H.R. 2834: Mr. HUNTER.
 H.R. 2900: Mr. MANZULLO.
 H.R. 2960: Mr. BENISHEK.
 H.R. 3001: Mr. MURPHY of Connecticut, Mr. WEST, Mr. LIPINSKI, Mr. HARRIS, and Mr. WOLF.
 H.R. 3059: Mr. CUMMINGS and Ms. HAHN.
 H.R. 3151: Mrs. LOWEY, Ms. CLARKE of New York, Ms. WILSON of Florida, Mrs. CAPPS, Ms. RICHARDSON, and Mr. CONYERS.
 H.R. 3164: Mr. SCHIFF and Ms. LINDA T. SANCHEZ of California.
 H.R. 3238: Mr. TIERNEY.
 H.R. 3269: Mr. CHAFFETZ, Mr. SOUTHERLAND, Mr. ACKERMAN, Mr. SCHWEIKERT, and Mr. FRELINGHUYSEN.
 H.R. 3283: Mr. CLAY.
 H.R. 3288: Mr. AMODEI.
 H.R. 3313: Mr. ELLISON.
 H.R. 3337: Mr. FORBES.
 H.R. 3359: Mr. GRIJALVA.
 H.R. 3364: Mr. ALTMIRE.
 H.R. 3368: Mr. TONKO.
 H.R. 3423: Mrs. SCHMIDT, Mr. LARSEN of Washington, Mr. NEAL, Mr. STIVERS, Mr. DOGGETT, Mr. MARKEY, Mr. MCGOVERN, Ms. SPEIER, Mr. ROGERS of Alabama, Mr. NUNNELEE, and Mrs. CAPPS.
 H.R. 3462: Mr. ELLISON.
 H.R. 3485: Mr. RYAN of Ohio, Ms. RICHARDSON, Mr. FATTAH, Mr. DOYLE, Mr. SHERMAN, Mr. COURTNEY, and Mr. SCHIFF.

H.R. 3490: Ms. HIRONO.
 H.R. 3510: Mr. COHEN, Mr. FARR, Mr. ROTHMAN of New Jersey, Mr. REED, and Mr. KLINE.
 H.R. 3553: Mr. BLUMENAUER and Mr. BERMAN.
 H.R. 3568: Mr. HINOJOSA.
 H.R. 3594: Mr. JOHNSON of Ohio, Mr. HARRIS, and Mr. YOUNG of Alaska.
 H.R. 3596: Mr. ALTMIRE, Mr. PERLMUTTER, Mr. ISRAEL, Mr. CUMMINGS, Ms. RICHARDSON, and Ms. HIRONO.
 H.R. 3612: Mr. THORNBERRY.
 H.R. 3635: Mr. DOGGETT, Ms. ROYBAL-ALLARD, and Mr. HONDA.
 H.R. 3643: Mr. HEINRICH.
 H.R. 3662: Mr. AMODEI, Mr. CANSECO, Mr. FARENTHOLD, and Mr. NUNNELEE.
 H.R. 3667: Mr. BONNER.
 H.R. 3697: Mr. BUCSHON.
 H.R. 3737: Mr. RIBBLE.
 H.R. 3767: Mr. JOHNSON of Ohio and Mr. PETERS.
 H.R. 3783: Mr. CICILLINE, Mr. KELLY, Mr. MANZULLO, Mrs. BACHMANN, Mr. FALCOMA, Mr. AUSTIN SCOTT of Georgia, Mr. RIVERA, and Mr. SHERMAN.
 H.R. 3789: Ms. BONAMICI.
 H.R. 3798: Mr. GEORGE MILLER of California, Mr. HINCHAY, Mr. BARTLETT, Mr. BILBRAY, and Mr. GUTIERREZ.
 H.R. 3811: Mr. BARLETTA.
 H.R. 3814: Mr. JOHNSON of Ohio.
 H.R. 3826: Ms. BERKLEY and Ms. SCHA-KOWSKY.
 H.R. 3849: Mr. LANKFORD.
 H.R. 3850: Mr. TIPTON and Ms. HERRERA BEUTLER.
 H.R. 3851: Mr. SCHILLING, Mrs. ELLMERS, and Ms. HERRERA BEUTLER.
 H.R. 3859: Mr. LATHAM.
 H.R. 3863: Ms. BALDWIN.
 H.R. 3877: Mr. KLINE.
 H.R. 3893: Mr. SCHILLING, Mr. TIPTON, and Mrs. ELLMERS.
 H.R. 3895: Mr. WALSH of Illinois.
 H.R. 3974: Ms. BALDWIN.
 H.R. 3980: Mr. SCHILLING.
 H.R. 3984: Mr. GRIJALVA, Ms. BROWN of Florida, and Mr. WAXMAN.
 H.R. 3987: Mr. GRAVES of Missouri, Mr. SCHILLING, Mr. HANNA, Mr. WEST, and Mr. CHABOT.
 H.R. 4010: Mr. BUTTERFIELD, Mr. BRALEY of Iowa, and Mr. CROWLEY.
 H.R. 4018: Mr. MARINO.
 H.R. 4032: Mr. MORAN, Mr. CLAY, Mr. GRIJALVA, Mr. BISHOP of Georgia, and Mr. KISSELL.
 H.R. 4036: Mr. LANKFORD.
 H.R. 4040: Mr. TERRY.
 H.R. 4070: Mr. ROSS of Florida and Mr. WEST.
 H.R. 4081: Mr. SCHILLING.
 H.R. 4105: Mrs. NOEM and Mr. WELCH.
 H.R. 4121: Ms. CLARKE of New York.
 H.R. 4123: Mr. SMITH of Washington, Mr. BECERRA, Mr. PASCRELL, Ms. LINDA T. SANCHEZ of California, and Mr. FARR.
 H.R. 4132: Mr. BILBRAY.
 H.R. 4141: Mr. CLEAVER, Mr. RUSH, Ms. LEE of California, Mr. CONYERS, Ms. CLARKE of New York, Mr. FALCOMA, Mr. MEEKS, Mr. CONNOLLY of Virginia, Mr. SIRES, and Ms. WILSON of Florida.
 H.J. Res. 47: Mr. SARBANES.
 H.J. Res. 88: Mr. MURPHY of Connecticut.
 H.J. Res. 103: Mr. SCOTT of South Carolina.
 H.J. Res. 104: Mr. LUETKEMEYER, Mr. FLORES, and Mr. PENCE.
 H. Con. Res. 87: Mr. JACKSON of Illinois.
 H. Con. Res. 101: Mr. TIPTON.
 H. Res. 16: Ms. ROS-LEHTINEN and Mr. MCGOVERN.
 H. Res. 20: Mr. QUIGLEY.
 H. Res. 474: Mr. KUCINICH and Mr. MCINTYRE.
 H. Res. 478: Ms. SLAUGHTER.
 H. Res. 568: Ms. SCHWARTZ, Mrs. LOWEY, Mr. WAXMAN, Mr. ENGEL, Mr. TOWNS, Mr.

SCHIFF, Mr. ROTHMAN of New Jersey, Mr. LANCE, Mr. MARKEY, Mr. HOLT, Mr. PASCRELL, Mr. BISHOP of Georgia, Ms. BERKLEY, Mr. FINCHER, Mr. BURGESS, Mr. LANKFORD, Mr. WALBERG, Mrs. ROBY, Mr. COFFMAN of Colorado, Ms. DEGETTE, Mr. SHULER, Mr. GENE GREEN of Texas, Mr. WEST, Mr. OWENS, Mr. CRAVAACK, Mr. GALLEGLY, Mr. PRICE of Georgia, Mrs. ADAMS, Mr. CRITZ, Mr. ALTMIRE, Ms. HANABUSA, Mr. LOBIONDO, Mr. RIVERA, Mr. LARSON of Connecticut, Mr. COBLE, Mr. CAMP, Mr. SIRES, Mr. BURTON of Indiana, Mr. SCHOEK, Mr. HOLDEN, Mr. SCHWEIKERT, Mr. MICA, Mr. KINZINGER of Illinois, Mr. NUGENT, and Mr. MILLER of Florida.

¶32.22 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3610: Mr. CLAY.
 H.R. 3611: Mr. CLAY.

WEDNESDAY, MARCH 7, 2012 (33)

¶33.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 March 7, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

¶33.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 1886. An Act to prevent trafficking in counterfeit drugs.

The message also announced, that pursuant to the provisions of S. Con. Res. 35 (One Hundred Twelfth Congress), the Chair, on behalf of the Vice President, appoints the following Senators to the Joint Congressional Committee on Inaugural Ceremonies: the Senator from Nevada [Mr. REID]; the Senator from New York [Mr. SCHUMER]; and the Senator from Tennessee [Mr. ALEXANDER].

¶33.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶33.4 RECESS—11:09 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 9 minutes a.m., until noon.

¶33.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶33.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 6, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶33.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5196. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Indoxacarb; Pesticide Tolerances [EPA-HQ-OPP-2011-0578; FRL-9336-7] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5197. A letter from the Secretary, Department of Defense, transmitting Report to Congress on the Review of Laws, Policies and Regulations Restricting the Service of Female Members in the U.S. Armed Forces; to the Committee on Armed Services.

5198. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting a letter regarding special account funds; to the Committee on Energy and Commerce.

5199. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0761; FRL-9501-6] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5200. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2010 Primary Nitrogen Dioxide (NO₂) National Ambient Air Quality Standards [EPA-HQ-OAR-2011-0572; FRL-9624-3] (RIN: 2060-AR06) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5201. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Maryland; Preconstruction Permitting Requirements for Electric Generating Stations in Maryland [EPA-R03-OAR-2011-0623; FRL-9628-7] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5202. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama, Georgia, and Tennessee; Chattanooga; Particulate Matter 2002 Base year Emissions Inventory [EPA-R04-OAR-2011-0084-201167(a); 9628-2] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5203. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Florida; Control of Large Municipal Waste Combustor (LMWC) Emissions From Existing Facilities; Correction [EPA-R04-OAR-2010-0392(a); FRL-9628-6] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5204. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Disapproval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana — Air Quality, Subchapter 7, Exclusion for De Minimis Changes [EPA-R08-OAR-2011-0100; FRL-9495-9] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5205. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Tris Carbamoyl Triazine [EPA-HQ-OPPT-2011-0108; FRL-9330-6] (RIN: 2070-AB27) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5206. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, California Air Resources Board — Consumer Products [EPA-R09-OAR-2011-0800; FRL-9609-7] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5207. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007; to the Committee on Foreign Affairs.

5208. A letter from the Corps of Engineers, Secretary, Mississippi River Commission, Department of Defense, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act covering the calendar year 2011, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

5209. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-313, "Streetscape Reconstruction Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5210. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-314, "Medical Marijuana Cultivation Center and Dispensary Locations Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5211. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-315, "Historic Property Improvement Notification Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5212. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-318, "Board of Ethics and Government Accountability Establishments and Comprehensive Ethics Reform Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

5213. A letter from the HR Specialist, Office of Navajo and Hopi Indian Relocation, transmitting first annual report on the category rating system as required by 5 U.S.C., Section 3319(d); to the Committee on Oversight and Government Reform.

5214. A letter from the Secretary, Department of Transportation, transmitting the Department's report of obligations and unobligated balances of funds provided for Federal-aid highways and safety construction programs for Fiscal Year 2010 as of September 30, 2010; to the Committee on Transportation and Infrastructure.

5215. A letter from the Senior Program Analyst, Department of Transportation, trans-

mitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0717; Directorate Identifier 2010-NM-108-AD; Amendment 39-16869; AD 2011-24-05] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5216. A letter from the Assistant U.S. Trade Representative for WTO and Multilateral Affairs, Office of the United States Trade Representative, transmitting the Administration's Annual Report on Subsidies Enforcement, pursuant to the Statement of Administrative Action of the Uruguay Round Agreements Act; to the Committee on Ways and Means.

¶33.8 PROVIDING FOR CONSIDERATION OF H.R. 3606

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 572):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 112 17 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Mr. SESSIONS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mr. MILLER of Florida, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶33.9 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 4105. An Act to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

¶33.10 SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS

The SPEAKER pro tempore, Mr. MILLER of Florida, pursuant to House Resolution 570 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes.

Mr. McCLINTOCK, Acting Chairman, assumed the chair; and after some time spent therein,

¶33.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, submitted by Mrs. NAPOLITANO:

Page 4, strike lines 12 through 15. It was decided in the { Yeas 168 negative } Nays 253

¶33.12 [Roll No. 98] AYES—168

Table with 3 columns: Name, Name, Name. Lists members of the House of Representatives who voted 'AYES' on a roll call. Includes names like Ackerman, Clyburn, Fudge, Altmire, Cohen, Garamendi, etc.

Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)

Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader

Schwartz
Scott (VA)
Scott, David
Serrano
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)

Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)

Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg

Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Hinojosa
Inlee
Labrador
Moore

Paul
Pelosi
Rangel
Schmidt

Shuler
Visclosky
Watt

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. DOLD, assumed the Chair.

When Mr. POE of Texas, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012”.

SEC. 2. AUTHORIZATION.

Section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) is amended—

(1) by striking “The Secretary is authorized to enter into contracts to furnish water” and inserting “(1) The Secretary is authorized to enter into contracts to furnish water”;

(2) by striking “(1) shall” and inserting “(A) shall”;

(3) by striking “(2) shall” and inserting “(B) shall”;

(4) by striking “respecting the terms of sales of electric power and leases of power privileges shall be in addition and alternative to any authority in existing laws relating to particular projects” and inserting “respecting the sales of electric power and leases of power privileges shall be an authorization in addition to and alternative to any authority in existing laws related to particular projects, including small conduit hydropower development”; and

(5) by adding at the end the following:

“(2) When carrying out this subsection, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred work, or to the irrigation district or water users association receiving water from the applicable reserved work. The Secretary shall determine a reasonable time frame for the irrigation district or water users association to accept or reject a lease of power privilege offer.

“(3) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to small conduit hydropower development, excluding siting of associated transmission on Federal lands, under this subsection.

“(4) The Power Resources Office of the Bureau of Reclamation shall be the lead office of small conduit hydropower policy and procedure-setting activities conducted under this subsection.

“(5) Nothing in this subsection shall obligate the Western Area Power Administra-

tion, the Bonneville Power Administration, or the Southwestern Power Administration to purchase or market any of the power produced by the facilities covered under this subsection and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

“(6) Nothing in this subsection shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved, nor shall it create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the transferred work in advance of offering the lease of power privilege and shall prescribe such terms and conditions that will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

“(7) Nothing in this subsection shall alter or affect any existing agreements for the development of conduit hydropower projects or disposition of revenues.

“(8) In this subsection:

“(A) CONDUIT.—The term ‘conduit’ means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

“(B) IRRIGATION DISTRICT.—The term ‘irrigation district’ means any irrigation, water conservation or conservancy district, multi-county water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

“(C) RESERVED WORK.—The term ‘reserved work’ means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

“(D) TRANSFERRED WORK.—The term ‘transferred work’ means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

“(E) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(F) SMALL CONDUIT HYDROPOWER.—The term ‘small conduit hydropower’ means a facility capable of producing 1.5 megawatts or less of electric capacity.”

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. GARAMENDI moved to recommend the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 3. MAKE IT IN AMERICA.

Any lease of power privilege offered pursuant to this Act or the amendments made by this Act shall require that all materials used for conduit hydropower generation be manufactured in the United States.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

NOES—253

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold

Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Portenberry
Foxo
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loeb

Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan

The question being put, viva voce,
Will the House recommit said bill
with instructions?

The SPEAKER pro tempore, Mr.
DOLD, announced that the nays had it.

Mr. GARAMENDI demanded a re-
corded vote on agreeing to said motion,
which demand was supported by one-
fifth of a quorum, so a recorded vote
was ordered.

The vote was taken by electronic de-
vice.

It was decided in the { Yeas 182
negative } Nays 237

¶33.13 [Roll No. 99]
AYES—182

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

NOES—237

Adams	Berg	Bucshon
Aderholt	Biggert	Buerkle
Akin	Bilbray	Burgess
Alexander	Bilirakis	Burton (IN)
Amash	Bishop (UT)	Calvert
Amodei	Black	Camp
Austria	Blackburn	Campbell
Bachmann	Bonner	Canseco
Bachus	Bono Mack	Cantor
Barletta	Boustany	Capito
Bartlett	Brady (TX)	Carter
Barton (TX)	Brooks	Cassidy
Bass (NH)	Broun (GA)	Chabot
Benishek	Buchanan	Chaffetz

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

NOT VOTING—13

Dicks	Peterson	Walberg
Hinojosa	Rangel	Watt
Labrador	Schmidt	Woodall
Moore	Shuler	
Paul	Visclosky	

So the motion to recommit with in-
structions was not agreed to.

The question being put, viva voce,
Will the House pass said bill?

The SPEAKER pro tempore, Mr.
DOLD, announced that the yeas had it.

Mr. HASTINGS of Washington, de-
manded that the vote be taken by the
yeas and nays, which demand was sup-
ported by one-fifth of the Members
present, so the yeas and nays were or-
dered.

The vote was taken by electronic de-
vice.

It was decided in the { Yeas 265
affirmative } Nays 154

¶33.14 [Roll No. 100]
YEAS—265

Adams	Akin	Amash
Aderholt	Alexander	Amodei

Austria	Gibson	Nugent
Baca	Gingrey (GA)	Nunes
Bachmann	Gohmert	Nunnelee
Bachus	Goodlatte	Olson
Barletta	Gosar	Owens
Barrow	Gowdy	Palazzo
Bartlett	Granger	Paulsen
Barton (TX)	Graves (GA)	Pearce
Bass (NH)	Graves (MO)	Pence
Benishek	Griffin (AR)	Perlmutter
Berg	Griffith (VA)	Peterson
Berkley	Grimm	Petri
Biggert	Guinta	Pitts
Bilbray	Guthrie	Platts
Bilirakis	Hall	Poe (TX)
Bishop (GA)	Hanna	Polis
Bishop (UT)	Harper	Pompeo
Black	Harris	Posey
Blackburn	Hartzler	Price (GA)
Bonner	Hastings (WA)	Quayle
Bono Mack	Hayworth	Reed
Boren	Heck	Rehberg
Boswell	Hensarling	Reichert
Boustany	Herger	Renacci
Brady (TX)	Herrera Beutler	Ribble
Brooks	Himes	Rigell
Broun (GA)	Huelskamp	Rivera
Buchanan	Huizenga (MI)	Roby
Bucshon	Hultgren	Roe (TN)
Buerkle	Hunter	Rogers (AL)
Burgess	Hurt	Rogers (KY)
Burton (IN)	Issa	Rogers (MI)
Calvert	Jenkins	Rohrabacher
Camp	Johnson (IL)	Rokita
Campbell	Johnson (OH)	Rooney
Canseco	Johnson, Sam	Ros-Lehtinen
Cantor	Jones	Roskam
Capito	Jordan	Ross (AR)
Cardoza	Cardoza	Ross (FL)
Carney	Carney	Royce
Carter	Carter	Runyan
Cassidy	Cassidy	Ryan (WI)
Chabot	Chabot	Scalise
Chaffetz	Chaffetz	Schilling
Coble	Coble	Schock
Coffman (CO)	Coffman (CO)	Schrader
Cole	Cole	Schweikert
Conaway	Conaway	Scott (SC)
Costa	Costa	Scott, Austin
Costello	Courtney	Sensenbrenner
Courtney	Cravaack	Sessions
Crawford	Crenshaw	Shimkus
Cuellar	Cuellar	Shuster
Culberson	Culberson	Simpson
Denham	Denham	Smith (NE)
Dent	Dent	Smith (NJ)
DesJarlais	DesJarlais	Smith (TX)
Lujan	Lujan	Southerland
Lummis	Lummis	Stearns
Dold	Dold	Stivers
Dreier	Dreier	Stutzman
Duffy	Duffy	Sullivan
Duncan (SC)	Duncan (SC)	Terry
Duncan (TN)	Duncan (TN)	Thompson (PA)
Ellmers	Ellmers	Thornberry
Emerson	Emerson	Tiberi
Farenthold	Farenthold	Tipton
Farr	Farr	Turner (NY)
Fincher	Fincher	Turner (OH)
Fitzpatrick	Fitzpatrick	Upton
Flake	Flake	Walberg
Fleischmann	Fleischmann	Walden
Fleming	Fleming	Walsh (IL)
Flores	Flores	Webster
Forbes	Forbes	Welch
Fortenberry	Fortenberry	West
Fox	Fox	Westmoreland
Franks (AZ)	Franks (AZ)	Whitfield
Frelinghuysen	Frelinghuysen	Wilson (SC)
Gallegly	Gallegly	Wittman
Garamendi	Garamendi	Wolf
Gardner	Gardner	Womack
Garrett	Garrett	Woodall
Gerlach	Gerlach	Yoder
Gibbs	Gibbs	Young (AK)
		Young (FL)
		Young (IN)

NAYS—154

Ackerman	Braley (IA)	Clarke (MI)
Altmire	Brown (FL)	Clarke (NY)
Andrews	Butterfield	Clay
Baldwin	Capps	Cleaver
Bass (CA)	Capuano	Clyburn
Becerra	Carnahan	Cohen
Berman	Carson (IN)	Connolly (VA)
Bishop (NY)	Castor (FL)	Conyers
Blumenauer	Chandler	Cooper
Bonamici	Chu	Critz
Brady (PA)	Cicilline	Crowley

Table listing names of representatives and senators from various states, including Davis (CA), Kildee, Richmond, Carter, Huelskamp, Pompeo, Jones, Moran, Schiff, etc.

NOT VOTING—13

Table listing names of representatives and senators who did not vote, including Cummings, Davis (KY), Green, Gene, Hinojosa, Johnson (GA), etc.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

33.15 H. RES. 572—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DOLD, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 572) providing for consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

The question being put, Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 244 Nays 177

33.16 [Roll No. 101]

YEAS—244

Table listing names of representatives and senators who voted in favor, including Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), etc.

NAYS—177

Table listing names of representatives and senators who voted against, including Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkeley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carozza, Carnahan, Calvert, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, etc.

NOT VOTING—11

Table listing names of representatives and senators who did not vote, including Davis (KY), Hinojosa, Hurt, Labrador, Moore, Paul, Rangel, Schmidt, Shuler, Visclosky, Watt.

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. DOLD, announced that the yeas had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 252 Nays 166

33.17 [Roll No. 102]

AYES—252

Table listing names of representatives and senators who voted in favor, including Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggart, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Carney, etc.

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

NOES—166

Ackerman Dingell Maloney
 Altmire Doggett Markey
 Andrews Doyle Matsui
 Baca Edwards McCarthy (NY)
 Baldwin Ellison McCollum
 Barrow Engel McGovern
 Bass (CA) Eshoo McNERNEY
 Becerra Farr Meeks
 Berkley Fattah Miller (NC)
 Berman Filner Miller, George
 Bishop (GA) Frank (MA) Moran
 Bishop (NY) Fudge Nadler
 Blumenauer Garamendi Napolitano
 Bonamici Gonzalez Neal
 Boswell Green, Al Olver
 Brady (PA) Green, Gene Owens
 Braley (IA) Grijalva Pallone
 Brown (FL) Gutierrez Pascrell
 Butterfield Hahn Pastor (AZ)
 Capps Hanabusa Pelosi
 Capuano Hastings (FL) Perlmutter
 Cardoza Heinrich Peters
 Carnahan Higgins Pingree (ME)
 Carson (IN) Hinchey Polis
 Castor (FL) Hirono Price (NC)
 Chandler Holden Rahall
 Chu Holt Reyes
 Cicilline Honda Richmond
 Clarke (MI) Hoyer Rothman (NJ)
 Clarke (NY) Inslee Roybal-Allard
 Clay Israel Ruppertsberger
 Cleaver Jackson (IL) Rush
 Clyburn Jackson Lee Ryan (OH)
 Cohen (TX) Sanchez, Linda
 Connolly (VA) Johnson (GA) T.
 Conyers Johnson, E. B. Sanchez, Loretta
 Cooper Kaptur Sarbanes
 Costa Keating Schakowsky
 Costello Kildee Schiff
 Courtney Kucinich Schwartz
 Critz Langevin Scott (VA)
 Crowley Larsen (WA) Scott, David
 Cuellar Larson (CT) Serrano
 Cummings Lee (CA) Sewell
 Davis (CA) Levin Sherman
 Davis (IL) Lewis (GA) Sires
 DeFazio Loeb sack Slaughter
 DeGette Lofgren, Zoe Smith (WA)
 DeLauro Lowey Speier
 Deutch Lujan Stark
 Dicks Lynch Sutton

Thompson (CA) Van Hollen Welch
 Thompson (MS) Walz (MN) Wilson (FL)
 Tierney Wasserman Woolsey
 Tonko Schultz Yarmuth
 Towns Waters
 Tsongas Waxman

NOT VOTING—14

Brady (TX) Moore Shuler
 Capito Paul Velázquez
 Hinojosa Rangel Visclosky
 Labrador Runyan Watt
 McDermott Schmidt

So the resolution was agreed to.
 A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

33.18 REOPENING AMERICAN CAPITAL MARKETS TO EMERGING GROWTH COMPANIES

The SPEAKER pro tempore, Mr. LANDRY, pursuant to House Resolution 572 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

The SPEAKER pro tempore, Mr. LANDRY, by unanimous consent, designated Mr. DOLD as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. HURT, assumed the Chair.

33.19 WORDS TAKEN DOWN IN COMMITTEE

When Ms. FOXX, Acting Chairman, reported that during the consideration of said bill in Committee, certain words used in debate were objected to and upon request, were read at the Clerk's desk.

The Clerk read the words taken down as follows:

"I have never seen truth stood on its head more rapidly than by my colleague from Texas. This notion that who cares about the credit—if that were honestly what the Republican leadership believed, why did they take the credit from Mr. SCHWEIKERT and Mr. HIMES and give it to Mr. QUAYLE? It is they who decided that substance was less important. For the gentleman from Texas, having been part of the leadership that engaged in that shameful maneuver, to now accuse us of being excessively concerned with credit is the most hypocritical and dishonest statement I have heard uttered in this House."

The SPEAKER pro tempore, Mr. HURT, spoke and said:

"The Chair finds that the remarks constitute a personality directed toward an identifiable Member."

By unanimous consent, the words ruled unparliamentary were stricken from the CONGRESSIONAL RECORD.

The Committee resumed its sitting; and after some further time spent therein,

33.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in House Report 112-409, submitted by Mr. HIMES:

Page 2, line 11, strike "\$1,000,000,000" and insert "\$750,000,000".

Page 2, line 18, strike "\$1,000,000,000" and insert "\$750,000,000".

Page 2, line 18, add "or" at the end.

Page 3, line 5, strike "; or" and insert a period.

Page 3, strike lines 6 through 9.

Page 3, line 20, strike "\$1,000,000,000" and insert "\$750,000,000".

Page 4, line 3, strike "\$1,000,000,000" and insert "\$750,000,000".

Page 4, line 3, add "or" at the end.

Page 4, line 8, strike "; or" and insert a period.

Page 4, strike lines 9 through 12.

It was decided in the { Yeas 164
 negative } Nays 245

33.21 [Roll No. 103] AYES—164

Ackerman	Gibson	Murphy (CT)
Altmire	Gonzalez	Nadler
Andrews	Green, Al	Napolitano
Baca	Green, Gene	Neal
Baldwin	Grijalva	Olver
Barrow	Gutierrez	Owens
Bass (CA)	Hahn	Pallone
Becerra	Hanabusa	Pascrell
Berkley	Hastings (FL)	Pastor (AZ)
Berman	Heinrich	Perlmutter
Bishop (GA)	Higgins	Peterson
Bishop (NY)	Himes	Pingree (ME)
Blumenauer	Hinchey	Price (NC)
Bonamici	Hirono	Quigley
Boswell	Hochul	Rahall
Brady (PA)	Holden	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Rothman (NJ)
Capuano	Inslee	Roybal-Allard
Castor (FL)	Israel	Ruppertsberger
Chandler	Jackson (IL)	Rush
Chu	Jackson Lee	Ryan (OH)
Cicilline	(TX)	Sanchez, Linda
Clarke (MI)	Johnson (GA)	T.
Clarke (NY)	Johnson, E. B.	Sanchez, Loretta
Clay	Kaptur	Sarbanes
Cleaver	Keating	Schakowsky
Clyburn	Kildee	Schiff
Cohen	Kind	Schiff
Connolly (VA)	Kissell	Scott (VA)
Conyers	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Costa	Larson (CT)	Sherman
Costello	Lee (CA)	Sires
Courtney	Levin	Slaughter
Critz	Lewis (GA)	Smith (WA)
Crowley	Lipinski	Speier
Cuellar	Loeb sack	Stark
Cummings	Lofgren, Zoe	Sutton
Davis (CA)	Lujan	Thompson (CA)
Davis (IL)	Lowey	Thompson (MS)
DeFazio	Lujan	Tierney
DeGette	Lowey	Tonko
DeLauro	Lujan	Towns
Deutch	Lujan	Tsongas
Dicks	Lujan	Van Hollen
		Velázquez
		Wasserman
		Schultz
		Waters
		Watt
		Waxman
		Wilson (FL)
		Yarmuth

NOES—245

Adams	Bishop (UT)	Canseco
Aderholt	Black	Cantor
Akin	Blackburn	Capito
Alexander	Bonner	Cardoza
Amash	Bono Mack	Carmey
Amodei	Boren	Carson (IN)
Austria	Boustany	Carter
Bachmann	Brady (TX)	Cassidy
Barletta	Brooks	Chabot
Bartlett	Broun (GA)	Chaffetz
Barton (TX)	Buchanan	Coble
Bass (NH)	Bucshon	Coffman (CO)
Benishak	Buerkle	Cole
Berg	Burgess	Conaway
Biggart	Calvert	Costa
Bilbray	Camp	Cravaack
Bilirakis	Campbell	Crawford

Crenshaw Jones Rehberg Berman Hanabusa Neal Lankford Owens Scott, Austin
Crowley Jordan Reichert Bishop (GA) Hanna Oliver Latham Palazzo Sensenbrenner
Culbertson King (IA) Renacci Bishop (NY) Hastings (FL) LaTourette Paulsen Sessions
Davis (KY) King (NY) Ribble Blumenauer Heinrich Pascrell Lewis (CA) Pearce Shimkus
Denham Kingston Rigell Bonamici Higgins Pastor (AZ) LoBiondo Pence Shuler
Dent Kinzinger (IL) Rivera Boswell Hinchey Perlmutter LoBiondo Petri Simpson
DesJarlais Kline Roby Hirono Hirochul Peters Long Lucas Platts Smith (NE)
Diaz-Balart Kucinich Roe (TN) Bradly (IA) Hochul Peters Platts Smith (NJ)
Dold Lamborn Rogers (AL) Brown (FL) Holden Luetkemeyer Poe (TX) Smith (TX)
Dreier Lance Rogers (KY) Butterfield Capps Honda Holt Lummis Pompeo Smith (WA)
Duffy Landry Rogers (MI) Rohrabacher Caputo Hoyer Inslee Israel (IL) Lungren, Daniel Posney Southerland
Duncan (SC) Lankford Rohrabacher Caputo Hoyer Inslee Israel (IL) Lungren, Daniel Posney Southerland
Duncan (TN) Latham Rokita Rooney Ros-Lehtinen Ross (AR) Price (NC) E. Stearns
Ellmers LaTourette Rooney Ros-Lehtinen Ross (AR) Price (NC) E. Stearns
Emerson Latta Ros-Lehtinen Ross (AR) Price (NC) E. Stearns
Farenthold Lewis (CA) Ross (AR) Price (NC) E. Stearns
Fincher LoBiondo Ross (FL) Royce Carnahan Carson (IN) Castor (FL) Chandler Chu Cicilline Clarke (MI) Johnson, E. B. Jones Kaptur Keating Kildee Kissel Sarbanes Kucinich Langevin Larsen (WA) Larson (CT) Lee (CA) Levin Lewis (GA) Lipinski Loebsack Loefgren, Zoe Lowey Lujan Lynch Doggett Donnelly (IN) Doyle Duncan (TN) Edwards Ellison Engel Eshoo Farr Fattah Frank (MA) Fudge Garamendi Gonzalez Green, Al Green, Gene Grijalva Hahn Adams Aderholt Akin Alexander Amodei Austria Connolly (VA) Cooper Costa Cravaack Bartlett Crawford Crenshaw Culbertson Davis (KY) Dent DesJarlais Diaz-Balart Dold Dreier Duffy Duncan (SC) Ellmers Emerson Farenthold Fincher Fitzpatrick Flake Fleischmann Fleming Flores Forbes Fortenberry Foy Franks (AZ) Frelinghuysen Gallegly Gardner Garrett Gerlach Gibbs Gibson Gingrey (GA) Gohmert

Manzullo Marchant Marino Matheson McCarthy (CA) McCaul McClintock McCotter McHenry McKeon McKinley Morris Rodgers Meehan Mica Miller (FL) Miller (MI) Miller, Gary Mulvaney Murphy (PA) Myrick Neugebauer Noem Nugent Nunes Nunnelee Olson Cohen Davis (IL) Denham Filner Gutierrez Hinojosa Labrador Moore Paul Pelosi Rangel Rush Schmidt Schock

Sanchez, Loretta Sarbanes Schakowsky Schiff Scott (VA) Scott, David Serrano Sewell Sherman Sires Slaughter Speier Stark Sutton Thompson (CA) Thompson (MS) Tierney Tonko Towns Tsongas Van Hollen Velazquez Walz (MN) Wasserman Schultz Waters Watt Waxman Welch Wilson (FL) Yarmuth Goodlatte Gosar Gowdy Granger Graves (GA) Graves (MO) Griffin (AR) Griffith (VA) Grimm Guinta Guthrie Hall Harper Harris Hartzler Hastings (WA) Heck Hensarling Herger Herrera Beutler Huelskamp Huizenga (MI) Hultgren Hunter Hurt Issa Jenkins Johnson (IL) Johnson (OH) Johnson, Sam Kelly Labrador Markey Moore Pompeo Price (GA) Quayle Roskam

NOT VOTING—19

Moore Paul Pelosi Rangel Rush Schmidt Schock Schroder Schwartz Shuster Visclosky Woolsey

So the amendment was not agreed to.

33.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, printed in House Report 112-409, submitted by Ms. WATERS:

Page 11, line 12, strike "paragraph (10) of this subsection and".

Page 11, line 16, insert after the period the following: "Any such research report published or distributed by a broker or dealer that is participating or will participate in the registered offering of the securities of the issuer shall be filed with the Commission by the later of the date of the filing of such registration statement or the date such report is first published or distributed. Such research report shall be deemed a prospectus under paragraph (10)."

Page 13, line 18, after the first period insert the following: "Any written communication (as such term is defined in section 203.405 of title 17, Code of Federal Regulations) provided to potential investors in accordance with this subsection shall be filed with the Commission by the later of the date of the filing of such registration statement or the date the written communication is first engaged in. Such written communication shall be deemed a prospectus under section 2(a)(10)."

It was decided in the { Yeas 161 negative 259

33.25 [Roll No. 105]

AYES—161

Ackerman Berkley Boswell Andrews Berman Brady (PA) Baca Bishop (GA) Braley (IA) Baldwin Bishop (NY) Brown (FL) Bass (CA) Blumenauer Butterfield Becerra Bonamici Capps

NOES—244

Chabot Chaffetz Coble Coffman (CO) Cole Conaway Connolly (VA) Cooper Costa Cravaack Bartlett Crawford Crenshaw Culbertson Davis (KY) Dent DesJarlais Diaz-Balart Dold Dreier Duffy Duncan (SC) Ellmers Emerson Farenthold Fincher Fitzpatrick Flake Fleischmann Fleming Flores Forbes Fortenberry Foy Franks (AZ) Frelinghuysen Gallegly Gardner Garrett Gerlach Gibbs Gibson Gingrey (GA) Gohmert

NOT VOTING—23

Bachus Kelly Schmidt Burton (IN) Markey Schwartz Sewell Paul Tiberi Visclosky Woolsey

So the amendment was not agreed to.

33.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 112-409, submitted by Mr. ELLISON:

Page 5, strike line 7 and all that follows through page 6, line 13 (and redesignate succeeding paragraphs accordingly).

It was decided in the { Yeas 169 negative 244

33.23 [Roll No. 104]

AYES—169

Ackerman Baca Bass (CA) Altmire Baldwin Becerra Andrews Barrow Berkley

Capuano Hochul
 Carnahan Holden
 Carson (IN) Holt
 Castor (FL) Honda
 Chandler Hoyer
 Chu Insee
 Cicilline Israel
 Clarke (MI) Jackson (IL)
 Clarke (NY) Jackson Lee
 Clay (TX)
 Cleaver Johnson (GA)
 Clyburn Roybal-Allard
 Cohen Johnson, E. B.
 Conyers Kaptur
 Costello Keating
 Courtney Kildee
 Critz Kucinich
 Cummings Langevin
 Davis (CA) Larson (CT)
 DeFazio Lee (CA)
 DeGette Levin
 DeLauro Lewis (GA)
 Deutch Lipinski
 Dicks Loeb sack
 Dingell Lowey
 Doggett Lujan
 Donnelly (IN) Lynch
 Doyle Maloney
 Edwards Markey
 Ellison Matsui
 Engel McCollum
 Eshoo McDermott
 Farr McGovern
 Fattah McIntyre
 Frank (MA) McNerney
 Fudge Meeks
 Gonzalez Michaud
 Green, Al Miller (NC)
 Green, Gene Miller, George
 Grijalva Moran
 Gutierrez Murphy (CT)
 Hahn Nadler
 Hanabusa Napolitano
 Hastings (FL) Neal
 Heinrich Olver
 Higgins Pallone
 Himes Pascrell
 Hinchey Pastor (AZ)
 Hirono Pelosi

Perlmutter
 Peters
 Pingree (ME)
 Price (NC)
 Quigley
 Rahall
 Reyes
 Richardson
 Richmond
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Levin
 Schiff
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Lowey
 Sewell
 Neugebauer
 Neom
 Nugent
 Slaughter
 Nunes
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Yarmuth

Pelosi
 Perlmutter
 Peters
 Pingree (ME)
 Platts
 Polis
 Price (NC)
 Quigley
 Rahall
 Reyes
 Richardson
 Richmond
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Levin
 Lewis (GA)
 Scott (VA)
 Scott, David
 Sensenbrenner
 Serrano
 Sewell
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Yarmuth
 Young (FL)

NOT VOTING—12

So the amendment was not agreed to.

33.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 9, printed in House Report 112-409, submitted by Mr. CONNOLLY of Virginia:

Page 19, after line 2, insert the following new section (and conform the table of contents accordingly):

SEC. 109. STUDY ON THE EFFECTS OF MARKET SPECULATION ON EMERGING GROWTH COMPANIES.

(a) STUDY.—The Securities and Exchange Commission, in consultation with the Commodity Futures Trading Commission, shall carry out an ongoing study on the ability of emerging growth companies to raise capital utilizing the exemptions provided under this title and the amendments made by this title, in light of—

(1) financial market speculation on domestic oil and gasoline prices; and

(2) business cost increases caused by such speculation.

(b) REPORT.—Not later than the end of the 60-day period beginning on the date of the enactment of this Act, and annually thereafter, the Securities and Exchange Commission shall issue a report to the Congress containing all findings and determinations made in carrying out the study required under subsection (a).

It was decided in the { Yeas 185 negative } Nays 236

33.27 [Roll No. 106]

AYES—185

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Amodei
 Austria
 Bachmann
 Bachus
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Biggert
 Bilbray
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Cardoza
 Carney
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)

Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Lamborn
 Lance
 Landry
 Lankford
 Larsen (WA)
 Latham
 LaTourette
 Latta
 Lewis (CA)
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis

Rangel
 Schmidt
 Moore
 Paul
 Kissell
 Labrador
 Moore
 Paul
 Rangel
 Schmidt
 Visclosky
 Woolsey

NOES—236

Adams
 Aderholt
 Akin
 Alexander
 Amash
 Amodei
 Austria
 Bachmann
 Bachus
 Barletta
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Biggert
 Bilbray
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Cardoza
 Carney
 Carter
 Cassidy

Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Himes
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson, Sam
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette

Latta	Pearce	Sessions
Lewis (CA)	Pence	Shimkus
LoBiondo	Peterson	Shuler
Long	Petri	Shuster
Lucas	Pitts	Simpson
Luetkemeyer	Poe (TX)	Smith (NE)
Lummis	Pompeo	Smith (NJ)
Lungren, Daniel E.	Posey	Smith (TX)
	Price (GA)	Southerland
Mack	Quayle	Stearns
Manzullo	Reed	Stivers
Marchant	Rehberg	Stutzman
Marino	Reichert	Sullivan
Matheson	Renacci	Terry
McCarthy (CA)	Ribble	Thompson (PA)
McCaul	Rigell	Thornberry
McClintock	Rivera	Tiberi
McCotter	Roby	Tipton
McHenry	Roe (TN)	Turner (NY)
McKeon	Rogers (AL)	Turner (OH)
McKinley	Rogers (KY)	Upton
McMorris	Rogers (MI)	Walberg
Rodgers	Rohrabacher	Walden
Meehan	Rokita	Walsh (IL)
Mica	Rooney	Webster
Miller (FL)	Ros-Lehtinen	West
Miller (MI)	Roskam	Westmoreland
Miller, Gary	Ross (AR)	Whitfield
Mulvaney	Ross (FL)	Wilson (SC)
Murphy (PA)	Royce	Wittman
Myrick	Runyan	Wolf
Neugebauer	Ryan (WI)	Womack
Noem	Scalise	Woodall
Nugent	Schilling	Yoder
Nunes	Schock	Young (AK)
Nunnelee	Schweikert	Young (IN)
Olson	Scott (SC)	
Palazzo	Scott, Austin	

NOT VOTING—11

Davis (IL)	Labrador	Schmidt
Denham	Moore	Visclosky
Filner	Paul	Woolsey
Hinojosa	Rangel	

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. FLEISCHMANN, assumed the Chair.

When Mr. BISHOP of Utah, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

33.28 HOUR OF MEETING

On motion of Mr. HENSARLING, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Thursday, March 8, 2012.

33.29 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1886. An Act to prevent trafficking in counterfeit drugs; to the Committee on the Judiciary.

33.30 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4105. An Act to apply the counter-vailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

33.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. DAVIS of Illinois, for today after 4 p.m. and balance of the week; and

To Ms. MOORE, for today and balance of the week.

And then,

33.32 ADJOURNMENT

On motion of Mr. QUIGLEY, pursuant to the previous order of the House, at 7 o'clock and 42 minutes p.m., the House adjourned until 10 a.m. on Thursday, March 8, 2012.

33.33 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SOUTHERLAND:

H.R. 4150. A bill to remove from the John H. Chafee Coastal Barrier Resources System the areas included in Indian Peninsula Unit FL-92 and Cape San Blas Unit P-30 in Florida; to the Committee on Natural Resources.

By Mr. SOUTHERLAND:

H.R. 4151. A bill to provide for the conveyance of a small parcel of Bureau of Prisons land in Leon County, Florida; to the Committee on the Judiciary.

By Mr. CUMMINGS (for himself, Mr. MORAN, Ms. NORTON, Mr. LYNCH, and Mr. CONNOLLY of Virginia):

H.R. 4152. A bill to amend the provisions of title 5, United States Code, which are commonly referred to as the "Hatch Act" to eliminate the provision preventing certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title; to the Committee on Oversight and Government Reform.

By Mr. GOODLATTE (for himself and Mr. HOLDEN):

H.R. 4153. A bill to support efforts to reduce pollution of the Chesapeake Bay watershed, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOREN (for himself, Mr. COLE, Ms. MCCOLLUM, Mr. INSLEE, and Mr. KILDEE):

H.R. 4154. A bill to decrease the incidence of violent crimes against Indian women, to strengthen the capacity of Indian tribes to exercise the sovereign authority of Indian tribes to respond to violent crimes committed against Indian women, and to ensure that perpetrators of violent crimes committed against Indian women are held accountable for that criminal behavior, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself and Mr. WALZ of Minnesota):

H.R. 4155. A bill to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses; to the Committee on Oversight and Government Reform.

By Mr. MARKEY (for himself, Mr. MARINO, and Mr. STEARNS):

H.R. 4156. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen the ability of the Food and Drug Administration to seek advice from external experts re-

garding rare diseases, the burden of rare diseases, and the unmet medical needs of individuals with rare diseases; to the Committee on Energy and Commerce.

By Mr. LATHAM (for himself and Mr. BOREN):

H.R. 4157. A bill to prohibit the Secretary of Labor from finalizing a proposed rule under the Fair Labor Standards Act of 1938 relating to child labor; to the Committee on Education and the Workforce.

By Mr. HALL (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. LUCAS, Mr. ROHRBACHER, Mr. COSTELLO, Ms. FUDGE, Mr. ADERHOLT, Mr. PALAZZO, Mr. BROOKS, Mr. OLSON, Mr. HULTGREN, Mr. BENISHEK, Mr. LIPINSKI, Mrs. ADAMS, Mr. POSEY, Mr. RIGELL, and Mr. CLARKE of Michigan):

H.R. 4158. A bill to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions; to the Committee on Science, Space, and Technology.

By Mr. DEFAZIO:

H.R. 4159. A bill to increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer wants to fill with H-2B nonimmigrants; to the Committee on the Judiciary.

By Mr. ROKITA (for himself, Mr. HUELSKAMP, Mr. BROUN of Georgia, and Mr. JORDAN):

H.R. 4160. A bill to amend the Social Security Act to replace the Medicaid program and the Children's Health Insurance program with a block grant to the States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 4161. A bill to amend title 39, United States Code, to provide that the United States Postal Service may not close or consolidate any postal facility located in a ZIP code with a high rate of population growth, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. MILLER of Michigan:

H.R. 4162. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a Great Lakes basin initiative for agricultural nonpoint source pollution prevention; to the Committee on Agriculture.

By Mr. GARY G. MILLER of California (for himself and Mr. SHERMAN):

H.R. 4163. A bill to amend certain provisions of the Truth in Lending Act related to the compensation of mortgage originators, and for other purposes; to the Committee on Financial Services.

By Mr. YOUNG of Alaska (for himself and Mr. LOEBBACH):

H.R. 4164. A bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents; to the Committee on Armed Services.

By Mr. JONES:

H. Con. Res. 107. Concurrent resolution expressing the sense of Congress that the use of offensive military force by a President without prior and clear authorization of an Act

of Congress constitutes an impeachable high crime and misdemeanor under Article II, section 4 of the Constitution; to the Committee on the Judiciary.

By Mr. KILDEE (for himself, Ms. DELAURO, Ms. FUDGE, and Ms. WOOLSEY):

H. Res. 574. A resolution expressing support for designation of the week of March 12, 2012, through March 16, 2012, as National Young Audiences Week; to the Committee on Education and the Workforce.

By Mr. JONES:

H. Res. 575. A resolution amending the Rules of the House of Representatives to observe a moment of silence in the House on the first legislative day of each month for those killed or wounded in the United States engagement in Afghanistan; to the Committee on Rules.

By Mr. MCGOVERN (for himself, Mr. SMITH of New Jersey, Mr. ELLISON, Mr. WOLF, Mr. MORAN, and Mr. PITTS):

H. Res. 576. A resolution expressing the sense of the House of Representatives that the Government of the People's Republic of China has violated internationally recognized human rights by implementing severe restrictions on the rights of Uyghurs to freely associate and engage in religious and political speech, subjecting detained Uyghurs to torture and forced confessions, carrying out extrajudicial killings against Uyghur dissidents, and pressuring other governments to unlawfully return Uyghurs to China, where they face mistreatment and persecution; to the Committee on Foreign Affairs.

By Mr. UPTON:

H. Res. 577. A resolution recognizing the service of the Gold Star Dads of America, a nonprofit organization consisting of the fathers of members of the Armed Forces who make the ultimate sacrifice in defense of the United States; to the Committee on Armed Services.

¶33.34 MEMORIALS

Under clause 4 of rule XXII,

181. The SPEAKER presented a memorial of the House of Representatives of the State of South Carolina, relative to a Concurrent Resolution memorializing the Congress to designate in South Carolina the Southern Campaign of the Revolution as a National Heritage Area; to the Committee on Natural Resources.

¶33.35 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mrs. CAPPS.
 H.R. 104: Mr. LATTA and Ms. WASSERMAN SCHULTZ.
 H.R. 324: Mr. GUTIERREZ and Mr. PLATTS.
 H.R. 327: Mr. GUTIERREZ.
 H.R. 329: Mr. BOREN.
 H.R. 374: Mr. ROONEY.
 H.R. 625: Mr. MCCAUL.
 H.R. 683: Mr. SCOTT of Virginia.
 H.R. 718: Mr. INSLEE, Mr. BISHOP of New York, and Mr. CRITZ.
 H.R. 719: Mr. CHABOT, Mr. CARNEY, Mr. ROSS of Florida, Mr. BISHOP of Utah, Mr. MATHESON, Mr. PETERS, Mr. TURNER of New York, Mr. THOMPSON of Pennsylvania, Ms. EDWARDS, Mrs. CHRISTENSEN, Mr. NEAL, Mr. WOMACK, Ms. BONAMICI, Mr. COURTNEY, Mr. GRAVES of Missouri, Mr. PETRI, Mr. REYES, Mr. GERLACH, Mr. SIRES, Mr. PENCE, Mr. REED, Mr. KIND, Mr. JACKSON of Illinois, Mr. YOUNG of Florida, Mr. YOUNG of Indiana, Ms. WASSERMAN SCHULTZ, Mr. LATTA, Mrs. BLACKBURN, Mr. BASS of New Hampshire, and Mr. AMODEI.
 H.R. 733: Ms. HAYWORTH.

H.R. 780: Mr. TONKO.
 H.R. 807: Mr. HONDA.
 H.R. 854: Ms. HAYWORTH and Ms. SPEIER.
 H.R. 860: Mr. DAVIS of Kentucky.
 H.R. 870: Mr. FATTAH, Mr. McDERMOTT, and Mr. HOLT.
 H.R. 885: Mr. HINOJOSA.
 H.R. 891: Mr. SHIMKUS.
 H.R. 931: Mr. AUSTIN SCOTT of Georgia, Mr. PALAZZO, Mr. UPTON, and Mr. GOWDY.
 H.R. 941: Mr. MORAN, Mr. McDERMOTT, Mr. BRALEY of Iowa, Ms. NORTON, Mr. BARTLETT, Mr. MCGOVERN, Mr. FITZPATRICK, and Mr. RAHALL.
 H.R. 964: Mr. MICHAUD.
 H.R. 1041: Mr. MCCOTTER.
 H.R. 1112: Mr. LATTA.
 H.R. 1179: Mr. BARROW.
 H.R. 1193: Mr. COURTNEY.
 H.R. 1208: Mr. CONNOLLY of Virginia.
 H.R. 1236: Mr. AMODEI.
 H.R. 1330: Mr. GRIJALVA.
 H.R. 1340: Mr. ROHRBACHER and Mr. NUNNELEE.
 H.R. 1360: Mr. COURTNEY, Mr. MCGOVERN, and Mr. PETERS.
 H.R. 1370: Mr. HECK.
 H.R. 1410: Mr. CONNOLLY of Virginia, Mr. SHERMAN, and Mr. BURTON of Indiana.
 H.R. 1589: Mr. RANGEL.
 H.R. 1612: Mr. CHANDLER and Ms. SPEIER.
 H.R. 1639: Mr. GRIMM, Mr. LUETKEMEYER, and Mr. FARENTHOLD.
 H.R. 1842: Mr. OLVER.
 H.R. 1867: Mr. HULTGREN.
 H.R. 1895: Ms. SPEIER.
 H.R. 1955: Ms. ZOE LOFGREN of California.
 H.R. 1960: Mr. KING of Iowa.
 H.R. 2086: Mr. GUTIERREZ and Mr. PASCRELL.
 H.R. 2102: Ms. ESHOO.
 H.R. 2104: Mr. GUTIERREZ.
 H.R. 2106: Mr. BERMAN and Mr. SMITH of New Jersey.
 H.R. 2123: Mr. CRITZ.
 H.R. 2124: Mr. GUTHRIE.
 H.R. 2168: Mr. GRIJALVA.
 H.R. 2195: Mr. LOEBSACK.
 H.R. 2222: Mr. VISCLOSKEY.
 H.R. 2239: Ms. MOORE and Ms. HAYWORTH.
 H.R. 2245: Mr. BUCSHON.
 H.R. 2325: Mr. BRADY of Pennsylvania.
 H.R. 2418: Mr. LATTA.
 H.R. 2429: Mr. LATHAM.
 H.R. 2485: Mr. TONKO.
 H.R. 2543: Mr. PRICE of North Carolina.
 H.R. 2595: Mr. ROSS of Arkansas.
 H.R. 2600: Mr. ANDREWS and Mr. CRITZ.
 H.R. 2649: Mr. BACA, Mr. CULBERSON, and Mr. QUIGLEY.
 H.R. 2688: Ms. SCHAKOWSKY.
 H.R. 2696: Mr. WITTMAN.
 H.R. 2697: Mr. SCHWEIKERT and Mr. CARNAHAN.
 H.R. 2828: Mr. RAHALL.
 H.R. 2978: Mr. HERGER, Mr. WOMACK, and Mr. ROONEY.
 H.R. 3032: Mr. MCCOTTER.
 H.R. 3039: Mr. QUIGLEY.
 H.R. 3059: Mrs. ADAMS.
 H.R. 3086: Ms. PINGREE of Maine, Mr. MICHAUD, and Mr. COBLE.
 H.R. 3145: Ms. EDWARDS.
 H.R. 3167: Mr. FITZPATRICK and Mr. PLATTS.
 H.R. 3187: Mrs. DAVIS of California, Mrs. BLACKBURN, Mr. BISHOP of Georgia, and Mr. THOMPSON of Pennsylvania.
 H.R. 3264: Mr. RIBBLE and Mr. BURTON of Indiana.
 H.R. 3339: Mr. TURNER of Ohio.
 H.R. 3364: Mr. ROSS of Florida.
 H.R. 3399: Mr. SCHRADER, Mr. BARROW, Mr. MICHAUD, Mr. CARDOZA, and Ms. LORETTA SANCHEZ of California.
 H.R. 3418: Ms. LEE of California.
 H.R. 3497: Mr. ROSKAM.
 H.R. 3589: Mr. WOLF.
 H.R. 3591: Mr. BLUMENAUER.
 H.R. 3616: Mr. KLINE.

H.R. 3618: Mr. STARK.
 H.R. 3635: Mr. OLVER and Mr. LEWIS of Georgia.
 H.R. 3646: Mr. GRIJALVA.
 H.R. 3681: Mr. CARNEY.
 H.R. 3684: Ms. HAYWORTH.
 H.R. 3783: Mr. SMITH of New Jersey.
 H.R. 3803: Mr. GIBBS, Mr. BILIRAKIS, Mr. POSEY, Mr. SHIMKUS, Mrs. MCMORRIS RODGERS, Mrs. NOEM, Mr. MARINO, and Mr. UPTON.
 H.R. 3808: Mr. POE of Texas.
 H.R. 3839: Ms. BORDALLO, Ms. HAHN, Mr. OWENS, Mr. ROONEY, and Mr. BURTON of Indiana.
 H.R. 3855: Mr. SMITH of Washington.
 H.R. 3894: Mr. QUIGLEY, Ms. LEE of California, Mr. LIPINSKI, and Mr. RANGEL.
 H.R. 3895: Mr. AMODEI, Mr. RANGEL, and Mr. RUNYAN.
 H.R. 3980: Mr. TIPTON and Mrs. ELLMERS.
 H.R. 3981: Mr. MILLER of Florida.
 H.R. 3982: Mr. JONES.
 H.R. 3985: Mr. HANNA and Mr. WEST.
 H.R. 3993: Mr. MILLER of Florida.
 H.R. 4018: Mr. POE of Texas.
 H.R. 4032: Mr. RANGEL, Mr. ELLISON, and Mr. DENT.
 H.R. 4036: Mr. LATOURETTE.
 H.R. 4038: Ms. BROWN of Florida.
 H.R. 4040: Mrs. BIGBERT, Mr. BUCSHON, Mr. BUTTERFIELD, Mrs. CAPITO, Mr. CLEAVER, Ms. DEGETTE, Mr. GIBSON, Mr. AL GREEN of Texas, Mr. GRIMM, Mr. HASTINGS of Washington, Ms. HAYWORTH, Mr. HENSARLING, Mr. HIGGINS, Mr. HIMES, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. KINZINGER of Illinois, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. MATHESON, Mr. MCHENRY, Mr. MICHAUD, Mr. NEUGEBAUER, Mr. PAULSEN, Mr. PENCE, Mr. PETERS, Mr. PLATTS, Mr. POSEY, Mr. RENACCI, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. SCALISE, Mr. DAVID SCOTT of Georgia, Mr. THOMPSON of California, Mr. WAXMAN, and Mr. WEBSTER.
 H.R. 4063: Ms. MCCOLLUM.
 H.R. 4070: Mr. NUGENT, Mr. MCCOTTER, and Mrs. BLACK.
 H.R. 4077: Mr. POE of Texas.
 H.R. 4080: Mr. MEEKS.
 H.R. 4084: Mr. HONDA.
 H.R. 4095: Mrs. BONO MACK, Mr. WHITFIELD, Mr. LANCE, Mrs. MYRICK, Mr. GRIFFITH of Virginia, Mr. KINZINGER of Illinois, and Mr. GINGREY of Georgia.
 H.R. 4110: Mr. LONG.
 H.R. 4126: Ms. LEE of California, Ms. BROWN of Florida, Ms. CLARKE of New York, and Mr. PETERS.
 H.R. 4128: Mr. NUNNELEE.
 H.R. 4133: Mr. COOPER, Mr. LANCE, Mr. GALLEGLY, Mr. BACA, Mr. BACHUS, Mr. HOLDEN, Mr. GOWDY, Mr. MCHENRY, Mr. NUGENT, Mr. SCHOCK, Mr. LOBIONDO, Mr. DOLD, Mr. LAMBORN, Mr. RIVERA, Mr. MATHESON, Mr. RANGEL, Mr. ACKERMAN, Ms. BERKLEY, Mr. BOREN, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. COSTA, Mr. DEUTCH, Ms. DEGETTE, Mr. GENE GREEN of Texas, Mr. HIGGINS, Mr. KEATING, Mr. KISSELL, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. MALONEY, Mr. NEAL, Ms. NORTON, Mr. PIERLUISI, Mr. POLIS, Mr. REYES, Mr. RYAN of Ohio, Mr. ROTHMAN of New Jersey, Mr. SARBANES, and Mr. TOWNS.
 H.R. 4134: Mr. CROWLEY.
 H.J. Res. 45: Mr. JONES.
 H.J. Res. 103: Mrs. ADAMS, Mr. UPTON, and Mrs. NOEM.
 H. Con. Res. 87: Ms. NORTON, Mr. JOHNSON of Ohio, Mr. NUGENT, and Mr. NEAL.
 H. Res. 25: Mr. MCKEON, Mr. ROGERS of Michigan, and Ms. LINDA T. SANCHEZ of California.
 H. Res. 271: Mr. CHABOT.
 H. Res. 503: Mr. BILIRAKIS and Mr. AUSTIN SCOTT of Georgia.
 H. Res. 560: Mr. BOSWELL, Mr. LEVIN, Mr. GRIJALVA, Mr. LANGEVIN, Ms. NORTON, Ms.

MOORE, Mrs. MALONEY, Mr. CONYERS, Mr. GUTIERREZ, Mr. NEAL, and Mr. LEWIS of Georgia.

H. Res. 568: Mr. HARRIS, Mr. BISHOP of Utah, Mr. DIAZ-BALART, Mr. MATHESON, Ms. FOXX, Mr. KLINE, Mr. BRADY of Texas, Mr. SENSENBRENNER, Mr. ROE of Tennessee, Mr. KING of Iowa, Mr. UPTON, Mr. ROHRBACHER, Mr. KING of New York, Mr. CALVERT, Mr. RYAN of Ohio, Mr. CARDOZA, Mr. KILDEE, Ms. HAYWORTH, Mr. BOREN, Mr. LAMBORN, Mrs. LUMMIS, Mr. RANGEL, Ms. BASS of California, Mr. GOODLATTE, Mr. HERGER, and Mr. CRAWFORD.

¶33.36 PETITIONS

Under clause 3 of rule XII,

37. The SPEAKER presented a petition of City of Fort Myers, Florida, relative to Resolution No. 2012 2 urging the Congress to support funding of the Community Development Block Grant Program; which was referred to the Committee on Financial Services.

THURSDAY, MARCH 8, 2012 (34)

The House was called to order by the SPEAKER.

¶34.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 7, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶34.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5217. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Business Conduct Standards for Swap Dealers and Major Swap Participants With Counterparties (RIN: 3038-AD25) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5218. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluopyram; Pesticide Tolerances [EPA-HQ-OPP-2009-0364; FRL-9336-9] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5219. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metaflumizone; Pesticide Tolerances [EPA-HQ-OPP-2008-0168; FRL-9333-4] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5220. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mevinphos; Order Revoking Tolerances [EPA-HQ-OPP-2010-0423; FRL-9338-3] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5221. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flazasulfuron; Pesticide Tolerances [EPA-HQ-OPP-2010-0494; FRL-8883-1] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5222. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — In-

vestment Adviser Performance Compensation [Release No. IA-3372; File No. S7-17-11] (RIN: 3235-AK71) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5223. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Hazardous Substances; Designation, Reportable Quantities, and Notification [EPA-HQ-SFUND-2011-0965; FRL-9635-9] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5224. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Hawaii State Implementation Plan [EPA-R09-OAR-2012-0082; FRL-9634-1] received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5225. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule — Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone [EPA-HQ-OAR-2009-0491; FRL-9631-8] (RIN: 2060-AR22) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5226. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's "Major" final rule — Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone; Part II [EPA-HQ-OAR-2009-0491; FRL-9632-8] (RIN: 2060-AR35) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5227. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-319, "Uniform Collaborative Law Act of 2012"; to the Committee on Oversight and Government Reform.

5228. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-320, "District of Columbia Public Schools and Public Charter School Student Residency Fraud Prevention Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5229. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Clarification of Policy Regarding 14 CFR part 135 Approved Training Programs [Docket No.: FAA-2011-1397] received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5230. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Enstrom Helicopter Corporation Helicopters [Docket No.: FAA-2011-1382; Directorate Identifier 2011-SW-053-AD; Amendment 39-16900; AD 2011-26-10] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5231. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0996; Directorate Identifier 2011-NM-068-AD; Amendment 39-16899; AD 2011-26-09] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5232. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/

Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2011-0919; Directorate Identifier 2010-NM-088-AD; Amendment 39-16903; AD 2011-27-02] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5233. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) GE90-110B1 and GE90-115B Turbofan Engines [Docket No.: FAA-2011-0278; Directorate Identifier 2010-NE-10-AD; Amendment 39-16901; AD 2011-26-11] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5234. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines [Docket No.: FAA-2011-1341; Directorate Identifier 2011-NE-41-AD; Amendment 39-16891; AD 2011-25-51] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5235. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines Turbofan Engines [Docket No.: FAA-2010-0494; Directorate Identifier 2010-NE-20-AD; Amendment 39-16884; AD 2011-25-08] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5236. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH Reciprocating Engines [Docket No.: FAA-2009-0948; Directorate Identifier 2009-NE-30-AD; Amendment 39-16906; AD 2010-06-12R1] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5237. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Turbofan Engines [Docket No.: FAA-2010-0904; Directorate Identifier 2010-NE-33-AD; Amendment 39-16902; AD 2011-27-01] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5238. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation Airplanes Equipped with a Certain Supplemental Type Certificate (STC) [Docket No.: FAA-2011-1420; Directorate Identifier 2011-CE-035-AD; Amendment 39-16905; AD 2011-27-04] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶34.3 REOPENING AMERICAN CAPITAL MARKETS TO EMERGING GROWTH COMPANIES

The SPEAKER pro tempore, Mr. JOHNSON of Ohio, pursuant to House Resolution 572 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

Mrs. MILLER of Michigan, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. FINCHER, assumed the Chair.

When Mrs. MILLER of Michigan, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶34.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. FINCHER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 8, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 8, 2012 at 9:34 a.m.:

That the Senate passed S. 1855.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶34.5 RECESS—11:22 A.M.

The SPEAKER pro tempore, Mr. FINCHER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 22 minutes a.m., until approximately 11:45 a.m.

¶34.6 AFTER RECESS—11:45 A.M.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, called the House to order.

¶34.7 REOPENING AMERICAN CAPITAL MARKETS TO EMERGING GROWTH COMPANIES

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to House Resolution 572 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

Mr. SIMPSON, Acting Chairman, assumed the chair; and after some time spent therein,

¶34.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 15, printed in House Report 112-409, submitted by Mr. PETERS:

At the end of the bill insert the following:

TITLE VII—REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES

SEC. 701. REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES.

Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following new subsection:

“(r) DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES.—

“(1) IN GENERAL.—Beginning the first full fiscal year that begins after the date of enactment of this subsection, each issuer required to file reports with the Commission pursuant to subsection (a) shall disclose annually to the Commission and to shareholders—

“(A) the total number of employees of the issuer and each consolidated subsidiary of the issuer who are domiciled in the United States and listed by number in each State;

“(B) the total number of such employees physically working in and domiciled in any country other than the United States, listed by number in each country; and

“(C) the percentage increase or decrease in the numbers required under subparagraphs (A) and (B) from the previous reporting year.

“(2) EXEMPTIONS.—

“(A) NEWER PUBLIC COMPANIES.—An issuer shall not be subject to the requirement under paragraph (1) for the first 5 years after the issuer is first required to file reports with the Commission pursuant to subsection (a).

“(B) EMERGING GROWTH COMPANIES.—An issuer that is an emerging growth company shall not be subject to the requirement under paragraph (1).

“(3) REGULATIONS.—The Commission may promulgate such regulations as it considers necessary to implement the requirement set forth in paragraph (1).”.

Amend the table of contents in section 2 by adding at the end the following new items:

TITLE VII—REQUIRED DISCLOSURE OF NUMBER OF DOMESTIC AND FOREIGN EMPLOYEES

Sec. 701. Required disclosure of number of domestic and foreign employees

It was decided in the { Yeas 175
negative Nays 239

¶34.9 [Roll No. 107] AYES—175

- | | | |
|---------------|----------------|----------------|
| Ackerman | Dingell | Lee (CA) |
| Altmire | Doggett | Levin |
| Andrews | Donnelly (IN) | Lewis (GA) |
| Baca | Doyle | Lipinski |
| Baldwin | Duncan (TN) | Loeb sack |
| Barrow | Edwards | Lofgren, Zoe |
| Bass (CA) | Ellison | Lowey |
| Becerra | Engel | Lujan |
| Berkley | Eshoo | Lynch |
| Berman | Farr | Maloney |
| Bishop (GA) | Fattah | Markey |
| Bishop (NY) | Frank (MA) | Matsui |
| Blumenauer | Frank (CA) | McCarthy (NY) |
| Bonamici | Fudge | McCollum |
| Boswell | Gibson | McDermott |
| Brady (PA) | Gonzalez | McGovern |
| Bralley (IA) | Green, Al | McIntyre |
| Brown (FL) | Green, Gene | McNerney |
| Butterfield | Grijalva | Meeks |
| Capps | Gutierrez | Michaud |
| Capuano | Hahn | Miller (NC) |
| Carnahan | Hanabusa | Miller, George |
| Carney | Hastings (FL) | Moran |
| Carson (IN) | Heinrich | Murphy (CT) |
| Castor (FL) | Higgins | Nadler |
| Chandler | Hinchev | Napolitano |
| Chu | Hirono | Neal |
| Ciциlline | Hochul | Olver |
| Clarke (MI) | Holden | Owens |
| Clarke (NY) | Holt | Pallone |
| Clay | Honda | Pascrell |
| Cleaver | Hoyer | Pastor (AZ) |
| Clyburn | Inslce | Pelosi |
| Cohen | Israel | Perlmutter |
| Connolly (VA) | Jackson (IL) | Peters |
| Conyers | Jackson Lee | Pingree (ME) |
| Costello | (TX) | Polis |
| Courtney | Johnson, E. B. | Price (NC) |
| Critz | Jones | Quigley |
| Crowley | Kaptur | Rahall |
| Cummings | Keating | Reyes |
| Davis (CA) | Kildee | Richardson |
| DeFazio | Kind | Richmond |
| DeGette | Kissell | Rothman (NJ) |
| DeLauro | Kucinich | Roybal-Allard |
| Deutch | Langevin | Ruppersberger |
| Dicks | Larsen (WA) | Rush |
| | Larson (CT) | |

- | | | |
|------------------|---------------|-------------|
| Ryan (OH) | Sherman | Velázquez |
| Sánchez, Linda | Sires | Walz (MN) |
| T. | Slaughter | Wasserman |
| Sanchez, Loretta | Smith (WA) | Schultz |
| Sarbanes | Speier | Waters |
| Schakowsky | Stark | Watt |
| Schiff | Sutton | Waxman |
| Schrader | Thompson (CA) | Welch |
| Schwartz | Tierney | Wilson (FL) |
| Scott (VA) | Tonko | Woolsey |
| Scott, David | Towns | Yarmuth |
| Serrano | Tsongas | |
| Sewell | Van Hollen | |

NOES—239

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

NOT VOTING—18

- | | | |
|---------|------------|-----------|
| Bonner | Culberson | Filner |
| Cardoza | Davis (IL) | Garamendi |

Hinojosa Miller, Gary Rangel
Johnson (GA) Moore Schmidt
Labrador Neugebauer Thompson (MS)
Landry Paul Visclosky

So the amendment was not agreed to.

¶34.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 16, printed in House Report 112-409, submitted by Mrs. CAPPS:

Add at the end the following (and conform the table of contents accordingly):

TITLE VII—REPORT ON IPOS AND MANUFACTURING

SEC. 701. REPORT.

After the end of the 1-year period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue a report to the Congress on the increase in initial public offerings that resulted from this Act and the amendments made by this Act, including the specific increases in offerings by companies in the manufacturing industry and the high technology industry.

It was decided in the { Yeas 172
negative } Nays 236

¶34.11 [Roll No. 108]

AYES—172

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

NOES—236

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

NOT VOTING—24

Bartlett Garamendi Moore
Bonner Hinojosa Moran
Cardoza Hoyer Moran
Costa Johnson (GA) Neugebauer
Culberson Labrador Paul
Davis (IL) Landry Rangel
Doggett LaTourrette Schmidt
Filner Miller, Gary Thompson (MS)
Visclosky

So the amendment was not agreed to.
The SPEAKER pro tempore, Mr. SIMPSON, assumed the Chair.

When Mrs. EMERSON, Acting Chairwoman, reported the bill, as amended, back to the House with sundry further

amendments adopted by the Committee.

Pursuant to House Resolution 572, the previous question was ordered.

The following sundry further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 2, line 11, insert after "\$1,000,000,000" the following: "(as such amount is indexed for inflation every 5 years by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, setting the threshold to the nearest 1,000,000)".

Page 2, line 18, insert after "\$1,000,000,000" the following: "(as such amount is indexed for inflation every 5 years by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, setting the threshold to the nearest 1,000,000)".

Page 3, line 5, strike "or".
Page 3, after line 5, insert the following: "(C) the date on which such issuer has, during the previous 3-year period, issued more than \$1,000,000,000 in non-convertible debt; or".

Page 3, line 6, strike "(C)" and insert "(D)".

Page 3, line 18, after "(80)" insert the following: "EMERGING GROWTH COMPANY.—".

Page 3, line 20, insert after "\$1,000,000,000" the following: "(as such amount is indexed for inflation every 5 years by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, setting the threshold to the nearest 1,000,000)".

Page 4, line 3, insert after "\$1,000,000,000" the following: "(as such amount is indexed for inflation every 5 years by the Commission to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, setting the threshold to the nearest 1,000,000)".

Page 4, line 8, strike "or".

Page 4, after line 8, insert the following: "(C) the date on which such issuer has, during the previous 3-year period, issued more than \$1,000,000,000 in non-convertible debt; or".

Page 4, line 9, strike "(C)" and insert "(D)".

Page 9, line 3, strike "7201(a))" and insert "7201(a))".

Page 19, beginning on line 6, strike "(a) REMOVAL OF RESTRICTION.—" and all that follows through line 11 and insert the following: (a) MODIFICATION OF RULES.—

(1) Not later than 90 days after the period the following: "Section 230.506 of title 17, Code of Federal Regulations, as revised pursuant to this section, shall continue to be treated as a regulation issued under section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2))."

Page 19, after line 23, insert the following: (2) Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall revise subsection (d)(1) of section 230.144A of title 17, Code of Federal Regulations, to provide that securities sold under such revised exemption may be offered to persons other than qualified institutional buyers, including by means of general solicitation or general advertising, provided that securities are sold only to persons that the seller and any person acting on behalf of the seller reasonably believe is a qualified institutional buyer.

(c) CONSISTENCY IN INTERPRETATION.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) by striking "The provisions of section 5" and inserting "(a) The provisions of section 5"; and

(2) by adding at the end the following:
“(b) Offers and sales exempt under section 230.506 of title 17, Code of Federal Regulations (as revised pursuant to section 201 of the Jumpstart Our Business Startups Act) shall not be deemed public offerings under the Federal securities laws as a result of general advertising or general solicitation.”.

Page 19, after line 23, insert the following:
(c) EXPLANATION OF EXEMPTION.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) by striking “The provisions of section 5” and inserting “(a) The provisions of section 5”; and

(2) by adding at the end the following:
“(b)(1) With respect to securities offered and sold in compliance with Rule 506 of Regulation D under this Act, no person who meets the conditions set forth in paragraph (2) shall be subject to registration as a broker or dealer pursuant to section 15(a)(1) of this title, solely because—

“(A) that person maintains a platform or mechanism that permits the offer, sale, purchase, or negotiation of or with respect to securities, or permits general solicitations, general advertisements, or similar or related activities by issuers of such securities, whether online, in person, or through any other means;

“(B) that person or any person associated with that person co-invests in such securities; or

“(C) that person or any person associated with that person provides ancillary services with respect to such securities.

“(2) The exemption provided in paragraph (1) shall apply to any person described in such paragraph if—

“(A) such person and each person associated with that person receives no compensation in connection with the purchase or sale of such security;

“(B) such person and each person associated with that person does not have possession of customer funds or securities in connection with the purchase or sale of such security; and

“(C) such person is not subject to a statutory disqualification as defined in section 3(a)(39) of this title and does not have any person associated with that person subject to such a statutory disqualification.

“(3) For the purposes of this subsection, the term ‘ancillary services’ means—

“(A) the provision of due diligence services, in connection with the offer, sale, purchase, or negotiation of such security, so long as such services do not include, for separate compensation, investment advice or recommendations to issuers or investors; and

“(B) the provision of standardized documents to the issuers and investors, so long as such person or entity does not negotiate the terms of the issuance for and on behalf of third parties and issuers are not required to use the standardized documents as a condition of using the service.”.

Page 36, line 25, strike “by 1,000 persons, and” and insert “by either—

“(i) 2,000 persons, or

“(ii) 500 persons who are not accredited investors (as such term is defined by the Commission), and”.

Page 37, line 3, strike “is amended” and insert the following: “, as amended by section 302, is amended in subparagraph (A)”.

Page 37, beginning on line 18, strike “holders of their securities are accredited investors or that”.

Page 37, after line 22, insert the following:
SEC. 504. COMMISSION STUDY OF ENFORCEMENT AUTHORITY UNDER RULE 12G5-1.

The Securities and Exchange Commission shall examine its authority to enforce Rule 12g5-1 to determine if new enforcement tools are needed to enforce the anti-evasion provi-

sion contained in subsection (b)(3) of the rule, and shall, not later than 120 days after the date of enactment of this Act transmit its recommendations to Congress.

The table of contents in section 2 of the bill is amended by inserting after the item relating to section 503 the following new item:

Sec. 504. Commission study of enforcement authority under Rule 12g5-1

Page 38, line 16, strike “, as such term is defined in section 3(a)(6).”.

Page 38, line 18, strike “section (2)” and insert “section 2”.

Add at the end the following (and conform the table of contents accordingly):

TITLE VII—OUTREACH ON CHANGES TO THE LAW

SEC. 701. OUTREACH BY THE COMMISSION.

The Securities and Exchange Commission shall provide online information and conduct outreach to inform small and medium sized businesses, women owned businesses, veteran owned businesses, and minority owned businesses of the changes made by this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. ESHOO moved to recommit the bill to the Committee on Financial Services with instructions to report the bill back to the House forthwith with the following amendment:

Page 2, line 12 insert before the period the following: “, and discloses publicly and to the Commission any political expenditures made by the issuer during such fiscal year”.

Page 3, line 21, insert before the period the following: “, and discloses publicly and to the Commission any political expenditures made by the issuer during such fiscal year”.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the nays had it.

Ms. ESHOO demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 170 negative } Nays 244

34.12

[Roll No. 109]

AYES—170

- Ackerman Chandler Dingell
Altmire Chu Doggett
Andrews Cicilline Donnelly (IN)
Baca Doyle
Baldwin Clarke (NY) Edwards
Bass (CA) Clay Ellison
Becerra Cleaver Engel
Berkley Clyburn Eshoo
Berman Cohen Farr
Bishop (GA) Connolly (VA) Fattah
Bishop (NY) Conyers Frank (MA)
Blumenauer Costello Fudge
Bonamici Courtney Gonzalez
Boswell Critz Green, Al
Brady (PA) Crowley Green, Gene
Braley (IA) Cuellar Grijalva
Brown (FL) Cummings Gutierrez
Butterfield Davis (CA) Hahn
Capps DeFazio Hanabusa
Capuano DeGette Hastings (FL)
Carnahan DeLauro Heinrich
Carson (IN) Deutch Higgins
Castor (FL) Dicks Himes

- Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—244

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

Rogers (KY) Sensenbrenner Turner (NY)
 Rogers (MI) Sessions Turner (OH)
 Rohrabacher Shimkus Upton
 Rokita Shuler Walberg
 Rooney Shuster Walden
 Ros-Lehtinen Simpson Walsh (IL)
 Roskam Smith (NE) Webster
 Ross (AR) Smith (NJ) West
 Ross (FL) Smith (TX) Westmoreland
 Royce Whitfield
 Runyan Stearns Wilson (SC)
 Ryan (WI) Stivers Wittman
 Scalise Stutzman Wolf
 Schilling Sullivan Womack
 Schock Terry Woodall
 Schrader Thompson (PA) Yoder
 Schweikert Thornberry Young (AK)
 Scott (SC) Tiberi Young (FL)
 Scott, Austin Tipton Young (IN)

NOT VOTING—18

Bonner Hinojosa Neugebauer
 Cardoza Labrador Paul
 Culberson Landry Rangel
 Davis (IL) Maloney Schmidt
 Filner Miller, Gary Thompson (MS)
 Garamendi Moore Visclosky

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the yeas had it.

Mr. BACHUS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 390
 affirmative } Nays 23

¶34.13 [Roll No. 110]
 AYES—390

Ackerman Calvert Deutch
 Adams Camp Diaz-Balart
 Aderholt Campbell Dicks
 Akin Canseco Doggett
 Alexander Cantor Dold
 Altmire Capito Donnelly (IN)
 Amash Capps Doyle
 Amodei Carnahan Dreier
 Andrews Carney Duffy
 Austria Carson (IN) Duncan (SC)
 Bachmann Carter Ellison
 Bachus Cassidy Ellmers
 Baldwin Castor (FL) Emerson
 Barletta Chabot Engel
 Barrow Chaffetz Eshoo
 Bartlett Chandler Farenthold
 Barton (TX) Chu Farr
 Bass (NH) Cicilline Fattah
 Benishek Clarke (MI) Fincher
 Berg Clarke (NY) Fitzpatrick
 Berkeley Clay Flake
 Berman Cleaver Fleischmann
 Biggart Clyburn Fleming
 Bilbray Coble Flores
 Bilirakis Coffman (CO) Forbes
 Bishop (GA) Cohen Fortenberry
 Bishop (NY) Cole Foxx
 Bishop (UT) Conaway Frank (MA)
 Black Connolly (VA) Franks (AZ)
 Blackburn Cooper Frelinghuysen
 Blumenauer Cooper Fudge
 Bonamici Costello Gallegly
 Bono Mack Courtney Gardner
 Boren Cravaack Garrett
 Boswell Crawford Gerlach
 Boustany Gibbs Greshaw
 Brady (PA) Critz
 Brady (TX) Crowley Gingrey (GA)
 Braley (IA) Cuellar Gohmert
 Brooks Cummings Gonzalez
 Broun (GA) Davis (CA) Goodlatte
 Brown (FL) Davis (KY) Gosar
 Buchanan DeFazio Gowdy
 Bucshon DeGette Granger
 Buerkle DeLauro Graves (GA)
 Burgess Denham Graves (MO)
 Burton (IN) Dent Green, Al
 Butterfield DesJarlais Green, Gene

Griffin (AR) Marchant Roybal-Allard
 Griffith (VA) Marino Royce
 Grijalva Matheson Runyan
 Grimm Matsui Ruppertsberger
 Guinta McCarthy (CA) Rush
 Guthrie McCarthy (NY) Ryan (OH)
 Gutierrez McCaul Ryan (WI)
 Hahn McClintock Sanchez, Linda
 Hall McCollum T.
 Hanabusa McCotter Sanchez, Loretta
 Hanna McGovern Scalise
 Harper McHenry Schiff
 Harris McIntyre Schilling
 Hartzler McKeon Schock
 Hastings (FL) McKinley Schrader
 Hastings (WA) McMorris Schwartz
 Hayworth Rodgers Schweikert
 Heck McNeerney Scott (SC)
 Heinrich Meehan Scott (VA)
 Hensarling Meeks Scott, Austin
 Herger Mica Scott, David
 Herrera Beutler Michaud Sensenbrenner
 Higgins Miller (FL) Serrano
 Himes Miller (MI) Sessions
 Hirono Miller, George Sewell
 Hochul Moran Sherman
 Holden Mulvaney Shuler
 Honda Murphy (CT) Shuster
 Hoyer Murphy (PA) Simpson
 Huelskamp Myrick Sires
 Huizenga (MI) Nadler Slaughtert
 Hultgren Neal Smith (NE)
 Hunter Noem Smith (NJ)
 Hurt Nugent Smith (TX)
 Inslee Nunes Smith (WA)
 Israel Nunnelee Southerland
 Issa Olson Speier
 Jackson (IL) Owens Stark
 Jackson Lee Palazzo Stearns
 (TX) Pallone Stivers
 Jenkins Pascrell Stutzman
 Johnson (IL) Pastor (AZ) Sullivan
 Johnson (OH) Paulsen Sutton
 Johnson, E. B. Pearce Terry
 Johnson, Sam Pelosi Thompson (CA)
 Jones Pence Thompson (PA)
 Jordan Perlmutter Thornberry
 Kaptur Peters Tiberi
 Keating Peterson Tierney
 Kelly Petri Tipton
 Kind Pitts Tonko
 King (IA) Platts Towns
 King (NY) Poe (TX) Tsongas
 Kingston Polis Turner (NY)
 Kinzinger (IL) Pompeo Posey
 Kissell Price (GA) Turner (OH)
 Kline Price (NC) Upton
 Lankford Quayle Van Hollen
 Lance Langevin Quigley Velázquez
 Langevin Lankford Rahall Walberg
 Larsen (WA) Reed Walden
 Larson (CT) Rehberg Walsh (IL)
 Latham Reichert Walz (MN)
 LaTourette Renacci Wasserman
 Latta Reyes Schultz
 Levin Ribble Waters
 Lewis (CA) Richardson Webster
 Lewis (GA) Richmond Welch
 Lipinski Rigell West
 LoBiondo Rivera Westmoreland
 Loeb sack Roby Whitfield
 Lofgren, Zoe Roe (TN) Wilson (FL)
 Long Rogers (AL) Wilson (SC)
 Lowey Rogers (KY) Wittman
 Lucas Rogers (MI) Wolf
 Luetkemeyer Rohrabacher Womack
 Lujan Rokita Woodall
 Lummis Rooney Woodsey
 Lungren, Daniel Ros-Lehtinen Yarmuth
 E. Lynch Roskam Yoder
 Mack Ross (AR) Young (AK)
 Manzullo Ross (FL) Young (FL)
 Rothman (NJ) Young (IN)

NOES—23

Baca Holt Napolitano
 Bass (CA) Johnson (GA) Oliver
 Becerra Kildee Pingree (ME)
 Capuano Kucinich Sarbanes
 Conyers Lee (CA) Schakowsky
 Dingell Markey Watt
 Edwards McDermott Waxman
 Hinchey Miller (NC)

NOT VOTING—19

Bonner Duncan (TN) Labrador
 Cardoza Filner Landry
 Culberson Garamendi Maloney
 Davis (IL) Hinojosa Miller, Gary

Moore Rangel Visclosky
 Neugebauer Schmidt
 Paul Thompson (MS)
 So the bill was passed.
 A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.
Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶34.14 CLERK TO CORRECT
 ENGROSSMENT—H.R. 3606

On motion of Mr. BACHUS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

¶34.15 ADJOURNMENT OVER

On motion of Mr. BACHUS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, March 9, 2012; and further, when the House adjourns on Friday, March 9, 2012, it adjourn to meet at 10 a.m. on Tuesday, March 13, 2012; and further, when the House adjourns on Tuesday, March 13, 2012, it adjourn to meet at 10 a.m. on Friday, March 16, 2012; and further, when the House adjourns on Friday, March 16, 2012, it adjourn to meet at 2 p.m. on Monday, March 19, 2012.

¶34.16 PRESIDENT'S EXPORT COUNCIL

The SPEAKER pro tempore, Mr. DOLD, pursuant to Executive Order 12131, and the order of the House of January 5, 2011, announced that the Speaker appointed the following Members of the House to the President's Export Council: Messrs. REICHERT, GERLACH, and TIBERI, Ms. SUTTON, and Ms. Linda T. SANCHEZ of California.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶34.17 COMMUNICATION REGARDING
 SUBPOENA

The SPEAKER pro tempore, Ms. HAYWORTH, laid before the House the following communication from Jan Churchill, District Representative, office of the Honorable Shelley Berkley:

HOUSE OF REPRESENTATIVES,
 Washington, DC, February 24, 2012.
 Hon. JOHN A. BOEHNER,
 Speaker, House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Las Vegas Justice Court, for witness testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,
 JAN CHURCHILL,
 District Representative.

¶34.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CULBERSON, for today.

And then,

¶34.19 ADJOURNMENT

On motion of Ms. JACKSON LEE of Texas, pursuant to the previous order of the House, at 3 o'clock and 5 minutes p.m., the House adjourned until 11 a.m. on Friday, March 9, 2012.

¶34.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 3992. A bill to allow otherwise eligible Israeli nationals to receive E 2 non-immigrant visas if similarly situated United States nationals are eligible for similar non-immigrant status in Israel (Rept. 112-410). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1741. A bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, to provide for immediate dissemination of visa revocation information, and for other purposes; with an amendment (Rept. 112-411, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶34.21 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Homeland Security discharged from further consideration. H.R. 1741 referred to the Committee of the Whole House on the state of the Union.

¶34.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HALL (for himself, Mr. DAVIS of Illinois, and Mr. COLE):

H.R. 4165. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. ELLISON, Mr. KEATING, Mr. QUIGLEY, and Mr. MCDERMOTT):

H.R. 4166. A bill to amend the Toxic Substances Control Act to prohibit the manufacture, processing, distribution in commerce, and use of coal tar sealants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARROW:

H.R. 4167. A bill to amend the Internal Revenue Code of 1986 to allow employers a refundable credit for increasing employment; to the Committee on Ways and Means.

By Mr. GUINTA (for himself, Mr. BASS of New Hampshire, Mr. OWENS, Mr.

RYAN of Ohio, Mr. MICHAUD, and Mr. TURNER of New York):

H.R. 4168. A bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Philippines; to the Committee on Veterans' Affairs.

By Mr. MCGOVERN (for himself, Mr. WOLF, Mr. CAPUANO, Ms. LEE of California, Mr. MILLER of North Carolina, Mr. OLVER, and Ms. JACKSON LEE of Texas):

H.R. 4169. A bill to require the development of a comprehensive strategy to end serious human rights violations in Sudan, to create incentives for governments and persons to end support of and assistance to the Government of Sudan, to reinvigorate genuinely comprehensive peace efforts in Sudan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLARKE of Michigan:

H.R. 4170. A bill to increase purchasing power, strengthen economic recovery, and restore fairness in financing higher education in the United States through student loan forgiveness, caps on interest rates on Federal student loans, and refinancing opportunities for private borrowers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Foreign Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROUN of Georgia (for himself, Mr. WALBERG, Mrs. BACHMANN, Mr. KINGSTON, Mr. GINGREY of Georgia, Mr. HARRIS, and Mr. PETERSON):

H.R. 4171. A bill to amend the Lacey Act Amendments of 1981 to repeal certain provisions relating to criminal penalties and violations of foreign laws, and for other purposes; to the Committee on Natural Resources.

By Mr. HECK:

H.R. 4172. A bill to authorize the Secretary of Housing and Urban Development to insure mortgages that provide former homeowners who are a reasonable credit risk a second chance at homeownership; to the Committee on Financial Services.

By Ms. LEE of California (for herself, Mr. JONES, Mr. CONYERS, Ms. WOOLSEY, Mr. KUCINICH, Ms. WATERS, Mr. STARK, Mr. ELLISON, Mr. FILNER, and Ms. JACKSON LEE of Texas):

H.R. 4173. A bill to direct the President of the United States to appoint a high-level United States representative or special envoy for Iran for the purpose of ensuring that the United States pursues all diplomatic avenues to prevent Iran from acquiring a nuclear weapon, to avoid a war with Iran, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. ELLMERS:

H.R. 4174. A bill to amend the Transportation Equity Act for the 21st Century with respect to the Interstate System Reconstruction and Rehabilitation Pilot Program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DENT (for himself and Mr. ANDREWS):

H.R. 4175. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom

orthotics and benefits for other medical and surgical services; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUTHERLAND:

H.R. 4176. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Ways and Means.

By Mr. SCHILLING (for himself, Mr. ALTMIRE, and Mr. DAVIS of Kentucky):

H.R. 4177. A bill to amend title 10, United States Code, to provide equity between regular and reserve component members of the Armed Forces in the computation of disability retired pay for members wounded in action; to the Committee on Armed Services.

By Mr. TURNER of Ohio (for himself, Mr. BROOKS, Mr. LAMBORN, Mr. FRANKS of Arizona, Mr. FORBES, Mr. FLEMING, Mr. REHBERG, and Mr. MILLER of Florida):

H.R. 4178. A bill to strengthen the strategic force posture of the United States by ensuring the safety, security, reliability, and credibility of the nuclear weapons stockpile; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself and Ms. ROS-LEHTINEN):

H.R. 4179. A bill to strengthen the multilateral sanctions regime with respect to Iran, to expand sanctions relating to the energy sector of Iran, the proliferation of weapons of mass destruction by Iran, and human rights abuses in Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. PENCE, Mr. GARRETT, Mr. PETRI, Mr. ROKITA, Mr. FLORES, Mr. KINGSTON, Mr. MULVANEY, Mr. FLAKE, Mr. LANKFORD, Mr. PITTS, Mr. FRANKS of Arizona, Mr. FLEMING, Mr. GOWDY, Mr. BURGESS, Mrs. LUMMIS, Mr. WALSH of Illinois, Mr. RIBBLE, Mr. DUNCAN of South Carolina, Mr. JONES, Mr. COLE, Mr. LAMBORN, Mr. PEARCE, Mr. MANZULLO, Mr. MCCLEINTOCK, and Mr. SULLIVAN):

H.R. 4180. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 4181. A bill to amend title 9, United States Code, to exclude employment contracts and employment disputes from such title; to the Committee on the Judiciary.

By Mr. GOHMERT (for himself, Mr. BARTON of Texas, Mrs. HARTZLER, Mr. PITTS, Mrs. BACHMANN, Mrs. SCHMIDT, Mr. STUTZMAN, Mr. WOODALL, Mr. CHABOT, Mr. FLEMING, Mr. CULBERSON, Mr. SCALISE, Mr. ROE of Tennessee, Mr. FLEISCHMANN, Mr. HUNTER, Mr. FORBES, Mr. FRANKS of Arizona, Mr. HARRIS, Mr. CAMPBELL, Mr. HUELSKAMP, Mr. NUNNELEE, Mr. FLO-

RES, Mr. BRADY of Texas, Mr. RIBBLE, Mrs. LUMMIS, Mr. LANKFORD, Mr. NEUGEBAUER, and Mr. COLE);

H.R. 4182. A bill to direct the Architect of the Capitol to acquire and place a historical plaque to be permanently displayed in National Statuary Hall recognizing the seven decades of Christian church services being held in the Capitol from 1800 to 1868, which included attendees James Madison and Thomas Jefferson; to the Committee on House Administration.

By Mr. ISRAEL (for himself, Mr. CLYBURN, and Mr. LARSON of Connecticut):

H.R. 4183. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Mr. LANGEVIN:

H.R. 4184. A bill to amend title 10, United States Code, to require contractors and subcontractors working on military construction projects to comply with licensing requirements for employees working at the project location; to the Committee on Armed Services.

By Ms. MATSUI (for herself and Mrs. CAPPS):

H.R. 4185. A bill to direct the Administrator of the Small Business Administration to establish a loan guarantee program to assist small business concerns that manufacture clean energy technologies in the United States, and for other purposes; to the Committee on Small Business.

By Mr. NUGENT:

H.R. 4186. A bill to amend title 5, United States Code, to eliminate the provision of law preventing certain State and local employees from seeking elective office, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PEARCE:

H.R. 4187. A bill to direct the Secretary of the Interior to place certain lands in trust for the Zuni Tribe and Navajo Nation and for other purposes; to the Committee on Natural Resources.

By Mr. ROSS of Florida (for himself, Mrs. ADAMS, and Mr. RIBBLE):

H.R. 4188. A bill to reduce the discretionary spending limit for the Department of Defense for fiscal year 2013 by an amount equal to the amount obligated by the Department in fiscal year 2012 to provide recreational facilities to Guantanamo detainees; to the Committee on the Budget, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio:

H.R. 4189. A bill to require the Secretary of Defense to provide an annual certification that all programming on the American Forces Radio and Television Service represents the best-faith efforts by the Department of Defense to provide programming for members of the Armed Forces and their families that communicates the policies, priorities, programs, goals, and initiatives of the Department while avoiding airing programming that exhibits values contrary to the values of the Armed Forces and the United States; to the Committee on Armed Services.

By Mr. SCHIFF:

H.R. 4190. A bill to enhance criminal penalties for straw purchasers of firearms; to the Committee on the Judiciary.

By Mr. SCHRADER (for himself and Mr. CHABOT):

H.R. 4191. A bill to amend the Federal Credit Union Act and the Small Business Act to improve small business lending, improve cooperation between the National Credit Union Administration and the Small Business Administration, and for other purposes;

to the Committee on Small Business, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington (for himself, Mr. BERMAN, Mr. DUNCAN of Tennessee, Mr. ANDREWS, Ms. BORDALLO, Mr. CRITZ, Mr. LARSEN of Washington, Ms. PINGREE of Maine, Mr. GEORGE MILLER of California, Mr. JOHNSON of Georgia, Mrs. DAVIS of California, Mr. REYES, Ms. SPEIER, Mr. FILNER, Mr. RUSH, Mr. COURTNEY, Mr. CAPUANO, Mr. FARR, Mr. JOHNSON of Illinois, Mr. MORAN, Mr. WAXMAN, Mr. TONKO, Mr. PRICE of North Carolina, Ms. HAHN, Mr. HASTINGS of Florida, Mr. CARNAHAN, Mr. WELCH, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. MICHAUD, Mr. HIGGINS, Mr. HOLT, Mrs. CAPPS, Ms. MCCOLLUM, Ms. HIRONO, Mr. DOGGETT, and Mr. INSLEE):

H.R. 4192. A bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide for the trial of covered persons detained in the United States pursuant to the Authorization for Use of Military Force and to repeal the requirement for military custody; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS:

H.R. 4193. A bill to provide that there shall be no net increase in the acres of certain Federal land under the jurisdiction of the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, or the Forest Service unless the Federal budget is balanced for the year in which the land would be purchased; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 4194. A bill to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. REHBERG:

H. Res. 578. A resolution supporting the goals and ideals of National Right to Keep and Bear Arms Week; to the Committee on Oversight and Government Reform.

By Ms. HERRERA BEUTLER (for herself, Mr. HASTINGS of Washington, Mrs. MCMORRIS RODGERS, Mr. DICKS, and Mr. LARSEN of Washington):

H. Res. 579. A resolution expressing the sense of the House of Representatives regarding hydroelectric power; to the Committee on Energy and Commerce.

By Mr. QUIGLEY:

H. Res. 580. A resolution to prohibit the use of the Members' Representational Allowance for air travel expenses of any individual unless the individual provides an itemized description of the expenses, including the specific flight number, and uses a credit card provided by the House of Representatives to pay for the expenses; to the Committee on House Administration.

34.23 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 66: Mrs. CAPPS.
- H.R. 104: Mr. LARSEN of Washington.
- H.R. 192: Ms. MOORE.
- H.R. 300: Mr. CARNAHAN.
- H.R. 385: Ms. NORTON and Mr. KUCINICH.
- H.R. 420: Mr. MANZULLO.
- H.R. 459: Mr. HINOJOSA and Mr. NUNNELEE.
- H.R. 645: Mr. MANZULLO.
- H.R. 683: Mr. GENE GREEN of Texas.
- H.R. 726: Ms. BONAMICI.
- H.R. 787: Mr. RIBBLE.
- H.R. 870: Mr. SIRES.
- H.R. 891: Mr. KIND.
- H.R. 893: Mr. LANCE, Mr. MCGOVERN, Mr. ROTHMAN of New Jersey, and Ms. HERRERA BEUTLER.
- H.R. 931: Mrs. LUMMIS and Mr. WALSH of Illinois.
- H.R. 941: Mr. GENE GREEN of Texas, Mr. BOREN, and Mr. FRANK of Massachusetts.
- H.R. 1092: Ms. CHU.
- H.R. 1116: Ms. BONAMICI.
- H.R. 1204: Mrs. LOWEY.
- H.R. 1332: Mr. BISHOP of Utah and Mr. KINZINGER of Illinois.
- H.R. 1339: Ms. BORDALLO, Mr. GRIFFIN of Arkansas, Mr. REYES, Mr. LARSEN of Washington, Mr. CRITZ, Mr. ANDREWS, and Mr. MCINTYRE.
- H.R. 1386: Mr. LoBIONDO.
- H.R. 1404: Mr. DEFAZIO.
- H.R. 1537: Mr. SARBANES, Mr. HINOJOSA, and Ms. BONAMICI.
- H.R. 1549: Mr. KING of New York.
- H.R. 1878: Mr. TIERNEY, Mr. DOYLE, and Mr. SMITH of Washington.
- H.R. 1612: Mr. FILNER.
- H.R. 1639: Mr. BRALEY of Iowa.
- H.R. 1648: Mr. BISHOP of Georgia, Mr. FATTAH, Mr. LYNCH, Mr. SCHRADER, and Ms. ROS-LEHTINEN.
- H.R. 1704: Mr. LATHAM and Mr. WALDEN.
- H.R. 2159: Mr. SCHIFF and Mr. INSLEE.
- H.R. 2179: Mr. SHERMAN and Mr. MEEHAN.
- H.R. 2187: Mr. MCGOVERN.
- H.R. 2206: Mr. ROE of Tennessee.
- H.R. 2238: Mr. FORTENBERRY.
- H.R. 2245: Mr. BRALEY of Iowa.
- H.R. 2310: Ms. BONAMICI.
- H.R. 2328: Mr. FILNER.
- H.R. 2364: Mr. GRIJALVA, Mr. BISHOP of New York, Mr. FILNER, Mr. CAPUANO, Mr. ACKERMAN, Mr. SCHIFF, Mr. FATTAH, Mr. ELLISON, and Mr. INSLEE.
- H.R. 2524: Mr. ELLISON.
- H.R. 2555: Mr. GUTIERREZ.
- H.R. 2669: Ms. CHU, Mr. CICILLINE, Mr. CAPUANO, Mr. CLARKE of Michigan, Mr. KEATING, Mr. OLVER and Mr. LIPINSKI.
- H.R. 2717: Mr. TIERNEY.
- H.R. 2738: Mr. GRIJALVA.
- H.R. 2875: Mr. RAHALL.
- H.R. 2938: Ms. MCCOLLUM.
- H.R. 2948: Mr. QUIGLEY.
- H.R. 2957: Ms. LEE of California, Mr. TOWNS, Mr. HONDA, Mr. ENGEL, Mr. POLIS, Mr. ELLISON, and Mr. STARK.
- H.R. 2960: Mr. PIERLUISI.
- H.R. 2969: Mr. MCCOTTER and Mr. BISHOP of Georgia.
- H.R. 2980: Mrs. NAPOLITANO and Mr. CARNAHAN.
- H.R. 3057: Mr. COOPER.
- H.R. 3059: Ms. TSONGAS and Mr. ANDREWS.
- H.R. 3118: Ms. FOXX.
- H.R. 3164: Mr. MCNERNEY.
- H.R. 3236: Mr. LIPINSKI and Mr. COURTNEY.
- H.R. 3264: Mr. HENSARLING.
- H.R. 3269: Mr. RENACCI.
- H.R. 3283: Ms. SEWELL.
- H.R. 3308: Mr. QUAYLE.
- H.R. 3319: Mr. GOSAR.
- H.R. 3353: Mr. GRIJALVA.
- H.R. 3399: Mr. COOPER.
- H.R. 3418: Mr. RANGEL.
- H.R. 3461: Mr. SHULER, Mr. BILIRAKIS, Mr. ROONEY, Mr. QUIGLEY, Mr. RIVERA, and Mr. LATTA.
- H.R. 3485: Ms. CASTOR of Florida and Mr. INSLEE.

H.R. 3522: Ms. MOORE and Ms. CHU.
 H.R. 3523: Mr. JOHNSON of Ohio, Mr. SMITH of Nebraska, and Mr. CRAWFORD.
 H.R. 3627: Mr. LANCE.
 H.R. 3653: Ms. BASS of California, Mr. NADLER, Mr. KUCINICH, Mr. TIERNEY, Mr. HONDA, and Mr. CARNAHAN.
 H.R. 3662: Mrs. BACHMANN, Mr. BARLETTA, Mr. NEUGEBAUER, Mr. NUGENT, Mr. ALEXANDER, and Mr. KINZINGER of Illinois.
 H.R. 3676: Mr. FLEMING.
 H.R. 3713: Mr. BARLETTA.
 H.R. 3783: Mr. MCCOTTER and Mr. MULVANEY.
 H.R. 3790: Mr. MCGOVERN, Mrs. CAPPS, Mr. ALTMIRE, Mr. TOWNS, Mr. COHEN, and Mr. ROSS of Arkansas.
 H.R. 3798: Ms. HAHN, Mrs. MALONEY, Ms. CHU, Mr. BURTON of Indiana, Mr. GRIMM, Mr. MCKEON, Mr. HOLT, Mr. PASCRELL, Mr. SHERMAN, Mr. BLUMENAUER, Mr. DEFAZIO, Mr. TIERNEY, and Mr. CAPUANO.
 H.R. 3820: Mr. BISHOP of New York.
 H.R. 3839: Mr. RANGEL.
 H.R. 3875: Mr. RUSH and Ms. BALDWIN.
 H.R. 3903: Mr. PRICE of North Carolina and Mr. OLVER.
 H.R. 3904: Mr. JONES.
 H.R. 3905: Mr. SABLAN.
 H.R. 3974: Ms. CLARKE of New York.
 H.R. 3981: Mr. COLE and Mr. BOREN.
 H.R. 4010: Mr. PALLONE, Ms. RICHARDSON, Mr. HIGGINS, and Ms. FUDGE.
 H.R. 4040: Ms. BERKLEY, Mr. BISHOP of New York, Mr. BONNER, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Mr. COSTELLO, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DREIER, Mr. ELLISON, Ms. ESHOO, Mr. GARAMENDI, Ms. HAHN, Mr. HALL, Mr. HEINRICH, Mr. HERGER, Mr. HASTINGS of Florida, Mr. HINCHAY, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. JOHNSON of Illinois, Mr. LARSEN of Washington, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. MCCLINTOCK, Ms. MCCOLLUM, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. PETERSON, Mr. PIERLUISI, Mr. POLIS, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. SABLAN, Mr. SERRANO, Ms. SEWELL, Mr. SMITH of Washington, Ms. SPEIER, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, and Mr. WOLF.
 H.R. 4077: Mr. CONNOLLY of Virginia.
 H.R. 4083: Mr. RANGEL.
 H.R. 4089: Mr. KLINE.
 H.R. 4094: Mr. WITTMAN.
 H.R. 4103: Mr. LOBIONDO.
 H.R. 4104: Mr. STIVERS, Mr. LONG, Mr. SCHILLING, Mr. FINCHER, Mrs. BLACK, Mr. FITZPATRICK, Mr. HURT, Mr. HUIZENGA of Michigan, Mr. DUFFY, Mr. LUETKEMEYER, Mr. WESTMORELAND, Mr. CLEAVER, Mr. BACHUS, Mr. FRANK of Massachusetts, Mr. PERLMUTTER, Mr. DONNELLY of Indiana, Mr. CANSECO, Ms. WATERS, Mrs. CAPITO, Mrs. BIGGERT, Mr. HENSARLING, Mr. POSEY, Mr. AL GREEN of Texas, Mr. DAVID SCOTT of Georgia, Mr. WATT, Mrs. MALONEY, Ms. HAYWORTH, Mr. NEUGEBAUER, Mr. BACA, Mr. DOLD, Mr. CARNEY, Mr. QUIGLEY, Mr. KELLY, Mr. WEBSTER, Mr. BUCSHON, Mr. OWENS, Mr. GIBBS, Mr. LATOURETTE, Mr. SHULER, and Mr. TIBERI.
 H.R. 4106: Ms. WOOLSEY.
 H.R. 4117: Mr. COLE.
 H.R. 4120: Mrs. CAPPS, Mr. LANCE, Mrs. MALONEY, and Mr. ROTHMAN of New Jersey.
 H.R. 4122: Mr. GALLEGLEY.
 H.R. 4125: Mr. LAMBORN and Mr. MILLER of Florida.
 H.R. 4134: Mrs. ELLMERS.
 H.R. 4135: Mr. MCGOVERN.
 H.R. 4153: Mr. GIBBS and Mr. THOMPSON of Pennsylvania.
 H.R. 4160: Mr. CULBERSON, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. FLEMING, Mr. WALSH of Illinois, Mr. HARRIS, Mr. NEUGEBAUER, Mr. RIBBLE, Mr. FRANKS of Ari-

zona, Mr. MANZULLO, Mr. FLORES, Mr. BURTON of Indiana, Mrs. LUMMIS, and Mr. MULVANEY.

H.J. Res. 13: Mr. AMODEI and Mr. PETERSON.

H.J. Res. 103: Mr. MICA.

H. Res. 490: Mr. PRICE of Georgia, Mr. SAM JOHNSON of Texas, Mr. SOUTHERLAND, Mr. BISHOP of Utah, and Mrs. BACHMANN.

H. Res. 503: Mr. ROSS of Florida.

H. Res. 526: Mr. MILLER of Florida, Mr. MEEKS, and Mr. DUFFY.

H. Res. 560: Mr. CONNOLLY of Virginia, Mr. OLSON, Mr. RANGEL, Mr. ROTHMAN of New Jersey, and Mr. BISHOP of New York.

H. Res. 564: Mr. RANGEL, Mr. COHEN, Mr. JOHNSON of Georgia, Mrs. MALONEY, and Mr. HINCHAY.

H. Res. 568: Ms. JACKSON LEE of Texas, Mr. HURT, Mr. GOWDY, Mr. SULLIVAN, Mr. OLSON, Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. FLORES, Mr. SCALISE, Mr. CAMPBELL, Mr. NADLER, Mrs. MCCARTHY of New York, and Mrs. MCMORRIS RODGERS.

H. Res. 573: Ms. JACKSON LEE of Texas, Ms. SLAUGHTER, and Mr. HINOJOSA.

FRIDAY, MARCH 9, 2012 (35)

¶35.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SMITH of Nebraska, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

March 9, 2012.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶35.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced he had examined and approved the Journal of the proceedings of Thursday, March 8, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶35.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5239. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Time of Designation for Restricted Areas R-5313A, B, C, D, E, F, H and J; Dare County, NC [Docket No.: FAA-2011-1017; Airspace Docket No. 11-ASO-30] (RIN: 2120-AA66) received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5240. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and E Airspace and Amendment of Class E; Brooksville, FL [Docket No.: FAA-2011-0578; Airspace Docket No. 11-ASO-24] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5241. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Oneonta, AL [Docket No.: FAA-2011-0744; Airspace Docket No. 11-ASO-33] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5242. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and E Airspace and Amendment of Class E; Punta Gorda, FL [Docket No.: FAA-2011-0347; Airspace Docket No. 11-ASO-11] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5243. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Show Low, AZ [Docket No.: FAA-2011-1023; Airspace Docket No. 11-AWEP-15] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5244. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Baltimore, MD [Docket No.: FAA-2010-1328; Airspace Docket No. 10-AEA-26] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5245. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kwigillingok, AK [Docket No.: FAA-2011-0881; Airspace Docket No. 11-AAL-18] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5246. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kipnuck, AK [Docket No.: FAA-2011-0866; Airspace Docket No. 11-AAL-15] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5247. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Palm Beach International Airport, FL [Docket No.: FAA-2011-0527; Airspace Docket No. 11-AWA-2] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5248. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to VOR Federal Airways V-320 and V-440; Alaska [Docket No.: FAA-2011-1014; Airspace Docket No. 11-AAI-19] (RIN: 2120-AA66) received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5249. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Olathe, KS [Docket No.: FAA-2011-0748; Airspace Docket No. 11-ACE-13] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5250. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAI-1] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5251. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Frederick, MD [Docket No.: FAA-2011-0455; Airspace Docket No. 11-AEA-4] received February 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶35.4 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. SMITH of Nebraska, laid before the

House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, March 8, 2012.

Hon. JOHN BOEHNER,
*Speaker of the House, House of Representatives,
The Capitol, Washington, DC.*

DEAR MR. SPEAKER: On March 8, 2012, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open ses-

sion to consider resolutions to authorize 11 lease prospectuses included in the General Services Administration's (GSA) FY2011 and FY2012 Capital Investment and Leasing Programs (CILP) and one resolution to request an information report pursuant to section 3315(a) of Title 40.

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions approved by the Committee will save the taxpayer \$19.5 million annually or \$317 million over the terms of the leases. These resolutions ensure savings through lower rents, shrinking the space re-

quirements of agencies, avoidance of hold-over penalties, and efficiencies created through consolidation. In addition, the Committee has included space utilization requirements in each of the resolutions to ensure agencies are held to appropriate utilization rates.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on March 8, 2012.

Sincerely,

JOHN L. MICA,
Chairman.

Enclosures.



U.S. House of Representatives
Committee on Transportation and Infrastructure

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

400 7th Street, SW, Washington DC
3315(a) INFORMATION REPORT

James H. Zoia, Democrat Chief of Staff

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3315(a), the Administrator of General Services is directed to provide the Committee with technical assistance by developing a housing space plan report, along with associated floor plans showing the workspace configuration, alignment of functions, and utilization, for a consolidation of all Federal Trade Commission (FTC) office space operations in Washington, D.C. into the remaining 379,000 rentable square feet of space leased by the Securities and Exchange Commission in the building referred to as Constitution Center located at 400 7th Street, SW, Washington DC and the 40,000 rentable square feet of special use space common to the building occupants.

The housing and floor plans shall incorporate and reflect two separate alternatives:

- Alternative 1) consolidation into Constitution Center of all FTC operations currently housed at 600 Pennsylvania Avenue NW, 601 New Jersey Avenue NW, and 1800 M Street NW in Washington, D.C.; and
- Alternative 2) consolidation into Constitution Center FTC operations currently housed at 600 Pennsylvania Avenue NW and 601 New Jersey Avenue NW.

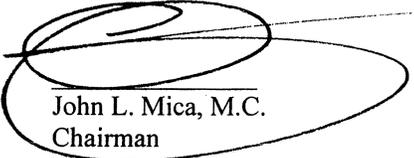
The housing and floor plans shall take into account maximum shared usage by the FTC of special use space already existing in common areas of Constitution Center, including conference facilities, cafeteria, and fitness space.

The housing plan and floor plans may account for full-time contractors, but in no case shall include interns and temporary workers and shall incorporate hoteling and maximum use of an open floor plan as necessary to fully house the functions in the current locations.

The housing and floor plans shall include detailed descriptions (including locations and sizes) of any additional special use space not accounted for in the common areas of the building.

The Administrator shall provide the requested information not later than 30 days after adoption of this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman



**U.S. House of Representatives
Committee on Transportation and Infrastructure**

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

**LEASE
U.S. COAST GUARD SECTOR HEADQUARTERS
CORPUS CHRISTI, TX
PTX-07-CC12**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a new lease of up to 180,000 rentable square feet of space, including 221 parking spaces, for the U.S. Coast Guard Sector Headquarters at a proposed total annual cost of \$3,530,200 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 75 square feet or less per person as detailed in the Housing Plan contained in the prospectus.

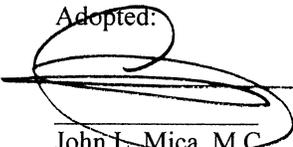
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 75 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


John L. Mica, M.C.
Chairman

GSA

PBS

**PROSPECTUS - LEASE
U.S. COAST GUARD SECTOR HEADQUARTERS
CORPUS CHRISTI, TX**

Prospectus Number: PTX-07-CC12
Congressional District: 27

Project Summary

The General Services Administration (GSA) proposes a new lease for 180,000 rentable square feet (rsf) of space and 221 parking spaces, for the Department of Homeland Security (DHS) - United States Coast Guard (USCG), and DHS Customs and Border Protection - Office of Field Operations (CBP-OFO), at the Corpus Christi International Airport (CCIA), Corpus Christi, TX. The new USCG Sector Headquarters facility will be comprised of three structures: a three-story command and control building of approximately 58,000 rsf; a two-story hangar building of approximately 114,000 rsf; and a one-story ground support building of approximately 8,000 rsf.

USCG currently occupies space at Naval Air Station (NAS) Corpus Christi, and space at Tower II, 555 N. Carancahua, Corpus Christi, TX, under a lease, which expires November 30, 2015. CBP-OFO also currently occupies space at NAS Corpus Christi, and has submitted a request and justification to occupy space in the new USCG Sector Headquarters because of the need to collaborate and share information with USCG.

GSA is currently negotiating an assignable ground lease for a site of approximately 23 acres at CCIA.

Justification

Meeting operational mission requirements of Sector and Air Station Units is a high priority for USCG. The current hangar location is not optimal, increasing transit times between duty berthing of the personnel who operate and support the aircraft and the hangar, and between the hangar and the runway. Response times are slowed by the need to stop traffic, open a gate, and cross a road in order to move aircraft from the hangar to the runway. The proximity of the current 60-year old facility to the seawall subjects aircraft and the facility itself to excessive corrosion, resulting in significantly higher life-cycle maintenance costs than the rest of the fleet located away from seawalls. The hangar deck space is insufficient for new aircraft, but three new fixed wing aircraft are expected to be delivered in May 2012. Without a new hangar, these aircraft would have to alternate staying outside on the ramp next to the seawall. The new HC-144 is a more avionic/sensor intense aircraft than the current H-25, and has wiring bundles and connectors much more susceptible to corrosion. The mission readiness requirements of the new aircraft can not be met under these conditions. In contrast, CCIA is located approximately 11 miles inland and would remove aircraft from the excessively corrosive environment at NAS, significantly reducing aircraft maintenance costs. Because available sites at CCIA are much closer to active runways than the current location at NAS and ready crew berthing would be located in the proposed hangar, response time would significantly improve.

GSA

PBS

**PROSPECTUS - LEASE
U.S. COAST GUARD SECTOR HEADQUARTERS
CORPUS CHRISTI, TX**

Prospectus Number: PTX-07-CC12
Congressional District: 27

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

Description

Occupants:	DHS – USCG; DHS – CBP-OFO
Delineated Area:	Corpus Christi International Airport
Lease Type:	New
Justification:	Current facility is well past its service life and is functionally deficient.
Number of Parking Spaces:	221 (1 inside/220 outside)
Expansion Space:	39,148 rsf
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	20 years
Maximum Rentable Square Feet:	180,000
Current Total Annual Cost:	\$707,150 (Operating expenses paid to Naval Air Station + lease)
Proposed Total Rental Cost:	\$3,319,000
Proposed Total Annual Parking Cost:	\$211,200
Proposed Total Annual Cost ¹ :	\$3,530,200
Maximum Proposed Rental Rate ² :	
Command Building + Hangar Building Administrative Space (94,000 rsf)	\$22.50 per rentable square foot
Hangar Building Decks & Shops + Ground Support Building (86,000 rsf)	\$14.00 per rentable square foot

¹Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

²This estimate is for fiscal year 2012 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

**PROSPECTUS - LEASE
U.S. COAST GUARD SECTOR HEADQUARTERS
CORPUS CHRISTI, TX**

Prospectus Number: PTX-07-CC12
Congressional District: 27

Authorizations

Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required area.

Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

GSA

PBS

**PROSPECTUS - LEASE
U.S. COAST GUARD SECTOR HEADQUARTERS
CORPUS CHRISTI, TX**

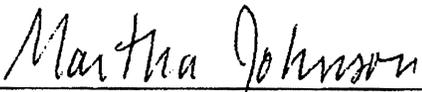
Prospectus Number: PTX-07-CC12
Congressional District: 27

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on March 9, 2011

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

Locations	Current				Proposed				
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Special	Office	Total	Office	Special	
TOWER II									
DHS - Coast Guard	100	100	11,251	0	11,251	0	0	0	0
Corpus Christi Naval Air Station									
DHS - Coast Guard	28	246	2,566	0	106,255	108,821	0	0	0
DHS - Customs and Border Protection	15	15	4,808	0	0	4,808	0	0	0
Sub Total:	43	261	7,374	0	106,255	113,629	0	0	0
Coast Guard Sector Headquarters									
DHS - Coast Guard	0	0	0	0	0	0	400	400	32,625
DHS - Customs and Border Protection	0	0	0	0	0	0	15	15	7,167
Total:	143	361	18,625	0	106,255	124,880	415	415	39,792

Current		Proposed	
Rate	105	Utilization	75

Current UR excludes 4,098 USF of office support space
Proposed UR excludes 8,754 USF of office support space

Special Space	
Restroom	1,838
Clinic	1,125
Physical Fitness	1,200
Conference	4,460
Library	1,370
ADP	580
Food Service	6,531
Hangar	70,218
Break Rooms	2,363
Bunk Rooms	5,638
Secured Storage	561
Industrial Storage	15,384
Lockers	6,058
Total:	117,326

USF represents the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.



**U.S. House of Representatives
Committee on Transportation and Infrastructure**

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

**LEASE
DEPARTMENT OF STATE
U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT
PDC-12-WA11**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 392,302 rentable square feet of space, including 21 parking spaces, for the Department of State, U.S. Agency for International Development, currently located at 400 C Street, SW, Washington, D.C., at a proposed total annual cost of \$19,222,798 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 100 square feet or less per person.

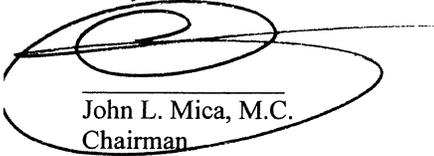
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 100 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


John L. Mica, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF STATE
U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, DC**

Prospectus Number: PDC-12-WA11

Project Summary

The General Services Administration (GSA) proposes a lease of up to 499,000 rentable square feet (rsf) with 77,000 rsf of expansion for the Department of State and U.S. Agency for International Development (USAID) currently located at Federal Center Plaza II, 400 C St. SW, in Washington, D.C. The current lease at this location expires on January 2, 2013.

The additional 77,000 rsf is needed to accommodate USAID's growth in personnel, linked to current and anticipated funding of various programs; including PEPFAR (Presidential Emergency Preparedness Fund for Aids Relief), DLI (Development Leadership Initiative), and the Civilian Stabilization Initiative. Senate Report 110-425 (page 32) to the Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2009 " . . . supports the administration's proposal to double the number of Foreign Service Officers over the next several years . . . ".

This location was originally occupied solely by the Department of State, which moved some component groups to Foggy Bottom locations in late 2009 and early 2010, vacating a total of 4 floors encompassing 169,356 USF which were backfilled by USAID.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF STATE
U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, DC**

Prospectus Number: PDC-12-WA11

Description

Occupants:	Department of State & USAID
Delineated Area:	Washington, DC Central Employment Area (CEA, NOMA and Waterfront)
Lease Type:	Replacement with Expansion
Justification:	Expiring Lease (January 2, 2013)
Expansion Space:	77,000 RSF
Number of Parking Spaces ¹ :	21 for official government vehicles
Scoring:	Operating
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	499,000
Current Total Annual Cost: ²	\$15,836,765
Proposed Total Annual Cost: ³	\$24,451,000
Maximum Proposed Rental Rate ⁴ :	\$49.00

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹ Security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

² "Current Total Annual Cost" includes \$1,520,671 estimated FY10 utility charges as current lease is net utilities.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

⁴ This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF STATE
U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, DC**

Prospectus Number: PDC-12-WA11

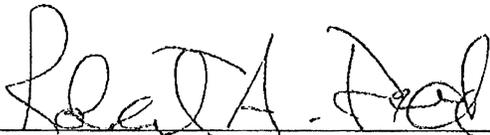
Authorization

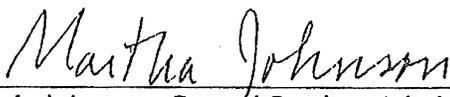
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2010

Recommended: 
 Commissioner, Public Buildings Service

Approved: 
 Administrator, General Services Administration

Housing Plan
Department of State and U.S. Agency for International Development

Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Total	Office	Special
400 C Street, SW								
Department of State	897	897	146,999	32,064		182,155		
USAID	664	664	107,391	59,084		169,356		
New Lease					1,928	1,928	315,247	94,388
Total:	1,561	1,561	254,390	91,148	1,928	351,511	315,247	94,388

Utilization Rate	Current	Proposed
	127	128

Current UR excludes 55,966 USF of Office for support space
Proposed UR excludes 69,354 USF of office for support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, building supply rooms, test rooms and lobbies).

Special Space	
Conference	13,577
Training Center	19,893
Copy Center	755
Library	526
Galley	4,264
CER Room	3,451
LAN	9,100
Computer Room	19,163
Security	426
File Room	1,800
Break Room	330
Utility Room	149
Loading Dock	4,958
Lactation Room	364
Video Lab	364
Mail Room	910
Swamp/Surge	14,378
Total	94,388



U.S. House of Representatives
Committee on Transportation and Infrastructure
 Washington, DC 20515

John L. Mica
 Chairman

Nick J. Rahall, III
 Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

LEASE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.
 PDC-03-WA11

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 64,745 rentable square feet of space for the Federal Communications Commission, currently located at 1250 Maryland Avenue, SW, Washington, D.C., at a proposed total annual cost of \$3,172,505 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 133 square feet or less per person.

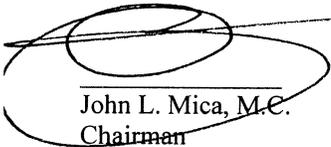
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 133 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman

GSAPBS

**PROSPECTUS – LEASE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC**

Prospectus Number: PDC-03-WA11

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 79,000 rentable square feet (rsf) for the Federal Communications Commission (FCC), currently located in the Portals I building at 1250 Maryland Avenue, SW, Washington, DC.

Description

Occupants:	FCC
Delineated Area:	Washington, DC Central Employment Area, North of Massachusetts Avenue, and Southwest Waterfront
Lease Type:	Replacement
Justification:	Expiring Lease (October 31, 2012)
Expansion Space:	None
Number of Parking Spaces:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	10 years
Maximum Rentable Square Feet:	79,000
Current Total Annual Cost:	\$3,349,470
Proposed Total Annual Cost: ¹	\$3,871,000
Maximum Proposed Rental Rate: ²	\$49.00

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

² This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSAPBS

**PROSPECTUS – LEASE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC**

Prospectus Number: PDC-03-WA11

Authorization

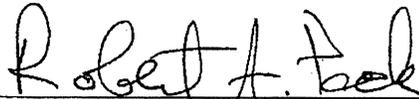
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

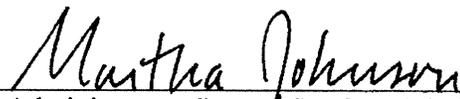
Submitted at Washington, DC, on September 10, 2010

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

November 2009

Housing Plan
Federal Communications Commission

PDC-03-WA11
Washington, DC

Locations	Current				Proposed				
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Total	Office	Storage	
The Portals, 1250 Maryland Ave. SW	264	264	54,752	1,518	9,195	65,465	264	1,518	9,195
Proposed Lease	264	264	54,752	1,518	9,195	65,465	264	1,518	9,195
Total									

Utilization Rate	Current	Proposed
	162	162

Current UR excludes 12,045 USF of office support space
Proposed UR excludes 12,045 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Copy Room	1,429
Phone Closet	1,429
Wire Closet	854
Break Room	1,429
Security	1,139
Conf. Room	2,915
Total	9,195



U.S. House of Representatives
Committee on Transportation and Infrastructure

John L. Mica
 Chairman

Washington, DC 20515

Nick J. Rahall, III
 Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

LEASE
FOOD AND DRUG ADMINISTRATION
SUBURBAN MARYLAND
 PMD-07-WA11

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for an extension lease of up to 101,000 rentable square feet of space for the Food and Drug Administration, currently located at 1401 Rockville Pike, Rockville, MD, at a proposed total annual cost of \$3,434,000 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 134 square feet or less per person as detailed in the Housing Plan contained in the prospectus.

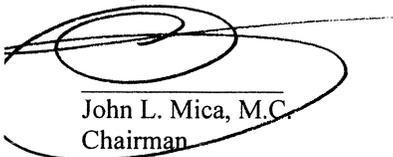
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 134 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman

GSA

PBS

**PROSPECTUS – LEASE
FOOD AND DRUG ADMINISTRATION
SUBURBAN MARYLAND**

Prospectus Number: PMD-07-WA11

Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a lease extension for 101,000 rentable square feet (RSF) of space for the Food and Drug Administration (FDA) at 1401 Rockville Pike, Rockville, Maryland. The FDA is planning to move to its White Oak Maryland headquarters facility that is currently in construction. GSA will attempt to structure the lease term for the extension to be consistent with the construction schedule.

Description

Occupants:	FDA
Delineated Area:	Suburban Maryland
Lease Type:	Extension
Justification:	Expiring Lease (9/30/2012)
Expansion Space:	None
Number of Parking Spaces:	None
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	3 years
Maximum Rentable Square Feet:	101,000
Current Total Annual Cost:	\$3,065,578
Proposed Total Annual Cost: ¹	\$3,434,000
Maximum Proposed Rental Rate: ²	\$34 per rentable square foot

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

² This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

**PROSPECTUS – LEASE
FOOD AND DRUG ADMINISTRATION
SUBURBAN MARYLAND**

Prospectus Number: PMD-07-WA11

Congressional District: 8

Authorization

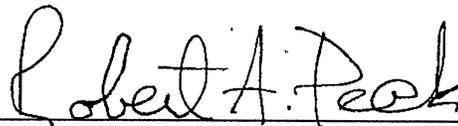
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

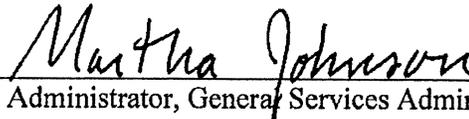
Submitted at Washington, DC, on September 10, 2010

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

November 2009

Housing Plan
Food and Drug Administration

PMD-07-WA11
Rockville, MD

Locations	Current						Proposed						
	Personnel		Usable Square Feet (USF)			Total	Personnel		Usable Square Feet (USF)			Total	
	Office	Total	Office	Storage	Special		Office	Total	Office	Storage	Special		
1401 Rockville Pike	421	421	72,571	-	14,848	87,419							
New Lease	421	421	72,571	-	14,848	87,419	421	421	72,571	-	14,848	87,419	
Total	421	421	72,571	-	14,848	87,419	421	421	72,571	-	14,848	87,419	

Utilization Rate	Current	Proposed
Utilization Rate	134	134

Current UR excludes 15,966 USF of office support space
Proposed UR excludes 15,966 USF of office support space

Special Space	USF
ADPP	430
Auditorium	5,205
Conference	3,931
Document Room	5,282
Total	14,848

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g. auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



U.S. House of Representatives
Committee on Transportation and Infrastructure

John L. Mica
 Chairman

Washington, DC 20515

Nick J. Rahall, III
 Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

LEASE
DEPARTMENT OF LABOR
NORTHERN VIRGINIA
 PVA-02-WA11

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 100,000 rentable square feet of space, including ten parking spaces, for the Department of Labor, currently located at 1100 Wilson Boulevard, Arlington VA, at a proposed total annual cost of \$3,800,000 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 173 square feet or less per person.

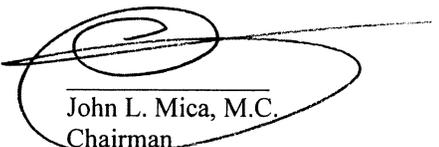
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 173 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF LABOR
NORTHERN VIRGINIA**

Prospectus Number: PVA-02-WA11
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 100,000 rentable square feet (rsf) for the Department of Labor's Office of the Solicitor (SOL), and Mine Safety and Health Administration (MSHA). They are currently located at 1100 Wilson Boulevard in Arlington, VA.

Description

Occupants:	SOL, MSHA
Delineated Area:	Northern Virginia
Lease Type:	Replacement
Justification:	Expiring Leases (04/27/2012)
Expansion Space:	2,500 RSF
Number of Parking Spaces:	10 for official government vehicles
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	100,000 RSF
Current Total Annual Cost:	\$3,589,679
Proposed Total Annual Cost: ¹	\$3,800,000
Maximum Proposed Rental Rate: ²	\$38.00 per rentable square foot

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

² This estimate is for fiscal year 2012 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF LABOR
NORTHERN VIRGINIA**

Prospectus Number: PVA-02-WA11
Congressional District: 8

Authorization

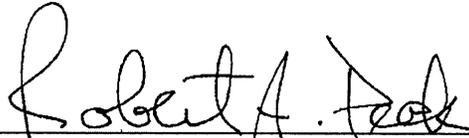
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

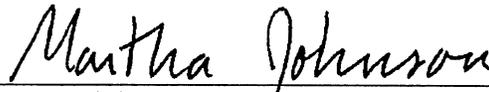
Submitted at Washington, DC, on September 10, 2010

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

PVA-02-WA11
Northern, VA

Housing Plan
Department of Labor

January 2010

Locations	Current				Proposed				
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage Special	Office	Total	Office	Storage Special	
MSHA 1100 Wilson	251	251	57,703	5,950					
SOL 1100 Wilson	53	53	14,799	2,050					
Proposed Lease									
Total	304	304	72,502	8,000	335	335	74,210	8,400	82,610

Utilization Rate	Current	Proposed
	186	173

Current UR excludes 15,950 USF of office support space
Proposed UR excludes 16,326 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Conference Room	3,350
Health Center	850
Mail Room	600
Library	3,000
Ship/Rec	600
Total	8,400



U.S. House of Representatives
Committee on Transportation and Infrastructure

Washington, DC 20515

John L. Mica
 Chairman

Nick J. Rahall, III
 Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

LEASE
OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
NORTHERN VIRGINIA
 PVA-09-WA12

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a new lease of up to 183,000 rentable square feet of space, including six parking spaces, for the Office of the Director of National Intelligence at a proposed total annual cost of \$7,137,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 102 square feet or less per person as detailed in the Housing Plan contained in the prospectus.

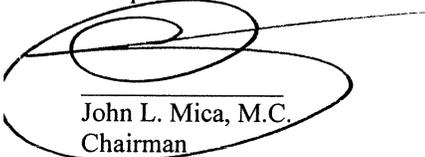
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 102 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman

GSA

PBS

**PROSPECTUS – LEASE
OFFICE OF THE DIRECTOR
OF NATIONAL INTELLIGENCE
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA12
Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a new lease of up to 183,000 rentable square feet for the Office of the Director of National Intelligence (ODNI), which is currently located in multiple contractor-provided and Government-provided classified locations throughout Northern Virginia. The contractor agreements in these locations expire in July and August of 2011, and June of 2012. GSA is seeking to provide ODNI with a long-term consolidated housing solution that separates the acquisition of space from the provision of mission-critical contract services in order to better control costs and increase organizational effectiveness.

Description

Occupants:	ODNI
Lease Type:	Consolidation with Expansion
Current Rentable Square Feet (RSF):	113,000 (Current RSF/USF=1.2)
Proposed Maximum RSF:	183,000 (Proposed RSF/USF=1.2)
Expansion Space:	70,000 RSF
Current Usable Square Feet/Person:	167
Proposed Usable Square Feet/Person:	222
Delineated Area:	Northern Virginia
Number of Official Parking Spaces: ¹	6
Justification:	Expiring Contractor Agreements: 2011, 2012
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	20 years
Maximum Proposed Rental Rate: ²	\$39.00
Proposed Total Annual Cost: ³	\$7,137,000
Current Total Annual Cost: ⁴	\$11,000,000

¹ ODNI's security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

² This estimate is for fiscal year 2012 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses, whether paid by the lessor or directly by the Government.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

⁴ Includes non-real estate costs.

GSAPBS

**PROSPECTUS – LEASE
OFFICE OF THE DIRECTOR
OF NATIONAL INTELLIGENCE
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA12
Congressional District: 8,10,11

Background

The Director of National Intelligence serves as the head of the Intelligence Community, overseeing and directing the implementation of the National Intelligence Program and acting as the principal advisor to the President, the National Security Council, and the Homeland Security Council for intelligence matters related to the national security. ODNI's goal is to effectively integrate foreign, military and domestic intelligence in defense of the homeland and of United States interests abroad

Justification

In order to reduce disruption to mission, and separate the acquisition of mission critical services from the provision of space, ODNI is moving to consolidate certain infrastructure support capabilities into a long-term government leased facility. The co-location of these support capabilities is critical in meeting the dynamic needs of the agency's mission.

There are multiple benefits to this approach. First, co-location optimizes ODNI's ability to provide integrated solutions. Second, co-location preserves ODNI's leverage over its support contractor(s) and facilitates the introduction of new and innovative partners. Third, over a long-term lease, ODNI will significantly reduce facility costs by divorcing space procurements from the cyclical nature of government acquisitions.

Due to the sensitive nature of the agency's mission, the consolidated leased location will be almost entirely comprised of SCIF space.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

GSA

PBS

PROSPECTUS – LEASE
OFFICE OF THE DIRECTOR
OF NATIONAL INTELLIGENCE
NORTHERN VIRGINIA

Prospectus Number: PVA-09-WA12
Congressional District: 8,10,11

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

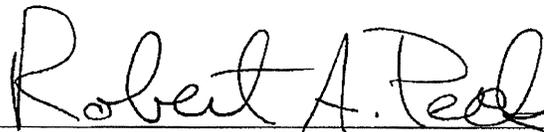
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency until the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

May 2/

Hous. Plan
Office of the Director of
National Intelligence

PVA- WA12

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Location L	77	77	7,825		12,269	20,094						
Location O	67	67	1,500			1,500						
Location G	27	27	2,733			2,733						
Location M	16	16	1,700		300	2,000						
Location B	360	360	52,612	1,538	9,850	64,000						
Location N	17	17	3,840			3,840						
Proposed Lease												
Total	564	564	70,210	1,538	22,419	94,167	687	687	89,510	6,515	56,539	152,564

Office Utilization Rate (UR)*		
Rate	Current	Proposed
	97	102

* UR = average amount of office space per person
Current UR excludes 15,446 USF of Office for support space
Proposed UR excludes 19,692 USF of office for support space

USE/Person **		
Rate	Current	Proposed
	167	222

** USE/Person = housing plan total USF divided by total personnel

Special Space		
	USF	USF
ADP		28,039
Conference/ Classroom		17,580
Food Service		4,776
Reception		1,021
Break Rooms		5,123
Total		56,539

Total USF		
	RSF/USF	Maximum RSF
Current	94,167	113,000
Proposed	152,564	183,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g. auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



U.S. House of Representatives
Committee on Transportation and Infrastructure

John L. Mica
 Chairman

Washington, DC 20515

Nick J. Rahall, III
 Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

LEASE
NATIONAL INSTITUTES OF HEALTH
6701 AND 6707 DEMOCRACY BLVD.
SUBURBAN MARYLAND
 PMD-02-WA11

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease consolidation of up to 352,717 rentable square feet of space, including 5 parking spaces, for the National Institutes of Health, currently located at 6701 and 6707 Democracy Blvd., Bethesda, MD, at a proposed total annual cost of \$11,992,378 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 134 square feet or less per person.

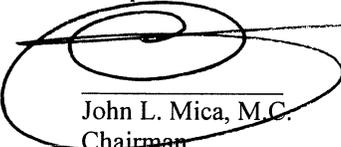
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 134 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman

GSAPBS

**PROSPECTUS – LEASE
NATIONAL INSTITUTES OF HEALTH
6701 AND 6707 DEMOCRACY BLVD.
SUBURBAN MARYLAND**

Prospectus Number: PMD-02-WA11
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a lease consolidation of up to 403,000 rentable square feet (rsf) for the National Institutes of Health (NIH) currently located at 6701 and 6707 Democracy Blvd, Bethesda, MD.

The current leased locations consist of 352,717 rsf under 10 leases that will expire from October 31, 2010 through November 30, 2012 with one lease expiring in November 2017. These leases were obtained directly by NIH through a delegation of leasing authority, and they provide housing for a diverse grouping of 15 NIH organizations. The purpose of this prospectus is to obtain authority to enter into a long term lease of up to 20 years for NIH beginning in 2012.

NIH's new consolidated location needs to be proximate to the NIH campus in Montgomery County Maryland, NIH off-campus clusters, I-270, NW Beltway Spur, and the Metro along the Red Line as employees rely on the NIH shuttle service and public transit to make frequent trips to the campus. Additionally, NIH frequently hosts conferences/training sessions attended by representatives from other government agencies, health organizations/companies, and foreign dignitaries. Locating outside of the specified delineated area, in a location inaccessible by public transit, I-270, the Northwest Beltway Spur and away from other federal agencies, could negatively impact these functions.

Acquisition Strategy

In order to maximize flexibility in acquiring space to house the National Institutes of Health elements, GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet the requirements in whole or in part.

Description

Occupants:	NIH
Delineated Area:	North – Halpine Road to Twinbrook Pkwy East – Viers Mill Road to Connecticut Ave; West – E. Jefferson Street, Rollins Avenue, Evelyn Dr., Montrose Road, Tadenwood Drive, Old Stage Road, Tilden Park, Tuckerman Lane I-270, Democracy Boulevard, Old Georgetown Road, Wisconsin Avenue, South – Bradley Lane

GSA

PBS

**PROSPECTUS – LEASE
NATIONAL INSTITUTES OF HEALTH
6701 AND 6707 DEMOCRACY BLVD.
SUBURBAN MARYLAND**

Prospectus Number: PMD-02-WA11
Congressional District: 8

Lease Type:	Consolidation
Justification:	10 NIH Leases expiring between 10/31/2010 and 11/30/2012, and one lease expiring in 2017
Expansion Space:	50,283 rsf
Number of Parking Spaces:	5 official government vehicles
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	20 years
Maximum Rentable Square Feet:	403,000
Current Total Annual Cost:	\$16,674,160
Proposed Total Annual Cost: ¹	\$13,702,000
Maximum Proposed Rental Rate: ²	\$34.00

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

¹ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

² This estimate is for fiscal year 2012 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

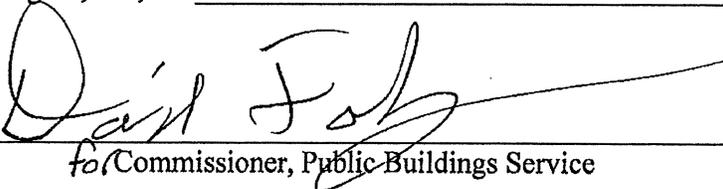
**PROSPECTUS – LEASE
NATIONAL INSTITUTES OF HEALTH
6701 AND 6707 DEMOCRACY BLVD.
SUBURBAN MARYLAND**

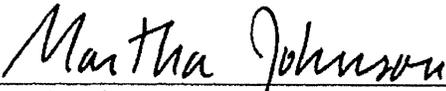
Prospectus Number: PMD-02-WA11
Congressional District: 8

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 10, 2010

Recommended: 
for Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

PMD-02-WA11
Suburban, MD

Housing Plan
National Institutes of Health
6701 and 6707 Democracy Blvd.

April 2010

Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Office	Total	Office	Storage
6701 and 6707 Democracy Blvd.	1,592	1,592	287,530	6,400		293,930		
Replacement Lease					1,592	1,592	311,105	24,150
Total	1,592	1,592	287,530	6,400	1,592	311,105	311,105	24,150

Utilization Rate	Current	Proposed
	141	152

Current UR excludes 63,257 USF of office support space
Proposed UR excludes 68,443 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Conference Room	7,630
Food Service	5,200
Fitness Center	4,900
Data Centers	1,900
Vending Machine	600
ATM	120
Lactation Room	300
Break Rooms	3,500
Total	24,150



U.S. House of Representatives
Committee on Transportation and Infrastructure

John L. Mica
 Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, III
 Ranking Member

James W. Coon II, Chief of Staff

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION
SUBURBAN MARYLAND
 PMD-01-WA11

James H. Zoia, Democrat Chief of Staff

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 104,000 rentable square feet of space, including 16 parking spaces, for the Department of Health and Human Services, Centers for Disease Control and Prevention, currently located at 3311 Toledo Road, Hyattsville, MD, at a proposed total annual cost of \$3,536,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 118 square feet or less per person.

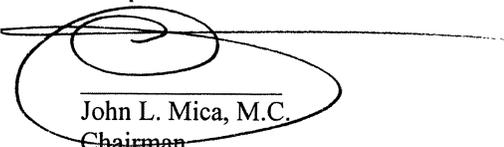
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 118 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


 John L. Mica, M.C.
 Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION
SUBURBAN MARYLAND**

Prospectus Number: PMD-01-WA11
Congressional District: 4, 5, 6, 8

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 148,000 rentable square feet (rsf) for the Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), the National Center for Health Statistics. The CDC is currently located in the Metro IV Building, at 3311 Toledo Road, Hyattsville, MD.

Description

Occupants:	HHS-CDC
Delineated Area:	Suburban MD
Lease Type:	Replacement
Justification:	Expiring lease 12/31/2012
Expansion Space:	58,135 rsf (space reduction)
Number of Parking Spaces: ¹	16 official vehicles
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	148,000
Current Total Annual Cost:	\$5,069,076
Proposed Total Annual Cost: ²	\$5,032,000
Maximum Proposed Rental Rate: ³	\$34.00 per rentable square foot

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹ CDC security requirements may necessitate control of the parking garage at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

³ This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

**PROSPECTUS - LEASE
 DEPARTMENT OF HEALTH AND HUMAN SERVICES
 CENTERS FOR DISEASE CONTROL AND PREVENTION
 SUBURBAN MARYLAND**

Prospectus Number: PMD-01-WA11
 Congressional District: 4, 5, 6, 8

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 10, 2010

Recommended:
 for Commissioner, Public Buildings Service

Approved:
 Administrator, General Services Administration

March 2010

Housing Plan
 Department of Health and Human Services
 Centers for Disease Control and Prevention

Suburban, MD
 PMD-01-WA11

Locations	Current					Proposed				
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)		
	Offices	Total	Office	Storage	Special	Total	Office	Storage	Special	Total
Metro IV (3311 Toledo Road)	500	500	156,099	1,260	13,740	171,099				
Proposed Lease	-	-	-	-	-	-	107,500	1,260	13,893	122,653
Total	500	500	156,099	1,260	13,740	171,099	107,500	1,260	13,893	122,653

Utilization Rate	Current	Proposed
	244	168

Current UR excludes 34,342 USF of office support space
 Proposed UR excludes 23,650 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Health Unit	785
Fitness Center	3,910
Conference Room	4,280
Staff Library	2,578
Data Center	1,840
Credit Union	300
Telephone Room	200
Total	13,893



**U.S. House of Representatives
Committee on Transportation and Infrastructure**

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

**LEASE
NATIONAL SCIENCE FOUNDATION
NORTHERN VIRGINIA
PVA-01-WA11**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 667,759 rentable square feet of space, including six parking spaces, for the National Science Foundation, currently located at 4201 and 4121 Wilson Boulevard, Arlington, VA, at a proposed total annual cost of \$24,200,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to achieve a utilization rate of 128 square feet or less per person with respect to any space that is newly constructed or fully renovated.

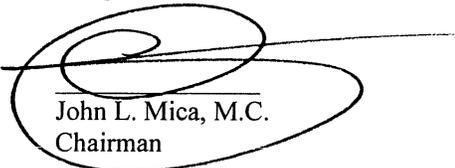
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 128 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


John L. Mica, M.C.
Chairman

GSAPBS

**PROSPECTUS – LEASE
NATIONAL SCIENCE FOUNDATION
NORTHERN VIRGINIA**

Prospectus Number: PVA-01-WA11
Congressional District: 8, 10, 11

Project Summary

The General Services Administration (GSA) proposes a lease of up to 690,000 rentable square feet (rsf) for the National Science Foundation (NSF) currently located at 4201 and 4121 Wilson Boulevard, Arlington, VA. The agency requires that they be housed in space that preserves their contiguous configuration and sustains the efficiencies needed for NSF's single business process, awarding grants in science and engineering.

NSF's fundamental line of business rests in the hundreds of thousands of proposals it processes and reviews each year. In 2009, NSF completed approximately 248,000 proposal reviews yielding an enormous average workload of 170 science and engineering competitive merit review panels each month. To conduct these reviews, NSF hosts the nation's and the world's science, engineering and academic elite as they travel to NSF to perform the government's business. In 2009, NSF had a total of about 62,000 visitors. NSF operations support the meetings and business requirements of these participants during their work time at the agency which ranges from as few as 10 to as many as 500 participants over multiple days for a single proposal initiative. To accommodate this work, this prospectus includes an increased amount of special space while realizing a reduction in the amount of office space allocated per person.

NSF presently houses a workforce of more than 1,500 fulltime staff, 225 rotational appointees hired under the Intergovernmental Personnel Act, and 512 contract personnel. NSF's programs span a broad portfolio that includes biological sciences, computer and information science and engineering, cyber-infrastructure, science education, engineering, geosciences, mathematics and physical sciences, social, behavioral, and economic sciences, integrative activities, international science and engineering and polar programs.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the National Science Foundation in its entirety, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocs of space in adjacent buildings which preserves NSF's contiguous configuration.

GSAPBS

**PROSPECTUS – LEASE
NATIONAL SCIENCE FOUNDATION
NORTHERN VIRGINIA**

Prospectus Number: PVA-01-WA11
Congressional District: 8, 10, 11

Description

Occupants:	National Science Foundation
Delineated Area:	Northern Virginia
Lease Type:	Replacement with Expansion
Justification:	Expiring Leases (April 30 and December 31, 2013)
Expansion Space:	22,241 rsf
Number of Parking Spaces:	6
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	690,000
Current Total Annual Cost:	\$19,169,198
Proposed Total Annual Cost: ¹	\$26,220,000
Maximum Proposed Rental Rate: ²	\$38.00

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

Authorization

- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

¹ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

² This estimate is for fiscal year 2014 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

PROSPECTUS - LEASE
NATIONAL SCIENCE FOUNDATION
NORTHERN VIRGINIA

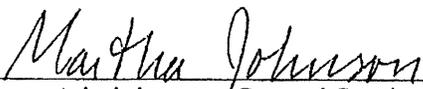
Prospectus Number: PVA-01-WA11
Congressional District: 8, 10, 11

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 21, 2010

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

Locations	Current				Proposed					
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Storage	Special	Total
Stafford I 4201 Wilson Blvd.	1,950	1,950	370,915	5,200	99,891	476,006				
Stafford II 4121 Wilson Blvd.	312	312	61,688		18,772	80,460				
New Lease							2,241	6,090	201,953	201,953
Total:	2,262	2,262	432,603	5,200	118,663	556,466	2,241	6,090	201,953	575,105

	Current	Proposed
Rate	149	128

Current UR excludes 95,173 USF of Office for support space
Proposed UR excludes 80,754 USF of office for support space

Special Space	Special Space
Conferences/Training	118,298
Cafeteria	9,000
Credit Union	2,000
Health Center	3,000
Library	2,475
Computer Room	3,000
Secure Space	450
Command Center	2,625
Print/Mail	5,600
Shipping/Receiving	1,000
Communications	
Equip Rms	5,400
Break Room	14,120
Copy Rooms	17,645
ADP	7,135
OLPA Production	
Studio	3,605
File Room	6,600
Total:	201,953

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building



**U.S. House of Representatives
Committee on Transportation and Infrastructure**

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

**LEASE
DEPARTMENT OF VETERANS AFFAIRS
1722 I STREET, NW
WASHINGTON, D.C.
PDC-01-WA11**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 181,000 rentable square feet of space, including 20 parking spaces, for the Department of Veterans Affairs, currently located at 1722 I Street, NW, Washington, D.C., at a proposed total annual cost of \$8,507,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 111 square feet or less per person.

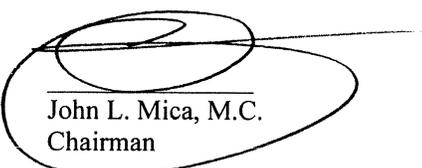
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 111 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


John L. Mica, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1722 I STREET, NW
WASHINGTON, DC**

Prospectus Number: PDC-01-WA11

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 192,000 rentable square feet (rsf) of space for the Department of Veterans Affairs (VA), currently located at 1722 I Street NW, Washington, DC.

Acquisition Strategy

In order to maximize flexibility in acquiring space to house the Veterans Administration elements, GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet the requirements in whole or in part.

Description

Occupants:	VA
Delineated Area:	Washington, DC Central Employment Area, North of Massachusetts Avenue, and Southwest Waterfront
Lease Type:	Replacement
Justification:	Expiring Leases (June 6, 2012 and November 14, 2012)
Expansion Space:	None
Number of Parking Spaces ¹ :	20 official government vehicles
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	192,000
Current Total Annual Cost:	\$7,496,623
Proposed Total Annual Cost ² :	\$9,408,000
Maximum Proposed Rental Rate ³ :	\$49.00

¹ VA security requirements may necessitate control of the parking garage at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

³ This estimate is for fiscal year 2012 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1722 I STREET, NW
WASHINGTON, DC**

Prospectus Number: PDC-01-WA11

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

Authorization

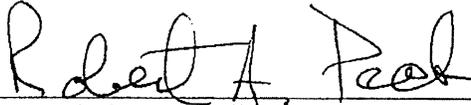
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

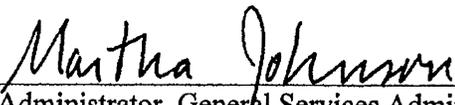
Submitted at Washington, DC, on September 10, 2010

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

Locations	Current				Proposed			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Total	Office	Special
1722 I Street NW	648	648	92,076	58,168	648	648	92,076	58,168
Total	648	648	92,076	58,168	648	648	92,076	58,168

Utilization Rate	Current	Proposed
	111	111

Current UR excludes 20,257 USF of office support space
Proposed UR excludes 20,257 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Reception	720
Conference	13,310
Copy/Supply	12,250
File Room	17,550
Server/Telephone	10,410
Mail Room	1,142
Health Unit	1,903
Kitchen/Break Room	883
Total	58,168



**U.S. House of Representatives
Committee on Transportation and Infrastructure**

John L. Mica
Chairman

Washington, DC 20515

Nick J. Rahall, III
Ranking Member

COMMITTEE RESOLUTION

James W. Coon II, Chief of Staff

James H. Zoia, Democrat Chief of Staff

**LEASE
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, DC
PDC-02-WA11**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 158,000 rentable square feet of space, including 5 parking spaces, for the Department of the Interior National Park Service, currently located at 1201 Eye Street, NW, Washington, D.C., at a proposed total annual cost of \$7,742,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply a utilization rate of 121 square feet or less per person.

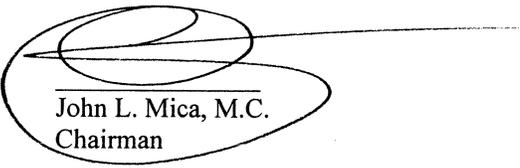
Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in a utilization rate of 121 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted:


John L. Mica, M.C.
Chairman

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, DC**

Prospectus Number: PDC-02-WA11

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 231,000 rentable square feet (rsf) of space for the Department of the Interior (DOI) National Park Service (NPS), currently located at 1201 Eye Street, NW, Washington, DC.

Acquisition Strategy

In order to maximize flexibility in acquiring space to house the Department of Interior - National Park Service elements, GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet the requirements in whole or in part.

Description

Occupants:	DOI-NPS
Delineated Area:	Washington, DC Central Employment Area, North of Massachusetts Avenue, and Southwest Waterfront
Lease Type:	Replacement
Justification:	Expiring Lease (7/15/2012)
Expansion Space:	None
Number of Parking Spaces:	5 official
Scoring:	Operating lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	231,000
Current Total Annual Cost:	\$9,621,312
Proposed Total Annual Cost: ¹	\$11,319,000
Maximum Proposed Rental Rate: ²	\$49.00 per rentable square foot

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

² This estimate is for fiscal year 2012 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSA

PBS

PROSPECTUS - LEASE
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, DC

Prospectus Number: PDC-02-WA11

Authorization

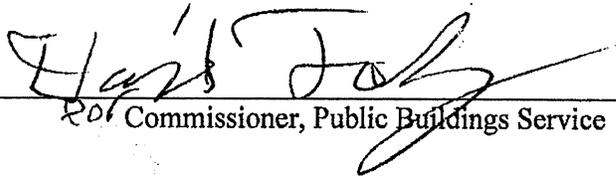
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide interim leases, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

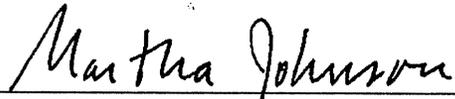
Submitted at Washington, DC, on September 10, 2010

Recommended:



For Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

Locations	Current				Proposed				
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)		Total
	Office	Total	Office	Storage	Office	Storage	Special		
1201 Eye St. NW	650	650	151,000	9,949	665	151,000	9,949	31,051	192,000
Proposed Lease	650	650	151,000	9,949	665	151,000	9,949	31,051	192,000
Total									

Utilization Rate	Current	Proposed
Utilization Rate	181	177

Current UR excludes 33,220 USF of office support space
Proposed UR excludes 33,220 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Special Space	USF
Special Space	10,131
Conf/Training	3,014
Office Equip Rm	11,270
File Rooms	1,836
Ref/Library	2,100
Copy Room	200
Security Office	330
Mainroom	1,060
Dark Room	310
Radio Room	800
Health Center	31,051
Total	31,051

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

And then,

¶35.5 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. SMITH of Nebraska, by unanimous consent, and pursuant to the special order of the House agreed to on March 8, 2012, at 11 o'clock and 4 minutes a.m., declared the House adjourned until 10 a.m. on Tuesday, March 13, 2012.

¶35.6 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 901. Referral to the Committee on Energy and Commerce extended for a period ending not later than June 8, 2012.

¶35.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SABLAN (for himself, Ms. BORDALLO, Mr. FALCOMAVAEGA, Mr. PIERLUISI, Mrs. CHRISTENSEN, and Ms. NORTON):

H.R. 4195. A bill to improve services for victims of sexual assault and domestic violence; to the Committee on the Judiciary.

By Ms. WILSON of Florida:

H. Res. 581. A resolution expressing the sense of the House of Representatives that the continued deployment of United States military support personnel advising regional forces working toward the apprehension of Joseph Kony is both necessary and appropriate; to the Committee on Foreign Affairs.

By Mr. LANCE:

H. Res. 582. A resolution celebrating the centennial of the birth of First Lady Patricia Nixon; to the Committee on Oversight and Government Reform.

¶35.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 529: Mr. RUPPERSBERGER.
- H.R. 694: Ms. MOORE.
- H.R. 1116: Mr. COHEN.
- H.R. 1418: Mr. STUTZMAN.
- H.R. 1681: Mr. COHEN and Mr. KEATING.
- H.R. 1821: Mr. ROTHMAN of New Jersey and Mr. GRIJALVA.
- H.R. 2086: Ms. ESHOO.
- H.R. 2088: Mr. NADLER.
- H.R. 2230: Mr. BLUMENAUER.
- H.R. 2314: Ms. BORDALLO, Mr. CARNAHAN, Mrs. DAVIS of California, and Mr. THORNBERRY.
- H.R. 2499: Ms. BASS of California.
- H.R. 2866: Mr. LOBIONDO.
- H.R. 3068: Mr. LATTA, Mrs. BACHMANN, and Mr. LONG.
- H.R. 3086: Mr. ALEXANDER and Mr. GALLEGLY.
- H.R. 3313: Ms. DELAURO.
- H.R. 3462: Ms. BASS of California.
- H.R. 3586: Mr. COFFMAN of Colorado.
- H.R. 3643: Mr. AKIN.
- H.R. 3695: Ms. HIRONO, Ms. CLARKE of New York, and Mr. BACA.
- H.R. 3767: Mr. CAMP, Mr. GOWDY, Mr. CHABOT, Mr. MACK, Mr. OWENS, and Mr. SIRES.

- H.R. 3855: Ms. BERKLEY.
- H.R. 4089: Mr. AUSTRIA, Mr. SCHWEIKERT, and Mr. REHBERG.
- H.R. 4169: Mr. FORTENBERRY.
- H.J. Res. 80: Mr. POLIS.
- H. Res. 526: Mr. QUAYLE.

TUESDAY, MARCH 13, 2012 (36)

¶36.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. ROONEY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 13, 2012.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶36.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ROONEY, announced he had examined and approved the Journal of the proceedings of Friday, March 9, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶36.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5252. A letter from the Manager, BioPreferred Program, Department of Agriculture, transmitting the Department's final rule — Designation of Biobased Items for Federal Procurement (RIN: 0503-AA39) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5253. A letter from the Manager, BioPreferred Program, Department of Agriculture, transmitting the Department's final rule — BioPreferred Program (RIN: 0503-AA41) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5254. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Kiwifruit Grown in California; Change in Reporting Requirements and New Information Collection [Doc. No.: AMS-FV-11-0041; FV11-920-1 FR] received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5255. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* Cry2Ae Protein in Cotton; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0573; FRL-9333-7] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5256. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2011-0351-201203; FRL-9627-7] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5257. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Implementation Plans; New Hampshire; Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule [EPA-R01-OAR-2011-0346, FRL-9627-8] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5258. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2011-0352-201204; FRL-9627-6] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5259. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Tennessee; Prevention of Significant Deterioration and Nonattainment New Source Review Rules: Nitrogen Oxides as a Precursor to Ozone [EPA-R04-OAR-2010-0483-201201; FRL-9627-5] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5260. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0733; FRL-9501-5] received February 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5261. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations. (Lincoln, Nebraska) [MB Docket No.: 11-192] (RM-11646) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5262. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Thermal Overload Protection for Electric Motor on Motor-Operated Valves, Regulatory Guide 1.106 received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5263. A communication from the President of the United States, transmitting notification that the national emergency with respect to Iran originally declared on March 15, 1995, is to continue in effect beyond March 15, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112—93); to the Committee on Foreign Affairs and ordered to be printed.

5264. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Allocations in the Gulf of Alaska; Amendment 83; Correction (RIN: 0648-AY53) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5265. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Pacific Whiting and Non-Whiting Allocations; Pacific Whiting Seasons [Docket No.: 100804324-1265-02] (RIN: 0648-XA927) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5266. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 101126521-0640-02] (RIN: 0648-XA940) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5267. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines [Docket No.: FAA-2011-1341; Directorate Identifier 2011-NE-41-AD; Amendment 39-16891; AD 2011-25-51] received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5268. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2011-1454; Directorate Identifier 2011-SW-054-AD; Amendments 39-16910; AD 2011-27-08] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5269. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eclipse Aerospace, Inc. Airplanes Equipped With Pratt & Whitney Canada, Corp. PW610F-A Engines [Docket No.: FAA-2011-0199; Directorate Identifier 2011-CE-005-AD; Amendment 39-16890; AD 2011-06-06 R1] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5270. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0916; Directorate Identifier 2011-NM-127-AD; Amendment 39-16895; AD 2011-26-05] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5271. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0382; Directorate Identifier 2010-NM-063-AD; Amendment 39-16887; AD 2011-25-11] (RIN: 2120-AA64) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5272. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0918; Directorate Identifier 2011-NM-090-AD; Amendment 39-16896; AD 2011-26-06] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶36.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. ROONEY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, March 12, 2012.

Hon. JOHN A. BOEHNER,

The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representa-

tives, the Clerk received the following message from the Secretary of the Senate on March 12, 2012 at 10:11 a.m.:

That the Senate agreed to Res. 390.

With best wishes, I am

Sincerely,

KAREN L. HAAS,

Clerk of the House.

And then,

¶36.5 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. ROONEY, by unanimous consent, and pursuant to the special order of the House agreed to on March 8, 2012, at 10 o'clock and 2 minutes a.m., declared the House adjourned until 10 a.m. on Friday, March 16, 2012.

¶36.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAMP: Committee on Ways and Means. H.R. 452. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; with an amendment (Rept. 112-412, Pt. 1). Ordered to be printed.

¶36.7 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 452. Referral to the Committees on Rules and Energy and Commerce extended for a period ending not later than March 16, 2012.

¶36.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TIBERI (for himself, Mr. LARSON of Connecticut, Mr. PAULSEN, Mr. NEAL, Mr. MARCHANT, and Mr. PASCRELL):

H.R. 4196. A bill to amend the Internal Revenue Code of 1986 to extend the allowance for bonus depreciation for certain business assets; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself and Mr. ROYCE):

H. Res. 583. A resolution expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL:

H. Res. 584. A resolution reaffirming the commitment of the House of Representatives to finding and capturing Joseph Kony, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LANCE:

H. Res. 585. A resolution celebrating the centennial of the birth of First Lady Patricia Nixon; to the Committee on Oversight and Government Reform.

¶36.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. WALZ of Minnesota.

H.R. 1085: Ms. VELÁZQUEZ.

H.R. 1116: Mr. CLARKE of Michigan.

H.R. 1166: Mr. PALLONE.

H.R. 1171: Ms. ZOE LOFGREN of California, Mr. BERMAN, Mr. SCHIFF, Mr. BECERRA, Mrs. NAPOLITANO, and Mr. THOMPSON of California.

H.R. 1370: Mr. REICHERT.

H.R. 1639: Mr. COSTA.

H.R. 1681: Mr. LANGEVIN.

H.R. 1744: Mr. LUCAS.

H.R. 2227: Mr. GINGREY of Georgia and Mr. GUTHRIE.

H.R. 2529: Mr. COFFMAN of Colorado.

H.R. 2866: Mr. KILDEE.

H.R. 2954: Mr. DOGGETT and Mr. HINOJOSA.

H.R. 3030: Mr. HIMES.

H.R. 3053: Ms. VELÁZQUEZ.

H.R. 3059: Mr. DANIEL E. LUNGREN of California, Mr. GUTHRIE, and Mr. ISRAEL.

H.R. 3307: Mr. HONDA.

H.R. 3368: Ms. DEGETTE.

H.R. 3381: Mr. GUTHRIE.

H.R. 3612: Mr. GUTHRIE and Mr. LOEBSACK.

H.R. 3670: Ms. JACKSON LEE of Texas, Ms. LINDA T. SÁNCHEZ of California, Mr. RANGEL, Mr. WALSH of Illinois, Ms. CHU, and Mr. JONES.

H.R. 3767: Mr. CARNAHAN, Ms. HANABUSA, and Mr. MCDERMOTT.

H.R. 3769: Ms. HAYWORTH.

H.R. 3839: Mr. LOEBSACK.

H.R. 3842: Mr. CALVERT.

H.R. 3860: Ms. HIRONO.

H.R. 3911: Mr. PLATTS.

H.R. 3987: Mr. MULVANEY and Mr. HINOJOSA.

H.R. 4077: Ms. ROS-LEHTINEN, Mr. MCDERMOTT, and Mr. RIVERA.

H.R. 4085: Mr. TONKO.

H.R. 4095: Mrs. BLACKBURN, Mr. MCKINLEY, Mr. RANGEL, and Mr. GUTHRIE.

H.R. 4133: Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mr. BRADY of Texas, Mr. PAULSEN, Mr. FLORES, Mr. GERLACH, Mr. MCKINLEY, Mr. SCALISE, Mr. DENT, Mr. BARTON of Texas, Mr. MILLER of Florida, Mr. YOUNG of Florida, Mr. SMITH of Texas, Mr. CHAFFETZ, Mr. SESSIONS, Mr. HURT, Mrs. BLACKBURN, Mr. SHUSTER, Mr. GARY G. MILLER of California, Ms. JENKINS, Mr. BARROW, Mr. BISHOP of Georgia, Mr. BOSWELL, Mr. CARDOZA, Mr. CARNAHAN, Ms. CHU, Mr. CLAY, Mr. CONNOLLY of Virginia, Mr. ENGEL, Mr. FALOMAVAEGA, Mr. FATTAH, Mr. FILNER, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. KIND, Mr. LANGEVIN, Mr. LUJÁN, Mrs. MCCARTHY of New York, Mr. MEEKS, Mr. MICHAUD, Mr. CARNEY, Mr. NADLER, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Mr. RICHMOND, Ms. SCHWARTZ, Mr. SIRES, and Mr. DENHAM.

H.R. 4154: Mr. THOMPSON of California.

H.R. 4169: Mr. CONYERS.

H.J. Res. 103: Mr. PETRI.

H. Res. 460: Mr. FITZPATRICK, Mr. JOHNSON of Georgia, Mr. SABLAN, Mr. DOYLE, Mr. GONZALEZ, Mr. MICHAUD, Mr. THOMPSON of California, Mr. HIGGINS, and Mr. DAVIS of Illinois.

H. Res. 560: Mr. GONZALEZ, Mr. COHEN, Mr. STIVERS, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. BRALEY of Iowa, and Ms. SCHAKOWSKY.

FRIDAY, MARCH 16, 2012 (37)

¶37.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOU-

RETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 16, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶37.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Tuesday, March 13, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶37.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aureobasidium pullulans strains DSM 14940 and DSM 14941; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0099; FRL-9337-3] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5274. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pasteuria nishizawae — Pn1; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0807; FRL-9337-2] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5275. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spirotetramat; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2011-0783; FRL-9332-9] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5276. A letter from the Secretary of the Army, Department of Defense, transmitting the U.S. Army Fisher Houses Fiscal Year 2012 Annual Operating Budget Overview; to the Committee on Armed Services.

5277. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2008-0538; FRL-9632-7] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5278. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Greenhouse Gas Reporting Program; Electronics Manufacturing (Subpart I); Revisions to Heat Transfer Fluid Provisions [EPA-HQ-OAR-2011-0512; FRL-9633-5] (RIN: 2060-AR09) received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5279. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2010-0873; FRL-9630-7] (RIN: 2060-AH23) received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5280. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-11, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5281. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c) and pursuant to Executive Order 13313 of July 31, 2003 a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Foreign Affairs.

5282. A letter from the Secretary, Department of Energy, transmitting proposed legislation to amend section 4306 of the Atomic Energy Defense Act; jointly to the Committees on Armed Services and Energy and Commerce.

¶37.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, United States House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 15, 2012 at 5:06 p.m.:

That the Senate passed without amendment H.R. 473.

That the Senate passed with an amendment H.R. 886.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶37.5 ADJOURNMENT OVER

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 4 p.m. on Monday, March 19, 2012.

And then,

¶37.6 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, and pursuant to the previous order of the House, at 10 o'clock and 2 minutes a.m., declared the House adjourned until 4 p.m. on Monday, March 19, 2012.

¶37.7 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 452. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; with an amendment (Rept. 112-412, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. Supplemental report on H.R. 5. A

bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system (Rept. 112-39, Pt. 3).

¶37.8 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 452 referred to the Committee of the Whole House on the state of the Union.

¶37.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. ROS-LEHTINEN (for herself and Mr. BERMAN):

H.R. 4197. A bill to extend the authority to provide loan guarantees to Israel; to the Committee on Foreign Affairs.

By Mr. GOSAR (for himself, Ms. BERKLEY, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. QUAYLE, Mr. HECK, Mr. AMODEI, and Mr. FLAKE):

H.R. 4198. A bill to provide standards for determining whether the substantial restoration of the natural quiet and experience of the Grand Canyon National Park has been achieved and to clarify regulatory authority with respect to commercial air tours operating over the Park; to the Committee on Natural Resources.

By Mr. RIGELL:

H.R. 4199. A bill to amend the Internal Revenue Code of 1986 to close the corporate jet depreciation loophole and to increase the work opportunity tax credit for veterans; to the Committee on Ways and Means.

By Mr. SCHWEIKERT (for himself, Mr. MULVANEY, Mr. GOSAR, Mr. FRANKS of Arizona, and Mr. QUAYLE):

H.R. 4200. A bill to amend the Americans with Disabilities Act of 1990 to prohibit the Attorney General from administering or enforcing certain accessibility regulations relating to pools at public accommodations or provided by public entities; to the Committee on the Judiciary.

By Mr. TURNER of Ohio (for himself and Mr. ANDREWS):

H.R. 4201. A bill to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. MANZULLO:

H. Res. 586. A resolution expressing the concern of Congress regarding the Argentine Republic's willful and repeated disregard for the rule of law in the United States; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶37.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 692: Mr. SCHWEIKERT.
H.R. 721: Mr. CLARKE of Michigan, Mr. DICKS, and Mr. BISHOP of New York.
H.R. 1167: Mr. GOSAR.
H.R. 1244: Mr. KING of Iowa.
H.R. 1370: Mr. BASS of New Hampshire.
H.R. 1575: Mr. ROSKAM.
H.R. 1735: Mr. LARSON of Connecticut.
H.R. 1744: Mr. CRENSHAW.
H.R. 2051: Mr. MICHAUD.
H.R. 2106: Mr. LAMBORN.
H.R. 2479: Ms. SCHWARTZ, Mr. HIGGINS, and Mr. GUTIERREZ.

H.R. 2659: Mr. NADLER, Mr. RANGEL, and Ms. WATERS.

H.R. 2866: Mr. GRIMM.

H.R. 3053: Ms. BASS of California.

H.R. 3307: Mr. RUSH, Mr. VAN HOLLEN, and Ms. HAHN.

H.R. 3356: Mr. LUETKEMEYER.

H.R. 3368: Mr. GEORGE MILLER of California.

H.R. 3643: Mr. LATOURETTE and Mrs. CAPPS.

H.R. 3839: Mr. CARSON of Indiana and Mr. MCCAUL.

H.R. 3860: Mr. RUPPERSBERGER.

H.R. 3877: Mr. GRIFFIN of Arkansas.

H.R. 3880: Mr. AUSTIN SCOTT of Georgia.

H.R. 3989: Mr. AUSTIN SCOTT of Georgia.

H.R. 4077: Mr. TURNER of New York, Mr. MCCAUL, Mr. PLATTS, and Mr. MCGOVERN.

H.R. 4107: Mr. HUIZENGA of Michigan, Mr. COLE, and Mr. BARLETTA.

H.R. 4134: Mr. RANGEL.

H.R. 4160: Mr. WILSON of South Carolina, Mr. WALBERG, and Mr. WESTMORELAND.

H.R. 4169: Mr. LEWIS of Georgia, Mr. MORAN, Ms. SCHWARTZ, and Mr. MARKEY.

H.R. 4174: Mr. JONES and Mr. KISSELL.

H.J. Res. 71: Mr. BENISHEK.

H. Res. 490: Mr. SCOTT of South Carolina, Mr. CALVERT, Mr. RIBBLE, Mr. GOODLATTE, Mr. BERG, Mr. GRAVES of Missouri, and Mr. CRAVAACK.

H. Res. 526: Mr. BURTON of Indiana.

H. Res. 560: Mr. ALTMIRE and Mr. GERLACH.

H. Res. 568: Mr. DENT, Mr. LANDRY, Mr. AKIN, Mr. PETERS, Mr. CARNEY, Ms. RICHARDSON, Mr. SMITH of Texas, Mr. CONNOLLY of Virginia, Mrs. BACHMANN, Mr. CHAFFETZ, Mr. RIGELL, Mr. MARCHANT, Mr. MURPHY of Connecticut, Ms. JENKINS, Mrs. HARTZLER, Mr. BONNER, Mr. MCCAUL, Mr. MCKINLEY, Mr. FLAKE, Mr. RUNYAN, Mr. SCHILLING, Mr. MCKEON, Mr. ROKITA, Ms. WASSERMAN SCHULTZ, Mr. LUJÁN, Mr. KISSELL, Mr. BERG, Ms. WILSON of Florida, and Mr. BISHOP of New York.

H. Res. 583: Mr. SMITH of New Jersey, Ms. ROS-LHNTINEN, Mr. LEWIS of Georgia, Mr. TOWNS, Mr. RIVERA, Mr. MORAN, Mr. CONNOLLY of Virginia, Mr. JACKSON of Illinois, Ms. LEE of California, Mr. SCHOCK, Mr. RUSH, Mr. MEEKS, and Mr. WAXMAN.

MONDAY, MARCH 19, 2012 (38)

The House was called to order by the SPEAKER.

¶38.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, March 16, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶38.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5283. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Navy Case Number 11-05; to the Committee on Appropriations.

5284. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Air Force Case Number 10-06, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

5285. A letter from the Acting Assistant Secretary, Department of Defense, transmitting modernization priority assessments for the National Guard and Reserve equipment for Fiscal Year 2012; to the Committee on Armed Services.

5286. A letter from the Assistant Secretary, Department of Defense, transmitting a report entitled, "Combating Terrorism Activities FY 2013 Budget Estimates"; to the Committee on Armed Services.

5287. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's fiscal year 2011 report on the Regional Defense Combating Terrorism Fellowship Program; to the Committee on Armed Services.

5288. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5289. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the State of Missouri since May 22, 2011, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

5290. A letter from the Secretary, Department of Health and Human Services, transmitting FY 2011 Performance Report to Congress for the Medical Device User Fee Amendments of 2007; to the Committee on Energy and Commerce.

5291. A letter from the Assistant General Council, General Law, Ethics, and Regulation, Department of the Treasury, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5292. A letter from the Acting Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5293. A letter from the Acting Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5294. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-56; Item VIII; Docket 2012-0079; Sequence 1] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5295. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Requirements for Acquisitions Pursuant to Multiple-Award Contracts [FAC 2005-56; FAR Case 2007-012; Item III; Docket 2011-0081, Sequence 1] (RIN: 9000-AL93) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5296. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Proper Use and Management of Cost-Reimbursement Contracts [FAC 2005-56; FAR Case 2008-030; Item II; Docket 2011-0082, Sequence 1] (RIN: 9000-AL78) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5297. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Socio-economic Program Parity [FAC 2005-56; FAR Case 2011-004; Item IV; Docket 2011-0004, Sequence 1] (RIN: 9000-AL88) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to

the Committee on Oversight and Government Reform.

5298. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; New Designated Country (Armenia) and Other Trade Agreements Updates [FAC 2005-56; FAR Case 2011-030; Item VI; Docket 2011-0030, Sequence 1] (RIN: 9000-AM16) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5299. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Government Property [FAC 2005-56; FAR Case 2010-009; Item VII; Docket 2010-0009, Sequence 1] (RIN: 9000-AL95) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5300. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 767 Airplanes [Docket No.: FAA-2009-1221; Directorate Identifier 2008-NM-097-AD; Amendment 39-16881; AD 2011-25-05] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5301. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. (CMI) Reciprocating Engines [Docket No.: FAA-2011-1341; Directorate Identifier 2011-NE-41-AD; Amendment 39-16891; AD 2011-25-51] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5302. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped With Rotax Aircraft Engines 912 A Series Engine [Docket No.: FAA-2012-0001; Directorate Identifier 2011-CE-041-AD; Amendment 39-16912; AD 2012-01-01] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5303. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation Models 1900, 1900C, and 1900D Airplanes [Docket No.: FAA-2012-0014; Directorate Identifier 2011-CE-044-AD; Amendment 39-16915; AD 2011-27-15] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5304. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Corp. (PW) JT9D-TR4H1 Turbofan Engines [Docket No.: FAA-2011-0731; Directorate Identifier 2010-NE-39-AD; Amendment 39-16886; AD 2011-25-10] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5305. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Apical Industries, Inc., (Apical) Emergency Float Kits [Docket No.: FAA-2010-1190; Directorate Identifier 2010-SW-038-AD; Amendment 39-16877; AD 2011-25-01] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5306. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; PIAGGIO AERO INDUSTRIES S.p.A. Airplanes [Docket No.: FAA-2011-1040; Directorate Identifier 2011-CE-029-AD; Amendment 39-16889; AD 2011-26-01] (RIN: 2120-AA64) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5307. A letter from the Secretary, Department of Transportation, transmitting the 2011 Annual Report to Congress and the National Transportation Safety Board Responding to Issues on the National Transportation Safety Board's Most Wanted List; to the Committee on Transportation and Infrastructure.

5308. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Trade Agreements Thresholds [FAC 2005-56; FAR Case 2012-002; Item V; Docket 2012-0002, Sequence 1] (RIN: 9000-AA17) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5309. A letter from the acting chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Establishment of Global Entry Program [USCBP-2008-0097] (RIN:1651-AA73) received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

5310. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "National Coverage Determinations for Fiscal Year 2010"; jointly to the Committees on Energy and Commerce and Ways and Means.

5311. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "National Coverage Determinations for Fiscal Year 2009"; jointly to the Committees on Energy and Commerce and Ways and Means.

5312. A letter from the Director of National Intelligence, Attorney General, Office of the Director of National Intelligence Department of Justice, transmitting a letter requesting the Congress to reauthorize Title VII of the Foreign Intelligence Surveillance Act; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

¶38.3 RECESS—4:11 P.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 11 minutes p.m., until approximately 5 p.m.

¶38.4 AFTER RECESS—5:03 P.M.

The SPEAKER pro tempore, Ms. FOXX, called the House to order.

¶38.5 FOREIGN CULTURAL EXCHANGE JURISDICTIONAL IMMUNITY CLARIFICATION

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 4086) to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. BERMAN, each for 20 minutes. After debate,

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶38.6 ISRAELI E-2 NONIMMIGRANT VISAS

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 3992) to allow otherwise eligible Israeli nationals to receive E-2 nonimmigrant visas if similarly situated United States nationals are eligible for similar nonimmigrant status in Israel.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. BERMAN, each for 20 minutes. After debate,

The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶38.7 RECESS—5:23 P.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 23 minutes p.m., until approximately 6:30 p.m.

¶38.8 AFTER RECESS—6:31 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶38.9 PROVIDING FOR CONSIDERATION OF H.R. 2087

Mr. BISHOP of Utah, by direction of the Committee on Rules, reported (Rept. No. 112-415) the resolution (H. Res. 587) providing for consideration of the bill (H.R. 2087) to remove restrictions from a parcel of land situated in the Atlantic District, Accomack County, Virginia.

When said resolution and report were referred to the House Calendar and ordered printed.

¶38.10 H.R. 3992—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3992) to allow otherwise eligible Israeli nationals to receive E-2 nonimmigrant visas if similarly situated United States nationals are eligible for similar nonimmigrant status in Israel.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 371 Nays 0

¶38.11 [Roll No. 111]

YEAS—371

Ackerman	DeFazio	Jones
Adams	DeGette	Jordan
Aderholt	DeLauro	Kaptur
Alexander	Denham	Keating
Altmire	Dent	Kelly
Amash	DesJarlais	Kildee
Amodei	Deutch	Kind
Andrews	Diaz-Balart	King (IA)
Austria	Doyle	King (NY)
Baca	Dreier	Kingston
Bachmann	Duffy	Kissell
Baldwin	Duncan (SC)	Kline
Barletta	Duncan (TN)	Kucinich
Barrow	Edwards	Labrador
Bartlett	Ellmers	Lamborn
Barton (TX)	Emerson	Lance
Bass (CA)	Engel	Landry
Bass (NH)	Eshoo	Langevin
Becerra	Farenthold	Lankford
Benishek	Fattah	Larsen (WA)
Berg	Fincher	Larson (CT)
Berkley	Fitzpatrick	Latham
Berman	Flake	LaTourette
Biggert	Fleischmann	Latta
Bilbray	Fleming	Levin
Bilirakis	Flores	LoBiondo
Bishop (NY)	Forbes	Loeb sack
Bishop (UT)	Fortenberry	Long
Black	Fox	Lowey
Blackburn	Frank (MA)	Lucas
Blumenauer	Franks (AZ)	Luetkemeyer
Bonamici	Frelinghuysen	Lujan
Bonner	Fudge	Lummis
Boren	Gallely	Lungren, Daniel
Boswell	Garamendi	E.
Boustany	Gardner	Lynch
Brady (TX)	Garrett	Maloney
Braley (IA)	Gerlach	Matheson
Brooks	Gibbs	Matsui
Broun (GA)	Gibson	McCarthy (CA)
Brown (FL)	Gohmert	McCarthy (NY)
Buchanan	Goodlatte	McCaul
Bucshon	Gosar	McClintock
Buerkle	Gowdy	McCollum
Burgess	Granger	McCotter
Burton (IN)	Graves (GA)	McDermott
Butterfield	Graves (MO)	McGovern
Calvert	Green, Al	McHenry
Camp	Green, Gene	McIntyre
Canseco	Griffin (AR)	McKeon
Cantor	Griffith (VA)	McKinley
Capito	Grimm	McMorris
Capps	Guinta	Rodgers
Capuano	Guthrie	McNerney
Cardoza	Hahn	Meehan
Carnahan	Hall	Meeks
Carney	Hanabusa	Mica
Carson (IN)	Hanna	Michaud
Carter	Harper	Miller (FL)
Cassidy	Harris	Miller (MI)
Castor (FL)	Hartzler	Miller (NC)
Chabot	Hastings (FL)	Miller, Gary
Chaffetz	Hastings (WA)	Miller, George
Chandler	Hayworth	Moore
Chu	Heck	Mulvaney
Cicilline	Hensarling	Murphy (PA)
Clarke (MI)	Herger	Myrick
Clarke (NY)	Herrera Beutler	Nadler
Clay	Higgins	Napolitano
Cleaver	Himes	Neal
Clyburn	Hinojosa	Neugebauer
Coble	Hirono	Noem
Coffman (CO)	Hochul	Nugent
Cohen	Holden	Nunes
Cole	Holt	Nunnelee
Conaway	Hoyer	Olson
Connolly (VA)	Huelskamp	Oliver
Conyers	Huizenga (MI)	Owens
Cooper	Hultgren	Palazzo
Costa	Hunter	Pallone
Costello	Hurt	Pastor (AZ)
Courtney	Insee	Paulsen
Cravaack	Israel	Pearce
Crenshaw	Issa	Pelosi
Critz	Jackson Lee	Pence
Crowley	(TX)	Perlmutter
Cuellar	Jenkins	Peters
Culberson	Johnson (GA)	Peterson
Cummings	Johnson (OH)	Petri
Davis (CA)	Johnson, E. B.	Pingree (ME)
Davis (KY)	Johnson, Sam	Pitts

Platts	Sánchez, Linda	Thompson (MS)
Poe (TX)	T.	Thompson (PA)
Pompeo	Sarbanes	Thornberry
Posey	Scalise	Tiberi
Price (GA)	Schakowsky	Tierney
Price (NC)	Schiff	Tipton
Quayle	Schmidt	Tonko
Quigley	Schrader	Tsongas
Rahall	Schwartz	Turner (OH)
Rehberg	Schweikert	Upton
Reichert	Scott (SC)	Van Hollen
Renacci	Scott (VA)	Visclosky
Reyes	Scott, Austin	Walberg
Ribble	Scott, David	Walden
Richardson	Sensenbrenner	Walz (MN)
Rigell	Serrano	Wasserman
Rivera	Sessions	Schultz
Roby	Sewell	Waters
Roe (TN)	Sherman	Watt
Rogers (AL)	Shimkus	Waxman
Rogers (KY)	Shuster	Webster
Rogers (MI)	Simpson	Welch
Rokita	Slaughter	West
Rooney	Smith (NE)	Westmoreland
Ros-Lehtinen	Smith (NJ)	Whitfield
Roskam	Smith (TX)	Wilson (SC)
Ross (AR)	Smith (WA)	Wittman
Ross (FL)	Southerland	Wolf
Rothman (NJ)	Stark	Womack
Roybal-Allard	Stearns	Woodall
Royce	Stivers	Yoder
Runyan	Stutzman	Young (AK)
Ruppersberger	Sullivan	Young (IN)
Ryan (OH)	Sutton	
Ryan (WI)	Thompson (CA)	

NOT VOTING—61

Akin	Hinchev	Reed
Bachus	Honda	Richmond
Bishop (GA)	Jackson (IL)	Rohrabacher
Bono Mack	Johnson (IL)	Rush
Brady (PA)	Kinzinger (IL)	Sanchez, Loretta
Campbell	Lee (CA)	Schilling
Crawford	Lewis (CA)	Schock
Davis (IL)	Lewis (GA)	Shuler
Dicks	Lipinski	Sires
Dingell	Lofgren, Zoe	Speier
Doggett	Mack	Terry
Dold	Manzullo	Towns
Donnelly (IN)	Marchant	Turner (NY)
Ellison	Marino	Velázquez
Farr	Markey	Walsh (IL)
Filner	Moran	Wilson (FL)
Gingrey (GA)	Murphy (CT)	Woolsey
Gonzalez	Pascrell	Yarmuth
Grijalva	Paul	Young (FL)
Gutierrez	Polis	
Heinrich	Rangel	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶38.12 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. GIBSON, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 19, 2012.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: I write to let you know that I have submitted the attached letter to the Governor of Washington to tender my resignation from the United States House of Representatives effective at 12:01 a.m. Eastern Time on Tuesday, March 20, 2012.

It has been a high honor to serve in the people's House. I have fervent hopes that in the years to come the House will serve to

continue America's effort to always bend the arc of the moral universe towards justice.

Very truly yours,

JAY INSLEE,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 19, 2012.

Hon. CHRISTINE GREGOIRE,
Governor of Washington,
Office of the Governor, Olympia, WA.

DEAR GOVERNOR GREGOIRE: I write to tender my resignation from the United States House of Representatives effective at 12:01 a.m. Eastern Time on Tuesday, March 20, 2012.

It has been a high honor to serve in the people's House. I have fervent hopes that in the years to come the House will serve to continue America's effort to always bend the arc of the moral universe towards justice.

Very truly yours,

JAY INSLEE,
Member of Congress.

¶38.13 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 473. An Act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

¶38.14 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACHUS, for today;
To Mr. BISHOP of Georgia, for today;
To Mrs. BONO MACK, for today through March 21;
To Mr. DAVIS of Illinois, for today and March 20;
To Mr. HEINRICH, for today;
To Mr. HONDA, for today;
To Mr. MARINO, for today; and
To Mr. JACKSON of Illinois, for today through March 21.

And then,

¶38.15 ADJOURNMENT

On motion of Mr. GRIFFIN of Arkansas, at 8 o'clock and 31 minutes p.m., the House adjourned.

¶38.16 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4086. A bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title; with amendments (Rept. 112-413). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON. Committee on Energy and Commerce. H.R. 3309. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission; with an amendment (Rept. 112-414). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 587. Resolution providing

for consideration of the bill (H.R. 2087) to remove restrictions from a parcel of land situated in the Atlantic District, Accomack County, Virginia (Rept. 112-415). Referred to the House Calendar.

¶38.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL (for himself, Mr. LEVIN, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 4202. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income of discharges of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ (for herself, Ms. CLARKE of New York, Ms. CHU, and Ms. HAHN):

H.R. 4203. A bill to amend the Small Business Act with respect to the procurement program for women-owned small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. BACA (for himself and Mr. WOLF):

H.R. 4204. A bill to require certain warning labels to be placed on video games that are given certain ratings due to violent content; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana (for himself, Mr. RANGEL, Mr. REYES, Ms. WATERS, Mr. KUCINICH, Mr. WATT, Mr. MICHAUD, Ms. RICHARDSON, Ms. NORTON, and Ms. EDWARDS):

H.R. 4205. A bill to amend the Office of National Drug Control Policy Reauthorization Act of 1998 to increase public awareness about the dangers of synthetic drugs through the national youth anti-drug media campaign; to the Committee on Energy and Commerce.

By Mr. COFFMAN of Colorado (for himself and Mr. GRAVES of Missouri):

H.R. 4206. A bill to amend the Small Business Act to provide for increased penalties for contracting fraud, and for other purposes; to the Committee on Small Business, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H.R. 4207. A bill to award grants in order to establish longitudinal personal college readiness and savings online platforms for low-income students; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts (for himself, Mr. GUINTA, Mr. MARKEY, Mr. TIERNEY, Ms. PINGREE of Maine, Mr. LYNCH, Mr. MICHAUD, Mr. COURTNEY, Mr. KEATING, and Mr. BISHOP of New York):

H.R. 4208. A bill to provide exclusive funding to support fisheries and the communities that rely upon them, to clear unnecessary regulatory burdens and streamline Federal fisheries management, and for other purposes; to the Committee on Natural Resources.

By Mr. MCKINLEY (for himself, Mrs. CAPPS, Mr. YOUNG of Florida, Mr. CUELLAR, and Mr. FRANK of Massachusetts):

H.R. 4209. A bill to amend title XXVII of the Public Health Service Act to limit copayment, coinsurance, or other cost-sharing requirements applicable to prescription

drugs in a specialty drug tier to the dollar amount (or its equivalent) of such requirements applicable to prescription drugs in a non-preferred brand drug tier, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LATOURETTE (for himself, Ms. FUDGE, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. STIVERS, Mr. KILDEE, Mr. CONYERS, Ms. SUTTON, Mr. CLARKE of Michigan, Mr. TIBERI, and Mr. TURNER of Ohio):

H.R. 4210. A bill to provide \$4,000,000,000 in new funding through bonding to empower States to undertake significant residential and commercial structure demolition projects in urban and other targeted areas, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Mr. BURTON of Indiana):

H.R. 4211. A bill to prohibit the drawdown of petroleum from the Strategic Petroleum Reserve unless the President has taken certain actions; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL (for himself, Mr. DEUTCH, Mr. POSEY, Ms. WASSERMAN SCHULTZ, Mr. WITTMAN, Mr. HASTINGS of Florida, Mr. DIAZ-BALART, Ms. BROWN of Florida, Mr. SCOTT of Virginia, Mr. FORBES, and Mr. BUCHANAN):

H.R. 4212. A bill to designate drywall manufactured in China a banned hazardous product, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUNYAN:

H.R. 4213. A bill to amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MEEHAN (for himself, Mr. GRIMM, Mr. WAXMAN, Ms. HAYWORTH, and Mr. ISRAEL):

H. Con. Res. 108. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. REED (for himself, Ms. HOCHUL, Mr. HIGGINS, Mr. HANNA, and Ms. SLAUGHTER):

H. Res. 588. A resolution honoring the St. Bonaventure University men's and women's basketball teams for making it to the National Collegiate Athletic Association Tournament and for two great seasons; to the Committee on Education and the Workforce.

38.18 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. MANZULLO, Mr. POMPEO, and Mr. BARTLETT.

H.R. 100: Mr. BILIRAKIS.

H.R. 104: Ms. HAHN.

H.R. 140: Mr. BILIRAKIS.

H.R. 178: Mr. PERLMUTTER.
 H.R. 181: Mr. PALAZZO.
 H.R. 186: Ms. PINGREE of Maine.
 H.R. 265: Mr. HASTINGS of Florida and Mrs. MALONEY.
 H.R. 266: Mr. HASTINGS of Florida and Mrs. MALONEY.
 H.R. 267: Mr. HASTINGS of Florida and Mrs. MALONEY.
 H.R. 300: Mr. ISRAEL and Mr. DAVID SCOTT of Georgia.
 H.R. 361: Mr. BARTLETT.
 H.R. 459: Mr. MICA and Mr. GIBBS.
 H.R. 575: Mr. CONAWAY.
 H.R. 576: Mr. RANGEL.
 H.R. 631: Mr. CLEAVER.
 H.R. 679: Mr. LOEBSACK.
 H.R. 692: Mr. BILIRAKIS.
 H.R. 711: Mr. POLIS.
 H.R. 721: Mr. HONDA.
 H.R. 733: Mr. LARSON of Connecticut.
 H.R. 787: Mr. MURPHY of Pennsylvania, Mrs. BLACK, and Mr. SCHWEIKERT.
 H.R. 891: Mr. BISHOP of New York.
 H.R. 895: Ms. LEE of California.
 H.R. 942: Mr. CLARKE of Michigan.
 H.R. 998: Ms. BONAMICI.
 H.R. 1041: Mrs. ELLMERS.
 H.R. 1114: Mr. BLUMENAUER.
 H.R. 1167: Mr. BARTLETT.
 H.R. 1206: Mr. DANIEL E. LUNGREN of California and Mr. BARTON of Texas.
 H.R. 1242: Mr. KEATING.
 H.R. 1259: Mr. THORNBERRY and Mr. MURPHY of Pennsylvania.
 H.R. 1260: Mr. CLAY.
 H.R. 1265: Mr. HECK and Mr. KING of Iowa.
 H.R. 1284: Mr. RANGEL.
 H.R. 1340: Mrs. ELLMERS and Mr. ROE of Tennessee.
 H.R. 1416: Mr. KING of New York.
 H.R. 1474: Mrs. BLACK and Mr. HUIZENGA of Michigan.
 H.R. 1546: Mr. HINOJOSA.
 H.R. 1549: Mr. TURNER of New York.
 H.R. 1588: Ms. HANABUSA and Mr. CALVERT.
 H.R. 1612: Mr. CARTER, Mr. RENACCI, Mr. GUTIERREZ, and Mrs. BLACKBURN.
 H.R. 1681: Mr. CLEAVER.
 H.R. 1748: Ms. HAHN.
 H.R. 1789: Mr. DENT and Ms. LORETTA SANCHEZ of California.
 H.R. 1802: Mr. DENT.
 H.R. 1847: Mr. ROTHMAN of New Jersey and Mr. LARSEN of Washington.
 H.R. 1856: Mr. HARRIS and Mrs. BLACKBURN.
 H.R. 2033: Mr. RANGEL, Ms. BONAMICI, and Mr. ALTMIRE.
 H.R. 2040: Mr. AKIN.
 H.R. 2139: Mr. BURGESS, Ms. ESHOO, Ms. ROYBAL-ALLARD, Mr. OLVER, and Mr. TURNER of New York.
 H.R. 2159: Mr. GUTIERREZ.
 H.R. 2206: Mr. BARLETTA.
 H.R. 2288: Mrs. LOWEY.
 H.R. 2313: Mr. HENSARLING.
 H.R. 2342: Mr. RANGEL.
 H.R. 2446: Mr. LEWIS of Georgia.
 H.R. 2466: Mr. REED and Mr. ANDREWS.
 H.R. 2514: Mr. BARTLETT and Mr. SCHOCK.
 H.R. 2555: Ms. BONAMICI and Mr. RANGEL.
 H.R. 2655: Ms. KAPTUR and Mr. ROTHMAN of New Jersey.
 H.R. 2672: Mr. LATHAM.
 H.R. 2679: Mr. DOGGETT.
 H.R. 2696: Mr. TIBERI.
 H.R. 2697: Mr. DUFFY and Mr. ROKITA.
 H.R. 2738: Mrs. CHRISTENSEN.
 H.R. 2770: Mr. COFFMAN of Colorado.
 H.R. 2962: Mr. MCKINLEY.
 H.R. 2969: Mr. TURNER of New York, Ms. CASTOR of Florida, Mr. COHEN, Mrs. CAPPS, and Mr. PRICE of North Carolina.
 H.R. 2970: Mr. BLUMENAUER.
 H.R. 2989: Mr. PASCRELL, Mr. STARK, Mr. SCHOCK, Mr. GERLACH, Mr. ROSKAM, and Mr. THOMPSON of California.
 H.R. 3059: Mr. GERLACH, Mr. PASCRELL, and Mr. SCHOCK.

H.R. 3066: Mr. ROSS of Florida.
 H.R. 3086: Mr. CRENSHAW and Mr. MANZULLO.
 H.R. 3145: Mr. ROTHMAN of New Jersey, Mrs. CAPPS, Mr. DEFAZIO, Ms. BROWN of Florida, and Mr. RUSH.
 H.R. 3200: Ms. BONAMICI.
 H.R. 3210: Mr. MCCOTTER.
 H.R. 3216: Mr. CAMP.
 H.R. 3264: Mr. ROKITA.
 H.R. 3306: Mr. SAM JOHNSON of Texas.
 H.R. 3307: Mr. ROSS of Arkansas.
 H.R. 3313: Mrs. NAPOLITANO.
 H.R. 3315: Mr. GUTIERREZ.
 H.R. 3341: Ms. HANABUSA and Mr. BLUMENAUER.
 H.R. 3356: Mr. MCCLINTOCK.
 H.R. 3364: Ms. SCHAKOWSKY.
 H.R. 3395: Mr. AKIN.
 H.R. 3481: Ms. FOXF.
 H.R. 3506: Mr. LOEBSACK.
 H.R. 3523: Mr. FRANKS of Arizona, Mr. LARSEN of Washington, Mr. SIRES, Mr. TOWNS, and Ms. BORDALLO.
 H.R. 3528: Mr. RANGEL and Ms. ROSELEHTINEN.
 H.R. 3586: Mr. CRENSHAW.
 H.R. 3596: Mr. FATTAH, Ms. DELAURE, Mr. COHEN, Mr. FITZPATRICK, Mr. RUPPERSBERGER, Mr. MCGOVERN, Mr. YARMUTH, Mr. FRANK of Massachusetts, Mr. CARNAHAN, Mr. CHANDLER, and Mr. MURPHY of Connecticut.
 H.R. 3612: Mr. MCGOVERN, Mr. PLATTIS, Mr. MEEKS, Mr. GRIMM, and Mrs. MILLER of Michigan.
 H.R. 3627: Ms. DEGETTE.
 H.R. 3643: Mr. HURT.
 H.R. 3645: Mr. PETERS.
 H.R. 3648: Ms. SLAUGHTER.
 H.R. 3667: Mr. REICHERT, Ms. BONAMICI, and Mr. STIVERS.
 H.R. 3702: Ms. BASS of California.
 H.R. 3703: Mr. SMITH of Washington.
 H.R. 3767: Mr. ROGERS of Michigan.
 H.R. 3769: Mr. PASCRELL.
 H.R. 3808: Mr. JONES.
 H.R. 3814: Mr. POMPEO.
 H.R. 3816: Mr. HANNA.
 H.R. 3831: Mr. KING of Iowa.
 H.R. 3839: Mr. RYAN of Ohio.
 H.R. 3849: Mr. BOREN and Mr. CHANDLER.
 H.R. 3860: Mr. HINOJOSA and Ms. CLARKE of New York.
 H.R. 3867: Mr. DAVID SCOTT of Georgia.
 H.R. 3984: Mr. RANGEL, Ms. WATERS, and Mrs. LOWEY.
 H.R. 4004: Ms. ZOE LOFGREN of California, Mr. COSTELLO, Ms. WASSERMAN SCHULTZ, Mr. CAPUANO, Mr. KUCINICH, Mr. PAUL, Mr. ROTHMAN of New Jersey, Mr. HOLDEN, Mr. RUSH, Mr. CARNAHAN, Mrs. MCMORRIS RODGERS, Ms. NORTON, Mr. CONNOLLY of Virginia, Mr. BLUMENAUER, Mr. POLIS, Mr. GOWDY, Mr. FLEMING, Mr. COLE, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. MANZULLO, Mr. FLORES, Mr. BURTON of Indiana, and Mr. WAXMAN.
 H.R. 4010: Ms. SEWELL, Ms. HANABUSA, Mr. KEATING, and Mr. FALCOMAEGA.
 H.R. 4026: Mrs. MCCARTHY of New York, Ms. PINGREE of Maine, Mr. ELLISON, Ms. TSONGAS, Mrs. MALONEY, Ms. SLAUGHTER, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. CLARKE of Michigan, Mr. DINGELL, Mr. LEWIS of Georgia, Mr. GRUJALVA, Mr. ACKERMAN, and Mr. GENE GREEN of Texas.
 H.R. 4077: Mr. TOWNS and Mr. JACKSON of Illinois.
 H.R. 4089: Mr. QUAYLE, Mr. KISSELL, Mr. BROUN of Georgia, Mr. COFFMAN of Colorado, Mr. HANNA, Mr. PALAZZO, Mr. HUELSKAMP, and Mr. DUNCAN of Tennessee.
 H.R. 4096: Ms. HIRONO.
 H.R. 4104: Mr. RYAN of Ohio, Mr. BOUSTANY, Mr. ALTMIRE, Mr. KISSELL, Ms. FUDGE, Mr. AMODEI, Mr. HECK, Mr. KUCINICH, Mr. GRIMM, Mr. DESJARLAIS, Mr. YOUNG of Alaska, Mr. THOMPSON of Pennsylvania, Mr. BASS of New Hampshire, Mr. LOBIONDO, Mr. SCHOCK, Mr. UPTON, Mr. BILBRAY, Mr. BURGESS, Mr.

OLSON, Mr. BROOKS, Mr. CRAVAACK, Mr. DAVIS of Kentucky, Mr. REED, Mr. WOMACK, Mr. STUTZMAN, Mr. CRAWFORD, Mr. ROONEY, Ms. BUERKLE, Mr. BUCHANAN, Mr. DENT, Mr. PALAZZO, Mr. FLEMING, Mr. RIVERA, Mr. MCCAUL, Mr. GARDNER, Mr. MANZULLO, Mr. RIGELL, Mr. PRICE of Georgia, Mr. MURPHY of Pennsylvania, Mr. TURNER of New York, Mr. DIAZ-BALART, Mr. GIBSON, and Mr. LATTA.

H.R. 4115: Mr. RANGEL, Mr. COURTNEY, Mr. HIGGINS, Mr. HULTGREN, Mr. JONES, Ms. NOR-TON, and Ms. WATERS.

H.R. 4132: Mr. PASCRELL.

H.R. 4154: Ms. MOORE.

H.R. 4168: Mr. JOHNSON of Georgia and Mr. HULTGREN.

H.R. 4169: Mr. FILNER, Mr. POLIS, Ms. DELAURO, and Mr. AL GREEN of Texas.

H.R. 4170: Ms. BASS of California.

H.R. 4188: Ms. FOXX.

H.J. Res. 13: Mr. SCHOCK.

H.J. Res. 78: Mr. ACKERMAN.

H.J. Res. 103: Mr. HERGER and Mr. SCHOCK.

H. Con. Res. 87: Mr. HULTGREN, Ms. CLARKE of New York, Mr. RANGEL, Mr. COSTELLO, Mr. CARTER, and Mr. LOESACK.

H. Res. 130: Mr. DOGGETT and Mr. BERMAN.

H. Res. 526: Mr. DREIER.

H. Res. 583: Mr. BERMAN, Ms. MOORE, and Mr. BURTON of Indiana.

H. Res. 584: Mr. LARSON of Connecticut.

¶38.19 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2920: Mrs. MILLER of Michigan.

H. Res. 229: Mr. KISSELL.

TUESDAY, MARCH 20, 2012 (39)

¶39.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. TIPTON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 20, 2012.

I hereby appoint the Honorable SCOTT R. TIPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶39.2 RECESS—10:44 A.M.

The SPEAKER pro tempore, Mr. TIPTON, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 44 minutes a.m., until noon.

¶39.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. GINGREY of Georgia, called the House to order.

¶39.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced he had examined and approved the Journal of the proceedings of Monday, March 19, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶39.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5313. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Peter W. Chiarelli, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

5314. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Edgar E. Stanton III, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5315. A letter from the Acting Under Secretary of Defense, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Jeffery A. Remington, United States Air Force, and his advancement on the retired list to the grade of lieutenant general; to the Committee on Armed Services.

5316. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5317. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5318. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-B-8217] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5319. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5320. A letter from the Assistant Secretary, Office of Electricity Diversity and Energy Reliability, Department of Energy, transmitting a report entitled "2010 Smart Grid System Report"; to the Committee on Energy and Commerce.

5321. A letter from the Secretary, Department of Health and Human Services, transmitting Annual Report to Congress on FDA Foreign Offices Provisions of the FDA Food Safety and Modernization Act, pursuant to Public Law 111-353, section 201(b); to the Committee on Energy and Commerce.

5322. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Department's final rule — Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act [MB Docket No.: 11-93] received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5323. A letter from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Interpretation of Protection System Reliability Standard [Docket No.: RM10-5-000; Order No. 758] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5324. A letter from the Director, Office of Congressional Affairs, Federal Energy Regulatory Commission, transmitting the Com-

mission's final rule — International Nuclear and Radiological Event Scale (INES) Participation MD 5.12 received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5325. A letter from the Program Manager, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary — Templates, Instructions, and Related Materials; and Guidance for Compliance [CMS-9982-FN] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5326. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendment to Existing Validated End-User Authorizations for Applied Materials (China), Inc., Boeing Tianjin Composites Co. Ltd., CSMC Technologies Corporation, Lam Research Corporation, and Semiconductor Manufacturing International Corporation in the People's Republic of China, and for GE India Industrial Pvt. Ltd. In India [Docket No.: 110525297-1476-01] (RIN: 0694-AF26) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5327. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority To Reflect Continuation of Emergency Declared in Executive Orders 12947 and 13224 [Docket No.: 120124063-0261-01] (RIN: 0694-AF55) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5328. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period October 1, 2011 through November 30, 2011; to the Committee on Foreign Affairs.

5329. A letter from the Assistant Director for Policy, Department of the Treasury, transmitting the Department's final rule — Iranian Financial Sanctions Regulations received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5330. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5331. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5332. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5333. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5334. A letter from the Inspector General, Railroad Retirement Board, transmitting fiscal year 2013 Congressional Justification of Budget for the Office of the Inspector General; to the Committee on Oversight and Government Reform.

5335. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, Department of Commerce, transmitting the Department's final rule — Marine Mammals; Subsistence Taking of Northern Fur Seals; Harvest Estimates

[Docket No.: 110781394-2048-02] (RIN: 0648-BB09) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5336. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status and Designations of Critical Habitat for Spikedace and Loach Minnow [Docket No.: FWS-R2-ES-2010-0072] (RIN: 1018-AX17) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5337. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the 2012 biennial report on the "Deep Sea Coral Research and Technology Program"; to the Committee on Natural Resources.

5338. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase [Docket No.: 001005281-0369-02] (RIN: 0648-XA974) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5339. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Savannah River Site in Aiken, South Carolina, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

5340. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's "Major" final rule — Temporary Non-Agricultural Employment of H-2B Aliens in the United States (RIN: 1205-AB58) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5341. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting a report on the proposed fiscal year 2013 budget; jointly to the Committees on Agriculture and Oversight and Government Reform.

5342. A letter from the Board Members, Railroad Retirement Board, transmitting Congressional Justification of Budget Estimates for Fiscal Year 2013, including the Performance Plan, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

¶39.6 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced under clause 5(d) of rule XX, that, in light of the resignation of the gentleman from Washington [Mr. INSLEE], the whole number of the House is adjusted to 432.

¶39.7 EXCESS FEDERAL BUILDING AND PROPERTY DISPOSAL

Mr. CHAFFETZ moved to suspend the rules and pass the bill (H.R. 665) to establish a pilot program for the expedited disposal of Federal real property; as amended.

The SPEAKER pro tempore, Mr. GINGREY of Georgia, recognized Mr. CHAFFETZ and Mr. QUIGLEY, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CHAFFETZ demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. GINGREY of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶39.8 RECESS—12:34 P.M.

The SPEAKER pro tempore, Mr. GINGREY of Georgia, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 34 minutes p.m., subject to the call of the Chair.

¶39.9 AFTER RECESS—1:47 P.M.

The SPEAKER pro tempore, Mr. GINGREY of Georgia, called the House to order.

¶39.10 PROVIDING FOR CONSIDERATION OF H.R. 2087

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 587):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2087) to remove restrictions from a parcel of land situated in the Atlantic District, Accomack County, Virginia. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated March 19, 2012, and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be

considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

Pending consideration of said resolution.

¶39.11 POINT OF ORDER

Mr. GRIJALVA made a point of order against consideration of said resolution, and said:

"Mr. Speaker, this proposed rule seeks to waive House rules requiring disclosure of any earmarks in the underlying bill, H.R. 2087. Therefore, pursuant to clause 9 of rule XXI of the rules of the House, I make a point of order against consideration of this rule."

The SPEAKER pro tempore, Mr. GINGREY of Georgia, responded to the point of order, and said:

"The gentleman from Arizona makes a point of order that the resolution violates clause 9(b) of rule XXI.

"Under clause 9(b) of rule XXI, the gentleman from Arizona and the gentleman from Utah each will control ten minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration."

Mr. GRIJALVA was further recognized and said:

"Mr. Speaker, the majority frequently congratulates itself for adopting a policy 'banning' earmarks. Republican leadership often points to the earmark ban as an important accomplishment in improving the legislative process.

"It should be noted, for the record, the provision requiring the disclosure of earmarks was inserted into the rules of the House during the 110th Congress, under a Democratic majority.

"The American people might be surprised to learn that, despite claims of strict opposition to earmarks, the majority is bringing a proposed rule to the House floor that would not only allow an earmark in the underlying bill, but even waives the basic requirement that such an earmark be disclosed.

"Clause 9 of rule XXI of the rules of the House specifically states that it shall not be in order to consider a rule that waives the requirement to disclose earmarks, and yet the rule the majority is seeking to call up specifically states, 'All points of order against consideration of the bill are waived.'

"And the question of whether the underlying bill, H.R. 2087, contains an earmark is critical. If enacted, the bill would transfer full ownership of Federal land to a county in Virginia. All parties agree the land has an appraised value of \$815,000, but the bill would transfer this Federal land to the county for free. The county is in the congressional district represented by the sponsor of the legislation.

"This is not county land; this is Federal land. The county has been granted limited authority to control this land as long as it is used for public recreation. According to the deed, the county cannot sell the land or rent it or

lease it or develop it. Only H.R. 2087 will give the county this land with no limitation.

"I suspect that every Member of this House would like to be able to pass legislation giving his or her constituents an \$815,000 windfall.

"Mr. Speaker, either this is an earmark, and the majority should follow its own rules and not bring this rule or the underlying bill to the floor, or this is not an earmark, and the waiver should be removed from the rule. Either way, the proposed rule is a clear violation of House rules and should not be taken up by this House."

Mr. BISHOP of Utah, was recognized to speak to the point of order and said:

"I am obviously in favor of consideration of this resolution.

"The question before the House is, 'Shall the House now consider House Resolution 587?'"

"While the resolution waives all points of order against consideration of the bill, the committee is not aware of any point of order. The waiver is a complete waiver in nature.

"Note, there is not a specific waiver against an earmark simply because the bill contains no earmarks. It is in compliance with the earmark definition provided for us in the House Rules, a rule that goes back to, actually—to make the record complete—the 109th Session of Congress and the earmark ban instituted by the House Republicans when they took the majority in January of last year.

"As is required by House Rules, the committee report filed for this bill on January 18 includes a specific determination and statement that the bill does not contain an earmark. I will quote from page 5 of the report: 'The bill does not contain any congressional earmarks or limited tax benefits or limited tariff benefits as defined by the Rules of the House of Representatives.'

"With all due respect to my friend from Arizona, each person may have his own perception of what an earmark is, but, with all due respect, the term 'congressional earmark' means a provision that provides or authorizes or recommends a specific amount of discretionary budget authority, credit authority, or other spending authority or expenditures with or to an entity. It has to have money involved in it.

"Specifically, the definition of an earmark requires that there be spending in the form directed to an entity or targeted geographically. This bill does not involve the spending of money or loan authority or credit authority or any other form of payment of funds.

"The land in question is already with the county. It will remain with the county. Whether we pass this bill or not, it is still with the county. The only issue is the deed restriction, not the value of the land, not the transfer of money.

"This parcel is with Virginia on Federal land that at one time had a deed restriction. It simply removes that deal.

"The CBO viewed and scored this bill, and concluded it would not cost money, stating it 'would have no significant impact on the Federal budget.'

"Moreover, this type of bill, clearing the title to land, has repeatedly been approved when the House has been controlled by both Republicans and Democrats. The definition of an earmark is clear. There has not been a fiscal impact, and this bill does not meet the House rules definition used by either Democrats or Republicans.

"This is really a red herring to stop economic development and the creation of jobs caused by lingering Federal bureaucratic red tape.

"This county is one of the poorest counties in the Commonwealth of Virginia, with more than 16 percent of its population living in poverty and a higher rate of unemployment than the rest of Virginia. This very small bill, at no cost to the Federal taxpayer, will help to turn that around."

Mr. GRIJALVA was further recognized and said:

"Mr. Speaker, under current law, the county controls these 32 acres of Federal land, but the deed clearly states that the county may not sell or lease the land or use it for anything other than public recreation. The county received control of the land with those restrictions in 1976, free of charge.

"The underlying bill, H.R. 2087, will remove all restrictions from the deed. The county would be free to sell the land or lease it or do whatever it wants with it and pocket any and all revenue. This is clearly an \$815,000 windfall for the county created specifically by this bill.

"Regardless of whether you agree the bill is an earmark, the proposal from the Rules Committee to waive the earmark disclosure rule should also be cause for concern. If H.R. 2087 contains no earmarks, why is the waiver necessary? Why have an earmark disclosure rule if you just waive it every time you bring a bill to the floor?

"Any Member who has ever claimed to oppose earmarks should insist that the rule waiving the disclosure requirement be rejected."

Mr. BISHOP of Utah, was further recognized and said:

"Mr. Speaker, once again, the rule does not waive an earmark, because there are no earmarks. It is a general waiver that is in there. If one were to look back at the past three Congresses, official bills that have been prepared that are very similar to this have also included the same type of language and were determined as not to have an earmark. Specifically, go back to H.R. 944 in the 112th Congress, H.R. 86 in the 111th Congress, H.R. 356 in the 110th Congress, H.R. 2246 in the 110th Congress, and S. 404 in the 112th Congress—same language, same situation, same condition.

"Once again, the rules of our House say this is not an earmark. The CBO says it's not an earmark, because it is not an earmark. There is no transfer of money. The county has the land. The

county will continue to have the land. The only thing this is about is the deed restriction. Deed restrictions are not earmarks."

Mr. GRIJALVA was further recognized and said:

"Mr. Speaker, reading from the remarks to the Natural Resources subcommittee from Thursday, September 15, by the sponsor of this legislation, he stated a recent appraisal valued the land at \$815,000, which is more than \$25,000 per acre.

"There is economic gain for the county, and waiving the disclosure only adds to the confusion that the public feels when we say we have a ban on earmarks and yet we are waiving rules that would disclose that and fully be transparent as to the kinds of decisions we're making with public lands.

"The CBO is unable to value what public land is worth. It's certainly here in the testimony of the sponsor of this legislation. The appraisal value is listed, and that, to me, leads to the conclusion that this is an earmark and that the rule that is presently before us should be rejected."

Mr. BISHOP of Utah, was further recognized and said:

"Let me try and once again put this in perspective.

"The Federal Government, in and of itself, owns no land, especially in one of the original 13 States.

"Virginia had the land and gave it to the Federal Government. In 1976, the Federal Government gave this back to the county with a lease for a park and restrictions, a deed restriction only. There is no transfer of money if we take away the deed restriction. There is no transfer of authority. The county has it. The county will continue to have it.

"The dollar value that was given was made up in the minds of the Department of the Interior. This county actually said, if you really want more parkland, we will create 32 acres somewhere else for more parkland. The Department of the Interior said, No, let's have cash instead. They are the ones that determined that this land was worth 25 grand an acre, asking almost a million dollars from one of the poorest counties. They came up with that on their own. That does not mean it's reality.

"The reality is the county has the land. The county will continue to have the land. There is no transfer of dollars. There is no loss from taxpayers in America. Actually, these guys who live in Virginia are taxpayers, too. Transferring from one pocket to the other is a ridiculous requirement to place on them, and all we're talking about is a deed restriction—how can we best use the land to actually help people.

"Now, if the other side does not care about this county, does not care about the 16 percent of the population living in poverty, does not care about the unemployment rate, does not care that they actually use this land in a logical, rational manner, I can understand that. It still doesn't mean that's an earmark.

“The point of order is a delay tactic of today’s consideration of this legisla- tion.

“Sometimes in the past, a couple of other Members who have declared what I think are earmarks as non-earmarks have always used the old cliché if it walks like a duck, quacks like a duck, it’s probably a duck. But as Hans Christian Andersen told us, sometimes those ducks you perceive are actually the honking of a swan. This bill is a swan. This bill will help these people to produce themselves.

“This point of order has no merit to it. In order to allow the House to con- tinue its scheduled business of the day, I urge Members to vote ‘yes’ on the question of consideration of this resolu- tion.”

After debate,

The question being put, viva voce,

Will the House now consider the resolu- tion?

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced that the yeas had it.

Mr. GRIJALVA demanded that the vote be taken by the yeas and nays, which demand was supported by one- fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic de- vice.

It was decided in the { Yeas 227 affirmative Nays 172

¶39.12 [Roll No. 112] YEAS—227

- Adams Dreier Hunter
Aderholt Duffy Hurt
Alexander Duncan (SC) Issa
Amash Duncan (TN) Jenkins
Austria Ellmers Johnson (IL)
Bachmann Emerson Johnson (OH)
Barletta Farenthold Johnson, Sam
Bartlett Fincher Jones
Barton (TX) Fitzpatrick Jordan
Bass (NH) Flake Kelly
Benishek Fleischmann King (IA)
Berg Duffy King (NY)
Biggart Flores Kingston
Bilbray Forbes Kline
Bilirakis Fortenberry Kline
Bishop (UT) Foyx Labrador
Black Franks (AZ) Lamborn
Blackburn Frelinghuysen Lance
Bonner Gallegly Landry
Boustany Gardner Lankford
Brooks Garrett Latham
Broun (GA) Gerlach LaTourette
Buchanan Gibbs Latta
Buchon Gibson LoBiondo
Buerkle Gingrey (GA) Long
Burgess Gohmert Lucas
Burton (IN) Goodlatte Luetkemeyer
Calvert Gosar Lummis
Camp Gowdy Lungren, Daniel
Campbell Granger E.
Canseco Graves (GA) Mack
Cantor Fleming King (MO) Marchant
Capito Griffin (AR) McCauley (CA)
Carter Griffith (VA) McCaul
Cassidy Grimm McClintock
Chabot Guinta McCotter
Chaffetz Guthrie McHenry
Coble Hall McKeon
Coffman (CO) Hanna McKinley
Cole Harper McMorris
Conaway Harris Rodgers
Cravaack Hastings (WA) Meehan
Crawford Hayworth Mica
Crenshaw Heck Miller (FL)
Culberson Hensarling Miller (MI)
Davis (KY) Herger Miller, Gary
Denham Herrera Beutler Mulvaney
Dent Huelskamp Murphy (PA)
DesJarlais Huizenga (MI) Myrick
Diaz-Balart Hultgren Neugebauer

- Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers

NAYS—172

- Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brady (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cielline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinche
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson Lee
Carney (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal

- Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townsend
Tsongas
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

- Schock
Stark
Van Hollen
Velázquez
Walsh (IL)
Yarmuth

So the House decided to consider said resolution.

A motion to reconsider the vote whereby the House decided to consider said resolution was, by unanimous con- sent, laid on the table.

Accordingly, When said resolution was considered. After debate,

On motion of Mr. BISHOP of Utah, the previous question was ordered on the resolution to its adoption or rejec- tion.

The question being put, viva voce, Will the House agree to said resolu- tion?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one- fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic de- vice.

It was decided in the { Yeas 232 affirmative Nays 170

¶39.13 [Roll No. 113] YEAS—232

- Adams Farenthold Kingston
Aderholt Fincher Kissell
Alexander Fitzpatrick Kline
Amash Flake Labrador
Amodei Fleischmann Lamborn
Austria Fleming Lance
Bachmann Flores Landry
Barletta Forbes Lankford
Bartlett Fortenberry Latham
Barton (TX) Foyx LaTourette
Bass (NH) Franks (AZ) Latta
Benishek Frelinghuysen LoBiondo
Berg Gallegly Long
Biggart Gardner Lucas
Bilbray Garrett Luetkemeyer
Bilirakis Gerlach Lummis
Bishop (UT) Gibbs Lungren, Daniel
Black Gibson E.
Blackburn Gingrey (GA) Mack
Bonner Gohmert Marchant
Boustany Goodlatte Matheson
Brady (TX) Gosar McCarthy (CA)
Brooks Gowdy McCaul
Broun (GA) Granger McClintock
Buchanan Graves (GA) McCotter
Buchon Graves (MO) McHenry
Buerkle Griffin (AR) McIntyre
Burgess Griffith (VA) McKeon
Burton (IN) Grimm McKinley
Calvert Guinta McMorris
Camp Guthrie Rodgers
Campbell Hall Mica
Canseco Hanna Michaud
Cantor Harper Miller (FL)
Capito Harris Miller (MI)
Carter Hartzler Miller, Gary
Cassidy Hastings (WA) Mulvaney
Chabot Hayworth Murphy (PA)
Chaffetz Heck Myrick
Coble Heinrich Neugebauer
Coffman (CO) Hensarling Noem
Cole Herger Nugent
Conaway Herrera Beutler Nunes
Cravaack Huelskamp Nunnelee
Crawford Huizenga (MI) Olson
Crenshaw Hultgren Palazzo
Culberson Hunter Paulsen
Davis (KY) Hurt Pearce
Denham Issa Pence
Dent Jenkins Petri
DesJarlais Johnson (IL) Pitts
Diaz-Balart Johnson (OH) Platts
Dreier Johnson, Sam Poe (TX)
Duffy Jones Posey
Duncan (SC) Jordan Price (GA)
Duncan (TN) Kelly Quayle
Ellmers King (IA) Reed
Emerson King (NY)

NOT VOTING—32

- Gonzalez
Hartzler
Hirono
Honda
Jackson (IL)
Kinzinger (IL)
Larson (CT)
Lee (CA)
Lewis (CA)
Lipinski
Manzullo
Marino
McCarthy (NY)
Noem
Paul
Rangel
Rush

Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)

Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry

Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—170

Ackerman
Altmire
Andrews
Baca
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr

Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver

Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—29

Akin
Bachus
Baldwin
Bono Mack
Brown (FL)
Davis (IL)
Doggett
Dold
Gonzalez
Jackson (IL)

Johnson (GA)
Kinzinger (IL)
Langevin
Lee (CA)
Lewis (CA)
Lipinski
Manzullo
Marino
Meehan
Paul

Rangel
Rush
Schock
Sessions
Thompson (PA)
Van Hollen
Velázquez
Walsh (IL)
Yarmuth

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

39.14 H.R. 665—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GARDNER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 665) to establish a pilot program for the expedited disposal of Federal real property; as amended.

The question being put,
Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 403
affirmative } Nays 0

39.15 [Roll No. 114]

YEAS—403

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Baldwin
Balietta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene

Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene

Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe

Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Marchant
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence

Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David

Sensenbrenner
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—28

Akin
Bachus
Bono Mack
Chandler
Davis (IL)
Doggett
Dold
Gonzalez
Jackson (IL)
Johnson (GA)

Kinzinger (IL)
Lee (CA)
Lewis (CA)
Lipinski
Manzullo
Marino
Markley
Meehan
Miller, Gary
Paul

Rangel
Rush
Schock
Sessions
Van Hollen
Velázquez
Walsh (IL)
Yarmuth

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

39.16 COMMITTEE RESIGNATIONS—MINORITY

The SPEAKER pro tempore, Mr. WEST, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 20, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: In order to rejoin
the Committee on Energy and Commerce, I
hereby resign my seat on the Science, Space,
and Technology Committee and the Natural
Resources Committee, effective today.

Sincerely,

JOHN P. SARBANES,
Member of Congress.

By unanimous consent, the resigna-
tions were accepted.

39.17 COMMITTEE RESIGNATION—
MINORITY

The SPEAKER pro tempore, Mr.
WEST, laid before the House the fol-
lowing communication, which was read
as follows:

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 20, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Please accept my res-
ignation from the House Committee on
Science, Space, and Technology (SST), effec-
tive immediately. I have been pleased to
serve on the SST Committee during the
112th Congress. However, this resignation is
necessitated by the recent vacancy on, and
my assignment to, the House Committee on
Education and the Workforce.

Thank you.

Best Regards,

MARCIA L. FUDGE,
Member of Congress.

By unanimous consent, the resigna-
tion was accepted.

39.18 COMMITTEE ELECTION—MINORITY

Mr. LARSON of Connecticut, by di-
rection of the Democratic Caucus, sub-
mitted the following privileged resolu-
tion (H. Res. 590):

Resolved, That the following named Mem-
bers be and are hereby elected to the fol-
lowing standing committees of the House of
Representatives:

(1) COMMITTEE ON EDUCATION AND THE WORK-
FORCE.—Ms. Fudge.

(2) COMMITTEE ON ENERGY AND COMMERCE.—
Mr. Sarbanes.

When said resolution was considered
and agreed to.

A motion to reconsider the vote
whereby said resolution was agreed to
was, by unanimous consent, laid on the
table.

39.19 ATLANTIC DISTRICT, ACCOMACK
COUNTY, VIRGINIA

The SPEAKER pro tempore, Mr.
WEST, pursuant to House Resolution
587 and rule XVIII, declared the House
resolved into the Committee of the
Whole House on the state of the Union
for the consideration of the bill (H.R.
2087) to remove restrictions from a par-
cel of land situated in the Atlantic Dis-
trict, Accomack County, Virginia.

The SPEAKER pro tempore, Mr.
WEST, by unanimous consent, des-
ignated Mr. GARDNER as Chairman of
the Committee of the Whole; and after
some time spent therein,

39.20 RECORDED VOTE

A recorded vote by electronic device
was ordered in the Committee of the
Whole on the following amendment
numbered 1, submitted by Mr. GRI-
JALVA:

At the end of the bill, add the following:

(d) CONSIDERATION.—Any instrument exe-
cuted pursuant to subsection (a), shall pro-
vide that—

(1) in consideration for the land described
in subsection (c), Accomack County, Vir-
ginia, shall pay the United States the fair
market value of the land (on the date of the
enactment of this Act) under terms approved
by the Secretary of the Interior from reve-
nues generated by the sale, rent, or lease of
the land; and

(2) the land described in subsection (c)
shall be appraised in accordance with nation-
ally recognized appraisal standards (includ-
ing the Uniform Appraisal Standards for
Federal Land Acquisitions and the Uniform
Standards of Professional Appraisal Prac-
tice) by an independent appraiser selected by
the Secretary of the Interior and Accomack
County, Virginia.

It was decided in the { Yeas 178
negative } Nays 226

39.21 [Roll No. 115]

AYES—178

Table with 3 columns: Name, State, and Party. Lists members of the House of Representatives including Ackerman, Altmire, Amash, Andrews, Baca, Baldwin, Becerra, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Burton (IN), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Donnelly (IN), Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Filner, Fitzpatrick, Frank (MA), Fudge, Garamendi, Gerlach, Green, Al, Green, Gene, Grijalva, Gutierrez, Hanabusa, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Honda, Hoyer, Israel, Jackson Lee, Johnson (GA), Johnson, E. B., Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Langevin, Cohen, Larson (WA), Larson (CT), Levin, Lewis (GA), Loeb sack, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McNerney, Meeks, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napolitano, Neal, Olver, Owens, Pallone, Pascarell, Pastor (AZ), Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Reyes, Richardson, Richmond, Ross (AR), Rothman (NJ), Roybal-Allard, Ruppersberger, Ryan (OH), Sanchez, Linda T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott, David, Serrano, Sewell, Sherman, Sires, Slaughter, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woodall, Woolsey.

NOES—226

Table with 3 columns: Name, State, and Party. Lists members of the House of Representatives including Adams, Aderholt, Alexander, Amodei, Austria, Bachmann, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Berkley, Biggart, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Calvert, Camp, Campbell, Canseco, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hahn, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Mack, Marchant, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, McMorris, Rodgers, Mica, Michaud, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Petri, Pitts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (FL), Royce, Runyan, Ryan (WI), Scalise, Schilling, Schmidt, Schweikert, Scott (SC), Scott (VA), Scott, Austin, Sensenbrenner, Shimkus, Shuler, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Yoder, Young (AK), Young (FL), Young (IN).

NOT VOTING—27

Table with 3 columns: Name, State, and Party. Lists members of the House of Representatives including Akin, Bachus, Bass (CA), Bono Mack, Burgess, Cantor, Davis (IL), Doggett, Dold, Gonzalez, Jackson (IL), Kinzinger (IL), Lee (CA), Lewis (CA), Lipinski, Manullo, Marino, Markey, Meehan, Paul, Platts, Rangel, Rush, Schock, Sessions, Walsh (IL), Yarmuth.

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr.
CHAFFETZ, assumed the Chair.

When Mr. LUCAS, Acting Chairman,
reported the bill back to the House
with an amendment adopted by the
Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. REMOVAL OF RESTRICTIONS.

(a) REMOVAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Interior shall execute such instruments as may be necessary to remove all deed restrictions described in subsection (b) relating to the parcel of land described in subsection (c).

(b) DEED RESTRICTIONS.—The deed restrictions referred to in subsection (a) are those restrictions, including easements, exceptions, reservations, terms, conditions, and covenants described in Quitclaim Deed No. 17808A from the United States to Accomack County, Virginia, executed on December 20, 1976, and recorded among the real estate records of Accomack County, Virginia, by the Clerk of the Circuit Court, on pages 292 through 296 of Deed Book 381.

(c) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) consists of approximately 31.6 acres situated in the Atlantic District, Accomack County, Virginia, more particularly described in the metes and bounds description recorded on page 292 of the quitclaim deed described in subsection (b).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. Loretta SANCHEZ of California, moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 2. PROHIBITION ON SALE OR USE OF LAND FOR ADULT ENTERTAINMENT OR BY FOREIGN GOVERNMENTS.

Any instrument executed pursuant to section 1(a) shall specify that the land described in section 1(c) shall not be sold, leased, or rented to—

(1) an owner or operator of an adult book, novelty, video, arcade, or live entertainment facility; or

(2) any foreign government that might pose a security threat to the NASA Wallops Flight Facility.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the nays had it.

Ms. Loretta SANCHEZ of California, demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 180 negative } Nays 226

39.22 [Roll No. 116]

AYES—180

Ackerman Andrews Baldwin Altmire Baca Barrow

Bass (CA) Green, Al Becerra Green, Gene Berkeley Grijalva Berman Gutierrez Bishop (GA) Hahn Bishop (NY) Hanabusa Blumenauer Hastings (FL) Bonamici Heinrich Boren Higgins Boswell Himes Brady (PA) Hinchey Braley (IA) Hinojosa Brown (FL) Hirono Butterfield Hochul Capps Holden Capuano Holt Cardoza Honda Carnahan Hoyer Carney Israel Carson (IN) Jackson Lee Castor (FL) Johnson (GA) Chandler Johnson, E. B. Chu Jones Cicilline Kaptur Clarke (MI) Sarbanes Clarke (NY) Keating Clay Kildee Cleaver Kind Clyburn Kissell Cohen Kucinich Connolly (VA) Langevin Conyers Larsen (WA) Cooper Larson (CT) Costa Levin Costello Lewis (GA) Courtney Loebsock Critz Lofgren, Zoe Crowley Lowey Cuellar Lujan Cummings Lynch Davis (CA) Maloney DeFazio Markey DeGette Matheson DeLauro Matsui Deutch McCarthy (NY) Dicks McCollum Dingell McDermott Donnelly (IN) McGovern Doyle McIntyre Edwards McNeermy Ellison Michaud Engel Miller (NC) Eshoo Miller, George Farr Moore Fattah Filner Moran Frank (MA) Murphy (CT) Fudge Nadler Garamendi Napolitano

NOES—226

Adams Coffman (CO) Aderholt Cole Alexander Conaway Amash Cravaack Amodei Crawford Austria Crenshaw Bachmann Culberson Barletta Davis (KY) Bartlett Denham Barton (TX) Dent Bass (NH) DesJarlais Benishek Diaz-Balart Berg Dreier Biggart Duffy Bilbray Duncan (SC) Bilirakis Duncan (TN) Bishop (UT) Ellmers Black Emerson Blackburn Farenthold Bonner Fincher Boustany Fitzpatrick Brady (TX) Flake Brooks Fleischmann Broun (GA) Fleming Buchanan Flores Burchon Forbes Buchshon Fortenberry Buerkle Fortenberry Burton (IN) Foxx Calvert Franks (AZ) Camp Frelinghuysen Campbell Gallegly Canseco Gardner Cantor Garrett Capito King (IA) Carter King (NY) Cassidy Kingston Chabot Kline Chaffetz Labrador Chaffetz Goodlatte Coble Gosar

Neal Landry Oliver Lankford Paulsen Owens Latham Pearce Pence Latham Pence LaTourrette Petri Latta Pitts LofBiondo Platts Long Lucas Poe (TX) Luetkemeyer Polis Lummis Pompeo Lungren, Daniel Price (GA) E. Quayle Mack Reed Marchant Rehberg McCarthy (CA) Reichert McCaul Renacci McClintock Ribble McCotter Rigell McHenry Rivera McKeon Roby McKinley Roe (TN) McMorris Rogers (AL) Rodgers Rogers (KY) Mica Rogers (MI) Miller (FL) Rohrabacher Miller (MI) Rokita Miller, Gary Rooney Mulvaney Ros-Lehtinen Murphy (PA) Roskam Myrick Schwartz Ross (FL) Neugebauer Royce Noem Runyan Nugent Ryan (WI) Nunes Scalise Nunnelee Schilling Olson Schmidt Palazzo Schweikert

Paulsen Scott (SC) Pearce Scott (VA) Pence Scott, Austin Petri Sensenbrenner Pitts Shimkus Platts Shuster Poe (TX) Simpson Polis Smith (NE) Pompeo Smith (NJ) Posy Smith (TX) Price (GA) Southerland Quayle Stearns Reed Stivers Rehberg Stutzman Reichert Sullivan Royce Terry Ribble Thompson (PA) Rigell Thornberry Rivera Tipton Roby Turner (NY) Roe (TN) Turner (OH) Rogers (AL) Upton Rogers (KY) Walberg Rogers (MI) Walden Webster Rohrabacher West Westmoreland Rokita Whitfield Rooney Wilson (SC) Ros-Lehtinen Wittman Roskam Wolf Ross (FL) Womack Royce Woodall Runyan Yoder Ryan (WI) Young (AK) Nunes Young (FL) Schilling Young (IN) Schmidt Young (IN) Schweikert

NOT VOTING—25

Akin Jackson (IL) Rangel Bachus Kinzinger (IL) Rush Bono Mack Lee (CA) Schock Burgess Lewis (CA) Sessions Davis (IL) Lipinski Tiberi Doggett Manullo Walsh (IL) Dold Marino Yarmuth Gohmert Meehan Paul Gonzalez

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. GARAMENDI demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 240 affirmative } Nays 164

39.23 [Roll No. 117]

AYES—240

Adams Buchshon DesJarlais Aderholt Buerkle Diaz-Balart Alexander Burgess Dreier Amodei Burton (IN) Duffy Austria Calvert Duncan (SC) Bachmann Camp Duncan (TN) Barletta Campbell Ellmers Barrow Canseco Emerson Bartlett Cantor Farenthold Barton (TX) Capito Fincher Benishek Carter Flake Berg Cassidy Fleischmann Berkeley Chabot Fleming Biggart Chaffetz Flores Bilbray Chandler Forbes Bilirakis Coble Fortenberry Bishop (UT) Coffman (CO) Foxx Black Cole Franks (AZ) Blackburn Conaway Frelinghuysen Bonner Cravaack Gallegly Boren Crawford Gardner Boswell Crenshaw Garrett Boustany Culberson Gibbs Brady (TX) Davis (KY) Gibson Brooks DeFazio Gingrey (GA) Broun (GA) Denham Gohmert Buchanan Dent Goodlatte

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

NOES—164

Ackerman	Deutch	Larson (CT)
Altmire	Dicks	Levin
Amash	Dingell	Lewis (GA)
Andrews	Donnelly (IN)	Loebsock
Baca	Doyle	Loftgren, Zoe
Baldwin	Edwards	Lowey
Bass (CA)	Ellison	Luján
Becerra	Engel	Lynch
Berman	Eshoo	Maloney
Bishop (GA)	Farr	Markey
Bishop (NY)	Fattah	Matheson
Blumenauer	Filner	Matsui
Bonamici	Fitzpatrick	McCarthy (NY)
Brady (PA)	Frank (MA)	McCollum
Braley (IA)	Fudge	McDermott
Brown (FL)	Garamendi	McGovern
Butterfield	Gerlach	McNerney
Capps	Green, Al	Meeks
Capuano	Green, Gene	Miller (NC)
Cardoza	Grijalva	Miller, George
Carnahan	Gutierrez	Moore
Carney	Hahn	Murphy (CT)
Carson (IN)	Hastings (FL)	Nadler
Castor (FL)	Higgins	Napolitano
Chu	Himes	Neal
Cicilline	Hinchey	Olver
Clarke (MI)	Hinojosa	Owens
Clarke (NY)	Hirono	Pallone
Clay	Hochul	Pascrell
Clyburn	Holden	Pastor (AZ)
Cohen	Holt	Pelosi
Connolly (VA)	Honda	Peters
Conyers	Hoyer	Peterson
Cooper	Israel	Pingree (ME)
Costa	Jackson Lee	Pollis
Costello	(TX)	Price (NC)
Courtney	Johnson (GA)	Quigley
Critz	Johnson, E. B.	Rahall
Crowley	Kaptur	Reyes
Cuellar	Keating	Richardson
Cummings	Kildee	Richmond
Davis (CA)	Kind	Ross (AR)
DeGette	Kucinich	Rothman (NJ)
DeLauro	Langevin	Roybal-Allard

Ryan (OH)	Smith (WA)	Visclosky
Sanchez, Loretta	Speier	Walz (MN)
Sarbanes	Stark	Wasserman
Schakowsky	Sutton	Schultz
Schiff	Thompson (CA)	Waters
Schwartz	Thompson (MS)	Watt
Serrano	Tierney	Waxman
Grimm	Tonko	Welch
Sherman	Towns	Wilson (FL)
Shuler	Tsongas	Woolsey
Sires	Van Hollen	
Slaughter	Velázquez	

NOT VOTING—27

Akin	Kinzinger (IL)	Rush
Bachus	Lee (CA)	Sánchez, Linda
Bass (NH)	Lewis (CA)	T.
Bono Mack	Lipinski	Schock
Cleaver	Manzullo	Sessions
Davis (IL)	Marino	Tipton
Doggett	Meehan	Walsh (IL)
Dold	Paul	Yarmuth
Gonzalez	Perlmutter	
Jackson (IL)	Rangel	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

139.24 JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to Senate Concurrent Resolution 35, One Hundred Twelfth Congress, and the order of the House of January 5, 2011, announced that the Speaker appointed the following Members of the House to the Joint Congressional Committee on Inaugural Ceremonies: Messrs. BOEHNER, CANTOR, and Ms. PELOSI.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

139.25 PROVIDING FOR CONSIDERATION OF H.R. 5

Mr. NUGENT, by direction of the Committee on Rules, reported (Rept. No. 112-416) the resolution (H. Res. 591) providing for consideration of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

When said resolution and report were referred to the House Calendar and ordered printed.

139.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACHUS, for today; and

To Mr. MARINO, for today and balance of the week.

And then,

139.27 ADJOURNMENT

On motion of Mr. WOODALL, at 6 o'clock and 16 minutes p.m., the House adjourned.

139.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NUGENT: Committee on Rules. H. Res. 591. A resolution providing for consideration

of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system (Rept. 112-416). Referred to the House Calendar.

Mr. BACHUS: Committee on Financial Services. H.R. 4014. A bill to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection (Rept. 112-417). Referred to the Committee of the Whole House on the state of the Union.

139.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CAMPBELL (for himself and Mr. DEFAZIO):

H.R. 4214. A bill to amend the Toxic Substances Control Act to prohibit the use, production, sale, importation, or exportation of the poison sodium fluoroacetate (known as "Compound 1080") and to prohibit the use of sodium cyanide for predator control; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. McMORRIS RODGERS:

H.R. 4215. A bill to amend title XVIII of the Social Security Act to provide for pharmacy benefits manager standards under the Medicare prescription drug program to further fair audits of and payments to pharmacies; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Mr. CHABOT):

H.R. 4216. A bill to provide for the exchange of information related to trade enforcement; to the Committee on the Judiciary.

By Mr. GRIMM (for himself and Mr. KING of New York):

H.R. 4217. A bill to support and promote community financial institutions in the mutual form, and for other purposes; to the Committee on Financial Services.

By Ms. VELAZQUEZ:

H.R. 4218. A bill to preserve affordable housing opportunities for low-income families, and for other purposes; to the Committee on Financial Services.

By Ms. VELAZQUEZ:

H.R. 4219. A bill to amend section 1451 of the Dodd-Frank Wall Street Reform and Consumer Protection Act to establish programs to provide counseling to homebuyers regarding voluntary home inspections and to train counselors to provide such counseling, and for other purposes; to the Committee on Financial Services.

By Ms. VELAZQUEZ:

H.R. 4220. A bill to establish a pilot program to train public housing residents as home health aides and in home-based health services to enable such residents to provide covered home-based health services to residents of public housing and residents of federally-assisted rental housing, who are elderly and disabled, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself and Mr. RUSH):

H.R. 4221. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for

other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 4222. A bill to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER (for himself, Ms. LINDA T. SANCHEZ of California, Mr. COBLE, Mr. GALLEGLY, Mr. PIERLUISI, and Mr. MEEHAN):

H.R. 4223. A bill to amend title 18, United States Code, to prohibit theft of medical products, and for other purposes; to the Committee on the Judiciary.

By Mr. BROUN of Georgia:

H.R. 4224. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, to amend the Internal Revenue Code of 1986 to repeal the percentage floor on medical expense deductions, expand the use of tax-preferred health care accounts, and establish a charity care credit, to amend the Social Security Act to create a Medicare Premium Assistance Program and reform EMTALA requirements, and to amend the Public Health Service Act to provide for cooperative governing of individual and group health insurance coverage offered in interstate commerce; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, Rules, Appropriations, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself, Mr. BLUMENAUER, Mr. CARNAHAN, Mrs. CHRISTENSEN, Ms. DEGETTE, Mr. ELLISON, Mr. GRIJALVA, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. MCCOLLUM, Mr. MEEKS, Mr. POLIS, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, and Ms. SLAUGHTER):

H.R. 4225. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to require local educational agencies and schools to implement integrated pest management programs to minimize the use of pesticides in schools and to provide parents, guardians, and employees with notice of the use of pesticides in schools, and for other purposes; to the Committee on Agriculture.

By Ms. MOORE:

H.R. 4226. A bill to amend the Internal Revenue Code of 1986 to make permanent the full exclusion applicable to qualified small business stock; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. HINOJOSA, and Mr. GEORGE MILLER of California):

H.R. 4227. A bill to reauthorize the Workforce Investment Act of 1998 to strengthen the United States workforce investment system through innovation in, and alignment and improvement of, employment, training, and education programs, and to promote national economic growth, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey (for himself and Mr. ROYCE):

H. Con. Res. 109. Concurrent resolution expressing the sense of Congress that the Peo-

ple's Republic of China should not repatriate the North Korean refugees detained in China, subjecting them to torture, imprisonment, and execution, but allow their resettlement in the Republic of Korea and other countries; to the Committee on Foreign Affairs.

By Ms. LEE of California (for herself, Ms. CLARKE of New York, Mr. NADLER, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Mr. GRIJALVA, Ms. MOORE, Mr. TOWNS, Mr. RANGEL, Ms. SPEIER, Mr. LEWIS of Georgia, Mr. HINOJOSA, Ms. LINDA T. SANCHEZ of California, Mr. FRANK of Massachusetts, Ms. NORTON, Mr. STARK, Ms. MCCOLLUM, Mr. CONYERS, Mr. ELLISON, Mr. FILNER, Mr. MCGOVERN, Ms. JACKSON LEE of Texas, Mr. RAHALL, and Mrs. DAVIS of California):

H. Res. 589. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Education and the Workforce.

By Mr. LARSON of Connecticut:

H. Res. 590. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. HAHN (for herself, Mr. BISHOP of New York, Mr. TOWNS, Mr. MCINTYRE, Mrs. NAPOLITANO, Mr. FARENTHOLD, Mr. MCDERMOTT, Mr. RANGEL, Ms. BORDALLO, Ms. LEE of California, Mr. SABLAN, Ms. MOORE, Ms. LINDA T. SANCHEZ of California, Mr. LARSEN of Washington, Mr. BOUTSTAN, Mr. CARNEY, Mr. STARK, Ms. WILSON of Florida, Mr. SCOTT of Virginia, Mr. SIRES, Mr. SCALISE, Ms. HIRONO, Mr. CASSIDY, Mr. SMITH of Washington, Mr. YOUNG of Alaska, Mr. DEFazio, Mr. MCNERNEY, Mr. NADLER, Mrs. CHRISTENSEN, Ms. LORETTA SANCHEZ of California, Mr. CARNAHAN, Mr. AL GREEN of Texas, Mr. COURTNEY, Mr. ROTHMAN of New Jersey, Mr. LYNCH, Mr. CLARKE of Michigan, and Mr. FILNER):

H. Res. 592. A resolution recognizing the importance of ports to the economy and national security of the United States; to the Committee on Transportation and Infrastructure.

¶139.30 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. CLAY.
 H.R. 374: Mr. GARDNER and Mr. OLSON.
 H.R. 376: Mr. WALZ of Minnesota.
 H.R. 469: Mr. TIERNEY.
 H.R. 607: Mr. RUNYAN.
 H.R. 632: Mr. HENSARLING.
 H.R. 735: Mr. FRELINGHUYSEN.
 H.R. 749: Mr. PAULSEN and Mr. SMITH of Nebraska.
 H.R. 780: Mr. LOEBSACK and Mr. MARKEY.
 H.R. 834: Ms. BONAMICI.
 H.R. 854: Ms. WASSERMAN SCHULTZ and Ms. CASTOR of Florida.
 H.R. 941: Mr. KISSELL, Mrs. McMORRIS RODGERS, and Mr. MATHESON.
 H.R. 972: Mr. LONG.
 H.R. 1080: Mrs. McMORRIS RODGERS.
 H.R. 1164: Mr. MURPHY of Pennsylvania and Mr. BERG.
 H.R. 1172: Mr. POLIS.
 H.R. 1244: Mr. LONG.
 H.R. 1288: Mr. PAUL, Mrs. NAPOLITANO, Mr. LOEBSACK, and Mr. CARNEY.
 H.R. 1316: Mr. FITZPATRICK.
 H.R. 1332: Ms. HAHN, Mr. HONDA, Mr. KUCINICH, Mr. HINOJOSA, Mr. SIRES, and Mr. PETERS.
 H.R. 1381: Mrs. LOWEY, Mr. HONDA, and Mrs. MALONEY.
 H.R. 1391: Mr. LIPINSKI and Mr. KISSELL.
 H.R. 1412: Mr. MARCHANT.

H.R. 1445: Mr. MCCOTTER.
 H.R. 1451: Mr. LOEBSACK.
 H.R. 1488: Mr. COHEN.
 H.R. 1533: Mr. VISLOSKEY.
 H.R. 1549: Mr. LUETKEMEYER.
 H.R. 1575: Mr. TOWNS.
 H.R. 1639: Mr. MARINO.
 H.R. 1675: Mr. RYAN of Ohio, Mr. MCHENRY, Mr. BILBRAY, Mr. JONES, and Mr. DAVID SCOTT of Georgia.
 H.R. 1700: Mr. BROOKS.
 H.R. 1780: Mrs. CAPPS.
 H.R. 1792: Mr. ISRAEL.
 H.R. 1842: Mrs. DAVIS of California, Ms. BONAMICI, and Ms. DELAURO.
 H.R. 1860: Mr. THOMPSON of Mississippi.
 H.R. 1876: Mr. CLEAVER.
 H.R. 1909: Mr. THOMPSON of Mississippi and Mr. SENSENBRENNER.
 H.R. 1955: Mr. DEGETTE, Mr. GUTIERREZ, and Mr. SIRES.
 H.R. 2003: Ms. BONAMICI.
 H.R. 2051: Mr. ROE of Tennessee, Mr. KLINE, Mr. MULVANEY, Mr. PETERS, Mr. PAULSEN, and Mr. SCOTT of South Carolina.
 H.R. 2086: Mr. BACA, Mr. GEORGE MILLER of California, and Ms. MOORE.
 H.R. 2119: Mr. FITZPATRICK.
 H.R. 2288: Mr. RANGEL.
 H.R. 2406: Mr. DENHAM.
 H.R. 2479: Mr. MCGOVERN, Mr. RANGEL, and Ms. BONAMICI.
 H.R. 2517: Mrs. DAVIS of California.
 H.R. 2541: Mr. BONNER and Mr. TIPTON.
 H.R. 2547: Mr. TIERNEY.
 H.R. 2569: Ms. ZOE LOFGREN of California.
 H.R. 2595: Mr. STARK.
 H.R. 2695: Mr. STIVERS.
 H.R. 2827: Mr. ROSS of Arkansas.
 H.R. 2926: Mr. LAMBORN.
 H.R. 2959: Ms. JENKINS.
 H.R. 3000: Mr. CULBERSON.
 H.R. 3048: Mr. JONES.
 H.R. 3057: Mr. GUTIERREZ and Mr. FILNER.
 H.R. 3061: Mr. WEST and Mrs. ADAMS.
 H.R. 3125: Mr. BERMAN and Mr. HONDA.
 H.R. 3145: Ms. MOORE, Mr. BOSWELL, and Mr. CONYERS.
 H.R. 3164: Mr. JOHNSON of Georgia and Mr. POSEY.
 H.R. 3187: Mr. LOEBSACK, Mr. MORAN, Mr. CRENSHAW, Mr. DOGGETT, Mr. CONAWAY, Mr. PASTOR of Arizona, Mr. MCCOTTER, Mr. STARK, Mr. DINGELL, Mr. FITZPATRICK, and Mr. REICHERT.
 H.R. 3202: Mr. BISHOP of New York.
 H.R. 3264: Mr. GINGREY of Georgia.
 H.R. 3364: Mr. BLUMENAUER, Mr. GUTIERREZ, Mr. ROSS of Arkansas, Mr. MATHESON, Mr. WALDEN, and Mr. PALLONE.
 H.R. 3418: Ms. BASS of California.
 H.R. 3423: Mr. SCHOCK, Ms. HAYWORTH, Mr. KILDEE, Mr. SCHILLING, Mr. CARSON of Indiana, Mr. HOLDEN, Ms. BUERKLE, Mr. PETERS, Mrs. NOEM, and Ms. BONAMICI.
 H.R. 3425: Ms. HAHN.
 H.R. 3461: Ms. ROS-LEHTINEN, Mr. BUCHANAN, Mr. BERG, Mr. LUJAN, Mr. SMITH of Nebraska, Ms. BERKLEY, Mrs. MILLER of Michigan, Mr. DIAZ-BALART, Mr. GOSAR, and Mr. CUELLAR.
 H.R. 3485: Mr. HIMES.
 H.R. 3491: Mr. LOEBSACK.
 H.R. 3596: Mr. MCINTYRE and Ms. MCCOLLUM.
 H.R. 3612: Ms. CLARKE of New York and Mr. ISRAEL.
 H.R. 3625: Ms. BASS of California and Mrs. MALONEY.
 H.R. 3633: Mr. CULBERSON.
 H.R. 3661: Mr. MCDERMOTT.
 H.R. 3670: Mr. JOHNSON of Ohio.
 H.R. 3687: Mr. FRANK of Massachusetts.
 H.R. 3692: Mr. BLUMENAUER.
 H.R. 3728: Mr. HUIZENGA of Michigan and Mr. SHIMKUS.
 H.R. 3767: Mr. SCOTT of South Carolina and Ms. SLAUGHTER.
 H.R. 3770: Mr. FLORES.

H.R. 3858: Ms. PINGREE of Maine.
 H.R. 3875: Mr. CONYERS and Mr. RANGEL.
 H.R. 3895: Mr. KISSELL, Mr. TURNER of New York, Mr. MCGOVERN, and Mr. SMITH of New Jersey.
 H.R. 3981: Mr. LOEBSACK, Mr. KISSELL, Mr. FRANKS of Arizona, and Mr. BROUN of Georgia.
 H.R. 3991: Mr. QUAYLE and Mr. GOWDY.
 H.R. 3993: Mr. BACA.
 H.R. 4010: Mr. TIERNEY.
 H.R. 4030: Mr. LOEBSACK.
 H.R. 4045: Mr. JONES, Mr. RYAN of Ohio, Mr. TURNER of Ohio, and Mr. LOEBSACK.
 H.R. 4046: Mr. LANKFORD.
 H.R. 4049: Mr. RANGEL.
 H.R. 4060: Mr. LAMBORN.
 H.R. 4077: Mr. WALBERG.
 H.R. 4083: Ms. ROYBAL-ALLARD.
 H.R. 4125: Mr. JOHNSON of Ohio.
 H.R. 4128: Mr. MANZULLO and Mr. CRAVAACK.

H.R. 4134: Mr. KIND.
 H.R. 4136: Mr. LANDRY and Mr. LONG.
 H.R. 4171: Mr. PAUL.
 H.R. 4174: Mr. MCHENRY.
 H.R. 4176: Mr. WHITFIELD and Mr. PETERS.
 H.R. 4185: Mr. KEATING.
 H.R. 4196: Mr. PRICE of Georgia, Mr. CROWLEY, Mr. BLUMENAUER, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. BRADY of Texas, Mr. LEVIN, and Mr. OLSON.
 H.R. 4202: Mr. DOGGETT.
 H.R. 4203: Mr. PETERS, Mr. CRITZ, and Mr. CICILLINE.
 H.J. Res. 103: Mr. SMITH of Nebraska and Mr. LAMBORN.
 H.J. Res. 104: Mr. GUINTA.
 H. Con. Res. 87: Mr. LATTI and Mr. TOWNS.
 H. Res. 16: Mr. HULTGREN.
 H. Res. 25: Mr. LOEBSACK.
 H. Res. 111: Mr. SESSIONS, Mr. GRIJALVA, Mrs. MILLER of Michigan, Mr. MCHENRY, Mr. WHITFIELD, and Mr. MCCOTTER.
 H. Res. 134: Mr. BUCHANAN.
 H. Res. 282: Mr. ROYCE, Mrs. DAVIS of California, Mr. FILNER, Mr. ROTHMAN of New Jersey, and Ms. SPEIER.
 H. Res. 509: Mr. FLORES.
 H. Res. 526: Mr. KLINE.
 H. Res. 560: Mr. POLIS.
 H. Res. 561: Mr. POSEY.
 H. Res. 564: Mr. MARKEY and Ms. CHU.
 H. Res. 583: Mr. OLVER, Mr. MCDERMOTT, Ms. JACKSON LEE of Texas, Mr. PITTS, Mr. ENGEL, Mr. CROWLEY, Mr. LANCE, Mr. STARK, Mr. DEFazio, Mr. DEUTCH, and Mr. GARAMENDI.

WEDNESDAY, MARCH 21, 2012 (40)

¶40.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mrs. ELLMERS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 March 21, 2012.

I hereby appoint the Honorable RENEE L. ELLMERS to act as Speaker pro tempore on this day.

JOHN A. BOEHRER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶40.2 RECESS—11:21 A.M.

The SPEAKER pro tempore, Mrs. ELLMERS, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 21 minutes a.m., until noon.

¶40.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mrs. MILLER of Michigan, called the House to order.

¶40.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced she had examined and approved the Journal of the proceedings of Tuesday, March 20, 2012.

Mr. MILLER of North Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. MILLER of North Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶40.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5343. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Dairy Product Mandatory Reporting [Doc. #: AMS-DA-10-0089; DA-11-01] (RIN: 0581-AD12) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5344. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011-2012 Marketing Year [Doc. Nos.: AMS-FV-10-0094; FV11-985-1A FIR] received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5345. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program (NOP); Amendments to the National List of Allowed and Prohibited Substances (Crops and Processing) [Document Number: AMS-NOP-10-0079; NOP-09-02FR] (RIN: 0581-AD06) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5346. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Revision of Cotton Futures Classification Procedures [Doc. #: AMS-CN-10-0073; CN-10-005] (RIN: 0581-AD16) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5347. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS Case 2012-D024) (RIN: 0750-AH59) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5348. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement (DFARS Case 2012-D026) (RIN: 0750-AH60) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5349. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard P. Zahner, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5350. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonels Christopher P. Hughes and Paul A. Ostrowski, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

5351. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Kingdom of Morocco pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5352. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Commercial Refrigeration Equipment [Docket No.: EERE-2010-BT-TP-0034] (RIN: 1904-AC40) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5353. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5354. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5355. A letter from the Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting FY 2011 Annual Report Regarding NASA's Equal Employment Opportunity and Whistleblower Protection Act Complaints Activity; to the Committee on Oversight and Government Reform.

5356. A letter from the General Counsel and Acting Executive Director, Election Assistance Commission, transmitting Fiscal Year 2011 Activities Report; to the Committee on House Administration.

5357. A letter from the United States Trade Representative, Executive Office of the President, transmitting the 2012 Trade Policy Agenda and the 2011 Annual Report on the Trade Agreements Program as prepared by the Administration; to the Committee on Ways and Means.

5358. A letter from the Chief, Trade and Commercial Regulations Branch, Department of the Treasury, transmitting the Department's final rule — Duty-Free Treatment of Certain Visual and Auditory Materials [USCBP-2011-0030] (RIN: 1515-AD75) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5359. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Source of Income from Qualified Fails Charges [TD 9579] (RIN: 1545-BJ78) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5360. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Extension of Time to File an Estate Tax Return Solely to Elect Portability of a Deceased Spousal Unused Exclusion Amount [Notice 2012-21] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5361. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rewards and Awards for Information Relating to Violations of Internal Revenue Laws [TD 9580] (RIN: 1545-BJ89) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5362. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act [TD 9578] (RIN: 1545-BJ60) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5363. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Revenue Procedure: United States and Area Median Gross Income Figures (Rev. Proc. 2012-16) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5364. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — March 2012 (Rev. Rul. 2012-9) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5365. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Protecting the Public and our Employees in our Hearing Process [Docket No.: SSA-2011-0008] (RIN: 0690-AH29) received February 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5366. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — How We Collect and Consider Evidence of Disability [Docket No.: SSA 2010-0044] (RIN: 0960-AG89) received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶40.6 REMEMBRANCE OF HOLOCAUST VICTIMS

On motion of Mr. NUGENT, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 108):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The rotunda of the Capitol is authorized to be used on April 19, 2012, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶40.7 HOUR OF MEETING

On motion of Mr. NUGENT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Thursday, March 22, 2012.

¶40.8 AMENDMENT OF THE SENATE TO H.R. 886

Mr. STIVERS moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 886) to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service:

At the end, add the following:

SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) *minting and issuing coins under this Act will not result in any net cost to the United States Government;*

(2) *no funds, including applicable surcharges, shall be disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.*

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. STIVERS and Mr. MILLER of North Carolina, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MILLER of North Carolina, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶40.9 PROVIDING FOR CONSIDERATION OF H.R. 5

Mr. NUGENT, by direction of the Committee on Rules, called up the following resolution (H. Res. 591):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General de-

bate shall be confined to the bill and amendments specified in this resolution and shall not exceed six hours equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Energy and Commerce, the Judiciary, and Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on Energy and Commerce and the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112 18 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. NUGENT moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶40.10 RECESS—1:48 P.M.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 12(a) of rule I, declared the House in recess at 1 o'clock and 48 minutes p.m., subject to the call of the Chair.

¶40.11 AFTER RECESS—2:15 P.M.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, called the House to order.

¶40.12 H. RES. 591—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to

clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 591) providing for consideration of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

The question being put, Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative Yeas 231 Nays 179 Answered present 1

¶40.13 [Roll No. 118] YEAS—231

- Adams Gallegly McMorris
Aderholt Gardner Rodgers
Akin Garrett Meehan
Alexander Gerlach Mica
Amash Gibbs Miller (FL)
Amodei Gibson Miller (MI)
Austria Miller, Gary
Bachmann Gohmert Mulvaney
Bartletta Goodlatte Murphy (PA)
Bartlett Myrick
Barton (TX) Gowdy Neugebauer
Bass (NH) Granger Noem
Benishek Graves (GA) Nugent
Berg Graves (MO) Nunes
Biggart Griffin (AR) Nunnelee
Bilbray Griffith (VA) Palazzo
Bilirakis Grimm Paulsen
Bishop (UT) Guinta Pearce
Black Guthrie Pence
Blackburn Hall Petri
Bonner Hanna Platts
Boren Harper Pitts
Boustany Harris Platts
Brady (TX) Harris Poe (TX)
Brooks Hartzler Pompeo
Broun (GA) Hastings (WA) Posey
Buchanan Hayworth Price (GA)
Buchanan Heck Quayle
Bucshon Hensarling Rehberg
Buerkle Herger Reichert
Burgess Herrera Beutler Renacci
Burton (IN) Huelskamp Ribble
Calvert Kelly Rigell
Camp Issa Huizenga (MI)
Campbell Hultgren Rivera
Canseco Hunter Roby
Cantor Hurt Roe (TN)
Capito Issa Rogers (AL)
Carter Jenkins Rogers (KY)
Cassidy Johnson (OH) Rogers (MI)
Chabot Johnson, Sam Rohrabacher
Coble Jones Rokita
Coffman (CO) Jordan Rooney
Cole Kelly Ros-Lehtinen
Conaway King (IA) Roskam
Cravaack King (NY) Ross (FL)
Crawford Kingston Royce
Crenshaw Kline Runyan
Culberson Labrador Ryan (WI)
Davis (KY) Lamborn Scalise
Denham Lance Schilling
Dent Landry Schmidt
DesJarlais Lankford Schock
Diaz-Balart Latham Schweikert
Dold LaTourette Scott (SC)
Dreier Latta Scott, Austin
Duffy Lewis (CA) Sensenbrenner
Duncan (SC) LoBiondo Sessions
Duncan (TN) Long Shimkus
Ellmers Lucas Shuster
Emerson Luetkemeyer Simpson
Farenthold Lummis Smith (NE)
Fincher Lungren, Daniel Smith (NJ)
Fitzpatrick E. Smith (TX)
Flake Mack Southerland
Fleischmann Matheson Stearns
Fleming McCarthy (CA) Stivers
Flores McCaul Stutzman
Forbes McCaul Sullivan
Fortenberry McCintock Thompson (PA)
Fox McCotter Thornberry
Franks (AZ) McHenry Tiberi
Frelinghuysen McKeon Tipton
McKinley Turner (NY)

- Turner (OH) West
Upton Westmoreland
Walberg Whitfield
Walden Wilson (SC)
Walsh (IL) Wittman
Webster Wolf

NAYS—179

- Ackerman Fudge
Altmire Green, Al
Andrews Green, Gene
Baca Grijalva
Baldwin Gutierrez
Barrow Hahn
Bass (CA) Hanabusa
Becerra Hastings (FL)
Berkley Heinrich
Berman Higgins
Bishop (GA) Himes
Bishop (NY) Hinchey
Blumenauer Hinojosa
Bonamici Hirono
Boswell Hochul
Brady (PA) Holden
Braley (IA) Holt
Brown (FL) Honda
Butterfield Hoyer
Capps Israel
Capuano Jackson Lee
Carnahan (TX)
Carney Johnson, E. B.
Carson (IN) Kaptur
Castor (FL) Keating
Chandler Kildee
Chu Kind
Cicilline Kissell
Clarke (MI) Kucinich
Clarke (NY) Langevin
Clay Larsen (WA)
Cleaver Larson (CT)
Clyburn Levin
Cohen Lewis (GA)
Connolly (VA) Lipinski
Conyers Loeb sack
Cooper Lofgren, Zoe
Costa Lowey
Costello Lujan
Courtney Lynch
Critz Maloney
Crowley Markey
Cummings Matsui
Davis (CA) McCarthy (NY)
DeFazio McColium
DeGette McDermott
DeLauro McGovern
Deutsch McIntyre
Dicks McNeerney
Dingell Meeks
Doggett Michaud
Donnelly (IN) Miller (NC)
Doyle Miller, George
Edwards Moore
Ellison Moran
Engel Murphy (CT)
Eshoo Nadler
Farr Napolitano
Fattah Neal
Filner Olver
Frank (MA) Owens

ANSWERED "PRESENT"—1

- Johnson (IL)

NOT VOTING—20

- Bachus
Bono Mack
Cardoza
Chaffetz
Cuellar
Davis (IL)
Garamendi
Gonzalez
Jackson (IL)
Johnson (GA)
Kinzinger (IL)
Lee (CA)
Manzullo
Marchant
Marino
Olson
Paul
Rangel
Reed
Thompson (MS)

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

- Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

It was decided in the affirmative Yeas 233 Nays 182 Answered present 1

¶40.14 [Roll No. 119]

AYES—233

- Adams Gosar Nunnelee
Aderholt Olson
Akin Granger Palazzo
Alexander Graves (GA) Paulsen
Amash Graves (MO) Pearce
Amodei Griffin (AR) Pence
Austria Griffith (VA) Peterson
Bachmann Grimm Petri
Barletta Guinta Pitts
Bartlett Guthrie Platts
Barton (TX) Hall Pompeo
Bass (NH) Hanna Posey
Benishek Harper Price (GA)
Berg Harris
Biggart Hartzler Quayle
Bilbray Hastings (WA) Reed
Bilirakis Hayworth Rehberg
Bishop (UT) Heck Reichert
Black Hensarling Renacci
Blackburn Herger Ribble
Bonner Herrera Beutler Rigell
Boren Huelskamp Rivera
Boustany Huizenga (MI) Roby
Brady (TX) Hultgren Roe (TN)
Brooks Hunter Rogers (AL)
Broun (GA) Hurt Rogers (KY)
Buchanan Issa Rogers (MI)
Bucshon Jenkins Rohrabacher
Buerkle Johnson (OH) Rokita
Burgess Johnson, Sam Rooney
Burton (IN) Jones Ros-Lehtinen
Calvert Jordan Roskam
Camp Kelly Ross (FL)
Campbell King (IA) Royce
Canseco King (NY) Runyan
Cantor Kingston Ryan (WI)
Capito Kissell Scalise
Carter Kline Schilling
Cassidy Labrador Schmidt
Chabot Chabot Schock
Coble Coble Lance
Coffman (CO) Coffman (CO) Scott (SC)
Cole Landry Scott, Austin
Conaway Lankford Sensenbrenner
Cravaack Latham Sessions
Crawford LaTourette Shimkus
Crenshaw Latta Shuster
Culberson Lewis (CA) Simpson
Davis (KY) LoBiondo Smith (NE)
Denham Long Smith (NJ)
Dent Lucas Smith (TX)
DesJarlais Luetkemeyer Southerland
Diaz-Balart Lummis Stearns
Dold Lungren, Daniel Stivers
Dreier E. Stutzman
Duffy Mack Sullivan
Duncan (SC) Marchant Thompson (PA)
Duncan (TN) Matheson Thornberry
Ellmers McCarthy (CA) Tiberi
Emerson McCaul Tipton
Farenthold Farenthold Turner (NY)
Fincher McClintock
Fitzpatrick Fincher
Flake Fitzpatrick
Fleischmann Flake
Fleming Fleischmann
Flores Flores
Forbes Forbes
Fortenberry Fortenberry
Foxy Fox
Franks (AZ) Franks (AZ)
Frelinghuysen Frelinghuysen

NOES—182

- Bishop (GA) Capuano
Bishop (NY) Cardoza
Blumenauer Carnahan
Bonamici Carney
Boswell Carson (IN)
Brady (PA) Castor (FL)
Braley (IA) Chandler
Brown (FL) Chu
Butterfield Cicilline
Capps Clarke (MI)

Clarke (NY) Holt
 Clay Honda
 Cleaver Hoyer
 Clyburn Israel
 Cohen Johnson (GA)
 Connolly (VA) Johnson, E. B.
 Conyers Kaptur
 Cooper Keating
 Costa Kildee
 Costello Kind
 Courtney Kucinich
 Critz Langevin
 Crowley Larsen (WA)
 Cuellar Larson (CT)
 Cummings Levin
 Davis (CA) Lewis (GA)
 DeFazio Lipinski
 DeGette Loebsock
 DeLauro Lofgren, Zoe
 Deutch Lowey
 Dicks Luján
 Dingell Lynch
 Doggett Maloney
 Donnelly (IN) Markey
 Doyle Matsui
 Duncan (TN) McCarthy (NY)
 Edwards McCollum
 Ellison McDermott
 Engel McGovern
 Eshoo McNerney
 Farr Meeks
 Fattah Michaud
 Filner Miller (NC)
 Frank (MA) Miller, George
 Fudge Moore
 Garamendi Moran
 Gohmert Murphy (CT)
 Green, Al Nadler
 Green, Gene Napolitano
 Grijalva Neal
 Gutierrez Oliver
 Hahn Owens
 Hanabusa Pallone
 Hastings (FL) Pascrell
 Heinrich Pastor (AZ)
 Higgins Pelosi
 Himes Perlmutter
 Hinchey Peters
 Hinojosa Pingree (ME)
 Hirono Poe (TX)
 Hochul Polis
 Holden Price (NC)

ANSWERED "PRESENT"—1

Johnson (IL)

NOT VOTING—15

Bachus Jackson Lee Paul
 Bono Mack (TX) Rangell
 Chaffetz Kinzinger (IL) Schweikert
 Davis (IL) Lee (CA) Thompson (MS)
 Gonzalez Manzanillo
 Jackson (IL) Marino

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

40.15 AMENDMENT OF THE SENATE TO H.R. 886—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 886) to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the affirmative

40.16 [Roll No. 120]

YEAS—409

Ackerman Cummings Hunter
 Adams Davis (CA) Hurt
 Aderholt Davis (KY) Israel
 Akin DeFazio Issa
 Alexander DeGette Jackson Lee
 Altmire DeLauro (TX)
 Amodei Denham Jenkins
 Andrews Dent Johnson (GA)
 Austria DesJarlais Johnson (IL)
 Baca Deutch Johnson (OH)
 Bachmann Diaz-Balart Johnson, E. B.
 Baldwin Dicks Johnson, Sam
 Barletta Dingell Jones
 Barrow Doggett Jordan
 Bartlett Donnelly (IN) Kaptur
 Barton (TX) Doyle Keating
 Bass (CA) Dreier Kelly
 Bass (NH) Duffy Kildee
 Becerra Duncan (TN) Kind
 Benishek Edwards King (IA)
 Berg Ellison King (NY)
 Berkeley Ellmers Kingston
 Berman Emerson Kissell
 Biggert Engel Kline
 Bilbray Eshoo Kucinich
 Bilirakis Farr Labrador
 Bishop (GA) Fattah Lamborn
 Bishop (NY) Filner Lance
 Bishop (UT) Filner Landry
 Black Fincher Langevin
 Blackburn Fitzpatrick Lankford
 Blumenauer Flake Larsen (WA)
 Bonamici Fleischmann Larson (CT)
 Bonner Fleming Latham
 Boren Flores LaTourette
 Boswell Forbes Latta
 Boustany Fortenberry Levin
 Brady (PA) Foxx Lewis (CA)
 Brady (TX) Frank (MA) Lewis (GA)
 Braley (IA) Franks (AZ) Lipinski
 Brooks Fudge LoBiondo
 Broun (GA) Gallegly Loebsack
 Brown (FL) Garamendi Lofgren, Zoe
 Buchanan Gardner Long
 Bucshon Garrett Lowey
 Buerkle Gerlach Lucas
 Burgess Gibbs Luetkemeyer
 Burton (IN) Gibson Lujan
 Butterfield Gohmert Lummis
 Calvert Goodlatte Lungren, Daniel
 Camp Gosar E.
 Campbell Gowdy Lynch
 Canseco Granger Mack
 Cantor Graves (GA) Maloney
 Capito Graves (MO) Marchant
 Capps Green, Al Markey
 Capuano Griffin (AR) Matheson
 Cardoza Griffith (VA) Matsui
 Carnahan Grijalva McCarthy (CA)
 Carney Grimm McCarthy (NY)
 Carson (IN) Guinta McCaul
 Carter Guthrie McClintock
 Cassidy Gutierrez McCollum
 Castor (FL) Hahn McCotter
 Chabot Hall McDermott
 Chandler Hanabusa McGovern
 Chu Hanna McHenry
 Cicilline Harper McIntyre
 Clarke (MI) Harris McKeon
 Clarke (NY) Hartzler McKinley
 Clay Hastings (FL) McMorris
 Cleaver Hastings (WA) Rodgers
 Clyburn Hayworth McNeerney
 Coble Heck Meehan
 Coffman (CO) Heinrich Meeks
 Cohen Hensarling Mica
 Cole Herger Michaud
 Conaway Herrera Beutler Miller (FL)
 Connolly (VA) Higgins Miller (MI)
 Conyers Himes Miller (NC)
 Cooper Hinchey Miller, Gary
 Costa Hinojosa Miller, George
 Costello Hirono Moore
 Courtney Hochul Moran
 Cravaack Holden Murphy (CT)
 Crawford Holt Murphy (PA)
 Crenshaw Honda Myrick
 Critz Hoyer Nadler
 Crowley Huelskamp Napolitano
 Cuellar Huizenga (MI) Neal
 Culberson Hultgren Neugebauer

Yeas 409
 Nays 2
 Answered present 2

Noem Rooney Stark
 Nugent Ros-Lehtinen Stearns
 Nunes Roskam Stivers
 Nunnelee Ross (AR) Stutzman
 Olson Ross (FL) Sullivan
 Oliver Rothman (NJ) Sutton
 Owens Roybal-Allard Terry
 Palazzo Royce Thompson (CA)
 Pallone Runyan Thompson (PA)
 Pascrell Ruppertsberger Thornberry
 Pastor (AZ) Rush Tiberi
 Paulsen Ryan (OH) Tierney
 Pearce Ryan (WI) Tipton
 Pelosi Sánchez, Linda Tonko
 Pence T. Towns
 Perlmutter Sanchez, Loretta Tsongas
 Peters Sarbanes Turner (NY)
 Peterson Scalise Turner (OH)
 Petri Schakowsky Upton
 Pingree (ME) Schiff Van Hollen
 Pitts Schilling Velázquez
 Platts Schmidt Visclosky
 Poe (TX) Schock Walberg
 Pompeo Schrader Walden
 Posey Schwartz Walsh (IL)
 Price (GA) Schweikert Walz (MN)
 Price (NC) Scott (SC) Wasserman
 Quayle Scott (VA) Schultz
 Quigley Scott, Austin Waters
 Rahall Scott, David Watt
 Reed Sensenbrenner Waxman
 Rehberg Serrano Webster
 Reichert Sessions Welch
 Renacci Sewell West
 Reyes Sherman Westmoreland
 Ribble Shimkus Wilson (FL)
 Richardson Shuler Wilson (SC)
 Richmond Shuster Wittman
 Rigell Simpson Wolf
 Rivera Sires Womack
 Roby Slaughter Woodall
 Roe (TN) Smith (NE) Woolsey
 Rogers (AL) Smith (NJ) Yarmuth
 Rogers (KY) Smith (TX) Yoder
 Rogers (MI) Smith (WA) Young (AK)
 Rohrabacher Southerland Young (FL)
 Rokita Speier Young (IN)

NAYS—2

Amash Polis

ANSWERED "PRESENT"—2

Duncan (SC) Mulvaney

NOT VOTING—18

Bachus Gingrey (GA) Manzanillo
 Bono Mack Gonzalez Marino
 Chaffetz Green, Gene Paul
 Davis (IL) Jackson (IL) Rangell
 Dold Kinzinger (IL) Thompson (MS)
 Frelinghuysen Lee (CA) Whitfield

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

40.17 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, March 20, 2012.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-

fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative

Yeas	308
Nays	101
Answered present	3

¶40.18 [Roll No. 121]

YEAS—308

- | | | |
|---------------|----------------|------------------|
| Ackerman | Engel | Lucas |
| Aderholt | Eshoo | Luetkemeyer |
| Akin | Farenthold | Luján |
| Alexander | Farr | Lummis |
| Altmire | Fattah | Lungren, Daniel |
| Austria | Fincher | E. |
| Baca | Flake | Mack |
| Bachmann | Fleischmann | Maloney |
| Barletta | Fleming | Matheson |
| Barrow | Flores | Matsui |
| Bartlett | Fortenberry | McCarthy (CA) |
| Barton (TX) | Frank (MA) | McCarthy (NY) |
| Bass (NH) | Franks (AZ) | McCaul |
| Becerra | Frelinghuysen | McClintock |
| Berg | Fudge | McCollum |
| Berkley | Gallegly | McHenry |
| Berman | Garrett | McIntyre |
| Biggert | Gibbs | McKeon |
| Bilirakis | Gingrey (GA) | McKinley |
| Bishop (GA) | Goodlatte | McMorris |
| Bishop (UT) | Gosar | Rodgers |
| Black | Gowdy | McNerney |
| Blackburn | Granger | Meeks |
| Blumenauer | Graves (GA) | Mica |
| Bonamici | Green, Al | Michaud |
| Bonner | Griffith (VA) | Miller (MI) |
| Boren | Grimm | Miller (NC) |
| Boustany | Guinta | Miller, Gary |
| Brady (TX) | Guthrie | Moore |
| Braley (IA) | Gutierrez | Moran |
| Brooks | Hahn | Mulvaney |
| Broun (GA) | Hall | Murphy (CT) |
| Brown (FL) | Hanabusa | Murphy (PA) |
| Buchanan | Harper | Myrick |
| Bucshon | Harris | Nadler |
| Buerkle | Hartzler | Napolitano |
| Burton (IN) | Hastings (WA) | Noem |
| Butterfield | Hayworth | Nugent |
| Calvert | Heinrich | Nunes |
| Camp | Hensarling | Nunnelee |
| Campbell | Herger | Olson |
| Cantor | Higgins | Palazzo |
| Capito | Hinojosa | Pascarell |
| Capps | Hirono | Paulsen |
| Cardoza | Hochul | Pearce |
| Carnahan | Holden | Pence |
| Carney | Hoyer | Perlmutter |
| Carson (IN) | Huelskamp | Petri |
| Carter | Hultgren | Pingree (ME) |
| Cassidy | Hurt | Pitts |
| Chabot | Issa | Platts |
| Chandler | Jenkins | Polis |
| Cicilline | Johnson (GA) | Pompeo |
| Clarke (MI) | Johnson (IL) | Posey |
| Clarke (NY) | Johnson, E. B. | Price (GA) |
| Clay | Johnson, Sam | Price (NC) |
| Cleaver | Jones | Quigley |
| Coble | Jordan | Rehberg |
| Cohen | Kaptur | Reichert |
| Cole | Kelly | Richardson |
| Connolly (VA) | Kildee | Richmond |
| Conyers | Kind | Rigell |
| Cooper | King (IA) | Rivera |
| Crowford | King (NY) | Roby |
| Crenshaw | Kingston | Rogers (AL) |
| Crowley | Kissell | Rogers (KY) |
| Culberson | Kline | Rohrabacher |
| Cummings | Kucinich | Roskam |
| Davis (CA) | Labrador | Ross (AR) |
| Davis (KY) | Lamborn | Ross (FL) |
| DeFazio | Lance | Roybal-Allard |
| DeGette | Landry | Royce |
| DeLauro | Langevin | Runyan |
| Denham | Lankford | Ruppersberger |
| Deutch | Larsen (WA) | Rush |
| Diaz-Balart | Larson (CT) | Ryan (WI) |
| Dicks | LaTourette | Sanchez, Loretta |
| Dingell | Latta | Scalise |
| Doggett | Levin | Schiff |
| Dreier | Lewis (CA) | Schmidt |
| Duncan (SC) | Lewis (GA) | Schock |
| Duncan (TN) | Lipinski | Schrader |
| Edwards | Loeb sack | Schwartz |
| Ellison | Lofgren, Zoe | Schweikert |
| Ellmers | Long | Scott (SC) |
| Emerson | Lowey | Scott (VA) |

- | | |
|---------------|---------------|
| Scott, Austin | Sullivan |
| Scott, David | Sutton |
| Sensenbrenner | Terry |
| Serrano | Thompson (PA) |
| Sessions | Thornberry |
| Sewell | Tiberi |
| Sherman | Tierney |
| Shimkus | Tonko |
| Simpson | Towns |
| Sires | Tsongas |
| Smith (NE) | Turner (NY) |
| Smith (NJ) | Turner (OH) |
| Smith (TX) | Upton |
| Smith (WA) | Van Hollen |
| Southerland | Velázquez |
| Speier | Walberg |
| Stearns | Walden |
| Stutzman | Walz (MN) |

- | |
|--------------|
| Wasserman |
| Schultz |
| Watt |
| Waxman |
| Webster |
| Welch |
| West |
| Westmoreland |
| Whitfield |
| Wilson (FL) |
| Wilson (SC) |
| Wittman |
| Wolf |
| Womack |
| Woolsey |
| Yarmuth |
| Young (FL) |

NAYS—101

- | | |
|---------------|-----------------|
| Adams | Gibson |
| Amodei | Graves (MO) |
| Andrews | Green, Gene |
| Baldwin | Griffin (AR) |
| Benishek | Grijalva |
| Bilbray | Hanna |
| Bishop (NY) | Hastings (FL) |
| Boswell | Heck |
| Brady (PA) | Herrera Beutler |
| Burgess | Himes |
| Capuano | Hinchev |
| Castor (FL) | Holt |
| Chu | Honda |
| Clyburn | Huizenga (MI) |
| Coffman (CO) | Hunter |
| Conaway | Israel |
| Costa | Jackson Lee |
| Costello | (TX) |
| Courtney | Johnson (OH) |
| Cravaack | Keating |
| Critz | Latham |
| Cuellar | LoBiondo |
| Dent | Lynch |
| DesJarlais | Marchant |
| Dold | Markey |
| Donnelly (IN) | McCotter |
| Doyle | McDermott |
| Duffy | McGovern |
| Filner | Meehan |
| Fitzpatrick | Miller (FL) |
| Forbes | Miller, George |
| Fox | Neal |
| Garamendi | Olver |
| Gardner | Pallone |
| Gerlach | Pastor (AZ) |

ANSWERED "PRESENT"—3

- | | | |
|-------|---------|-------|
| Amash | Gohmert | Owens |
|-------|---------|-------|

NOT VOTING—19

- | | | |
|------------|----------------|-------------|
| Bachus | Jackson (IL) | Rangel |
| Bass (CA) | Kinzinger (IL) | Rogers (MI) |
| Bono Mack | Lee (CA) | Rokita |
| Canseco | Manullo | Shuster |
| Chaffetz | Marino | Young (IN) |
| Davis (IL) | Neugebauer | |
| Gonzalez | Paul | |

So the Journal was approved.

¶40.19 HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 591 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. WESTMORELAND as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. GRIFFITH of Virginia, assumed the Chair.

When Mr. NUGENT, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶40.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACHUS, for today and balance of the week; and

To Mr. DAVIS of Illinois, for today and March 22.

And then,

¶40.21 ADJOURNMENT

On motion of Mr. GINGREY of Georgia, pursuant to the previous order of the House, at 9 o'clock and 42 minutes p.m., the House adjourned until 10 a.m. on Thursday, March 22, 2012.

¶40.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas Committee on the Judiciary. H.R. 4119. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels (Rept. 112-418, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶40.23 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Ways and Means and Homeland Security discharged from further consideration. H.R. 4119 referred to the Committee of the Whole House on the state of the Union.

¶40.24 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CANTOR:

H.R. 9. A bill to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself, Mr. RAHALL, Mr. DEFazio, Ms. BROWN of Florida, Mr. ACKERMAN, Mr. RANGEL, Mr. FILNER, Mr. SIREs, Ms. RICHARDSON, Mr. CUMMINGS, Ms. NORTON, Mr. RUPPERSBERGER, Mr. LARSEN of Washington, Mr. WELCH, Mr. HOLDEN, Mrs. NAPOLITANO, Ms. HIRONO, Mr. HOLT, Mr. VAN HOLLEN, Ms. EDWARDS, Mr. BOSWELL, Ms. HAHN, Mr. THOMPSON of California, Mr. ISRAEL, Mr. HIGGINS, Mr. CICILLINE, Ms. WILSON of Florida, Mr. RICHMOND, Ms. MOORE, Mr. MORAN, Mr. BLUMENAUER, Ms. SPEIER, Mr. OWENS, Mr. JACKSON of Illinois, Mr. DOYLE, Ms. LINDA T. SANCHEZ of California, Mr. LEWIS of Georgia, Mr. LARSON of Connecticut, Mr. BERMAN, Mr. CONNOLLY of Virginia, Mr. LIPINSKI, Ms. TSONGAS, Mr. MICHAUD, Mr. PRICE of North Carolina, Mr. LANGEVIN, Mr. ALTMIRE, Mr. CLAY, Mr. MCNERNEY, Mr. WALZ of Minnesota, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CROWLEY, Mrs. LOWEY, Ms. DEGETTE, Mr. TOWNS, Mr. COURTNEY, Mr. QUIGLEY, Mr. STARK,

Mr. CARNAHAN, Mr. SMITH of Washington, Ms. MCCOLLUM, Ms. SLAUGHTER, Ms. ZOE LOFGREN of California, Mr. THOMPSON of Mississippi, Mr. HOYER, Mr. LUJÁN, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Mr. SHERMAN, Ms. SCHWARTZ, Ms. CLARKE of New York, Mr. CLARKE of Michigan, Mr. ANDREWS, Mr. COSTELLO, Ms. VELÁZQUEZ, Mr. CONYERS, Mr. TONKO, Mr. GARAMENDI, Mr. SCOTT of Virginia, Mr. FALCOMA, Mr. COSTA, Ms. DELAURO, Mr. COHEN, Mr. LYNCH, Mr. RUSH, Ms. PINGREE of Maine, Mr. WAXMAN, Mr. SHULER, Ms. WASSERMAN SCHULTZ, Ms. CHU, Mr. CHANDLER, Mr. CRITZ, and Mr. GEORGE MILLER of California):

H.R. 14. A bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Energy and Commerce, Agriculture, Science, Space, and Technology, the Budget, Oversight and Government Reform, Financial Services, Education and the Workforce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McCAUL (for himself and Mr. KING of New York):

H.R. 4228. A bill to direct the Secretary of State to designate Iran's Islamic Revolutionary Guard Corps Qods Force as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Ms. ROSELEHTINEN, Mr. ACKERMAN, Mr. CHABOT, Mr. CICILLINE, and Ms. BUERKLE):

H.R. 4229. A bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system; to the Committee on Foreign Affairs.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 4230. A bill to provide for the establishment of a Home Energy Savings Retrofit Rebate Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. STARK, Mr. JACKSON of Illinois, Mr. RANGEL, Ms. HAHN, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. FILNER, Mr. VAN HOLLEN, Mr. CARSON of Indiana, Mr. MCNERNEY, and Ms. CHU):

H.R. 4231. A bill to amend the Internal Revenue Code of 1986 to repeal certain tax breaks for gas and oil companies and to refund the revenue savings to registered vehicle owners; to the Committee on Ways and Means.

By Mr. TURNER of Ohio (for himself, Mr. RYAN of Ohio, and Mr. BURTON of Indiana):

H.R. 4232. A bill to amend section 552 of title 5, United States Code (popularly referred to as the Freedom of Information Act), to provide that the exemptions to that section shall not apply to matters relating to certain transactions executed by an instrumentality of the Federal Government

operating in a commercial manner; to the Committee on Oversight and Government Reform.

By Mr. LAMBORN:

H.R. 4233. A bill to establish the National Geospatial Technology Administration within the United States Geological Survey to enhance the use of geospatial data, products, technology, and services, to increase the economy and efficiency of Federal geospatial activities, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Oversight and Government Reform, Science, Space, and Technology, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself, Mr. BISHOP of Utah, Mr. COSTA, Mr. GOSAR, Mr. HARRIS, Mrs. LUMMIS, Mrs. NOEM, Mr. REHBERG, Mrs. McMORRIS RODGERS, Mr. SIMPSON, and Mr. WALDEN):

H.R. 4234. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOLD (for himself and Ms. MOORE):

H.R. 4235. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; to the Committee on Agriculture, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 4236. A bill to withhold funds if a motorist illegally passes a stopped school bus; to the Committee on Transportation and Infrastructure.

By Mr. FLEISCHMANN:

H.R. 4237. A bill to strengthen employee cost savings suggestions programs within the Federal Government; to the Committee on Oversight and Government Reform.

By Mr. PASCRELL (for himself and Mr. PLATTS):

H.R. 4238. A bill to amend the Public Health Service Act to reauthorize certain programs for individuals with traumatic brain injury, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YARMUTH (for himself, Mr. GRIJALVA, and Ms. SLAUGHTER):

H. Res. 593. A resolution supporting the goals and ideals of "National Safe Place Week"; to the Committee on Education and the Workforce.

¶40.25 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

182. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 173 memorializing Congress to extend the Chemical Facility Anti-Terrorism Standards (CFATS) program; to the Committee on Energy and Commerce.

183. Also, a memorial of the House of Representatives of the State of Iowa, relative to House Resolution No. 107 urging the Department of Labor to withdraw the proposed reg-

ulations for agricultural child labor; to the Committee on Education and the Workforce.

184. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 185 memorializing Congress to enact the Respect for Rights of Conscience Act of 2011; to the Committee on Energy and Commerce.

185. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 97 memorializing the Congress to enact legislation to ensure that amounts credited to the Harbor Maintenance Trust Fund are used solely for the dredging, infrastructure, operation, and maintenance of federally-authorized ports, harbors, and waterways; jointly to the Committees on Transportation and Infrastructure and Rules.

186. Also, a memorial of the Senate of the State of Oregon, relative to Senate Memorial 201 requesting that the Congress reintroduce and pass the Trade Reform, Accountability, Development and Employment (TRADE) Act of 2009; jointly to the Committees on Ways and Means and Rules.

¶40.26 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. WAXMAN.
 H.R. 121: Mr. FINCHER.
 H.R. 157: Mr. GUTHRIE and Mr. LANGEVIN.
 H.R. 196: Mr. KUCINICH and Mr. COHEN.
 H.R. 365: Mr. JOHNSON of Ohio.
 H.R. 721: Mr. GINGREY of Georgia.
 H.R. 895: Mr. MCCOTTER.
 H.R. 964: Mrs. CAPPS.
 H.R. 997: Mrs. HARTZLER and Mr. GRAVES of Missouri.
 H.R. 1017: Mr. VAN HOLLEN.
 H.R. 1063: Mr. PETRI.
 H.R. 1089: Mr. RANGEL.
 H.R. 1284: Ms. CLARKE of New York.
 H.R. 1339: Mr. THORNBERRY, Mr. LOBIONDO, Mr. TURNER of Ohio, Mr. KLINE, Mr. PLATTS, Ms. LORETTA SANCHEZ of California, Mr. COOPER, Ms. PINGREE of Maine, Mr. HEINRICH, Mr. OWENS, Mr. LOEBACK, Mr. RUPPERSBERGER, Mr. KISSELL, Ms. HANABUSA, and Ms. HOCHUL.
 H.R. 1386: Mr. ROSS of Arkansas.
 H.R. 1410: Mr. GENE GREEN of Texas.
 H.R. 1418: Ms. BASS of California, Mr. HECK, and Mr. HUIZENGA of Michigan.
 H.R. 1513: Mrs. CHRISTENSEN and Mr. ENGEL.
 H.R. 1581: Mr. PETERSON.
 H.R. 1653: Mr. THORNBERRY and Mr. NEAL.
 H.R. 1739: Mr. BARLETTA.
 H.R. 1748: Mrs. CAPPS.
 H.R. 1789: Mr. JOHNSON of Ohio.
 H.R. 1821: Ms. BONAMICI, Mr. BOSWELL, and Mr. CHANDLER.
 H.R. 1956: Mr. SCHWEIKERT.
 H.R. 2020: Mr. BISHOP of New York.
 H.R. 2104: Ms. ESHOO, Mr. FILNER, and Mr. ROTHMAN of New Jersey.
 H.R. 2106: Mrs. MILLER of Michigan.
 H.R. 2179: Ms. NORTON, Mr. BOSWELL, and Mr. RUSH.
 H.R. 2252: Mr. MANZULLO.
 H.R. 2311: Mr. KILDEE.
 H.R. 2697: Mr. BERG.
 H.R. 2706: Mr. RIVERA.
 H.R. 2717: Mr. LATOURETTE and Mrs. MYRICK.
 H.R. 2738: Mrs. LOWEY.
 H.R. 2765: Mr. GALLEGLEY.
 H.R. 2787: Mrs. MALONEY.
 H.R. 2827: Mr. OWENS and Mr. HOLT.
 H.R. 2834: Mr. CANSECO.
 H.R. 2981: Mr. RANGEL and Mr. ELLISON.
 H.R. 3046: Ms. BALDWIN.
 H.R. 3059: Mr. SULLIVAN, Mr. WESTMORELAND, and Mr. LARSON of Connecticut.
 H.R. 3135: Mr. POMPEO and Mr. LAMBORN.

H.R. 3145: Ms. JACKSON LEE of Texas.
 H.R. 3187: Ms. ZOE LOFGREN of California.
 H.R. 3200: Mrs. LOWEY.
 H.R. 3264: Mr. JORDAN.
 H.R. 3269: Ms. CASTOR of Florida and Mr. COFFMAN of Colorado.
 H.R. 3283: Mr. DAVID SCOTT of Georgia.
 H.R. 3307: Mr. PLATTS.
 H.R. 3308: Mr. MULVANEY.
 H.R. 3316: Mr. COHEN.
 H.R. 3364: Mr. HECK, Mr. SCHIFF, Mr. LEWIS of Georgia, Mr. ROHRBACHER, Mr. SIREN, Mr. COURTNEY, and Mr. DEFazio.
 H.R. 3444: Mr. MURPHY of Pennsylvania.
 H.R. 3461: Mr. SIMPSON, Mr. ROTHMAN of New Jersey, Mr. SIREN, Mr. WITTMAN, Mr. HANNA, and Mr. LANDRY.
 H.R. 3485: Ms. BONAMICI.
 H.R. 3510: Ms. JACKSON LEE of Texas.
 H.R. 3591: Mr. TOWNS and Ms. ZOE LOFGREN of California.
 H.R. 3596: Ms. FUDGE, Mr. RUNYAN, Ms. HANABUSA, Mr. DEUTCH, Mr. HASTINGS of Florida, Ms. BALDWIN, Mr. ANDREWS, and Mr. BRADY of Pennsylvania.
 H.R. 3608: Mrs. HARTZLER.
 H.R. 3643: Mr. FITZPATRICK and Mr. ROONEY.
 H.R. 3658: Mrs. MALONEY, Ms. WOOLSEY, Ms. BORDALLO, Mr. GEORGE MILLER of California, Ms. PINGREE of Maine, Mr. GRUJALVA, Mr. KEATING, Ms. MCCOLLUM, Mr. GUTIERREZ, Mr. RANGEL, Mr. BISHOP of Georgia, Mr. MORAN, and Mr. ELLISON.
 H.R. 3707: Mr. MULVANEY.
 H.R. 3766: Mr. DENT.
 H.R. 3767: Ms. NORTON, Mr. RYAN of Ohio, and Mr. RUSH.
 H.R. 3798: Mr. McDERMOTT, Mr. KUCINICH, and Ms. LEE of California.
 H.R. 3803: Mr. HARPER, Mr. FLEISCHMANN, Mr. SIMPSON, Mr. FLORES, Mr. CAMPBELL, Mr. GINGREY of Georgia, Mr. SMITH of Nebraska, and Mr. YOUNG of Indiana.
 H.R. 3821: Ms. JACKSON LEE of Texas.
 H.R. 3826: Mr. TIERNEY, Ms. SCHWARTZ, and Mr. MICHAUD.
 H.R. 3839: Mr. BOSWELL.
 H.R. 3849: Mr. RENACCI, Mr. THOMPSON of Mississippi, and Mr. HARPER.
 H.R. 3878: Mr. WALDEN.
 H.R. 3883: Mr. LANDRY.
 H.R. 3897: Mr. LANKFORD.
 H.R. 3974: Mrs. NAPOLITANO.
 H.R. 3993: Mr. ROTHMAN of New Jersey, Mr. CLARKE of Michigan, Mr. CAMPBELL, and Mr. CARNAHAN.
 H.R. 3994: Mr. MANZULLO.
 H.R. 4036: Mr. CHABOT and Mr. MULVANEY.
 H.R. 4040: Ms. BALDWIN, Mr. BARTLETT, Ms. BASS of California, Mr. BERG, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BLUMENAUER, Mr. BROOKS, Mr. CARNAHAN, Mr. CASSIDY, Ms. CLARKE of New York, Mr. CONAWAY, Mr. CONNOLLY of Virginia, Mr. CUMMINGS, Mr. DUNCAN of South Carolina, Ms. EDWARDS, Mrs. EMERSON, Mr. ENGEL, Mr. FATTAH, Mr. FILNER, Mr. FORBES, Ms. FUDGE, Mr. GINGREY of Georgia, Mr. GRIFFITH of Virginia, Mr. GUINTA, Ms. HANABUSA, Mr. HINOJOSA, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mrs. LOWEY, Mr. MCCOTTER, Mr. MCINTYRE, Mr. GEORGE MILLER of California, Mr. QUIGLEY, Mr. REED, Mr. ROGERS of Michigan, Mr. RUPPERSBERGER, Ms. SCHAKOWSKY, Mr. AUSTIN SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SENSENBRENNER, Mr. SMITH of Nebraska, Mr. STUTZMAN, Ms. SUTTON, Ms. WILSON of Florida, Mr. WITTMAN, Mr. WOMACK, Ms. WOOLSEY, Mr. BILIRAKIS, Mr. GOODLATTE, Mr. HANNA, Mr. KING of New York, Mr. LANGEVIN, Mr. NADLER, Mr. PALONE, Ms. RICHARDSON, Mr. RIVERA, Mr. RUSH, Mr. SARBANES, Ms. SCHWARTZ, Mr. STARK, Mr. STEARNS, and Mr. WELCH.
 H.R. 4066: Mr. BLUMENAUER.
 H.R. 4070: Mr. SCOTT of South Carolina.
 H.R. 4077: Mr. REYES and Mr. ROSS of Florida.

H.R. 4115: Mr. JOHNSON of Ohio, Mr. SCOTT of South Carolina, and Mr. WITTMAN.
 H.R. 4124: Mr. HANNA.
 H.R. 4133: Mrs. BACHMANN, Mr. BUCHANAN, Mr. RUNYAN, Mr. PLATTS, Mr. GARDNER, Mr. PEARCE, Mr. MURPHY of Pennsylvania, Mr. SCHILLING, Mr. BURGESS, Mr. BISHOP of New York, Mr. COURTNEY, Mr. CROWLEY, Mr. CUELLAR, Mrs. DAVIS of California, Mr. ISRAEL, Ms. JACKSON LEE of Texas, Mrs. LOWEY, Mr. MCINTYRE, Mr. RUPPERSBERGER, Ms. LINDA T. SANCHEZ of California, Mr. DAVID SCOTT of Georgia, Mr. SHULER, Mr. THOMPSON of Mississippi, Mr. WALZ of Minnesota, Ms. SEWELL, Mr. TIPTON, Mr. LONG, Mr. BARLETTA, Mr. HUIZENGA of Michigan, Mr. SMITH of New Jersey, Mr. BROOKS, Mr. POMPEO, Mr. BERG, Mrs. HARTZLER, Mr. ROSKAM, and Mr. PRICE of Georgia.
 H.R. 4134: Mr. COBLE and Mr. MARINO.
 H.R. 4174: Mr. MCINTYRE and Mr. COBLE.
 H.R. 4178: Mrs. MYRICK.
 H.R. 4197: Ms. WASSERMAN SCHULTZ and Mr. DEUTCH.
 H.R. 4206: Mr. TIPTON.
 H.J. Res. 103: Mr. BACHUS and Mr. SENSENBRENNER.
 H. Con. Res. 87: Mr. HANNA and Mr. KING of New York.
 H. Res. 177: Mr. KEATING.
 H. Res. 351: Mr. VAN HOLLEN, Mr. RANGEL, Mr. ROTHMAN of New Jersey, and Mr. CARDOZA.
 H. Res. 526: Mr. DEUTCH.
 H. Res. 560: Mrs. LOWEY.
 H. Res. 568: Mr. GARY G. MILLER of California, Mr. PLATTS, Mr. PAULSEN, Mr. TIBERI, Mr. BACA, Mr. GARDNER, Mr. MCCLINTOCK, Mr. PEARCE, Mr. MURPHY of Pennsylvania, Mr. LATHAM, Mrs. MILLER of Michigan, Mr. MARINO, Ms. BROWN of Florida, Mr. THORNBERRY, Mr. TIPTON, Mr. LONG, Mr. BARLETTA, Mr. HUIZENGA of Michigan, Mr. COSTA, Mr. BARTON of Texas, Mr. FORBES, Mr. TERRY, Mr. RUPPERSBERGER, Mr. CASSIDY, Mr. ROSKAM, Mr. HULTGREN, Mr. QUIGLEY, Mr. CULBERSON, Mr. LUETKEMEYER, Mr. BILIRAKIS, Mr. LEWIS of California, Mr. HECK, Mr. MCCOTTER, Mrs. DAVIS of California, Mr. BARROW, Mr. POMPEO, Mr. FLEMING, Mr. BROOKS, Mr. SMITH of New Jersey, Mr. CROWLEY, Mr. MICHAUD, Mr. ISRAEL, Mr. BUCHANAN, Mr. YODER, and Mr. WESTMORELAND.
 H. Res. 583: Ms. SCHAKOWSKY, Mr. CARNAHAN, Mr. GRIFFIN of Arkansas, and Mr. CARTER.

¶40.27 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

38. The SPEAKER presented a petition of The Legislature of Rockland County, New York, relative to Resolution No. 59 of 2012 urging the Congress to pass H.R. 1084 and S. 587; to the Committee on Energy and Commerce.

39. Also, a petition of the Council of the City of New York, New York, relative to Resolution No. 892 urging the Congress to pass and the President to sign H.R. 873 and S. 453; jointly to the Committees on Transportation and Infrastructure and Energy and Commerce.

¶40.28 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3359: Mr. CLAY.
 H.R. 3697: Mr. BUCSHON.

THURSDAY, MARCH 22, 2012 (41)

The House was called to order by the SPEAKER.

¶41.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 21, 2012.

Mr. POE of Texas, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. POE of Texas, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶41.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5367. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrooxasulfone; Pesticide Tolerances [EPA-HQ-OPP-2009-0717; FRL-9334-2] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5368. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No. FEMA-8219] received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5369. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Removal of the Indian HOME Investment Partnerships Program Regulation [Doc. No.: FR-5568-F-01] (RIN: 2577-AC87) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5370. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; Safe and Healthy Students Discretionary Grant Programs received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5371. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5372. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Weatherization Assistance for Low-Income Persons: Maintaining the Privacy of Applicants and of Recipients of Services [Docket No.: EEWAP0130] (RIN: 1904-AC16) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5373. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule —

Application, Review, and Reporting Process for Waivers for State Innovation [CMS-9987-F] (RIN: 0938-AQ75) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5374. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Review and Approval Process for Section 1115 Demonstrations [CMS-2325-F] (RIN: 0938-AQ46) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5375. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Cardiovascular Devices; Classification of the Endovascular Suturing System [Docket No.: FDA-2012-N-0091] received February 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5376. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, and Virginia; Determinations of Attainment of the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Washington, DC-MD-VA 8-Hour Ozone Moderate Nonattainment Area [EPA-R03-OAR-2010-0986; FRL-9634-6] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5377. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arkansas; Regional Haze State Implementation Plan; Interstate Transport State Implementation Plan to Address Pollution Affecting Visibility and Regional Haze [EPA-R06-OAR-2008-0727; FRL-9637-4] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5378. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York; Motor Vehicle Enhanced Inspection and Maintenance Program [Docket No.: EPA-R02-OAR-2011-0687, FRL-9635-4] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5379. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2011-0995; FRL-9634-8] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5380. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revision [EPA-R04-OAR-2010-0696-201202; FRL-9635-6] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5381. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Prevention of Significant Deterioration; Greenhouse Gases-Automatic Rescission Provisions [EPA-R04-OAR-2010-0696-201202(a); FRL-9636-8] received February 13, 2012, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5382. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; San Joaquin Valley; Attainment Plan for 1997 8-Hour Ozone Standards [EPA-R09-OAR-2011-0589; FRL-9624-5] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5383. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; South Coast; Attainment Plan for 1997 8-Hour Ozone Standards [EPA-R09-OAR-2011-0622; FRL-9624-6] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5384. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Nevada, Nevada Division of Environmental Protection [EPA-R09-OAR-2012-0117; FRL-9635-7] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5385. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Idaho: Final Approval of State Underground Storage Tank Program [EPA-R10-UST-2011-0896; FRL-9640-1] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5386. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2012-0020; FRL-9634-3] received February 13, 2012, pursuant to a U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5387. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Transportation Conformity Rule: MOVES Regional Grace Period Extension [EPA-HQ-OAR-2011-0393; FRL-9636-5] (RIN: 2060-AR03) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5388. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Women-Owned Small Business (WOSB) Program [FAC 2005-56; FAR Case 2010-015; Item I; Docket 2010-0015, Sequence 1] (RIN: 9000-AL97) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5389. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation; Acquisition-Related Thresholds [GSAR Amendment 2012-02; GSAR Case 2011-G502; (Change 54) Docket No. 2012-0003, Sequence 1] (RIN: 3090-AJ24) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5390. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Rayed Bean and

Snuffbox Mussels Throughout Their Ranges [Docket No.: FWS-R3-ES-2010-0019] (RIN: 1018-AV96) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5391. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation Models 1900, 1900C, and 1900D Airplanes [Docket No.: FAA-2012-0014; Directorate Identifier 2011-CE-044-AD; Amendment 39-16915; AD 2011-27-51] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5392. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2011-0599; Directorate Identifier 2011-NE-19-AD; Amendment 39-16922; AD 2012-01-10] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5393. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cirrus Design Corporation Airplanes [Docket No.: FAA-2011-1212; Directorate Identifier 2011-CE-034-AD; Amendment 39-16923; AD 2012-01-11] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5394. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH Airplanes [Docket No.: FAA-2011-0995; Directorate Identifier 2010-NM-243-AD; Amendment 39-16920; AD 2012-01-08] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5395. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airlines [Docket No.: FAA-2011-0219; Directorate Identifier 2010-NM-228-AD; Amendment 39-16921; AD 2012-01-09] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5396. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Marine Sanitation Devices (MSDs); Regulation to Establish a No Discharge Zone (NDZ) for California State Marine Waters [EPA-R09-OW-2010-0438; FRL-9633-9] (RIN: 2009-AA04) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

413 HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to House Resolution 591 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

Mrs. MILLER of Michigan, Acting Chairman, assumed the chair; and after some time spent therein,

41.4 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in House Report 112-416, submitted by Mr. WOODALL:

Page 1, strike line 9 through page 3, line 8 and insert the following:

SEC. 102. PURPOSE.

It is the purpose of this title to implement reasonable, comprehensive, and effective health care liability reforms designed to—

It was decided in the affirmative ... Yeas 234 Nays 173 Answered present 2

41.5 [Roll No. 122]

AYES—234

- Adams, Aderholt, Akin, Alexander, Amash, Amodei, Bachmann, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilirakis, Black, Blackburn, Blumenauer, Bonner, Boustany, Brady (TX), Braley (IA), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Coble, Coffman (CO), Cole, Conaway, Costa, Cravaack, Crawford, Crenshaw, Cuellar, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Doggett, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Hergert, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurst, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, Lewis (CA), Lipinski, LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Mack, Matheson, Flake, McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Palazzo, Paulsen, Pearce, Pence, Petri, Pitts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (AR), Ross (FL), Royce, Runyan, Ruppberger, Schiff, Schmidt, Schweikert, Scott (SC), Scott, Austin, Sessions, Shimkus, Shuler, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Stutzman, Sullivan, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West

- Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN)

NOES—173

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

ANSWERED "PRESENT"—2

- Griffith (VA), Sensenbrenner

NOT VOTING—22

- Ackerman, Austria, Bachus, Bishop (UT), Bono Mack, Brown (FL), Chaffetz, Davis (IL), Engel, Gonzalez, Jackson (IL), Kinzinger (IL), Lee (CA), Lowey, Manzullo, Marchant, Marino, McIntyre, Paul, Platts, Rangel, Thompson (MS)

So the amendment was agreed to.

41.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-416, submitted by Ms. BONAMICI:

Page 23, line 22, strike "date of enactment" and insert "effective date".

Page 23, line 24, strike "date of enactment" and insert "effective date".

Page 24, line 2, insert after "the injury occurred" the following: "This title shall take effect only on the date the Secretary of Health and Human Services submits to Congress a report on the potential effect of this title on health care premium reductions."

It was decided in the negative ... Yeas 179 Nays 228 Answered present 1

41.7 [Roll No. 123]

AYES—179

- Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boswell, Hinchey, Hinojosa, Hirono, Hochul, Holden, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Langevin, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Donnelly (IN), Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Filner, Fudge, Garamendi, Oliver, Owens, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Polis, Price (NC), Quigley, Harper, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Johnson (GA), Johnson (IL), Johnson, E. B., Kaptur, Keating, Kildee, Kind, Kucinich, Langevin, Larsen (WA), Larson (CT), Levin, Lewis (GA), Lipinski, Loebsack, Lofgren, Zoe, Lujan, Lynch, Maloney, Markey, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth, Garamendi, Olver, Gibson, Owens, Pallone, Pascrell, Green, Gene, Grijalva, Gutierrez, Pelosi, Perlmutter, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Reyes, Richardson, Richmond, Rothman (NJ), Roybal-Allard, Ruppberger, Rush, Ryan (OH), Sanchez, Linda T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Kind, Scott (VA), Serrano, Sewell, Sherman, Shuler, Sires, Slaughter, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Yarmuth

NOES—228

- Adams, Aderholt, Akin, Alexander, Amash, Amodei, Bachmann, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bilirakis, Black, Blackburn, Bonner, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR)

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

ANSWERED "PRESENT"—1

Sensenbrenner

NOT VOTING—23

Ackerman	Frank (MA)	Marino
Austria	Gonzalez	McIntyre
Bachus	Jackson (IL)	Paul
Bishop (UT)	Kinzinger (IL)	Platts
Bono Mack	Lee (CA)	Rangel
Brown (FL)	Lowey	Terry
Chaffetz	Manzullo	Thompson (MS)
Davis (IL)	Marchant	

So the amendment was not agreed to.

¶41.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, printed in House Report 112-416, submitted by Mr. STEARNS:

At the end of the bill, add the following:

TITLE III—PROTECTIONS FOR GOOD SAMARITAN HEALTH PROFESSIONALS
SEC. 301. SHORT TITLE.

This title may be cited as the "Good Samaritan Health Professionals Act of 2012".

SEC. 302. LIMITATION ON LIABILITY FOR VOLUNTEER HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by inserting after section 224 the following:

"SEC. 224A. LIMITATION ON LIABILITY FOR VOLUNTEER HEALTH CARE PROFESSIONALS.

"(a) LIMITATION ON LIABILITY.—Except as provided in subsection (b), a health care professional shall not be liable under Federal or State law for any harm caused by an act or omission of the professional if—

"(1) the professional is serving as a volunteer for purposes of responding to a disaster; and

"(2) the act or omission occurs—
"(A) during the period of the disaster, as determined under the laws listed in subsection (e)(1);

"(B) in the health care professional's capacity as such a volunteer; and

"(C) in a good faith belief that the individual being treated is in need of health care services.

"(b) EXCEPTIONS.—Subsection (a) does not apply if—

"(1) the harm was caused by an act or omission constituting willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious flagrant indifference to the rights or safety of the individual harmed by the health care professional; or

"(2) the health care professional rendered the health care services under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or an intoxicating drug.

"(c) STANDARD OF PROOF.—In any civil action or proceeding against a health care professional claiming that the limitation in subsection (a) applies, the plaintiff shall have the burden of proving by clear and convincing evidence the extent to which limitation does not apply.

"(d) PREEMPTION.—

"(1) IN GENERAL.—This section preempts the laws of a State or any political subdivision of a State to the extent that such laws are inconsistent with this section, unless such laws provide greater protection from liability.

"(2) VOLUNTEER PROTECTION ACT.—Protections afforded by this section are in addition to those provided by the Volunteer Protection Act of 1997.

"(e) DEFINITIONS.—In this section:

"(1) The term 'disaster' means—

"(A) a national emergency declared by the President under the National Emergencies Act;

"(B) an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; or

"(C) a public health emergency determined by the Secretary under section 319 of this Act.

"(2) The term 'harm' includes physical, nonphysical, economic, and noneconomic losses.

"(3) The term 'health care professional' means an individual who is licensed, certified, or authorized in one or more States to practice a health care profession.

"(4) The term 'State' includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

"(5)(A) The term 'volunteer' means a health care professional who, with respect to the health care services rendered, does not receive—

"(i) compensation; or

"(ii) any other thing of value in lieu of compensation, in excess of \$500 per year.

"(B) For purposes of subparagraph (A), the term 'compensation'—

"(i) includes payment under any insurance policy or health plan, or under any Federal or State health benefits program; and

"(ii) excludes—

"(I) reasonable reimbursement or allowance for expenses actually incurred;

"(II) receipt of paid leave; and

"(III) receipt of items to be used exclusively for rendering the health services in the health care professional's capacity as a volunteer described in subsection (a)(1)."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This title and the amendment made by subsection (a) shall take ef-

fect 90 days after the date of the enactment of this title

(2) APPLICATION.—This title applies to any claim for harm caused by an act or omission of a health care professional where the claim is filed on or after the effective date of this title, but only if the harm that is the subject of the claim or the conduct that caused such harm occurred on or after such effective date.

It was decided in the affirmative
Yeas 251
Nays 157
Answered present 1

¶41.9

[Roll No. 124]

AYES—251

Adams	Gardner	Miller, Gary
Aderholt	Garrett	Moran
Akin	Gerlach	Mulvaney
Alexander	Gibbs	Murphy (PA)
Amodei	Gibson	Myrick
Bachmann	Gingrey (GA)	Neugebauer
Barletta	Goodlatte	Noem
Bartlett	Gosar	Nugent
Barton (TX)	Gowdy	Nunes
Bass (NH)	Granger	Nunnelee
Benishke	Graves (GA)	Olson
Berg	Graves (MO)	Palazzo
Berkley	Green, Gene	Paulsen
Biggett	Griffin (AR)	Pearce
Bilbray	Griffith (VA)	Pence
Bilirakis	Grimm	Perlmutter
Black	Guinta	Petri
Blackburn	Guthrie	Pitts
Bonner	Hall	Platts
Boren	Hanna	Polis
Boustany	Harper	Pompeo
Brady (TX)	Harris	Posey
Brooks	Hartzler	Price (GA)
Buchanan	Hastings (WA)	Quayle
Bucshon	Hayworth	Reed
Buerkle	Heck	Rehberg
Burgess	Hensarling	Reichert
Burton (IN)	Herger	Renacci
Butterfield	Herrera Beutler	Reyes
Calvert	Hochul	Ribble
Camp	Huelskamp	Rigell
Campbell	Huizenga (MI)	Rivera
Canseco	Hultgren	Robby
Cantor	Hunter	Roe (TN)
Capito	Hurt	Rogers (AL)
Cardoza	Issa	Rogers (KY)
Carson (IN)	Jenkins	Rogers (MI)
Carter	Johnson (OH)	Rohrabacher
Cassidy	Johnson, Sam	Rokita
Chabot	Jones	Rooney
Coble	Jordan	Ros-Lehtinen
Coffman (CO)	Kelly	Roskam
Cole	King (IA)	Ross (AR)
Conaway	King (NY)	Ross (FL)
Connolly (VA)	Kingston	Royce
Costa	Kissell	Runyan
Cravaack	Kline	Ruppersberger
Crawford	Labrador	Ryan (WI)
Crenshaw	Lamborn	Scalise
Cuellar	Lance	Schilling
Culberson	Landry	Schmidt
Davis (KY)	Lankford	Schock
DeFazio	Larsen (WA)	Schrader
Denham	Latham	Schweikert
Dent	LaTourette	Scott (SC)
DesJarlais	Latta	Scott, Austin
Diaz-Balart	Lewis (CA)	Sessions
Dold	LoBiondo	Shimkus
Dreier	Long	Shuler
Duffy	Lucas	Shuster
Duncan (SC)	Luetkemeyer	Simpson
Duncan (TN)	Lummis	Slaughter
Ellmers	Lungren, Daniel	Smith (NE)
Emerson	E.	Smith (NJ)
Farenthold	Lynch	Smith (TX)
Fattah	Mack	Southerland
Fincher	Matheson	Stearns
Fitzpatrick	McCarthy (CA)	Stivers
Flake	McCaul	Stutzman
Fleischmann	McClintock	Sullivan
Fleming	McCotter	Thompson (PA)
Flores	McHenry	Thornberry
Forbes	McKeon	Tiberi
Fortenberry	McKinley	Tipton
Fox	McMorris	Turner (NY)
Frank (MA)	Rodgers	Turner (OH)
Franks (AZ)	Meehan	Upton
Frelinghuysen	Mica	Walberg
Gallegly	Miller (FL)	Walden
Garamendi	Miller (MI)	Walsh (IL)

Webster	Wittman	Young (AK)
West	Wolf	Young (FL)
Westmoreland	Womack	Young (IN)
Whitfield	Woodall	
Wilson (SC)	Yoder	

NOES—157

Altmire	Green, Al	Pallone
Amash	Grijalva	Pascarell
Andrews	Gutierrez	Pastor (AZ)
Baca	Hahn	Pelosi
Baldwin	Hanabusa	Peters
Barrow	Hastings (FL)	Peterson
Bass (CA)	Heinrich	Pingree (ME)
Becerra	Higgins	Poe (TX)
Berman	Himes	Price (NC)
Bishop (GA)	Hinchee	Quigley
Bishop (NY)	Hinojosa	Rahall
Blumenauer	Hirono	Richardson
Bonamici	Holden	Richmond
Boswell	Holt	Rothman (NJ)
Brady (PA)	Honda	Roybal-Allard
Braley (IA)	Hoyer	Rush
Broun (GA)	Israel	Ryan (OH)
Capps	Jackson Lee	Sánchez, Linda
Capuano	(TX)	T.
Carahan	Johnson (GA)	Sanchez, Loretta
Carney	Johnson (IL)	Sarbanes
Castor (FL)	Johnson, E. B.	Schakowsky
Chandler	Kaptur	Schiff
Chu	Keating	Schwartz
Ciциlline	Kildee	Scott (VA)
Clarke (MI)	Kind	Scott, David
Clarke (NY)	Kucinich	Serrano
Clay	Langevin	Sewell
Cleaver	Larson (CT)	Sherman
Clyburn	Levin	Sires
Cohen	Lewis (GA)	Smith (WA)
Conyers	Lipinski	Speier
Cooper	Loebsack	Stark
Costello	Lofgren, Zoe	Sutton
Courtney	Lujan	Thompson (CA)
Critz	Maloney	Tierney
Crowley	Markey	Tonko
Cummings	Matsui	Towns
Davis (CA)	McCarthy (NY)	Tsongas
DeGette	McCollum	Van Hollen
DeLauro	McDermott	Velázquez
Deutch	McGovern	Visclosky
Dicks	McNerney	Walz (MN)
Dingell	Meeks	Wasserman
Doggett	Michaud	Schultz
Donnelly (IN)	Miller (NC)	Waters
Doyle	Miller, George	Watt
Edwards	Moore	Waxman
Ellison	Murphy (CT)	Welch
Engel	Nadler	Wilson (FL)
Eshoo	Napolitano	Neal
Farr	Neal	Woolsey
Filner	Oliver	Yarmuth
Fudge	Owens	

ANSWERED "PRESENT"—1

Sensenbrenner

NOT VOTING—22

Ackerman	Gohmert	Marino
Austria	Gonzalez	McIntyre
Bachus	Jackson (IL)	Paul
Bishop (UT)	Kinzinger (IL)	Rangel
Bono Mack	Lee (CA)	Terry
Brown (FL)	Lowey	Thompson (MS)
Chaffetz	Manzullo	
Davis (IL)	Marchant	

So the amendment was agreed to. The SPEAKER pro tempore, Mr. YODER, assumed the Chair.

When Mrs. MILLER of Michigan, Acting Chairman, reported the bill, as amended, back to the House with sundry further amendments adopted by the Committee.

Pursuant to House Resolution 591, the previous question was ordered.

The following sundry further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 1, strike line 9 through page 3, line 8 and insert the following:

SEC. 102. PURPOSE.

It is the purpose of this title to implement reasonable, comprehensive, and effective health care liability reforms designed to—

At the end of the bill, insert the following:

TITLE III—HEALTH CARE SAFETY NET ENHANCEMENT

SEC. 301. SHORT TITLE.

This title may be cited as the "Health Care Safety Net Enhancement Act of 2012".

SEC. 302. PROTECTION FOR EMERGENCY AND RELATED SERVICES FURNISHED PURSUANT TO EMTALA.

Section 224(g) of the Public Health Service Act (42 U.S.C. 233(g)) is amended—

(1) in paragraph (4), by striking "An entity" and inserting "Subject to paragraph (6), an entity"; and

(2) by adding at the end the following:

"(6)(A) For purposes of this section—

"(i) an entity described in subparagraph (B) shall be considered to be an entity described in paragraph (4); and

"(ii) the provisions of this section shall apply to an entity described in subparagraph (B) in the same manner as such provisions apply to an entity described in paragraph (4), except that—

"(I) notwithstanding paragraph (1)(B), the deeming of any entity described in subparagraph (B), or of an officer, governing board member, employee, contractor, or on-call provider of such an entity, to be an employee of the Public Health Service for purposes of this section shall apply only with respect to items and services that are furnished to an individual pursuant to section 1867 of the Social Security Act and to post stabilization services (as defined in subparagraph (D)) furnished to such an individual;

"(II) nothing in paragraph (1)(D) shall be construed as preventing a physician or physician group described in subparagraph (B)(ii) from making the application referred to in such paragraph or as conditioning the deeming of a physician or physician group that makes such an application upon receipt by the Secretary of an application from the hospital or emergency department that employs or contracts with the physician or group, or enlists the physician or physician group as an on-call provider;

"(III) notwithstanding paragraph (3), this paragraph shall apply only with respect to causes of action arising from acts or omissions that occur on or after January 1, 2012;

"(IV) paragraph (5) shall not apply to a physician or physician group described in subparagraph (B)(ii);

"(V) the Attorney General, in consultation with the Secretary, shall make separate estimates under subsection (k)(1) with respect to entities described in subparagraph (B) and entities described in paragraph (4) (other than those described in subparagraph (B)), and the Secretary shall establish separate funds under subsection (k)(2) with respect to such groups of entities, and any appropriations under this subsection for entities described in subparagraph (B) shall be separate from the amounts authorized by subsection (k)(2);

"(VI) notwithstanding subsection (k)(2), the amount of the fund established by the Secretary under such subsection with respect to entities described in subparagraph (B) may exceed a total of \$10,000,000 for a fiscal year; and

"(VII) subsection (m) shall not apply to entities described in subparagraph (B).

"(B) An entity described in this subparagraph is—

"(i) a hospital or an emergency department to which section 1867 of the Social Security Act applies; and

"(ii) a physician or physician group that is employed by, is under contract with, or is an on-call provider of such hospital or emergency department, to furnish items and services to individuals under such section.

"(C) For purposes of this paragraph, the term 'on-call provider' means a physician or physician group that—

"(i) has full, temporary, or locum tenens staff privileges at a hospital or emergency department to which section 1867 of the Social Security Act applies; and

"(ii) is not employed by or under contract with such hospital or emergency department, but agrees to be ready and available to provide services pursuant to section 1867 of the Social Security Act or post-stabilization services to individuals being treated in the hospital or emergency department with or without compensation from the hospital or emergency department.

"(D) For purposes of this paragraph, the term 'post stabilization services' means, with respect to an individual who has been treated by an entity described in subparagraph (B) for purposes of complying with section 1867 of the Social Security Act, services that are—

"(i) related to the condition that was so treated; and

"(ii) provided after the individual is stabilized in order to maintain the stabilized condition or to improve or resolve the condition of the individual.

"(E)(i) Nothing in this paragraph (or in any other provision of this section as such provision applies to entities described in subparagraph (B) by operation of subparagraph (A)) shall be construed as authorizing or requiring the Secretary to make payments to such entities, the budget authority for which is not provided in advance by appropriation Acts.

"(ii) The Secretary shall limit the total amount of payments under this paragraph for a fiscal year to the total amount appropriated in advance by appropriation Acts for such purpose for such fiscal year. If the total amount of payments that would otherwise be made under this paragraph for a fiscal year exceeds such total amount appropriated, the Secretary shall take such steps as may be necessary to ensure that the total amount of payments under this paragraph for such fiscal year does not exceed such total amount appropriated."

SEC. 303. CONSTITUTIONAL AUTHORITY.

The constitutional authority upon which this title rests is the power of the Congress to provide for the general welfare, to regulate commerce, and to make all laws which shall be necessary and proper for carrying into execution Federal powers, as enumerated in section 8 of article I of the Constitution of the United States.

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

TITLE III—RESTORING THE APPLICATION OF ANTITRUST LAWS TO HEALTH SECURITY INSURERS

SEC. 301. SHORT TITLE.

This title may be cited as the "Health Insurance Industry Fair Competition Act of 2012".

SEC. 302. APPLICATION OF THE ANTITRUST LAWS TO THE BUSINESS OF HEALTH INSURANCE.

(a) AMENDMENT TO MCCARRAN-FERGUSON ACT.—Section 3 of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act, is amended by adding at the end the following:

"(c) Nothing contained in this Act shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance. For purposes of the preceding sentence, the term 'antitrust laws' has the meaning given it in subsection (a) of the first section of the Clayton Act, except that such term includes section 5 of the Federal Trade Commission Act to the extent that such section 5 applies to unfair methods of competition. For the purposes of this subsection, the term 'business of health insurance' shall—

“(1) mean ‘health insurance coverage’ offered by a ‘health insurance issuer’ as those terms are defined in section 9001 of the Patient Protection and Affordable Care Act, which incorporates by reference and utilizes the definitions included in section 9832 of the Internal Revenue Code (26 U.S.C. 9832); and

“(2) not include—

“(A) life insurance and annuities;

“(B) property or casualty insurance, including but not limited to, automobile, medical malpractice or workers’ compensation insurance; or

“(C) any insurance or benefits defined as ‘excepted benefits’ under section 9832(c) of the Internal Revenue Code (26 U.S.C. 9832(c)), whether offered separately or in combination with products described in subparagraph (A).”

(b) RELATED PROVISION.—For purposes of section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section applies to unfair methods of competition, section 3(c) of the McCarran-Ferguson Act shall apply with respect to the business of health insurance without regard to whether such business is carried on for profit, notwithstanding the definition of “Corporation” contained in section 4 of the Federal Trade Commission Act.

(c) LIMITATION ON CLASS ACTIONS.—

(1) LIMITATION.—No class action may be heard in a Federal or State court on a claim against a person engaged in the business of health insurance for a violation of any of the antitrust laws (as defined in section 3(c) of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act).

(2) EXEMPTION.—Paragraph (1) shall not apply with respect to any action commenced—

(A) by the United States or any State; or

(B) by a named claimant for an injury only to itself.

At the end of the bill, add the following:

TITLE III—PROTECTIONS FOR GOOD SAMARITAN HEALTH PROFESSIONALS

SEC. 301. SHORT TITLE.

This title may be cited as the “Good Samaritan Health Professionals Act of 2012”.

SEC. 302. LIMITATION ON LIABILITY FOR VOLUNTEER HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by inserting after section 224 the following:

“SEC. 224A. LIMITATION ON LIABILITY FOR VOLUNTEER HEALTH CARE PROFESSIONALS.

“(a) LIMITATION ON LIABILITY.—Except as provided in subsection (b), a health care professional shall not be liable under Federal or State law for any harm caused by an act or omission of the professional if—

“(1) the professional is serving as a volunteer for purposes of responding to a disaster; and

“(2) the act or omission occurs—

“(A) during the period of the disaster, as determined under the laws listed in subsection (e)(1);

“(B) in the health care professional’s capacity as such a volunteer; and

“(C) in a good faith belief that the individual being treated is in need of health care services.

“(b) EXCEPTIONS.—Subsection (a) does not apply if—

“(1) the harm was caused by an act or omission constituting willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious flagrant indifference to the rights or safety of the individual harmed by the health care professional; or

“(2) the health care professional rendered the health care services under the influence

(as determined pursuant to applicable State law) of intoxicating alcohol or an intoxicating drug.

“(c) STANDARD OF PROOF.—In any civil action or proceeding against a health care professional claiming that the limitation in subsection (a) applies, the plaintiff shall have the burden of proving by clear and convincing evidence the extent to which limitation does not apply.

“(d) PREEMPTION.—

“(1) IN GENERAL.—This section preempts the laws of a State or any political subdivision of a State to the extent that such laws are inconsistent with this section, unless such laws provide greater protection from liability.

“(2) VOLUNTEER PROTECTION ACT.—Protections afforded by this section are in addition to those provided by the Volunteer Protection Act of 1997.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘disaster’ means—

“(A) a national emergency declared by the President under the National Emergencies Act;

“(B) an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act; or

“(C) a public health emergency determined by the Secretary under section 319 of this Act.

“(2) The term ‘harm’ includes physical, nonphysical, economic, and noneconomic losses.

“(3) The term ‘health care professional’ means an individual who is licensed, certified, or authorized in one or more States to practice a health care profession.

“(4) The term ‘State’ includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

“(5)(A) The term ‘volunteer’ means a health care professional who, with respect to the health care services rendered, does not receive—

“(i) compensation; or

“(ii) any other thing of value in lieu of compensation, in excess of \$500 per year.

“(B) For purposes of subparagraph (A), the term ‘compensation’—

“(i) includes payment under any insurance policy or health plan, or under any Federal or State health benefits program; and

“(ii) excludes—

“(I) reasonable reimbursement or allowance for expenses actually incurred;

“(II) receipt of paid leave; and

“(III) receipt of items to be used exclusively for rendering the health services in the health care professional’s capacity as a volunteer described in subsection (a)(1).”

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—This title and the amendment made by subsection (a) shall take effect 90 days after the date of the enactment of this title

(2) APPLICATION.—This title applies to any claim for harm caused by an act or omission of a health care professional where the claim is filed on or after the effective date of this title, but only if the harm that is the subject of the claim or the conduct that caused such harm occurred on or after such effective date.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. LOEBSACK moved to recommit the bill to the Committee on Ways and Means and the Committee on Energy and Commerce, with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end the following new section:

SEC. 203. PROHIBITING ELIMINATION OF MEDICAL CARE PROGRAM AND INCREASED COSTS OR REDUCED BENEFITS TO SENIORS AND PEOPLE WITH DISABILITIES.

(a) The repeal of section 1899A of the Social Security Act (42 U.S.C. 1395kkk) pursuant to section 202 of this Act shall not, with respect to the Medicare program under title XVIII of the Social Security Act, be construed as furthering or promoting any of the following:

(1) Eliminating guaranteed health insurance benefits for seniors or people with disabilities under such program.

(2) Establishing a Medicare voucher plan that provides limited payments to seniors or people with disabilities to purchase health care in the private health insurance market or otherwise increasing Medicare beneficiary costs.

(b) The repeal of section 1899A(c)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395kkk(c)(2)(A)(ii)) pursuant to section 202 of this Act shall not, with respect to seniors or people with disabilities, be construed as providing for or promoting any of the following:

(1) Rationing health care.

(2) Raising revenues or premiums for seniors or people with disabilities under section 1818 of the Social Security Act, section 1818A of such Act, or section 1839A of such Act.

(3) Increasing cost-sharing (including deductibles, coinsurance, and copayments) under the Medicare program for seniors or people with disabilities.

(4) Otherwise restricting benefits or modifying eligibility criteria under such program for seniors or people with disabilities.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the nays had it.

Mr. LOEBSACK demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the	negative	YeaS	180
		Nays	229
		Answered present	2

¶41.10

[Roll No. 125]

AYES—180

Altmire	Castor (FL)	Deutch
Andrews	Chandler	Dicks
Baca	Chu	Dingell
Baldwin	Cicilline	Doggett
Barrow	Clarke (MI)	Donnelly (IN)
Bass (CA)	Clarke (NY)	Doyle
Becerra	Clay	Edwards
Berkley	Cleaver	Ellison
Berman	Clyburn	Engel
Bishop (GA)	Cohen	Eshoo
Bishop (NY)	Connolly (VA)	Farr
Blumenauer	Conyers	Fattah
Bonamici	Cooper	Filner
Boren	Costa	Frank (MA)
Boswell	Costello	Fudge
Brady (PA)	Courtney	Garamendi
Braley (IA)	Critz	Green, Al
Butterfield	Crowley	Green, Gene
Capps	Cuellar	Grijalva
Capuano	Cummings	Gutierrez
Cardoza	Davis (CA)	Hahn
Carnahan	DeFazio	Hanabusa
Carney	DeGette	Hastings (FL)
Carson (IN)	DeLauro	Heinrich

Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)

NOES—229

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Bachmann
Barletta
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann

Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

ANSWERED "PRESENT"—2

Bartlett Sensenbrenner

NOT VOTING—20

Ackerman
Austria
Bachus
Bishop (UT)
Bono Mack
Brown (FL)
Chaffetz
Davis (IL)
Gonzalez
Jackson (IL)
Kinzinger (IL)
Lee (CA)
Lowey
Manzullo
Marchant
Marino
McIntyre
Paul
Rangel
Thompson (MS)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. CONYERS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative
Yeas 223
Nays 181
Answered present 4

41.11 [Roll No. 126]

AYES—223

Adams
Aderholt
Akin
Alexander
Amodei
Bachmann
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Landy
Lankford
Latham
Latta

McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

ANSWERED "PRESENT"—4

Sensenbrenner Woodall

NOES—181

Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carney
Carrion
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Garrett
Gohmert
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
Carney
Carrion
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge

ANSWERED "PRESENT"—4

Sensenbrenner Woodall

Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peterson
Pingree (ME)
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Woolsey
Yarmuth

ANSWERED "PRESENT"—4

Sensenbrenner Woodall

NOT VOTING—23

Ackerman	Davis (L)	Manzullo
Austria	Duffy	Marchant
Bachus	Gonzalez	Marino
Bishop (UT)	Gutierrez	McIntyre
Bono Mack	Jackson (IL)	Paul
Brown (FL)	Kinzingler (IL)	Rangel
Castor (FL)	Lee (CA)	Thompson (MS)
Chaffetz	Lowey	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶41.12 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, March 21, 2012.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

So the Journal was approved.

¶41.13 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Monday, March 26, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶41.14 COMMISSION ON INTERNATIONAL
RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mr. GRIMM, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 United States Code 6431 note) as amended, and the order of the House of January 5, 2011, announced that the Speaker appointed the following member on the part of the House to the Commission on International Religious Freedom for a term effective March 23, 2012, and ending May 14, 2014: Mr. Robert P. George, Princeton, New Jersey.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶41.15 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 886. An Act to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

¶41.16 BILL PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 8, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 4105. An Act to apply the counter-vailing duty provisions of the Tariff Act of

1930 to nonmarket economy countries, and for other purposes.

¶41.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. JACKSON of Illinois, for today; and

To Mr. MARCHANT, for today.

And then,

¶41.18 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 3 o'clock and 55 minutes p.m., the House adjourned until noon on Monday, March 26, 2012.

¶41.19 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Ethics. In the Matter Regarding Arrests of Members of the House During a Protest Outside the Embassy of Sudan in Washington, DC., on March 16, 2012 (Rept. 112-419). Referred to the House Calendar.

Mr. HALL: Committee on Science, Space, and Technology. H.R. 3834. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, with an amendment (Rept. 112-420). Referred to the Committee of the Whole House on the state of the Union.

¶41.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself, Mr. CAMP, and Mr. DUNCAN of Tennessee):

H.R. 4239. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. BURTON of Indiana, Mr. FALEOMAVAEGA, Mr. ROHRBACHER, Mr. MANZULLO, Mr. SHERMAN, Mr. ROYCE, Mr. SIREN, Mr. WOLF, Mr. DEUTCH, Mr. CHABOT, Mrs. SCHMIDT, Mr. POE of Texas, Mr. TURNER of New York, Mr. MCGOVERN, Mr. KELLY, Mr. FORTENBERRY, Mr. MEEKS, and Mr. ENGEL):

H.R. 4240. A bill to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SAM JOHNSON of Texas (for himself and Mr. LARSON of Connecticut):

H.R. 4241. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits to individuals who have been wrongfully incarcerated; to the Committee on Ways and Means.

By Mr. HECK:

H.R. 4242. A bill to repeal the Patient Protection and Affordable Care Act, to amend the Public Health Service Act to provide individual and group market reforms to protect health insurance consumers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, Rules, House Administration, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER of Ohio (for himself and Mr. MILLER of Florida):

H.R. 4243. A bill to strengthen the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mr. BILBRAY:

H.R. 4244. A bill to direct the Secretary of the Interior to issue a final decision whether or not to issue a permit under the Endangered Species Act of 1973 authorizing construction of an elementary school in San Diego, California; to the Committee on Natural Resources.

By Mr. DEFAZIO:

H.R. 4245. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to reimburse eligible veterans who are entitled to Medicare benefits for Medicare deductibles and other expenses that are owed by the veterans for emergency medical treatment provided in non-Department of Veterans Affairs facilities; to the Committee on Veterans' Affairs.

By Mr. DEFAZIO:

H.R. 4246. A bill to amend title 38, United States Code, to provide for the expansion of eligibility for veteran reimbursement for emergency treatment provided in non-Department of Veterans Affairs facilities; to the Committee on Veterans' Affairs.

By Mr. ENGEL (for himself, Ms. NORTON, and Mr. NADLER):

H.R. 4247. A bill to amend the Communications Act of 1934 to prohibit mobile service providers from providing service on mobile electronic devices that have been reported stolen and to require such providers to give consumers the ability to remotely delete data from mobile electronic devices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FITZPATRICK:

H.R. 4248. A bill to authorize the burial at Arlington National Cemetery of members of the Army who served honorably in the Tomb Guard Platoon of the 3d United States Infantry Regiment, which provides the sentinels at the Tomb of the Unknowns at Arlington National Cemetery; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOCHUL (for herself, Mr. KISSELL, Mr. PETERS, Mr. CARSON of Indiana, Mr. NADLER, and Mr. CARNAHAN):

H.R. 4249. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax as an incentive to partner with educational institutions to provide skills training for students; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California:

H.R. 4250. A bill to amend the Internal Revenue Code of 1986 to provide a 3-year extension of the exclusion of income from the discharge of indebtedness on qualified principal residences; to the Committee on Ways and Means.

By Mrs. MILLER of Michigan (for herself, Mr. KING of New York, Mr. CUELLAR, Mr. McCAUL, and Mr. CLARKE of Michigan):

H.R. 4251. A bill to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. PALLONE:

H.R. 4252. A bill to amend the Internal Revenue Code of 1986 to expand and simplify the credit for employee health insurance expenses of small employers; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. GRIMM):

H.R. 4253. A bill to amend the Low-Income Housing Preservation and Resident Homeownership Act of 1990; to the Committee on Financial Services.

By Mr. STARK:

H.R. 4254. A bill to amend title XVIII of the Social Security Act to enhance Medicare Advantage program integrity; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself, Mr. BARTON of Texas, Mr. BARROW, Mr. SULLIVAN, Mr. COBLE, Mr. CARTER, Mr. GRIFFITH of Virginia, Mr. HARRIS, Mrs. LUMMIS, Mr. LONG, Mr. CRAVAACK, Mr. LATTA, Mr. BURGESS, Mr. MCKINLEY, Mr. ROGERS of Michigan, Mrs. CAPITO, Mr. GUTHRIE, Mr. POMPEO, Mr. WESTMORELAND, and Mr. BROOKS):

H.R. 4255. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity to occur outside the United States and its territories and possessions; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ADAMS (for herself, Mr. ROSS of Florida, Mr. WEST, Mr. KING of Iowa, Mr. SOUTHERLAND, Mr. NUGENT, Mr. AUSTIN SCOTT of Georgia, Mr. SCHILLING, Mr. BUCSHON, Mr. BARLETTA, Mr. REED, Mr. FLORES, Mr. GOHMERT, and Mr. AMODEI):

H. Con. Res. 110. Concurrent resolution expressing the sense of Congress that the President should not interpret or construe the Defense Production Act of 1950 to authorize the President or any Federal department or agency to confiscate personal or private property, to force conscription into the Armed Forces on the American people, to force civilians to engage in labor against their will or without compensation, or to force private businesses to relinquish goods or services without compensation; to the Committee on Financial Services.

By Ms. HOCHUL (for herself, Mr. SHIMKUS, Mr. MICHAUD, Mr. KIND, Mr. HARPER, and Mr. YOUNG of Indiana):

H. Con. Res. 111. Concurrent resolution expressing the sense of Congress that a site in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the 14 members of the Army's 24th Infantry Division who have received the Medal of Honor; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mr. GENE GREEN of Texas, Mr. YOUNG of Alaska, Ms. LEE of California, Mr. GRIJALVA, Mr. TOWNS, Mr. COHEN, Mr. SMITH of Washington, Ms. SCHAKOWSKY, and Mrs. MALONEY):

H. Res. 594. A resolution commending the progress made by anti-tuberculosis programs; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

41.21 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. SCHILLING, Mrs. BIGGERT, Mr. FRANKS of Arizona, Mrs. MILLER of Michigan, Mr. REED, Mr. CAMP, Mr. McCAUL, Mr. GUINTA, Mr. LATTA, Mr. GRAVES of Missouri, and Mr. SCHOCK.

H.R. 14: Mr. JOHNSON of Georgia, Mr. CLEAVER, Mr. LEVIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. MARKEY, Mr. SARBANES, Ms. LEE of California, Mr. HEINRICH, Mr. SCHRADER, Mr. ELLISON, Mr. DAVIS of Illinois, Mr. KILDEE, and Mr. PETERS.

H.R. 104: Mr. REYES.

H.R. 198: Mr. BUCHANAN.

H.R. 324: Ms. LORETTA SANCHEZ of California and Mr. JOHNSON of Ohio.

H.R. 327: Ms. LORETTA SANCHEZ of California.

H.R. 329: Mr. HASTINGS of Florida.

H.R. 531: Mr. ISRAEL, Mr. HASTINGS of Florida, and Mr. COURTNEY.

H.R. 718: Mr. HINOJOSA, Ms. DEGETTE, and Mr. CONYERS.

H.R. 719: Mr. RAHALL, Mr. ALTMIRE, Ms. BROWN of Florida, Ms. SLAUGHTER, Mr. BOSWELL, Mr. SMITH of Nebraska, and Mrs. NOEM.

H.R. 750: Mr. ROONEY.

H.R. 885: Mr. GENE GREEN of Texas.

H.R. 890: Mr. BLUMENAUER and Ms. SPEIER.

H.R. 893: Mr. SCHRADER.

H.R. 927: Mr. MURPHY of Connecticut.

H.R. 1005: Mr. FITZPATRICK and Mr. DENT.

H.R. 1048: Mr. FATTAH, Mr. HINOJOSA, Mr. DOYLE, Mr. COHEN, Ms. BONAMICI, and Mr. REYES.

H.R. 1236: Mr. HINOJOSA.

H.R. 1265: Mr. BERG.

H.R. 1325: Mr. ALTMIRE.

H.R. 1339: Mr. BASS of New Hampshire, Mr. TIBERI, and Mr. CULBERSON.

H.R. 1340: Mr. GALLEGLY.

H.R. 1398: Mr. SCHILLING.

H.R. 1418: Ms. ESHOO.

H.R. 1479: Mr. THOMPSON of California.

H.R. 1483: Ms. KAPTUR.

H.R. 1505: Mrs. BACHMANN.

H.R. 1575: Mr. CONNOLLY of Virginia.

H.R. 1648: Ms. VELÁZQUEZ.

H.R. 1675: Mr. THORNBERRY.

H.R. 1739: Mr. BUCSHON.

H.R. 1742: Mr. WHITFIELD, Mr. SCOTT of Virginia, Ms. PINGREE of Maine, and Mr. ROTHMAN of New Jersey.

H.R. 1747: Mr. TERRY.

H.R. 1781: Ms. DEGETTE.

H.R. 1860: Mr. BOREN.

H.R. 1876: Mr. REYES.

H.R. 1895: Ms. WOOLSEY, Ms. DELAURO, Mr. WELCH, Mr. GONZALEZ, Mr. OLVER, and Mr. ELLISON.

H.R. 1917: Mr. STARK.

H.R. 1919: Ms. SPEIER, Mr. MORAN, Mr. THOMPSON of California, Mr. MCGOVERN, and Ms. BONAMICI.

H.R. 1960: Mr. LOEBSACK and Mr. FORTENBERRY.

H.R. 1996: Mrs. CAPITO.

H.R. 2020: Mr. DEUTCH.

H.R. 2033: Mr. ROTHMAN of New Jersey.

H.R. 2051: Mr. WALBERG and Ms. NORTON.

H.R. 2088: Ms. DEGETTE.

H.R. 2229: Mr. LUJÁN, Mr. McDERMOTT, and Mr. HASTINGS of Florida.

H.R. 2248: Mr. TIERNEY.

H.R. 2310: Mr. COHEN.

H.R. 2311: Ms. JACKSON LEE of Texas.

H.R. 2335: Mr. HASTINGS of Washington and Mr. CAMP.

H.R. 2502: Mr. KILDEE.

H.R. 2541: Mr. COFFMAN of Colorado and Mr. SOUTHERLAND.

H.R. 2543: Mr. DEUTCH.

H.R. 2593: Mr. COHEN.

H.R. 2655: Mr. JOHNSON of Ohio.

H.R. 2659: Mr. GUTIERREZ and Mr. ELLISON.

H.R. 2688: Mr. QUIGLEY.

H.R. 2697: Mr. SCHRADER.

H.R. 2765: Mr. COSTA.

H.R. 2925: Mr. THOMPSON of California.

H.R. 2960: Mr. BISHOP of New York and Mr. TOWNS.

H.R. 2969: Mr. HASTINGS of Florida and Mr. DEUTCH.

H.R. 3059: Mr. SHUSTER, Mr. MARCHANT, and Mr. BUCHANAN.

H.R. 3098: Mr. GINGREY of Georgia, Mr. LAMBORN, Mr. LANKFORD, Mr. SAM JOHNSON of Texas, and Mr. WESTMORELAND.

H.R. 3145: Mr. RANGEL.

H.R. 3179: Mr. QUIGLEY, Mr. LATOURETTE, Mr. GRIMM, Mr. CRENSHAW, Mr. OLSON, and Mr. RIGELL.

H.R. 3187: Ms. BERKLEY.

H.R. 3252: Mr. ENGEL.

H.R. 3264: Mr. SOUTHERLAND and Mr. LABRADOR.

H.R. 3269: Mr. GUTIERREZ, Mr. DOLD, and Mr. BARTLETT.

H.R. 3283: Mr. MEEKS and Mr. CARNEY.

H.R. 3286: Ms. SEWELL.

H.R. 3313: Ms. PINGREE of Maine.

H.R. 3364: Mr. BISHOP of Georgia, Mr. MICHAUD, Mr. CARNAHAN, Ms. ROS-LEHTINEN, Ms. LINDA T. SÁNCHEZ of California, Mr. OLVER, Mr. FILNER, and Mr. THOMPSON of California.

H.R. 3365: Mr. ROTHMAN of New Jersey.

H.R. 3395: Mr. MORAN.

H.R. 3461: Mr. CAMP, Mr. GIBSON, Mr. WILSON of South Carolina, and Mr. GERLACH.

H.R. 3486: Mr. SCHOCK.

H.R. 3523: Mr. ROSS of Arkansas, Mr. COOPER, Mr. PITTS, and Mr. RUNYAN.

H.R. 3596: Ms. SCHWARTZ, Ms. ROYBAL-ALLARD, and Ms. ESHOO.

H.R. 3609: Mr. POE of Texas.

H.R. 3612: Mr. AL GREEN of Texas.

H.R. 3661: Mr. KIND.

H.R. 3695: Ms. BASS of California.

H.R. 3713: Mr. PETERS, Ms. WOOLSEY, and Mr. FARR.

H.R. 3735: Mr. RIVERA.

H.R. 3767: Mr. WALBERG and Mr. COOPER.

H.R. 3783: Mr. GOWDY.

H.R. 3798: Mr. ACKERMAN, Mrs. CAPPS, Ms. NORTON, Mr. GRIJALVA, Mr. RIVERA, and Mr. MICHAUD.

H.R. 3826: Ms. VELÁZQUEZ and Mr. PERLMUTTER.

H.R. 3828: Mr. BACHUS and Mr. GOODLATTE.

H.R. 3831: Mr. BRALEY of Iowa.

H.R. 3849: Mr. CALVERT.

H.R. 3873: Mrs. MALONEY.

H.R. 4011: Mr. POLIS.

H.R. 4018: Mr. DENT, Ms. SCHWARTZ, and Mr. MICHAUD.

H.R. 4032: Ms. FUDGE.

H.R. 4040: Mr. BROUN of Georgia, Ms. BUERKLE, Mr. COLE, Mr. DESJARLAIS, Mr. DEUTCH, Mr. GARDNER, Ms. KAPTUR, Mr. LATHAM, Mr. McNERNEY, Ms. MOORE, Mr. POE of Texas, and Ms. TSONGAS.

H.R. 4045: Mr. THORNBERRY, Mr. LATHAM, Mr. ANDREWS, Mr. SIMPSON, Mr. COLE, Mrs. EMERSON, Ms. BORDALLO, Mr. FORBES, Mr.

WITTMAN, Mr. COFFMAN of Colorado, Mr. COOPER, and Mr. WILSON of South Carolina.

H.R. 4070: Mr. RUNYAN, Ms. SCHWARTZ, and Mr. FORBES.

H.R. 4076: Mr. GARY G. MILLER of California and Mr. STARK.

H.R. 4077: Mr. CARTER.

H.R. 4081: Ms. HERRERA BEUTLER.

H.R. 4089: Mr. WITTMAN.

H.R. 4094: Mr. FORBES.

H.R. 4099: Mr. BOSWELL, Mr. BRALEY of Iowa, Mr. LATHAM, Mr. LOEBSACK, Mr. MURPHY of Connecticut, Mr. PETRI, and Mr. WOLF.

H.R. 4103: Mr. FALEOMAVAEGA, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. GRIMM, and Mr. NADLER.

H.R. 4107: Mr. CRITZ.

H.R. 4120: Mr. BACHUS, Mr. MORAN, Mr. BOSWELL, Mr. MCGOVERN, Mr. OLVER, Mr. FRANK of Massachusetts, Mr. SCHRADER, and Ms. NORTON.

H.R. 4124: Mr. GERLACH.

H.R. 4125: Mr. FORBES.

H.R. 4132: Mr. BURGESS.

H.R. 4134: Mr. SCHRADER.

H.R. 4157: Mr. LUETKEMEYER and Mr. ROONEY.

H.R. 4158: Mr. AKIN, Mrs. BIGGERT, Mr. WALSH of Illinois, Mr. SESSIONS, and Mr. DOLD.

H.R. 4160: Mr. LAMBORN and Mrs. HARTZLER.

H.R. 4168: Mr. HECK.

H.R. 4169: Mr. GONZALEZ, Ms. BUERKLE, and Ms. PINGREE of Maine.

H.R. 4171: Mr. WESTMORELAND.

H.R. 4192: Mr. ROTHMAN of New Jersey, Mr. KEATING, Mrs. MALONEY, and Mr. DEUTCH.

H.R. 4196: Ms. LINDA T. SANCHEZ of California, Mr. BOUSTANY, Mr. PETERS, Mr. GINGREY of Georgia, Mr. SULLIVAN, and Ms. BERKLEY.

H.R. 4212: Ms. WILSON of Florida, Mr. RIVERA, and Mr. ROSS of Florida.

H.R. 4221: Mr. MCDERMOTT.

H.R. 4231: Mr. WELCH.

H.R. 4235: Mr. CRAWFORD and Ms. SEWELL.
H.J. Res. 80: Ms. ZOE LOFGREN of California.

H. Con. Res. 87: Mr. SABLAN.

H. Con. Res. 101: Mr. BONNER.

H. Con. Res. 107: Mr. DUNCAN of Tennessee.
H. Res. 333: Mr. PETRI.

H. Res. 484: Ms. ROS-LEHTINEN, Mr. WOLF, Ms. SCHAKOWSKY, Mr. CALVERT, Ms. ESHOO, Mr. OLVER, and Mr. GENE GREEN of Texas.

H. Res. 490: Mr. GUTHRIE.

H. Res. 560: Mr. KUCINICH.

H. Res. 583: Mr. SHERMAN, Mr. VAN HOLLEN, Mr. CAPUANO, Ms. BUERKLE, Mr. MILLER of North Carolina, and Ms. BASS of California.

MONDAY, MARCH 26, 2012 (42)

¶42.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 26, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶42.2 RECESS—12:08 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of

rule I, declared the House in recess at 12 o'clock and 8 minutes p.m., until 2 p.m.

¶42.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. STUTZMAN, called the House to order.

¶42.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. STUTZMAN, announced he had examined and approved the Journal of the proceedings of Thursday, March 22, 2012.

Mr. SABLAN, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. STUTZMAN, announced that the yeas had it.

Mr. SABLAN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. STUTZMAN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶42.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5397. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Suspension of Section 238(c) Single-Family Mortgage Insurance in Military Impacted Areas [Docket No.: FR-5461-F-02] (RIN: 2502-AJ01) received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5398. A letter from the Associate General Counsel for Legislation and Regulations, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability and Rehabilitation Research Project—Center on Knowledge Translation for Disability and Rehabilitation Research Catalog of Federal Domestic Assistance (CFDA) Number: 84.133A-13 received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5399. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — YouthBuild Program (RIN: 1205-AB49) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5400. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Extension of Temporary Place of Five Synthetic Cannabinoids Into Schedule I of the Controlled Substances Act [Docket No.: DEA-345] received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5401. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect

America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform — Mobility Fund [WC Docket No.: 10-90; GN Docket No.: 09-51; WC Docket No.: 07-135; WC Docket No.: 05-337; CC Docket No.: 01-92; CC Docket No.: 96-45; WC Docket No.: 03-109; WT Docket No.: 10-208] received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5402. A letter from the Associate Bureau Chief, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures; Waiver of Section 1.2110(b)(3)(iv)(A) of the Commission's Rules For the Upper 700 MHz Band D Block License [WT Docket No.: 05-211] received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5403. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Haiti (RIN: 1400-AD08) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5404. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Removal of Oman from the Restricted Destination List [NRC-2011-0264] (RIN: 3150-AJ06) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5405. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-57; Small Entity Compliance Guide [Docket: FAR 2012-0081, Sequence 2] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5406. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-56; Introduction [Docket FAR 2012-0080, Sequence 1] received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5407. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-56; Small Entity Compliance Guide [Docket FAR 2011-0081, Sequence 1] received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5408. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Operating as Catcher/Processors Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA956) received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5409. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Final Listing Determinations for Two Distinct Populations Segments of At-

lantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) in the Southeast [Docket No.: 090219208-1762-02] (RIN: 0648-XN50) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5410. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Threatened and Endangered Status for Distinct Population Segments of Atlantic Sturgeon in the Northeast Region [Docket No.: 100903414-1762-02] (RIN: 0648-XJ00) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5411. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 32 [Docket No.: 100217095-2081-04] (RIN: 0648-AY56) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5412. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA987) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5413. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XA922) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5414. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Fisheries; 2012 Annual Catch Limits and Accountability Measures [Docket No.: 110826540-2069-02] (RIN: 0648-XA674) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5415. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0415; Directorate Identifier 2007-NM-256-AD; Amendment 39-16904; AD 2011-27-03] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5416. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes [Docket No.: FAA-2011-1139; Directorate Identifier 2011-CE-021-AD; Amendment 39-16911; AD 2011-27-09] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5417. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders [Docket No.: FAA-2011-1155; Directorate Identifier 2011-CE-032-AD; Amendment 39-16913; AD 2012-01-02] (RIN:

2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5418. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP--POWERTRAIN GMBH & CO KG Rotax Reciprocating Engines [Docket No.: FAA-2011-1022; Directorate Identifier 2011-NE-20-AD; Amendment 39-16919; AD 2012-01-07] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5419. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turbo-prop Engines [Docket No.: FAA-2011-1298; Directorate Identifier 2011-NE-39-AD; Amendment 39-16888; AD 2011-25-12] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5420. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0037; Directorate Identifier 2012-NM-003-AD; Amendment 39-16935; AD 2012-02-12] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5421. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0005; Directorate Identifier 2010-SW-091-AD; Amendment 39-16914; AD 2012-01-03] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5422. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0086; Directorate Identifier 2011-SW-045-AD; Amendment 39-16936; AD 2012-02-13] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5423. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Due Date of Initial Application Requirements for State Home Construction Grants (RIN: 2900-AN77) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5424. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Drug and Drug-Related Supply Promotion by Pharmaceutical Company Representatives at VA Facilities (RIN: 2900-AN24) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5425. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Public Inspection of Material Relating to Tax-Exempt Organizations [TD 9581] (RIN: 1545-BG60) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5426. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual price inflation adjustments for passenger automobiles first placed in service or leased in 2012 (Rev. Proc. 2012-23) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

42.6 MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Brian Pate, one of his secretaries.

42.7 MESSAGE FROM THE PRESIDENT— SUSPENDING ARGENTINA AS A BENEFICIARY UNDER GSP PROGRAM

The SPEAKER pro tempore, Mr. STUTZMAN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to suspend designation of Argentina as a beneficiary developing country under the Generalized System of Preferences (GSP) program. Section 502(b)(2)(E) of the 1974 Act (19 U.S.C. 2462(b)(2)(E)) provides that the President shall not designate any country a beneficiary developing country under the GSP if such country fails to act in good faith in enforcing arbitral awards in favor of U.S.-owned companies. Section 502(d)(2) of the 1974 Act (19 U.S.C. 2462(d)(2)) provides that, after complying with the requirements of section 502(f)(2) of the 1974 Act (19 U.S.C. 2462(f)(2)), the President shall withdraw or suspend the designation of any country as a beneficiary developing country if, after such designation, the President determines that as the result of changed circumstances such country would be barred from designation as a beneficiary developing country under section 502(b)(2) of the 1974 Act.

Pursuant to section 502(d) of the 1974 Act, having considered the factors set forth in section 502(b)(2)(E), I have determined that it is appropriate to suspend Argentina's designation as a beneficiary country under the GSP program because it has not acted in good faith in enforcing arbitral awards in favor of U.S.-owned companies.

BARACK OBAMA.

THE WHITE HOUSE, *March 26, 2012.*

By unanimous consent, the message was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112-94).

42.8 MESSAGE FROM THE PRESIDENT— ADDING SOUTH SUDAN AS A BENEFICIARY UNDER GSP PROGRAM

The SPEAKER pro tempore, Mr. STUTZMAN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with section 502(f)(1)(A) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(1)(A)), I am notifying the Congress of my intent to add the Republic of South Sudan (South Sudan) to the list of beneficiary developing countries under the Generalized System of Preferences (GSP) program. South Sudan became an independent nation on July 9, 2011. After considering the criteria set forth in section 502(c) of the 1974

Act (19 U.S.C. 2462(c)), I have determined that South Sudan should be designated as a GSP beneficiary developing country.

In addition, in accordance with section 502(f)(1)(B) of the 1974 Act (19 U.S.C. 2462(f)(1)(B)), I am providing notification of my intent to add South Sudan to the list of least-developed beneficiary countries under the GSP program. After considering the criteria set forth in section 502(c) of the 1974 Act, I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to South Sudan.

BARACK OBAMA.

THE WHITE HOUSE, *March 26, 2012.*

By unanimous consent, the message was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112-95).

¶42.9 RECESS—2:15 P.M.

The SPEAKER pro tempore, Mr. STUTZMAN, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 15 minutes p.m., until approximately 3 p.m.

¶42.10 AFTER RECESS—3 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, called the House to order.

¶42.11 DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION

Mr. GARRETT moved to suspend the rules and pass the bill (H.R. 2779) to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act; as amended.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. GARRETT and Ms. FUDGE, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GARRETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶42.12 BUSINESS RISK MITIGATION AND PRICE STABILIZATION

Mr. GARRETT moved to suspend the rules and pass the bill (H.R. 2682) to provide end user exemptions from certain provisions of the Commodity Exchange Act of 1934, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. GARRETT and Mr. Al GREEN of Texas, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HUIZENGA of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GARRETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HUIZENGA of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶42.13 HOMES FOR HEROES

Mrs. BIGGERT moved to suspend the rules and pass the bill (H.R. 3298) to establish the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development, and for other purposes.

The SPEAKER pro tempore, Mr. GRIMM, recognized Mrs. BIGGERT and Mr. Al GREEN of Texas, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GRIMM, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. BIGGERT objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GRIMM, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, March 27, 2012.

The point of no quorum was considered as withdrawn.

¶42.14 BUREAU OF CONSUMER FINANCIAL PROTECTION

Mrs. BIGGERT moved to suspend the rules and pass the bill (H.R. 4014) to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

The SPEAKER pro tempore, Mr. GRIMM, recognized Mrs. BIGGERT and Mr. Al GREEN of Texas, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GRIMM, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶42.15 RECESS—4 P.M.

The SPEAKER pro tempore, Mr. GRIMM, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock p.m., subject to the call of the Chair.

¶42.16 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mrs. HARTZLER, called the House to order.

¶42.17 H.R. 2779—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. HARTZLER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2779) to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act; as amended.

The question being put,
Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 357
affirmative Nays 36

¶42.18 [Roll No. 127]
YEAS—357

Ackerman	Castor (FL)	Galleghy
Adams	Chabot	Gardner
Aderholt	Chaffetz	Garrett
Alexander	Chandler	Gerlach
Altmire	Chu	Gibbs
Amash	Cicilline	Gibson
Amodei	Clarke (MI)	Gingrey (GA)
Andrews	Clarke (NY)	Gohmert
Austria	Clay	Gonzalez
Baca	Cleaver	Goodlatte
Bachmann	Clyburn	Gowdy
Bachus	Coble	Granger
Baldwin	Coffman (CO)	Graves (GA)
Barletta	Cole	Graves (MO)
Barrow	Conaway	Green, Al
Bartlett	Connolly (VA)	Green, Gene
Barton (TX)	Cooper	Griffin (AR)
Bass (CA)	Costello	Griffith (VA)
Bass (NH)	Cravaack	Grimm
Benishek	Crawford	Guinta
Berg	Crenshaw	Guthrie
Berkley	Critz	Hahn
Biggert	Crowley	Hall
Bilbray	Cuellar	Hanabusa
Bilirakis	Culberson	Hanna
Bishop (GA)	Cummings	Harper
Bishop (NY)	Davis (CA)	Harris
Black	Davis (KY)	Hartzler
Blackburn	DeGette	Hastings (FL)
Blumenauer	Denham	Hastings (WA)
Bonner	Dent	Hayworth
Bono Mack	DesJarlais	Heck
Boren	Diaz-Balart	Hensarling
Boswell	Dold	Herger
Boustany	Dreier	Herrera Beutler
Brady (PA)	Duffy	Higgins
Brady (TX)	Duncan (SC)	Himes
Braley (IA)	Duncan (TN)	Hinojosa
Brooks	Edwards	Hochul
Broun (GA)	Ellison	Holden
Buchanan	Elmiers	Honda
Bucshon	Emerson	Hoyer
Burgess	Engel	Huelskamp
Burton (IN)	Eshoo	Huizenga (MI)
Butterfield	Farenthold	Hultgren
Calvert	Farr	Hunter
Camp	Fattah	Hurt
Canseco	Fincher	Israel
Cantor	Fitzpatrick	Issa
Capito	Flake	Jenkins
Capps	Fleischmann	Johnson (OH)
Capuano	Fleming	Johnson, E. B.
Cardoza	Fortenberry	Johnson, Sam
Carnahan	Fox	Jones
Carney	Frank (MA)	Jordan
Carson (IN)	Franks (AZ)	Keating
Carter	Frelinghuysen	Kind
Cassidy	Fudge	King (IA)

King (NY) Olson
 Kingston Olver
 Kinzinger (IL) Owens
 Kline Palazzo
 Labrador Pallone
 Lamborn Pastor (AZ)
 Lance Paulsen
 Lankford Pearce
 Larsen (WA) Pelosi
 Latham Pence
 LaTourette Perlmutter
 Latta Peters
 Levin Peterson
 Lewis (CA) Petri
 Lewis (GA) Pitts
 Lipinski Platts
 LoBiondo Poe (TX)
 Loeb sack Polis
 Lofgren, Zoe Pompeo
 Long Posey
 Lowey Price (GA)
 Lucas Price (NC)
 Luetkemeyer Quayle
 Lujan Quigley
 Lummis Rahall
 Lungren, Daniel Reed
 E. Rehberg
 Lynch Renacci
 Maloney Ribble
 Manzullo Richardson
 Marino Richmond
 Matheson Rigell
 Matsui Roby
 McCarthy (CA) Roe (TN)
 McCaul Rogers (AL)
 McClintock Rogers (KY)
 McCollum Rogers (MI)
 McCotter Rokita
 McGovern Rooney
 McHenry Ros-Lehtinen
 McKeon Roskam
 McKinley Ross (AR)
 McMorris Ross (FL)
 Rodgers Rothman (NJ)
 McNeerney Roybal-Allard
 Meeks Royce
 Mica Runyan
 Michaud Ruppberger
 Miller (FL) Ryan (OH)
 Miller (MI) Ryan (WI)
 Miller, Gary Sanchez, Linda
 Miller, George T.
 Moore Sanchez, Loretta
 Moran Scalise
 Mulvaney Schiff
 Murphy (CT) Schilling
 Murphy (PA) Schmidt
 Myrick Schock
 Napolitano Schrader
 Neugebauer Schwartz
 Noem Schweikert
 Nunes Scott (SC)
 Nunnelee Scott, Austin

NAYS—36

Becerra Filner
 Berman Garamendi
 Bonamici Grijalva
 Cohen Hinchey
 Conyers Hirono
 Courtney Holt
 Davis (IL) Kaptur
 DeFazio Kildee
 DeLauro Kucinich
 Deutch Langevin
 Dingell Larson (CT)
 Doggett Lee (CA)

NOT VOTING—38

Akin Heinrich
 Bishop (UT) Jackson (IL)
 Brown (FL) Jackson Lee
 Buerkle (TX)
 Campbell Johnson (GA)
 Costa Johnson (IL)
 Dicks Kelly
 Donnelly (IN) Kissell
 Doyle Landry
 Flores Mack
 Forbes Marchant
 Gosar McCarthy (NY)
 Gutierrez McIntyre

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and

said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

42.19 H.R. 2682—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. HARTZLER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2682) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 370 affirmative } Nays 24

42.20 [Roll No. 128]

YEAS—370

Ackerman Clarke (MI)
 Adams Clarke (NY)
 Aderholt Clay
 Alexander Cleaver
 Altmire Clyburn
 Amash Coble
 Amodei Coffman (CO)
 Andrews Cole
 Austria Conaway
 Baca Connolly (VA)
 Bachmann Cooper
 Bachus Costello
 Baldwin Courtney
 Barletta Cravaack
 Barrow Crawford
 Bartlett Crenshaw
 Barton (TX) Critz
 Bass (CA) Crowley
 Bass (NH) Cuellar
 Becerra Culberson
 Benishek Cummings
 Berg Davis (CA)
 Berkeley Davis (IL)
 Biggart Davis (KY)
 Bilbray DeFazio
 Bilirakis DeGette
 Bishop (GA) DeLauro
 Bishop (NY) Denham
 Black Dent
 Blackburn DesJarlais
 Blumenauer Diaz-Balart
 Bonamici Doggett
 Bonner Dold
 Bono Mack Dreier
 Boren Duffy
 Boswell Duncan (SC)
 Boustany Duncan (TN)
 Brady (PA) Edwards
 Brady (TX) Ellison
 Braley (IA) Ellmers
 Brooks Emerson
 Broun (GA) Engel
 Buchanan Eshoo
 Bucshon Farenthold
 Burgess Farr
 Burton (IN) Fattah
 Butterfield Fincher
 Calvert Fitzpatrick
 Camp Flake
 Canseco Fleischmann
 Cantor Fleming
 Capito Fortenberry
 Capps Foy
 Capuano Frank (MA)
 Cardoza Franks (AZ)
 Carnahan Frelinghuysen
 Carney Fudge
 Carson (IN) Gallegly
 Carter Garamendi
 Cassidy Gardner
 Castor (FL) Garrett
 Chabot Gerlach
 Chaffetz Gibbs
 Chandler Gibson
 Chu Gingrey (GA)

Levin Pence
 Lewis (CA) Perlmutter
 Lewis (GA) Peters
 Lipinski Peterson
 LoBiondo Petri
 Loeb sack Pingree (ME)
 Lofgren, Zoe Pitts
 Long Platts
 Lowey Poe (TX)
 Lucas Price (GA)
 Luetkemeyer Pompeo
 Lujan Posey
 Lummis Price (NC)
 Lungren, Daniel Price (NC)
 E. Quigley
 Lynch Quigley
 Maloney Rahall
 Manzullo Reed
 Marino Rehberg
 Matheson Renacci
 Matsui Ribble
 McCarthy (CA) Richardson
 McCaul Richmond
 McClintock Rigell
 McCollum Roby
 McCotter Roe (TN)
 McDermott Rogers (AL)
 McHenry Rogers (KY)
 McKeon Rogers (MI)
 McKinley Rokita
 McMorris Rooney
 Rodgers Ros-Lehtinen
 McNeerney Roskam
 Meehan Ross (AR)
 Meeks Ross (FL)
 Mica Rothman (NJ)
 Michaud Roybal-Allard
 Miller (FL) Royce
 Miller (MI) Runyan
 Miller, Gary Ruppberger
 Miller, George Ryan (OH)
 Moore Ryan (WI)
 Moran Sanchez, Linda
 Mulvaney T.
 Murphy (CT) Sanchez, Loretta
 Murphy (PA) Sarbanes
 Myrick Scalise
 Napolitano Schakowsky
 Neugebauer Neom
 Nunes Schilling
 Nunnelee Schmidt
 Olson Schmitt
 Oliver Schock
 Owens Schrader
 Palazzo Schwartz
 Pallone Schweikert
 Pastor (AZ) Scott (SC)
 Paulsen Scott (VA)
 Pearce Scott, Austin
 Pelosi Scott, David
 Sensenbrenner Young (IN)

NAYS—24

Hinchey McGovern
 Hirono Miller (NC)
 Cohen Kaptur
 Conyers Kildee
 Deutch Kucinich
 Dingell Langevin
 Filner Lee (CA)
 Grijalva Markey

NOT VOTING—37

Akin Jackson (IL)
 Bishop (UT) Jackson Lee
 Brown (FL) (TX)
 Buerkle Johnson (GA)
 Campbell Johnson (IL)
 Costa Jones
 Dicks Kelly
 Donnelly (IN) Kissell
 Doyle Landry
 Flores Mack
 Forbes Marchant
 Gutierrez McCarthy (NY)
 Heinrich McIntyre

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

42.21 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. HARTZLER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, March 22, 2012.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mrs. HARTZLER, announced that the yeas had it.

Mr. GARAMENDI demanded a recorded vote on approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 310 Nays 80 Answered present 4

42.22 [Roll No. 129] AYES—310

- Ackerman Cooper Hastings (WA) Aderholt Costa Hayworth Alexander Courtney Hensarling Altmire Crawford Herger Amodei Crenshaw Higgins Austria Critz Himes Baca Crowley Hinchey Bachmann Cuellar Hinojosa Bachus Culberson Hirono Barletta Cummings Hochul Barrow Davis (CA) Holt Bartlett Davis (IL) Huelskamp Barton (TX) Davis (KY) Hultgren Bass (CA) DeGette Hurt Bass (NH) DeLauro Issa Becerra Denham Jenkins Berg Dent Johnson, E. B. Berkeley DesJarlais Johnson, Sam Berman Deutch Jones Biggert Diaz-Balart Jordan Bilbray Dingell Kaptur Bilirakis Doggett Keating Bishop (GA) Dreier Kildee Black Duffy Kind Blackburn Duncan (SC) King (IA) Blumenauer Duncan (TN) King (NY) Bonamici Edwards Kingston Bonner Ellison Kinzinger (IL) Bono Mack Ellmers Kline Boren Emerson Labrador Boustany Engel Lamborn Brady (TX) Eshoo Lance Braley (IA) Farenthold Langevin Brooks Farr Lankford Broun (GA) Flake Lankford Buchanan Fleischmann Larsen (WA) Bucshon Fleming Larson (CT) Burton (IN) Fortenberry Latham Butterfield Frank (MA) LaTourette Calvert Franks (AZ) Latta Camp Frelinghuysen Levin Canseco Fudge Lewis (CA) Cantor Gallegly Lipinski Capito Garamendi Loebsock Capps Gerlach Lofgren, Zoe Cardoza Gingrey (GA) Long Carmahan Gonzalez Lowey Carney Goodlatte Lucas Carson (IN) Gosar Luetkemeyer Carter Gowdy Lujan Cassidy Granger Lummis Chabot Graves (GA) Lungren, Daniel Chaffetz Graves (MO) E. Chandler Green, Al Maloney Cicilline Griffith (VA) Marino Clarke (MI) Grimm Matheson Clarke (NY) Guinta Matsui Clay Guthrie McCarthy (CA) Cleaver Hahn McClinton Clyburn Hall McCollum Coble Hanabusa McDermott Cohen Harper McHenry Cole Hartzler McKeon Connolly (VA) Hastings (FL) McKinley

- McMorris Rodgers McNeerney Meeks Mica Michaud Miller (FL) Miller (MI) Miller (NC) Miller, Gary Moore Moran Mulvaney Murphy (CT) Murphy (PA) Myrick Nadler Napolitano Neugebauer Noem Nunes Nunnelee Olson Palazzo Pallone Paulsen Pearce Pelosi Pence Perlmutter Petri Pingree (ME) Pitts Platts Polis Pompeo Posey Price (GA) Price (NC) Quigley Rehberg Richardson Richmond Rigell Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rokita Ros-Lehtinen Roskam Ross (AR) Ross (FL) Rothman (NJ) Roybal-Allard Royce Runyan Ruppersberger Ryan (WI) Sanchez, Loretta Scalise Schiff Schilling Schmidt Schock Schrader Schwartz Schweikert Scott (SC) Scott (VA) Scott, Austin Scott, David Sensenbrenner Serrano Sessions Sewell Sherman Shimkus Shuster Simpson Sires Smith (NE) Smith (NJ) Smith (TX) Smith (WA) Southerland Speier Stearns Stivers Stutzman Sullivan Sutton Thompson (PA) Thornberry Tiberi Tierney Tonko Tsongas Turner (NY) Turner (OH) Upton Van Hollen Walz (MN) Wasserman Schultz Watt Waxman Webster Welch West Westmoreland Whitfield Wilson (FL) Wilson (SC) Wittman Wolf Womack Woolsey Yarmuth Young (FL) Young (IN)

NOES—80

- Adams Grijalva Poe (TX) Andrews Hanna Quayle Baldwin Harris Rahall Benishek Heck Reed Bishop (NY) Herrera Beutler Renacci Boswell Holden Ribble Brady (PA) Honda Rooney Burgess Hoyer Ryan (OH) Capuano Huizenga (MI) Sanchez, Linda Castor (FL) Hunter T. Chu Israel Sarbanes Coffman (CO) Johnson (OH) Schakowsky Conaway Kucinich Shuler Costello Lee (CA) Slaughter Lewis (GA) Lewis (CA) Stark DeFazio LoBiondo Terry Dold Lynch Thompson (CA) Fattah Manzullo Tipton Filner Markey Velázquez Fincher McCotter Visclosky Fitzpatrick McGovern Walberg Foxx Meehan Walden Gardner Miller, George Walsh (IL) Garrett Oliver Waters Pastors (AZ) Gibson Pastor (AZ) Woodall Green, Gene Peters Yoder Griffin (AR) Peterson Young (AK)

ANSWERED "PRESENT"—4

- Amash Gohmert Conyers Owens

NOT VOTING—37

- Akin Jackson (IL) Neal Bishop (UT) Jackson Lee Nugent Brown (FL) (TX) Pascrell Buerkle Johnson (GA) Paul Campbell Johnson (IL) Rangel Dicks Kelly Reichert Donnelly (IN) Kissell Reyes Doyle Landry Rivera Flores Mack Rohrabacher Forbes Marchant Rush Gibbs McCarthy (NY) Thompson (MS) Gutierrez McCaul Towns Heinrich McIntyre

So the Journal was approved.

42.23 PROVIDING FOR CONSIDERATION OF H.R. 3309

Mr. WEBSTER, by direction of the Committee on Rules, reported (Rept. No. 112-422) the resolution (H. Res. 595) providing for consideration of the bill (H.R. 3309) to amend the Communica-

tions Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission.

When said resolution and report were referred to the House Calendar and ordered printed.

42.24 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 22, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 473. An Act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on March 23, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 886. An Act to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

42.25 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. BROWN of Florida, for today; To Mr. JACKSON of Illinois, for today and balance of the week; and To Ms. JACKSON LEE of Texas, for today.

And then,

42.26 ADJOURNMENT

On motion of Mr. REED, at 8 o'clock and 45 minutes p.m., the House adjourned.

42.27 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on March 23, 2012]

Mr. RYAN of Wisconsin: Committee on the Budget. House Concurrent Resolution 112. Resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022 (Rept. 112-421). Referred to the Committee of the Whole House on the state of the Union.

[Submitted March 26, 2012]

Mr. WEBSTER: Committee on Rules. House Resolution 595. Resolution providing for consideration of the bill (H.R. 3309) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission (Rept. 112-422). Referred to the House Calendar.

42.28 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MULVANEY (for himself, Mr. SCHWEIKERT, Mr. JONES, Mr. QUAYLE, Mrs. MYRICK, Mr. COFFMAN of Colorado, Mr. GARDNER, Mr. PENCE, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. ROSS of Arkansas, Mr. BURTON of Indiana, Mr. GOWDY, Mr. WILSON of South Carolina, Mr. CAMPBELL, Mr. LATTA, Mr. AMODEI, Mr. BERG, Mr. RIBBLE, Mr. KELLY, Mr. HARRIS, Mr. LONG, Mr. CARTER, Mr. PAUL, Mr. POSEY, Mr. FLAKE, and Mr. LAMBORN):

H.R. 4256. A bill to direct the Attorney General to revise certain rules under titles II and III of the Americans with Disabilities Act of 1990 relating to accessible means of entry to pools; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. CUMMINGS):

H.R. 4257. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. McDERMOTT:

H.R. 4258. A bill to ensure free, fair, and competitive elections in the Republic of Georgia; to the Committee on Foreign Affairs.

By Mr. LANKFORD (for himself, Mr. ISSA, Mr. CUMMINGS, Mr. CONNOLLY of Virginia, and Mr. SMITH of New Jersey):

H.R. 4259. A bill to prevent human trafficking in government contracting; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE of New York:

H.R. 4260. A bill to amend the Internal Revenue Code of 1986 to allow an income disparity tax credit; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 4261. A bill to direct the Secretary of Labor to establish a competitive grant program for community colleges to train veterans for local jobs; to the Committee on Veterans' Affairs.

By Mr. PALLONE (for himself and Mr. DINGELL):

H.R. 4262. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of cosmetics; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona (for himself and Mr. COSTA):

H.J. Res. 106. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. GARRETT:

H. Con. Res. 113. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal year 2012 and fiscal years 2014 through 2022; to the Committee on the Budget.

By Mr. McCAUL (for himself and Mr. LANGEVIN):

H. Con. Res. 114. Concurrent resolution expressing the sense of Congress that the United States should preserve, enhance, and increase access to an open, global Internet; to the Committee on Foreign Affairs.

42.29 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mrs. MYRICK, Mr. AKIN, Ms. GRANGER, Mr. RIVERA, Mr. GALLEGLY, Mr.

KINZINGER of Illinois, Mr. KLINE, Mr. MICA, Mrs. NOEM, Mr. AUSTRIA, Mr. CANSECO, and Mr. WALDEN.

H.R. 14: Mr. HIMES, Mr. DEUTCH, Ms. ESHOO, Ms. BONAMICI, Mrs. MCCARTHY of New York, Ms. FUDGE, Mr. McDERMOTT, Ms. BASS of California, and Mr. HINCHEY.

H.R. 178: Mr. AL GREEN of Texas, Mr. AUSTRIA, and Ms. KAPTUR.

H.R. 186: Mr. RIGELL.

H.R. 190: Ms. HAHN.

H.R. 205: Ms. BALDWIN.

H.R. 300: Ms. CHU.

H.R. 361: Mr. GOSAR.

H.R. 365: Mr. AL GREEN of Texas.

H.R. 458: Mr. BLUMENAUER, Mr. HINOJOSA, and Mr. HONDA.

H.R. 459: Mr. STIVERS.

H.R. 494: Mr. HASTINGS of Florida and Mr. SCOTT of Virginia.

H.R. 575: Mrs. McMORRIS RODGERS.

H.R. 870: Ms. CLARKE of New York.

H.R. 964: Mr. NADLER, Mr. ISRAEL, and Mr. OWENS.

H.R. 973: Mr. BUCHANAN.

H.R. 1004: Mr. SAM JOHNSON of Texas.

H.R. 1005: Mr. ROSS of Arkansas.

H.R. 1195: Mr. GRIFFITH of Virginia.

H.R. 1219: Mr. REYES.

H.R. 1244: Mr. CHABOT.

H.R. 1332: Ms. BASS of California.

H.R. 1356: Mr. GALLEGLY.

H.R. 1370: Mr. COLE.

H.R. 1523: Ms. NORTON.

H.R. 1561: Mr. MICHAUD.

H.R. 1612: Mr. JONES.

H.R. 1639: Mr. BONNER.

H.R. 1711: Mr. FILNER.

H.R. 1738: Mr. DEFAZZIO.

H.R. 1755: Mr. REICHERT.

H.R. 1873: Mr. BACA.

H.R. 1895: Mr. NEAL, Mr. KEATING, and Mr. MCGOVERN.

H.R. 1960: Mr. COSTA.

H.R. 1971: Mr. DOGGETT.

H.R. 2106: Mr. PIERLUISI and Mr. LARSEN of Washington.

H.R. 2139: Mr. WALDEN, Mr. BRALEY of Iowa, Mr. ROSS of Florida, and Mr. BROOKS.

H.R. 2179: Mr. LATTA.

H.R. 2245: Ms. ZOE LOFGREN of California, Mr. THOMPSON of California, Mr. DEUTCH, Ms. SPEIER, and Ms. DELAURO.

H.R. 2299: Mr. QUAYLE, Mr. ROSS of Florida, Mr. MURPHY of Pennsylvania, Mr. CRAVAACK, and Mr. POE of Texas.

H.R. 2310: Mr. SMITH of Washington.

H.R. 2346: Mr. CARNAHAN.

H.R. 2529: Mr. GOSAR.

H.R. 2569: Mr. CROWLEY and Mr. CLARKE of Michigan.

H.R. 2607: Mr. MORAN and Mr. ELLISON.

H.R. 2679: Mr. DINGELL and Mr. THOMPSON of California.

H.R. 2696: Ms. BONAMICI.

H.R. 2721: Mr. RICHMOND, Mr. LEWIS of Georgia, Ms. LEE of California, Mrs. CHRISTENSEN, Ms. JACKSON LEE of Texas, Mr. DAVIS of Illinois, Ms. RICHARDSON, Mr. RUSH, Ms. HIRONO, Mr. STARK, Ms. NORTON, Mr. JACKSON of Illinois, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. EDWARDS, Mr. CUMMINGS, Mr. TIERNEY, Mr. SHERMAN, Mr. CONNOLLY of Virginia, Ms. FUDGE, Mr. GARAMENDI, Ms. WATERS, Ms. DEGETTE, Ms. MOORE, Mr. CLARKE of Michigan, Mr. MEEKS, Ms. CHU, Mr. DOYLE, Mr. COHEN, and Ms. SEWELL.

H.R. 2733: Mr. BRALEY of Iowa and Mr. LATHAM.

H.R. 2755: Mr. DEUTCH.

H.R. 2795: Mr. GRIJALVA.

H.R. 2827: Mr. AMODEI, Mr. BOREN, Mr. LANCE, and Mr. WALSH of Illinois.

H.R. 2866: Mr. RUNYAN and Mr. SMITH of New Jersey.

H.R. 3001: Mr. RYAN of Ohio, Mr. GIBSON, Mr. FINCHER, Mr. CRENSHAW, Mr. BILBRAY, Mr. COLE, Mr. BACHUS, Mr. BUCHANAN, Mr.

HARPER, Mr. AUSTRIA, Mr. WITTMAN, Mr. MARCHANT, Mrs. BLACKBURN, Mr. FLEMING, Mrs. HARTZLER, Mr. QUAYLE, Mr. McHENRY, Mr. TURNER of New York, Mr. KING of New York, Mr. FALCOMA, Ms. BUERKLE, Mr. LANGEVIN, Ms. NORTON, Mr. LANCE, Ms. MCCOLLUM, Mr. SHIMKUS, and Mr. JOHNSON of Illinois.

H.R. 3059: Mr. HARPER.

H.R. 3065: Mr. FORBES and Mr. JOHNSON of Ohio.

H.R. 3066: Mr. BARROW.

H.R. 3151: Mr. MORAN.

H.R. 3187: Mr. FARR, Mr. WOMACK, Mr. CLAY, Mr. KISSELL, and Ms. CLARKE of New York.

H.R. 3238: Mr. MARKEY, Mr. LARSON of Connecticut, and Mr. CAPUANO.

H.R. 3286: Ms. ESHOO.

H.R. 3298: Ms. BORDALLO, Ms. BROWN of Florida, Mr. GENE GREEN of Texas, and Ms. HIRONO.

H.R. 3307: Ms. PINGREE of Maine.

H.R. 3364: Mr. ISRAEL, Mr. SARBANES, and Ms. RICHARDSON.

H.R. 3395: Mrs. BLACKBURN.

H.R. 3461: Ms. WASSERMAN SCHULTZ, Mr. WALSH of Illinois, Mr. GIBBS, Mr. FARENTHOLD, Mr. LANCE, Mr. BOUSTANY, Mr. BOSWELL, and Mrs. ADAMS.

H.R. 3587: Ms. WOOLSEY.

H.R. 3590: Mr. FILNER.

H.R. 3596: Mr. McNERNEY, Mrs. CAPPS, Mr. AL GREEN of Texas, Mr. PETERSON, and Mr. CLARKE of Michigan.

H.R. 3612: Mr. GRIJALVA and Mr. DOYLE.

H.R. 3654: Mr. COURTNEY.

H.R. 3667: Mr. BOREN.

H.R. 3767: Mr. CRENSHAW, Mrs. McMORRIS RODGERS, Mrs. HARTZLER, Mrs. ELLMERS, Mr. LATTA, and Mrs. SCHMIDT.

H.R. 3803: Mr. ROKITA.

H.R. 3826: Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Mr. CONYERS, and Mr. GENE GREEN of Texas.

H.R. 3839: Mr. ACKERMAN.

H.R. 3849: Mrs. BLACKBURN, Mr. PALAZZO, Mr. MANZULLO, Mr. RAHALL, Mr. NUNNELEE, and Mr. BOSWELL.

H.R. 3860: Mr. BACA and Mr. FILNER.

H.R. 3895: Mr. RIGELL and Mr. ROSS of Florida.

H.R. 3904: Mr. CUELLAR.

H.R. 3987: Mr. TIPTON.

H.R. 3993: Mr. GERLACH, Mr. RANGEL, and Ms. PINGREE of Maine.

H.R. 4045: Mr. BRALEY of Iowa, Mr. ELLISON, Mr. HUNTER, Mr. SABLON, Mr. POE of Texas, and Mr. LATTA.

H.R. 4070: Mr. FILNER.

H.R. 4077: Mr. PITTS and Mr. ISRAEL.

H.R. 4089: Mr. HUNTER.

H.R. 4095: Mr. BOREN.

H.R. 4122: Mr. CONNOLLY of Virginia, Mr. GRIJALVA, and Mr. MORAN.

H.R. 4124: Mr. STARK and Mr. ROSS of Arkansas.

H.R. 4134: Mr. COLE, Mr. YODER, Mr. JONES, Mr. SULLIVAN, and Mr. BOSWELL.

H.R. 4136: Mr. BERG.

H.R. 4160: Mr. PENCE.

H.R. 4169: Mr. SCHOCK, Mr. ISRAEL, and Mr. CICILLINE.

H.R. 4170: Ms. SCHAKOWSKY.

H.R. 4173: Mr. BLUMENAUER and Mr. FARR.

H.R. 4176: Mr. WALBERG and Mr. PENCE.

H.R. 4197: Mrs. LOWEY.

H.R. 4199: Mr. SCOTT of Virginia.

H.R. 4202: Mr. GEORGE MILLER of California.

H.R. 4203: Mr. TIPTON.

H.R. 4210: Mr. DINGELL.

H.R. 4215: Mr. DOGGETT.

H.R. 4232: Mr. JOHNSON of Ohio.

H.R. 4251: Mr. RIGELL.

H. Res. 134: Mr. SCHOCK.

H. Res. 460: Mr. QUIGLEY, Mr. VAN HOLLEN, Ms. BONAMICI, and Mr. PASCRELL.

H. Res. 506: Mr. POE of Texas.

H. Res. 560: Ms. BROWN of Florida.

H. Res. 568: Mr. YOUNG of Indiana, Mr. DENHAM, Mr. RENACCI, Mr. ROGERS of Alabama, Mr. CLARKE of Michigan, Ms. LORETTA SANCHEZ of California, Mr. REHBERG, Mrs. BIGGERT, Mr. COURTNEY, Mr. PALAZZO, Mr. GERLACH, Mr. DANIEL E. LUNGREN of California, Mr. GARRETT, Mr. SESSIONS, Mr. WOLF, Mr. DOYLE, Ms. CASTOR of Florida, Mr. PALLONE, Mr. GRIFFIN of Arkansas, Mr. AUSTRIA, Mr. LATOURETTE, Mr. MACK, Mr. GOSAR, Ms. SEWELL, Mr. FILNER, Mr. GRIMM, Mr. SARBANES, Ms. SLAUGHTER, Mr. POSEY, Mr. GRAVES of Missouri, Ms. BUERKLE, Mr. BARTLETT, Mr. WOMACK, Mr. HARPER, Ms. MATSUI, Mr. GRAVES of Georgia, Mr. RIBBLE, and Mr. SMITH of Nebraska.

H. Res. 573: Mr. ROTHMAN of New Jersey.

H. Res. 583: Mr. MCCAUL, Mr. CALVERT, Mr. BACHUS, Mr. WOLF, Mr. COLE, and Mr. GALLEGLY.

H. Res. 584: Ms. BORDALLO.

H. Res. 592: Mr. SCOTT of South Carolina, Mr. RIGELL, Mr. DICKS, Mr. MCCAUL, Mrs. DAVIS of California, Mr. ROSS of Florida, Mr. PASCRELL, and Mr. RUPPERSBERGER.

TUESDAY, MARCH 27, 2012 (43)

¶43.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. PAULSEN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 27, 2012.

I hereby appoint the Honorable ERIK PAULSEN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶43.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3606. An Act to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

The message also announced that the Senate concurs in the amendment of the House of Representatives to the bill (S. 2038), "An Act to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.";

The message also announced that pursuant to Public Law 105-292, as amended by Public Law 106-55, and as further amended by Public Law 107-228, and Public Law 112-75, the Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, appoints the following individual to the United States Commission on International Religious Freedom: Katrina Lantos Swett of New Hampshire, vice Dr. Don H. Argue.

¶43.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. PAULSEN, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶43.4 RECESS—10:54 A.M.

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 54 minutes a.m., until noon.

¶43.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶43.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, March 26, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶43.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5427. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Wooden Handicrafts From China [Docket No.: APHS-2007-0117] (RIN: 0597-AC90) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5428. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Community Forest and Open Space Conservation Program (RIN: 0596-AC84) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5429. A letter from the Director of Operational Test and Evaluation, Department of Defense, transmitting FY 2011 Annual Report, pursuant to 10 U.S.C. 114; to the Committee on Armed Services.

5430. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2012-0003] [Internal Agency Docket No. FEMA-B-1244] received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5431. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-B-8221] received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5432. A letter from the Legal Counsel, Equal Employment Opportunity Commission, transmitting the Commission's final rule — Disparate Impact and Reasonable Factors Other Than Age Under the Age Discrimination in Employment Act (RIN: 3046-AA76) received March 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5433. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Residential Clothes Washers [Docket No.: EERE-2010-BT-TP-0021] (RIN: 1904-AC08) received March 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5434. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2011 Performance Report to Congress for the Animal Generic Drug User Fee Act; to the Committee on Energy and Commerce.

5435. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Establishment, Maintenance, and Availability of Records: Amendment to Record Availability Requirements [Docket No.: FDA-2002-N-0153] (Formerly Docket No.: 2002N-0277) (RIN: 0910-AG73) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5436. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Approval Tests and Standards for Closed-Circuit Escape Respirators [Docket: NIOSH-005] (RIN: 0920-AA10) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5437. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Identification of Additional Qualifying Renewable Fuel Pathways Under the Renewable Fuel Standard Program [EPA-HQ-OAR-2011-0542; FRL-9642-3] (RIN: 2060-AR07) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5438. A letter from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service; Advancing Broadband Availability Through Digital Literacy Training [WC Docket No.: 11-42; WC Docket No.: 03-109; CC Docket No.: 96-45; WC Docket No.: 12-23] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5439. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM 100, Revision 8 [NRC-2011-0221] (RIN: 3150-AJ05) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5440. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 2-12 informing of an intent to sign the Memorandum of Understanding with Canada; to the Committee on Foreign Affairs.

5441. A letter from the Acting Director, Office of Human Resources, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5442. A letter from the Director, Department of the Interior, transmitting Report to Congress on the Recovery on Threatened and Endangered Species for Fiscal Years 2009-2010; to the Committee on Natural Resources.

5443. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMSF, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Ecosystem-Based Amendment 2 for the South Atlantic Region; Correction [Docket No.: 110831547-1736-02] (RIN: 0648-BB26) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5444. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the

Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery; Economic Data Collection [Docket No.: 110207103-2041-02] (RIN: 0648-BA80) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5445. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XA988) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5446. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Gulf of Maine Winter Flounder Catch Limit Revisions [Docket No.: 120131078-2207-01] (RIN: 0648-XA913) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5447. A letter from the Attorney General, Office of the Attorney General, transmitting the Office's decision not to appeal the decision of the district court in the case of the United States v. William L. Cassidy, No. 8:11-91 (D. Md. Dec. 15, 2011); to the Committee on the Judiciary.

5448. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — International Anti-Fouling System Certificate [Docket No.: USCG-2011-0745] (RIN: 1625-AB79) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5449. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Mooney Aviation Company, Inc. (Mooney) Airplanes [Docket No.: FAA-2012-0182; Directorate Identifier 2012-CE-005-AD; Amendment 39-16958; AD 2012-03-52] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5450. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class D and Class E Airspace; Hawthorne, CA [Docket No.: FAA-2011-0610; Airspace Docket No. 11-AWP-10] received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5451. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Women-Owned Small Business Federal Contract Program (RIN: 3245-AG34) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

5452. A letter from the Director of Regulation Policy and Management Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Exempting In-Home Video Telehealth from Copayments (RIN: 2900-AO26) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5453. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Evaluation of the Mentoring Children of Prisoners Program"; to the Committee on Ways and Means.

5454. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding the Repeal of Section 163(f)(2)(B) [Notice 2012-20] received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5455. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Automatic Consent to change to the methods of accounting provided in the tangible property temporary regulations (T.D. 9564) (Rev. Procs. 2012-19 & 2012-20) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5456. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Revisions to the Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Supplier Safeguards [CMS-6036-F2] (RIN: 0938-AQ57) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

43.8 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mrs. MILLER of Michigan, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 27, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 27, 2012 at 9:15 a.m.:

That the Senate agreed to without amendment H. Con. Res. 108.

Appointments:
United States Commission on International Religious Freedom.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

43.9 AMENDMENT OF THE SENATE TO

H.R. 3606

Mr. BACHUS moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies:

Strike title III and insert the following:

TITLE III—CROWDFUNDING

SEC. 301. SHORT TITLE.

This title may be cited as the "Capital Raising Online While Deterring Fraud and Unethical Non-Disclosure Act of 2012" or the "CROWDFUND Act".

SEC. 302. CROWDFUNDING EXEMPTION.

(a) SECURITIES ACT OF 1933.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended by adding at the end the following:

"(6) transactions involving the offer or sale of securities by an issuer (including all entities controlled by or under common control with the issuer), provided that—

"(A) the aggregate amount sold to all investors by the issuer, including any amount sold in reliance on the exemption provided under this paragraph during the 12-month period preceding the date of such transaction, is not more than \$1,000,000;

"(B) the aggregate amount sold to any investor by an issuer, including any amount sold in reliance on the exemption provided under this paragraph during the 12-month period preceding the date of such transaction, does not exceed—

"(i) the greater of \$2,000 or 5 percent of the annual income or net worth of such investor, as applicable, if either the annual income or the net worth of the investor is less than \$100,000; and

"(ii) 10 percent of the annual income or net worth of such investor, as applicable, not to exceed a maximum aggregate amount sold of \$100,000, if either the annual income or net worth of the investor is equal to or more than \$100,000;

"(C) the transaction is conducted through a broker or funding portal that complies with the requirements of section 4A(a); and

"(D) the issuer complies with the requirements of section 4A(b)."

(b) REQUIREMENTS TO QUALIFY FOR CROWDFUNDING EXEMPTION.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended by inserting after section 4 the following:

"SEC. 4A. REQUIREMENTS WITH RESPECT TO CERTAIN SMALL TRANSACTIONS.

"(a) REQUIREMENTS ON INTERMEDIARIES.—A person acting as an intermediary in a transaction involving the offer or sale of securities for the account of others pursuant to section 4(6) shall—

"(1) register with the Commission as—

"(A) a broker; or

"(B) a funding portal (as defined in section 3(a)(80) of the Securities Exchange Act of 1934);

"(2) register with any applicable self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934);

"(3) provide such disclosures, including disclosures related to risks and other investor education materials, as the Commission shall, by rule, determine appropriate;

"(4) ensure that each investor—

"(A) reviews investor-education information, in accordance with standards established by the Commission, by rule;

"(B) positively affirms that the investor understands that the investor is risking the loss of the entire investment, and that the investor could bear such a loss; and

"(C) answers questions demonstrating—

"(i) an understanding of the level of risk generally applicable to investments in startups, emerging businesses, and small issuers;

"(ii) an understanding of the risk of illiquidity; and

"(iii) an understanding of such other matters as the Commission determines appropriate, by rule;

"(5) take such measures to reduce the risk of fraud with respect to such transactions, as established by the Commission, by rule, including obtaining a background and securities enforcement regulatory history check on each officer, director, and person holding more than 20 percent of the outstanding equity of every issuer whose securities are offered by such person;

"(6) not later than 21 days prior to the first day on which securities are sold to any investor (or such other period as the Commission may establish), make available to the Commission and to potential investors any information provided by the issuer pursuant to subsection (b);

"(7) ensure that all offering proceeds are only provided to the issuer when the aggregate capital raised from all investors is equal to or greater than a target offering amount, and allow all investors to cancel their commitments to invest, as the Commission shall, by rule, determine appropriate;

"(8) make such efforts as the Commission determines appropriate, by rule, to ensure that no investor in a 12-month period has purchased securities offered pursuant to section 4(6) that, in the aggregate, from all issuers, exceed the investment limits set forth in section 4(6)(B);

“(9) take such steps to protect the privacy of information collected from investors as the Commission shall, by rule, determine appropriate;

“(10) not compensate promoters, finders, or lead generators for providing the broker or funding portal with the personal identifying information of any potential investor;

“(11) prohibit its directors, officers, or partners (or any person occupying a similar status or performing a similar function) from having any financial interest in an issuer using its services; and

“(12) meet such other requirements as the Commission may, by rule, prescribe, for the protection of investors and in the public interest.

“(b) REQUIREMENTS FOR ISSUERS.—For purposes of section 4(6), an issuer who offers or sells securities shall—

“(1) file with the Commission and provide to investors and the relevant broker or funding portal, and make available to potential investors—

“(A) the name, legal status, physical address, and website address of the issuer;

“(B) the names of the directors and officers (and any persons occupying a similar status or performing a similar function), and each person holding more than 20 percent of the shares of the issuer;

“(C) a description of the business of the issuer and the anticipated business plan of the issuer;

“(D) a description of the financial condition of the issuer, including, for offerings that, together with all other offerings of the issuer under section 4(6) within the preceding 12-month period, have, in the aggregate, target offering amounts of—

“(i) \$100,000 or less—

“(1) the income tax returns filed by the issuer for the most recently completed year (if any); and

“(II) financial statements of the issuer, which shall be certified by the principal executive officer of the issuer to be true and complete in all material respects;

“(ii) more than \$100,000, but not more than \$500,000, financial statements reviewed by a public accountant who is independent of the issuer, using professional standards and procedures for such review or standards and procedures established by the Commission, by rule, for such purpose; and

“(iii) more than \$500,000 (or such other amount as the Commission may establish, by rule), audited financial statements;

“(E) a description of the stated purpose and intended use of the proceeds of the offering sought by the issuer with respect to the target offering amount;

“(F) the target offering amount, the deadline to reach the target offering amount, and regular updates regarding the progress of the issuer in meeting the target offering amount;

“(G) the price to the public of the securities or the method for determining the price, provided that, prior to sale, each investor shall be provided in writing the final price and all required disclosures, with a reasonable opportunity to rescind the commitment to purchase the securities;

“(H) a description of the ownership and capital structure of the issuer, including—

“(i) terms of the securities of the issuer being offered and each other class of security of the issuer, including how such terms may be modified, and a summary of the differences between such securities, including how the rights of the securities being offered may be materially limited, diluted, or qualified by the rights of any other class of security of the issuer;

“(ii) a description of how the exercise of the rights held by the principal shareholders of the issuer could negatively impact the purchasers of the securities being offered;

“(iii) the name and ownership level of each existing shareholder who owns more than 20 percent of any class of the securities of the issuer;

“(iv) how the securities being offered are being valued, and examples of methods for how

such securities may be valued by the issuer in the future, including during subsequent corporate actions; and

“(v) the risks to purchasers of the securities relating to minority ownership in the issuer, the risks associated with corporate actions, including additional issuances of shares, a sale of the issuer or of assets of the issuer, or transactions with related parties; and

“(1) such other information as the Commission may, by rule, prescribe, for the protection of investors and in the public interest;

“(2) not advertise the terms of the offering, except for notices which direct investors to the funding portal or broker;

“(3) not compensate or commit to compensate, directly or indirectly, any person to promote its offerings through communication channels provided by a broker or funding portal, without taking such steps as the Commission shall, by rule, require to ensure that such person clearly discloses the receipt, past or prospective, of such compensation, upon each instance of such promotional communication;

“(4) not less than annually, file with the Commission and provide to investors reports of the results of operations and financial statements of the issuer, as the Commission shall, by rule, determine appropriate, subject to such exceptions and termination dates as the Commission may establish, by rule; and

“(5) comply with such other requirements as the Commission may, by rule, prescribe, for the protection of investors and in the public interest.

“(c) LIABILITY FOR MATERIAL MISSTATEMENTS AND OMISSIONS.—

“(1) ACTIONS AUTHORIZED.—

“(A) IN GENERAL.—Subject to paragraph (2), a person who purchases a security in a transaction exempted by the provisions of section 4(6) may bring an action against an issuer described in paragraph (2), either at law or in equity in any court of competent jurisdiction, to recover the consideration paid for such security with interest thereon, less the amount of any income received thereon, upon the tender of such security, or for damages if such person no longer owns the security.

“(B) LIABILITY.—An action brought under this paragraph shall be subject to the provisions of section 12(b) and section 13, as if the liability were created under section 12(a)(2).

“(2) APPLICABILITY.—An issuer shall be liable in an action under paragraph (1), if the issuer—

“(A) by the use of any means or instruments of transportation or communication in interstate commerce or of the mails, by any means of any written or oral communication, in the offering or sale of a security in a transaction exempted by the provisions of section 4(6), makes an untrue statement of a material fact or omits to state a material fact required to be stated or necessary in order to make the statements, in the light of the circumstances under which they were made, not misleading, provided that the purchaser did not know of such untruth or omission; and

“(B) does not sustain the burden of proof that such issuer did not know, and in the exercise of reasonable care could not have known, of such untruth or omission.

“(3) DEFINITION.—As used in this subsection, the term “issuer” includes any person who is a director or partner of the issuer, and the principal executive officer or officers, principal financial officer, and controller or principal accounting officer of the issuer (and any person occupying a similar status or performing a similar function) that offers or sells a security in a transaction exempted by the provisions of section 4(6), and any person who offers or sells the security in such offering.

“(d) INFORMATION AVAILABLE TO STATES.—The Commission shall make, or shall cause to be made by the relevant broker or funding portal, the information described in subsection (b) and such other information as the Commission, by rule, determines appropriate, available to the se-

curities commission (or any agency or office performing like functions) of each State and territory of the United States and the District of Columbia.

“(e) RESTRICTIONS ON SALES.—Securities issued pursuant to a transaction described in section 4(6)—

“(1) may not be transferred by the purchaser of such securities during the 1-year period beginning on the date of purchase, unless such securities are transferred—

“(A) to the issuer of the securities;

“(B) to an accredited investor;

“(C) as part of an offering registered with the Commission; or

“(D) to a member of the family of the purchaser or the equivalent, or in connection with the death or divorce of the purchaser or other similar circumstance, in the discretion of the Commission; and

“(2) shall be subject to such other limitations as the Commission shall, by rule, establish.

“(f) APPLICABILITY.—Section 4(6) shall not apply to transactions involving the offer or sale of securities by any issuer that—

“(1) is not organized under and subject to the laws of a State or territory of the United States or the District of Columbia;

“(2) is subject to the requirement to file reports pursuant to section 13 or section 15(d) of the Securities Exchange Act of 1934;

“(3) is an investment company, as defined in section 3 of the Investment Company Act of 1940, or is excluded from the definition of investment company by section 3(b) or section 3(c) of that Act; or

“(4) the Commission, by rule or regulation, determines appropriate.

“(g) RULE OF CONSTRUCTION.—Nothing in this section or section 4(6) shall be construed as preventing an issuer from raising capital through methods not described under section 4(6).

“(h) CERTAIN CALCULATIONS.—

“(1) DOLLAR AMOUNTS.—Dollar amounts in section 4(6) and subsection (b) of this section shall be adjusted by the Commission not less frequently than once every 5 years, by notice published in the Federal Register to reflect any change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics.

“(2) INCOME AND NET WORTH.—The income and net worth of a natural person under section 4(6)(B) shall be calculated in accordance with any rules of the Commission under this title regarding the calculation of the income and net worth, respectively, of an accredited investor.”.

(c) RULEMAKING.—Not later than 270 days after the date of enactment of this Act, the Securities and Exchange Commission (in this title referred to as the “Commission”) shall issue such rules as the Commission determines may be necessary or appropriate for the protection of investors to carry out sections 4(6) and section 4A of the Securities Act of 1933, as added by this title. In carrying out this section, the Commission shall consult with any securities commission (or any agency or office performing like functions) of the States, any territory of the United States, and the District of Columbia, which seeks to consult with the Commission, and with any applicable national securities association.

(d) DISQUALIFICATION.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Commission shall, by rule, establish disqualification provisions under which—

(A) an issuer shall not be eligible to offer securities pursuant to section 4(6) of the Securities Act of 1933, as added by this title; and

(B) a broker or funding portal shall not be eligible to effect or participate in transactions pursuant to that section 4(6).

(2) INCLUSIONS.—Disqualification provisions required by this subsection shall—

(A) be substantially similar to the provisions of section 230.262 of title 17, Code of Federal Regulations (or any successor thereto); and

(B) disqualify any offering or sale of securities by a person that—

(i) is subject to a final order of a State securities commission (or an agency or officer of a State performing like functions), a State authority that supervises or examines banks, savings associations, or credit unions, a State insurance commission (or an agency or officer of a State performing like functions), an appropriate Federal banking agency, or the National Credit Union Administration, that—

(I) bars the person from—
 (aa) association with an entity regulated by such commission, authority, agency, or officer;
 (bb) engaging in the business of securities, insurance, or banking; or
 (cc) engaging in savings association or credit union activities; or

(II) constitutes a final order based on a violation of any law or regulation that prohibits fraudulent, manipulative, or deceptive conduct within the 10-year period ending on the date of the filing of the offer or sale; or

(iii) has been convicted of any felony or misdemeanor in connection with the purchase or sale of any security or involving the making of any false filing with the Commission.

SEC. 303. EXCLUSION OF CROWDFUNDING INVESTORS FROM SHAREHOLDER CAP.

(a) EXEMPTION.—Section 12(g) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(g)) is amended by adding at the end the following:

“(6) EXCLUSION FOR PERSONS HOLDING CERTAIN SECURITIES.—The Commission shall, by rule, exempt, conditionally or unconditionally, securities acquired pursuant to an offering made under section 4(6) of the Securities Act of 1933 from the provisions of this subsection.”

(b) RULEMAKING.—The Commission shall issue a rule to carry out section 12(g)(6) of the Securities Exchange Act of 1934 (15 U.S.C. 78c), as added by this section, not later than 270 days after the date of enactment of this Act.

SEC. 304. FUNDING PORTAL REGULATION.

(a) EXEMPTION.—

(1) IN GENERAL.—Section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c) is amended by adding at the end the following:

“(h) LIMITED EXEMPTION FOR FUNDING PORTALS.—

“(1) IN GENERAL.—The Commission shall, by rule, exempt, conditionally or unconditionally, a registered funding portal from the requirement to register as a broker or dealer under section 15(a)(1), provided that such funding portal—

“(A) remains subject to the examination, enforcement, and other rulemaking authority of the Commission;

“(B) is a member of a national securities association registered under section 15A; and

“(C) is subject to such other requirements under this title as the Commission determines appropriate under such rule.

“(2) NATIONAL SECURITIES ASSOCIATION MEMBERSHIP.—For purposes of sections 15(b)(8) and 15A, the term ‘broker or dealer’ includes a funding portal and the term ‘registered broker or dealer’ includes a registered funding portal, except to the extent that the Commission, by rule, determines otherwise, provided that a national securities association shall only examine for and enforce against a registered funding portal rules of such national securities association written specifically for registered funding portals.”

(2) RULEMAKING.—The Commission shall issue a rule to carry out section 3(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78c), as added by this subsection, not later than 270 days after the date of enactment of this Act.

(b) DEFINITION.—Section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)) is amended by adding at the end the following:

“(80) FUNDING PORTAL.—The term ‘funding portal’ means any person acting as an intermediary in a transaction involving the offer or sale of securities for the account of others, solely pursuant to section 4(6) of the Securities Act of 1933 (15 U.S.C. 77d(6)), that does not—

“(A) offer investment advice or recommendations;

“(B) solicit purchases, sales, or offers to buy the securities offered or displayed on its website or portal;

“(C) compensate employees, agents, or other persons for such solicitation or based on the sale of securities displayed or referenced on its website or portal;

“(D) hold, manage, possess, or otherwise handle investor funds or securities; or

“(E) engage in such other activities as the Commission, by rule, determines appropriate.”

SEC. 305. RELATIONSHIP WITH STATE LAW.

(a) IN GENERAL.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following:

“(C) section 4(6);”

(b) CLARIFICATION OF THE PRESERVATION OF STATE ENFORCEMENT AUTHORITY.—

(1) IN GENERAL.—The amendments made by subsection (a) relate solely to State registration, documentation, and offering requirements, as described under section 18(a) of the Securities Act of 1933 (15 U.S.C. 77r(a)), and shall have no impact or limitation on other State authority to take enforcement action with regard to an issuer, funding portal, or any other person or entity using the exemption from registration provided by section 4(6) of that Act.

(2) CLARIFICATION OF STATE JURISDICTION OVER UNLAWFUL CONDUCT OF FUNDING PORTALS AND ISSUERS.—Section 18(c)(1) of the Securities Act of 1933 (15 U.S.C. 77r(c)(1)) is amended by striking “with respect to fraud or deceit, or unlawful conduct by a broker or dealer, in connection with securities or securities transactions.” and inserting the following: “, in connection with securities or securities transactions

“(A) with respect to—

“(i) fraud or deceit; or

“(ii) unlawful conduct by a broker or dealer; and

“(B) in connection to a transaction described under section 4(6), with respect to—

“(i) fraud or deceit; or

“(ii) unlawful conduct by a broker, dealer, funding portal, or issuer.”

(c) NOTICE FILINGS PERMITTED.—Section 18(c)(2) of the Securities Act of 1933 (15 U.S.C. 77r(c)(2)) is amended by adding at the end the following:

“(F) FEES NOT PERMITTED ON CROWDFUNDED SECURITIES.—Notwithstanding subparagraphs (A), (B), and (C), no filing or fee may be required with respect to any security that is a covered security pursuant to subsection (b)(4)(B), or will be such a covered security upon completion of the transaction, except for the securities commission (or any agency or office performing like functions) of the State of the principal place of business of the issuer, or any State in which purchasers of 50 percent or greater of the aggregate amount of the issue are residents, provided that for purposes of this subparagraph, the term ‘State’ includes the District of Columbia and the territories of the United States.”

(d) FUNDING PORTALS.—

(1) STATE EXEMPTIONS AND OVERSIGHT.—Section 15(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(i)) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) FUNDING PORTALS.—

“(A) LIMITATION ON STATE LAWS.—Except as provided in subparagraph (B), no State or political subdivision thereof may enforce any law, rule, regulation, or other administrative action against a registered funding portal with respect to its business as such.

“(B) EXAMINATION AND ENFORCEMENT AUTHORITY.—Subparagraph (A) does not apply

with respect to the examination and enforcement of any law, rule, regulation, or administrative action of a State or political subdivision thereof in which the principal place of business of a registered funding portal is located, provided that such law, rule, regulation, or administrative action is not in addition to or different from the requirements for registered funding portals established by the Commission.

“(C) DEFINITION.—For purposes of this paragraph, the term ‘State’ includes the District of Columbia and the territories of the United States.”

(2) STATE FRAUD AUTHORITY.—Section 18(c)(1) of the Securities Act of 1933 (15 U.S.C. 77r(c)(1)) is amended by striking “or dealer” and inserting “, dealer, or funding portal”.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. BACHUS and Mr. HIMES, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BACHUS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶43.10 REQUEST FOR RETURN OF H.R. 5

Mr. WEBSTER submitted the following privileged resolution (H. Res. 596):

Resolved, That the Clerk of the House of Representatives request the Senate to return to the House the bill (H.R. 5) entitled “An Act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.”

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶43.11 PROVIDING FOR CONSIDERATION OF H.R. 3309

Mr. WEBSTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 595):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3309) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee

on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period from March 29, 2012, through April 16, 2012, as though under clause 8(a) of rule I.

When said resolution was considered.

After debate,

Mr. WEBSTER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 236 affirmative Nays 182

¶43.12 [Roll No. 130]

YEAS—236

Adams	Black	Capito
Aderholt	Blackburn	Carter
Alexander	Bonner	Cassidy
Amash	Bono Mack	Chabot
Amodei	Boustany	Chaffetz
Austria	Brady (TX)	Carmahan
Bachmann	Brooks	Coffman (CO)
Bachus	Broun (GA)	Cole
Banahan	Buchanan	Conaway
Bartlett	Bucshon	Cravaack
Barton (TX)	Buerkle	Crawford
Bass (NH)	Burgess	Crenshaw
Benishkek	Burton (IN)	Culberson
Berg	Calvert	Davis (KY)
Biggart	Camp	Denham
Bilbray	Campbell	Dent
Bilirakis	Canseco	DesJarlais
Bishop (UT)	Cantor	Diaz-Balart

Dold	King (NY)
Dreyer	Kingston
Duffy	Kinzinger (IL)
Duncan (SC)	Kline
Duncan (TN)	Labrador
Ellmers	Lamborn
Emerson	Lance
Farenthold	Lankford
Fincher	Latham
Fitzpatrick	LaTourette
Flake	Latta
Fleischmann	Lewis (CA)
Fleming	LoBiondo
Forbes	Long
Fortenberry	Lucas
Fox	Luetkemeyer
Franks (AZ)	Lummis
Frelinghuysen	Lungren, Daniel E.
Galleghy	Manzullo
Gardner	Marino
Garrett	Matheson
Gerlach	McCarthy (CA)
Gibbs	McCauley
Gibson	McClintock
Gingrey (GA)	McCotter
Gohmert	McHenry
Goodlatte	McKeon
Gosar	McKinley
Govdy	McMorris
Granger	Rodgers
Graves (GA)	Meehan
Graves (MO)	Mica
Griffin (AR)	Miller (FL)
Griffith (VA)	Miller (MI)
Grimm	Miller, Gary
Guinta	Mulvaney
Guthrie	Murphy (PA)
Hall	Myrick
Hanna	Neugebauer
Harper	Noem
Harris	Nugent
Hartzler	Nunes
Hastings (WA)	Nunnelee
Hayworth	Olson
Heck	Palazzo
Hensarling	Paul
Herger	Paulsen
Herrera Beutler	Pearce
Huelskamp	Pence
Huizenga (MI)	Petri
Hultgren	Pitts
Hunter	Platts
Hurt	Poe (TX)
Issa	Pompeo
Jenkins	Posey
Johnson (IL)	Price (GA)
Johnson (OH)	Quayle
Johnson, Sam	Reed
Jones	Rehberg
Jordan	Reichert
Kelly	Renacci
King (IA)	

NAYS—182

Ackerman	Connolly (VA)
Altmire	Conyers
Andrews	Cooper
Baca	Costa
Baldwin	Costello
Barrow	Courtney
Bass (CA)	Critz
Becerra	Crowley
Berkley	Cuellar
Berman	Cummings
Bishop (GA)	Davis (CA)
Bishop (NY)	Davis (IL)
Blumenauer	DeFazio
Bonamici	DeGette
Boren	DeLauro
Boswell	Deutch
Brady (PA)	Dicks
Braley (IA)	Dingell
Brown (FL)	Doggett
Butterfield	Donnelly (IN)
Capps	Doyle
Capuano	Edwards
Cardoza	Ellison
Carmahan	Eshoo
Carney	Farr
Carson (IN)	Fattah
Castor (FL)	Filner
Chandler	Frank (MA)
Chu	Fudge
Cicilline	Garamendi
Clarke (MI)	Gonzalez
Clarke (NY)	Green, Al
Clay	Green, Gene
Cleaver	Grijalva
Clyburn	Gutierrez
Cohen	Hahn

Ribble	Markey
Rigell	Matsui
Rivera	McCarthy (NY)
Roby	McCollum
Roe (TN)	McDermott
Rogers (AL)	McGovern
Rogers (KY)	McIntyre
Rogers (MI)	McNerney
Rohrabacher	Meeks
Rokita	Michaud
Rooney	Miller (NC)
Ros-Lehtinen	Miller, George
Roskam	Moore
Ross (FL)	Moran
Royce	Murphy (CT)
Ryunyan	Nadler
Ryan (WI)	Napolitano
Scalise	Oliver
Schilling	Owens
Schmidt	Pallone
Schock	Pascrell
Schweikert	Pastor (AZ)
Scott (SC)	Pelosi
Scott, Austin	Perlmutter
Sensenbrenner	Peters
Sessions	Peterson
Shimkus	
Shuster	Akin
Simpson	Engel
Smith (NE)	Flores
Smith (NJ)	Jackson (IL)
Smith (TX)	Landry
Southerland	
Stearns	
Stivers	
Stutzman	
Sullivan	
Terry	
Thompson (PA)	
Thornberry	
Tiberi	
Tipton	
Turner (NY)	
Turner (OH)	
Upton	
Walberg	
Walden	
Walsh (IL)	
Webster	
West	
Westmoreland	
Whitfield	
Wilson (SC)	
Wittman	
Wolf	
Womack	
Yoder	
Young (AK)	
Young (FL)	
Young (IN)	

Pingree (ME)	Sherman
Polis	Shuler
Price (NC)	Sires
Quigley	Slaughter
Rahall	Smith (WA)
Reyes	Speier
Richardson	Stark
Richmond	Sutton
Ross (AR)	Thompson (CA)
Rothman (NJ)	Thompson (MS)
Roybal-Allard	Tierney
Ruppersberger	Tonko
Rush	Towns
Ryan (OH)	Tsongas
Sánchez, Linda T.	Van Hollen
Sanchez, Loretta	Velázquez
Sarbanes	Visclosky
Schakowsky	Walz (MN)
Schiff	Wasserman
Schrader	Schultz
Schwartz	Waters
Scott (VA)	Waxman
Scott, David	Welch
Serrano	Woolsey
Sewell	Yarmuth

NOT VOTING—13

Lewis (GA)	Watt
Mack	Wilson (FL)
Marchant	Woodall
Neal	
Rangel	

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. COFFMAN of Colorado, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 242 affirmative Nays 177

¶43.13 [Roll No. 131]

AYES—242

Adams	Chaffetz	Gosar
Aderholt	Coble	Govdy
Alexander	Coffman (CO)	Granger
Amash	Cole	Graves (GA)
Amodei	Conaway	Graves (MO)
Austria	Cravaack	Griffin (AR)
Bachmann	Crawford	Griffith (VA)
Bachus	Crenshaw	Grimm
Bartletta	Culberson	Guinta
Bartlett	Davis (KY)	Guthrie
Barton (TX)	Denham	Hall
Bass (NH)	Dent	Hanna
Benishkek	DesJarlais	Harper
Berg	Diaz-Balart	Harris
Biggart	Dold	Hartzler
Bilbray	Donnelly (IN)	Hastings (WA)
Bilirakis	Dreier	Hayworth
Bishop (UT)	Duffy	Heck
Black	Duncan (SC)	Hensarling
Blackburn	Duncan (TN)	Herger
Bonner	Ellmers	Herrera Beutler
Bono Mack	Emerson	Huelskamp
Boren	Farenthold	Huizenga (MI)
Boustany	Fincher	Hultgren
Brady (TX)	Fitzpatrick	Hunter
Brooks	Flake	Hurt
Broun (GA)	Fleischmann	Issa
Buchanan	Fleming	Jenkins
Bucshon	Forbes	Johnson (IL)
Buerkle	Fortenberry	Johnson (OH)
Burgess	Fox	Johnson, Sam
Burton (IN)	Franks (AZ)	Jones
Calvert	Frelinghuysen	Jordan
Camp	Galleghy	Kelly
Campbell	Gardner	King (IA)
Canseco	Garrett	King (NY)
Cantor	Gerlach	Kingston
Capito	Gibbs	Kinzinger (IL)
Carter	Gibson	Kissell
Cassidy	Gingrey (GA)	Kline
Chabot	Goodlatte	Labrador

Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

NOES—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Platts
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

The question being put, Will the House suspend the rules and agree to said amendment of the Senate? The vote was taken by electronic device.

It was decided in the affirmative { Yeas 380 Nays 41

43.16 [Roll No. 132] YEAS—380
Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishak
Berg
Berkley
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack

Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Palazzo
Pallone
Pascrell
Paul
Paulsen
Pearce
Pelosi
Perlmutter
Pence
Perlmutter
Peters
Peterson
Petri
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokitka
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda T.
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Walberg
Walden
Walsh (IL)
Walsh (MN)
Wasserman
Schultz
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Dingell	Johnson, E. B.	Pastor (AZ)	Costa	Hoyer	Owens	Tiberi	Walden	Wilson (FL)
Doyle	Kildee	Pingree (ME)	Costello	Hultgren	Palazzo	Tierney	Walsh (IL)	Wilson (SC)
Edwards	Kucinich	Sarbanes	Courtney	Hunter	Pallone	Tipton	Walz (MN)	Wittman
Filner	Lee (CA)	Schakowsky	Cravack	Hurt	Pascrell	Tonko	Wasserman	Wolf
Fudge	Markey	Scott (VA)	Crawford	Israel	Pastor (AZ)	Towns	Schultz	Womack
Green, Gene	McCollum	Stark	Crenshaw	Issa	Paulsen	Tsongas	Waters	Woodall
Grijalva	McDermott	Tierney	Critz	Jackson Lee	Pearce	Turner (NY)	Watt	Woolsey
Hincheey	Miller, George	Visclosky	Crowley	(TX)	Pelosi	Turner (OH)	Waxman	Yarmuth
Holden	Nadler	Waxman	Cuellar	Jenkins	Pence	Upton	Webster	Yoder
Holt	Napolitano	Woolsey	Culberson	Johnson (GA)	Perlmutter	Van Hollen	Welch	Young (AK)
Johnson (GA)	Oliver		Cummings	Johnson (IL)	Peters	Velázquez	West	Young (FL)
			Davis (CA)	Johnson (OH)	Peterson	Visclosky	Westmoreland	Young (IN)
			Davis (IL)	Johnson, E. B.	Petri	Walberg	Whitfield	
			Davis (KY)	Johnson, Sam	Pingree (ME)			
			DeFazio	Jones	Pitts			
			DeGette	Jordan	Platts	Amash	Flake	Paul
			DeLauro	Kaptur	Poe (TX)	Broun (GA)	Huelskamp	
			Denham	Keating	Polis			
			Dent	Kelly	Pompeo			
			DesJarlais	Kildee	Posey			
			Deutch	Kind	Price (GA)			
			Diaz-Balart	King (IA)	Price (NC)			
			Dingell	King (NY)	Quayle			
			Doggett	Kingston	Quigley			
			Dold	Kinzinger (IL)	Rahall			
			Donnelly (IN)	Kissell	Reed			
			Doyle	Kline	Rehberg			
			Dreier	Kucinich	Reichert			
			Duffy	Labrador	Renacci			
			Duncan (SC)	Lamborn	Reyes			
			Duncan (TN)	Lance	Ribble			
			Edwards	Langevin	Richardson			
			Ellison	Lankford	Richmond			
			Ellmers	Larsen (WA)	Rigell			
			Emerson	Larsen (CT)	Rivera			
			Eshoo	LaTourette	Roby			
			Farenthold	Latta	Roe (TN)			
			Farr	Lee (CA)	Rogers (AL)			
			Fattah	Levin	Rogers (KY)			
			Filner	Lewis (CA)	Rogers (MI)			
			Fincher	Lewis (GA)	Rohrabacher			
			Fitzpatrick	Lipinski	Rokita			
			Fleischmann	LoBiondo	Rooney			
			Fleming	Loeb	Ros-Lehtinen			
			Forbes	Loeb	Roskam			
			Fortenberry	Lofgren, Zoe	Ross (AR)			
			Fox	Long	Ross (FL)			
			Frank (MA)	Lowey	Rothman (NJ)			
			Franks (AZ)	Lucas	Roybal-Allard			
			Frelinghuysen	Luetkemeyer	Royce			
			Fudge	Lujan	Ryunan			
			Gallegly	Lummis	Ruppersberger			
			Garamendi	Lungren, Daniel	Rush			
			Gardner	E.	Ryan (OH)			
			Garrett	Lynch	Ryan (WI)			
			Gerlach	Maloney	Sánchez, Linda			
			Gibbs	Manzullo	T.			
			Gibson	Marino	Sanchez, Loretta			
			Gingrey (GA)	Markey	Sarbanes			
			Gohmert	Matheson	Scalise			
			Gonzalez	Matsui	Schakowsky			
			Goodlatte	McCarthy (CA)	Schiff			
			Gosar	McCarthy (NY)	Schilling			
			Gowdy	McCaul	Schmidt			
			Granger	McClintock	Schock			
			Graves (GA)	McCollum	Schrader			
			Graves (MO)	McCotter	Schwartz			
			Green, Al	McDermott	Schweikert			
			Green, Gene	McGovern	Scott (SC)			
			Griffin (AR)	McHenry	Scott (VA)			
			Griffith (VA)	McIntyre	Scott, Austin			
			Grimm	McKeon	Scott, David			
			Guinta	McKinley	Sensenbrenner			
			Guthrie	McMorris	Serrano			
			Gutierrez	Rodgers	Sessions			
			Hahn	McNerney	Sewell			
			Hall	Meehan	Sherman			
			Hanabusa	Meeks	Shimkus			
			Hanna	Mica	Shuler			
			Harper	Michaud	Simpson			
			Harris	Miller (FL)	Sires			
			Hartzer	Miller (MI)	Slaughter			
			Hastings (FL)	Miller (NC)	Smith (NE)			
			Hastings (WA)	Miller, Gary	Smith (NJ)			
			Hayworth	Miller, George	Smith (TX)			
			Heck	Moore	Smith (WA)			
			Heinrich	Moran	Southerland			
			Hensarling	Mulvaney	Speier			
			Herger	Murphy (CT)	Stark			
			Herrera Beutler	Murphy (PA)	Stearns			
			Higgins	Myrick	Stivers			
			Himes	Nadler	Stutzman			
			Hinchey	Napolitano	Sullivan			
			Hinojosa	Neugebauer	Sutton			
			Hirono	Noem	Terry			
			Hochul	Nugent	Thompson (CA)			
			Holden	Nunes	Thompson (MS)			
			Holt	Nunnelee	Thompson (PA)			
			Honda	Olson	Thornberry			
				Oliver				

NOT VOTING—10

Akin	Jackson (IL)	Neal
Diaz-Balart	Landry	Rangel
Engel	Mack	
Flores	Marchant	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

43.17 H.R. 3298—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3298) to establish the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development, and for other purposes.

The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of those present had voted in the affirmative.

Mr. Al GREEN of Texas, demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 414
affirmative } Nays 5

43.18 [Roll No. 133]

AYES—414

Ackerman	Bishop (NY)	Capps	Costa	Hoyer	Owens	Tiberi	Walden	Wilson (FL)
Adams	Bishop (UT)	Capuano	Costello	Hultgren	Palazzo	Tierney	Walsh (IL)	Wilson (SC)
Aderholt	Black	Cardoza	Courtney	Hunter	Pallone	Tipton	Walz (MN)	Wittman
Alexander	Blackburn	Carnahan	Cravack	Hurt	Pascrell	Tonko	Wasserman	Wolf
Altmire	Blumenauer	Carney	Crawford	Israel	Pastor (AZ)	Towns	Schultz	Womack
Amodei	Bonamici	Carson (IN)	Crenshaw	Issa	Paulsen	Tsongas	Waters	Woodall
Andrews	Bonner	Carter	Critz	Jackson Lee	Pearce	Turner (NY)	Watt	Woolsey
Austria	Bono Mack	Cassidy	Crowley	(TX)	Pelosi	Turner (OH)	Waxman	Yarmuth
Baca	Boren	Castor (FL)	Cuellar	Jenkins	Pence	Upton	Webster	Yoder
Bachmann	Boustany	Chabot	Culberson	Johnson (GA)	Perlmutter	Van Hollen	Welch	Young (AK)
Bachus	Brady (PA)	Chaffetz	Cummings	Johnson (IL)	Peters	Velázquez	West	Young (FL)
Baldwin	Brady (TX)	Chandler	Davis (CA)	Johnson (OH)	Peterson	Visclosky	Westmoreland	Young (IN)
Barletta	Brady (IA)	Chu	Davis (IL)	Johnson, E. B.	Petri	Walberg	Whitfield	
Barrow	Brooks	Cicilline	Davis (KY)	Johnson, Sam	Pingree (ME)			
Bartlett	Brown (FL)	Clarke (MI)	DeFazio	Jones	Pitts			
Barton (TX)	Buchanan	Clarke (NY)	DeGette	Jordan	Platts	Amash	Flake	Paul
Bass (CA)	Bucshon	Clay	DeLauro	Kaptur	Poe (TX)	Broun (GA)	Huelskamp	
Bass (NH)	Buerkle	Cleaver	Denham	Keating	Polis			
Becerra	Burgess	Clyburn	Dent	Kelly	Pompeo			
Benishek	Burton (IN)	Coble	DesJarlais	Kildee	Posey			
Berg	Butterfield	Coffman (CO)	Deutch	Kind	Price (GA)			
Berkley	Calvert	Cohen	Diaz-Balart	King (IA)	Price (NC)			
Berman	Camp	Cole	Dingell	King (NY)	Quayle			
Biggert	Campbell	Conaway	Doggett	Kingston	Quigley			
Bilbray	Canseco	Connolly (VA)	Dold	Kinzinger (IL)	Rahall			
Bilirakis	Cantor	Conyers	Donnelly (IN)	Kissell	Reed			
Bishop (GA)	Capito	Cooper	Doyle	Kline	Rehberg			
			Dreier	Kucinich	Reichert			
			Duffy	Labrador	Renacci			
			Duncan (SC)	Lamborn	Reyes			
			Duncan (TN)	Lance	Ribble			
			Edwards	Langevin	Richardson			
			Ellison	Lankford	Richmond			
			Ellmers	Larsen (WA)	Rigell			
			Emerson	Larsen (CT)	Rivera			
			Eshoo	LaTourette	Roby			
			Farenthold	Latta	Roe (TN)			
			Farr	Lee (CA)	Rogers (AL)			
			Fattah	Levin	Rogers (KY)			
			Filner	Lewis (CA)	Rogers (MI)			
			Fincher	Lewis (GA)	Rohrabacher			
			Fitzpatrick	Lipinski	Rokita			
			Fleischmann	LoBiondo	Rooney			
			Fleming	Loeb	Ros-Lehtinen			
			Forbes	Loeb	Roskam			
			Fortenberry	Lofgren, Zoe	Ross (AR)			
			Fox	Long	Ross (FL)			
			Frank (MA)	Lowey	Rothman (NJ)			
			Franks (AZ)	Lucas	Roybal-Allard			
			Frelinghuysen	Luetkemeyer	Royce			
			Fudge	Lujan	Ryunan			
			Gallegly	Lummis	Ruppersberger			
			Garamendi	Lungren, Daniel	Rush			
			Gardner	E.	Ryan (OH)			
			Garrett	Lynch	Ryan (WI)			
			Gerlach	Maloney	Sánchez, Linda			
			Gibbs	Manzullo	T.			
			Gibson	Marino	Sanchez, Loretta			
			Gingrey (GA)	Markey	Sarbanes			
			Gohmert	Matheson	Scalise			
			Gonzalez	Matsui	Schakowsky			
			Goodlatte	McCarthy (CA)	Schiff			
			Gosar	McCarthy (NY)	Schilling			
			Gowdy	McCaul	Schmidt			
			Granger	McClintock	Schock			
			Graves (GA)	McCollum	Schrader			
			Graves (MO)	McCotter	Schwartz			
			Green, Al	McDermott	Schweikert			
			Green, Gene	McGovern	Scott (SC)			
			Griffin (AR)	McHenry	Scott (VA)			

“In his recent interview on the hearing, Mr. ISSA said this, to be absolutely clear, and I quote:

‘Carolyn Maloney then made the famous statement, ‘Where are the women?’ That was an outright lie, and she knew it when she said it.’

“First of all, I would like to point out that what I actually offered was an outright question. I asked it as I sat there looking directly at an all-male panel, the panel that you see in this now-famous picture. It is a picture that I believe is worth a thousand words.

“And as I look at this picture again, my question is as pertinent and legitimate today as it was back then. Look at this picture and tell me, Where are the women? If you can point to one woman on this first panel, then I will happily withdraw and offer my apologies to Mr. ISSA.

“Just to make sure we have my question in context, let me repeat remarks that I made that morning that Mr. ISSA and some found so objectionable. I said, and I quote:

‘What I want to know is, Where are the women? I look at this panel, and I don’t see one single individual representing the tens of millions of women across this country who want and need insurance coverage for basic preventive health care services, including family planning and contraception. Where are the women?’.

“I still maintain, without fear of any contradiction, there is no one on this panel who is a woman, or who represents the tens of millions of women who want and need insurance basic coverage for family planning.

“Now, if Mr. ISSA believes or tries to argue that that statement is somehow false because there were two women witnesses who appeared later that day on a second and separate panel, I would draw his attention to the fact that those witnesses were not there to represent the woman’s point of view that is upheld primarily by the Democratic Party on this particular issue.

“Those Republican-appointed witnesses were there only to represent the interests of institutions. So even in surveying both panels, I don’t see one single individual representing the tens of millions of women across this country who want and need insurance coverage for basic preventive health care services, including family planning.

“In conclusion, I would like to say, Mr. Speaker, rising for a point of personal privilege is sometimes accompanied by a call for a personal apology. Earlier today, Mr. ISSA apologized to me, and he sent me this letter just an hour or two ago. I am encouraged by his actions, and I accept his apology.

“In the fallout of that unfortunate hearing, women were called far worse than liars. I know what I said that day, and I know it to be true. But I do think the Democratic witness, Sandra Fluke, and the women of America are owed an apology, an apology for denying them a voice, an apology for denying them a seat at the table. It was wrong then,

and it is wrong each time that it happens. And it is especially wrong when women’s health, women’s lives, and women’s rights are being discussed. And to cavalierly dismiss or deny that fact does greater damage to the fabric of democracy than words can ever redress.”.

¶43.20 SURFACE TRANSPORTATION EXTENSION

Mr. MICA moved to suspend the rules and pass the bill (H.R. 4239) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. MICA and Mr. RAHALL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Mr. RAHALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, March 28, 2012.

¶43.21 FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to House Resolution 595 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3309) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission.

The SPEAKER pro tempore, Mr. CHAFFETZ, by unanimous consent, designated Mr. KINZINGER of Illinois, as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally.

The SPEAKER pro tempore, Mr. KINZINGER of Illinois, assumed the Chair.

¶43.22 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. KINZINGER of Illinois, announced the signature of the Speaker to an enrolled bill of the following title:

H.R. 3606. An Act to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

The Committee resumed its sitting; and after some further time spent therein,

¶43.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in House Report 112-422, submitted by Mr. CROWLEY:

Page 7, line 5, strike “and”.

Page 7, line 15, strike the period and insert “; and”.

Page 7, after line 15, insert the following:

“(F) in the case of the adoption of a rule or the amendment of an existing rule relating to baby monitors, such rule as adopted or amended requires the packaging of an analog baby monitor to display a warning label stating that sounds or images captured by the baby monitor may be easily viewed or heard by potential intruders outside a consumer’s home.

It was decided in the { Yeas 196
negative } Nays 219

¶43.24 [Roll No. 134] AYES—196

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

NOES—219

Adams	Alexander	Austria
Aderholt	Amash	Bachmann

Bachus
Barletta
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Forbes
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)

Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Maloney
Manzullo
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence

Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

service to include, from each entity sponsoring political programming, a certification that identifies any donors that have contributed a total of \$10,000 or more to such entity in an election reporting cycle.

“(2) ACCURACY OF INFORMATION.—A broadcast licensee, cable operator, or provider of direct broadcast satellite service may not be held responsible for an inaccuracy in a certification filed under this subsection, unless such licensee, operator, or provider had actual knowledge, at the time such certification was filed, that such certification was false or fraudulent.

“(3) DEFINITIONS.—In this subsection:
“(A) CABLE OPERATOR.—The term ‘cable operator’ has the meaning given such term in section 602.

“(B) DBS ORIGINATION PROGRAMMING.—The term ‘DBS origination programming’ has the meaning given such term in section 25.701 of title 47, Code of Federal Regulations.

“(C) ELECTION REPORTING CYCLE.—The term ‘election reporting cycle’ means, with respect to a request to purchase time by an entity sponsoring political programming, the 2-year period that begins on the date of the most recent general election for Federal office preceding such request.

“(D) GENERAL ELECTION.—The term ‘general election’ means an election occurring on the first Tuesday after the first Monday in November of an even-numbered year.

“(E) ORIGINATION CABLECASTING.—The term ‘origination cablecasting’ has the meaning given such term in section 76.5 of title 47, Code of Federal Regulations.

“(F) POLITICAL PROGRAMMING.—The term ‘political programming’ means programming that communicates a message relating to any political matter of national importance, including a legally qualified candidate for public office, any election to Federal office, or a national legislative issue of public importance.

“(G) PROGRAMMING.—The term ‘programming’ means—

“(I) with respect to a broadcast licensee, broadcast programming;

“(ii) with respect to a cable operator, origination cablecasting; and

“(iii) with respect to a provider of direct broadcast satellite service, DBS origination programming.

“(H) PROVIDER OF DIRECT BROADCAST SATELLITE SERVICE.—The term ‘provider of direct broadcast satellite service’ has the meaning given such term in section 335.

It was decided in the { Yeas 179
negative } Nays 238

¶43.26 [Roll No. 135]

AYES—179

NOT VOTING—16

Akin
Diaz-Balart
Flores
Jackson (IL)
Jackson Lee (TX)

Lamborn
Mack
Marchant
Paul
Price (NC)
Rangel

Richardson
Ruppersberger
Rush
Welch
Wilson (FL)

Ackerman
Altmire
Andrews
Baca
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu

Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle

Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer

Israel
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebbeck
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud

Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky

Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth
Young (FL)

NOES—238

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold

Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham

LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)

Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Rahall
Reyes
Ribble
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader

Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko

Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Wittman
Woolsey
Yarmuth

Paul
Price (NC)
Rangel
Rohrabacher
Ruppersberger
Welch

So the amendment was not agreed to.
After some further time,
The SPEAKER pro tempore, Mr. DOLD, assumed the Chair.
When Mr. YODER, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.
The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:
Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.
This Act may be cited as the "Federal Communications Commission Process Reform Act of 2012".

SEC. 2. FCC PROCESS REFORM.
(a) IN GENERAL.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by inserting after section 12 the following new section:

"SEC. 13. TRANSPARENCY AND EFFICIENCY.
"(a) RULEMAKING REQUIREMENTS.—
"(1) REQUIREMENTS FOR NOTICES OF PROPOSED RULEMAKING.—The Commission may not issue a notice of proposed rulemaking unless the Commission provides for a period of not less than 30 days for the submission of comments and an additional period of not less than 30 days for the submission of reply comments on such notice and the Commission includes in such notice the following:

"(A) Either—
"(i) an identification of—
"(I) a notice of inquiry, a prior notice of proposed rulemaking, or a notice on a petition for rulemaking issued by the Commission during the 3-year period preceding the issuance of the notice of proposed rulemaking concerned and of which such notice is a logical outgrowth; or
"(II) an order of a court reviewing action by the Commission or otherwise directing the Commission to act that was issued by the court during the 3-year period preceding the issuance of the notice of proposed rulemaking concerned and in response to which such notice is being issued; or
"(ii) a finding (together with a brief statement of reasons therefor)—
"(I) that the proposed rule or the proposed amendment of an existing rule will not impose additional burdens on industry or consumers; or
"(II) for good cause, that a notice of inquiry is impracticable, unnecessary, or contrary to the public interest.

"(B) The specific language of the proposed rule or the proposed amendment of an existing rule.
"(C) In the case of a proposal to create a program activity, proposed performance measures for evaluating the effectiveness of the program activity.
"(D) In the case of a proposal to substantially change a program activity—
"(i) proposed performance measures for evaluating the effectiveness of the program activity as proposed to be changed; or
"(ii) a proposed finding that existing performance measures will effectively evaluate the program activity as proposed to be changed.

"(2) REQUIREMENTS FOR RULES.—Except as provided in the 3rd sentence of section 553(b) of title 5, United States Code, the Commission may not adopt or amend a rule unless—
"(A) the specific language of the adopted rule or the amendment of an existing rule is a logical outgrowth of the specific language

NOT VOTING—14

Akin
Diaz-Balart
Flores
Hinojosa
Jackson (IL)
Jackson Lee
Larson (CT)
Mack
Marchant
Paul
Price (NC)
Rangel
Ruppersberger
Welch

NOES—222

Adams
Aderholt
Amash
Amodei
Austria
Bachmann
Bachus
Barietta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marino
Matheson
McCarthy (CA)
McCauly
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulyaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

So the amendment was not agreed to.

43.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in House Report 112-422, submitted by Mr. OWENS:

Page 22, after line 24, insert the following (and redesignate the subsequent section accordingly):

SEC. 4. BROADBAND ACCESS IN RURAL AREAS.

Nothing in this Act (including the amendment made by section 2 of this Act) shall impede the Federal Communications Commission from implementing rules to ensure broadband access in rural areas.

It was decided in the { Yeas 194
negative Nays 222

43.28 [Roll No. 136]

AYES—194

Ackerman
Alexander
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Bralley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fudge
Garamendi
Gerlach
Gibson
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Hoffman (CO)
Himes
Hinche
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Quigley

Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
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Peterson
Pingree (ME)
Polis
Quigley
Adams
Aderholt
Amash
Amodei
Austria
Bachmann
Bachus
Barietta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marino
Matheson
McCarthy (CA)
McCauly
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulyaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

NOT VOTING—15

Akin
Diaz-Balart
Flores
Frelinghuysen
Jackson (IL)
Jackson Lee
Mack
Marchant

of a proposed rule or a proposed amendment of an existing rule included in a notice of proposed rulemaking, as described in subparagraph (B) of paragraph (1);

“(B) such notice of proposed rulemaking—
“(i) was issued in compliance with such paragraph and during the 3-year period preceding the adoption of the rule or the amendment of an existing rule; and

“(ii) is identified in the order making the adoption or amendment;

“(C) in the case of the adoption of a rule or the amendment of an existing rule that may have an economically significant impact, the order contains—

“(i) an identification and analysis of the specific market failure, actual consumer harm, burden of existing regulation, or failure of public institutions that warrants the adoption or amendment; and

“(ii) a reasoned determination that the benefits of the adopted rule or the amendment of an existing rule justify its costs (recognizing that some benefits and costs are difficult to quantify), taking into account alternative forms of regulation and the need to tailor regulation to impose the least burden on society, consistent with obtaining regulatory objectives;

“(D) in the case of the adoption of a rule or the amendment of an existing rule that creates a program activity, the order contains performance measures for evaluating the effectiveness of the program activity; and

“(E) in the case of the adoption of a rule or the amendment of an existing rule that substantially changes a program activity, the order contains—

“(i) performance measures for evaluating the effectiveness of the program activity as changed; or

“(ii) a finding that existing performance measures will effectively evaluate the program activity as changed.

“(3) DATA FOR PERFORMANCE MEASURES.—The Commission shall develop a performance measure or proposed performance measure required by this subsection to rely, where possible, on data already collected by the Commission.

“(b) ADEQUATE DELIBERATION BY COMMISSIONERS.—The Commission shall by rule establish procedures for—

“(1) informing all Commissioners of a reasonable number of options available to the Commission for resolving a petition, complaint, application, rulemaking, or other proceeding;

“(2) ensuring that all Commissioners have adequate time, prior to being required to decide a petition, complaint, application, rulemaking, or other proceeding (including at a meeting held pursuant to section 5(d)), to review the proposed Commission decision document, including the specific language of any proposed rule or any proposed amendment of an existing rule; and

“(3) publishing the text of agenda items to be voted on at an open meeting in advance of such meeting so that the public has the opportunity to read the text before a vote is taken.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, United States Code, a bipartisan majority of Commissioners may hold a meeting that is closed to the public to discuss official business if—

“(A) a vote or any other agency action is not taken at such meeting;

“(B) each person present at such meeting is a Commissioner, an employee of the Commission, a member of a joint board established under section 410, or a person on the staff of such a joint board; and

“(C) an attorney from the Office of General Counsel of the Commission is present at such meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Not later than 2 business days after the conclusion of a meeting held under paragraph (1), the Commission shall publish a disclosure of such meeting, including—

“(A) a list of the persons who attended such meeting; and

“(B) a summary of the matters discussed at such meeting, except for such matters as the Commission determines may be withheld under section 552b(c) of title 5, United States Code.

“(3) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection shall limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of Commissioners other than that described in paragraph (1).

“(d) INITIATION OF ITEMS BY BIPARTISAN MAJORITY.—The Commission shall by rule establish procedures for allowing a bipartisan majority of Commissioners to—

“(1) direct Commission staff to draft an order, decision, report, or action for review by the Commission;

“(2) require Commission approval of an order, decision, report, or action with respect to a function of the Commission delegated under section 5(c)(1); and

“(3) place an order, decision, report, or action on the agenda of an open meeting.

“(e) PUBLIC REVIEW OF CERTAIN REPORTS AND EX PARTE COMMUNICATIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Commission may not rely, in any order, decision, report, or action, on—

“(A) a statistical report or report to Congress, unless the Commission has published and made such report available for comment for not less than a 30-day period prior to the adoption of such order, decision, report, or action; or

“(B) an ex parte communication or any filing with the Commission, unless the public has been afforded adequate notice of and opportunity to respond to such communication or filing, in accordance with procedures to be established by the Commission by rule.

“(2) EXCEPTION.—Paragraph (1) does not apply when the Commission for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the order, decision, report, or action) that publication or availability of a report under subparagraph (A) of such paragraph or notice of and opportunity to respond to an ex parte communication under subparagraph (B) of such paragraph are impracticable, unnecessary, or contrary to the public interest.

“(f) PUBLICATION OF STATUS OF CERTAIN PROCEEDINGS AND ITEMS.—The Commission shall by rule establish procedures for publishing the status of all open rulemaking proceedings and all proposed orders, decisions, reports, or actions on circulation for review by the Commissioners, including which Commissioners have not cast a vote on an order, decision, report, or action that has been on circulation for more than 60 days.

“(g) DEADLINES FOR ACTION.—The Commission shall by rule establish deadlines for any Commission order, decision, report, or action for each of the various categories of petitions, applications, complaints, and other filings seeking Commission action, including filings seeking action through authority delegated under section 5(c)(1).

“(h) PROMPT RELEASE OF CERTAIN REPORTS AND DECISION DOCUMENTS.—

“(1) STATISTICAL REPORTS AND REPORTS TO CONGRESS.—

“(A) RELEASE SCHEDULE.—Not later than January 15th of each year, the Commission shall identify, catalog, and publish an anticipated release schedule for all statistical reports and reports to Congress that are regularly or intermittently released by the Com-

mission and will be released during such year.

“(B) PUBLICATION DEADLINES.—The Commission shall publish each report identified in a schedule published under subparagraph (A) not later than the date indicated in such schedule for the anticipated release of such report.

“(2) DECISION DOCUMENTS.—The Commission shall publish each order, decision, report, or action not later than 7 days after the date of the adoption of such order, decision, report, or action.

“(3) EFFECT IF DEADLINES NOT MET.—

“(A) NOTIFICATION OF CONGRESS.—If the Commission fails to publish an order, decision, report, or action by a deadline described in paragraph (1)(B) or (2), the Commission shall, not later than 7 days after such deadline and every 14 days thereafter until the publication of the order, decision, report, or action, notify by letter the chairpersons and ranking members of the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. Such letter shall identify such order, decision, report, or action, specify the deadline, and describe the reason for the delay. The Commission shall publish such letter.

“(B) NO IMPACT ON EFFECTIVENESS.—The failure of the Commission to publish an order, decision, report, or action by a deadline described in paragraph (1)(B) or (2) shall not render such order, decision, report, or action ineffective when published.

“(i) BIENNIAL SCORECARD REPORTS.—

“(1) IN GENERAL.—For the 6-month period beginning on January 1st of each year and the 6-month period beginning on July 1st of each year, the Commission shall prepare a report on the performance of the Commission in conducting its proceedings and meeting the deadlines established under subsections (g), (h)(1)(B), and (h)(2).

“(2) CONTENTS.—Each report required by paragraph (1) shall contain detailed statistics on such performance, including, with respect to each Bureau of the Commission—

“(A) in the case of performance in meeting the deadlines established under subsection (g), with respect to each category established under such subsection—

“(i) the number of petitions, applications, complaints, and other filings seeking Commission action that were pending on the last day of the period covered by such report;

“(ii) the number of filings described in clause (i) that were not resolved by the deadlines established under such subsection and the average length of time such filings have been pending; and

“(iii) for petitions, applications, complaints, and other filings seeking Commission action that were resolved during such period, the average time between initiation and resolution and the percentage resolved by the deadlines established under such subsection;

“(B) in the case of proceedings before an administrative law judge—

“(i) the number of such proceedings completed during such period; and

“(ii) the number of such proceedings pending on the last day of such period; and

“(C) the number of independent studies or analyses published by the Commission during such period.

“(3) PUBLICATION AND SUBMISSION.—The Commission shall publish and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate each report required by paragraph (1) not later than the date that is 30 days after the last day of the period covered by such report.

“(j) TRANSACTION REVIEW STANDARDS.—

“(1) IN GENERAL.—The Commission shall condition its approval of a transfer of lines, a transfer of licenses, or any other transaction under section 214, 309, or 310 or any other provision of this Act only if—

“(A) the imposed condition is narrowly tailored to remedy a harm that arises as a direct result of the specific transfer or specific transaction that this Act empowers the Commission to review; and

“(B) the Commission could impose a similar requirement under the authority of a specific provision of law other than a provision empowering the Commission to review a transfer of lines, a transfer of licenses, or other transaction.

“(2) EXCLUSIONS.—In reviewing a transfer of lines, a transfer of licenses, or any other transaction under section 214, 309, or 310 or any other provision of this Act, the Commission may not consider a voluntary commitment of a party to such transfer or transaction unless the Commission could adopt that voluntary commitment as a condition under paragraph (1).

“(k) ACCESS TO CERTAIN INFORMATION ON COMMISSION’S WEBSITE.—The Commission shall provide direct access from the homepage of its website to—

“(1) detailed information regarding—

“(A) the budget of the Commission for the current fiscal year;

“(B) the appropriations for the Commission for such fiscal year; and

“(C) the total number of full-time equivalent employees of the Commission; and

“(2) the performance plan most recently made available by the Commission under section 1115(b) of title 31, United States Code.

“(1) FEDERAL REGISTER PUBLICATION.—

“(1) IN GENERAL.—In the case of any document adopted by the Commission that the Commission is required, under any provision of law, to publish in the Federal Register, the Commission shall, not later than the date described in paragraph (2), complete all Commission actions necessary for such document to be so published.

“(2) DATE DESCRIBED.—The date described in this paragraph is the earlier of—

“(A) the day that is 45 days after the date of the release of the document; or

“(B) the day by which such actions must be completed to comply with any deadline under any other provision of law.

“(3) NO EFFECT ON DEADLINES FOR PUBLICATION IN OTHER FORM.—In the case of a deadline that does not specify that the form of publication is publication in the Federal Register, the Commission may comply with such deadline by publishing the document in another form. Such other form of publication does not relieve the Commission of any Federal Register publication requirement applicable to such document, including the requirement of paragraph (1).

“(m) CONSUMER COMPLAINT DATABASE.—

“(1) IN GENERAL.—In evaluating and processing consumer complaints, the Commission shall present information about such complaints in a publicly available, searchable database on its website that—

“(A) facilitates easy use by consumers; and

“(B) to the extent practicable, is sortable and accessible by—

“(i) the date of the filing of the complaint;

“(ii) the topic of the complaint;

“(iii) the party complained of; and

“(iv) other elements that the Commission considers in the public interest.

“(2) DUPLICATIVE COMPLAINTS.—In the case of multiple complaints arising from the same alleged misconduct, the Commission shall be required to include only information concerning one such complaint in the database described in paragraph (1).

“(n) FORM OF PUBLICATION.—

“(1) IN GENERAL.—In complying with a requirement of this section to publish a document, the Commission shall publish such document on its website, in addition to publishing such document in any other form that the Commission is required to use or is permitted to and chooses to use.

“(2) EXCEPTION.—The Commission shall by rule establish procedures for redacting documents required to be published by this section so that the published versions of such documents do not contain—

“(A) information the publication of which would be detrimental to national security, homeland security, law enforcement, or public safety; or

“(B) information that is proprietary or confidential.

“(o) TRANSPARENCY RELATING TO PERFORMANCE IN MEETING FOIA REQUIREMENTS.—The Commission shall take additional steps to inform the public about its performance and efficiency in meeting the disclosure and other requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), including by doing the following:

“(1) Publishing on the Commission’s website the Commission’s logs for tracking, responding to, and managing requests submitted under such section, including the Commission’s fee estimates, fee categories, and fee request determinations.

“(2) Releasing to the public all decisions made by the Commission (including decisions made by the Commission’s Bureaus and Offices) granting or denying requests filed under such section, including any such decisions pertaining to the estimate and application of fees assessed under such section.

“(3) Publishing on the Commission’s website electronic copies of documents released under such section.

“(4) Presenting information about the Commission’s handling of requests under such section in the Commission’s annual budget estimates submitted to Congress and the Commission’s annual performance and financial reports. Such information shall include the number of requests under such section the Commission received in the most recent fiscal year, the number of such requests granted and denied, a comparison of the Commission’s processing of such requests over at least the previous 3 fiscal years, and a comparison of the Commission’s results with the most recent average for the United States Government as published on www.foia.gov.

“(p) DEFINITIONS.—In this section:

“(1) AMENDMENT.—The term ‘amendment’ includes, when used with respect to an existing rule, the deletion of such rule.

“(2) BIPARTISAN MAJORITY.—The term ‘bipartisan majority’ means, when used with respect to a group of Commissioners, that such group—

“(A) is a group of 3 or more Commissioners; and

“(B) includes, for each political party of which any Commissioner is a member, at least 1 Commissioner who is a member of such political party, and, if any Commissioner has no political party affiliation, at least 1 unaffiliated Commissioner.

“(3) ECONOMICALLY SIGNIFICANT IMPACT.—The term ‘economically significant impact’ means an effect on the economy of \$100,000,000 or more annually or a material adverse effect on the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

“(4) PERFORMANCE MEASURE.—The term ‘performance measure’ means an objective and quantifiable outcome measure or output measure (as such terms are defined in section 1115 of title 31, United States Code).

“(5) PROGRAM ACTIVITY.—The term ‘program activity’ has the meaning given such term in section 1115 of title 31, United States Code, except that such term also includes any annual collection or distribution or related series of collections or distributions by the Commission of an amount that is greater than or equal to \$100,000,000.

“(6) OTHER DEFINITIONS.—The terms ‘agency action’, ‘ex parte communication’, and ‘rule’ have the meanings given such terms in section 551 of title 5, United States Code.”.

(b) EFFECTIVE DATE AND IMPLEMENTING RULES.—

(1) EFFECTIVE DATE.—

(A) IN GENERAL.—The requirements of section 13 of the Communications Act of 1934, as added by subsection (a), shall apply beginning on the date that is 6 months after the date of the enactment of this Act.

(B) PRIOR NOTICES OF PROPOSED RULEMAKING.—If the Federal Communications Commission identifies under paragraph (2)(B)(ii) of subsection (a) of such section 13 a notice of proposed rulemaking issued prior to the date of the enactment of this Act—

(i) such notice shall be deemed to have complied with paragraph (1) of such subsection; and

(ii) if such notice did not contain the specific language of a proposed rule or a proposed amendment of an existing rule, paragraph (2)(A) of such subsection shall be satisfied if the adopted rule or the amendment of an existing rule is a logical outgrowth of such notice.

(C) SCHEDULES AND REPORTS.—Notwithstanding subparagraph (A), subsections (h)(1) and (i) of such section shall apply with respect to 2013 and any year thereafter.

(2) RULES.—The Federal Communications Commission shall promulgate the rules necessary to carry out such section not later than 1 year after the date of the enactment of this Act.

(3) PROCEDURES FOR ADOPTING RULES.—Notwithstanding paragraph (1)(A), in promulgating rules to carry out such section, the Federal Communications Commission shall comply with the requirements of subsections (a) and (h)(2) of such section.

SEC. 3. CATEGORIZATION OF TCPA INQUIRIES AND COMPLAINTS IN QUARTERLY REPORT.

In compiling its quarterly report with respect to informal consumer inquiries and complaints, the Federal Communications Commission may not categorize an inquiry or complaint with respect to section 227 of the Communications Act of 1934 (47 U.S.C. 227) as being a wireline inquiry or complaint or a wireless inquiry or complaint unless the party whose conduct is the subject of the inquiry or complaint is a wireline carrier or a wireless carrier, respectively.

SEC. 4. PROVISION OF EMERGENCY WEATHER INFORMATION.

Nothing in subsection (a) of section 13 of the Communications Act of 1934, as added by section 2 of this Act, shall be construed to impede the Federal Communications Commission from acting in times of emergency to ensure the availability of efficient and effective communications systems to alert the public to imminent dangerous weather conditions.

SEC. 5. COMMUNICATIONS OF FIRST RESPONDERS.

Nothing in subsection (a) of section 13 of the Communications Act of 1934, as added by section 2 of this Act, shall be construed to impede the Federal Communications Commission from acting in times of emergency to ensure the availability of efficient and effective communications systems for State and local first responders.

SEC. 6. EFFECT ON OTHER LAWS.

Nothing in this Act or the amendment made by this Act shall relieve the Federal

Communications Commission from any obligations under title 5, United States Code, except where otherwise expressly provided.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. PERLMUTTER moved to recommend the bill to the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Page 23, after line 5, insert the following:
SEC. 5. PROTECTING THE PASSWORDS OF ONLINE USERS.

Nothing in this Act or any amendment made by this Act shall be construed to limit or restrict the ability of the Federal Communications Commission to adopt a rule or to amend an existing rule to protect online privacy, including requirements in such rule that prohibit licensees or regulated entities from mandating that job applicants or employees disclose confidential passwords to social networking web sites.

After debate, By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. DOLD, announced that the nays had it.

Mr. PERLMUTTER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 184 negative } Nays 236

43.29 [Roll No. 137]

AYES—184

- Ackerman Cuellar Jackson Lee
Altmire Cummings (TX)
Andrews Davis (CA) Johnson (GA)
Baca Davis (IL) Johnson, E. B.
Baldwin DeFazio Jones
Barrow DeGette Kaptur
Bass (CA) DeLauro Keating
Becerra Deutch Kildee
Berman Dicks Kind
Bishop (GA) Dingell Kissell
Bishop (NY) Doggett Kucinich
Blumenauer Donnelly (IN) Langevin
Bonamici Doyle Larsen (WA)
Boren Edwards Larson (CT)
Boswell Ellison Lee (CA)
Brady (PA) Eshoo Levin
Braley (IA) Farr Lewis (GA)
Brown (FL) Fattah Lipinski
Butterfield Coble Loeb sack
Capps Filner Lofgren, Zoe
Capuano Frank (MA) Lowey
Cardoza Fudge Lujan
Carnahan Garamendi Lynch
Carney Gonzalez Maloney
Carson (IN) Green, Al Markey
Castor (FL) Green, Gene Matheson
Chandler Grijalva Matsui
Chu Gutierrez McCarthy (NY)
Ciocilline Hahn McCollum
Clarke (MI) Hanabusa McDermott
Clarke (NY) Hastings (FL) McGovern
Clay Heinrich McIntyre
Cleaver Higgins McNeerney
Clyburn Himes Meeks
Cohen Hinchey Michaud
Connolly (VA) Hinojosa Miller (NC)
Conyers Hirono Miller, George
Cooper Hochul Moore
Costa Holden Moran
Costello Holt Murphy (CT)
Courtney Honda Nadler
Critz Hoyer Napolitano
Crowley Israel Neal

- Oliver
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Seiwell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Stanton

NOES—236

- Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Fox
Fox
Frank (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

- Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

- Womack
Woodall

- Yoder
Young (AK)

- Young (FL)
Young (IN)

NOT VOTING—11

- Akin
Berkeley
Diaz-Balart
Engel
Flores
Jackson (IL)
Mack
Marchant
Paul
Rangel
Ruppersberger

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. DOLD, announced that the yeas had it.

Ms. ESHOO demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 247 affirmative } Nays 174

43.30 [Roll No. 138]

AYES—247

- Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cullerson
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Fox
Fox
Frank (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

Schilling	Smith (TX)	Walden
Schmidt	Southerland	Walsh (IL)
Schock	Stearns	Webster
Schrader	Stivers	West
Schweikert	Stutzman	Westmoreland
Scott (SC)	Sullivan	Whitfield
Scott, Austin	Terry	Wilson (SC)
Sensenbrenner	Thompson (PA)	Wittman
Sessions	Thornberry	Wolf
Shimkus	Tiberi	Womack
Shuler	Tipton	Woodall
Shuster	Turner (NY)	Yoder
Simpson	Turner (OH)	Young (AK)
Smith (NE)	Upton	Young (FL)
Smith (NJ)	Walberg	Young (IN)

NOES—174

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

NOT VOTING—10

Akin	Mack	Rangel
Diaz-Balart	Marchant	Ruppersberger
Flores	Meeks	
Jackson (IL)	Paul	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶43.31 PROVIDING FOR CONSIDERATION OF H. CON. RES. 112 AND MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-423) the resolution (H. Res. 597) providing for consideration of the con-

current resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022, and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

And then,

¶43.32 ADJOURNMENT

On motion of Mr. SCHWEIKERT, at 8 o'clock and 18 minutes p.m., the House adjourned.

¶43.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 597. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022, and providing for consideration of motions to suspend the rules (Rept. 112-423). Referred to the House Calendar.

¶43.34 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BONO MACK (for herself and Mrs. BLACKBURN):

H.R. 4263. A bill to improve information security, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Oversight and Government Reform, the Judiciary, Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT:

H.R. 4264. A bill to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. CRAWFORD:

H.R. 4265. A bill to amend the Internal Revenue Code of 1986 to impose a 5 percent tax on so much of adjusted gross income of any individual as exceeds \$1,000,000, and to provide incentive for Congress to pass a balanced budget amendment, or spending limit amendment, to the Constitution; to the Committee on Ways and Means.

By Mr. SCHIFF:

H.R. 4266. A bill to amend the Safe Drinking Water Act to protect the health of vulnerable individuals, including pregnant women, infants, and children, by requiring a health advisory and drinking water standard for hexavalent chromium; to the Committee on Energy and Commerce.

By Mr. MATHESON:

H.R. 4267. A bill to designate certain National Forest System land in the Uinta-Wasatch-Cache National Forest in Salt Lake County, Utah, as wilderness, to facilitate a land exchange involving certain land in such

National Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. AMASH (for himself and Mr. FLAKE):

H.R. 4268. A bill to abolish the Export-Import Bank of the United States, and for other purposes; to the Committee on Financial Services.

By Mr. GRIFFITH of Virginia (for himself, Mr. OWENS, and Mr. POE of Texas):

H.R. 4269. A bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition; to the Committee on the Judiciary.

By Ms. HOCHUL (for herself, Mr. GRIFFITH of Virginia, and Mrs. NOEM):

H.R. 4270. A bill to amend title 39, United States Code, to suspend bonus authority with respect to the Postmaster General and certain other postal officials in any year in which a postal retail facility or mail processing facility is closed, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MOORE (for herself, Ms. DEGETTE, Ms. NORTON, Ms. BALDWIN, Ms. LORETTA SANCHEZ of California, Ms. MCCOLLUM, Ms. HAHN, Ms. HIRONO, Ms. BERKLEY, Mrs. CAPPS, Ms. SLAUGHTER, Ms. EDWARDS, Ms. PINGREE of Maine, Mrs. LOWEY, Ms. WASSERMAN SCHULTZ, Ms. WOOLSEY, Ms. FUDGE, and Ms. MATSUI):

H.R. 4271. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 4272. A bill to authorize the Secretary of Transportation to make capital grants for certain freight rail economic development projects; to the Committee on Transportation and Infrastructure.

By Mr. WEBSTER:

H. Res. 596. A resolution requesting return of official papers on H.R. 5; considered and agreed to.

By Mr. DOYLE (for himself and Mr. GINGREY of Georgia):

H. Res. 598. A resolution supporting the designation of National Robotics Week as an annual event; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H. Res. 599. A resolution honoring Byung Wook Yoon, Ph.D for his outstanding service on behalf of the Korean American community; to the Committee on Oversight and Government Reform.

¶43.35 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. HARPER, Mr. ROSS of Florida, Mrs. BLACK, Mr. SMITH of Texas, and Mr. HASTINGS of Washington.

H.R. 11: Mr. RUPPERSBERGER, Mr. HINOJOSA, Mr. LARSEN of Washington, Ms. NORTON, and Mr. FILNER.

H.R. 14: Mr. PASCARELL, Mr. PALLONE, and Mr. PERLMUTTER.

H.R. 104: Ms. BONAMICI and Mr. ROONEY.

H.R. 184: Mr. BACHUS.

H.R. 273: Mr. LOBIONDO.
 H.R. 324: Mr. PASCRELL.
 H.R. 329: Mr. ISRAEL.
 H.R. 333: Ms. DELAURO and Mr. RIGELL.
 H.R. 365: Mr. PASCRELL.
 H.R. 529: Mr. POLIS.
 H.R. 544: Mr. RIGELL.
 H.R. 668: Mr. BROOKS.
 H.R. 683: Mr. FILNER.
 H.R. 719: Mr. FORBES and Mr. VAN HOLLEN.
 H.R. 733: Mrs. MCMORRIS RODGERS.
 H.R. 807: Mr. BOSWELL.
 H.R. 812: Mr. BARROW.
 H.R. 865: Mr. RIGELL.
 H.R. 890: Ms. KAPTUR and Mr. KIND.
 H.R. 941: Mr. FILNER.
 H.R. 1006: Mr. CRAVAACK.
 H.R. 1142: Mr. WITTMAN.
 H.R. 1179: Mr. CAMP and Ms. HAYWORTH.
 H.R. 1265: Mr. GINGREY of Georgia.
 H.R. 1342: Mr. PALLONE.
 H.R. 1381: Mr. CLARKE of Michigan.
 H.R. 1385: Mr. WALSH of Illinois.
 H.R. 1418: Mr. YARMUTH.
 H.R. 1505: Mr. McKEON.
 H.R. 1511: Mr. FARENTHOLD.
 H.R. 1549: Mr. HUIZENGA of Michigan and Mr. WITTMAN.
 H.R. 1674: Mr. JACKSON of Illinois.
 H.R. 1675: Mr. PASCRELL, Mr. KILDEE, Mr. HIGGINS, Mr. CARDOZA, Mr. SHIMKUS, and Mr. BURTON of Indiana.
 H.R. 1697: Mr. FLEMING.
 H.R. 1739: Mr. WALSH of Illinois.
 H.R. 1802: Mr. BISHOP of New York and Mr. SCHIFF.
 H.R. 1867: Mr. HOLT.
 H.R. 1895: Mr. MICHAUD, Ms. CASTOR of Florida, Ms. TSONGAS, and Mr. LYNCH.
 H.R. 1960: Mr. DOLD.
 H.R. 2020: Ms. TSONGAS.
 H.R. 2033: Mr. ROSS of Florida.
 H.R. 2051: Mr. RIGELL, Mrs. ELLMERS, Mr. COLE, and Mr. PETRI.
 H.R. 2077: Mr. WESTMORELAND.
 H.R. 2083: Ms. MCCOLLUM and Mr. JACKSON of Illinois.
 H.R. 2085: Ms. HANABUSA.
 H.R. 2131: Mr. RIGELL.
 H.R. 2159: Mr. ANDREWS.
 H.R. 2284: Ms. SPEIER.
 H.R. 2299: Mr. POMPEO and Mr. KELLY.
 H.R. 2335: Mr. GOSAR.
 H.R. 2359: Mr. ELLISON.
 H.R. 2410: Mr. CONYERS.
 H.R. 2446: Mr. GARY G. MILLER of California.
 H.R. 2478: Mr. JACKSON of Illinois.
 H.R. 2529: Mr. BENISHEK.
 H.R. 2595: Mr. PRICE of North Carolina and Mr. JACKSON of Illinois.
 H.R. 2697: Mr. GIBBS and Mrs. ELLMERS.
 H.R. 2717: Mr. CARNEY, Mrs. LOWEY, Mr. COURTNEY, Ms. LINDA T. SANCHEZ of California, Mr. AL GREEN of Texas, Mr. MURPHY of Pennsylvania, Mr. GENE GREEN of Texas, Mr. SERRANO, Mrs. DAVIS of California, Mr. WALZ of Minnesota, Mr. GARAMENDI, Mr. DEUTCH, Mr. BISHOP of New York, Ms. SPEIER, Mr. HASTINGS of Florida, Mr. TOWNS, Mr. DOYLE, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. PASCRELL, Mr. CLARKE of Michigan, Mr. MEEKS, Ms. LORETTA SANCHEZ of California, and Mr. CARDOZA.
 H.R. 2833: Mr. POE of Texas.
 H.R. 2866: Mr. HIGGINS.
 H.R. 2969: Mr. MCGOVERN.
 H.R. 2972: Mr. SABLAN.
 H.R. 2980: Mr. MICHAUD.
 H.R. 2985: Mr. WEST, Mr. COURTNEY, Mr. GRIFFITH of Virginia, Mr. LARSEN of Washington, Mr. FRANK of Massachusetts, Mr. RUSH, Ms. SLAUGHTER, and Mr. VAN HOLLEN.
 H.R. 3064: Mr. COLE.
 H.R. 3086: Mr. JACKSON of Illinois and Mr. DUNGAN of Tennessee.
 H.R. 3087: Mr. BARTON of Texas.
 H.R. 3187: Mr. SCHIFF, Mr. OLVER, Mr. LEWIS of Georgia, and Mr. FARENTHOLD.

H.R. 3199: Mr. CANSECO and Mr. HALL.
 H.R. 3242: Mr. JACKSON of Illinois and Mr. DAVIS of Illinois.
 H.R. 3264: Mr. POMPEO and Mr. JONES.
 H.R. 3283: Mr. BACA.
 H.R. 3286: Mr. JACKSON of Illinois.
 H.R. 3337: Mr. RIGELL.
 H.R. 3393: Mr. HARRIS.
 H.R. 3405: Mr. OWENS.
 H.R. 3423: Mr. CAPUANO, Mr. BARROW, Mr. GOODLATTE, Mr. DOYLE, and Mr. COHEN.
 H.R. 3425: Ms. ZOE LOFGREN of California.
 H.R. 3506: Mr. LATOURETTE.
 H.R. 3533: Mr. CICILLINE.
 H.R. 3586: Mr. BILIRAKIS and Mr. McKEON.
 H.R. 3587: Mr. FILNER.
 H.R. 3624: Ms. PINGREE of Maine and Mr. PRICE of North Carolina.
 H.R. 3627: Mr. GOSAR and Mrs. BLACKBURN.
 H.R. 3634: Mr. FRANKS of Arizona.
 H.R. 3640: Mr. COLE.
 H.R. 3658: Ms. SLAUGHTER, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. TOWNS, and Mr. JACKSON of Illinois.
 H.R. 3661: Mr. SCHIFF.
 H.R. 3713: Mr. DANIEL E. LUNGREN of California.
 H.R. 3805: Mr. CULBERSON.
 H.R. 3821: Ms. NORTON.
 H.R. 3824: Mr. SMITH of Washington and Mrs. DAVIS of California.
 H.R. 3826: Mr. CARDOZA, Ms. MATSUI, Ms. PINGREE of Maine, Ms. HOCHUL, and Mr. QUIGLEY.
 H.R. 3831: Mr. KILDEE.
 H.R. 3895: Ms. HAYWORTH.
 H.R. 3915: Mr. REED.
 H.R. 4000: Mr. POSEY.
 H.R. 4031: Mr. BOREN.
 H.R. 4070: Mr. CONYERS.
 H.R. 4077: Mr. ENGEL.
 H.R. 4124: Mr. WITTMAN.
 H.R. 4133: Mr. WOLF, Mr. ROSS of Florida, Mr. FORBES, Mr. KING of New York, Mr. YODER, Mr. RENACCI, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. CRITZ, Mr. JOHNSON of Georgia, Mr. LEVIN, Mr. OWENS, Mr. PASCRELL, Ms. LORETTA SANCHEZ of California, Mr. SHERMAN, Mr. SMITH of Washington, Mr. VISCLOSKY, Mr. WAXMAN, Ms. HANABUSA, Mr. ROE of Tennessee, Mr. MACK, Mr. CLARKE of Michigan, Mr. UPTON, Mr. RIBBLE, Mr. CALVERT, Mr. DIAZ-BALART, Mr. GRIMM, Mr. FRANK of Massachusetts, Mr. HIMES, Ms. RICHARDSON, Mr. MARKEY, and Mr. STEARNS.
 H.R. 4134: Mr. KINZINGER of Illinois, Mr. REHBERG, Mr. BARROW, and Mr. NUNES.
 H.R. 4154: Mr. GRIJALVA.
 H.R. 4157: Mr. CAMP, Mr. BOSWELL, Mr. CARTER, Mr. JOHNSON of Illinois, Mr. GUTHRIE, Mr. GOSAR, Mr. THORNBERRY, Mr. JONES, Mr. MCINTYRE, Mr. SIMPSON, Mrs. ELLMERS, Mr. AMODEI, Mr. LATTA, Mr. CANSECO, Mrs. BLACKBURN, and Mr. UPTON.
 H.R. 4158: Ms. ZOE LOFGREN of California.
 H.R. 4164: Mr. BRALEY of Iowa, Mr. BOSWELL, Ms. BORDALLO, and Mr. LATHAM.
 H.R. 4168: Mr. RIGELL.
 H.R. 4169: Mr. TIERNEY and Mr. TOWNS.
 H.R. 4170: Ms. PINGREE of Maine.
 H.R. 4173: Mr. RUSH, Ms. PINGREE of Maine, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Ms. EDWARDS, Mr. THOMPSON of Mississippi, Mr. MCGOVERN, Mr. HINCHEY, Mr. DAVIS of Illinois.
 H.R. 4178: Mr. COFFMAN of Colorado.
 H.R. 4188: Mr. LATHAM.
 H.R. 4196: Ms. LORETTA SANCHEZ of California, Mr. SCHOCK, Mr. HERGER, Mr. REICHERT, and Mrs. MCMORRIS RODGERS.
 H.R. 4200: Mr. JONES and Mr. COFFMAN of Colorado.
 H.R. 4222: Mr. COLE.
 H.R. 4227: Mr. CONYERS, Mr. DEFazio, Mr. GRIJALVA, Mr. HOLT, Mr. KILDEE, Mr. LOEBACK, Mr. NADLER, Ms. NORTON, Mr. REYES, and Ms. RICHARDSON.
 H.R. 4228: Mr. YOUNG of Indiana and Mr. ROHRBACHER.

H.R. 4229: Mr. ROTHMAN of New Jersey, Mr. GRIMM, Ms. BERKLEY, Mr. ENGEL, Mr. DEUTCH, Mr. WAXMAN, Ms. BROWN of Florida, Mr. PETERS, Mrs. LOWEY, Mr. TURNER of New York, Mr. KEATING, Ms. SCHWARTZ, Mr. HULTGREN, Mr. MCDERMOTT, Mr. GENE GREEN of Texas, Mr. RANGEL, Mr. ISRAEL, Mr. ANDREWS, Mr. MURPHY of Pennsylvania, Mr. SCHOCK, Mr. NADLER, Mr. CONNOLLY of Virginia, Mrs. MCCARTHY of New York, and Mr. HASTINGS of Florida.
 H.R. 4232: Mr. GOSAR.
 H.R. 4251: Mr. THOMPSON of Mississippi and Ms. JACKSON LEE of Texas.
 H.J. Res. 103: Mr. POE of Texas, Mr. SMITH of Texas, and Mr. GRIFFITH of Virginia.
 H.J. Res. 104: Mr. GRIFFIN of Arkansas.
 H. Con. Res. 110: Mr. NUNNELEE, Mrs. BLACKBURN, Mr. BARTLETT, Ms. JENKINS, Mr. GRIFFITH of Virginia, Mr. GOWDY, Mr. JONES, Mrs. MYRICK, Mr. CHAFFETZ, and Mr. KINGSTON.
 H. Con. Res. 113: Mr. JORDAN, Mr. MULVANEY, Mr. MCCLINTOCK, and Mr. HUELSKAMP.
 H. Res. 111: Mr. HUELSKAMP and Mr. STEARNS.
 H. Res. 560: Mr. FILNER.
 H. Res. 583: Mr. MICHAUD and Mr. FARR.

¶43.36 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3596: Mr. PITTS.

WEDNESDAY, MARCH 28, 2012 (44)

¶44.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. HARPER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

March 28, 2012.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

JOHN A. BOEHRNER,
Speaker.

¶44.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the request of the House of Representatives that the Senate return to the House the bill (H.R. 5) "An Act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system."

¶44.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. HARPER, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶44.4 RECESS—10:41 A.M.

The SPEAKER pro tempore, Mr. HARPER, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 41 minutes a.m., until noon.

¶44.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶44.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 27, 2012.

Mr. COHEN, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. COHEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶44.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5457. A letter from the President and Chairman, Export-Import Bank, transmitting a letter of notification to authorize a 90% guarantee on a supply chain finance facility for The Bank of Nova Scotia; to the Committee on Financial Services.

5458. A letter from the President and Chairman, Export-Import Bank, transmitting a letter of notification to authorize a 90% guarantee on a supply chain finance facility for Royal Bank of Scotland; to the Committee on Financial Services.

5459. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-14, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5460. A letter from the Secretary of the Army, Department of Defense, transmitting annual audit of the American Red Cross consolidated financial statements for the year ending June 30, 2011; to the Committee on Foreign Affairs.

5461. A letter from the Secretary, Department of the Treasury, transmitting as required by section 1705(e)(6) of the Cuban Democracy Act of 1992 the semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Affairs.

5462. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Drawbridge Operation Regulation; Neuse River, New Bern, NC [Docket No.: USCG-2011-0974] (RIN: 1625-AA09) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5463. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port St. Petersburg Zone, FL [Docket No.: USCG-2011-0958] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5464. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Safety Zone; M/V DAVY CROCKETT, Columbia River [Docket No.: USCG-2010-0939] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5465. A letter from the Attorney, Department of Transportation, transmitting the Department's final rule — Safety Zone; 14-Mile Railroad Bridge Replacement, Mobile River, Mobile, AL [Docket No.: USCG-2011-0969] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5466. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Security Zones; Captain of the Port Lake Michigan; Technical Amendment [Docket No.: USCG-2011-0489] (RIN: 1625-AA87) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5467. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Drawbridge Operation Regulation; Isle of Wight (Sinepuxent) Bay, Ocean City, MD [Docket No.: USCG-2011-0697] (RIN: 1625-AA09) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5468. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Drawbridge operation Regulation; Calcasieu River, Westlake, LA [Docket No.: USCG-2011-1020] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5469. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Conductor Certification [Docket No.: FRA-2009-0035, Notice No. 3] (2130-AC36) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5470. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30826; Amdt. No. 3464] received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5471. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30827 Amdt. No. 3465] received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶44.8 HOUR OF MEETING

On motion of Mr. PLATTS, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, March 29, 2012.

¶44.9 BIRTHPLACE OF THE NATIONAL GUARD

Mr. PLATTS moved to suspend the rules and pass the bill (H.R. 1339) to amend title 32, United States Code, the body of laws of the United States dealing with the National Guard, to recognize the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States; as amended.

The SPEAKER pro tempore, Mr. TERRY, recognized Mr. PLATTS and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TERRY, announced that two-thirds of the Members present had voted in the affirmative.

Ms. TSONGAS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. TERRY, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶44.10 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. TERRY, laid before the House the following communication from the Clerk of the House:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 28, 2012.

HON. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the Superior Court for the State of California, North Valley District in connection with a civil case currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not "material and relevant," compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶44.11 PROVIDING FOR CONSIDERATION OF H. CON. RES. 112 AND MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 597):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed four hours, with three hours of general debate confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Brady of Texas and Representative Hinchey of New York or their respective designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this res-

olution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent. All points of order against such amendments are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to adoption without intervening motion except amendments offered by the chair of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. It shall be in order at any time on the legislative day of March 29, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to a measure extending expiring surface transportation authority.

When said resolution was considered.

After debate,

Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. TERRY, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 235
affirmative } Nays 183

¶44.12 [Roll No. 139]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Berg
Biggart
Billbray
Billirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon

Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier

Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Fox (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Granger
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Hayworth
Heck

Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.

Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney

Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings

Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Green, Al
McDermott
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptun
Keating
Kildee

Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley

Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney

NOT VOTING—13

Benishek
Filner
Gonzalez
Goodlatte
Jackson (IL)

Mack
Meeks
Miller, George
Paul
Rangel

Roe (TN)
Shimkus
Stearns

So the previous question on the resolution was ordered.

The question being put, viva voce,
Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. KLINE, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 241
affirmative } Nays 184

¶44.13 [Roll No. 140]

YEAS—241

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggart
Billbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon

Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Hayworth
Heck

Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan

Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)

Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—184

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)

Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver

Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—6

Filner
Jackson (IL)

Mack
Meeks

Paul
Rangel

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

44.14 H.R. 1339—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. KLINE, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1339) to amend title 32, United States Code, the body of laws of the United States dealing with the National Guard, to recognize the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States; as amended.

The question being put,
Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	413
	Nays	6
	Answered present	4

44.15 [Roll No. 141]

YEAS—413

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Blibray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy

Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cielline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake

Fleischmann
Fleming
Flores
Fortenberry
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Israel
Issa

Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowe
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)

Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivers
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schalise

Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Serrano
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stark
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—6

Amash
Goodlatte

Griffith (VA)
Hurt

McKinley
Wolf

ANSWERED "PRESENT"—4

Benishek
Forbes

Rooney
Wittman

NOT VOTING—8

Cantor
Filner
Jackson (IL)

Mack
Meeks
Paul

Rangel
Sullivan

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to designate the City of Salem, Massachu-

setts, as the Birthplace of the National Guard of the United States.’’.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶44.16 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. KLINE, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair’s approval of the Journal of Tuesday, March 27, 2012.

The question being put, *viva voce*, Will the House agree to the Chair’s approval of said Journal?

The SPEAKER pro tempore, Mr. KLINE, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative	<table border="0"> <tr> <td rowspan="3"> <table border="0"> <tr> <td rowspan="3">Yeas</td> <td rowspan="3">300</td> </tr> <tr> <td rowspan="2">Nays</td> <td rowspan="2">111</td> </tr> <tr> <td>Answered present</td> <td>4</td> </tr> </table> </td> </tr> </table>	<table border="0"> <tr> <td rowspan="3">Yeas</td> <td rowspan="3">300</td> </tr> <tr> <td rowspan="2">Nays</td> <td rowspan="2">111</td> </tr> <tr> <td>Answered present</td> <td>4</td> </tr> </table>	Yeas	300	Nays	111	Answered present	4			
							<table border="0"> <tr> <td rowspan="3">Yeas</td> <td rowspan="3">300</td> </tr> <tr> <td rowspan="2">Nays</td> <td rowspan="2">111</td> </tr> <tr> <td>Answered present</td> <td>4</td> </tr> </table>	Yeas	300	Nays	111
					Yeas	300					
Nays	111										
		Answered present	4								

¶44.17 [Roll No. 142] YEAS—300

- Ackerman
- Aderholt
- Akin
- Alexander
- Altmire
- Amodei
- Austria
- Baca
- Bachmann
- Bachus
- Barletta
- Barrow
- Bartlett
- Barton (TX)
- Bass (NH)
- Becerra
- Berg
- Berkley
- Berman
- Biggert
- Bilbray
- Bilirakis
- Bishop (GA)
- Bishop (UT)
- Black
- Blackburn
- Blumenauer
- Bonamici
- Bonner
- Bono Mack
- Boren
- Boustany
- Brady (TX)
- Braleigh (IA)
- Brooks
- Broun (GA)
- Brown (FL)
- Buchanan
- Bucshon
- Burton (IN)
- Butterfield
- Calvert
- Camp
- Campbell
- Canseco
- Cantor
- Capps
- Carnahan
- Carney
- Carson (IN)
- Carter
- Cassidy
- Chabot
- Chaffetz
- Cicilline
- Clarke (MI)
- Clarke (NY)
- Clay
- Coble
- Cohen
- Cole
- Connolly (VA)
- Conyers
- Cooper
- Courtney
- Crawford
- Crenshaw
- Critz
- Crowley
- Cuellar
- Culberson
- Davis (CA)
- Davis (IL)
- DeGette
- DeLauro
- Denham
- DesJarlais
- Deutch
- Diaz-Balart
- Dicks
- Dingell
- Doyle
- Duncan (SC)
- Duncan (TN)
- Edwards
- Ellison
- Ellmers
- Emerson
- Engel
- Eshoo
- Farenthold
- Farr
- Fincher
- Flake
- Fleischmann
- Fleming
- Flores
- Fortenberry
- Frank (MA)
- Franks (AZ)
- Frelinghuysen
- Fudge
- Galleghy
- Garamendi
- Gibbs
- Gonzalez
- Goodlatte
- Gosar
- Gowdy
- Granger
- Graves (GA)
- Green, Al
- Griffith (VA)
- Grimm
- Guinta
- Guthrie
- Hahn
- Hall
- Hanabusa
- Harper
- Hastings (WA)
- Hayworth
- Heinrich
- Hensarling
- Herger
- Higgins
- Hinchee
- Hinojosa
- Hirono
- Hochul
- Holden
- Holt
- Hultgren
- Hurt
- Issa
- Jenkins
- Johnson (GA)
- Johnson (IL)
- Johnson, E. B.
- Johnson, Sam
- Jones
- Jordan
- Kaptur
- Keating
- Kelly
- Kildee
- King (IA)
- Flores (NY)
- Kingston
- Kissell
- Kline
- Labrador
- Lamborn

- Lance
- Langevin
- Lankford
- Larsen (WA)
- Larson (CT)
- LaTourette
- Latta
- Levin
- Lewis (CA)
- Lipinski
- LoBiondo
- Lofgren, Zoe
- Long
- Lowe
- Lucas
- Luetkemeyer
- Lujan
- Lummis
- Lungren, Daniel E.
- Maloney
- Marchant
- Marino
- Matsui
- McCarthy (CA)
- McCarthy (NY)
- McCaul
- McClintock
- McCollum
- McHenry
- McIntyre
- McKeon
- McMorris
- Rodgers
- McNerney
- Meehan
- Mica
- Michaud
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Moran
- Mulvaney
- Murphy (CT)
- Murphy (PA)
- Myrick
- Nadler
- Napolitano
- Neugebauer
- Noem
- Nunes
- Nunnelee
- Olson
- Palazzo
- Pascrell
- Pastor (AZ)
- Pearce
- Pelosi
- Pence
- Perlmutter
- Petri
- Pingree (ME)
- Pitts
- Platts
- Polis
- Pompeo
- Posey
- Price (GA)
- Price (NC)
- Quigley
- Rehberg
- Reichert
- Richardson
- Rigell
- Rivera
- Roby
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Rokita
- Ros-Lehtinen
- Roskam
- Ross (AR)
- Ross (FL)
- Rothman (NJ)
- Roybal-Allard
- Royce
- Runyan
- Ruppersberger
- Ryan (WI)
- Scalise
- Schiff
- Schmidt
- Schock
- Schrader
- Schwartz
- Schweikert
- Scott (SC)
- Scott (VA)
- Scott, Austin
- Scott, David
- Sensenbrenner
- Serrano
- Sessions
- Sewell
- Sherman
- Shimkus
- Shuster
- Simpson
- Sires
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Southerland
- Speier
- Stearns
- Stutzman
- Sullivan
- Sutton
- Thompson (PA)
- Thornberry
- Tiberi
- Tierney
- Tonko
- Towns
- Tsongas
- Upton
- Walberg
- Walden
- Walz (MN)
- Wasserman
- Schultz
- Waters
- Watt
- Waxman
- Webster
- Welch
- West
- Whitfield
- Wilson (FL)
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woolsey
- Yarmuth
- Young (FL)
- Young (IN)

NAYS—111

- Adams
- Andrews
- Baldwin
- Benishek
- Bishop (NY)
- Boswell
- Brady (PA)
- Buerkle
- Burgess
- Capuano
- Castor (FL)
- Chandler
- Chu
- Clyburn
- Coffman (CO)
- Conaway
- Costa
- Costello
- Cravaack
- Cummings
- DeFazio
- Dent
- Doggett
- Dold
- Donnelly (IN)
- Duffy
- Fitzpatrick
- Forbes
- Foxx
- Gardner
- Garrett
- Gerlach
- Gibson
- Graves (MO)
- Green, Gene
- Griffin (AR)
- Grijalva
- Gutierrez
- Hanna
- Harris
- Hartzler
- Heck
- Herrera Beutler
- Himes
- Honda
- Hoyer
- Huelskamp
- Huizenga (MI)
- Hunter
- Israel
- Jackson Lee
- (TX)
- Johnson (OH)
- Kind
- Kinzinger (IL)
- Kucinich
- Landry
- Latham
- Lee (CA)
- Lewis (GA)
- Loeb
- Lynch
- Manzullo
- Markey
- Matheson
- McCotter
- McDermott
- McGovern
- McKinley
- Miller (FL)
- Miller, George
- Moore
- Neal
- Nugent
- Olver
- Pallone
- Paulsen
- Peters
- Peterson
- Heck (TX)
- Quayle
- Rahall
- Reed
- Renacci
- Reyes
- Ribble
- Richmond
- Roe (TN)
- Rooney
- Rush
- Ryan (OH)
- Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schilling
- Shuler
- Slaughter
- Stark
- Stivers
- Terry
- Thompson (CA)
- Thompson (MS)
- Tipton
- Turner (NY)
- Turner (OH)
- Velázquez
- Visclosky
- Walsh (IL)
- Westmoreland
- Woodall
- Yoder
- Young (AK)

ANSWERED “PRESENT”—4

- Amash
- Cardoza
- Gingrey (GA)
- Owens

NOT VOTING—16

- Bass (CA)
- Capito
- Cleaver
- Davis (KY)
- Dreier
- Fattah
- Filner
- Gohmert
- Hastings (FL)
- Jackson (IL)

- Mack
- Meeks
- Paul
- Rangel
- Sánchez, Linda T.
- Van Hollen

So the Journal was approved.

¶44.18 CONGRESSIONAL BUDGET FY 2013

The SPEAKER pro tempore, Mr. DENHAM, pursuant to House Resolution 597 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

The SPEAKER pro tempore, Mr. DENHAM, by unanimous consent, designated Mr. KLINE as Chairman of the Committee of the Whole; and after some time spent therein,

¶44.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute numbered 1, printed in House Report 112-423, submitted by Mr. MULVANEY:

Strike all after the resolving clause and insert the following:

SECTION 1. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

- Fiscal year 2013: \$2,065,796,000,000.
- Fiscal year 2014: \$2,373,500,000,000.
- Fiscal year 2015: \$2,640,705,000,000.
- Fiscal year 2016: \$2,835,767,000,000.
- Fiscal year 2017: \$2,996,291,000,000.
- Fiscal year 2018: \$3,123,888,000,000.
- Fiscal year 2019: \$3,262,770,000,000.
- Fiscal year 2020: \$3,434,833,000,000.
- Fiscal year 2021: \$3,606,140,000,000.
- Fiscal year 2022: \$3,782,963,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

- Fiscal year 2013: -\$227,543,000,000.
- Fiscal year 2014: -\$177,683,000,000.
- Fiscal year 2015: -\$175,579,000,000.
- Fiscal year 2016: -\$180,339,000,000.
- Fiscal year 2017: -\$198,048,000,000.
- Fiscal year 2018: -\$228,401,000,000.
- Fiscal year 2019: -\$255,802,000,000.
- Fiscal year 2020: -\$273,187,000,000.
- Fiscal year 2021: -\$300,812,000,000.
- Fiscal year 2022: -\$332,518,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

- Fiscal year 2013: \$2,981,518,000,000.
- Fiscal year 2014: \$3,036,509,000,000.
- Fiscal year 2015: \$3,183,712,000,000.
- Fiscal year 2016: \$3,388,753,000,000.
- Fiscal year 2017: \$3,545,013,000,000.
- Fiscal year 2018: \$3,713,179,000,000.
- Fiscal year 2019: \$3,903,527,000,000.
- Fiscal year 2020: \$4,116,158,000,000.
- Fiscal year 2021: \$4,299,370,000,000.
- Fiscal year 2022: \$4,504,615,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

- Fiscal year 2013: \$3,078,221,000,000.
- Fiscal year 2014: \$3,098,134,000,000.

Fiscal year 2015: \$3,197,095,000,000.
 Fiscal year 2016: \$3,385,620,000,000.
 Fiscal year 2017: \$3,506,849,000,000.
 Fiscal year 2018: \$3,653,640,000,000.
 Fiscal year 2019: \$3,875,989,000,000.
 Fiscal year 2020: \$4,070,744,000,000.
 Fiscal year 2021: \$4,264,323,000,000.
 Fiscal year 2022: \$4,472,110,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013: -\$1,012,425,000,000.
 Fiscal year 2014: -\$724,634,000,000.
 Fiscal year 2015: -\$556,390,000,000.
 Fiscal year 2016: -\$549,853,000,000.
 Fiscal year 2017: -\$510,558,000,000.
 Fiscal year 2018: -\$529,752,000,000.
 Fiscal year 2019: -\$613,219,000,000.
 Fiscal year 2020: -\$635,911,000,000.
 Fiscal year 2021: -\$658,183,000,000.
 Fiscal year 2022: -\$689,147,000,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,314,780,000,000.
 Fiscal year 2014: \$18,251,238,000,000.
 Fiscal year 2015: \$19,050,579,000,000.
 Fiscal year 2016: \$19,855,892,000,000.
 Fiscal year 2017: \$20,624,430,000,000.
 Fiscal year 2018: \$21,419,275,000,000.
 Fiscal year 2019: \$22,288,175,000,000.
 Fiscal year 2020: \$23,197,859,000,000.
 Fiscal year 2021: \$24,143,484,000,000.
 Fiscal year 2022: \$25,123,397,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,517,072,000,000.
 Fiscal year 2014: \$13,330,583,000,000.
 Fiscal year 2015: \$13,981,546,000,000.
 Fiscal year 2016: \$14,618,296,000,000.
 Fiscal year 2017: \$15,215,406,000,000.
 Fiscal year 2018: \$15,824,696,000,000.
 Fiscal year 2019: \$16,518,942,000,000.
 Fiscal year 2020: \$17,245,767,000,000.
 Fiscal year 2021: \$18,007,496,000,000.
 Fiscal year 2022: \$18,818,701,000,000.

SEC. 2. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2013:
 (A) New budget authority, \$559,695,000,000.
 (B) Outlays, \$623,942,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$566,879,000,000.
 (B) Outlays, \$583,766,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$579,817,000,000.
 (B) Outlays, \$573,914,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$590,329,000,000.
 (B) Outlays, \$583,897,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$602,399,000,000.
 (B) Outlays, \$589,346,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$615,052,000,000.
 (B) Outlays, \$596,095,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$628,979,000,000.
 (B) Outlays, \$613,977,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$642,907,000,000.
 (B) Outlays, \$628,324,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$656,291,000,000.
 (B) Outlays, \$641,663,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$673,651,000,000.
 (B) Outlays, \$662,113,000,000.
 (2) International Affairs (150):
 Fiscal year 2013:
 (A) New budget authority, \$50,338,000,000.
 (B) Outlays, \$52,377,000,000.

Fiscal year 2014:

(A) New budget authority, \$49,241,000,000.
 (B) Outlays, \$51,977,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$47,643,000,000.
 (B) Outlays, \$50,994,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$47,666,000,000.
 (B) Outlays, \$51,503,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$50,315,000,000.
 (B) Outlays, \$52,115,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$52,464,000,000.
 (B) Outlays, \$52,434,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$53,679,000,000.
 (B) Outlays, \$51,545,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$54,906,000,000.
 (B) Outlays, \$51,701,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$56,141,000,000.
 (B) Outlays, \$52,805,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$57,909,000,000.
 (B) Outlays, \$54,168,000,000.
 (3) General Science, Space, and Technology (250):
 Fiscal year 2013:
 (A) New budget authority, \$29,556,000,000.
 (B) Outlays, \$29,840,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$30,091,000,000.
 (B) Outlays, \$29,964,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$30,654,000,000.
 (B) Outlays, \$30,335,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$31,244,000,000.
 (B) Outlays, \$30,890,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$31,920,000,000.
 (B) Outlays, \$31,523,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$32,623,000,000.
 (B) Outlays, \$32,200,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$33,357,000,000.
 (B) Outlays, \$32,859,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$34,089,000,000.
 (B) Outlays, \$33,576,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$34,824,000,000.
 (B) Outlays, \$34,212,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$35,667,000,000.
 (B) Outlays, \$34,996,000,000.
 (4) Energy (270):
 Fiscal year 2013:
 (A) New budget authority, \$15,925,000,000.
 (B) Outlays, \$13,042,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$6,434,000,000.
 (B) Outlays, \$9,079,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$5,072,000,000.
 (B) Outlays, \$7,335,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$4,929,000,000.
 (B) Outlays, \$6,200,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$4,653,000,000.
 (B) Outlays, \$5,244,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$4,594,000,000.
 (B) Outlays, \$4,215,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$4,534,000,000.
 (B) Outlays, \$4,348,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$4,545,000,000.
 (B) Outlays, \$4,207,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$4,507,000,000.
 (B) Outlays, \$4,133,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$4,618,000,000.

(B) Outlays, \$4,174,000,000.
 (5) Natural Resources and Environment (300):

Fiscal year 2013:
 (A) New budget authority, \$35,430,000,000.
 (B) Outlays, \$40,460,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$36,447,000,000.
 (B) Outlays, \$38,559,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$36,804,000,000.
 (B) Outlays, \$38,130,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$37,608,000,000.
 (B) Outlays, \$38,030,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$38,727,000,000.
 (B) Outlays, \$38,879,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$40,121,000,000.
 (B) Outlays, \$39,015,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$41,011,000,000.
 (B) Outlays, \$39,972,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$42,307,000,000.
 (B) Outlays, \$41,148,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,558,000,000.
 (B) Outlays, \$41,715,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$43,419,000,000.
 (B) Outlays, \$42,362,000,000.
 (6) Agriculture (350):
 Fiscal year 2013:
 (A) New budget authority, \$21,834,000,000.
 (B) Outlays, \$24,722,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$16,804,000,000.
 (B) Outlays, \$17,373,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$21,079,000,000.
 (B) Outlays, \$20,842,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$20,488,000,000.
 (B) Outlays, \$20,059,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$20,025,000,000.
 (B) Outlays, \$19,578,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$20,448,000,000.
 (B) Outlays, \$19,945,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$20,112,000,000.
 (B) Outlays, \$19,656,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$19,524,000,000.
 (B) Outlays, \$19,098,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$20,155,000,000.
 (B) Outlays, \$19,718,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$19,965,000,000.
 (B) Outlays, \$19,538,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2013:
 (A) New budget authority, \$2,968,000,000.
 (B) Outlays, \$5,769,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$8,357,000,000.
 (B) Outlays, -\$2,293,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$7,366,000,000.
 (B) Outlays, -\$4,783,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$8,145,000,000.
 (B) Outlays, -\$6,537,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$9,758,000,000.
 (B) Outlays, -\$6,533,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$12,253,000,000.
 (B) Outlays, -\$4,945,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$14,773,000,000.
 (B) Outlays, -\$8,348,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$22,613,000,000.
 (B) Outlays, -\$2,240,000,000.

Fiscal year 2021:	Fiscal year 2019:	(B) Outlays, \$539,685,000,000.
(A) New budget authority, \$15,563,000,000.	(A) New budget authority, \$103,464,000,000.	Fiscal year 2018:
(B) Outlays, \$474,000,000.	(B) Outlays, \$102,181,000,000.	(A) New budget authority, \$546,446,000,000.
Fiscal year 2022:	Fiscal year 2020:	(B) Outlays, \$538,021,000,000.
(A) New budget authority, \$20,101,000,000.	(A) New budget authority, \$104,120,000,000.	Fiscal year 2019:
(B) Outlays, \$2,275,000,000.	(B) Outlays, \$104,073,000,000.	(A) New budget authority, \$561,786,000,000.
(8) Transportation (400):	Fiscal year 2021:	(B) Outlays, \$558,295,000,000.
Fiscal year 2013:	(A) New budget authority, \$105,157,000,000.	Fiscal year 2020:
(A) New budget authority, \$88,386,000,000.	(B) Outlays, \$105,085,000,000.	(A) New budget authority, \$573,480,000,000.
(B) Outlays, \$102,364,000,000.	Fiscal year 2022:	(B) Outlays, \$570,338,000,000.
Fiscal year 2014:	(A) New budget authority, \$106,690,000,000.	Fiscal year 2021:
(A) New budget authority, \$101,243,000,000.	(B) Outlays, \$106,209,000,000.	(A) New budget authority, \$586,855,000,000.
(B) Outlays, \$105,524,000,000.	(11) Health (550):	(B) Outlays, \$583,571,000,000.
Fiscal year 2015:	Fiscal year 2013:	Fiscal year 2022:
(A) New budget authority, \$107,661,000,000.	(A) New budget authority, \$372,835,000,000.	(A) New budget authority, \$604,517,000,000.
(B) Outlays, \$104,782,000,000.	(B) Outlays, \$375,955,000,000.	(B) Outlays, \$605,786,000,000.
Fiscal year 2016:	Fiscal year 2014:	(14) Social Security (650):
(A) New budget authority, \$114,471,000,000.	(A) New budget authority, \$473,879,000,000.	Fiscal year 2013:
(B) Outlays, \$107,766,000,000.	(B) Outlays, \$464,352,000,000.	(A) New budget authority, \$53,416,000,000.
Fiscal year 2017:	Fiscal year 2015:	(B) Outlays, \$53,496,000,000.
(A) New budget authority, \$120,819,000,000.	(A) New budget authority, \$542,160,000,000.	Fiscal year 2014:
(B) Outlays, \$112,009,000,000.	(B) Outlays, \$538,003,000,000.	(A) New budget authority, \$31,892,000,000.
Fiscal year 2018:	Fiscal year 2016:	(B) Outlays, \$32,002,000,000.
(A) New budget authority, \$127,262,000,000.	(A) New budget authority, \$590,904,000,000.	Fiscal year 2015:
(B) Outlays, \$115,782,000,000.	(B) Outlays, \$594,729,000,000.	(A) New budget authority, \$35,135,000,000.
Fiscal year 2019:	Fiscal year 2017:	(B) Outlays, \$35,210,000,000.
(A) New budget authority, \$92,354,000,000.	(A) New budget authority, \$626,658,000,000.	Fiscal year 2016:
(B) Outlays, \$113,424,000,000.	(B) Outlays, \$629,150,000,000.	(A) New budget authority, \$38,953,000,000.
Fiscal year 2020:	Fiscal year 2018:	(B) Outlays, \$38,991,000,000.
(A) New budget authority, \$94,123,000,000.	(A) New budget authority, \$664,032,000,000.	Fiscal year 2017:
(B) Outlays, \$107,580,000,000.	(B) Outlays, \$662,930,000,000.	(A) New budget authority, \$43,140,000,000.
Fiscal year 2021:	Fiscal year 2019:	(B) Outlays, \$43,140,000,000.
(A) New budget authority, \$95,934,000,000.	(A) New budget authority, \$707,099,000,000.	Fiscal year 2018:
(B) Outlays, \$105,310,000,000.	(B) Outlays, \$706,061,000,000.	(A) New budget authority, \$47,590,000,000.
Fiscal year 2022:	Fiscal year 2020:	(B) Outlays, \$47,590,000,000.
(A) New budget authority, \$97,877,000,000.	(A) New budget authority, \$761,258,000,000.	Fiscal year 2019:
(B) Outlays, \$104,566,000,000.	(B) Outlays, \$749,868,000,000.	(A) New budget authority, \$52,429,000,000.
(9) Community and Regional Development (450):	Fiscal year 2021:	(B) Outlays, \$52,429,000,000.
Fiscal year 2013:	(A) New budget authority, \$800,618,000,000.	Fiscal year 2020:
(A) New budget authority, \$17,509,000,000.	(B) Outlays, \$799,481,000,000.	(A) New budget authority, \$57,425,000,000.
(B) Outlays, \$24,695,000,000.	Fiscal year 2022:	(B) Outlays, \$57,425,000,000.
Fiscal year 2014:	(A) New budget authority, \$851,615,000,000.	Fiscal year 2021:
(A) New budget authority, \$12,125,000,000.	(B) Outlays, \$849,973,000,000.	(A) New budget authority, \$62,604,000,000.
(B) Outlays, \$26,292,000,000.	(12) Medicare (570):	(B) Outlays, \$62,604,000,000.
Fiscal year 2015:	Fiscal year 2013:	Fiscal year 2022:
(A) New budget authority, \$12,339,000,000.	(A) New budget authority, \$525,876,000,000.	(A) New budget authority, \$68,079,000,000.
(B) Outlays, \$25,812,000,000.	(B) Outlays, \$525,716,000,000.	(B) Outlays, \$68,079,000,000.
Fiscal year 2016:	Fiscal year 2014:	(15) Veterans Benefits and Services (700):
(A) New budget authority, \$12,573,000,000.	(A) New budget authority, \$553,675,000,000.	Fiscal year 2013:
(B) Outlays, \$20,110,000,000.	(B) Outlays, \$552,981,000,000.	(A) New budget authority, \$135,651,000,000.
Fiscal year 2017:	Fiscal year 2015:	(B) Outlays, \$135,289,000,000.
(A) New budget authority, \$12,843,000,000.	(A) New budget authority, \$570,815,000,000.	Fiscal year 2014:
(B) Outlays, \$16,523,000,000.	(B) Outlays, \$570,407,000,000.	(A) New budget authority, \$136,996,000,000.
Fiscal year 2018:	Fiscal year 2016:	(B) Outlays, \$137,447,000,000.
(A) New budget authority, \$13,121,000,000.	(A) New budget authority, \$617,954,000,000.	Fiscal year 2015:
(B) Outlays, \$14,301,000,000.	(B) Outlays, \$617,756,000,000.	(A) New budget authority, \$139,827,000,000.
Fiscal year 2019:	Fiscal year 2017:	(B) Outlays, \$139,964,000,000.
(A) New budget authority, \$13,410,000,000.	(A) New budget authority, \$633,488,000,000.	Fiscal year 2016:
(B) Outlays, \$13,848,000,000.	(B) Outlays, \$632,808,000,000.	(A) New budget authority, \$148,005,000,000.
Fiscal year 2020:	Fiscal year 2018:	(B) Outlays, \$147,807,000,000.
(A) New budget authority, \$13,705,000,000.	(A) New budget authority, \$653,683,000,000.	Fiscal year 2017:
(B) Outlays, \$14,046,000,000.	(B) Outlays, \$653,276,000,000.	(A) New budget authority, \$146,445,000,000.
Fiscal year 2021:	Fiscal year 2019:	(B) Outlays, \$146,074,000,000.
(A) New budget authority, \$13,999,000,000.	(A) New budget authority, \$715,518,000,000.	Fiscal year 2018:
(B) Outlays, \$14,583,000,000.	(B) Outlays, \$715,315,000,000.	(A) New budget authority, \$144,620,000,000.
Fiscal year 2022:	Fiscal year 2020:	(B) Outlays, \$143,993,000,000.
(A) New budget authority, \$14,343,000,000.	(A) New budget authority, \$763,016,000,000.	Fiscal year 2019:
(B) Outlays, \$14,958,000,000.	(B) Outlays, \$762,316,000,000.	(A) New budget authority, \$153,568,000,000.
(10) Education, Training, Employment, and Social Services (500):	Fiscal year 2021:	(B) Outlays, \$152,909,000,000.
Fiscal year 2013:	(A) New budget authority, \$810,664,000,000.	Fiscal year 2020:
(A) New budget authority, \$82,028,000,000.	(B) Outlays, \$810,230,000,000.	(A) New budget authority, \$157,302,000,000.
(B) Outlays, \$122,483,000,000.	Fiscal year 2022:	(B) Outlays, \$156,643,000,000.
Fiscal year 2014:	(A) New budget authority, \$885,513,000,000.	Fiscal year 2021:
(A) New budget authority, \$87,194,000,000.	(B) Outlays, \$885,426,000,000.	(A) New budget authority, \$161,056,000,000.
(B) Outlays, \$107,191,000,000.	(13) Income Security (600):	(B) Outlays, \$160,370,000,000.
Fiscal year 2015:	Fiscal year 2013:	Fiscal year 2022:
(A) New budget authority, \$85,938,000,000.	(A) New budget authority, \$545,622,000,000.	(A) New budget authority, \$170,839,000,000.
(B) Outlays, \$101,331,000,000.	(B) Outlays, \$542,562,000,000.	(B) Outlays, \$170,088,000,000.
Fiscal year 2016:	Fiscal year 2014:	(16) Administration of Justice (750):
(A) New budget authority, \$85,960,000,000.	(A) New budget authority, \$537,970,000,000.	Fiscal year 2013:
(B) Outlays, \$92,781,000,000.	(B) Outlays, \$534,946,000,000.	(A) New budget authority, \$53,772,000,000.
Fiscal year 2017:	Fiscal year 2015:	(B) Outlays, \$58,831,000,000.
(A) New budget authority, \$95,143,000,000.	(A) New budget authority, \$538,691,000,000.	Fiscal year 2014:
(B) Outlays, \$92,808,000,000.	(B) Outlays, \$533,883,000,000.	(A) New budget authority, \$55,029,000,000.
Fiscal year 2018:	Fiscal year 2016:	(B) Outlays, \$57,404,000,000.
(A) New budget authority, \$99,647,000,000.	(A) New budget authority, \$546,156,000,000.	Fiscal year 2015:
(B) Outlays, \$98,392,000,000.	(B) Outlays, \$545,811,000,000.	(A) New budget authority, \$55,792,000,000.
	Fiscal year 2017:	(B) Outlays, \$56,371,000,000.
	(A) New budget authority, \$544,282,000,000.	Fiscal year 2016:

(A) New budget authority, \$58,542,000,000.
 (B) Outlays, \$58,214,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$57,889,000,000.
 (B) Outlays, \$57,538,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$58,992,000,000.
 (B) Outlays, \$60,408,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$60,204,000,000.
 (B) Outlays, \$60,504,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$61,406,000,000.
 (B) Outlays, \$61,011,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$62,772,000,000.
 (B) Outlays, \$62,348,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$67,988,000,000.
 (B) Outlays, \$67,496,000,000.
 (17) General Government (800):
 Fiscal year 2013:
 (A) New budget authority, \$25,808,000,000.
 (B) Outlays, \$27,408,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$27,256,000,000.
 (B) Outlays, \$27,706,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$29,196,000,000.
 (B) Outlays, \$29,376,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$31,275,000,000.
 (B) Outlays, \$31,459,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$33,433,000,000.
 (B) Outlays, \$33,300,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$35,613,000,000.
 (B) Outlays, \$35,417,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$37,969,000,000.
 (B) Outlays, \$37,513,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$40,338,000,000.
 (B) Outlays, \$39,900,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$42,762,000,000.
 (B) Outlays, \$42,226,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$45,219,000,000.
 (B) Outlays, \$44,669,000,000.
 (18) Net Interest (900):
 Fiscal year 2013:
 (A) New budget authority, \$347,234,000,000.
 (B) Outlays, \$347,234,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$360,341,000,000.
 (B) Outlays, \$360,341,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$400,112,000,000.
 (B) Outlays, \$400,112,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$466,938,000,000.
 (B) Outlays, \$466,938,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$539,743,000,000.
 (B) Outlays, \$539,743,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$614,473,000,000.
 (B) Outlays, \$614,473,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$686,716,000,000.
 (B) Outlays, \$686,716,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$751,343,000,000.
 (B) Outlays, \$751,343,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$804,643,000,000.
 (B) Outlays, \$804,643,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$858,474,000,000.
 (B) Outlays, \$848,474,000,000.
 (19) Allowances (920):
 Fiscal year 2013:
 (A) New budget authority, \$0.
 (B) Outlays, \$0.
 Fiscal year 2014:
 (A) New budget authority, -\$19,353,000,000.
 (B) Outlays, -\$10,338,000,000.

Fiscal year 2015:
 (A) New budget authority, -\$20,761,000,000.
 (B) Outlays, -\$17,171,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$20,286,000,000.
 (B) Outlays, -\$18,947,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$19,802,000,000.
 (B) Outlays, -\$19,342,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$19,873,000,000.
 (B) Outlays, -\$19,674,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$20,905,000,000.
 (B) Outlays, -\$20,297,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$26,857,000,000.
 (B) Outlays, -\$23,804,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$18,232,000,000.
 (B) Outlays, -\$20,916,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$60,069,000,000.
 (B) Outlays, -\$61,008,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2013:
 (A) New budget authority, -\$79,096,000,000.
 (B) Outlays, -\$79,095,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$80,150,000,000.
 (B) Outlays, -\$80,149,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$85,787,000,000.
 (B) Outlays, -\$85,786,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$87,260,000,000.
 (B) Outlays, -\$87,259,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$91,024,000,000.
 (B) Outlays, -\$91,023,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$94,141,000,000.
 (B) Outlays, -\$94,140,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$100,689,000,000.
 (B) Outlays, -\$100,688,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$99,551,000,000.
 (B) Outlays, -\$99,550,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$103,660,000,000.
 (B) Outlays, -\$103,659,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$105,959,000,000.
 (B) Outlays, -\$105,959,000,000.
 (21) Overseas Contingency Operations/Glob-
 al War on Terrorism:
 Fiscal year 2013:
 (A) New budget authority, \$96,725,000,000.
 (B) Outlays, \$51,125,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$54,010,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$48,034,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$45,422,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$44,284,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$43,912,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$43,770,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$43,741,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$43,727,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$44,159,000,000.
 (B) Outlays, \$43,727,000,000.

It was decided in the { Yeas 0
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44.20 [Roll No. 143]
 NOES—414

Ackerman	Davis (CA)	Hunter
Adams	Davis (IL)	Hurt
Aderholt	Davis (KY)	Issa
Akin	DeFazio	Jackson Lee
Alexander	DeGette	(TX)
Altmire	DeLauro	Jenkins
Amash	Denham	Johnson (GA)
Amodei	Dent	Johnson (IL)
Andrews	DesJarlais	Johnson (OH)
Austria	Diaz-Balart	Johnson, E. B.
Baca	Dicks	Johnson, Sam
Bachmann	Dingell	Jones
Bachus	Doggett	Jordan
Baldwin	Dold	Keating
Barletta	Donnelly (IN)	Kelly
Barrow	Doyle	Kildee
Bartlett	Dreier	Kind
Barton (TX)	Duffy	King (IA)
Bass (CA)	Duncan (SC)	King (NY)
Bass (NH)	Duncan (TN)	Kingston
Becerra	Edwards	Kinzinger (IL)
Benishek	Ellison	Kissell
Berg	Elmers	Kline
Berkley	Emerson	Kucinich
Berman	Engel	Labrador
Biggett	Eshoo	Lamborn
Bilbray	Farenthold	Lance
Bilirakis	Farr	Landry
Bishop (GA)	Fattah	Langevin
Bishop (NY)	Fincher	Lankford
Bishop (UT)	Fitzpatrick	Larsen (WA)
Black	Flake	Latham
Blackburn	Fleischmann	LaTourette
Blumenauer	Fleming	Latta
Bonamici	Flores	Lee (CA)
Bonner	Forbes	Levin
Bono Mack	Fortenberry	Lewis (CA)
Boren	Fox	Lewis (GA)
Boswell	Frank (MA)	Lipinski
Boustany	Franks (AZ)	LoBiondo
Brady (PA)	Frelinghuysen	Loeback
Brady (TX)	Fudge	Lofgren, Zoe
Braley (IA)	Gallely	Long
Brooks	Garamendi	Lowe
Broun (GA)	Gardner	Lucas
Brown (FL)	Garrett	Luetkemeyer
Buchanan	Gerlach	Lujan
Bucshon	Gibbs	Lummis
Buerkle	Gibson	Lungren, Daniel
Burgess	Gingrey (GA)	E.
Burton (IN)	Gohmert	Lynch
Butterfield	Gonzalez	Maloney
Calvert	Goodlatte	Manzullo
Camp	Gosar	Marchant
Campbell	Gowdy	Marino
Canseco	Granger	Markey
Cantor	Graves (GA)	Matheson
Capito	Graves (MO)	Matsui
Capps	Green, Al	McCarthy (CA)
Capuano	Green, Gene	McCarthy (NY)
Carnahan	Griffin (AR)	McCauley
Carney	Griffith (VA)	McClintock
Carson (IN)	Grimm	McCollum
Carter	Guinta	McCotter
Cassidy	Guthrie	McDermott
Castor (FL)	Gutierrez	McGovern
Chabot	Hahn	McHenry
Chaffetz	Hall	McIntyre
Chandler	Hanabusa	McKeon
Chu	Hanna	McKinley
Cicilline	Harper	McMorris
Clarke (MI)	Harris	Rodgers
Clarke (NY)	Hartzler	McNerney
Cleaver	Hastings (FL)	Meehan
Clyburn	Hastings (WA)	Mica
Coble	Hayworth	Michaud
Coffman (CO)	Heck	Miller (FL)
Cohen	Heinrich	Miller (MI)
Cole	Hensarling	Miller (NC)
Conaway	Herger	Miller, Gary
Connolly (VA)	Herrera Beutler	Miller, George
Conyers	Higgins	Moore
Cooper	Himes	Moran
Costa	Hinche	Mulvaney
Costello	Hinojosa	Murphy (CT)
Courtney	Hirono	Murphy (PA)
Cravaack	Hochul	Myrick
Crawford	Holden	Nadler
Crenshaw	Holt	Napolitano
Critz	Honda	Neal
Crowley	Hoyer	Neugebauer
Cuellar	Huelskamp	Noem
Culberson	Huizenga (MI)	Nugent
Cummings	Hultgren	Nunes

Nunnelee	Ros-Lehtinen	Stutzman
Olson	Roskam	Sullivan
Oliver	Ross (AR)	Sutton
Owens	Ross (FL)	Terry
Palazzo	Rothman (NJ)	Thompson (CA)
Pallone	Roybal-Allard	Thompson (MS)
Pascarell	Royce	Thompson (PA)
Pastor (AZ)	Runyan	Thornberry
Paulsen	Ruppersberger	Tiberi
Pearce	Rush	Tierney
Pelosi	Ryan (WI)	Tipton
Pence	Sánchez, Linda	Tonko
Perlmutter	T.	Tsongas
Peters	Sanchez, Loretta	Turner (NY)
Peterson	Sarbanes	Turner (OH)
Petri	Scalise	Upton
Pingree (ME)	Schakowsky	Van Hollen
Pitts	Schiff	Velázquez
Platts	Schilling	Visclosky
Poe (TX)	Schmidt	Walberg
Polis	Schock	Walden
Pompeo	Schrader	Walsh (IL)
Posey	Schwartz	Walz (MN)
Price (GA)	Schweikert	Wasserman
Price (NC)	Scott (SC)	Schultz
Quayle	Scott (VA)	Waters
Quigley	Scott, Austin	Watt
Rahall	Scott, David	Waxman
Reed	Sensenbrenner	Webster
Rehberg	Serrano	Welch
Reichert	Sessions	West
Renacci	Sherman	Westmoreland
Reyes	Shimkus	Whitfield
Ribble	Shuster	Wilson (FL)
Richardson	Simpson	Wilson (SC)
Richmond	Sires	Wittman
Rigell	Slaughter	Wolf
Rivera	Smith (NE)	Womack
Roby	Smith (NJ)	Woodall
Roe (TN)	Smith (TX)	Woolsey
Rogers (AL)	Smith (WA)	Yarmuth
Rogers (KY)	Southerland	Yoder
Rogers (MI)	Speier	Young (AK)
Rohrabacher	Stark	Young (FL)
Rokita	Stearns	Young (IN)
Rooney	Stivers	

NOT VOTING—17

Cardoza	Jackson (IL)	Rangel
Clay	Kaptur	Ryan (OH)
Deutch	Larson (CT)	Sewell
Filner	Mack	Shuler
Grijalva	Meeks	Towns
Israel	Paul	

So the amendment in the nature of a substitute was not agreed to.

44.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute numbered 2, printed in House Report 112-423, submitted by Mr. CLEAVER:

Strike all after the resolving clause and insert the following:

SECTION 1. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,335,291,000,000.
 Fiscal year 2014: \$2,680,700,000,000.
 Fiscal year 2015: \$3,004,405,000,000.
 Fiscal year 2016: \$3,219,867,000,000.
 Fiscal year 2017: \$3,399,791,000,000.
 Fiscal year 2018: \$3,545,388,000,000.
 Fiscal year 2019: \$3,701,670,000,000.
 Fiscal year 2020: \$3,890,233,000,000.
 Fiscal year 2021: \$4,078,241,000,000.
 Fiscal year 2022: \$4,272,162,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: \$41,776,000,000.
 Fiscal year 2014: \$129,432,000,000.
 Fiscal year 2015: \$187,945,000,000.
 Fiscal year 2016: \$203,234,000,000.
 Fiscal year 2017: \$204,691,000,000.

Fiscal year 2018: \$192,105,000,000.

Fiscal year 2019: \$181,937,000,000.

Fiscal year 2020: \$180,911,000,000.

Fiscal year 2021: \$169,741,000,000.

Fiscal year 2022: \$154,993,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,128,317,000,000.

Fiscal year 2014: \$3,111,395,000,000.

Fiscal year 2015: \$3,189,733,000,000.

Fiscal year 2016: \$3,395,345,000,000.

Fiscal year 2017: \$3,546,170,000,000.

Fiscal year 2018: \$3,698,240,000,000.

Fiscal year 2019: \$3,867,601,000,000.

Fiscal year 2020: \$4,063,783,000,000.

Fiscal year 2021: \$4,230,729,000,000.

Fiscal year 2022: \$4,423,309,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$3,169,119,000,000.

Fiscal year 2014: \$3,176,782,000,000.

Fiscal year 2015: \$3,237,481,000,000.

Fiscal year 2016: \$3,397,122,000,000.

Fiscal year 2017: \$3,511,256,000,000.

Fiscal year 2018: \$3,639,385,000,000.

Fiscal year 2019: \$3,840,278,000,000.

Fiscal year 2020: \$4,018,250,000,000.

Fiscal year 2021: \$4,195,261,000,000.

Fiscal year 2022: \$4,390,772,000,000.

(4) **DEFICITS (ON-BUDGET).**—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013: -\$833,825,000,000.

Fiscal year 2014: -\$496,081,000,000.

Fiscal year 2015: -\$233,078,000,000.

Fiscal year 2016: -\$177,254,000,000.

Fiscal year 2017: -\$111,464,000,000.

Fiscal year 2018: -\$93,996,000,000.

Fiscal year 2019: -\$138,607,000,000.

Fiscal year 2020: -\$128,017,000,000.

Fiscal year 2021: -\$117,020,000,000.

Fiscal year 2022: -\$118,609,000,000.

(5) **DEBT SUBJECT TO LIMIT.**—The appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,147,000,000,000.

Fiscal year 2014: \$17,822,000,000,000.

Fiscal year 2015: \$18,241,000,000,000.

Fiscal year 2016: \$18,632,000,000,000.

Fiscal year 2017: \$19,003,000,000,000.

Fiscal year 2018: \$19,371,000,000,000.

Fiscal year 2019: \$19,777,000,000,000.

Fiscal year 2020: \$20,172,000,000,000.

Fiscal year 2021: \$20,556,000,000,000.

Fiscal year 2022: \$20,932,000,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,336,000,000,000.

Fiscal year 2014: \$12,913,000,000,000.

Fiscal year 2015: \$13,224,000,000,000.

Fiscal year 2016: \$13,476,000,000,000.

Fiscal year 2017: \$13,661,000,000,000.

Fiscal year 2018: \$13,820,000,000,000.

Fiscal year 2019: \$14,026,000,000,000.

Fiscal year 2020: \$14,231,000,000,000.

Fiscal year 2021: \$14,439,000,000,000.

Fiscal year 2022: \$14,668,000,000,000.

SEC. 2. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) **National Defense (050):**

Fiscal year 2013:

(A) New budget authority, \$553,925,000,000.

(B) Outlays, \$585,924,000,000.

Fiscal year 2014:

(A) New budget authority, \$564,074,000,000.

(B) Outlays, \$568,196,000,000.

Fiscal year 2015:

(A) New budget authority, \$574,336,000,000.

(B) Outlays, \$565,518,000,000.

Fiscal year 2016:

(A) New budget authority, \$585,581,000,000.

(B) Outlays, \$578,055,000,000.

Fiscal year 2017:

(A) New budget authority, \$598,841,000,000.

(B) Outlays, \$585,091,000,000.

Fiscal year 2018:

(A) New budget authority, \$612,097,000,000.

(B) Outlays, \$592,763,000,000.

Fiscal year 2019:

(A) New budget authority, \$625,362,000,000.

(B) Outlays, \$610,522,000,000.

Fiscal year 2020:

(A) New budget authority, \$639,661,000,000.

(B) Outlays, \$625,015,000,000.

Fiscal year 2021:

(A) New budget authority, \$653,962,000,000.

(B) Outlays, \$638,965,000,000.

Fiscal year 2022:

(A) New budget authority, \$671,019,000,000.

(B) Outlays, \$659,506,000,000.

(2) **International Affairs (150):**

Fiscal year 2013:

(A) New budget authority, \$56,338,000,000.

(B) Outlays, \$52,222,000,000.

Fiscal year 2014:

(A) New budget authority, \$51,241,000,000.

(B) Outlays, \$52,512,000,000.

Fiscal year 2015:

(A) New budget authority, \$48,643,000,000.

(B) Outlays, \$51,706,000,000.

Fiscal year 2016:

(A) New budget authority, \$48,666,000,000.

(B) Outlays, \$52,352,000,000.

Fiscal year 2017:

(A) New budget authority, \$51,315,000,000.

(B) Outlays, \$53,085,000,000.

Fiscal year 2018:

(A) New budget authority, \$53,464,000,000.

(B) Outlays, \$53,391,000,000.

Fiscal year 2019:

(A) New budget authority, \$54,679,000,000.

(B) Outlays, \$52,494,000,000.

Fiscal year 2020:

(A) New budget authority, \$55,906,000,000.

(B) Outlays, \$52,664,000,000.

Fiscal year 2021:

(A) New budget authority, \$57,141,000,000.

(B) Outlays, \$53,768,000,000.

Fiscal year 2022:

(A) New budget authority, \$58,909,000,000.

(B) Outlays, \$55,145,000,000.

(3) **General Science, Space, and Technology (250):**

Fiscal year 2013:

(A) New budget authority, \$39,556,000,000.

(B) Outlays, \$35,268,000,000.

Fiscal year 2014:

(A) New budget authority, \$32,091,000,000.

(B) Outlays, \$33,988,000,000.

Fiscal year 2015:

(A) New budget authority, \$32,654,000,000.

(B) Outlays, \$32,987,000,000.

Fiscal year 2016:

(A) New budget authority, \$33,244,000,000.

(B) Outlays, \$33,095,000,000.

Fiscal year 2017:

(A) New budget authority, \$33,920,000,000.

(B) Outlays, \$33,687,000,000.

Fiscal year 2018:

(A) New budget authority, \$34,623,000,000.

(B) Outlays, \$34,182,000,000.

Fiscal year 2019:

(A) New budget authority, \$35,357,000,000.

(B) Outlays, \$34,841,000,000.

Fiscal year 2020:

(A) New budget authority, \$36,089,000,000.

(B) Outlays, \$35,558,000,000.

Fiscal year 2021:

(A) New budget authority, \$36,824,000,000.

(B) Outlays, \$36,194,000,000.

Fiscal year 2022:

(A) New budget authority, \$37,667,000,000.

(B) Outlays, \$36,978,000,000.

(4) **Energy (270):**

Fiscal year 2013:

(A) New budget authority, \$17,925,000,000.

(B) Outlays, \$14,128,000,000.

Fiscal year 2014:

Fiscal year 2014:

- (A) New budget authority, \$7,434,000,000.
 (B) Outlays, \$10,209,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$6,072,000,000.
 (B) Outlays, \$8,367,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$5,929,000,000.
 (B) Outlays, \$7,202,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$5,653,000,000.
 (B) Outlays, \$6,258,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$5,594,000,000.
 (B) Outlays, \$5,206,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$5,534,000,000.
 (B) Outlays, \$5,339,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$5,545,000,000.
 (B) Outlays, \$5,198,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$5,507,000,000.
 (B) Outlays, \$5,124,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$5,618,000,000.
 (B) Outlays, \$5,165,000,000.
 (5) Natural Resources and Environment (300):
 Fiscal year 2013:
 (A) New budget authority, \$36,430,000,000.
 (B) Outlays, \$41,003,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$36,947,000,000.
 (B) Outlays, \$39,124,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$37,304,000,000.
 (B) Outlays, \$38,646,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$38,108,000,000.
 (B) Outlays, \$38,531,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$39,227,000,000.
 (B) Outlays, \$39,386,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$40,621,000,000.
 (B) Outlays, \$39,510,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$41,511,000,000.
 (B) Outlays, \$40,467,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$42,807,000,000.
 (B) Outlays, \$41,643,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$43,058,000,000.
 (B) Outlays, \$42,210,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$43,919,000,000.
 (B) Outlays, \$42,857,000,000.
 (6) Agriculture (350):
 Fiscal year 2013:
 (A) New budget authority, \$23,334,000,000.
 (B) Outlays, \$25,536,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$17,304,000,000.
 (B) Outlays, \$18,085,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$21,579,000,000.
 (B) Outlays, \$21,407,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$20,988,000,000.
 (B) Outlays, \$20,577,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$20,525,000,000.
 (B) Outlays, \$20,096,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$20,948,000,000.
 (B) Outlays, \$20,440,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$20,612,000,000.
 (B) Outlays, \$20,151,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$20,024,000,000.
 (B) Outlays, \$19,593,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$20,655,000,000.
 (B) Outlays, \$20,213,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$20,465,000,000.
 (B) Outlays, \$20,003,000,000.
 (7) Commerce and Housing Credit (370):
 Fiscal year 2013:
 (A) New budget authority, \$2,968,000,000.
 (B) Outlays, \$5,769,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$8,357,000,000.
 (B) Outlays, -\$2,293,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$7,366,000,000.
 (B) Outlays, -\$4,783,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$8,145,000,000.
 (B) Outlays, -\$6,537,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$9,758,000,000.
 (B) Outlays, -\$6,533,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$12,253,000,000.
 (B) Outlays, -\$4,945,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$14,773,000,000.
 (B) Outlays, -\$8,348,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$22,613,000,000.
 (B) Outlays, -\$2,240,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$15,563,000,000.
 (B) Outlays, \$474,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$20,101,000,000.
 (B) Outlays, \$2,275,000,000.
 (8) Transportation (400):
 Fiscal year 2013:
 (A) New budget authority, \$138,386,000,000.
 (B) Outlays, \$129,503,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$126,243,000,000.
 (B) Outlays, \$133,784,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$117,661,000,000.
 (B) Outlays, \$122,449,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$124,471,000,000.
 (B) Outlays, \$120,261,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$130,819,000,000.
 (B) Outlays, \$123,333,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$137,262,000,000.
 (B) Outlays, \$126,032,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$102,354,000,000.
 (B) Outlays, \$123,333,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$104,123,000,000.
 (B) Outlays, \$117,489,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$105,934,000,000.
 (B) Outlays, \$115,219,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$107,877,000,000.
 (B) Outlays, \$114,475,000,000.
 (9) Community and Regional Development (450):
 Fiscal year 2013:
 (A) New budget authority, \$22,509,000,000.
 (B) Outlays, \$27,409,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$13,125,000,000.
 (B) Outlays, \$28,304,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$13,339,000,000.
 (B) Outlays, \$27,138,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$13,573,000,000.
 (B) Outlays, \$21,213,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$13,843,000,000.
 (B) Outlays, \$17,605,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$14,121,000,000.
 (B) Outlays, \$15,292,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$14,410,000,000.
 (B) Outlays, \$14,839,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$14,705,000,000.
 (B) Outlays, \$15,037,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$14,999,000,000.
 (B) Outlays, \$15,574,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$15,343,000,000.
 (B) Outlays, \$15,949,000,000.
 (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2013:
 (A) New budget authority, \$107,028,000,000.
 (B) Outlays, \$136,053,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$102,194,000,000.
 (B) Outlays, \$122,678,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$96,301,000,000.
 (B) Outlays, \$113,711,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$104,104,000,000.
 (B) Outlays, \$105,916,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$114,347,000,000.
 (B) Outlays, \$111,578,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$118,943,000,000.
 (B) Outlays, \$117,633,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$122,868,000,000.
 (B) Outlays, \$121,414,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$123,647,000,000.
 (B) Outlays, \$123,418,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$124,802,000,000.
 (B) Outlays, \$124,551,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$126,461,000,000.
 (B) Outlays, \$125,796,000,000.
 (11) Health (550):
 Fiscal year 2013:
 (A) New budget authority, \$382,159,000,000.
 (B) Outlays, \$380,707,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$482,752,000,000.
 (B) Outlays, \$471,591,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$546,803,000,000.
 (B) Outlays, \$545,420,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$596,809,000,000.
 (B) Outlays, \$601,541,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$638,350,000,000.
 (B) Outlays, \$641,242,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$676,122,000,000.
 (B) Outlays, \$675,168,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$719,320,000,000.
 (B) Outlays, \$718,259,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$773,097,000,000.
 (B) Outlays, \$761,684,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$813,176,000,000.
 (B) Outlays, \$812,016,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$869,043,000,000.
 (B) Outlays, \$867,378,000,000.
 (12) Medicare (570):
 Fiscal year 2013:
 (A) New budget authority, \$526,636,000,000.
 (B) Outlays, \$526,476,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$562,063,000,000.
 (B) Outlays, \$561,369,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$588,473,000,000.
 (B) Outlays, \$588,065,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$639,731,000,000.
 (B) Outlays, \$639,533,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$659,125,000,000.
 (B) Outlays, \$658,445,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$682,905,000,000.
 (B) Outlays, \$682,498,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$747,240,000,000.

(B) Outlays, \$747,037,000,000.
Fiscal year 2020:
(A) New budget authority, \$801,602,000,000.
(B) Outlays, \$800,902,000,000.
Fiscal year 2021:
(A) New budget authority, \$855,814,000,000.
(B) Outlays, \$855,380,000,000.
Fiscal year 2022:
(A) New budget authority, \$938,731,000,000.
(B) Outlays, \$938,644,000,000.
(13) Income Security (600):
Fiscal year 2013:
(A) New budget authority, \$580,622,000,000.
(B) Outlays, \$572,990,000,000.
Fiscal year 2014:
(A) New budget authority, \$547,970,000,000.
(B) Outlays, \$543,312,000,000.
Fiscal year 2015:
(A) New budget authority, \$548,691,000,000.
(B) Outlays, \$543,228,000,000.
Fiscal year 2016:
(A) New budget authority, \$556,156,000,000.
(B) Outlays, \$555,492,000,000.
Fiscal year 2017:
(A) New budget authority, \$554,282,000,000.
(B) Outlays, \$549,594,000,000.
Fiscal year 2018:
(A) New budget authority, \$556,446,000,000.
(B) Outlays, \$547,930,000,000.
Fiscal year 2019:
(A) New budget authority, \$571,786,000,000.
(B) Outlays, \$568,204,000,000.
Fiscal year 2020:
(A) New budget authority, \$583,480,000,000.
(B) Outlays, \$580,247,000,000.
Fiscal year 2021:
(A) New budget authority, \$596,855,000,000.
(B) Outlays, \$593,480,000,000.
Fiscal year 2022:
(A) New budget authority, \$614,517,000,000.
(B) Outlays, \$615,695,000,000.
(14) Social Security (650):
Fiscal year 2013:
(A) New budget authority, \$53,416,000,000.
(B) Outlays, \$53,496,000,000.
Fiscal year 2014:
(A) New budget authority, \$31,892,000,000.
(B) Outlays, \$32,002,000,000.
Fiscal year 2015:
(A) New budget authority, \$35,135,000,000.
(B) Outlays, \$35,210,000,000.
Fiscal year 2016:
(A) New budget authority, \$38,953,000,000.
(B) Outlays, \$38,991,000,000.
Fiscal year 2017:
(A) New budget authority, \$43,140,000,000.
(B) Outlays, \$43,140,000,000.
Fiscal year 2018:
(A) New budget authority, \$47,590,000,000.
(B) Outlays, \$47,590,000,000.
Fiscal year 2019:
(A) New budget authority, \$52,429,000,000.
(B) Outlays, \$52,429,000,000.
Fiscal year 2020:
(A) New budget authority, \$57,425,000,000.
(B) Outlays, \$57,425,000,000.
Fiscal year 2021:
(A) New budget authority, \$62,604,000,000.
(B) Outlays, \$62,604,000,000.
Fiscal year 2022:
(A) New budget authority, \$68,079,000,000.
(B) Outlays, \$68,079,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2013:
(A) New budget authority, \$140,651,000,000.
(B) Outlays, \$138,003,000,000.
Fiscal year 2014:
(A) New budget authority, \$141,996,000,000.
(B) Outlays, \$141,630,000,000.
Fiscal year 2015:
(A) New budget authority, \$144,827,000,000.
(B) Outlays, \$144,636,000,000.
Fiscal year 2016:
(A) New budget authority, \$153,005,000,000.
(B) Outlays, \$152,648,000,000.
Fiscal year 2017:
(A) New budget authority, \$151,445,000,000.
(B) Outlays, \$151,028,000,000.
Fiscal year 2018:
(A) New budget authority, \$149,620,000,000.
(B) Outlays, \$148,947,000,000.
Fiscal year 2019:
(A) New budget authority, \$158,568,000,000.
(B) Outlays, \$157,863,000,000.
Fiscal year 2020:
(A) New budget authority, \$162,302,000,000.
(B) Outlays, \$161,597,000,000.
Fiscal year 2021:
(A) New budget authority, \$166,056,000,000.
(B) Outlays, \$165,324,000,000.
Fiscal year 2022:
(A) New budget authority, \$175,839,000,000.
(B) Outlays, \$175,042,000,000.
(16) Administration of Justice (750):
Fiscal year 2013:
(A) New budget authority, \$55,772,000,000.
(B) Outlays, \$59,917,000,000.
Fiscal year 2014:
(A) New budget authority, \$56,029,000,000.
(B) Outlays, \$58,534,000,000.
Fiscal year 2015:
(A) New budget authority, \$56,792,000,000.
(B) Outlays, \$57,403,000,000.
Fiscal year 2016:
(A) New budget authority, \$59,542,000,000.
(B) Outlays, \$59,216,000,000.
Fiscal year 2017:
(A) New budget authority, \$58,889,000,000.
(B) Outlays, \$58,552,000,000.
Fiscal year 2018:
(A) New budget authority, \$59,992,000,000.
(B) Outlays, \$61,399,000,000.
Fiscal year 2019:
(A) New budget authority, \$61,204,000,000.
(B) Outlays, \$61,495,000,000.
Fiscal year 2020:
(A) New budget authority, \$62,406,000,000.
(B) Outlays, \$62,002,000,000.
Fiscal year 2021:
(A) New budget authority, \$63,772,000,000.
(B) Outlays, \$63,339,000,000.
Fiscal year 2022:
(A) New budget authority, \$68,968,000,000.
(B) Outlays, \$68,487,000,000.
(17) General Government (800):
Fiscal year 2013:
(A) New budget authority, \$25,808,000,000.
(B) Outlays, \$27,408,000,000.
Fiscal year 2014:
(A) New budget authority, \$27,256,000,000.
(B) Outlays, \$27,706,000,000.
Fiscal year 2015:
(A) New budget authority, \$29,196,000,000.
(B) Outlays, \$29,376,000,000.
Fiscal year 2016:
(A) New budget authority, \$31,275,000,000.
(B) Outlays, \$31,459,000,000.
Fiscal year 2017:
(A) New budget authority, \$33,433,000,000.
(B) Outlays, \$33,300,000,000.
Fiscal year 2018:
(A) New budget authority, \$35,613,000,000.
(B) Outlays, \$35,417,000,000.
Fiscal year 2019:
(A) New budget authority, \$37,969,000,000.
(B) Outlays, \$37,513,000,000.
Fiscal year 2020:
(A) New budget authority, \$40,338,000,000.
(B) Outlays, \$39,900,000,000.
Fiscal year 2021:
(A) New budget authority, \$42,762,000,000.
(B) Outlays, \$42,226,000,000.
Fiscal year 2022:
(A) New budget authority, \$45,219,000,000.
(B) Outlays, \$44,669,000,000.
(18) Net Interest (900):
Fiscal year 2013:
(A) New budget authority, \$346,034,000,000.
(B) Outlays, \$346,034,000,000.
Fiscal year 2014:
(A) New budget authority, \$356,872,000,000.
(B) Outlays, \$356,872,000,000.
Fiscal year 2015:
(A) New budget authority, \$390,660,000,000.
(B) Outlays, \$390,660,000,000.
Fiscal year 2016:
(A) New budget authority, \$444,699,000,000.
(B) Outlays, \$444,699,000,000.
Fiscal year 2017:
(A) New budget authority, \$500,673,000,000.
(B) Outlays, \$500,673,000,000.
Fiscal year 2018:
(A) New budget authority, \$555,019,000,000.
(B) Outlays, \$555,019,000,000.
Fiscal year 2019:
(A) New budget authority, \$604,374,000,000.
(B) Outlays, \$604,374,000,000.
Fiscal year 2020:
(A) New budget authority, \$645,680,000,000.
(B) Outlays, \$645,680,000,000.
Fiscal year 2021:
(A) New budget authority, \$674,506,000,000.
(B) Outlays, \$674,506,000,000.
Fiscal year 2022:
(A) New budget authority, \$703,024,000,000.
(B) Outlays, \$703,024,000,000.
(19) Allowances (920):
Fiscal year 2013:
(A) New budget authority, \$1,325,000,000.
(B) Outlays, \$1,272,000,000.
Fiscal year 2014:
(A) New budget authority, -\$18,028,000,000.
(B) Outlays, -\$9,013,000,000.
Fiscal year 2015:
(A) New budget authority, -\$19,436,000,000.
(B) Outlays, -\$15,846,000,000.
Fiscal year 2016:
(A) New budget authority, -\$18,961,000,000.
(B) Outlays, -\$17,622,000,000.
Fiscal year 2017:
(A) New budget authority, -\$18,477,000,000.
(B) Outlays, -\$18,017,000,000.
Fiscal year 2018:
(A) New budget authority, -\$18,548,000,000.
(B) Outlays, -\$18,349,000,000.
Fiscal year 2019:
(A) New budget authority, -\$19,580,000,000.
(B) Outlays, -\$18,972,000,000.
Fiscal year 2020:
(A) New budget authority, -\$25,532,000,000.
(B) Outlays, -\$22,479,000,000.
Fiscal year 2021:
(A) New budget authority, -\$16,907,000,000.
(B) Outlays, -\$19,591,000,000.
Fiscal year 2022:
(A) New budget authority, -\$58,744,000,000.
(B) Outlays, -\$59,683,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2013:
(A) New budget authority, -\$79,230,000,000.
(B) Outlays, -\$79,229,000,000.
Fiscal year 2014:
(A) New budget authority, -\$80,576,000,000.
(B) Outlays, -\$80,575,000,000.
Fiscal year 2015:
(A) New budget authority, -\$86,663,000,000.
(B) Outlays, -\$86,662,000,000.
Fiscal year 2016:
(A) New budget authority, -\$88,673,000,000.
(B) Outlays, -\$88,672,000,000.
Fiscal year 2017:
(A) New budget authority, -\$92,938,000,000.
(B) Outlays, -\$92,937,000,000.
Fiscal year 2018:
(A) New budget authority, -\$96,445,000,000.
(B) Outlays, -\$96,444,000,000.
Fiscal year 2019:
(A) New budget authority, -\$103,169,000,000.
(B) Outlays, -\$103,168,000,000.
Fiscal year 2020:
(A) New budget authority, -\$102,135,000,000.
(B) Outlays, -\$102,134,000,000.
Fiscal year 2021:
(A) New budget authority, -\$106,354,000,000.
(B) Outlays, -\$106,353,000,000.
Fiscal year 2022:
(A) New budget authority, -\$108,766,000,000.
(B) Outlays, -\$108,766,000,000.
(21) Overseas Contingency Operations/Global War on Terrorism:
Fiscal year 2013:
(A) New budget authority, \$96,725,000,000.
(B) Outlays, \$92,230,000,000.
Fiscal year 2014:
(A) New budget authority, \$44,159,000,000.
(B) Outlays, \$68,766,000,000.
Fiscal year 2015:

(A) New budget authority, \$0.
 (B) Outlays, \$28,845,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$0.
 (B) Outlays, \$9,173,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$0.
 (B) Outlays, \$2,650,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$0.
 (B) Outlays, \$706,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$0.
 (B) Outlays, \$192,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$0.
 (B) Outlays, \$52,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$0.
 (B) Outlays, \$38,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$0.
 (B) Outlays, \$24,000,000.

It was decided in the { Yeas 107
 negative } Nays 314

¶44.22 [Roll No. 144]
 AYES—107

Ackerman	Grijalva	Price (NC)
Andrews	Gutierrez	Richardson
Baca	Hahn	Richmond
Bass (CA)	Hastings (FL)	Rothman (NJ)
Becerra	Hinchee	Roybal-Allard
Bishop (GA)	Hinojosa	Rush
Blumenauer	Hirono	Ryan (OH)
Brady (PA)	Holt	Sánchez, Linda
Brown (FL)	Honda	T.
Butterfield	Hoyer	Sanchez, Loretta
Capuano	Israel	Sarbanes
Carnahan	Jackson Lee	Schakowsky
Carson (IN)	(TX)	Scott (VA)
Castor (FL)	Johnson (GA)	Scott, David
Chu	Johnson, E. B.	Serrano
Clarke (MI)	Kaptur	Sewell
Clarke (NY)	Kildee	Sires
Cleaver	Larson (CT)	Slaughter
Clyburn	Lee (CA)	Smith (WA)
Cohen	Lewis (GA)	Stark
Connolly (VA)	Lynch	Sutton
Conyers	Markey	Thompson (MS)
Crowley	McCollum	Tierney
Cummings	McDermott	Tonko
Davis (IL)	McGovern	Tsongas
DeFazio	Miller (NC)	Van Hollen
DeLauro	Moore	Velázquez
Doyle	Moran	Wasserman
Edwards	Nadler	Schultz
Ellison	Napolitano	Waters
Engel	Neal	Watt
Farr	Olver	Waxman
Fattah	Pallone	Welch
Frank (MA)	Pascrell	Wilson (FL)
Frue	Pastor (AZ)	Woolsey
Green, Al	Pelosi	Yarmuth
Green, Gene	Pingree (ME)	

NOES—314

Adams	Bonner	Coble
Aderholt	Bono Mack	Coffman (CO)
Akin	Boren	Cole
Alexander	Boswell	Conaway
Altmire	Boustany	Cooper
Amash	Brady (TX)	Costa
Amodei	Braley (IA)	Costello
Austria	Brooks	Courtney
Bachmann	Broun (GA)	Cravaack
Bachus	Buchanan	Crawford
Baldwin	Bucshon	Crenshaw
Barietta	Buerkle	Critz
Barrow	Burgess	Cuellar
Bartlett	Burton (IN)	Culberson
Barton (TX)	Calvert	Davis (CA)
Bass (NH)	Camp	Davis (KY)
Benishek	Campbell	DeGette
Berg	Canseco	Denham
Berkley	Cantor	Dent
Berman	Capito	DesJarlais
Biggert	Capps	Diaz-Balart
Bilbray	Carney	Dicks
Bilirakis	Carter	Dingell
Bishop (NY)	Cassidy	Doggett
Bishop (UT)	Chabot	Dold
Black	Chaffetz	Donnelly (IN)
Blackburn	Chandler	Dreier
Bonamici	Cicilline	Duffy

Duncan (SC)	Lamborn
Duncan (TN)	Lance
Ellmers	Landry
Emerson	Langevin
Eshoo	Lankford
Farenthold	Larsen (WA)
Fincher	Latham
Fitzpatrick	LaTourette
Flake	Latta
Fleischmann	Levin
Fleming	Lewis (CA)
Flores	Lipinski
Forbes	LoBiondo
Fortenberry	Loeb sack
Fox	Lofgren, Zoe
Franks (AZ)	Long
Frelinghuysen	Lowey
Galleghy	Lucas
Garamendi	Luetkemeyer
Gardner	Lujan
Garrett	Lummis
Gerlach	Lungren, Daniel
Gibbs	E.
Gibson	Maloney
Gingrey (GA)	Manzullo
Gohmert	Marchant
Gonzalez	Marino
Goodlatte	Matheson
Gosar	Matsui
Gowdy	McCarthy (CA)
Granger	McCarthy (NY)
Graves (GA)	McCaul
Graves (MO)	McClintock
Griffin (AR)	McCotter
Griffith (VA)	McHenry
Grimm	McIntyre
Guinta	McKeon
Guthrie	McKinley
Hall	McMorris
Hanabusa	Rodgers
Hanna	McNerney
Harper	Meehan
Harris	Mica
Hartzler	Michaud
Hastings (WA)	Miller (FL)
Hayworth	Miller (MI)
Heck	Miller, Gary
Heinrich	Miller, George
Hensarling	Mulvaney
Herger	Murphy (CT)
Herrera Beutler	Murphy (PA)
Higgins	Myrick
Himes	Neugebauer
Hochul	Noem
Holden	Nugent
Huelskamp	Nunes
Huizenga (MI)	Nunnelee
Hultgren	Olson
Hunter	Owens
Hurt	Palazzo
Issa	Paulsen
Jenkins	Pearce
Johnson (IL)	Pence
Johnson (OH)	Perlmutter
Johnson, Sam	Peters
Jones	Peterson
Jordan	Petri
Keating	Pitts
Kelly	Platts
Kind	Poe (TX)
King (IA)	Polis
King (NY)	Pompeo
Kingston	Posey
Kinzinger (IL)	Price (GA)
Kissell	Quayle
Kline	Quigley
Kucinich	Rahall
Labrador	Reed

Rehberg	Rohrabacher
Reichert	Rokita
Renacci	Rooney
Reyes	Ros-Lehtinen
Ribble	Roskam
Rigell	Ross (AR)
Rivera	Ross (FL)
Roby	Royce
Roe (TN)	Runyan
Rogers (AL)	Ruppersberger
Rogers (KY)	Ryan (WI)
Rogers (MI)	Scalise
Rohrabacher	Schiff
Rokita	Schilling
Rooney	Schmidt
Ros-Lehtinen	Schock
Roskam	Schrader
Ross (AR)	Schwartz
Ross (FL)	Schweikert
Royce	Scott (SC)
Runyan	Scott, Austin
Ruppersberger	Sensenbrenner
Ryan (WI)	Sessions
Scalise	Sherman
Schiff	Shimkus
Schilling	Shuler
Schmidt	Shuster
Schock	Simpson
Schrader	Smith (NE)
Schwartz	Smith (NJ)
Schweikert	Smith (TX)
Scott (SC)	Southerland
Scott, Austin	Speier
Sensenbrenner	Stearns
Sessions	Stivers
Sherman	Stutzman
Shimkus	Sullivan
Shuler	Terry
Shuster	Thompson (CA)
Simpson	Thompson (PA)
Smith (NE)	Thornberry
Smith (NJ)	Tiberi
Smith (TX)	Tipton
Southerland	Turner (NY)
Speier	Turner (OH)
Stearns	Upton
Stivers	Visclosky
Stutzman	Walberg
Sullivan	Walden
Terry	Walsh (IL)
Thompson (CA)	Walz (MN)
Thompson (PA)	Webster
Thornberry	West
Tiberi	Westmoreland
Tipton	Whitfield
Turner (NY)	Wilson (SC)
Turner (OH)	Wittman
Upton	Wolf
Visclosky	Womack
Walberg	Woodall
Walden	Yoder
Walsh (IL)	Young (AK)
Walz (MN)	Young (FL)
Webster	Young (IN)

NOT VOTING—10

Cardoza	Jackson (IL)	Rangel
Clay	Mack	Towns
Deutch	Meeks	
Filner	Paul	

So the amendment in the nature of a substitute was not agreed to.

¶44.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute numbered 3, printed in House Report 112-423, submitted by Mr. COOPER:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2013 and sets forth appropriate budgetary levels for fiscal years 2014 through 2022.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION AND DIRECTIVE TO THE COMMITTEE ON THE BUDGET

Sec. 201. Reconciliation in the House of Representatives.

Sec. 202. Directive to the Committee on the Budget of the House of Representatives to replace the sequester established by the Budget Control Act of 2011.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund for the sustainable growth rate of the Medicare program.

Sec. 302. Deficit-neutral reserve fund for revenue measures.

Sec. 303. Deficit-neutral reserve fund for rural counties and schools.

Sec. 304. Deficit-neutral reserve fund for transportation.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Discretionary spending limits.

Sec. 402. Enforcement of discretionary spending limits.

Sec. 403. Current policy estimates for tax reform.

Sec. 404. Limitation on advance appropriations.

Sec. 405. Concepts and definitions.

Sec. 406. Limitation on long-term spending.

Sec. 407. Budgetary treatment of certain transactions.

Sec. 408. Application and effect of changes in allocations and aggregates.

Sec. 409. Congressional Budget Office estimates.

Sec. 410. Budget rule relating to transfers from the general fund of the treasury to the highway trust fund that increase public indebtedness.

Sec. 411. Separate allocation for overseas contingency operations/global war on terrorism.

Sec. 412. Adjustments to discretionary spending limits.

Sec. 413. Exercise of rulemaking powers.

TITLE V—POLICY

Sec. 501. Policy statement on tax reform.

Sec. 502. Policy statement on Medicare.

Sec. 503. Policy Statement on Social Security.

Sec. 504. Policy statement on budget enforcement.

Sec. 505. Policy statement on deficit reduction through the cancellation of unobligated balances.

Sec. 506. Recommendations for the elimination of waste, fraud, and abuse in Federal programs.

TITLE VI—SENSE OF THE HOUSE PROVISIONS

Sec. 601. Sense of the house on a responsible deficit reduction plan.

Sec. 602. Sense of the house regarding low-income programs.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,078,076,000,000.
 Fiscal year 2014: \$2,318,693,000,000.
 Fiscal year 2015: \$2,570,303,000,000.
 Fiscal year 2016: \$2,761,728,000,000.
 Fiscal year 2017: \$2,922,355,000,000.
 Fiscal year 2018: \$3,061,602,000,000.
 Fiscal year 2019: \$3,219,541,000,000.
 Fiscal year 2020: \$3,388,521,000,000.
 Fiscal year 2021: \$3,564,364,000,000.
 Fiscal year 2022: \$3,744,062,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: -\$215,263,000,000.
 Fiscal year 2014: -\$232,491,000,000.
 Fiscal year 2015: -\$245,981,000,000.
 Fiscal year 2016: -\$254,378,000,000.
 Fiscal year 2017: -\$271,984,000,000.
 Fiscal year 2018: -\$290,687,000,000.
 Fiscal year 2019: -\$299,031,000,000.
 Fiscal year 2020: -\$319,499,000,000.
 Fiscal year 2021: -\$342,588,000,000.
 Fiscal year 2022: -\$371,419,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$2,870,262,000,000.
 Fiscal year 2014: \$2,946,241,000,000.
 Fiscal year 2015: \$3,054,353,000,000.
 Fiscal year 2016: \$3,233,324,000,000.
 Fiscal year 2017: \$3,463,711,000,000.
 Fiscal year 2018: \$3,497,732,000,000.
 Fiscal year 2019: \$3,688,807,000,000.
 Fiscal year 2020: \$3,870,702,000,000.
 Fiscal year 2021: \$3,994,601,000,000.
 Fiscal year 2022: \$4,162,314,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$2,918,761,000,000.
 Fiscal year 2014: \$2,976,823,000,000.
 Fiscal year 2015: \$3,071,338,000,000.
 Fiscal year 2016: \$3,251,164,000,000.
 Fiscal year 2017: \$3,354,859,000,000.
 Fiscal year 2018: \$3,468,791,000,000.
 Fiscal year 2019: \$3,657,676,000,000.
 Fiscal year 2020: \$3,826,568,000,000.
 Fiscal year 2021: \$3,967,141,000,000.
 Fiscal year 2022: \$4,143,424,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013: -\$840,685,000,000.
 Fiscal year 2014: -\$658,130,000,000.
 Fiscal year 2015: -\$501,035,000,000.
 Fiscal year 2016: -\$489,436,000,000.
 Fiscal year 2017: -\$432,504,000,000.
 Fiscal year 2018: -\$407,189,000,000.
 Fiscal year 2019: -\$438,135,000,000.
 Fiscal year 2020: -\$438,047,000,000.
 Fiscal year 2021: -\$403,177,000,000.
 Fiscal year 2022: -\$399,362,000,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,078,000,000,000.
 Fiscal year 2014: \$17,904,000,000,000.
 Fiscal year 2015: \$18,574,000,000,000.
 Fiscal year 2016: \$19,253,000,000,000.
 Fiscal year 2017: \$19,916,000,000,000.
 Fiscal year 2018: \$20,560,000,000,000.
 Fiscal year 2019: \$21,222,000,000,000.
 Fiscal year 2020: \$21,873,000,000,000.
 Fiscal year 2021: \$22,459,000,000,000.
 Fiscal year 2022: \$23,015,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,267,000,000,000.
 Fiscal year 2014: \$12,994,000,000,000.
 Fiscal year 2015: \$13,557,000,000,000.
 Fiscal year 2016: \$14,097,000,000,000.

Fiscal year 2017: \$14,574,000,000,000.
 Fiscal year 2018: \$15,009,000,000,000.
 Fiscal year 2019: \$15,471,000,000,000.
 Fiscal year 2020: \$15,933,000,000,000.
 Fiscal year 2021: \$16,342,000,000,000.
 Fiscal year 2022: \$16,751,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2013:
 (A) New budget authority, \$551,925,000,000.
 (B) Outlays, \$577,486,000,000.

Fiscal year 2014:
 (A) New budget authority, \$554,250,000,000.
 (B) Outlays, \$562,264,000,000.

Fiscal year 2015:
 (A) New budget authority, \$556,697,000,000.
 (B) Outlays, \$557,062,000,000.

Fiscal year 2016:
 (A) New budget authority, \$560,232,000,000.
 (B) Outlays, \$562,378,000,000.

Fiscal year 2017:
 (A) New budget authority, \$564,905,000,000.
 (B) Outlays, \$560,727,000,000.

Fiscal year 2018:
 (A) New budget authority, \$570,166,000,000.
 (B) Outlays, \$559,637,000,000.

Fiscal year 2019:
 (A) New budget authority, \$576,041,000,000.
 (B) Outlays, \$569,660,000,000.

Fiscal year 2020:
 (A) New budget authority, \$582,007,000,000.
 (B) Outlays, \$575,432,000,000.

Fiscal year 2021:
 (A) New budget authority, \$588,032,000,000.
 (B) Outlays, \$581,313,000,000.

Fiscal year 2022:
 (A) New budget authority, \$594,125,000,000.
 (B) Outlays, \$592,693,000,000.

(2) International Affairs (150):

Fiscal year 2013:
 (A) New budget authority, \$47,260,000,000.
 (B) Outlays, \$46,938,000,000.

Fiscal year 2014:
 (A) New budget authority, \$45,573,000,000.
 (B) Outlays, \$47,130,000,000.

Fiscal year 2015:
 (A) New budget authority, \$43,248,000,000.
 (B) Outlays, \$46,555,000,000.

Fiscal year 2016:
 (A) New budget authority, \$42,582,000,000.
 (B) Outlays, \$46,900,000,000.

Fiscal year 2017:
 (A) New budget authority, \$44,500,000,000.
 (B) Outlays, \$47,036,000,000.

Fiscal year 2018:
 (A) New budget authority, \$45,930,000,000.
 (B) Outlays, \$46,771,000,000.

Fiscal year 2019:
 (A) New budget authority, \$46,442,000,000.
 (B) Outlays, \$45,192,000,000.

Fiscal year 2020:
 (A) New budget authority, \$46,955,000,000.
 (B) Outlays, \$44,640,000,000.

Fiscal year 2021:
 (A) New budget authority, \$47,484,000,000.
 (B) Outlays, \$45,019,000,000.

Fiscal year 2022:
 (A) New budget authority, \$48,256,000,000.
 (B) Outlays, \$45,551,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2013:
 (A) New budget authority, \$29,488,000,000.
 (B) Outlays, \$29,967,000,000.

Fiscal year 2014:
 (A) New budget authority, \$29,606,000,000.
 (B) Outlays, \$29,838,000,000.

Fiscal year 2015:
 (A) New budget authority, \$29,724,000,000.
 (B) Outlays, \$29,775,000,000.

Fiscal year 2016:
 (A) New budget authority, \$29,901,000,000.
 (B) Outlays, \$29,907,000,000.

Fiscal year 2017:
 (A) New budget authority, \$29,907,000,000.
 (B) Outlays, \$29,907,000,000.

Fiscal year 2018:
 (A) New budget authority, \$29,907,000,000.
 (B) Outlays, \$29,907,000,000.

Fiscal year 2019:
 (A) New budget authority, \$29,907,000,000.
 (B) Outlays, \$29,907,000,000.

Fiscal year 2020:
 (A) New budget authority, \$29,907,000,000.
 (B) Outlays, \$29,907,000,000.

Fiscal year 2021:
 (A) New budget authority, \$29,907,000,000.
 (B) Outlays, \$29,907,000,000.

Fiscal year 2022:
 (A) New budget authority, \$29,907,000,000.
 (B) Outlays, \$29,907,000,000.

(A) New budget authority, \$30,140,000,000.
 (B) Outlays, \$30,110,000,000.

Fiscal year 2018:
 (A) New budget authority, \$30,410,000,000.
 (B) Outlays, \$30,353,000,000.

Fiscal year 2019:
 (A) New budget authority, \$30,713,000,000.
 (B) Outlays, \$30,590,000,000.

Fiscal year 2020:
 (A) New budget authority, \$31,019,000,000.
 (B) Outlays, \$30,885,000,000.

Fiscal year 2021:
 (A) New budget authority, \$31,328,000,000.
 (B) Outlays, \$31,100,000,000.

Fiscal year 2022:
 (A) New budget authority, \$31,641,000,000.
 (B) Outlays, \$31,413,000,000.

(4) Energy (270):

Fiscal year 2013:
 (A) New budget authority, \$6,662,000,000.
 (B) Outlays, \$10,448,000,000.

Fiscal year 2014:
 (A) New budget authority, \$5,012,000,000.
 (B) Outlays, \$5,856,000,000.

Fiscal year 2015:
 (A) New budget authority, \$4,446,000,000.
 (B) Outlays, \$4,631,000,000.

Fiscal year 2016:
 (A) New budget authority, \$4,338,000,000.
 (B) Outlays, \$4,648,000,000.

Fiscal year 2017:
 (A) New budget authority, \$3,998,000,000.
 (B) Outlays, \$4,157,000,000.

Fiscal year 2018:
 (A) New budget authority, \$3,767,000,000.
 (B) Outlays, \$3,512,000,000.

Fiscal year 2019:
 (A) New budget authority, \$3,636,000,000.
 (B) Outlays, \$3,556,000,000.

Fiscal year 2020:
 (A) New budget authority, \$3,575,000,000.
 (B) Outlays, \$3,337,000,000.

Fiscal year 2021:
 (A) New budget authority, \$3,468,000,000.
 (B) Outlays, \$3,187,000,000.

Fiscal year 2022:
 (A) New budget authority, \$3,485,000,000.
 (B) Outlays, \$3,153,000,000.

(5) Natural Resources and Environment (300):

Fiscal year 2013:
 (A) New budget authority, \$36,230,000,000.
 (B) Outlays, \$40,115,000,000.

Fiscal year 2014:
 (A) New budget authority, \$35,704,000,000.
 (B) Outlays, \$38,634,000,000.

Fiscal year 2015:
 (A) New budget authority, \$35,406,000,000.
 (B) Outlays, \$37,839,000,000.

Fiscal year 2016:
 (A) New budget authority, \$35,479,000,000.
 (B) Outlays, \$36,960,000,000.

Fiscal year 2017:
 (A) New budget authority, \$36,133,000,000.
 (B) Outlays, \$37,268,000,000.

Fiscal year 2018:
 (A) New budget authority, \$37,123,000,000.
 (B) Outlays, \$36,867,000,000.

Fiscal year 2019:
 (A) New budget authority, \$37,533,000,000.
 (B) Outlays, \$37,260,000,000.

Fiscal year 2020:
 (A) New budget authority, \$38,379,000,000.
 (B) Outlays, \$37,893,000,000.

Fiscal year 2021:
 (A) New budget authority, \$38,174,000,000.
 (B) Outlays, \$38,000,000,000.

Fiscal year 2022:
 (A) New budget authority, \$38,420,000,000.
 (B) Outlays, \$38,092,000,000.

(6) Agriculture (350):

Fiscal year 2013:
 (A) New budget authority, \$21,837,000,000.
 (B) Outlays, \$24,745,000,000.

Fiscal year 2014:
 (A) New budget authority, \$17,645,000,000.
 (B) Outlays, \$17,537,000,000.

Fiscal year 2015:
 (A) New budget authority, \$21,846,000,000.

- (B) Outlays, \$21,420,000,000.
Fiscal year 2016:
(A) New budget authority, \$21,182,000,000.
(B) Outlays, \$20,823,000,000.
Fiscal year 2017:
(A) New budget authority, \$20,640,000,000.
(B) Outlays, \$20,268,000,000.
Fiscal year 2018:
(A) New budget authority, \$20,988,000,000.
(B) Outlays, \$20,562,000,000.
Fiscal year 2019:
(A) New budget authority, \$20,575,000,000.
(B) Outlays, \$20,197,000,000.
Fiscal year 2020:
(A) New budget authority, \$19,909,000,000.
(B) Outlays, \$19,566,000,000.
Fiscal year 2021:
(A) New budget authority, \$20,462,000,000.
(B) Outlays, \$20,113,000,000.
Fiscal year 2022:
(A) New budget authority, \$20,172,000,000.
(B) Outlays, \$19,838,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2013:
(A) New budget authority, \$2,820,000,000.
(B) Outlays, \$6,488,000,000.
Fiscal year 2014:
(A) New budget authority, \$8,692,000,000.
(B) Outlays, -\$1,784,000,000.
Fiscal year 2015:
(A) New budget authority, \$7,397,000,000.
(B) Outlays, -\$4,276,000,000.
Fiscal year 2016:
(A) New budget authority, \$6,640,000,000.
(B) Outlays, -\$7,260,000,000.
Fiscal year 2017:
(A) New budget authority, \$8,045,000,000.
(B) Outlays, -\$7,854,000,000.
Fiscal year 2018:
(A) New budget authority, \$9,332,000,000.
(B) Outlays, -\$7,379,000,000.
Fiscal year 2019:
(A) New budget authority, \$10,297,000,000.
(B) Outlays, -\$12,237,000,000.
Fiscal year 2020:
(A) New budget authority, \$11,391,000,000.
(B) Outlays, -\$11,766,000,000.
Fiscal year 2021:
(A) New budget authority, \$11,476,000,000.
(B) Outlays, -\$4,579,000,000.
Fiscal year 2022:
(A) New budget authority, \$11,119,000,000.
(B) Outlays, -\$5,902,000,000.
(8) Transportation (400):
Fiscal year 2013:
(A) New budget authority, \$60,053,000,000.
(B) Outlays, \$51,979,000,000.
Fiscal year 2014:
(A) New budget authority, \$83,894,000,000.
(B) Outlays, \$87,609,000,000.
Fiscal year 2015:
(A) New budget authority, \$75,899,000,000.
(B) Outlays, \$79,265,000,000.
Fiscal year 2016:
(A) New budget authority, \$77,076,000,000.
(B) Outlays, \$80,930,000,000.
Fiscal year 2017:
(A) New budget authority, \$78,050,000,000.
(B) Outlays, \$81,348,000,000.
Fiscal year 2018:
(A) New budget authority, \$80,070,000,000.
(B) Outlays, \$81,343,000,000.
Fiscal year 2019:
(A) New budget authority, \$80,564,000,000.
(B) Outlays, \$80,784,000,000.
Fiscal year 2020:
(A) New budget authority, \$83,365,000,000.
(B) Outlays, \$82,933,000,000.
Fiscal year 2021:
(A) New budget authority, \$78,427,000,000.
(B) Outlays, \$77,578,000,000.
Fiscal year 2022:
(A) New budget authority, \$90,193,000,000.
(B) Outlays, \$88,853,000,000.
(9) Community and Regional Development (450):
Fiscal year 2013:
(A) New budget authority, \$11,876,000,000.
(B) Outlays, \$23,755,000,000.
Fiscal year 2014:
(A) New budget authority, \$11,761,000,000.
(B) Outlays, \$20,081,000,000.
Fiscal year 2015:
(A) New budget authority, \$11,787,000,000.
(B) Outlays, \$18,000,000,000.
Fiscal year 2016:
(A) New budget authority, \$11,384,000,000.
(B) Outlays, \$14,387,000,000.
Fiscal year 2017:
(A) New budget authority, \$11,554,000,000.
(B) Outlays, \$12,442,000,000.
Fiscal year 2018:
(A) New budget authority, \$11,496,000,000.
(B) Outlays, \$11,426,000,000.
Fiscal year 2019:
(A) New budget authority, \$11,562,000,000.
(B) Outlays, \$11,203,000,000.
Fiscal year 2020:
(A) New budget authority, \$11,610,000,000.
(B) Outlays, \$11,158,000,000.
Fiscal year 2021:
(A) New budget authority, \$11,679,000,000.
(B) Outlays, \$11,225,000,000.
Fiscal year 2022:
(A) New budget authority, \$11,730,000,000.
(B) Outlays, \$11,335,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2013:
(A) New budget authority, \$73,081,000,000.
(B) Outlays, \$83,403,000,000.
Fiscal year 2014:
(A) New budget authority, \$66,083,000,000.
(B) Outlays, \$74,994,000,000.
Fiscal year 2015:
(A) New budget authority, \$72,234,000,000.
(B) Outlays, \$74,032,000,000.
Fiscal year 2016:
(A) New budget authority, \$79,848,000,000.
(B) Outlays, \$79,869,000,000.
Fiscal year 2017:
(A) New budget authority, \$89,238,000,000.
(B) Outlays, \$87,213,000,000.
Fiscal year 2018:
(A) New budget authority, \$93,216,000,000.
(B) Outlays, \$93,638,000,000.
Fiscal year 2019:
(A) New budget authority, \$96,259,000,000.
(B) Outlays, \$96,624,000,000.
Fiscal year 2020:
(A) New budget authority, \$95,955,000,000.
(B) Outlays, \$97,590,000,000.
Fiscal year 2021:
(A) New budget authority, \$95,776,000,000.
(B) Outlays, \$97,437,000,000.
Fiscal year 2022:
(A) New budget authority, \$95,877,000,000.
(B) Outlays, \$97,325,000,000.
(11) Health (550):
Fiscal year 2013:
(A) New budget authority, \$372,016,000,000.
(B) Outlays, \$367,939,000,000.
Fiscal year 2014:
(A) New budget authority, \$459,021,000,000.
(B) Outlays, \$448,912,000,000.
Fiscal year 2015:
(A) New budget authority, \$529,180,000,000.
(B) Outlays, \$524,554,000,000.
Fiscal year 2016:
(A) New budget authority, \$557,667,000,000.
(B) Outlays, \$580,571,000,000.
Fiscal year 2017:
(A) New budget authority, \$620,385,000,000.
(B) Outlays, \$623,165,000,000.
Fiscal year 2018:
(A) New budget authority, \$655,600,000,000.
(B) Outlays, \$654,839,000,000.
Fiscal year 2019:
(A) New budget authority, \$696,256,000,000.
(B) Outlays, \$695,600,000,000.
Fiscal year 2020:
(A) New budget authority, \$748,320,000,000.
(B) Outlays, \$737,316,000,000.
Fiscal year 2021:
(A) New budget authority, \$775,692,000,000.
(B) Outlays, \$774,927,000,000.
Fiscal year 2022:
(A) New budget authority, \$825,197,000,000.
(B) Outlays, \$824,069,000,000.
(12) Medicare (570):
Fiscal year 2013:
(A) New budget authority, \$504,884,000,000.
(B) Outlays, \$504,776,000,000.
Fiscal year 2014:
(A) New budget authority, \$530,189,000,000.
(B) Outlays, \$529,657,000,000.
Fiscal year 2015:
(A) New budget authority, \$554,449,000,000.
(B) Outlays, \$554,255,000,000.
Fiscal year 2016:
(A) New budget authority, \$605,756,000,000.
(B) Outlays, \$605,793,000,000.
Fiscal year 2017:
(A) New budget authority, \$621,150,000,000.
(B) Outlays, \$620,723,000,000.
Fiscal year 2018:
(A) New budget authority, \$641,367,000,000.
(B) Outlays, \$641,237,000,000.
Fiscal year 2019:
(A) New budget authority, \$699,350,000,000.
(B) Outlays, \$699,450,000,000.
Fiscal year 2020:
(A) New budget authority, \$747,812,000,000.
(B) Outlays, \$747,435,000,000.
Fiscal year 2021:
(A) New budget authority, \$786,084,000,000.
(B) Outlays, \$785,993,000,000.
Fiscal year 2022:
(A) New budget authority, \$858,585,000,000.
(B) Outlays, \$858,866,000,000.
(13) Income Security (600):
Fiscal year 2013:
(A) New budget authority, \$536,342,000,000.
(B) Outlays, \$534,683,000,000.
Fiscal year 2014:
(A) New budget authority, \$529,771,000,000.
(B) Outlays, \$527,681,000,000.
Fiscal year 2015:
(A) New budget authority, \$526,878,000,000.
(B) Outlays, \$524,573,000,000.
Fiscal year 2016:
(A) New budget authority, \$530,473,000,000.
(B) Outlays, \$532,642,000,000.
Fiscal year 2017:
(A) New budget authority, \$524,849,000,000.
(B) Outlays, \$522,708,000,000.
Fiscal year 2018:
(A) New budget authority, \$524,520,000,000.
(B) Outlays, \$518,512,000,000.
Fiscal year 2019:
(A) New budget authority, \$537,417,000,000.
(B) Outlays, \$536,176,000,000.
Fiscal year 2020:
(A) New budget authority, \$545,520,000,000.
(B) Outlays, \$544,737,000,000.
Fiscal year 2021:
(A) New budget authority, \$556,173,000,000.
(B) Outlays, \$555,576,000,000.
Fiscal year 2022:
(A) New budget authority, \$571,200,000,000.
(B) Outlays, \$575,528,000,000.
(14) Social Security (650):
Fiscal year 2013:
(A) New budget authority, \$53,381,000,000.
(B) Outlays, \$53,497,000,000.
Fiscal year 2014:
(A) New budget authority, \$32,053,000,000.
(B) Outlays, \$32,206,000,000.
Fiscal year 2015:
(A) New budget authority, \$35,320,000,000.
(B) Outlays, \$35,462,000,000.
Fiscal year 2016:
(A) New budget authority, \$39,003,000,000.
(B) Outlays, \$39,134,000,000.
Fiscal year 2017:
(A) New budget authority, \$43,160,000,000.
(B) Outlays, \$43,253,000,000.
Fiscal year 2018:
(A) New budget authority, \$47,418,000,000.
(B) Outlays, \$47,529,000,000.
Fiscal year 2019:
(A) New budget authority, \$52,051,000,000.
(B) Outlays, \$52,179,000,000.
Fiscal year 2020:
(A) New budget authority, \$56,841,000,000.
(B) Outlays, \$56,973,000,000.
Fiscal year 2021:

(A) New budget authority, \$61,807,000,000.
 (B) Outlays, \$61,944,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$67,097,000,000.
 (B) Outlays, \$67,237,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2013:
 (A) New budget authority, \$133,980,000,000.
 (B) Outlays, \$135,090,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$134,668,000,000.
 (B) Outlays, \$135,585,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$136,587,000,000.
 (B) Outlays, \$137,357,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$143,925,000,000.
 (B) Outlays, \$144,474,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$141,458,000,000.
 (B) Outlays, \$141,884,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$138,730,000,000.
 (B) Outlays, \$139,184,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$146,811,000,000.
 (B) Outlays, \$147,290,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$149,676,000,000.
 (B) Outlays, \$150,184,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$152,563,000,000.
 (B) Outlays, \$153,082,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$161,158,000,000.
 (B) Outlays, \$161,726,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2013:
 (A) New budget authority, \$64,196,000,000.
 (B) Outlays, \$59,338,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$54,974,000,000.
 (B) Outlays, \$57,953,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$54,934,000,000.
 (B) Outlays, \$57,731,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$56,946,000,000.
 (B) Outlays, \$59,385,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$55,507,000,000.
 (B) Outlays, \$57,905,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$55,821,000,000.
 (B) Outlays, \$58,197,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$56,261,000,000.
 (B) Outlays, \$57,571,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$56,702,000,000.
 (B) Outlays, \$57,341,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$57,305,000,000.
 (B) Outlays, \$57,951,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$61,549,000,000.
 (B) Outlays, \$62,220,000,000.
 (17) General Government (800):
 Fiscal year 2013:
 (A) New budget authority, \$23,560,000,000.
 (B) Outlays, \$25,422,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$23,667,000,000.
 (B) Outlays, \$24,467,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$23,756,000,000.
 (B) Outlays, \$24,412,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$23,718,000,000.
 (B) Outlays, \$24,381,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$23,875,000,000.
 (B) Outlays, \$24,208,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$23,995,000,000.
 (B) Outlays, \$24,196,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$24,252,000,000.
 (B) Outlays, \$24,242,000,000.

Fiscal year 2020:
 (A) New budget authority, \$24,433,000,000.
 (B) Outlays, \$24,503,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$24,699,000,000.
 (B) Outlays, \$24,677,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$24,966,000,000.
 (B) Outlays, \$24,948,000,000.
 (18) Net Interest (900):
 Fiscal year 2013:
 (A) New budget authority, \$344,483,000,000.
 (B) Outlays, \$344,483,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$357,477,000,000.
 (B) Outlays, \$357,477,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$395,203,000,000.
 (B) Outlays, \$395,203,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$458,360,000,000.
 (B) Outlays, \$458,360,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$526,814,000,000.
 (B) Outlays, \$526,814,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$595,670,000,000.
 (B) Outlays, \$595,670,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$659,883,000,000.
 (B) Outlays, \$659,883,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$715,403,000,000.
 (B) Outlays, \$715,403,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$757,921,000,000.
 (B) Outlays, \$757,921,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$799,383,000,000.
 (B) Outlays, \$799,383,000,000.
 (19) Allowances (920):
 Fiscal year 2013:
 (A) New budget authority, -\$13,676,000,000.
 (B) Outlays, -\$7,857,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$15,386,000,000.
 (B) Outlays, -\$13,295,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$17,603,000,000.
 (B) Outlays, -\$16,779,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$20,026,000,000.
 (B) Outlays, -\$19,647,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$22,371,000,000.
 (B) Outlays, -\$22,297,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$25,662,000,000.
 (B) Outlays, -\$25,587,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$28,895,000,000.
 (B) Outlays, -\$28,827,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$31,737,000,000.
 (B) Outlays, -\$31,685,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$34,029,000,000.
 (B) Outlays, -\$34,012,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$78,230,000,000.
 (B) Outlays, -\$78,242,000,000.
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2013:
 (A) New budget authority, -\$76,328,000,000.
 (B) Outlays, -\$76,328,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$79,432,000,000.
 (B) Outlays, -\$79,432,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$85,712,000,000.
 (B) Outlays, -\$85,712,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$88,268,000,000.
 (B) Outlays, -\$88,268,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$96,233,000,000.
 (B) Outlays, -\$96,233,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$100,032,000,000.

(B) Outlays, -\$100,032,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$106,935,000,000.
 (B) Outlays, -\$106,935,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$106,113,000,000.
 (B) Outlays, -\$106,113,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$110,573,000,000.
 (B) Outlays, -\$110,573,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$115,265,000,000.
 (B) Outlays, -\$115,265,000,000.
 (21) Overseas Contingency Operations/Global War on Terrorism:
 Fiscal year 2013:
 (A) New budget authority, \$86,192,000,000.
 (B) Outlays, \$82,394,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$61,019,000,000.
 (B) Outlays, \$73,453,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$42,667,000,000.
 (B) Outlays, \$55,979,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$38,108,000,000.
 (B) Outlays, \$44,797,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$37,914,000,000.
 (B) Outlays, \$40,014,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$37,807,000,000.
 (B) Outlays, \$38,316,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$38,734,000,000.
 (B) Outlays, \$38,218,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$39,680,000,000.
 (B) Outlays, \$38,806,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$40,653,000,000.
 (B) Outlays, \$39,662,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$41,656,000,000.
 (B) Outlays, \$40,603,000,000.

TITLE II—RECONCILIATION AND DIRECTIVE TO THE COMMITTEE ON THE BUDGET

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS OF SPENDING REDUCTION.—Not later than April 27, 2012, the House committees named in subsection (b) shall submit recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations, such committee shall report to the House a reconciliation bill carrying out all such recommendations without substantive revision.

(b) INSTRUCTIONS.—

(1) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture of the House of Representatives shall report changes in laws within its jurisdiction to reduce the deficit by \$148,000,000 for fiscal year 2013 and by \$22,371,000,000 for the period of fiscal years 2013 through 2021.

(2) COMMITTEE ON ARMED SERVICES.—The Committee on Armed Services of the House of Representatives shall report changes in laws within its jurisdiction to reduce the deficit by \$2,400,000,000 for fiscal year 2013 and by \$51,800,000,000 for the period of fiscal years 2013 through 2021.

(3) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce of the House of Representatives shall report changes in laws within its jurisdiction to reduce the deficit by \$4,270,000,000 for fiscal year 2013 and by \$59,490,000,000 for the period of fiscal years 2013 through 2021.

(4) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall report changes in laws within its jurisdiction to reduce the deficit by \$4,400,000,000 for fiscal year 2013 and by \$70,700,000,000 for the period of fiscal years 2013 through 2021.

(5) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources of the House of Representatives shall report changes in laws within its jurisdiction to reduce the deficit by \$407,000,000 for fiscal year 2013 and by \$5,157,000,000 for the period of fiscal years 2013 through 2021.

(6) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform of the House of Representatives shall report changes in laws within its jurisdiction to reduce the deficit by \$600,000,000 for fiscal year 2013 and by \$60,400,000,000 for the period of fiscal years 2013 through 2021.

(7) COMMITTEE ON WAYS AND MEANS.—(A)(i) The Committee on Ways and Means of the House of Representatives shall report changes in laws within its jurisdiction sufficient to enact fundamental tax reform that reduce the deficit by \$1 trillion relative to current policy through 2021.

(ii) In determining compliance with the revenue instruction the chair of the Committee on the Budget shall calculate deficit reduction relative to the current policy baseline defined in section 403.

(B) The House Committee on Ways and Means of the House of Representatives shall report changes in direct spending laws within its jurisdiction sufficient to reduce direct spending by \$8,000,000,000 for fiscal year 2013 and by \$100,700,000,000 for the period of fiscal years 2013 through 2021.

SEC. 202. DIRECTIVE TO THE COMMITTEE ON THE BUDGET OF THE HOUSE OF REPRESENTATIVES TO REPLACE THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.

(a) SUBMISSION.—In the House, the Committee on the Budget shall report to the House a bill carrying out the directions set forth in subsection (b).

(b) DIRECTIONS.—The bill referred to in subsection (a) shall include the following provisions:

(1) REPLACING THE SEQUESTER ESTABLISHED BY THE BUDGET CONTROL ACT OF 2011.—The language shall amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to permanently repeal the sequester established under that section consistent with this concurrent resolution for fiscal year 2013, and each subsequent fiscal year through 2021.

(2) APPLICATION OF PROVISIONS.—The bill referred to in subsection (a) shall include language making its application contingent upon the enactment of the reconciliation bill referred to in section 201.

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that includes provisions amending or superseding the system for updating payments under section 1848 of the Social Security Act, if such measure would not increase the deficit in the period of fiscal years 2013 through 2022. Areas for savings may include, but are not limited to, reducing Medicare fraud, increasing drug discounts, reforming cost sharing requirements, and accelerating or strengthening payment reforms.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR REVENUE MEASURES.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for the budgetary effects of any bill reported by the Committee on Ways and Means, or any amendment thereto or

conference report thereon, that decreases revenue, but only if such measure would not increase the deficit over the period of fiscal years 2013 through 2022.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels and limits in this resolution for the budgetary effects of any bill or joint resolution, or amendment thereto or conference report thereon, that makes changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94 565) or makes changes to or provides for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106 393) by the amounts provided by that legislation for those purposes, if such legislation would not increase the deficit or direct spending for fiscal year 2013, the period of fiscal years 2013 through 2017, or the period of fiscal years 2013 through 2022.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR TRANSPORTATION.

In the House, the chair of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill or joint resolution, or amendment thereto or conference report thereon:

(1) For surface transportation programs by providing new contract authority by the amounts provided in such measure if the total amount of contract authority does not exceed the additional revenue deposited into the Highway Trust Fund and made available over the authorized period.

(2) Such measure maintains the solvency of the Highway Trust Fund, but only if such measure would not increase the deficit over the period of fiscal years 2013 through 2022.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. DISCRETIONARY SPENDING LIMITS.

Spending limits for total discretionary Federal spending are:

(1) with respect to fiscal year 2013—
(A) for the security category, \$684,000,000,000 in new budget authority;

(B) for the nonsecurity category, \$359,000,000,000 in new budget authority; and

(C) for overseas contingency operations (OCO), \$86,192,000,000 in new budget authority;

(2) with respect to fiscal year 2014—
(A) for the security category, \$686,000,000,000 in new budget authority;

(B) for the nonsecurity category, \$361,000,000,000 in new budget authority; and
(C) for overseas contingency operations, \$61,019,000,000 in new budget authority;

(3) with respect to fiscal year 2015—
(A) for the security category, \$689,000,000,000 in new budget authority;

(B) for the nonsecurity category, \$362,000,000,000 in new budget authority; and
(C) for overseas contingency operations, \$42,667,000,000 in new budget authority;

(5) with respect to fiscal year 2016—
(A) for the discretionary category, \$1,057,669,000,000 in new budget authority; and

(B) for overseas contingency operations, \$38,108,000,000 in new budget authority;

(6) with respect to fiscal year 2017—

(A) for the discretionary category, \$1,066,130,000,000 in new budget authority; and

(B) for overseas contingency operations, \$37,914,000,000 in new budget authority;

(7) with respect to fiscal year 2018—

(A) for the discretionary category, \$1,075,725,000,000 in new budget authority; and

(B) for overseas contingency operations, \$37,807,000,000 in new budget authority;

(8) with respect to fiscal year 2019—

(A) for the discretionary category, \$1,086,482,000,000 in new budget authority; and

(B) for overseas contingency operations, \$38,734,000,000 in new budget authority;

(9) with respect to fiscal year 2020—

(A) for the discretionary category, \$1,097,347,000,000 in new budget authority; and

(B) for overseas contingency operations, \$39,680,000,000 in new budget authority; and

(10) with respect to fiscal year 2021—

(A) for the discretionary category, \$1,108,321,000,000 in new budget authority; and

(B) for overseas contingency operations, \$40,653,000,000 in new budget authority.

SEC. 402. ENFORCEMENT OF DISCRETIONARY SPENDING LIMITS.

(a) POINT OF ORDER AGAINST INCREASING OR REPEALING ANY DISCRETIONARY SPENDING LIMIT.—It shall not be in order in the House of Representatives to consider any bill or joint resolution, or amendment thereto or conference report thereon, that—

(1) increases the amount of any discretionary spending limit for any fiscal year set forth in this concurrent resolution on the budget; or

(2) repeals any discretionary spending limit set forth in this concurrent resolution on the budget.

(b) POINT OF ORDER AGAINST ANY RESOLUTION SETTING 302(a) ALLOCATIONS ASSUMED IN THIS RESOLUTION.—It shall not be in order in the House of Representatives to consider any concurrent resolution on the budget or any resolution deeming any budget allocations or aggregates to be in effect, or any amendment thereto or conference report thereon, that provides for allocations under section 302(a) for any fiscal year that, in the aggregate, would exceed the discretionary spending limit for that fiscal year pursuant to this concurrent resolution on the budget.

(c) POINT OF ORDER AGAINST WAIVER OF SUBSECTIONS (a) OR (b).—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (a) or (b).

(d) DISPOSITION OF POINTS OF ORDER.—In the House of Representatives:

(1) As disposition of points of order under subsection (a) or (b), the chair shall put the question of consideration with respect to the proposition that is subject to the points of order.

(2) A question of consideration under this paragraph shall be debatable for ten minutes by each Member initiating a point of order and for ten minutes by an opponent on each point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

(3) The disposition of the question of consideration under this paragraph with respect to a bill or resolution shall be considered also to determine the question of consideration under this paragraph with respect to an amendment made in order as original text.

SEC. 403. CURRENT POLICY ESTIMATES FOR TAX REFORM.

For the purposes of section 201, the term “current policy baseline” is the baseline, as defined at section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 based on laws in effect as of March 1, 2012, modified to assume—

(1) a permanent extension of the provisions of titles I, II, III, and IV of the Economic Growth and Tax Reconciliation Act of 2001, and any later amendments;

(2) a permanent extension of the provisions of titles I, III, and IV of the Jobs, Growth and Tax Reconciliation Act of 2001, and any later amendments;

(3) a permanent increase in the limitations on expensing depreciable business assets for small businesses under section 179(b) of the Internal Revenue Code of 1986 as in effect in tax year 2011, as provided under section 202 of the Jobs, Growth and Tax Reconciliation Act of 2001, and any later amendments;

(4) a permanent extension of the Estate and Gift Tax provisions from the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, beginning January 1, 2013; and

(5) a permanent extension of relief from the Alternative Minimum Tax, as defined in section 7(e) of the Statutory-Pay-As-You-Go Act of 2010, beginning January 1, 2012.

SEC. 404. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House, except as provided in subsection (b), any bill or joint resolution, or an amendment thereto or conference report thereon, making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts referred to in subsection (c)(1) or identified in the report to accompany this resolution or the joint explanatory statement of managers to accompany this resolution under the heading “Accounts Identified for Advance Appropriations”.

(c) LIMITATIONS.—For fiscal year 2014, the aggregate amount of advance appropriation shall not exceed—

(1) \$54,462,000,000 for the following programs in the Department of Veterans Affairs—

(A) Medical Services;

(B) Medical Support and Compliance; and

(C) Medical Facilities accounts of the Veterans Health Administration; and

(2) \$28,852,000,000 in new budget authority for all other programs.

(d) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2014.

SEC. 405. CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chair of the Committee on the Budget may adjust any appropriate levels and allocations in this resolution accordingly.

SEC. 406. LIMITATION ON LONG-TERM SPENDING.

(a) IN GENERAL.—In the House, it shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing direct spending in excess of \$5,000,000,000 for any period described in subsection (b).

(b) TIME PERIODS.—The applicable periods for purposes of this section are any of the first four consecutive ten fiscal-year periods beginning with fiscal year 2023.

SEC. 407. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) SPECIAL RULE.—For purposes of applying sections 302(f) and 311 of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(c) ADJUSTMENTS.—The chair of the Committee on the Budget may adjust allocations and aggregates for legislation reported by the Committee on Oversight and Government Reform that reforms the Federal retirement system, but does not cause a net increase in the deficit for fiscal year 2013 and the period of fiscal years 2013 to 2022.

SEC. 408. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) EXEMPTIONS.—Any legislation for which the chair of the Committee on the Budget makes adjustments in the allocations or aggregates of this concurrent resolution shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 504.

SEC. 409. CONGRESSIONAL BUDGET OFFICE ESTIMATES.

(a) FAIR VALUE ESTIMATES.—

(1) REQUEST FOR SUPPLEMENTAL ESTIMATES.—Upon the request of the chair or ranking member of the Committee on the Budget, any estimate prepared for a measure under the terms of title V of the Congressional Budget Act of 1974, “credit reform”, as a supplement to such estimate of the Congressional Budget Office shall, to the extent practicable, also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by such measure.

(2) ENFORCEMENT.—If the Congressional Budget Office provides an estimate pursuant to subsection (a), the chair of the Committee on the Budget may use such estimate to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

(b) BUDGETARY EFFECTS OF THE NATIONAL FLOOD INSURANCE PROGRAM.—The Congressional Budget Office shall estimate the change in net income to the National Flood Insurance Program by this Act if such income is included in a reconciliation bill provided in section 201, as if such income were deposited in the general fund of the Treasury.

SEC. 410. BUDGET RULE RELATING TO TRANSFERS FROM THE GENERAL FUND OF THE TREASURY TO THE HIGHWAY TRUST FUND THAT INCREASE PUBLIC INDEBTEDNESS.

For purposes of the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, or the Rules of the House of Representatives, a bill or joint resolution, or an amendment thereto or conference report thereon, or any Act that transfers funds from the general fund of the Treasury to the Highway Trust Fund shall be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year the transfer occurs.

SEC. 411. SEPARATE ALLOCATION FOR OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM.

(a) ALLOCATION.—In the House, there shall be a separate allocation to the Committee on Appropriations for overseas contingency operations and the global war on terrorism. For purposes of enforcing such separate allocation under section 302(f) of the Congressional Budget Act of 1974, the “first fiscal year” and the “total of fiscal years” shall be deemed to refer to fiscal year 2013. Such separate allocation shall be the exclusive allocation for overseas contingency operations and the global war on terrorism under section 302(a) of such Act. Section 302(c) of such Act does not apply to such separate allocation. The Committee on Appropriations may provide suballocations of such separate allocation under section 302(b) of such Act. Spending that counts toward the allocation established by this section shall be designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) ADJUSTMENT.—In the House, for purposes of subsection (a) for fiscal year 2013, no adjustment shall be made under section 314(a) of the Congressional Budget Act of 1974 if any adjustment would be made under section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) LIMITATION ON ADJUSTMENT.—The amount of the adjustments shall not exceed the amounts specified in section 501, except to the extent the additional increase is offset pursuant to subsection (d) or by the amount not to exceed a request submitted by the President pursuant to subsection (e).

(d) PERMISSIBLE OFFSETS TO ALLOW INCREASES IN OCO LIMITS.—The discretionary spending limit for the overseas contingency operation (OCO) category for any fiscal year may be increased—

(1) by the amount of any reduction in the security category, nonsecurity category, or the discretionary category, as applicable, for that fiscal year, if the statute making such reduction sets forth the amount of the reduction in such category that is to be used to increase the overseas contingency operation category; or

(2) by the amount of any reduction in direct spending or increase in revenues if the statute making such reduction in direct spending or increase in revenues sets forth the amount of such reduction or increase that is to be used to increase the overseas contingency operation category.

(e) REQUEST OF THE PRESIDENT.—If the President requests revisions for the overseas contingency operation limit set forth in this concurrent resolution on the budget by June 30, 2012 to accompany any supplemental budget request for such operations for fiscal year 2012 through fiscal year 2021 with an explanation of strategy consistent with the proposed adjustments, then such adjustments shall not be subject to the offset requirements in subsection (d).

(f) LIMITATION ON ADJUSTMENT.—The adjustment may only be made for spending meeting the definition of overseas contingency operations spending, defined as any operations the funding of which is only used in geographic areas in which combat or direct combat support operations occur, and would be limited to—

(1) operations and maintenance for the transport of personnel, equipment, and supplies to, from, and within the theater of operations; deployment-specific training and preparation for units and personnel to assume their directed mission; and the incremental costs above the funding programmed in the base budget to build and maintain temporary facilities; provide food, fuel, supplies, contracted services, and other support; and cover the operational costs of coalition

partners supporting United States military missions;

(2) military personnel spending for incremental special pays and allowances for Service members and civilians deployed to a combat zone; and incremental pay, special pays, and allowances for Reserve Component personnel mobilized to support war missions;

(3) procurement costs to replace losses that have occurred, but only for items not already programmed for replacement in the Future Years Defense Plan;

(4) military construction spending for facilities and infrastructure in the theater of operations in direct support of combat operations; and

(5) research and development projects required for combat operations in these specific theaters that can be delivered in a 12-month period.

SEC. 412. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) PROGRAM INTEGRITY INITIATIVES.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—In the House, prior to consideration of any bill or joint resolution, or amendment thereto or conference report thereon, making appropriations for fiscal year 2013 that appropriates \$315,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration and provides an additional appropriation of up to \$751,000,000, and that amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of any bill or joint resolution, or amendment thereto or conference report thereon, making appropriations for fiscal year 2013 that appropriates \$7,979,000,000 for the Internal Revenue Service for enhanced enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$3,132,000,000 to the Internal Revenue Service and the amount is designated for enhanced tax enforcement to address the tax gap, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of any bill or joint resolution, or amendment thereto or conference report thereon, making appropriations for fiscal year 2013 that appropriates up to \$299,000,000, and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—In the House, prior to consideration of any bill or joint resolution, or amendment thereto or conference report thereon, making appropriations for fiscal year 2013 that appropriates \$60,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$10,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation

to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(b) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill or joint resolution, or amendment thereto or conference report thereon, the chair of the Committee on the Budget of the House of Representatives shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

SEC. 413. EXERCISE OF RULEMAKING POWERS.

(a) IN GENERAL.—The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House of Representatives, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(b) LIMITATION ON APPLICATION.—The following provisions of H. Res. 5 (112th Congress) shall no longer have force or effect:

(1) Section 3(e) relating to advance appropriations.

(2) Section 3(f) relating to the treatment of off-budget administrative expenses.

TITLE V—POLICY

SEC. 501. POLICY STATEMENT ON TAX REFORM.

(a) FINDINGS.—The House finds the following:

(1) America's tax code is broken and must be reformed.

(2) The current individual income tax system is confusing and complicated, while the corporate income tax is the highest in the world and hurts America's ability to compete abroad.

(3) Tax expenditures are simply spending through the tax code, and cost taxpayers approximately \$1.3 trillion annually. They increase the deficit and cause tax rates to be higher than they otherwise would be.

(4) Tax reform should lower tax rates, reduce the deficit, simplify the tax code, reduce or eliminate tax expenditures, and help start and expand businesses and create jobs.

(b) POLICY ON FUNDAMENTAL TAX REFORM.—It is the policy of this resolution that fundamental income tax reform shall be based on the principles and framework outlined in the bipartisan Simpson-Bowles Moment of Truth report and the bipartisan Rivlin-Domenici Restoring America's Future report including:

(1) lowering individual and corporate income tax rates across-the-board with the top rate reduced to between 23 and 29 percent unless the top rate must be higher than 29 percent to offset preferential treatment for capital gains;

(2) shifting the corporate income tax from a worldwide to a territorial system;

(3) increasing the competitiveness of U.S. businesses;

(4) broadening the tax base by reducing or eliminating tax expenditures;

(5) preserving reformed versions of tax provisions addressing low-income workers and families; mortgage interest for principal residences; employer-provided health insurance; charitable giving; and retirement savings and pensions;

(6) maintaining or improving progressivity of the tax code; and

(7) simplifying the tax code.

SEC. 502. POLICY STATEMENT ON MEDICARE.

(a) FINDINGS.—The House finds the following:

(1) More than 50 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare's long-term financial challenges be addressed soon. The Medicare Trustees continue to stress the importance of developing and implementing further means of reducing health care cost growth in the coming years. According to the Board of Trustees, Federal Hospital Insurance and Federal Supplemental Medicare Insurance Trust Funds, the official source for Medicare financial and actuarial status:

(A) The Hospital Insurance (HI) Trust Fund will remain solvent until 2024, at which point it would be unable to fully pay all scheduled HI benefits.

(B) Medicare spending is growing faster than the economy. Medicare outlays are currently rising at a rate of 6.3 percent per year, and under alternative fiscal scenario of the Congressional Budget Office, mandatory spending on Medicare is projected to reach 7 percent of GDP by 2035 and 14 percent of GDP by 2085.

(3) Failing to address this problem will leave younger generations burdened with an enormous debt to pay and less health care security in old age, for spending levels that cannot be sustained.

(4) Medicare spending needs to be put on a sustainable path and the Medicare program needs to become solvent over the long-term.

(b) POLICY OF MEDICARE REFORM.—It is the policy of this resolution that Congress should work on a bipartisan basis to ensure the future of the Medicare program is preserved. The Medicare changes under this resolution shall reflect the principles and framework outlined in the bipartisan Simpson-Bowles Moment of Truth report including:

(1) reforms achieving savings within the budget window from policies including but not limited to:

(A) permanently reforming or replacing the Medicare sustainable growth rate with a system that encourages coordination of care and moves toward payment based on quality rather than quantity;

(B) reducing Medicare fraud;

(C) reforming cost sharing requirements;

(D) accelerating or strengthening payment and delivery system reforms; and

(E) increasing drug discounts; and

(2) setting targets for the total Federal budgetary commitment to health care and requiring further structural reforms if the policies in this resolution and other reforms are not sufficient to limit the growth of total Federal budgetary commitment to health care, including mandatory programs and provisions of the tax code related to health care to GDP plus 1 percent.

SEC. 503. POLICY STATEMENT ON SOCIAL SECURITY.

(a) FINDINGS.—The House finds the following:

(1) More than 55 million retirees, individuals with disabilities, and survivors depend on Social Security. Since enactment, Social Security has served as a vital leg on the "three-legged stool" of retirement security, which includes employer provided pensions as well as personal savings.

(2) The Social Security Trustees report has repeatedly recommended that Social Security's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Social Security becomes more precarious and the threat to seniors and those receiving Social Security disability benefits becomes more pronounced:

(A) In 2016, according to the Congressional Budget Office, the Federal Disability Insur-

ance Trust Fund will be exhausted and will be unable to pay scheduled benefits.

(B) In 2036, according to the Social Security Trustees Report the combined Federal Old-Age and Survivors Insurance Trust Fund and Federal Disability Insurance Trust Fund will be exhausted, and will be unable to pay scheduled benefits.

(C) With the exhaustion of the trust funds in 2036, benefits will be cut 23 percent across the board, devastating those currently in or near retirement and those who rely on Social Security the most.

(3) The current recession has exacerbated the crisis to Social Security. The Congressional Budget Office continues to project permanent cash deficits.

(4) Lower-income Americans rely on Social Security for a larger proportion of their retirement income. Therefore, reforms should take into consideration the need to protect lower-income Americans' retirement security.

(5) Americans deserve action by their elected officials on Social Security reform. It is critical that the Congress and the administration work together in a bipartisan fashion to address the looming insolvency of Social Security. In this spirit, this resolution creates a bipartisan opportunity to find solutions by requiring policymakers to ensure that Social Security remains a critical part of the safety net.

(b) **POLICY ON SOCIAL SECURITY.**—It is the policy of this resolution that Congress should work on a bipartisan basis to make Social Security sustainably solvent over 75 years, as certified by the Congressional Budget Office using estimates provided by the Social Security Administration Office of the Chief Actuary. Legislation to ensure sustainable solvency shall reflect the principles and framework outlined in the bipartisan Simpson-Bowles Moment of Truth report and the bipartisan Rivlin-Domenici Restoring America's Future report, which:

(1) achieve the following objectives:

(A) protect those in and near retirement;

(B) preserve the safety net for those who rely on Social Security, including survivors and those with disabilities;

(C) improve fairness for participants; and

(D) reduce the burden on, and provide certainty for, future generations, and

(2) include, among other proposals:

(A) moving to a more progressive benefit formula;

(B) providing an enhanced minimum benefit for low-wage workers;

(C) increasing benefits for the elderly and long-time disabled, accounting for changes in life expectancy over the next 75 years; and

(D) gradually restoring the maximum wage base that has slowly eroded.

SEC. 504. POLICY STATEMENT ON BUDGET ENFORCEMENT.

(a) **FINDINGS.**—The House finds the following:

(1) The Congressional Budget Office, the Federal Reserve, the Government Accountability Office, the Simpson-Bowles Fiscal Commission, the Rivlin-Domenici Debt Reduction Task Force, and ten former Chairmen of the Council of Economic Advisors all concluded that debt is growing at unsustainable rates and must be brought under control.

(2) According to the Congressional Budget Office, if entitlements are not reformed, entitlement spending on Social Security, Medicare, and Medicaid will exceed the historical average of revenue collections as a share of the economy within forty years.

(3) According to the Congressional Budget Office, under current policies, debt would reach levels that the economy could no longer sustain in 2035 and a fiscal crisis is likely to occur well before that date.

(7) To avoid a fiscal crisis and maintain program solvency, Congress must enact legislation that makes structural reforms to entitlement programs.

(8) Instead of automatic debt increases and automatic spending increases, Congress needs to put limits on spending with automatic reductions if spending limits are not met.

(9) The budget lacks both short- and long-term spending controls. Greater transparency and the use of spending controls, particularly for long-term entitlement spending, are needed to tackle this growing threat of a fiscal crisis.

(b) **POLICY ON DEBT CONTROLS.**—It is the policy of this concurrent resolution on the budget that in order to stabilize the debt and bring it under control, the following statutory spending and debt controls are needed:

(1) Enforceable statutory caps on discretionary spending at levels set forth in this concurrent resolution on the budget for the period of fiscal years 2013 through 2022, that includes:

(A) separate limits on security and non-security spending and firewalls through fiscal year 2015, and limits on Overseas Contingency Operations through 2021;

(B) a point of order; and

(C) an across-the-board sequester to bring spending back in line with statutory caps if the point of order is waived.

At the end of each session of Congress, the Congressional Budget Office shall certify that discretionary spending approved by Congress is within the discretionary spending caps. If the caps are not met, the Office of Management and Budget would be required to implement an across-the-board sequester.

(2) Establish a debt stabilization process to provide a backstop to enforce savings and keep the Federal budget on path to achieve long-term targets that:

(A) Require at the beginning of each year, the Office of Management and Budget to report to the President and the Congressional Budget Office to report to the Congress whether—

(i) the budget is projected to be in primary balance in 2015;

(ii) the debt held by the public as a percentage of GDP is projected to be stable at 2015 levels for the following five years; and

(iii) beginning in fiscal year 2016, whether the actual debt-to-GDP ratio will exceed the prior year's ratio.

(B) In a year in which the Office of Management and Budget indicates any one of these conditions has not been met, the President's budget submission shall include legislative recommendations that would restore primary budget balance in 2015 or, after 2015, stabilize the debt-to-GDP ratio.

(C) If the Congressional budget resolution also shows that one of these conditions has not been met, the resolution shall include fast-track procedures for debt stabilization legislation to bring the budget back within the deficit or debt targets.

(D) If Congress cannot agree upon a budget resolution in a timely manner, and the report of the Congressional Budget Office predicts one of these conditions has not been met, then any Member of the House may introduce a debt stabilization bill, and a motion to proceed to that bill shall be considered on the floor.

(E) Congressional action on debt stabilization action would be enforced by a supermajority point of order against any legislation that would provide new mandatory budget authority or reduce revenues until a stabilization bill has been passed in years during which a budget resolution includes a debt stabilization instruction. The debt stabilization process would be suspended if nominal GDP grew by less than one percent

in the prior fiscal year. The process could also be suspended by the enactment of a joint resolution stating that stabilization legislation would cause or exacerbate an economic downturn.

SEC. 505. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.

(a) **FINDINGS.**—The House finds the following:

(1) According to the Office of Management and Budget, Federal agencies will hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remain available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) **POLICY ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.**—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Federal Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

(c) **DEFICIT REDUCTION.**—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

SEC. 506. RECOMMENDATIONS FOR THE ELIMINATION OF WASTE, FRAUD, AND ABUSE IN FEDERAL PROGRAMS.

(a) **FINDINGS.**—The House finds the following:

(1) The Government Accountability Office is required by law to identify examples of waste, duplication, and overlap in Federal programs, and has so identified dozens of such examples.

(2) In testimony before the Committee on Oversight and Government Reform, the Comptroller General has stated that addressing the identified waste, duplication, and overlap in Federal programs "could potentially save tens of billions of dollars".

(3) The Rules of the House of Representatives require each standing committee to hold at least one hearing every four months on waste, fraud, abuse, or mismanagement in Government programs.

(4) The findings resulting from congressional oversight of Federal Government programs should result in programmatic changes in both authorizing statutes and program funding levels.

(b) **POLICY ON DEFICIT REDUCTION THROUGH THE REDUCTION OF UNNECESSARY AND WASTEFUL SPENDING.**—Each authorizing committee annually shall include in its Views and Estimates letter required under section 301(d) of the Congressional Budget Act of 1974 recommendations to the Committee on the Budget of programs within the jurisdiction of such committee whose funding should be reduced or eliminated. Such recommendations shall be made publicly available.

TITLE VI—SENSE OF THE HOUSE PROVISIONS

SEC. 601. SENSE OF THE HOUSE ON A RESPONSIBLE DEFICIT REDUCTION PLAN.

It is the sense of the House that—
 (1) the Nation's debt is an immense security threat to our country, just as Admiral Mullen, the former Chairman of the Joint Chiefs of Staff, has stated;

(2) the Government Accountability Office has issued reports documenting billions of dollars of waste and duplication at Government agencies;

(3) the bipartisan Simpson-Bowles Fiscal Commission and the bipartisan Rivlin-Domenici Debt Reduction Task Force were correct in concluding that everything, including spending and revenue, should be "on the table" as part of a deficit reduction plan; and

(4) any budget plan to reduce the deficit must follow this precept.

SEC. 602. SENSE OF THE HOUSE REGARDING LOW-INCOME PROGRAMS.

It is the sense of the House that in achieving the deficit reduction targets outlined in section 201, the importance of low-income programs that help those most in need should be taken into consideration.

It was decided in the negative	{ <table border="0"> <tr> <td>Yeas</td> <td>38</td> </tr> <tr> <td>Nays</td> <td>382</td> </tr> <tr> <td>Answered present</td> <td>2</td> </tr> </table> }	Yeas	38	Nays	382	Answered present	2
		Yeas	38				
		Nays	382				
Answered present	2						

¶44.24 [Roll No. 145]

AYES—38

- | | | |
|-----------|--------------|------------|
| Andrews | Gibson | Polis |
| Bass (NH) | Himes | Quigley |
| Boren | Johnson (IL) | Reed |
| Boswell | Kind | Schrader |
| Buerkle | Larsen (WA) | Schwartz |
| Carney | LaTourrette | Shimkus |
| Clyburn | Lipinski | Shuler |
| Cooper | Lummis | Simpson |
| Costa | Meehan | Viscosky |
| Cuellar | Perlmutter | Watt |
| Dent | Peterson | Wolf |
| Dold | Petri | Young (AK) |
| Fattah | Platts | |

NOES—382

- | | | |
|-------------|--------------|---------------|
| Ackerman | Buchanan | Davis (CA) |
| Adams | Bucshon | Davis (IL) |
| Aderholt | Burgess | Davis (KY) |
| Akin | Burton (IN) | DeFazio |
| Alexander | Butterfield | DeGette |
| Altmire | Calvert | DeLauro |
| Amash | Camp | Denham |
| Amodei | Campbell | DesJarlais |
| Austria | Canseco | Diaz-Balart |
| Baca | Cantor | Dicks |
| Bachmann | Capito | Dingell |
| Bachus | Capps | Doggett |
| Baldwin | Capuano | Donnelly (IN) |
| Barletta | Carnahan | Doyle |
| Barrow | Carson (IN) | Dreier |
| Bartlett | Carter | Duffy |
| Barton (TX) | Cassidy | Duncan (SC) |
| Bass (CA) | Castor (FL) | Duncan (TN) |
| Becerra | Chabot | Edwards |
| Benishek | Chaffetz | Ellison |
| Berg | Chandler | Ellmers |
| Berkley | Chu | Emerson |
| Berman | Cicilline | Engel |
| Biggert | Clarke (MI) | Eshoo |
| Bilbray | Clarke (NY) | Farenthold |
| Bilirakis | Clay | Farr |
| Bishop (GA) | Cleaver | Fincher |
| Bishop (NY) | Coble | Fitzpatrick |
| Bishop (UT) | Coffman (CO) | Flake |
| Black | Cohen | Fleischmann |
| Blackburn | Cole | Fleming |
| Blumenauer | Conaway | Flores |
| Bonamici | Conyers | Forbes |
| Bonner | Costello | Fortenberry |
| Bono Mack | Courtney | Fox |
| Boustany | Cravaack | Frank (MA) |
| Brady (PA) | Crawford | Frank (AZ) |
| Brady (TX) | Crenshaw | Frelinghuysen |
| Braley (IA) | Critz | Fudge |
| Brooks | Crowley | Galleghy |
| Broun (GA) | Culberson | Garamendi |
| Brown (FL) | Cummings | Gardner |

- | | | |
|-----------------|--------------------|-------------------|
| Garrett | Lofgren, Zoe | Rokita |
| Gerlach | Long | Rooney |
| Gibbs | Lowe | Ros-Lehtinen |
| Gingrey (GA) | Lucas | Roskam |
| Gohmert | Luetkemeyer | Ross (AR) |
| Gonzalez | Lujan | Ross (FL) |
| Goodlatte | Lungren, Daniel E. | Rothman (NJ) |
| Gosar | Lynch | Roybal-Allard |
| Gowdy | Maloney | Royce |
| Granger | Manzullo | Runyan |
| Graves (GA) | Marchant | Ruppersberger |
| Graves (MO) | Marino | Rush |
| Green, Al | Markey | Ryan (OH) |
| Green, Gene | Matheson | Ryan (WI) |
| Griffin (AR) | Matsui | Sanchez, Linda T. |
| Griffith (VA) | McCarthy (CA) | Sanchez, Loretta |
| Grijalva | McCarthy (NY) | Sarbanes |
| Grimm | McCaul | Scalise |
| Guinta | McClintock | Schakowsky |
| Guthrie | McCollum | Schiff |
| Gutierrez | McCotter | Schilling |
| Hahn | McDermott | Schmidt |
| Hall | McGovern | Schock |
| Hanabusa | McHenry | Schweikert |
| Hanna | McIntyre | Scott (SC) |
| Harper | McKeon | Scott (VA) |
| Harris | McKinley | Scott, Austin |
| Hartzler | McMorris | Scott, David |
| Hastings (FL) | Rodgers | Sensenbrenner |
| Hastings (WA) | McNerney | Serrano |
| Hayworth | Heck | Sessions |
| Heck | Michaud | Sewell |
| Heinrich | Miller (FL) | Sherman |
| Hensarling | Miller (MI) | Shuster |
| Herger | Miller (NC) | Sires |
| Herrera Beutler | Miller, Gary | Slaughter |
| Higgins | Miller, George | Smith (NE) |
| Hinchee | Moore | Smith (NJ) |
| Hinojosa | Mulvaney | Smith (TX) |
| Hirono | Murphy (CT) | Smith (WA) |
| Hochul | Murphy (PA) | Southerland |
| Holden | Myrick | Speier |
| Holt | Nadler | Stark |
| Honda | Napolitano | Stearns |
| Hoyer | Neal | Stivers |
| Huelskamp | Neugebauer | Stutzman |
| Huizenga (MI) | Noem | Sullivan |
| Hultgren | Nugent | Sutton |
| Hunter | Nunes | Terry |
| Hurt | Nunnelee | Thompson (CA) |
| Israel | Olson | Thompson (MS) |
| Issa | Oliver | Thompson (PA) |
| Jackson Lee | Owens | Thornberry |
| (TX) | Palazzo | Tiberi |
| Jenkins | Pallone | Tierney |
| Johnson (GA) | Pascrell | Tipton |
| Johnson (OH) | Pastor (AZ) | Tonko |
| Johnson, E. B. | Paulsen | Tsongas |
| Johnson, Sam | Pearce | Turner (NY) |
| Jones | Pelosi | Turner (OH) |
| Jordan | Pence | Upton |
| Kaptur | Peters | Van Hollen |
| Keating | Pingree (ME) | Velázquez |
| Kelly | Pitts | Walberg |
| Kildee | Poe (TX) | Walden |
| King (IA) | Pompeo | Walsh (IL) |
| King (NY) | Posey | Walz (MN) |
| Kingston | Price (GA) | Wasserman |
| Kinzinger (IL) | Price (NC) | Schultz |
| Kissell | Quayle | Waters |
| Kline | Rahall | Waxman |
| Kucinich | Rehberg | Webster |
| Kucinich | Reichert | Welch |
| Labrador | Renacci | West |
| Lamborn | Reyes | Westmoreland |
| Lance | Ribble | Whitfield |
| Lande | Richardson | Wilson (FL) |
| Landry | Richmond | Wilson (SC) |
| Langevin | Rigell | Wittman |
| Lankford | Rivera | Womack |
| Larson (CT) | Roby | Woodall |
| Latham | Roe (TN) | Woolsey |
| Latta | Rogers (AL) | Yarmuth |
| Lee (CA) | Rogers (KY) | Yoder |
| Levin | Rogers (MI) | Young (FL) |
| Lewis (CA) | Rohrabacher | Young (IN) |
| Lewis (GA) | | |
| LoBiondo | | |
| Loebsock | | |

ANSWERED "PRESENT"—2

Connolly (VA) Moran

NOT VOTING—9

- | | | |
|---------|--------------|--------|
| Cardoza | Jackson (IL) | Paul |
| Deutch | Mack | Rangel |
| Filner | Meeks | Towns |

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. TIBERI, assumed the Chair.

When Mr. YODER, Acting Chairman, reported that the Committee, having had under consideration said concurrent resolution, had come to no resolution thereon.

¶44.25 PROVIDING FOR CONSIDERATION OF H.R. 4281

Mr. WEBSTER, by direction of the Committee on Rules, reported (Rept. No. 112-424) the resolution (H. Res. 600) providing for consideration of the bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶44.26 CONGRESSIONAL BUDGET FY 2013

The SPEAKER pro tempore, Mr. TIBERI, pursuant to House Resolution 597 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

Mr. YODER, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. MCCLINTOCK, assumed the Chair.

When Mr. YODER, Acting Chairman, reported that the Committee, having had under consideration said concurrent resolution, had come to no resolution thereon.

¶44.27 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature on Tuesday, March 27, 2012, to an enrolled bill of the Senate of the following title:

S. 2038. An Act to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

¶44.28 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 27, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 3606. An Act to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

And then,

¶44.29 ADJOURNMENT

On motion of Mr. YODER, pursuant to the previous order of the House, at 10 o'clock and 29 minutes p.m., the House adjourned until 9 a.m. on Thursday, March 29, 2012.

44.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER: Committee on Rules, House Resolution 600. Resolution providing for consideration of the bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes (Rept. 112-424). Referred to the House Calendar.

44.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself, Mr. DOYLE, Mr. TERRY, Mr. GENE GREEN of Texas, Mr. KINZINGER of Illinois, and Mr. GONZALEZ):

H.R. 4273. A bill to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROGERS of Michigan (for himself, Ms. ESHOO, and Mr. MARKEY):

H.R. 4274. A bill to amend title IV of the Public Health Service Act and title V of the Federal Food, Drug, and Cosmetic Act to permanently extend the provisions of the Best Pharmaceuticals for Children Act and the Pediatric Research Equity Act of 2003; to the Committee on Energy and Commerce.

By Mr. McDERMOTT:

H.R. 4275. A bill to amend the Civil Rights Act of 1991 with respect to the application of such Act; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA (for himself, Mr. CAMP, and Mr. DUNCAN of Tennessee):

H.R. 4276. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS:

H.R. 4277. A bill to establish the National Full Employment Trust Fund to create employment opportunities for the unemployed; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HURT (for himself and Mr. ALTMIRE):

H.R. 4278. A bill to amend the Federal Water Pollution Control Act with respect to permit requirements for dredged or fill material; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Indiana (for himself, Mr. HULTGREN, and Mr. LATTA):

H.R. 4279. A bill to amend the Internal Revenue Code of 1986 to waive the 10 percent early distribution penalty with respect to withdrawals by unemployed veterans from certain retirement accounts; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself, Mr. SERRANO, Mr. FARR, Mr. BACA, Mr. RANGEL, Mr. TOWNS, Ms. NORTON, Mr. FALCOMA, Mrs. CHRISTENSEN, Ms. LEE of California, Ms. BORDALLO, and Mr. GRJALVA):

H.R. 4280. A bill to amend the Food and Nutrition Act of 2008 to provide that Puerto Rico may be treated in the same manner as the several States for the purpose of carrying out the supplemental nutrition assistance program under such Act; to the Committee on Agriculture.

By Mr. MICA (for himself, Mr. CAMP, and Mr. DUNCAN of Tennessee):

H.R. 4281. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERG (for himself, Mr. DOGGETT, Mr. DAVIS of Kentucky, Mr. LEWIS of Georgia, Mr. BOUSTANY, Mr. PRICE of Georgia, Mr. McDERMOTT, Mr. CROWLEY, Mr. PAULSEN, Mrs. BLACK, Mr. REED, and Mr. RANGEL):

H.R. 4282. A bill to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARROW:

H.R. 4283. A bill to amend the Child Care and Development Block Grant Act of 1990 to require child care providers to provide to parents information regarding whether such providers carry current liability insurance; to the Committee on Education and the Workforce.

By Mr. BRALEY of Iowa:

H.R. 4284. A bill to amend the Packers and Stockyards Act, 1921 to make it unlawful for a packer to own, feed, or control livestock intended for slaughter; to the Committee on Agriculture.

By Mr. CAPUANO:

H.R. 4285. A bill to amend title 5, United States Code, to give members of the United States Capitol Police the option to delay mandatory retirement until age 60; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HAHN:

H.R. 4286. A bill to restore and extend the grace period before repayment begins on Federal Direct Stafford loans and Federal Direct Unsubsidized Stafford Loans; to the Committee on Education and the Workforce.

By Ms. HAHN:

H.R. 4287. A bill to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. HAHN:

H.R. 4288. A bill to direct the Secretary of Veterans Affairs to provide grants to States to assist veterans with who were trained to drive large vehicles while serving in the Armed Forces in obtaining, upon their discharge or release from active duty service, State commercial drivers licenses; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Illinois:

H.R. 4289. A bill to enhance the disclosure of information on official foreign travel of Members and employees of Congress, to impose additional restrictions on such travel, and for other purposes; to the Committee on House Administration.

By Mr. McDERMOTT (for himself, Mr. LARSON of Connecticut, Ms. BERKLEY, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, and Mr. CROWLEY):

H.R. 4290. A bill to amend the Internal Revenue Code of 1986 to extend the income exclusion for discharge of qualified principal residence indebtedness, to provide exclusions from income for certain payments under the National Mortgage Settlement, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4291. A bill to establish the United States Commission on an Open Society with Security; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Kentucky (for himself, Mr. WOLF, and Mr. AUSTRIA):

H.R. 4292. A bill to direct the Attorney General to establish uniform standards for the exchange of controlled substance and prescription information for the purpose of preventing diversion, fraud, and abuse of controlled substances and other prescription drugs; to the Committee on Energy and Commerce.

By Mr. SCHRADER (for himself, Mr. BLUMENAUER, and Mr. DEFAZIO):

H.R. 4293. A bill to amend the Federal Credit Union Act to exclude loans made to Main Street businesses from the definition of a member business loan, and for other purposes; to the Committee on Financial Services.

By Mr. WEST:

H.R. 4294. A bill to limit the end strength reductions for the regular component of the Army and Marine Corps and to ensure that the Secretary of the Army and the Secretary of the Navy are provided adequate resources in order to meet the National Security Strategy; to the Committee on Armed Services.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. BACA, Ms. BERKLEY, Mr. BILIRAKIS, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. CHU, Ms. CLARKE of New York, Mr. COHEN, Mr. COURTNEY, Mr. CRITZ, Mr. FALCOMA, Mr. FARENTHOLD, Mr. FATTAH, Mr. FILNER, Mr. FITZPATRICK, Mr. GRJALVA, Mr. GRIMM, Mr. LOEBSACK, Mr. LUJAN, Mr. MCGOVERN, Mr. MICHAUD, Mr. NUGENT, Mr. PEARCE, Mr. RAN-

GEL, Ms. RICHARDSON, Mr. SABLAN, and Mr. WALZ of Minnesota):

H. Res. 601. A resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day"; to the Committee on Veterans' Affairs.

44.32 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. CRAVAACK, Mr. WITTMAN, Mr. BACHUS, Mr. POE of Texas, and Mr. SCALISE.
 H.R. 14: Mr. FARR and Ms. BALDWIN.
 H.R. 140: Mr. GOSAR.
 H.R. 157: Mr. STEARNS.
 H.R. 192: Mr. KUCINICH, Mr. COHEN, and Ms. NORTON.
 H.R. 212: Mr. CANSECO.
 H.R. 303: Mr. RIGELL and Mr. TONKO.
 H.R. 365: Mr. COSTA and Mr. AUSTRIA.
 H.R. 376: Mr. ACKERMAN.
 H.R. 459: Mr. BASS of New Hampshire.
 H.R. 469: Mr. REYES.
 H.R. 547: Mr. CRAVAACK.
 H.R. 651: Mr. BLUMENAUER.
 H.R. 742: Mr. MCCOTTER.
 H.R. 860: Mr. YOUNG of Alaska.
 H.R. 876: Ms. LEE of California and Mr. FILER.
 H.R. 1004: Mr. BARTLETT.
 H.R. 1063: Mr. DEFAZIO.
 H.R. 1086: Mr. COFFMAN of Colorado.
 H.R. 1092: Mr. ALTMIRE.
 H.R. 1103: Ms. BORDALLO.
 H.R. 1130: Mr. JONES.
 H.R. 1161: Mr. BERG.
 H.R. 1193: Ms. BORDALLO.
 H.R. 1296: Mr. JACKSON of Illinois.
 H.R. 1356: Mr. FILNER and Mr. TONKO.
 H.R. 1370: Mr. CRAVAACK.
 H.R. 1385: Mr. BRADY of Pennsylvania.
 H.R. 1386: Mr. ANDREWS.
 H.R. 1477: Ms. ZOE LOFGREN of California.
 H.R. 1515: Ms. HAHN.
 H.R. 1517: Ms. SUTTON.
 H.R. 1532: Mr. TOWNS.
 H.R. 1571: Mr. KISSELL.
 H.R. 1575: Mr. TURNER of Ohio.
 H.R. 1620: Mrs. BLACKBURN.
 H.R. 1653: Mr. BERG.
 H.R. 1672: Mr. JOHNSON of Georgia.
 H.R. 1733: Mr. JONES and Ms. BORDALLO.
 H.R. 1744: Mr. CRAVAACK and Mr. HENSARLING.
 H.R. 1895: Mr. CAPUANO and Mr. HALL.
 H.R. 1960: Mr. LUETKEMEYER.
 H.R. 2033: Mr. LYNCH.
 H.R. 2104: Mr. TOWNS, Mr. KINZINGER of Illinois, Mrs. BIGGERT, Mr. SMITH of New Jersey, Mr. LEWIS of Georgia, Mr. FITZPATRICK, Mr. DAVIS of Illinois, and Mr. GRIJALVA.
 H.R. 2195: Mr. HINCHAY.
 H.R. 2227: Mr. CASSIDY.
 H.R. 2234: Mr. FARR, Mr. BERMAN, Mr. MORAN, Mr. HASTINGS of Florida, Mr. OLVER, Mr. CLAY, Ms. CLARKE of New York, and Mr. COHEN.
 H.R. 2245: Mr. BARTLETT.
 H.R. 2299: Mrs. MYRICK.
 H.R. 2353: Mr. ACKERMAN.
 H.R. 2479: Mr. FILNER and Mr. GRIMM.
 H.R. 2502: Mr. ROSS of Florida.
 H.R. 2529: Mr. WITTMAN.
 H.R. 2554: Mrs. LOWEY.
 H.R. 2787: Mr. THOMPSON of California and Mr. PRICE of North Carolina.
 H.R. 2827: Mrs. NOEM, Ms. HANABUSA, and Mr. SCHWEIKERT.
 H.R. 2866: Ms. HAHN.
 H.R. 2960: Mr. ISRAEL.
 H.R. 2967: Mr. SCOTT of Virginia.
 H.R. 2978: Mr. NUGENT, Mr. LAMBORN, and Mrs. ADAMS.
 H.R. 3001: Mr. LATTI, Mr. GRIFFIN of Arkansas, Ms. ESHOO, Mrs. BACHMANN, Mr. SHULER, Mr. CRAVAACK, Mrs. BLACK, Mr.

GUINTA, Mr. HENSARLING, Mr. CULBERSON, Mr. CANSECO, Mr. BOUSTANY, Mr. TIPTON, Mr. KINGSTON, Mr. NUNNELLE, Mr. REED, Mr. STUTZMAN, Mr. DESJARLAIS, Mr. BONNER, Mr. WALSH of Illinois, Mr. LABRADOR, Mr. SOUTHERLAND, Mr. DUNCAN of South Carolina, Mr. POE of Texas, Mr. POSEY, Mr. NUGENT, Mr. WOODALL, Mr. FLEISCHMANN, Mr. WEBSTER, Mr. THOMPSON of Pennsylvania, Mr. DANIEL E. LUNGREN of California, Mr. GOWDY, Mr. SIMPSON, Mr. LATHAM, Mr. LONG, Ms. GRANGER, Mr. COFFMAN of Colorado, Mr. GARDNER, Mr. ROYCE, Mr. BECERRA, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. COSTA, Mrs. DAVIS of California, Mr. DOGGETT, Mr. DOYLE, Mr. FARR, Mr. GRIJALVA, Ms. HAHN, Mr. HIMES, Ms. HOCHUL, Mr. KEATING, Mr. KISSELL, Ms. ZOE LOFGREN of California, Mr. MARKEY, Mr. MCINTYRE, Mr. OLVER, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Mr. SARBANES, Ms. WOOLSEY, Mr. LARSEN of Washington, Ms. BORDALLO, Mr. YARMUTH, Mr. SHUSTER, Mr. MCCLINTOCK, Mr. ROHRBACHER, Ms. LORETTA SANCHEZ of California, Mr. YODER, Mr. MULVANEY, Mr. RIBBLE, Mr. CARTER, Mr. OLSON, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. DENT, Mr. REHBERG, Mr. ALEXANDER, Mr. WELCH, Mr. GARAMENDI, Ms. JENKINS, Mr. CAMPBELL, Mr. PITTS, Mr. SESSIONS, and Mr. FITZPATRICK.
 H.R. 3032: Mr. JACKSON of Illinois.
 H.R. 3057: Mr. ALTMIRE.
 H.R. 3091: Mr. GRIFFIN of Arkansas.
 H.R. 3145: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. KEATING.
 H.R. 3173: Mr. RUPPERSBERGER.
 H.R. 3179: Mr. STIVERS.
 H.R. 3187: Mr. HECK and Mr. MCNERNEY.
 H.R. 3225: Ms. FUDGE.
 H.R. 3269: Mr. FITZPATRICK, Ms. TSONGAS, Mr. ISRAEL, Mr. JOHNSON of Ohio, Mr. FLEMING, and Mr. KING of New York.
 H.R. 3288: Mr. POSEY.
 H.R. 3341: Mr. HULTGREN.
 H.R. 3364: Ms. SLAUGHTER and Mr. BENISHEK.
 H.R. 3381: Mr. JACKSON of Illinois.
 H.R. 3502: Mr. RICHMOND, Ms. KAPTUR, and Ms. HAHN.
 H.R. 3506: Mr. BARTLETT and Mr. GUTIERREZ.
 H.R. 3526: Mr. ACKERMAN.
 H.R. 3585: Mr. JONES.
 H.R. 3591: Mrs. DAVIS of California, Mr. MICHAUD, Ms. WOOLSEY, Ms. HANABUSA, Mr. ROTHMAN of New Jersey, Ms. HAHN, and Mr. SIRES.
 H.R. 3596: Mr. PALLONE.
 H.R. 3612: Ms. PINGREE of Maine and Mr. REED.
 H.R. 3635: Mr. JACKSON of Illinois.
 H.R. 3653: Mr. CICILLINE, Mr. MORAN, and Mr. AL GREEN of Texas.
 H.R. 3670: Mr. BRALEY of Iowa.
 H.R. 3705: Ms. WOOLSEY.
 H.R. 3769: Mr. MARINO.
 H.R. 3770: Mr. JONES.
 H.R. 3798: Mr. CONYERS.
 H.R. 3826: Ms. FUDGE, Mr. TONKO, Mr. HONDA, Mr. YARMUTH, Mr. OWENS, and Ms. CASTOR of Florida.
 H.R. 3828: Mr. MANZULLO and Mr. FLEMING.
 H.R. 3839: Ms. RICHARDSON, Mr. WEBSTER, and Mr. BARTLETT.
 H.R. 3855: Mr. JACKSON of Illinois.
 H.R. 3877: Mr. MCKEON.
 H.R. 3884: Mr. MCNERNEY, Mr. LOEBSACK, and Ms. BALDWIN.
 H.R. 3993: Mr. JONES, Mr. POSEY, Mr. MICHAUD, and Mr. KILDEE.
 H.R. 4032: Mr. JACKSON of Illinois.
 H.R. 4045: Mrs. BACHMANN.
 H.R. 4087: Mr. SMITH of Washington, Mr. CLAY, Mr. ROE of Tennessee, Ms. SPEIER, and Ms. BONAMICI.
 H.R. 4095: Mr. BURGESS.
 H.R. 4103: Mr. KUCINICH and Mr. MORAN.

H.R. 4112: Mr. SCOTT of Virginia.

H.R. 4114: Mr. LOEBSACK, Mr. COLE, Mr. REYES, Mr. BENISHEK, Mr. LOBIONDO, Mr. RYAN of Ohio, Mr. BILIRAKIS, Mr. MCNERNEY, and Ms. BORDALLO.

H.R. 4115: Mr. PETERS and Ms. HAYWORTH.
 H.R. 4134: Ms. BUERKLE, Mr. HASTINGS of Florida, Mr. THOMPSON of Mississippi, and Ms. MATSUI.

H.R. 4136: Mr. REHBERG.
 H.R. 4142: Mr. BENISHEK, Mr. LOBIONDO, Mr. RYAN of Ohio, and Mr. BILIRAKIS.

H.R. 4156: Mr. BACHUS, Mr. PASTOR of Arizona, Mr. MURPHY of Pennsylvania, Mr. DENT, Mr. PASCRELL, Mrs. MYRICK, and Mr. FLEMING.

H.R. 4157: Mr. LANKFORD, Ms. JENKINS, Mr. KING of Iowa, and Mr. LUCAS.

H.R. 4169: Mr. TURNER of New York, Mr. MCDERMOTT, Mr. ROYCE, and Mr. HUELSKAMP.

H.R. 4171: Mr. DUNCAN of South Carolina and Mr. GOHMERT.

H.R. 4173: Mr. DINGELL.

H.R. 4178: Mr. COLE.

H.R. 4199: Ms. BORDALLO.

H.R. 4209: Mr. HARPER.

H.R. 4228: Mr. WESTMORELAND, Mrs. MYRICK, Mr. FRELINGHUYSEN, Mr. HULTGREN, and Mr. HARPER.

H.R. 4229: Ms. KAPTUR, Mr. HIGGINS, Ms. HAHN, Ms. WASSERMAN SCHULTZ, Mr. MCKEON, Mr. SMITH of Washington, Mr. CROWLEY, Mr. PEARCE, Mr. COSTA, Mr. PITTS, and Mrs. MALONEY.
 H.R. 4232: Mr. JORDAN.

H.R. 4237: Mr. GOHMERT and Mrs. BLACKBURN.

H.R. 4240: Mr. RIVERA, Ms. BERKLEY, and Mr. CONNOLLY of Virginia.

H.R. 4251: Ms. LORETTA SANCHEZ of California and Ms. HAHN.

H.R. 4255: Mr. JONES, Mr. BARTLETT, and Mr. TERRY.

H.R. 4259: Mr. KELLY.

H.R. 4268: Mr. MCCLINTOCK.

H.R. 4271: Ms. DELAUNO, Mr. LARSEN of Washington, Mr. CONYERS, Mrs. MALONEY, Mr. PASCRELL, Mr. HOLT, Mr. LARSON of Connecticut, Mr. SABLAN, Ms. WATERS, Mr. REYES, Ms. BORDALLO, Ms. LEE of California, Mr. BRALEY of Iowa, Mr. WELCH, Ms. BONAMICI, Mr. MARKEY, and Mr. LEWIS of Georgia.

H.J. Res. 103: Mr. CRAWFORD.

H. Con. Res. 87: Mr. COLE and Mrs. CHRISTENSEN.

H. Con. Res. 107: Mr. MCCLINTOCK.

H. Con. Res. 110: Mrs. ELLMERS, Mr. LONG, Mr. GUTHRIE, Mr. LANKFORD, Mr. BILIRAKIS, Mr. MANZULLO, Mr. FRANKS of Arizona, Mr. BOUSTANY, and Mr. SCHWEIKERT.

H. Con. Res. 113: Mr. SCHWEIKERT, Mr. ROKITA, Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, Mr. GOSAR, Mr. KINGSTON, Mr. MANZULLO, Mrs. HARTZLER, Mr. GRAVES of Georgia, Mrs. BLACKBURN, Mr. HUIZENGA of Michigan, Mr. POMPEO, and Mrs. BLACK.

H. Res. 111: Mr. JACKSON of Illinois and Mr. COSTA.

H. Res. 137: Ms. BONAMICI.

H. Res. 351: Mr. BACA.

H. Res. 526: Mr. AKIN, Ms. BUERKLE, Mr. WILSON of South Carolina, and Ms. SPEIER.

H. Res. 583: Mr. ROTHMAN of New Jersey.

THURSDAY, MARCH 29, 2012 (45)

45.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BASS of New Hampshire, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
March 29, 2012.

I hereby appoint the Honorable CHARLES F. BASS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶45.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced he had examined and approved the Journal of the proceedings of Wednesday, March 28, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶45.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5472. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonels Jon S. Lehr and Burdett K. Thompson, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

5473. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Commercial Determination Approval (DFARS Case 2011-D041) (RIN: 0750-AH61) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5474. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting Buy American Act report for Fiscal Year 2011; to the Committee on Education and the Workforce.

5475. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report required by the Omnibus Appropriation, Public Law 105-277, Section 2215 on "Overseas Surplus Property"; to the Committee on Foreign Affairs.

5476. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on the status of Data Mining Activities, pursuant to Implementing Recommendations of the 9/11 Commission Act, Section 804; to the Committee on Foreign Affairs.

5477. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-333, "Targeted Retirement Distribution Withholding Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5478. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-321, "Car Wash Employee Overtime Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5479. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-322, "Lottery Amendment Repeal Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5480. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-323, "Moratorium on Establishments Which Permit Nude Dancing Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5481. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-327, "Workforce Job Development Grant-Making Authority

Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5482. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-328, "Board of Elections and Ethics Electoral Process Improvement Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5483. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-329, "Unemployment Anti-Discrimination Act of 2012"; to the Committee on Oversight and Government Reform.

5484. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-330, "Civil Marriage Dissolution Equality Act of 2012"; to the Committee on Oversight and Government Reform.

5485. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-332, "Unemployment Compensation Funds Appropriation Authorization Act of 2012"; to the Committee on Oversight and Government Reform.

5486. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-331, "DDOT Omnibus Conforming Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5487. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-57; Introduction [Docket: FAR 2012-0080, Sequence 2] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5488. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; United States-Korea Free Trade Agreement [FAC 2005-57; FAR Case 2012-004; Docket 2012-0004, Sequence 1] (RIN: 9000-AM18) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5489. A letter from the Director, Administrative Office of the United States Courts, transmitting seventh annual report on crime victims' rights; to the Committee on the Judiciary.

5490. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL [Docket No.: USCG-2011-1108] (RIN: 1625-AA11, 1624-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5491. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Temporary Change for Recurring Fireworks Display within the Fifth Coast Guard District, Wrightsville Beach, NC [Docket No.: USCG-2011-0978] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5492. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Key West World Championship, Atlantic Ocean; Key West, FL [Docket No.: USCG-2011-0942] (RIN: 1625-AA08) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5493. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Fourth Annual Chillounge Night St. Petersburg Fireworks Display; Tampa Bay, St. Petersburg, FL [Docket No.: USCG-2011-0615] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5494. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Art Gallery Party St. Pete 2011 Fireworks Display, Tampa Bay, St. Petersburg, FL [Docket No.: USCG-2011-0774] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5495. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Seminole Hard Rock Winterfest Boat Parade, New River and Intracoastal Waterway, Fort Lauderdale, FL [Docket No.: USCG-2011-1011] (RIN: 1625-AA08) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5496. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Potomac River, National Harbor Access Channel, MD [Docket No.: USCG-2011-0976] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5497. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Department of Defense Exercise, Hood Canal, Washington [Docket No.: USCG-2011-1017] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5498. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Seagoing Barges [Docket No.: USCG-2011-0363] (RIN: 1625-AB71) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5499. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Container Crane Relocation, Cooper and Wando Rivers, Charleston, SC [Docket No.: USCG-2011-1045] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5500. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Orange Bowl International Youth Regatta, Biscayne Bay, Miami, FL [Docket No.: USCG-2011-0994] (RIN: 1625-AA08) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5501. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Truman-Hobbs alteration of the Elgin Joliet & Eastern Railroad Drawbridge; Illinois River, Morris, Illinois [Docket No.: USCG-2011-1058] (RIN: 1625-AA00) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶45.4 PROVIDING FOR CONSIDERATION OF H.R. 4281

Mr. WEBSTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 600):

Resolved, That upon the adoption of this resolution it shall be in order to consider in

the House the bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of March 29, 2012, providing for consideration or disposition of a measure extending expiring surface transportation authority.

When said resolution was considered.

After debate,

Mr. WEBSTER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 237 affirmative } Nays 178

45.5 [Roll No. 146] YEAS—237

- Adams Chabot Gibson
Aderholt Chaffetz Gingrey (GA)
Akin Coble Gohmert
Alexander Coffman (CO) Goodlatte
Amash Cole Gosar
Amodei Conaway Gowdy
Austria Cravaack Granger
Bachmann Crawford Graves (GA)
Bachus Crenshaw Graves (MO)
Barletta Culberson Griffin (AR)
Bartlett Davis (KY) Griffith (VA)
Barton (TX) Denham Grimm
Bass (NH) Dent Guinta
Benishek DesJarlais Guthrie
Berg Diaz-Balart Hall
Biggert Dold Hanna
Bilbray Dreier Harper
Bilirakis Duffy Harris
Bishop (UT) Duncan (SC) Hartzler
Blackburn Duncan (TN) Hastings (WA)
Bonner Ellmers Hayworth
Bono Mack Emerson Heck
Boustany Farenthold Hensarling
Brady (TX) Fincher Herger
Brooks Fitzpatrick Herrera Beutler
Broun (GA) Flake Huelskamp
Buchanan Fleischmann Huizenga (MI)
Bucshon Fleming Hultgren
Buerkle Flores Hunter
Burgess Forbes Hunt
Burton (IN) Fortenberry Issa
Calvert Foss Jenkins
Camp Franks (AZ) Johnson (IL)
Campbell Frelinghuysen Johnson (OH)
Canseco Gallegly Johnson, Sam
Cantor Gardner Jones
Capito Garrett Jordan
Carter Gerlach Kelly
Cassidy Gibbs King (IA)

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

NAYS—178

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

- Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
NOT VOTING—16
Black Jackson Lee
Costello (TX) Rangel
Engel Mack Sanchez, Loretta
Filner Meeks Speier
Jackson (IL) Moore Towns
Paul Young (AK)

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the yeas had it.

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

45.6 SURFACE TRANSPORTATION EXTENSION

Mr. MICA, pursuant to House Resolution 600, called up for consideration the bill (H.R. 4281) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

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

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the nays had it.

Mr. MICA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 266 affirmative } Nays 158

45.7 [Roll No. 147] YEAS—266

- Adams Bonner Chandler
Aderholt Bono Mack Coble
Akin Boswell Coffman (CO)
Alexander Boustany Cole
Amodei Brady (TX) Conaway
Austria Braley (IA) Connolly (VA)
Bachmann Brooks Costa
Bachus Broun (GA) Cravaack
Barletta Buchanan Crawford
Barrow Buchanon Crenshaw
Bartlett Buerkle Culberson
Barton (TX) Burgess Davis (KY)
Bass (CA) Burton (IN) Denham
Bass (NH) Calvert Dent
Benishek Camp DesJarlais
Berg Canseco Diaz-Balart
Biggert Cantor Donnelly (IN)
Bilbray Capito Dreier
Bilirakis Capps Duffy
Bishop (GA) Carson (IN) Duncan (SC)
Bishop (NY) Carter Duncan (TN)
Bishop (UT) Cassidy Ellmers
Black Chabot Emerson
Blackburn Chaffetz Farenthold

Fincher	Lamborn	Rivera	McCollum	Rahall	Sires
Fitzpatrick	Lance	Roby	McDermott	Reyes	Slaughter
Fleischmann	Landry	Roe (TN)	McGovern	Richardson	Speier
Flores	Lankford	Rogers (AL)	McNerney	Richmond	Stark
Forbes	Latham	Rogers (KY)	Michaud	Ross (AR)	Sutton
Fortenberry	LaTourette	Rogers (MI)	Miller (NC)	Rothman (NJ)	Thompson (CA)
Fox	Latta	Rohrabacher	Miller, George	Roybal-Allard	Thompson (MS)
Franks (AZ)	Lewis (CA)	Rokita	Moore	Rush	Tierney
Frelinghuysen	LoBiondo	Rooney	Moran	Ryan (OH)	Tonko
Galeggly	Loeb	Ros-Lehtinen	Murphy (CT)	Sánchez, Linda	Velázquez
Garamendi	Long	Roskam	Nadler	T.	Visclosky
Gardner	Lucas	Ross (FL)	Napolitano	Sanchez, Loretta	Wasserman
Garrett	Luetkemeyer	Royce	Neal	Sarbanes	Schultz
Gerlach	Lummis	Runyan	Oliver	Schakowsky	Waters
Gibbs	Lungren, Daniel	Ruppersberger	Owens	Schiff	Watt
Gibson	E.	Ryan (WI)	Pallone	Schmidt	Waxman
Gingrey (GA)	Lynch	Scalise	Pascarell	Schwartz	Welch
Gohmert	Manzullo	Schilling	Pelosi	Schweikert	Wilson (FL)
Goodlatte	Marchant	Schock	Perlmutter	Scott (VA)	Woolsey
Gosar	Marino	Schrader	Peters	Sensenbrenner	Yarmuth
Gowdy	Matheson	Scott (SC)	Pingree (ME)	Serrano	
Granger	McCarthy (CA)	Scott, Austin	Price (NC)	Sherman	
Graves (GA)	McCaul	Scott, David			
Graves (MO)	McCotter	Sessions			
Green, Gene	McHenry	Sewell	Filner	Meeke	Towns
Griffin (AR)	McIntyre	Shimkus	Jackson (IL)	Paul	
Griffith (VA)	McKeon	Shuler	Mack	Rangel	
Grimm	McKinley	Shuster			
Guinta	McMorris	Simpson			
Guthrie	Rodgers	Smith (NE)			
Hall	Meehan	Smith (NJ)			
Hanna	Mica	Smith (TX)			
Harper	Miller (FL)	Smith (WA)			
Harris	Miller (MI)	Southerland			
Hartzler	Miller, Gary	Stearns			
Hastings (WA)	Mulvaney	Stivers			
Hayworth	Murphy (PA)	Stutzman			
Heck	Myrick	Sullivan			
Hensarling	Neugebauer	Terry			
Herger	Noem	Thompson (PA)			
Herrera Beutler	Nugent	Thornberry			
Hochul	Nunes	Tiberi			
Hoyer	Nunnelee	Tipton			
Huelskamp	Olson	Tsongas			
Huizenga (MI)	Palazzo	Turner (NY)			
Hultgren	Pastor (AZ)	Turner (OH)			
Hunter	Paulsen	Upton			
Hurt	Pearce	Van Hollen			
Israel	Pence	Walberg			
Issa	Peterson	Walden			
Jackson Lee	Petri	Walsh (IL)			
(TX)	Pitts	Walz (MN)			
Jenkins	Platts	Webster			
Johnson (IL)	Poe (TX)	West			
Johnson (OH)	Polis	Westmoreland			
Johnson, Sam	Pompeo	Whitfield			
Jones	Posey	Wilson (SC)			
Kelly	Price (GA)	Wittman			
King (IA)	Quayle	Wolf			
King (NY)	Quigley	Womack			
Kingston	Reed	Woodall			
Kinzinger (IL)	Rehberg	Yoder			
Kissell	Reichert	Young (AK)			
Kline	Renacci	Young (FL)			
Kucinich	Ribble	Young (IN)			
Labrador	Rigell				

NAYS—158

Ackerman	Courtney	Hastings (FL)
Altmire	Critz	Heinrich
Amash	Crowley	Higgins
Andrews	Cuellar	Himes
Baca	Cummings	Hinche
Baldwin	Davis (CA)	Hinojosa
Becerra	Davis (IL)	Hirono
Berkley	DeFazio	Holden
Berman	DeGette	Holt
Blumenauer	DeLauro	Honda
Bonamici	Deutch	Johnson (GA)
Boren	Dicks	Johnson, E. B.
Brady (PA)	Dingell	Jordan
Brown (FL)	Dodgett	Kaptur
Butterfield	Doid	Keating
Campbell	Doyle	Kildee
Capuano	Edwards	Kind
Cardoza	Ellison	Langevin
Carnahan	Engel	Larsen (WA)
Carney	Eshoo	Larson (CT)
Castor (FL)	Farr	Lee (CA)
Chu	Fattah	Levin
Cicilline	Flake	Lewis (GA)
Clarke (MI)	Fleming	Lipinski
Clarke (NY)	Frank (MA)	Lofgren, Zoe
Clay	Fudge	Lowey
Cleaver	Gonzalez	Luján
Clyburn	Green, Al	Maloney
Cohen	Grijalva	Markey
Conyers	Gutierrez	Matsui
Cooper	Hahn	McCarthy (NY)
Costello	Hanabusa	McClintock

McCollum	Rahall	Sires
McDermott	Reyes	Slaughter
McGovern	Richardson	Speier
McNerney	Richmond	Stark
Michaud	Ross (AR)	Sutton
Miller (NC)	Rothman (NJ)	Thompson (CA)
Miller, George	Roybal-Allard	Thompson (MS)
Moore	Rush	Tierney
Moran	Ryan (OH)	Tonko
Murphy (CT)	Sánchez, Linda	Velázquez
Nadler	T.	Visclosky
Napolitano	Sanchez, Loretta	Wasserman
Neal	Sarbanes	Schultz
Oliver	Schakowsky	Waters
Owens	Schiff	Watt
Pallone	Schmidt	Waxman
Pascarell	Schwartz	Welch
Pelosi	Schweikert	Wilson (FL)
Perlmutter	Scott (VA)	Woolsey
Peters	Sensenbrenner	Yarmuth
Pingree (ME)	Serrano	
Price (NC)	Sherman	

NOT VOTING—7

Filner	Meeke	Towns
Jackson (IL)	Paul	
Mack	Rangel	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

45.8 CONGRESSIONAL BUDGET FY 2013

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to House Resolution 597 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

Mrs. BIGGERT, Acting Chairman, assumed the chair; and after some time spent therein,

45.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute numbered 4, printed in House Report 112-423, submitted by Mr. HONDA:

Strike all after the resolving clause and insert the following:

SECTION 1. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013:	\$2,197,368,000.
Fiscal year 2014:	\$2,612,409,000.
Fiscal year 2015:	\$2,881,422,000.
Fiscal year 2016:	\$3,106,522,000.
Fiscal year 2017:	\$3,301,143,000.
Fiscal year 2018:	\$3,452,783,000.
Fiscal year 2019:	\$3,660,783,000.
Fiscal year 2020:	\$3,855,297,000.
Fiscal year 2021:	\$4,043,898,000.
Fiscal year 2022:	\$4,236,911,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013:	-\$74,614,000,000.
Fiscal year 2014:	\$115,212,000,000.
Fiscal year 2015:	\$156,357,000,000.
Fiscal year 2016:	\$220,790,000,000.
Fiscal year 2017:	\$279,347,000,000.

Fiscal year 2018:	\$291,219,000,000.
Fiscal year 2019:	\$342,648,000,000.
Fiscal year 2020:	\$356,393,000,000.
Fiscal year 2021:	\$353,732,000,000.
Fiscal year 2022:	\$345,788,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013:	\$3,309,878,000,000.
Fiscal year 2014:	\$3,255,223,000,000.
Fiscal year 2015:	\$3,353,099,000,000.
Fiscal year 2016:	\$3,524,427,000,000.
Fiscal year 2017:	\$3,677,543,000,000.
Fiscal year 2018:	\$3,829,402,000,000.
Fiscal year 2019:	\$4,044,242,000,000.
Fiscal year 2020:	\$4,257,245,000,000.
Fiscal year 2021:	\$4,444,546,000,000.
Fiscal year 2022:	\$4,698,785,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013:	\$3,287,716,000,000.
Fiscal year 2014:	\$3,261,796,000,000.
Fiscal year 2015:	\$3,352,964,000,000.
Fiscal year 2016:	\$3,532,436,000,000.
Fiscal year 2017:	\$3,649,001,000,000.
Fiscal year 2018:	\$3,783,230,000,000.
Fiscal year 2019:	\$3,998,222,000,000.
Fiscal year 2020:	\$4,194,577,000,000.
Fiscal year 2021:	\$4,395,373,000,000.
Fiscal year 2022:	\$4,657,085,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013:	-\$1,090,348,000,000.
Fiscal year 2014:	-\$649,387,000.
Fiscal year 2015:	-\$471,542,000.
Fiscal year 2016:	-\$425,914,000.
Fiscal year 2017:	-\$347,858,000.
Fiscal year 2018:	-\$330,447,000.
Fiscal year 2019:	-\$337,439,000.
Fiscal year 2020:	-\$339,280,000.
Fiscal year 2021:	-\$351,475,000.
Fiscal year 2022:	-\$420,174,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2013:	\$17,467,000,000,000.
Fiscal year 2014:	\$18,240,000,000,000.
Fiscal year 2015:	\$18,804,000,000,000.
Fiscal year 2016:	\$19,308,000,000,000.
Fiscal year 2017:	\$19,733,000,000,000.
Fiscal year 2018:	\$20,129,000,000,000.
Fiscal year 2019:	\$20,506,000,000,000.
Fiscal year 2020:	\$20,867,000,000,000.
Fiscal year 2021:	\$21,223,000,000,000.
Fiscal year 2022:	\$21,621,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013:	\$12,655,000,000,000.
Fiscal year 2014:	\$13,331,000,000,000.
Fiscal year 2015:	\$13,787,000,000,000.
Fiscal year 2016:	\$14,152,000,000,000.
Fiscal year 2017:	\$14,390,000,000,000.
Fiscal year 2018:	\$14,577,000,000,000.
Fiscal year 2019:	\$14,755,000,000,000.
Fiscal year 2020:	\$14,927,000,000,000.
Fiscal year 2021:	\$15,107,000,000,000.
Fiscal year 2022:	\$15,357,000,000,000.

SEC. 2. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2013:	(A) New budget authority, \$659,719,000,000.
	(B) Outlays, \$669,687,000,000.
Fiscal year 2014:	(A) New budget authority, \$532,574,000,000.
	(B) Outlays, \$585,818,000,000.
Fiscal year 2015:	(A) New budget authority, \$526,836,000,000.
	(B) Outlays, \$546,976,000,000.

- Fiscal year 2016:
 (A) New budget authority, \$528,581,000,000.
 (B) Outlays, \$539,638,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$539,841,000,000.
 (B) Outlays, \$536,425,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$551,797,000,000.
 (B) Outlays, \$537,397,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$560,862,000,000.
 (B) Outlays, \$551,693,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$571,661,000,000.
 (B) Outlays, \$561,905,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$586,462,000,000.
 (B) Outlays, \$574,908,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$601,815,000,000.
 (B) Outlays, \$595,149,000,000.
- (2) International Affairs (150):
 Fiscal year 2013:
 (A) New budget authority, \$73,837,000,000.
 (B) Outlays, \$64,498,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$66,309,000,000.
 (B) Outlays, \$66,844,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$62,079,000,000.
 (B) Outlays, \$65,518,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$59,507,000,000.
 (B) Outlays, \$64,501,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$62,004,000,000.
 (B) Outlays, \$64,334,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$64,068,000,000.
 (B) Outlays, \$64,237,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$65,148,000,000.
 (B) Outlays, \$63,132,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$66,977,000,000.
 (B) Outlays, \$63,515,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$68,872,000,000.
 (B) Outlays, \$65,132,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$71,074,000,000.
 (B) Outlays, \$67,005,000,000.
- (3) General Science, Space, and Technology (250):
 Fiscal year 2013:
 (A) New budget authority, \$37,106,000,000.
 (B) Outlays, \$35,204,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$40,096,000,000.
 (B) Outlays, \$38,135,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$39,366,000,000.
 (B) Outlays, \$38,957,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$38,701,000,000.
 (B) Outlays, \$38,875,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$39,331,000,000.
 (B) Outlays, \$39,142,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$40,034,000,000.
 (B) Outlays, \$39,687,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$40,742,000,000.
 (B) Outlays, \$40,260,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$41,821,000,000.
 (B) Outlays, \$41,127,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$42,936,000,000.
 (B) Outlays, \$42,068,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$44,073,000,000.
 (B) Outlays, \$43,163,000,000.
- (4) Energy (270):
 Fiscal year 2013:
 (A) New budget authority, \$22,101,000,000.
 (B) Outlays, \$21,223,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$25,537,000,000.
 (B) Outlays, \$22,344,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$22,580,000,000.
 (B) Outlays, \$22,315,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$20,022,000,000.
 (B) Outlays, \$21,198,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$19,741,000,000.
 (B) Outlays, \$20,124,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$19,586,000,000.
 (B) Outlays, \$19,336,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$19,523,000,000.
 (B) Outlays, \$19,308,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$20,223,000,000.
 (B) Outlays, \$19,476,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$20,896,000,000.
 (B) Outlays, \$19,984,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$21,716,000,000.
 (B) Outlays, \$20,693,000,000.
- (5) Natural Resources and Environment (300):
 Fiscal year 2013:
 (A) New budget authority, \$46,024,000,000.
 (B) Outlays, \$46,772,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$48,969,000,000.
 (B) Outlays, \$49,207,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$48,398,000,000.
 (B) Outlays, \$49,941,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$48,221,000,000.
 (B) Outlays, \$49,503,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$49,558,000,000.
 (B) Outlays, \$50,232,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$51,348,000,000.
 (B) Outlays, \$50,517,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$52,593,000,000.
 (B) Outlays, \$51,636,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$54,599,000,000.
 (B) Outlays, \$53,234,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$55,593,000,000.
 (B) Outlays, \$54,455,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$57,150,000,000.
 (B) Outlays, \$55,777,000,000.
- (6) Agriculture (350):
 Fiscal year 2013:
 (A) New budget authority, \$21,228,000,000.
 (B) Outlays, \$24,125,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$17,892,000,000.
 (B) Outlays, \$17,723,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$18,721,000,000.
 (B) Outlays, \$18,214,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$19,944,000,000.
 (B) Outlays, \$19,494,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$19,796,000,000.
 (B) Outlays, \$19,333,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$18,887,000,000.
 (B) Outlays, \$18,362,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$17,823,000,000.
 (B) Outlays, \$17,343,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$18,066,000,000.
 (B) Outlays, \$17,617,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$18,592,000,000.
 (B) Outlays, \$18,131,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$18,947,000,000.
 (B) Outlays, \$18,495,000,000.
- (7) Commerce and Housing Credit (370):
 Fiscal year 2013:
 (A) New budget authority, \$10,502,000,000.
 (B) Outlays, \$11,855,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$19,282,000,000.
 (B) Outlays, \$6,586,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$18,044,000,000.
 (B) Outlays, \$5,505,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$17,529,000,000.
 (B) Outlays, \$3,152,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$19,060,000,000.
 (B) Outlays, \$2,846,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$20,636,000,000.
 (B) Outlays, \$3,592,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$22,134,000,000.
 (B) Outlays, -\$853,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$24,229,000,000.
 (B) Outlays, \$362,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$25,554,000,000.
 (B) Outlays, \$8,580,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$30,812,000,000.
 (B) Outlays, \$12,616,000,000.
- (8) Transportation (400):
 Fiscal year 2013:
 (A) New budget authority, \$105,774,000,000.
 (B) Outlays, \$105,474,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$112,473,000,000.
 (B) Outlays, \$108,565,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$119,935,000,000.
 (B) Outlays, \$113,853,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$126,924,000,000.
 (B) Outlays, \$119,215,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$133,899,000,000.
 (B) Outlays, \$124,357,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$130,944,000,000.
 (B) Outlays, \$127,535,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$132,922,000,000.
 (B) Outlays, \$130,484,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$134,989,000,000.
 (B) Outlays, \$132,385,000,000.
- Fiscal year 2021:
 (A) New budget authority, \$137,095,000,000.
 (B) Outlays, \$133,770,000,000.
- Fiscal year 2022:
 (A) New budget authority, \$139,283,000,000.
 (B) Outlays, \$136,230,000,000.
- (9) Community and Regional Development (450):
 Fiscal year 2013:
 (A) New budget authority, \$26,408,000,000.
 (B) Outlays, \$29,335,000,000.
- Fiscal year 2014:
 (A) New budget authority, \$29,083,000,000.
 (B) Outlays, \$30,381,000,000.
- Fiscal year 2015:
 (A) New budget authority, \$28,155,000,000.
 (B) Outlays, \$30,848,000,000.
- Fiscal year 2016:
 (A) New budget authority, \$27,273,000,000.
 (B) Outlays, \$28,966,000,000.
- Fiscal year 2017:
 (A) New budget authority, \$27,679,000,000.
 (B) Outlays, \$27,929,000,000.
- Fiscal year 2018:
 (A) New budget authority, \$28,124,000,000.
 (B) Outlays, \$27,607,000,000.
- Fiscal year 2019:
 (A) New budget authority, \$28,575,000,000.
 (B) Outlays, \$27,684,000,000.
- Fiscal year 2020:
 (A) New budget authority, \$29,381,000,000.
 (B) Outlays, \$28,194,000,000.
- Fiscal year 2021:

- (A) New budget authority, \$30,215,000,000.
 (B) Outlays, \$28,943,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$31,072,000,000.
 (B) Outlays, \$29,813,000,000.
 (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2013:
 (A) New budget authority, \$215,477,000,000.
 (B) Outlays, \$216,894,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$133,185,000,000.
 (B) Outlays, \$134,848,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$108,627,000,000.
 (B) Outlays, \$108,401,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$113,637,000,000.
 (B) Outlays, \$113,530,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$124,002,000,000.
 (B) Outlays, \$120,819,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$128,980,000,000.
 (B) Outlays, \$127,822,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$133,164,000,000.
 (B) Outlays, \$131,731,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$135,479,000,000.
 (B) Outlays, \$134,698,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$138,104,000,000.
 (B) Outlays, \$137,088,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$141,118,000,000.
 (B) Outlays, \$139,748,000,000.
 (11) Health (550):
 Fiscal year 2013:
 (A) New budget authority, \$392,643,000,000.
 (B) Outlays, \$383,806,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$490,114,000,000.
 (B) Outlays, \$475,603,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$558,189,000,000.
 (B) Outlays, \$552,620,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$605,699,000,000.
 (B) Outlays, \$609,918,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$649,911,000,000.
 (B) Outlays, \$652,349,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$687,213,000,000.
 (B) Outlays, \$685,849,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$729,703,000,000.
 (B) Outlays, \$728,299,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$784,569,000,000.
 (B) Outlays, \$772,420,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$825,999,000,000.
 (B) Outlays, \$823,927,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$882,501,000,000.
 (B) Outlays, \$879,975,000,000.
 (12) Medicare (570):
 Fiscal year 2013:
 (A) New budget authority, \$528,399,000,000.
 (B) Outlays, \$528,311,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$553,553,000,000.
 (B) Outlays, \$552,856,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$579,388,000,000.
 (B) Outlays, \$578,948,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$629,995,000,000.
 (B) Outlays, \$629,761,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$648,217,000,000.
 (B) Outlays, \$647,496,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$670,465,000,000.
 (B) Outlays, \$670,015,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$733,652,000,000.
 (B) Outlays, \$733,400,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$786,074,000,000.
 (B) Outlays, \$785,321,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$837,885,000,000.
 (B) Outlays, \$837,396,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$917,799,000,000.
 (B) Outlays, \$917,656,000,000.
 (13) Income Security (600):
 Fiscal year 2013:
 (A) New budget authority, \$600,167,000,000.
 (B) Outlays, \$589,067,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$622,434,000,000.
 (B) Outlays, \$611,955,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$620,983,000,000.
 (B) Outlays, \$617,542,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$611,032,000,000.
 (B) Outlays, \$614,698,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$604,154,000,000.
 (B) Outlays, \$602,171,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$607,469,000,000.
 (B) Outlays, \$600,968,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$625,364,000,000.
 (B) Outlays, \$623,236,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$640,917,000,000.
 (B) Outlays, \$638,419,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$658,585,000,000.
 (B) Outlays, \$655,964,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$681,071,000,000.
 (B) Outlays, \$683,338,000,000.
 (14) Social Security (650):
 Fiscal year 2013:
 (A) New budget authority, \$53,216,000,000.
 (B) Outlays, \$53,296,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$31,892,000,000.
 (B) Outlays, \$32,002,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$35,135,000,000.
 (B) Outlays, \$35,210,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$38,953,000,000.
 (B) Outlays, \$38,991,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$43,140,000,000.
 (B) Outlays, \$43,140,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$47,590,000,000.
 (B) Outlays, \$47,590,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$52,429,000,000.
 (B) Outlays, \$52,429,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$57,425,000,000.
 (B) Outlays, \$57,425,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$62,604,000,000.
 (B) Outlays, \$62,604,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$68,079,000,000.
 (B) Outlays, \$68,079,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2013:
 (A) New budget authority, \$149,224,000,000.
 (B) Outlays, \$145,567,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$156,328,000,000.
 (B) Outlays, \$152,548,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$157,222,000,000.
 (B) Outlays, \$156,643,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$163,556,000,000.
 (B) Outlays, \$163,960,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$162,499,000,000.
 (B) Outlays, \$162,122,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$161,341,000,000.
 (B) Outlays, \$160,695,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$171,034,000,000.
 (B) Outlays, \$170,211,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$176,196,000,000.
 (B) Outlays, \$174,995,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$181,451,000,000.
 (B) Outlays, \$180,089,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$192,540,000,000.
 (B) Outlays, \$191,089,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2013:
 (A) New budget authority, \$71,906,000,000.
 (B) Outlays, \$64,625,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$66,516,000,000.
 (B) Outlays, \$66,844,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$66,602,000,000.
 (B) Outlays, \$68,316,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$68,761,000,000.
 (B) Outlays, \$70,667,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$68,641,000,000.
 (B) Outlays, \$70,168,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$70,425,000,000.
 (B) Outlays, \$71,745,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$72,400,000,000.
 (B) Outlays, \$72,514,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$74,692,000,000.
 (B) Outlays, \$73,924,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$77,213,000,000.
 (B) Outlays, \$76,341,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$83,484,000,000.
 (B) Outlays, \$82,533,000,000.
 (17) General Government (800):
 Fiscal year 2013:
 (A) New budget authority, \$24,636,000,000.
 (B) Outlays, \$26,466,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$25,311,000,000.
 (B) Outlays, \$25,862,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$25,950,000,000.
 (B) Outlays, \$26,268,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$26,692,000,000.
 (B) Outlays, \$26,969,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$27,287,000,000.
 (B) Outlays, \$27,231,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$28,186,000,000.
 (B) Outlays, \$27,967,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$29,097,000,000.
 (B) Outlays, \$28,638,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$29,877,000,000.
 (B) Outlays, \$29,490,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$30,771,000,000.
 (B) Outlays, \$30,274,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$31,715,000,000.
 (B) Outlays, \$31,190,000,000.
 (18) Net Interest (900):
 Fiscal year 2013:
 (A) New budget authority, \$347,247,000,000.
 (B) Outlays, \$347,247,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$361,372,000,000.
 (B) Outlays, \$361,372,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$400,420,000,000.
 (B) Outlays, \$400,420,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$464,626,000,000.
 (B) Outlays, \$464,626,000,000.

Fiscal year 2017:
 (A) New budget authority, \$532,290,000,000.
 (B) Outlays, \$532,290,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$599,375,000,000.
 (B) Outlays, \$599,375,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$660,922,000,000.
 (B) Outlays, \$660,922,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$712,948,000,000.
 (B) Outlays, \$712,948,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$752,887,000,000.
 (B) Outlays, \$752,887,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$794,191,000,000.
 (B) Outlays, \$794,191,000,000.
 (19) Allowances (920):
 Fiscal year 2013:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2014:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2015:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2016:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2017:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2018:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2019:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2020:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2021:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 Fiscal year 2022:
 (A) New budget authority, \$0.00
 (B) Outlays, \$0.00
 (20) Undistributed Offsetting Receipts (950):
 Fiscal year 2013:
 (A) New budget authority, -\$75,736,000,000.
 (B) Outlays, -\$75,736,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$77,697,000,000.
 (B) Outlays, -\$77,697,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$83,531,000,000.
 (B) Outlays, -\$83,531,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$85,226,000,000.
 (B) Outlays, -\$85,226,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$93,507,000,000.
 (B) Outlays, -\$93,507,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$97,066,000,000.
 (B) Outlays, -\$97,066,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$103,845,000,000.
 (B) Outlays, -\$103,845,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$102,878,000,000.
 (B) Outlays, -\$102,878,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$107,168,000,000.
 (B) Outlays, -\$107,168,000,000.
 Fiscal year 2022:
 (A) New budget authority, -\$109,655,000,000.
 (B) Outlays, -\$109,655,000,000.

It was decided in the { Yeas 78
 negative } Nays 346

45.10 [Roll No. 148]

AYES—78

Andrews Becerra Brady (PA)
 Bass (CA) Blumenauer Brown (FL)

Capuano Hinchey
 Carson (IN) Hirono
 Chu Holt
 Clarke (MI) Honda
 Clarke (NY) Jackson Lee
 Clay (TX)
 Cleaver Johnson (GA)
 Clyburn Johnson, E. B.
 Cohen Kaptur
 Conyers Kildee
 Cummings Kucinich
 Davis (IL) Lee (CA)
 Deutch Lewis (GA)
 Doyle Lofgren, Zoe
 Edwards Markey
 Ellison McCollum
 Farr McDermott
 Fattah McGovern
 Frank (MA) Miller (NC)
 Fudge Moore
 Green, Al Moran
 Grijalva Nadler
 Gutierrez Napolitano
 Hahn Oliver
 Hastings (FL) Pallone

NOES—346

Ackerman Crawford
 Adams Crenshaw
 Aderholt Critz
 Akin Crowley
 Alexander Cuellar
 Altmire Culberson
 Amash Davis (CA)
 Amodei Davis (KY)
 Austria DeFazio
 Baca DeGette
 Bachmann DeLauro
 Bachus Denham
 Baldwin Dent
 Barletta DesJarlais
 Barrow Diaz-Balart
 Bartlett Dicks
 Barton (TX) Dingell
 Bass (NH) Doggett
 Benishek Dold
 Berg Donnelly (IN)
 Berkley Dreier
 Berman Duffy
 Biggert Duncan (SC)
 Bilbray Duncan (TN)
 Bilirakis Ellmers
 Bishop (GA) Emerson
 Bishop (NY) Engel
 Bishop (UT) Eshoo
 Black Farenthold
 Blackburn Fincher
 Bonamici Fitzpatrick
 Bonner Flake
 Bono Mack Fleischmann
 Boren Fleming
 Boswell Flores
 Boustany Forbes
 Brady (TX) Fortenberry
 Braley (IA) Foxx
 Brooks Franks (AZ)
 Broun (GA) Frelinghuysen
 Buchanan Gallegly
 Bucshon Garamendi
 Buerkle Gardner
 Burgess Garrett
 Burton (IN) Gerlach
 Butterfield Gibbs
 Calvert Gibson
 Camp Gingrey (GA)
 Campbell Gohmert
 Canseco Gonzalez
 Cantor Goodlatte
 Capito Gosar
 Capps Gowdy
 Cardoza Granger
 Carnahan Graves (GA)
 Carney Graves (MO)
 Carter Green, Gene
 Cassidy Griffin (AR)
 Castor (FL) Griffith (VA)
 Chabot Grimm
 Chaffetz Guinta
 Chandler Guthrie
 Cicilline Hall
 Coble Hanabusa
 Coffman (CO) Hanna
 Cole Harper
 Conaway Harris
 Connolly (VA) Hartzler
 Cooper Hastings (WA)
 Costa Hayworth
 Costello Heck
 Courtney Heinrich
 Cravaack Hensarling

Pascrell Meehan
 Pastor (AZ) Mica
 Pingree (ME) Michaud
 Price (NC) Miller (FL)
 Richardson Miller (MI)
 Rothman (NJ) Miller, Gary
 Roybal-Allard Mulvaney
 Rush Murphy (CT)
 Ryan (OH) Murphy (PA)
 Sanchez, Linda T. Rokita
 T. Rooney
 Schakowsky Ros-Lehtinen
 Scott, David Roskam
 Serrano Ross (AR)
 Slaughter Nugent
 Stark Nunes
 Tonko Nunnelee
 Velazquez Olson
 Waters Owens
 Watt Palazzo
 Waxman Paulsen
 Welch Pearce
 Wilson (FL) Pelosi
 Woolsey Perlmutter
 Peters Schrock
 Peterson Schrader
 Petri Schwartz
 Pitts Schweikert
 Platts Scott (SC)
 Poe (TX) Scott (VA)
 Polis Scott, Austin
 Pompeo Senenbrenner
 Posey Sessions
 Price (GA) Sewell
 Quayle Sherman
 Quigley Shimkus
 Rahall Shuler
 Reed Shuster
 Rehberg Simpson
 Reichert Sires
 Renacci Smith (NE)
 Reyes Smith (NJ)
 Ribble Smith (TX) Young (IN)

Richmond Smith (WA)
 Rigell Southerland
 Rivera Speier
 Roby Stearns
 Roe (TN) Stivers
 Rogers (AL) Stutzman
 Rogers (KY) Sullivan
 Rogers (MI) Sutton
 Rohrabacher Terry
 Rokita Thompson (CA)
 Rooney Thompson (MS)
 Ros-Lehtinen Thompson (PA)
 Roskam Thornberry
 Ross (AR) Tiberi
 Ross (FL) Tierney
 Royce Runyan
 Royce Tipton
 Runyan Tsongas
 Ruppersberger Ryan (WI)
 Ryan (WI) Turner (NY)
 Sanchez, Loretta Turner (OH)
 Sarbanes Sarbanes
 Scalise Sarbanes
 Schiff Van Hollen
 Schilling Visclosky
 Schmidt Walberg
 Schock Walden
 Schrader Walsh (LL)
 Schwartz Walz (MN)
 Schweikert Wasserman
 Scott (SC) Schultz
 Scott (VA) Webster
 Scott, Austin West
 Senenbrenner Westmoreland
 Sessions Whitfield
 Sewell Wilson (SC)
 Sherman Wittman
 Shimkus Wolf
 Shuler Womack
 Shuster Woodall
 Simpson Yarmuth
 Sires Yoder
 Smith (NE) Young (AK)
 Smith (NJ) Young (FL)
 Smith (TX) Young (IN)

NOT VOTING—7

Filner Meeks Towns
 Jackson (IL) Paul
 Mack Rangel

So the amendment in the nature of a substitute was not agreed to.
 After some further time,

45.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute numbered 5, printed in House Report 112-423, submitted by Mr. GARRETT:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that the concurrent resolution on the budget for fiscal year 2013 is hereby established and that the appropriate budgetary levels for fiscal year 2012 and for fiscal years 2014 through 2022 are set forth.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
 Sec. 102. Major functional categories.

TITLE II—RECONCILIATION SUBMISSIONS

Sec. 201. Reconciliation in the House of Representatives.
 Sec. 202. Submission of reports on mandatory savings.

TITLE III—BUDGET ENFORCEMENT

Sec. 301. Discretionary spending limits.
 Sec. 302. Restrictions on advance appropriations.
 Sec. 303. Emergency spending.
 Sec. 304. Changes in allocations and aggregates resulting from realistic scoring of measures affecting revenues.

- Sec. 305. Allocation of new budget authority for fiscal year 2013.
- Sec. 306. Prohibition on using revenue increases to comply with budget allocations and aggregates.
- Sec. 307. Application and effect of changes in allocations and aggregates.
- Sec. 308. Budget Protection Mandatory Account.
- Sec. 309. Budget discretionary accounts.
- Sec. 310. Treatment of rescission bills in the House.
- Sec. 311. Sense of the House regarding base-line revenue projections.
- Sec. 312. Sense of the House regarding long-term budget projections.
- Sec. 313. Make it easier to amend appropriation bills.

TITLE IV—EARMARK MORATORIUM

- Sec. 401. Earmark moratorium.
- Sec. 402. Limitation of authority of the House Committee on Rules.

TITLE V—POLICY

- Sec. 501. Policy statement on health care law repeal.
- Sec. 502. Policy statement on bailouts of State and local governments.
- Sec. 503. Policy statement on means-tested welfare programs.
- Sec. 504. Policy statement on reforming the Federal budget process.
- Sec. 505. Policy statement on reforming Federal regulation.
- Sec. 506. Policy statement on medicare.
- Sec. 507. Policy statement on deficit reduction through the cancellation of unobligated balances.
- Sec. 508. Policy statement on block granting Medicaid.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: \$1,887,000,000,000.
 Fiscal year 2013: \$2,059,000,000,000.
 Fiscal year 2014: \$2,249,000,000,000.
 Fiscal year 2015: \$2,459,000,000,000.
 Fiscal year 2016: \$2,627,000,000,000.
 Fiscal year 2017: \$2,770,000,000,000.
 Fiscal year 2018: \$2,892,000,000,000.
 Fiscal year 2019: \$3,021,000,000,000.
 Fiscal year 2020: \$3,173,000,000,000.
 Fiscal year 2021: \$3,332,000,000,000.
 Fiscal year 2022: \$3,499,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: \$12,000,000,000.
 Fiscal year 2013: \$234,000,000,000.
 Fiscal year 2014: \$303,000,000,000.
 Fiscal year 2015: \$357,000,000,000.
 Fiscal year 2016: \$389,000,000,000.
 Fiscal year 2017: \$424,000,000,000.
 Fiscal year 2018: \$461,000,000,000.
 Fiscal year 2019: \$498,000,000,000.
 Fiscal year 2020: \$535,000,000,000.
 Fiscal year 2021: \$574,000,000,000.
 Fiscal year 2022: \$617,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: \$3,069,000,000,000.
 Fiscal year 2013: \$2,663,000,000,000.
 Fiscal year 2014: \$2,512,000,000,000.
 Fiscal year 2015: \$2,561,000,000,000.
 Fiscal year 2016: \$2,632,000,000,000.
 Fiscal year 2017: \$2,698,000,000,000.
 Fiscal year 2018: \$2,788,000,000,000.
 Fiscal year 2019: \$2,923,000,000,000.

Fiscal year 2020: \$3,035,000,000,000.

Fiscal year 2021: \$3,141,000,000,000.

Fiscal year 2022: \$3,289,000,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$3,120,000,000,000.
 Fiscal year 2013: \$2,818,000,000,000.
 Fiscal year 2014: \$2,653,000,000,000.
 Fiscal year 2015: \$2,654,000,000,000.
 Fiscal year 2016: \$2,713,000,000,000.
 Fiscal year 2017: \$2,764,000,000,000.
 Fiscal year 2018: \$2,834,000,000,000.
 Fiscal year 2019: \$2,970,000,000,000.
 Fiscal year 2020: \$3,081,000,000,000.
 Fiscal year 2021: \$3,186,000,000,000.
 Fiscal year 2022: \$3,340,000,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: \$1,233,000,000,000.
 Fiscal year 2013: \$759,000,000,000.
 Fiscal year 2014: \$405,000,000,000.
 Fiscal year 2015: \$195,000,000,000.
 Fiscal year 2016: \$86,000,000,000.
 Fiscal year 2017: \$6,000,000,000.
 Fiscal year 2018: \$58,000,000,000.
 Fiscal year 2019: \$51,000,000,000.
 Fiscal year 2020: \$92,000,000,000.
 Fiscal year 2021: \$146,000,000,000.
 Fiscal year 2022: \$159,000,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,076,000,000,000.
 Fiscal year 2013: \$17,003,000,000,000.
 Fiscal year 2014: \$17,586,000,000,000.
 Fiscal year 2015: \$17,967,000,000,000.
 Fiscal year 2016: \$18,266,000,000,000.
 Fiscal year 2017: \$18,520,000,000,000.
 Fiscal year 2018: \$18,737,000,000,000.
 Fiscal year 2019: \$18,954,000,000,000.
 Fiscal year 2020: \$19,129,000,000,000.
 Fiscal year 2021: \$19,252,000,000,000.
 Fiscal year 2022: \$19,352,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,359,000,000,000.
 Fiscal year 2013: \$12,191,000,000,000.
 Fiscal year 2014: \$12,677,000,000,000.
 Fiscal year 2015: \$12,950,000,000,000.
 Fiscal year 2016: \$13,110,000,000,000.
 Fiscal year 2017: \$13,178,000,000,000.
 Fiscal year 2018: \$13,186,000,000,000.
 Fiscal year 2019: \$13,202,000,000,000.
 Fiscal year 2020: \$13,189,000,000,000.
 Fiscal year 2021: \$13,135,000,000,000.
 Fiscal year 2022: \$13,088,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2012:

(A) New budget authority, \$687,000,000,000.
 (B) Outlays, \$679,000,000,000.

Fiscal year 2013:

(A) New budget authority, \$659,000,000,000.
 (B) Outlays, \$673,000,000,000.

Fiscal year 2014:

(A) New budget authority, \$619,000,000,000.
 (B) Outlays, \$659,000,000,000.

Fiscal year 2015:

(A) New budget authority, \$633,000,000,000.
 (B) Outlays, \$640,000,000,000.

Fiscal year 2016:

(A) New budget authority, \$647,000,000,000.
 (B) Outlays, \$647,000,000,000.

Fiscal year 2017:

(A) New budget authority, \$619,000,000,000.
 (B) Outlays, \$608,000,000,000.

Fiscal year 2018:

(A) New budget authority, \$635,000,000,000.

(B) Outlays, \$618,000,000,000.

Fiscal year 2019:

(A) New budget authority, \$653,000,000,000.

(B) Outlays, \$639,000,000,000.

Fiscal year 2020:

(A) New budget authority, \$672,000,000,000.

(B) Outlays, \$657,000,000,000.

Fiscal year 2021:

(A) New budget authority, \$690,000,000,000.

(B) Outlays, \$675,000,000,000.

Fiscal year 2022:

(A) New budget authority, \$709,000,000,000.

(B) Outlays, \$699,000,000,000.

(2) International Affairs (150):

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(3) General Science, Space, and Technology (250):

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

(18) Net Interest (900):
 Fiscal year 2012:
 (A) New budget authority, \$224,000,000,000.
 (B) Outlays, \$224,000,000,000.

Fiscal year 2013:
 (A) New budget authority, \$234,000,000,000.
 (B) Outlays, \$234,000,000,000.

Fiscal year 2014:
 (A) New budget authority, \$249,000,000,000.
 (B) Outlays, \$249,000,000,000.

Fiscal year 2015:
 (A) New budget authority, \$287,000,000,000.
 (B) Outlays, \$287,000,000,000.

Fiscal year 2016:
 (A) New budget authority, \$340,000,000,000.
 (B) Outlays, \$340,000,000,000.

Fiscal year 2017:
 (A) New budget authority, \$391,000,000,000.
 (B) Outlays, \$391,000,000,000.

Fiscal year 2018:
 (A) New budget authority, \$435,000,000,000.
 (B) Outlays, \$435,000,000,000.

Fiscal year 2019:
 (A) New budget authority, \$471,000,000,000.
 (B) Outlays, \$471,000,000,000.

Fiscal year 2020:
 (A) New budget authority, \$499,000,000,000.
 (B) Outlays, \$499,000,000,000.

Fiscal year 2021:
 (A) New budget authority, \$514,000,000,000.
 (B) Outlays, \$514,000,000,000.

Fiscal year 2022:
 (A) New budget authority, \$528,000,000,000.
 (B) Outlays, \$528,000,000,000.

(19) Allowances (920):
 Fiscal year 2012:
 (A) New budget authority, \$2,109,000,000,000.
 (B) Outlays, \$3,120,000,000,000.

Fiscal year 2013:
 (A) New budget authority, \$1,770,000,000,000.
 (B) Outlays, \$1,911,000,000,000.

Fiscal year 2014:
 (A) New budget authority, \$1,644,000,000,000.
 (B) Outlays, \$1,745,000,000,000.

Fiscal year 2015:
 (A) New budget authority, \$1,641,000,000,000.
 (B) Outlays, \$1,727,000,000,000.

Fiscal year 2016:
 (A) New budget authority, \$1,645,000,000,000.
 (B) Outlays, \$1,726,000,000,000.

Fiscal year 2017:
 (A) New budget authority, \$1,688,000,000,000.
 (B) Outlays, \$1,765,000,000,000.

Fiscal year 2018:
 (A) New budget authority, \$1,718,000,000,000.
 (B) Outlays, \$1,781,000,000,000.

Fiscal year 2019:
 (A) New budget authority, \$1,799,000,000,000.
 (B) Outlays, \$1,860,000,000,000.

Fiscal year 2020:
 (A) New budget authority, \$1,864,000,000,000.
 (B) Outlays, \$1,925,000,000,000.

Fiscal year 2021:
 (A) New budget authority, \$1,937,000,000,000.

(B) Outlays, \$1,997,000,000,000.

Fiscal year 2022:
 (A) New budget authority, \$2,052,000,000,000.
 (B) Outlays, \$2,113,000,000,000.

(20) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

(21) Global War on Terrorism and related activities (970):
 Fiscal year 2012:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

(A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

Fiscal year 2022:
 (A) New budget authority, an amount to be derived from function 920.
 (B) Outlays, an amount to be derived from function 920.

TITLE II—RECONCILIATION SUBMISSIONS

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING AND TO ACHIEVE DEFICIT REDUCTION.—(1) Not later than September 15, 2012, the House committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the House of Representatives. After receiving those recommendations, the Committee on the Budget of the House of Representatives shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The Committee on Agriculture of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$54,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The Committee on Education and the Workforce of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$24,000,000,000 in outlays for fiscal year 2013 and by \$204,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The Committee on Energy and Commerce of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$32,000,000,000 in outlays for fiscal year 2013 and by \$2,872,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON FINANCIAL SERVICES.—The Committee on Financial Services of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$3,000,000,000 in outlays for fiscal year 2013 and by \$45,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON NATURAL RESOURCES.—The Committee on Natural Resources of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$10,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The Committee on Oversight and Government Reform of the House of Representatives shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$8,000,000,000 in outlays for fiscal year 2013 and by \$172,000,000,000 in outlays for the period of fiscal years 2013 through 2022.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE TO PREVENT TAX INCREASES AND ENACT H.R. 3400.—The Committee on Ways and Means of the House of Representatives shall report a reconciliation bill not later than September 15, 2012, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than \$234,000,000,000 for fiscal year 2013 and by not more than \$4,392,000,000,000 for the period of fiscal years 2013 through 2022.

(c) REVISION OF ALLOCATIONS.—(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

SEC. 202. SUBMISSION OF REPORTS ON MANDATORY SAVINGS.

In the House, not later than September 15, 2012, all House committees shall identify savings amounting to one percent of total mandatory spending under its jurisdiction from activities that are determined to be wasteful, unnecessary, or lower-priority. For purposes of this section, the reports by each committee shall be inserted in the Congressional Record by the chairman of the Committee on the Budget not later than September 15, 2012.

TITLE III—BUDGET ENFORCEMENT

SEC. 301. DISCRETIONARY SPENDING LIMITS.

(a) DISCRETIONARY SPENDING LIMITS.—Spending limits for total discretionary Federal spending are as follows:

Fiscal year 2013: \$931,000,000,000 in new budget authority.

Fiscal year 2014: \$931,000,000,000 in new budget authority.

Fiscal year 2015: \$931,000,000,000 in new budget authority.

Fiscal year 2016: \$931,000,000,000 in new budget authority.

Fiscal year 2017: \$931,000,000,000 in new budget authority.

Fiscal year 2018: \$950,000,000,000 in new budget authority.

Fiscal year 2019: \$969,000,000,000 in new budget authority.

Fiscal year 2020: \$988,000,000,000 in new budget authority.

Fiscal year 2021: \$1,008,000,000,000 in new budget authority.

Fiscal year 2022: \$1,028,000,000,000 in new budget authority.

(b) ENFORCEMENT.—In the House, it shall not be in order to consider any bill or joint resolution, or amendment thereto or conference report thereon, that causes discretionary budget authority to exceed any level set forth in subsection (a).

SEC. 302. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) EXCEPTION.—In the House, an advance appropriation may be provided for fiscal year 2013 and fiscal years 2014 for programs, projects, activities or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$23,565,000,000 in new budget authority.

(c) DEFINITION.—In this section, the term “advance appropriation” means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY SPENDING.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(b) ENFORCEMENT.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment or conference report that contains an emergency designation unless that designation meets the criteria set out in subsection (a)(2).

(c) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (b).

(d) DISPOSITION OF POINTS OF ORDER IN THE HOUSE.—As disposition of a point of order under subsection (b) or subsection (c), the Chair shall put the question of consideration with respect to the proposition that is the subject of the point of order. A question of consideration under this section shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent of the point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

SEC. 304. CHANGES IN ALLOCATIONS AND AGGREGATES RESULTING FROM REALISTIC SCORING OF MEASURES AFFECTING REVENUES.

(a) Whenever the House considers a bill, joint resolution, amendment, motion or conference report, including measures filed in compliance with section 201(b), that propose to change Federal revenues, the impact of such measure on Federal revenues shall be calculated by the Joint Committee on Taxation in a manner that takes into account—

(1) the impact of the proposed revenue changes on—

(A) Gross Domestic Product, including the growth rate for the Gross Domestic Product;

(B) total domestic employment;

(C) gross private domestic investment;

(D) general price index;

(E) interest rates; and

(F) other economic variables; and

(2) the impact on Federal Revenue of the changes in economic variables analyzed under paragraph (1).

(b) The chairman of the Committee on the Budget may make any necessary changes to allocations and aggregates in order to conform this concurrent resolution with the determinations made by the Joint Committee on Taxation pursuant to subsection (a).

SEC. 305. ALLOCATION OF NEW BUDGET AUTHORITY FOR FISCAL YEAR 2013.

For the purposes of budget enforcement, the allocation of new budget authority to the Committee on Appropriations of the House of Representatives for fiscal year 2013 is \$931,000,000,000. Such allocation shall be the allocation made pursuant to section 302(a)(1)(A) of the Congressional Budget Act of 1974 and shall be enforceable under section 302(f)(1) of that Act.

SEC. 306. PROHIBITION ON USING REVENUE INCREASES TO COMPLY WITH BUDGET ALLOCATIONS AND AGGREGATES.

(a) For the purpose of enforcing this concurrent resolution in the House, the chairman of the Committee on the Budget shall not take into account the provisions of any piece of legislation which propose to increase revenue or offsetting collections if the net effect of the bill is to increase the level of revenue or offsetting collections beyond the level assumed in this concurrent resolution.

(b) Subsection (a) shall not apply to any provision of a piece of legislation that proposes a new or increased fee for the receipt of a defined benefit or service (including insurance coverage) by the person or entity paying the fee.

SEC. 307. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

SEC. 308. BUDGET PROTECTION MANDATORY ACCOUNT.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the "Budget Protection Mandatory Account". The Account shall be divided into entries corresponding to the allocations under section 302(a) of the Congressional Budget Act of 1974 in the most recently adopted concurrent resolution on the budget, except that it shall not include the Committee on Appropriations.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution (other than an appropriation bill), the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Mandatory Account by the amounts specified in paragraph (2); and

(B) reduce the applicable section 302(a) allocations by the amount specified in paragraph (2).

(2) Each amount specified in paragraph (1)(A) shall be the net reduction in mandatory budget authority (either under current law or proposed by the bill or joint resolution under consideration) provided by each amendment that was adopted in the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution, other than an appropriation bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in mandatory authority (either under current law or proposed by a bill or joint resolution under consideration) provided by each amendment adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: "The amount of mandatory budget authority reduced by this amendment may be used to offset a decrease in revenues."

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term—

(1) "appropriation bill" means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2008 or any subsequent fiscal year, as the case may be.

(2) "mandatory budget authority" means any entitlement authority as defined by, and interpreted for purposes of, the Congressional Budget Act of 1974.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 309. BUDGET DISCRETIONARY ACCOUNTS.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the "Budget Protection Discretionary Account". The Account shall be divided into entries corresponding to the allocation to the Committee on Appropriations, and the committee's suballocations, under section 302(a) and 302(b) of the Congressional Budget Act of 1974.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House appropriations bill, the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Discretionary Account by the amounts specified in paragraph (2).

(B) reduce the applicable 302(a) and (b) allocations by the amount specified in paragraph (2).

(2) Each amount specified in subparagraph (A) shall be the net reduction in discretionary budget authority provided by each amendment adopted by the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House appropriations bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in discretionary budget authority provided by each amendment that was adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: "The amount of discretionary budget authority reduced by this amendment may be used to offset a decrease in revenues."

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term "appropriation bill" means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2013 or any subsequent fiscal year, as the case may be.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 310. TREATMENT OF RESCISSION BILLS IN THE HOUSE.

(a)(1) By February 1, May 1, July 30, and November 11 of each session of Congress, the majority leader shall introduce a rescission bill. If such bill is not introduced by that date, then whenever a rescission bill is introduced during a session on or after that date, a motion to discharge the committee from its consideration shall be privileged after the 10-legislative day period beginning on that date for the first 5 such bills.

(2) It shall not be in order to offer any amendment to a rescission bill except an amendment that increases the amount of budget authority that such bill rescinds.

(b) Whenever a rescission bill passes the House, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) of the Congressional Budget Act of 1974 by the total amount of reductions in budget authority and in outlays resulting from such rescission bill.

(c)(1) It shall not be in order to consider any rescission bill, or conference report thereon or amendment thereto, unless—

(A) in the case of such bill or conference report thereon, it is made available to Members and the general public on the Internet for at least 48 hours before its consideration; or

(B)(i) in the case of an amendment to such rescission bill made in order by a rule, it is

made available to Members and the general public on the Internet within one hour after the rule is filed; or

(ii) in the case of an amendment under an open rule, it is made available to Members and the general public on the Internet immediately after being offered; in a format that is searchable and sortable.

(2) No amendment to an amendment to a rescission bill shall be in order unless germane to the amendment to which it is offered.

(d) As used in this section, the term "rescission bill" means a bill or joint resolution which only rescinds, in whole or in part, budget authority and which includes only titles corresponding to the most recently enacted appropriation bills that continue to include unobligated balances.

SEC. 311. SENSE OF THE HOUSE REGARDING BASELINE REVENUE PROJECTIONS.

For purposes of constructing its baseline revenue projections, the Congressional Budget Office should assume that any tax provision which is scheduled to expire under current law will be extended through the duration of any budget forecast by Congressional Budget Office so as to ensure that expiring tax provisions and expiring spending programs (other than direct appropriations) are treated in like fashion.

SEC. 312. SENSE OF THE HOUSE REGARDING LONG-TERM BUDGET PROJECTIONS.

For purposes of constructing its ten-year and long-term budget projection reports, the Congressional Budget Office should include an alternative scenario that assumes that mandatory spending programs grow at the same rate as average, projected nominal gross domestic product (GDP).

SEC. 313. MAKE IT EASIER TO AMEND APPROPRIATION BILLS.

The first sentence of clause 2(c) of rule XXI of the Rules of the House of Representatives is amended by inserting " , except to the extent that it is a germane amendment to an authorizing provision or a line item appropriation of the bill under consideration" after "changing existing law".

TITLE IV—EARMARK MORATORIUM**SEC. 401. EARMARK MORATORIUM.**

(a) POINT OF ORDER.—It shall not be in order to consider—

(1) a bill or joint resolution reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit; or

(2) a bill or joint resolution not reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit.

(b) DEFINITIONS.—For the purposes of this resolution, the terms "congressional earmark", "limited tax benefit", and "limited tariff benefit" have the meaning given those terms in clause 9 of rule XXI of the Rules of the House of Representatives.

(c) SPECIAL RULE.—The point of order under subsection (a) shall only apply to legislation providing or authorizing discretionary budget authority, credit authority, or other spending authority, providing a Federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal year 2012 or fiscal year 2013.

(d) INAPPLICABILITY.—This resolution shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality, or congressional district.

SEC. 402. LIMITATION OF AUTHORITY OF THE HOUSE COMMITTEE ON RULES.

The House Committee on Rules may not report a rule or order that would waive the point of order set forth in the first section of this resolution.

TITLE V—POLICY

SEC. 501. POLICY STATEMENT ON HEALTH CARE LAW REPEAL.

It is the policy of this resolution that the Patient Protection and Affordable Care Act (Public Law 111 148), and the Health Care and Education Reconciliation Act of 2010 (Public Law 111 152) should be repealed.

SEC. 502. POLICY STATEMENT ON BAILOUTS OF STATE AND LOCAL GOVERNMENTS.

It is the policy of this resolution that the Federal Government should not bailout State and local governments, including State and local government employee pension plans and other post-employment benefit plans.

SEC. 503. POLICY STATEMENT ON MEANS-TESTED WELFARE PROGRAMS.

(a) FINDINGS.—The House finds that:

(1) In 1996, President Bill Clinton and congressional Republicans enacted reforms that have moved families off of Federal programs and enabled them to provide for themselves.

(2) According to the most recent projections, over the next 10 years we will spend approximately \$10 trillion on means-tested welfare programs.

(3) Today, there are approximately 70 Federal programs that provide benefits specifically to poor and low-income Americans.

(4) Taxpayers deserve clear and transparent information on how well these programs are working, and how much the Federal Government is spending on means-tested welfare.

(b) POLICY ON MEANS-TESTED WELFARE PROGRAMS.—It is the policy of this resolution that the President's budget should disclose, in a clear and transparent manner, the aggregate amount of Federal welfare expenditures, as well as an estimate of State and local spending for this purpose, over the next ten years.

SEC. 504. POLICY STATEMENT ON REFORMING THE FEDERAL BUDGET PROCESS.

It is the policy of this resolution that the Federal budget process should be reformed so that it is easier to reduce Federal spending than it is to increase it by enacting reforms included in the Spending, Deficit, and Debt Control Act of 2009 (H.R. 3964, 111th Congress).

SEC. 505. POLICY STATEMENT ON REFORMING FEDERAL REGULATION.

It is the policy of this resolution that the cost of regulations on job creators should be reduced by enacting title II of the Jobs Through Growth Act (H.R. 3400), as introduced on November 10, 2011.

SEC. 506. POLICY STATEMENT ON MEDICARE.

(a) FINDINGS.—The House finds the following:

(1) More than 50 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees Report has repeatedly recommended that Medicare's long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in and near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) The Hospital Insurance Trust Fund will be exhausted in 2022 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy and Medicare outlays are currently rising at a rate of 6.3 percent per year, and under the Congressional Budget Office's alternative fiscal scenario, direct spending on Medicare is projected to reach 7 percent of GDP by 2035 and 14 percent of GDP by 2085.

(3) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) POLICY ON MEDICARE REFORM.—It is the policy of this resolution to protect those in and near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) ASSUMPTIONS.—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in and near retirement, without changes.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(4) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

SEC. 507. POLICY STATEMENT ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.

(a) FINDINGS.—The House finds the following:

(1) According to the Office of Management and Budget, Federal agencies will hold \$698 billion in unobligated balances at the close of fiscal year 2013.

(2) These funds represent direct and discretionary spending made available by Congress that remain available for expenditure beyond the fiscal year for which they are provided.

(3) In some cases, agencies are granted funding and it remains available for obligation indefinitely.

(4) The Congressional Budget and Impoundment Control Act of 1974 requires the Office of Management and Budget to make funds available to agencies for obligation and prohibits the Administration from withholding or cancelling unobligated funds unless approved by an act of Congress.

(5) Greater congressional oversight is required to review and identify potential savings from unneeded balances of funds.

(b) POLICY ON DEFICIT REDUCTION THROUGH THE CANCELLATION OF UNOBLIGATED BALANCES.—Congressional committees shall through their oversight activities identify and achieve savings through the cancellation or rescission of unobligated balances that neither abrogate contractual obligations of the Federal Government nor reduce or disrupt Federal commitments under programs such as Social Security, veterans' affairs, national security, and Treasury authority to finance the national debt.

(c) DEFICIT REDUCTION.—Congress, with the assistance of the Government Accountability Office, the Inspectors General, and other appropriate agencies should make it a high priority to review unobligated balances and identify savings for deficit reduction.

SEC. 508. POLICY STATEMENT ON BLOCK GRANTING MEDICAID.

It is the policy of this resolution that Medicaid and the Children's Health Insurance Program (CHIP) should be block granted to the states by enacting the State Health Flexibility Act of 2012 (H.R. 4160) as introduced on March 7, 2012.

Amend the title so as to read: "Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal year 2012 and fiscal years 2014 through 2022."

It was decided in the negative Yeas 136 Nays 285 Answered present 3

¶45.12

[Roll No. 149]

AYES—136

Table listing names of members of Congress under the heading 'AYES—136'. Names include Adams, Akin, Amash, Amodei, Austria, Bachmann, Bartlett, Barton (TX), Bishop (UT), Black, Blackburn, Boustany, Brady (TX), Brooks, Brown (GA), Bucshon, Buerkle, Burgess, Burton (IN), Campbell, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Culberson, DesJarlais, Duncan (SC), Ellmers, Farenthold, Fincher, Flake, Fleischmann, Fleming, Flores, Fox, Franks (AZ), Gardner, Garrett, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Guinta, Hall, Harper, Harris, Hartzler, Hensarling, Herger, Huelskamp, Huizenga (MI), Hultgren, Hunter, Issa, Jenkins, Johnson (IL), Johnson, Sam, Jordan, King (IA), Kingston, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latta, Long, Lummis, Manzullo, Marchant, McCaul, McClintock, McCotter, McHenry, McMorris, Rodgers, Mica, Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Nunnelee, Olson, Palazzo, Paul, Pearce, Pence, Pitts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Ribble, Rigell, Riva, Rivera, Roe (TN), Rohrabacher, Rokita, Rooney, Ross (FL), Royce, Scalise, Schmidt, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (TX), Stearns, Stutzman, Sullivan, Thompson (PA), Thornberry, Tipton, Upton, Walberg, Walsh (IL), West, Westmoreland, Wilson (SC), Woodall, Yoder.

NOES—285

Table listing names of members of Congress under the heading 'NOES—285'. Names include Ackerman, Aderholt, Alexander, Altmire, Andrews, Baca, Bachus, Baldwin, Barletta, Barrow, Bass (CA), Bass (NH), Becerra, Benishek, Berg, Berkley, Berman, Biggart, Bilbray, Bilirakis, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Buchanan, Butterfield, Calvert, Camp, Canseco, Cantor, Capito, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Carter, Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), Davis (KY), DeFazio, DeGette, DeLauro, Denham, Dent, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Dreier, Duffy, Duncan (TN), Edwards, Ellison, Emerson, Engel, Eshoo, Farr, Fitzpatrick, Forbes, Fortenberry, Frank (MA), Frelinghuysen, Fudge, Gallegly, Garamendi, Gerlach, Gibbs, Gibson, Gonzalez, Granger, Green, Al, Green, Gene, Grijalva, Grimm, Guthrie, Gutierrez, Hahn, Hanabusa, Hanna, Hastings (FL), Hastings (WA), Hayworth, Heck, Heinrich, Herrera Beutler, Higgins, Himes, Hinojosa, Hirono, Hochul, Holden, Holt.

Honda	Miller (FL)	Schakowsky
Hoyer	Miller (MI)	Schiff
Hurt	Miller (NC)	Schilling
Israel	Miller, George	Schock
Jackson Lee	Moore	Schrader
(TX)	Moran	Schwartz
Johnson (GA)	Murphy (CT)	Scott (VA)
Johnson (OH)	Nadler	Scott, David
Johnson, E. B.	Napolitano	Serrano
Jones	Neal	Sewell
Kaptur	Noem	Sherman
Keating	Nugent	Shuler
Kelly	Nunes	Sires
Kildee	Olver	Slaughter
Kind	Owens	Smith (NE)
King (NY)	Pallone	Smith (NJ)
Kinzinger (IL)	Pascrell	Smith (WA)
Kissell	Pastor (AZ)	Southerland
Kucinich	Paulsen	Speier
Langevin	Pelosi	Stark
Larsen (WA)	Perlmutter	Stivers
Larson (CT)	Peters	Sutton
Latham	Peterson	Terry
LaTourette	Petri	Thompson (CA)
Lee (CA)	Pingree (ME)	Thompson (MS)
Levin	Platts	Tiberi
Lewis (CA)	Price (NC)	Tierney
Lewis (GA)	Quigley	Tonko
Lipinski	Rahall	Tsongas
LoBiondo	Reed	Turner (NY)
Loeb sack	Rehberg	Turner (OH)
Lofgren, Zoe	Reichert	Van Hollen
Lowe y	Renacci	Velázquez
Lucas	Reyes	Visclosky
Luetkemeyer	Richardson	Walden
Lujan	Richmond	Walz (MN)
Lungren, Daniel	Roby	Wasserman
E.	Rogers (AL)	Schultz
Lynch	Rogers (KY)	Waters
Marino	Rogers (MI)	Watt
Markey	Ros-Lehtinen	Webster
Matheson	Roskam	Welch
Matsui	Ross (AR)	Whitfield
McCarthy (CA)	Rothman (NJ)	Wilson (FL)
McCarthy (NY)	Roybal-Allard	Wittman
McColum	Runyan	Wolf
McDermott	Ruppersberger	Womack
McGovern	Rush	Woolsey
McIntyre	Ryan (OH)	Yarmuth
McKeon	Ryan (WI)	Young (AK)
McKinley	Sánchez, Linda	Young (FL)
McNerney	T.	Young (IN)
Meehan	Sanchez, Loretta	
Michaud	Sarbanes	

ANSWERED "PRESENT"—3

Fattah	Polis	Waxman
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NOT VOTING—7

Filner	Maloney	Towns
Jackson (IL)	Meeks	
Mack	Rangel	

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. LATHAM, assumed the Chair.

When Mr. THORNBERRY, Acting Chairman, reported that the Committee, having had under consideration said concurrent resolution, had come to no resolution thereon.

¶45.13 PROCEEDINGS VACATED—H.R. 4239

Mr. MICA, by unanimous consent, requested that the ordering of the yeas and nays on the motion to suspend the rules and pass the bill (H.R. 4239) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; as amended, be vacated, to the end that the Chair put the question on the motion de novo.

Accordingly,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATHAM, announced that two-thirds

of the Members present had not voted in the affirmative.

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶45.14 CONGRESSIONAL BUDGET FY 2013

The SPEAKER pro tempore, Mr. LATHAM, pursuant to House Resolution 597 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 112) establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022.

Mr. THORNBERRY, Acting Chairman, assumed the chair; and after some time spent therein,

¶45.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute numbered 6, printed in House Report 112-423, submitted by Mr. VAN HOLLEN:

Strike all after the enacting clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal year 2012 and for fiscal years 2014 through 2022.

(b) TABLE OF CONTENTS.—
Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-neutral reserve fund for job creation through investments and incentives.
Sec. 202. Deficit-neutral reserve fund for increasing energy independence and market stability.
Sec. 203. Deficit-neutral reserve fund for America's veterans and servicemembers.
Sec. 204. Deficit-neutral reserve fund for Medicare improvement.
Sec. 205. Deficit-neutral reserve fund for Transitional Medical Assistance.
Sec. 206. Deficit-neutral reserve fund for initiatives that benefit children.
Sec. 208. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.
Sec. 209. Deficit-neutral reserve fund for college affordability.
Sec. 210. Deficit-neutral reserve fund for additional tax relief for individuals and families.

TITLE III—ENFORCEMENT PROVISIONS

Sec. 301. Point of order against advance appropriations.
Sec. 302. Adjustments to discretionary spending limits.
Sec. 303. Costs of emergency needs, Overseas Contingency Operations and disaster relief.
Sec. 304. Budgetary treatment of certain discretionary administrative expenses.

Sec. 305. Application and effect of changes in allocations and aggregates.

Sec. 306. Reinstatement of pay-as-you-go.

Sec. 307. Exercise of rulemaking powers.

TITLE IV—POLICY

Sec. 401. Policy of the House on jobs: Make it in America.
Sec. 402. Policy of the House on sequestration.
Sec. 403. Policy of the House on taking a balanced approach to deficit reduction.
Sec. 404. Policy of the House on Social Security reform that protects workers and retirees.
Sec. 405. Policy of the House on protecting the Medicare guarantee for seniors.
Sec. 406. Policy of the House on affordable health care coverage for working families.
Sec. 407. Policy of the House on Medicaid.
Sec. 408. Policy of the House on overseas contingency operations.
Sec. 409. Policy of the House on national security.
Sec. 410. Policy of the House on tax reform and deficit reduction.
Sec. 411. Policy of the House on agriculture spending.
Sec. 412. Policy of the House on the use of taxpayer funds.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012:	\$1,836,360,000,000.
Fiscal year 2013:	\$2,064,353,000,000.
Fiscal year 2014:	\$2,336,432,000,000.
Fiscal year 2015:	\$2,604,734,000,000.
Fiscal year 2016:	\$2,800,259,000,000.
Fiscal year 2017:	\$2,962,336,000,000.
Fiscal year 2018:	\$3,092,826,000,000.
Fiscal year 2019:	\$3,234,194,000,000.
Fiscal year 2020:	\$3,411,255,000,000.
Fiscal year 2021:	\$3,586,187,000,000.
Fiscal year 2022:	\$3,766,705,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012:	\$62,857,000,000.
Fiscal year 2013:	\$228,986,000,000.
Fiscal year 2014:	\$214,752,000,000.
Fiscal year 2015:	\$211,550,000,000.
Fiscal year 2016:	\$215,847,000,000.
Fiscal year 2017:	\$232,003,000,000.
Fiscal year 2018:	\$259,463,000,000.
Fiscal year 2019:	\$284,378,000,000.
Fiscal year 2020:	\$296,765,000,000.
Fiscal year 2021:	\$320,765,000,000.
Fiscal year 2022:	\$348,776,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012:	\$3,239,647,000,000.
Fiscal year 2013:	\$2,966,382,000,000.
Fiscal year 2014:	\$2,984,444,000,000.
Fiscal year 2015:	\$3,098,951,000,000.
Fiscal year 2016:	\$3,308,049,000,000.
Fiscal year 2017:	\$3,470,252,000,000.
Fiscal year 2018:	\$3,637,710,000,000.
Fiscal year 2019:	\$3,824,454,000,000.
Fiscal year 2020:	\$4,037,028,000,000.
Fiscal year 2021:	\$4,220,190,000,000.
Fiscal year 2022:	\$4,431,285,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012:	\$3,138,093,000,000.
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Fiscal year 2013: \$3,064,546,000,000.
 Fiscal year 2014: \$3,048,076,000,000.
 Fiscal year 2015: \$3,130,366,000,000.
 Fiscal year 2016: \$3,308,452,000,000.
 Fiscal year 2017: \$3,435,565,000,000.
 Fiscal year 2018: \$3,580,995,000,000.
 Fiscal year 2019: \$3,799,150,000,000.
 Fiscal year 2020: \$3,993,967,000,000.
 Fiscal year 2021: \$4,187,928,000,000.
 Fiscal year 2022: \$4,401,684,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: \$1,301,733,000,000.
 Fiscal year 2013: \$1,000,193,000,000.
 Fiscal year 2014: \$711,644,000,000.
 Fiscal year 2015: \$525,632,000,000.
 Fiscal year 2016: \$508,193,000,000.
 Fiscal year 2017: \$473,229,000,000.
 Fiscal year 2018: \$488,169,000,000.
 Fiscal year 2019: \$564,956,000,000.
 Fiscal year 2020: \$582,712,000,000.
 Fiscal year 2021: \$601,741,000,000.
 Fiscal year 2022: \$634,979,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,140,000,000,000.
 Fiscal year 2013: \$17,309,000,000,000.
 Fiscal year 2014: \$18,199,000,000,000.
 Fiscal year 2015: \$18,911,000,000,000.
 Fiscal year 2016: \$19,632,000,000,000.
 Fiscal year 2017: \$20,366,000,000,000.
 Fiscal year 2018: \$21,129,000,000,000.
 Fiscal year 2019: \$21,961,000,000,000.
 Fiscal year 2020: \$22,812,000,000,000.
 Fiscal year 2021: \$23,682,000,000,000.
 Fiscal year 2022: \$24,575,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,424,000,000,000.
 Fiscal year 2013: \$12,498,000,000,000.
 Fiscal year 2014: \$13,290,000,000,000.
 Fiscal year 2015: \$13,894,000,000,000.
 Fiscal year 2016: \$14,477,000,000,000.
 Fiscal year 2017: \$15,023,000,000,000.
 Fiscal year 2018: \$15,578,000,000,000.
 Fiscal year 2019: \$16,210,000,000,000.
 Fiscal year 2020: \$16,871,000,000,000.
 Fiscal year 2021: \$17,565,000,000,000.
 Fiscal year 2022: \$18,311,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2022 for each major functional category are:

(1) National Defense (050):
 Fiscal year 2012:
 (A) New budget authority, \$560,847,000,000.
 (B) Outlays, \$620,526,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$553,925,000,000.
 (B) Outlays, \$582,924,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$564,074,000,000.
 (B) Outlays, \$568,196,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$574,336,000,000.
 (B) Outlays, \$565,518,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$585,581,000,000.
 (B) Outlays, \$578,055,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$598,841,000,000.
 (B) Outlays, \$585,091,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$612,097,000,000.
 (B) Outlays, \$592,763,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$625,362,000,000.
 (B) Outlays, \$610,522,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$639,661,000,000.
 (B) Outlays, \$625,015,000,000.
 Fiscal year 2021:

(A) New budget authority, \$653,962,000,000.
 (B) Outlays, \$638,965,000,000.

Fiscal year 2022:
 (A) New budget authority, \$671,019,000,000.
 (B) Outlays, \$659,506,000,000.

(2) International Affairs (150):
 Fiscal year 2012:
 (A) New budget authority, \$47,798,000,000.
 (B) Outlays, \$47,509,000,000.

Fiscal year 2013:
 (A) New budget authority, \$50,338,000,000.
 (B) Outlays, \$48,965,000,000.

Fiscal year 2014:
 (A) New budget authority, \$49,241,000,000.
 (B) Outlays, \$49,664,000,000.

Fiscal year 2015:
 (A) New budget authority, \$47,643,000,000.
 (B) Outlays, \$49,988,000,000.

Fiscal year 2016:
 (A) New budget authority, \$47,666,000,000.
 (B) Outlays, \$51,118,000,000.

Fiscal year 2017:
 (A) New budget authority, \$50,315,000,000.
 (B) Outlays, \$51,947,000,000.

Fiscal year 2018:
 (A) New budget authority, \$52,464,000,000.
 (B) Outlays, \$52,377,000,000.

Fiscal year 2019:
 (A) New budget authority, \$53,679,000,000.
 (B) Outlays, \$51,503,000,000.

Fiscal year 2020:
 (A) New budget authority, \$54,906,000,000.
 (B) Outlays, \$51,673,000,000.

Fiscal year 2021:
 (A) New budget authority, \$56,141,000,000.
 (B) Outlays, \$52,777,000,000.

Fiscal year 2022:
 (A) New budget authority, \$57,909,000,000.
 (B) Outlays, \$54,154,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2012:
 (A) New budget authority, \$29,139,000,000.
 (B) Outlays, \$30,319,000,000.

Fiscal year 2013:
 (A) New budget authority, \$29,556,000,000.
 (B) Outlays, \$29,840,000,000.

Fiscal year 2014:
 (A) New budget authority, \$30,091,000,000.
 (B) Outlays, \$29,964,000,000.

Fiscal year 2015:
 (A) New budget authority, \$30,654,000,000.
 (B) Outlays, \$30,335,000,000.

Fiscal year 2016:
 (A) New budget authority, \$31,244,000,000.
 (B) Outlays, \$30,890,000,000.

Fiscal year 2017:
 (A) New budget authority, \$31,920,000,000.
 (B) Outlays, \$31,523,000,000.

Fiscal year 2018:
 (A) New budget authority, \$32,623,000,000.
 (B) Outlays, \$32,200,000,000.

Fiscal year 2019:
 (A) New budget authority, \$33,357,000,000.
 (B) Outlays, \$32,859,000,000.

Fiscal year 2020:
 (A) New budget authority, \$34,089,000,000.
 (B) Outlays, \$33,576,000,000.

Fiscal year 2021:
 (A) New budget authority, \$34,824,000,000.
 (B) Outlays, \$34,212,000,000.

Fiscal year 2022:
 (A) New budget authority, \$35,667,000,000.
 (B) Outlays, \$34,996,000,000.

(4) Energy (270):
 Fiscal year 2012:
 (A) New budget authority, \$7,097,000,000.
 (B) Outlays, \$16,616,000,000.

Fiscal year 2013:
 (A) New budget authority, \$13,658,000,000.
 (B) Outlays, \$10,728,000,000.

Fiscal year 2014:
 (A) New budget authority, \$5,445,000,000.
 (B) Outlays, \$8,060,000,000.

Fiscal year 2015:
 (A) New budget authority, \$4,989,000,000.
 (B) Outlays, \$7,289,000,000.

Fiscal year 2016:
 (A) New budget authority, \$4,929,000,000.

(B) Outlays, \$6,228,000,000.

Fiscal year 2017:
 (A) New budget authority, \$4,653,000,000.
 (B) Outlays, \$5,254,000,000.

Fiscal year 2018:
 (A) New budget authority, \$4,594,000,000.
 (B) Outlays, \$4,217,000,000.

Fiscal year 2019:
 (A) New budget authority, \$4,534,000,000.
 (B) Outlays, \$4,348,000,000.

Fiscal year 2020:
 (A) New budget authority, \$4,545,000,000.
 (B) Outlays, \$4,207,000,000.

Fiscal year 2021:
 (A) New budget authority, \$4,507,000,000.
 (B) Outlays, \$4,133,000,000.

Fiscal year 2022:
 (A) New budget authority, \$4,618,000,000.
 (B) Outlays, \$4,174,000,000.

(5) Natural Resources and Environment (300):

Fiscal year 2012:
 (A) New budget authority, \$36,792,000,000.
 (B) Outlays, \$41,730,000,000.

Fiscal year 2013:
 (A) New budget authority, \$35,690,000,000.
 (B) Outlays, \$40,575,000,000.

Fiscal year 2014:
 (A) New budget authority, \$36,632,000,000.
 (B) Outlays, \$38,740,000,000.

Fiscal year 2015:
 (A) New budget authority, \$37,054,000,000.
 (B) Outlays, \$38,453,000,000.

Fiscal year 2016:
 (A) New budget authority, \$37,825,000,000.
 (B) Outlays, \$38,286,000,000.

Fiscal year 2017:
 (A) New budget authority, \$38,918,000,000.
 (B) Outlays, \$39,074,000,000.

Fiscal year 2018:
 (A) New budget authority, \$40,357,000,000.
 (B) Outlays, \$39,241,000,000.

Fiscal year 2019:
 (A) New budget authority, \$41,249,000,000.
 (B) Outlays, \$40,211,000,000.

Fiscal year 2020:
 (A) New budget authority, \$42,539,000,000.
 (B) Outlays, \$41,381,000,000.

Fiscal year 2021:
 (A) New budget authority, \$42,800,000,000.
 (B) Outlays, \$41,958,000,000.

Fiscal year 2022:
 (A) New budget authority, \$43,654,000,000.
 (B) Outlays, \$42,598,000,000.

(6) Agriculture (350):
 Fiscal year 2012:
 (A) New budget authority, \$21,995,000,000.
 (B) Outlays, \$18,642,000,000.

Fiscal year 2013:
 (A) New budget authority, \$21,798,000,000.
 (B) Outlays, \$24,687,000,000.

Fiscal year 2014:
 (A) New budget authority, \$22,239,000,000.
 (B) Outlays, \$22,073,000,000.

Fiscal year 2015:
 (A) New budget authority, \$22,203,000,000.
 (B) Outlays, \$21,695,000,000.

Fiscal year 2016:
 (A) New budget authority, \$22,259,000,000.
 (B) Outlays, \$21,818,000,000.

Fiscal year 2017:
 (A) New budget authority, \$22,332,000,000.
 (B) Outlays, \$21,876,000,000.

Fiscal year 2018:
 (A) New budget authority, \$22,669,000,000.
 (B) Outlays, \$22,153,000,000.

Fiscal year 2019:
 (A) New budget authority, \$22,924,000,000.
 (B) Outlays, \$22,455,000,000.

Fiscal year 2020:
 (A) New budget authority, \$23,278,000,000.
 (B) Outlays, \$22,842,000,000.

Fiscal year 2021:
 (A) New budget authority, \$23,636,000,000.
 (B) Outlays, \$23,187,000,000.

Fiscal year 2022:
 (A) New budget authority, \$23,792,000,000.
 (B) Outlays, \$23,355,000,000.

(7) Commerce and Housing Credit (370):

Fiscal year 2012:	(B) Outlays, \$14,101,000,000.	Fiscal year 2014:
(A) New budget authority, \$45,477,000,000.	Fiscal year 2019:	(A) New budget authority, \$543,057,000,000.
(B) Outlays, \$53,218,000,000.	(A) New budget authority, \$13,210,000,000.	(B) Outlays, \$542,336,000,000.
Fiscal year 2013:	(B) Outlays, \$13,648,000,000.	Fiscal year 2015:
(A) New budget authority, \$3,826,000,000.	Fiscal year 2020:	(A) New budget authority, \$567,752,000,000.
(B) Outlays, \$6,627,000,000.	(A) New budget authority, \$13,505,000,000.	(B) Outlays, \$567,344,000,000.
Fiscal year 2014:	(B) Outlays, \$13,846,000,000.	Fiscal year 2016:
(A) New budget authority, \$9,362,000,000.	Fiscal year 2021:	(A) New budget authority, \$616,689,000,000.
(B) Outlays, \$1,288,000,000.	(A) New budget authority, \$13,799,000,000.	(B) Outlays, \$616,491,000,000.
Fiscal year 2015:	(B) Outlays, \$14,383,000,000.	Fiscal year 2017:
(A) New budget authority, \$9,413,000,000.	Fiscal year 2022:	(A) New budget authority, \$633,918,000,000.
(B) Outlays, \$2,736,000,000.	(A) New budget authority, \$14,143,000,000.	(B) Outlays, \$633,238,000,000.
Fiscal year 2016:	(B) Outlays, \$14,758,000,000.	Fiscal year 2018:
(A) New budget authority, \$10,253,000,000.	(10) Education, Training, Employment, and	(A) New budget authority, \$655,457,000,000.
(B) Outlays, \$4,429,000,000.	Social Services (500):	(B) Outlays, \$655,050,000,000.
Fiscal year 2017:	Fiscal year 2012:	Fiscal year 2019:
(A) New budget authority, \$12,026,000,000.	(A) New budget authority, \$160,479,000,000.	(A) New budget authority, \$716,751,000,000.
(B) Outlays, \$4,265,000,000.	(B) Outlays, \$105,462,000,000.	(B) Outlays, \$716,548,000,000.
Fiscal year 2018:	Fiscal year 2013:	Fiscal year 2020:
(A) New budget authority, \$14,421,000,000.	(A) New budget authority, \$84,966,000,000.	(A) New budget authority, \$768,019,000,000.
(B) Outlays, \$2,777,000,000.	(B) Outlays, \$125,288,000,000.	(B) Outlays, \$767,319,000,000.
Fiscal year 2019:	Fiscal year 2014:	Fiscal year 2021:
(A) New budget authority, \$16,841,000,000.	(A) New budget authority, \$77,217,000,000.	(A) New budget authority, \$819,327,000,000.
(B) Outlays, \$6,280,000,000.	(B) Outlays, \$101,724,000,000.	(B) Outlays, \$818,893,000,000.
Fiscal year 2020:	Fiscal year 2015:	Fiscal year 2022:
(A) New budget authority, \$24,581,000,000.	(A) New budget authority, \$81,107,000,000.	(A) New budget authority, \$898,877,000,000.
(B) Outlays, \$272,000,000.	(B) Outlays, \$92,753,000,000.	(B) Outlays, \$898,790,000,000.
Fiscal year 2021:	Fiscal year 2016:	(13) Income Security (600):
(A) New budget authority, \$17,431,000,000.	(A) New budget authority, \$89,167,000,000.	Fiscal year 2012:
(B) Outlays, \$2,342,000,000.	(B) Outlays, \$90,867,000,000.	(A) New budget authority, \$556,445,000,000.
Fiscal year 2022:	Fiscal year 2017:	(B) Outlays, \$555,592,000,000.
(A) New budget authority, \$21,869,000,000.	(A) New budget authority, \$99,263,000,000.	Fiscal year 2013:
(B) Outlays, \$4,043,000,000.	(B) Outlays, \$96,242,000,000.	(A) New budget authority, \$537,968,000,000.
(8) Transportation (400):	Fiscal year 2018:	(B) Outlays, \$536,052,000,000.
Fiscal year 2012:	(A) New budget authority, \$103,842,000,000.	Fiscal year 2014:
(A) New budget authority, \$138,613,000,000.	(B) Outlays, \$102,623,000,000.	(A) New budget authority, \$502,630,000,000.
(B) Outlays, \$93,157,000,000.	Fiscal year 2019:	(B) Outlays, \$499,737,000,000.
Fiscal year 2013:	(A) New budget authority, \$107,681,000,000.	Fiscal year 2015:
(A) New budget authority, \$88,544,000,000.	(B) Outlays, \$106,333,000,000.	(A) New budget authority, \$500,971,000,000.
(B) Outlays, \$102,542,000,000.	Fiscal year 2020:	(B) Outlays, \$498,015,000,000.
Fiscal year 2014:	(A) New budget authority, \$108,531,000,000.	Fiscal year 2016:
(A) New budget authority, \$102,347,000,000.	(B) Outlays, \$108,438,000,000.	(A) New budget authority, \$507,526,000,000.
(B) Outlays, \$106,633,000,000.	Fiscal year 2021:	(B) Outlays, \$509,143,000,000.
Fiscal year 2015:	(A) New budget authority, \$109,586,000,000.	Fiscal year 2017:
(A) New budget authority, \$109,043,000,000.	(B) Outlays, \$109,494,000,000.	(A) New budget authority, \$505,192,000,000.
(B) Outlays, \$106,164,000,000.	Fiscal year 2022:	(B) Outlays, \$502,503,000,000.
Fiscal year 2016:	(A) New budget authority, \$111,236,000,000.	Fiscal year 2018:
(A) New budget authority, \$116,124,000,000.	(B) Outlays, \$110,714,000,000.	(A) New budget authority, \$507,370,000,000.
(B) Outlays, \$109,419,000,000.	(11) Health (550):	(B) Outlays, \$500,732,000,000.
Fiscal year 2017:	Fiscal year 2012:	Fiscal year 2019:
(A) New budget authority, \$122,750,000,000.	(A) New budget authority, \$355,177,000,000.	(A) New budget authority, \$522,471,000,000.
(B) Outlays, \$113,940,000,000.	(B) Outlays, \$356,534,000,000.	(B) Outlays, \$520,539,000,000.
Fiscal year 2018:	Fiscal year 2013:	Fiscal year 2020:
(A) New budget authority, \$129,482,000,000.	(A) New budget authority, \$370,690,000,000.	(A) New budget authority, \$534,115,000,000.
(B) Outlays, \$118,002,000,000.	(B) Outlays, \$373,346,000,000.	(B) Outlays, \$532,567,000,000.
Fiscal year 2019:	Fiscal year 2014:	Fiscal year 2021:
(A) New budget authority, \$94,622,000,000.	(A) New budget authority, \$470,873,000,000.	(A) New budget authority, \$547,159,000,000.
(B) Outlays, \$115,692,000,000.	(B) Outlays, \$460,817,000,000.	(B) Outlays, \$545,756,000,000.
Fiscal year 2020:	Fiscal year 2015:	Fiscal year 2022:
(A) New budget authority, \$96,439,000,000.	(A) New budget authority, \$543,019,000,000.	(A) New budget authority, \$564,766,000,000.
(B) Outlays, \$109,896,000,000.	(B) Outlays, \$538,690,000,000.	(B) Outlays, \$568,249,000,000.
Fiscal year 2021:	Fiscal year 2016:	(14) Social Security (650):
(A) New budget authority, \$98,300,000,000.	(A) New budget authority, \$592,964,000,000.	Fiscal year 2012:
(B) Outlays, \$107,676,000,000.	(B) Outlays, \$596,718,000,000.	(A) New budget authority, \$145,379,000,000.
Fiscal year 2022:	Fiscal year 2017:	(B) Outlays, \$145,267,000,000.
(A) New budget authority, \$100,295,000,000.	(A) New budget authority, \$638,189,000,000.	Fiscal year 2013:
(B) Outlays, \$106,984,000,000.	(B) Outlays, \$640,646,000,000.	(A) New budget authority, \$53,216,000,000.
(9) Community and Regional Development	Fiscal year 2018:	(B) Outlays, \$53,276,000,000.
(450):	(A) New budget authority, \$676,003,000,000.	Fiscal year 2014:
Fiscal year 2012:	(B) Outlays, \$674,869,000,000.	(A) New budget authority, \$31,892,000,000.
(A) New budget authority, \$46,875,000,000.	Fiscal year 2019:	(B) Outlays, \$32,029,000,000.
(B) Outlays, \$26,976,000,000.	(A) New budget authority, \$719,240,000,000.	Fiscal year 2015:
Fiscal year 2013:	(B) Outlays, \$718,169,000,000.	(A) New budget authority, \$35,135,000,000.
(A) New budget authority, \$17,309,000,000.	Fiscal year 2020:	(B) Outlays, \$35,210,000,000.
(B) Outlays, \$24,510,000,000.	(A) New budget authority, \$773,137,000,000.	Fiscal year 2016:
Fiscal year 2014:	(B) Outlays, \$761,714,000,000.	(A) New budget authority, \$38,953,000,000.
(A) New budget authority, \$11,925,000,000.	Fiscal year 2021:	(B) Outlays, \$38,991,000,000.
(B) Outlays, \$26,152,000,000.	(A) New budget authority, \$813,307,000,000.	Fiscal year 2017:
Fiscal year 2015:	(B) Outlays, \$812,132,000,000.	(A) New budget authority, \$43,140,000,000.
(A) New budget authority, \$12,139,000,000.	Fiscal year 2022:	(B) Outlays, \$43,140,000,000.
(B) Outlays, \$25,757,000,000.	(A) New budget authority, \$869,217,000,000.	Fiscal year 2018:
Fiscal year 2016:	(B) Outlays, \$867,542,000,000.	(A) New budget authority, \$47,590,000,000.
(A) New budget authority, \$12,373,000,000.	(12) Medicare (570):	(B) Outlays, \$47,590,000,000.
(B) Outlays, \$19,690,000,000.	Fiscal year 2012:	Fiscal year 2019:
Fiscal year 2017:	(A) New budget authority, \$492,317,000,000.	(A) New budget authority, \$52,429,000,000.
(A) New budget authority, \$12,643,000,000.	(B) Outlays, \$491,887,000,000.	(B) Outlays, \$52,429,000,000.
(B) Outlays, \$16,323,000,000.	Fiscal year 2013:	Fiscal year 2020:
Fiscal year 2018:	(A) New budget authority, \$515,143,000,000.	(A) New budget authority, \$57,425,000,000.
(A) New budget authority, \$12,921,000,000.	(B) Outlays, \$514,956,000,000.	(B) Outlays, \$57,425,000,000.

Fiscal year 2021:

(A) New budget authority, \$62,604,000,000.

(B) Outlays, \$62,604,000,000.

Fiscal year 2022:

(A) New budget authority, \$68,079,000,000.

(B) Outlays, \$68,079,000,000.

(15) Veterans Benefits and Services (700):

Fiscal year 2012:

(A) New budget authority, \$128,245,000,000.

(B) Outlays, \$128,499,000,000.

Fiscal year 2013:

(A) New budget authority, \$135,635,000,000.

(B) Outlays, \$135,322,000,000.

Fiscal year 2014:

(A) New budget authority, \$137,004,000,000.

(B) Outlays, \$137,455,000,000.

Fiscal year 2015:

(A) New budget authority, \$139,862,000,000.

(B) Outlays, \$139,999,000,000.

Fiscal year 2016:

(A) New budget authority, \$148,556,000,000.

(B) Outlays, \$148,269,000,000.

Fiscal year 2017:

(A) New budget authority, \$147,499,000,000.

(B) Outlays, \$147,071,000,000.

Fiscal year 2018:

(A) New budget authority, \$146,341,000,000.

(B) Outlays, \$145,634,000,000.

Fiscal year 2019:

(A) New budget authority, \$156,034,000,000.

(B) Outlays, \$155,291,000,000.

Fiscal year 2020:

(A) New budget authority, \$160,511,000,000.

(B) Outlays, \$159,760,000,000.

Fiscal year 2021:

(A) New budget authority, \$165,065,000,000.

(B) Outlays, \$164,272,000,000.

Fiscal year 2022:

(A) New budget authority, \$175,431,000,000.

(B) Outlays, \$174,607,000,000.

(16) Administration of Justice (750):

Fiscal year 2012:

(A) New budget authority, \$58,849,000,000.

(B) Outlays, \$56,706,000,000.

Fiscal year 2013:

(A) New budget authority, \$53,522,000,000.

(B) Outlays, \$58,776,000,000.

Fiscal year 2014:

(A) New budget authority, \$55,029,000,000.

(B) Outlays, \$57,329,000,000.

Fiscal year 2015:

(A) New budget authority, \$55,792,000,000.

(B) Outlays, \$56,321,000,000.

Fiscal year 2016:

(A) New budget authority, \$58,542,000,000.

(B) Outlays, \$58,176,000,000.

Fiscal year 2017:

(A) New budget authority, \$57,889,000,000.

(B) Outlays, \$57,506,000,000.

Fiscal year 2018:

(A) New budget authority, \$58,992,000,000.

(B) Outlays, \$60,408,000,000.

Fiscal year 2019:

(A) New budget authority, \$60,204,000,000.

(B) Outlays, \$60,504,000,000.

Fiscal year 2020:

(A) New budget authority, \$61,406,000,000.

(B) Outlays, \$61,011,000,000.

Fiscal year 2021:

(A) New budget authority, \$62,772,000,000.

(B) Outlays, \$62,348,000,000.

Fiscal year 2022:

(A) New budget authority, \$67,988,000,000.

(B) Outlays, \$67,496,000,000.

(17) General Government (800):

Fiscal year 2012:

(A) New budget authority, \$23,973,000,000.

(B) Outlays, \$29,646,000,000.

Fiscal year 2013:

(A) New budget authority, \$25,294,000,000.

(B) Outlays, \$26,783,000,000.

Fiscal year 2014:

(A) New budget authority, \$27,248,000,000.

(B) Outlays, \$27,648,000,000.

Fiscal year 2015:

(A) New budget authority, \$29,213,000,000.

(B) Outlays, \$29,438,000,000.

Fiscal year 2016:

(A) New budget authority, \$31,348,000,000.

(B) Outlays, \$31,564,000,000.

Fiscal year 2017:

(A) New budget authority, \$33,532,000,000.

(B) Outlays, \$33,409,000,000.

Fiscal year 2018:

(A) New budget authority, \$35,771,000,000.

(B) Outlays, \$35,538,000,000.

Fiscal year 2019:

(A) New budget authority, \$38,141,000,000.

(B) Outlays, \$37,666,000,000.

Fiscal year 2020:

(A) New budget authority, \$40,450,000,000.

(B) Outlays, \$40,043,000,000.

Fiscal year 2021:

(A) New budget authority, \$42,876,000,000.

(B) Outlays, \$42,359,000,000.

Fiscal year 2022:

(A) New budget authority, \$45,339,000,000.

(B) Outlays, \$44,794,000,000.

(18) Net Interest (900):

Fiscal year 2012:

(A) New budget authority, \$337,693,000,000.

(B) Outlays, \$337,693,000,000.

Fiscal year 2013:

(A) New budget authority, \$345,961,000,000.

(B) Outlays, \$345,961,000,000.

Fiscal year 2014:

(A) New budget authority, \$360,091,000,000.

(B) Outlays, \$360,091,000,000.

Fiscal year 2015:

(A) New budget authority, \$399,457,000,000.

(B) Outlays, \$399,457,000,000.

Fiscal year 2016:

(A) New budget authority, \$464,949,000,000.

(B) Outlays, \$464,949,000,000.

Fiscal year 2017:

(A) New budget authority, \$535,939,000,000.

(B) Outlays, \$535,939,000,000.

Fiscal year 2018:

(A) New budget authority, \$608,498,000,000.

(B) Outlays, \$608,498,000,000.

Fiscal year 2019:

(A) New budget authority, \$678,230,000,000.

(B) Outlays, \$678,230,000,000.

Fiscal year 2020:

(A) New budget authority, \$740,230,000,000.

(B) Outlays, \$740,230,000,000.

Fiscal year 2021:

(A) New budget authority, \$790,661,000,000.

(B) Outlays, \$790,661,000,000.

Fiscal year 2022:

(A) New budget authority, \$841,746,000,000.

(B) Outlays, \$841,746,000,000.

(19) Allowances (920):

Fiscal year 2012:

(A) New budget authority, \$3,400,000,000.

(B) Outlays, \$3,400,000,000.

Fiscal year 2013:

(A) New budget authority, \$8,354,000,000.

(B) Outlays, \$6,894,000,000.

Fiscal year 2014:

(A) New budget authority, \$18,415,000,000.

(B) Outlays, \$10,353,000,000.

Fiscal year 2015:

(A) New budget authority, \$17,300,000,000.

(B) Outlays, \$14,638,000,000.

Fiscal year 2016:

(A) New budget authority, \$23,673,000,000.

(B) Outlays, \$21,738,000,000.

Fiscal year 2017:

(A) New budget authority, \$25,200,000,000.

(B) Outlays, \$24,035,000,000.

Fiscal year 2018:

(A) New budget authority, \$26,716,000,000.

(B) Outlays, \$25,864,000,000.

Fiscal year 2019:

(A) New budget authority, \$28,660,000,000.

(B) Outlays, \$27,864,000,000.

Fiscal year 2020:

(A) New budget authority, \$37,461,000,000.

(B) Outlays, \$33,878,000,000.

Fiscal year 2021:

(A) New budget authority, \$31,399,000,000.

(B) Outlays, \$33,094,000,000.

Fiscal year 2022:

(A) New budget authority, \$74,705,000,000.

(B) Outlays, \$75,270,000,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2012:

(A) New budget authority, \$76,687,000,000.

(B) Outlays, \$76,687,000,000.

Fiscal year 2013:

(A) New budget authority, \$75,736,000,000.

(B) Outlays, \$75,736,000,000.

Fiscal year 2014:

(A) New budget authority, \$77,697,000,000.

(B) Outlays, \$77,697,000,000.

Fiscal year 2015:

(A) New budget authority, \$83,531,000,000.

(B) Outlays, \$83,531,000,000.

Fiscal year 2016:

(A) New budget authority, \$85,226,000,000.

(B) Outlays, \$85,226,000,000.

Fiscal year 2017:

(A) New budget authority, \$93,507,000,000.

(B) Outlays, \$93,507,000,000.

Fiscal year 2018:

(A) New budget authority, \$97,066,000,000.

(B) Outlays, \$97,066,000,000.

Fiscal year 2019:

(A) New budget authority, \$103,845,000,000.

(B) Outlays, \$103,845,000,000.

Fiscal year 2020:

(A) New budget authority, \$102,878,000,000.

(B) Outlays, \$102,878,000,000.

Fiscal year 2021:

(A) New budget authority, \$107,168,000,000.

(B) Outlays, \$107,168,000,000.

Fiscal year 2022:

(A) New budget authority, \$109,655,000,000.

(B) Outlays, \$109,655,000,000.

(21) Overseas Contingency Operations (970):

Fiscal year 2012:

(A) New budget authority, \$126,544,000,000.

(B) Outlays, \$62,201,000,000.

Fiscal year 2013:

(A) New budget authority, \$96,725,000,000.

(B) Outlays, \$92,230,000,000.

Fiscal year 2014:

(A) New budget authority, \$44,159,000,000.

(B) Outlays, \$68,766,000,000.

Fiscal year 2015:

(A) New budget authority, \$0.

(B) Outlays, \$28,845,000,000.

Fiscal year 2016:

(A) New budget authority, \$0.

(B) Outlays, \$9,173,000,000.

Fiscal year 2017:

(A) New budget authority, \$0.

(B) Outlays, \$2,650,000,000.

Fiscal year 2018:

(A) New budget authority, \$0.

(B) Outlays, \$706,000,000.

Fiscal year 2019:

(A) New budget authority, \$0.

(B) Outlays, \$192,000,000.</

(3) provide additional incentives, including tax incentives, to help small businesses, non-profits, States, and communities expand investment, train, hire, and retain private-sector workers and public service employees; by the amounts provided in such measure if such measure does not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 202. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE AND MARKET STABILITY.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging clean energy or vehicle technologies or carbon capture and sequestration;

(3) provides additional resources for oversight and expanded enforcement activities to crack down on speculation in and manipulation of oil and gas markets, including derivatives markets;

(4) limits and provides for reductions in greenhouse gas emissions;

(5) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(6) facilitates the training of workers for these industries (“clean energy jobs”); by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(2) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay (concurrent receipt); or

(3) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017, or fiscal year 2012 to fiscal year 2022.

SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENT.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes improvements to Medicare, including making reforms to the Medicare payment system for physicians that build on delivery reforms underway, such as advancement of new care models, and—

(1) changes incentives to encourage efficiency and higher quality care in a manner consistent with the goals of fiscal sustainability;

(2) improves payment accuracy to encourage efficient use of resources and ensure that patient-centered primary care receives appropriate compensation;

(3) supports innovative programs to improve coordination of care among all pro-

viders serving a patient in all appropriate settings;

(4) holds providers accountable for their utilization patterns and quality of care; and

(5) makes no changes that reduce benefits available to seniors and individuals with disabilities in Medicare;

by the amounts provided, together with any savings from ending Overseas Contingency Operations, in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR TRANSITIONAL MEDICAL ASSISTANCE.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends the Transitional Medical Assistance program in title XIX of the Social Security Act through fiscal year 2014, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 206. DEFICIT-NEUTRAL RESERVE FUND FOR INITIATIVES THAT BENEFIT CHILDREN.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the lives of children by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022. Improvements may include:

(1) Extension and expansion of child care assistance.

(2) Changes to foster care to prevent child abuse and neglect and keep more children safely in their homes.

(3) Changes to child support enforcement to encourage increased parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support reaching the child or encourages States to provide access and visitation services to improve fathers' relationships with their children. Such changes could reflect efforts to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty. When 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE AFFORDABILITY.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes

college more affordable, including efforts to keep the interest rate on subsidized student loans from doubling in July 2013 at the end of the one-year extension of the current 3.4 percent interest rate assumed in the resolution, or efforts to ensure continued full Pell grant funding, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR ADDITIONAL TAX RELIEF FOR INDIVIDUALS AND FAMILIES.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides additional tax relief to individuals and families, such as expanding tax relief provided by the refundable child credit, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2012 to fiscal year 2017 or fiscal year 2012 to fiscal year 2022.

TITLE III—ENFORCEMENT PROVISIONS

SEC. 301. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House, except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal year 2014 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers to accompany this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2015, accounts separately identified under the same heading; and

(2) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2013.

SEC. 302. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) PROGRAM INTEGRITY INITIATIVES UNDER THE BUDGET CONTROL ACT.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates amounts as provided under section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(2) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates amounts as provided under section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985, the allocation to the House Committee on Appropriations shall be increased by the

amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(b) **ADDITIONAL PROGRAM INTEGRITY INITIATIVES.**—

(1) **INTERNAL REVENUE SERVICE TAX COMPLIANCE.**—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates \$9,487,000,000 for the Internal Revenue Service for enhanced enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$691,000,000, to the Internal Revenue Service and the amount is designated for enhanced tax enforcement to address the tax gap, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(2) **UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.**—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2013 that appropriates \$60,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$15,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2013.

(c) **PROCEDURE FOR ADJUSTMENTS.**—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

SEC. 303. COSTS OF EMERGENCY NEEDS, OVERSEAS CONTINGENCY OPERATIONS AND DISASTER RELIEF.

(a) **EMERGENCY NEEDS.**—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs pursuant to this subsection, then new budget authority and outlays resulting from that budget authority shall not count for the purposes of the Congressional Budget Act of 1974, or this resolution.

(b) **OVERSEAS CONTINGENCY OPERATIONS.**—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2012 or fiscal year 2013 for overseas contingency operations and such amounts are so designated pursuant to this paragraph, then the allocation to the House Committee on Appropriations may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section 102(21) for fiscal year 2012 or fiscal year 2013 and the new outlays resulting from that budget authority.

(c) **DISASTER RELIEF.**—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated for disaster relief pursuant to this subsection, then the allocation to the Committee on Appropriations, and as necessary, the aggregates in this resolution, shall be adjusted by the amount of new budget authority and outlays up to the amounts provided under section 251(b)(2)(D) of the

Balanced Budget and Emergency Deficit Control Act of 1985.

(d) **PROCEDURE FOR ADJUSTMENTS.**—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in subsections (b) and (c) for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

SEC. 304. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) **IN GENERAL.**—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the House Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) **SPECIAL RULE.**—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

SEC. 305. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—In the House, any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) **ADJUSTMENTS.**—The chairman of the House Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

SEC. 306. REINSTATEMENT OF PAY-AS-YOU-GO.

In the House, and pursuant to section 301(b)(8) of the Congressional Budget Act of 1974, for the remainder of the 112th Congress, the following shall apply in lieu of “CUTGO” rules and principles:

(1)(A) Except as provided in paragraphs (2) and (3), it shall not be in order to consider any bill, joint resolution, amendment, or conference report if the provisions of such measure affecting direct spending and revenues have the net effect of increasing the on-budget deficit or reducing the on-budget surplus for the period comprising either—

(i) the current year, the budget year, and the four years following that budget year; or

(ii) the current year, the budget year, and the nine years following that budget year.

(B) The effect of such measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget.

(C) For the purpose of this section, the terms “budget year”, “current year”, and “direct spending” have the meanings speci-

fied in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that the term “direct spending” shall also include provisions in appropriation Acts that make outyear modifications to substantive law as described in section 3(4) (C) of the Statutory Pay-As-You-Go Act of 2010.

(2) If a bill, joint resolution, or amendment is considered pursuant to a special order of the House directing the Clerk to add as new matter at the end of such measure the provisions of a separate measure as passed by the House, the provisions of such separate measure as passed by the House shall be included in the evaluation under paragraph (1) of the bill, joint resolution, or amendment.

(3)(A) Except as provided in subparagraph (B), the evaluation under paragraph (1) shall exclude a provision expressly designated as an emergency for purposes of pay-as-you-go principles in the case of a point of order under this clause against consideration of—

(i) a bill or joint resolution;

(ii) an amendment made in order as original text by a special order of business;

(iii) a conference report; or

(iv) an amendment between the Houses.

(B) In the case of an amendment (other than one specified in subparagraph (A)) to a bill or joint resolution, the evaluation under paragraph (1) shall give no cognizance to any designation of emergency.

(C) If a bill, a joint resolution, an amendment made in order as original text by a special order of business, a conference report, or an amendment between the Houses includes a provision expressly designated as an emergency for purposes of pay-as-you-go principles, the Chair shall put the question of consideration with respect thereto.

SEC. 307. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

TITLE IV—POLICY

SEC. 401. POLICY OF THE HOUSE ON JOBS: MAKE IT IN AMERICA.

(a) **FINDINGS.**—The House finds that—

(1) the economy entered a deep recession in December 2007;

(2) a financial crisis in 2008 worsened the situation and by January 2009, the private sector was shedding 840,000 jobs per month;

(3) actions by the President, Congress, and the Federal Reserve helped stem the crisis, and job creation resumed in 2010;

(4) the economy has created 3.9 million private jobs over the past 24 consecutive months;

(5) as part of a “Make it in America” agenda, U.S. manufacturing has been leading the Nation’s economic recovery as domestic manufacturers regain their economic and competitive edge and a wave of insourcing jobs from abroad begins;

(6) despite the job gains already made, job growth needs to accelerate and continue for an extended period of time in order for the economy to fully recover from the recession; and

(7) job creation is vital to nation-building at home and to deficit reduction—CBO has noted that if the country were at full employment, the deficit would be about one-third lower than it is today.

(b) **POLICY.**—

(1) **IN GENERAL.**—It is the policy of this resolution that Congress should pursue a “Make

in America” agenda with a priority to consider and enact legislation to help create jobs, remove incentives to out-source jobs overseas, and instead support incentives that bring jobs back to the U.S.

(2) JOBS.—This resolution—

(A) assumes enactment of—

(i) the President’s \$50 billion immediate transportation jobs package;

(ii) other measures proposed in the American Jobs Act and reflected in the President’s budget; and

(iii) the President’s proposed surface transportation legislation;

(B) assumes \$1 billion for the President’s proposal to establish a Veterans Job Corps;

(C) assumes \$80 billion in education jobs funding for the President’s initiatives to promote jobs now while also creating an infrastructure that will help students learn and create a better future workforce, including \$30 billion for rebuilding at least 35,000 public schools, \$25 billion to prevent hundreds of thousands of educator layoffs, and \$8 billion to help community colleges train 2 million workers in high-growth industries with skills that will lead directly to jobs; and

(D) establishes a reserve fund that would allow for passage of additional job creation measures, including further infrastructure improvements or other spending or revenue proposals.

SEC. 402. POLICY OF THE HOUSE ON SEQUESTRATION.

(a) FINDINGS.—The House finds that—

(1) the Budget Control Act of 2011 called upon the Joint Select Committee on Deficit Reduction and the Congress to enact legislation to achieve \$1.2 trillion in savings;

(2) the Joint Select Committee could not reach agreement and did not report savings legislation to the Congress;

(3) failure to enact the required savings triggered sequestration procedures as required under the Budget Control Act; and

(4) this resolution assumes the enactment of savings in excess of \$1.2 trillion, negating the need for sequestration to achieve the savings.

(b) POLICY.—It is the policy of the House that paragraphs (3) through (11) of section 251A of the Balanced Budget and Emergency Deficit Control Act, as amended by the Budget Control Act of 2011, shall be repealed.

SEC. 403. POLICY OF THE HOUSE ON TAKING A BALANCED APPROACH TO DEFICIT REDUCTION.

(a) FINDINGS.—The House finds that—

(1) the President’s budget request and every bipartisan analysis of the Nation’s future fiscal path have recommended deficit reduction through a balanced approach that includes both spending and revenue; and

(2) The President’s choices represent the right general balance of changes to spending and revenue.

(b) POLICY.—It is the policy of this resolution to reduce the deficit through a similar balance of spending and revenue changes. The resolution does not endorse any specific spending cuts or revenue proposals unless they are expressly stated in this resolution.

SEC. 404. POLICY OF THE HOUSE ON SOCIAL SECURITY REFORM THAT PROTECTS WORKERS AND RETIREES.

(a) FINDINGS.—The House finds that—

(1) Social Security is America’s most important retirement resource, especially for seniors, because it provides an income floor to keep them, their spouses and their survivors out of poverty during retirement benefits earned based on their past payroll contributions;

(2) in 2011, 55 million people relied on Social Security;

(3) Social Security benefits are modest, with an average annual benefit for retirees of less than \$15,000, while the average total retirement income is less than \$26,000 per year;

(4) diverting workers’ payroll contributions toward private accounts undermines retirement security and the social safety net by subjecting the workers’ retirement decisions and income to the whims of the stock market;

(5) diverting trust fund payroll contributions toward private accounts jeopardizes Social Security because the program will not have the resources to pay full benefits to current retirees; and

(6) privatization increases Federal debt because the Treasury will have to borrow additional funds from the public to pay full benefits to current retirees.

(b) POLICY.—It is the policy of this resolution that Social Security should be strengthened for its own sake and not to achieve deficit reduction. Because privatization proposals are fiscally irresponsible and would put the retirement security of seniors at risk, any Social Security reform legislation shall reject partial or complete privatization of the program.

SEC. 405. POLICY OF THE HOUSE ON PROTECTING THE MEDICARE GUARANTEE FOR SENIORS.

(a) FINDINGS.—The House finds that—

(1) senior citizens and persons with disabilities highly value the Medicare program and rely on Medicare to guarantee their health and financial security;

(2) in 2011, nearly 50 million people relied on Medicare for coverage of hospital stays, physician visits, prescription drugs, and other necessary medical goods and services;

(3) the Medicare program has lower administrative and program costs than private insurance for a given level of benefits;

(4) excess health care cost growth is not unique to Medicare or other Federal health programs, it is endemic to the entire health care system;

(5) destroying the Medicare program and replacing it with a voucher or premium support for the purchase of private insurance that fails to keep pace with growth in health costs will expose seniors and persons with disabilities on fixed incomes to unacceptable financial risks;

(6) shifting excess health care cost growth onto Medicare beneficiaries would not reduce overall health care costs, instead it would mean beneficiaries would face higher premiums, eroding coverage, or both; and

(7) versions of voucher or premium-support policies that do not immediately end the traditional Medicare program will merely cause traditional Medicare to weaken and wither away.

(b) POLICY.—It is the policy of the House that the Medicare guarantee for seniors and persons with disabilities should be preserved and strengthened, and that any legislation to end the Medicare guarantee and shift rising health care costs onto seniors by replacing Medicare with vouchers or premium support for the purchase of private insurance should be rejected.

SEC. 406. POLICY OF THE HOUSE ON AFFORDABLE HEALTH CARE COVERAGE FOR WORKING FAMILIES.

(a) FINDINGS.—The House finds that—

(1) making health care coverage affordable and accessible for all American families will improve families’ health and economic security, which will make the economy stronger;

(2) the Affordable Care Act signed into law in 2010 will expand coverage to more than 30,000,000 Americans and bring costs down for families and small businesses;

(3) consumers are already benefitting from the Affordable Care Act’s provisions to hold insurance companies accountable for their actions and to end long-standing practices such as denying coverage to children based on pre-existing conditions, imposing lifetime limits on coverage that put families at risk of bankruptcy in the event of serious illness,

and dropping an enrollee’s coverage once the enrollee becomes ill based on a simple mistake in the enrollee’s application;

(4) the Affordable Care Act reforms Federal health entitlements by using nearly every health cost-containment provision experts recommend, including new incentives to reward quality and coordination of care rather than simply quantity of services provided, new tools to crack down on fraud, and the elimination of excessive taxpayer subsidies to private insurance plans, and as a result will slow the projected annual growth rate of national health expenditures by 0.3 percentage points after 2016, the essence of “bending the cost curve”; and

(5) the Affordable Care Act will reduce the Federal deficit by more than \$1,000,000,000,000 over the next 20 years.

(b) POLICY.—It is the policy of the House that the law of the land should support making affordable health care coverage available to every American family, and therefore the Affordable Care Act should not be repealed.

SEC. 407. POLICY OF THE HOUSE ON MEDICAID.

(a) FINDINGS.—The House finds that—

(1) Medicaid is a central component of the Nation’s health care safety net, providing health coverage to 28 million low-income children, 5 million senior citizens, 10 million people with disabilities, and 14 million other low-income people who would otherwise be unable to obtain health insurance;

(2) senior citizens and people with disabilities account for two-thirds of Medicaid program spending and consequently would be at particular risk of losing access to important health care assistance under any policy to sever the link between Medicaid funding and the actual costs of providing services to the currently eligible Medicaid population;

(3) Medicaid pays for 43 percent of long-term care services in the United States, providing a critical health care safety net for senior citizens and people with disabilities facing significant costs for long-term care; and

(4) at least 70 percent of people over age 65 will likely need long-term care services at some point in their lives.

(b) POLICY.—It is the policy of the House that the important health care safety net for children, senior citizens, people with disabilities, and other vulnerable Americans provided by Medicaid should be preserved and should not be dismantled by converting Medicaid into a block grant that is incapable of responding to increased need that may result from trends in health care costs or economic conditions.

SEC. 408. POLICY OF THE HOUSE ON OVERSEAS CONTINGENCY OPERATIONS.

(a) FINDINGS.—The House finds that it is the stated position of the Administration that Afghan troops will take the full lead for security operations in Afghanistan by the end of 2014.

(b) POLICY.—It is the policy of this resolution that consistent with the Administration’s stated position, no funding shall be provided for operations in Afghanistan through the Overseas Contingency Operations budget beyond 2014.

SEC. 409. POLICY OF THE HOUSE ON NATIONAL SECURITY.

(a) FINDINGS.—The House finds that—

(1) we must continue to support a strong military that is second to none and the size and the structure of our military and defense budgets have to be driven by a strategy;

(2) a growing economy is the foundation of our security and enables the country to provide the resources for a strong military, sound homeland security agencies, and effective diplomacy and international development;

(3) because it puts our economy at risk, the Nation’s debt is an immense security threat

to our country, just as former Chairman of the Joint Chiefs of Staff Admiral Mullen has stated, and we must have a deficit reduction plan that is serious and realistic;

(4) the bipartisan National Commission on Fiscal Responsibility and Reform and the bipartisan Rivlin-Domenici Debt Reduction Task Force concluded that a serious and balanced deficit reduction plan must put national security programs on the table;

(5) from 2001 to 2010, the "base" Pentagon budget nearly doubled and, in 2010, the U.S. spent more on defense than the next 17 countries combined (and more than half of the amount spent by those 17 countries was from seven NATO countries and four other close allies);

(6) last year, Admiral Mullen argued that the permissive budget environment had allowed the Pentagon to avoid prioritizing;

(7) more can be done to rein in wasteful spending at the Nation's security agencies, including the Department of Defense—the last department still unable to pass an audit—such as the elimination of duplicative programs that were identified in a report issued last year by the Government Accountability Office;

(8) effective implementation of weapons acquisition reforms at the Department of Defense can help control excessive cost growth in the development of new weapons systems and help ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(9) the Department of Defense should continue to review defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats, which should include, with the participation of the National Nuclear Security Administration, examination of requirements for the nuclear weapons stockpile, nuclear weapons delivery systems, and nuclear weapons and infrastructure modernization;

(10) more than 94 percent of the increase in the Federal civilian workforce since 2001 is due to increases at security-related agencies—Department of Defense (31 percent), Department of Homeland Security (32 percent), Department of Veterans Affairs (26 percent), and Department of Justice (6 percent)—and the increase, in part, represents a transition to ensure civil servants, as opposed to private contractors, are performing inherently governmental work and an increase to a long-depleted acquisition and auditing workforce at the Pentagon to ensure effective management of weapons systems programs, to eliminate the use of contractors to oversee other contractors, and to prevent waste, fraud, and abuse;

(11) proposals to implement an indiscriminate 10 percent across-the-board cut to the Federal civilian workforce would adversely affect security agencies, leaving them unable to manage their total workforce, which includes contractors, and their operations in a cost-effective manner;

(12) ballistic missile defense technologies that are not proven to work through adequate testing and that are not operationally viable should not be deployed, and that no funding should be provided for the research or development of space-based interceptors;

(13) cooperative threat reduction and other nonproliferation programs (securing "loose nukes" and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat; and

(14) the Department of Defense should make every effort to investigate the national security benefits of energy independence, including those that may be associated with alternative energy sources and energy efficiency conversions.

(b) POLICY.—It is the policy of this resolution that—

(1) the sequester required by the Budget Control Act of 2011 should be rescinded and replaced by a deficit reduction plan that is balanced, that makes smart spending cuts, that requires everyone to pay their fair share, and that takes into account a comprehensive national security strategy that includes careful consideration of international, defense, homeland security, and law enforcement programs; and

(2) the Administration shall provide an additional bonus to members of the Armed Forces who serve in harm's way. This bonus shall be provided from savings that are achieved by increasing efficiencies, eliminating duplicative programs, and reining in waste, fraud, and abuse at the Nation's security agencies.

SEC. 410. POLICY OF THE HOUSE ON TAX REFORM AND DEFICIT REDUCTION.

(a) FINDINGS.—The House finds that—

(1) the House must pursue deficit reduction through reform of the tax code, which contains numerous tax breaks for special interests;

(2) these special tax breaks can greatly complicate the effort to administer the code and the taxpayer's ability to fully comply with its terms, while also undermining our basic sense of fairness;

(3) the corporate income tax does include a number of incentives that help spur economic growth and innovation, such as extending the research and development credit and clean energy incentives;

(4) but tax breaks for special interests can also distort economic incentives for businesses and consumers and encourage businesses to ship American jobs and capital overseas for tax purposes; and

(5) the President's National Commission on Fiscal Responsibility and Reform observed that the corporate income tax is riddled with special interest tax breaks and subsidies, is badly in need of reform, and it proposed to streamline the code, capturing some of the savings in the process, to achieve deficit reduction in a more balanced way.

(b) POLICY.—

(1) POLICY ON INDIVIDUAL INCOME TAXES.—

(A) The President and this resolution extend the middle class tax cuts, provide long-term relief from the Alternative Minimum Tax for tens of millions of middle class American families, and discontinue the additional estate tax relief resulting from the increased estate tax exemption and reduced maximum tax rate enacted in 2010.

(B) The President and this resolution assume the revenue from returning to the top two tax rates that were in effect when President Clinton left office. The National Commission on Fiscal Responsibility and Reform plan also assumes the revenue from returning to those top two tax rates for top earners.

(C) The President and this resolution extend policies that re-invest in domestic manufacturing; build up the renewable energy production capacity of the United States in order to limit our reliance on foreign oil; expand access to higher education; and support saving and capital formation.

(D) This resolution encourages the House Committee on Ways and Means to consider the various proposals made by the National Commission on Fiscal Responsibility and Reform to limit tax expenditures and raise revenue for deficit reduction; and expressly rejects the approach in the Republican resolution that provides millionaires with even larger tax cuts at the expense of middle-income taxpayers. This resolution protects middle-income taxpayers with adjusted gross incomes below \$200,000 (\$250,000 for married couples) and encourages the House Com-

mittee on Ways and Means to raise the revenue necessary in this resolution through tax expenditure reform proposals that would apply to households with over \$1 million in adjusted gross income, consistent with the National Commission on Fiscal Responsibility and Reform's proposals to limit tax expenditures.

(E) In particular, this resolution encourages the House Committee on Ways and Means to consider various proposals for implementing a "Buffett Rule"—reflecting billionaire investor Warren Buffett's realization that he faces a lower effective tax rate than his secretary—to ensure that middle class families do not face higher effective tax rates than the wealthiest members of society.

(2) POLICY ON CORPORATE INCOME TAXES.—

(A) The President and this resolution propose elimination of subsidies for the major integrated oil and gas companies, and pernicious tax breaks that reward U.S. corporations that ship American jobs—rather than products—overseas for tax purposes.

(B) This resolution adopts those and other pro-growth corporate tax incentives in the President's proposals, such as: enhancing incentives for domestic manufacturing to support a "Make it in America" agenda, including providing a tax credit for companies that return operations and jobs to the U.S. while eliminating tax breaks for companies that move operations and jobs overseas; closing loopholes that allow businesses to avoid taxes, by subjecting more of their foreign earnings sheltered in tax havens to U.S. taxation; extending the research and development credit; and extending and enhancing clean energy incentives.

(C) This resolution therefore urges the House Committee on Ways and Means to consider the President's framework for business tax reform in determining how to best overhaul our corporate tax code so that it promotes economic growth and domestic job creation without increasing the deficit and the debt.

SEC. 411. POLICY OF THE HOUSE ON AGRICULTURE SPENDING.

It is the policy of this resolution that the House Committee on Agriculture should reduce spending in farm programs that provide direct payments to producers even in robust markets and in times of bumper yields. The committee should also find ways to focus assistance away from wealthy agribusinesses and toward struggling family farmers in a manner that protects jobs and economic growth while preserving the farm and nutrition safety net. Finally, it is the policy of this resolution that no Member of Congress should personally receive agriculture commodity payments, in any calendar year, the total of which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of such calendar year.

SEC. 412. POLICY OF THE HOUSE ON THE USE OF TAXPAYER FUNDS.

It is the policy of this resolution that the House of Representatives should lead by example and identify any savings that can be achieved through greater productivity and efficiency gains in the operation and maintenance of House services and resources like printing, conferences, utilities, telecommunications, furniture, grounds maintenance, postage, and rent. This should include a review of policies and procedures for acquisition of goods and services to eliminate any unnecessary spending. The Committee on House Administration shall review the policies pertaining to the services provided to Members of Congress and House Committees, and shall identify ways to reduce any subsidies paid for the operation of the House

gym, Barber shop, Salon, and the House dining room. Further, it is the policy of this resolution that no taxpayer funds may be used to purchase first class airfare or to lease corporate jets for Members of Congress.

Amend the title so as to read: "Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and including the appropriate budgetary levels for fiscal year 2012 and fiscal years 2014 through 2022."

It was decided in the { Yeas 163
negative } Nays 262

45.16 [Roll No. 150]

AYES—163

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

NOES—262

Adams	Bono Mack	Coffman (CO)
Aderholt	Boren	Cole
Akin	Boustany	Conaway
Alexander	Brady (TX)	Cooper
Amash	Brooks	Costa
Amodei	Brown (GA)	Cravaack
Austria	Buchanan	Crawford
Bachmann	Bucshon	Crenshaw
Bachus	Buerkle	Culberson
Barletta	Burgess	Davis (KY)
Barrow	Burton (IN)	DeFazio
Bartlett	Calvert	Denham
Barton (TX)	Camp	Dent
Bass (NH)	Campbell	DesJarlais
Benishek	Canseco	Diaz-Balart
Berg	Cantor	Dold
Biggert	Capito	Donnelly (IN)
Bilbray	Carter	Dreier
Bilirakis	Cassidy	Duffy
Bishop (UT)	Chabot	Duncan (SC)
Black	Chaffetz	Duncan (TN)
Blackburn	Chandler	Ellmers
Bonner	Coble	Emerson

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

NOT VOTING—6

Filner	Mack	Rangel
Jackson (IL)	Meeks	Towns

So the amendment in the nature of a substitute was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. COFFMAN of Colorado, assumed the Chair.

When Mr. THORNBERRY, Acting Chairman, reported the concurrent resolution back to the House.

The previous question having been ordered by said resolution.

The question being put,

Will the House agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. COFFMAN of Colorado, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 228
affirmative } Nays 191

45.17 [Roll No. 151]

YEAS—228

Adams	Goodlatte	Nunnelee
Aderholt	Gosar	Olson
Akin	Gowdy	Palazzo
Alexander	Granger	Paulsen
Amodei	Graves (GA)	Pearce
Austria	Graves (MO)	Pence
Bachmann	Griffin (AR)	Petri
Bachus	Griffith (VA)	Pitts
Barletta	Grimm	Poe (TX)
Bartlett	Guinta	Pompeo
Bass (NH)	Guthrie	Posey
Benishek	Hall	Price (GA)
Berg	Hanna	Quayle
Biggert	Harper	Reed
Bilbray	Harris	Reichert
Bilirakis	Hartzler	Renacci
Bishop (UT)	Hastings (WA)	Ribble
Black	Hayworth	Rigell
Blackburn	Heck	Rivera
Bonner	Hensarling	Roby
	Herger	Roe (TN)
	Herrera Beutler	Rogers (AL)
	Brady (TX)	Rogers (KY)
	Brooks	Rogers (MI)
	Buchanan	Rohrabacher
	Bucshon	Rokita
	Buerkle	Rooney
	Burgess	Ros-Lehtinen
	Burton (IN)	Roskam
	Calvert	Ross (FL)
	Camp	Royce
	Campbell	Runyan
	Canseco	Ryan (WI)
	Cantor	Scalise
	King (IA)	Schilling
	King (NY)	Schmitt
	Capito	Schock
	Kingston	Schweikert
	Cassidy	Scott (SC)
	Chabot	Scott, Austin
	Chaffetz	Scott, David
	Coble	Serrano
	Coffman (CO)	Sewell
	Cole	Sherman
	Conaway	Sires
	Cravaack	Slaughter
	Crawford	Smith (WA)
	Crenshaw	Speier
	Culberson	Stark
	Davis (KY)	Sutton
	Denham	Thompson (CA)
	Dent	Thompson (MS)
	DesJarlais	Tierney
	Diaz-Balart	Tonko
	Dold	Tsongas
	Dreier	Van Hollen
	Duffy	Velazquez
	Duncan (SC)	Walz (MN)
	Ellmers	Wasserman
	Emerson	Schultz
		Waters
		Watt
		Waxman
		Welch
		Wilson (FL)
		Woolsey
		Yarmuth

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Ackerman	Blumenauer	Castor (FL)
Altmire	Bonamici	Chandler
Amash	Boren	Chu
Andrews	Boswell	Cicilline
Baca	Brady (PA)	Clarke (MI)
Baldwin	Braley (IA)	Clarke (NY)
Barrow	Brown (FL)	Clay
Barton (TX)	Butterfield	Cleaver
Bass (CA)	Capps	Clyburn
Becerra	Capuano	Cohen
Berkley	Cardoza	Connolly (VA)
Berman	Carnahan	Conyers
Bishop (GA)	Carney	Cooper
Bishop (NY)	Carson (IN)	Costa

Costello	Jones	Rahall
Courtney	Kaptur	Rehberg
Critz	Keating	Reyes
Crowley	Kildee	Richardson
Cuellar	Kind	Richmond
Cummings	Kissell	Ross (AR)
Davis (CA)	Kucinich	Rothman (NJ)
Davis (IL)	Langevin	Roybal-Allard
DeFazio	Larsen (WA)	Ruppersberger
DeGette	Larson (CT)	Rush
DeLauro	Lee (CA)	Ryan (OH)
Deutch	Levin	Sánchez, Linda
Dingell	Lewis (GA)	T.
Doggett	Lipinski	Sanchez, Loretta
Donnelly (IN)	Loeb	Sarbanes
Doyle	Lofgren, Zoe	Schakowsky
Duncan (TN)	Lowe	Schiff
Edwards	Lujan	Schrader
Ellison	Lynch	Schwartz
Engel	Maloney	Scott (VA)
Eshoo	Markey	Scott, David
Farr	Matheson	Serrano
Fattah	Matsui	Sewell
Frank (MA)	McCarthy (NY)	Sherman
Fudge	McCollum	Shuler
Garamendi	McDermott	Sires
Gibson	McGovern	Slaughter
Gonzalez	McIntyre	Smith (WA)
Green, Al	McKinley	Speier
Green, Gene	McNerney	Stark
Grijalva	Michaud	Sutton
Gutierrez	Miller (NC)	Thompson (CA)
Hahn	Miller, George	Thompson (MS)
Hanabusa	Moore	Tierney
Hastings (FL)	Moran	Tonko
Heinrich	Murphy (CT)	Towns
Higgins	Nadler	Tsongas
Himes	Napolitano	Van Hollen
Hinojosa	Neal	Velázquez
Hirono	Olver	Visclosky
Hochul	Owens	Walz (MN)
Holden	Pallone	Wasserman
Holt	Pascrell	Schultz
Honda	Pastor (AZ)	Waters
Hoyer	Perlmutter	Waxman
Huelskamp	Peters	Welch
Israel	Peterson	Whitfield
Jackson Lee	Platts	Wilson (FL)
(TX)	Polis	Woolsey
Johnson (GA)	Price (NC)	Yarmuth
Johnson, E. B.	Quigley	

NOT VOTING—12

Broun (GA)	Jackson (IL)	Pelosi
Dicks	Mack	Pingree (ME)
Filner	Meeke	Rangel
Hinche	Paul	Watt

So the concurrent resolution was agreed to.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶45.18 MESSAGE FROM THE SENATE

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

H.R. 4281. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

¶45.19 ADJOURNMENT OVER

On motion of Mr. PRICE of Georgia, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, March 30, 2012; and further, when the House adjourns on Friday, March 30, 2012, it adjourn to meet at 11 a.m. on Tuesday, April 3, 2012; and further, when the House adjourns on Tuesday, April 3, 2012, it adjourn to meet at 11 a.m. on Friday, April 6, 2012; and further, when the House adjourns on Friday, April 6, 2012, it adjourn to meet at 10 a.m. on Tuesday, April 10,

2012; and further, when the House adjourns on Tuesday, April 10, 2012, it adjourn to meet at 2 p.m. on Friday, April 13, 2012; and further, when the House adjourns on Friday, April 13, 2012, it adjourn to meet at 2 p.m. on Monday, April 16, 2012.

¶45.20 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—PUBLIC INTEREST DECLASSIFICATION BOARD

The SPEAKER pro tempore, Mr. LONG, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 29, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C.) 435 note), I hereby re-appoint Mr. David E. Skaggs of Longmont, Colorado to the Public Interest Declassification Board.

Thank you for your consideration of this re-appointment.

Sincerely,

NANCY PELOSI,

House Democratic Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

And then,

¶45.21 ADJOURNMENT

On motion of Mr. ELLISON, pursuant to the previous order of the House, at 4 o'clock and 38 minutes p.m., the House adjourned until 11 a.m. on Friday, March 30, 2012.

¶45.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DREIER: Committee on Rules. H.R. 2309. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; with an amendment (Rept. 112-363, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

¶45.23 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BLACKBURN (for herself, Mr. ROE of Tennessee, Mrs. ELLMERS, Mr. GARRETT, and Mr. HUELSKAMP):

H.R. 4295. A bill to establish the Department of Energy and the Environment, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Appropriations, Science, Space, and Technology, Transportation and Infrastructure, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HARTZLER (for herself, Mr. STUTZMAN, Mr. KINGSTON, Mr. FRANK

of Massachusetts, Ms. ROYBAL-ALLARD, and Mr. CRAVACK):

H.R. 4296. A bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish; to the Committee on Agriculture.

By Ms. FOXX (for herself, Mr. MCKEON, and Mr. HECK):

H.R. 4297. A bill to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st Century; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, Agriculture, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY:

H.R. 4298. A bill to direct the Secretary of Labor to conduct a review of the forms related to obtaining workers' compensation benefits under the Federal Black Lung Benefits Program; to the Committee on Education and the Workforce.

By Mr. MCNERNEY (for himself and Mr. RUNYAN):

H.R. 4299. A bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to provide specially adapted housing assistance to individuals residing temporarily in housing owned by a family member; to the Committee on Veterans' Affairs.

By Mr. MCNERNEY (for himself and Mr. RUNYAN):

H.R. 4300. A bill to amend title 38, United States Code, to make permanent the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DUNCAN of South Carolina (for himself, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. HARRIS, Mr. WESTMORELAND, Mr. GOHMERT, Mr. GRAVES of Georgia, Mr. BROWN of Georgia, Mr. MULVANEY, Mr. SCOTT of South Carolina, Mr. GOWDY, and Mr. LANDRY):

H.R. 4301. A bill to contribute to the growth of the American economy and the strength of American national security by streamlining regulatory permitting procedures and increasing domestic production from all energy sources; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, the Judiciary, Rules, Ways and Means, Agriculture, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself and Mr. MANZULLO):

H.R. 4302. A bill to reauthorize the Export-Import Bank of the United States; to the Committee on Financial Services.

By Mr. MCCAUL (for himself and Mr. MACK):

H.R. 4303. A bill to direct the Secretary of State to designate as foreign terrorist organizations certain Mexican drug cartels and submit a report on the activities the Department of State is taking to assist Mexico with drug cartel violence, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY (for himself, Mr. THOMPSON of Pennsylvania, and Mr. LABRADOR):

H.R. 4304. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHABOT (for himself and Mr. DEUTCH):

H.R. 4305. A bill to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals; to the Committee on the Judiciary.

By Mr. FITZPATRICK (for himself and Mr. BLUMENAUER):

H.R. 4306. A bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes; to the Committee on Natural Resources.

By Mr. LANKFORD:

H.R. 4307. A bill to prohibit the Ambassador's Fund for Cultural Preservation from making grants, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLARKE of Michigan (for himself, Mr. CONYERS, Mr. CLEAVER, Ms. HANABUSA, and Ms. NORTON):

H.R. 4308. A bill to authorize the Secretary of the Treasury to provide growth and stability funding for the city of Detroit; to the Committee on Oversight and Government Reform.

By Mr. REICHERT (for himself and Mr. PASCRELL):

H.R. 4309. A bill to permit Federal officers to remove cases involving crimes of violence to Federal court; to the Committee on the Judiciary.

By Mr. MCKEON (for himself and Mr. SMITH of Washington) (both by request):

H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

By Mr. JONES:

H.R. 4311. A bill to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit L06, Topsail, North Carolina; to the Committee on Natural Resources.

By Mr. BISHOP of New York (for himself, Mr. TURNER of New York, Mr. CROWLEY, Mr. KISSELL, Ms. RICHARDSON, Mr. TOWNS, Ms. NORTON, Mrs. DAVIS of California, and Mr. JONES):

H.R. 4312. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Oversight and Government Reform.

By Mr. BOSWELL (for himself and Mr. CRAWFORD):

H.R. 4313. A bill to amend the Food, Conservation, and Energy Act of 2008 to require an evaluation of county workload assessments for purposes of the closure or relocation of a county office for the Farm Service Agency, and for other purposes; to the Committee on Agriculture.

By Mrs. CAPPS (for herself, Mr. FARR, Mr. KEATING, Ms. HIRONO, Mrs. CHRISTENSEN, Ms. PINGREE of Maine, Ms. WOOLSEY, Mr. PIERLUISI, Ms. BORDALLO, Mr. SABLAN, Ms. LEE of California, and Mr. FALOMAVAEGA):

H.R. 4314. A bill to amend the Coastal Zone Management Act of 1972 to require the Sec-

retary of Commerce to establish a coastal climate change adaptation planning and response program, and for other purposes; to the Committee on Natural Resources.

By Mr. CARNAHAN (for himself, Mr. RANGEL, Ms. SPEIER, Mrs. CAPPS, Mr. COURTNEY, Mr. RYAN of Ohio, Ms. WATERS, Ms. MOORE, Mr. ALTMIRE, Ms. CHU, Ms. HAHN, and Ms. RICHARDSON):

H.R. 4315. A bill to amend title 38, United States Code, to provide for unlimited eligibility for health care for mental illnesses for veterans of combat service during certain periods of hostilities and war; to the Committee on Veterans' Affairs.

By Mrs. CHRISTENSEN (for herself, Mr. FALOMAVAEGA, Ms. BORDALLO, and Mr. SABLAN):

H.R. 4316. A bill to amend chapter 2 of title II of the Trade Act of 1974 to include Guam, the Virgin Islands of the United States, American Samoa, and the Commonwealth of the Northern Mariana Islands in the definition of State for the purposes of the trade adjustment assistance for workers program; to the Committee on Ways and Means.

By Mr. DEUTCH (for himself and Mr. DOLD):

H.R. 4317. A bill to expand sanctions with respect to the energy sector of Iran, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself, Mr. KUCINICH, and Mr. MORAN):

H.R. 4318. A bill to prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.R. 4319. A bill to require the Federal Communications Commission to promulgate regulations to provide for accurate disclosures of the terms and conditions of prepaid telephone calling cards; to the Committee on Energy and Commerce.

By Mr. FATTAH:

H.R. 4320. A bill to amend the Congressional Budget Act of 1974 to require long-term cost benefit analyses of introduced bills; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself and Mr. BLUMENAUER):

H.R. 4321. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on heavy trucks and trailers, and for other purposes; to the Committee on Ways and Means.

By Mr. GOHMERT (for himself, Mr. DUNCAN of South Carolina, Mr. BARTON of Texas, Mrs. LUMMIS, Mr. FLEMING, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. STUTZMAN, Mr. BERG, Mr. POE of Texas, Mr. CONAWAY, Mr. HALL, Mr. FARENTHOLD, Mr. CARTER, Mr. BRADY of Texas, Mr. CULBERSON, Mr. MCCAUL, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. SESSIONS, Mr. SULLIVAN, and Mr. THORNBERRY):

H.R. 4322. A bill to clarify that a State has the sole authority to regulate hydraulic fracturing on Federal land within the boundaries of the State; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration

of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUIZENGA of Michigan (for himself, Mr. ROYCE, Mr. CLAY, and Mr. DAVID SCOTT of Georgia):

H.R. 4323. A bill to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction; to the Committee on Financial Services.

By Mr. KIND (for himself and Mr. MCDERMOTT):

H.R. 4324. A bill to amend the Internal Revenue Code of 1986 to expand the credit for employee health insurance expenses of small employers; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. HOLT, Mr. OWENS, Ms. WOOLSEY, and Mr. WELCH):

H.R. 4325. A bill to provide that the Secretary of the Interior may accept bids on any new oil and gas leases of Federal lands (including submerged lands) only from bidders certifying that all oil produced pursuant to such leases, and all refined petroleum products produced from such oil, shall be offered for sale only in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. MATHESON (for himself, Mr. BASS of New Hampshire, Mr. BILBRAY, Mr. BUTTERFIELD, Mr. COBLE, and Mrs. NAPOLITANO):

H.R. 4326. A bill to direct the Consumer Product Safety Commission to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself, Ms. RICHARDSON, Mr. ROE of Tennessee, Mr. JONES, Ms. HIRONO, Mr. JACKSON of Illinois, and Mr. MCGOVERN):

H.R. 4327. A bill to direct the Secretary of Veterans Affairs to recognize tinnitus as a mandatory condition for research and treatment by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MILLER of Michigan:

H.R. 4328. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a Great Lakes basin initiative for agricultural nonpoint source pollution prevention; to the Committee on Agriculture.

By Mr. MORAN (for himself, Mrs. CAPPS, Mr. POLIS, Mr. RANGEL, and Mr. ROTHMAN of New Jersey):

H.R. 4329. A bill to amend title 10, United States Code, to provide for the payment of monthly annuities under the Survivor Benefit Plan to a supplemental or special needs trust established for the sole benefit of a disabled dependent child of a participant in the Survivor Benefit Plan; to the Committee on Armed Services.

By Mrs. NOEM (for herself and Mrs. HARTZLER):

H.R. 4330. A bill to amend the Food, Conservation, and Energy Act of 2008 to clarify the maximum distance between Farm Service Agency county offices for purposes of the closure or relocation of a county office for the Farm Service Agency; to the Committee on Agriculture.

By Mrs. NOEM:

H.R. 4331. A bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, dis-

ease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. GUTHRIE):

H.R. 4332. A bill to amend section 505(j) of the Federal Food, Drug, and Cosmetic Act to extend the period for a first applicant, with respect to a generic drug, to obtain tentative approval without forfeiting the 180-day exclusivity period, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself, Ms. MCCOLLUM, Mr. MCGOVERN, and Mrs. EMERSON):

H.R. 4333. A bill to amend the Food and Nutrition Act of 2008 to permit providers of eligible food purchasing and delivery services to be approved as retail food stores that accept and redeem supplemental nutrition assistance benefits; to the Committee on Agriculture.

By Mr. PEARCE:

H.R. 4334. A bill to establish a monument in Dona Ana County, New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. RAHALL:

H.R. 4335. A bill to amend title 39, United States Code, to allow the Postal Regulatory Commission to set aside determinations by the United States Postal Service to close or consolidate postal facilities that would deny essential postal services to rural areas, communities, or small towns, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. REED (for himself, Mr. SCHOCK, Mr. BOUSTANY, Mr. HERGER, Mr. BERG, Ms. JENKINS, Mr. MARCHANT, Mr. BUCHANAN, Mr. BRADY of Texas, Mr. DAVIS of Kentucky, and Mr. ROSKAM):

H.R. 4336. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income of discharges of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Mr. REED (for himself and Ms. HOCHUL):

H.R. 4337. A bill to limit the authority of the Administrator of the Environmental Protection Agency to implement certain actions related to Chesapeake Bay watershed total maximum daily loads, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN:

H.R. 4338. A bill to amend title 10, United States Code, to expand certain restrictions relating to the overhaul and repair of vessels in foreign shipyards to the Commonwealth of the Northern Mariana Islands; to the Committee on Armed Services.

By Mr. SABLAN (for himself, Mr. ANDREWS, Mr. HINOJOSA, and Ms. NOR-
TON):

H.R. 4339. A bill to amend the Wagner-Peyser Act to include the Commonwealth of the Northern Mariana Islands in the employment services provided under that Act; to the Committee on Education and the Work-

By Mr. SCHWEIKERT:

H.R. 4340. A bill to restrict assistance to Egypt unless the Government of Egypt holds free and fair elections; to the Committee on Foreign Affairs.

By Mr. STIVERS (for himself, Mr. SCHILLING, and Mrs. DAVIS of California):

H.R. 4341. A bill to direct the Secretary of Defense to establish a working group to review TRICARE policy with respect to providing health care to children and determine how to improve such policy, and for other purposes; to the Committee on Armed Services.

By Mr. WHITFIELD (for himself, Mr. ADERHOLT, Mr. CARNAHAN, Mr. COSTELLO, Mr. DUNCAN of Tennessee, Mr. JOHNSON of Illinois, and Ms. SEWELL):

H.R. 4342. A bill to provide for funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF:

H.R. 4343. A bill to amend title 18, United States Code, to prohibit the President, the Vice President, Members of Congress, and other officers of the executive branch from lobbying on behalf of foreign governments or instrumentalities for 10 years after leaving office; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. FORTENBERRY, Mr. HARRIS, Mr. WESTMORELAND, Mr. FLEMING, Mr. HUELSKAMP, Mr. LAMBORN, Mr. DUNCAN of South Carolina, Mr. GOHMERT, Mr. MULVANEY, Mr. KINGSTON, Mr. PITTS, Mr. WALSH of Illinois, Mr. MANZULLO, and Mr. FLORES):

H.J. Res. 107. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Ms. BUERKLE (for herself, Mr. JORDAN, Mr. WILSON of South Carolina, Mr. GOSAR, Mr. YODER, Mr. GOHMERT, Mr. WEST, Mr. SESSIONS, Mrs. McMORRIS RODGERS, Mr. NEAL, Mr. RUSH, Mr. WESTMORELAND, Mr. KLINE, Mr. LAMBORN, Mr. CULBERSON, Mr. BROUN of Georgia, Mr. TURNER of New York, Mr. MCCAUL, Mr. BILIRAKIS, Mr. LANCE, Mr. HANNA, Mrs. BLACKBURN, Mr. HOLDEN, Mr. BOREN, Mr. BARTLETT, Mr. CHAFFETZ, Mr. AUSTRIA, Mr. GOWDY, Mr. GALLEGLY, Mr. TIBERI, Mr. KINGSTON, Mr. POE of Texas, Mr. STIVERS, Mr. BURTON of Indiana, Mr. RUNYAN, Mr. MCCLINTOCK, Mr. SMITH of New Jersey, Mr. HENSARLING, Mr. BACHUS, Mr. PENCE, Mr. DUNCAN of South Carolina, Mr. POSEY, Mr. CHABOT, Mr. BARTON of Texas, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. RIBBLE, Mr. HARRIS, Mr. GRAVES of Georgia, Mrs. LUMMIS, Mr. LANKFORD, Mr. FLEISCHMANN, Mr. STUTZMAN, Mr. CANSECO, Mr. PITTS, Mr. WALSH of Illinois, Mr. MANZULLO, Mrs. HARTZLER, Mrs. SCHMIDT, Mr. SHIMKUS, Mr. CARDOZA, Mr. KELLY, Mrs. ADAMS, Mr. JOHNSON of Ohio, Mrs. BACHMANN, Mr. MACK, and Mr. GRIF-
FITH of Virginia):

H. Con. Res. 115. Concurrent resolution recognizing the 64th anniversary of the independence of the State of Israel; to the Committee on Foreign Affairs.

By Mrs. BIGGERT:

H. Res. 602. A resolution encouraging people in the United States to recognize March

2, 2012, as Read Across America Day; to the Committee on Education and the Workforce.

By Mrs. BIGGERT (for herself and Mrs. DAVIS of California):

H. Res. 603. A resolution expressing support for designation of October 2, 2012, as World MRSA Day; to the Committee on Oversight and Government Reform.

By Mr. ISSA:

H. Res. 604. A resolution expressing the sense of the House of Representatives that the President exercised the recess appointment power despite the fact that neither the House of Representatives nor the Senate have been adjourned for a period in excess of three days during the Second Session of the 112th Congress; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD (for herself, Ms. LEE of California, Mrs. LOWEY, Mr. JACKSON of Illinois, Mr. MORAN, Mr. MCGOVERN, Ms. RICHARDSON, Mrs. NAPOLITANO, Mr. FARR, Mr. BACA, Mr. WAXMAN, Mrs. CAPPS, Mr. GONZALEZ, Mr. OLVER, Mr. FILNER, Ms. MATSUI, Ms. SCHAKOWSKY, Ms. WOOLSEY, Mrs. CHRISTENSEN, and Ms. DELAURO):

H. Res. 605. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Energy and Commerce.

By Mr. AUSTRIA (for himself, Mr. ROGERS of Kentucky, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. LATTA, and Mr. MCCAUL):

H. Res. 606. A resolution expressing the sense of the House of Representatives regarding the notice signed by the Administrator of the Environmental Protection Agency Lisa Jackson on March 27, 2012, entitled "Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units"; to the Committee on Energy and Commerce.

By Mr. LARSEN of Washington (for himself, Ms. HERRERA BEUTLER, Mrs. McMORRIS RODGERS, Mr. DICKS, Mr. McDERMOTT, Mr. REICHERT, Mr. SMITH of Washington, and Mr. HASTINGS of Washington):

H. Res. 607. A resolution congratulating Western Washington University on winning its first Division II NCAA National Basketball Title in the school's 110-year history; to the Committee on Education and the Workforce.

By Mr. RAHALL (for himself and Mr. BOUSTANY):

H. Res. 608. A resolution honoring the life and work of Arab-American writer Ameen Rihani and celebrating the 100th anniversary of the publication of the first Arab-American novel, "The Book of Khalid", by Ameen Rihani; to the Committee on Oversight and Government Reform.

By Mr. SENSENBRENNER (for himself and Mr. GEORGE MILLER of California):

H. Res. 609. A resolution expressing support for the people of Tibet; to the Committee on Foreign Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. TURNER of New York):

H. Res. 610. A resolution expressing the sense of the House of Representatives that the President and the Secretary of State should continue to press Russian authorities for a full and complete accounting regarding the fate of Raoul Wallenberg; to the Committee on Foreign Affairs.

By Mr. STEARNS (for himself and Mr. BOREN):

H. Res. 611. A resolution promoting global energy supply security through increased cooperation among the United States, Turkey, Azerbaijan, Kazakhstan, Iraq, and Georgia; to the Committee on Foreign Affairs.

45.24 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. SCOTT of South Carolina, Mr. DANIEL E. LUNGREN of California, Mrs. CAPITO, and Mr. COFFMAN of Colorado.
 H.R. 14: Ms. WOOLSEY.
 H.R. 32: Ms. SLAUGHTER.
 H.R. 59: Mr. LUETKEMEYER.
 H.R. 157: Mr. FLORES.
 H.R. 174: Mr. ROTHMAN of New Jersey and Mr. PASCRELL.
 H.R. 192: Mr. PETERS.
 H.R. 300: Ms. RICHARDSON.
 H.R. 476: Mrs. BLACK and Mr. SOUTHERLAND.
 H.R. 498: Mr. DAVIS of Kentucky and Mr. MACK.
 H.R. 531: Mr. TONKO.
 H.R. 605: Mr. ROHRBACHER.
 H.R. 664: Ms. BORDALLO and Mr. ISRAEL.
 H.R. 733: Mr. BUTTERFIELD.
 H.R. 750: Mr. STEARNS.
 H.R. 797: Ms. FUDGE.
 H.R. 860: Mr. TURNER of Ohio.
 H.R. 870: Mr. COSTELLO.
 H.R. 891: Mr. HECK.
 H.R. 893: Mr. PASTOR of Arizona.
 H.R. 904: Mr. GARDNER.
 H.R. 931: Mr. GRAVES of Georgia.
 H.R. 941: Mr. CONNOLLY of Virginia.
 H.R. 942: Mr. NUNES and Mr. BRALEY of Iowa.
 H.R. 948: Mr. RIGELL.
 H.R. 972: Mr. POE of Texas.
 H.R. 997: Mr. QUAYLE.
 H.R. 1004: Mr. SCHILLING.
 H.R. 1005: Mr. BOREN.
 H.R. 1066: Mr. RANGEL, Ms. BERKLEY, Mr. LYNCH, Mr. REYES, Mr. SHERMAN, Mr. ANDREWS, Mr. FRANK of Massachusetts, and Mr. RUSH.
 H.R. 1161: Mr. CLARKE of Michigan.
 H.R. 1169: Mr. LUJÁN.
 H.R. 1172: Mr. CLAY.
 H.R. 1175: Ms. BALDWIN, Mr. WALZ of Minnesota, Mr. STEARNS, Mr. ANDREWS, Mr. ROSS of Arkansas, and Ms. BONAMICI.
 H.R. 1182: Mr. STEARNS.
 H.R. 1244: Mr. FORBES.
 H.R. 1259: Mr. DANIEL E. LUNGREN of California.
 H.R. 1321: Mr. TURNER of New York, Mr. CALVERT, and Mr. SCHOCK.
 H.R. 1335: Mr. JACKSON of Illinois.
 H.R. 1340: Ms. ROS-LEHTINEN.
 H.R. 1351: Ms. BONAMICI.
 H.R. 1370: Mr. LOBIONDO.
 H.R. 1375: Ms. EDWARDS.
 H.R. 1385: Mrs. BIGGERT.
 H.R. 1448: Mr. PRICE of North Carolina.
 H.R. 1449: Ms. EDWARDS.
 H.R. 1465: Mr. PIERLUISI.
 H.R. 1474: Mr. SMITH of Texas.
 H.R. 1545: Mr. POE of Texas.
 H.R. 1558: Mr. DENT.
 H.R. 1612: Mr. LUJÁN.
 H.R. 1653: Mr. REED and Mr. FLORES.
 H.R. 1675: Mr. YOUNG of Alaska and Mr. HOLT.
 H.R. 1700: Mr. WOODALL.
 H.R. 1718: Mr. LANCE.
 H.R. 1724: Mr. SMITH of Washington.
 H.R. 1738: Mr. FORBES.
 H.R. 1742: Mr. CRITZ.
 H.R. 1789: Mr. FILNER.
 H.R. 1802: Mrs. ROBY.
 H.R. 1897: Mr. STIVERS, Ms. SLAUGHTER, Mr. ANDREWS, and Mr. LUJÁN.
 H.R. 1903: Mr. JACKSON of Illinois.
 H.R. 1946: Mr. SCHIFF.
 H.R. 2028: Mr. DEFazio and Mr. HONDA.
 H.R. 2082: Ms. FUDGE.
 H.R. 2088: Ms. FUDGE and Mr. WALZ of Minnesota.
 H.R. 2106: Mr. PENCE and Mrs. ELLMERS.

H.R. 2108: Mr. BOUSTANY.
 H.R. 2139: Mr. DENT, Mr. HURT, Mr. KIND, Mr. GIBBS, Mr. GUTHRIE, and Mr. BUCHANAN.
 H.R. 2140: Mr. JOHNSON of Ohio.
 H.R. 2168: Mr. LATHAM.
 H.R. 2179: Mr. KLINE.
 H.R. 2194: Mr. PRICE of North Carolina.
 H.R. 2245: Mr. ROHRBACHER.
 H.R. 2256: Mr. POLIS, Mr. REICHERT, Ms. LEE of California, Mr. PRICE of North Carolina, Mr. RANGEL, and Mr. CAPUANO.
 H.R. 2257: Mr. LATOURETTE.
 H.R. 2295: Mr. SCHILLING.
 H.R. 2310: Mr. FATTAH.
 H.R. 2311: Mr. ROSS of Florida and Mr. QUIGLEY.
 H.R. 2313: Mr. LATHAM.
 H.R. 2335: Mr. MICA, Mr. BARLETTA, Mr. KELLY, Mr. LUCAS, Mr. TIPTON, Mr. FINCHER, Mrs. HARTZLER, and Mr. MCCARTHY of California.
 H.R. 2479: Mr. TONKO and Ms. TSONGAS.
 H.R. 2505: Mr. OLVER.
 H.R. 2514: Mr. STEARNS.
 H.R. 2529: Mr. LOBIONDO.
 H.R. 2540: Ms. CLARKE of New York.
 H.R. 2557: Mr. BARLETTA.
 H.R. 2569: Mr. SMITH of Washington, Mr. NEAL, Ms. SCHWARTZ, Mr. HEINRICH, Mr. LARSON of Connecticut, Mr. CARNEY, Ms. HOCHUL, Mr. POLIS, Mr. HIMES, Mr. RICHMOND, Mr. GRIJALVA, Mr. HOLDEN, Mrs. CAPPAS, Mr. HOLT, and Mr. CARNAHAN.
 H.R. 2599: Mr. CONYERS and Mr. CALVERT.
 H.R. 2697: Mr. MARCHANT, Mr. GARDNER, Mr. AUSTIN SCOTT of Georgia, and Mr. WOODALL.
 H.R. 2717: Mr. TURNER of Ohio, Ms. HAHN, Mr. SHUSTER, and Mr. POLIS.
 H.R. 2866: Mr. LATOURETTE.
 H.R. 2900: Mr. MCHENRY.
 H.R. 2978: Mr. GOSAR.
 H.R. 2989: Mr. SAM JOHNSON of Texas.
 H.R. 3000: Mr. HUELSKAMP, Mr. MULVANEY, and Mr. GRAVES of Georgia.
 H.R. 3001: Mr. TIERNEY, Mr. MILLER of Florida, and Mr. PAULSEN.
 H.R. 3032: Mr. FORBES.
 H.R. 3039: Mr. TONKO.
 H.R. 3046: Mr. MCINTYRE.
 H.R. 3061: Mr. KEATING, Mr. DUNCAN of South Carolina, and Mr. MICA.
 H.R. 3067: Ms. BUERKLE, Mr. PETERS, Mr. TIERNEY, Mr. COSTELLO, Ms. PINGREE of Maine, Mr. GARDNER, Mr. YOUNG of Florida, Mr. KISSELL, Mr. DIAZ-BALART, Mr. FARENTHOLD, Mr. GUTIERREZ, Mr. TURNER of New York, Mrs. BACHMANN, Ms. JENKINS, and Mr. MCINTYRE.
 H.R. 3068: Mr. HUNTER.
 H.R. 3074: Mr. DUNCAN of South Carolina.
 H.R. 3100: Mr. SESSIONS.
 H.R. 3151: Mr. REYES and Mr. PETERS.
 H.R. 3187: Mr. TURNER of Ohio, Mr. MURPHY of Connecticut, and Ms. BROWN of Florida.
 H.R. 3238: Mr. PRICE of North Carolina.
 H.R. 3264: Mr. STEARNS.
 H.R. 3307: Mr. RUNYAN, Mr. PETERS, Mr. JACKSON of Illinois, and Mr. COURTNEY.
 H.R. 3364: Mr. TONKO, Mr. LOBIONDO, and Mr. ENGEL.
 H.R. 3395: Mr. MCINTYRE.
 H.R. 3420: Mr. TONKO.
 H.R. 3461: Mr. KILDEE, Mr. WEST, Mr. BONNER, Mr. MARINO, Mr. BRALEY of Iowa, Mr. HINOJOSA, Mrs. EMERSON, Mr. CRENSHAW, Mr. ROGERS of Michigan, Mr. LOBIONDO, Mr. AMASH, Ms. CASTOR of Florida, and Mr. TONKO.
 H.R. 3485: Ms. FUDGE.
 H.R. 3487: Ms. JENKINS.
 H.R. 3506: Mr. ROSS of Arkansas and Mr. HANNA.
 H.R. 3523: Mr. COSTA, Mr. CARDOZA, Mr. WOODALL, Mr. BARTLETT, Mr. SHULER, Mr. STIVERS, Mr. WILSON of South Carolina, Mr. MCINTYRE, Mr. KISSELL, Mr. SCALISE, Mr. BILBRAY, Mr. GRIFFITH of Virginia, Mr. PETERSON, and Mr. OWENS.

H.R. 3526: Ms. WOOLSEY and Mrs. BIGGERT.
 H.R. 3565: Mr. SCOTT of South Carolina.
 H.R. 3569: Mr. COLE.
 H.R. 3586: Mr. WITTMAN and Mr. LOBIONDO.
 H.R. 3618: Mr. PIERLUISI.
 H.R. 3619: Mr. JACKSON of Illinois.
 H.R. 3627: Mr. HASTINGS of Florida.
 H.R. 3634: Mr. BARTLETT and Mrs. BLACKBURN.
 H.R. 3640: Mr. CALVERT.
 H.R. 3643: Mr. JOHNSON of Georgia, Mr. KINGSTON, and Mr. PLATTS.
 H.R. 3652: Mrs. ELLMERS and Mrs. HARTZLER.
 H.R. 3664: Ms. NORTON.
 H.R. 3676: Mr. CARTER.
 H.R. 3687: Mr. COLE.
 H.R. 3713: Mr. BLUMENAUER and Ms. ZOE LOFGREN of California.
 H.R. 3728: Mr. FORBES.
 H.R. 3737: Mr. LOBIONDO.
 H.R. 3747: Mr. HINCHEY and Ms. WOOLSEY.
 H.R. 3767: Mr. COFFMAN of Colorado, Mr. GUTHRIE, and Mrs. ADAMS.
 H.R. 3770: Mr. PITTS.
 H.R. 3780: Mr. SCHIFF.
 H.R. 3803: Mr. ROONEY, Mr. MCCLINTOCK, Mr. MCCAUL, Mr. LABRADOR, and Mr. DAVIS of Kentucky.
 H.R. 3826: Mr. PASCRELL, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. WALZ of Minnesota, Ms. BALDWIN, and Mr. GUTIERREZ.
 H.R. 3828: Mr. BROUN of Georgia.
 H.R. 3831: Mr. HALL and Ms. ZOE LOFGREN of California.
 H.R. 3839: Mrs. MALONEY.
 H.R. 3849: Mr. SCHWEIKERT.
 H.R. 3877: Mr. AUSTIN SCOTT of Georgia.
 H.R. 3884: Mr. LANGEVIN.
 H.R. 3903: Ms. NORTON.
 H.R. 3916: Mr. BRADY of Pennsylvania, Ms. LEE of California, Mrs. NAPOLITANO, Mr. MICHAUD, and Mr. JACKSON of Illinois.
 H.R. 3991: Mr. MICA and Mr. ROONEY.
 H.R. 3993: Ms. HAHN and Mr. TONKO.
 H.R. 4000: Mr. AUSTIN SCOTT of Georgia.
 H.R. 4035: Mr. PAULSEN and Mr. NEAL.
 H.R. 4040: Mr. BACHUS, Mr. BURGESS, Mrs. CHRISTENSEN, Mr. CULBERSON, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. HARPER, Mr. LABRADOR, Ms. LEE of California, Mr. LOEBSACK, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MILLER of North Carolina, Mr. OWENS, Mr. PALAZZO, Mr. SMITH of Texas, Mr. SULLIVAN, Mr. TIERNEY, Mr. WALDEN, Mr. WALZ of Minnesota, and Mr. WESTMORELAND.
 H.R. 4045: Mr. FRANKS of Arizona, Mr. SCHILLING, Mr. TERRY, Mr. WALBERG, Mr. GOHMERT, Mr. FORTENBERRY, Mr. CONAWAY, and Mr. LAMBORN.
 H.R. 4049: Mr. DEUTCH.
 H.R. 4055: Ms. HANABUSA.
 H.R. 4057: Ms. HANABUSA.
 H.R. 4077: Mr. ELLISON, Mr. CALVERT, Mr. PASCRELL, Mr. JOHNSON of Ohio, Mr. CARNAHAN, and Mr. WOLF.
 H.R. 4089: Mr. ROONEY.
 H.R. 4114: Mr. SCHILLING.
 H.R. 4120: Mr. BARTLETT, Mr. RAHALL, Mr. CLARKE of Michigan, and Mr. TIERNEY.
 H.R. 4122: Ms. CASTOR of Florida.
 H.R. 4126: Mr. POLIS.
 H.R. 4133: Mr. WILSON of South Carolina, Mr. NUNNELEE, Mr. LANDRY, Ms. GRANGER, Mrs. ADAMS, Mr. FINCHER, Mr. MCKEON, Mr. CONAWAY, Mr. HUELSKAMP, Mr. AUSTRIA, and Mr. THOMPSON of Pennsylvania.
 H.R. 4134: Mr. OWENS, Mr. WAXMAN, and Mr. ROONEY.
 H.R. 4157: Mr. BERG, Mr. SCHOCK, Mr. BOUSTANY, Mr. SENSENBRENNER, Mr. HERGER, Mrs. NOEM, Mr. ROKITA, Mr. SCHRADER, Mr. HASTINGS of Washington, Mr. WALDEN, Mr. GARDNER, Mrs. BACHMANN, Mr. HUELSKAMP, Mr. FLAKE, Mrs. MILLER of Michigan, and Mr. NUNNELEE.
 H.R. 4160: Mr. GRAVES of Georgia.
 H.R. 4165: Ms. MCCOLLUM and Mr. BOREN.

H.R. 4169: Mr. JACKSON of Illinois, Mr. MCCAUL, and Mr. FARR.

H.R. 4170: Mr. FILNER and Mr. CONYERS.

H.R. 4180: Mr. BURTON of Indiana, Mr. HERGER, Mr. THORNBERRY, Mr. BERG, Mr. CANSECO, and Mr. DUFFY.

H.R. 4196: Mr. MCDERMOTT, Mr. DAVIS of Illinois, Mr. BACA, Mr. BERG, Mr. THOMPSON of California, Mr. GENE GREEN of Texas, Mr. NUNES, Mr. REED, Mr. BECERRA, and Mr. ROSKAM.

H.R. 4200: Mr. ALEXANDER, Mr. BURTON of Indiana, Mr. CRAVAACK, Mr. LANKFORD, Mr. GRIFFIN of Arkansas, Mr. LANDRY, and Mr. GOWDY.

H.R. 4215: Mr. ROSS of Arkansas.

H.R. 4228: Mr. FARENTHOLD.

H.R. 4229: Mr. HEINRICH, Mr. ELLISON, Ms. ESHOO, Mr. HOLT, Mr. YOUNG of Alaska, Mr. FALOMAVAEGA, Mr. LEVIN, and Mrs. SCHMIDT.

H.R. 4231: Mr. MCINTYRE.

H.R. 4236: Mr. BOSWELL.

H.R. 4237: Mr. BROWN of Georgia.

H.R. 4238: Mr. CARNAHAN.

H.R. 4255: Mr. BUCHANAN and Mr. AUSTIN SCOTT of Georgia.

H.R. 4256: Mr. NUNNELEE, Mr. KLINE, Mr. LANKFORD, Mr. ROKITA, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. COLE, Mr. FLORES, Mr. FORTENBERRY, Mr. FLEMING, Mr. DUNCAN of South Carolina, Mr. GRAVES of Georgia, Mr. GOHMBERT, Mr. BONNER, Mr. SCALISE, Mr. LABRADOR, Mr. CANSECO, Mr. COBLE, Mrs. LUMMIS, and Mr. GIBSON.

H.R. 4266: Mr. NADLER.

H.R. 4270: Mr. LUETKEMEYER.

H.R. 4271: Mr. JACKSON of Illinois, Mr. ELLISON, Ms. SPEIER, Mr. MICHAUD, Mr. PIERLUISI, Ms. TSONGAS, and Mr. MURPHY of Connecticut.

H.R. 4284: Mr. BOSWELL.

H.R. 4290: Mr. CONYERS, Mr. GRIJALVA, and Mr. RUSH.

H.R. 4293: Ms. HAHN.

H.J. Res. 88: Mr. HEINRICH.

H.J. Res. 93: Mr. GARDNER.

H.J. Res. 103: Mr. BERG and Mr. FORBES.

H.J. Res. 106: Mr. FLEMING, Mr. CHABOT, and Mr. PENCE.

H. Con. Res. 110: Mr. MILLER of Florida, Mr. CONAWAY, Mr. QUAYLE, Mr. HUELSKAMP, and Mr. GRIFFIN of Arkansas.

H. Con. Res. 113: Mr. LANDRY, Mr. SAM JOHNSON of Texas, Mr. FRANKS of Arizona, Mr. BROWN of Georgia, and Mr. SCOTT of South Carolina.

H. Res. 460: Mr. HONDA.

H. Res. 549: Ms. WATERS.

H. Res. 564: Mr. JACKSON of Illinois.

H. Res. 568: Mr. AMODEI, Mr. BACHUS, Mr. BROWN of Georgia, Mr. CANSECO, Ms. CHU, Mr. CICILLINE, Mr. CONAWAY, Ms. DELAURO, Ms. GRANGER, Mr. GUINTA, Ms. HERRERA BEUTLER, Mr. HEINRICH, Mr. HIGGINS, Mr. HIMES, Ms. HIRONO, Mr. JOHNSON of Ohio, Mr. LANGEVIN, Mr. LATTI, Mr. LEWIS of Georgia, Mr. NUNNELEE, Mr. POLIS, Mr. ROONEY, Mr. STEARNS, Ms. SUTTON, and Mr. THOMPSON of Pennsylvania.

H. Res. 573: Mr. FILNER, Ms. DELAURO, and Mr. HONDA.

H. Res. 583: Mr. PASCRELL.

H. Res. 584: Mr. PASCRELL.

H. Res. 589: Mrs. CAPPS.

H. Res. 592: Mr. HASTINGS of Florida, Ms. CASTOR of Florida, Mr. LANDRY, Mr. TURNER of New York, and Mr. HUNTER.

H. Res. 601: Mr. FRANK of Massachusetts.

FRIDAY, MARCH 30, 2012 (46)

¶46.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,

WASHINGTON, DC,

March 30, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker.

¶46.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced he had examined and approved the Journal of the proceedings of Thursday, March 29, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶46.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5502. A letter from the Secretary, Department of Agriculture, transmitting the Department's report entitled, "2011 Packers and Stockyards Program Annual Report"; to the Committee on Agriculture.

5503. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Penthiopyrad; Pesticide Tolerances [EPA-HQ-OPP-2010-0349; FRL-9335-7] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5504. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* AF36; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0158; FRL-9341-5] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5505. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyriofenone; Pesticide Tolerances [EPA-HQ-OPP-2010-0659; FRL-9336-6] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5506. A letter from the Acting Under Secretary, Department of Defense, transmitting a report of the Strategic Materials Protection Board meeting on October 25, 2011, pursuant to Public Law 109-364, section 843; to the Committee on Armed Services.

5507. A letter from the Acting Under Secretary, Department of Defense, transmitting notification that the Department of Defense intends to award multiyear contracts for nine ARLEIGH BURKE Class Guided Missile Destroyers; to the Committee on Armed Services.

5508. A letter from the Chairman, National Council on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' thirty-sixth annual report on the Arts and Artifacts Indemnity Program for fiscal year 2011, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

5509. A letter from the President and CEO, Corporation for Public Broadcasting, transmitting the Corporation's 2010 annual report regarding the activities and expenditures of the independent production service, pursuant to 47 U.S.C. 396(k)(3)(B)(iii)(V); to the Committee on Energy and Commerce.

5510. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York State Ozone Implementation Plan Revision [EPA-R02-OAR-2011-0796; FRL-9645-4] received

March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5511. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Tris Carbamoyl Triazine; Technical Correction [EPA-HQ-OPPT-2011-0108; FRL-9339-8] (RIN: 2070-AB27) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5512. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2010-0873; FRL-9643-9] (RIN: 2060-AH23) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5513. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 Annual Fine Particulate Standard for the Philadelphia-Wilmington Nonattainment Area; Withdrawal of Direct Final Rule [EPA-R03-OAR-2011-0714; FRL-9645-6] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5514. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Reasonably Available Control Technology (RACT) for the 1997 8-Hour Ozone Standard [EPA-R01-OAR-2011-0118; A-1-FRL-9644-6] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5515. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2011-0353; FRL-9644-3] received March 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5516. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 102(g) of the Foreign Relations Authorization Act for FY 1994 and 1995 (Pub. L. 103-236 as amended by 103-415), certification for FY 2012 that no United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia; to the Committee on Foreign Affairs.

5517. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's determination and certification under Section 490(b)(1)(A) of the Foreign Assistance Act of 1961 relating to the top five exporting and importing countries of pseudoephedrine and ephedrine; to the Committee on Foreign Affairs.

5518. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), and the Authorization for the Use of Military Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, reports prepared by the Department of State for the October 21 — December 25, 2011 reporting period including matters relating to post-liberation Iraq under Section 7 of the

Iraq Liberation Act; to the Committee on Foreign Affairs.

5519. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters [EPA-HQ-OW-2009-0596; FRL-9637-1] (RIN: 2040-AF36) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5520. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting a report concerning the operations and status of the Government Securities Investment fund (G-Fund) of the Federal Employees Retirement System during the debt issuance suspension period, pursuant to 5 U.S.C. 8348(l); jointly to the Committees on Ways and Means and Oversight and Government Reform.

5521. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Plan to Implement a Home Health Agency Value-Based Purchasing Program"; jointly to the Committees on Ways and Means and Energy and Commerce.

¶46.4 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2297. An Act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

The message also announced that the Senate has agreed to a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 38. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

¶46.5 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. DENHAM, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. THORNBERRY, signed the following enrolled bill on Thursday, March 29, 2012:

H.R. 4281. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

¶46.6 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. DENHAM, laid before the House the following privileged concurrent resolution of the Senate (S. Con. Res. 38):

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, March 29, 2012, through Sunday, April 1, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 16, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when

the House adjourns on any legislative day through Friday, April 13, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2 p.m. on Monday, April 16, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶46.7 PERMISSION TO FILE REPORTS

On motion of Mr. DREIER, by unanimous consent, that all committees were granted permission until 5 p.m. on Friday, April 13, 2012, to file reports to accompany measures.

¶46.8 ADJOURNMENT

Mr. DREIER, pursuant to Senate Concurrent Resolution 38, One Hundred Twelfth Congress, moved that the House do now adjourn.

The question being put, viva voce, Will the House now adjourn?

The SPEAKER pro tempore, Mr. DENHAM, announced that the yeas had it.

So the motion to adjourn was agreed to.

Accordingly,

Pursuant to Senate Concurrent Resolution 38, One Hundred Twelfth Congress, at 11 o'clock and 8 minutes a.m., the House stands adjourned until 2 p.m. on Monday, April 16, 2012.

¶46.9 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than May 18, 2012.

¶46.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey (for himself, Mr. TURNER of Ohio, Mr. MCINTYRE, and Mr. MORAN):

H.R. 4344. A bill to authorize the Secretary of State to assist the International Commission on Missing Persons to establish a permanent and international legal status with the immunities required for operations globally, to continue the financial support of the United States of the ICMP in their work to assist governments and other authorities in locating and identifying persons missing as a result of conflicts or natural or man-made disasters, to support the investigation of genocide and mass atrocities, and for other

purposes; to the Committee on Foreign Affairs.

By Mr. SHIMKUS (for himself, Mr. ROSS of Arkansas, Mr. SULLIVAN, and Mr. PETERSON):

H.R. 4345. A bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE of Maine (for herself, Ms. MCCOLLUM, Mr. KUICINICH, Ms. LEE of California, Ms. NORTON, Mr. HOLT, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, and Mr. VAN HOLLEN):

H.R. 4346. A bill to amend the Federal Meat Inspection Act so that labels on packages of meat include a statement on whether the meat contains lean finely textured beef; to the Committee on Agriculture.

By Mr. YOUNG of Alaska:

H.R. 4347. A bill to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the "Robert Boochever United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CLEAVER (for himself, Ms. BROWN of Florida, Mr. HASTINGS of Florida, and Ms. WILSON of Florida):

H. Res. 612. A resolution honoring the life of 17-year-old, Trayvon Martin, urging the State of Florida and others to repeal the Stand Your Ground law, and admonishing involved parties to pursue full investigations into all homicides, regardless of defenses asserted by the offender; to the Committee on the Judiciary.

¶46.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. CHABOT, Mr. WESTMORELAND, and Mr. MCCARTHY of California.

H.R. 640: Mr. CRITZ, Mrs. LOWEY, and Mr. RUPPERSBERGER.

H.R. 885: Mr. DEFazio.

H.R. 2412: Ms. BONAMICI.

H.R. 3001: Mr. HEINRICH and Ms. BONAMICI.

H.R. 3364: Mr. JACKSON of Illinois.

H.R. 3591: Ms. RICHARDSON, Ms. FUDGE, Ms. MCCOLLUM, and Ms. SCHAKOWSKY.

H.R. 3910: Mr. MCNERNEY.

H.R. 4110: Mr. BILIRAKIS.

H.R. 4133: Mr. KELLY.

H.R. 4134: Mr. MCINTYRE.

H.R. 4169: Mr. MICHAUD and Ms. SCHAKOWSKY.

H.R. 4232: Mrs. MILLER of Michigan, Mr. LATOURETTE, and Mr. SIRES.

H.R. 4234: Mr. BERG.

H.R. 4295: Ms. GRANGER, Mr. SAM JOHNSON of Texas, and Mr. CHABOT.

H.R. 4301: Mr. HUELSKAMP.

H. Con. Res. 87: Mr. RYAN of Ohio and Ms. EDDIE BERNICE JOHNSON of Texas.

MONDAY, APRIL 16, 2012 (47)

¶47.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
April 16, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

47.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced he had examined and approved the Journal of the proceedings of Friday, March 30, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

47.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5522. A letter from the Chief Information Officer, Department of Agriculture, transmitting the Department's final rule — Modification of Interlibrary Loan Fee Schedule (RIN: 0518-AA04) received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5523. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, 2-methyl-, 2-ethylhexyl ester, telomere with 1-dodecanethiol, ethenylbenzene and 2-methylloxirane polymer with oxirane monoether with 1,2-propanediol mono(2-methyl-2-propenoate), hydrogen 2-sulfobutanedioate, sodium salt, 2, 2'-(1,2-diazenediyl)bis[[2-methylpropanenitrile] initiated; Tolerance Exception [EPA-HQ-OPP-2011-0975; FRL-9339-9] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5524. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamidiprid; Pesticide Tolerances [EPA-HQ-OPP-2011-0403; FRL-9340-7] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5525. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 7 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

5526. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2010 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

5527. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on operations of the National Defense Stockpile (NDS) in accordance with section 11(a) of the Strategic and Critical Materials Stockpiling Act as amended (50 U.S.C. 98 et seq.) detailing NDS operations during the period of October 2010 through September 2011; to the Committee on Armed Services.

5528. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report on activities under the Secretary's personnel management demonstration project authorities for the Department of Defense Science and Technology Reinvention Laboratories; to the Committee on Armed Services.

5529. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Rear Admiral (lower half) Sinclair M. Harris, United States Navy, to wear the authorized insignia of the grade of

rear admiral; to the Committee on Armed Services.

5530. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2011 Performance Report to Congress for the Animal Drug User Fee Act; to the Committee on Energy and Commerce.

5531. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2011 Performance Report to Congress for the Animal Generic Drug User Fee Act; to the Committee on Energy and Commerce.

5532. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicaid Program; Eligibility Changes under the Affordable Care Act of 2010 [CMS-2349-F] (RIN: 0938-AQ62) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5533. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Exchange Standards for Employers [CMS-9989-F] (RIN: 0938-AQ67) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5534. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Standards Related to Reinsurance, Risk Corridors and Risk Adjustment [CMS-9975-F] (RIN: 0938-AR07) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5535. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs; Revision of Certain Labeling Controls [Docket No.: FDA-1997-N-0518] (formerly 97N-0300) received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5536. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Oral Dosage Form New Animal Drugs; Phenylpropranolamine [Docket No.: FDA-2011-N-0003] received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5537. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting a report entitled "Best Practices to Enhance Coordination in the RCRA Program"; to the Committee on Energy and Commerce.

5538. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0783; FRL-9653-8] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5539. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Construction Permit Fees [EPA-R06-OAR-2005-NM-0006; FRL-9654-2] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5540. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determinations of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Harrisburg-Lebanon-Carlisle-York, Allentown, and Lancaster Nonattainment Areas [EPA-R03-OAR-2011-0818; FRL-9654-1] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Determination of Attainment of the One-hour Ozone Standard for the Greater Connecticut Area [EPA-R01-OAR-2010-0380; A-1-FRL-9648-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5542. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur [EPA-HQ-OAR-2007-1145; FRL-9654-4] (RIN: 2060-AO72) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5543. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2012-0032, FRL-9654-8] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5544. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Enhanced Inspection and Maintenance Program [EPA-R02-OAR-2011-0686; FRL-9635-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5545. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; Ozone; Nitrogen Dioxide; Technical Amendments [EPA-R09-OAR-2010-0189; FRL-9649-1] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5546. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; North Dakota; Regional Haze State Implementation Plan; Federal Implementation Plan for Interstate Transport of Pollution Affecting Visibility and Regional Haze [EPA-R08-OAR-2010-0406; FRL-9648-3] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5547. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Full Approval of Title V Operating Permits Program; Southern Ute Indian Tribe [EPA-R08-OAR-2011-0015; FRL-9446-8] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5548. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 53 [EPA-HQ-SFUND-1993-0001, EPA-HQ-SFUND-2011-0064, 0068, 0646, 0648,

0649, 0650, 0651, and 0652; FRL-9647-3] (RIN: 2050-AD75) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5549. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — OHIO: Final Authorization of State Hazardous Waste Management Program Revision [FRL-9646-5] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5550. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0054; FRL-9647-7] received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5551. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Final Response to Petition From New Jersey Regarding SO₂ Emissions From the Portland Generating Station [EPA-HQ-OAR-2011-0081; FRL-9648-9] (RIN: 2060-AR42) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5552. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Transportation Conformity Rule Restructuring Amendments [EPA-HQ-OAR-2009-0128; FRL-9637-3] (RIN: 2060-AP57) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5553. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Volatile Organic Compound Emission Standards for Aerosol Coatings — Addition of Dimethyl Carbonate, Benzotrifluoride, and Hexamethyldisiloxane to Table of Reactivity Factors [EPA-HQ-OAR-2006-0971; FRL-9644-8] (RIN: 2060-AR37) received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5554. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Nevada; Revised Format for Materials Incorporated By Reference [NV 126-NBK; FRL 9634-9] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5555. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia; Atlanta; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2010-1036; FRL-9643-2] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5556. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; North Carolina and South Carolina; Charlotte; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2011-0029; FRL-9643-3] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5557. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2011-0875; FRL-9626-6] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5558. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Texas: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2011-0478; FRL-9643-7] received March 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5559. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revocation of TSCA Section 4 Testing Requirements for Certain High Production Volume Chemical Substances [EPA-HQ-OPPT-2005-0033; FRL-9335-6] received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5560. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production [EPA-HQ-OAR-2002-0037; FRL-9636-2] (RIN: 2060-AN33) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5561. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Ongoing Review of Operating Experience [LR-ISG-2011-05] received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5562. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Notice of Availability of the Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-505, Revision 1, "Provide Risk-Informed Extended Completion Times — RITSTF Initiative 4B" [Project No. 753, NRC-2011-0277] received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5563. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

5564. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5565. A letter from the Assistant Secretary, Department of Defense, transmitting report on proposed obligations of funds provided for the Cooperative Threat Reduction (CRT) program; to the Committee on Foreign Affairs.

5566. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

5567. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5568. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting the Department's report entitled, "Human Rights Report for International Military Education and Training Recipients", in accordance with Section 549 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

5569. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting forwarded correspondence from the Minister of Foreign Affairs for the Government of the Kyrgyz Republic; to the Committee on Foreign Affairs.

5570. A letter from the Acting Under Secretary, Arms Control and International Security, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

5571. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

5572. A letter from the Secretary, Department of Treasury, transmitting As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Foreign Affairs.

5573. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the First Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Republic of the Marshall Islands, pursuant to Public Law 108-188, section 104(h)(1); to the Committee on Foreign Affairs.

5574. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the Department's report on the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands for Fiscal Years 2009 and 2010, pursuant to Public Law 108-188, section 104(h)(1); to the Committee on Foreign Affairs.

5575. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the Department's First Five-Year Review of the Compacts of Free Association between the Governments the United States and the Federated States of Micronesia; to the Committee on Foreign Affairs.

5576. A letter from the Director of Communications and Congressional Relations, Special Inspector General For Afghanistan Reconstruction, transmitting the Special Inspector General's final rule — Requests for Testimony or the Production of Records in a Court or Other Proceedings in which the United States is not a Party (RIN: 3460-AA02) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5577. A letter from the Director of Communications and Congressional Relations, Special Inspector General for Afghanistan Reconstruction, transmitting the Special Inspector General's final rule — Freedom of Information Act and Privacy Act Procedures (RIN: 3460-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5578. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Sufficiency Review of the Reasonableness of the District of Columbia Water and Sewer Authority's (DC Water) Fiscal Year 2012 Revenue Estimate Totaling \$426,416,477", pursuant to D.C. Code

section 47-117(d); to the Committee on Oversight and Government Reform.

5579. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5580. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting FY 2013 Congressional Budget Justification/FY 2011 Annual Performance Report; to the Committee on Oversight and Government Reform.

5581. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-334, "Comprehensive Military and Overseas Voters Accommodation Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5582. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-335, "Mechanics Lein Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5583. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-336, "Green Building Compliance, Technical Corrections, and Clarification Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5584. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's annual report for fiscal year 2011, in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5585. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's fiscal year 2011 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5586. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Change of Address and Electronic Submission of FOIA Requests received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5587. A letter from the Chief Executive Officer, NeighborWorks America, transmitting Fiscal Year 2011 Annual Program Performance Report; to the Committee on Oversight and Government Reform.

5588. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2008 through 2013; to the Committee on Oversight and Government Reform.

5589. A letter from the Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2011 Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5590. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals for the 1st, 2nd and 3rd Quarters of Fiscal Year 2011"; to the Committee on Oversight and Government Reform.

5591. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2011, including the Office of Inspector General's Auditor's Report; to the Committee on Oversight and Government Reform.

5592. A letter from the Member of Congress, Ronald Reagan Centennial Commission, transmitting the final report submitted by the Commission; to the Committee on Oversight and Government Reform.

5593. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2012 through March 31, 2012 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112—96); to the Committee on House Administration and ordered to be printed.

5594. A letter from the Secretary, Department of Health and Human Services, transmitting annual report on Funding Needs for Contract Support Costs of Self-Determination awards for Fiscal Year 2010; to the Committee on Natural Resources.

5595. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Endangered Status, Revised Critical Habitat Designation, and Taxonomic Revision for *Monardella linoidea* ssp. *viminea* [Docket No.: FWS-R8-ES-2010-0076] (RIN: 1018-AX18) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5596. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishing a Manatee Refuge in Kings Bay, Citrus County, FL [Docket No.: FWS-R4-ES-2010-0079] (RIN: 1018-AX27) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5597. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 111213751-2102-02] (RIN: 0648-XB038) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5598. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB035) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5599. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA990) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5600. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species by

Amendment 80 Vessels in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB44) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5601. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BB88) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5602. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB051) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5603. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Catcher Vessels Less Than 50 Feet (15.2 Meters) Length overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB062) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5604. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-BX049) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5605. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-BX036) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5606. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XB031) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5607. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB004) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5608. A letter from the Acting Division Chief, Conservation and Policy Planning Division, Office of National Marine Sanc-

tuaries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Overflight Regulations for the Channel Islands, Monterey Bay, Gulf of the Farallones, and Olympic Coast National Marine Sanctuaries [Docket No.: 0908041219-1413-02] (RIN: 0648-AX79) received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5609. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of the Report of the Judicial Conference of the United States for the September 2011 session; to the Committee on the Judiciary.

5610. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the District of Columbia Advisory Committee; to the Committee on the Judiciary.

5611. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Nevada Advisory Committee; to the Committee on the Judiciary.

5612. A letter from the Clerk, Court of Appeals, transmitting the judicial opinion of the United States Court of Appeals for the Seventh Circuit for *Sterk, et al. v. Redbox*, No. 12-8002; to the Committee on the Judiciary.

5613. A letter from the Assistant Attorney General, Department of Justice, transmitting a follow up letter on a pending case; to the Committee on the Judiciary.

5614. A letter from the Acting Administrator, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2013-2017, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

5615. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 24th Annual North American International Auto Show, Detroit River, Detroit, MI [Docket No.: USCG-2011-1157] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5616. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Potomac and Anacostia Rivers, Washington, DC [Docket No.: USCG-2011-1165] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5617. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Moving Security Zone around escorted vessels on the Lower Mississippi River between mile marker 90.0 above head of passes to mile marker 110.0 above head of passes [Docket No.: USCG-2011-1063] (RIN: 1625-AA87) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5618. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; HITS Triathlon; Corpus Christi Bayfront, Corpus Christi, TX [Docket No.: USCG-2011-0785] (RIN: 1625-AA08) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5619. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V Del Monte Live-Fire Gun Exercise, James River, Isle of Wight, Virginia [Docket No.: USCG-2012-0010] (RIN: 1625-

AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5620. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the vicinity of Baton Rouge, LA [Docket No.: USCG-2011-0841] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5621. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ice Rescue Exercise; Green Bay, Dyckesville, Wisconsin [Docket No.: USCG-2011-1161] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5622. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf Intracoastal Waterway, Mile Marker 35.2 to Mile marker 35.5, Larose, Lafourche Parish, LA [Docket No.: USCG-2011-1128] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5623. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base, Camp Lejeune, NC [Docket No.: USCG-2011-1166] (RIN: 1625-AA00) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5624. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Newport, RI [Docket No.: USCG-2011-0443] (RIN: 1625-AA01) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5625. A letter from the Acting Administrator, Department of Transportation, transmitting the Department's report for fiscal year 2011 on foreign aviation authorities to which the Administrator provided services in the preceding fiscal year; to the Committee on Transportation and Infrastructure.

5626. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 800 Series Turbofan Engines [Docket No.: FAA-2010-0755; Directorate Identifier 2010-NE-12-AD; Amendment 39-16956; AD 2012-04-01] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5627. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes [Docket No.: FAA-2010-0956; Directorate Identifier 2010-NM-018-AD; Amendment 39-16951; AD 74-08-09 R3] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2011-0533; Directorate Identifier 2011-NE-16-AD; Amendment 39-16948; AD 2012-03-07] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5629. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2009-0889; Directorate Identifier 2009-NE-35-AD; Amendment 39-16953; AD 2012-03-11] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5630. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0725; Directorate Identifier 2011-NM-065-AD; Amendment 39-16943; AD 2012-03-02] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5631. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2006-25001; Directorate Identifier 2006-NM-079-AD; Amendment 39-16937; AD 2012-02-14] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5632. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1092; Directorate Identifier 2011-NM-111-AD; Amendment 39-16946; AD 2012-03-05] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0571; Directorate Identifier 2010-NM-263-AD; Amendment 39-16950; AD 2012-03-09] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5634. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2011-1067; Directorate Identifier 2011-NM-034-AD; Amendment 39-16944; AD 2012-03-03] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5635. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Airplanes [Docket No.: FAA-2011-1166; Directorate Identifier 2010-NM-169-AD; Amendment 39-16941; AD 2012-02-18] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1227; Directorate Identifier 2011-NM-100-AD; Amendment 39-16957; AD 2012-04-02] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5637. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0994; Directorate Identifier 2010-NM-143-AD; Amendment 39-16949; AD 2012-03-08] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5638. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes [Docket No.: FAA-2011-0912; Directorate Identifier 2011-NM-035-AD; Amendment 39-16962; AD 2012-04-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5639. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-535 Series Turbofan Engine [Docket No.: FAA-2009-0994; Directorate Identifier 2009-NE-39-AD; Amendment 39-16934; AD 2012-02-11] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5640. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2011-0691; Directorate Identifier 2011-NE-26-AD; Amendment 39-16909; AD 71-13-01R1] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5641. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH Reciprocating Engines [Docket No.: FAA-2011-0956; Directorate Identifier 2011-NE-23-AD; Amendment 39-16928; AD 2012-02-05] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5642. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Superior Air Parts, Lycoming Engines (Formerly Textron Lycoming), and Continental Motors, Inc., Fuel-Injected Reciprocating Engines [Docket No.: FAA-2011-0547; Directorate Identifier 2011-NE-13-AD; Amendment 39-16947; AD 2012-03-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5643. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2010-0068; Directorate Identifier 2010-NE-05-AD; Amendment 39-16930; AD 2012-02-07] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5644. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. TPE331-10 and TPE331-11 Series Turboprop Engines [Docket No.: FAA-2011-0789; Directorate Identifier 2011-NE-04-AD; Amendment 39-16929; AD 2012-02-06] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5645. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0037; Directorate Identifier 2012-NM-003-AD; Amendment 39-16935; AD 2012-02-12] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5646. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International, S.A. Turbofan Engines [Docket No.: FAA-2011-0946;

Directorate Identifier 2011-NE-02-AD; Amendment 39-16926; AD 2012-02-03] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5647. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2012-0004; Directorate Identifier 2012-NE-01-AD; Amendment 39-16927; AD 2012-02-04] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5648. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0112; Directorate Identifier 2011-NM-055-AD; Amendment 39-16952; AD 2012-03-10] (RIN: 2120-AA64) received March 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5649. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30828; Amdt. No. 3466] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5650. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30829; Amdt. No. 3467] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5651. A letter from the Deputy General Counsel, National Aeronautics and Space Administration, transmitting the Administration's "Major" final rule — Claims for Patent and Copyright Infringement (RIN: 2700-AD63) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

5652. A letter from the Associate Administrator, Human Exploration and Operations Mission Directorate, National Aeronautics and Space Administration, transmitting the Administration's final rule — Revision to the Tracking and Data Relay Satellite System (TDRSS) rates for non-U.S. Government customers [Notice (12-009)] (RIN: 2700-AD72) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

5653. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated March 7, 2012); jointly to the Committees on Armed Services and Appropriations.

5654. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Twenty-Second Annual Report to Congress on health and safety activities; jointly to the Committees on Armed Services and Energy and Commerce.

5655. A letter from the Secretary, Department of Health and Human Services, transmitting a report to Congress on the Implementation of the Medicare Self-Referral Disclosure Protocol; jointly to the Committees on Energy and Commerce and Ways and Means.

5656. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting the Commission's March 2012 Report to the Congress: Medicare Payment Policy;

jointly to the Committees on Energy and Commerce and Ways and Means.

5657. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a piece of draft legislation; jointly to the Committees on Energy and Commerce and the Judiciary.

¶47.4 RECESS—2:10 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 10 minutes p.m., until approximately 4 p.m.

¶47.5 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. HARRIS, called the House to order.

¶47.6 RAOUL WALLENBERG
CONGRESSIONAL GOLD MEDAL

Mr. LUETKEMEYER moved to suspend the rules and pass the bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. LUETKEMEYER and Mr. MEEKS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LUETKEMEYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶47.7 LENA HORNE CONGRESSIONAL GOLD
MEDAL

Mr. LUETKEMEYER moved to suspend the rules and pass the bill (H.R. 1815) to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. LUETKEMEYER and Mr. MEEKS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, April 17, 2012.

¶47.8 JACK NICKLAUS CONGRESSIONAL GOLD MEDAL

Mr. LUETKEMEYER moved to suspend the rules and pass the bill (H.R. 4040) to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. LUETKEMEYER and Mr. BACA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LUETKEMEYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶47.9 MARK TWAIN COMMEMORATIVE COIN

Mr. LUETKEMEYER moved to suspend the rules and pass the bill (H.R. 2453) to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain, as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. LUETKEMEYER and Mr. BACA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BACA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, April 17, 2012.

¶47.10 RECESS—5:10 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 10 minutes p.m., until approximately 6:30 p.m.

¶47.11 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. CHAFFETZ, called the House to order.

¶47.12 H.R. 3001—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend

the rules and pass the bill (H.R. 3001) to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 377 affirmative } Nays 0

¶47.13 [Roll No. 152]

YEAS—377

- Ackerman
- Adams
- Aderholt
- Akin
- Alexander
- Altmire
- Amash
- Amodei
- Baca
- Bachmann
- Bachus
- Baldwin
- Barletta
- Barrow
- Bartlett
- Bass (CA)
- Bass (NH)
- Becerra
- Benishke
- Berg
- Berkley
- Berman
- Biggart
- Bilbray
- Bilirakis
- Bishop (GA)
- Bishop (NY)
- Bishop (UT)
- Black
- Blackburn
- Blumenauer
- Bonamici
- Bonner
- Bono Mack
- Boswell
- Boustany
- Brady (PA)
- Brady (TX)
- Bralley (IA)
- Brooks
- Broun (GA)
- Brown (FL)
- Buchanan
- Bucshon
- Buerkle
- Burton (IN)
- Calvert
- Camp
- Canseco
- Cantor
- Capito
- Capps
- Capuano
- Cardoza
- Carnahan
- Carney
- Carson (IN)
- Carter
- Castor (FL)
- Chabot
- Chaffetz
- Chandler
- Chu
- Cicilline
- Clarke (MI)
- Clarke (NY)
- Clay
- Cleaver
- Clyburn
- Coble
- Coffman (CO)
- Cole
- Conaway
- Connolly (VA)
- Conyers
- Cooper
- Costa
- Courtney
- Cravaack
- Crawford
- Crowley
- Cuellar
- Davis (CA)
- Davis (IL)
- Davis (KY)
- DeFazio
- DeGette
- DeLauro
- Denham
- Dent
- DesJarlais
- Deutch
- Diaz-Balart
- Dingell
- Dold
- Donnelly (IN)
- Doyle
- Dreier
- Duffy
- Duncan (SC)
- Duncan (TN)
- Ellison
- Ellmers
- Emerson
- Engel
- Eshoo
- Farenthold
- Farr
- Fattah
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Flores
- Forbes
- Fortenberry
- Foxx
- Frelinghuysen
- Fudge
- Galleghy
- Garamendi
- Gardner
- Garrett
- Gerlach
- Gibbs
- Gibson
- Gingrey (GA)
- Gohmert
- Gonzalez
- Goodlatte
- Gosar
- Gowdy
- Granger
- Graves (GA)
- Graves (MO)
- Green, Al
- Green, Gene
- Griffin (AR)
- Griffith (VA)
- Grimm
- Guinta
- Guthrie
- Hahn
- Hall
- Hanabusa
- Harper
- Harris
- Hartzler
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Heck
- Heinrich
- Hensarling
- Herger
- Herrera Beutler
- Higgins
- Himes
- Hinojosa
- Hirono
- Hochul
- Holden
- Holt
- Honda
- Hoyer
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hunter
- Hurt
- Israel
- Issa
- Jackson (IL)
- Jackson Lee
- (TX)
- Jenkins
- Johnson (GA)
- Johnson (OH)
- Johnson, E. B.
- Jordan
- Keating
- Kelly
- Kildee
- Kind
- King (IA)
- King (NY)
- Kingston
- Kinzinger (IL)
- Kissell
- Kline
- Kucinich
- Lamborn
- Lance
- Langevin
- Lankford
- Larsen (WA)
- Larson (CT)
- Latham
- LaTourette
- Latta
- Lee (CA)
- Levin
- Lewis (GA)
- Lipinski
- LoBiondo
- Loeb
- Loeb
- Lofgren, Zoe
- Long
- Lowe
- Lucas
- Luetkemeyer
- Lujan
- Lummis
- Lungren, Daniel E.
- Lynch
- Mack
- Maloney
- Manzullo
- Marchant
- Markey
- Matheson
- Matsui
- McCarthy (CA)
- McCarthy (NY)
- McCaul
- McClintock
- McCollum
- McCotter
- McDermott
- McGovern
- McHenry
- McKeon
- McKinley
- McMorris
- Rodgers
- McNerney
- Meehan
- Meeks
- Mica
- Michaud
- Miller (MI)
- Miller (NC)
- Miller, Gary
- Miller, George
- Moore
- Moran
- Mulvaney
- Murphy (PA)
- Myrick
- Nadler
- Neal
- Neugebauer
- Nugent
- Nunes
- Nunnelee
- Olson
- Olver
- Owens
- Palazzo
- Pallone
- Pastor (AZ)
- Paulsen
- Pearce
- Pelosi
- Pence
- Peters
- Peterson
- Petri
- Pingree (ME)
- Pitts
- Platts
- Poe (TX)
- Polis
- Pompeo
- Posey
- Price (GA)
- Price (NC)
- Quayle
- Quigley
- Rahall
- Reed
- Rehberg
- Reichert
- Renacci
- Sires
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Rigell
- Rivera
- Roby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rokita
- Rooney
- Roskam
- Ross (AR)
- Ross (FL)
- Rothman (NJ)
- Roybal-Allard
- Royce
- Runyan
- Ruppersberger
- Ryan (OH)
- Ryan (WI)
- Sánchez, Linda T.
- Sanchez, Loretta
- Sarbanes
- Scalise
- Schakowsky
- Schilling
- Schock
- Schrader
- Schwartz
- Schweikert
- Scott (SC)
- Scott (VA)
- Scott, Austin
- Scott, David
- Sensenbrenner
- Serrano
- Sessions
- Sewell
- Sherman
- Shimkus
- Shuster
- Simpson
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Southerland
- Speier
- Stark
- Stearns
- Stivers
- Sullivan
- Sutton
- Terry
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Thornberry
- Tiberi
- Tierney
- Tonko
- Tsongas
- Turner (NY)
- Turner (OH)
- Upton
- Van Hollen
- Visclosky
- Walberg
- Walden
- Walsh (IL)
- Walz (MN)
- Wasserman
- Schultz
- Watt
- Waxman
- Webster
- Welch
- West
- Westmoreland
- Whitfield
- Wilson (FL)
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woodall
- Woolsey
- Yarmuth
- Yoder
- Young (AK)
- Young (IN)

- Andrews
- Austria
- Barton (TX)
- Boren
- Burgess
- Butterfield
- Campbell
- Cassidy
- Cohen
- Costello
- Crenshaw
- Critz
- Culberson
- Cummings
- Dicks
- Doggett
- Edwards
- Filner
- Frank (MA)
- Franks (AZ)
- Grijalva
- Gutierrez
- Hanna
- Hinchey
- Johnson (IL)
- Johnson, Sam
- Jones
- Kaptur
- Labrador
- Landry
- Lewis (CA)
- Marino
- McIntyre
- Miller (FL)
- Murphy (CT)
- Napolitano
- Noem
- Pascrell
- Paul
- Perlmutter
- Rangel
- Rohrabacher
- Ros-Lehtinen
- Rush
- Schiff
- Schmidt
- Shuler
- Slaughter
- Stutzman
- Tipton
- Towns
- Velázquez
- Waters
- Young (FL)

NOT VOTING—54

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶47.14 H.R. 4040—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4040) to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative
 Yeas 373
 Nays 4
 Answered present 1

¶47.15 [Roll No. 153]
 YEAS—373

- Ackerman Diaz-Balart Kelly
- Adams Dingell Kildee
- Aderholt Dold Kind
- Akin Donnelly (IN) King (IA)
- Alexander Doyle King (NY)
- Altmire Dreier Kingston
- Amodei Duffy Kinzinger (IL)
- Baca Duncan (SC) Kissell
- Bachmann Duncan (TN) Kline
- Bachus Ellison Kucinich
- Baldwin Ellmers Lamborn
- Barletta Emerson Lance
- Barrow Engel Langevin
- Bartlett Eshoo Lankford
- Bass (CA) Farenthold Larsen (WA)
- Bass (NH) Farr Larson (CT)
- Becerra Fattah Latham
- Benishek Fincher LaTourette
- Berg Fitzpatrick Latta
- Berkley Flake Lee (CA)
- Berman Fleischmann Levin
- Biggert Fleming Lewis (GA)
- Bilbray Forbes Lipinski
- Bilirakis Fortenberry LoBiondo
- Bishop (GA) Fox Loeb sack
- Bishop (NY) Franks (AZ) Long
- Bishop (UT) Frelinghuysen Lowey
- Black Fudge Lucas
- Blackburn Gallegly Luetkemeyer
- Blumenauer Garamendi Luján
- Bonamici Gardner Lummis
- Bonner Garrett Lungren, Daniel E.
- Bono Mack Gerlach Lynch
- Boswell Gibbs Mack
- Boustany Gibson Maloney
- Brady (PA) Gingrey (GA) Manzullo
- Brady (TX) Gohmert Marchant
- Bralley (IA) Gonzalez Markey
- Brooks Goodlatte Matheson
- Broun (GA) Gosar Matsui
- Brown (FL) Gowdy McCarthy (CA)
- Buchanan Granger McCarthy (NY)
- Bucshon Graves (GA) McCaul
- Buerkle Graves (MO) McClintock
- Burton (IN) Green, Al McCollum
- Calvert Green, Gene McCotter
- Camp Griffin (AR) McDermott
- Canseco Griffith (VA) McGovern
- Cantor Grimm McHenry
- Capito Guinta McKeon
- Capps Guthrie McKinley
- Capuano Hahn McMorris
- Cardoza Hall Rodgers
- Carnahan Hanabusa McNeerney
- Carney Harper Meehan
- Carson (IN) Harris Meeks
- Carter Hartzler Mica
- Castor (FL) Hastings (FL) Michaud
- Chabot Hastings (WA) Miller (FL)
- Chandler Hayworth Miller (MI)
- Chu Heck Miller (NC)
- Clarke (MI) Heinrich Miller, Gary
- Clarke (NY) Hensarling Miller, George
- Clay Herger Moore
- Cleaver Herrera Beutler Moran
- Clyburn Higgins Mulvaney
- Coble Himes Murphy (PA)
- Coffman (CO) Hinojosa Myrick
- Cole Hirono Nadler
- Conaway Hochul Neale
- Connolly (VA) Holden Neugebauer
- Conyers Honda Nugent
- Cooper Hoyer Nunes
- Costa Huelskamp Nunnelee
- Courtney Huizenga (MI) Olson
- Cravaack Hultgren Olver
- Crawford Hunter Owens
- Crowley Hurt Palazzo
- Cuellar Israel Pallone
- Davis (CA) Issa Pastor (AZ)
- Davis (IL) Jackson (IL) Paulsen
- Davis (KY) Jackson Lee (TX) Pearce
- DeFazio (TX) Jenkins Pelosi
- DeGette Johnson (GA) Pence
- DeLauro Johnson (OH) Perlmutter
- Denham Johnson (OH) Peters
- Dent Johnson, E. B. Peterson
- DesJarlais Jordan Petri
- Deutch Keating

- Pingree (ME) Ryan (WI)
- Pitts Sánchez, Linda
- Platts T.
- Poe (TX) Sanchez, Loretta
- Polis Sarbanes
- Pompeo Scalise
- Posey Schakowsky
- Price (GA) Schilling
- Price (NC) Schock
- Quayle Schrader
- Quigley Schwartz
- Rahall Schweikert
- Reed Scott (SC)
- Rehberg Scott (VA)
- Reichert Reichert
- Renacci Scott, David
- Reyes Sensenbrenner
- Richardson Serrano
- Richmond Sessions
- Rivera Sewell
- Roby Sherman
- Roe (TN) Shimkus
- Rogers (AL) Shuster
- Rogers (KY) Simpson
- Rogers (MI) Sires
- Rokita Smith (NE)
- Rooney Smith (NJ)
- Roskam Smith (TX)
- Ross (AR) Smith (WA)
- Ross (FL) Southerland
- Rothman (NJ) Speier
- Roybal-Allard Stark
- Royce Stearns
- Ryunan Stivers
- Ruppersberger Sullivan
- Rush Sutton
- Ryan (OH) Terry

- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Thornberry
- Tiberi
- Tierney
- Tonko
- Tsongas
- Turner (NY)
- Turner (OH)
- Upton
- Van Hollen
- Visclosky
- Walberg
- Walden
- Walsh (IL)
- Walz (MN)
- Wasserman
- Schultz
- Watt
- Waxman
- Webster
- Welch
- West
- Westmoreland
- Whitfield
- Wilson (FL)
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woodall
- Woolsey
- Yarmuth
- Yoder
- Young (AK)
- Young (IN)

NAYS—4

- Amash Ribble
- Chaffetz Rigell

ANSWERED "PRESENT"—1

Cassidy
 NOT VOTING—53

- Andrews Flores
- Austria Frank (MA)
- Barton (TX) Grijalva
- Boren Gutierrez
- Burgess Hanna
- Butterfield Hinchev
- Campbell Holt
- Cicilline Johnson (IL)
- Cohen Johnson, Sam
- Costello Jones
- Crenshaw Kaptur
- Critz Labrador
- Culberson Landry
- Cummings Lewis (CA)
- Dicks Lofgren, Zoe
- Doggett Marino
- Edwards McIntyre
- Finer Murphy (CT)
- Napolitano
- Noem
- Pascrell
- Paul
- Rangel
- Rohrabacher
- Ros-Lehtinen
- Schiff
- Schmidt
- Shuler
- Slaughter
- Stutzman
- Tipton
- Towns
- Velázquez
- Waters
- Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶47.16 APPOINTMENT OF FUNERAL COMMITTEE OF THE LATE HONORABLE DONALD M. PAYNE

The SPEAKER pro tempore, Mr. HURT, pursuant to House Resolution 571, and the order of the House of March 6, 2012, announced that on March 14, 2012, the Speaker appointed the following Members of the House to the committee to attend the funeral of the late Honorable Donald M. Payne: the gentleman from New Jersey, Mr. SMITH, and the gentleman from South Carolina, Mr. CLYBURN.

The Members of the New Jersey delegation: Messrs. PALLONE, ANDREWS, FRELINGHUYSEN, LOBIONDO, PASCRELL,

ROTHMAN, HOLT, GARRETT, SIRES, LANCE, and RUNYAN.

Other Members in attendance: Ms. KAPTUR, Messrs. LEVIN, TOWNS, Meses. WATERS, BROWN of Florida, Messrs. RUSH, SCOTT of Virginia, WATT, Meses. WOOLSEY, JACKSON LEE of Texas, Messrs. JACKSON of Illinois, CLAY, BUTTERFIELD, CLEAVER, AL GREEN of Texas, Meses. MOORE, CLARKE of New York, Mr. JOHNSON of Georgia, Meses. EDWARDS, FUDGE, BASS of California, SEWELL, NORTON, and Mrs. CHRISTENSEN.

¶47.17 PROVIDING FOR CONSIDERATION OF H.R. 4089

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112-444) the resolution (H. Res. 614) providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶47.18 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

- To Mr. CULBERSON, for today;
 - To Ms. EDWARDS, for today;
 - To Mr. JONES, for today;
 - To Mrs. NAPOLITANO, for today and April 17; and
 - To Mr. SCHIFF, for today.
- And then,

¶47.19 ADJOURNMENT

On motion of Mr. JOHNSON of Ohio, at 8 o'clock and 18 minutes p.m., the House adjourned.

¶47.20 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on March 30, 2012 the following report was filed on April 10, 2012]

Mr. CAMP: Committee on Ways and Means. H.R. 9. A bill to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses; with an amendment (Rept. 112-425). Referred to the Committee of the Whole House on the state of the Union.

[Pursuant to the order of the House on March 30, 2012 the following report was filed on April 13, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4089. A bill to protect and enhance opportunities for recreational hunting, fishing and shooting; with an amendment (Rept. 112-426, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

[Submitted April 16, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 205. A bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved

August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; with amendments (Rept. 112-427). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 292. An act to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act (Rept. 112-428). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 897. An act to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation program (Rept. 112-429). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1545. A bill to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes; with an amendment (Rept. 112-430). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2915. A bill to repeal the Western Area Power Administration borrowing authority, and for other purposes (Rept. 112-431). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes (Rept. 112-432). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 404. An act to modify a land grant patent issued by the Secretary of the Interior (Rept. 112-433). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 684. An act to provide for the conveyance of certain parcels of land to the town of Alta, Utah (Rept. 112-434). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 491. A bill to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes (Rept. 112-435). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1038. A bill to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; with an amendment (Rept. 112-436). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2050. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes (Rept. 112-437). Referred to the

Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2060. A bill to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; with an amendment (Rept. 112-438). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2157. A bill to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes (Rept. 112-439). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2938. A bill to prohibit certain gaming activities on certain Indian lands in Arizona; with an amendment (Rept. 112-440). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2947. A bill to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota (Rept. 112-441). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3263. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes (Rept. 112-442). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3310. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; with an amendment (Rept. 112-443). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolutions 614. Resolution providing for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes (Rept. 112-444). Referred to the House Calendar.

¶47.21 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Energy and Commerce discharged from further consideration. H.R. 4089 referred to the Committee of the Whole House on the state of the Union.

¶47.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself, Mr. CAMP, and Mr. TERRY):

H.R. 4348. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H.R. 4349. A bill to amend the Internal Revenue Code of 1986 to allow a credit against

income tax for contributions to a trust used to provide need-based college scholarships; to the Committee on Ways and Means.

By Mr. CRAVAACK (for himself and Mr. BISHOP of New York):

H.R. 4350. A bill to ensure that certain flight, duty, and rest requirements apply to all-cargo air operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. FUDGE (for herself, Ms. NOR-TON, Mr. DAVIS of Illinois, Mr. CLARKE of Michigan, Mr. RANGEL, Ms. KAPTUR, Mr. BACA, Ms. SCHAKOWSKY, Mr. KUCINICH, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE of Texas, Mr. HOLT, Mr. CLEAVER, Ms. RICHARDSON, Mr. ELLISON, Ms. SEWELL, Mr. CARNAHAN, Mr. QUIGLEY, Ms. PINGREE of Maine, and Mr. LEWIS of Georgia):

H.R. 4351. A bill to provide assistance and opportunity for the creation and support of sustainable agriculture activities in America's cities and to improve access to nutrition in America's cities; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS (for himself, Ms. HAHN, and Mr. CONYERS):

H.R. 4352. A bill to direct the Secretary of Transportation to establish a transformational infrastructure competitive grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 4353. A bill to authorize certain civil works projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MULVANEY:

H.R. 4354. A bill to extend the temporary reduction of duty on 4-Propylbenzaldehyde; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4355. A bill to suspend temporarily the duty on quinaldine; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4356. A bill to suspend temporarily the duty on Leucoquinizarin; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4357. A bill to suspend temporarily the duty on 1-Nitroanthraquinone; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4358. A bill to extend the temporary reduction of duty on 2-Methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 4359. A bill to suspend temporarily the duty on Benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. LARSON of Connecticut):

H.R. 4360. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. PETRI (for himself and Mr. LIPINSKI):

H.R. 4361. A bill to promote transportation-oriented development and encourage dedicated revenue sources for urban and regional rail corridor development; to the Committee on Transportation and Infrastructure.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. SMITH of Texas):

H.R. 4362. A bill to provide effective criminal prosecutions for certain identity thefts, and for other purposes; to the Committee on the Judiciary.

By Mr. FATTAH:

H. Res. 613. A resolution supporting the Office of Science and Technology Policy inter-agency working group to coordinate Federal investments in neuroscience research; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H. Res. 615. A resolution expressing the sense of the House of Representatives that Members who vote in favor of the establishment of a public, Federal Government run health insurance option are urged to forgo their right to participate in the Federal Employees Health Benefits Program (FEHBP) and agree to enroll under that public option; to the Committee on House Administration.

By Mr. FORBES (for himself and Mr. WOLF):

H. Res. 616. A resolution expressing the sense of the House of Representatives regarding United States relations with the People's Republic of China; to the Committee on Foreign Affairs.

By Ms. NORTON:

H. Res. 617. A resolution recognizing the enduring cultural and historical significance of emancipation in the Nation's capital on the 150th anniversary of President Abraham Lincoln's signing of the District of Columbia Compensated Emancipation Act, which established the "first freed" on April 16, 1862; to the Committee on Oversight and Government Reform.

By Mr. RANGEL (for himself, Mr. CONYERS, Mr. SAM JOHNSON of Texas, and Mr. COBLE):

H. Res. 618. A resolution expressing support for designation of 2012-2013 as the "Year of the Korean War Veteran" and recognizing the 60th anniversary of Korean War; to the Committee on Veterans' Affairs.

47.23 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

187. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 124 memorializing the Congress to enact a new federal farm bill; to the Committee on Agriculture.

188. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to House Resolution No. 21 urging the Congress to posthumously promote Colonel Charles D. Young to the rank of brigadier general; to the Committee on Armed Services.

189. Also, a memorial of the Senate of the State of Washington, relative to Senate Joint Memorial 8016 urging the Congress, President, and the Executive Branch Agencies to work together to see that the Beyond the Border Action Plan on Perimeter Security and Economic Competitiveness and the Action Plan on Regulatory Cooperation are carried out; to the Committee on Foreign Affairs.

190. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 126 reaffirming the relationship between Michigan and Israel; to the Committee on Foreign Affairs.

191. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 178 memorializing Congress to enact the Recreational Fishing and Hunting Heritage and Opportunities Act; to the Committee on Natural Resources.

192. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to Senate Resolution No. 196 urging the Congress to support the contract held by private industries from Kentucky over contracts

with the Federal Prison Industries; to the Committee on the Judiciary.

193. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Joint Memorial 202 requesting to support full funding of the United States Coast Guard's operational readiness and recapitalization requirements; to the Committee on Transportation and Infrastructure.

194. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 717 urging the Congress to pass the Secure Travel and Counterterrorism Program Act of 2011; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

47.24 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[The following action occurred on April 10, 2012]

H.R. 9: Mr. LONG and Mr. OLSON.

[Submitted April 16, 2012]

H.R. 85: Ms. PINGREE of Maine.

H.R. 104: Ms. GRANGER and Mr. CICILLINE.

H.R. 140: Mr. GOODLATTE.

H.R. 156: Mr. BARTON of Texas and Mr. CARSON of Indiana.

H.R. 178: Mr. TONKO, Mrs. LOWEY, Mr. BACA, Mr. ISRAEL, and Mr. PASCRELL.

H.R. 186: Mr. PASCRELL.

H.R. 192: Ms. DELAURO.

H.R. 265: Mr. NADLER.

H.R. 283: Ms. SCHAKOWSKY.

H.R. 303: Ms. DELAURO and Ms. HAHN.

H.R. 329: Ms. BORDALLO.

H.R. 409: Mr. PETERSON and Mr. MICHAUD.

H.R. 450: Mr. JOHNSON of Ohio.

H.R. 458: Mr. MCGOVERN and Mr. WAXMAN.

H.R. 459: Mr. MCDERMOTT.

H.R. 601: Ms. TSONGAS.

H.R. 663: Mr. MCCAUL.

H.R. 679: Mr. BRADY of Pennsylvania.

H.R. 718: Mr. CICILLINE.

H.R. 719: Mr. WATT, Mr. CARSON of Indiana, Mr. GUTHRIE, Mrs. BLACK, and Ms. MOORE.

H.R. 721: Mr. AUSTIN SCOTT of Georgia.

H.R. 733: Mr. MARCHANT and Mrs. MILLER of Michigan.

H.R. 743: Mr. WELCH.

H.R. 757: Mr. TIPTON and Mr. LUETKEMEYER.

H.R. 807: Mr. BRALEY of Iowa.

H.R. 814: Mr. ROTHMAN of New Jersey.

H.R. 854: Ms. BERKLEY and Mrs. CHRISTENSEN.

H.R. 860: Mr. FLEISCHMANN.

H.R. 864: Mr. COURTNEY.

H.R. 885: Mr. PIERLUISI and Mrs. DAVIS of California.

H.R. 893: Mr. TURNER of New York.

H.R. 931: Mrs. ADAMS and Mr. LONG.

H.R. 949: Mr. MCDERMOTT.

H.R. 1004: Mr. TERRY.

H.R. 1005: Ms. DELAURO.

H.R. 1041: Ms. BUERKLE.

H.R. 1054: Mr. GRIJALVA.

H.R. 1063: Mr. GIBBS.

H.R. 1084: Ms. TSONGAS.

H.R. 1161: Mr. ROKITA and Mr. HARPER.

H.R. 1167: Mrs. BLACK and Mr. STEARNS.

H.R. 1169: Mr. FILNER.

H.R. 1176: Mr. KEATING.

H.R. 1182: Mrs. BLACK.

H.R. 1190: Mr. PAUL, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Mr. JACKSON of Illinois, Mrs. MALONEY, Mr. FILNER, Mr. MCDERMOTT, Mr. COHEN, Mr. GUTIERREZ, Mr. MCGOVERN, Mr. PASCRELL, Ms. RICHARDSON, Mr. GRIJALVA, Mr. YARMUTH, and Ms. SLAUGHTER.

H.R. 1193: Mr. ISRAEL.

H.R. 1206: Mr. BARTLETT, Mr. HINCHEY, and Mr. TOWNS.

H.R. 1219: Mr. ROSS of Arkansas, Ms. HAHN, Mr. BARTLETT, Ms. LEE of California, Mr.

FILNER, Mr. BLUMENAUER, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. CHANDLER, Mr. FARR, and Mr. SMITH of New Jersey.

H.R. 1244: Mrs. MCMORRIS RODGERS.

H.R. 1325: Mr. LAFOURETTE.

H.R. 1332: Ms. MATSUI.

H.R. 1370: Mr. STUTZMAN.

H.R. 1381: Mr. PIERLUISI, Ms. LEE of California, Mr. CONNOLLY of Virginia, Mr. DEFAZIO, and Mr. FILNER.

H.R. 1397: Mr. CLAY.

H.R. 1410: Mr. COFFMAN of Colorado.

H.R. 1426: Mr. REYES and Mr. HIMES.

H.R. 1511: Mr. JOHNSON of Illinois.

H.R. 1521: Mr. COHEN and Ms. WILSON of Florida.

H.R. 1523: Mr. ENGEL.

H.R. 1532: Mr. RANGEL.

H.R. 1543: Mr. DEFAZIO.

H.R. 1575: Mr. MICHAUD.

H.R. 1581: Mr. BARTLETT.

H.R. 1595: Ms. BONAMICI.

H.R. 1612: Mr. MICHAUD and Mr. CARSON of Indiana.

H.R. 1620: Ms. BALDWIN, Mr. AMODEI, Mr. FILNER, Mr. MICHAUD, and Mr. PRICE of North Carolina.

H.R. 1639: Mr. JORDAN, Mr. HARRIS, Mr. MILLER of North Carolina, Mr. REED, and Mr. KINGSTON.

H.R. 1653: Mr. SULLIVAN, Mr. SCHILLING, and Mr. NUGENT.

H.R. 1674: Mr. ANDREWS.

H.R. 1681: Mr. CARDOZA and Ms. SLAUGHTER.

H.R. 1700: Mr. WITTMAN and Mr. SULLIVAN.

H.R. 1704: Mr. DOYLE and Mr. MICHAUD.

H.R. 1706: Mr. CLARKE of Michigan and Mr. PRICE of North Carolina.

H.R. 1792: Mr. LEWIS of Georgia and Mr. HINCHEY.

H.R. 1802: Mr. DONNELLY of Indiana.

H.R. 1822: Mr. SCHWEIKERT.

H.R. 1842: Mr. PIERLUISI, Mr. LANGEVIN, Mr. RANGEL, and Mr. GONZALEZ.

H.R. 1897: Mr. HARRIS, Mrs. MYRICK, Mr. BACA, Mr. CLAY, and Mr. ROSKAM.

H.R. 1960: Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, and Mrs. MILLER of Michigan.

H.R. 2000: Mr. GRAVES of Missouri.

H.R. 2003: Ms. SLAUGHTER and Mr. BLUMENAUER.

H.R. 2016: Mr. WAXMAN.

H.R. 2020: Mr. GUTIERREZ and Mr. RIVERA.

H.R. 2051: Mrs. MCMORRIS RODGERS.

H.R. 2071: Mr. SCHRADER.

H.R. 2082: Mr. MCDERMOTT.

H.R. 2085: Mr. SMITH of Washington.

H.R. 2086: Ms. LINDA T. SANCHEZ of California, Ms. CLARKE of New York, Mr. PETERS, Mr. HONDA, Ms. WATERS, Mr. FILNER, and Mr. THOMPSON of California.

H.R. 2123: Mr. MORAN.

H.R. 2139: Mr. YARMUTH, Ms. BUERKLE, Mr. MEEKS, Ms. EDWARDS, Mr. WOMACK, Mr. DUFFY, Mr. HOLT, Mr. DUNCAN of Tennessee, Mr. WATT, and Mr. MCNERNEY.

H.R. 2159: Mr. HARRIS, Mr. MICHAUD, and Mr. PETERSON.

H.R. 2179: Mr. LUETKEMEYER and Mr. KISSELL.

H.R. 2206: Mr. GOWDY.

H.R. 2238: Mr. BERG.

H.R. 2288: Mr. PLATTS, Mr. TIBERI, Mr. STIVERS, and Mr. BISHOP of New York.

H.R. 2299: Mr. WITTMAN.

H.R. 2316: Mr. STARK and Mr. FILNER.

H.R. 2376: Mr. YARMUTH.

H.R. 2382: Mr. CROWLEY.

H.R. 2404: Ms. SCHAKOWSKY.

H.R. 2412: Mr. GERLACH, Mr. BERMAN, and Mr. VAN HOLLEN.

H.R. 2418: Mr. BOREN.

H.R. 2479: Mr. MICHAUD.

H.R. 2499: Ms. LORETTA SANCHEZ of California and Mr. CUMMINGS.

H.R. 2502: Mr. LATHAM, Mr. HINCHEY, and Mr. BERG.

- H.R. 2524: Mr. CONYERS, Ms. BONAMICI, and Mr. CARSON of Indiana.
H.R. 2529: Mr. WESTMORELAND and Mrs. MYRICK.
H.R. 2543: Mr. TIERNEY and Mr. SMITH of Washington.
H.R. 2600: Mr. LOBIONDO.
H.R. 2636: Mr. HINOJOSA.
H.R. 2659: Mr. SMITH of Washington.
H.R. 2697: Mr. CONAWAY, Mr. MULVANEY, Mr. PRICE of Georgia, and Mrs. CAPPS.
H.R. 2698: Ms. BONAMICI.
H.R. 2759: Mr. OLVER.
H.R. 2827: Mr. WILSON of South Carolina, and Mr. NEUGEBAUER.
H.R. 2866: Mrs. CAPPS.
H.R. 2881: Mr. PRICE of North Carolina.
H.R. 2960: Ms. TSONGAS.
H.R. 2969: Mr. TOWNS and Mr. BACA.
H.R. 2970: Mr. RENACCI.
H.R. 2977: Mr. MEEKS.
H.R. 2985: Mr. FLAKE and Mr. ALEXANDER.
H.R. 3000: Mr. MANZULLO and Mr. DUNCAN of South Carolina.
H.R. 3032: Mr. TIBERI.
H.R. 3039: Mr. MICHAUD.
H.R. 3059: Ms. WASSERMAN SCHULTZ and Mrs. MILLER of Michigan.
H.R. 3066: Mr. KINGSTON.
H.R. 3086: Ms. WILSON of Florida.
H.R. 3087: Mr. KISSELL, Mr. ROGERS of Alabama, and Ms. WASSERMAN SCHULTZ.
H.R. 3126: Mr. YARMUTH.
H.R. 3151: Mr. MURPHY of Connecticut.
H.R. 3187: Mr. REYES, Mr. GONZALEZ, Mr. BACHUS, Mr. HANNA, Mr. DAVID SCOTT of Georgia, Mr. POSEY, Ms. JACKSON LEE of Texas, Mr. BUCHANAN, Mr. COHEN, Mr. HOLDEN, and Mr. CANSECO.
H.R. 3199: Mr. BROOKS.
H.R. 3207: Mr. CULBERSON.
H.R. 3238: Mr. ISRAEL, Ms. EDWARDS, and Mr. CONYERS.
H.R. 3264: Mrs. BLACK.
H.R. 3269: Mr. ROONEY, Mr. LOBIONDO, Mr. GONZALEZ, Mr. TOWNS, Mr. PETERSON, Mr. SHUSTER, Mr. DUFFY, and Ms. KAPTUR.
H.R. 3286: Mr. STARK, Ms. VELÁZQUEZ, Ms. BONAMICI, and Mr. KEATING.
H.R. 3307: Ms. BALDWIN.
H.R. 3329: Mr. MICHAUD.
H.R. 3337: Mr. THOMPSON of California and Mr. ISRAEL.
H.R. 3364: Mrs. CAPITO, Mr. DAVIS of Kentucky, Mr. LANGEVIN, Mr. ROTHMAN of New Jersey, and Mr. TOWNS.
H.R. 3400: Mr. AUSTIN SCOTT of Georgia.
H.R. 3420: Mr. HINCHEY.
H.R. 3423: Mr. STEARNS, Mr. COFFMAN of Colorado, Mr. PRICE of North Carolina, Mr. GONZALEZ, Ms. CLARKE of New York, Mr. DUFFY, and Mr. RANGEL.
H.R. 3485: Mr. TOWNS and Mr. TONKO.
H.R. 3497: Ms. LEE of California.
H.R. 3511: Mr. BURGESS.
H.R. 3523: Mr. MULVANEY, Mr. HALL, Mr. CUELLAR, Mr. LAMBORN, and Mr. AUSTRIA.
H.R. 3528: Mr. LEWIS of Georgia.
H.R. 3586: Mr. SULLIVAN.
H.R. 3589: Mr. PLATTS.
H.R. 3590: Mr. ROTHMAN of New Jersey.
H.R. 3594: Mr. LAMBORN.
H.R. 3612: Mr. ALTMIRE, Ms. DELAURO, Mr. REYES, Mr. BRALEY of Iowa, and Mr. CICILLINE.
H.R. 3643: Mr. LATHAM.
H.R. 3654: Mr. FILNER.
H.R. 3658: Mr. FILNER, Mr. CAPUANO, Mr. MCNERNEY, and Mr. MICHAUD.
H.R. 3662: Mr. HARPER.
H.R. 3670: Mr. LOEBSACK.
H.R. 3676: Mr. LOEBSACK.
H.R. 3679: Mr. MORAN, Ms. JACKSON LEE of Texas, Mr. FATTAH, Mr. SIRES, and Ms. BONAMICI.
H.R. 3704: Mr. WAXMAN.
H.R. 3710: Mr. BACA.
H.R. 3737: Mr. DEFAZIO and Mr. HARRIS.
H.R. 3769: Mr. HIMES, Mr. HOLT, and Ms. DELAURO.
H.R. 3776: Ms. CLARKE of New York.
H.R. 3808: Mr. FORBES.
H.R. 3824: Mr. McDERMOTT.
H.R. 3826: Ms. BONAMICI, Mr. OLVER, Mr. DAVIS of Illinois, Mr. RUSH, Ms. DEGETTE, Mr. HEINRICH, Mr. BLUMENAUER, and Mr. KEATING.
H.R. 3828: Mr. BILIRAKIS and Mr. MILLER of Florida.
H.R. 3829: Mr. FILNER.
H.R. 3839: Mr. LATHAM, Mr. JOHNSON of Georgia, and Mr. PETERS.
H.R. 3849: Mr. ROGERS of Alabama, Mr. ROE of Tennessee, and Mr. LUCAS.
H.R. 3855: Mr. TONKO, Mr. MICHAUD, Mrs. MALONEY, and Ms. RICHARDSON.
H.R. 3873: Mr. RANGEL.
H.R. 3893: Mr. KINGSTON.
H.R. 3895: Mr. GRIFFIN of Arkansas, Mr. LATHAM, Mr. MCCOTTER, Mr. WITTMAN, and Mr. CALVERT.
H.R. 3903: Ms. HIRONO, Mr. LANGEVIN, Ms. PINGREE of Maine, Ms. WILSON of Florida, Mr. PETERS, Mr. SCOTT of Virginia, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DINGELL, Mr. CARNAHAN, Mr. PASCRELL, Ms. HAHN, Ms. CHU, Mr. CLAY, Mr. MURPHY of Connecticut, Mr. MORAN, Mrs. MALONEY, Mr. HASTINGS of Florida, Mr. MILLER of North Carolina, and Mr. REYES.
H.R. 3905: Ms. PINGREE of Maine.
H.R. 3981: Mr. MICHAUD.
H.R. 3982: Mr. MCCOTTER.
H.R. 3991: Mr. ROKITA.
H.R. 4005: Mr. RANGEL.
H.R. 4024: Ms. SLAUGHTER.
H.R. 4025: Ms. SLAUGHTER.
H.R. 4040: Mr. CHABOT, Mr. FARENTHOLD, Mr. FLORES, and Ms. GRANGER.
H.R. 4045: Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. MORAN, and Mr. SULLIVAN.
H.R. 4057: Ms. MCCOLLUM and Mr. MICHAUD.
H.R. 4069: Mr. POSEY.
H.R. 4070: Ms. WILSON of Florida, Mr. CONNOLLY of Virginia, and Mr. ROTHMAN of New Jersey.
H.R. 4072: Mr. THOMPSON of Pennsylvania.
H.R. 4077: Mr. FILNER and Mr. SMITH of Washington.
H.R. 4079: Mr. MICHAUD.
H.R. 4081: Mrs. ELLMERS.
H.R. 4107: Mr. LUETKEMEYER.
H.R. 4110: Mrs. MYRICK.
H.R. 4120: Mr. MURPHY of Pennsylvania, Mr. ALTMIRE, Mr. PETERSON, and Mr. MICHAUD.
H.R. 4122: Ms. BORDALLO, Ms. LEE of California, and Mr. BLUMENAUER.
H.R. 4124: Mr. LATHAM and Mr. RANGEL.
H.R. 4132: Mr. FILNER and Ms. ESHOO.
H.R. 4133: Mr. COSTELLO, Ms. DELAURO, Mr. DONNELLY of Indiana, Mr. HOLT, Mr. JACKSON of Illinois, Ms. MATSUI, Mr. SERRANO, Ms. SUTTON, Mr. TONKO, Ms. TSONGAS, Mr. WEST, Ms. BUERKLE, Mr. SOUTHERLAND, Mr. WOODALL, Mr. ROGERS of Michigan, Mr. MCCLEINTOCK, Mr. HARRIS, Mr. VAN HOLLEN, Mr. BURTON of Indiana, Mr. KING of Iowa, Mr. MARINO, Mr. ANDREWS, Mr. WALDEN, Mr. DUNCAN of South Carolina, Mr. YOUNG of Alaska, Ms. ESHOO, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. FRELINGHUYSEN, Mr. BILIRAKIS, and Mr. MEEHAN.
H.R. 4134: Mr. CONNOLLY of Virginia, Mrs. CAPPS, Mr. WALDEN, Mr. PASTOR of Arizona, Ms. LINDA T. SÁNCHEZ of California, Mr. SHUSTER, Mr. SESSIONS, Mr. CARNAHAN, Mr. FLORES, and Mr. CANSECO.
H.R. 4137: Mr. BROOKS and Mr. PETRI.
H.R. 4144: Mrs. NAPOLITANO.
H.R. 4160: Mr. ROSS of Florida.
H.R. 4164: Mrs. BLACK, Mr. MCINTYRE, Mr. LANGEVIN, Mr. CONNOLLY of Virginia, Mr. HEINRICH, Mr. JONES, Mr. SCHILLING, and Ms. HIRONO.
H.R. 4168: Mr. CONNOLLY of Virginia.
H.R. 4169: Mr. DANIEL E. LUNGREN of California, Mr. CLAY, Ms. WATERS, Mr. BERMAN, Ms. SLAUGHTER, Mr. DEFAZIO, Mr. RUSH, Ms. RICHARDSON, Mrs. MYRICK, Mr. ROTHMAN of New Jersey, Mrs. CAPPS, Mrs. MALONEY, Mr. WAXMAN, Mr. DOYLE, Mr. RANGEL, Mr. CRITZ, Mr. CARNAHAN, Mr. KEATING, Mr. SMITH of Washington, Ms. CLARKE of New York, and Mr. STARK.
H.R. 4177: Mr. ROSS of Arkansas.
H.R. 4192: Mr. RANGEL and Ms. RICHARDSON.
H.R. 4200: Mrs. LUMMIS, Mr. BACHUS, Mr. HUIZENGA of Michigan, and Mr. PAUL.
H.R. 4206: Mrs. ELLMERS.
H.R. 4209: Mr. MCGOVERN and Mr. CONYERS.
H.R. 4210: Mr. PETERS, Mr. CLAY, Ms. SEWELL, and Mr. DAVIS of Illinois.
H.R. 4221: Ms. BASS of California.
H.R. 4228: Mr. CARTER and Mr. THORBERRY.
H.R. 4229: Mr. BILIRAKIS, Mr. FORBES, Mr. RYAN of Ohio, Mr. SIRES, Mr. MURPHY of Connecticut, Mr. PRICE of Georgia, Mr. BOSWELL, Ms. SCHAKOWSKY, Mr. MCCAUL, Ms. RICHARDSON, Mr. FILNER, and Mr. MARINO.
H.R. 4232: Ms. SUTTON.
H.R. 4235: Ms. HAYWORTH and Mr. PETERS.
H.R. 4237: Mr. HULTGREN and Mr. JONES.
H.R. 4249: Mr. CONNOLLY of Virginia and Mr. HIGGINS.
H.R. 4256: Mr. HUIZENGA of Michigan, Mr. KINGSTON, Mr. FARENTHOLD, Mr. GIBBS, Mr. SOUTHERLAND, Mrs. NOEM, Mr. ROE of Tennessee, Mr. DUFFY, and Mr. WEST.
H.R. 4266: Ms. CHU.
H.R. 4271: Mr. HINOJOSA, Ms. RICHARDSON, Mr. COHEN, Mr. HINCHEY, Ms. CLARKE of New York, Mr. VELÁZQUEZ, Mr. CARSON of Indiana, Ms. BASS of California, Mr. ISRAEL, and Mr. KISSELL.
H.R. 4273: Mr. BARTON of Texas.
H.R. 4282: Mr. MILLER of Florida.
H.R. 4301: Mr. MCKINLEY.
H.R. 4313: Mr. LOEBSACK, Mr. BISHOP of Georgia, and Mr. LANDRY.
H.R. 4315: Mr. CRITZ.
H.R. 4325: Mr. GRIJALVA.
H.R. 4328: Mr. HIGGINS.
H.R. 4329: Mr. HINCHEY.
H.R. 4346: Ms. SLAUGHTER and Mr. DEFAZIO.
H.J. Res. 53: Mr. SESSIONS.
H.J. Res. 86: Mrs. CAPPS.
H. Con. Res. 63: Mr. KILDEE and Mr. LANCE.
H. Con. Res. 87: Mr. MCCAUL, Mr. DANIEL E. LUNGREN of California, Mr. MARKEY, and Mr. JOHNSON of Georgia.
H. Con. Res. 110: Mr. WESTMORELAND and Mr. GOODLATTE.
H. Con. Res. 113: Mr. QUAYLE, Mr. LAMBORN, and Mr. YODER.
H. Con. Res. 114: Mr. CANSECO.
H. Res. 16: Mr. BARTON of Texas.
H. Res. 57: Mr. LATHAM.
H. Res. 130: Ms. ROYBAL-ALLARD.
H. Res. 134: Mr. BENISHEK.
H. Res. 271: Mr. ROKITA.
H. Res. 298: Mr. FARR, Mr. CICILLINE, Mr. COSTELLO, Mr. BILBRAY, and Mr. CHANDLER.
H. Res. 319: Mr. HOLT.
H. Res. 351: Mr. LEWIS of Georgia and Mr. SMITH of New Jersey.
H. Res. 367: Mr. CICILLINE.
H. Res. 478: Mr. BLUMENAUER.
H. Res. 526: Mr. SCOTT of South Carolina, Ms. LORETTA SANCHEZ of California, Mrs. SCHMIDT, Mr. GARAMENDI, Mr. GRIFFIN of Arkansas, and Mrs. ROBY.
H. Res. 549: Mr. CONYERS and Mr. STARK.
H. Res. 560: Mr. LUETKEMEYER and Mr. PETERSON.
H. Res. 568: Mr. COSTELLO, Mr. MEEKS, Mr. KINGSTON, Mr. TIERNEY, Mr. MCNERNEY, Mr. FLEISCHMANN, Mr. WALDEN, Mr. REYES, Mr. FATTAH, Mrs. BLACK, Mr. ANDREWS, Mr. REED, Mr. YOUNG of Alaska, Mr. SCHRADER, Mr. MEEHAN, Mr. VAN HOLLEN, Mr. AUSTIN SCOTT of Georgia, Mr. GIBSON, Mrs. EMERSON, Mr. ALEXANDER, Mr. FRELINGHUYSEN, and Mr. COLE.
H. Res. 583: Mr. SCHIFF, Mr. MARINO, Mr. CARSON of Indiana, Mr. TURNER of New York,

Mr. DENT, Mr. SMITH of Washington, Mr. FILLNER, Ms. JENKINS, Mr. JOHNSON of Georgia, Mr. CRITZ, Ms. KAPTUR, Mr. PLATTS, and Mr. HEINRICH.

H. Res. 589: Mr. TIERNEY.

H. Res. 592: Mr. HINOJOSA, Mr. KINGSTON, and Mr. CLAY.

H. Res. 601: Mr. MURPHY of Connecticut.

¶47.25 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

40. The SPEAKER presented a petition of The Common Council, Buffalo, NY, relative to Resolution No. 84 calling for the United States Postal Service to continue with one-day delivery of first-class mail in the city of Buffalo; to the Committee on Oversight and Government Reform.

TUESDAY, APRIL 17, 2012 (48)

¶48.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. FLEISCHMANN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
April 17, 2012.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶48.2 RECESS—11:12 A.M.

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 12 minutes a.m., until noon.

¶48.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶48.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, April 16, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶48.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5658. A letter from the Director, Policy Issuances Division, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Changes to the Schedule of Operations Regulations [Docket No.: FSIS-2010-0014] (RIN: 0583-AD35) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5659. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus pumilus* strain GHA 180; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0536; FRL-

9343-1] received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5660. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Private Transfer Fees (RIN: 2590-AA41) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; Regional Haze [EPA-R01-OAR-2010-1043; A-1-FRL-9652-1] received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Amendment to HFO-1234yf SNAP Rule for Motor Vehicle Air Conditioning Sector [EPA-HQ-OAR-2011-0776; FRL-9651-3] (RIN: 2060-AR20) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2010-0873; FRL-9653-3] (RIN: 2060-AH23) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5664. A letter from the Assistant Director, Policy Division, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Iranian Transactions Regulations received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5665. A letter from the Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's final rule — Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities; Swimming Pools [CRT Docket No.: 122; AG Order No. 3326-2012] (RIN: 1190-AA68) received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5666. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, U.S. Customs and Border Protection, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCPB-2012-0007] (RIN: 1515-AD86) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5667. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Notice 2008-40; Deduction for Energy Efficient Commercial Buildings [Notice 2012-26] received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶48.6 PROVIDING FOR CONSIDERATION OF H.R. 4089

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 614):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting. The first reading of the bill shall be dispensed

with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-19. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. (a) Pending the adoption of a concurrent resolution on the budget for fiscal year 2013, the provisions of House Concurrent Resolution 112, as adopted by the House, shall have force and effect in the House as though Congress has adopted such concurrent resolution (with the modifications specified in subsection (b)).

(b) In section 201(b) of House Concurrent Resolution 112, as adopted by the House, the following amounts shall apply:

(1) \$7,710,000,000 (in lieu of \$8,200,000,000) for the period of fiscal years 2012 and 2013 with respect to the Committee on Agriculture; and

(2) \$3,490,000,000 (in lieu of \$3,000,000,000) for the period of fiscal years 2012 and 2013 with respect to the Committee on Financial Services.

Pending consideration of said resolution.

¶48.7 POINT OF ORDER

Ms. MOORE made a point of order against consideration of said resolution, and said:

"Mr. Speaker, I raise a point of order against H. Res. 614 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, except those arising under clause 10 of rule XXI, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a)."

The SPEAKER pro tempore, Mr. WOMACK, responded to the point of order, and said:

"The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

"The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Wisconsin and a Member opposed each will control ten minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration."

Ms. MOORE was further recognized and said:

"Mr. Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill, H.R. 4089.

"But before I begin, Mr. Speaker, I have a parliamentary inquiry.

"The rule clearly states, 'Pending the adoption of a concurrent resolution on the budget for fiscal year 2013, the provisions of House Concurrent Resolution 112, as adopted by the House, shall have the force and effect in the House as though Congress had adopted such concurrent resolution.'

"Does this mean that the rule deems that the Senate will have passed H. Con. Res. 112?"

The SPEAKER pro tempore, Mr. DENHAM, responded to the point of order, and said:

"The Chair will not interpret the resolution during its pendency. That is a matter for debate."

Ms. MOORE was further recognized and said:

"Okay. We will have to debate this. The language, as I have construed it, says it shall have force and effect in the House as though Congress, which would include the Senate, had adopted such concurrent resolution. That is subject to debate.

"So I want the House to be really clear here that, given this language, there is a real—it seems probable and likely that if we vote 'yes' for House Concurrent Resolution 112, the Republican budget, which ends Medicare for a voucher system, ends the entitlement under Medicaid, cuts food support, cuts funds by \$134 billion over 10 years, that we could be deeming this to be passed.

"I am raising again, Mr. Speaker, the question about that use of 'Congress has adopted such concurrent resolution,' meaning also the Senate.

"Thank you, Mr. Speaker, for your lack of clarity.

"I raise this point of order because it's important to uncover whether or not the underlying rule for this Natural Resources bill—it's a Natural Resources bill—also deems the Republican budget plan to end Medicare as we know it, slash funding for SNAP.

"When it comes to the Republican budget, my Democratic colleagues are most definitely not asleep at the wheel. And we want to take this moment to shed light on what's going on here.

"Mr. Speaker, I'm a member of that prestigious committee, the House Committee on the Budget, and a long-time advocate for sound budgetary policy. I recognize the importance of tackling our deficit and debt head-on, carefully balancing both the spending and revenue-raising sides of our ledger.

"But House Republicans, led by my dear colleague from Wisconsin, have put out a budget that is neither sound nor balanced. This budget finds a jaw-dropping 62 percent of its \$5.3 trillion in nondefense budget cuts over 10 years from programs that serve the most vulnerable of our society, the poor, and I might add in the most vulnerable, women and children, since we've just recently established in this last week that women were very important in our economy.

"In addition to the sheer magnitude of these raw numbers, I want to make it clear that the Republican budget contains major departures from current policy. This budget heralds welfare reform as a vital victory and plots the next chapter of so-called 'reforms' for other areas of the safety net.

"Our core programs are not spared by this budgetary trick. This budget takes an aim at Medicare. We're told that by stripping Medicare of its entitled status, cutting \$30 billion out of Medicare, that we're going to save it. We're going to save Medicare by subtracting \$30 billion. That's not the kind of math I learned at North Division High.

"And we're going to set seniors adrift in the private market. Now, this budget does nothing to cut the cost of health care in the private market. It only passes those costs on to seniors.

"The cuts to the SNAP program have not gotten as much attention as the Medicare cuts, even though they are cause for collective alarm. As we know, over half of our citizens in the United States, working people, many of them, found themselves with no other income. They had no job. We played phony baloney with the unemployment insurance. They had nothing except SNAP, formerly known as food stamps.

"And so they had no other income other than the food stamp program, SNAP, but yet we're going to cut \$134 million out of this program and convert it again to a block grant and handcuff SNAP's ability to respond to its increased need."

Ms. SCHAKOWSKY was recognized to speak to the point of order and said:

"All this talk of 'deeming and passing,' those words mean nothing to the American people, but the vote we are about to take means a lot.

"What Republicans are trying to do is to jam through the Republican budget and pretend that it's the law of the land. They have to play these games because last year the American people rejected this budget the first time around. But instead of doing some soul-searching and offering a bill that reflects the true priorities of this Nation, the Republicans have doubled down, and the results are truly astonishing.

"As has been mentioned, this budget ends the Medicare guarantee while raising health costs for seniors who have an average income of just \$19,000 a year. It increases defense spending while placing a cap on food assistance and cutting Medicaid. It gives the average multi-millionaire—listen to this—a tax break of \$394,000 while raising taxes on the middle class. It protects subsidies for oil companies and corporations that ship jobs overseas while slashing investments that create jobs and rebuild the middle class. The cuts are so severe that if their policies are carried out, by 2050 there is almost nothing left of discretionary spending but defense. As the Center on Budget and Policy Priorities has said, most of the rest of the government will simply 'cease to exist'.

"But it doesn't have to be this way. Yesterday, Republicans in the Senate rejected a perfectly reasonable proposal—that millionaires and billionaires shouldn't pay a lower tax rate than a middle class family does. They should have passed the Buffett rule in the Senate, which would have been an important first step toward addressing our fiscal challenges in a fair way—a way that cuts waste, not opportunity; protects Social Security, Medicare, and Medicaid; creates jobs and builds the economy; and asks more from those who can afford it.

"This Republican budget is not a serious effort. It's a radical proposal. But I'll give them credit for one thing: at least they're honest in proposing this irresponsible budget."

Mr. BISHOP of Utah, was recognized to speak to the point of order and said:

"I am pleased to be down here for this procedural issue that is before us. The question before the House is: 'Should the House now consider House Resolution 614?' While the resolution waives all point of order against consideration of the bill, the committee is not aware of any points of order.

"The waiver is prophylactic in nature. The Congressional Budget Office has stated that H.R. 4089 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandate Reform Act and would impose no costs on State, local, or tribal governments. Again, Mr. Speaker, this waiver is prophylactic, and the motion from the gentlelady from Wisconsin is dilatory.

"In order for the House to continue our scheduled business for today, we need to continue on with this proposal and dealing with the rule that is before us."

Ms. MOORE was further recognized and said:

"I would yield my time for the purpose of your answering my question.

"The Speaker has declined to answer my parliamentary query and said that that would be settled during the debate. So is it your understanding that passage of this resolution will or will not deem the Republican budget to have been passed in all of the Congress?"

Mr. BISHOP of Utah, was further recognized and said:

"I would not dare to try and supersede my interpretation over the Speaker's interpretation. That is his responsibility. However—

"That is still the Speaker's responsibility. However, what deeming applies to is that these are for procedural considerations allowed to go forward until such time as an actual budget has indeed passed. So the answer to your question is actually both: Temporarily, yes; long term, obviously no.

"At some time, the Senate has to do their work. Hopefully, they will do it soon and then this issue would be moot."

Ms. MOORE was further recognized and said:

"Reclaiming my time from the point at which I said I was reclaiming my time. And I ask that he be taxed for that extra time because he already gave me his answer—that, yes, it would be deemed to be passed.

"I just want to remind people, in this week when we have learned how important it is to have a stable, good budget for women, that this program slashes funding for Medicaid—two-thirds of adults are women who depend on it. It slashes Medicare—two-thirds of the recipients are women. And 85 percent of Medicare recipients that are older than 85 depend on it.

"It cuts support for key programs like childcare, which are important to women, and job training. It cuts core programs like food stamps. Our Presidential candidate said that 93 percent of women lost jobs during the recession. Why would we want to take away the safety net of food stamps when women put food on the table every day trying to feed their babies?

"Mr. Speaker, this program—which will be deemed to be passed—needs more review, and I would ask you to find my point of order in order.

"I want to thank the gentleman for a vigorous debate—at least on my part—and I would ask my colleagues to take a closer look.

"This is the Congress of the United States of America. We are supposed to do things very carefully. This is the budget that we're setting out, the moral document for how this country is to be run, and we should not be deeming it as passed, as this resolution calls for.

"I would ask all my colleagues to support my point of order and ask them to vote against this resolution."

Mr. BISHOP of Utah, was further recognized and said:

"Mr. Speaker, once again, I wish to remind the body that we are dealing with a procedural issue. We've heard a great deal of policy debate here, but what we are dealing with is a procedural issue.

"The policy of the debate has been debated on this floor and will be debated in the future as well under two criteria: one, either allowing our committees to move forward with its au-

thorization, appropriations, and reconciliation efforts, in which case certain procedural techniques must take place; or, two, actually allowing the Senate to do their work and pass a budget, going to a conference, and then moving forward in that manner. One way or the other, the procedure must go forward. This is not policy we're debating here, it's procedure.

"There is precedence for what we are doing. Indeed, in the last Congress, H.R. 1500, the opposition party, the minority party, also deemed resolutions and brought them forward—actually, it's happened six times in our history. The only difference between the deeming that we have here and the deeming that happened in the last session of Congress is that this particular budget—which will be debated again—actually went through a committee and had a vote on the floor. Unfortunately, when the Democrat Party did that a couple years ago, they had not gone through a committee, they did not have a debate on the floor or in committee or a vote on anything. Actually, the numbers that were deemed at that time were less than 1-day's notice before they were actually voted on the floor. And everyone who has spoken against this procedure voted for that particular deeming a couple of years ago in the last Congress.

"There is precedence for this, and the precedence is solely a procedural issue. This is not the time to talk about the policy. There was a time before, and there will be time in the future. This is a procedural precedent, and we can only move forward in doing the work of this Congress—and I appreciate the other side for at least admitting that the Republicans are trying to move forward in the work of this Congress—if we have certain procedural issues done in advance. That's what we are attempting to do.

"So, in order to allow the House to continue its scheduled business of this day, I urge Members to vote 'yes' on the question of the consideration of this resolution, and I yield back the balance of my time."

After debate,

The question being put, viva voce,

Will the House now consider the resolution?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Ms. MOORE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 234
affirmative Nays 175

48.8

[Roll No. 154]

YEAS—234

Adams	Amash	Barletta
Aderholt	Amodei	Bartlett
Akin	Bachmann	Barton (TX)
Alexander	Bachus	Bass (NH)

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

NAYS—175

Ackerman	Castor (FL)	Dicks
Altmire	Chandler	Dingell
Baca	Chu	Donnelly (IN)
Baldwin	Cicilline	Doyle
Barrow	Clarke (MI)	Edwards
Bass (CA)	Clarke (NY)	Ellison
Becerra	Clay	Engel
Berkley	Cleaver	Eshoo
Berman	Clyburn	Farr
Bishop (GA)	Connolly (VA)	Fattah
Bishop (NY)	Conyers	Frank (MA)
Blumenauer	Cooper	Fudge
Bonamici	Costa	Garamendi
Boren	Courtney	Gonzalez
Boswell	Critz	Green, Al
Brady (PA)	Crowley	Green, Gene
Bralley (IA)	Cuellar	Grijalva
Brown (FL)	Davis (CA)	Gutierrez
Butterfield	Davis (IL)	Hahn
Capps	DeFazio	Hanabusa
Capuano	DeGette	Hastings (FL)
Carnahan	DeLauro	Heinrich
Carson (IN)	Deutch	Higgins

Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)

McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—22

Andrews
Austria
Burton (IN)
Cardoza
Carney
Cohen
Costello
Cummings

Denham
Doggett
Finler
Fincher
Hirono
Johnson (IL)
Marino
McIntyre

Napolitano
Rangel
Scott (VA)
Slaughter
Walberg
Whitfield

So the House decided to consider said resolution.

A motion to reconsider the vote whereby the House decided to consider said resolution was, by unanimous consent, laid on the table.

Accordingly,

When said resolution was considered.

After debate,

Mr. BISHOP of Utah, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mr. McGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 235
affirmative { Nays 179

¶48.9 [Roll No. 155]

YEAS—235

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek

Berg
Biggert
Bilbray
Billirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)

Buchanan
Buchoon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy

Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crawford
Kelly
King (IA)
King (NY)
Kingston
Kingston (IL)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lande
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
Gerlach
McCotter
Gibbs
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Murr
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Platts
Huelskamp
Huizenga (MI)
Hultgren
Hunter

NAYS—179

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver

Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene

Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Lee (CA)
Levin
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Nadler
Neal
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)

Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)

Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Akin
Andrews
Cardoza
Cohen
Costello
Davis (IL)

Finler
Fincher
Gallegly
Lewis (GA)
Marino
McIntyre

Napolitano
Pitts
Rangel
Slaughter
Walsh (IL)

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mr. McGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 228
affirmative { Nays 184

¶48.10 [Roll No. 156]

AYES—228

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Billirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter

Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Elliott
Emerson
Farenthold
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett

Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam

Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette
 Latta
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzano
 Marchant
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)

Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paul
 Paulsen
 Pearce
 Pence
 Petri
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise

Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (FL)
 Young (IN)

Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Walz (MN)

Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster

Welch
 Wilson (FL)
 Woolsey
 Yarmuth

Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Kucinich
 Labrador
 Lamborn
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Maloney

NOT VOTING—19

So the resolution was agreed to.
 A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

48.11 H.R. 1815—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1815) to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

The question being put,
 Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 410
 affirmative } Nays 2

48.12 [Roll No. 157]

YEAS—410

Ackerman
 Altmire
 Baca
 Baldwin
 Barrow
 Barton (TX)
 Bass (CA)
 Becerra
 Berkeley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Boren
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Deutch
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel

Eshoo
 Farr
 Fattah
 Frank (MA)
 Fudge
 Garamendi
 Gibson
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kildee
 Kind
 Kissell
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lipinski
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lujan
 Lynch
 Maloney
 Markey
 Matheson
 Matsui
 McCarthy (NY)
 McCollum
 McDermott

McGovern
 McNerney
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Neal
 Oliver
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Platts
 Poe (TX)
 Polis
 Price (NC)
 Quigley
 Rahall
 Reyes
 Richardson
 Richmond
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shuler
 Sires
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko

Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chabot
 Chaffetz
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent

DesJarlais
 Deutch
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffy
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene

Manzullo
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 Hall
 McCollum
 McCotter
 McDermott
 McGovern
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 McNerney
 Meehan
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Oliver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Pence
 Perlmutter
 Tiberi
 Peterson
 Petri
 Pingree (ME)
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Quigley
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Richmond
 Rigell
 Rivera
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Woodall
 Woolsey
 Yarmuth
 Yoder
 Young (FL)
 Young (IN)

Royce
 Runyan
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (OH)
 Turner (NY)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Woodall
 Woolsey
 Yarmuth
 Yoder
 Young (FL)
 Young (IN)

NAYS—2

Amash
 Paul

NOT VOTING—19

Duncan (SC)
 Filner
 Fincher
 Gallegly
 Gowdy

Latham
 Lewis (GA)
 Marchant

Marino Napolitano Rangel
McIntyre Pitts Slaughter

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

48.13 RECREATIONAL HUNTING, FISHING AND SHOOTING

The SPEAKER pro tempore, Mr. REICHERT, pursuant to House Resolution 614 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting.

The SPEAKER pro tempore, Mr. REICHERT, by unanimous consent, designated Mrs. EMERSON as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Ms. FOXX, assumed the Chair.

When Mr. SIMPSON, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

48.14 RECESS—5:10 P.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 10 minutes p.m., subject to the call of the Chair.

48.15 AFTER RECESS—5:53 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

48.16 PROVIDING FOR CONSIDERATION OF H.R. 4348

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112-446) the resolution (H. Res. 619) providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

48.17 PROVIDING FOR CONSIDERATION OF H.R. 9

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112-447) the resolution (H. Res. 620) providing for consideration of the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses.

When said resolution and report were referred to the House Calendar and ordered printed.

48.18 RECREATIONAL HUNTING, FISHING AND SHOOTING

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to House Resolution 614 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4089) to protect and enhance opportunities for recreational hunting, fishing and shooting.

Mr. SIMPSON, Acting Chairman, assumed the chair; and after some time spent therein,

48.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-444, submitted by Mr. HOLT:

Page 12, strike line 24 and all that follows through page 13, line 2 and insert the following:

(g) AREAS NOT AFFECTED.—Nothing in this title requires the opening to hunting or recreational shooting of—

(1) a national park or national monument under the jurisdiction of the National Park Service; or

(2) a unit of the National Park System (that is not a national park or national monument) unless specifically provided by statute that such unit be open to hunting or recreational shooting.

It was decided in the { Yeas 152 negative } Nays 260

48.20 [Roll No. 158]

AYES—152

- Ackerman Green, Al Murphy (CT)
Baldwin Grijalva Nadler
Bass (CA) Gutierrez Neal
Becerra Hahn Olver
Berkley Hanabusa Pallone
Berman Hastings (FL) Pascrell
Bishop (NY) Heinrich Pastor (AZ)
Bonamici Higgins Paulsen
Brady (PA) Himes Pelosi
Brown (FL) Hinchey Peters
Butterfield Hinojosa Pingree (ME)
Capps Hirono Platts
Capuano Holt Polis
Carnahan Honda Price (NC)
Carney Hoyer Quigley
Carson (IN) Israel Reichert
Castor (FL) Jackson (IL) Reyes
Chu Jackson Lee Richard
Cicilline (TX)
Clarke (MI) Johnson (GA) Richmond
Clarke (NY) Johnson (IL) Rothman (NJ)
Clay Johnson, E. B. Roybal-Allard
Cleaver Kaptur Ruppertsberger
Clyburn Keating Rush
Cohen Kildee Sanchez, Linda
Connolly (VA) Kucinich T.
Conyers Langevin Sanchez, Loretta
Cooper Larsen (WA) Sarbanes
Courtney Larson (CT) Schakowsky
Crowley Lee (CA) Schiff
Cummings Levin Schwartz
Davis (CA) Lewis (GA) Scott (VA)
Davis (IL) Lipinski Scott, David
DeFazio Loeb sack Serrano
DeLauro Lofgren, Zoe Sewell
Deutch Lowey Sherman
Dingell Sires Sires
Doggett Lynch Smith (WA)
Dold Maloney Speier
Doyle Markey Stark
Edwards Matsui Sutton
Ellison McCarthy (NY) Thompson (CA)
Engel McCollum Tierney
Eshoo McDermott Tonko
Farr McNeerney Towns
Fattah Meeks Tsongas
Fudge Miller (NC) Van Hollen
Gerlach Miller, George Velazquez
Gonzalez Moran Visclosky

Wasserman
Schultz
Waters

Watt
Waxman
Welch

Wilson (FL)
Woolsey
Yarmuth

NOES—260

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

NOT VOTING—19

- Andrews Filner King (IA)
Braley (IA) Fincher Marino
DeGette Frank (MA) McCaul
Dicks Garamendi McGovern

McIntyre Napolitano Rangel
McMorris Paul Slaughter
Rodgers Pitts

Campbell Herrera Beutler
Canseco Himes Poe (TX)
Cantor Hochul Pompeo
Capito Holden Posey
Cardoza Huelskamp Price (GA)
Carter Huizenga (MI) Quayle
Cassidy Hultgren Rahall
Chabot Hunter Reed
Chaffetz Hurt Rehberg
Chandler Issa Reichert
Coble Jenkins Renacci
Coffman (CO) Johnson (OH) Ribble
Cole Johnson, Sam Richmond
Conaway Jones Rigell
Cooper Jordan Rivera
Costa Kelly Roby
Costello Kind Roe (TN)
Courtney King (IA) Rogers (AL)
Cravaack King (NY) Rogers (KY)
Crawford Kingston Rogers (MI)
Crenshaw Kinzinger (IL) Rohrabacher
Critz Kissell Rokita
Cuellar Kline Rooney
Culberson Labrador Ros-Lehtinen
Davis (KY) Lamborn Roskam
DeFazio Lance Ross (AR)
Denham Landry Ross (FL)
Dent Lankford Royce
DesJarlais Runyan
Diaz-Balart Larsen (WA)
Dold Latham Ryan (OH)
Donnelly (IN) LaTourette Ryan (WI)
Dreier Latta Scalise
Duffy Lewis (CA) Schilling
Duncan (SC) Lipinski Schmidt
Duncan (TN) Loebbeck Schock
Ellmers Lucas Schrader
Emerson Luetkemeyer Schweikert
Farenthold Lujan Sessions
Fitzpatrick Flake Sewell
Flame Lummis Shimkus
Fleischmann Lungren, Daniel E. Shuler
Fleming E. Shuster
Flores Mack Simpson
Forbes Manzullo Smith (NE)
Fortenberry Marchant Smith (NJ)
Foxy Matheson Smith (TX)
Franks (AZ) McCarthy (CA) McCaul
Frelinghuysen McCaul Southerland
Gallegly McClintock McCotter
Gardner McCotter Stivers
Garrett McHenry Stutzman
Gerlach McKeon Terry
Gibbs McKinley Thompson (CA)
Gibson McMorris Thompson (MS)
Gingrey (GA) Rodgers Thompson (PA)
Gohmert Meehan Thornberry
Goodlatte Mica Tiberi
Gosar Michaud Tipton
Gowdy Miller (FL) Turner (NY)
Granger Miller (MI) Turner (OH)
Graves (GA) Miller, Gary Upton
Graves (MO) Miller, George Walden
Green, Gene Mulvaney Walsh (IL)
Griffin (AR) Murphy (PA) Walsh (MN)
Griffith (VA) Myrick Webster
Grijalva Neugebauer Welch
Grimm Noem West
Guinta Nugent Westmoreland
Guthrie Nunes Whitfield
Hall Nunnelee Wilson (SC)
Hanna Olson Wittman
Harper Owens Wolf
Harris Palazzo Womack
Hartzler Paulsen Woodall
Hastings (WA) Pearce Yoder
Hayworth Pence Young (AK)
Heck Perlmutter Young (FL)
Heinrich Peterson Young (IN)
Hensarling Petri
Herger Platts

It was decided in the { Yeas 155
negative } Nays 262

So the amendment was not agreed to.

48.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in House Report 112-444, submitted by Mr. GRIJALVA:

Page 14, after line 2, insert the following:

SEC. 105. APPLICABILITY CONDITION.

This title shall be in effect and apply only when less than 75 percent of Federal public land is available for hunting, fishing, or recreation shooting, as determined by the Secretary of the Interior.

Page 18, after line 18, insert the following:

SEC. 204. APPLICABILITY CONDITION.

This title shall be in effect and apply only when less than 75 percent of Federal public land (as defined section 103) is available for hunting, fishing, or recreation shooting, as determined by the Secretary of the Interior.

It was decided in the { Yeas 138
negative } Nays 279

48.22 [Roll No. 159]

AYES—138

Ackerman Garamendi Oliver
Baldwin Gonzalez Pallone
Bass (CA) Green, Al Pascrell
Becerra Gutierrez Pastor (AZ)
Berkley Hahn Pelosi
Berman Hanabusa Peters
Bishop (NY) Hastings (FL) Pingree (ME)
Blumenauer Higgins Polis
Bonamici Hinchey Price (NC)
Bono Mack Hinojosa Quigley
Brady (PA) Hirono Reyes
Brady (IA) Holt Richardson
Brown (FL) Honda Rothman (NJ)
Butterfield Israel Roybal-Allard
Capps Jackson (IL) Ruppersberger
Capuano Jackson Lee Rush
Carnahan (TX) Sanchez, Linda
Carney Johnson (GA) T.
Carson (IN) Johnson (IL) Sanchez, Loretta
Castor (FL) Johnson, E. B. Sarbanes
Chu Kaptur Schakowsky
Cicilline Keating Schiff
Clarke (MI) Kildee Schwartz
Clarke (NY) Kucinich Scott (VA)
Clay Langevin Scott, David
Cleaver Larson (CT) Serrano
Clyburn Lee (CA) Sherman
Connolly (VA) Levin Sires
Conyers Lewis (GA) Smith (WA)
Crowley Lofgren, Zoe Speier
Cummings Lowey Stark
Davis (CA) Lynch Sutton
Davis (IL) Maloney Tierney
DeGette Markey Tonko
DeLauro Matsui Towns
Deutch McCarthy (NY) Tsongas
Dingell McCollum Van Hollen
Doggett McDermott Velazquez
Doyle McGovern Visclosky
Edwards McNerney Wasserman
Ellison Meeks Schultz
Engel Miller (NC) Waters
Eshoo Moore Watt
Farr Moran Waxman
Fattah Murphy (CT) Wilson (FL)
Frank (MA) Nadler Woolsey
Fudge Neal Yarmuth

NOES—279

Adams Bartlett Boren
Aderholt Barton (TX) Boswell
Akin Bass (NH) Boustany
Alexander Benishek Brady (TX)
Altmire Berg Brooks
Amash Biggert Broun (GA)
Amodei Bilbray Buchanan
Austria Bilirakis Bucshon
Baca Bishop (GA) Buerkle
Bachmann Bishop (UT) Burgess
Bachus Black Burton (IN)
Barletta Blackburn Calvert
Barrow Bonner Camp

So the amendment was not agreed to.

48.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in House Report 112-444, submitted by Mr. PETERS:

Strike title III.

48.24 [Roll No. 160]

AYES—155

Ackerman Garamendi Pallone
Baldwin Gonzalez Pascrell
Bartlett Green, Al Pastor (AZ)
Bass (CA) Grijalva Pelosi
Becerra Gutierrez Perlmutter
Berkley Hahn Peters
Berman Hanabusa Pingree (ME)
Bishop (NY) Hastings (FL) Platts
Blumenauer Higgins Polis
Bonamici Himes Price (NC)
Bono Mack Hinchey Quigley
Brady (PA) Hinojosa Reichert
Brady (IA) Braley (IA) Hirono
Brown (FL) Brown (FL) Holt
Butterfield Honda Richardson
Campbell Hoyer Richmond
Capps Israel Rothman (NJ)
Capuano Jackson (IL) Roybal-Allard
Carnahan Carnahan Ruppersberger
Carson (IN) Carson (IN) Jackson Lee
Castor (FL) Castor (FL) Rush
Chu Johnson (GA) Sanchez, Linda
Cicilline Johnson (IL) T.
Clarke (MI) Johnson, E. B. Sanchez, Loretta
Clarke (NY) Keating Sarbanes
Clay Kildee Schakowsky
Cleaver Kucinich Schiff
Clyburn Langevin Schwartz
Cohen Larsen (WA) Scott (VA)
Connolly (VA) Larson (CT) Scott, David
Conyers Lee (CA) Serrano
Courtney Levin Sewell
Crowley Lewis (GA) Sherman
Cummings Lipinski Sires
Davis (CA) Loebsack Smith (WA)
Davis (IL) Lofgren, Zoe Speier
DeGette Lynch Stark
DeLauro Maloney Sutton
Deutch Markey Tierney
Doggett Matsui Tonko
Dold McCarthy (NY) Towns
Doyle McCollum Tsongas
Edwards McDermott Van Hollen
Ellison McGovern Velazquez
Engel McNerney Visclosky
Eshoo Meeks Wasserman
Farr Miller (NC) Schultz
Fattah Miller, George Watt
Fitzpatrick Moore Waxman
Frank (MA) Moran Welch
Frelinghuysen Nadler Wilson (FL)
Fudge Neal Woolsey
Gallegly Oliver Yarmuth

NOES—262

Adams Canseco Flake
Aderholt Cantor Fleischmann
Akin Capito Fleming
Alexander Cardoza Flores
Altmire Carney Forbes
Amash Carter Fortenberry
Amodei Cassidy Foxx
Austria Chabot Franks (AZ)
Baca Chaffetz Gardner
Bachus Chandler Garrett
Barletta Coble Gerlach
Barrow Coffman (CO) Gibbs
Barton (TX) Cole Gibson
Bass (NH) Conaway Gingrey (GA)
Benishek Cooper Gohmert
Berg Costello Goodlatte
Biggert Cravaack Gosar
Bilbray Crawford Gowdy
Bilirakis Crenshaw Granger
Bishop (GA) Critz Graves (GA)
Bishop (UT) Cuellar Green, Gene
Black Culberson Griffin (AR)
Blackburn Davis (KY) Griffith (VA)
Bonner DeFazio Grimm
Boren Denham Guinta
Boswell Dent Guthrie
Boustany DesJarlais Hall
Brady (TX) Diaz-Balart Hanna
Brooks Dingell Harper
Broun (GA) Donnelly (IN) Harris
Buchanan Dreier Hartzler
Bucshon Duffy Hastings (WA)
Buerkle Duncan (SC) Hayworth
Burgess Duncan (TN) Heck
Burton (IN) Ellmers Heinrich
Calvert Emerson Hensarling
Camp Farenthold Herger

Table listing representatives and their districts, including names like Herrera Beutler, McMorris, Ryan (OH), Courtney, Johnson (IL), Reichert, McKeon, Rehberg, Simpson, etc.

NOT VOTING—14

Table listing representatives not voting, including names like Andrews, Dicks, Filner, Fincher, Kaptur, Lowey, Marino, McIntyre, Napolitano, Paul, Pitts, Rangel, Schweikert, Slaughter.

So the amendment was not agreed to.

48.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in House Report 112-444, submitted by Mr. HEINRICH:

At the end of the bill, add the following:

TITLE V—ACTIVITIES WITHIN WILDERNESS OR LAND MANAGED AS WILDERNESS

SEC. 501. ACTIVITIES WITHIN WILDERNESS OR LAND MANAGED AS WILDERNESS.

Nothing in this Act shall be construed to allow oil and gas development, mining, logging, or motorized activity on Federal public land (as defined in section 103) designated or managed as wilderness.

It was decided in the Yeas 176 negative Nays 244

48.26 [Roll No. 161]

AYES—176

Table listing representatives voting Ayes for section 48.26, including names like Ackerman, Baca, Baldwin, Bass (CA), Bass (NH), Becerra, Berkeley, Berman, Bishop (NY), Blumenauer, Bonamici, Bono Mack, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello.

NOES—244

Table listing representatives voting Noes for section 48.26, including names like Adams, Aderholt, Akin, Alexander, Altmire, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Benishek, Berg, Biggart, Bilbray, Bilirakis, Bishop (GA), Bishop (UT), Black, Blackburn, Bonner, Boren, Boren, Boswell, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Chandler, Coble, Coffman (CO), Cole, Conaway, Crawford, Cravaack, Crawford, Crenshaw, Cuellar, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Donnelly (IN), Dreyer, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foy, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Gene, Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Heck, Hensarling, Herger, Herrera Beutler, Hochul, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jones, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Lankford, Latham, LaTourette, Latta, Lewis (CA), LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E., Mack, Manzullo, Marchant, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, Waters, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth.

NOT VOTING—11

Table listing representatives not voting, including names like Andrews, Filner, Fincher, Landry, Marino, McIntyre, Napolitano, Paul, Pitts, Rangel, Slaughter.

So the amendment was not agreed to.

48.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in House Report 112-444, submitted by Ms. FOXX:

At the end of the bill, add the following:

TITLE V—DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS

SEC. 501. DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS.

(a) DESIGNATION.—No national monument designated by presidential proclamation shall be valid until the Governor and the legislature of each State within the boundaries of the proposed national monument have approved of such designation.

(b) RESTRICTIONS.—The Secretary of the Interior shall not implement any restrictions on the public use of a national monument until the expiration of an appropriate review period (determined by the Secretary of the Interior) providing for public input.”

It was decided in the Yeas 223 affirmative Nays 198

48.28 [Roll No. 162]

AYES—223

Table listing representatives voting Ayes for section 48.28, including names like Adams, Aderholt, Akin, Broun (GA), Buchanan, Bucshon, Buerkle, Diaz-Balart, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Flake, Fleischmann, Fleming, Flores, Forbes, Foy, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Diaz-Balart, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Flake, Fleischmann, Fleming, Flores, Forbes, Foy, Franks (AZ), Frelinghuysen, Gallegly, Gardner.

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

NOES—198

Ackerman	DeFazio	Jackson Lee
Altmire	DeGette	(TX)
Baca	DeLauro	Johnson (GA)
Baldwin	Deutch	Johnson (IL)
Barrow	Dicks	Johnson, E. B.
Bass (CA)	Dingell	Kaptur
Bass (NH)	Doggett	Keating
Becerra	Dold	Kildee
Berkley	Donnelly (IN)	Kind
Berman	Doyle	King (NY)
Bishop (GA)	Edwards	Kucinich
Bishop (NY)	Ellison	Langevin
Blumenauer	Engel	Larsen (WA)
Bonamici	Eshoo	Larson (CT)
Bono Mack	Farr	Lee (CA)
Brady (PA)	Fattah	Levin
Bralley (IA)	Fitzpatrick	Lewis (GA)
Brown (FL)	Fortenberry	Lipinski
Butterfield	Frank (MA)	LoBiondo
Capps	Fudge	Loeback
Capuano	Garamendi	Lofgren, Zoe
Cardoza	Gerlach	Lowe
Carnahan	Gibson	Luján
Carney	Gonzalez	Lynch
Carson (IN)	Green, Gene	Maloney
Castor (FL)	Grijalva	Markey
Chandler	Grimm	Matsui
Chu	Guinta	McCarthy (NY)
Cicilline	Gutierrez	McCollum
Clarke (MI)	Hahn	McDermott
Clarke (NY)	Hanabusa	McGovern
Clay	Hanna	McNerney
Cleaver	Hastings (FL)	Meeks
Clyburn	Hayworth	Michaud
Cohen	Heinrich	Miller (MI)
Connolly (VA)	Higgins	Miller (NC)
Conyers	Himes	Miller, George
Cooper	Hinche	Moore
Costa	Hinojosa	Moran
Costello	Hirono	Murphy (CT)
Courtney	Hochul	Nadler
Critz	Holden	Neal
Crowley	Holt	Olver
Cuellar	Honda	Owens
Cummings	Hoyer	Pallone
Davis (CA)	Israel	Pascrell
Davis (IL)	Jackson (IL)	Pastor (AZ)

Paulsen	Sanchez, Loretta	Tierney
Pelosi	Sarbanes	Tonko
Perlmutter	Schakowsky	Towns
Peters	Schiff	Tsongas
Pingree (ME)	Schrader	Van Hollen
Platts	Schwartz	Velázquez
Polis	Scott (VA)	Visclosky
Price (NC)	Scott, David	Walz (MN)
Quigley	Serrano	Wasserman
Rahall	Sewell	Schultz
Reichert	Sherman	Waters
Reyes	Shuler	Watt
Richardson	Simpson	Waxman
Richmond	Sires	Welch
Rothman (NJ)	Smith (NJ)	West
Roybal-Allard	Smith (WA)	Wilson (FL)
Ruppersberger	Speier	Woolsey
Rush	Stark	Yarmuth
Ryan (OH)	Sutton	
Sánchez, Linda	Thompson (CA)	
T.	Thompson (MS)	

NOT VOTING—10

Andrews	McIntyre	Rangel
Filner	Napolitano	Slaughter
Fincher	Paul	
Marino	Pitts	

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. YODER, assumed the Chair.

When Mr. SIMPSON, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Sportsmen’s Heritage Act of 2012”.

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

Sec. 1. Short title; table of contents.

TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND OPPORTUNITIES

Sec. 101. Short title.

Sec. 102. Findings.

Sec. 103. Definition.

Sec. 104. Recreational fishing, hunting, and shooting.

TITLE II—RECREATIONAL SHOOTING PROTECTION

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Recreational shooting.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS

Sec. 301. Short title.

Sec. 302. Permits for importation of polar bear trophies taken in sport hunts in Canada.

TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING PROTECTION

Sec. 401. Short title.

Sec. 402. Modification of definition.

TITLE V—HUNTING IN KISATCHIE NATIONAL FOREST

Sec. 501. Hunting in Kisatchie National Forest.

TITLE VI—DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS

Sec. 601. Designation of and restrictions on national monuments.

TITLE I—RECREATIONAL FISHING AND HUNTING HERITAGE AND OPPORTUNITIES

SEC. 101. SHORT TITLE.

This title may be cited as the “Recreational Fishing and Hunting Heritage and Opportunities Act”.

SEC. 102. FINDINGS.

Congress finds that—
 (1) recreational fishing and hunting are important and traditional activities in which millions of Americans participate;
 (2) recreational anglers and hunters have been and continue to be among the foremost supporters of sound fish and wildlife management and conservation in the United States;
 (3) recreational fishing and hunting are environmentally acceptable and beneficial activities that occur and can be provided on Federal public lands and waters without adverse effects on other uses or users;

(4) recreational anglers, hunters, and sporting organizations provide direct assistance to fish and wildlife managers and enforcement officers of the Federal Government as well as State and local governments by investing volunteer time and effort to fish and wildlife conservation;

(5) recreational anglers, hunters, and the associated industries have generated billions of dollars of critical funding for fish and wildlife conservation, research, and management by providing revenues from purchases of fishing and hunting licenses, permits, and stamps, as well as excise taxes on fishing, hunting, and shooting equipment that have generated billions of dollars of critical funding for fish and wildlife conservation, research, and management;

(6) recreational shooting is also an important and traditional activity in which millions of Americans participate, safe recreational shooting is a valid use of Federal public lands, including the establishment of safe and convenient shooting ranges on such lands, and participation in recreational shooting helps recruit and retain hunters and contributes to wildlife conservation;

(7) opportunities to recreationally fish, hunt, and shoot are declining, which depresses participation in these traditional activities, and depressed participation adversely impacts fish and wildlife conservation and funding for important conservation efforts; and

(8) the public interest would be served, and our citizens’ fish and wildlife resources benefited, by action to ensure that opportunities are facilitated to engage in fishing and hunting on Federal public land as recognized by Executive Order No. 12962, relating to recreational fisheries, and Executive Order No. 13443, relating to facilitation of hunting heritage and wildlife conservation.

SEC. 103. DEFINITION.

In this title:
 (1) FEDERAL PUBLIC LAND.—
 (A) IN GENERAL.—Except as provided in subparagraph (B), the term “Federal public land” means any land or water that is—
 (i) owned by the United States; and
 (ii) managed by a Federal agency (including the Department of the Interior and the Forest Service) for purposes that include the conservation of natural resources.
 (B) EXCLUSION.—The term “Federal public land” does not include any land or water held in trust for the benefit of Indians or other Native Americans.

(2) HUNTING.—
 (A) IN GENERAL.—Except as provided in subparagraph (B), the term “hunting” means use of a firearm, bow, or other authorized means in the lawful—
 (i) pursuit, shooting, capture, collection, trapping, or killing of wildlife;
 (ii) attempt to pursue, shoot, capture, collect, trap, or kill wildlife; or

(iii) the training of hunting dogs, including field trials.

(B) EXCLUSION.—The term “hunting” does not include the use of skilled volunteers to cull excess animals (as defined by other Federal law, including laws applicable to the National Park System).

(3) RECREATIONAL FISHING.—The term “recreational fishing” means the lawful—

(A) pursuit, capture, collection, or killing of fish; or

(B) attempt to capture, collect, or kill fish.

(4) RECREATIONAL SHOOTING.—The term “recreational shooting” means any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

SEC. 104. RECREATIONAL FISHING, HUNTING, AND SHOOTING.

(a) IN GENERAL.—Subject to valid existing rights and subsection (g), and cooperation with the respective State and fish and wildlife agency, Federal public land management officials shall exercise their authority under existing law, including provisions regarding land use planning, to facilitate use of and access to Federal public lands, including Wilderness Areas, Wilderness Study Areas, or lands administratively classified as wilderness eligible or suitable and primitive or semi-primitive areas, for fishing, sport hunting, and recreational shooting except as limited by—

(1) statutory authority that authorizes action or withholding action for reasons of national security, public safety, or resource conservation;

(2) any other Federal statute that specifically precludes recreational fishing, hunting, or shooting on specific Federal public lands, waters, or units thereof; and

(3) discretionary limitations on recreational fishing, hunting, and shooting determined to be necessary and reasonable as supported by the best scientific evidence and advanced through a transparent public process.

(b) MANAGEMENT.—Consistent with subsection (a), the head of each Federal public land management agency shall exercise its land management discretion—

(1) in a manner that supports and facilitates recreational fishing, hunting, and shooting opportunities;

(2) to the extent authorized under applicable State law; and

(3) in accordance with applicable Federal law.

(c) PLANNING.—

(1) EFFECTS OF PLANS AND ACTIVITIES.—

(A) EVALUATION OF EFFECTS ON OPPORTUNITIES TO ENGAGE IN RECREATIONAL FISHING, HUNTING, OR SHOOTING.—Federal public land planning documents, including land resources management plans, resource management plans, travel management plans, general management plans, and comprehensive conservation plans, shall include a specific evaluation of the effects of such plans on opportunities to engage in recreational fishing, hunting, or shooting.

(B) NOT MAJOR FEDERAL ACTION.—No action taken under this title, or under section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), as amended by the National Wildlife Refuge System Improvement Act of 1997, either individually or cumulatively with other actions involving Federal public lands, shall be considered to be a major Federal action significantly affecting the quality of the human environment, and no additional identification, analysis, or consideration of environmental effects, including cumulative effects, is necessary or required.

(C) OTHER ACTIVITY NOT CONSIDERED.—Federal public land management officials are

not required to consider the existence or availability of recreational fishing, hunting, or shooting opportunities on adjacent or nearby public or private lands in the planning for or determination of which Federal public lands are open for these activities or in the setting of levels of use for these activities on Federal public lands, unless the combination or coordination of such opportunities would enhance the recreational fishing, hunting, or shooting opportunities available to the public.

(2) USE OF VOLUNTEERS.—If hunting is prohibited by law, all Federal public land planning documents listed in paragraph (1)(A) of an agency shall, after appropriate coordination with State fish and wildlife agencies, allow the participation of skilled volunteers in the culling and other management of wildlife populations on Federal public lands unless the head of the agency demonstrates, based on the best scientific data available or applicable Federal statutes, why skilled volunteers shall not be used to control overpopulations of wildlife on the land that is the subject of the planning documents.

(d) BUREAU OF LAND MANAGEMENT AND FOREST SERVICE LANDS.—

(1) LANDS OPEN.—Lands under the jurisdiction of the Bureau of Land Management and the Forest Service, including Wilderness Areas, Wilderness Study Areas, lands designated as wilderness or administratively classified as wilderness eligible or suitable and primitive or semi-primitive areas but excluding lands on the Outer Continental Shelf, shall be open to recreational fishing, hunting, and shooting unless the managing Federal agency acts to close lands to such activity. Lands may be subject to closures or restrictions if determined by the head of the agency to be necessary and reasonable and supported by facts and evidence, for purposes including resource conservation, public safety, energy or mineral production, energy generation or transmission infrastructure, water supply facilities, protection of other permittees, protection of private property rights or interests, national security, or compliance with other law.

(2) SHOOTING RANGES.—

(A) IN GENERAL.—The head of each Federal agency shall use his or her authorities in a manner consistent with this Act and other applicable law, to—

(i) lease or permit use of lands under the jurisdiction of the agency for shooting ranges; and

(ii) designate specific lands under the jurisdiction of the agency for recreational shooting activities.

(B) LIMITATION ON LIABILITY.—Any designation under subparagraph (A)(ii) shall not subject the United States to any civil action or claim for monetary damages for injury or loss of property or personal injury or death caused by any activity occurring at or on such designated lands.

(e) NECESSITY IN WILDERNESS AREAS AND “WITHIN AND SUPPLEMENTAL TO” WILDERNESS PURPOSES.—

(1) MINIMUM REQUIREMENTS FOR ADMINISTRATION.—The provision of opportunities for hunting, fishing and recreational shooting, and the conservation of fish and wildlife to provide sustainable use recreational opportunities on designated wilderness areas on Federal public lands shall constitute measures necessary to meet the minimum requirements for the administration of the wilderness area.

(2) The term “within and supplemental to” Wilderness purposes in section 4(a) of Public Law 88-577, means that any requirements imposed by that Act shall be implemented only insofar as they do not prevent Federal public land management officials and State fish and wildlife officials from carrying out their wildlife conservation responsibilities or pro-

viding recreational opportunities on the Federal public lands subject to a wilderness designation.

(3) Paragraphs (1) and (2) are not intended to authorize or facilitate commodity development, use, or extraction, or motorized recreational access or use.

(f) REPORT.—Not later than October 1 of every other year, beginning with the second October 1 after the date of the enactment of this Act, the head of each Federal agency who has authority to manage Federal public land on which fishing, hunting, or recreational shooting occurs shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) any Federal public land administered by the agency head that was closed to recreational fishing, sport hunting, or shooting at any time during the preceding year; and

(2) the reason for the closure.

(g) CLOSURES OR SIGNIFICANT RESTRICTIONS OF 640 OR MORE ACRES.—

(1) IN GENERAL.—Other than closures established or prescribed by land planning actions referred to in subsection (d) or emergency closures described in paragraph (3) of this subsection, a permanent or temporary withdrawal, change of classification, or change of management status of Federal public land that effectively closes or significantly restricts 640 or more contiguous acres of Federal public land to access or use for fishing or hunting or activities related to fishing and hunting (or both) shall take effect only if, before the date of withdrawal or change, the head of the Federal agency that has jurisdiction over the Federal public land—

(A) publishes appropriate notice of the withdrawal or change, respectively;

(B) demonstrates that coordination has occurred with a State fish and wildlife agency; and

(C) submits to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate written notice of the withdrawal or change, respectively.

(2) AGGREGATE OR CUMULATIVE EFFECTS.—If the aggregate or cumulative effect of separate withdrawals or changes effectively closes or significantly restricts 1280 or more acres of land or water, such withdrawals and changes shall be treated as a single withdrawal or change for purposes of paragraph (1).

(3) EMERGENCY CLOSURES.—Nothing in this Act prohibits a Federal land management agency from establishing or implementing emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, national security, or other purposes authorized by law. Such an emergency closure shall terminate after a reasonable period of time unless converted to a permanent closure consistent with this Act.

(4) NATIONAL WILDLIFE REFUGE SYSTEM.—Nothing in this Act is intended to amend or modify the provisions of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), except as expressly provided herein.

(h) AREAS NOT AFFECTED.—Nothing in this title requires the opening of national park or national monuments under the jurisdiction of the National Park Service to hunting or recreational shooting.

(i) NO PRIORITY.—Nothing in this title requires a Federal agency to give preference to recreational fishing, hunting, or shooting over other uses of Federal public land or over land or water management priorities established by Federal law.

(j) CONSULTATION WITH COUNCILS.—In fulfilling the duties set forth in this title, the heads of Federal agencies shall consult with

respective advisory councils as established in Executive Order Nos. 12962 and 13443.

(K) AUTHORITY OF THE STATES.—

(1) IN GENERAL.—Nothing in this title shall be construed as interfering with, diminishing, or conflicting with the authority, jurisdiction, or responsibility of any State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water within the State, including on Federal public land.

(2) FEDERAL LICENSES.—Nothing in this title authorizes the head of a Federal agency head to require a license, fee, or permit to fish, hunt, or trap on land or water in a State, including on Federal public land in the States, except that this paragraph shall not affect the Migratory Bird Stamp requirement set forth in the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718 et seq.).

TITLE II—RECREATIONAL SHOOTING PROTECTION

SEC. 201. SHORT TITLE.

This title may be cited as the “Recreational Shooting Protection Act”.

SEC. 202. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term “Director” means the Director of the Bureau of Land Management.

(2) NATIONAL MONUMENT LAND.—The term “National Monument land” has the meaning given that term in the Act of June 8, 1908 (commonly known as the “Antiquities Act”); 16 U.S.C. 431 et seq.).

(3) RECREATIONAL SHOOTING.—The term “recreational shooting” includes any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow and arrow.

SEC. 203. RECREATIONAL SHOOTING.

(a) IN GENERAL.—Subject to valid existing rights, National Monument land under the jurisdiction of the Bureau of Land Management shall be open to access and use for recreational shooting, except such closures and restrictions determined by the Director to be necessary and reasonable and supported by facts and evidence for one or more of the following:

- (1) Reasons of national security.
- (2) Reasons of public safety.
- (3) To comply with an applicable Federal statute.
- (4) To comply with a law (including regulations) of the State in which the National Monument land is located that is applicable to recreational shooting.

(b) NOTICE; REPORT.—

(1) REQUIREMENT.—Except as set forth in paragraph (2)(B), before a restriction or closure under subsection (a) is made effective, the Director shall—

(A) publish public notice of such closure or restriction in a newspaper of general circulation in the area where the closure or restriction will be carried out; and

(B) submit to Congress a report detailing the location and extent of, and evidence justifying, such a closure or restriction.

(2) TIMING.—The Director shall issue the notice and report required under paragraph (1)—

(A) before the closure if practicable without risking national security or public safety; and

(B) in cases where such issuance is not practicable for reasons of national security or public safety, not later than 30 days after the closure.

(c) CESSATION OF CLOSURE OR RESTRICTION.—A closure or restriction under paragraph (1) or (2) of subsection (a) shall cease to be effective—

(1) effective on the day after the last day of the six-month period beginning on the date

on which the Director submitted the report to Congress under subsection (b)(2) regarding the closure or restriction, unless the closure or restriction has been approved by Federal law; and

(2) 30 days after the date of the enactment of a Federal law disapproving the closure or restriction.

(d) MANAGEMENT.—Consistent with subsection (a), the Director shall manage National Monument land under the jurisdiction of the Bureau of Land Management—

(1) in a manner that supports, promotes, and enhances recreational shooting opportunities;

(2) to the extent authorized under State law (including regulations); and

(3) in accordance with applicable Federal law (including regulations).

(e) LIMITATION ON DUPLICATIVE CLOSURES OR RESTRICTIONS.—Unless supported by criteria under subsection (a) as a result of a change in circumstances, the Director may not issue a closure or restriction under subsection (a) that is substantially similar to closure or restriction previously issued that was not approved by Federal law.

(f) EFFECTIVE DATE FOR PRIOR CLOSURES AND RESTRICTIONS.—On the date that is 6 months after the date of the enactment of this Act, this title shall apply to closures and restrictions in place on the date of the enactment of this title that relate to access and use for recreational shooting on National Monument land under the jurisdiction of the Bureau of Land Management.

(g) ANNUAL REPORT.—Not later than October 1 of each year, the Director shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) any National Monument land under the jurisdiction of the Bureau of Land Management that was closed to recreational shooting or on which recreational shooting was restricted at any time during the preceding year; and

(2) the reason for the closure.

(h) NO PRIORITY.—Nothing in this title requires the Director to give preference to recreational shooting over other uses of Federal public land or over land or water management priorities established by Federal law.

(i) AUTHORITY OF THE STATES.—

(1) SAVINGS.—Nothing in this title affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under State law (including regulations) on land or water in the State, including Federal public land.

(2) FEDERAL LICENSES.—Nothing in this title authorizes the Director to require a license for recreational shooting on land or water in a State, including on Federal public land in the State.

(j) CONTROLLING PROVISIONS.—In any instance when one or more provisions in title I and in this title may be construed to apply in an inconsistent manner to National Monument land, the provisions in this title shall take precedence and apply.

TITLE III—POLAR BEAR CONSERVATION AND FAIRNESS

SEC. 301. SHORT TITLE.

This title may be cited as the “Polar Bear Conservation and Fairness Act of 2012”.

SEC. 302. PERMITS FOR IMPORTATION OF POLAR BEAR TROPHIES TAKEN IN SPORT HUNTS IN CANADA.

Section 104(c)(5)(D) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)(D)) is amended to read as follows:

“(D)(i) The Secretary of the Interior shall, expeditiously after the expiration of the applicable 30-day period under subsection (d)(2), issue a permit for the importation of any polar bear part (other than an internal

organ) from a polar bear taken in a sport hunt in Canada to any person—

“(I) who submits, with the permit application, proof that the polar bear was legally harvested by the person before February 18, 1997; or

“(II) who has submitted, in support of a permit application submitted before May 15, 2008, proof that the polar bear was legally harvested by the person before May 15, 2008, from a polar bear population from which a sport-hunted trophy could be imported before that date in accordance with section 18.30(i) of title 50, Code of Federal Regulations.

“(ii) The Secretary shall issue permits under clause (i)(I) without regard to subparagraphs (A) and (C)(ii) of this paragraph, subsection (d)(3), and sections 101 and 102. Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(I). This clause shall not apply to polar bear parts that were imported before June 12, 1997.

“(iii) The Secretary shall issue permits under clause (i)(II) without regard to subparagraph (C)(ii) of this paragraph or subsection (d)(3). Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(II). This clause shall not apply to polar bear parts that were imported before the date of enactment of the Polar Bear Conservation and Fairness Act of 2012.”.

TITLE IV—HUNTING, FISHING, AND RECREATIONAL SHOOTING PROTECTION

SEC. 401. SHORT TITLE.

This title may be cited as the “Hunting, Fishing, and Recreational Shooting Protection Act”.

SEC. 402. MODIFICATION OF DEFINITION.

Section 3(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)) is amended—

(1) in clause (v), by striking “, and” and inserting “, or any component of any such article including, without limitation, shot, bullets and other projectiles, propellants, and primers.”;

(2) in clause (vi) by striking the period at the end and inserting “, and”;

(3) by inserting after clause (vi) the following:

“(vii) any sport fishing equipment (as such term is defined in subsection (a) of section 4162 of the Internal Revenue Code of 1986) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax as provided by section 4162 or 4221 or any other provision of such Code), and sport fishing equipment components.”.

TITLE V—HUNTING IN KISATCHEE NATIONAL FOREST

SEC. 501. HUNTING IN KISATCHEE NATIONAL FOREST.

(a) IN GENERAL.—Consistent with the Act of June 4, 1897 (16 U.S.C. 551), the Secretary of Agriculture may not restrict the use of dogs in deer hunting activities in Kisatchie National Forest, unless such restrictions—

(1) apply to the smallest practicable portions of such unit; and

(2) are necessary to reduce or control trespass onto land adjacent to such unit.

(b) PRIOR RESTRICTIONS VOID.—Any restrictions regarding the use of dogs in deer hunting activities in Kisatchie National Forest in force on the date of the enactment of this Act shall be void and have no force or effect.

TITLE VI—DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS

SEC. 601. DESIGNATION OF AND RESTRICTIONS ON NATIONAL MONUMENTS.

(a) DESIGNATION.—No national monument designated by presidential proclamation

shall be valid until the Governor and the legislature of each State within the boundaries of the proposed national monument have approved of such designation.

(b) RESTRICTIONS.—The Secretary of the Interior shall not implement any restrictions on the public use of a national monument until the expiration of an appropriate review period (determined by the Secretary of the Interior) providing for public input.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. TIERNEY moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

TITLE V—FIGHTING OIL MARKET SPECULATION, MANIPULATION, AND FRAUD

SEC. 501. FIGHTING OIL MARKET SPECULATION, MANIPULATION, AND FRAUD.

There is hereby authorized to be appropriated to the Commodities Futures Trading Commission such sums as may be necessary to carry out enforcement, examinations, market surveillance and analytics, registration, and compliance activities which relate to oil and refined product commodity markets fraud, excessive speculation, and market manipulation.

TITLE VI—PROHIBITION ON HUNTING AND FISHING TRIPS PAID FOR BY REGISTERED LOBBYISTS OR REGISTERED FOREIGN AGENTS

SEC. 601. PROHIBITION ON HUNTING AND FISHING TRIPS PAID FOR BY REGISTERED LOBBYISTS OR REGISTERED FOREIGN AGENTS.

Nothing in this Act shall allow, promote, or facilitate hunting, fishing, or recreational shooting activities on Federal lands that are financed by a registered lobbyist or registered foreign agent for the benefit of a Member of Congress.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the nays had it.

Mr. TIERNEY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 160 Nays 261

48.29 [Roll No. 163] AYES—160

- Ackerman Carney Cummings
Baldwin Carson (IN) Davis (CA)
Bass (CA) Castor (FL) Davis (IL)
Becerra Chu DeFazio
Berkley Cicilline DeGette
Berman Clarke (MI) DeLauro
Bishop (NY) Clarke (NY) Deutch
Blumenauer Clay Dicks
Bonamici Cleaver Dingell
Brady (PA) Clyburn Doggett
Braley (IA) Cohen Doyle
Brown (FL) Connolly (VA) Edwards
Butterfield Conyers Ellison
Capps Costello Engel
Capuano Courtney Eshoo
Carnahan Crowley Farr

- Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchev
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Loifgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeke
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Levin
Roybal-Allard
Ruppersberger

NOES—261

- Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Chandler
Coble
Coffman (CO)
Cole
Coffman (CA)
Crawford
Crenshaw
Cruz
Cuellar
Culberson
Davis (KY)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem

- Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrbacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

- Andrews
Finler
Fincher
Marino
McIntyre
Napolitano
Paul
Pitts
Rangel
Slaughter

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. MARKEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 274 Nays 146

48.30 [Roll No. 164] YEAS—274

- Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Coffman (CA)
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger

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

NAYS—146

Ackerman	Farr	McGovern
Baldwin	Fattah	McNerney
Bass (CA)	Fudge	Meeks
Becerra	Gonzalez	Miller (NC)
Berkley	Green, Al	Miller, George
Berman	Grijalva	Moore
Bishop (NY)	Gutierrez	Moran
Blumenauer	Hahn	Murphy (CT)
Bonamici	Hanabusa	Nadler
Brady (PA)	Hastings (FL)	Neal
Brale (IA)	Higgins	Olver
Brown (FL)	Himes	Pallone
Butterfield	Hinchey	Pascrell
Capps	Hinojosa	Pastor (AZ)
Capuano	Hirono	Pelosi
Carmahan	Holt	Perlmutter
Carney	Honda	Peters
Castor (FL)	Hoyer	Pingree (ME)
Chu	Israel	Pollis
Cicilline	Jackson (IL)	Price (NC)
Clarke (MI)	Jackson Lee	Quigley
Clarke (NY)	(TX)	Reyes
Clay	Johnson (GA)	Richardson
Cleaver	Johnson (IL)	Rothman (NJ)
Clyburn	Johnson, E. B.	Roybal-Allard
Cohen	Kaptur	Ruppersberger
Connolly (VA)	Keating	Rush
Conyers	Kildee	Sánchez, Linda
Courtney	Kucinich	T.
Crowley	Langevin	Sanchez, Loretta
Cummings	Larsen (WA)	Sarbanes
Davis (CA)	Larson (CT)	Schakowsky
Davis (IL)	Lee (CA)	Schiff
DeGette	Levin	Schwartz
DeLauro	Lewis (GA)	Scott (VA)
Deutch	Lofgren, Zoe	Scott, David
Dicks	Lowey	Serrano
Dingell	Luján	Sewell
Doggett	Lynch	Sherman
Dold	Sires	Sires
Doyle	Markey	Smith (WA)
Edwards	Matsui	Speier
Ellison	McCarthy (NY)	Stark
Engel	McCollum	Sutton
Eshoo	McDermott	Tierney

Tonko	Visclosky	Waxman
Towns	Wasserman	Wilson (FL)
Tsongas	Schultz	Woolsey
Van Hollen	Waters	Yarmuth
Velázquez	Watt	

NOT VOTING—11

Andrews	Marino	Pitts
Finler	McIntyre	Rangel
Fincher	Napolitano	Slaughter
Frank (MA)	Paul	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶48.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MARINO, for April 16, today, and balance of the week.

And then,

¶48.32 ADJOURNMENT

On motion of Mr. GOHMERT, at 9 o'clock and 53 minutes p.m., the House adjourned.

¶48.33 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. H.R. 3523. A bill to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; with an amendment (Rept. 112-445). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 619. Resolution providing for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes (Rept. 112-446). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 620. Resolution providing for consideration of the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses (Rept. 112-447). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1505. A bill to prohibit the Secretaries of the Interior and Agriculture from taking action on public lands which impede border security on such lands, and for other purposes; with an amendment (Rept. 112-448, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶48.34 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Homeland Security discharged from further consideration. H.R. 1505 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

¶48.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. ISSA (for himself, Mr. ROSS of Florida, and Mr. LYNCH):

H.R. 4363. A bill to amend title 5, United States Code, to allow Federal employees to continue their public service while partially retired; to the Committee on Oversight and Government Reform.

By Mr. ISSA (for himself, Mr. LANKFORD, Mr. MICA, Mr. FARENTHOLD, Mr. ROSS of Florida, Mr. MCHENRY, and Mr. MACK):

H.R. 4364. A bill to amend title 5, United States Code, to specify further conditions under which payment for the services of a recess appointee may not be made from the Treasury; to the Committee on Oversight and Government Reform.

By Ms. BUERKLE (for herself and Mr. ROSS of Florida):

H.R. 4365. A bill to amend title 5, United States Code, to make clear that accounts in the Thrift Savings Fund are subject to certain Federal tax levies; to the Committee on Oversight and Government Reform.

By Ms. FUDGE (for herself, Mr. BRADY of Pennsylvania, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Ms. BROWN of Florida, Ms. RICHARDSON, Ms. SEWELL, and Mr. FILNER):

H.R. 4366. A bill to amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to award grants for science, technology, engineering, and math education programs; to the Committee on Education and the Workforce.

By Mr. LUETKEMEYER (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4367. A bill to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine; to the Committee on Financial Services.

By Mr. MCDERMOTT (for himself, Mr. LEWIS of Georgia, Mr. STARK, Mr. RANGEL, Mr. NEAL, Mr. LARSON of Connecticut, Mr. BLUMENAUER, and Mr. PASCRELL):

H.R. 4368. A bill to amend the Internal Revenue Code of 1986 to provide for the release of Federal tax levies which cause business hardship; to the Committee on Ways and Means.

By Mr. QUAYLE (for himself, Mr. MATHESON, and Mr. ROSS of Florida):

H.R. 4369. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and the filing of such reports with the Executive Office for United States Trustees; to the Committee on the Judiciary.

By Mr. TIPTON (for himself, Mr. GRAVES of Missouri, Mrs. ELLMERS, Mr. ROSS of Florida, Mr. HULTGREN, Mr. CHABOT, and Mr. LONG):

H.R. 4370. A bill to require new policies and procedures to address duplication and inefficient spending in the Federal grants process; to the Committee on Oversight and Government Reform.

By Mr. BACA:

H.R. 4371. A bill to amend title 38, United States Code, to improve pensions for surviving spouses of World War II and Korean War veterans; to the Committee on Veterans' Affairs.

By Mrs. BLACK (for herself, Mr. ROE of Tennessee, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mrs. BLACKBURN, Mr. REED, Mr. ROKITA, and Mrs. ELLMERS):

H.R. 4372. A bill to amend the Internal Revenue Code of 1986 to require the social security number of the student and the employer

identification number of the educational institution for purposes of education tax credits, to permanently allow disclosure of return information to prison officials to prevent prisoners from filing false and fraudulent tax returns, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 4373. A bill to amend the Internal Revenue Code of 1986 to make permanent the expansion of tax benefits for adoption enacted in 2001 and to permanently reinstate the expansion of tax benefits for adoption enacted in 2010; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself and Mr. PIERLUISI):

H.R. 4374. A bill to amend the Internal Revenue Code of 1986 to extend the increased limitation on the cover over of the tax on distilled spirits to Puerto Rico and the Virgin Islands; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4375. A bill to provide a taxpayer bill of rights for small businesses; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 4376. A bill to amend the Internal Revenue Code of 1986 to deny all deductions for business expenses associated with the use of a club that discriminates on the basis of sex, race, or color; to the Committee on Ways and Means.

By Ms. CHU (for herself, Ms. LORETTA SANCHEZ of California, Ms. RICHARDSON, Mr. CONYERS, Mr. FALEOMAVAEGA, Ms. SPEIER, Ms. LEE of California, Ms. HIRONO, Mr. VAN HOLLEN, Ms. BASS of California, Mr. SCOTT of Virginia, Mr. GRIJALVA, Ms. HAHN, Mr. AL GREEN of Texas, Mr. HONDA, Mr. CONNOLLY of Virginia, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Ms. BORDALLO, Mr. FILNER, Mr. BERMAN, Mr. SMITH of Washington, Mr. SABLAN, Ms. HANABUSA, Ms. MATSUI, Mr. CLARKE of Michigan, Mr. BECERRA, Mr. SHERMAN, Ms. ZOE LOFGREN of California, Mr. STARK, Ms. MCCOLLUM, Mr. SCHIFF, Ms. LINDA T. SANCHEZ of California, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mrs. MALONEY, Mr. CROWLEY, Mr. MCNERNEY, and Ms. WOOLSEY):

H. Res. 621. A resolution recognizing the significance of Asian/Pacific American Heritage Month in May as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the Nation's history; to the Committee on Oversight and Government Reform.

48.36 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Ms. BUERKLE and Mr. CRAWFORD.
 H.R. 139: Ms. LEE of California, Ms. RICHARDSON, Ms. LINDA T. SANCHEZ of California, Ms. NORTON, and Mr. CROWLEY.
 H.R. 156: Ms. LORETTA SANCHEZ of California.
 H.R. 265: Mr. HINCHEY.
 H.R. 266: Mr. HINCHEY.
 H.R. 267: Mr. HINCHEY.
 H.R. 300: Mr. BACA, Mr. BERMAN, Ms. BONAMICI, Mr. FILNER, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. MORAN, and Ms. WATERS.
 H.R. 466: Mr. BARTLETT.
 H.R. 576: Mr. HINCHEY.
 H.R. 589: Mr. COSTELLO.
 H.R. 601: Mr. FILNER.
 H.R. 616: Ms. DEGETTE.
 H.R. 631: Mr. RANGEL and Mr. BRADY of Pennsylvania.
 H.R. 683: Mr. HIGGINS.

H.R. 718: Mr. CASSIDY.
 H.R. 719: Ms. HOCHUL, Ms. HERRERA BEUTLER, and Mr. CANSECO.
 H.R. 769: Mr. CUMMINGS.
 H.R. 777: Mr. BLUMENAUER and Mr. GIBSON.
 H.R. 808: Mr. JACKSON of Illinois and Ms. RICHARDSON.
 H.R. 831: Mr. CONNOLLY of Virginia.
 H.R. 860: Mr. SCHWEIKERT and Mr. PRICE of North Carolina.
 H.R. 912: Mrs. NAPOLITANO.
 H.R. 933: Mr. TOWNS.
 H.R. 941: Mr. PETERSON and Mr. CARNAHAN.
 H.R. 1066: Mr. DEUTCH.
 H.R. 1131: Mr. BLUMENAUER.
 H.R. 1171: Mr. MCNERNEY.
 H.R. 1206: Mr. SOUTHERLAND and Mr. CRAWFORD.
 H.R. 1321: Mr. WILSON of South Carolina, Mr. CHABOT, Mr. BILIRAKIS, Mr. GRIMM, and Mr. RANGEL.
 H.R. 1360: Mr. DOLD, Mr. ROSKAM, and Mr. BOREN.
 H.R. 1385: Mrs. BLACK.
 H.R. 1404: Mr. SCOTT of Virginia.
 H.R. 1418: Ms. HIRONO.
 H.R. 1449: Ms. HAHN and Ms. SCHAKOWSKY.
 H.R. 1474: Mr. STEARNS and Mr. KLINE.
 H.R. 1477: Mr. BLUMENAUER.
 H.R. 1479: Mr. BARROW and Mr. MILLER of North Carolina.
 H.R. 1519: Mr. SABLAN.
 H.R. 1543: Ms. HANABUSA.
 H.R. 1564: Mr. RANGEL.
 H.R. 1588: Mr. REYES.
 H.R. 1639: Mr. FLORES and Mr. AUSTIN SCOTT of Georgia.
 H.R. 1653: Mr. SMITH of Nebraska.
 H.R. 1666: Mr. CONYERS.
 H.R. 1674: Mr. LATHAM.
 H.R. 1697: Mr. GRIFFIN of Arkansas.
 H.R. 1742: Mr. CONNOLLY of Virginia, Mr. CARSON of Indiana, Mr. DEFAZIO, and Mr. STARK.
 H.R. 1756: Mr. RIGELL.
 H.R. 1802: Mr. GIBBS and Mr. THOMPSON of Mississippi.
 H.R. 1860: Mr. RIVERA, Mr. STEARNS, Ms. BORDALLO, Ms. MOORE, Mr. TURNER of New York, Mr. ALEXANDER, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1862: Mr. ROTHMAN of New Jersey.
 H.R. 1876: Ms. VELÁZQUEZ.
 H.R. 1909: Mr. REED and Mr. JONES.
 H.R. 1955: Ms. SPEIER.
 H.R. 1996: Mr. BERG and Mr. GARDNER.
 H.R. 2032: Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. CRAWFORD, and Mr. BARLETTA.
 H.R. 2033: Mr. HASTINGS of Florida.
 H.R. 2051: Ms. HAYWORTH.
 H.R. 2088: Mr. WAXMAN.
 H.R. 2091: Mr. PRICE of North Carolina.
 H.R. 2123: Mr. PRICE of North Carolina.
 H.R. 2144: Mr. BACA and Ms. NORTON.
 H.R. 2182: Mr. FILNER, Mr. GARY G. MILLER of California, and Mr. BARROW.
 H.R. 2206: Mr. MARCHANT.
 H.R. 2227: Mr. CHANDLER.
 H.R. 2245: Mr. KILDEE.
 H.R. 2353: Mr. GIBBS.
 H.R. 2364: Mr. REYES, Mr. GUTIERREZ, Ms. BONAMICI, Mr. WAXMAN, and Mr. CLAY.
 H.R. 2547: Ms. BONAMICI.
 H.R. 2568: Mr. RENACCI.
 H.R. 2569: Mr. KING of New York and Mr. ROGERS of Michigan.
 H.R. 2705: Ms. WILSON of Florida and Mr. VAN HOLLEN.
 H.R. 2721: Mr. RANGEL, Mr. HINOJOSA, Ms. WILSON of Florida, Mr. GRIJALVA, Mr. HONDA, Mr. MORAN, and Mr. KUCINICH.
 H.R. 2741: Ms. LEE of California.
 H.R. 2827: Mr. COLE and Ms. GRANGER.
 H.R. 2886: Mr. GIBSON.
 H.R. 2902: Mr. GONZALEZ and Ms. ROYBAL-ALLARD.
 H.R. 2921: Ms. HAHN.
 H.R. 2962: Mr. RANGEL, Mr. COFFMAN of Colorado, Ms. DELAURO, and Mr. AMODEI.

H.R. 3032: Mr. FILNER.
 H.R. 3057: Mr. KISSELL.
 H.R. 3065: Mr. MCCOTTER and Mr. LAMBORN.
 H.R. 3144: Mr. PETERSON and Mr. GERLACH.
 H.R. 3145: Ms. DELAURO.
 H.R. 3173: Mr. COHEN.
 H.R. 3187: Mr. CUMMINGS, Mr. ROGERS of Kentucky, Mr. DICKS, Ms. HOCHUL, and Mr. CARTER.
 H.R. 3236: Mr. OWENS and Mr. SCHRADER.
 H.R. 3238: Mr. CONNOLLY of Virginia.
 H.R. 3252: Mr. TURNER of New York and Ms. BUERKLE.
 H.R. 3307: Ms. BUERKLE.
 H.R. 3324: Mr. PRICE of North Carolina.
 H.R. 3334: Ms. DELAURO.
 H.R. 3359: Ms. LEE of California and Mr. MCGOVERN.
 H.R. 3364: Mr. BISHOP of New York and Mr. CHANDLER.
 H.R. 3368: Mr. KUCINICH and Mr. FILNER.
 H.R. 3395: Mr. WILSON of South Carolina, Mr. STEARNS, Mr. KISSELL, and Mr. BACHUS.
 H.R. 3405: Mr. HOLT and Mr. COHEN.
 H.R. 3435: Mr. WAXMAN.
 H.R. 3486: Mr. STIVERS.
 H.R. 3506: Mr. GERLACH, Mr. PETERSON, Mr. PLATTS, Mr. KISSELL, Ms. HANABUSA, and Mr. FARENTHOLD.
 H.R. 3523: Mr. MCKEON.
 H.R. 3541: Mr. CULBERSON and Mr. PALAZZO.
 H.R. 3561: Ms. MOORE and Ms. BALDWIN.
 H.R. 3586: Mr. ROE of Tennessee.
 H.R. 3591: Mr. HOLT, Mr. SMITH of Washington, Mr. GRIMM, and Mrs. MALONEY.
 H.R. 3595: Mr. BLUMENAUER.
 H.R. 3596: Mr. THOMPSON of Mississippi, Mr. GARAMENDI, Mr. DEFAZIO, Mr. JOHNSON of Georgia, Ms. BERKLEY, Mr. LANGEVIN, Mr. CONYERS, Mr. ELLISON, Mr. LYNCH, and Mr. PASCRELL.
 H.R. 3609: Mr. ROKITA.
 H.R. 3658: Mr. DOLD and Mr. STARK.
 H.R. 3670: Mr. MICHAUD and Mr. DONNELLY of Indiana.
 H.R. 3712: Ms. HIRONO.
 H.R. 3728: Mr. HUELSKAMP, Mr. PRICE of Georgia, Mrs. BACHMANN, and Mr. LATHAM.
 H.R. 3770: Mr. MARCHANT.
 H.R. 3803: Mr. STEARNS, Mr. TIBERI, Mr. CULBERSON, Mrs. MILLER of Michigan, Mr. GARRETT, Mr. HECK, Mr. LATOURETTE, Ms. FOX, Mr. POE of Texas, and Mr. HALL.
 H.R. 3821: Mr. CONNOLLY of Virginia.
 H.R. 3826: Ms. JACKSON LEE of Texas, Mr. HIMES, and Mr. KILDEE.
 H.R. 3831: Mrs. MYRICK and Mr. PRICE of North Carolina.
 H.R. 3875: Mr. BACA.
 H.R. 3895: Mr. RIVERA.
 H.R. 3900: Mr. SHERMAN and Ms. CHU.
 H.R. 3903: Mr. TOWNS, Mr. GEORGE MILLER of California, Mr. LUJAN, Mr. DOGGETT, Mr. OWENS, Ms. LINDA T. SANCHEZ of California, Mr. DEFAZIO, Mr. CARSON of Indiana, Ms. MCCOLLUM, Mr. ROTHMAN of New Jersey, Ms. CLARKE of New York, Mr. GUTIERREZ, Mr. GENE GREEN of Texas, Ms. WOOLSEY, Mr. MCDERMOTT, and Ms. CASTOR of Florida.
 H.R. 3914: Ms. SLAUGHTER.
 H.R. 3980: Mr. MCKEON.
 H.R. 3989: Mr. MEEHAN.
 H.R. 3993: Mr. TOWNS, Ms. NORTON, Mr. LOEBSACK, Mr. HINCHEY, Mr. REED, and Mr. GIBSON.
 H.R. 3994: Mr. CASSIDY.
 H.R. 4005: Ms. BORDALLO.
 H.R. 4017: Mr. RIBBLE.
 H.R. 4018: Mr. ROSS of Arkansas, Mr. GRIMM, Mr. LATHAM, and Mr. PETERSON.
 H.R. 4032: Mr. CICILLINE.
 H.R. 4045: Ms. HIRONO.
 H.R. 4055: Ms. MCCOLLUM and Ms. WOOLSEY.
 H.R. 4063: Mr. STARK.
 H.R. 4070: Mr. RYAN of Ohio.
 H.R. 4081: Mr. MCKEON.
 H.R. 4124: Mr. GIBSON and Mr. PRICE of North Carolina.
 H.R. 4128: Mr. ROKITA, Mr. MCCOTTER, and Mr. SCOTT of South Carolina.

WEDNESDAY, APRIL 18, 2012 (49)

- H.R. 4132: Mr. ROSKAM.
- H.R. 4134: Mr. AUSTIN SCOTT of Georgia.
- H.R. 4157: Mr. DEFazio, Mr. COSTELLO, Mr. GRAVES of Missouri, Mr. HUIZENGA of Michigan, Mr. HURT, Mr. KISSELL, Mr. NUNES, Mr. RIBBLE, Mr. REHBERG, Mr. COLE, Mr. POMPEO, Mr. MANZULLO, Mr. AUSTIN SCOTT of Georgia, and Mr. OWENS.
- H.R. 4169: Mr. DOLD, Ms. WOOLSEY, Ms. HAHN, Mr. ENGEL, and Mr. GEORGE MILLER of California.
- H.R. 4170: Mr. McDERMOTT, Mr. RUSH, Mr. TOWNS, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, Ms. NORTON, and Mr. MORAN.
- H.R. 4171: Mr. LANKFORD.
- H.R. 4189: Mr. CROWLEY and Mr. JOHNSON of Georgia.
- H.R. 4192: Ms. WOOLSEY and Mr. RYAN of Ohio.
- H.R. 4201: Mr. YOUNG of Indiana, Mr. SHUSTER, Mr. RYAN of Ohio, Mr. BRADY of Pennsylvania, Mr. LANGEVIN, Mr. CRITZ, Mr. THORNBERRY, Mr. RUNYAN, and Mr. COFFMAN of Colorado.
- H.R. 4222: Mr. SCHWEIKERT.
- H.R. 4227: Mr. KEATING, Mr. MCGOVERN, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. BACA, Mr. COURTNEY, Ms. WOOLSEY, Ms. LEE of California, and Ms. JACKSON LEE of Texas.
- H.R. 4228: Mr. KLINE.
- H.R. 4237: Mr. POE of Texas and Mr. CASIDY.
- H.R. 4240: Mr. RANGEL, Mr. BILIRAKIS, and Mr. DANIEL E. LUNGREN of California.
- H.R. 4256: Mrs. ELLMERS.
- H.R. 4259: Mr. ROTHMAN of New Jersey, Mr. POE of Texas, and Mr. VAN HOLLEN.
- H.R. 4269: Mr. WOMACK.
- H.R. 4275: Mr. FALCOMA, Ms. LEE of California, and Ms. RICHARDSON.
- H.R. 4295: Mr. POE of Texas.
- H.R. 4297: Mr. BUCSHON, Mr. ROE of Tennessee, and Mr. KLINE.
- H.R. 4301: Mr. AUSTIN SCOTT of Georgia.
- H.R. 4313: Mr. JONES.
- H.R. 4315: Ms. LEE of California.
- H.R. 4322: Mr. LANKFORD.
- H.R. 4325: Ms. SLAUGHTER, Ms. MATSUI, Mr. HIGGINS, and Ms. HIRONO.
- H.R. 4329: Mr. RYAN of Ohio.
- H.R. 4336: Mr. HECK.
- H.R. 4345: Mrs. McMORRIS RODGERS.
- H.R. 4351: Mr. FILNER and Mr. PETERS.
- H.J. Res. 88: Mr. CONYERS.
- H.J. Res. 106: Mr. FLAKE.
- H.J. Res. 107: Mr. JORDAN, Mr. NUNNELEE, and Mr. ROSS of Florida.
- H. Con. Res. 40: Mr. SMITH of Washington and Mr. RANGEL.
- H. Con. Res. 111: Mr. BERG.
- H. Res. 111: Mr. BARLETTA.
- H. Res. 130: Mr. TOWNS.
- H. Res. 172: Mr. SHERMAN.
- H. Res. 282: Ms. BONAMICI.
- H. Res. 521: Mr. CONNOLLY of Virginia.
- H. Res. 549: Mr. McDERMOTT, Mr. SCHOCK, and Mr. RANGEL.
- H. Res. 560: Mr. STARK.
- H. Res. 564: Ms. WATERS.
- H. Res. 568: Mr. CHANDLER, Mr. JORDAN, Mr. YARMUTH, Mrs. BONO MACK, Mr. RYAN of Wisconsin, Mr. KELLY, Mr. MCHENRY, Mr. DUFFY, Mrs. ELLMERS, Mr. CARTER, and Mr. AL GREEN of Texas.
- H. Res. 583: Mr. DOLD.
- H. Res. 604: Mr. MULVANEY, Mr. CANSECO, Mr. COBLE, Mr. WESTMORELAND, Mr. COLE, Mr. FARENTHOLD, Mr. JONES, Mr. DESJARLAIS, and Mr. NUNNELEE.

¶48.37 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

- H.R. 3288: Mr. CHAFFETZ.

¶49.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
April 18, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶49.2 RECESS—10:46 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 46 minutes a.m., until noon.

¶49.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶49.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, April 17, 2012.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. WILSON of South Carolina, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶49.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5668. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the Fiscal Year 2010 National Guard and Reserve Equipment Appropriation (NGREA) procurement; to the Committee on Armed Services.

5669. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the National Guard Youth Challenge Program Annual Report for Fiscal Year 2011; to the Committee on Armed Services.

5670. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2011 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

5671. A letter from the Secretary, Department of Health and Human Services, trans-

mitting the Department's 2011 annual Report on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures; to the Committee on Energy and Commerce.

5672. A letter from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting the March 2012 Report to Congress on Medicaid and CHIP; to the Committee on Energy and Commerce.

5673. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting Report to Congress: Export and Reexport License Requirements to Temporary Control Items that Provide at Least a Significant Military or Intelligence Advantage to the United States or for Foreign Policy Reasons; to the Committee on Foreign Affairs.

5674. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-07) activities report; to the Committee on Foreign Affairs.

5675. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-134, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5676. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-Powertrain GmbH & Co KG Rotax Reciprocating Engines [Docket No.: FAA-2012-0126; Directorate Identifier 2015-NE-07-AD; Amendment 39-16959; AD 2012-04-03] (RIN: 2120-AA64) received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5677. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30830; Amdt. No. 499] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5678. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Authorization to Use Lower Than Standard Takeoff, Approach and Landing Minimums at Military and Foreign Airports; Confirmation of Effective Date [Docket No.: FAA-2012-0007; Amt. No. 135-126] (RIN: 2120-AK02) received March 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5679. A letter from the Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Production Measurement Documents Incorporated by Reference [Docket ID: BSEE-2012-0003] (RIN: 1014-AA01) received March 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5680. A letter from the Vice President, Government Affairs and Corporate Communications, Amtrak, transmitting an addendum to the Fiscal Year 2011 Legislative and Grant Request of February 1, 2012; to the Committee on Transportation and Infrastructure.

5681. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections to Customs and Border Protection Regulations: Petitions For Relief [CBP Dec. 12-07] received March 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5682. A letter from the Chief, Trade and Commercial Regulations Branch, Depart-

ment of Homeland Security, transmitting the Department's final rule — United States-Korea Free Trade Agreement [USCBP-2010-007] (RIN: 1515-AD86) received March 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5683. A letter from the Acting Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for the Chiricahua Leopard Frog [Docket No. FWS-R2-ES-2010-0085] (RIN: 1018-AX12) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5684. A letter from the Chief, Publications and Regulations Branch, Department of the Treasury, transmitting the Service's final rule — Applicable Federal Rates — Correction to Rev. Rul. 2012-9 (Rev. Rul. 2012-12) received March 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5685. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — Payments by Banks and Other Financial Institutions of United States Savings Bonds and United States Savings Notes (Freedom Shares) Regulations Governing Payment under Special Endorsement of United States Savings Bonds and United States Savings Notes (Freedom Shares) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5686. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — April 2012 (Rev. Rul. 2012-11) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5687. A letter from the Secretary, Department of Health and Human Services, transmitting A report on the Post-Acute Care Payment Reform Demonstration Program, pursuant to 42 U.S.C. 1395b-1 Public Law 109-171, section 5008(c) (120 Stat. 37); jointly to the Committees on Energy and Commerce and Ways and Means.

5688. A letter from the Assistant Secretary, Department of Defense, transmitting proposed legislation, titled "National Defense Authorization Act for Fiscal Year 2013"; jointly to the Committees on Foreign Affairs, Veterans' Affairs, Ways and Means, Energy and Commerce, Armed Services, Education and the Workforce, House Administration, and Oversight and Government Reform.

¶49.6 PROVIDING FOR CONSIDERATION OF H.R. 4348

Ms. FOXX, by direction of the Committee on Rules, called up the following resolution (H. Res. 619):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule.

The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Ms. FOXX moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 243 affirmative } Nays 180

¶49.7 [Roll No. 165] YEAS—243

Adams	Chabot	Gingrey (GA)
Aderholt	Chaffetz	Gohmert
Akin	Coble	Goodlatte
Alexander	Coffman (CO)	Gosar
Amash	Cole	Govdy
Amodei	Conaway	Granger
Austria	Cravaack	Graves (GA)
Bachmann	Crawford	Graves (MO)
Bachus	Crenshaw	Griffin (AR)
Barletta	Culberson	Griffith (VA)
Bartlett	Davis (KY)	Grimm
Barton (TX)	Denham	Guinta
Bass (NH)	Dent	Guthrie
Benishek	DesJarlais	Hall
Berg	Diaz-Balart	Hanna
Biggart	Dold	Harper
Bilbray	Donnelly (IN)	Harris
Bilirakis	Dreier	Hartzler
Bishop (UT)	Duffy	Hastings (WA)
Black	Duncan (SC)	Hayworth
Blackburn	Duncan (TN)	Heck
Bonner	Ellmers	Hensarling
Bono Mack	Emerson	Herger
Boren	Farenthold	Herrera Beutler
Boustany	Fincher	Huelskamp
Brady (TX)	Fitzpatrick	Huizenga (MI)
Brooks	Flake	Hultgren
Broun (GA)	Fleischmann	Hunter
Buchanan	Fleming	Hurt
Bucshon	Flores	Issa
Buerkle	Forbes	Jenkins
Burgess	Fortenberry	Johnson (IL)
Burton (IN)	Fox	Johnson (OH)
Calvert	Franks (AZ)	Johnson, Sam
Camp	Frelinghuysen	Jones
Campbell	Gallegly	Jordan
Canseco	Gardner	Kelly
Cantor	Garrett	King (IA)
Capito	Gerlach	King (NY)
Carter	Gibbs	Kingston
Cassidy	Gibson	Kinzinger (IL)

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

NAYS—180

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

Velázquez Waters Woolsey
Visclosky Watt Yarmuth
Walz (MN) Waxman
Wasserman Welch
Schultz Wilson (FL)

NOT VOTING—8

Andrews Marino Rangel
Filner Napolitano Slaughter
Kaptur Paul

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 246
affirmative { Nays 177

¶49.8 [Roll No. 166]

AYES—246

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

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Bralley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Poxx
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Frank (MA)
Fudge

NOT VOTING—8

Andrews Marino Rangel
Filner Napolitano Slaughter
Kaptur Paul

So the resolution was agreed to.
A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶49.9 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of

Turner (NY)
Turner (OH)
Tupon
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—177

Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal

rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, April 17, 2012.

The question being put,

Will the House agree to the Chair's approval of said Journal?

It was decided in the { Yeas 295
affirmative { Nays 118
Answered present 2

¶49.10 [Roll No. 167]

YEAS—295

Ackerman
Aderholt
Akin
Alexander
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boustany
Brady (TX)
Bralley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Cicilline
Clarke (MI)
Clay
Cleaver
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hanabusa
Harper
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Higgins
Hinchev
Hinojosa
Hirono
Hochul
Holt
Honda
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Long
Lowey
Lucas
Lujan
Lummis
Lungren, Daniel E.
Mack
Marchant
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Pelosi
Pence
Perlmutter
Petri
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rehberg
Reyes
Richardson
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta

Scalise	Sires	Wasserman
Schiff	Smith (NE)	Schultz
Schmidt	Smith (NJ)	Watt
Schock	Smith (TX)	Waxman
Schrader	Smith (WA)	Webster
Schwartz	Southerland	Welch
Schweikert	Speier	West
Scott (SC)	Stearns	Westmoreland
Scott (VA)	Stutzman	Whitfield
Scott, Austin	Sullivan	Wilson (FL)
Scott, David	Thompson (PA)	Wilson (SC)
Sensenbrenner	Thornberry	Wolf
Serrano	Tierney	Womack
Sessions	Tonko	Woolsey
Sewell	Tsongas	Yarmuth
Sherman	Turner (NY)	Young (FL)
Shimkus	Upton	Young (IN)
Shuster	Van Hollen	
Simpson	Walz (MN)	

NAYS—118

Adams	Hall	Olver
Altmire	Hanna	Pallone
Baldwin	Harris	Pastor (AZ)
Bass (CA)	Hartzler	Paulsen
Benishek	Hastings (FL)	Pearce
Biggert	Heck	Peters
Boren	Herrera Beutler	Peterson
Boswell	Himes	Poe (TX)
Brady (PA)	Holden	Quayle
Burgess	Hoyer	Reed
Capuano	Huelskamp	Reichert
Cardoza	Israel	Renacci
Castor (FL)	Jackson (IL)	Ribble
Chandler	Jackson Lee	Rigell
Chu	(TX)	Roe (TN)
Clarke (NY)	Johnson (OH)	Rush
Clyburn	Jones	Sánchez, Linda
Coffman (CO)	Keating	T.
Conaway	Kind	Sarbanes
Costa	Kinzinger (IL)	Schakowsky
Costello	Kucinich	Schilling
Courtney	Langevin	Shuler
Cravaack	Latham	Stark
Critz	Lee (CA)	Stivers
DeFazio	Lewis (GA)	Sutton
Dent	LoBiondo	Terry
DesJarlais	Luetkemeyer	Thompson (CA)
Dold	Lynch	Thompson (MS)
Donnelly (IN)	Maloney	Tiberi
Duffy	Manzullo	Tipton
Fitzpatrick	Matheson	Towns
Forbes	McCotter	Turner (OH)
Fox	McDermott	Velazquez
Gardner	McGovern	Viscosky
Gerlach	Meehan	Walden
Gibson	Miller (FL)	Walsh (IL)
Graves (MO)	Miller, George	Wittman
Green, Gene	Mulvaney	Woodall
Griffin (AR)	Neal	Yoder
Grijalva	Nugent	Young (AK)

ANSWERED "PRESENT"—2

Amash Owens

NOT VOTING—16

Andrews	Lofgren, Zoe	Rivera
Eshoo	Marino	Slaughter
Filner	Napolitano	Walberg
Gohmert	Paul	Waters
Kaptur	Pingree (ME)	
Labrador	Rangel	

So the Journal was approved.

49.11 SURFACE TRANSPORTATION
EXTENSION

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to House Resolution 619 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The SPEAKER pro tempore, Mr. CHAFFETZ, by unanimous consent, designated Mr. WESTMORELAND as Chairman of the Committee of the

Whole; and after some time spent therein,

49.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-446, submitted by Mr. RIBBLE:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—ENVIRONMENTAL
STREAMLINING

SEC. 401. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 402. DECLARATION OF POLICY.

(a) EXPEDITED PROJECT DELIVERY.—Section 101(b) is amended by adding at the end the following:

“(4) EXPEDITED PROJECT DELIVERY.—Congress declares that it is in the national interest to expedite the delivery of surface transportation projects by substantially reducing the average length of the environmental review process. Accordingly, it is the policy of the United States that—

“(A) the Secretary shall have the lead role among Federal agencies in carrying out the environmental review process for surface transportation projects;

“(B) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for surface transportation projects;

“(C) there shall be a presumption that the mode, facility type, and corridor location for a surface transportation project will be determined in the transportation planning process, as established in sections 134 and 135 and sections 5303 and 5304 of title 49;

“(D) project sponsors shall not be prohibited from carrying out pre-construction project development activities concurrently with the environmental review process;

“(E) programmatic approaches shall be used, to the maximum extent possible, to reduce the need for project-by-project reviews and decisions by Federal agencies; and

“(F) the Secretary shall actively support increased opportunities for project sponsors to assume responsibilities of the Secretary in carrying out the environmental review process.”.

SEC. 403. EXEMPTION IN EMERGENCIES.

If any road, highway, or bridge is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Secretary, or declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), and is reconstructed in the same location with the same capacity, dimensions, and design as before the emergency, then that reconstruction project shall be exempt from any further environmental reviews, approvals, licensing, and permit requirements under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(3) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(4) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(5) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(6) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(7) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(8) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetlands); and

(9) any Federal law (including regulations) requiring no net loss of wetlands.

SEC. 404. ADVANCE ACQUISITION OF REAL PROPERTY INTERESTS.

(a) REAL PROPERTY INTERESTS.—Section 108 is amended—

(1) by striking “real property” each place it appears and inserting “real property interests”;

(2) by striking “right-of-way” each place it appears and inserting “real property interest”;

(3) by striking “rights-of-way” each place it appears and inserting “real property interests”.

(b) STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108(c) is amended—

(1) in the subsection heading by striking “EARLY ACQUISITION OF RIGHTS-OF-WAY” and inserting “STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS”;

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(3) in paragraph (2), as redesignated—

(A) in the heading by striking “GENERAL RULE” and inserting “ELIGIBILITY FOR REIMBURSEMENT”;

(B) by striking “Subject to paragraph (2)” and inserting “Subject to paragraph (3)”;

(4) by inserting before paragraph (2), as redesignated, the following:

“(1) IN GENERAL.—A State may carry out, at the expense of the State, acquisitions of interests in real property for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project by the State or any Federal agency.”; and

(5) in paragraph (3), as redesignated—

(A) in the matter preceding subparagraph (A) by striking “in paragraph (1)” and inserting “in paragraph (2)”;

(B) in subparagraph (G) by striking “both the Secretary and the Administrator of the Environmental Protection Agency have concurred” and inserting “the Secretary has determined”.

(c) FEDERALLY FUNDED ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108 is further amended by adding at the end the following:

“(d) FEDERALLY FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—

“(1) IN GENERAL.—The Secretary may authorize the use of Federal funds for the acquisition of a real property interest by a State. For purposes of this subsection, an acquisition of a real property interest includes the acquisition of any interest in land, including the acquisition of a contractual right to acquire any interest in land, or any other similar action to acquire or preserve rights-of-way for a transportation facility.

“(2) STATE CERTIFICATION.—A State requesting Federal funding for an acquisition of a real property interest shall certify in writing that—

“(A) the State has authority to acquire the real property interest under State law;

“(B) the acquisition of the real property interest is for a transportation purpose; and

“(C) the State acknowledges that early acquisition will not be considered by the Secretary in the environmental assessment of a project, the decision relative to the need to construct a project, or the selection of a project design or location.

“(3) ENVIRONMENTAL COMPLIANCE.—Before authorizing Federal funding for an acquisition of a real property interest, the Secretary shall complete for the acquisition the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). For purposes of the review process, the acquisition of a real property interest shall be treated as having independent utility and does not limit consideration of alternatives for future transportation improvements with respect to the real property interest.

“(4) PROGRAMMING.—The acquisition of a real property interest for which Federal funding is requested shall be included as a project in an applicable transportation improvement program under sections 134 and 135 and sections 5303 and 5304 of title 49. The acquisition project may be included in the transportation improvement program on its own, without including the future construction project for which the real property interest is being acquired. The acquisition project may consist of the acquisition of a specific parcel, a portion of a transportation corridor, or an entire transportation corridor.

“(5) OTHER REQUIREMENTS.—The acquisition of a real property interest shall be carried out in compliance with all requirements applicable to the acquisition of real property interests for federally funded transportation projects.

“(e) CONSIDERATION OF LONG-RANGE TRANSPORTATION NEEDS.—The Secretary shall encourage States and other public authorities, if practicable, to acquire transportation real property interests that are sufficient to accommodate long-range transportation needs and, if possible, to do so through the acquisition of broad real property interests that have the capacity for expansion over a 50- to 100-year period and the potential to accommodate one or more transportation modes.”.

SEC. 405. STANDARDS.

Section 109 is amended by adding at the end the following:

“(r) UNDERTAKING DESIGN ACTIVITIES BEFORE COMPLETION OF ENVIRONMENTAL REVIEW PROCESS.—

“(1) IN GENERAL.—A State may carry out, at the expense of the State, design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals of the project.

“(2) ELIGIBILITY FOR REIMBURSEMENT.—Subject to paragraph (3), funds apportioned to a State under this title may be used to participate in the payment of costs incurred by the State for design activities, if the results of the activities are subsequently incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds.

“(3) TERMS AND CONDITIONS.—The Federal share payable of the costs described in paragraph (2) shall be eligible for reimbursement out of funds apportioned to a State under this title when the design activities are incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds, if the State demonstrates to the Secretary and the Secretary finds that—

“(A) before the time that the cost incurred by a State is approved for Federal participation, environmental compliance pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been completed for the project for which the design activities were conducted by the State; and

“(B) the design activities conducted pursuant to this subsection did not preclude the consideration of alternatives to the project.”.

SEC. 406. LETTING OF CONTRACTS.

(a) BIDDING REQUIREMENTS.—Section 112(b)(1) is amended to read as follows:

“(1) IN GENERAL.—

“(A) COMPETITIVE BIDDING REQUIREMENT.—Subject to paragraphs (2), (3), and (4), construction of each project, subject to the provisions of subsection (a), shall be performed by contract awarded by competitive bidding, unless the State transportation department demonstrates, to the satisfaction of the Secretary, that some other method is more cost effective or that an emergency exists.

“(B) BASIS OF AWARD.—

“(i) IN GENERAL.—Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility.

“(ii) PROHIBITION.—No requirement or obligation shall be imposed as a condition precedent to the award of a contract to such bidder for a project, or to the Secretary’s concurrence in the award of a contract to such bidder, unless such requirement or obligation is otherwise lawful and is specifically set forth in the advertised specifications.”.

(b) DESIGN-BUILD CONTRACTING.—Section 112(b)(3) is amended—

(1) in subparagraph (A) by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(2) by striking subparagraph (B);

(3) by redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively; and

(4) in subparagraph (C), as redesignated—

(A) in the matter preceding clause (i) by striking “of the SAFETEA-LU” and inserting “of the Surface Transportation Extension Act of 2012, Part II”;

(B) in clause (ii) by striking “and” at the end;

(C) in clause (iii)—

(i) by striking “final design or”; and

(ii) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(iv) permit the State transportation department, the local transportation agency, and the design-build contractor to proceed, at the expense of one or more of those entities, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).”.

(c) EFFICIENCIES IN CONTRACTING.—Section 112(b) is amended by adding at the end the following:

“(4) METHOD OF CONTRACTING.—

“(A) IN GENERAL.—

“(i) TWO-PHASE CONTRACT.—A contracting agency may award a two-phase contract for preconstruction and construction services.

“(ii) PRE-CONSTRUCTION SERVICES PHASE.—In the pre-construction services phase, the contractor shall provide the contracting agency with advice for scheduling, work sequencing, cost engineering, constructability, cost estimating, and risk identification.

“(iii) AGREEMENT.—Prior to the start of the construction services phase, the contracting agency and the contractor may agree to a price and other factors specified in regulation for the construction of the project or a portion of the project.

“(iv) CONSTRUCTION PHASE.—If an agreement is reached under clause (iii), the contractor shall be responsible for the construction of the project or portion of the project at the negotiated price and other factors specified in regulation.

“(B) SELECTION.—A contract shall be awarded to a contractor using a competitive selection process based on qualifications, experience, best value, or any other combination of factors considered appropriate by the contracting agency.

“(C) TIMING.—

“(i) RELATIONSHIP TO NEPA PROCESS.—Prior to the completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), a contracting agency may—

“(I) issue requests for proposals;

“(II) proceed with the award of a contract for preconstruction services under subparagraph (A); and

“(III) issue notices to proceed with a preliminary design and any work related to preliminary design.

“(ii) PRECONSTRUCTION SERVICES PHASE.—If the preconstruction services phase of a contract under subparagraph (A)(ii) focuses primarily on one alternative, the Secretary shall require that the contract include appropriate provisions to achieve the objectives of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) and comply with other applicable Federal laws and regulations.

“(iii) CONSTRUCTION SERVICES PHASE.—A contracting agency may not proceed with the award of the construction services phase of a contract under subparagraph (A)(iv) and may not proceed, or permit any consultant or contractor to proceed, with construction until completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

“(iv) APPROVAL REQUIREMENT.—Prior to authorizing construction activities, the Secretary shall approve the contracting agency’s price estimate for the entire project, as well as any price agreement with the general contractor for the project or a portion of the project.

“(v) DESIGN ACTIVITIES.—A contracting agency may proceed, at its expense, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).”.

SEC. 407. ELIMINATION OF DUPLICATION IN HISTORIC PRESERVATION REQUIREMENTS.

(a) PRESERVATION OF PARKLANDS.—Section 138 is amended by adding at the end the following:

“(c) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

“(e) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

SEC. 408. FUNDING THRESHOLD.

Section 139(b) is amended by adding at the end the following:

“(3) **FUNDING THRESHOLD.**—The Secretary’s approval of a project receiving funds under this title or under chapter 53 of title 49 shall not be considered a Federal action for the purposes of the National Environmental Policy Act of 1969 if such funds—

“(A) constitute 15 percent or less of the total estimated project costs; or

“(B) are less than \$10,000,000.”

SEC. 409. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) **FLEXIBILITY.**—Section 139(b) is further amended—

(1) in paragraph (2) by inserting “, and any requirements established in this section may be satisfied,” after “exercised”; and

(2) by adding after paragraph (3), as added by this Act, the following:

“(4) **PROGRAMMATIC COMPLIANCE.**—At the request of a State, the Secretary may modify the procedures developed under this section to encourage programmatic approaches and strategies with respect to environmental programs and permits (in lieu of project-by-project reviews).”

(b) **FEDERAL LEAD AGENCY.**—Section 139(c) is amended—

(1) in paragraph (1) by adding at the end the following: “If the project requires approval from more than one modal administration within the Department, the Secretary shall designate a single modal administration to serve as the Federal lead agency for the Department in the environmental review process for the project.”;

(2) in paragraph (3) by inserting “or other approvals by the Secretary” after “chapter 53 of title 49”; and

(3) by striking paragraph (5) and inserting the following:

“(5) **ADOPTION AND USE OF DOCUMENTS.**—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency in making any approval of a project subject to this section as the document required to be completed under the National Environmental Policy Act of 1969.”

(c) **PARTICIPATING AGENCIES.**—

(1) **EFFECT OF DESIGNATION.**—Section 139(d)(4) is amended to read as follows:

“(4) **EFFECT OF DESIGNATION.**—

“(A) **REQUIREMENT.**—A participating agency shall comply with the requirements of this section and any schedule established under this section.

“(B) **IMPLICATION.**—Designation as a participating agency under this subsection shall not imply that the participating agency—

“(i) supports a proposed project; or

“(ii) has any jurisdiction over, or special expertise with respect to evaluation of, the project.”

(2) **CONCURRENT REVIEWS.**—Section 139(d)(7) is amended to read as follows:

“(7) **CONCURRENT REVIEWS.**—Each participating agency and cooperating agency shall—

“(A) carry out obligations of that agency under other applicable law concurrently, and in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.”

(d) **PROJECT INITIATION.**—Section 139(e) is amended by adding at the end the following: “The project sponsor may satisfy this requirement by submitting to the Secretary a draft notice for publication in the Federal Register announcing the preparation of an

environmental impact statement for the project.”

(e) **ALTERNATIVES ANALYSIS.**—Section 139(f) is amended—

(1) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows

“(B) **RANGE OF ALTERNATIVES.**—

“(i) **IN GENERAL.**—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

“(ii) **LIMITATION.**—The range of alternatives shall be limited to alternatives that are consistent with the transportation mode and general design of the project described in the long-range transportation plan or transportation improvement program prepared pursuant to section 134 or 135 or section 5303 or 5304 of title 49.

“(iii) **RESTRICTION.**—A Federal agency may not require the evaluation of any alternative that was evaluated, but not adopted—

“(I) in any prior State or Federal environmental document with regard to the applicable long-range transportation plan or transportation improvement program; or

“(II) after the preparation of a programmatic or tiered environmental document that evaluated alternatives to the project.

“(iv) **LEGAL SUFFICIENCY.**—The evaluation of the range of alternatives shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.”;

(B) in subparagraph (C)—

(i) by striking “(C) **METHODOLOGIES.**—The lead agency” and inserting the following:

“(C) **METHODOLOGIES.**—

“(i) **IN GENERAL.**—The lead agency”;

(ii) by striking “in collaboration with participating agencies at appropriate times during the study process” and inserting “after consultation with participating agencies as part of the scoping process”; and

(iii) by adding at the end the following:

“(ii) **COMMENTS.**—Each participating agency shall limit comments on such methodologies to those issues that are within the authority and expertise of such participating agency.

“(iii) **STUDIES.**—The lead agency may not conduct studies proposed by any participating agency that are not within the authority or expertise of such participating agency.”; and

(C) by adding at the end the following:

“(B) **LIMITATIONS ON THE EVALUATION OF IMPACTS EVALUATED IN PRIOR ENVIRONMENTAL DOCUMENTS.**—

“(i) **IN GENERAL.**—The lead agency may not reevaluate, and a Federal agency may not require the reevaluation of, cumulative impacts or growth-inducing impacts where such impacts were previously evaluated in—

“(I) a long-range transportation plan or transportation improvement program developed pursuant to section 134 or 135 or section 5303 or 5304 of title 49;

“(II) a prior environmental document approved by the Secretary; or

“(III) a prior State environmental document approved pursuant to a State law that is substantially equivalent to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

“(ii) **LEGAL SUFFICIENCY.**—The evaluation of cumulative impacts and growth inducing impacts shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.”; and

(2) by adding at the end the following:

“(5) **EFFECTIVE DECISIONMAKING.**—

“(A) **CONCURRENCE.**—At the discretion of the lead agency, a participating agency shall be presumed to concur in the determinations

made by the lead agency under this subsection unless the participating agency submits an objection to the lead agency in writing within 30 days after receiving notice of the lead agency’s determination and specifies the statutory basis for the objection.

“(B) **ADOPTION OF DETERMINATION.**—If the participating agency concurs or does not object within the 30-day period, the participating agency shall adopt the lead agency’s determination for purposes of any reviews, approvals, or other actions taken by the participating agency as part of the environmental review process for the project.”

(f) **COORDINATION PLAN.**—Section 139(g) is amended—

(1) in paragraph (1)(A) by striking “project or category of projects” and inserting “project, category of projects, or program of projects”;

(2) by amending paragraph (3) to read as follows:

“(3) **DEADLINES FOR DECISIONS UNDER OTHER LAWS.**—

“(A) **PRIOR APPROVAL DEADLINE.**—If a participating agency is required to make a determination regarding or otherwise approve or disapprove the project prior to the record of decision or finding of no significant impact of the lead agency, such participating agency shall make such determination or approval not later than 30 days after the lead agency publishes notice of the availability of a final environmental impact statement or other final environmental document, or not later than such other date that is otherwise required by law, whichever occurs first.

“(B) **OTHER DEADLINES.**—With regard to any determination or approval of a participating agency that is not subject to subparagraph (A), each participating agency shall make any required determination regarding or otherwise approve or disapprove the project not later than 90 days after the date that the lead agency approves the record of decision or finding of no significant impact for the project, or not later than such other date that is otherwise required by law, whichever occurs first.

“(C) **DEEMED APPROVED.**—In the event that any participating agency fails to make a determination or approve or disapprove the project within the applicable deadline described in subparagraphs (A) and (B), the project shall be deemed approved by such participating agency, and such approval shall be deemed to comply with the applicable requirements of Federal law.

“(D) **WRITTEN FINDING.**—The Secretary may issue a written finding verifying the approval made in accordance with this paragraph.”; and

(3) by striking paragraph (4).

(g) **ISSUE IDENTIFICATION AND RESOLUTION.**—Section 139(h)(4) is amended by adding at the end the following:

“(C) **RESOLUTION FINAL.**—

“(i) **IN GENERAL.**—The lead agency and participating agencies may not reconsider the resolution of any issue agreed to by the relevant agencies in a meeting under subparagraph (A).

“(ii) **COMPLIANCE WITH APPLICABLE LAW.**—Any such resolution shall be deemed to comply with applicable law notwithstanding that the agencies agreed to such resolution prior to the approval of the environmental document.”

(h) **STREAMLINED DOCUMENTATION AND DECISIONMAKING.**—Section 139 is amended—

(1) by redesignating subsections (i) through (l) as subsections (k) through (n), respectively; and

(2) by inserting after subsection (h) the following:

“(i) **STREAMLINED DOCUMENTATION AND DECISIONMAKING.**—

“(1) **IN GENERAL.**—The lead agency in the environmental review process for a project,

in order to reduce paperwork and expedite decisionmaking, shall prepare a condensed final environmental impact statement.

“(2) CONDENSED FORMAT.—A condensed final environmental impact statement for a project in the environmental review process shall consist only of—

“(A) an incorporation by reference of the draft environmental impact statement;

“(B) any updates to specific pages or sections of the draft environmental impact statement as appropriate; and

“(C) responses to comments on the draft environmental impact statement and copies of the comments.

“(3) TIMING OF DECISION.—Notwithstanding any other provision of law, in conducting the environmental review process for a project, the lead agency shall combine a final environmental impact statement and a record of decision for the project into a single document if—

“(A) the alternative approved in the record of decision is either a preferred alternative that was identified in the draft environmental impact statement or is a modification of such preferred alternative that was developed in response to comments on the draft environmental impact statement;

“(B) the Secretary has received a certification from a State under section 128, if such a certification is required for the project; and

“(C) the Secretary determines that the lead agency, participating agency, or the project sponsor has committed to implement the measures applicable to the approved alternative that are identified in the final environmental impact statement.

“(j) SUPPLEMENTAL ENVIRONMENTAL REVIEW AND RE-EVALUATION.—

“(1) SUPPLEMENTAL ENVIRONMENTAL REVIEW.—After the approval of a record of decision or finding of no significant impact with regard to a project, an agency may not require the preparation of a subsequent environmental document for such project unless the lead agency determines that—

“(A) changes to the project will result in new significant impacts that were not evaluated in the environmental document; or

“(B) new information has become available or changes in circumstances have occurred after the lead agency approval of the project that will result in new significant impacts that were not evaluated in the environmental document.

“(2) RE-EVALUATIONS.—The Secretary may only require the re-evaluation of a document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if—

“(A) the Secretary determines that the events in paragraph (1)(A) or (1)(B) apply; and

“(B) more than 5 years has elapsed since the Secretary's prior approval of the project or authorization of project funding.

“(3) CHANGE TO RECORD OF DECISION.—After the approval of a record of decision, the Secretary may not require the record of decision to be changed solely because of a change in the fiscal circumstances surrounding the project.”

(i) REGULATIONS.—Section 139(m) (as redesignated by subsection (h)(1) of this section) is further amended to read as follows:

“(m) REGULATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Extension Act of 2012, Part II, the Secretary, by regulation, shall—

“(A) implement this section; and

“(B) establish methodologies and procedures for evaluating the environmental impacts, including cumulative impacts and growth-inducing impacts, of transportation projects subject to this section.

“(2) COMPLIANCE WITH APPLICABLE LAW.—Any environmental document that utilizes

the methodologies and procedures established under this subsection shall be deemed to comply with the applicable requirements of—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or its implementing regulations; or

“(B) any other Federal environmental statute applicable to transportation projects.”.

SEC. 410. DISPOSAL OF HISTORIC PROPERTIES.

(a) DISPOSAL OF HISTORIC PROPERTIES.—Section 156 is amended—

(1) by striking the section heading and inserting “**Sale or lease of real property**”; and

(2) by adding at the end the following:

“(d) ASSESSMENT OF ADVERSE EFFECTS.—Notwithstanding part 800 of title 36, Code of Federal Regulations, the sale or lease by a State of any historic property that is not listed in the National Register of Historic Places shall not be considered an adverse effect to the property within any consultation process carried out under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 is amended by striking the item relating to section 156 and inserting the following:

“156. Sale or lease of real property.”.

SEC. 411. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

“§ 167. Integration of planning and environmental review

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ENVIRONMENTAL REVIEW PROCESS.—

“(A) IN GENERAL.—The term ‘environmental review process’ means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(B) INCLUSIONS.—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) PLANNING PRODUCT.—The term ‘planning product’ means any decision, analysis, study, or other documented result of an evaluation or decisionmaking process carried out during transportation planning.

“(3) PROJECT.—The term ‘project’ means any highway project or program of projects, public transportation capital project or program of projects, or multimodal project or program of projects that requires the approval of the Secretary.

“(4) PROJECT SPONSOR.—The term ‘project sponsor’ means the agency or other entity, including any private or public-private entity, that seeks approval of the Secretary for a project.

“(b) PURPOSE AND FINDINGS.—

“(1) PURPOSE.—The purpose of this section is to establish the authority and provide procedures for achieving integrated planning and environmental review processes to—

“(A) enable statewide and metropolitan planning processes to more effectively serve as the foundation for project decisions;

“(B) foster better decisionmaking;

“(C) reduce duplication in work;

“(D) avoid delays in transportation improvements; and

“(E) better transportation and environmental results for communities and the United States.

“(2) FINDINGS.—Congress finds the following:

“(A) This section is consistent with and is adopted in furtherance of sections 101 and 102

of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 and 4332) and section 109 of this title.

“(B) This section should be broadly construed and may be applied to any project, class of projects, or program of projects carried out under this title or chapter 53 of title 49.

“(c) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law and subject to the conditions set forth in subsection (e), the Federal lead agency for a project, at the request of the project sponsors, may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

“(2) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may adopt a planning product under paragraph (1) in its entirety or may select portions for adoption.

“(3) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product shall be made at the time the lead agencies decide the appropriate scope of environmental review for the project.

“(d) APPLICABILITY.—

“(1) PLANNING DECISIONS.—Planning decisions that may be adopted pursuant to this section include—

“(A) a purpose and need or goals and objectives statement for the project, including with respect to whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

“(B) a decision with respect to travel corridor location, including project termini;

“(C) a decision with respect to modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

“(D) a decision with respect to the elimination of unreasonable alternatives and the selection of the range of reasonable alternatives for detailed study during the environmental review process;

“(E) a basic description of the environmental setting;

“(F) a decision with respect to methodologies for analysis; and

“(G) identifications of programmatic level mitigation for potential impacts that the Federal lead agency, in consultation with Federal, State, local, and tribal resource agencies, determines are most effectively addressed at a regional or national program level, including—

“(i) system-level measures to avoid, minimize, or mitigate impacts of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

“(ii) potential mitigation activities, locations, and investments.

“(2) PLANNING ANALYSES.—Planning analyses that may be adopted pursuant to this section include studies with respect to—

“(A) travel demands;

“(B) regional development and growth;

“(C) local land use, growth management, and development;

“(D) population and employment;

“(E) natural and built environmental conditions;

“(F) environmental resources and environmentally sensitive areas;

“(G) potential environmental effects, including the identification of resources of concern and potential cumulative effects on those resources, identified as a result of a statewide or regional cumulative effects assessment; and

“(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead

agency determines are most effectively addressed at a regional or national program level.

“(e) CONDITIONS.—Adoption and use of a planning product under this section is subject to a determination by the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, that the following conditions have been met:

“(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

“(2) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects.

“(3) During the planning process, notice was provided through publication or other means to Federal, State, and local government agencies and tribal governments that might have an interest in the proposed project, and to members of the general public, of the planning products that the planning process might produce and that might be relied on during the environmental review process, and such entities have been provided an appropriate opportunity to participate in the planning process leading to such planning product.

“(4) Prior to determining the scope of environmental review for the project, the joint lead agencies have made documentation relating to the planning product available to Federal, State, and local governmental agencies and tribal governments that may have an interest in the proposed action, and to members of the general public.

“(5) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

“(6) The planning product is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

“(7) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

“(8) The planning product is appropriate for adoption and use in the environmental review process for the project.

“(f) EFFECT OF ADOPTION.—Notwithstanding any other provision of law, any planning product adopted by the Federal lead agency in accordance with this section shall not be reconsidered or made the subject of additional interagency consultation during the environmental review process of the project unless the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, determines that there is significant new information or new circumstances that affect the continued validity or appropriateness of the adopted planning product. Any planning product adopted by the Federal lead agency in accordance with this section may be relied upon and used by other Federal agencies in carrying out reviews of the project.

“(g) RULE OF CONSTRUCTION.—This section may not be construed to make the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) process applicable to the transportation planning process conducted under chapter 52 of title 49. Initiation of the National Environmental Policy Act of 1969 process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the National Environmental Policy Act of 1969 process. This section may not be construed to affect the use of planning products in the National Environmental Policy Act of 1969 process pursuant to other authorities under law or to restrict the initiation of the

National Environmental Policy Act of 1969 process during planning.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

“167. Integration of planning and environmental review.”.

SEC. 412. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

(a) IN GENERAL.—Chapter 1 (as amended by this title) is further amended by adding at the end the following:

“§ 168. Development of programmatic mitigation plans

“(a) IN GENERAL.—As part of the statewide or metropolitan transportation planning process, a State or metropolitan planning organization may develop one or more programmatic mitigation plans to address the potential environmental impacts of future transportation projects.

“(b) SCOPE.—

“(1) SCALE.—A programmatic mitigation plan may be developed on a regional, ecosystem, watershed, or statewide scale.

“(2) RESOURCES.—The plan may encompass multiple environmental resources within a defined geographic area or may focus on a specific resource, such as aquatic resources, parklands, or wildlife habitat.

“(3) PROJECT IMPACTS.—The plan may address impacts from all projects in a defined geographic area or may focus on a specific type of project, such as bridge replacements.

“(4) CONSULTATION.—The scope of the plan shall be determined by the State or metropolitan planning organization, as appropriate, in consultation with the agency or agencies with jurisdiction over the resources being addressed in the mitigation plan.

“(c) CONTENTS.—A programmatic mitigation plan may include—

“(1) an assessment of the condition of environmental resources in the geographic area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(2) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographic area covered by the plan, through strategic mitigation for impacts of transportation projects;

“(3) standard measures for mitigating certain types of impacts;

“(4) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(5) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring; and

“(6) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources.

“(d) PROCESS.—Before adopting a programmatic mitigation plan, a State or metropolitan planning organization shall—

“(1) consult with the agency or agencies with jurisdiction over the environmental resources considered in the programmatic mitigation plan;

“(2) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public;

“(3) consider any comments received from such agencies and the public on the draft plan; and

“(4) address such comments in the final plan.

“(e) INTEGRATION WITH OTHER PLANS.—A programmatic mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(f) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic mitigation plan has been developed pursuant to this section, any Federal agency responsible for environmental reviews, permits, or approvals for a transportation project shall give substantial weight to the recommendations in a programmatic mitigation plan when carrying out their responsibilities under applicable laws.

“(g) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this section limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

“168. Development of programmatic mitigation plans.”.

SEC. 413. STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326(a) is amended—

(1) in paragraph (2) by striking “and only for types of activities specifically designated by the Secretary” and inserting “and for any type of activity for which a categorical exclusion classification is appropriate”; and

(2) by adding at the end the following:

“(4) PRESERVATION OF FLEXIBILITY.—The Secretary shall not require a State, as a condition of assuming responsibility under this section, to forego project delivery methods that are otherwise permissible for highway projects.”.

SEC. 414. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

(a) PROGRAM NAME.—Section 327 is amended—

(1) in the section heading by striking “pilot”; and

(2) in subsection (a)(1) by striking “pilot”.

(b) ASSUMPTION OF RESPONSIBILITY.—Section 327(a)(2) is amended—

(1) in subparagraph (A) by striking “highway”;

(2) in subparagraph (B) by striking clause (ii) and inserting the following:

“(ii) The Secretary may not assign any responsibility imposed on the Secretary by section 134 or 135 or section 5303 or 5304 of title 49.”; and

(3) by adding at the end the following:

“(F) PRESERVATION OF FLEXIBILITY.—The Secretary may not require a State, as a condition of participation in the program, to forego project delivery methods that are otherwise permissible for projects.”.

(c) STATE PARTICIPATION.—Section 327(b) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) PARTICIPATING STATES.—All States are eligible to participate in the program.”; and

(2) in paragraph (2) by striking “this section, the Secretary shall promulgate” and inserting “amendments to this section by the Surface Transportation Extension Act of 2012, Part II, the Secretary shall amend, as appropriate.”.

(d) WRITTEN AGREEMENT.—Section 327(c) is amended—

(1) in paragraph (3)(D) by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

“(4) have a term of not more than 5 years; and

“(5) be renewable.”.

(e) CONFORMING AMENDMENT.—Section 327(e) is amended by striking “subsection (i)” and inserting “subsection (j)”.

(f) AUDITS.—Section 327(g)(1)(B) is amended by striking “subsequent year” and inserting “of the third and fourth years”.

(g) MONITORING.—Section 327 is further amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and
 (2) by inserting after subsection (g) the following:

“(h) MONITORING.—After the fourth year of the participation of a State in the program, the Secretary shall monitor compliance by the State with the written agreement, including the provision by the State of financial resources to carry out the written agreement.”.

(h) TERMINATION.—Section 327(j) (as redesignated by subsection (g)(1) of this section) is amended to read as follows:

“(j) TERMINATION.—The Secretary may terminate the participation of any State in the program if—

“(1) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

“(2) the Secretary provides to the State—
 “(A) notification of the determination of noncompliance; and

“(B) a period of at least 30 days during which to take such corrective action as the Secretary determines is necessary to comply with the applicable agreement; and

“(3) the State, after the notification and period provided under paragraph (2), fails to take satisfactory corrective action, as determined by the Secretary.”.

(i) DEFINITIONS.—Section 327 is amended by adding at the end the following:

“(k) DEFINITIONS.—In this section, the following definitions apply:

“(1) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

“(2) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.”.

(j) CLERICAL AMENDMENT.—The analysis for chapter 3 is amended by striking the item relating to section 327 and inserting the following:

“327. Surface transportation project delivery program.”.

SEC. 415. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Chapter 3 is amended by adding at the end the following:

“§ 330. Program for eliminating duplication of environmental reviews

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a program to eliminate duplicative environmental reviews and approvals under State and Federal law of projects. Under this program, a State may use State laws and procedures to conduct reviews and make approvals in lieu of Federal environmental laws and regulations, consistent with the provisions of this section.

“(2) PARTICIPATING STATES.—All States are eligible to participate in the program.

“(3) SCOPE OF ALTERNATIVE REVIEW AND APPROVAL PROCEDURES.—For purposes of this section, alternative environmental review and approval procedures may include one or more of the following:

“(A) Substitution of one or more State environmental laws for one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State environmental laws provide environmental protection and opportunities for public involvement that are substantially equivalent to the applicable Federal environmental laws.

“(B) Substitution of one or more State regulations for Federal regulations implementing one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State regula-

tions provide environmental protection and opportunities for public involvement that are substantially equivalent to the Federal regulations.

“(b) APPLICATION.—To participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

“(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State;

“(2) for each State law or regulation included in the proposed alternative environmental review and approval procedures of the State, an explanation of the basis for concluding that the law or regulation meets the requirements under subsection (a)(3); and

“(3) evidence of having sought, received, and addressed comments on the proposed application from the public and appropriate Federal environmental resource agencies.

“(c) REVIEW OF APPLICATION.—The Secretary shall—

“(1) review an application submitted under subsection (b);

“(2) approve or disapprove the application in accordance with subsection (d) not later than 90 days after the date of the receipt of the application; and

“(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

“(d) APPROVAL OF STATE PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall approve each such application if the Secretary finds that the proposed alternative environmental review and approval procedures of the State are substantially equivalent to the applicable Federal environmental laws and Federal regulations.

“(2) EXCLUSION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not apply to any decision by the Secretary to approve or disapprove any application submitted pursuant to this section.

“(e) COMPLIANCE WITH PERMITS.—Compliance with a permit or other approval of a project issued pursuant to a program approved by the Secretary under this section shall be deemed compliance with the Federal laws and regulations identified in the program approved by the Secretary pursuant to this section.

“(f) REVIEW AND TERMINATION.—

“(1) REVIEW.—All State alternative environmental review and approval procedures approved under this section shall be reviewed by the Secretary not less than once every 5 years.

“(2) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (1), the Secretary shall provide notice and an opportunity for public comment.

“(3) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process, the Secretary may extend the State alternative environmental review and approval procedures for an additional 5-year period or terminate the State program.

“(g) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section and annually thereafter, the Secretary shall submit to Congress a report that describes the administration of the program.

“(h) DEFINITIONS.—For purposes of this section:

“(1) ENVIRONMENTAL LAW.—The term ‘environmental law’ includes any law that provides procedural or substantive protection, as applicable, for the natural or built environment with regard to the construction and operation of projects.

“(2) FEDERAL ENVIRONMENTAL LAWS.—The term ‘Federal environmental laws’ means laws governing the review of environmental

impacts of, and issuance of permits and other approvals for, the construction and operation of projects, including section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and sections 7(a)(2), 9(a)(1)(B), and 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2), 1538(a)(1)(B), 1539(a)(1)(B)).

“(3) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

“(4) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by title I of this Act) is further amended by adding at the end the following:

“330. Program for eliminating duplication of environmental reviews.”.

SEC. 416. STATE PERFORMANCE OF LEGAL SUFFICIENCY REVIEWS.

(a) IN GENERAL.—Chapter 3 (as amended by this title) is further amended by adding at the end the following:

“§ 331. State performance of legal sufficiency reviews

“(a) IN GENERAL.—At the request of any State transportation department, the Federal Highway Administration shall enter into an agreement with the State transportation department to authorize the State to carry out the legal sufficiency reviews for environmental impact statements and environmental assessments under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with this section.

“(b) TERMS OF AGREEMENT.—An agreement authorizing a State to carry out legal sufficiency reviews for Federal-aid highway projects shall contain the following provisions:

“(1) A finding by the Federal Highway Administration that the State has the capacity to carry out legal sufficiency reviews that are equivalent in quality and consistency to the reviews that would otherwise be conducted by attorneys employed by such Administration.

“(2) An oversight process, including periodic reviews conducted by attorneys employed by such Administration, to evaluate the quality of the legal sufficiency reviews carried out by the State transportation department under the agreement.

“(3) A requirement for the State transportation department to submit a written finding of legal sufficiency to the Federal Highway Administration concurrently with the request by the State for Federal approval of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) document.

“(4) An opportunity for the Federal Highway Administration to conduct an additional legal sufficiency review for any project, for not more than 30 days, if considered necessary by the Federal Highway Administration.

“(5) Procedures allowing either party to the agreement to terminate the agreement for any reason with 30 days notice to the other party.

“(c) EFFECT OF AGREEMENT.—A legal sufficiency review carried out by a State transportation department under this section shall be deemed by the Federal Highway Administration to satisfy the requirement for a legal sufficiency review in sections 771.125(b) and 774.7(d) of title 23, Code of Federal Regulations, or other applicable regulations

issued by the Federal Highway Administration.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

“331. State performance of legal sufficiency reviews.”.

SEC. 417. CATEGORICAL EXCLUSIONS.

(a) IN GENERAL.—The Secretary shall treat an activity carried out under title 23, United States Code, or project within a right-of-way as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 771.117(c) of title 23, Code of Federal Regulations.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) MULTIMODAL PROJECT.—The term “multimodal project” means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(2) PROJECT.—The term “project” means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 418. ENVIRONMENTAL REVIEW PROCESS DEADLINE.

(a) IN GENERAL.—

(1) DEADLINE.—Notwithstanding any other provision of law, the environmental review process for a project shall be completed not later than 270 days after the date on which the notice of project initiation under section 139(e) of title 23, United States Code, is published in the Federal Register.

(2) CONSEQUENCES OF MISSED DEADLINE.—If the environmental review process for a project is not completed in accordance with paragraph (1)—

(A) the project shall be considered to have no significant impact to the human environment for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) that classification shall be considered to be a final agency action.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term “environmental review process” means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) INCLUSIONS.—The term “environmental review process” includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) LEAD AGENCY.—The term “lead agency” means the Department of Transportation and, if applicable, any State or local governmental entity serving as a joint lead agency pursuant to this section.

(3) MULTIMODAL PROJECT.—The term “multimodal project” means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(4) PROJECT.—The term “project” means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 419. RELOCATION ASSISTANCE.

(a) ALTERNATIVE RELOCATION PAYMENT PROCESS.—

(1) ESTABLISHMENT.—For the purpose of identifying improvements in the timeliness

of providing relocation assistance to persons displaced as a result of Federal or federally-assisted programs and projects, the Secretary shall establish an alternative relocation payment process under which payments to displaced persons eligible for relocation assistance pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), are calculated based on reasonable estimates and paid in advance of the physical displacement of the displaced person.

(2) PAYMENTS.—

(A) TIMING OF PAYMENTS.—Relocation assistance payments may be provided to the displaced person at the same time as payments of just compensation for real property acquired for a program or project of the State.

(B) COMBINED PAYMENT.—Payments for relocation and just compensation may be combined into a single unallocated amount.

(3) CONDITIONS FOR STATE USE OF ALTERNATIVE PROCESS.—

(A) IN GENERAL.—After public notice and an opportunity to comment, the Secretary shall adopt criteria for States to use the alternative relocation payment process established by the Secretary.

(B) MEMORANDUM OF AGREEMENT.—In order to use the alternative relocation payment process, a State shall enter into a memorandum of agreement with the Secretary that includes provisions relating to—

(i) the selection of projects or programs within the State to which the alternative relocation payment process will be applied;

(ii) program and project-level monitoring;

(iii) performance measurement;

(iv) reporting requirements; and

(v) the circumstances under which the Secretary may terminate or suspend the authority of the State to use the alternative relocation payment process.

(C) REQUIRED INFORMATION.—A State may use the alternative relocation payment process only after the displaced persons affected by a program or project—

(i) are informed in writing—

(I) that the relocation payments the displaced persons receive under the alternative relocation payment process may be higher or lower than the amount that the displaced persons would have received under the standard relocation assistance process; and

(II) of their right not to participate in the alternative relocation payment process; and

(ii) agree in writing to the alternative relocation payment process.

(D) ELECTION NOT TO PARTICIPATE.—The displacing agency shall provide any displaced person who elects not to participate in the alternative relocation payment process with relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(4) PROTECTIONS AGAINST INCONSISTENT TREATMENT.—If other Federal agencies plan displacements in or adjacent to an area of a project using the alternative relocation payment process within the same time period as a project acquisition and relocation action of the project, the Secretary shall adopt measures to protect against inconsistent treatment of displaced persons. Such measures may include a determination that the alternative relocation payment process authority may not be used on a specific project.

(5) REPORT.—

(A) IN GENERAL.—The Secretary shall submit to Congress an annual report on the implementation of the alternative relocation payment process.

(B) CONTENTS.—The report shall include an evaluation of the merits of the alternative relocation payment process, including the effects of the alternative relocation payment process on—

(i) displaced persons and the protections afforded to such persons by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.);

(ii) the efficiency of the delivery of Federal-aid highway projects and overall effects on the Federal-aid highway program; and

(iii) the achievement of the purposes of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(6) LIMITATION.—The alternative relocation payment process under this section may be used only on projects funded under title 23, United States Code, in cases in which the funds are administered by the Federal Highway Administration.

(7) NEPA APPLICABILITY.—Notwithstanding any other provision of law, the use of the alternative relocation payment process established under this section on a project funded under title 23, United States Code, and administered by the Federal Highway Administration is not a major Federal action requiring analysis or approval under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) UNIFORM RELOCATION ASSISTANCE ACT AMENDMENTS.—

(1) MOVING AND RELATED EXPENSES.—Section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4622) is amended—

(A) in subsection (a)(4) by striking “\$10,000” and inserting “\$25,000, as adjusted by regulation, in accordance with section 213(d)”;

(B) in the second sentence of subsection (c) by striking “\$20,000” and inserting “\$40,000, as adjusted by regulation, in accordance with section 213(d)”.

(2) REPLACEMENT HOUSING FOR HOMEOWNERS.—The first sentence of section 203(a)(1) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623(a)(1)) is amended by—

(A) striking “\$22,500” and inserting “\$31,000, as adjusted by regulation, in accordance with section 213(d).”;

(B) striking “one hundred and eighty days prior to” and inserting “90 days before”.

(3) REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS.—Section 204 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4624) is amended—

(A) in the second sentence of subsection (a) by striking “\$5,250” and inserting “\$7,200, as adjusted by regulation, in accordance with section 213(d)”;

(B) in the second sentence of subsection (b) by striking “, except” and all that follows through the end of the subsection and inserting a period.

(4) DUTIES OF LEAD AGENCY.—Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633) is amended—

(A) in subsection (b)—

(i) in paragraph (2) by striking “and”;

(ii) in paragraph (3) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(4) that each Federal agency that has programs or projects requiring the acquisition of real property or causing a displacement from real property subject to the provisions of this Act shall provide to the lead agency an annual summary report that describes the activities conducted by the Federal agency.”; and

(B) by adding at the end the following:

“(d) ADJUSTMENT OF PAYMENTS.—The head of the lead agency may adjust, by regulation, the amounts of relocation payments provided under sections 202(a)(4), 202(c), 203(a), and 204(a) if the head of the lead agency de-

termines that cost of living, inflation, or other factors indicate that the payments should be adjusted to meet the policy objectives of this Act."

(5) AGENCY COORDINATION.—Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) is amended by inserting after section 213 (42 U.S.C. 4633) the following:

"SEC. 214. AGENCY COORDINATION.

"(a) AGENCY CAPACITY.—Each Federal agency responsible for funding or carrying out relocation and acquisition activities shall have adequately trained personnel and such other resources as are necessary to manage and oversee the relocation and acquisition program of the Federal agency in accordance with this Act.

"(b) INTERAGENCY AGREEMENTS.—Not later than 1 year after the date of the enactment of this section, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall enter into a memorandum of understanding with the lead agency that—

"(1) provides for periodic training of the personnel of the Federal agency, which in the case of a Federal agency that provides Federal financial assistance, may include personnel of any displacing agency that receives Federal financial assistance;

"(2) addresses ways in which the lead agency may provide assistance and coordination to the Federal agency relating to compliance with this Act on a program or project basis; and

"(3) addresses the funding of the training, assistance, and coordination activities provided by the lead agency, in accordance with subsection (c).

"(c) INTERAGENCY PAYMENTS.—

"(1) IN GENERAL.—For the fiscal year that begins 1 year after the date of the enactment of this section, and each fiscal year thereafter, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall transfer to the lead agency for the fiscal year, such funds as are necessary, but not less than \$35,000, to support the training, assistance, and coordination activities of the lead agency described in subsection (b).

"(2) INCLUDED COSTS.—The cost to a Federal agency of providing the funds described in paragraph (1) shall be included as part of the cost of 1 or more programs or projects undertaken by the Federal agency or with Federal financial assistance that result in the displacement of persons or the acquisition of real property."

(c) COOPERATION WITH FEDERAL AGENCIES.—Section 303(a) is amended to read as follows:

"(a) AUTHORIZED ACTIVITIES.—

"(1) IN GENERAL.—The Secretary may perform, by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Federal agencies, cooperating foreign countries, and State cooperating agencies.

"(2) INCLUSIONS.—Services authorized under paragraph (1) may include activities authorized under section 214 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

"(3) REIMBURSEMENT.—Reimbursement for services carried out under this subsection, including depreciation on engineering and road-building equipment, shall be credited to the applicable appropriation."

It was decided in the { Yeas 255 affirmative } Nays 165

49.13 [Roll No. 168]

AYES—255

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

NOES—165

- Ackerman Berkley Brady (PA)
Amash Beran Braley (IA)
Baldwin Bishop (NY) Brown (FL)
Bass (CA) Blumenauer Butterfield
Becerra Bonamici Capps

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

NOT VOTING—11

- Andrews Kaptur Pingree (ME)
Cardoza Marino Rangel
Filner Napolitano Slaughter
Flake Paul

The amendment was agreed to. The SPEAKER pro tempore, Mr. CHAFFETZ, assumed the Chair.

When Mr. WESTMORELAND, Chairman, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—HARBOR MAINTENANCE PROGRAMS

SEC. 401. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) HARBOR MAINTENANCE TRUST FUND GUARANTEE.—

(1) IN GENERAL.—The total budget resources for a fiscal year shall be equal to the level of receipts for harbor maintenance for that fiscal year. Such amounts shall be used only for harbor maintenance programs.

(2) GUARANTEE.—No funds may be appropriated for harbor maintenance programs unless the amount under paragraph (1) has been provided for all such programs.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) HARBOR MAINTENANCE PROGRAMS.—The term "harbor maintenance programs" means expenditures under section 9505(c)(1) of the

Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund).

(2) **LEVEL OF RECEIPTS FOR HARBOR MAINTENANCE.**—The term “level of receipts for harbor maintenance” means the level of taxes credited to the Harbor Maintenance Trust Fund under section 9505(a)(1) of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99 177) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code, reduced by the amount requested in such President’s budget for payments described in section 9505(c)(3) of the Internal Revenue Code of 1986.

(3) **TOTAL BUDGET RESOURCES.**—The term “total budget resources” means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c)(1) of the Internal Revenue Code of 1986.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—ENVIRONMENTAL STREAMLINING

SEC. 401. AMENDMENTS TO TITLE 23, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 23, United States Code.

SEC. 402. DECLARATION OF POLICY.

(a) **EXPEDITED PROJECT DELIVERY.**—Section 101(b) is amended by adding at the end the following:

“(4) **EXPEDITED PROJECT DELIVERY.**—Congress declares that it is in the national interest to expedite the delivery of surface transportation projects by substantially reducing the average length of the environmental review process. Accordingly, it is the policy of the United States that—

“(A) the Secretary shall have the lead role among Federal agencies in carrying out the environmental review process for surface transportation projects;

“(B) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for surface transportation projects;

“(C) there shall be a presumption that the mode, facility type, and corridor location for a surface transportation project will be determined in the transportation planning process, as established in sections 134 and 135 and sections 5303 and 5304 of title 49;

“(D) project sponsors shall not be prohibited from carrying out pre-construction project development activities concurrently with the environmental review process;

“(E) programmatic approaches shall be used, to the maximum extent possible, to reduce the need for project-by-project reviews and decisions by Federal agencies; and

“(F) the Secretary shall actively support increased opportunities for project sponsors to assume responsibilities of the Secretary in carrying out the environmental review process.”.

SEC. 403. EXEMPTION IN EMERGENCIES.

If any road, highway, or bridge is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Secretary, or declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121), and is reconstructed in the same location with the same capacity, dimensions, and design as before the emergency, then that reconstruction

project shall be exempt from any further environmental reviews, approvals, licensing, and permit requirements under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(3) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(4) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(5) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(6) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(7) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(8) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetlands); and

(9) any Federal law (including regulations) requiring no net loss of wetlands.

SEC. 404. ADVANCE ACQUISITION OF REAL PROPERTY INTERESTS.

(a) **REAL PROPERTY INTERESTS.**—Section 108 is amended—

(1) by striking “real property” each place it appears and inserting “real property interests”;

(2) by striking “right-of-way” each place it appears and inserting “real property interest”;

(3) by striking “rights-of-way” each place it appears and inserting “real property interests”.

(b) **STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.**—Section 108(c) is amended—

(1) in the subsection heading by striking “EARLY ACQUISITION OF RIGHTS-OF-WAY” and inserting “STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS”;

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(3) in paragraph (2), as redesignated—

(A) in the heading by striking “GENERAL RULE” and inserting “ELIGIBILITY FOR REIMBURSEMENT”;

(B) by striking “Subject to paragraph (2)” and inserting “Subject to paragraph (3)”;

(4) by inserting before paragraph (2), as redesignated, the following:

“(1) **IN GENERAL.**—A State may carry out, at the expense of the State, acquisitions of interests in real property for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project by the State or any Federal agency.”; and

(5) in paragraph (3), as redesignated—

(A) in the matter preceding subparagraph (A) by striking “in paragraph (1)” and inserting “in paragraph (2)”;

(B) in subparagraph (G) by striking “both the Secretary and the Administrator of the Environmental Protection Agency have concurred” and inserting “the Secretary has determined”.

(c) **FEDERALLY FUNDED ACQUISITION OF REAL PROPERTY INTERESTS.**—Section 108 is further amended by adding at the end the following:

“(d) **FEDERALLY FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.**—

“(1) **IN GENERAL.**—The Secretary may authorize the use of Federal funds for the acquisition of a real property interest by a State. For purposes of this subsection, an acquisition of a real property interest includes the acquisition of any interest in land, including the acquisition of a contractual right to acquire any interest in land, or any other similar action to acquire or preserve rights-of-way for a transportation facility.

“(2) **STATE CERTIFICATION.**—A State requesting Federal funding for an acquisition of a real property interest shall certify in writing that—

“(A) the State has authority to acquire the real property interest under State law;

“(B) the acquisition of the real property interest is for a transportation purpose; and

“(C) the State acknowledges that early acquisition will not be considered by the Secretary in the environmental assessment of a project, the decision relative to the need to construct a project, or the selection of a project design or location.

“(3) **ENVIRONMENTAL COMPLIANCE.**—Before authorizing Federal funding for an acquisition of a real property interest, the Secretary shall complete for the acquisition the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). For purposes of the review process, the acquisition of a real property interest shall be treated as having independent utility and does not limit consideration of alternatives for future transportation improvements with respect to the real property interest.

“(4) **PROGRAMMING.**—The acquisition of a real property interest for which Federal funding is requested shall be included as a project in an applicable transportation improvement program under sections 134 and 135 and sections 5303 and 5304 of title 49. The acquisition project may be included in the transportation improvement program on its own, without including the future construction project for which the real property interest is being acquired. The acquisition project may consist of the acquisition of a specific parcel, a portion of a transportation corridor, or an entire transportation corridor.

“(5) **OTHER REQUIREMENTS.**—The acquisition of a real property interest shall be carried out in compliance with all requirements applicable to the acquisition of real property interests for federally funded transportation projects.

“(e) **CONSIDERATION OF LONG-RANGE TRANSPORTATION NEEDS.**—The Secretary shall encourage States and other public authorities, if practicable, to acquire transportation real property interests that are sufficient to accommodate long-range transportation needs and, if possible, to do so through the acquisition of broad real property interests that have the capacity for expansion over a 50- to 100-year period and the potential to accommodate one or more transportation modes.”.

SEC. 405. STANDARDS.

Section 109 is amended by adding at the end the following:

“(r) **UNDERTAKING DESIGN ACTIVITIES BEFORE COMPLETION OF ENVIRONMENTAL REVIEW PROCESS.**—

“(1) **IN GENERAL.**—A State may carry out, at the expense of the State, design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals of the project.

“(2) **ELIGIBILITY FOR REIMBURSEMENT.**—Subject to paragraph (3), funds apportioned to a State under this title may be used to participate in the payment of costs incurred by the State for design activities, if the results of the activities are subsequently incorporated (in whole or in substantial part) into a project eligible for surface transportation program funds.

“(3) **TERMS AND CONDITIONS.**—The Federal share payable of the costs described in paragraph (2) shall be eligible for reimbursement out of funds apportioned to a State under this title when the design activities are incorporated (in whole or in substantial part) into a project eligible for surface transpor-

tation program funds, if the State demonstrates to the Secretary and the Secretary finds that—

“(A) before the time that the cost incurred by a State is approved for Federal participation, environmental compliance pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been completed for the project for which the design activities were conducted by the State; and

“(B) the design activities conducted pursuant to this subsection did not preclude the consideration of alternatives to the project.”.

SEC. 406. LETTING OF CONTRACTS.

(a) BIDDING REQUIREMENTS.—Section 112(b)(1) is amended to read as follows:

“(1) IN GENERAL.—

“(A) COMPETITIVE BIDDING REQUIREMENT.—Subject to paragraphs (2), (3), and (4), construction of each project, subject to the provisions of subsection (a), shall be performed by contract awarded by competitive bidding, unless the State transportation department demonstrates, to the satisfaction of the Secretary, that some other method is more cost effective or that an emergency exists.

“(B) BASIS OF AWARD.—

“(i) IN GENERAL.—Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility.

“(ii) PROHIBITION.—No requirement or obligation shall be imposed as a condition precedent to the award of a contract to such bidder for a project, or to the Secretary’s concurrence in the award of a contract to such bidder, unless such requirement or obligation is otherwise lawful and is specifically set forth in the advertised specifications.”.

(b) DESIGN-BUILD CONTRACTING.—Section 112(b)(3) is amended—

(1) in subparagraph (A) by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(2) by striking subparagraph (B);

(3) by redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively; and

(4) in subparagraph (C), as redesignated—

(A) in the matter preceding clause (i) by striking “of the SAFETEA-LU” and inserting “of the Surface Transportation Extension Act of 2012, Part II”;

(B) in clause (ii) by striking “and” at the end;

(C) in clause (iii)—

(i) by striking “final design or”; and

(ii) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(iv) permit the State transportation department, the local transportation agency, and the design-build contractor to proceed, at the expense of one or more of those entities, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).”.

(c) EFFICIENCIES IN CONTRACTING.—Section 112(b) is amended by adding at the end the following:

“(4) METHOD OF CONTRACTING.—

“(A) IN GENERAL.—

“(i) TWO-PHASE CONTRACT.—A contracting agency may award a two-phase contract for preconstruction and construction services.

“(ii) PRE-CONSTRUCTION SERVICES PHASE.—In the pre-construction services phase, the contractor shall provide the contracting

agency with advice for scheduling, work sequencing, cost engineering, constructability, cost estimating, and risk identification.

“(iii) AGREEMENT.—Prior to the start of the construction services phase, the contracting agency and the contractor may agree to a price and other factors specified in regulation for the construction of the project or a portion of the project.

“(iv) CONSTRUCTION PHASE.—If an agreement is reached under clause (iii), the contractor shall be responsible for the construction of the project or portion of the project at the negotiated price and other factors specified in regulation.

“(B) SELECTION.—A contract shall be awarded to a contractor using a competitive selection process based on qualifications, experience, best value, or any other combination of factors considered appropriate by the contracting agency.

“(C) TIMING.—

“(i) RELATIONSHIP TO NEPA PROCESS.—Prior to the completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), a contracting agency may—

“(I) issue requests for proposals;

“(II) proceed with the award of a contract for preconstruction services under subparagraph (A); and

“(III) issue notices to proceed with a preliminary design and any work related to preliminary design.

“(ii) PRECONSTRUCTION SERVICES PHASE.—If the preconstruction services phase of a contract under subparagraph (A)(ii) focuses primarily on one alternative, the Secretary shall require that the contract include appropriate provisions to achieve the objectives of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) and comply with other applicable Federal laws and regulations.

“(iii) CONSTRUCTION SERVICES PHASE.—A contracting agency may not proceed with the award of the construction services phase of a contract under subparagraph (A)(iv) and may not proceed, or permit any consultant or contractor to proceed, with construction until completion of the process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

“(iv) APPROVAL REQUIREMENT.—Prior to authorizing construction activities, the Secretary shall approve the contracting agency’s price estimate for the entire project, as well as any price agreement with the general contractor for the project or a portion of the project.

“(v) DESIGN ACTIVITIES.—A contracting agency may proceed, at its expense, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project. Design activities carried out under this clause shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).”.

SEC. 407. ELIMINATION OF DUPLICATION IN HISTORIC PRESERVATION REQUIREMENTS.

(a) PRESERVATION OF PARKLANDS.—Section 138 is amended by adding at the end the following:

“(c) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

(b) POLICY ON LANDS, WILDLIFE AND WATER-FOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

“(e) ELIMINATION OF DUPLICATION FOR HISTORIC SITES AND PROPERTIES.—The requirements of this section shall be considered to be satisfied for an historic site or property where its treatment has been agreed upon in a memorandum of agreement by invited and mandatory signatories, including the Advisory Council on Historic Preservation, if participating, in accordance with section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

SEC. 408. FUNDING THRESHOLD.

Section 139(b) is amended by adding at the end the following:

“(3) FUNDING THRESHOLD.—The Secretary’s approval of a project receiving funds under this title or under chapter 53 of title 49 shall not be considered a Federal action for the purposes of the National Environmental Policy Act of 1969 if such funds—

“(A) constitute 15 percent or less of the total estimated project costs; or

“(B) are less than \$10,000,000.”.

SEC. 409. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) FLEXIBILITY.—Section 139(b) is further amended—

(1) in paragraph (2) by inserting “, and any requirements established in this section may be satisfied,” after “exercised”; and

(2) by adding after paragraph (3), as added by this Act, the following:

“(4) PROGRAMMATIC COMPLIANCE.—At the request of a State, the Secretary may modify the procedures developed under this section to encourage programmatic approaches and strategies with respect to environmental programs and permits (in lieu of project-by-project reviews).”.

(b) FEDERAL LEAD AGENCY.—Section 139(c) is amended—

(1) in paragraph (1) by adding at the end the following: “If the project requires approval from more than one modal administration within the Department, the Secretary shall designate a single modal administration to serve as the Federal lead agency for the Department in the environmental review process for the project.”;

(2) in paragraph (3) by inserting “or other approvals by the Secretary” after “chapter 53 of title 49”; and

(3) by striking paragraph (5) and inserting the following:

“(5) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency in making any approval of a project subject to this section as the document required to be completed under the National Environmental Policy Act of 1969.”.

(c) PARTICIPATING AGENCIES.—

(1) EFFECT OF DESIGNATION.—Section 139(d)(4) is amended to read as follows:

“(4) EFFECT OF DESIGNATION.—

“(A) REQUIREMENT.—A participating agency shall comply with the requirements of this section and any schedule established under this section.

“(B) IMPLICATION.—Designation as a participating agency under this subsection shall not imply that the participating agency—

“(i) supports a proposed project; or

“(ii) has any jurisdiction over, or special expertise with respect to evaluation of, the project.”.

(2) CONCURRENT REVIEWS.—Section 139(d)(7) is amended to read as follows:

“(7) CONCURRENT REVIEWS.—Each participating agency and cooperating agency shall—

“(A) carry out obligations of that agency under other applicable law concurrently, and

in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.”.

(d) PROJECT INITIATION.—Section 139(e) is amended by adding at the end the following: “The project sponsor may satisfy this requirement by submitting to the Secretary a draft notice for publication in the Federal Register announcing the preparation of an environmental impact statement for the project.”.

(e) ALTERNATIVES ANALYSIS.—Section 139(f) is amended—

(1) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows

“(B) RANGE OF ALTERNATIVES.—

“(i) IN GENERAL.—Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

“(ii) LIMITATION.—The range of alternatives shall be limited to alternatives that are consistent with the transportation mode and general design of the project described in the long-range transportation plan or transportation improvement program prepared pursuant to section 134 or 135 or section 5303 or 5304 of title 49.

“(iii) RESTRICTION.—A Federal agency may not require the evaluation of any alternative that was evaluated, but not adopted—

“(I) in any prior State or Federal environmental document with regard to the applicable long-range transportation plan or transportation improvement program; or

“(II) after the preparation of a programmatic or tiered environmental document that evaluated alternatives to the project.

“(iv) LEGAL SUFFICIENCY.—The evaluation of the range of alternatives shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.”;

(B) in subparagraph (C)—

(i) by striking “(C) METHODOLOGIES.—The lead agency” and inserting the following:

“(C) METHODOLOGIES.—

“(i) IN GENERAL.—The lead agency”;

(ii) by striking “in collaboration with participating agencies at appropriate times during the study process” and inserting “after consultation with participating agencies as part of the scoping process”;

(iii) by adding at the end the following:

“(ii) COMMENTS.—Each participating agency shall limit comments on such methodologies to those issues that are within the authority and expertise of such participating agency.

“(iii) STUDIES.—The lead agency may not conduct studies proposed by any participating agency that are not within the authority or expertise of such participating agency.”;

(C) by adding at the end the following:

“(B) LIMITATIONS ON THE EVALUATION OF IMPACTS EVALUATED IN PRIOR ENVIRONMENTAL DOCUMENTS.—

“(i) IN GENERAL.—The lead agency may not reevaluate, and a Federal agency may not require the reevaluation of, cumulative impacts or growth-inducing impacts where such impacts were previously evaluated in—

“(I) a long-range transportation plan or transportation improvement program developed pursuant to section 134 or 135 or section 5303 or 5304 of title 49;

“(II) a prior environmental document approved by the Secretary; or

“(III) a prior State environmental document approved pursuant to a State law that is substantially equivalent to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

“(ii) LEGAL SUFFICIENCY.—The evaluation of cumulative impacts and growth inducing impacts shall be deemed legally sufficient if the environmental document complies with the requirements of this paragraph.”; and

(2) by adding at the end the following:

“(5) EFFECTIVE DECISIONMAKING.—

“(A) CONCURRENCE.—At the discretion of the lead agency, a participating agency shall be presumed to concur in the determinations made by the lead agency under this subsection unless the participating agency submits an objection to the lead agency in writing within 30 days after receiving notice of the lead agency’s determination and specifies the statutory basis for the objection.

“(B) ADOPTION OF DETERMINATION.—If the participating agency concurs or does not object within the 30-day period, the participating agency shall adopt the lead agency’s determination for purposes of any reviews, approvals, or other actions taken by the participating agency as part of the environmental review process for the project.”.

(f) COORDINATION PLAN.—Section 139(g) is amended—

(1) in paragraph (1)(A) by striking “project or category of projects” and inserting “project, category of projects, or program of projects”;

(2) by amending paragraph (3) to read as follows:

“(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—

“(A) PRIOR APPROVAL DEADLINE.—If a participating agency is required to make a determination regarding or otherwise approve or disapprove the project prior to the record of decision or finding of no significant impact of the lead agency, such participating agency shall make such determination or approval not later than 30 days after the lead agency publishes notice of the availability of a final environmental impact statement or other final environmental document, or not later than such other date that is otherwise required by law, whichever occurs first.

“(B) OTHER DEADLINES.—With regard to any determination or approval of a participating agency that is not subject to subparagraph (A), each participating agency shall make any required determination regarding or otherwise approve or disapprove the project not later than 90 days after the date that the lead agency approves the record of decision or finding of no significant impact for the project, or not later than such other date that is otherwise required by law, whichever occurs first.

“(C) DEEMED APPROVED.—In the event that any participating agency fails to make a determination or approve or disapprove the project within the applicable deadline described in subparagraphs (A) and (B), the project shall be deemed approved by such participating agency, and such approval shall be deemed to comply with the applicable requirements of Federal law.

“(D) WRITTEN FINDING.—The Secretary may issue a written finding verifying the approval made in accordance with this paragraph.”; and

(3) by striking paragraph (4).

(g) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h)(4) is amended by adding at the end the following:

“(C) RESOLUTION FINAL.—

“(i) IN GENERAL.—The lead agency and participating agencies may not reconsider the resolution of any issue agreed to by the relevant agencies in a meeting under subparagraph (A).

“(ii) COMPLIANCE WITH APPLICABLE LAW.—Any such resolution shall be deemed to com-

ply with applicable law notwithstanding that the agencies agreed to such resolution prior to the approval of the environmental document.”.

(h) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—Section 139 is amended—

(1) by redesignating subsections (i) through (l) as subsections (k) through (n), respectively; and

(2) by inserting after subsection (h) the following:

“(i) STREAMLINED DOCUMENTATION AND DECISIONMAKING.—

“(1) IN GENERAL.—The lead agency in the environmental review process for a project, in order to reduce paperwork and expedite decisionmaking, shall prepare a condensed final environmental impact statement.

“(2) CONDENSED FORMAT.—A condensed final environmental impact statement for a project in the environmental review process shall consist only of—

“(A) an incorporation by reference of the draft environmental impact statement;

“(B) any updates to specific pages or sections of the draft environmental impact statement as appropriate; and

“(C) responses to comments on the draft environmental impact statement and copies of the comments.

“(3) TIMING OF DECISION.—Notwithstanding any other provision of law, in conducting the environmental review process for a project, the lead agency shall combine a final environmental impact statement and a record of decision for the project into a single document if—

“(A) the alternative approved in the record of decision is either a preferred alternative that was identified in the draft environmental impact statement or is a modification of such preferred alternative that was developed in response to comments on the draft environmental impact statement;

“(B) the Secretary has received a certification from a State under section 128, if such a certification is required for the project; and

“(C) the Secretary determines that the lead agency, participating agency, or the project sponsor has committed to implement the measures applicable to the approved alternative that are identified in the final environmental impact statement.

“(j) SUPPLEMENTAL ENVIRONMENTAL REVIEW AND RE-EVALUATION.—

“(1) SUPPLEMENTAL ENVIRONMENTAL REVIEW.—After the approval of a record of decision or finding of no significant impact with regard to a project, an agency may not require the preparation of a subsequent environmental document for such project unless the lead agency determines that—

“(A) changes to the project will result in new significant impacts that were not evaluated in the environmental document; or

“(B) new information has become available or changes in circumstances have occurred after the lead agency approval of the project that will result in new significant impacts that were not evaluated in the environmental document.

“(2) RE-EVALUATIONS.—The Secretary may only require the re-evaluation of a document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if—

“(A) the Secretary determines that the events in paragraph (1)(A) or (1)(B) apply; and

“(B) more than 5 years has elapsed since the Secretary’s prior approval of the project or authorization of project funding.

“(3) CHANGE TO RECORD OF DECISION.—After the approval of a record of decision, the Secretary may not require the record of decision to be changed solely because of a change in the fiscal circumstances surrounding the project.”.

(i) REGULATIONS.—Section 139(m) (as redesignated by subsection (h)(1) of this section) is further amended to read as follows:

“(m) REGULATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Extension Act of 2012, Part II, the Secretary, by regulation, shall—

“(A) implement this section; and

“(B) establish methodologies and procedures for evaluating the environmental impacts, including cumulative impacts and growth-inducing impacts, of transportation projects subject to this section.

“(2) COMPLIANCE WITH APPLICABLE LAW.—Any environmental document that utilizes the methodologies and procedures established under this subsection shall be deemed to comply with the applicable requirements of—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or its implementing regulations; or

“(B) any other Federal environmental statute applicable to transportation projects.”.

SEC. 410. DISPOSAL OF HISTORIC PROPERTIES.

(a) DISPOSAL OF HISTORIC PROPERTIES.—Section 156 is amended—

(1) by striking the section heading and inserting “**Sale or lease of real property**”; and

(2) by adding at the end the following:

“(d) ASSESSMENT OF ADVERSE EFFECTS.—Notwithstanding part 800 of title 36, Code of Federal Regulations, the sale or lease by a State of any historic property that is not listed in the National Register of Historic Places shall not be considered an adverse effect to the property within any consultation process carried out under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 is amended by striking the item relating to section 156 and inserting the following:

“156. Sale or lease of real property.”.

SEC. 411. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

“§ 167. Integration of planning and environmental review

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ENVIRONMENTAL REVIEW PROCESS.—

“(A) IN GENERAL.—The term ‘environmental review process’ means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(B) INCLUSIONS.—The term ‘environmental review process’ includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) PLANNING PRODUCT.—The term ‘planning product’ means any decision, analysis, study, or other documented result of an evaluation or decisionmaking process carried out during transportation planning.

“(3) PROJECT.—The term ‘project’ means any highway project or program of projects, public transportation capital project or program of projects, or multimodal project or program of projects that requires the approval of the Secretary.

“(4) PROJECT SPONSOR.—The term ‘project sponsor’ means the agency or other entity, including any private or public-private entity, that seeks approval of the Secretary for a project.

“(b) PURPOSE AND FINDINGS.—

“(1) PURPOSE.—The purpose of this section is to establish the authority and provide pro-

cedures for achieving integrated planning and environmental review processes to—

“(A) enable statewide and metropolitan planning processes to more effectively serve as the foundation for project decisions;

“(B) foster better decisionmaking;

“(C) reduce duplication in work;

“(D) avoid delays in transportation improvements; and

“(E) better transportation and environmental results for communities and the United States.

“(2) FINDINGS.—Congress finds the following:

“(A) This section is consistent with and is adopted in furtherance of sections 101 and 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 and 4332) and section 109 of this title.

“(B) This section should be broadly construed and may be applied to any project, class of projects, or program of projects carried out under this title or chapter 53 of title 49.

“(c) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law and subject to the conditions set forth in subsection (e), the Federal lead agency for a project, at the request of the project sponsors, may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

“(2) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may adopt a planning product under paragraph (1) in its entirety or may select portions for adoption.

“(3) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product shall be made at the time the lead agencies decide the appropriate scope of environmental review for the project.

“(d) APPLICABILITY.—

“(1) PLANNING DECISIONS.—Planning decisions that may be adopted pursuant to this section include—

“(A) a purpose and need or goals and objectives statement for the project, including with respect to whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

“(B) a decision with respect to travel corridor location, including project termini;

“(C) a decision with respect to modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

“(D) a decision with respect to the elimination of unreasonable alternatives and the selection of the range of reasonable alternatives for detailed study during the environmental review process;

“(E) a basic description of the environmental setting;

“(F) a decision with respect to methodologies for analysis; and

“(G) identifications of programmatic level mitigation for potential impacts that the Federal lead agency, in consultation with Federal, State, local, and tribal resource agencies, determines are most effectively addressed at a regional or national program level, including—

“(i) system-level measures to avoid, minimize, or mitigate impacts of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

“(ii) potential mitigation activities, locations, and investments.

“(2) PLANNING ANALYSES.—Planning analyses that may be adopted pursuant to this section include studies with respect to—

“(A) travel demands;

“(B) regional development and growth;

“(C) local land use, growth management, and development;

“(D) population and employment;

“(E) natural and built environmental conditions;

“(F) environmental resources and environmentally sensitive areas;

“(G) potential environmental effects, including the identification of resources of concern and potential cumulative effects on those resources, identified as a result of a statewide or regional cumulative effects assessment; and

“(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

“(e) CONDITIONS.—Adoption and use of a planning product under this section is subject to a determination by the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, that the following conditions have been met:

“(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

“(2) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects.

“(3) During the planning process, notice was provided through publication or other means to Federal, State, and local government agencies and tribal governments that might have an interest in the proposed project, and to members of the general public, of the planning products that the planning process might produce and that might be relied on during the environmental review process, and such entities have been provided an appropriate opportunity to participate in the planning process leading to such planning product.

“(4) Prior to determining the scope of environmental review for the project, the joint lead agencies have made documentation relating to the planning product available to Federal, State, and local governmental agencies and tribal governments that may have an interest in the proposed action, and to members of the general public.

“(5) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

“(6) The planning product is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

“(7) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

“(8) The planning product is appropriate for adoption and use in the environmental review process for the project.

“(f) EFFECT OF ADOPTION.—Notwithstanding any other provision of law, any planning product adopted by the Federal lead agency in accordance with this section shall not be reconsidered or made the subject of additional interagency consultation during the environmental review process of the project unless the Federal lead agency, in consultation with joint lead agencies and project sponsors as appropriate, determines that there is significant new information or new circumstances that affect the continued validity or appropriateness of the adopted planning product. Any planning product adopted by the Federal lead agency in accordance with this section may be relied upon and used by other Federal agencies in carrying out reviews of the project.

“(g) RULE OF CONSTRUCTION.—This section may not be construed to make the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) process applicable to the transportation planning process conducted under chapter 52 of title 49. Initiation of the National Environmental Policy Act of 1969 process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the National Environmental Policy Act of 1969 process. This section may not be construed to affect the use of planning products in the National Environmental Policy Act of 1969 process pursuant to other authorities under law or to restrict the initiation of the National Environmental Policy Act of 1969 process during planning.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at end the following:

“167. Integration of planning and environmental review.”

SEC. 412. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

(a) IN GENERAL.—Chapter 1 (as amended by this title) is further amended by adding at the end the following:

“§ 168. Development of programmatic mitigation plans

“(a) IN GENERAL.—As part of the statewide or metropolitan transportation planning process, a State or metropolitan planning organization may develop one or more programmatic mitigation plans to address the potential environmental impacts of future transportation projects.

“(b) SCOPE.—

“(1) SCALE.—A programmatic mitigation plan may be developed on a regional, ecosystem, watershed, or statewide scale.

“(2) RESOURCES.—The plan may encompass multiple environmental resources within a defined geographic area or may focus on a specific resource, such as aquatic resources, parklands, or wildlife habitat.

“(3) PROJECT IMPACTS.—The plan may address impacts from all projects in a defined geographic area or may focus on a specific type of project, such as bridge replacements.

“(4) CONSULTATION.—The scope of the plan shall be determined by the State or metropolitan planning organization, as appropriate, in consultation with the agency or agencies with jurisdiction over the resources being addressed in the mitigation plan.

“(c) CONTENTS.—A programmatic mitigation plan may include—

“(1) an assessment of the condition of environmental resources in the geographic area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(2) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographic area covered by the plan, through strategic mitigation for impacts of transportation projects;

“(3) standard measures for mitigating certain types of impacts;

“(4) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(5) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring; and

“(6) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources.

“(d) PROCESS.—Before adopting a programmatic mitigation plan, a State or metropolitan planning organization shall—

“(1) consult with the agency or agencies with jurisdiction over the environmental re-

sources considered in the programmatic mitigation plan;

“(2) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public;

“(3) consider any comments received from such agencies and the public on the draft plan; and

“(4) address such comments in the final plan.

“(e) INTEGRATION WITH OTHER PLANS.—A programmatic mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(f) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic mitigation plan has been developed pursuant to this section, any Federal agency responsible for environmental reviews, permits, or approvals for a transportation project shall give substantial weight to the recommendations in a programmatic mitigation plan when carrying out their responsibilities under applicable laws.

“(g) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this section limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

“168. Development of programmatic mitigation plans.”

SEC. 413. STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326(a) is amended—

(1) in paragraph (2) by striking “and only for types of activities specifically designated by the Secretary” and inserting “and for any type of activity for which a categorical exclusion classification is appropriate”; and

(2) by adding at the end the following:

“(4) PRESERVATION OF FLEXIBILITY.—The Secretary shall not require a State, as a condition of assuming responsibility under this section, to forego project delivery methods that are otherwise permissible for highway projects.”

SEC. 414. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

(a) PROGRAM NAME.—Section 327 is amended—

(1) in the section heading by striking “pilot”; and

(2) in subsection (a)(1) by striking “pilot”.

(b) ASSUMPTION OF RESPONSIBILITY.—Section 327(a)(2) is amended—

(1) in subparagraph (A) by striking “highway”;

(2) in subparagraph (B) by striking clause (ii) and inserting the following:

“(ii) the Secretary may not assign any responsibility imposed on the Secretary by section 134 or 135 or section 5303 or 5304 of title 49.”; and

(3) by adding at the end the following:

“(F) PRESERVATION OF FLEXIBILITY.—The Secretary may not require a State, as a condition of participation in the program, to forego project delivery methods that are otherwise permissible for projects.”

(c) STATE PARTICIPATION.—Section 327(b) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) PARTICIPATING STATES.—All States are eligible to participate in the program.”; and

(2) in paragraph (2) by striking “this section, the Secretary shall promulgate” and inserting “amendments to this section by the Surface Transportation Extension Act of 2012, Part II, the Secretary shall amend, as appropriate.”

(d) WRITTEN AGREEMENT.—Section 327(c) is amended—

(1) in paragraph (3)(D) by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

“(4) have a term of not more than 5 years; and

“(5) be renewable.”

(e) CONFORMING AMENDMENT.—Section 327(e) is amended by striking “subsection (i)” and inserting “subsection (j)”.

(f) AUDITS.—Section 327(g)(1)(B) is amended by striking “subsequent year” and inserting “of the third and fourth years”.

(g) MONITORING.—Section 327 is further amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

“(h) MONITORING.—After the fourth year of the participation of a State in the program, the Secretary shall monitor compliance by the State with the written agreement, including the provision by the State of financial resources to carry out the written agreement.”

(h) TERMINATION.—Section 327(j) (as redesignated by subsection (g)(1) of this section) is amended to read as follows:

“(j) TERMINATION.—The Secretary may terminate the participation of any State in the program if—

“(1) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

“(2) the Secretary provides to the State—

“(A) notification of the determination of noncompliance; and

“(B) a period of at least 30 days during which to take such corrective action as the Secretary determines is necessary to comply with the applicable agreement; and

“(3) the State, after the notification and period provided under paragraph (2), fails to take satisfactory corrective action, as determined by the Secretary.”

(i) DEFINITIONS.—Section 327 is amended by adding at the end the following:

“(k) DEFINITIONS.—In this section, the following definitions apply:

“(1) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

“(2) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.”

(j) CLERICAL AMENDMENT.—The analysis for chapter 3 is amended by striking the item relating to section 327 and inserting the following:

“327. Surface transportation project delivery program.”

SEC. 415. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Chapter 3 is amended by adding at the end the following:

“§ 330. Program for eliminating duplication of environmental reviews

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a program to eliminate duplicative environmental reviews and approvals under State and Federal law of projects. Under this program, a State may use State laws and procedures to conduct reviews and make approvals in lieu of Federal environmental laws and regulations, consistent with the provisions of this section.

“(2) PARTICIPATING STATES.—All States are eligible to participate in the program.

“(3) SCOPE OF ALTERNATIVE REVIEW AND APPROVAL PROCEDURES.—For purposes of this

section, alternative environmental review and approval procedures may include one or more of the following:

“(A) Substitution of one or more State environmental laws for one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State environmental laws provide environmental protection and opportunities for public involvement that are substantially equivalent to the applicable Federal environmental laws.

“(B) Substitution of one or more State regulations for Federal regulations implementing one or more Federal environmental laws, if the Secretary determines in accordance with this section that the State regulations provide environmental protection and opportunities for public involvement that are substantially equivalent to the Federal regulations.

“(b) APPLICATION.—To participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

“(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State;

“(2) for each State law or regulation included in the proposed alternative environmental review and approval procedures of the State, an explanation of the basis for concluding that the law or regulation meets the requirements under subsection (a)(3); and

“(3) evidence of having sought, received, and addressed comments on the proposed application from the public and appropriate Federal environmental resource agencies.

“(c) REVIEW OF APPLICATION.—The Secretary shall—

“(1) review an application submitted under subsection (b);

“(2) approve or disapprove the application in accordance with subsection (d) not later than 90 days after the date of the receipt of the application; and

“(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

“(d) APPROVAL OF STATE PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall approve each such application if the Secretary finds that the proposed alternative environmental review and approval procedures of the State are substantially equivalent to the applicable Federal environmental laws and Federal regulations.

“(2) EXCLUSION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not apply to any decision by the Secretary to approve or disapprove any application submitted pursuant to this section.

“(e) COMPLIANCE WITH PERMITS.—Compliance with a permit or other approval of a project issued pursuant to a program approved by the Secretary under this section shall be deemed compliance with the Federal laws and regulations identified in the program approved by the Secretary pursuant to this section.

“(f) REVIEW AND TERMINATION.—

“(1) REVIEW.—All State alternative environmental review and approval procedures approved under this section shall be reviewed by the Secretary not less than once every 5 years.

“(2) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (1), the Secretary shall provide notice and an opportunity for public comment.

“(3) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process, the Secretary may extend the State alternative environmental review and approval proce-

dures for an additional 5-year period or terminate the State program.

“(g) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section and annually thereafter, the Secretary shall submit to Congress a report that describes the administration of the program.

“(h) DEFINITIONS.—For purposes of this section:

“(1) ENVIRONMENTAL LAW.—The term ‘environmental law’ includes any law that provides procedural or substantive protection, as applicable, for the natural or built environment with regard to the construction and operation of projects.

“(2) FEDERAL ENVIRONMENTAL LAWS.—The term ‘Federal environmental laws’ means laws governing the review of environmental impacts of, and issuance of permits and other approvals for, the construction and operation of projects, including section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), section 106 of the National Historic Preservation Act (16 U.S.C. 470f), and sections 7(a)(2), 9(a)(1)(B), and 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2), 1538(a)(1)(B), 1539(a)(1)(B)).

“(3) MULTIMODAL PROJECT.—The term ‘multimodal project’ means a project funded, in whole or in part, under this title or chapter 53 of title 49 and involving the participation of more than one Department of Transportation administration or agency.

“(4) PROJECT.—The term ‘project’ means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by title I of this Act) is further amended by adding at the end the following:

“330. Program for eliminating duplication of environmental reviews.”

SEC. 416. STATE PERFORMANCE OF LEGAL SUFFICIENCY REVIEWS.

(a) IN GENERAL.—Chapter 3 (as amended by this title) is further amended by adding at the end the following:

“§ 331. State performance of legal sufficiency reviews

“(a) IN GENERAL.—At the request of any State transportation department, the Federal Highway Administration shall enter into an agreement with the State transportation department to authorize the State to carry out the legal sufficiency reviews for environmental impact statements and environmental assessments under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with this section.

“(b) TERMS OF AGREEMENT.—An agreement authorizing a State to carry out legal sufficiency reviews for Federal-aid highway projects shall contain the following provisions:

“(1) A finding by the Federal Highway Administration that the State has the capacity to carry out legal sufficiency reviews that are equivalent in quality and consistency to the reviews that would otherwise be conducted by attorneys employed by such Administration.

“(2) An oversight process, including periodic reviews conducted by attorneys employed by such Administration, to evaluate the quality of the legal sufficiency reviews carried out by the State transportation department under the agreement.

“(3) A requirement for the State transportation department to submit a written finding of legal sufficiency to the Federal Highway Administration concurrently with the request by the State for Federal approval of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) document.

“(4) An opportunity for the Federal Highway Administration to conduct an additional legal sufficiency review for any project, for not more than 30 days, if considered necessary by the Federal Highway Administration.

“(5) Procedures allowing either party to the agreement to terminate the agreement for any reason with 30 days notice to the other party.

“(c) EFFECT OF AGREEMENT.—A legal sufficiency review carried out by a State transportation department under this section shall be deemed by the Federal Highway Administration to satisfy the requirement for a legal sufficiency review in sections 771.125(b) and 774.7(d) of title 23, Code of Federal Regulations, or other applicable regulations issued by the Federal Highway Administration.”

(b) CLERICAL AMENDMENT.—The analysis for such chapter (as amended by this title) is further amended by adding at the end the following:

“331. State performance of legal sufficiency reviews.”

SEC. 417. CATEGORICAL EXCLUSIONS.

(a) IN GENERAL.—The Secretary shall treat an activity carried out under title 23, United States Code, or project within a right-of-way as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 771.117(c) of title 23, Code of Federal Regulations.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) MULTIMODAL PROJECT.—The term “multimodal project” means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(2) PROJECT.—The term “project” means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 418. ENVIRONMENTAL REVIEW PROCESS DEADLINE.

(a) IN GENERAL.—

(1) DEADLINE.—Notwithstanding any other provision of law, the environmental review process for a project shall be completed not later than 270 days after the date on which the notice of project initiation under section 139(e) of title 23, United States Code, is published in the Federal Register.

(2) CONSEQUENCES OF MISSED DEADLINE.—If the environmental review process for a project is not completed in accordance with paragraph (1)—

(A) the project shall be considered to have no significant impact to the human environment for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) that classification shall be considered to be a final agency action.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term “environmental review process” means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) INCLUSIONS.—The term “environmental review process” includes the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) LEAD AGENCY.—The term “lead agency” means the Department of Transportation

and, if applicable, any State or local governmental entity serving as a joint lead agency pursuant to this section.

(3) **MULTIMODAL PROJECT.**—The term “multimodal project” means a project funded, in whole or in part, under title 23, United States Code, or chapter 53 of title 49 of such Code and involving the participation of more than one Department of Transportation administration or agency.

(4) **PROJECT.**—The term “project” means any highway project, public transportation capital project, or multimodal project that requires the approval of the Secretary.

SEC. 419. RELOCATION ASSISTANCE.

(a) **ALTERNATIVE RELOCATION PAYMENT PROCESS.**—

(1) **ESTABLISHMENT.**—For the purpose of identifying improvements in the timeliness of providing relocation assistance to persons displaced as a result of Federal or federally-assisted programs and projects, the Secretary shall establish an alternative relocation payment process under which payments to displaced persons eligible for relocation assistance pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), are calculated based on reasonable estimates and paid in advance of the physical displacement of the displaced person.

(2) **PAYMENTS.**—

(A) **TIMING OF PAYMENTS.**—Relocation assistance payments may be provided to the displaced person at the same time as payments of just compensation for real property acquired for a program or project of the State.

(B) **COMBINED PAYMENT.**—Payments for relocation and just compensation may be combined into a single unallocated amount.

(3) **CONDITIONS FOR STATE USE OF ALTERNATIVE PROCESS.**—

(A) **IN GENERAL.**—After public notice and an opportunity to comment, the Secretary shall adopt criteria for States to use the alternative relocation payment process established by the Secretary.

(B) **MEMORANDUM OF AGREEMENT.**—In order to use the alternative relocation payment process, a State shall enter into a memorandum of agreement with the Secretary that includes provisions relating to—

(i) the selection of projects or programs within the State to which the alternative relocation payment process will be applied;

(ii) program and project-level monitoring;

(iii) performance measurement;

(iv) reporting requirements; and

(v) the circumstances under which the Secretary may terminate or suspend the authority of the State to use the alternative relocation payment process.

(C) **REQUIRED INFORMATION.**—A State may use the alternative relocation payment process only after the displaced persons affected by a program or project—

(i) are informed in writing—

(I) that the relocation payments the displaced persons receive under the alternative relocation payment process may be higher or lower than the amount that the displaced persons would have received under the standard relocation assistance process; and

(II) of their right not to participate in the alternative relocation payment process; and

(ii) agree in writing to the alternative relocation payment process.

(D) **ELECTION NOT TO PARTICIPATE.**—The displacing agency shall provide any displaced person who elects not to participate in the alternative relocation payment process with relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(4) **PROTECTIONS AGAINST INCONSISTENT TREATMENT.**—If other Federal agencies plan

displacements in or adjacent to an area of a project using the alternative relocation payment process within the same time period as a project acquisition and relocation action of the project, the Secretary shall adopt measures to protect against inconsistent treatment of displaced persons. Such measures may include a determination that the alternative relocation payment process authority may not be used on a specific project.

(5) **REPORT.**—

(A) **IN GENERAL.**—The Secretary shall submit to Congress an annual report on the implementation of the alternative relocation payment process.

(B) **CONTENTS.**—The report shall include an evaluation of the merits of the alternative relocation payment process, including the effects of the alternative relocation payment process on—

(i) displaced persons and the protections afforded to such persons by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.);

(ii) the efficiency of the delivery of Federal-aid highway projects and overall effects on the Federal-aid highway program; and

(iii) the achievement of the purposes of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(6) **LIMITATION.**—The alternative relocation payment process under this section may be used only on projects funded under title 23, United States Code, in cases in which the funds are administered by the Federal Highway Administration.

(7) **NEPA APPLICABILITY.**—Notwithstanding any other provision of law, the use of the alternative relocation payment process established under this section on a project funded under title 23, United States Code, and administered by the Federal Highway Administration is not a major Federal action requiring analysis or approval under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) **UNIFORM RELOCATION ASSISTANCE ACT AMENDMENTS.**—

(1) **MOVING AND RELATED EXPENSES.**—Section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4622) is amended—

(A) in subsection (a)(4) by striking “\$10,000” and inserting “\$25,000, as adjusted by regulation, in accordance with section 213(d)”;

(B) in the second sentence of subsection (c) by striking “\$20,000” and inserting “\$40,000, as adjusted by regulation, in accordance with section 213(d)”.

(2) **REPLACEMENT HOUSING FOR HOMEOWNERS.**—The first sentence of section 203(a)(1) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623(a)(1)) is amended by—

(A) striking “\$22,500” and inserting “\$31,000, as adjusted by regulation, in accordance with section 213(d)”;

(B) striking “one hundred and eighty days prior to” and inserting “90 days before”.

(3) **REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS.**—Section 204 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4624) is amended—

(A) in the second sentence of subsection (a) by striking “\$5,250” and inserting “\$7,200, as adjusted by regulation, in accordance with section 213(d)”;

(B) in the second sentence of subsection (b) by striking “, except” and all that follows through the end of the subsection and inserting a period.

(4) **DUTIES OF LEAD AGENCY.**—Section 213 of the Uniform Relocation Assistance and Real

Property Acquisition Policies Act of 1970 (42 U.S.C. 4633) is amended—

(A) in subsection (b)—

(i) in paragraph (2) by striking “and”;

(ii) in paragraph (3) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(4) that each Federal agency that has programs or projects requiring the acquisition of real property or causing a displacement from real property subject to the provisions of this Act shall provide to the lead agency an annual summary report that describes the activities conducted by the Federal agency.”;

(B) by adding at the end the following:

“(d) **ADJUSTMENT OF PAYMENTS.**—The head of the lead agency may adjust, by regulation, the amounts of relocation payments provided under sections 202(a)(4), 202(c), 203(a), and 204(a) if the head of the lead agency determines that cost of living, inflation, or other factors indicate that the payments should be adjusted to meet the policy objectives of this Act.”.

(5) **AGENCY COORDINATION.**—Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) is amended by inserting after section 213 (42 U.S.C. 4633) the following:

“SEC. 214. AGENCY COORDINATION.

“(a) **AGENCY CAPACITY.**—Each Federal agency responsible for funding or carrying out relocation and acquisition activities shall have adequately trained personnel and such other resources as are necessary to manage and oversee the relocation and acquisition program of the Federal agency in accordance with this Act.

“(b) **INTERAGENCY AGREEMENTS.**—Not later than 1 year after the date of the enactment of this section, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall enter into a memorandum of understanding with the lead agency that—

“(1) provides for periodic training of the personnel of the Federal agency, which in the case of a Federal agency that provides Federal financial assistance, may include personnel of any displacing agency that receives Federal financial assistance;

“(2) addresses ways in which the lead agency may provide assistance and coordination to the Federal agency relating to compliance with this Act on a program or project basis; and

“(3) addresses the funding of the training, assistance, and coordination activities provided by the lead agency, in accordance with subsection (c).

“(c) **INTERAGENCY PAYMENTS.**—

“(1) **IN GENERAL.**—For the fiscal year that begins 1 year after the date of the enactment of this section, and each fiscal year thereafter, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall transfer to the lead agency for the fiscal year, such funds as are necessary, but not less than \$35,000, to support the training, assistance, and coordination activities of the lead agency described in subsection (b).

“(2) **INCLUDED COSTS.**—The cost to a Federal agency of providing the funds described in paragraph (1) shall be included as part of the cost of 1 or more programs or projects undertaken by the Federal agency or with Federal financial assistance that result in the displacement of persons or the acquisition of real property.”.

(c) **COOPERATION WITH FEDERAL AGENCIES.**—Section 308(a) is amended to read as follows:

“(a) **AUTHORIZED ACTIVITIES.**—

“(1) IN GENERAL.—The Secretary may perform, by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Federal agencies, cooperating foreign countries, and State cooperating agencies.

“(2) INCLUSIONS.—Services authorized under paragraph (1) may include activities authorized under section 214 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

“(3) REIMBURSEMENT.—Reimbursement for services carried out under this subsection, including depreciation on engineering and road-building equipment, shall be credited to the applicable appropriation.”.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE IV—COAL COMBUSTION RESIDUALS

SEC. 401. HIGHWAY AND INFRASTRUCTURE SAFETY THROUGH THE PROTECTION OF COAL COMBUSTION RESIDUAL RECYCLING.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following new section:

“SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

“(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt and implement a coal combustion residuals permit program.

“(b) STATE ACTIONS.—

“(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(2)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

“(2) CERTIFICATION.—

“(A) IN GENERAL.—Not later than 36 months after the date of enactment of this section (except as provided in subsections (f)(1)(A) and (f)(1)(C)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State agency responsible for implementing the coal combustion residuals permit program shall submit to the Administrator a certification that such coal combustion residuals permit program meets the specifications described in subsection (c)(1).

“(B) CONTENTS.—A certification submitted under this paragraph shall include—

“(i) a letter identifying the lead State agency responsible for implementing the coal combustion residuals permit program, signed by the head of such agency;

“(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

“(iii) a narrative description that provides an explanation of how the State will ensure that the coal combustion residuals permit program meets the requirements of this section, including a description of the State’s—

“(I) process to inspect or otherwise determine compliance with such permit program;

“(II) process to enforce the requirements of such permit program; and

“(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program;

“(iv) a legal certification that the State has, at the time of certification, fully effective statutes or regulations necessary to implement a coal combustion residuals permit program that meets the specifications described in subsection (c)(1); and

“(v) copies of State statutes and regulations described in clause (iv).

“(3) MAINTENANCE OF 4005(C) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the State agency responsible for implementing a coal combustion residuals permit program in a State shall maintain an approved program under section 4005(c) or an authorized program under section 3006.

“(c) PERMIT PROGRAM SPECIFICATIONS.—

“(1) MINIMUM REQUIREMENTS.—The specifications described in this subsection for a coal combustion residuals permit program are as follows:

“(A) The revised criteria described in paragraph (2) shall apply to a coal combustion residuals permit program, except as provided in paragraph (3).

“(B) Each structure shall be, in accordance with generally accepted engineering standards for the structural integrity of such structures, designed, constructed, and maintained to provide for containment of the maximum volumes of coal combustion residuals appropriate for the structure. If a structure is determined by the head of the agency responsible for implementing the coal combustion residuals permit program to be deficient, the head of such agency has authority to require action to correct the deficiency according to a schedule determined by such agency. If the identified deficiency is not corrected according to such schedule, the head of such agency has authority to require that the structure close in accordance with subsection (h).

“(C) The coal combustion residuals permit program shall apply the revised criteria promulgated pursuant to section 4010(c) for location, design, groundwater monitoring, corrective action, financial assurance, closure, and post-closure described in paragraph (2) and the specifications described in this paragraph to surface impoundments.

“(D) If a structure that is classified as posing a high hazard potential pursuant to the guidelines published by the Federal Emergency Management Agency entitled ‘Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams’ (FEMA Publication Number 333) is determined by the head of the agency responsible for implementing the coal combustion residuals permit program to be deficient with respect to the structural integrity requirement in subparagraph (B), the head of such agency has authority to require action to correct the deficiency according to a schedule determined by such agency. If the identified deficiency is not corrected according to such schedule, the head of such agency has authority to require that the structure close in accordance with subsection (h).

“(E) New structures that first receive coal combustion residuals after the date of enactment of this section shall be constructed with a base located a minimum of two feet above the upper limit of the natural water table.

“(F) In the case of a coal combustion residuals permit program implemented by a State, the State has the authority to inspect structures and implement and enforce such permit program.

“(G) In the case of a coal combustion residuals permit program implemented by a State, the State has the authority to address wind dispersal of dust from coal combustion residuals by requiring dust control measures, as determined appropriate by the head of the lead State agency responsible for implementing the coal combustion residuals permit program.

“(2) REVISED CRITERIA.—The revised criteria described in this paragraph are—

“(A) the revised criteria for design, groundwater monitoring, corrective action,

closure, and post-closure, for structures, including—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations; and

“(ii) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this paragraph, such revised criteria shall also include—

“(I) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

“(II) for the purposes of assessment monitoring, the constituents aluminum, boron, chloride, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids;

“(B) the revised criteria for location restrictions described in—

“(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

“(ii) for existing structures that receive coal combustion residuals after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations;

“(C) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations;

“(D) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations;

“(E) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations;

“(F) for all structures that receive coal combustion residuals after the date of enactment of this section, the revised criteria for recordkeeping described in section 258.29 of title 40, Code of Federal Regulations;

“(G) for landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-on and run-off control systems described in section 258.26 of title 40, Code of Federal Regulations; and

“(H) for surface impoundments that receive coal combustion residuals after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

“(3) APPLICABILITY OF CERTAIN REQUIREMENTS.—A State may determine that one or more of the requirements of the revised criteria described in paragraph (2) is not needed for the management of coal combustion residuals in that State, and may decline to apply such requirement as part of its coal combustion residuals permit program. If a State declines to apply a requirement under this paragraph, the State shall include in the certification under subsection (b)(2) a description of such requirement and the reasons such requirement is not needed in the State. If the Administrator determines that a State determination under this paragraph

does not accurately reflect the needs for the management of coal combustion residuals in the State, the Administrator may treat such State determination as a deficiency under subsection (d).

“(d) WRITTEN NOTICE AND OPPORTUNITY TO REMEDY.—

“(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (2) if at any time the State—

“(A) does not satisfy the notification requirement under subsection (b)(1);

“(B) has not submitted a certification under subsection (b)(2);

“(C) does not satisfy the maintenance requirement under subsection (b)(3); or

“(D) is not implementing a coal combustion residuals permit program that meets the specifications described in subsection (c)(1).

“(2) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under this subsection shall—

“(A) include findings of the Administrator detailing any applicable deficiencies in—

“(i) compliance by the State with the notification requirement under subsection (b)(1);

“(ii) compliance by the State with the certification requirement under subsection (b)(2);

“(iii) compliance by the State with the maintenance requirement under subsection (b)(3); and

“(iv) the State coal combustion residuals permit program in meeting the specifications described in subsection (c)(1); and

“(B) identify, in collaboration with the State, a reasonable deadline, which shall be not sooner than 6 months after the State receives the notice, by which the State shall remedy the deficiencies detailed under subparagraph (A).

“(e) IMPLEMENTATION BY ADMINISTRATOR.—

“(1) IN GENERAL.—The Administrator shall implement a coal combustion residuals permit program for a State only in the following circumstances:

“(A) If the Governor of such State notifies the Administrator under subsection (b)(1) that such State will not adopt and implement such a permit program.

“(B) If such State has received a notice under subsection (d) and, after any review brought by the State under section 7006, fails, by the deadline identified in such notice under subsection (d)(2)(B), to remedy the deficiencies detailed in such notice under subsection (d)(2)(A).

“(C) If such State informs the Administrator, in writing, that such State will no longer implement such a permit program.

“(2) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1), such permit program shall consist of the specifications described in subsection (c)(1).

“(3) ENFORCEMENT.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1), the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures and the Administrator may use such authorities to inspect, gather information, and enforce the requirements of this section in the State.

“(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

“(1) STATE CONTROL.—

“(A) NEW ADOPTION AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination that the State coal combustion residuals permit program meets the specifications described in subsection (c)(1); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(B) REMEDIATING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

“(i) remedying the deficiencies detailed in the notice provided under subsection (d)(2)(A); and

“(ii) receiving from the Administrator—

“(I) a determination that the deficiencies detailed in such notice have been remedied; and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(C) RESUMPTION OF IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(C), the State may adopt and implement such a permit program by—

“(i) notifying the Administrator that the State will adopt and implement such a permit program;

“(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

“(iii) receiving from the Administrator—

“(I) a determination that the State coal combustion residuals permit program meets the specifications described in subsection (c)(1); and

“(II) a timeline for transition of control of the coal combustion residuals permit program.

“(2) REVIEW OF DETERMINATION.—

“(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii) or (1)(C)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

“(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

“(3) IMPLEMENTATION DURING TRANSITION.—

“(A) EFFECT ON ACTIONS AND ORDERS.—Actions taken or orders issued pursuant to a coal combustion residuals permit program shall remain in effect if—

“(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

“(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

“(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such actions and orders until such time as the Administrator or the head of the lead State agency responsible for implementing the coal combustion residuals permit program, as applicable—

“(i) implements changes to the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

“(ii) certifies the completion of a corrective action that is the subject of the action or order.

“(4) SINGLE PERMIT PROGRAM.—If a State adopts and implements a coal combustion re-

siduals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e) for such State.

“(g) EFFECT ON DETERMINATION UNDER 4005(C) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

“(h) CLOSURE.—If it is determined, pursuant to a coal combustion residuals permit program, that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion and that takes into account the nature and the site-specific characteristics of the structure to be closed. In the case of a surface impoundment, the closure plan shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

“(i) AUTHORITY.—

“(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

“(2) AUTHORITY OF THE ADMINISTRATOR.—

“(A) IN GENERAL.—Except as provided in subsection (e) of this section and section 6005 of this title, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

“(B) IMMINENT HAZARD.—Nothing in this section shall be construed to affect the authority of the Administrator under section 7003 with respect to coal combustion residuals.

“(C) TECHNICAL AND ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the technical or enforcement assistance requested.

“(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

“(j) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented under subsection (e) by the Administrator shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

“(k) DEFINITIONS.—In this section:

“(1) COAL COMBUSTION RESIDUALS.—The term ‘coal combustion residuals’ means—

“(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

“(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

“(C) fluidized bed combustion wastes;

“(D) wastes from the co-burning of coal with non-hazardous secondary materials provided that coal makes up at least 50 percent of the total fuel burned; and

“(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

“(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term ‘coal combustion residuals permit program’ means a permit pro-

gram or other system of prior approval and conditions that is adopted by or for a State for the management and disposal of coal combustion residuals to the extent such activities occur in structures in such State.

“(3) STRUCTURE.—The term ‘structure’ means a landfill, surface impoundment, or other land-based unit which may receive coal combustion residuals.

“(4) REVISED CRITERIA.—The term ‘revised criteria’ means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c) in accordance with the requirement of such section that the criteria protect human health and the environment.”.

(b) 2000 REGULATORY DETERMINATION.—Nothing in this section, or the amendments made by this section, shall be construed to alter in any manner the Environmental Protection Agency’s regulatory determination entitled ‘Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels’, published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

(c) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

“Sec. 4011. Management and disposal of coal combustion residuals.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. POLIS moved to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the bill back to the House forthwith with the following amendment:

At the end of subtitle A of title I of the bill, add the following (and conform the table of contents accordingly):

SEC. 112. PROHIBITION AGAINST CONSTRUCTION OF HIGHWAYS IN FOREIGN COUNTRIES.

(a) IN GENERAL.—None of the funds made available under this Act may be used for the construction of a highway outside of a State (as defined in section 101(a) of title 23, United States Code) or a territory (as defined in section 215(a) of that title).

(b) REMOVAL OF EXISTING AUTHORITY TO USE HIGHWAY TRUST FUND REVENUES TO CONSTRUCT A HIGHWAY IN A FOREIGN COUNTRY.—

(1) REPEAL.—Section 218 of title 23, United States Code, and the item relating to that section in the analysis for chapter 2 of that title, are repealed.

(2) NHS APPORTIONMENTS.—Section 104(b)(1)(A) of title 23, United States Code, is amended in the matter preceding clause (i) by striking “, \$30,000,000” and all that follows through “Highway.”.

(c) RESCISSION.—Of the unobligated balances of funds made available for the Alaska Highway under section 104(b)(1)(A) of title 23, United States Code, \$12,289,131 is rescinded.

SEC. 113. PROHIBITION ON FUNDING FOR CORRIDOR EARMARK THAT LIMITS FUNDING FOR OTHER ARC STATES.

(a) SYSTEM MILEAGE.—Notwithstanding any other provision of law, any corridor designation that increased the authorized mileage of the Appalachian development highway system above 3,025 miles shall no longer be effective.

(b) REVISION OF COST TO COMPLETE ESTIMATE.—Not later than 90 days after the date of enactment of this Act, the Appalachian Regional Commission shall revise the cost to

complete estimate for the Appalachian development highway system under section 14501 of title 40, United States Code, to reflect the elimination of the corridor designation under subsection (a).

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the nays had it.

Mr. POLIS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 176 negative } Nays 242

49.14 [Roll No. 169]

AYES—176

- Ackerman Fattah Moran
Altmire Frank (MA) Murphy (CT)
Baca Fudge Nadler
Baldwin Garamendi Neal
Barrow Gonzalez Olver
Bass (CA) Green, Al Pallone
Becerra Green, Gene Pascrell
Berkley Grijalva Pastor (AZ)
Berman Gutierrez Perlmutter
Bishop (GA) Hahn Peters
Bishop (NY) Hanabusa Hastings (FL)
Blumenauer Heinrich
Bonamici Higgins
Boswell Himes
Brady (PA) Hinchey
Bralley (IA) Hinojosa
Brown (FL) Hirono
Butterfield Hochul
Capps Holden
Capuano Holt
Cardoza Carnahan
Carmahan Hoyer
Carney Israel
Carson (IN) Jackson (IL)
Castor (FL) Jackson Lee
Chandler (TX) Sanchez, Loretta
Chu Johnson (GA) Sarbanes
Cicilline Johnson, E. B. Schakowsky
Clarke (MI) Jones Schiff
Clarke (NY) Keating Schrader
Clay Kildee Schwartz
Cleaver Kind Scott (VA)
Clyburn Kissell Scott, David
Cohen Kucinich Serrano
Connolly (VA) Langevin Sherman
Conyers Larsen (WA) Shuler
Cooper Larson (CT) Sires
Costa Lee (CA) Smith (WA)
Costello Levin Speier
Courtney Lewis (GA) Stark
Critz Lipinski Sutton
Crowley Loebbeck Thompson (CA)
Cuellar Lofgren, Zoe Thompson (MS)
Cummings Lowey Tierney
Davis (CA) Lujan Tonko
Davis (IL) Lynch Towns
DeFazio Maloney Tsongas
DeGette Markey Van Hollen
DeLauro Matheson Velazquez
Deutch Matsui Visclosky
Dicks McCarthy (NY) Walz (MN)
Dingell McCollum Wasserman
Doggett McDermott Schultz
Donnelly (IN) McGovern Waters
Doyle McIntyre Watt
Edwards Meeks Waxman
Ellison Michaud Welch
Engel Miller (NC) Wilson (FL)
Eshoo Miller, George Woolsey
Farr Moore Yarmuth

NOES—242

- Adams Alexander Austria
Aderholt Amash Bachmann
Akin Amodei Bachus

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

NOT VOTING—13

- Andrews Marino Pingree (ME)
Filner McNeermy Rangel
Flake Napolitano Slaughter
Honda Paul
Kaptur Pelosi

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. MICA demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a

quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 293 Nays 127

- Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)

- Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Webster
West
Westmoreland
Whitfield

Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)
It was decided in the affirmative
Yeas 408
Nays 4
Answered present 2

49.15 [Roll No. 170]

AYES—293

- Adams
Akin
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (IL)
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores

NOES—127

- Ackerman
Aderholt
Amash
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Blumenauer
Bonamici
Brooks
Broun (GA)
Butterfield
Campbell
Capps
Capuano
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Courtney
Crowley
Cummings
Davis (CA)
DeGette
DeLauro
Deutsch
Dingell
Doggett
Edwards
Ellison
Engel
Farr
Frank (MA)
Fudge
Andrews
Carnahan
Filner
Flake

NOES—127

- Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Pelosi
Hastings (FL)
Heinrich
Himes
Hinchev
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Johnson (GA)
Jordan
Kildee
Kucinich
Labrador
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lowey
Lujan
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Neal
Olver
Pallone
Peters
Polis
Price (NC)
Quayle
Quigley
Reyes
Ross (FL)
Roybal-Allard
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey

49.17 [Roll No. 171]

YEAS—408

- Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishak
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cielline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffin (VA)
Guinta
Hahn
Herrera Beutler
Higgins
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson (IL)
Jackson Lee
Clyburn (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Keating
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal

NOT VOTING—11

- Kaptur
Marino
Napolitano
Paul
Pingree (ME)
Rangel
Slaughter

So the bill was passed.
A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

49.16 H.R. 2453—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2453) to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

Neugebauer	Roskam	Stutzman
Noem	Ross (AR)	Sullivan
Nunes	Ross (FL)	Sutton
Nunnelee	Rothman (NJ)	Terry
Olson	Roybal-Allard	Thompson (CA)
Oliver	Royce	Thompson (MS)
Owens	Runyan	Thompson (PA)
Palazzo	Ruppersberger	Thornberry
Pallone	Rush	Tjberi
Pascarell	Ryan (OH)	Tierney
Pastor (AZ)	Ryan (WI)	Tipton
Paulsen	Sánchez, Linda	Tonko
Pearce	T.	Towns
Pelosi	Sanchez, Loretta	Tsongas
Pence	Sarbanes	Turner (NY)
Peters	Scalise	Turner (OH)
Peterson	Schakowsky	Upton
Petri	Schiff	Van Hollen
Pitts	Schilling	Velázquez
Platts	Schmidt	Visclosky
Poe (TX)	Schock	Walberg
Polis	Schrader	Walden
Pompeo	Schwartz	Walsh (IL)
Posey	Schweikert	Walz (MN)
Price (GA)	Scott (SC)	Wasserman
Price (NC)	Scott (VA)	Schultz
Quayle	Scott, Austin	Waters
Quigley	Scott, David	Watt
Rahall	Sensenbrenner	Waxman
Reed	Sessions	Webster
Rehberg	Sewell	Welch
Reichert	Sherman	West
Renacci	Shimkus	Westmoreland
Reyes	Shuler	Whitfield
Ribble	Shuster	Wilson (FL)
Richardson	Simpson	Wilson (SC)
Richmond	Sires	Wittman
Rivera	Smith (NE)	Wolf
Roby	Smith (NJ)	Womack
Roe (TN)	Smith (TX)	Woodall
Rogers (AL)	Smith (WA)	Woolsey
Rogers (KY)	Southerland	Yarmuth
Rogers (MI)	Speier	Yoder
Rohrabacher	Stark	Young (AK)
Rokita	Stearns	Young (FL)
Rooney	Stivers	Young (IN)
Ros-Lehtinen		

NAYS—4

Amash	Nugent
Brady (TX)	Rigell

ANSWERED "PRESENT"—2

Duncan (SC)	Mulvaney
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NOT VOTING—17

Andrews	Kapture	Paul
Cole	King (NY)	Perlmutter
Filner	Loeb sack	Pingree (ME)
Flake	Marino	Rangel
Garrett	McCotter	Slaughter
Grijalva	Napolitano	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶49.18 HOUR OF MEETING

On motion of Mr. GIBSON, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, April 19, 2012.

¶49.19 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. CHAFFETZ, laid before the House the following communication from Mr. MCGOVERN:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 18, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Commonwealth of Massachusetts, Department of Industrial Accidents, in connection with a workers' compensation dispute currently pending before that department.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not "material and relevant," compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

¶49.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. NAPOLITANO, for today and April 19.

And then,

¶49.21 ADJOURNMENT

On motion of Mr. COURTNEY, pursuant to the previous order of the House, at 6 o'clock and 55 minutes p.m., the House adjourned until 9 a.m. on Thursday, April 19, 2012.

¶49.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROSS of Florida (for himself, Mr. SMITH of Texas, Mr. COBLE, and Mr. PETERSON):

H.R. 4377. A bill to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY:

H.R. 4378. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. LEWIS of Georgia, Ms. MOORE, Ms. LEE of California, Mr. McDERMOTT, Ms. WOOLSEY, Ms. SCHAKOWSKY, Ms. DELAURO, Mrs. MALONEY, Mr. JACKSON of Illinois, Ms. RICHARDSON, Ms. NORTON, Mr. CONYERS, Mr. DAVIS of Illinois, and Mr. RUSH):

H.R. 4379. A bill to amend title IV of the Social Security Act to permit States to exempt single parents with children under 60 months of age from TANF participation rate requirements; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speak-

er, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Indiana:

H.R. 4380. A bill to suspend temporarily the duty on capacitor grade homopolymer polypropylene resin in primary form; to the Committee on Ways and Means.

By Mr. TIPTON:

H.R. 4381. A bill to direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all onshore Federal lands managed by the Department of the Interior and the Forest Service; to the Committee on Natural Resources.

By Mr. COFFMAN of Colorado:

H.R. 4382. A bill to ensure Federal oil and natural gas lease sales occur, eliminate redundant leasing bureaucracy, and provide leasing certainty; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 4383. A bill to streamline the application for permits to drill process and increase funds for energy project permit processing, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself and Mr. BRALEY of Iowa):

H.R. 4384. A bill to permit manufacturers of generic drugs to provide additional warnings with respect to such drugs in the same manner that the Food and Drug Administration allows brand names to do so; to the Committee on Energy and Commerce.

By Mr. ROKITA (for himself, Mr. GOWDY, Mr. QUAYLE, Mr. SCHWEIKERT, Mrs. BACHMANN, Mr. WILSON of South Carolina, Mr. CHAFFETZ, Mr. MCHENRY, Mr. ROONEY, Mr. HENSARLING, Mr. ROE of Tennessee, Mr. DUNCAN of South Carolina, Mr. GRAVES of Georgia, Mr. GOHMERT, Mr. MULVANEY, Mr. HUIZENGA of Michigan, Mr. FLORES, Mr. HARRIS, Mr. YODER, Mr. HUELSKAMP, Mr. FLEMING, Mr. McCLINTOCK, Mr. MANZULLO, and Mr. AKIN):

H.R. 4385. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Education and the Workforce.

By Mr. LAMBORN (for himself, Mr. CHABOT, Mr. ROKITA, Mr. MULVANEY, Mrs. MYRICK, Mr. HARRIS, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. MANZULLO, Mr. DUNCAN of South Carolina, and Mr. HUIZENGA of Michigan):

H.R. 4386. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the adjustment for disaster funding; to the Committee on the Budget.

By Mr. POMPEO (for himself, Ms. JENKINS, Mr. YODER, and Mr. HUELSKAMP):

H.R. 4387. A bill to allow for a reasonable compliance deadline for certain States subject to the Cross-State Air Pollution Rule; to the Committee on Energy and Commerce.

By Mr. RIGELL (for himself, Mr. LANDRY, Mr. GRIFFIN of Arkansas, Mr. HARRIS, Mr. WALSH of Illinois, Mr. CLEAVER, Mr. ROSS of Florida, Mr. MULVANEY, Mr. THORNBERRY, Mr. LABRADOR, Mr. JOHNSON of Illinois, Mr. SIMPSON, Mr. ROKITA, Mr. MILLER of Florida, Mr. YOUNG of Indiana, Mr. REED, Mr. RIBBLE, Mr. DESJARLAIS, Mr. BUCSHON, Mr. GOWDY, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. GINGREY of Georgia, Mr. LANKFORD, Mr. CANSECO, Mrs. HARTZLER, and Mr. CONAWAY):

H.R. 4388. A bill to state that nothing in the Authorization for Use of Military Force or the National Defense Authorization Act for Fiscal Year 2012 shall be construed to deny the availability of the writ of habeas corpus for any person who is detained in the United States pursuant to the Authorization for Use of Military Force in a court ordained or established by or under Article III of the Constitution; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTA (for himself, Mr. THOMPSON of California, Mr. HERGER, Mr. DANIEL E. LUNGREN of California, Mr. MCCLINTOCK, Ms. MATSUI, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Ms. PELOSI, Ms. LEE of California, Mr. GARAMENDI, Mr. MCNERNEY, Ms. SPEIER, Mr. STARK, Ms. ESHOO, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. CARDOZA, Mr. DENHAM, Mr. NUNES, Mr. BACA, Mr. CALVERT, Mrs. BONO MACK, Mr. CAMPBELL, Mr. BILBRAY, Mr. HUNTER, Mr. MCCARTHY of California, Mrs. CAPPs, Mr. GALLEGLY, Mr. MCKEON, Mr. DREIER, Mr. SHERMAN, Mr. BERMAN, Mr. SCHIFF, Mr. WAXMAN, Mr. BECERRA, Ms. CHU, Ms. BASS of California, Ms. ROYBAL-ALLARD, Ms. WATERS, Ms. HAHN, Ms. RICHARDSON, Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, Mr. ROYCE, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. ROHRBACHER, Ms. LORETTA SANCHEZ of California, Mr. ISSA, Mr. FILNER, and Mrs. DAVIS of California):

H.R. 4389. A bill to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the "Cecil E. Bolt Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA:

H.R. 4390. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Ms. HOCHUL:

H.R. 4391. A bill to require the Commodity Futures Trading Commission to take certain actions to reduce excessive speculation in energy markets; to the Committee on Agriculture.

By Mr. HONDA:

H.R. 4392. A bill to extend the temporary suspension of duty on subassemblies for instruments or apparatus for measuring or checking electrical quantities; to the Committee on Ways and Means.

By Mr. HONDA:

H.R. 4393. A bill to extend the temporary suspension of duty on parts or accessories of instruments or apparatus for measuring or checking electrical quantities; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 4394. A bill to provide incentives to encourage financial institutions and small businesses to provide continuing financial education to customers, borrowers, and employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 4395. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish new procedures and requirements for the registration of cosmetic product manufacturing establishments, the submission of cosmetic product and ingredient statements, and the reporting of serious and unexpected cosmetic product adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself and Mr. GOSAR):

H.R. 4396. A bill to extend Forest Service and the Bureau of Land Management stewardship end result contracting authority, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:

H.R. 4397. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for expenses paid for household and dependent care services necessary for gainful employment and to increase, and make refundable, the credit for such expenses; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4398. A bill to provide grants to States in order to prevent racial profiling; to the Committee on Transportation and Infrastructure.

By Mr. YODER:

H.R. 4399. A bill to amend the Legislative Reorganization Act of 1946 to reduce the rates of pay of Members of Congress by 5 percent and eliminate future cost-of-living adjustments in such rates of pay; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. NEAL, Mr. DUFFY, Mr. TIBERI, Ms. MOORE, Mr. SHIMKUS, and Mr. ELLISON):

H. Con. Res. 116. Concurrent resolution expressing the sense of the Congress that tax-exempt fraternal benefit societies have historically and continue to provide critical benefits to Americans and United States communities; to the Committee on Ways and Means.

By Mr. CHANDLER (for himself, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. YARMUTH, Mr. DAVIS of Kentucky, and Mr. GUTHRIE):

H. Res. 622. A resolution congratulating the University of Kentucky Wildcats on winning the 2012 National Collegiate Athletic Association (NCAA) Men's Division I basketball championship; to the Committee on Education and the Workforce.

49.23 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. RYAN of Ohio and Mr. POSEY.
 H.R. 374: Mr. GOODLATTE and Mr. GOWDY.
 H.R. 511: Ms. CASTOR of Florida.
 H.R. 531: Mr. CARSON of Indiana, Mr. JACKSON of Illinois, Ms. BORDALLO, Mr. BACA, Mr. TOWNS, and Mr. KILDEE.
 H.R. 709: Mr. HINOJOSA.
 H.R. 860: Mr. CRAWFORD.
 H.R. 881: Mr. ROONEY.
 H.R. 891: Mr. MCGOVERN.
 H.R. 904: Mr. PAULSEN.
 H.R. 973: Mr. BARTLETT.
 H.R. 1006: Mr. GRIFFIN of Arkansas and Mr. QUAYLE.

H.R. 1092: Mr. PLATTS.

H.R. 1195: Mr. BRALEY of Iowa, Ms. LEE of California, Mr. BLUMENAUER, Mr. FILNER, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. COFFMAN of Colorado, Mr. CHANDLER, Mr. SMITH of New Jersey, and Mr. SHERMAN.

H.R. 1348: Mr. HOLDEN.

H.R. 1398: Mrs. CAPITO.

H.R. 1416: Mr. LOEBSACK.

H.R. 1418: Ms. ROYBAL-ALLARD.

H.R. 1513: Mr. HOLDEN.

H.R. 1580: Mr. COBLE, Mr. GARDNER, and Mrs. MYRICK.

H.R. 1648: Ms. BONAMICI.

H.R. 1653: Mr. CAMPBELL.

H.R. 1666: Mr. RANGEL.

H.R. 1733: Mr. KUCINICH and Mr. BLUMENAUER.

H.R. 1744: Mr. HALL.

H.R. 1860: Mr. JOHNSON of Georgia and Mr. MEEKS.

H.R. 1946: Mr. ANDREWS.

H.R. 1971: Ms. HERRERA BEUTLER and Mr. YOUNG of Indiana.

H.R. 2010: Mr. POSEY.

H.R. 2051: Mr. SCHOCK.

H.R. 2052: Ms. RICHARDSON.

H.R. 2077: Mr. MARCHANT.

H.R. 2104: Mr. HIGGINS, Mr. SCHIFF, Mr. PAULSEN, Mr. TURNER of Ohio, Mr. BISHOP of New York, Mr. CHANDLER, Mr. PETERSON, and Mr. ROSKAM.

H.R. 2108: Mr. KING of New York and Mr. MURPHY of Connecticut.

H.R. 2239: Mr. PRICE of North Carolina and Mr. PERLMUTTER.

H.R. 2288: Mr. PRICE of North Carolina and Mr. HASTINGS of Florida.

H.R. 2311: Mr. LATHAM and Mr. HINCHEY.

H.R. 2335: Ms. FOX and Mr. LATHAM.

H.R. 2489: Mr. TONKO.

H.R. 2492: Mr. CRITZ.

H.R. 2498: Mr. HASTINGS of Florida and Mr. MICHAUD.

H.R. 2505: Mr. PETERSON.

H.R. 2559: Mrs. CAPPs.

H.R. 2569: Mr. TURNER of New York.

H.R. 2595: Mr. ELLISON.

H.R. 2600: Mr. WALDEN.

H.R. 2607: Mr. OLVER and Ms. ROYBAL-ALLARD.

H.R. 2649: Mr. HARRIS, Mr. DAVID SCOTT of Georgia, and Ms. BONAMICI.

H.R. 2674: Mr. MCGOVERN.

H.R. 2696: Mr. CONNOLLY of Virginia and Mr. MICHAUD.

H.R. 2697: Mr. GIBSON and Mr. MCGOVERN.

H.R. 2758: Mr. GRIJALVA.

H.R. 2787: Mr. HINCHEY, Mr. ELLISON, and Mr. MURPHY of Pennsylvania.

H.R. 2810: Mr. REBERG.

H.R. 2966: Mr. GUINTA.

H.R. 2977: Mr. BRADY of Pennsylvania.

H.R. 3032: Mr. PLATTS.

H.R. 3059: Mr. GARDNER and Mr. GRIFFITH of Virginia.

H.R. 3086: Ms. ROS-LEHTINEN, Mr. STARK, Mr. PETERSON, and Ms. EDWARDS.

H.R. 3088: Mr. HASTINGS of Florida and Mr. ELLISON.

H.R. 3192: Mr. WELCH, Ms. RICHARDSON, and Ms. CHU.

H.R. 3219: Mr. LUETKEMEYER.

H.R. 3307: Mr. KILDEE.

H.R. 3399: Mr. PETERSON.

H.R. 3418: Mr. KUCINICH.

H.R. 3443: Mr. SHIMKUS.

H.R. 3461: Mr. NUNNELLEE, Mr. CHABOT, Mr. MILLER of Florida, Mr. KELLY, Mr. HINCHEY, Mr. WALBERG, Mr. CLEAVER, Mr. PETERS, Mr. SOUTHERLAND, Mr. NEUGEBAUER, and Mr. KING of Iowa.

H.R. 3462: Mr. PETERS.

H.R. 3522: Ms. ZOE LOFGREN of California, Mr. ANDREWS, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. MCGOVERN, Mr. CLEAVER, Ms. LINDA T. SANCHEZ of California, and Mr. GONZALEZ.

H.R. 3541: Mr. BENISHEK.

H.R. 3553: Mr. HINCHEY.
 H.R. 3554: Mr. HINCHEY.
 H.R. 3555: Mr. BLUMENAUER and Mr. HINCHEY.
 H.R. 3590: Mr. PASCRELL.
 H.R. 3661: Mr. FARR, Mr. CAPUANO, Mrs. DAVIS of California, Mr. CLARKE of Michigan, Mr. MEEHAN, Ms. DELAURO, Mr. HONDA, and Mr. MCNERNEY.
 H.R. 3691: Mr. PETERSON.
 H.R. 3766: Mr. GERLACH and Mr. SENSENBRENNER.
 H.R. 3768: Mr. ROSS of Florida.
 H.R. 3792: Mr. GENE GREEN of Texas.
 H.R. 3808: Mr. MCKEON.
 H.R. 3826: Mr. MCNERNEY.
 H.R. 3839: Mr. REYES.
 H.R. 3848: Mr. AKIN, Mr. ROE of Tennessee, Mr. COLE, Mr. SESSIONS, and Mr. ROGERS of Alabama.
 H.R. 3984: Ms. WOOLSEY.
 H.R. 3991: Mr. PAUL.
 H.R. 3994: Mr. LANKFORD.
 H.R. 4082: Mr. OLVER.
 H.R. 4094: Mr. GOODLATTE.
 H.R. 4103: Mr. OLVER, Ms. HANABUSA, and Ms. BORDALLO.
 H.R. 4133: Mr. COLE, Mrs. MCMORRIS RODGERS, Mr. POSEY, Mr. MARCHANT, Mr. RYAN of Wisconsin, Ms. HIRONO, Mr. ROONEY, Mr. MCCAUL, Mr. YOUNG of Indiana, Mr. WESTMORELAND, Mr. CHANDLER, Mr. WOMACK, Mr. TURNER of New York, Mr. SCHWEIKERT, Mr. BARTLETT, Mr. TERRY, Mr. FLAKE, Mr. FLEISCHMANN, Mr. KLINE, Mr. MCCOTTER, Mrs. ELLMERS, Mr. OLSON, Mr. DUFFY, Mr. CARTER, Ms. HAYWORTH, Mr. CLEAVER, Ms. SCHAKOWSKY, Ms. SPIER, Mr. TIBERI, Mr. HASTINGS of Washington, Mr. REED, Mr. WALBERG, and Ms. FOX.
 H.R. 4134: Mrs. LUMMIS, Mr. FARR, Mr. BOREN, Mr. BOUSTANY, Mr. HARPER, Mr. WELCH, and Mr. LATHAM.
 H.R. 4155: Mr. NUGENT.
 H.R. 4157: Mr. WOMACK, Mr. PETRI, Mr. PENCE, Mr. HANNA, and Mr. NUGENT.
 H.R. 4160: Mr. BISHOP of Utah.
 H.R. 4169: Mr. HONDA.
 H.R. 4170: Mr. RANGEL.
 H.R. 4173: Mr. MORAN, Mr. SCOTT of Virginia, Ms. BASS of California, Mr. OLVER, Mr. HOLT, and Ms. SLAUGHTER.
 H.R. 4196: Mr. LATHAM, Mr. REYES, Mr. LUJÁN, Mr. MCHENRY, Mr. HIGGINS, Mr. RYAN of Ohio, Mrs. MILLER of Michigan, Ms. JENKINS, Mr. KLINE, and Mr. GARDNER.
 H.R. 4200: Mr. SCHOCK.
 H.R. 4215: Mr. JONES, Mr. BUTTERFIELD, Mr. DESJARLAIS, Mr. FORTENBERRY, Mr. GERLACH, and Mr. YOUNG of Indiana.
 H.R. 4225: Mr. PASCRELL.
 H.R. 4229: Mr. MILLER of Florida, Mr. KING of New York, Mr. KLINE, Mr. HARRIS, Mr. LAMBORN, and Mr. DOLD.
 H.R. 4236: Mr. LATHAM.
 H.R. 4248: Mr. VISCLOSKEY.
 H.R. 4278: Mr. THOMPSON of Pennsylvania, Mr. BISHOP of Georgia, Mr. GOSAR, Mr. JONES, and Mr. CANSECO.
 H.R. 4301: Mr. RIBBLE, Mr. ROE of Tennessee, Mr. FLEMING, Mr. KINGSTON, and Mr. ROKITA.
 H.R. 4304: Mr. SCOTT of South Carolina.
 H.R. 4315: Mr. OLVER.
 H.R. 4332: Mr. MATHESON.
 H.R. 4342: Mr. COHEN, Mr. SHIMKUS, and Mr. OLSON.
 H.J. Res. 104: Mr. LUCAS.
 H.J. Res. 107: Mr. HUIZENGA of Michigan.
 H. Con. Res. 40: Ms. HAHN and Ms. MOORE.
 H. Con. Res. 107: Mr. BURTON of Indiana and Mr. COFFMAN of Colorado.
 H. Con. Res. 110: Mr. LANDRY and Mr. ROONEY.
 H. Res. 59: Mr. SHERMAN.
 H. Res. 137: Mr. YODER.
 H. Res. 152: Mrs. ELLMERS.
 H. Res. 262: Mr. LUTKEMEYER.
 H. Res. 271: Mr. GRIFFIN of Arkansas.

H. Res. 507: Mr. NUNNELEE.
 H. Res. 583: Ms. WATERS.
 H. Res. 608: Mr. PASCRELL.
 H. Res. 613: Mr. BLUMENAUER.
 H. Res. 618: Ms. BORDALLO and Ms. RICHARDSON.

¶49.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
 H.R. 3993: Mr. GIBSON.

THURSDAY, APRIL 19, 2012 (50)

¶50.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. MILLER of Michigan, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

April 19, 2012.

I hereby appoint the Honorable CANDICE S. MILLER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

¶50.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced she had examined and approved the Journal of the proceedings of Wednesday, April 18, 2012.

Mr. Gene GREEN of Texas, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. Gene GREEN of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶50.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5689. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Customer Clearing Documentation, Timing of Acceptance for Clearing, and Clearing Member Risk Management (RIN: 3038-0092, -0094) received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5690. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Commodity Pool Operators and Commodity Trading Advisors: Compliance Obligations (RIN: 3038-AD30) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5691. A letter from the Acting Congressional Review Coordinator, Department of

Agriculture, transmitting the Department's final rule — Tuberculosis in Cattle and Bison; State and Zone Designations; NM; Correction [Docket No.: APHIS-2008-0124] received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5692. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations; Onion Crop Insurance Provisions [Docket No.: FCIC-11-0004] (RIN: 0563-AC29) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5693. A letter from the Acting Under Secretary, Department of Defense, transmitting the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for Fiscal Year 2013, along with proposed plans for FY 2014 through 2017, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

5694. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report on activities under the Secretary's personnel management demonstration project authorities for the Department of Defense Science and Technology Reinvention Laboratories for Calendar Year 2011; to the Committee on Armed Services.

5695. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frank G. Helmick, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5696. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's final rule — Revising Standards Referenced in the Acetylene Standard [Docket No.: OSHA-2011-0183] (RIN: 1218-AC64) received March 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5697. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's "Major" final rule — Hazard Communication [Docket No.: OSHA-H022K-2006-0062] (formerly Docket No.: H022K) (RIN: 1218-AC20) received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5698. A letter from the Correspondence and Regulations Assistant, Department of Health and Human Services, transmitting the Department's final rule — Student Health Insurance Coverage [CMS-9981-F] (RIN: 0938-AQ95) received March 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5699. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Terrestrial Environmental Studies For Nuclear Power Stations, Regulatory Guide 4.11, Revision 2, received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5700. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Leakage Tests on Packages for Shipment of Radioactive Material, Regulatory Guide 7.4, Revision 1, received March 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5701. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of intent to use FY 10 Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funds for Global Threat Reduction (GTR) activities in Libya; to the Committee on Foreign Affairs.

5702. A communication from the President of the United States, transmitting notifica-

tion that the national emergency with respect to Somalia originally declared on April 12, 2010, by Executive Order 13536, is to continue in effect beyond April 12, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112—97); to the Committee on Foreign Affairs and ordered to be printed.

5703. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-343, "Tenant Security Deposit Clarification Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5704. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-344, "South Capitol Street Memorial Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5705. A letter from the President and CEO, Overseas Private Investment Corporation, transmitting the Department's Fiscal Year 2011 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

5706. A letter from the Director, Peace Corps, transmitting a copy of the Peace Corps' Fiscal Year 2011 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

5707. A letter from the Secretary, Railroad Retirement Board, transmitting the Board's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5708. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs for Contract Year 2013 and Other Changes [CMS-4157-FC] (RIN: 0938-AQ86) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5709. A letter from the Chairman, U.S.-China Economic and Security Review Commission, transmitting the Commission's record of the public hearing on "Chinese State-Owned and State Controlled Enterprises"; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

5710. A letter from the Chairman, U.S.-China Economic and Security Review Commission, transmitting the Commission's record of the public hearing on "China's Global Quest for Resources and Implications for the United States"; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

¶50.4 PROVIDING FOR CONSIDERATION OF H.R. 9

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 620):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill,

as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; (2) the further amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Levin of Michigan or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

Mr. SESSIONS submitted the following amendment which was agreed to:

Page 2, line 8 strike "one hour" and insert "70 minutes".

Page 2, line 16 strike "20" and insert "25".

After debate,

Mr. SESSIONS moved the previous question on the resolution, as amended, to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 234 Nays 179

¶50.5 [Roll No. 172] YEAS—234

- Adams Coble Gowdy
Aderholt Coffman (CO) Granger
Akin Cole Graves (GA)
Alexander Conaway Graves (MO)
Amash Cravaack Griffin (AR)
Amodei Crawford Griffith (VA)
Austria Crenshaw Grimm
Bachmann Culberson Guthrie
Bachus Davis (KY) Hall
Barletta Denham Hanna
Bartlett Dent Harper
Barton (TX) DesJarlais Harris
Benishek Diaz-Balart Hartzler
Berg Dold Hastings (WA)
Biggart Dreier Hayworth
Bilbray Duffy Heck
Bilirakis Duncan (SC) Hensarling
Black Duncan (TN) Herger
Blackburn Ellmers Herrera Beutler
Bonner Emerson Huelskamp
Bono Mack Farenthold Huizenga (MI)
Boren Fincher Hultgren
Boustany Fitzpatrick Hunter
Brady (TX) Fleischmann Hurt
Brooks Fleming Issa
Broun (GA) Flores Jenkins
Buchanan Forbes Johnson (IL)
Bucshon Fortenberry Johnson (OH)
Buerkle Foxx Johnson, Sam
Burgess Franks (AZ) Jones
Calvert Frelinghuysen Jordan
Camp Gallegly Kelly
Campbell Gardner King (IA)
Canseco Garrett King (NY)
Cantor Gerlach Kingston
Capito Gibbs Kinzinger (IL)
Carter Gibson Kline
Cassidy Greigrey (GA) Labrador
Chabot Gohmert Lamborn
Chaffetz Goodlatte Lance

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

NAYS—179

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

Watt	Welch	Woolsey
Waxman	Wilson (FL)	Yarmuth
NOT VOTING—18		
Bass (NH)	Gosar	Rangel
Bishop (UT)	Guinta	Sewell
Braley (IA)	Manzullo	Slaughter
Burton (IN)	Marino	Walsh (IL)
Filner	Napolitano	Young (AK)
Flake	Paul	Young (FL)

So the previous question on the resolution, as amended, was ordered.

The question being put, viva voce,

Will the House agree to said resolution, as amended?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 234
Nays 178

50.6 [Roll No. 173]

AYES—234

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

Rokita	Shimkus	Turner (NY)
Rooney	Shuler	Turner (OH)
Ros-Lehtinen	Shuster	Upton
Roskam	Simpson	Walberg
Ross (AR)	Smith (NE)	Walden
Ross (FL)	Smith (NJ)	Webster
Royce	Smith (TX)	West
Ryunan	Southerland	Westmoreland
Ryan (WI)	Stearns	Whitfield
Scalise	Stivers	Wilson (SC)
Schilling	Stutzman	Wittman
Schmidt	Sullivan	Wolf
Schweikert	Terry	Womack
Scott (SC)	Thompson (PA)	Woodall
Scott, Austin	Thornberry	Yoder
Sensenbrenner	Tiberi	Young (IN)
Sessions	Tipton	

NOES—178

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

NOT VOTING—19

Bass (NH)	Griffith (VA)	Schock
Bishop (UT)	Guinta	Slaughter
Braley (IA)	Manzullo	Walsh (IL)
Burton (IN)	Marino	Young (AK)
Filner	Napolitano	Young (FL)
Flake	Paul	
Gosar	Rangel	

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

50.7 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, April 18, 2012.

The question being put,

Will the House agree to the Chair's approval of said Journal?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 290
Nays 118
Answered present 3

50.8 [Roll No. 174]

YEAS—290

Ackerman	Dreier	Lance
Aderholt	Duncan (SC)	Landry
Akin	Duncan (TN)	Lankford
Alexander	Edwards	Larsen (WA)
Amodei	Ellison	Larson (CT)
Austria	Ellmers	LaTourette
Baca	Emerson	Latta
Bachmann	Engel	Levin
Bachus	Eshoo	Lewis (CA)
Barletta	Farenthold	Lipinski
Barrow	Farr	Loeback
Bartlett	Fincher	Lofgren, Zoe
Barton (TX)	Fleischmann	Long
Becerra	Fleming	Lowey
Berg	Flores	Lucas
Berkley	Fortenberry	Lujan
Berman	Frank (MA)	Lummis
Bilbray	Franks (AZ)	Lungren, Daniel E.
Bilirakis	Frelinghuysen	Mack
Bishop (GA)	Galleghy	Maloney
Black	Garamendi	Marchant
Blackburn	Gibbs	Matsui
Blumenauer	Gingrey (GA)	McCarthy (CA)
Bonamici	Gonzalez	McCarthy (NY)
Bonner	Goodlatte	McCaul
Bono Mack	Gowdy	McClintock
Boren	Granger	McCollum
Boustany	Graves (GA)	McGovern
Brady (TX)	Green, Al	McHenry
Brooks	Griffith (VA)	McIntyre
Broun (GA)	Grimm	McKeon
Brown (FL)	Guthrie	McKinley
Buchanan	Hahn	McMorris
Bucshon	Hall	Rodgers
Buerkle	Hanabusa	Mica
Butterfield	Harper	Michaud
Calvert	Harris	Miller (MI)
Camp	Hastings (FL)	Miller (NC)
Campbell	Hastings (WA)	Miller, Gary
Canseco	Hayworth	Moore
Cantor	Heinrich	Moran
Capito	Hensarling	Mulvaney
Carter	Herger	Murphy (CT)
Cassidy	Herrera Beutler	Murphy (PA)
Chabot	Huelskamp	Myrick
Chaffetz	Huizenga (MI)	Nadler
Coble	Hultgren	Neugebauer
Coffman (CO)	Hunter	Noem
Cole	Hurt	Nunes
Conaway	Issa	Nunnelee
Cravaack	Jenkins	Olson
Crawford	Johnson (GA)	Palazzo
Crenshaw	Johnson (IL)	Pascroll
Culberson	Johnson, E. B.	Pearce
Davis (KY)	Johnson, Sam	Pelosi
Denham	Jones	Pence
Dent	Jordan	Perlmutter
DesJarlais	Kaptur	Petri
Diaz-Balart	Kelly	Pingree (ME)
Dold	Kildee	Pitts
Donnelly (IN)	King (IA)	Platts
Dreier	King (NY)	Polis
Duffy	Kingston	Pompeo
Duncan (SC)	Kinzinger (IL)	Posey
Duncan (TN)	Kissell	Price (GA)
Ellmers	Kline	Price (NC)
Emerson	Labrador	Quigley
Farenthold	Lamborn	Rehberg
		Reyes
		Richardson
		Rivera
		Roby
		Roe (TN)

Rogers (AL)	Serrano	Tsongas
Rogers (KY)	Sessions	Turner (NY)
Rogers (MI)	Sewell	Turner (OH)
Rohrabacher	Sherman	Upton
Rokita	Shimkus	Van Hollen
Roskam	Shuster	Walden
Ross (AR)	Simpson	Walz (MN)
Ross (FL)	Smith (NE)	Wasserman
Rothman (NJ)	Smith (NJ)	Schultz
Roybal-Allard	Smith (TX)	Watt
Royce	Smith (WA)	Waxman
Runyan	Southerland	Webster
Ruppersberger	Speier	Welch
Ryan (WI)	Stearns	West
Scalise	Stutzman	Westmoreland
Schiff	Sullivan	Whitfield
Schmidt	Sutton	Wilson (FL)
Schwartz	Thompson (PA)	Wilson (SC)
Schweikert	Thornberry	Wolf
Scott (SC)	Tiberi	Womack
Scott (VA)	Tierney	Woolsey
Scott, Austin	Tipton	Yarmuth
Scott, David	Tonko	Young (IN)
Sensenbrenner	Towns	

NAYS—118

Adams	Gerlach	Olver
Altmire	Gibson	Pallone
Andrews	Graves (MO)	Pastor (AZ)
Baldwin	Green, Gene	Paulsen
Bass (CA)	Griffin (AR)	Peters
Benishke	Grijalva	Peterson
Biggert	Gutierrez	Poe (TX)
Bishop (NY)	Hanna	Quayle
Boswell	Hartzler	Rahall
Brady (PA)	Heck	Reed
Burgess	Herrera Beutler	Reichert
Capuano	Honda	Renacci
Cardoza	Hoyer	Ribble
Castor (FL)	Huelskamp	Richmond
Chandler	Israel	Rigell
Chu	Jackson (IL)	Rooney
Clarke (NY)	Jackson Lee	Ros-Lehtinen
Cleaver	(TX)	Rush
Clyburn	Johnson (OH)	Ryan (OH)
Coffman (CO)	Keating	Sánchez, Linda
Cohen	Kind	T.
Conaway	Kucinich	Sanchez, Loretta
Costa	Langevin	Sarbanes
Costello	Latham	Schakowsky
Courtney	Lee (CA)	Schilling
Cravaack	Lewis (GA)	Schock
Critz	LoBiondo	Shuler
DeFazio	Luetkemeyer	Sires
Dent	Lynch	Stark
DesJarlais	Markey	Stivers
Dold	Matheson	Terry
Donnelly (IN)	McCotter	Thompson (CA)
Duffy	McDermott	Thompson (MS)
Fattah	McNerney	Velázquez
Fitzpatrick	Meehan	Visclosky
Forbes	Meeks	Walberg
Fox	Miller (FL)	Waters
Fudge	Miller, George	Wittman
Gardner	Neal	Woodall
Garrett	Nugent	Yoder

ANSWERED "PRESENT"—3

Amash	Gohmert	Owens
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NOT VOTING—20

Bass (NH)	Flake	Rangel
Bishop (UT)	Gosar	Schrader
Braley (IA)	Guinta	Slaughter
Burton (IN)	Manzullo	Walsh (IL)
Cummings	Marino	Young (AK)
Davis (KY)	Napolitano	Young (FL)
Filner	Paul	

So the Journal was approved.

§50.9 SMALL BUSINESS TAX CUT

Mr. CAMP, pursuant to House Resolution 620, called up for consideration the bill (H.R. 9) to amend the Internal Revenue Code of 1986 to provide a deduction for domestic business income of qualified small businesses.

Pending consideration of said bill,

Pursuant to House Resolution 620, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, was considered as agreed to.

When said bill, as amended, was considered and read twice.

After debate,
Pursuant to House Resolution 620, the following further amendment in the nature of a substitute, printed in House Report 112-447, was submitted by Mr. LEVIN:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Tax Cut Act".

SEC. 2. DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 200. DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.

"(a) ALLOWANCE OF DEDUCTION.—In the case of a qualified small business, there shall be allowed as a deduction an amount equal to 20 percent of the lesser of—

"(1) the qualified domestic business income of the taxpayer for the taxable year, or

"(2) taxable income (determined without regard to this section) for the taxable year.

"(b) DEDUCTION LIMITED BASED ON WAGES PAID.—

"(1) IN GENERAL.—The amount of the deduction allowable under subsection (a) for any taxable year shall not exceed 50 percent of the greater of—

"(A) the W 2 wages of the taxpayer paid to non-owners, or

"(B) the sum of—

"(i) the W 2 wages of the taxpayer paid to individuals who are non-owner family members of direct owners, plus

"(ii) any W 2 wages of the taxpayer paid to 10-percent-or-less direct owners.

"(2) DEFINITIONS RELATED TO OWNERSHIP.—For purposes of this section—

"(A) NON-OWNER.—The term 'non-owner' means, with respect to any qualified small business, any person who does not own (and is not considered as owning within the meaning of subsection (c) or (e)(3) of section 267, as the case may be) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

"(B) NON-OWNER FAMILY MEMBERS.—An individual is a non-owner family member of a direct owner if—

"(i) such individual is family (within the meaning of section 267(c)(4)) of a direct owner, and

"(ii) such individual would be a non-owner if subsections (c) and (e)(3) of section 267 were applied without regard to section 267(c)(2).

"(C) DIRECT OWNER.—The term 'direct owner' means, with respect to any qualified small business, any person who owns (or is considered as owning under the applicable non-family attribution rules) any stock of such business (or, if such business is other than a corporation, any capital or profits interest of such business).

"(D) 10-PERCENT-OR-LESS DIRECT OWNERS.—The term '10-percent-or-less direct owner' means, with respect to any qualified small business, any direct owner of such business who owns (or is considered as owning under the applicable non-family attribution rules)—

"(i) in the case of a qualified small business which is a corporation, not more than 10 percent of the outstanding stock of the corporation or stock possessing more than 10 percent of the total combined voting power of all stock of the corporation, or

"(ii) in the case of a qualified small business which is not a corporation, not more than 10 percent of the capital or profits interest of such business.

"(E) APPLICABLE NON-FAMILY ATTRIBUTION RULES.—The term 'applicable non-family attribution rules' means the attribution rules of subsection (c) or (e)(3) of section 267, as the case may be, but in each case applied without regard to section 267(c)(2).

"(3) W 2 WAGES.—For purposes of this section—

"(A) IN GENERAL.—The term 'W 2 wages' means, with respect to any person for any taxable year of such person, the sum of the amounts described in paragraphs (3) and (8) of section 6051(a) paid by such person with respect to employment of employees by such person during the calendar year ending during such taxable year.

"(B) LIMITATION TO WAGES ATTRIBUTABLE TO QUALIFIED DOMESTIC BUSINESS INCOME.—Such term shall not include any amount which is not properly allocable to domestic business gross receipts for purposes of subsection (d)(1).

"(C) OTHER REQUIREMENTS.—Except in the case of amounts treated as W 2 wages under paragraph (4)—

"(i) such term shall not include any amount which is not allowed as a deduction under section 162 for the taxable year, and

"(ii) such term shall not include any amount which is not properly included in a return filed with the Social Security Administration on or before the 60th day after the due date (including extensions) for such return.

"(4) CERTAIN PARTNERSHIP DISTRIBUTIONS TREATED AS W 2 WAGES.—

"(A) IN GENERAL.—In the case of a qualified small business which is a partnership and elects the application of this paragraph for the taxable year—

"(i) the qualified domestic business taxable income of such partnership for such taxable year (determined after the application of clause (ii)) which is allocable under rules similar to the rules of section 199(d)(1)(A)(ii) to each qualified service-providing partner shall be treated for purposes of this section as W 2 wages paid during such taxable year to such partner as an employee, and

"(ii) the domestic business gross receipts of such partnership for such taxable year shall be reduced by the amount so treated.

"(B) QUALIFIED SERVICE-PROVIDING PARTNER.—For purposes of this paragraph, the term 'qualified service-providing partner' means, with respect to any qualified domestic business taxable income, any partner who is a 10-percent-or-less direct owner and who materially participates in the trade or business to which such income relates.

"(5) ACQUISITIONS AND DISPOSITIONS.—The Secretary shall provide for the application of this subsection in cases where the taxpayer acquires, or disposes of, the major portion of a trade or business or the major portion of a separate unit of a trade or business during the taxable year.

"(c) LIMITATION BASED ON INVESTMENT IN QUALIFIED PROPERTY.—

"(1) IN GENERAL.—The amount of the deduction allowable under subsection (a) for any taxable year shall not exceed the allowance which would be determined under section 168(k)(1)(A) with respect to the taxpayer for the taxable year if such section were applied—

"(A) by substituting '100 percent' for '50 percent', and

"(B) without regard to paragraph (2).

"(2) ADJUSTMENT OF BASIS.—No deduction shall be allowed to the taxpayer under subsection (a) for any taxable year unless the adjusted basis of property taken into account under paragraph (1) is reduced by the amount of the deduction allowed under subsection (a) before computing the amount otherwise allowable as a depreciation deduction under this chapter (including any allowance otherwise determined under section

168(k) for such taxable year and any subsequent taxable year.

“(d) QUALIFIED DOMESTIC BUSINESS INCOME.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified domestic business income’ for any taxable year means an amount equal to the excess (if any) of—

“(A) the taxpayer’s domestic business gross receipts for such taxable year, over

“(B) the sum of—

“(i) the cost of goods sold that are allocable to such receipts, and

“(ii) other expenses, losses, or deductions (other than the deduction allowed under this section), which are properly allocable to such receipts.

“(2) DOMESTIC BUSINESS GROSS RECEIPTS.—

“(A) IN GENERAL.—The term ‘domestic business gross receipts’ means the gross receipts of the taxpayer which are effectively connected with the conduct of a trade or business within the United States within the meaning of section 864(c) but determined—

“(i) without regard to paragraphs (3), (4), and (5) thereof, and

“(ii) by substituting ‘qualified small business (within the meaning of section 200)’ for ‘nonresident alien individual or a foreign corporation’ each place it appears therein.

“(B) EXCEPTIONS.—For purposes of paragraph (1), domestic business gross receipts shall not include any of the following:

“(i) Gross receipts derived from the sale or exchange of—

“(I) a capital asset, or

“(II) property used in the trade or business (as defined in section 1231(b)).

“(ii) Royalties, rents, dividends, interest, or annuities.

“(iii) Any amount which constitutes wages (as defined in section 3401).

“(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2) and (3) of section 199(c) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income and with respect to domestic business gross receipts in lieu of domestic production gross receipts).

“(e) QUALIFIED SMALL BUSINESS.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified small business’ means any employer engaged in a trade or business if such employer had fewer than 500 full-time equivalent employees for either calendar year 2010 or 2011.

“(2) FULL-TIME EQUIVALENT EMPLOYEES.—The term ‘full-time equivalent employees’ has the meaning given such term by subsection (d)(2) of section 45R applied—

“(A) without regard to subsection (d)(5) of such section,

“(B) with regard to subsection (e)(1) of such section, and

“(C) by substituting ‘calendar year’ for ‘taxable year’ each place it appears therein.

“(3) EMPLOYERS NOT IN EXISTENCE PRIOR TO 2012.—In the case of an employer which was not in existence on January 1, 2012, the determination under paragraph (1) shall be made with respect to calendar year 2012.

“(4) APPLICATION TO CALENDAR YEARS IN WHICH EMPLOYER IN EXISTENCE FOR PORTION OF CALENDAR YEAR.—In the case of any calendar year during which the employer comes into existence, the number of full-time equivalent employees determined under paragraph (2) with respect to such calendar year shall be increased by multiplying the number so determined (without regard to this paragraph) by the quotient obtained by dividing—

“(A) the number of days in such calendar year, by

“(B) the number of days during such calendar year which such employer is in existence.

“(5) SPECIAL RULES.—

“(A) AGGREGATION RULE.—For purposes of paragraph (1), any person treated as a single employer under subsection (a) or (b) of section 52 (applied without regard to section 1563(b)) or subsection (m) or (o) of section 414 shall be treated as a single employer for purposes of this subsection.

“(B) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

“(f) SPECIAL RULES.—

“(1) ELECTIVE APPLICATION OF DEDUCTION.—Except as otherwise provided by the Secretary, the taxpayer may elect not to take any item of income into account as domestic business gross receipts for purposes of this section.

“(2) COORDINATION WITH SECTION 199.—If a deduction is allowed under this section with respect to any taxpayer for any taxable year—

“(A) any gross receipts of the taxpayer which are taken into account under this section for such taxable year shall not be taken into account under section 199 for such taxable year, and

“(B) the W 2 wages of the taxpayer which are taken into account under this section shall not be taken into account under section 199 for such taxable year.

“(3) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (1), (2), (3), (4), (6), and (7) of section 199(d) shall apply for purposes of this section (applied with respect to qualified domestic business income in lieu of qualified production activities income).

“(g) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out the purposes of this section, including regulations which prevent a taxpayer which reorganizes from being treated as a qualified small business if such taxpayer would not have been treated as a qualified small business prior to such reorganization.

“(h) APPLICATION.—Subsection (a) shall apply only with respect to the first taxable year of the taxpayer beginning after December 31, 2011.”

(b) CONFORMING AMENDMENTS.—

(1) Section 56(d)(1)(A) of such Code is amended by striking “deduction under section 199” both places it appears and inserting “deductions under sections 199 and 200”.

(2) Section 56(g)(4)(C) of such Code is amended by adding at the end the following new clause:

“(vii) DEDUCTION FOR DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—Clause (i) shall not apply to any amount allowable as a deduction under section 200.”

(3) The following provisions of such Code are each amended by inserting “200,” after “199.”

(A) Section 86(b)(2)(A).

(B) Section 135(c)(4)(A).

(C) Section 137(b)(3)(A).

(D) Section 219(g)(3)(A)(ii).

(E) Section 221(b)(2)(C)(i).

(F) Section 222(b)(2)(C)(i).

(G) Section 246(b)(1).

(H) Section 469(i)(3)(F)(iii).

(4) Section 163(j)(6)(A)(i) of such Code is amended by striking “and” at the end of subclause (III) and by inserting after subclause (IV) the following new subclause:

“(V) any deduction allowable under section 200, and”.

(5) Section 170(b)(2)(C) of such Code is amended by striking “and” at the end of clause (iv), by striking the period at the end of clause (v) and inserting “, and”, and by inserting after clause (v) the following new clause:

“(vi) section 200.”.

(6) Section 172(d) of such Code is amended by adding at the end the following new paragraph:

“(8) DOMESTIC BUSINESS INCOME OF QUALIFIED SMALL BUSINESSES.—The deduction under section 200 shall not be allowed.”.

(7) Section 613(a) of such Code is amended by striking “deduction under section 199” and inserting “deductions under sections 199 and 200”.

(8) Section 613A(d)(1) of such Code is amended by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and by inserting after subparagraph (B) the following new subparagraph:

“(C) any deduction allowable under section 200.”.

(9) Section 1402(a) of such Code is amended by striking “and” at the end of paragraph (16), by redesignating paragraph (17) as paragraph (18), and by inserting after paragraph (16) the following new paragraph:

“(17) the deduction provided by section 200 shall not be allowed; and”.

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end the following new item:

“Sec. 200. Domestic business income of qualified small businesses.”.

After debate,

Pursuant to House Resolution 620, the previous question was ordered on the bill, as amended, and the further amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to said further amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 175
negative } Nays 236

150.10 [Roll No. 175]

YEAS—175

Ackerman	Cohen	Green, Al
Altmire	Connolly (VA)	Green, Gene
Andrews	Conyers	Grijalva
Baca	Cooper	Gutierrez
Baldwin	Costa	Hahn
Bass (CA)	Costello	Hanabusa
Becerra	Courtney	Hastings (FL)
Berkley	Critz	Heinrich
Berman	Crowley	Higgins
Bishop (GA)	Cuellar	Himes
Bishop (NY)	Cummings	Hinchesy
Blumenauer	Davis (CA)	Hinojosa
Bonamici	Davis (IL)	Hirono
Boswell	DeFazio	Hochul
Brady (PA)	DeGette	Holden
Brown (FL)	DeLauro	Holt
Butterfield	Deutch	Honda
Capps	Dicks	Hoyer
Capuano	Dingell	Israel
Cardoza	Doggett	Jackson (IL)
Carnahan	Donnelly (IN)	Jackson Lee
Carney	Doyle	(TX)
Carson (IN)	Edwards	Johnson (GA)
Castor (FL)	Ellison	Johnson, E. B.
Chandler	Engel	Kaptur
Chu	Eshoo	Keating
Cicilline	Farr	Kildee
Clarke (MI)	Fattah	Kind
Clarke (NY)	Frank (MA)	Kissell
Clay	Fudge	Kucinich
Cleaver	Garamendi	Langevin
Clyburn	Gonzalez	Larsen (WA)

Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe y
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Oliver

Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmut ter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)

Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi

Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield

Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Bass (NH)
Bishop (UT)
Braley (IA)
Burton (IN)
Filner
Flake
Gosar

Guinta
Manzullo
Marino
Napolitano
Nunes
Paul
Rangel

Schrader
Slaughter
Thompson (MS)
Walsh (IL)
Waters
Young (FL)

NOT VOTING—20

So the further amendment in the nature of a substitute was not agreed to. The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. DEUTCH moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendments:

At the end of paragraph (2) of section 200(c) of the Internal Revenue Code of 1986, as proposed to be added by section 2 of the bill, add the following:

“(C) DENIAL OF DEDUCTION FOR CERTAIN BUSINESSES.—The term ‘domestic business gross receipts’ shall not include any gross receipts attributable to any of the following:

“(i) ILLEGAL ACTIVITIES.—Any illegal activity, including trafficking in illegal drugs and prostitution.

“(ii) PORNOGRAPHY.—Any property with respect to which records are required to be maintained under section 2257 of title 18, United States Code.

“(iii) DISCRIMINATORY GOLF COURSES AND CLUBS.—Golf courses or clubs that discriminatorily restrict membership on the basis of sex or race.

“(iv) LOBBYING.—Activities described in section 162(e)(1).

“(v) BUSINESS ACTIVITIES OF PERSONS IN VIOLATION OF THE IRAN SANCTIONS ACT OF 1996.—Any activity of any person (including any successor, assign, affiliate, member, or joint venturer with an ownership interest in any property or project any portion of which is owned by such person) that is in violation of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) or the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.).

“(D) DISCLOSURE BY MEMBERS OF CONGRESS.—No amount shall be taken into account as domestic business gross receipts by any Member of Congress unless the amount of the deduction allowed under this section and a description of the business activities giving rise to such deduction are publicly disclosed (in such manner and form as the Secretary may prescribe) not later than the date on which the return of tax is filed.”

Add at the end of the bill the following:

SEC. 3. DENIAL OF DEDUCTION FOR MOVING UNITED STATES JOBS OVERSEAS.

(a) IN GENERAL.—Subsection (e) of section 200 of the Internal Revenue Code of 1986, as added by section 2 of this Act, is amended by adding at the end the following new paragraph:

“(4) DENIAL OF DEDUCTION FOR MOVING UNITED STATES JOBS OVERSEAS.—

“(A) IN GENERAL.—No deduction shall be allowed under this section with respect to any employer—

“(i) which has fewer full-time equivalent employees in the United States for the taxable year beginning in calendar year 2012 as compared to the preceding taxable year, and

“(ii) which has more full-time equivalent employees outside the United States for the taxable year beginning in calendar year 2012 as compared to the preceding taxable year.

“(B) EMPLOYEES OUTSIDE THE UNITED STATES.—For purposes of this paragraph, an employee shall be treated as employed by the employer outside the United States whether employed directly or indirectly through a controlled foreign corporation (as defined in section 957) or a pass-through entity in which the taxpayer holds at least 50 percent of the capital or profits interest.

“(C) EXCEPTION FOR EMPLOYEES SEPARATED VOLUNTARILY OR FOR CAUSE.—For purposes of this paragraph, the number of full-time equivalent employees shall be determined without regard to any employee separated from employment voluntarily or for cause.

“(D) AGGREGATION RULE.—Subsection (d)(5)(A) shall apply for purposes of this paragraph.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2011.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOMACK, announced that the nays had it.

Mr. DEUTCH demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 179
negative } Nays 229

¶50.11 [Roll No. 176]

AYES—179

Ackerman	Davis (CA)	Johnson, E. B.
Altmire	Davis (IL)	Jones
Andrews	DeFazio	Kaptur
Baca	DeGette	Keating
Baldwin	DeLauro	Kildee
Bass (CA)	Deutch	Kind
Becerra	Dicks	Kissell
Berkley	Dingell	Kucinich
Berman	Doggett	Langevin
Bishop (GA)	Donnelly (IN)	Larsen (WA)
Bishop (NY)	Doyle	Larson (CT)
Blumenauer	Edwards	Lee (CA)
Bonamici	Ellison	Levin
Boren	Engel	Lewis (GA)
Boswell	Eshoo	Lipinski
Brady (PA)	Farr	Loeb sack
Brown (FL)	Fattah	Lofgren, Zoe
Butterfield	Frank (MA)	Lowe y
Capps	Fudge	Lujan
Capuano	Garamendi	Lynch
Cardoza	Gonzalez	Maloney
Carnahan	Green, Al	Markey
Carney	Grijalva	Matheson
Carson (IN)	Gutierrez	Matsui
Castor (FL)	Hahn	McCarthy (NY)
Chandler	Hanabusa	McCollum
Chu	Hastings (FL)	McDermott
Cicilline	Heinrich	McGovern
Clarke (MI)	Higgins	McIntyre
Clarke (NY)	Himes	McNerney
Clay	Hinche y	Meeks
Cleaver	Hinojosa	Michaud
Cohen	Hirono	Miller (NC)
Connolly (VA)	Hochul	Miller, George
Conyers	Holden	Moore
Cooper	Holt	Moran
Costa	Honda	Murphy (CT)
Costello	Hoyer	Nadler
Courtney	Israel	Neal
Critz	Jackson (IL)	Oliver
Crowley	Jackson Lee	Owens
Cuellar	(TX)	Pallone
Cummings	Johnson (GA)	Pascrell

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy

Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock

McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Lance
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)

Pastor (AZ) Sánchez, Linda
 Pelosi T.
 Perlmutter Sanchez, Loretta
 Peters Sarbanes
 Pingree (ME) Schakowsky
 Polis Schiff
 Price (NC) Schrader
 Quigley Schwartz
 Rahall Scott (VA)
 Reyes Scott, David
 Richardson Serrano
 Richmond Shuler
 Ross (AR) Sires
 Rothman (NJ) Smith (WA)
 Roybal-Allard Speier
 Ruppertsberger Stark
 Rush Sutton
 Ryan (OH) Thompson (CA)

NOES—229

Adams Gingrey (GA)
 Aderholt Gohmert
 Akin Goodlatte
 Alexander Gowdy
 Amash Granger
 Amodei Graves (GA)
 Austria Graves (MO)
 Bachmann Griffin (AR)
 Bachus Griffith (VA)
 Barletta Poe (TX)
 Barrow Guthrie
 Bartlett Hall
 Barton (TX) Hanna
 Benishek Harper
 Berg Harris
 Biggert Hartzler
 Bilbray Hastings (WA)
 Bilirakis Hayworth
 Black Heck
 Blackburn Hensarling
 Bonner Herger
 Bono Mack Herrera Beutler
 Boustany Huelskamp
 Brady (TX) Huizenga (MI)
 Brooks Hultgren
 Broun (GA) Hunter
 Buchanan Hurt
 Bucshon Issa
 Buerkle Jenkins
 Burgess Johnson (IL)
 Calvert Johnson (OH)
 Camp Johnson, Sam
 Campbell Jordan
 Canseco Kelly
 Cantor King (IA)
 Capito King (NY)
 Carter Kingston
 Cassidy Kinzinger (IL)
 Chabot Kline
 Chaffetz Labrador
 Coble Lamborn
 Coffman (CO) Lance
 Cole Lankford
 Conaway Latham
 Cravaack LaTourette
 Crawford Latta
 Crenshaw Lewis (CA)
 Culberson LoBiondo
 Davis (KY) Long
 Denham Lucas
 Dent Luetkemeyer
 DesJarlais Lummis
 Diaz-Balart Lungren, Daniel
 Dold E.
 Dreier Mack
 Duffy Marchant
 Duncan (SC) McCarthy (CA)
 Duncan (TN) McCaul
 Ellmers McClintock
 Emerson McCotter
 Farenthold McHenry
 Fincher McKeon
 Fitzpatrick McKinley
 Fleischmann McMorris
 Fleming Rodgers
 Flores Meehan
 Forbes Mica
 Fortenberry Miller (FL)
 Foxx Miller (MI)
 Franks (AZ) Miller, Gary
 Frelinghuysen Mulvaney
 Gallegly Murphy (PA)
 Gardner Myrick
 Garrett Neugebauer
 Gerlach Noem
 Gibbs Nugent
 Gibson Nunnelee

Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth

NOT VOTING—23

Bass (NH) Green, Gene
 Bishop (UT) Guinta
 Braley (IA) Landry
 Burton (IN) Manzullo
 Clyburn Marino
 Filner Napolitano
 Flake Nunes
 Gosar Paul

Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ruppertsberger
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus

Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton

Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walz (MN)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Womack
 Yoder
 Young (AK)
 Young (IN)

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOMACK, announced that the nays had it.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative
 Yeas 235
 Nays 173
 Answered present 1

150.12 [Roll No. 177]

YEAS—235

Adams Emerson
 Aderholt Farenthold
 Akin Fincher
 Alexander Fitzpatrick
 Amodei Fleischmann
 Austria Fleming
 Bachmann Flores
 Bachus Forbes
 Barletta Foxx
 Barrow Franks (AZ)
 Bartlett Frelinghuysen
 Barton (TX) Gallegly
 Benishek Garamendi
 Berg Gardner
 Biggert Garrett
 Bilbray Gerlach
 Bilirakis Gibbs
 Bishop (NY) Gibson
 Black Gingrey (GA)
 Blackburn Gohmert
 Bonner Goodlatte
 Bono Mack Gowdy
 Boren Granger
 Boswell Graves (GA)
 Boustany Graves (MO)
 Brady (TX) Griffin (AR)
 Brooks Griffith (VA)
 Buchanan Grimm
 Bucshon Guthrie
 Buerkle Hall
 Burgess Neugebauer
 Calvert Hanna
 Camp Harper
 Campbell Harris
 Canseco Hartzler
 Cantor Hastings (WA)
 Capito Hayworth
 Carter Heck
 Cassidy Hensarling
 Chabot Herger
 Chaffetz Herrera Beutler
 Chandler Hochul
 Coble Huelskamp
 Coffman (CO) Huizenga (MI)
 Cole Hultgren
 Conaway Hunter
 Cravaack Hurt
 Crawford Issa
 Crenshaw Jenkins
 Cellular Johnson (IL)
 Culberson Johnson (OH)
 Davis (KY) Johnson, Sam
 Dent Jones
 DesJarlais Jordan
 Diaz-Balart Kelly
 Dold King (IA)
 Dreier King (NY)
 Duffy Kingston
 Duncan (SC) Kinzinger (IL)
 Duncan (TN) Kissell
 Ellmers Kline
 Lamborn
 Lance
 Lankford

ACKERMAN

Altmire
 Amash
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Becerra
 Berkley
 Berman
 Bishop (GA)
 Blumenauer
 Bonamici
 Brady (PA)
 Broun (GA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chu
 Ciilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Critz
 Crowley
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Deutch
 Dicks
 Dingell
 Doggett
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fortenberry
 Frank (MA)
 Fudge

NAYS—173

Gonzalez
 Green, Al
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Holden
 Holt
 Honda
 Hoyer
 Israel
 Jackson (IL)
 Jackson Lee
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 Kucinich
 Labrador
 Langevin
 Larsen (WA)
 Larson (CT)
 LaTourette
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 Lofgren, Zoe
 Lowey
 Lujan
 Lummis
 Lynch
 Maloney
 Markey
 Matsui
 McCarthy (NY)
 McClintock
 McCollum
 McDermott
 McGovern
 McNerney
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)

NADLER

Nadler
 Neal
 Olver
 Pallone
 Pascrell
 Pastor (AZ)
 Pelosi
 Peters
 Peterson
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Reyes
 Ribble
 Richardson
 Richmond
 Rothman (NJ)
 Roybal-Allard
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shuler
 Sires
 Smith (WA)
 Speier
 Stark
 Thompson (CA)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woodall
 Woolsey
 Yarmuth

ANSWERED "PRESENT"—1

WOLF

NOT VOTING—22

Bass (NH) Green, Gene
 Bishop (UT) Guinta
 Braley (IA) Landry
 Burton (IN) Manzullo
 Clyburn Marino
 Filner Napolitano
 Flake Nunes
 Gosar Paul

So the bill was passed.
 A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶50.13 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11 a.m. on Monday, April 23, 2012.

¶50.14 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶50.15 MESSAGE FROM THE PRESIDENT—
NATIONAL DRUG CONTROL STRATEGY
2012

The SPEAKER pro tempore, Mr. NUNNELLEE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I am pleased to transmit the 2012 *National Drug Control Strategy*, which follows through on the commitment made by my Administration to chart a new course in our efforts to reduce illicit drug use and its consequences in the United States. The balanced approach outlined in the Administration's inaugural *National Drug Control Strategy* has yielded significant results, which are detailed in the following pages.

Our Nation still faces serious drug-related challenges, however. Too many Americans need treatment for substance use disorders but do not receive it. Prescription drug abuse continues to claim American lives, and those who take drugs and drive threaten safety on our Nation's roadways. Young people's perceptions of the risks of drug use have declined over the past decade, and research suggests that this often predicts future increases in drug use. There is still much left to do to reform our justice system and break the cycle of drug use and crime. Our commitment to work with partner nations must remain steadfast to reduce drug production, trafficking, and related transnational threats.

Based upon the progress we have achieved over the past three years, I am confident we can address these challenges through concerted action along the entire spectrum of prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international cooperation. However, we must match our commitment with the appropriate resources.

Illicit drug use in America contributed to an estimated \$193 billion in crime, health, and lost productivity costs in 2007, the year for which the most recent estimate is available. In today's challenging economic environment, we cannot afford such a drain on our economy and public resources. While difficult budget decisions must be made at all levels of government, we must ensure continued support for policies and programs that reduce drug use and its enormous costs to American society. In doing so, we will not only strengthen our economy but also sustain the national character and spirit

that has made the United States a world leader.

I look forward to continuing to work with the Congress and Federal, state, local, tribal, and territorial leaders, international partners, and the American people in this important endeavor.

BARACK OBAMA.

THE WHITE HOUSE, April 19, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Armed Services, the Committee on Education and the Workforce, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Committee on Natural Resources, the Committee on Oversight and Government Reform, the Committee on Transportation and Infrastructure, the Committee on Veterans Affairs, and the Committee on Ways and Means, and ordered to be printed (H. Doc. 112-98).

¶50.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BASS of New Hampshire, for today.

And then,

¶50.17 ADJOURNMENT

On motion of Mr. BROUN of Georgia, pursuant to the previous order of the House, at 4 o'clock and 57 minutes p.m., the House adjourned until 11 a.m. on Monday, April 23, 2012.

¶50.18 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1335. A bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; with an amendment (Rept. 112-449). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2240. A bill to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes; with an amendment (Rept. 112-450). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2362. A bill to facilitate economic development by Indian tribes and encourage investment by Turkish enterprises (Rept. 112-451). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3452. A bill to provide for the sale of approximately 30 acres of Federal land in Uinta-Wasatch-Cache National Forest in Salt Lake County, Utah, to permit the establishment of a minimally invasive transportation alternative for skiers, called "SkiLink", to connect two ski resorts in the Wasatch Mountains, and for other purposes; with an amendment (Rept.

112-452). Referred to the Committee of the Whole House on the state of the Union.

¶50.19 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Mr. NEAL, Mr. OLVER, Mr. MCGOVERN, Mr. TIERNEY, Mr. CAPUANO, Mr. LYNCH, Ms. TSONGAS, Mr. KEATING, and Ms. PELOSI):

H.R. 4400. A bill to designate the Salt Pond Visitor Center at Cape Cod National Seashore as the "Thomas P. O'Neill, Jr. Salt Pond Visitor Center", and for other purposes; to the Committee on Natural Resources.

By Mr. POSEY:

H.R. 4401. A bill to direct the Secretary of Defense to work with non-Federal entities and accept non-Federal funding under strict implementation guidelines to promote efficiencies of the space transportation infrastructure of the Department of Defense in commercial space activities; to the Committee on Armed Services.

By Mr. AMODEI:

H.R. 4402. A bill to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 4403. A bill to suspend subchapter IV of chapter 31 of title 40, United States Code, commonly known as the Davis-Bacon Act, through the end of fiscal year 2023, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CRAWFORD:

H.R. 4404. A bill to create a centralized website on reports issued by the Inspectors General, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCGOVERN (for himself, Mr. WOLF, Mr. LEVIN, Ms. ROS-LEHTINEN, Mr. HASTINGS of Florida, Mr. ROYCE, Mr. MCDERMOTT, Mr. BURTON of Indiana, Mr. CONNOLLY of Virginia, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. ROSKAM, Mr. MICHAUD, Mr. PITTS, Mr. RANGEL, and Mr. TURNER of Ohio):

H.R. 4405. A bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in the Russian Federation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself and Ms. SLAUGHTER):

H.R. 4406. A bill to compel the Secretary of the Army to complete the Great Lakes Mississippi River Interbasin Study within 18 months and to focus particular attention on the permanent prevention of the spread of aquatic nuisance species between the Great Lakes and the Mississippi River Basins; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Indiana:

H.R. 4407. A bill to amend the indemnification responsibilities applicable to the Secretary of Defense when Department of Defense property at military installations closed pursuant to a base closure law is conveyed to expand such indemnification responsibilities to include all military installations closed since October 24, 1988; to the Committee on Armed Services.

By Ms. BORDALLO:

H.R. 4408. A bill to amend the Sikes Act to promote the use of cooperative agreements under such Act for land management related to Department of Defense installations and to amend title 10, United States Code, to facilitate interagency cooperation in conservation programs; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARROW:

H.R. 4409. A bill to provide for reforming and consolidating agencies of the Federal Government to improve efficiency and save money, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of Georgia:

H.R. 4410. A bill to extend the temporary reduction of duty on acrylic or modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4411. A bill to extend the temporary reduction of duty on certain polyacrylonitrile tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4412. A bill to extend temporarily the reduction of duty on certain dyed acrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4413. A bill to extend temporarily the reduction of duty on certain undyed acrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4414. A bill to extend temporarily the reduction of duty on certain dyed polyacrylonitrile staple; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4415. A bill to extend temporarily the reduction of duty on certain undyed polyacrylonitrile staple; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4416. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4417. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4418. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4419. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4420. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Ms. BROWN of Florida:

H.R. 4421. A bill to amend the Internal Revenue Code of 1986 to eliminate the separate income tax return form for the earned income credit, to require the information required by that form to be included on the appropriate income tax return forms, and to require the Internal Revenue Service to com-

pute the earned income credit for taxpayers; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4422. A bill to extend the temporary suspension of duty on certain staple fibers of viscose rayon; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4423. A bill to suspend temporarily the duty on cyan 854 inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4424. A bill to suspend temporarily the duty on cyan 1 RO inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4425. A bill to suspend temporarily the duty on black 661 inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4426. A bill to suspend temporarily the duty on black 820 inkjet printing ink; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4427. A bill to extend the temporary suspension of duty on Phenyl (4,6-dimethoxy-pyrimidin-2-yl) carbamate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4428. A bill to extend the temporary suspension of duty on certain mixtures of methyl 2-[[[4-(dimethylamino)-6-(2,2,2-trifluoroethoxy)-1,3,5-triazin-2-yl]amino]carbonyl]amino]-sulfonyl]-3-methylbenzoate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4429. A bill to temporarily suspend the duty on certain lamps used in liquid chromatographs or spectrophotometry; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4430. A bill to extend the temporary reduction of duty on Pyrrithiobac-sodium; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4431. A bill to extend the temporary suspension of duty on Ethyl 2-(Isocyanatosulfonyl)benzoate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4432. A bill to extend temporarily the suspension of duty on Flutolanil; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4433. A bill to suspend temporarily the duty on Buprofezin; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4434. A bill to suspend temporarily the duty on Pyraflufen-ethyl; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4435. A bill to extend the suspension of duty on Triasulfuron; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4436. A bill to extend the suspension of duty on Phosphoric acid; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4437. A bill to reduce temporarily the duty on Thiamethoxam; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4438. A bill to extend the suspension of duty on trifloxysulfuron-sodium; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4439. A bill to suspend temporarily the duty on Fenpyroximate; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4440. A bill to suspend temporarily the duty on Glyoxylic acid; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4441. A bill to suspend temporarily the rate of duty on Triflic Anhydride; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4442. A bill to suspend temporarily the rate of duty on Triflic acid; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mrs.

SCHMIDT):

H.R. 4443. A bill to reduce temporarily the rate of duty on parts of frames and mountings for spectacles, goggles, or the like; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mrs.

SCHMIDT):

H.R. 4444. A bill to reduce temporarily the rate of duty on frames and mountings for spectacles, goggles, or the like, the foregoing of plastics; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4445. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4446. A bill to extend the temporary suspension of duty on certain modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4447. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4448. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4449. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4450. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4451. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4452. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4453. A bill to suspend temporarily the duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. FLEISCHMANN:

H.R. 4454. A bill to require the approval by the head of an agency for any conference costing more than \$25,000, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HIGGINS:

H.R. 4455. A bill to extend the temporary suspension of duty on certain bags for toys; to the Committee on Ways and Means.

By Mr. HIGGINS:

H.R. 4456. A bill to suspend temporarily the duty on certain infants' products; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr.

CICILLINE, Mr. GRIJALVA, Mr. BOS-

WELL, Mr. COHEN, Mr. COURTNEY, Mr.

DEFAZIO, Ms. DELAURO, Ms. ESHOO,

Mr. FARR, Mr. FILNER, Mr. GUTIER-

REZ, Mr. HONDA, Mr. JACKSON of Illi-

nois, Ms. ZOE LOFGREN of California,

Mr. MARKEY, Mr. MCINTYRE, Mr. RAN-

GEL, Ms. LINDA T. SANCHEZ of Cali-

fornia, Ms. TSONGAS, Mr. VAN HOL-

LEN, Mr. WELCH, Ms. BONAMICI, Mr.

KISSELL, Ms. BALDWIN, Mr. YARMUTH,

Mrs. DAVIS of California, Mr.

MICHAUD, and Mr. MCGOVERN):

H.R. 4457. A bill to require the Commodity Futures Trading Commission to take certain actions to reduce excessive speculation in energy markets; to the Committee on Agriculture.

By Mr. KIND:

H.R. 4458. A bill to promote Department of the Interior efforts to provide a scientific

basis for the management of sediment and nutrients in the Upper Mississippi River Basin, and for other purposes; to the Committee on Natural Resources.

By Mr. LUETKEMEYER:

H.R. 4459. A bill to suspend temporarily the duty on Thidiazuron; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4460. A bill to extend the suspension of duty on Fenamidone; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4461. A bill to extend the suspension of duty on Spirodiclofen; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4462. A bill to extend the suspension of duty on 2,4-dichloroaniline; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4463. A bill to suspend temporarily the duty on Thioclopid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4464. A bill to extend the suspension of duty on Pyrimethanil; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4465. A bill to suspend temporarily the duty on Pyrasulfotole; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4466. A bill to suspend temporarily the duty on Fosetyl-Al; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 4467. A bill to amend section 520E of the Public Health Service act to require States and their designees receiving grants for development or implementation of state-wide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Mississippi:

H.R. 4468. A bill to extend the authority to make grants for specified energy property in lieu of tax credits; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself, Mr. COFFMAN of Colorado, and Mr. POLIS):

H.R. 4469. A bill to provide certain counties with the ability to receive television broadcast signals of their choice; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Ms. LEE of California, Mrs. CHRISTENSEN, and Ms. BORDALLO):

H.R. 4470. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and title 5, United States Code, to require individual and group health insurance coverage and group health plans and Federal employees health benefit plans to provide coverage for routine HIV screening; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself and Ms. NORTON):

H. Con. Res. 117. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mrs. MYRICK (for herself, Mr. COOPER, and Mr. LANKFORD):

H. Res. 623. A resolution amending the Rules of the House of Representatives to prevent duplicative and overlapping government programs; to the Committee on Rules.

By Mr. CRAWFORD (for himself and Mrs. DAVIS of California):

H. Res. 624. A resolution expressing support for the designation of the first Saturday in May as National Explosive Ordnance Disposal Day and for the designation of "Initial Success or Total Failure" as the official motto of the Explosive Ordnance Disposal organizations in the United States Armed Forces; to the Committee on Armed Services.

By Mr. FATTAH:

H. Res. 625. A resolution honoring the members of the United States Armed Forces who served in Vietnam; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FUDGE:

H. Res. 626. A resolution expressing support for designation of the week of April 16 through April 20, 2012, as National Assistant Principals Week; to the Committee on Education and the Workforce.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. SARBANES, Ms. LEE of California, and Mr. SIRES):

H. Res. 627. A resolution expressing the sense of the House of Representatives that the former Yugoslav Republic of Macedonia should work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of finding a mutually acceptable composite name, with a geographical qualifier and for all uses for the former Yugoslav Republic of Macedonia; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself and Mr. LANGEVIN):

H. Res. 628. A resolution expressing the sense of the House of Representatives that the United States should preserve, enhance, and increase access to an open, global Internet; to the Committee on Foreign Affairs.

By Mr. SCHIFF (for himself, Mr. PENCE, Mr. WOLF, and Mr. BERMAN):

H. Res. 629. A resolution condemning violence by the Government of Syria against journalists, and expressing the sense of the House of Representatives on freedom of the press in Syria; to the Committee on Foreign Affairs.

¶50.20 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. FLORES.
 H.R. 32: Ms. MATSUI, Mr. COSTELLO, Mr. STARK, Mr. McDERMOTT, Mr. TIERNEY, Mr. DOYLE, Mr. BLUMENAUER, and Mr. BUCHANAN.
 H.R. 192: Mr. PASCRELL and Mr. KILDEE.
 H.R. 265: Mr. PASTOR of Arizona.
 H.R. 266: Mr. PASTOR of Arizona.
 H.R. 267: Mr. PASTOR of Arizona.
 H.R. 300: Mr. HIMES.
 H.R. 365: Mr. CHABOT.
 H.R. 374: Mr. DUFFY.
 H.R. 459: Mr. SMITH of New Jersey, Mr. KINZINGER of Illinois, Mr. COBLE, and Mr. HALL.
 H.R. 591: Mr. ENGEL.

H.R. 616: Mr. PASCRELL.

H.R. 639: Mr. COFFMAN of Colorado and Mr. GRIMM.

H.R. 780: Mr. NEAL.

H.R. 808: Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLEAVER, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. HINCHEY, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. RYAN of Ohio, and Mr. LARSON of Connecticut.

H.R. 835: Mr. FLORES.

H.R. 860: Mr. SHUSTER, Mr. FARENTHOLD, and Mr. COBLE.

H.R. 893: Mrs. MCCARTHY of New York.

H.R. 942: Mr. REED, Mr. AUSTIN SCOTT of Georgia, Mr. BERG, Mrs. ELLMERS, Mr. HINCHEY, and Mrs. BLACK.

H.R. 997: Mr. SCHWEIKERT.

H.R. 1004: Mr. AMODEI.

H.R. 1005: Mr. GIBSON.

H.R. 1044: Mr. OWENS.

H.R. 1048: Mr. McDERMOTT and Mr. LARSEN of Washington.

H.R. 1057: Mr. REICHERT.

H.R. 1063: Mr. SCHOCK.

H.R. 1116: Mr. CLAY and Mr. CARSON of Indiana.

H.R. 1175: Mr. KLINE.

H.R. 1193: Mr. BRADY of Pennsylvania and Mr. PASCRELL.

H.R. 1242: Mr. CARSON of Indiana.

H.R. 1259: Mr. LANKFORD.

H.R. 1267: Ms. CASTOR of Florida.

H.R. 1283: Mr. ELLISON and Ms. HIRONO.

H.R. 1356: Mr. CARSON of Indiana.

H.R. 1409: Mr. SCHOCK.

H.R. 1418: Mr. POLIS.

H.R. 1426: Mr. WALDEN.

H.R. 1463: Mr. PAULSEN.

H.R. 1464: Mr. SHERMAN.

H.R. 1519: Mr. MEEKS.

H.R. 1537: Ms. SCHWARTZ.

H.R. 1543: Mr. HIMES and Mr. LANGEVIN.

H.R. 1588: Mr. BARTLETT, Mrs. NOEM, Mr. YOUNG of Alaska, Mr. GIBBS, Mrs. CHRISTENSEN.

H.R. 1620: Mrs. MYRICK.

H.R. 1653: Mr. AMODEI.

H.R. 1666: Mr. CLARKE of Michigan.

H.R. 1744: Mr. SMITH of Texas.

H.R. 1753: Ms. RICHARDSON.

H.R. 1755: Mr. CASSIDY and Mr. REED.

H.R. 1781: Mr. CARNAHAN.

H.R. 1802: Mr. LUJÁN and Mr. TERRY.

H.R. 1821: Mr. McDERMOTT.

H.R. 1876: Mr. CARSON of Indiana.

H.R. 1881: Ms. CHU.

H.R. 1897: Mr. HIMES and Ms. SCHAKOWSKY.

H.R. 1919: Mr. PRICE of North Carolina.

H.R. 1946: Mr. YOUNG of Indiana.

H.R. 2000: Mr. TERRY.

H.R. 2028: Mrs. CAPPES.

H.R. 2033: Mr. SCHRADER and Mr. KILDEE.

H.R. 2083: Mr. GENE GREEN of Texas.

H.R. 2108: Mr. CANSECO.

H.R. 2139: Ms. HOCHUL, Mr. LANDRY, and Mr. AMODEI.

H.R. 2151: Mr. GRUJALVA.

H.R. 2152: Ms. RICHARDSON, Mr. PRICE of North Carolina, and Mr. PETERSON.

H.R. 2245: Mr. BAGHUS.

H.R. 2288: Mr. SESSIONS.

H.R. 2299: Mr. GIBBS, Mr. GUTHRIE, and Mr. HARRIS.

H.R. 2304: Ms. BORDALLO.

H.R. 2366: Mr. LOBIONDO, Mr. AMODEI, and Mr. SMITH of Washington.

H.R. 2377: Mr. MICHAUD.

H.R. 2389: Mr. BACA.

H.R. 2446: Mr. GRIFFIN of Arkansas, Mr. HUNTER, and Mr. GUTHRIE.

H.R. 2502: Mr. PETERS.

H.R. 2529: Mr. POMPEO.

H.R. 2555: Mr. KEATING.

H.R. 2569: Mr. AMODEI.

H.R. 2741: Ms. ZOE LOFGREN of California.

H.R. 2765: Mrs. NAPOLITANO.

H.R. 2766: Mr. BACA.

H.R. 2780: Mr. KIND.

H.R. 2809: Ms. HAHN and Mr. CARSON of Indiana.
 H.R. 2810: Mrs. BLACKBURN, Mr. ROKITA, Mrs. MYRICK, Mr. GRAVES of Georgia, Mr. SOUTHERLAND, Mr. QUAYLE, Mr. MCHENRY, Mr. MULVANEY, Mr. MANZULLO, Mr. KINGSTON, Mr. GOWDY, and Mr. FLAKE.
 H.R. 2827: Mr. GOSAR.
 H.R. 2900: Mr. GRIFFIN of Arkansas.
 H.R. 2914: Mr. NEAL.
 H.R. 2948: Ms. BONAMICI and Mr. BACA.
 H.R. 2951: Mrs. HARTZLER.
 H.R. 2954: Mr. CARNAHAN.
 H.R. 2969: Mr. DIAZ-BALART.
 H.R. 2989: Mr. WELCH.
 H.R. 3015: Mr. PRICE of North Carolina.
 H.R. 3032: Mr. COBLE.
 H.R. 3059: Mr. WHITFIELD.
 H.R. 3187: Ms. MATSUI.
 H.R. 3199: Mrs. BIGGERT.
 H.R. 3238: Mr. KILDEE and Mr. ELLISON.
 H.R. 3356: Mr. GOSAR and Mr. ROONEY.
 H.R. 3357: Mr. WAXMAN.
 H.R. 3387: Mr. GIBSON.
 H.R. 3395: Mr. BRALEY of Iowa.
 H.R. 3423: Ms. BERKLEY.
 H.R. 3596: Ms. DEGETTE.
 H.R. 3612: Mr. CARSON of Indiana and Mr. STIVERS.
 H.R. 3661: Ms. CASTOR of Florida, Mr. QUIGLEY, Mr. STARK, and Mr. ELLISON.
 H.R. 3720: Mr. LATTA.
 H.R. 3767: Mr. LUJÁN, Mr. MCINTYRE, Mr. LATHAM, and Mr. WOLF.
 H.R. 3795: Mr. RANGEL.
 H.R. 3803: Mr. GARDNER and Mr. COFFMAN of Colorado.
 H.R. 3808: Mr. CALVERT.
 H.R. 3826: Mr. BOSWELL, Mr. CROWLEY, Mr. DEUTCH, Mr. FARR, and Mr. CRITZ.
 H.R. 3839: Mr. BRALEY of Iowa.
 H.R. 3849: Mrs. BLACK, Mr. DENT, and Mr. LOEBACK.
 H.R. 3862: Mr. HUIZENGA of Michigan, Mr. KINGSTON, Mr. MCHENRY, Mr. ROKITA, Mrs. BLACKBURN, Mr. FLORES, Mr. HARRIS, and Mr. YODER.
 H.R. 3881: Ms. RICHARDSON.
 H.R. 3903: Mr. MARKEY, Mr. STARK, Mr. COURTNEY, Mr. BRADY of Pennsylvania, Ms. JACKSON LEE of Texas, and Ms. SPEIER.
 H.R. 3993: Mr. HANNA.
 H.R. 4017: Mr. PETRI.
 H.R. 4049: Mr. LARSON of Connecticut, Mr. PASCARELL, Mr. CROWLEY, Ms. SCHWARTZ, Mr. THOMPSON of California, and Mr. LEWIS of Georgia.
 H.R. 4051: Mr. GRIFFIN of Arkansas, Ms. HANABUSA, and Mr. MICHAUD.
 H.R. 4052: Ms. HANABUSA.
 H.R. 4077: Mr. CARSON of Indiana.
 H.R. 4094: Mr. COBLE.
 H.R. 4114: Mr. MICHAUD.
 H.R. 4115: Mr. CARSON of Indiana and Mr. GIBSON.
 H.R. 4120: Mr. COBLE.
 H.R. 4132: Ms. ROS-LEHTINEN.
 H.R. 4134: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HALL, Mr. STIVERS, Ms. SPEIER, and Mr. SMITH of Washington.
 H.R. 4137: Mr. PASCARELL.
 H.R. 4142: Mr. MICHAUD.
 H.R. 4153: Mr. DENT and Mr. BARTLETT.
 H.R. 4154: Mr. SIMPSON.
 H.R. 4157: Mr. ROGERS of Michigan, Mr. GIBBS, and Mrs. EMERSON.
 H.R. 4160: Mr. COBLE, Mr. AUSTIN SCOTT of Georgia, and Mr. SCHWEIKERT.
 H.R. 4169: Mr. CARSON of Indiana, Mr. PERLMUTTER, and Mr. WELCH.
 H.R. 4171: Mr. BOREN.
 H.R. 4175: Mr. BRALEY of Iowa.
 H.R. 4180: Mr. LUCAS.
 H.R. 4192: Mr. GARAMENDI, Mr. BRADY of Pennsylvania, Mr. CLEAVER, Ms. SUTTON, and Mr. HEINRICH.
 H.R. 4196: Mrs. BLACK, Mr. CLAY, and Mr. LONG.
 H.R. 4201: Mr. WITTMAN, Mr. LAMBORN, Ms. BORDALLO, and Mr. FORBES.

H.R. 4209: Mr. ROTHMAN of New Jersey, Mr. DEUTCH, Mr. BARTLETT, and Mr. FARR.
 H.R. 4222: Mr. FRANKS of Arizona.
 H.R. 4232: Mr. CHABOT.
 H.R. 4234: Mr. AMODEI and Mr. MCCLINTOCK.
 H.R. 4235: Mr. SCHWEIKERT.
 H.R. 4237: Mr. BARLETTA.
 H.R. 4243: Mrs. MILLER of Michigan.
 H.R. 4249: Mr. ACKERMAN.
 H.R. 4254: Mr. RANGEL.
 H.R. 4256: Mr. CALVERT.
 H.R. 4259: Ms. SPEIER.
 H.R. 4268: Mr. HUELSKAMP.
 H.R. 4269: Mr. NUGENT.
 H.R. 4270: Mr. MCGOVERN and Mr. MICHAUD.
 H.R. 4271: Mr. TOWNS, Mr. CAPUANO, Mr. BRADY of Pennsylvania, Mr. STARK, Ms. LINDA T. SANCHEZ of California, Mr. CONNOLLY of Virginia, Mr. MCNERNEY, Mr. FRANK of Massachusetts, and Mr. DEFazio.
 H.R. 4275: Mr. RANGEL.
 H.R. 4290: Mr. DEUTCH.
 H.R. 4296: Mrs. NOEM, Mrs. ELLMERS, Mr. GUINTA, and Mr. HUELSKAMP.
 H.R. 4301: Mr. MCCLINTOCK.
 H.R. 4313: Mr. GERLACH, Mr. DENT, and Mr. DESJARLAIS.
 H.R. 4315: Mr. STARK.
 H.R. 4351: Mr. CARSON of Indiana.
 H.R. 4367: Mr. WESTMORELAND, Mr. GRIMM, Mr. SCHWEIKERT, Mr. POE of Texas, and Mr. CANSECO.
 H.R. 4379: Mr. FILNER, Ms. HAHN, and Mr. ELLISON.
 H.J. Res. 103: Mr. COFFMAN of Colorado and Mr. TIPTON.
 H.J. Res. 106: Mr. GOSAR.
 H.J. Res. 107: Mr. CALVERT.
 H. Con. Res. 40: Ms. SCHAKOWSKY and Ms. DEGETTE.
 H. Con. Res. 110: Mr. TIPTON.
 H. Con. Res. 113: Mr. LONG.
 H. Con. Res. 115: Mr. ROGERS of Kentucky, Mrs. ELLMERS, Ms. HAYWORTH, Mr. MULVANEY, Mr. ROKITA, Mr. MCHENRY, Mrs. MYRICK, Mr. GUINTA, Mr. PEARCE, Mr. GOODLATTE, Mr. WOODALL, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. FLAKE, Mr. REED, Mr. SCOTT of South Carolina, Mr. HUELSKAMP, Mr. MICHAUD, Mr. PRICE of Georgia, Mr. DIAZ-BALART, Mr. COBLE, Mr. KING of Iowa, Mr. MARINO, Mr. MILLER of Florida, Mr. MURPHY of Pennsylvania, Mr. SAM JOHNSON of Texas, Mr. HULTGREN, Mr. LATTA, and Mr. LONG.
 H. Res. 137: Mr. GIBSON.
 H. Res. 394: Mr. HUNTER.
 H. Res. 568: Mr. RAHALL, Mr. BASS of New Hampshire, Mr. MCINTYRE, Mr. YOUNG of Florida, Mr. WOODALL, Mrs. MALONEY, and Mr. KIND.
 H. Res. 583: Ms. GRANGER.
 H. Res. 592: Mr. GRIJALVA.
 H. Res. 604: Mr. LANKFORD and Mr. STEARNS.
 H. Res. 609: Mr. OLVER.
 H. Res. 618: Mr. BURTON of Indiana.

¶50.21 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
 H.R. 2341: Mr. LANGEVIN.

MONDAY, APRIL 23, 2012 (51)

¶51.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 April 23, 2012.
 I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.
 JOHN A. BOEHNER,
 Speaker.

¶51.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CULBERSON, announced he had examined and approved the Journal of the proceedings of Thursday, April 19, 2012. Pursuant to clause 1 of rule I, the Journal was approved.

¶51.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:
 5711. A communication from the President of the United States, transmitting FY 2013 Budget Amendments for the Departments of Defense, Health and Human Services, Homeland Security, Housing and Urban Development, State and Other International Programs, as well as the Corps of Engineers; (H. Doc. No. 112—99); to the Committee on Appropriations and ordered to be printed.
 5712. A letter from the Secretary, Army, Department of Defense, transmitting notification that the Average Procurement Unit Cost (APUC) and Program Acquisition Unit Cost metrics for the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor System Program have exceeded the critical cost growth threshold, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.
 5713. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil and Canada pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.
 5714. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil, Japan, and Panama pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.
 5715. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Australia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.
 5716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2010-0032, FRL-9645-8] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
 5717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, Maryland, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 8-Hour Ozone Standard for the Philadelphia-Wilmington-Atlantic City Moderate Nonattainment Area [EPA-R03-OAR-2011-0713; FRL-9652-6] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
 5718. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Volatile Organic Compound Emissions Control Measures for Chicago and Metro-East St. Louis Ozone Nonattainment Areas [EPA-R05-OAR-2010-0671; FRL-9633-4] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Nevada; Regional Haze State Implementation Plan [EPA-R09-OAR-2011-0130; FRL-9612-7] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Regional Haze State Implementation Plan [EPA-R03-OAR-2011-0092; FRL-9651-7] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5721. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; California Air Resources Board — In-Use Heavy-Duty Diesel-Fueled Truck and Bus Regulation, and Drayage Truck Regulation [EPA-R09-OAR-2011-0544; FRL-9633-3] received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Emergency Planning and Notification; Emergency Planning and List of Extremely Hazardous Substances and Threshold Planning Quantities [EPA-HQ-SFUND-2010-0586; FRL-9651-1] (RIN: 2050-AF08) received March 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5723. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the March 2012 International Narcotics Control Strategy Report, pursuant to 22 U.S.C. 2291(b)(2); to the Committee on Foreign Affairs.

5724. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective March 11, 2012, the danger pay allowance for Nigeria was established based on civil insurrection and terrorism, pursuant to 5 U.S.C. 5928; to the Committee on Foreign Affairs.

5725. A letter from the Presiding Governor, Broadcasting Board of Governors, transmitting Report to Congress on U.S.-funded international broadcasting efforts in Iran; to the Committee on Foreign Affairs.

5726. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5727. A communication from the President of the United States, transmitting notification of an Executive Order that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995 and the national emergency with respect to Syria, originally by Executive Order 13338 of May 11, 2004; (H. Doc. No. 112—100); to the Committee on Foreign Affairs and ordered to be printed.

5728. A letter from the Chair, Recovery Accountability and Transparency Board, transmitting the Board's annual report for FY 2011 prepared in accordance with Section 203

of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5729. A letter from the Acting Assistant Commissioner for Civil Rights and Equal Opportunity, Social Security Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5730. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA989) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5731. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB010) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5732. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB014) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

¶51.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. CULBERSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 23, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 23, 2012 at 9:15 a.m.:

That the Senate passed with an amendment H.R. 1021.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶51.5 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. CULBERSON, laid before the House the following communication from Eric With, District Director, office of the Honorable Michael C. Burgess:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 19, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the 362nd Judicial District Court in Denton, Texas, to testify in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ERIC WITH,
District Director, Office of Congressman
Michael C. Burgess.

¶51.6 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 29, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 4281. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

And then,

¶51.7 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. CULBERSON, by unanimous consent, at 11 o'clock and 4 minutes a.m., declared the House adjourned.

¶51.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WHITFIELD (for himself and Mr. BARROW):

H.R. 4471. A bill to require analyses of the cumulative impacts of certain rules and actions of the Environmental Protection Agency that impact gasoline, diesel fuel, and natural gas prices, jobs, and the economy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROSS of Florida:

H.R. 4472. A bill to reduce the travel expenses for certain Federal employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CASSIDY:

H.R. 4473. A bill to extend and modify the temporary reduction of duty on Mesotrione; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4474. A bill to reduce temporarily the rate of duty on s-Metolachlor; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4475. A bill to extend and modify the temporary reduction of duty on DEMBB; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4476. A bill to extend and modify the temporary reduction of duty on Prodiamine; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 4477. A bill to extend the temporary suspension of duty on Onitrophenol; to the Committee on Ways and Means.

By Mr. CASSIDY:
H.R. 4478. A bill to extend and modify the temporary reduction of duty on Pinoxaden; to the Committee on Ways and Means.

By Mr. CASSIDY:
H.R. 4479. A bill to suspend temporarily the duty on Clodinafop; to the Committee on Ways and Means.

¶51.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 178: Mr. OWENS and Mr. THOMPSON of California.
- H.R. 605: Mr. GRAVES of Georgia.
- H.R. 1063: Mr. ROE of Tennessee.
- H.R. 1370: Mrs. EMERSON, Mr. LATOURETTE, and Mr. MEEHAN.
- H.R. 1416: Mr. BISHOP of Georgia, Ms. LEE of California, Mr. WILSON of South Carolina, Mr. TURNER of New York, and Mr. GIBBS.
- H.R. 2077: Mr. SCHOCK.
- H.R. 2134: Ms. SCHAKOWSKY, Ms. NORTON, Mr. BISHOP of Georgia, Mr. OWENS, Mr. HOLT, Mrs. MCCARTHY of New York, and Mr. MICHAUD.
- H.R. 2311: Mr. PETERS.
- H.R. 2337: Mrs. CHRISTENSEN.
- H.R. 2569: Mr. FLORES.
- H.R. 2730: Mr. HASTINGS of Florida, Mr. STARK, and Mr. POLIS.
- H.R. 3159: Mr. LAMBORN and Mr. ROE of Tennessee.
- H.R. 3352: Mr. RYAN of Ohio and Mr. DOGGETT.
- H.R. 3486: Mr. RANGEL.
- H.R. 3643: Mr. KING of Iowa.
- H.R. 3670: Mr. CARNAHAN.
- H.R. 3839: Mr. QUIGLEY.
- H.R. 4072: Mr. JOHNSON of Ohio and Mr. STEARNS.
- H.R. 4082: Mr. MCGOVERN, Mr. HOLDEN, and Mr. BISHOP of Georgia.
- H.R. 4133: Mr. HECK.
- H.R. 4372: Mr. WESTMORELAND.
- H. Res. 60: Mr. SIREs.
- H. Res. 394: Mr. BARTLETT.

TUESDAY, APRIL 24, 2012 (52)

¶52.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
April 24, 2012.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶52.2 RECESS—12:10 P.M.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 10 minutes p.m., until 2 p.m.

¶52.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, called the House to order.

¶52.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CULBERSON, announced he had exam-

ined and approved the Journal of the proceedings of Monday, April 23, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶52.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5733. A letter from the Secretary, Air Force, Department of Defense, transmitting notification that the Average Procurement Unit Cost (APUC) and Program Acquisition Unit Cost metrics for the C-130 AMP Program have exceeded the critical cost growth threshold, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

5734. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Paul S. Stanley, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

5735. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard Y. Newton III, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5736. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Marc E. Rogers, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5737. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter authorizing Brigadier Generals Darryl W. Burke and John F. Newell III, United States Air Force, to wear the insignia of the grade of major general; to the Committee on Armed Services.

5738. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans (DFARS Case 2012-D016) (RIN: 0750-AH65) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5739. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Repeal of Case-by-Case Reporting (DFARS Case 2012-D020) (RIN: 0750-AH67) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5740. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Separation of Combined Provisions and Clauses (DFARS Case 2011-D048) (RIN: 0750-AH38) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5741. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to various foreign buyers pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5742. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Russia pursuant to Section 2(b)(3) of the

Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5743. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's Annual Report for 2011; to the Committee on Financial Services.

5744. A letter from the Acting Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

5745. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Neurological Devices; Classification of the Near Infrared Brain Hematoma Detector [Docket No.: FDA-2012-M-0206] received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5746. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Agreements and Memoranda of Understanding Between the Food and Drug Administration and Other Departments, Agencies, and Organizations [Docket No.: FDA-2012-N-0205] received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5747. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's Cooperative Threat Reduction (CTR) Annual Report to Congress for Fiscal Year 2013, pursuant to Public Law 106-398, section 1308 (114 Stat. 1654A-341); to the Committee on Foreign Affairs.

5748. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the text of ILO Recommendation No. 200 concerning HIV and AIDS and the World of Work, Adopted by the Conference at its Ninety-Ninth Session, Geneva, 17 June 2010, pursuant to Art. 19 of the Constitution of the International Labor Organization; to the Committee on Foreign Affairs.

5749. A letter from the Director, Bureau of Economic Affairs, Department of Commerce, transmitting the Department's final rule — International Services Surveys: BE-150, Quarterly Survey of Cross-Border Credit, Debit, and Charge Card Transactions [110817508-2069-2] (RIN: 0691-AA79) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5750. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates [Public Notice 7835] (RIN: 1400-AD06) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5751. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-001, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5752. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Report on Denial of Visas to Confiscators of American Property", pursuant to 8 U.S.C. 1182d Public Law 105-277, section 2225(c); to the Committee on Foreign Affairs.

5753. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-105, pursuant to the reporting requirements of

Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5754. A letter from the Diversity and Inclusion Programs Director, Federal Reserve System, transmitting the eighth annual report pursuant to Section 203(a) of the No Fear Act, Pub. L. 107-174, for fiscal year 2011; to the Committee on Oversight and Government Reform.

5755. A letter from the Commissioner, International Boundary and Water Commission United States and Mexico, transmitting the Commission's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5756. A letter from the HR Specialist, Office of Navajo and Hopi Indian Relocation, transmitting the Office's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5757. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustment to 2012 Annual Catch Limits [Docket No.: 111207734-2119-02] (RIN: 0648-BB50) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5758. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-Annual Catch Limit (ACL) Harvested for Management Area 1B [Docket No.: 0907301205-0289-02] (RIN: 0648-XA971) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5759. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 2 [Docket No.: 0907301205-0289-02] (RIN: 0648-XB001) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5760. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XB028) received March 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5761. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report detailing activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 2011, pursuant to 42 U.S.C. 1997f; to the Committee on the Judiciary.

5762. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1230; Directorate Identifier 2011-NM-141-AD; Amendment 39-16964; AD 2012-04-08] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5763. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0107; Directorate Identifier 2007-NM-087-AD; Amendment 39-16965; AD 2012-04-09] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5764. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2011-0944; Directorate Identifier 2011-NE-11-AD; Amendment 39-16960; AD 2012-04-04] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5765. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airplanes Originally Manufactured by Lockheed for the Military as P2V Airplanes [Docket No.: FAA-2012-0107; Directorate Identifier 2012-NM-018-AD; Amendment 39-16955; AD 2012-03-51] (RIN: 2120-AA64) received March 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶52.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. CULBERSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 24, 2012.

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 24, 2012 at 12:45 p.m.:

That the Senate passed with an amendment H.R. 4348.

Senate requests a conference with the House and appoints conferees.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶52.7 RECESS—2:14 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 14 minutes p.m., until approximately 4:30 p.m.

¶52.8 AFTER RECESS—4:30 P.M.

The SPEAKER pro tempore, Mr. HARRIS, called the House to order.

¶52.9 COCONINO NATIONAL FOREST LAND CONVEYANCE

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 1038) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. BISHOP of Utah, and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, April 25, 2012.

¶52.10 INYO NATIONAL FOREST LAND EXCHANGE

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 2157) to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. BISHOP of Utah, and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶52.11 IDAHO WILDERNESS WATER RESOURCES PROTECTION

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. BISHOP of Utah, and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, April 25, 2012.

The point of no quorum was considered as withdrawn.

52.12 COOK COUNTY, MINNESOTA AIRPORT

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 2947) to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. BISHOP of Utah, and Ms. TSONGAS, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

52.13 CIBOLA NATIONAL FOREST

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 491) to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. BISHOP of Utah, and Ms. TSONGAS, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

52.14 LOWELL NATIONAL HISTORICAL PARK LAND EXCHANGE

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell Na-

tional Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HARRIS, recognized Mr. BISHOP of Utah, and Ms. TSONGAS, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HARRIS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, April 25, 2012.

The point of no quorum was considered as withdrawn.

52.15 RECESS—5:02 P.M.

The SPEAKER pro tempore, Mr. HARRIS, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 2 minutes p.m., until approximately 6:30 p.m.

52.16 AFTER RECESS—6:45 P.M.

The SPEAKER pro tempore, Mr. CHAFFETZ, called the House to order.

52.17 H.R. 2157—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2157) to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 376 Nays 2

52.18 [Roll No. 178] YEAS—376

- Adams Bishop (NY) Capuano
Aderholt Bishop (UT) Carnahan
Alexander Black Carney
Altmire Blackburn Carson (IN)
Amodei Blumenauer Carter
Andrews Bonamici Cassidy
Austria Bonner Castor (FL)
Baca Boren Chabot
Bachmann Boswell Chaffetz
Bachus Boustany Chandler
Baldwin Brady (TX) Chu
Barletta Braley (IA) Cicilline
Barrow Brooks Clarke (MI)
Bartlett Brown (GA) Clarke (NY)
Bass (CA) Brown (FL) Clay
Bass (NH) Buchanan Cleaver
Becerra Buerkle Clyburn
Berg Burgess Coble
Berkley Burton (IN) Coffman (CO)
Berman Calvert Cohen
Biggart Canseco Cole
Bilbray Cantor Conaway
Bilirakis Capito Connolly (VA)
Bishop (GA) Capps Conyers
Cooper

- Costa Jenkins Price (NC)
Costello Johnson (GA) Quayle
Courtney Johnson (OH) Quigley
Cravaack Johnson, E. B. Rahall
Crawford Jones Reed
Crenshaw Jordan Rehberg
Crowley Keating Reichert
Cuellar Kelly Renacci
Culberson Kildee Ribble
Cummings Kind Richardson
Davis (IL) King (IA) Richmond
Davis (KY) King (NY) Rigell
DeFazio Kingston Rivera
DeLauro Kinzinger (IL) Roby
Denham Kissell Roe (TN)
Dent Kline Rogers (AL)
DesJarlais Kucinich Rogers (KY)
Deutch Labrador Rogers (MI)
Diaz-Balart Lamborn Rohrabacher
Dicks Lance Rokita
Dingell Langevin Rooney
Doggett Lankford Ros-Lehtinen
Dold Larsen (WA) Roskam
Dreier Larson (CT) Ross (AR)
Duffy Latham Ross (FL)
Duncan (SC) LaTourette Rothman (NJ)
Duncan (TN) Latta Royce
Edwards Lee (CA) Runyan
Ellison Levin Ruppertsberger
Ellmers Lewis (CA) Rush
Emerson Lewis (GA) Ryan (OH)
Engel Lipinski Ryan (WI)
Eshoo LoBiondo Sanchez, Linda
Farenthold Long T.
Farr Lucas Sanchez, Loretta
Fattah Luetkemeyer Sarbanes
Fincher Lujan Scalise
Fitzpatrick Lummis Schakowsky
Flake Lungren, Daniel Schilling
Fleischmann E. Schmidt
Fleming Lynch Schock
Flores Mack Schweikert
Forbes Maloney Scott (SC)
Fortenberry Manzullo Scott (VA)
Foxy Markey Scott, Austin
Frank (MA) Matheson Scott, David
Franks (AZ) Matsui Sensenbrenner
Frelinghuysen McCarthy (CA) Serrano
Fudge McCarthy (NY) Sewell
Gallegly McCaul Sherman
Gardner McCollum Shimkus
Garrett McCotter Shuler
Gibbs McDermott Shuster
Gibson McGovern Sires
Gingrey (GA) McHenry Smith (NE)
Gonzalez McIntyre Smith (NJ)
Goodlatte McKeon Smith (TX)
Gosar McKinley Smith (WA)
Gowdy McMorris Southerland
Granger Rodgers Speier
Graves (GA) McNerney Stark
Graves (MO) Meehan Stearns
Green, Al Meeks Stivers
Green, Gene Mica Stutzman
Griffith (VA) Michaud Sullivan
Grijalva Miller (FL) Sutton
Grimm Miller (MI) Terry
Guinta Miller, Gary Thompson (CA)
Guthrie Miller, George Thompson (MS)
Hahn Moore Thompson (PA)
Hall Murphy (CT) Thornberry
Hanabusa Myrick Tiberi
Hanna Nadler Tierney
Harper Napolitano Tipton
Harris Neal Tonko
Hartzler Neugebauer Towns
Hastings (FL) Noem Tsongas
Hastings (WA) Nugent Turner (NY)
Hayworth Nunes Turner (OH)
Heck Nunnelee Upton
Heinrich Olson Van Hollen
Herger Olver Velázquez
Herrera Beutler Owens Visclosky
Higgins Palazzo Walberg
Himes Pallone Walden
Hinchev Pastor (AZ) Walsh (IL)
Hinojosa Paulsen Walz (MN)
Hochul Pearce Waters
Holt Pelosi Watt
Honda Perlmutter Waxman
Hoyer Peters Webster
Huelskamp Peterson Welch
Huizenga (MI) Petri West
Hultgren Pingree (ME) Westmoreland
Hunter Pitts Whitfield
Hurt Poe (TX) Wilson (FL)
Issa Polis Wilson (SC)
Jackson (IL) Pompeo Wittman
Jackson Lee Posey Wolf
(TX) Price (GA)

Womack	Woolsey	Young (AK)
Woodall	Yoder	Young (IN)

NAYS—2

Amash	Mulvaney
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NOT VOTING—53

Ackerman	Griffin (AR)	Murphy (PA)
Akin	Gutierrez	Pascarell
Barton (TX)	Hensarling	Paul
Bono Mack	Hirono	Pence
Brady (PA)	Holden	Platts
Bucshon	Israel	Rangel
Butterfield	Johnson (IL)	Reyes
Campbell	Johnson, Sam	Roybal-Allard
Cardoza	Kaptur	Schiff
Critz	Landry	Schrader
Davis (CA)	Loebsack	Schwartz
DeGette	Lofgren, Zoe	Sessions
Donnelly (IN)	Lowe	Simpson
Doyle	Marchant	Slaughter
Filner	Marino	Wasserman
Garamendi	McClintock	Schultz
Gerlach	Miller (NC)	Yarmuth
Gohmert	Moran	Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶52.19 HOUR OF MEETING

On motion of Mr. WALDEN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Wednesday, April 25, 2012, for morning-hour debate and 1 p.m. for legislative business.

¶52.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GRIFFIN of Arkansas, for today;

To Mr. MARINO, for today and balance of the week; and

To Mr. SCHIFF, for today.

And then,

¶52.21 ADJOURNMENT

On motion of Mr. PEARCE, pursuant to the previous order of the House, at 9 o'clock and 2 minutes p.m., the House adjourned until 10 a.m. on Wednesday, April 25, 2012.

¶52.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GARDNER (for himself, Mr. CANSECO, Mr. OLSON, Mr. COFFMAN of Colorado, Mrs. BLACKBURN, Mr. JOHNSON of Ohio, Mr. LANDRY, Mrs. McMORRIS RODGERS, Mr. TERRY, and Mr. BERG):

H.R. 4480. A bill to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Re-

serve; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Agriculture, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee:

H.R. 4481. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to ensure that Department of Veterans Affairs employees who violate certain civil laws do not receive bonuses; to the Committee on Veterans' Affairs.

By Mr. MILLER of Florida:

H.R. 4482. A bill to amend title 38, United States Code, to make permanent home loan guaranty programs for veterans regarding adjustable rate mortgages and hybrid adjustable rate mortgages; to the Committee on Veterans' Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. WILSON of Florida, Mr. CLEAVER, Mr. JACKSON of Illinois, Mr. REYES, Mr. RUSH, Mr. CONYERS, Mr. LUJÁN, Mr. HINOJOSA, and Ms. FUDGE):

H.R. 4483. A bill to authorize the Director of the National Science Foundation to provide grants to institutions of higher education for implementing or expanding reforms in undergraduate science, technology, engineering, and mathematics (STEM) education in order to increase the number of students from underrepresented minority groups receiving degrees in these fields, and to recruit, retain, and advance STEM faculty members from underrepresented minority groups at institutions of higher education; to the Committee on Science, Space, and Technology.

By Mr. CHAFFETZ (for himself, Mr. FALOMAVAEGA, Mr. FLAKE, and Mr. McKEON):

H.R. 4484. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Natural Resources.

By Mr. CONAWAY:

H.R. 4485. A bill to further the preparedness of the United States Armed Forces, in cooperation with regional allies, to prevent the Government of Iran from obtaining a nuclear weapon, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO:

H.R. 4486. A bill to suspend temporarily the duty on polypropylene fiber with tow bundles comprised of 300,000 to 400,000 individual filaments; to the Committee on Ways and Means.

By Mr. MANZULLO:

H.R. 4487. A bill to suspend temporarily the duty on polyester fiber with tow bundles comprised of 300,000 to 400,000 individual filaments; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4488. A bill to extend the temporary suspension of duty on 2-ethylhexyl (4-chloro-2-methylphenoxy) acetate; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4489. A bill to suspend temporarily the rate of duty on 2-Methyl-2-(methylthio)propanal O-(N-methylcarbamoyl)oxime; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4490. A bill to extend the temporary suspension of duty on 2-Methyl-4-

chlorophenoxy-acetic acid, dimethylamine salt; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4491. A bill to extend the temporary suspension of duty on 4-(2,4-dichlorophenoxy) butyric acid and 4-(2,4-dichlorophenoxy) butyric acid, dimethylamine salt; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4492. A bill to extend the temporary suspension of duty on MCPB Acid and MCPB Sodium Salt; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4493. A bill to extend the temporary suspension of duty on Bromoxynil Octanoate; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4494. A bill to extend the temporary suspension of duty on triphenyltin hydroxide; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4495. A bill to extend the temporary suspension of duty on dichlorprop-p acid, dichlorprop-p dimethylamine salt, and dichlorprop-p 2-ethylhexyl ester; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4496. A bill to extend the temporary suspension of duty on 2-methyl-4-chlorophenoxyacetic acid; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4497. A bill to extend the temporary suspension of duty on formulations containing Bromacil and Diuron and application adjuvants; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4498. A bill to extend the temporary suspension of duty on formulations containing Diuron and application adjuvants; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4499. A bill to extend the temporary suspension of duty on Dimethyl carbonate; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4500. A bill to extend the temporary suspension of duty on 5-Chloro-1-indanone; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4501. A bill to extend the temporary suspension of duty on Esfenvalerate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4502. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4503. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4504. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4505. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4506. A bill to extend and modify the temporary reduction of duty on Metalaxyl-M and LMetalaxylfenoxam; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4507. A bill to extend the temporary suspension of duty on Cloquintocet-mexyl; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4508. A bill to extend and modify the temporary suspension of duty on Difenoconazole; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4509. A bill to extend the temporary suspension of duty on Benzene, 2,4-dichloro-1,3-dinitro-5-(trifluoromethyl); to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4510. A bill to extend the temporary suspension of duty on Cyprodinil; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4511. A bill to extend the temporary suspension of duty on Trinexapac-ethyl; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4512. A bill to extend the temporary suspension of duty on certain mixtures of cyhalothrin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4513. A bill to extend the temporary suspension of duty on certain formulations of Thiamethoxam, Difenoconazole, Fludioxinil and Mefenoxam; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4514. A bill to extend the temporary suspension of duty on certain mixtures of Difenoconazole and Mefenoxam; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4515. A bill to extend the temporary suspension of duty on Mucochloric acid; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4516. A bill to extend the temporary suspension of duty on Methidathion; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4517. A bill to extend the temporary suspension of duty on 4-Chloro-3,5-dinitro-, -trifluorotoluene; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4518. A bill to suspend temporarily the duty on certain mixtures of Azoxystrobin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4519. A bill to extend and modify the temporary reduction of duty on Azoxystrobin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4520. A bill to extend the temporary suspension of duty on 2-Chloro-6-Fluorobenzyl Chloride; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4521. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4522. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4523. A bill to extend the temporary reduction of duty on yarn of combed cashmere or yarn of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4524. A bill to extend the temporary reduction of duty on yarn of carded cashmere 19.35 metric yarn count or higher; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4525. A bill to extend the temporary reduction of duty on camel hair, processed beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4526. A bill to extend the temporary reduction of duty on waste of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4527. A bill to extend the temporary reduction of duty on camel hair, carded or combed; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4528. A bill to extend the temporary reduction of duty on woven fabrics containing 85 percent or more by weight of vicuna hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4529. A bill to extend the temporary reduction of duty on camel hair, not processed in any manner beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4530. A bill to extend the temporary reduction of duty on noils of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4531. A bill to extend the temporary reduction of duty on fine animal hair of Kashmir (cashmere) goats, processed beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4532. A bill to extend the temporary reduction of duty on yarn of carded hair of Kashmir (cashmere) goats, of yarn count less than 19.35 metric, not put up for retail sale; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4533. A bill to extend the temporary reduction of duty on yarn of carded camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4534. A bill to extend the temporary suspension of duty on biaxially oriented polypropylene film; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4535. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4536. A bill to extend the temporary suspension of duty on 2-Chlorobenzyl chloride; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4537. A bill to suspend temporarily the duty on Methyl 2-[(4-methyl-5-oxo-3-propoxy-4,5-dihydro-[1,2,4]triazole-1-carbonyl)sulfamoyl]benzoate, sodium salt; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4538. A bill to extend the temporary suspension of duty on Permethrin; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4539. A bill to suspend temporarily the duty on Tungsten carbide; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4540. A bill to suspend temporarily the duty on Tungsten concentrate; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4541. A bill to suspend temporarily the duty on Tungsten oxide; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4542. A bill to extend the temporary suspension of duty on certain modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4543. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4544. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4545. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4546. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4547. A bill to extend the temporary suspension of duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4548. A bill to extend the temporary suspension of duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4549. A bill to extend the temporary suspension of duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4550. A bill to extend the temporary suspension of duty on certain acrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4551. A bill to extend the temporary suspension of duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4552. A bill to extend the temporary suspension of duty on certain acrylic or modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4553. A bill to suspend temporarily the duty on certain acrylic filament tow; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 4554. A bill to extend the temporary suspension of duty on certain modacrylic staple fibers; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4555. A bill to suspend temporarily the duty on Penthiopyrad technical; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4556. A bill to suspend temporarily the duty on 4,6-dimethyl-2-pyrimidinamine; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4557. A bill to extend the temporary suspension of duty on carbamic acid; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4558. A bill to extend and modify the temporarily suspension of duty on Bifenthrin; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4559. A bill to suspend temporarily the duty on Carbofuran technical; to the Committee on Ways and Means.

By Mr. KINZINGER of Illinois:

H.R. 4560. A bill to suspend temporarily the duty on Carbosulfan technical; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4561. A bill to reduce temporarily the duty on 5-Methylpyridine-2,3-dicarboxylic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4562. A bill to extend the suspension of duty on 2-Acetylnicotinic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4563. A bill to extend the suspension of duty on mixtures of 2-amino-2,3-dimethylbutanenitrile and toluene; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4564. A bill to extend the suspension of duty on 3,5-Difluoroaniline; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4565. A bill to extend the suspension of duty on Methyl methoxyacetate; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4566. A bill to modify and extend the reduction of duty on Diethyl ketone; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4567. A bill to suspend temporarily the duty on Oxalic acid, dimethyl ester (DMO); to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4568. A bill to suspend temporarily the duty on Oxalic acid, diethyl ester (DEO); to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4569. A bill to reduce temporarily the duty on Carbamic acid, [4-chloro-2-fluoro-5-[[[methyl(1-methylethylamino)sulfonyl]amino]carbonyl]phenyl]-, ethyl ester (PCM); to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4570. A bill to suspend temporarily the duty on Ethyl 3-amino-4,4,4-trifluorocrotonate; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4571. A bill to reduce temporarily the duty on 5-Ethylpyridine-2,3-dicarboxylic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4572. A bill to suspend temporarily the duty on Dinotefuran; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4573. A bill to extend and modify the reduction of duty on Bentazon, sodium salt; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4574. A bill to modify and extend the temporary reduction of duty on AE 0172747 Ether; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4575. A bill to modify and extend the temporary reduction of duty on Isoxaflutole; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4576. A bill to modify and extend the temporary reduction of duty on Clothianidin; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4577. A bill to extend and modify the temporary reduction of duty on mixtures containing Isoxaflutole and Cyprosulamide; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4578. A bill to suspend temporarily the duty on Triadimefon; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4579. A bill to suspend temporarily the duty on mixtures containing Thiencarbazone-methyl, Isoxadifen-ethyl, and Tembotrione; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4580. A bill to suspend temporarily the duty on mixtures containing Trifloxystrobin, Clothianidin, Carboxin, and Metalaxyl; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 4581. A bill to reduce temporarily the duty on 5-Methylpyridine-2,3-dicarboxylic acid dimethyl ester; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4582. A bill to extend the suspension of duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4583. A bill to extend the suspension of duty on staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4584. A bill to extend the suspension of duty on staple fibers of rayon, carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4585. A bill to suspend temporarily the duty on artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4586. A bill to suspend temporarily the duty on artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4587. A bill to extend the suspension of duty on Reactive Red 266; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4588. A bill to extend the suspension of duty on Reactive Black 005; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4589. A bill to suspend temporarily the duty on Reactive Orange 131; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4590. A bill to suspend temporarily the duty on certain window shade material; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4591. A bill to suspend temporarily the duty on certain window shade material; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4592. A bill to extend the suspension of duty on Chloroacetic acid, sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4593. A bill to extend the suspension of duty on acetyl chloride; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4594. A bill to suspend temporarily the duty on Octanoyl chloride; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4595. A bill to extend the suspension of duty on Glyoxylic Acid; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4596. A bill to extend the suspension of duty on sodium petroleum sulfonic acids, sodium salts; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4597. A bill to suspend temporarily the duty on Mixtures of tetraacetylenediamine with extenders and additives; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4598. A bill to suspend temporarily the duty on 1-Propanonesulfonic acid, 2-methyl-2-[(1-oxo-2-propenyl)amino]-, monoammonium salt, polymer with 1-ethenyl-2-pyrrolidinone; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4599. A bill to extend the suspension of duty on esters and sodium esters of parahydroxybenzoic acid; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4600. A bill to suspend temporarily the duty on Ammonium polyacryloyldimethyl taurate; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4601. A bill to extend the suspension of duty on Isobutyl 4-hydroxybenzoate and its sodium salt; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4602. A bill to extend the suspension of duty on filament tow of rayon; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4603. A bill to extend the suspension of duty on staple fibers of viscose rayon, not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 4604. A bill to amend the Public Health Service Act to provide for a national program to conduct and support activities

toward the goal of significantly reducing the number of cases of overweight and obesity among individuals in the United States; to the Committee on Energy and Commerce.

By Mr. PIERLUISI:

H.R. 4605. A bill to amend the Internal Revenue Code of 1986 to extend the eligibility of activities in Puerto Rico for the deduction for income attributable to domestic production activities; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 4606. A bill to authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purpose; to the Committee on Natural Resources.

By Mr. RIBBLE (for himself, Mr. ISSA, Mr. JORDAN, Mr. CARTER, Mr. CONAWAY, Mr. PAUL, and Mr. JONES):

H.R. 4607. A bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL (for himself and Mr. SCOTT of Virginia):

H.R. 4608. A bill to amend title 10, United States Code, to improve oversight and accountability for military housing projects carried out using the alternative authority provided by subchapter IV of chapter 169 of such title; to the Committee on Armed Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. ACKERMAN,

Mr. BACA, Ms. BALDWIN, Ms. BASS of California, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CAPUANO, Mr. CARNAHAN, Ms. CASTOR of Florida, Ms. CHU, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COURTNEY, Mr. CROWLEY, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DOYLE, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HIGGINS, Mr. HIMES, Mr. HINCHAY, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. KEATING, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SERRANO, Mr. SMITH of Washington, Ms. SPEIER, Mr. STARK, Mr. TONKO, Mr. TOWNS, Mr. WALZ of Minnesota, Mr. WAXMAN, Mr. WELCH, Ms. WOOLSEY, Mr. YARMUTH, Mr. HASTINGS of Florida, Ms. TSONGAS, Mr. HEINRICH, Ms. BONAMICI, and Ms. HIRONO):

H.R. 4609. A bill to amend title II of the Social Security Act to provide for treatment of

permanent partnerships between individuals of the same gender as marriage for purposes of determining entitlement to benefits under such title; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4610. A bill to extend the temporary suspension of duty on 2-methyl-4-methoxy-6-methylamino-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4611. A bill to extend the temporary suspension of duty on 2-amino-4-methoxy-6-methyl-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4612. A bill to extend the temporary suspension of duty on 3-(ethylsulfonyl)-2-pyridinesulfonamide; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4613. A bill to suspend temporarily the duty on Fluthiacet-methyl technical; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4614. A bill to extend the suspension of duty on Carfentrazone-ethyl and formulations thereof; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4615. A bill to extend and modify the reduction of the duty on Sulfentrazone; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4616. A bill to reduce temporarily the duty on Pyroxasulfone; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4617. A bill to extend the temporary suspension of duty on certain used fuel, lubricating, or cooling medium pumps; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4618. A bill to extend the temporary suspension of duty on certain used compression-ignition internal combustion piston engines; to the Committee on Ways and Means.

By Mr. SCHOCK:

H.R. 4619. A bill to extend the temporary suspension of duty on certain used gear boxes; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 4620. A bill to amend title 40, United States Code, to add certain counties in the State of Mississippi to the region represented by the Appalachian Regional Commission; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself and Mr. DENHAM):

H. Con. Res. 118. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself and Ms. LEE of California):

H. Con. Res. 119. Concurrent resolution expressing the sense of the Congress that involuntary homelessness for families, women, and children in America should be eliminated; to the Committee on Financial Services.

By Mr. MARKEY (for himself, Mr. SMITH of New Jersey, Mr. BURGESS, Mr. TOWNS, Mr. GRIJALVA, Ms. SPEIER, Mr. RANGEL, Mrs. MALONEY, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. RAHALL, and Mr. LOBIONDO):

H. Con. Res. 120. Concurrent resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H. Res. 630. A resolution expressing support for Israel and its right to self-defense against

the illegal nuclear program by the Islamic Republic of Iran; to the Committee on Foreign Affairs.

52.23 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Ms. JACKSON LEE of Texas and Ms. RICHARDSON.

H.R. 104: Mr. COSTA.

H.R. 139: Mr. DEUTCH.

H.R. 187: Mr. AUSTIN SCOTT of Georgia.

H.R. 329: Mr. CARSON of Indiana.

H.R. 360: Mr. GOSAR.

H.R. 365: Mr. CONYERS.

H.R. 466: Mr. GOSAR.

H.R. 587: Mr. CONNOLLY of Virginia and Mr. RANGEL.

H.R. 733: Ms. WASSERMAN SCHULTZ, Mr. AUSTIN SCOTT of Georgia, and Mrs. NOEM.

H.R. 757: Mr. BASS of New Hampshire.

H.R. 805: Mr. BRALY of Iowa.

H.R. 812: Mr. THOMPSON of California.

H.R. 816: Mr. GOSAR.

H.R. 889: Mr. HEINRICH.

H.R. 941: Mr. MEEHAN.

H.R. 942: Mr. DAVIS of Kentucky.

H.R. 1006: Mr. BARTLETT.

H.R. 1066: Mr. BLUMENAUER and Mr. SCOTT of Virginia.

H.R. 1161: Ms. ROS-LEHTINEN.

H.R. 1167: Mr. OLSON.

H.R. 1182: Mr. OLSON.

H.R. 1236: Mr. GIBSON.

H.R. 1244: Mr. HOLT.

H.R. 1265: Mr. CUELLAR, Mr. WESTMORELAND, and Mr. GRAVES of Georgia.

H.R. 1296: Mr. GENE GREEN of Texas.

H.R. 1327: Mr. BARTLETT, Mr. ALEXANDER, Mr. BISHOP of Utah, Ms. WILSON of Florida, Mr. DOYLE, Mrs. CAPITO, and Mr. KINZINGER of Illinois.

H.R. 1331: Mr. MICHAUD.

H.R. 1448: Mr. RANGEL and Mrs. MCCARTHY of New York.

H.R. 1463: Mr. POLIS.

H.R. 1513: Mr. FRELINGHUYSEN.

H.R. 1519: Mr. CRITZ.

H.R. 1546: Mr. WALDEN, Mr. LANCE, Mr. LARSON of Connecticut, and Mr. GOSAR.

H.R. 1579: Ms. FUDGE.

H.R. 1588: Mr. KELLY.

H.R. 1612: Mr. ROTHMAN of New Jersey.

H.R. 1666: Mr. BOREN.

H.R. 1738: Ms. MCCOLLUM.

H.R. 1842: Mr. SERRANO and Mrs. LOWEY.

H.R. 1897: Mr. HEINRICH, Mr. MEEHAN, and Mr. MCNERNEY.

H.R. 1951: Mr. HEINRICH.

H.R. 1960: Mr. LATTI.

H.R. 1964: Mr. GIBBS, Mr. CASSIDY, and Mr. ROGERS of Kentucky.

H.R. 2020: Mr. GOSAR.

H.R. 2082: Mr. PETERS.

H.R. 2182: Mr. KINZINGER of Illinois.

H.R. 2206: Mr. THOMPSON of Pennsylvania.

H.R. 2212: Mr. TOWNS.

H.R. 2226: Mr. CICILLINE, Ms. LINDA T. SANCHEZ of California, Mr. GENE GREEN of Texas, Mr. SMITH of Washington, Mr. PERLMUTTER, Mr. THOMPSON of California, Mr. CROWLEY, and Mr. HOLT.

H.R. 2269: Mr. ROTHMAN of New Jersey.

H.R. 2479: Mr. KEATING.

H.R. 2541: Mr. HURT.

H.R. 2568: Mr. LONG.

H.R. 2569: Mrs. BLACKBURN and Mr. CRAWFORD.

H.R. 2592: Mr. PAUL.

H.R. 2597: Mr. LOBIONDO.

H.R. 2617: Ms. DELAURO.

H.R. 2655: Mr. MEEHAN, Ms. SUTTON, Mr. FATTAH, Mr. CICILLINE, and Mr. COSTA.

H.R. 2680: Mr. STEARNS.

H.R. 2705: Mr. GRIJALVA and Mr. GEORGE MILLER of California.

H.R. 2721: Mr. GUTIERREZ, Mr. JOHNSON of Georgia, and Mr. FALCOMA VAEGA.

H.R. 2746: Mr. TOWNS, Mr. HASTINGS of Florida, and Mr. GRIJALVA.

H.R. 2827: Mr. WOMACK, Mr. MCCOTTER, and Mr. LUCAS.

H.R. 2950: Mr. ANDREWS.

H.R. 2951: Mr. KING of Iowa, and Mr. ROSS of Florida.

H.R. 2966: Mr. ALTMIRE and Mr. RIVERA.

H.R. 2978: Mr. COFFMAN of Colorado.

H.R. 2989: Mr. REICHERT.

H.R. 3032: Ms. RICHARDSON.

H.R. 3044: Mr. WESTMORELAND.

H.R. 3059: Mr. CARNEY and Mr. KINZINGER of Illinois.

H.R. 3068: Mr. SCOTT of South Carolina.

H.R. 3096: Mr. PLATTS.

H.R. 3173: Ms. MCCOLLUM, Mr. RAHALL, Mr. HANNA, Ms. RICHARDSON, Mr. HARRIS, Mr. GRAVES of Missouri, and Mr. LARSEN of Washington.

H.R. 3179: Mr. BACHUS, Mr. CONAWAY, Mr. HANABUSA, Mr. ELLISON, and Ms. SCHAKOWSKY.

H.R. 3187: Mr. CARDOZA, Mr. HINOJOSA, Mr. BACA, Mr. BOREN, Mr. TURNER of New York, Mr. GUTIERREZ, Mr. DANIEL E. LUNGREN of California, Mrs. CAPPS, Ms. HAHN, Mr. DEUTCH, and Mr. HANABUSA.

H.R. 3200: Mr. GIBSON.

H.R. 3203: Mr. GOSAR.

H.R. 3208: Mr. GOSAR.

H.R. 3423: Mr. HASTINGS of Florida and Mr. ROSS of Florida.

H.R. 3485: Ms. SCHWARTZ.

H.R. 3506: Mr. SOUTHERLAND, Mr. GRIJALVA, and Mr. MEEHAN.

H.R. 3591: Mr. GIBSON and Mr. OWENS.

H.R. 3596: Ms. MOORE, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CHU, and Mr. VISLOSKEY.

H.R. 3612: Mr. FORTENBERRY, Mr. WEST, and Mr. HASTINGS of Florida.

H.R. 3618: Ms. ESHOO, Mr. CLARKE of Michigan, Ms. DEGETTE, Mr. KUCINICH, Mr. OLVER, Mrs. NAPOLITANO, Ms. LORETTA SANCHEZ of California, Ms. CLARKE of New York, Mr. AL GREEN of Texas, Ms. MOORE, and Mr. HINCHY.

H.R. 3627: Mr. DOYLE and Mr. OLSON.

H.R. 3665: Mr. MARKEY, Ms. SCHAKOWSKY, Ms. MOORE, and Mr. BLUMENAUER.

H.R. 3721: Mr. GRIMM.

H.R. 3729: Mr. NEAL, Mr. DOGGETT, and Mr. ROSS of Florida.

H.R. 3797: Mr. PALLONE.

H.R. 3798: Ms. SPEIER, Mr. WAXMAN, Mr. RUSH, and Mr. ELLISON.

H.R. 3809: Mr. LOBIONDO.

H.R. 3826: Mr. SCHRADER, Mr. HANABUSA, Mr. KIND, Mrs. LOWEY, Mr. ANDREWS, Mr. KISSELL, Ms. ROYBAL-ALLARD, Mr. BACA, Mr. MCINTYRE, Mr. SCOTT of Virginia, Mr. LEVIN, Mr. SERRANO, Mrs. MCCARTHY of New York, Ms. TSONGAS, Mr. PIERLUISI, Ms. WASSERMAN SCHULTZ, Mr. BRADY of Pennsylvania, Mr. SMITH of Washington, and Ms. KAPTUR.

H.R. 3848: Mr. GRAVES of Georgia, Mr. LONG, Mr. PRICE of Georgia, Mr. GIBBS, Mr. LUETKEMEYER, Mr. BISHOP of Georgia, and Mr. FLEISCHMANN.

H.R. 3881: Ms. ROYBAL-ALLARD.

H.R. 3895: Ms. BUERKLE.

H.R. 3903: Mr. SMITH of Washington, Ms. RICHARDSON, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. KILDEE, and Mr. YARMUTH.

H.R. 3905: Mr. CARNAHAN.

H.R. 3974: Ms. BONAMICI.

H.R. 3991: Mr. PALAZZO.

H.R. 4004: Ms. BONAMICI and Mr. GARDNER.

H.R. 4029: Mr. GIBBS.

H.R. 4045: Ms. PINGREE of Maine.

H.R. 4057: Mr. OWENS.

H.R. 4060: Mr. AUSTIN SCOTT of Georgia.

H.R. 4063: Mr. PRICE of North Carolina.

H.R. 4070: Mr. AUSTRIA and Mr. BARROW.

H.R. 4077: Mr. YODER.

H.R. 4124: Mr. QUIGLEY and Mr. MICHAUD.

H.R. 4134: Mr. CLEAVER, Mr. MEEKS, Mr. GRIFFIN of Arkansas, Ms. LORETTA SANCHEZ of California, Mr. BUTTERFIELD, Mr. DAVID SCOTT of Georgia, Mrs. BLACKBURN, Mr. THORNBERRY, Mr. WOMACK, and Mr. SCHOCK.

H.R. 4142: Mr. JONES.

H.R. 4144: Ms. RICHARDSON.

H.R. 4160: Mrs. BLACK.

H.R. 4164: Mr. WITTMAN and Mr. FORTENBERRY.

H.R. 4169: Mr. SHERMAN and Mr. CALVERT.

H.R. 4170: Mr. BOREN and Ms. SPEIER.

H.R. 4199: Mr. DEUTCH.

H.R. 4209: Mr. CRENSHAW, Mr. BONNER, and Mr. JACKSON of Illinois.

H.R. 4222: Mr. GOSAR.

H.R. 4228: Mr. AUSTIN SCOTT of Georgia, Mr. SCHOCK, and Mr. COFFMAN of Colorado.

H.R. 4232: Ms. KAPTUR.

H.R. 4243: Mr. MARINO and Mr. SHIMKUS.

H.R. 4256: Mr. PETERSON, Mr. BENISHEK, Mr. GRIFFIN of Arkansas, and Mr. MANZULLO.

H.R. 4271: Mr. BERMAN, Mr. COURTNEY, Mr. SCHRADER, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BOSWELL.

H.R. 4277: Mr. ANDREWS, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. CARSON of Indiana, Mr. CLARKE of Michigan, Mr. CLEAVER, Mr. COHEN, Mr. COSTELLO, Mr. CUMMINGS, Mr. ELLISON, Mr. FATTAH, Mr. FILNER, Ms. FUDGE, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HINCHEY, Mr. HOLT, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. KUCINICH, Ms. LEE of California, Mr. McDERMOTT, Mr. MEEKS, Ms. MOORE, Mr. MORAN, Mr. NADLER, Ms. NORTON, Mr. OLVER, Mr. PASCARELL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Mr. RUSH, Ms. SCHA-KOWSKY, Ms. SEWELL, Mr. SIRES, Ms. SLAUGHTER, Mr. STARK, Mr. TOWNS, Ms. WATERS, Ms. WOOLSEY, Mr. YARMUTH, and Mr. NEAL.

H.R. 4278: Mr. LONG, Mr. WESTMORELAND, Mr. ROE of Tennessee, Mr. MCINTYRE, and Mr. JOHNSON of Ohio.

H.R. 4332: Mr. BURGESS.

H.R. 4345: Mr. LATHAM.

H.R. 4351: Mr. RYAN of Ohio.

H.R. 4367: Mr. RENACCI, Mr. SHERMAN, Mr. JONES, and Mr. NEUGEBAUER.

H.R. 4385: Mr. CAMPBELL, Mr. SCOTT of South Carolina, Mr. MARCHANT, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. ROSS of Florida, Mrs. BLACK, Ms. JENKINS, and Mr. GOODLATTE.

H.R. 4388: Mr. LAMBORN, Mr. ROTHMAN of New Jersey, Mr. GRAVES of Georgia, and Mr. FARENTHOLD.

H.R. 4390: Mr. GENE GREEN of Texas.

H.R. 4454: Mr. BARLETTA and Mrs. BLACK.

H.R. 4470: Mr. McDERMOTT, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Mr. JACKSON of Illinois, Ms. NORTON, and Ms. RICHARDSON.

H.J. Res. 13: Mr. RIGELL and Mr. GOSAR.

H.J. Res. 88: Mr. NEAL.

H.J. Res. 103: Mr. BONNER, Mr. PRICE of Georgia, and Mr. FRANKS of Arizona.

H.J. Res. 104: Mr. FORBES.

H. Con. Res. 63: Mr. RANGEL, Mr. LATOURETTE, and Mr. FILNER.

H. Con. Res. 101: Mr. AMODEI and Mr. BACHUS.

H. Con. Res. 114: Mr. BUTTERFIELD.

H. Res. 57: Mr. STEARNS.

H. Res. 130: Mr. CARDOZA.

H. Res. 134: Mr. FORBES and Mr. HASTINGS of Florida.

H. Res. 282: Mr. REICHERT.

H. Res. 298: Mr. FORBES.

H. Res. 304: Mr. HINCHEY and Mr. DEFazio.

H. Res. 507: Mr. FLORES.

H. Res. 583: Mr. YARMUTH, Mr. YODER, and Mr. CLAY.

H. Res. 601: Mr. SMITH of New Jersey.

H. Res. 604: Mr. TIBERI and Mr. BROUN of Georgia.

H. Res. 608: Mr. CARSON of Indiana.

H. Res. 618: Mr. FALCOMA and Mr. DINGELL.

H. Res. 623: Mrs. BLACKBURN, Mr. HUIZENGA of Michigan, Mr. MULVANEY, Mr. GOHMERT, Mr. CUELLAR, Ms. BUERKLE, Mr. FLORES, Mr. HARRIS, Mr. YODER, Mr. WESTMORELAND, Mr. PAUL, Ms. JENKINS, Mr. ROSS of Arkansas, and Mr. BOSWELL.

WEDNESDAY, APRIL 25, 2012 (53)

¶53.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. PALAZZO, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
April 25, 2012.

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶53.2 RECESS—10:51 A.M.

The SPEAKER pro tempore, Mr. PALAZZO, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 51 minutes a.m., until 1 p.m.

¶53.3 AFTER RECESS—1 P.M.

The SPEAKER called the House to order.

¶53.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, April 24, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶53.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5766. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Silicic Acid, Sodium Salt etc.; Tolerance Exemption [EPA-HQ-OPP-2011-0934; FRL-9333-6] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5767. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-02; to the Committee on Appropriations.

5768. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-03; to the Committee on Appropriations.

5769. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-09; to the Committee on Appropriations.

5770. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01; to the Committee on Appropriations.

5771. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Implementation Plans; Kentucky; Attainment Plan for the Kentucky Portion of the Huntington-Ashland 1997 Annual PM_{2.5} Nonattainment Area [EPA-R04-OAR-2010-0255; FRL-9657-4] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5772. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Handling, Storage, and Disposal of Volatile Organic Compounds Emissions; Automobile and Light-Duty Truck Coating Operations; Paper Coating; Coating of Flat Wood Paneling; Graphic Art Systems; and Industrial Cleaning Solvents [EPA-R03-OAR-2011-0998; FRL-9657-1] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5773. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Small Container Exemption from VOC Coating Rules [EPA-R05-OAR-2012-0073; FRL-9651-5] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5774. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Dakota; Regional Haze State Implementation Plan [EPA-R08-OAR-2011-0870; FRL-9658-9] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5775. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Missouri; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule; New Source Review Reform [EPA-R07-OAR-2011-0825; FRL-9657-8] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5776. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Technical Corrections and Clarifications Rule [EPA-RCRA-2008-0678; FRL-9659-7] (RIN: 2050-AG52) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5777. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units; Correction [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9654-8] (RIN: 2060-AP52 and 2060-AR31) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5778. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State Implementation Plan Pinal County Air Quality Control District [EPA-R09-OAR-2008-0359; FRL-9639-5] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5779. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Northern Sierra and Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2012-0243; FRL-9659-8] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5780. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2012-0180; FRL-9652-2] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5781. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on U.S. support for Taiwan's participation as an observer at the 65th World Health Assembly and in the work of the World Health Organization, as mandated in the 2004 Participation of Taiwan in the World Health Organization Act, Pub. L. 108-235, Sec. 1(c); to the Committee on Foreign Affairs.

5782. A letter from the Staff Director, Federal Election Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5783. A letter from the General Counsel, Government Accountability Office, transmitting the Office's annual 2011 report of the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

5784. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5785. A letter from the Director, Congressional Affairs and Public Relations, Trade and Development Agency, transmitting the Agency's Fiscal Year 2010 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5786. A letter from the Assistant Attorney General, Department of Justice, transmitting the Fourth Quarter 2011 report of Settlements by the United States with Nonmonetary Relief Exceeding Three Years and Settlements Against the United States Exceeding \$2 Million; to the Committee on the Judiciary.

5787. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's 50th annual report of activities for fiscal year 2011, pursuant to Section 103(e) of the Reorganization Plan No. 7 of 1961 and Section 208 of the Merchant Marine Act of 1936, as amended; to the Committee on Transportation and Infrastructure.

5788. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Interest on Untimely Paid Vessel Repair Duties [USCBP-2008-0085] (RIN: 1515-AD74) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5789. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule

— Nonconventional Source Fuel Credit, 2011 Section 45K Inflation Adjustment Factor and Section 45K Reference Price [Notice 2012-30] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5790. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-28] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Alan Baer Revocable Trust v. United States, 105 AFTR 2d 1544, 2010-1 USTC 60,590 (D. Neb. 2010) [AOD 2012-04] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5792. A letter from the Acting Chair, Social Security Advisory Board, transmitting the Board's report of the 2011 Social Security Technical Panel on Assumptions and Methods; to the Committee on Ways and Means.

5793. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance And Disability Insurance Trust Funds, transmitting the 2012 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112—102); to the Committee on Ways and Means and ordered to be printed.

5794. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting report to Congress on The Proliferation Security Initiative (PSI) Budget Plan and Review P.L. 110-53, Section 1821(b)(2); jointly to the Committees on Foreign Affairs and Armed Services.

5795. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2010, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Oversight and Government Reform and Education and the Workforce.

5796. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2012 Annual Report Of The Boards Of Trustees Of The Federal Hospital Insurance And Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112—101); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

53.6 DIGITAL ACCOUNTABILITY AND TRANSPARENCY

Mr. ISSA moved to suspend the rules and pass the bill (H.R. 2146) to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. ISSA and Mr. CUMMINGS, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

53.7 SMALL BUSINESS CREDIT AVAILABILITY

Mr. LUCAS moved to suspend the rules and pass the bill (H.R. 3336) to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act; as amended.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, recognized Mr. LUCAS and Mr. PETERSON, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Mrs. MALONEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

53.8 SURFACE TRANSPORTATION EXTENSION

On motion of Mr. MICA, by unanimous consent, the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. MICA, it was, Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

53.9 MOTION TO INSTRUCT CONFEREES— H.R. 4348

Mr. RAHALL moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to H.R. 4348, be instructed to recede from disagreement to the amendment of the Senate.

After debate, By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce, Will the House agree to said motion?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the nays had it.

Mr. RAHALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

53.10 RECESS—3:24 P.M.

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 12(a) of rule I, declared the House in recess at 3 o'clock and 24 minutes p.m., until approximately 4:45 p.m.

53.11 AFTER RECESS—4:45 P.M.

The SPEAKER pro tempore, Mr. YODER, called the House to order.

53.12 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. RAHALL, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put, Will the House agree to said motion? The vote was taken by electronic device.

It was decided in the { Yeas 181
negative } Nays 242

53.13 [Roll No. 179]

YEAS—181

Ackerman	Cleaver	Gonzalez
Altmire	Clyburn	Green, Al
Andrews	Cohen	Green, Gene
Baca	Connolly (VA)	Grijalva
Baldwin	Conyers	Gutierrez
Bass (CA)	Cooper	Hahn
Bass (NH)	Costa	Hanabusa
Becerra	Costello	Hastings (FL)
Berkley	Courtney	Heinrich
Berman	Critz	Higgins
Bishop (GA)	Crowley	Himes
Bishop (NY)	Cuellar	Hinchev
Blumenauer	Cummings	Hinojosa
Bonomici	Davis (CA)	Hirono
Boren	Davis (IL)	Hochul
Boswell	DeFazio	Holt
Brady (PA)	DeGette	Honda
Braley (IA)	DeLauro	Hoyer
Brown (FL)	Deutch	Israel
Butterfield	Dicks	Jackson (IL)
Capps	Dingell	Jackson Lee
Capuano	Doggett	(TX)
Cardoza	Donnelly (IN)	Johnson (GA)
Carnahan	Doyle	Johnson, E. B.
Carney	Edwards	Kaptur
Carson (IN)	Ellison	Keating
Castor (FL)	Engel	Kildee
Chandler	Eshoo	Kind
Chu	Farr	Kucinich
Cicilline	Fattah	Langevin
Clarke (MI)	Frank (MA)	Larsen (WA)
Clarke (NY)	Fudge	Larson (CT)
Clay	Garamendi	Lee (CA)

Levin	Pastor (AZ)	Sewell
Lewis (GA)	Pelosi	Sherman
Lofgren, Zoe	Perlmutter	Shuler
Lujan	Peters	Sires
Lujan Lynch	Pingree (ME)	Smith (WA)
Maloney	Polis	Speier
Markey	Price (NC)	Stark
Matheson	Quigley	Sutton
Matsui	Rahall	Thompson (CA)
McCarthy (NY)	Reyes	Thompson (MS)
McCollum	Richardson	Tierney
McDermott	Richmond	Tonko
McGovern	Ross (AR)	Towns
McIntyre	Rothman (NJ)	Tsongas
McNerney	Roybal-Allard	Van Hollen
Meeks	Ruppersberger	Velázquez
Michaud	Rush	Visclosky
Miller (NC)	Ryan (OH)	Walz (MN)
Miller, George	Sánchez, Linda	Wasserman
Moore	T.	Schultz
Moran	Sanchez, Loretta	Waters
Murphy (CT)	Sarbanes	Watt
Nadler	Shakowsky	Waxman
Napolitano	Schiff	Welch
Neal	Schrader	Wilson (FL)
Oliver	Schwartz	Woolsey
Owens	Scott (VA)	Yarmuth
Pallone	Scott, David	
Pascarell	Serrano	

NAYS—242

Adams	Forbes	Lungren, Daniel
Aderholt	Fortenberry	E.
Akin	Foxo	Mack
Alexander	Franks (AZ)	Manzullo
Amash	Frelinghuysen	Marchant
Amodei	Gallely	McCarthy (CA)
Austria	Gardner	McCauley
Bachmann	Garrett	McClintock
Bachus	Gerlach	McCotter
Barletta	Gibbs	McHenry
Barrow	Gibson	McKeon
Bartlett	Gingrey (GA)	McKinley
Barton (TX)	Gohmert	McMorris
Benishek	Goodlatte	Rodgers
Berg	Gosar	Meehan
Biggert	Gowdy	Mica
Bilbray	Granger	Miller (FL)
Bilirakis	Graves (GA)	Miller (MI)
Bishop (UT)	Graves (MO)	Miller, Gary
Black	Griffin (AR)	Mulvaney
Blackburn	Griffith (VA)	Murphy (PA)
Bonner	Grimm	Myrick
Bono Mack	Guinta	Neugebauer
Boustany	Guthrie	Noem
Brady (TX)	Hall	Nugent
Brooks	Hanna	Nunes
Broun (GA)	Harper	Nunnelee
Buchanan	Harris	Olson
Bucshon	Hartzler	Palazzo
Buerkle	Hastings (WA)	Paulsen
Burgess	Hayworth	Pearce
Burton (IN)	Heck	Pence
Calvert	Hensarling	Peterson
Camp	Herger	Petri
Campbell	Herrera Beutler	Pitts
Canseco	Huelskamp	Platts
Cantor	Huizenga (MI)	Poe (TX)
Clyburn	Hultgren	Pompeo
Capito	Hunter	Posey
Carter	Hurt	Price (GA)
Cassidy	Issa	Quayle
Chabot	Jenkins	Reed
Chaffetz	Johnson (IL)	Rehberg
Coble	Johnson (OH)	Reichert
Coffman (CO)	Johnson, Sam	Renaeci
Cole	Jones	Ribble
Conaway	Jordan	Rigell
Conaway	Kelly	Rivera
Crawaack	King (IA)	Roby
Crawford	King (NY)	Roe (TN)
Crenshaw	Kingston	Rogers (AL)
Critz	Kinzinger (IL)	Rogers (KY)
Crowley	Kissell	Rogers (MI)
Cuellar	Kline	Rohrabacher
Culberson	Labrador	Rokita
Bonner	Lamborn	Rooney
Bono Mack	Lance	Ros-Lehtinen
Boren	Landry	Roskam
Boswell	Lankford	Ross (FL)
Boustany	Latham	Royce
Brady (TX)	LaTourette	Ryunan
Brooks	Latta	Ryan (WI)
Broun (GA)	Lewis (CA)	Scalise
Brown (FL)	Lipinski	Schilling
Buchanan	LoBiondo	Schmidt
Bucshon	Long	Schock
Buerkle	Lucas	Schweikert
Burgess	Luetkemeyer	Scott (SC)
Burton (IN)	Lummis	Scott, Austin
Butterfield		
Calvert		
Campbell		
Canseco		

Sensenbrenner	Terry	Westmoreland
Sessions	Thompson (PA)	Whitfield
Shimkus	Thornberry	Wilson (SC)
Shuster	Tiberi	Wittman
Simpson	Tipton	Wolf
Smith (NE)	Turner (NY)	Womack
Smith (NJ)	Turner (OH)	Woodall
Smith (TX)	Upton	Yoder
Southerland	Walberg	Young (AK)
Stearns	Walden	Young (FL)
Stivers	Walsh (IL)	Young (IN)
Stutzman	Webster	
Sullivan	West	

NOT VOTING—8

Filner	Lowey	Rangel
Holden	Marino	Slaughter
Loeb sack	Paul	

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

53.14 H.R. 3336—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3336) to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 312
affirmative } Nays 111

53.15 [Roll No. 180]

YEAS—312

Adams	Cantor	Flake
Aderholt	Capito	Fleischmann
Akin	Cardoza	Fleming
Alexander	Carnahan	Flores
Altmire	Carney	Forbes
Amash	Carson (IN)	Fortenberry
Amodei	Carter	Foxo
Andrews	Cassidy	Franks (AZ)
Austria	Castor (FL)	Frelinghuysen
Baca	Chabot	Gallely
Bachmann	Chaffetz	Gardner
Bachus	Chandler	Garrett
Barletta	Clarke (MI)	Gerlach
Barrow	Clyburn	Gibbs
Bartlett	Coble	Gibson
Barton (TX)	Coffman (CO)	Gingrey (GA)
Bass (CA)	Cole	Gohmert
Bass (NH)	Conaway	Goodlatte
Benishek	Connolly (VA)	Gosar
Berg	Cooper	Gowdy
Berkley	Costa	Granger
Biggert	Costello	Graves (GA)
Bilbray	Crawaack	Graves (MO)
Bilirakis	Crawford	Green, Gene
Bishop (GA)	Crenshaw	Griffin (AR)
Bishop (UT)	Critz	Griffith (VA)
Black	Crowley	Grimm
Blackburn	Cuellar	Guinta
Bonner	Culberson	Guthrie
Bono Mack	Davis (KY)	Hahn
Boren	Denham	Hall
Boswell	Dent	Hanabusa
Boustany	DesJarlais	Hanna
Brady (TX)	Diaz-Balart	Harper
Brooks	Dold	Harris
Broun (GA)	Donnelly (IN)	Hartzler
Brown (FL)	Doyle	Hastings (WA)
Buchanan	Dreier	Hayworth
Bucshon	Duffy	Heck
Buerkle	Duncan (SC)	Hensarling
Burgess	Duncan (TN)	Herger
Burton (IN)	Ellmers	Herrera Beutler
Butterfield	Emerson	Higgins
Calvert	Farenthold	Himes
Campbell	Farr	Hinojosa
Canseco	Fincher	Hochul
	Fitzpatrick	Honda

Huelskamp Mica Ruppertsberger
Huizenga (MI) Miller (FL) Ryan (WI)
Hultgren Miller (MI) Sanchez, Loretta
Hunter Miller, Gary Scalise
Hurt Moore Schiff
Israel Mulvaney Schilling
Issa Murphy (PA) Schmidt
Jenkins Myrick Schock
Johnson (IL) Neugebauer Schrader
Johnson (OH) Noem Schwartz
Johnson, Sam Nugent Schweikert
Jones Nunes Scott (SC)
Jordan Nunnelee Scott, Austin
Keating Olson Scott, David
Kelly Owens Sensenbrenner
Kind Palazzo Sessions
King (IA) Pastor (AZ) Sewell
King (NY) Paulsen Shimkus
Kingston Pearce Shuler
Kinzinger (IL) Pence Shuster
Kissell Peters Simpson
Kline Peterson Sires
Labrador Petri Smith (NE)
Lamborn Pitts Smith (NJ)
Lance Platts Smith (TX)
Landry Poe (TX) Southerland
Langevin Polis Stearns
Lankford Pompeo Stivers
Larsen (WA) Posey Stutzman
Latham Price (GA) Sullivan
LaTourette Quayle Terry
Latta Quigley Thompson (MS)
Lewis (CA) Rahall Reed
Lipinski Lipinski Thompson (PA)
LoBiondo Rehberg Thornberry
Long Reichert Tiberi
Lucas Renacci Tipton
Luetkemeyer Reyes Turner (NY)
Lummis Ribble Turner (OH)
Lungren, Daniel Richardson Upton
E. Richmond
Mack Rigell Walberg
Manzullo Rivera Walden
Marchant Roby Walsh (IL)
Matheson Roe (TN) Walz (MN)
McCarthy (CA) Rogers (AL) Webster
McCarthy (NY) Rogers (KY) West
McCaul Rogers (MI) Westmoreland
McClintock Rohrabacher Whitfield
McCotter Rokita Wilson (SC)
McHenry Rooney Wittman
McIntyre Ros-Lehtinen Wolf
McKeon Roskam Womack
McKinley Ross (AR) Woodall
McMorris Ross (FL) Yoder
Rodgers Roybal-Allard Young (AK)
McNerney Royce Young (FL)
Meehan Runyan Young (IN)

NAYS—111

Ackerman Green, Al Neal
Baldwin Grijalva Olver
Becerra Gutierrez Pallone
Berman Hastings (FL) Pascrell
Bishop (NY) Heinrich Pelosi
Blumenauer Hinchey Perlmutter
Bonamici Hirono Pingree (ME)
Brady (PA) Holt Price (NC)
Braley (IA) Hoyer Rothman (NJ)
Capps Jackson (IL) Rush
Capuano Jackson Lee Ryan (OH)
Chu (TX) Sanchez, Linda
Cicilline Johnson (GA) T.
Clarke (NY) Johnson, E. B. Sarbanes
Clay Kaptur Schakowsky
Cleaver Kildee Scott (VA)
Cohen Kucinich Serrano
Conyers Larson (CT) Sherman
Courtney Lee (CA) Smith (WA)
Cummings Levin Speier
Davis (CA) Lewis (GA) Stark
Davis (IL) Lofgren, Zoe Thompson (CA)
DeFazio Lujan Tierney
DeGette Lynch Tonko
DeLauro Maloney Towns
Deutch Markey Tsongas
Dicks Matsui Van Hollen
Dingell McCollum Velazquez
Doggett McDermott Visclosky
Edwards McGovern Wasserman
Ellison Meeks Schultz
Engel Michaud Waters
Eshoo Miller (NC) Watt
Fattah Miller, George Waxman
Frank (MA) Moran Welch
Fudge Murphy (CT) Wilson (FL)
Garamendi Nadler Woolsey
Gonzalez Napolitano Yarmuth

NOT VOTING—8
Filner Lowey Rangel
Holden Marino Slaughter
Loebsack Paul
So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.
A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.
Ordered, That the Clerk request the concurrence of the Senate in said bill.
53.16 H.R. 1038—UNFINISHED BUSINESS
The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1038) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; as amended.
The question being put,
Will the House suspend the rules and pass said bill, as amended?
The vote was taken by electronic device.
It was decided in the { Yeas 421
affirmative } Nays 1
53.17 [Roll No. 181]
YEAS—421
Ackerman Calvert Denham
Adams Camp Dent
Aderholt Campbell DesJarlais
Alexander Canseco Deutch
Altire Cantor Diaz-Balart
Amodei Capito Dicks
Andrews Capps Dingell
Austria Capuano Doggett
Baca Cardoza Dold
Bachmann Carnahan Donnelly (IN)
Bachus Carney Doyle
Baldwin Carson (IN) Dreier
Barletta Carter Duffy
Barrow Cassidy Duncan (SC)
Bartlett Castor (FL) Duncan (TN)
Barton (TX) Chabot Edwards
Bass (CA) Chaffetz Ellison
Bass (NH) Chandler Ellmers
Becerra Chu Emerson
Benishek Cicilline Engel
Berg Clarke (MI) Eshoo
Berkley Clarke (NY) Farenthold
Berman Clay Farr
Biggart Cleaver Fattah
Billray Clyburn Fincher
Coble Coble Fitzpatrick
Coffman (CO) Flake
Cohen Cole Fleischmann
Coe Fleming
Conaway Flores
Connolly (VA) Forbes
Conyers Fortenberry
Cooper Foxx
Costa Frank (MA)
Costello Costello Franks (AZ)
Courtney Frelinghuysen
Cravaack Fudge
Crawford Gallely
Crenshaw Garamendi
Critz Gardner
Crowley Garrett
Cuellar Gerlach
Culberson Gibbs
Cummings Gibson
Davis (CA) Gingrey (GA)
Davis (IL) Gohmert
Davis (KY) Gonzalez
DeFazio Goodlatte
DeGette Gosar
DeLauro Gowdy

Granger Mack Ross (AR)
Graves (GA) Maloney Ross (FL)
Graves (MO) Manzullo Rothman (NJ)
Green, Al Marchant Roybal-Allard
Green, Gene Markey Royce
Griffin (AR) Matheson Runyan
Griffith (VA) Matsui Ruppertsberger
Grijalva McCarthy (CA) Rush
Grimm McCarthy (NY) Ryan (OH)
Guinta McCaul Ryan (WI)
Guthrie McClintock Sanchez, Linda
Gutierrez McCollum T.
Hahn McCotter Sanchez, Loretta
Hall McDermott Sarbanes
Hanabusa McGovern Scalise
Hanna McHenry Schakowsky
Harper McIntyre Schiff
Harris McKeon Schilling
Hartzler McKinley Schmidt
Hastings (FL) McMorris Schock
Hastings (WA) Rodgers Schrader
Hayworth McNerney Schwartz
Heck Meehan Schweikert
Heinrich Meeks Scott (SC)
Hensarling Mica Scott (VA)
Herger Michaud Scott, Austin
Herrera Beutler Miller (FL) Scott, David
Higgins Miller (MI) Sensenbrenner
Himes Miller (NC) Serrano
Hinchey Miller, Gary Sessions
Hinojosa Miller, George Sewell
Hirono Moore Sherman
Hochul Moran Shimkus
Holt Mulvaney Shuler
Honda Murphy (CT) Shuster
Hoyer Murphy (PA) Simpson
Huelskamp Myrick Sires
Huizenga (MI) Nadler Smith (NE)
Hultgren Napolitano Smith (NJ)
Hunter Neal Smith (TX)
Hurt Neugebauer Smith (WA)
Israel Noem Southerland
Issa Nugent Speier
Jackson (IL) Nunes Stark
Jackson Lee (TX) Olson Stearns
Jenkins Oliver Stivers
Johnson (GA) Owens Stutzman
Johnson (IL) Palazzo Sullivan
Johnson (OH) Pallone Sutton
Johnson, E. B. Pascrell Terry
Johnson, Sam Pastor (AZ) Thompson (CA)
Jones Paulsen Thompson (MS)
Jordan Pearce Thompson (PA)
Kaptur Pelosi Thornberry
Keating Pence Tiberi
Kelly Perlmutter Tierney
Kildee Peters Tipton
Kind Peterson Tonko
King (IA) Petri Towns
King (NY) Pingree (ME) Tsongas
Kingston Pitts Turner (NY)
Kinzinger (IL) Platts Turner (OH)
Kissell Poe (TX) Upton
Kline Poliss Van Hollen
Kucinich Pompeo Velazquez
Labrador Posey Visclosky
Lamborn Price (GA) Walberg
Lance Price (NC) Walden
Landry Quayle Walsh (IL)
Langevin Quigley Walsh (MN)
Lankford Rahall Wasserman
Larsen (WA) Reed Schultz
Larson (CT) Rehberg Waters
Latham Reichert Watt
LaTourette Renacci Waxman
Latta Reyes Webber
Lee (CA) Ribble Welch
Levin Richardson West
Lewis (CA) Richmond Westmoreland
Lewis (GA) Rigell Whitfield
Lipinski Rivera Wilson (FL)
LoBiondo Roby Wilson (SC)
Lofgren, Zoe Roe (TN) Wittman
Long Rogers (AL) Wolf
Lucas Rogers (KY) Womack
Luetkemeyer Rogers (MI) Woodall
Lujan Rohrabacher Woolsey
Lummis Rokita Yarmuth
Lungren, Daniel Rooney Yoder
E. Ros-Lehtinen Young (AK)
Lynch Roskam Young (FL)
Amash Young (IN)

NAYS—1

NOT VOTING—9

Akin Loebsack Paul
Filner Lowey Rangel
Holden Marino Slaughter

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§53.18 APPOINTMENT OF CONFEREES—
H.R. 4348

The SPEAKER pro tempore, Mr. MEEHAN, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the amendment of the Senate (except secs. 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309 40312, 100112 100114, and 100116), and modifications committed to conference: Messrs. MICA, YOUNG of Alaska, DUNCAN of Tennessee, SHUSTER, Mrs. CAPITO, Mr. CRAWFORD, Ms. HERRERA BEUTLER, Messrs. BUCSHON, HANNA, SOUTHERLAND, LANKFORD, RIBBLE, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Messrs. CUMMINGS, BOSWELL, and BISHOP of New York.

From the Committee on Energy and Commerce, for consideration of sec. 142 and titles II and V of the House bill, and secs. 1113, 1201, 1202, subtitles B, C, D, and E of title I of Division C, secs. 32701 32705, 32710, 32713, 40101, and 40301 of the amendment of the Senate, and modifications committed to conference: Messrs. UPTON, WHITFIELD, and WAXMAN.

From the Committee on Natural Resources, for consideration of secs. 123, 142, 204, and titles III and VI of the House bill, and sec. 1116, subtitles C, F, and G of title I of Division A, sec. 33009, titles VI and VII of Division C, sec. 40101, subtitles A and B of title I of Division F, and sec. 100301 of the amendment of the Senate, and modifications committed to conference: Messrs. HASTINGS of Washington, BISHOP of Utah, and MARKEY.

From the Committee on Science, Space, and Technology for consideration of secs. 121, 123, 136, and 137 of the House bill, and sec. 1534, subtitle F of title I of Division A, secs. 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and Division E of the amendment of the Senate, and modifications committed to conference: Messrs. HALL, CRAVAACK, and Ms. Eddie Bernice JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of secs. 141 and 142 of the House bill, and secs. 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301 40307, 40309 40314, 100112 100114, and 100116 of the amendment of the Senate, and modifications committed to conference: Messrs. CAMP, TIBERI, and BLUMENAUER.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

§53.19 PROVIDING FOR CONSIDERATION OF H.R. 3523, MOTIONS TO SUSPEND THE RULES, AND H.R. 4628

Mr. NUGENT, by direction of the Committee on Rules, reported (Rept. No. 112-454) the resolution (H. Res. 631) providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

And then,

§53.20 ADJOURNMENT

On motion of Mr. NUGENT, at 7 o'clock and 34 minutes p.m., the House adjourned.

§53.21 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 2308. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; with an amendment (Rept. 112-453). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 631. Resolution providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes (Rept. 112-454). Referred to the House Calendar.

§53.22 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 4621. A bill to authorize negotiations with Brazil to eliminate tariffs and trade barriers to United States ethanol exports; to the Committee on Ways and Means, and in

addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McNERNEY:

H.R. 4622. A bill to provide for the establishment of a grant program to assist State and local governments to install solar energy systems; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself and Mr. CAMPBELL):

H.R. 4623. A bill to amend the Internal Revenue Code of 1986 to expand and make permanent rules related to investment by non-resident aliens in domestic mutual funds; to the Committee on Ways and Means.

By Mr. BACHUS (for himself and Mrs. MCCARTHY of New York):

H.R. 4624. A bill to amend the Investment Advisers Act of 1940 to provide for the registration and oversight of national investment adviser associations; to the Committee on Financial Services.

By Mr. WILSON of South Carolina (for himself, Mr. PETRI, Mr. GOWDY, Mr. SCOTT of South Carolina, Mr. MULVANEY, Mr. BROUN of Georgia, Mr. DUNCAN of South Carolina, and Mr. MILLER of Florida):

H.R. 4625. A bill to amend the Nuclear Waste Policy Act of 1982 to require the President to certify that the Yucca Mountain site remains the designated site for the development of a repository for the disposal of high-level radioactive waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARLETTA:

H.R. 4626. A bill to extend the suspension of duty on certain air pressure distillation columns; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania:

H.R. 4627. A bill to extend and make a technical correction to the temporary suspension of duty on certain cast stainless steel single-piece exhaust gas manifolds; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4628. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM:

H.R. 4629. A bill to require the Comptroller General to conduct an annual audit of the General Services Administration; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVID SCOTT of Georgia:

H.R. 4630. A bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of expanding the boundary of Chattahoochee River National Recreation Area; to the Committee on Natural Resources.

By Mr. WALSH of Illinois (for himself, Mr. LONG, Mr. MICHAUD, and Mr. PAUL):

H.R. 4631. A bill to require quarterly reports on agency conferences and meetings, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ALTMIRE:

H.R. 4632. A bill to extend the suspension of duty on 2-Chlorotoluene; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4633. A bill to extend the suspension of duty on Chloromethylbenzene; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4634. A bill to extend the suspension of duty on 2,3-Dichloronitrobenzene; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4635. A bill to extend the suspension of duty on Phenylisocyanate; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4636. A bill to extend the suspension of duty on certain ethylene-vinyl acetate copolymers; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4637. A bill to suspend temporarily the duty on p-Toluidine; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4638. A bill to suspend temporarily the duty on p-Nitrotoluene; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4639. A bill to extend the suspension of duty on Bayderm Bottom DLV-N; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4640. A bill to extend the suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4641. A bill to extend the suspension of duty on Iminodisuccinate; to the Committee on Ways and Means.

By Mr. ALTMIRE:
H.R. 4642. A bill to reduce temporarily the duty on Mesamoll; to the Committee on Ways and Means.

By Mr. BERG (for himself and Mr. THOMPSON of California):
H.R. 4643. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the cash method of accounting for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4644. A bill to suspend temporarily the duty on certain portable electric grills; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4645. A bill to suspend temporarily the duty on combination smoker, roaster, and grills; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4646. A bill to suspend temporarily the duty on certain grill brushes; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4647. A bill to suspend temporarily the duty on certain decorative tabletop torch vessels; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4648. A bill to suspend temporarily the duty on certain decorative outdoor torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4649. A bill to suspend temporarily the duty on certain decorative dual wick torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4650. A bill to suspend temporarily the duty on certain fishing reels; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4651. A bill to suspend temporarily the duty on certain decorative outdoor bamboo garden torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4652. A bill to suspend temporarily the duty on certain portable infrared gas grill and cooler combinations; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:
H.R. 4653. A bill to suspend temporarily the duty on certain portable gas grills; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:
H.R. 4654. A bill to suspend temporarily the duty on manicure and pedicure sets; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:
H.R. 4655. A bill to suspend temporarily the duty on nail clippers; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:
H.R. 4656. A bill to suspend temporarily the duty on certain eyelash curlers; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4657. A bill to suspend temporarily the duty on mixtures containing β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4658. A bill to extend the temporary reduction of duty on Deltamethrin; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4659. A bill to suspend temporarily the duty on N-(4-Fluorophenyl)-2-hydroxy-N-(1-methylethyl)acetamide; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4660. A bill to reduce temporarily the duty on Thiencarbazone-methyl; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4661. A bill to extend the temporary suspension of duty on Spiromesifen; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4662. A bill to suspend temporarily the duty on Trifloxystrobin; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4663. A bill to modify and extend the temporary reduction of duty on 2-Acetylbutyrolactone; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4664. A bill to suspend temporarily the duty on 1,3-Cyclohexanedione; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4665. A bill to suspend temporarily the duty on Flubendiamide; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4666. A bill to suspend temporarily the duty on Spirotetramat; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4667. A bill to extend the temporary suspension of duty on Isoxadifen-Ethyl; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4668. A bill to extend the temporary suspension of duty on Cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4669. A bill to modify and extend the temporary reduction of duty on β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4670. A bill to reduce temporarily the duty on mixtures containing Trifloxystrobin and Prothioconazole; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4671. A bill to suspend temporarily the rate of duty on certain mixtures containing Trifloxystrobin; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4672. A bill to reduce temporarily the duty on mixtures containing Spirotetramat; to the Committee on Ways and Means.

By Mr. CLEAVER:
H.R. 4673. A bill to suspend temporarily the duty on mixtures containing Trifloxystrobin and Propiconazole; to the Committee on Ways and Means.

By Mr. COHEN:
H.R. 4674. A bill to suspend temporarily the duty on Diuron Technical; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4675. A bill to reduce temporarily the duty on 1H-[1,2,4]Triazole; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4676. A bill to suspend temporarily the duty on mixtures of Indaziflam; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4677. A bill to suspend temporarily the duty on mixtures of Flubendiamide; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4678. A bill to suspend temporarily the duty on mixtures containing Fluopyram; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4679. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Prothioconazole; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4680. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Trifloxystrobin; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4681. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Pyrimethanil; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4682. A bill to suspend temporarily the duty on Fenhexamid; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4683. A bill to suspend temporarily the duty on Fluopicolide; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4684. A bill to suspend temporarily the duty on Fluopyram; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4685. A bill to suspend temporarily the duty on Indaziflam; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4686. A bill to extend the temporary suspension of duty on 4-Chlorobenzaldehyde; to the Committee on Ways and Means.

By Mr. COSTA:
H.R. 4687. A bill to extend the temporary suspension of duty on Phenmedipham; to the Committee on Ways and Means.

By Mr. GERLACH:
H.R. 4688. A bill to extend the temporary suspension of duty on dry adhesive copolyamide pellets; to the Committee on Ways and Means.

By Mr. GERLACH:
H.R. 4689. A bill to extend the temporary suspension of duty on Orgasol polyamide powders; to the Committee on Ways and Means.

By Mr. GERLACH:
H.R. 4690. A bill to suspend temporarily the duty on dicumyl peroxide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 4691. A bill to suspend temporarily the duty on Frequency Herbicide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 4692. A bill to suspend temporarily the duty on Fastac; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 4693. A bill to extend the temporary suspension of duty on 2,3-Quinolinedicarboxylic acid; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 4694. A bill to reduce temporarily the duty on product mixtures containing Spiromesifen; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 4695. A bill to reduce temporarily the duty on product mixtures containing

Clothianidin and Bacillus Firmus strain I-1582; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4696. A bill to suspend temporarily the duty on product mixtures containing Clothianidin; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4697. A bill to reduce temporarily the duty on product mixtures containing Pyrasulfotole, Bromoxynil Octanoate, and Bromoxynil Heptanoate, including application adjuvants; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4698. A bill to extend the suspension of duty on product mixtures containing ethofumesate; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4699. A bill to suspend temporarily the duty on cyprosulfamide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4700. A bill to extend the temporary suspension of duty on 1,2,4-Trichlorobenzene; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4701. A bill to extend and modify the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4702. A bill to reduce temporarily the rate of duty on mixtures of Paraquat and Emetic; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4703. A bill to extend the temporary suspension of duty on Paclobutrazol; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4704. A bill to extend the temporary suspension of duty on Chloroacetone; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4705. A bill to extend the temporary suspension of duty on Brodifacoum; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4706. A bill to extend and modify the reduction of duty on Mandipropamid; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4707. A bill to suspend temporarily the duty on 1,3-Benzenedicarbonitrile; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4708. A bill to extend and modify the temporary reduction of duty on fludioxonil; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4709. A bill to suspend temporarily the duty on Polymer, ϵ -Caprolactone-diethylene glycol; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4710. A bill to suspend temporarily the duty on Carbonic Acid, Dimethyl Ester, Polymer with 1,6-Hexanediol; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4711. A bill to extend the temporary suspension of duty on leather basketballs; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4712. A bill to extend the temporary suspension of duty on volleyballs; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4713. A bill to suspend temporarily the duty on rubber basketballs; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4714. A bill to suspend temporarily the duty on basketballs, having an external surface other than leather or rubber; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4715. A bill to extend the temporary suspension of duty on ϵ -Caprolactone-2-

ethyl-2-(hydroxymethyl)-1,3-propanediol polymer; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4716. A bill to extend the temporary suspension of duty on ϵ -Caprolactone-neopentylglycol copolymer; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4717. A bill to suspend temporarily the duty on 2,2'-Bis(4-cyanatophenyl)propane homopolymer; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4718. A bill to extend the temporary suspension of duty on Linuron; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4719. A bill to suspend temporarily the duty on Terbacil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4720. A bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for curriculum development, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HOLT:

H.R. 4721. A bill to extend and modify the temporary reduction of duty on monocarboxylic fatty acids derived from palm oil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4722. A bill to suspend temporarily the duty on mixtures of polyvinyl alcohol and polyvinyl pyrrolidone; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4723. A bill to suspend temporarily the duty on Tetrakis(hydroxymethyl) phosphonium sulfate (THPS); to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4724. A bill to suspend temporarily the duty on (1S)-1,5-anhydro-1-[3-[[5-(4-fluorophenyl)-2-thienyl]methyl]-4-methylphenyl]-D-glucitol; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4725. A bill to extend the suspension of duty on Imazalil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4726. A bill to suspend temporarily the duty on NORBLOC 7966; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4727. A bill to extend the suspension of duty on Cetalox; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4728. A bill to extend the suspension of duty on Dimethyl malonate; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4729. A bill to suspend temporarily the duty on mixtures of N-[2-(2-oxoimidazolidine-1-yl)ethyl]-2-methylacrylamide, methacrylic acid, aminoethyl ethylene urea and hydroquinone; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan (for himself and Mr. FRANK of Massachusetts):

H.R. 4730. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. HUIZENGA of Michigan:

H.R. 4731. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rates for carpet cleaners and parts thereof imported into the United States; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4732. A bill to extend and modify the temporary reduction of duty on 4-methoxy-2-

methyl-diphenylamine; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4733. A bill to extend the temporary suspension of duty on 4'-methoxy-2,2',4'-trimethyl diphenylamine; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4734. A bill to suspend temporarily the duty on Imazalil; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4735. A bill to extend and modify the temporary reduction of duty on ACM; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4736. A bill to reduce temporarily the duty on Glufosinate-Ammonium (GA); to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4737. A bill to extend and modify the temporary reduction of duty on Oxadiazon; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4738. A bill to suspend temporarily the duty on the chime melody rod assembly used in the production of grandfather clocks, wall clocks, and mantel clocks; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4739. A bill to suspend temporarily the duty on certain clock movements; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. WEST, Mrs. DAVIS of California, Mr. RIGELL, Mr. LARSEN of Washington, Mr. RYAN of Ohio, Mr. WITTMAN, Mr. TURNER of Ohio, Mr. HEINRICH, and Mr. CARTER):

H.R. 4740. A bill to amend the Servicemembers Civil Relief Act to ensure that relocation of a servicemember to serve on active duty away from the servicemember's principal residence does not prevent the servicemember from refinancing a mortgage on that principal residence; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Illinois:

H.R. 4741. A bill to extend and modify the temporary reduction of duty on Avermectin B; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4742. A bill to reduce temporarily the duty on Prosuluron; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4743. A bill to extend the temporary suspension of duty on Pymetrozine; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4744. A bill to extend the temporary suspension of duty on Cyproconazole; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4745. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4746. A bill to extend the suspension of duty on 2-Mercaptoethanol; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4747. A bill to suspend temporarily the duty on Tetrahydrothiophene; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4748. A bill to suspend temporarily the duty on p-Dichlorobenzene; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4749. A bill to suspend temporarily the duty on Di-tert-butyl polysulfides; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4750. A bill to suspend temporarily the duty on Dimethyl 3,3'-thiodipropionate; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4751. A bill to suspend temporarily the duty on 2-Hydroxyethyl-n-octyl sulfide; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4752. A bill to suspend temporarily the rate of duty on Reactive Red 228; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4753. A bill to suspend temporarily the rate of duty on Acid Yellow 151; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4754. A bill to suspend temporarily the rate of duty on Reactive Blue 269; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4755. A bill to extend the temporary suspension of duty on Disperse Yellow 42; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4756. A bill to suspend temporarily the rate of duty on Reactive Blue 268; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4757. A bill to suspend temporarily the rate of duty on Acid Blue 171; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:
H.R. 4758. A bill to suspend temporarily the rate of duty on Normal Paraffin M; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:
H.R. 4759. A bill to establish a comprehensive process to inform American consumers about food and product recalls, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:
H.R. 4760. A bill to suspend temporarily the duty on polyvinyl formal resin; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:
H.R. 4761. A bill to suspend temporarily the duty on tris 2-(Hydroxy ethyl)-isocyanurate (THEIC); to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4762. A bill to suspend temporarily the duty on aircraft grade polyvinyl butyral; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4763. A bill to extend the temporary reduction of duty on N-phenyl-p-phenylenediamine; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4764. A bill to suspend temporarily the duty on Potassium decafluoro(pentafluorethyl) cyclohexanesulfonate; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4765. A bill to suspend temporarily the duty on Pigment Yellow 194; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4766. A bill to suspend temporarily the duty on Pigment Yellow 181; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4767. A bill to suspend temporarily the duty on Pigment Yellow 191; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4768. A bill to extend the temporary suspension of duty on Pigment Red 187; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4769. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Ways and Means.

By Mr. NEAL:
H.R. 4770. A bill to reduce temporarily the duty on Yttrium oxides having a purity of at least 99.9 percent; to the Committee on Ways and Means.

By Mr. NUNES:
H.R. 4771. A bill to suspend temporarily the duty on Fungaflor Technical (Imazalil); to the Committee on Ways and Means.

By Mr. NUNES:
H.R. 4772. A bill to suspend temporarily the duty on Penbotec 400SC; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4773. A bill to extend the suspension of duty on Bifenazate; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4774. A bill to extend the suspension of duty on Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4775. A bill to extend the suspension of duty on Propargite; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4776. A bill to extend the suspension of duty on Pentaerythritol tetrakis[3-(dodecylthio)propionate]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4777. A bill to suspend temporarily the duty on 4,4'-Thiobis[2-(1,1-dimethylethyl)-5-methyl-phenol]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4778. A bill to extend the suspension of duty on N,N-Hexane-1,6-diylbis(3-(3,5-di-tert-butyl-4-hydroxy-phenyl)propionamide); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4779. A bill to suspend temporarily the duty on 2,5-Bis(1,1-dimethylpropyl)-1,4-benzenediol; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4780. A bill to suspend temporarily the duty on 2,2'-(2-Methylpropylidene) bis(4,6-dimethylphenol); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4781. A bill to suspend temporarily the duty on 4,4'-butylidenebis [3-methyl 6 tert butylphenol]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4782. A bill to suspend temporarily the duty on 2,2'-Methylenebis (4 methyl 6 tert butylphenol); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4783. A bill to extend the suspension of duty on Ipcnazole; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4784. A bill to suspend temporarily the duty on Daminozide; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4785. A bill to suspend temporarily the duty on Paraquat Dichloride and Inerts; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4786. A bill to extend the suspension of duty on Butralin; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4787. A bill to suspend temporarily the duty on Bis(2,3-dibromopropyl ether) of Tetrabromobisphenol A; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4788. A bill to extend the suspension of duty on Phosphoric acid, tris (2-ethylhexyl) ester; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4789. A bill to extend the suspension of duty on Etridiazole; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4790. A bill to extend the suspension of duty on 2,2,6,6-Tetramethyl-4-piperidinone; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4791. A bill to suspend temporarily the duty on 4,4'-methylenebis(2-chloroaniline); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4792. A bill to suspend temporarily the duty on allyl bromide; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4793. A bill to suspend temporarily the duty on 1,3-Dibromo-5-Dimethylhydantoin; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4794. A bill to suspend temporarily the duty on magnesium hydroxide with a purity greater than or equal to 99.8 percent; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:
H.R. 4795. A bill to suspend temporarily the duty on certain urea resins; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4796. A bill to extend the temporary suspension of duty on electromechanical ice shavers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4797. A bill to extend the temporary suspension of duty on combination single slot toaster and toaster ovens; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4798. A bill to extend the temporary suspension of duty on electric knives; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4799. A bill to extend the temporary suspension of duty on handheld electric can openers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4800. A bill to suspend temporarily the rate of duty on certain single serve and full pot coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4801. A bill to suspend temporarily the rate of duty on certain portable slow cookers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4802. A bill to suspend temporarily the rate of duty on certain single serve coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4803. A bill to suspend temporarily the rate of duty on certain single serve coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4804. A bill to suspend temporarily the rate of duty on certain electric skillets; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4805. A bill to suspend temporarily the rate of duty on certain battery operated jar openers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4806. A bill to suspend temporarily the rate of duty on certain battery operated ice cream makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4807. A bill to suspend temporarily the rate of duty on certain frozen treat makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4808. A bill to suspend temporarily the rate of duty on certain programmable slow cookers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4809. A bill to suspend temporarily the duty on certain electric dispensing blenders; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4810. A bill to extend the temporary suspension of duty on self contained, carafe-less automatic drip coffeemaker with electronic clock; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:
H.R. 4811. A bill to extend the temporary suspension of duty on self-contained, carafe-less automatic drip coffeemaker; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4812. A bill to extend the temporary suspension of duty on open top, electric in-door grills; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4813. A bill to extend the temporary suspension of duty on certain electric juice extractors rated at 800W or higher; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4814. A bill to extend the temporary suspension of duty on certain electric juice extractors; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4815. A bill to extend the temporary suspension of duty on sandwich toaster grills; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. BISHOP of New York, Mr. COURTNEY, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. LEVIN, Mr. STARK, Mr. KILDEE, Mr. PETERS, Ms. CHU, Ms. SEWELL, Mr. PASCRELL, Mr. HOLT, and Ms. SLAUGHTER):

H.R. 4816. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself, Mr. CONNOLLY of Virginia, Ms. FOXX, and Mr. COHEN):

H. Res. 632. A resolution commending the Government of Turkey for its efforts to facilitate, host, and care for refugees fleeing the Al-Assad regime's escalating violence in Syria; to the Committee on Foreign Affairs.

By Mr. MEEKS (for himself, Mr. HINOJOSA, and Mrs. BIGGERT):

H. Res. 633. A resolution supporting the goals and ideals of "Financial Literacy Month"; to the Committee on Oversight and Government Reform.

153.23 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 190: Mr. MORAN.
 H.R. 300: Ms. EDWARDS, Mr. KUCINICH, and Mr. RUSH.
 H.R. 303: Mr. WALSH of Illinois.
 H.R. 409: Mr. YODER.
 H.R. 615: Mr. NUGENT.
 H.R. 692: Mr. LABRADOR.
 H.R. 708: Mr. SCHRADER.
 H.R. 719: Mr. BARROW, Mr. POSEY, Mr. HIGGINS, Ms. SCHWARTZ, and Mr. KLINE.
 H.R. 733: Ms. GRANGER.
 H.R. 860: Ms. CLARKE of New York, Mr. FINCHER, and Mr. GOSAR.
 H.R. 885: Ms. SLAUGHTER, Mr. COLE, and Mr. RYAN of Ohio.
 H.R. 905: Mr. GRIJALVA.
 H.R. 1047: Mr. HENSARLING and Mr. SOUTHERLAND.
 H.R. 1112: Mr. SCHWEIKERT.
 H.R. 1145: Mr. COLE.
 H.R. 1262: Mr. DOYLE.
 H.R. 1265: Mrs. BLACK, Mr. THOMPSON of Pennsylvania, Mr. CLARKE of Michigan, and Mr. YODER.
 H.R. 1327: Mr. CARDOZA, Mr. GOODLATTE, and Mr. MCNERNEY.
 H.R. 1331: Mr. CASSIDY.
 H.R. 1332: Mr. CLAY.
 H.R. 1416: Mr. BOSWELL, Mr. ROKITA, Mr. SCHOCK, and Mr. TERRY.
 H.R. 1493: Mrs. NAPOLITANO.

H.R. 1543: Mr. CLAY.

H.R. 1639: Mr. CAMPBELL, Mr. DUFFY, Mr. HASTINGS of Florida, and Mr. KINZINGER of Illinois.

H.R. 1653: Mr. MCCLINTOCK.

H.R. 1666: Mr. RAHALL.

H.R. 1675: Mr. KLINE and Mr. GRIJALVA.

H.R. 1704: Mr. KEATING and Mr. SCHIFF.

H.R. 1738: Mr. SCHIFF.

H.R. 1746: Mr. CAPUANO.

H.R. 1802: Mr. REED and Mr. PASTOR of Arizona.

H.R. 1860: Mr. CARSON of Indiana, Mr. TONKO, Mr. JOHNSON of Ohio, and Ms. CLARKE of New York.

H.R. 1862: Mr. DEUTCH.

H.R. 2052: Mr. WELCH.

H.R. 2086: Mr. CARDOZA and Mr. SESSIONS.

H.R. 2104: Mr. PETRI, Mr. WALDEN, Mr. SCHOCK, Mr. FORBES, Ms. SCHAKOWSKY, Mr. LA TOURETTE, Mr. QUIGLEY, Mr. MEEHAN, Mr. JOHNSON of Georgia, Mr. MCHENRY, Mr. LARSON of Connecticut, Mr. SHUSTER, and Mr. THOMPSON of Pennsylvania.

H.R. 2151: Ms. LEE of California.

H.R. 2221: Mr. LUETKEMEYER and Mr. CARTER.

H.R. 2245: Mr. PETERSON.

H.R. 2288: Mr. SCHOCK.

H.R. 2307: Mr. THOMPSON of Pennsylvania.

H.R. 2308: Mr. BISHOP of Utah.

H.R. 2311: Mr. PETERSON and Mr. YOUNG of Alaska.

H.R. 2376: Ms. CHU.

H.R. 2493: Mr. MEEKS.

H.R. 2499: Mr. CARNAHAN and Mr. MCNERNEY.

H.R. 2502: Mr. PETERSON, Mr. PAUL, and Mr. SCHOCK.

H.R. 2569: Mr. SESSIONS, Mr. MILLER of Florida, and Mr. MCHENRY.

H.R. 2679: Mr. PRICE of North Carolina and Mr. LIPINSKI.

H.R. 2741: Mr. BRALEY of Iowa, Mr. HINOJOSA, and Ms. SLAUGHTER.

H.R. 2787: Mr. TURNER of New York.

H.R. 2952: Mr. SCHOCK.

H.R. 2960: Mr. GOSAR and Mr. BUTTERFIELD.

H.R. 2962: Mrs. ELLMERS.

H.R. 3015: Mr. RANGEL.

H.R. 3032: Mr. ROE of Tennessee.

H.R. 3035: Mr. BARTLETT.

H.R. 3125: Mrs. BONO MACK and Mr. CARDOZA.

H.R. 3148: Mr. AMODEI.

H.R. 3151: Mr. CARNAHAN.

H.R. 3173: Mr. KINZINGER of Illinois and Mr. JOHNSON of Ohio.

H.R. 3187: Mr. MICA and Mr. NUNNELEE.

H.R. 3269: Mr. PRICE of North Carolina, Mr. MCINTYRE, Mr. STUTZMAN, Ms. HANABUSA, Mr. GOSAR, Mr. CRENSHAW, and Ms. RICHARDSON.

H.R. 3307: Mr. DEUTCH and Mr. PASCRELL.

H.R. 3308: Mr. GRAVES of Georgia.

H.R. 3435: Mr. MILLER of North Carolina.

H.R. 3448: Mr. WEBSTER.

H.R. 3511: Mr. BROOKS.

H.R. 3553: Mr. NADLER, Mr. RANGEL, and Mr. HONDA.

H.R. 3591: Mr. RANGEL.

H.R. 3612: Mr. KING of Iowa and Mr. ROONEY.

H.R. 3668: Mr. SCHOCK and Mr. GENE GREEN of Texas.

H.R. 3721: Mr. WEST.

H.R. 3729: Mr. SOUTHERLAND and Mr. BERG.

H.R. 3767: Mr. AUSTIN SCOTT of Georgia.

H.R. 3770: Mr. SCHOCK.

H.R. 3790: Mr. BACA and Mr. LATHAM.

H.R. 3792: Mr. ROE of Tennessee.

H.R. 3810: Mr. SIRES.

H.R. 3816: Mr. PETERSON and Mr. PEARCE.

H.R. 3819: Mr. SCHOCK.

H.R. 3826: Mr. THOMPSON of California, Mr. SCHIFF, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, and Mr. PLATTS.

H.R. 3828: Mrs. NOEM and Mr. WITTMAN.

H.R. 3839: Mrs. LOWEY.

H.R. 3994: Mr. GRAVES of Georgia and Mr. BROUN of Georgia.

H.R. 4030: Mr. SCHILLING.

H.R. 4049: Ms. TSONGAS.

H.R. 4055: Mr. GENE GREEN of Texas.

H.R. 4057: Mr. GENE GREEN of Texas.

H.R. 4077: Mr. OLVER, Mr. COHEN, and Ms. LEE of California.

H.R. 4095: Mr. PETERSON, Mr. SHULER, Mr. MCINTYRE, Mr. BOSWELL, and Mr. THOMPSON of California.

H.R. 4115: Mr. MICHAUD.

H.R. 4122: Mr. BERMAN and Mr. RYAN of Wisconsin.

H.R. 4124: Mr. YODER.

H.R. 4133: Mr. BASS of New Hampshire, Mr. AMODEI, Mr. COBLE, Mr. GRAVES of Georgia, Mrs. EMERSON, Mr. GOSAR, Mr. FARENTHOLD, Mr. CULBERSON, Mrs. MILLER of Michigan, Mr. BENISHEK, Mr. MURPHY of Connecticut, Mr. THOMPSON of California, Mr. DOYLE, Mrs. NOEM, Mr. WEBSTER, and Mr. COFFMAN of Colorado.

H.R. 4134: Mr. POE of Texas and Ms. HANABUSA.

H.R. 4154: Mr. WELCH.

H.R. 4157: Mr. POSEY, Mr. GRAVES of Georgia, Mr. THOMPSON of California, Mr. ROE of Tennessee, Mr. STEARNS, Mr. CHANDLER, Mr. CRAWFORD, Mr. GRIFFITH of Virginia, and Mr. LANDRY.

H.R. 4158: Mr. NEUGEBAUER and Mr. CULBERSON.

H.R. 4165: Mr. CLAY and Mr. BOSWELL.

H.R. 4182: Mr. GRAVES of Georgia.

H.R. 4188: Mr. FLEISCHMANN.

H.R. 4200: Mr. THORNBERRY.

H.R. 4229: Mr. SMITH of Texas, Mr. PIERLUISI, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. BACA, Ms. BONAMICI, and Ms. FUDGE.

H.R. 4232: Mr. SCHWEIKERT and Mr. BENISHEK.

H.R. 4237: Mr. BENISHEK.

H.R. 4256: Mr. OWENS.

H.R. 4259: Mr. MARKEY, Mr. CAPUANO, and Mr. MORAN.

H.R. 4269: Mr. FRANKS of Arizona.

H.R. 4271: Mr. BACA.

H.R. 4273: Mr. COSTELLO, Mr. OWENS, Mr. LATTA, Mr. LONG, Mr. SULLIVAN, and Mr. CANSECO.

H.R. 4277: Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. DAVID SCOTT of Georgia, and Ms. WILSON of Florida.

H.R. 4282: Mr. SCHOCK.

H.R. 4294: Mr. KLINE.

H.R. 4296: Mr. AUSTIN SCOTT of Georgia, Mr. KING of Iowa, Mr. THOMPSON of Pennsylvania, and Mr. ROSKAM.

H.R. 4313: Mr. FINCHER.

H.R. 4322: Mr. BISHOP of Utah.

H.R. 4332: Mr. DINGELL.

H.R. 4342: Mr. LIPINSKI, Mr. BOSWELL, and Mr. KINZINGER of Illinois.

H.R. 4344: Mr. CARNAHAN.

H.R. 4346: Mr. CONYERS and Ms. CLARKE of New York.

H.R. 4372: Mrs. MYRICK.

H.R. 4387: Mr. TERRY.

H.R. 4388: Mr. AKIN and Mr. POE of Texas.

H.R. 4402: Mr. GOSAR.

H.R. 4454: Mr. FLEMING, Mr. CHABOT, Mr. HARRIS, Mr. WALBERG, Mr. MULVANEY, Mr. GOHMERT, Mr. DUNCAN of South Carolina, and Mr. SOUTHERLAND.

H.R. 4470: Mr. RANGEL, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. JOHNSON of Georgia, and Mr. LEWIS of Georgia.

H.R. 4483: Mr. DAVIS of Illinois.

H.R. 4607: Ms. JENKINS, Mr. CANSECO, Mr. LANKFORD, and Mr. TERRY.

H.R. 4609: Ms. VELÁZQUEZ.

H.J. Res. 103: Mr. REHBERG and Mr. ROSKAM.

H.J. Res. 104: Mr. CANSECO.

H. Con. Res. 115: Mr. NUNNELEE, Mr. HALL, Mr. POMPEO, Mr. LUETKEMEYER, Mr. RIVERA, Mr. LANDRY, Mr. COFFMAN of Colorado, Mr.

SOUTHERLAND, Mr. AKIN, Mr. ROSKAM, Mr. OLSON, Mr. CONAWAY, Mr. BRADY of Texas, Mr. WALBERG, Mr. ROHRABACHER, Mr. GARRETT, Mr. SCALISE, Mr. SCHWEIKERT, Mr. SMITH of Texas, and Mr. ISSA.

H. Con. Res. 116: Mrs. CAPPS, Mr. STIVERS, and Mr. RIBBLE.

H. Res. 25: Mr. KING of New York.

H. Res. 59: Mr. BERMAN.

H. Res. 111: Mr. KILDEE, Mrs. CHRISTENSEN, Mr. GRIFFIN of Arkansas, and Mr. COLE.

H. Res. 312: Mr. HINCHEY and Ms. RICHARDSON.

H. Res. 333: Ms. LEE of California, Mr. COLE, and Mr. RANGEL.

H. Res. 460: Mr. BARTON of Texas and Mrs. BIGBERT.

H. Res. 526: Mr. WEST, Mr. DOLD, and Mr. HUNTER.

H. Res. 568: Mr. ROGERS of Michigan, Mr. BENISHEK, Mr. WHITFIELD, Mr. GONZALEZ, Mr. GIBBS, Mr. PITTS, Mr. COOPER, Mr. POE of Texas, Mr. STIVERS, Mr. JACKSON of Illinois, Mr. SHIMKUS, and Mr. WEBSTER.

H. Res. 583: Mr. DIAZ-BALART.

H. Res. 612: Mrs. LOWEY.

H. Res. 616: Mrs. MYRICK, Mr. ROHRABACHER, and Ms. BORDALLO.

H. Res. 618: Ms. SCHWARTZ, Mr. HIGGINS, Mr. FRANKS of Arizona, Mr. JONES, Mr. ROHRABACHER, and Mr. MEEKS.

¶53.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3674: Mr. LANGEVIN.

THURSDAY, APRIL 26, 2012 (54)

¶54.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. FLORES, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
April 26, 2012.

I hereby appoint the Honorable BILL FLORES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶54.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 1789. An Act to improve, sustain, and transform the United States Postal Service.

The message also announced that, pursuant to section 5 of title I of division H of Public Law 110-161, the Chair, on behalf of the Vice President, appoints the following Senator as Vice Chairman of the U.S.-Japan Interparliamentary Group conference for the One Hundred Twelfth Congress: the Senator from Alaska [Ms. MURKOWSKI].

¶54.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. FLORES, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶54.4 RECESS—11:05 A.M.

The SPEAKER pro tempore, Mr. FLORES, pursuant to clause 12(a) of

rule I, declared the House in recess at 11 o'clock and 5 minutes a.m., until noon.

¶54.5 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. FLEISCHMANN, called the House to order.

¶54.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. FLEISCHMANN, announced he had examined and approved the Journal of the proceedings of Wednesday, April 25, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶54.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5797. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Swap Dealer and Major Swap Participant Recordkeeping, Reporting, and Duties Rules; Futures Commission Merchant and Introducing Broker Conflicts of Interest Rules; and Chief Compliance Officer Rules for Swap Participants, and Futures Commission Merchants (RIN: 3038-AC96) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5798. A letter from the Deputy Chief Management Officer, Department of Defense, transmitting the annual report for FY 2012 for the Investment Review Board and Investment Management; to the Committee on Armed Services.

5799. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 3 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

5800. A letter from the Vice Admiral, U.S. Navy, Principal Military Deputy, Department of Defense, transmitting notice that the Navy intends to donate the destroyer EXEDSON (DD946) to the Saginaw Valley Naval Ship Museum; to the Committee on Armed Services.

5801. A letter from the Secretary, Department of Health and Human Services, transmitting Report to Congress: Tobacco Prevention and Control Activities in the United States, 2008-2009; to the Committee on Energy and Commerce.

5802. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Creation of a Low Power Radio Service [MM Docket No.: 99-25] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5803. A letter from the Program Manager, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary [TD 9575] (RIN: 1545-BJ94) received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5804. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report prepared in accordance with section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. No. 107-174; to the Committee on Oversight and Government Reform.

5805. A letter from the Assistant Secretary for Management of Chief Financial Officer, Department of the Treasury, transmitting the Department's report for fiscal year 2011 on the Acquisition of Articles, Materials,

and Supplies Manufactured Outside the United States, pursuant to Public Law 110-28, section 8306; to the Committee on Oversight and Government Reform.

5806. A letter from the Director, Environmental Protection Agency, transmitting the Agency's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5807. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5808. A letter from the Director, International Broadcasting Bureau, transmitting the Bureau's annual report for fiscal year 2011 on the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

5809. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5810. A letter from the Associate Commissioner/EEO Director, National Indian Gaming Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5811. A letter from the Director, Office of EEO and Diversity, Patent and Trademark Office, transmitting the Office's annual report for fiscal year 2011, in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5812. A letter from the EEO Director, Securities and Exchange Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5813. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of Allegheny Wild and Scenic River Allegheny National Forest, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

5814. A letter from the Acting Assistant Administrator for Fisheries, Department of Commerce, transmitting the 2011 Report to Congress on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Natural Resources.

5815. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Railroad Workplace Safety; Adjustment-Track On-Track Safety for Roadway Workers [Docket No.: FRA-2008-0059, Notice No. 5] (RIN: 2130-AB96), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5816. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Value Engi-

neering [FHWA Docket No.: FHWA-2011-0046] (RIN: 2125-AF40) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5817. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30832; Amdt. No. 3469] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5818. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30831; Amdt. No. 3468] received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5819. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) Turbofan Engines [Docket No.: FAA-2006-2573; Directorate Identifier 2006-NE-27-AD; Amendment 39-16961; AD 2012-04-05] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5820. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airplanes Originally Manufactured by Lockheed for the Military as P2V Airplanes [Docket No.: FAA-2012-0107; Directorate Identifier 2012-NM-018-AD; Amendment 39-16955; AD 2012-03-51] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5821. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2011-0944; Directorate Identifier 2011-NE-11-AD; Amendment 39-16960; AD 2012-04-04] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5822. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0107; Directorate Identifier 2007-NM-087-AD; Amendment 39-16965; AD 2012-04-09] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5823. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1230; Directorate Identifier 2011-NM-141-AD; Amendment 39-16964; AD 2012-04-08] (RIN: 2120-AA64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5824. A letter from the Chairman, Department of Transportation, Surface Transportation Board, transmitting the Department's final rule — Waybill Data Released in Three-Benchmark Rail Rate Proceedings [Docket No. EP 646 (Sub-No. 3)] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5825. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Wisconsin Ledge Viticultural Area [Docket No.: TTB-2011-

0007; T.D. TTB-102; Re: Notice No. 121] (RIN: 1513-AB82) received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5826. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Labeling Imported Wines With Multistate Appellations [Docket No.: TTB-2010-0007; T.D. TTB-101; Re: Notice No.: 110] (RIN: 1513-AB58) received April 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶54.8 PROVIDING FOR CONSIDERATION OF H.R. 3523, MOTIONS TO SUSPEND THE RULES, AND H.R. 4628

Mr. NUGENT, by direction of the Committee on Rules, called up the following resolution (H. Res. 631):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-20. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. It shall be in order at any time through the legislative day of April 27, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the following measures:

(a) The bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes.

(b) The bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

(c) The bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes.

SEC. 3. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 4. The Committee on Appropriations may, at any time before 6 p.m. on Wednesday, May 2, 2012, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2013.

When said resolution was considered.

After debate, Mr. NUGENT moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 241 affirmative } Nays 179

¶54.9 [Roll No. 182] YEAS—241

Table listing names of members who voted 'Yeas' and 'Nays' for H.R. 2096. Includes names like Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggart, Bilbray, Billirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Cuellar, Culberson, Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Gene, Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI).

Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris
Rodgers
Meehan

NAYS—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Caroza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett

Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan

Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
Clay
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney

Sherman
Sires
Schilling
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Viscosky
Walz (MN)
Wasserman
Schultz
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth
NOT VOTING—11
Davis (KY)
Filner
Holden
Marino
McHenry
Paul
Rangel
Slaughter
Sullivan
Waters
Waxman

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 236 affirmative } Nays 185

54.10 [Roll No. 183]

YEAS—236

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Portenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (VA)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell

Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Sutherland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—185

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

NOT VOTING—10

Davis (KY)
Filner
Holden
Marino
McHenry
Paul
Rangel
Sessions
Slaughter
Sullivan

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶54.11 H.R. 2240—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. BIGGERT, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶54.12 CYBER INTELLIGENCE SHARING AND PROTECTION

The SPEAKER pro tempore, Mr. WOODALL, pursuant to House Resolution 631 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes.

The SPEAKER pro tempore, Mr. WOODALL, by unanimous consent, designated Mrs. BIGGERT as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. WOODALL, assumed the Chair.

When Mrs. CAPITO, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶54.13 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 3523

On motion of Mr. ROGERS of Michigan, by unanimous consent,

Ordered, That it may be in order that during the further consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, pursuant to House Resolution 631, amendments numbered 5 and 10, printed in House Report 112-454, may be considered out of sequence.

¶54.14 CYBER INTELLIGENCE SHARING AND PROTECTION

The SPEAKER pro tempore, Mr. WOODALL, pursuant to House Resolution 631 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the

Union for the further consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes.

Mrs. CAPITO, Acting Chairman, assumed the chair; and after some time spent therein,

¶54.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in House Report 112-454, submitted by Mr. LANGEVIN:

Page 1, line 13, strike "UTILITIES" and insert "CRITICAL INFRASTRUCTURE OWNERS AND OPERATORS".

Page 2, line 1, strike "utilities" and insert "critical infrastructure owners and operators".

Page 3, line 13, strike "utility" and insert "critical infrastructure owner or operator".

Page 3, line 16, strike "utility" each place it appears and insert "critical infrastructure owner or operator".

Page 17, strike lines 12 through 16.

It was decided in the { Yeas 167
negative } Nays 243

¶54.16 [Roll No. 184]

AYES—167

Ackerman	Gibson	Neal
Andrews	Gonzalez	Olver
Baldwin	Green, Al	Owens
Bass (CA)	Grijalva	Pallone
Becerra	Grimm	Pascrell
Berkley	Gutierrez	Pastor (AZ)
Berman	Hahn	Pelosi
Bishop (GA)	Hanabusa	Perlmutter
Bishop (NY)	Hastings (FL)	Peters
Bonamici	Heinrich	Pingree (ME)
Boren	Higgins	Polis
Boswell	Himes	Price (NC)
Brady (TX)	Hinchev	Quigley
Braley (IA)	Hochul	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Richmond
Capps	Hoyer	Rothman (NJ)
Capuano	Israel	Roybal-Allard
Carnahan	Jackson (IL)	Ruppersberger
Carney	Jackson Lee	Rush
Carson (IN)	(TX)	Ryan (OH)
Castor (FL)	Johnson, E. B.	Sánchez, Linda
Chandler	Kaptur	T.
Chu	Keating	Sanchez, Loretta
Cicilline	Kildee	Sarbanes
Clarke (MI)	Kind	Schakowsky
Clay	King (NY)	Schiff
Cleaver	Kissell	Schwartz
Clyburn	Kucinich	Scott (VA)
Coffman (CO)	Langevin	Serrano
Cohen	Larsen (WA)	Sewell
Connolly (VA)	Larson (CT)	Shuler
Conyers	Lee (CA)	Smith (WA)
Cooper	Levin	Speier
Costa	Lewis (GA)	Stark
Critz	Lipinski	Sutton
Cuellar	Loebsack	Thompson (CA)
Cummings	Lofgren, Zoe	Thompson (MS)
Davis (CA)	Lowey	Thornberry
Davis (IL)	Luján	Tierney
DeFazio	Lungren, Daniel	Tonko
DeGette	E.	Towns
DeLauro	Lynch	Tsongas
Dent	Markey	Turner (NY)
Deutch	Matsui	Van Hollen
Dicks	McCollum	Velázquez
Dingell	McDermott	Visclosky
Doggett	McGovern	Walz (MN)
Doyle	McIntyre	Wasserman
Edwards	Meehan	Schultz
Ellison	Meeks	Waters
Engel	Michaud	Watt
Farr	Miller (NC)	Waxman
Fattah	Miller, George	Wilson (FL)
Frank (MA)	Moore	Woodall
Fudge	Moran	Woolsey
Garamendi	Nadler	Yarmuth

NOES—243

Adams	Gohmert	Olson
Aderholt	Goodlatte	Palazzo
Akin	Gosar	Paulsen
Alexander	Gowdy	Pearce
Altmire	Granger	Peterson
Amash	Graves (GA)	Petri
Amodei	Graves (MO)	Pitts
Austria	Green, Gene	Platts
Baca	Griffin (AR)	Poe (TX)
Bachmann	Griffith (VA)	Pompeo
Bachus	Guinta	Posey
Barletta	Guthrie	Price (GA)
Barrow	Hall	Quayle
Bartlett	Hanna	Rahall
Barton (TX)	Harper	Reed
Bass (NH)	Harris	Rehberg
Benishak	Hartzler	Reichert
Berg	Hastings (WA)	Renacci
Biggert	Hayworth	Ribble
Bilbray	Heck	Rigell
Bilirakis	Hensarling	Rivera
Bishop (UT)	Herger	Roby
Black	Herrera Beutler	Roe (TN)
Blackburn	Hinojosa	Rogers (AL)
Bonner	Huelskamp	Rogers (KY)
Bono Mack	Huizenga (MI)	Rogers (MI)
Boustany	Hultgren	Rohrabacher
Brady (PA)	Hunter	Rokita
Brooks	Hurt	Rooney
Broun (GA)	Issa	Ros-Lehtinen
Buchanan	Jenkins	Roskam
Buerkle	Johnson (IL)	Ross (AR)
Burgess	Johnson (OH)	Ross (FL)
Burton (IN)	Johnson, Sam	Royce
Calvert	Jones	Ryunan
Camp	Jordan	Ryan (WI)
Campbell	Kelly	Scalise
Capito	King (IA)	Schilling
Carter	Kingston	Schmidt
Cassidy	Kinzinger (IL)	Schock
Chabot	Kline	Schrader
Chaffetz	Labrador	Schweikert
Coble	Lamborn	Scott (SC)
Cole	Lance	Scott, Austin
Conaway	Landry	Sensenbrenner
Costello	Lankford	Sessions
Courtney	Latham	Sherman
Cravaack	LaTourette	Shimkus
Crawford	Latta	Shuster
Crenshaw	Lewis (CA)	Simpson
Crowley	LoBiondo	Smith (NE)
Culberson	Long	Smith (NJ)
Denham	Lucas	Smith (TX)
DesJarlais	Luetkemeyer	Southerland
Diaz-Balart	Lummis	Stearns
Dold	Mack	Stivers
Donnelly (IN)	Manzullo	Stutzman
Dreier	Marchant	Sullivan
Duffy	Matheson	Terry
Duncan (SC)	McCarthy (CA)	Thompson (PA)
Duncan (TN)	McCarthy (NY)	Tiberi
Ellmers	McCaul	Tipton
Emerson	McClintock	Turner (OH)
Eshoo	McCotter	Upton
Farenthold	McKeon	Walberg
Fincher	McKinley	Walden
Fitzpatrick	McMorris	Walsh (IL)
Flake	Rodgers	Webster
Fleischmann	McNerney	Welch
Fleming	Mica	West
Flores	Miller (FL)	Westmoreland
Forbes	Miller (MI)	Whitfield
Fortenberry	Miller, Gary	Wilson (SC)
Fox	Mulvaney	Wittman
Franks (AZ)	Murphy (PA)	Wolf
Frelinghuysen	Myrick	Womack
Galleghy	Napolitano	Yoder
Gardner	Neugebauer	Young (AK)
Garrett	Noem	Young (FL)
Gerlach	Nugent	Young (IN)
Gibbs	Nunes	
Gingrey (GA)	Nunnelee	

NOT VOTING—21

Blumenauer	Filner	Murphy (CT)
Bucshon	Hirono	Paul
Canseco	Holden	Pence
Cantor	Johnson (GA)	Rangel
Cardoza	Maloney	Scott, David
Clarke (NY)	Marino	Sires
Davis (KY)	McHenry	Slaughter

So the amendment was not agreed to.

¶54.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment

numbered 4, printed in House Report 112-454, submitted by Mr. ROGERS of Michigan:

Page 9, beginning on line 2, strike "affect any" and insert "affect—".

Page 9, strike lines 3 through 5 and insert the following:

"(A) any requirement under any other provision of law for a person or entity to provide information to the Federal Government; or

"(B) the applicability of other provisions of law, including section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'), with respect to information required to be provided to the Federal Government under such other provision of law.

It was decided in the { Yeas 412 affirmative } Nays 0

54.18 [Roll No. 185]

AYES—412

- Ackerman, Adams, Aderholt, Akin, Alexander, Altmire, Amash, Amodei, Andrews, Austria, Baca, Bachmann, Bachus, Baldwin, Barletta, Barrow, Bartlett, Barton (TX), Bass (CA), Bass (NH), Becerra, Benishek, Berg, Berkley, Berman, Biggert, Bilbray, Bilirakis, Bishop (GA), Bishop (NY), Bishop (UT), Black, Blackburn, Bonamici, Bonner, Bono Mack, Boren, Boren, Boswell, Boustany, Brady (PA), Brady (TX), Braley (IA), Brooks, Broun (GA), Brown (FL), Buchanan, Buerkle, Burgess, Burton (IN), Butterfield, Calvert, Camp, Campbell, Cantor, Capito, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Carter, Cassidy, Castor (FL), Chabot, Chaffetz, Chandler, Chu, Cicilline, Clarke (MI), Clay, Cleaver, Clyburn, Coble, Coffman (CO), Cohen, Cole, Conaway, Connolly (VA), Conyers, Cooper, Costa, Baca, Courtney, Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Culberson, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Denham, Dent, DesJarlais, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Donnelly (IN), Doyle, Dreier, Duffy, Duncan (SC), Duncan (TN), Edwards, Ellison, Ellmers, Emerson, Engel, Eshoo, Farenthold, Farr, Fattah, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Forbes, Fortenberry, Foy, Frank (MA), Franks (AZ), Frelinghuysen, Fudge, Gallegly, Garamendi, Gardner, Garret, Gerlach, Gibson, Gohmert, Gonzalez, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Al, Green, Gene, Griffin (AR), Griffith (VA), Grijalva, Grimm, Guinta, Guthrie, Gutierrez, Hahn, Hall, Hanabusa, Hanna, Harper, Harris, Hartzler, Hastings (FL), Hastings (WA), Hayworth, Heck, Heinrich, Hensarling, Herger, Herrera Beutler, Higgins, Himes, Hinchey, Hinojosa, Hochul, Holt, Honda, Hoyer, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Israel, Issa, Jackson (IL), Jackson Lee (TX), Jenkins, Johnson (IL), Johnson (OH), Johnson, E. B., Johnson, Sam, Jones, Jordan, Kaptur, Keating, Kelly, Kildee, Kind, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Kucinich, Labrador, Lamborn, Lance, Langevin, Lankford, Larsen (WA), Larson (CT), Latham, LaTourette, Latta, Lee (CA), Levin, Lewis (CA), Lewis (GA), Lipinski, LoBiondo, Loeb, Lofgren, Zoe, Long, Lowey, Lucas, Luetkemeyer, Lujan, Lummis, Lungren, Daniel E., Lynch, Mack, Manzullo, Marchant, Markey, Matheson, Matsui, McCarthy (CA), McCarthy (NY), McCaul, McClintock, McCollum, McCotter, McDermott, McGovern, McIntyre, McKeon, McKinley, McMorris, Rodgers, McNerney, Meehan, Meeks, Mica, Michaud, Miller (FL), Miller (MI), Miller (NC), Miller, Gary, Miller, George, Moore, Moran, Mulvaney, Murphy (CT), Murphy (PA), Myrick, Nader, Napolitano, Neal, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Olver, Blumenauer, Bucshon, Canseco, Clarke (NY), Davis (KY), Filner, Hirono, Holdren, Johnson (GA), Landry, Maloney, Marino, McHenry, Paul, Pence, Rangel, Schrader, Sires, Slaughter, Scott (VA), Scott, Austin, Scott, David, Sensenbrenner, Serrano, Sessions, Sewell, Sherman, Shimkus, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Smith (WA), Southerland, Speier, Stark, Stearns, Stivers, Stutzman, Sullivan, Sutton, Terry, Thompson (CA), Thompson (MS), Thompson (PA), Thornberry, Tiberi, Tierney, Tipton, Tonko, Towns, Tsongas, Turner (NY), Turner (OH), Upton, Van Hollen, Velázquez, Visclosky, Walberg, Walden, Walsh (IL), Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Webster, Welch, West, Westmoreland, Whitfield, Wilson (FL), Wilson (SC), Wittman, Wolf, Womack, Woodall, Woolsey, Yarmuth, Yoder, Young (AK), Young (FL), Young (IN)

- Larsen (WA), Owens, Scott (VA), Larson (CT), Palazzo, Scott, Austin, Latham, Pallone, Scott, David, LaTourette, Pascrell, Sensenbrenner, Latta, Pastor (AZ), Serrano, Lee (CA), Paulsen, Sessions, Levin, Pearce, Sewell, Lewis (CA), Pelosi, Sherman, Lewis (GA), Perlmutter, Shimkus, Lipinski, Peters, Shuster, LoBiondo, Peterson, Shuster, Loeb, Petri, Simpson, Lofgren, Zoe, Pingree (ME), Smith (NE), Long, Pitts, Smith (NJ), Lowey, Platts, Smith (TX), Lucas, Poe (TX), Smith (WA), Luetkemeyer, Polis, Southerland, Lujan, Pompeo, Speier, Lummis, Posey, Stark, Lungren, Daniel E., Price (GA), Stearns, Long, Price (NC), Stivers, Lowey, Quayle, Stutzman, Lucas, Quigley, Sullivan, Luetkemeyer, Rahall, Sutton, Lujan, Reed, Terry, Lummis, Rehberg, Thompson (CA), Lungren, Daniel E., Reichert, Thompson (MS), Long, Renacci, Thompson (PA), Lowey, Reyes, Thornberry, Lucas, Ribble, Tiberi, Luetkemeyer, Richardson, Tierney, Lujan, Richmond, Tipton, Lummis, Rigell, Tonko, Lungren, Daniel E., Rivera, Towns, Lowey, Roby, Tsongas, Lucas, Roe (TN), Turner (NY), Luetkemeyer, McIntyre, Turner (OH), Lujan, McKeon, Rogers (AL), Upton, Lujan, McKinley, Rogers (MI), Van Hollen, Lujan, McMorris, Rohrabacher, Velázquez, Lujan, Rodgers, Rokita, Visclosky, McNerney, Rooney, Walberg, Meehan, Ros-Lehtinen, Walden, Meeks, Roskam, Walsh (IL), Mica, Ross (AR), Walz (MN), Michaud, Ross (FL), Wasserman, Miller (FL), Rothman (NJ), Schultz, Miller (MI), Roybal-Allard, Waters, Miller (NC), Royce, Watt, Miller, Gary, Runyan, Waxman, Miller, George, Ruppberger, Webster, Moore, Rush, Welch, Moran, Ryan (OH), West, Mulvaney, Ryan (WI), Westmoreland, Murphy (CT), Sánchez, Linda, Whitfield, Murphy (PA), T, Wilson (FL), Myrick, Sanchez, Loretta, Wilson (SC), Nader, Sarbanes, Wittman, Napolitano, Scalise, Wolf, Neal, Schakowsky, Womack, Neugebauer, Schiff, Woodall, Noem, Schilling, Woolsey, Nugent, Schmidt, Yarmuth, Nunes, Schock, Yoder, Nunnelee, Schwartz, Young (AK), Olson, Schweikert, Young (FL), Olver, Scott (SC), Young (IN)

NOT VOTING—19

- Blumenauer, Holdren, Pence, Bucshon, Johnson (GA), Rangel, Canseco, Landry, Schrader, Clarke (NY), Maloney, Sires, Davis (KY), Marino, Slaughter, Filner, McHenry, Hirono, Paul

So the amendment was agreed to.

54.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, printed in House Report 112-454, submitted by Mr. QUAYLE:

Page 9, strike lines 8 through 18 and insert the following:

"(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b)—

"(A) for cybersecurity purposes;

"(B) for the investigation and prosecution of cybersecurity crimes;

"(C) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of

crimes involving such danger of death or serious bodily harm;

"(D) for the protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of such minor, including kidnapping and trafficking and the investigation and prosecution of crimes involving child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking, and any crime referred to in 2258A(a)(2) of title 18, United States Code; or

"(E) to protect the national security of the United States.

Page 16, before line 1 insert the following:

"(4) CYBERSECURITY CRIME.—The term 'cybersecurity crime' means—

"(A) a crime under a Federal or State law that involves—

"(i) efforts to degrade, disrupt, or destroy a system or network;

"(ii) efforts to gain unauthorized access to a system or network; or

"(iii) efforts to exfiltrate information from a system or network without authorization; or

"(B) the violation of a provision of Federal law relating to computer crimes, including a violation of any provision of title 18, United States Code, created or amended by the Computer Fraud and Abuse Act of 1986 (Public Law 99 474)."

It was decided in the { Yeas 410 affirmative } Nays 3

54.20 [Roll No. 186]

AYES—410

- Ackerman, Capuano, Duncan (TN), Adams, Cardoza, Edwards, Aderholt, Carnahan, Ellison, Akin, Carney, Ellmers, Alexander, Carson (IN), Emerson, Altmire, Carter, Engel, Amash, Cassidy, Eshoo, Amodei, Castor (FL), Farenthold, Andrews, Chabot, Farr, Austria, Chaffetz, Fattah, Baca, Chandler, Fincher, Bilirakis, Chu, Fitzpatrick, Bishop (GA), Deutch, Flake, Bishop (NY), Diaz-Balart, Clarke (MI), Fleischmann, Bishop (UT), Dicks, Clarke (NY), Fleming, Black, Clay, Flores, Blackburn, Cleaver, Forbes, Bonamici, Clyburn, Fortenberry, Bonner, Coble, Foy, Bono Mack, Coffman (CO), Frank (MA), Boren, Cohen, Franks (AZ), Boren, Cole, Frelinghuysen, Boswell, Conaway, Fudge, Boustany, Connolly (VA), Gallegly, Brady (PA), Conyers, Garamendi, Brady (TX), Cooper, Gardner, Braley (IA), Costa, Garret, Brooks, Costello, Gerlach, Broun (GA), Courtney, Gibbs, Brown (FL), Cravaack, Gibson, Buchanan, Crawford, Gingrey (GA), Buerkle, Crenshaw, Gonzalez, Burgess, Critz, Goodlatte, Burton (IN), Crowley, Gosar, Butterfield, Cuellar, Gowdy, Calvert, DeFazio, Granger, Camp, DeGette, Graves (GA), Campbell, Davis (CA), Graves (MO), Cantor, Davis (IL), Green, Al, Capito, DeLauro, Green, Gene, Capps, Denham, Griffin (AR), Capuano, Dent, Grijalva, Cardoza, DesJarlais, Grimm, Carnahan, Deutch, Guinta, Carney, Diaz-Balart, Guthrie, Carson (IN), Dicks, Gutierrez, Carter, Dicks, Hahn, Cassidy, Dingell, Hall, Castor (FL), Doggett, Hanabusa, Chabot, Dold, Hanna, Chaffetz, Garret, Harper, Chandler, Gerlach, Harris, Chu, Gibbs, Hartzler, Cicilline, Gibson, Hastings (FL), Clarke (MI), Gohmert, Hastings (WA), Clay, Gonzalez

Hayworth	McIntyre	Ryan (OH)
Heck	McKeon	Ryan (WI)
Heinrich	McKinley	Sánchez, Linda
Hensarling	McMorris	T.
Herger	Rodgers	Sanchez, Loretta
Herrera Beutler	McNerney	Sarbanes
Higgins	Meehan	Scalise
Himes	Meeks	Schakowsky
Hinches	Mica	Schiff
Hinojosa	Michaud	Schilling
Hochul	Miller (FL)	Schmidt
Holt	Miller (MI)	Schock
Honda	Miller (NC)	Schwartz
Hoyer	Miller, Gary	Schweikert
Huelskamp	Miller, George	Scott (SC)
Huizenga (MI)	Moore	Scott (VA)
Hultgren	Moran	Scott, Austin
Hunter	Mulvaney	Scott, David
Hurt	Murphy (CT)	Sensenbrenner
Israel	Murphy (PA)	Serrano
Issa	Myrick	Sessions
Jackson (IL)	Nadler	Sewell
Jackson Lee	Napolitano	Sherman
(TX)	Neal	Shimkus
Jenkins	Neugebauer	Shuler
Johnson (IL)	Noem	Shuster
Johnson (OH)	Nugent	Simpson
Johnson, E. B.	Nunes	Smith (NE)
Johnson, Sam	Nunnelee	Smith (NJ)
Jones	Olson	Smith (TX)
Jordan	Olver	Smith (WA)
Kaptur	Owens	Southerland
Keating	Palazzo	Speier
Kelly	Pallone	Stark
Kildee	Pascrell	Stearns
Kind	Pastor (AZ)	Stivers
King (IA)	Paulsen	Stutzman
King (NY)	Pearce	Sutton
Kingston	Pelosi	Terry
Kinzinger (IL)	Perlmutter	Thompson (CA)
Kissell	Peters	Thompson (MS)
Kline	Peterson	Thompson (PA)
Kucinich	Petri	Thornberry
Labrador	Pingree (ME)	Tjberi
Lamborn	Pitts	Tierney
Lance	Platts	Tipton
Landry	Poe (TX)	Tonko
Langevin	Polis	Towns
Lankford	Pompeo	Tsongas
Larsen (WA)	Posey	Turner (NY)
Larsen (CT)	Price (GA)	Turner (OH)
Latham	Price (NC)	Upton
LaTourette	Quayle	Van Hollen
Latta	Quigley	Velázquez
Lee (CA)	Rahall	Viscosky
Levin	Reed	Walberg
Lewis (CA)	Rehberg	Walden
Lewis (GA)	Reichert	Walsh (LL)
Lipinski	Renacci	Walsh (MN)
LoBiondo	Reyes	Wasserman
Loebsack	Ribble	Schultz
Long	Richardson	Waters
Lowey	Richmond	Watt
Lucas	Rigell	Waxman
Luetkemeyer	Rivera	Webster
Luján	Roby	Welch
Lummis	Roe (TN)	West
Lungren, Daniel	Rogers (AL)	Westmoreland
E.	Rogers (KY)	Whitfield
Lynch	Rogers (MI)	Wilson (FL)
Mack	Rohrabacher	Wilson (SC)
Manzullo	Rokita	Wittman
Marchant	Rooney	Wolf
Markey	Ros-Lehtinen	Womack
Matheson	Roskam	Woodall
Matsui	Ross (AR)	Woolsey
McCarthy (CA)	Ross (FL)	Yarmuth
McCarthy (NY)	Rothman (NJ)	Yoder
McCaul	Roybal-Allard	Young (AK)
McCollum	Royce	Young (FL)
McCotter	Runyan	Young (IN)
McDermott	Ruppersberger	
McGovern	Rush	

NOES—3

Gohmert	Lofgren, Zoe	McClintock
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NOT VOTING—18

Blumenauer	Holden	Pence
Bucshon	Johnson (GA)	Rangel
Canseco	Maloney	Schrader
Davis (KY)	Marino	Sires
Filner	McHenry	Slaughter
Hirono	Paul	Sullivan

So the amendment was agreed to.

54.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment numbered 7, printed in House Report 112-454, submitted by Mr. AMASH:

Page 10, after line 10, insert the following new paragraph:

- “(4) PROTECTION OF SENSITIVE PERSONAL DOCUMENTS.—The Federal Government may not use the following information, containing information that identifies a person, shared with the Federal Government in accordance with subsection (b):
 - “(A) Library circulation records.
 - “(B) Library patron lists.
 - “(C) Book sales records.
 - “(D) Book customer lists.
 - “(E) Firearms sales records.
 - “(F) Tax return records.
 - “(G) Educational records.
 - “(H) Medical records.

It was decided in the	{	Yeas	415
affirmative		Nays	0

54.22

[Roll No. 187]

AYES—415

Ackerman	Clay	Gingrey (GA)
Adams	Cleaver	Gohmert
Aderholt	Clyburn	Gonzalez
Akin	Coble	Goodlatte
Alexander	Coffman (CO)	Gosar
Altmire	Cohen	Gowdy
Amash	Cole	Granger
Amodei	Conaway	Graves (GA)
Andrews	Connolly (VA)	Graves (MO)
Austria	Conyers	Green, Al
Baca	Cooper	Green, Gene
Bachmann	Costa	Griffin (AR)
Bachus	Costello	Griffith (VA)
Baldwin	Courtney	Grijalva
Barletta	Cravaack	Grimm
Barrow	Crawford	Guinta
Bartlett	Crenshaw	Guthrie
Barton (TX)	Critz	Gutierrez
Bass (CA)	Crowley	Hahn
Bass (NH)	Cuellar	Hall
Becerra	Culberson	Hanabusa
Benishek	Cummings	Hanna
Berg	Davis (CA)	Harper
Berkley	Davis (IL)	Harris
Berman	DeFazio	Hartzler
Biggart	DeGette	Hastings (FL)
Bilbray	DeLauro	Hastings (WA)
Bilirakis	Denham	Hayworth
Bishop (GA)	Dent	Heck
Bishop (NY)	DesJarlais	Heinrich
Bishop (UT)	Deutch	Hensarling
Black	Diaz-Balart	Herger
Blackburn	Dicks	Herrera Beutler
Bonamici	Dingell	Higgins
Bonner	Doggett	Himes
Bono Mack	Dold	Hinches
Boren	Donnelly (IN)	Hinojosa
Boswell	Doyle	Hochul
Boustany	Dreier	Holt
Brady (PA)	Duffy	Honda
Brady (TX)	Duncan (SC)	Hoyer
Braley (IA)	Duncan (TN)	Huelskamp
Brooks	Edwards	Huizenga (MI)
Brown (GA)	Ellison	Hultgren
Brown (FL)	Ellmers	Hunter
Buchanan	Emerson	Hurt
Buerkle	Engel	Israel
Burgess	Eshoo	Issa
Burton (IN)	Farenthold	Jackson (IL)
Butterfield	Farr	Jackson Lee
Calvert	Fattah	(TX)
Camp	Fincher	Jenkins
Campbell	Fitzpatrick	Johnson (IL)
Cantor	Flake	Johnson (OH)
Capito	Fleischmann	Johnson, E. B.
Capps	Fleming	Johnson, Sam
Capuano	Flores	Jones
Cardoza	Forbes	Jordan
Carnahan	Fortenberry	Kaptur
Carney	Fox	Keating
Carson (IN)	Frank (MA)	Kelly
Carter	Franks (AZ)	Kildee
Cassidy	Frelinghuysen	Kind
Castor (FL)	Fudge	King (IA)
Chabot	Gallegly	King (NY)
Chaffetz	Garamendi	Kingston
Chandler	Gardner	Kinzinger (IL)
Chu	Garrett	Kissell
Cicilline	Gerlach	Kline
Clarke (MI)	Gibbs	Kucinich
Clarke (NY)	Gibson	Labrador

Lamborn	Nunnelee	Schweikert
Lance	Olson	Scott (SC)
Landry	Olver	Scott (VA)
Langevin	Owens	Scott, Austin
Lankford	Palazzo	Scott, David
Larsen (WA)	Pallone	Sensenbrenner
Larson (CT)	Pascrell	Serrano
Latham	Pastor (AZ)	Sessions
LaTourette	Paulsen	Sewell
Latta	Pearce	Sherman
Lee (CA)	Pelosi	Shimkus
Levin	Perlmutter	Shuler
Lewis (CA)	Peters	Shuster
Lewis (GA)	Peterson	Simpson
Lipinski	Petri	Smith (NE)
LoBiondo	Pingree (ME)	Smith (NJ)
Loebsack	Pitts	Smith (TX)
Lofgren, Zoe	Platts	Smith (WA)
Long	Poe (TX)	Southerland
Lowey	Polis	Speier
Lucas	Pompeo	Stark
Luetkemeyer	Posey	Stearns
Luján	Price (GA)	Stivers
Lummis	Price (NC)	Stutzman
Lungren, Daniel	Quayle	Sullivan
E.	Quigley	Sutton
Lynch	Rahall	Terry
Mack	Reed	Thompson (CA)
Manzullo	Rehberg	Thompson (MS)
Marchant	Reichert	Thompson (PA)
Markey	Renacci	Thornberry
Matheson	Reyes	Tiberi
Matsui	Ribble	Tierney
McCarthy (CA)	Richardson	Tipton
McCarthy (NY)	Richmond	Tonko
McCaul	Rigell	Towns
McClintock	Rivera	Tsongas
McCollum	Roby	Turner (NY)
McCotter	Roe (TN)	Turner (OH)
McDermott	Rogers (AL)	Upton
McGovern	Rogers (KY)	Van Hollen
McIntyre	Rogers (MI)	Velázquez
McKeon	Rohrabacher	Viscosky
McKinley	Rokita	Walberg
McMorris	Rooney	Walden
Rodgers	Ros-Lehtinen	Walsh (LL)
McNerney	Roskam	Walsh (MN)
Meehan	Ross (AR)	Wasserman
Meeks	Ross (FL)	Schultz
Mica	Rothman (NJ)	Waters
Michaud	Roybal-Allard	Watt
Miller (FL)	Royce	Waxman
Miller (MI)	Runyan	Webster
Miller (NC)	Ruppersberger	Welch
Miller, Gary	Rush	West
Miller, George	Ryan (OH)	Westmoreland
Moore	Ryan (WI)	Whitfield
Moran	Sánchez, Linda	Wilson (FL)
Mulvaney	T.	Wilson (SC)
DesJarlais	Sanchez, Loretta	Wittman
Murphy (CT)	Sarbanes	Wolf
Murphy (PA)	Schulze	Womack
Myrick	Scalise	Woodall
Nadler	Schakowsky	Woolsey
Napolitano	Schiff	Yarmuth
Neal	Schilling	Schmidt
Neugebauer	Schmidt	Yoder
Noem	Schock	Young (AK)
Nugent	Schrader	Young (FL)
Nunes	Schwartz	Young (IN)

NOT VOTING—16

Blumenauer	Holden	Pence
Bucshon	Johnson (GA)	Rangel
Canseco	Maloney	Sires
Davis (KY)	Marino	Slaughter
Filner	McHenry	
Hirono	Paul	

So the amendment was agreed to.

54.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in House Report 112-454, submitted by Mr. MULVANEY:

Page 10, after line 10 insert the following:

- “(4) NOTIFICATION OF NON-CYBER THREAT INFORMATION.—If a department or agency of the Federal Government receiving information pursuant to subsection (b)(1) determines that such information is not cyber threat information, such department or agency shall notify the entity or provider sharing such information pursuant to subsection (b)(1).

“(5) RETENTION AND USE OF CYBER THREAT INFORMATION.—No department or agency of

the Federal Government shall retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

“(6) PROTECTION OF INDIVIDUAL INFORMATION.—The Federal Government may, consistent with the need to protect Federal systems and critical information infrastructure from cybersecurity threats and to mitigate such threats, undertake reasonable efforts to limit the impact on privacy and civil liberties of the sharing of cyber threat information with the Federal Government pursuant to this subsection.

Page 14, after line 13, insert the following:

“(4) USE AND RETENTION OF INFORMATION.—Nothing in this section shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).”

It was decided in the { Yeas 416 affirmative } Nays 0

54.24 [Roll No. 188] AYES—416

- Ackerman Chu Fudge Adams Galleghy Garamendi Aderholt Clarke (MI) Gardner Akin Clarke (NY) Garret Clay Cleaver Gerlach Amash Clyburn Gibbs Coble Gibson Andrews Coffman (CO) Gohmert Austria Cohen Guthrie Baca Cole Gonzalez Bachmann Conaway Goodlatte Bachus Connolly (VA) Gosar Baldwin Conyers Granger Barletta Cooper Graves (GA) Barrow Costa Graves (MO) Bartlett Costello Green, Al Barton (TX) Courtney Green, Gene Bass (CA) Cravaack Griffith (AR) Bass (NH) Crawford Griffith (VA) Becerra Crenshaw Grijalva Benishek Critz Berg Crowley Grimm Berkeley Cuellar Guinta Berman Culberson Guthrie Biggert Cummings Gutierrez Bilbray Davis (CA) Hahn Bilirakis Davis (IL) Hall Bishop (GA) DeFazio Hanabusa Bishop (NY) DeGette Hanna Bishop (UT) DeLauro Harper Black Denham Harris Blackburn Dent Hartzler Bonamici DesJarlais Hastings (FL) Bonner Deutch Hastings (WA) Bono Mack Diaz-Balart Hayworth Boren Dicks Heck Boswell Dingell Heinrich Boustany Doggett Hensarling Brady (PA) Dold Hergert Brady (TX) Donnelly (IN) Herrera Beutler Braley (IA) Doyle Higgins Brooks Dreier Himes Broun (GA) Duffy Hinchey Brown (FL) Duncan (SC) Hinojosa Buchanan Duncan (TN) Hochul Buerkle Edwards Holt Burgess Ellison Honda Burton (IN) Ellmers Hoyer Butterfield Emerson Huelskamp Calvert Engel Huizenga (MI) Camp Eshoo Hultgren Campbell Farenthold Hunter Cantor Farr Hurt Capito Fattah Israel Capps Fincher Issa Capuano Fitzpatrick Jackson (IL) Cardoza Flake Jackson Lee Carnahan Fleischmann (TX) Carney Fleming Jenkins Carson (IN) Flores Johnson (GA) Carter Forbes Johnson (IL) Cassidy Fortenberry Johnson (OH) Castor (FL) Foxx Johnson, E. B. Chabot Frank (MA) Johnson, Sam Chaffetz Franks (AZ) Jones Chandler Frelinghuysen Jordan

- Kaptur Myrick Schock Keating Nadler Schrader Kelly Napolitano Schwartz Kildee Neal Schweikert Kind Neugebauer Scott (SC) King (IA) Noem Scott (VA) King (NY) Nugent Scott, Austin Kingston Nunes Scott, David Kinzinger (IL) Nunnelee Sensenbrenner Kissell Olson Serrano Kline Oliver Sessions Kucinich Owens Sewell Labrador Palazzo Sherman Lamborn Pallone Shimkus Lance Pascrell Shuler Landry Pastor (AZ) Shuster Langevin Paulsen Simpson Lanford Pearce Smith (NE) Larsen (WA) Pelosi Smith (NJ) Larson (CT) Perlmutter Smith (TX) Latham Peters Smith (WA) LaTourette Peterson Southerland Latta Petri Speier Lee (CA) Pingree (ME) Stark Levin Pitts Stark Lewis (CA) Platts Stearns Lewis (GA) Poe (TX) Stivers Lipinski Polis Stutzman LoBiondo Pompeo Sullivan Loeb sack Posey Sutton Lofgren, Zoe Price (GA) Terry Long Price (NC) Thompson (CA) Lowey Quayle Thompson (MS) Lucas Quigley Thompson (PA) Luetkemeyer Rahall Thornberry Lujan Reed Tiberi Lummis Rehberg Tierney Lungren, Daniel Reichert Tipton E. Renacci Tonko Lynch Reyes Towns Mack Ribble Tsongas Manzano Richardson Turner (NY) Marchant Richmond Turner (OH) Markey Rigell Upton Matheson Rivera Van Hollen Matsui Roby Velazquez McCarthy (CA) Roe (TN) Visclosky McCarthy (NY) Rogers (AL) Walberg McCaul Rogers (KY) Walden McClintock Rogers (MI) Walsh (IL) McCollum Rohrabacher Walsh (MN) McCotter Rokita Wasserman McDermott Rooney Schultz McGovern Ros-Lehtinen Waters McIntyre Roskam Watt McKeon Ross (AR) Waxman McKinley Ross (FL) Webster McMorris Rothman (NJ) Welch Rodgers Roybal-Allard West McNeerney Royce Westmoreland Meehan Runyan Whitfield Meeks Ruppertsberger Wilson (FL) Mica Rush Wilson (SC) Michaud Ryan (OH) Wittman Miller (FL) Ryan (WI) Wolf Miller (MI) Sanchez, Linda Womack Miller (NC) T. Woodall Miller, Gary Sanchez, Loretta Woolsey Miller, George Sarbanes Yarmuth Moore Scalise Yoder Moran Schakowsky Yoder Mulvaney Schiff Young (AK) Murphy (CT) Schilling Young (FL) Murphy (PA) Schmidt Young (IN)

NOT VOTING—15

- Blumenauer Hirono Paul Bucshon Holden Pence Canseco Maloney Rangel Davis (KY) Marino Sires Filner McHenry Slaughter

So the amendment was agreed to.

54.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 13, printed in House Report 112-454, submitted by Mr. GOOD-LATTE:

Page 14, after line 14 insert the following: “(1) AVAILABILITY.—The term ‘availability’ means ensuring timely and reliable access to and use of information.

Page 15, strike lines 1 through 25 and insert the following:

“(2) CONFIDENTIALITY.—The term ‘confidentiality’ means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information.

“(3) CYBER THREAT INFORMATION.—

“(A) IN GENERAL.—The term ‘cyber threat information’ means information directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network of a government or private entity; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

“(B) EXCLUSION.—Such term does not include information pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(4) CYBER THREAT INTELLIGENCE.—

“(A) IN GENERAL.—The term ‘cyber threat intelligence’ means intelligence in the possession of an element of the intelligence community directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network of a government or private entity; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

“(B) EXCLUSION.—Such term does not include intelligence pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

Page 16, strike line 5 and all that follows through page 17, line 2, and insert the following:

“(5) CYBERSECURITY PURPOSE.—

“(A) IN GENERAL.—The term ‘cybersecurity purpose’ means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.—Such term does not include the purpose of protecting a system or

network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(6) CYBERSECURITY SYSTEM.—

“(A) IN GENERAL.—The term ‘cybersecurity system’ means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to degrade, disrupt, or destroy a system or network; or“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.— Such term does not include a system designed or employed to protect a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

Page 17, after line 2 insert the following:“(7) INTEGRITY.—The term ‘integrity’ means guarding against improper information modification or destruction, including ensuring information nonrepudiation and authenticity.

It was decided in the { Yeas 414 affirmative } Nays 1

54.26 [Roll No. 189] AYES—414

- Ackerman Butterfield DeLauro Adams Calvert Denham Aderholt Camp Dent Alexander Campbell DesJarlais Altmire Cantor Deutch Amash Capito Diaz-Balart Amodei Capps Dicks Andrews Capuano Dingell Austria Cardoza Doggett Baca Carnahan Dold Bachmann Carney Donnelly (IN) Bachus Carson (IN) Doyle Baldwin Carter Dreier Barletta Cassidy Duffy Barrow Castor (FL) Duncan (SC) Bartlett Chabot Duncan (TN) Barton (TX) Chaffetz Edwards Bass (CA) Chandler Ellison Bass (NH) Chu Ellmers Becerra Cicilline Emerson Benishek Clarke (MI) Engel Berg Clarke (NY) Eshoo Berkeley Clay Farenthold Berman Cleaver Farr Biggert Clyburn Fattah Bilbray Coble Fincher Bilirakis Coffman (CO) Fitzpatrick Bishop (GA) Cohen Flake Bishop (NY) Cole Fleischmann Bishop (UT) Conaway Fleming Black Connolly (VA) Flores Blackburn Conyers Forbes Bonamici Cooper Fortenberry Bonner Costa Foxx Bono Mack Costello Boren Courtney Franks (AZ) Boswell Cravaack Frelinghuysen Boustany Crawford Fudge Brady (PA) Crenshaw Gallegly Brady (TX) Critz Garamendi Braley (IA) Crowley Gardner Brooks Cuellar Garrett Broun (GA) Culberson Garret Broun (FL) Cummings Gerlach Buchanan Davis (CA) Gibbs Buerkle Davis (IL) Gingrey (GA) Burgess DeFazio Gohmert Burton (IN) DeGette Gonzalez

- Goodlatte Gosar Gowdy Granger Graves (GA) Graves (MO) Green, Al Green, Gene Griffin (AR) Griffith (VA) Grijalva Grimm Guinta Guthrie Gutierrez Hahn Hartzler Hastings (FL) Hastings (WA) Hayworth Heck Heinrich Hensarling Herger Herrera Beutler Higgins Himes Hinchey Hinojosa Hochul Holt Honda Hoyer Huelskamp Huizenga (MI) Hultgren Hunter Hurt Israel Issa Jackson (IL) Jackson Lee (TX) Jenkins Johnson (GA) Johnson (IL) Johnson (OH) Johnson, E. B. Johnson, Sam Jones Jordan Kaptur Keating Kelly Kildee Kind King (IA) King (NY) Kingston Kinzinger (IL) Kissell Kline Kucinich Labrador Lamborn Lance Landry Langevin Lankford Larson (CT) Latham LaTourette Latta Lee (CA) Levin Lewis (CA) Lewis (GA) Lipinski LoBiondo Loeb sack Long Lowey Lucas Luetkemeyer Lujan Lummis Lungren, Daniel E. Lynch Mack Manzullo Marchant Markey Matheson Matsui McCarthy (CA) McCarthy (NY) McCaul McClintock McCollum McCotter McDermott McGovern McIntyre McKeon McKinley McMorris Rodgers McNeerney Meehan Meeks Mica Michaud Miller (FL) Miller (MI) Miller (NC) Miller, Gary Miller, George Moore Moran Mulvaney Murphy (CT) Murphy (PA) Myrick Nadler Napolitano Neal Neugebauer Noem Nugent Nunes Nunnelee Olson Oliver Owens Palazzo Pallone Pascrell Pastor (AZ) Paulsen Pearce Pelosi Perlmutter Peters Peterson Petri Pingree (ME) Pitts Platts Poe (TX) Polis Pompeo Posey Price (GA) Price (NC) Quayle Quigley Rahall Reed Rehberg Reichert Renacci Reyes Ribble Richardson Richmond Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Roskam Roskam Ross (AR) Ross (FL) Rothman (NJ) Roybal-Allard Royce Runyan Ruppertsberger Rush Ryan (OH) Ryan (WI) Sanchez, Linda T. Sanchez, Loretta Sarbanes Scalise Schakowsky Schiff Schilling Schmidt Schrock Schrader Schwartz Schweikert Scott (SC) Scott (VA) Scott, Austin Scott, David Sensenbrenner Serrano Sessions Sewell Sherman Shimkus Shuler Shuster Simpson Smith (NE) Smith (NJ) Smith (TX) Smith (WA) Southerland Speier Stark Stearns Stivers Stutzman Sullivan Sutton Terry Thompson (CA) Thompson (MS) Thompson (PA) Thornberry Tiberi Tierney Tipton Tonko Towns Tsongas Turner (NY) Turner (OH) Upton Van Hollen Velázquez Visclosky Walberg Walden Walsh (IL) Walz (MN) Wasserman Schultz Waters Watt Waxman Webster Welch West Westmoreland Whitfield Wilson (FL) Wilson (SC) Wittman Wolf Womack Woodall Woolsey Yarmuth Yoder Young (AK) Young (FL) Young (IN)

- Marino Pence Slaughter McHenry Rangel Paul Sires

So the amendment was agreed to.

54.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 15, printed in House Report 112-454, submitted by Mr. MULVANEY:

At the end of the bill, add the following new section:

SEC. 3. SUNSET.

Effective on the date that is five years after the date of the enactment of this Act—(1) section 1104 of the National Security Act of 1947, as added by section 2(a) of this Act, is repealed; and

(2) the table of contents in the first section of the National Security Act of 1947, as amended by section 2(d) of this Act, is amended by striking the item relating to section 1104, as added by such section 2(d).

It was decided in the { Yeas 413 affirmative } Nays 3

54.28 [Roll No. 190] AYES—413

- Ackerman Chabot Fortenberry Adams Chaffetz Foxx Aderholt Chandler Frank (MA) Akin Chu Franks (AZ) Alexander Cicilline Frelinghuysen Altmire Clarke (MI) Fudge Amash Clarke (NY) Gallegly Amodei Clay Garamendi Andrews Cleaver Gardner Austria Clyburn Garrett Baca Coble Gerlach Bachmann Coffman (CO) Gibbs Bachus Cohen Gibson Baldwin Cole Gingrey (GA) Barletta Conaway Gohmert Barrow Connolly (VA) Gonzalez Bartlett Conyers Goodlatte Barton (TX) Cooper Gosar Bass (CA) Costa Granger Bass (NH) Costello Courtney Becerra Courtney Cravaack Graves (MO) Berg Crawford Green, Al Berkley Crenshaw Green, Gene Berman Critz Griffin (AR) Biggert Crowley Griffith (VA) Bilbray Cuellar Grijalva Bilirakis Culberson Grimm Bishop (GA) Cummings Guinta Bishop (NY) Davis (CA) Guthrie Bishop (UT) Davis (IL) Gutierrez Black DeFazio Hahn Blackburn DeGette Hall Bonamici DeLauro Hanabusa Bonner Denham Hanna Bono Mack Dent Harper Boren DesJarlais Harris Boswell Deutch Hartzler Boustany Diaz-Balart Hastings (FL) Brady (PA) Dicks Hastings (WA) Brady (TX) Doggett Hayworth Braley (IA) Dold Heck Brooks Donnelly (IN) Heinrich Broun (GA) Doyle Hensarling Brown (FL) Dreier Herger Buchanan Duffy Herrera Beutler Buerkle Duncan (SC) Higgins Burgess Duncan (TN) Himes Burdon Edwards Hinchey Butterfield Ellison Hinojosa Calvert Ellmers Hochul Camp Emerson Holt Campbell Engel Honda Cantor Eshoo Hoyer Capito Farenthold Huelskamp Capps Farr Huizenga (MI) Capuano Fattah Hultgren Cardoza Fincher Hunter Carnahan Fitzpatrick Hurt Carson (IN) Flake Israel Carson (IN) Fleischmann Issa Carter Fleming Jackson (IL) Cassidy Flores Jackson Lee Castor (FL) Forbes (TX)

NOES—1 Lofgren, Zoe NOT VOTING—16

- Akin Canseco Hirono Blumenauer Davis (KY) Holden Bucshon Filner Maloney

Jenkins	Miller, George	Shakowsky
Johnson (GA)	Moore	Schiff
Johnson (IL)	Moran	Schilling
Johnson (OH)	Mulvaney	Schmidt
Johnson, E. B.	Murphy (CT)	Schock
Johnson, Sam	Murphy (PA)	Schwartz
Jones	Myrick	Schweikert
Jordan	Nader	Scott (SC)
Kaptur	Napolitano	Scott (VA)
Keating	Neal	Scott, Austin
Kelly	Neugebauer	Scott, David
Kildee	Noem	Sensenbrenner
Kind	Nugent	Serrano
King (IA)	Nunes	Sessions
King (NY)	Nunnelee	Sewell
Kingston	Olson	Sherman
Kinzinger (IL)	Oliver	Shimkus
Kissell	Owens	Shuler
Kline	Palazzo	Shuster
Kucinich	Pallone	Simpson
Labrador	Pascrell	Smith (NE)
Lamborn	Pastor (AZ)	Smith (NJ)
Lance	Paulsen	Smith (TX)
Landry	Pearce	Smith (WA)
Langevin	Pelosi	Southerland
Lankford	Perlmutter	Speier
Larsen (WA)	Perlmutter	Stark
Larson (CT)	Peterson	Stearns
Latham	Petri	Stivers
LaTourette	Pingree (ME)	Stutzman
Latta	Pitts	Sullivan
Lee (CA)	Platts	Sutton
Levin	Poe (TX)	Terry
Lewis (CA)	Polis	Thompson (CA)
Lewis (GA)	Pompeo	Thompson (MS)
Lipinski	Posey	Thompson (PA)
LoBiondo	Price (GA)	Thornberry
Loeback	Price (NC)	Tiberi
Lofgren, Zoe	Quayle	Tierney
Long	Quigley	Tipton
Lowe	Rahall	Reed
Lucas	Rehberg	Tonko
Luetkemeyer	Reichert	Towns
Lujan	Reichert	Tsongas
Lummis	Renacci	Turner (OH)
Lungren, Daniel E.	Reyes	Upton
Lynch	Ribble	Van Hollen
Mack	Richardson	Velázquez
Manzullo	Richmond	Visclosky
Marchant	Rigell	Walberg
Markey	Rivera	Walden
Matheson	Roby	Walsh (IL)
Matsui	Roe (TN)	Walz (MN)
McCarthy (CA)	Rogers (AL)	Wasserman
McCarthy (NY)	Rogers (KY)	Schultz
McCaul	Rogers (MI)	Waters
McClintock	Rohrabacher	Watt
McCollum	Rokita	Waxman
McCotter	Rooney	Webster
McDermott	Ros-Lehtinen	Welch
McGovern	Roskam	West
McIntyre	Ross (AR)	Westmoreland
McKeon	Ross (FL)	Whitfield
McKinley	Rothman (NJ)	Wilson (FL)
McMorris	Roybal-Allard	Wilson (SC)
Rodgers	Royce	Wittman
McNerney	Runyan	Wolf
Meehan	Ruppersberger	Womack
Meeks	Rush	Woodall
Mica	Ryan (OH)	Woolsey
Michaud	Ryan (WI)	Yarmuth
Miller (FL)	Sánchez, Linda T.	Yoder
Miller (MI)	Sanchez, Loretta	Young (AK)
Miller (NC)	Sarbanes	Young (FL)
Miller, Gary	Scalise	Young (IN)

NOES—3

Dingell	Schrader	Turner (NY)
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NOT VOTING—15

Blumenauer	Hirono	Paul
Bucshon	Holden	Pence
Cansco	Maloney	Rangel
Davis (KY)	Marino	Sires
Filner	McHenry	Slaughter

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. WOODALL, assumed the Chair.

When Mr. CHAFFETZ, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cyber Intelligence Sharing and Protection Act".

SEC. 2. CYBER THREAT INTELLIGENCE AND INFORMATION SHARING.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding at the end the following new section:

"CYBER THREAT INTELLIGENCE AND INFORMATION SHARING

"SEC. 1104. (a) INTELLIGENCE COMMUNITY SHARING OF CYBER THREAT INTELLIGENCE WITH PRIVATE SECTOR AND UTILITIES.—

"(1) IN GENERAL.—The Director of National Intelligence shall establish procedures to allow elements of the intelligence community to share cyber threat intelligence with private-sector entities and utilities and to encourage the sharing of such intelligence.

"(2) SHARING AND USE OF CLASSIFIED INTELLIGENCE.—The procedures established under paragraph (1) shall provide that classified cyber threat intelligence may only be—

"(A) shared by an element of the intelligence community with—

"(i) certified entities; or
"(ii) a person with an appropriate security clearance to receive such cyber threat intelligence;

"(B) shared consistent with the need to protect the national security of the United States; and

"(C) used by a certified entity in a manner which protects such cyber threat intelligence from unauthorized disclosure.

"(3) SECURITY CLEARANCE APPROVALS.—The Director of National Intelligence shall issue guidelines providing that the head of an element of the intelligence community may, as the head of such element considers necessary to carry out this subsection—

"(A) grant a security clearance on a temporary or permanent basis to an employee or officer of a certified entity;

"(B) grant a security clearance on a temporary or permanent basis to a certified entity and approval to use appropriate facilities; and

"(C) expedite the security clearance process for a person or entity as the head of such element considers necessary, consistent with the need to protect the national security of the United States.

"(4) NO RIGHT OR BENEFIT.—The provision of information to a private-sector entity or a utility under this subsection shall not create a right or benefit to similar information by such entity or such utility or any other private-sector entity or utility.

"(5) RESTRICTION ON DISCLOSURE OF CYBER THREAT INTELLIGENCE.—Notwithstanding any other provision of law, a certified entity receiving cyber threat intelligence pursuant to this subsection shall not further disclose such cyber threat intelligence to another entity, other than to a certified entity or other appropriate agency or department of the Federal Government authorized to receive such cyber threat intelligence.

"(b) USE OF CYBERSECURITY SYSTEMS AND SHARING OF CYBER THREAT INFORMATION.—

"(1) IN GENERAL.—

"(A) CYBERSECURITY PROVIDERS.—Notwithstanding any other provision of law, a cybersecurity provider, with the express consent of a protected entity for which such cybersecurity provider is providing goods or services for cybersecurity purposes, may, for cybersecurity purposes—

"(i) use cybersecurity systems to identify and obtain cyber threat information to pro-

tect the rights and property of such protected entity; and

"(ii) share such cyber threat information with any other entity designated by such protected entity, including, if specifically designated, the Federal Government.

"(B) SELF-PROTECTED ENTITIES.—Notwithstanding any other provision of law, a self-protected entity may, for cybersecurity purposes—

"(i) use cybersecurity systems to identify and obtain cyber threat information to protect the rights and property of such self-protected entity; and

"(ii) share such cyber threat information with any other entity, including the Federal Government.

"(2) SHARING WITH THE FEDERAL GOVERNMENT.—

"(A) INFORMATION SHARED WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER OF THE DEPARTMENT OF HOMELAND SECURITY.—Subject to the use and protection of information requirements under paragraph (3), the head of a department or agency of the Federal Government receiving cyber threat information in accordance with paragraph (1) shall provide such cyber threat information to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security.

"(B) REQUEST TO SHARE WITH ANOTHER DEPARTMENT OR AGENCY OF THE FEDERAL GOVERNMENT.—An entity sharing cyber threat information that is provided to the National Cybersecurity and Communications Integration Center of the Department of Homeland Security under subparagraph (A) or paragraph (1) may request the head of such Center to, and the head of such Center may, provide such information to another department or agency of the Federal Government.

"(3) USE AND PROTECTION OF INFORMATION.—Cyber threat information shared in accordance with paragraph (1)—

"(A) shall only be shared in accordance with any restrictions placed on the sharing of such information by the protected entity or self-protected entity authorizing such sharing, including appropriate anonymization or minimization of such information;

"(B) may not be used by an entity to gain an unfair competitive advantage to the detriment of the protected entity or the self-protected entity authorizing the sharing of information;

"(C) if shared with the Federal Government—

"(i) shall be exempt from disclosure under section 552 of title 5, United States Code;

"(ii) shall be considered proprietary information and shall not be disclosed to an entity outside of the Federal Government except as authorized by the entity sharing such information;

"(iii) shall not be used by the Federal Government for regulatory purposes;

"(iv) shall not be provided by the department or agency of the Federal Government receiving such cyber threat information to another department or agency of the Federal Government under paragraph (2)(A) if—

"(I) the entity providing such information determines that the provision of such information will undermine the purpose for which such information is shared; or

"(II) unless otherwise directed by the President, the head of the department or agency of the Federal Government receiving such cyber threat information determines that the provision of such information will undermine the purpose for which such information is shared; and

"(v) shall be handled by the Federal Government consistent with the need to protect sources and methods and the national security of the United States; and

“(D) shall be exempt from disclosure under a State, local, or tribal law or regulation that requires public disclosure of information by a public or quasi-public entity.

“(4) EXEMPTION FROM LIABILITY.—No civil or criminal cause of action shall lie or be maintained in Federal or State court against a protected entity, self-protected entity, cybersecurity provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, acting in good faith—

“(A) for using cybersecurity systems to identify or obtain cyber threat information or for sharing such information in accordance with this section; or

“(B) for decisions made based on cyber threat information identified, obtained, or shared under this section.

“(5) RELATIONSHIP TO OTHER LAWS REQUIRING THE DISCLOSURE OF INFORMATION.—The submission of information under this subsection to the Federal Government shall not satisfy or affect—

“(A) any requirement under any other provision of law for a person or entity to provide information to the Federal Government; or

“(B) the applicability of other provisions of law, including section 552 of title 5, United States Code (commonly known as the ‘Freedom of Information Act’), with respect to information required to be provided to the Federal Government under such other provision of law.

“(c) FEDERAL GOVERNMENT USE OF INFORMATION.—

“(1) LIMITATION.—The Federal Government may use cyber threat information shared with the Federal Government in accordance with subsection (b)—

“(A) for cybersecurity purposes;

“(B) for the investigation and prosecution of cybersecurity crimes;

“(C) for the protection of individuals from the danger of death or serious bodily harm and the investigation and prosecution of crimes involving such danger of death or serious bodily harm;

“(D) for the protection of minors from child pornography, any risk of sexual exploitation, and serious threats to the physical safety of such minor, including kidnapping and trafficking and the investigation and prosecution of crimes involving child pornography, any risk of sexual exploitation, and serious threats to the physical safety of minors, including kidnapping and trafficking, and any crime referred to in 2258A(a)(2) of title 18, United States Code; or

“(E) to protect the national security of the United States.

“(2) AFFIRMATIVE SEARCH RESTRICTION.—The Federal Government may not affirmatively search cyber threat information shared with the Federal Government under subsection (b) for a purpose other than a purpose referred to in paragraph (1)(B).

“(3) ANTI-TASKING RESTRICTION.—Nothing in this section shall be construed to permit the Federal Government to—

“(A) require a private-sector entity to share information with the Federal Government; or

“(B) condition the sharing of cyber threat intelligence with a private-sector entity on the provision of cyber threat information to the Federal Government.

“(4) PROTECTION OF SENSITIVE PERSONAL DOCUMENTS.—The Federal Government may not use the following information, containing information that identifies a person, shared with the Federal Government in accordance with subsection (b):

“(A) Library circulation records.

“(B) Library patron lists.

“(C) Book sales records.

“(D) Book customer lists.

“(E) Firearms sales records.

“(F) Tax return records.

“(G) Educational records.

“(H) Medical records.

“(5) NOTIFICATION OF NON-CYBER THREAT INFORMATION.—If a department or agency of the Federal Government receiving information pursuant to subsection (b)(1) determines that such information is not cyber threat information, such department or agency shall notify the entity or provider sharing such information pursuant to subsection (b)(1).

“(6) RETENTION AND USE OF CYBER THREAT INFORMATION.—No department or agency of the Federal Government shall retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

“(7) PROTECTION OF INDIVIDUAL INFORMATION.—The Federal Government may, consistent with the need to protect Federal systems and critical information infrastructure from cybersecurity threats and to mitigate such threats, undertake reasonable efforts to limit the impact on privacy and civil liberties of the sharing of cyber threat information with the Federal Government pursuant to this subsection.

“(d) FEDERAL GOVERNMENT LIABILITY FOR VIOLATIONS OF RESTRICTIONS ON THE DISCLOSURE, USE, AND PROTECTION OF VOLUNTARILY SHARED INFORMATION.—

“(1) IN GENERAL.—If a department or agency of the Federal Government intentionally or willfully violates subsection (b)(3)(C) or subsection (c) with respect to the disclosure, use, or protection of voluntarily shared cyber threat information shared under this section, the United States shall be liable to a person adversely affected by such violation in an amount equal to the sum of—

“(A) the actual damages sustained by the person as a result of the violation or \$1,000, whichever is greater; and

“(B) the costs of the action together with reasonable attorney fees as determined by the court.

“(2) VENUE.—An action to enforce liability created under this subsection may be brought in the district court of the United States in—

“(A) the district in which the complainant resides;

“(B) the district in which the principal place of business of the complainant is located;

“(C) the district in which the department or agency of the Federal Government that disclosed the information is located; or

“(D) the District of Columbia.

“(3) STATUTE OF LIMITATIONS.—No action shall lie under this subsection unless such action is commenced not later than two years after the date of the violation of subsection (b)(3)(C) or subsection (c) that is the basis for the action.

“(4) EXCLUSIVE CAUSE OF ACTION.—A cause of action under this subsection shall be the exclusive means available to a complainant seeking a remedy for a violation of subsection (b)(3)(C) or subsection (c).

“(e) REPORT ON INFORMATION SHARING.—

“(1) REPORT.—The Inspector General of the Intelligence Community shall annually submit to the congressional intelligence committees a report containing a review of the use of information shared with the Federal Government under this section, including—

“(A) a review of the use by the Federal Government of such information for a purpose other than a cybersecurity purpose;

“(B) a review of the type of information shared with the Federal Government under this section;

“(C) a review of the actions taken by the Federal Government based on such information;

“(D) appropriate metrics to determine the impact of the sharing of such information

with the Federal Government on privacy and civil liberties, if any;

“(E) a list of the department or agency receiving such information;

“(F) a review of the sharing of such information within the Federal Government to identify inappropriate stovepiping of shared information; and

“(G) any recommendations of the Inspector General for improvements or modifications to the authorities under this section.

“(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(f) FEDERAL PREEMPTION.—This section supersedes any statute of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under subsection (b).

“(g) SAVINGS CLAUSES.—

“(1) EXISTING AUTHORITIES.—Nothing in this section shall be construed to limit any other authority to use a cybersecurity system or to identify, obtain, or share cyber threat intelligence or cyber threat information.

“(2) LIMITATION ON MILITARY AND INTELLIGENCE COMMUNITY INVOLVEMENT IN PRIVATE AND PUBLIC SECTOR CYBERSECURITY EFFORTS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, the Department of Defense or the National Security Agency or any other element of the intelligence community to control, modify, require, or otherwise direct the cybersecurity efforts of a private-sector entity or a component of the Federal Government or a State, local, or tribal government.

“(3) INFORMATION SHARING RELATIONSHIPS.—Nothing in this section shall be construed to—

“(A) limit or modify an existing information sharing relationship;

“(B) prohibit a new information sharing relationship;

“(C) require a new information sharing relationship between the Federal Government and a private-sector entity; or

“(D) modify the authority of a department or agency of the Federal Government to protect sources and methods and the national security of the United States.

“(4) LIMITATION ON FEDERAL GOVERNMENT USE OF CYBERSECURITY SYSTEMS.—Nothing in this section shall be construed to provide additional authority to, or modify an existing authority of, any entity to use a cybersecurity system owned or controlled by the Federal Government on a private-sector system or network to protect such private-sector system or network.

“(5) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this section shall be construed to subject a protected entity, self-protected entity, cyber security provider, or an officer, employee, or agent of a protected entity, self-protected entity, or cybersecurity provider, to liability for choosing not to engage in the voluntary activities authorized under this section.

“(6) USE AND RETENTION OF INFORMATION.—Nothing in this section shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use information shared pursuant to subsection (b)(1) for any use other than a use permitted under subsection (c)(1).

“(h) DEFINITIONS.—In this section:

“(1) AVAILABILITY.—The term ‘availability’ means ensuring timely and reliable access to and use of information.

“(2) CERTIFIED ENTITY.—The term ‘certified entity’ means a protected entity, self-protected entity, or cybersecurity provider that—

“(A) possesses or is eligible to obtain a security clearance, as determined by the Director of National Intelligence; and

“(B) is able to demonstrate to the Director of National Intelligence that such provider or such entity can appropriately protect classified cyber threat intelligence.

“(3) CONFIDENTIALITY.—The term ‘confidentiality’ means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information.

“(4) CYBER THREAT INFORMATION.—

“(A) IN GENERAL.—The term ‘cyber threat information’ means information directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

“(B) EXCLUSION.—Such term does not include information pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(5) CYBER THREAT INTELLIGENCE.—

“(A) IN GENERAL.—The term ‘cyber threat intelligence’ means intelligence in the possession of an element of the intelligence community directly pertaining to—

“(i) a vulnerability of a system or network of a government or private entity;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network of a government or private entity; or

“(iv) efforts to gain unauthorized access to a system or network of a government or private entity, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network of a government or private entity.

“(B) EXCLUSION.—Such term does not include intelligence pertaining to efforts to gain unauthorized access to a system or network of a government or private entity that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(6) CYBERSECURITY CRIME.—The term ‘cybersecurity crime’ means—

“(A) a crime under a Federal or State law that involves—

“(i) efforts to deny access to or degrade, disrupt, or destroy a system or network;

“(ii) efforts to gain unauthorized access to a system or network; or

“(iii) efforts to exfiltrate information from a system or network without authorization; or

“(B) the violation of a provision of Federal law relating to computer crimes, including a violation of any provision of title 18, United States Code, created or amended by the Computer Fraud and Abuse Act of 1986 (Public Law 99-474).

“(7) CYBERSECURITY PROVIDER.—The term ‘cybersecurity provider’ means a non-governmental entity that provides goods or services intended to be used for cybersecurity purposes.

“(8) CYBERSECURITY PURPOSE.—

“(A) IN GENERAL.—The term ‘cybersecurity purpose’ means the purpose of ensuring the integrity, confidentiality, or availability of, or safeguarding, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.—Such term does not include the purpose of protecting a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(9) CYBERSECURITY SYSTEM.—

“(A) IN GENERAL.—The term ‘cybersecurity system’ means a system designed or employed to ensure the integrity, confidentiality, or availability of, or safeguard, a system or network, including protecting a system or network from—

“(i) a vulnerability of a system or network;

“(ii) a threat to the integrity, confidentiality, or availability of a system or network or any information stored on, processed on, or transiting such a system or network;

“(iii) efforts to deny access to or degrade, disrupt, or destroy a system or network; or

“(iv) efforts to gain unauthorized access to a system or network, including to gain such unauthorized access for the purpose of exfiltrating information stored on, processed on, or transiting a system or network.

“(B) EXCLUSION.—Such term does not include a system designed or employed to protect a system or network from efforts to gain unauthorized access to such system or network that solely involve violations of consumer terms of service or consumer licensing agreements and do not otherwise constitute unauthorized access.

“(10) INTEGRITY.—The term ‘integrity’ means guarding against improper information modification or destruction, including ensuring information nonrepudiation and authenticity.

“(11) PROTECTED ENTITY.—The term ‘protected entity’ means an entity, other than an individual, that contracts with a cybersecurity provider for goods or services to be used for cybersecurity purposes.

“(12) SELF-PROTECTED ENTITY.—The term ‘self-protected entity’ means an entity, other than an individual, that provides goods or services for cybersecurity purposes to itself.

“(13) UTILITY.—The term ‘utility’ means an entity providing essential services (other than law enforcement or regulatory services), including electricity, natural gas, propane, telecommunications, transportation, water, or wastewater services.”

(b) PROCEDURES AND GUIDELINES.—The Director of National Intelligence shall—

(1) not later than 60 days after the date of the enactment of this Act, establish procedures under paragraph (1) of section 1104(a) of the National Security Act of 1947, as added by subsection (a) of this section, and issue

guidelines under paragraph (3) of such section 1104(a);

(2) in establishing such procedures and issuing such guidelines, consult with the Secretary of Homeland Security to ensure that such procedures and such guidelines permit the owners and operators of critical infrastructure to receive all appropriate cyber threat intelligence (as defined in section 1104(h)(3) of such Act, as added by subsection (a)) in the possession of the Federal Government; and

(3) following the establishment of such procedures and the issuance of such guidelines, expeditiously distribute such procedures and such guidelines to appropriate departments and agencies of the Federal Government, private-sector entities, and utilities (as defined in section 1104(h)(9) of such Act, as added by subsection (a)).

(c) INITIAL REPORT.—The first report required to be submitted under subsection (e) of section 1104 of the National Security Act of 1947, as added by subsection (a) of this section, shall be submitted not later than 1 year after the date of the enactment of this Act.

(d) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

“Sec. 1104. Cyber threat intelligence and information sharing.”

SEC. 3. SUNSET.

Effective on the date that is 5 years after the date of the enactment of this Act—

(1) section 1104 of the National Security Act of 1947, as added by section 2(a) of this Act, is repealed; and

(2) the table of contents in the first section of the National Security Act of 1947, as amended by section 2(d) of this Act, is amended by striking the item relating to section 1104, as added by such section 2(d).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. PERLMUTTER moved to recommit the bill to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendments:

At the end of the bill, add the following new section:

SEC. 3. PROTECTING THE PRIVACY OF INTERNET PASSWORDS AND THE CREATIVITY OF THE INTERNET.

Nothing in this Act or the amendments made by this Act shall be construed to—

(1) permit an employer, a prospective employer, or the Federal Government to require the disclosure of a confidential password for a social networking website or a personal account of an employee or job applicant without a court order; or

(2) permit the Federal Government to establish a mechanism to control United States citizens’ access to and use of the Internet through the creation of a national Internet firewall similar to the “Great Internet Firewall of China”, as determined by the Director of the National Intelligence.

Page 12, line 22, strike “and”.

Page 12, line 25, strike the period and insert a semicolon.

Page 12, after line 25, insert the following:

“(G) the number of Americans who have—

“(i) been required by employers, prospective employers, or the Federal Government to release confidential passwords for social networking websites; and

“(ii) had personal information released to the Federal Government under this section or obtained in connection with a cybersecurity breach; and

“(H) the impact of the information that has been released or obtained as referred to

in subparagraph (G) on privacy, electronic commerce, Internet usage, and online content.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOODALL, announced that the nays had it.

Mr. PERLMUTTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 183 negative } Nays 233

54.29 [Roll No. 191]

YEAS—183

- Ackerman Frank (MA)
Altmire Fudge
Andrews Garamendi
Baca Gonzalez
Baldwin Green, Al
Barrow Green, Gene
Bass (CA) Grijalva
Becerra Gutierrez
Berkley Hahn
Berman Hanabusa
Bishop (GA) Hastings (FL)
Bishop (NY) Heinrich
Bonamici Higgins
Boren Himes
Boswell Hinchey
Brady (PA) Hinojosa
Braley (IA) Hochul
Brown (FL) Holt
Butterfield Honda
Capps Hoyer
Capuano Israel
Cardoza Jackson (IL)
Carnahan Jackson Lee
Carney (TX)
Carson (IN) Johnson (GA)
Castor (FL) Johnson, E. B.
Chandler Jones
Chu Kaptur
Ciocilline Keating
Clarke (MI) Kildee
Clarke (NY) Kind
Clay Kissell
Cleaver Kucinich
Clyburn Langevin
Cohen Larsen (WA)
Connolly (VA) Larson (CT)
Conyers Lee (CA)
Cooper Levin
Costa Lewis (GA)
Costello Lipinski
Courtney Loeb sack
Critz Lofgren, Zoe
Crowley Lowey
Cuellar Lujan
Cummings Lynch
Davis (CA) Markey
Davis (IL) Matheson
DeFazio Matsui
DeGette McCarthy (NY)
DeLauro McCollum
Deutch McDermott
Dicks McGovern
Dingell McIntyre
Doggett McNerney
Donnelly (IN) Meeks
Doyle Michaud
Edwards Miller (NC)
Ellison Miller, George
Engel Moore
Eshoo Moran
Farr Murphy (CT)
Fattah Nadler

NAYS—233

- Adams Amash
Aderholt Amodei
Akin Austria
Alexander Bachmann

- Bass (NH) Grimm
Benishek Guinta
Berg Guthrie
Biggett Hall
Bilbray Hanna
Bilirakis Harper
Bishop (UT) Harris
Black Hartzler
Blackburn Hastings (WA)
Bonner Hayworth
Bono Mack Heck
Boustany Hensarling
Brady (TX) Herger
Brooks Herrera Beutler
Broun (GA) Huelskamp
Buchanan Huizenga (MI)
Buerkle Hultgren
Burgess Hunter
Burton (IN) Hurt
Calvert Issa
Camp Jenkins
Campbell Johnson (IL)
Cantor Johnson (OH)
Capito Johnson, Sam
Carter Jordan
Cassidy Kelly
Chabot King (IA)
Chaffetz King (NY)
Coble Kingston
Coffman (CO) Kinzinger (IL)
Cole Kline
Conaway Labrador
Cravaack Lamborn
Crawford Lance
Crenshaw Landry
Culberson Lankford
Denham Latham
Dent LaTourette
DesJarlais Latta
Diaz-Balart Lewis (CA)
Dold LoBiondo
Dreier Long
Duffy Lucas
Duncan (SC) Luetkemeyer
Duncan (TN) Lummis
Eilmers Lungren, Daniel
Emerson E.
Fincher Mack
Finchman Manullo
Fitzpatrick Marchant
Flake McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Griffin (AR)
Paulsen
Griffith (VA) Pearce

NOT VOTING—15

- Blumenauer Hirono Paul
Bucshon Holden Pence
Canseco Maloney Rangel
Davis (KY) Marino Sires
Filner McHenry Slaughter

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOODALL, announced that the nays had it.

Mr. ROGERS of Michigan, demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 248 affirmative } Nays 168

54.30 [Roll No. 192]

AYES—248

- Adams Gardner Noem
Aderholt Garrett Nugent
Alexander Gerlach Nunes
Altmire Gibbs Nunnelee
Amodei Gingrey (GA) Olson
Austria Gonzalez Owens
Bachmann Goodlatte Palazzo
Bachus Gowdy Paulsen
Barletta Granger Peterson
Barrow Graves (GA) Petri
Bartlett Graves (MO) Pitts
Bass (NH) Griffith (AR) Platts
Benishek Griffith (VA) Poe (TX)
Berg Grimm Pompeo
Biggett Guinta Price (GA)
Bilbray Guthrie Quayle
Bilirakis Hanabusa Reed
Bishop (GA) Hanna
Bishop (NY) Harper Reichert
Black Harris Renacci
Blackburn Hartzler Ribble
Bonner Hastings (WA) Rivera
Bono Mack Hayworth Roby
Boren Heck Roe (TN)
Boswell Hensarling Rogers (AL)
Boustany Herger Rogers (KY)
Brady (TX) Herrera Beutler Rogers (MI)
Broun (GA) Hochul Rokita
Buchanan Huelskamp Rooney
Buerkle Huizenga (MI) Ros-Lehtinen
Burgess Hultgren Roskam
Burton (IN) Hunter Ross (AR)
Butterfield Hurt Ross (FL)
Calvert Israel Royce
Camp Issa Runyan
Campbell Jenkins Ruppertsberger
Cantor Johnson (OH) Ryan (WI)
Capito Johnson, Sam Scalise
Cardoza Jordan Schilling
Carney Kelly Schmidt
Carter King (IA) Schock
Cassidy King (NY) Schrader
Castor (FL) Kingston Scott (SC)
Chabot Kinzinger (IL) Scott, Austin
Chaffetz Kissell Scott, David
Chandler Kline Sessions
Clyburn Labrador Shimkus
Coble Lamborn Shuler
Coffman (CO) Lance Shuster
Cole Langevin Smith (NE)
Conaway Lankford Smith (NJ)
Connolly (VA) Larsen (WA) Smith (TX)
Cooper Latham Smith (WA)
Costa LaTourette Southerland
Cravaack Latta Tipton
Crawford Crawford Stearns
Crenshaw Lipinski Stutzman
Critz LoBiondo Sullivan
Cuellar Long Terry
Culberson Lucas Thompson (CA)
Denham Luetkemeyer Thompson (PA)
Dent Lummis Thornberry
DesJarlais Lungren, Daniel
Diaz-Balart E. Tiberi
Dicks Manullo Tipton
Dold Matheson Towns
Donnelly (IN) McCarthy (CA) Turner (NY)
Dreier McCarthy (NY) Turner (OH)
Duffy McCaul Upton
Duncan (SC) McIntyre Walden
Duncan (TN) McKeon Walden
Eilmers McKinley Webster
Fincher McMorris West
Fitzpatrick Rodgers Westmoreland
Flake Meehan Whitfield
Fleischmann Mica Wilson (SC)
Flores Miller (FL) Wittman
Forbes Miller (MI) Wolf
Fortenberry Miller, Gary Womack
Foxy Moran Woodall
Franks (AZ) Mulvaney Yoder
Frelinghuysen Murphy (PA) Young (AK)
Gallegly Myrick Young (FL)
Garamendi Neugebauer Young (IN)

NOES—168

- Ackerman Bass (CA) Braley (IA)
Akin Becerra Brooks
Amash Berkley Brown (FL)
Andrews Berman Capps
Baca Bishop (UT) Capuano
Baldwin Bonamici Carnahan
Barton (TX) Brady (PA) Carson (IN)

Chu	Jackson (IL)	Polis
Cicilline	Jackson Lee	Posey
Clarke (MI)	(TX)	Price (NC)
Clarke (NY)	Johnson (GA)	Quigley
Clay	Johnson (IL)	Rahall
Cleaver	Johnson, E. B.	Rehberg
Cohen	Jones	Reyes
Conyers	Kaptur	Richardson
Costello	Keating	Richmond
Courtney	Kildee	Rigell
Crowley	Kind	Rohrabacher
Cummings	Kucinich	Rothman (NJ)
Davis (CA)	Landry	Roybal-Allard
Davis (IL)	Larson (CT)	Rush
DeFazio	Lee (CA)	Ryan (OH)
DeGette	Levin	Sánchez, Linda
DeLauro	Lewis (GA)	T.
Deutch	Loeb	Sanchez, Loretta
Dingell	Lofgren, Zoe	Sarbanes
Doggett	Lowey	Schakowsky
Doyle	Lujan	Schiff
Edwards	Lynch	Schwartz
Ellison	Mack	Schweikert
Emerson	Marchant	Scott (VA)
Engel	Markey	Sensenbrenner
Eshoo	Matsui	Serrano
Farenthold	McClintock	Sewell
Farr	McColum	Sherman
Fattah	McCotter	Simpson
Fleming	McDermott	Speier
Frank (MA)	McGovern	Stark
Fudge	McNerney	Sutton
Gibson	Meeke	Thompson (MS)
Gohmert	Michaud	Tierney
Gosar	Miller (NC)	Tonko
Green, Al	Miller, George	Tsongas
Green, Gene	Moore	Van Hollen
Grijalva	Murphy (CT)	Velázquez
Gutierrez	Nadler	Visclosky
Hahn	Napolitano	Walsh (IL)
Hall	Neal	Walz (MN)
Hastings (FL)	Oliver	Wasserman
Heinrich	Pallone	Schultz
Higgins	Pascarella	Waters
Himes	Pastor (AZ)	Watt
Hinchee	Pearce	Waxman
Hinojosa	Pelosi	Welch
Holt	Perlmutter	Wilson (FL)
Honda	Peters	Woolsey
Hoyer	Pingree (ME)	Yarmuth

NOT VOTING—15

Blumenauer	Hirono	Paul
Bucshon	Holden	Pence
Canseco	Maloney	Rangel
Davis (KY)	Marino	Sires
Filner	McHenry	Slaughter

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶54.31 H.R. 2050—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WOODALL, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶54.32 CLERK TO CORRECT ENGROSSMENT—H.R. 3523

On motion of Mr. ROGERS of Michigan, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, the Clerk be authorized to make the change placed at the desk:

Insert “deny access to or” before “degrade” in each place it appears.

¶54.33 FEDERAL INFORMATION SECURITY

Mr. ISSA moved to suspend the rules and pass the bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. NOEM, recognized Mr. ISSA and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. NOEM, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶54.34 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DAVIS of Kentucky, for today and April 27.

And then,

¶54.35 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o'clock and 35 minutes p.m., the House adjourned.

¶54.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4257. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; with an amendment (Rept. 112-455). Referred to the Committee of the Whole House on the state of the Union.

¶54.37 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. STEARNS (for himself and Ms. MATSUI):

H.R. 4817. A bill to require the reallocation and auction for commercial use of the electromagnetic spectrum between the frequencies from 1755 megahertz to 1780 megahertz; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H.R. 4818. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY:

H.R. 4819. A bill to suspend temporarily the duty on certain sound-isolating earphones with multiple balanced armature speakers; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4820. A bill to suspend temporarily the duty on certain single-driver sound isolating earphones; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 4821. A bill to suspend temporarily the duty on certain self-contained, single-element unidirectional (cardioid) dynamic microphones; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4822. A bill to extend the temporary suspension of duty on certain shopping bags; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4823. A bill to suspend temporarily the duty on spun-bonded, non-woven, high-density polyethylene materials; to the Committee on Ways and Means.

By Mr. BERMAN:

H.R. 4824. A bill to suspend temporarily the duty on non-woven recycled polyethylene terephthalate; to the Committee on Ways and Means.

By Mr. SULLIVAN (for himself, Mr. TERRY, Mr. ROSS of Florida, and Mr. FLORES):

H.R. 4825. A bill to amend the Congressional Budget Act of 1974 to establish a point of order to prohibit the extension of the statutory debt limit unless a concurrent resolution on the budget has been agreed to and is in effect, Federal spending is cut and capped, and a balanced budget amendment to the constitution has been sent to the States for ratification, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky:

H.R. 4826. A bill to amend the Internal Revenue Code of 1986 to allow additional investment credits for qualifying supercritical advanced coal projects; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4827. A bill to suspend temporarily the duty on certain aluminum alloy foil; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4828. A bill to suspend temporarily the duty on certain aluminum alloy profiles; to the Committee on Ways and Means.

By Mr. NUNNELEE:

H.R. 4829. A bill to suspend temporarily the duty on used camshafts and crankshafts for diesel engines; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4830. A bill to suspend temporarily the duty on certain glass fibers and articles thereof; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4831. A bill to suspend temporarily the rate of duty on Ammonium polyphosphate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4832. A bill to suspend temporarily the rate of duty on 1-Propene, polymer with ethene; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4833. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt with synergists and encapsulating agents; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4834. A bill to extend the temporary suspension of duty on Phosphinic acid, diethyl-, aluminum salt; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4835. A bill to extend the temporary suspension of duty on 1,4-Benzenedicarboxylic acid, polymer with N,NBis(2-aminoethyl)-1,2-ethanediamine, cyclized, methosulfate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4836. A bill to extend the temporary suspension of duty on cyanuric chloride; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4837. A bill to suspend temporarily the rate of duty on Zinc diethylphosphinate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4838. A bill to suspend temporarily the rate of duty on Fluoroalkyl acrylic copolymerisates dispersed in water; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4839. A bill to extend the temporary suspension of duty on Sulfur black 1; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4840. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4841. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:
H.R. 4842. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. RUNYAN:
H.R. 4843. A bill to extend the suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. RUNYAN:
H.R. 4844. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:
H.R. 4845. A bill to suspend temporarily the duty on TFM; to the Committee on Ways and Means.

By Ms. BALDWIN:
H.R. 4846. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself and Mr. GENE GREEN of Texas):

H.R. 4847. A bill to prevent certain discriminatory taxation of natural gas pipeline property; to the Committee on the Judiciary.

By Mr. CLARKE of Michigan (for himself, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. GEORGE MILLER of California, Mr. CLEAVER, Ms. KAPTUR, Mr. GRIJALVA, Ms. WATERS, Mr. CARSON of Indiana, Mr. JACKSON of Illinois, Ms. CLARKE of New York, and Mr. ELLISON):

H.R. 4848. A bill to save neighborhoods and keep families in their homes by encouraging mortgage loan modifications and suspending foreclosures and evictions; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself, Mr. MCCARTHY of California, Mr. DENHAM, and Mr. McCLINTOCK):

H.R. 4849. A bill to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes; to the Committee on Natural Resources.

By Mr. ADERHOLT:
H.R. 4850. A bill to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals; to the Committee on Energy and Commerce.

By Mr. ANDREWS:
H.R. 4851. A bill to extend the temporary suspension of duty on 1-Propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized, reduced hydrolyzed; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4852. A bill to extend the temporary suspension of duty on Ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4853. A bill to extend the temporary suspension of duty on Methoxycarbonyl-terminated perfluorinated polyoxymethylene-polyoxyethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4854. A bill to extend the temporary suspension of duty on Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and reduced methyl esters of reduced polymerized, oxidized tetrafluoroethylene, compounds with trimethylamine; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4855. A bill to extend the temporary suspension of duty on Diaminodecane; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4856. A bill to extend the temporary suspension of duty on 1,1,2-2-Tetrafluoroethene, oxidized, polymerized; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4857. A bill to extend the temporary suspension of duty on Vinylidene chloride-methyl methacrylate-acrylonitrile copolymer; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4858. A bill to extend the temporary reduction of duty on p-Hydroxybenzoic acid; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4859. A bill to suspend temporarily the rate of duty on 1,1,2-2-Tetrafluoroethylene, oxidized, polymerized, reduced; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4860. A bill to suspend temporarily the rate of duty on Vinylidene fluoride-trifluoroethylene copolymer; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4861. A bill to suspend temporarily the rate of duty on Chlorotrifluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4862. A bill to suspend temporarily the rate of duty on Diphosphoric acid, polymers with ethoxylated reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4863. A bill to suspend temporarily the rate of duty on 4,4'-Dichlorodiphenyl sulfone; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4864. A bill to suspend temporarily the rate of duty on 1,2-Propanediol, 3-(diethylamino)-, polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, propylene glycol and reduced Me esters of reduced polymd. oxidized tetrafluoroethylene, 2-ethyl-1-hexanol-blocked, acetates (salts); to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4865. A bill to extend the temporary suspension of duty on Oxiranemethanol, polymers with reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4866. A bill to extend the temporary suspension of duty on ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced, ethoxylated; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4867. A bill to suspend temporarily the rate of duty on certain licorice extract derivatives; to the Committee on Ways and Means.

By Mr. ANDREWS:
H.R. 4868. A bill to suspend temporarily the rate of duty on extract of licorice; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself and Mr. LOEBACK):
H.R. 4869. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to jointly conduct a study on the incidence of breast cancer among members of the Armed Forces and veterans; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:
H.R. 4870. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of more than 80 mm in diameter; to the Committee on Ways and Means.

By Mr. CAMPBELL:
H.R. 4871. A bill to suspend temporarily the duty on certain toric shaped polarized materials; to the Committee on Ways and Means.

By Mr. CAMPBELL:
H.R. 4872. A bill to suspend temporarily the duty on certain non-toric shaped polarized materials of 80 mm or less in diameter; to the Committee on Ways and Means.

By Mrs. CAPITO:
H.R. 4873. A bill to suspend temporarily the duty on mixtures containing Imidacloprid and Thiodicarb; to the Committee on Ways and Means.

By Mrs. CAPITO:
H.R. 4874. A bill to suspend temporarily the duty on mixtures containing Thien carbazole-methyl, Isoxaflutole, and Cyrosulfamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4875. A bill to modify and extend the temporary reduction of duty on mixtures of imidacloprid with application adjuvants; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4876. A bill to extend the temporary reduction of duty on Imidacloprid; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4877. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and Cyfluthrin or its β -Cyfluthrin isomer; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4878. A bill to suspend temporarily the duty on 1-Naphthyl, N-methylcarbamate; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4879. A bill to reduce temporarily the duty on Penflufen; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4880. A bill to extend the suspension of duty on ion-exchange resin powder, dried to less than 10 percent moisture; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4881. A bill to extend the suspension of duty on an ion exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, iminodiacetic acid, sodium form; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4882. A bill to extend the suspension of duty on an ion exchange resin comprising a copolymer of styrene crosslinked with ethenylbenzene, aminophosphonic acid, sodium form; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4883. A bill to suspend temporarily the duty on IMIDACLOPRID; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4884. A bill to extend the temporary suspension of duty on 2-Phenylphenol sodium salt; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4885. A bill to extend the temporary suspension of duty on 2-Hydroxypropylmethyl cellulose; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4886. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4887. A bill to suspend temporarily the duty on 2-amino-5-cyano-N,3-dimethylbenzamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4888. A bill to suspend temporarily the duty on Picoxystrobin; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4889. A bill to suspend temporarily the duty on A5546 sulfonamide; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 4890. A bill to reduce temporarily the duty on ethylene/tetrafluoroethylene copolymer (ETFE); to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4891. A bill to suspend temporarily the duty on certain work footwear for men; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4892. A bill to suspend temporarily the duty on certain work footwear for women; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4893. A bill to suspend temporarily the duty on certain work footwear for women covering the ankle; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4894. A bill to suspend temporarily the duty on certain work footwear for men covering the ankle; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4895. A bill to suspend temporarily the duty on certain work boots for men; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4896. A bill to suspend temporarily the duty on certain work boots for women; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4897. A bill to suspend temporarily the duty on certain women's footwear with outer soles and uppers of rubber or plastics and valued over \$6.50 but not over \$12 per pair; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4898. A bill to suspend temporarily the duty on certain women's footwear with outer soles and uppers of rubber or plastics and valued over \$12 but not over \$20 per pair; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4899. A bill to suspend temporarily the duty on certain women's platform footwear; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4900. A bill to suspend temporarily the duty on certain women's footwear with outer soles of rubber or plastics and uppers of textile materials and leather; to the Committee on Ways and Means.

By Mr. CARNAHAN:

H.R. 4901. A bill to extend the temporary suspension of duty on certain women's sports footwear; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 4902. A bill to suspend temporarily the duty on photomask blanks; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4903. A bill to suspend temporarily the duty on power electronic boxes and static converter composite units; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4904. A bill to suspend temporarily the duty on stator/rotor parts; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4905. A bill to suspend temporarily the duty on Tinopal OB CO; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4906. A bill to suspend temporarily the duty on Uvinul 3039; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4907. A bill to suspend temporarily the duty on Lucirin TPO; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4908. A bill to suspend temporarily the duty on certain high pressure fuel pumps; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4909. A bill to suspend temporarily the duty on certain hybrid electric vehicle inverters; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4910. A bill to suspend temporarily the duty on certain direct injection fuel injectors; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4911. A bill to suspend temporarily the duty on lithium ion electrical storage battery; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan:

H.R. 4912. A bill to suspend temporarily the duty on motor generator units; to the Committee on Ways and Means.

By Mr. COFFMAN of Colorado (for himself and Mr. COOPER):

H.R. 4913. A bill to require designated military command responsibility and accountability for the care, handling, and transportation of the remains of a deceased member of the Army, Navy, Air Force, or Marine Corps who died overseas, from the place of death, through the defense mortuary system, until the remains are accepted by the member's next of kin, in order to ensure that the deceased member is treated with dignity, honor, and respect; to the Committee on Armed Services.

By Mr. COSTA:

H.R. 4914. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Tebuconazole; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 4915. A bill to suspend temporarily the duty on Agilon 400; to the Committee on Ways and Means.

By Mr. DOYLE:

H.R. 4916. A bill to suspend temporarily the duty on Brine Electrolysis Ion Exchange Apparatus; to the Committee on Ways and Means.

By Mrs. ELLMERS:

H.R. 4917. A bill to extend the temporary suspension of duty on ceiling fans for permanent installation; to the Committee on Ways and Means.

By Ms. FUDGE:

H.R. 4918. A bill to suspend temporarily the duty on sodium thiocyanate; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4919. A bill to suspend temporarily the duty on Para-methoxyphenol; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4920. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of yttrium phosphate and cerium phosphate; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4921. A bill to suspend temporarily the duty on Tertibutyl catechol flakes; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4922. A bill to extend the temporary suspension of duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4923. A bill to suspend temporarily the duty on germanium unwrought; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4924. A bill to suspend temporarily the duty on germanium oxides; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 4925. A bill to suspend temporarily the duty on gallium unwrought; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4926. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4927. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4928. A bill to extend and modify the temporary suspension of duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HARRIS (for himself and Mr. CARNEY):

H.R. 4929. A bill to extend and modify the temporary suspension of duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:
H.R. 4930. A bill to extend the temporary suspension of duty on 4-Chloro-2-nitro-aniline; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:
H.R. 4931. A bill to extend and modify the temporary reduction of duty on 3,3'-Dichlorobenzidine dihydrochloride ([1,1'-biphenyl]-4,4'-diamino, 3,3'-dichloro-); to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:
H.R. 4932. A bill to suspend temporarily the duty on Polyalkene Yellow (4A100); to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. SENSENBRENNER, Ms. MOORE, Mr. ENGEL, Mr. ISRAEL, Mr. TONKO, and Mr. RIBBLE):
H.R. 4933. A bill to authorize the award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. LATOURETTE:
H.R. 4934. A bill to extend the temporary suspension of duty on 4,8-Dicyclohexyl -6,2,10-dimethyl -12H-dibenzo[d,g][1,3,2]-dioxaphosphocin; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4935. A bill to extend the temporary suspension of duty on mixtures of zinc dicyanato diamine with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4936. A bill to extend the temporary suspension of duty on mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol and Poly (oxy-1,2-ethanediyl), α -[1-oxo-9-octadecenyl]-w-hydroxy-, (9Z); to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4937. A bill to extend the temporary suspension of duty on mixtures of NN-(3,4-dichloro-phenyl)-N,N-dimethylurea with acrylate rubber; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4938. A bill to extend the temporary suspension of duty on mixtures of caprolactam disulfide with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4939. A bill to suspend temporarily the duty on Aflux 37; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4940. A bill to extend the temporary suspension of duty on 1-Octadecanaminium, N,N-dimethyl-N-octadecyl-, (Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)- κ N29, κ N30, κ N31, κ N32]cuprate(1-); to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4941. A bill to extend the temporary suspension of duty on 2-Oxepanone, polymer with aziridine and tetrahydro-2H-pyran-2-one, dodecanoate ester; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4942. A bill to suspend temporarily the duty on Ethylene-Propylene polymer; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4943. A bill to suspend temporarily the duty on mixtures of alkali metal phenate, mineral oil, and p-Dodecylphenol; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4944. A bill to suspend temporarily the duty on Sensomer CT-400; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4945. A bill to suspend temporarily the duty on D-Galacto-D-mannan; to the Committee on Ways and Means.

By Mr. LATOURETTE:
H.R. 4946. A bill to suspend temporarily the duty on Benzene, polypropene derivatives; to the Committee on Ways and Means.

By Mr. MICHAUD:
H.R. 4947. A bill to extend and modify the temporary reduction of duty on certain rayon staple fibers; to the Committee on Ways and Means.

By Mrs. NOEM:
H.R. 4948. A bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs through fiscal year 2017, and for other purposes; to the Committee on Agriculture.

By Mr. OWENS:
H.R. 4949. A bill to suspend temporarily the duty on certain bulk container bags; to the Committee on Ways and Means.

By Mr. OWENS:
H.R. 4950. A bill to suspend temporarily the duty on certain drive-axles; to the Committee on Ways and Means.

By Mr. OWENS:
H.R. 4951. A bill to suspend temporarily the duty on non-driving axles; to the Committee on Ways and Means.

By Mr. OWENS:
H.R. 4952. A bill to suspend temporarily the duty on gear boxes; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself and Mr. BILBRAY):
H.R. 4953. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of renewable chemicals; to the Committee on Ways and Means.

By Mr. PETRI:
H.R. 4954. A bill to suspend temporarily the duty on certain compression-ignition internal combustion piston engines; to the Committee on Ways and Means.

By Mr. PETRI:
H.R. 4955. A bill to suspend temporarily the duty on certain programmable controllers; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4956. A bill to suspend temporarily the rate of duty on Oleo Turmeric; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4957. A bill to suspend temporarily the rate of duty on Oleo Black Pepper; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4958. A bill to suspend temporarily the rate of duty on Oleo White Pepper; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4959. A bill to suspend temporarily the rate of duty on Oleo Cassia; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4960. A bill to suspend temporarily the rate of duty on Oleo Capsicum; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4961. A bill to suspend temporarily the rate of duty on Oleo Ginger; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:
H.R. 4962. A bill to suspend temporarily the rate of duty on Oleo Celery; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself and Mr. HINCHEY):

H.R. 4963. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Financial Services.

By Mr. WATT:
H.R. 4964. A bill to suspend temporarily the duty on benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. BOREN:
H. Res. 634. A resolution honoring RSU Public Television on the occasion of its 25th anniversary; to the Committee on Education and the Workforce.

54.38 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. ROSS of Arkansas.
H.R. 85: Ms. WATERS and Mr. OLVER.
H.R. 157: Mr. GOSAR.
H.R. 218: Ms. WATERS.
H.R. 327: Mr. PASCRELL.
H.R. 329: Mr. STEARNS, Mr. PETRI, and Mr. PETERSON.

H.R. 361: Mr. LOBIONDO.
H.R. 365: Mr. GALLEGLY.
H.R. 374: Mr. GRIMM.
H.R. 409: Mr. PETRI.
H.R. 451: Mrs. MILLER of Michigan and Mr. ANDREWS.

H.R. 459: Mr. PETERSON.
H.R. 721: Mr. PRICE of Georgia.
H.R. 743: Mr. MCGOVERN.
H.R. 807: Mr. COOPER.
H.R. 860: Ms. WATERS.

H.R. 885: Mr. MCNERNEY, Mr. DAVIS of Illinois, Mr. OWENS, Mr. LUJÁN, Ms. HANABUSA, Ms. MCCOLLUM, Mr. LARSON of Connecticut, Mr. CLAY, and Mr. PASTOR of Arizona.

H.R. 1006: Mr. RANGEL.
H.R. 1190: Mr. THOMPSON of California, Mr. SCHOCK, and Mr. DOGGETT.

H.R. 1375: Mr. CLARKE of Michigan, Mr. MCDERMOTT, and Mr. SHERMAN.

H.R. 1386: Mr. SHERMAN, Ms. LORETTA SANCHEZ of California, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. BLUMENAUER, Ms. CHU, Mr. CROWLEY, Mr. ROSKAM, Mr. NEAL, Mr. HIGGINS, Mr. HEINRICH, Mr. BOSWELL, Mr. SMITH of Washington, and Mr. CLARKE of Michigan.

H.R. 1543: Ms. NORTON.
H.R. 1592: Mr. LOBIONDO.
H.R. 1639: Ms. BUERKLE.
H.R. 1684: Mr. HIGGINS.
H.R. 1697: Mr. MEEHAN.
H.R. 1845: Mr. HECK, Mr. MCGOVERN, Mr. PETRI, Mrs. CAPPS, Ms. TSONGAS, and Mr. HARPER.

H.R. 1955: Mr. MEEHAN.
H.R. 1957: Mrs. MALONEY.
H.R. 1960: Ms. BALDWIN.
H.R. 1968: Mr. FORTENBERRY.
H.R. 2051: Mr. YODER.
H.R. 2069: Mr. PALLONE and Mr. ANDREWS.

H.R. 2108: Mr. GOSAR and Mr. JOHNSON of Ohio.

H.R. 2134: Ms. PINGREE of Maine.
H.R. 2161: Mrs. NAPOLITANO.
H.R. 2185: Mr. FILNER.
H.R. 2206: Mrs. ROBY.
H.R. 2230: Mr. SABLAN.
H.R. 2245: Ms. BONAMIGLI.
H.R. 2269: Mr. HANNA.

H.R. 2299: Mr. WESTMORELAND and Mr. LOBIONDO.

H.R. 2429: Mr. YODER.
H.R. 2569: Mr. HULTGREN.
H.R. 2697: Mr. TIBERI.
H.R. 2810: Mr. CONAWAY and Mr. NUNNELEE.
H.R. 2888: Mr. YODER.
H.R. 2962: Mr. HANNA.
H.R. 3032: Mr. BOSWELL.

H.R. 3125: Ms. ZOE LOFGREN of California.
H.R. 3126: Mr. ROTHMAN of New Jersey.
H.R. 3173: Mr. WITTMAN and Mr. DEFAZIO.
H.R. 3187: Mr. ROSKAM and Mr. GALLEGLY.
H.R. 3238: Mr. BERG and Mr. ROGERS of Kentucky.

H.R. 3368: Ms. PINGREE of Maine.
H.R. 3395: Mr. DENT.
H.R. 3433: Mr. SCOTT of South Carolina.
H.R. 3461: Mr. BARLETTA, Mr. GUTIERREZ, Mr. CONAWAY, and Mr. SCHRADER.

H.R. 3596: Mr. GUTIERREZ and Ms. TSONGAS.
H.R. 3609: Mr. SCOTT of South Carolina.
H.R. 3665: Ms. PINGREE of Maine.
H.R. 3679: Mr. LATOURETTE, Mr. LARSEN of Washington, Ms. FUDGE, Mr. SCHRADER, Mr. FALOMAVAEGA, and Ms. LINDA T. SANCHEZ of California.

H.R. 3704: Ms. MOORE, Mr. NADLER, and Mr. BERMAN.

H.R. 3728: Mr. ROSS of Florida, Mr. SOUTHERLAND, Mr. WESTMORELAND, and Mr. YODER.

H.R. 3737: Mr. MEEHAN.

H.R. 3803: Ms. BUERKLE, Mr. PRICE of Georgia, Mr. LATHAM, Mr. MICA, Mr. CRENSHAW, Mr. AMODEI, Mr. RENACCI, Mr. SESSIONS, Mr. NUGENT, Mr. YOUNG of Florida, and Mr. TURNER of Ohio.

H.R. 3826: Mr. CUELLAR, Mr. MARKEY, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3828: Mr. SCOTT of South Carolina.

H.R. 3838: Mr. STARK.

H.R. 3848: Mr. FINCHER, Mr. JOHNSON of Ohio, Mr. WEST, and Mr. ROGERS of Kentucky.

H.R. 3863: Mr. MCGOVERN.

H.R. 3985: Mrs. ELLMERS.

H.R. 3989: Mr. BARLETTA.

H.R. 3990: Mr. BARLETTA.

H.R. 4017: Mr. LATHAM.

H.R. 4066: Mrs. SLACKBURN.

H.R. 4070: Mrs. MCCARTHY of New York and Mr. TOWNS.

H.R. 4077: Ms. RICHARDSON and Mr. SIRES.

H.R. 4083: Mr. CARSON of Indiana.

H.R. 4120: Mr. MEEHAN, Mr. HIGGINS, and Mr. FORTENBERRY.

H.R. 4122: Mr. MARKEY.

H.R. 4132: Mr. PETERSON, Mr. ROSS of Florida, Mr. POLIS, Mr. POSEY, and Mr. GUTHRIE.

H.R. 4137: Mr. DINGELL.

H.R. 4144: Ms. LEE of California.

H.R. 4157: Mr. PEARCE, Mr. PETERSON, Mr. SCHILLING, Mrs. HARTZLER, Mr. DESJARLAIS, Mr. BARTLETT, Mr. TIPTON, Mr. DENHAM, Mr. FLORES, Mr. POE of Texas, Mr. GOODLATTE, Mr. KINZINGER of Illinois, and Mr. ROGERS of Kentucky.

H.R. 4169: Mr. SMITH of New Jersey.

H.R. 4192: Ms. HANABUSA, Mr. POLIS, Mr. LANGEVIN, Ms. EDWARDS, Mr. JACKSON of Illinois, Mr. COOPER, and Ms. CHU.

H.R. 4201: Mr. JONES and Mr. KLINE.

H.R. 4202: Mr. CLARKE of Michigan and Ms. FUDGE.

H.R. 4222: Mr. PASTOR of Arizona.

H.R. 4229: Mr. BRALEY of Iowa, Mrs. HARTZLER, Mr. PAULSEN, and Mr. MCGOVERN.

H.R. 4243: Mr. SHUSTER, Ms. BUERKLE, and Mr. CLAY.

H.R. 4257: Mr. VAN HOLLEN.

H.R. 4269: Mr. COBLE.

H.R. 4271: Mr. CICILLINE, Ms. SUTTON, Mr. DOGGETT, and Mr. PASTOR of Arizona.

H.R. 4275: Mr. ELLISON and Ms. CHU.

H.R. 4286: Ms. CLARKE of New York and Mr. CLARKE of Michigan.

H.R. 4290: Mr. TOWNS, Ms. NORTON, Mr. CLARKE of Michigan, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. DAVID SCOTT of Georgia, Mr. CUMMINGS, Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Ms. TSONGAS, Mr. MCNERNEY, Mr. DAVIS of Illinois, Mr. ROSS of Arkansas, and Ms. BALDWIN.

H.R. 4330: Mr. OWENS, Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. CRAWFORD, and Mr. FINCHER.

H.R. 4335: Mr. MICHAUD, Mr. CONNOLLY of Virginia, Mr. STARK, and Mr. ENGEL.

H.R. 4336: Mr. TURNER of Ohio.

H.R. 4367: Mr. CLEAVER, Mr. FINCHER, Ms. HAYWORTH, Mr. CLAY, and Mr. STIVERS.

H.R. 4371: Mr. RANGEL.

H.R. 4379: Ms. MCCOLLUM.

H.R. 4502: Mr. HARRIS.

H.R. 4503: Mr. HARRIS.

H.R. 4504: Mr. HARRIS.

H.R. 4505: Mr. HARRIS.

H.R. 4643: Ms. JENKINS, Mr. GERLACH, Mr. HERGER, Mr. SCHOCK, and Mr. RANGEL.

H.R. 4770: Mr. GERLACH.

H.R. 4816: Mrs. CAPPS, Mr. SCHIFF, Mr. BUTTERFIELD, Mr. ELLISON, Ms. BERKLEY, Mr. SHERMAN, Mr. CICILLINE, Mr. COSTELLO, Ms. HIRONO, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Ms. ESHOO, Mr. SIRES, Mr. HIG-

GINNS, Ms. MCCOLLUM, Mr. CARNEY, Mr. DAVID SCOTT of Georgia, Mr. LOEBACK, Mr. ROTHMAN of New Jersey, Mr. MARKEY, and Ms. SPEIER.

H.J. Res. 106: Mr. DANIEL E. LUNGREN of California.

H.J. Res. 107: Mr. CANSECO.

H. Con. Res. 115: Mr. BUCHANAN, Mr. PAULSEN, Mr. TURNER of Ohio, Mr. AMODEI, Mr. MCKINLEY, Mr. SCHILLING, and Mrs. NOEM.

H. Con. Res. 120: Mr. CICILLINE and Mr. MCGOVERN.

H. Res. 220: Mr. GALLEGLY.

H. Res. 351: Ms. NORTON, Mr. GERLACH, Mr. CARSON of Indiana, Ms. LEE of California, Mr. SIRES, Mr. CARNAHAN, and Mr. FILNER.

H. Res. 568: Mr. HALL, Ms. LINDA T. SANCHEZ of California, and Mr. LEVIN.

H. Res. 592: Mr. HIGGINS.

H. Res. 608: Mr. MORAN.

H. Res. 609: Mr. MCGOVERN and Mr. RANGEL.

H. Res. 611: Mr. SHUSTER.

FRIDAY, APRIL 27, 2012 (55)

The House was called to order by the SPEAKER.

¶55.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, April 26, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶55.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5827. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Ethyl-1-hexanol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0604; FRL-9342-5] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5828. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acibenzolar-S-methyl; Pesticide Tolerances [EPA-HQ-OPP-2011-0086; FRL-9343-3] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5829. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding the results of the pilot program for Foreign Language Proficiency Training, pursuant to Public Law 110-417, section 619(c)(3) (122 Stat. 4489); to the Committee on Armed Services.

5830. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's March 2012 Semi-Annual Report providing the progress toward destruction of the U.S. stockpile of lethal chemical agents and munitions by the Chemical Weapons Convention (CWC) deadline of April 29, 2012, but not later than December 31, 2017; to the Committee on Armed Services.

5831. A letter from the Acting Under Secretary, Department of Defense, transmitting a notice that the Department is taking essential steps to award a Joint Service multiyear contract for 98 V-22 aircraft; to the Committee on Armed Services.

5832. A letter from the Acting Under Secretary, Department of Defense, transmitting that the Department is taking essential steps to award a multiyear contract for 155 CH-47F aircraft; to the Committee on Armed Services.

5833. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a proposed change to the U.S. Army Reserve Fiscal Year 2011 National Guard and Reserve Equipment Appropriation procurement; to the Committee on Armed Services.

5834. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William T. Lord, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

5835. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Donald J. Hoffman, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

5836. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the Department's annual report for 2011 on the STARBASE Program, pursuant to 10 U.S.C. 2193(b); to the Committee on Armed Services.

5837. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Threshold for Peer Reviews of Noncompetitive Contracts (DFARS Case 2012-D018) (RIN: 0750-AH66) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5838. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5839. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Procedural Rules; Conflicts of Interest [EPA-R08-OAR-2011-0963; FRL-9640-3] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5840. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to New Source Review Rules [EPA-R08-OAR-2005-CO-0003; FRL-9616-7] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5841. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Leisure Properties LLC/D/B/A Crownline Boats; Adjusted Standard [EPA-R05-OAR-2011-0944; FRL-9648-6] received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5842. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2011-0942; FRL-9333-3] (RIN: 2070-AB27) received April 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5843. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's

final rule — Amendment of Part 15 of the Commission's Rules Regarding Unlicensed Personal Communications Service Devices in the 1920-1930 MHz Band [ET Docket No.: 10-97; FCC 12-33] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5844. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In Creation of a Low Power Radio Service; Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations [Docket No.: 99-25; MB Docket No. 07-172, RM-11338, FCC 12-29] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5845. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Electric Reliability Organization Proposal for Protection and Control Reliability Standard [Docket No.: RM11-16-000] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5846. A letter from the Chief Human Capitol Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5847. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5848. A letter from the Administrator, General Services Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5849. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals for the 1st Quarter of Fiscal Year 2012"; to the Committee on Oversight and Government Reform.

5850. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Production Measurement Documents Incorporated by Reference [Docket ID: BSEE-2012-0003] (RIN: 1014-AA01) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5851. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendment to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2075; (H. Doc. No. 112-103); to the Committee on the Judiciary and ordered to be printed.

5852. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on the activities of the Community Relations Service (CRS) for Fiscal Year 2011, pursuant to 42 U.S.C. 2000g-3; to the Committee on the Judiciary.

5853. A letter from the Interdiction Coordinator, Office of National Drug Control Policy, transmitting National Interdiction Command and Control Plan effective 17 March 2012; to the Committee on the Judiciary.

5854. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fringe Benefits Aircraft Valuation Formula (Rev. Rul. 2012-10) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5855. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fractional Aircraft Ownership Programs Fuel Surtax [Notice 2012-27] April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5856. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements [Announcement 2012-13] received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5857. A letter from the Assistant Secretary, Department of Defense, transmitting a joint report that describes activities related to the Proliferation Security Initiative (PSI) Budget Plan and Review for FY 2013-2015; jointly to the Committees on Foreign Affairs and Armed Services.

¶55.3 CYBERSECURITY ENHANCEMENT

Mr. MCCAUL moved to suspend the rules and pass the bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WOODALL, recognized Mr. MCCAUL and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WOODALL, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MCCAUL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶55.4 NETWORKING AND INFORMATION TECHNOLOGY

Mr. HALL moved to suspend the rules and pass the bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WOODALL, recognized Mr. HALL and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WOODALL, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HALL objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶55.5 SEQUOIA AND KINGS CANYON NATIONAL PARKS

On motion of Mr. HASTINGS of Washington, by unanimous consent, the Committee on Natural Resources was discharged from further consideration of the bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

When said bill was considered and read twice.

Mr. HASTINGS of Washington, submitted the following amendment, which was agreed to:

Page 2, line 5, strike "Notwithstanding" and all that follows through line 8 and insert the following: "Notwithstanding the decision, for the 2012 and 2013 seasons, the Secretary shall issue packer permits at no more than the levels of commercial services authorized by the Secretary in 2011 until the Secretary—".

Page 2, line 15, strike the period and insert "reflected in a Record of Decision for the Wilderness Stewardship Plan."

Page 2, line 22, strike "C09 4621" and insert "C 90 4621".

Page 3, line 2, strike "to section 4(2)(5)" and insert "section 4(d)(5)".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶55.6 STUDENT LOAN INTEREST RATES

Mrs. BIGGERT, pursuant to House Resolution 631, called up for consideration the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

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

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill were postponed.

¶55.7 MESSAGE FROM THE SENATE

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

H.R. 298. An Act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. An Act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Michael E. Phillips Post Office".

H.R. 2079. An Act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. An Act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244. An Act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. An Act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2767. An Act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 3004. An Act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246. An Act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247. An Act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248. An Act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

The message also announced that the Senate has agreed to a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 43. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

¶55.8 H.R. 2096—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2096) to advance cybersecurity research, development, and technical standards, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 395 affirmative } Nays 10

¶55.9 [Roll No. 193] YEAS—395

Table with 3 columns: Name, State, and Vote. Includes names like Ackerman (CA), Adams (NH), Aderholt (AL), Akin (OH), Alexander (PA), Altmire (PA), Amodei (NV), Andrews (CA), Austria (CO), Baca (CO), Bachmann (GA), Bachus (NY), Baldwin (UT), Barletta (PA), Barrow (TX), Bartlett (TX), Barton (TX), Bass (CA), Bass (NH), Becerra (CA), Benishek (MI), Berg (PA), Berkley (TX), Berman (IA), Biggert (IL), Bilbray (CA), Billirakis (CA), Bishop (GA), Bishop (NY), Bishop (UT), Black (CA), Blackburn (TX), Bonamici (CA), Bonner (TX), Bono (CA), Mack (CA), Boren (OK), Boswell (WV), Boustany (LA), Brady (PA), Brady (TX), Braley (IA), Brooks (CA), Brown (FL), Buchanan (PA), Bucshon (IN), Buerkle (IL), Burgess (CA), Burton (IN), Butterfield (TX), Calvert (MD), Campbell (CA)

Table with 3 columns: Name, State, and Vote. Includes names like Cantor (VA), Capito (IN), Capps (OH), Capuano (MA), Carnahan (MO), Carney (OH), Carson (IN), Carter (GA), Castor (FL), Chabot (OH), Chaffetz (UT), Chandler (AZ), Chu (CA), Cicilline (PA), Clarke (MI), Clarke (NY), Clay (MO), Cleaver (MO), Clyburn (SC), Coble (NC), Coffman (CO), Cohen (CA), Cole (MO), Conaway (TX), Connolly (VA), Conyers (MI), Cooper (CA), Costa (CA), Costello (CA), Courtney (CA), Cravaack (CA), Crawford (CA), Crenshaw (CA), Crowley (CA), Cuellar (TX), Culberson (TX), Cummings (MD), Davis (CA), Davis (IL), DeFazio (OR), DeGette (CO), DeLauro (CT), Denham (MA), Dent (PA), DesJarlais (TX), Deutch (NY), Diaz-Balart (FL), Dicks (CA), Dingell (MI), Doggett (TX), Dold (MD), Donnelly (IN), Doyle (PA), Dreier (CA), Duffy (NY), Duncan (SC), Edwards (CA), Ellison (CA), Ellmers (NC), Emerson (CA), Engel (CA), Eshoo (CA), Farenthold (CA), Fattah (PA), Fincher (AL), Fitzpatrick (PA), Fleischmann (CA), Fleming (VA), Flores (TX), Forbes (CA), Fortenberry (VA), Foxx (NC), Frank (MA), Franks (AZ), Frelinghuysen (NJ), Fudge (OH), Gallegly (CA), Garamendi (CA), Gardner (CA), Garrett (NC), Gerlach (CA), Gibbs (CA), Gibson (CA), Gingrey (GA), Gonzalez (CA), Goodlatte (VA), Gosar (AZ), Gowdy (SC), Granger (TX), Graves (MO), Green, Al (CA), Green, Gene (CA), Griffin (AR), Grijalva (AZ), Grimm (CA), Guinta (CA), Guthrie (PA), Gutierrez (TX), Hahn (CA), Hall (CA), Hanabusa (NV), Hanna (CA), Harper (NC), Harris (TX), Hartzler (VA), Hastings (FL), Hastings (WA), Hayworth (AZ), Heck (CA), Heinrich (CA), Hensarling (TX), Herger (CA), Herrera Beutler (WA), Higgins (CA), Himes (CA), Hinchey (NY), Hochul (NY), Holt (CA), Honda (CA), Hoyer (MD), Huelskamp (VA), Huizenga (MI), Hultgren (IL), Hunter (CA), Hurt (CA), Israel (CA), Issa (CA), Jackson (IL), Jackson Lee (TX), Johnson (GA), Johnson (IL), Johnson (OH), Johnson, E. B. (CA), Jones (CA), Jordan (CA), Kaptur (OH), Keating (CA), Kelly (CA), Kildee (MI), Kind (CA), King (IA), King (NY), Kinzinger (IL), Kissell (CA), Kline (CA), Kucinich (OH), Lamborn (CO), Lance (CA), Landry (LA), Langevin (CA), Lankford (OK), Larsen (WA), Larson (CT), Latham (CA), LaTourrette (CA), Latta (CA), Lee (CA), Levin (CA), Lewis (CA), Lewis (GA), Lipinski (IL), LoBiondo (VA), Loeb (CA), Lofgren, Zoe (CA), Long (CA), Lowey (CA), Lucas (CA), Luetkemeyer (MO), Lujan (NM), Lummis (CA), Lungren, Daniel E. (CA), Lynch (CA), Mack (CA), Maloney (CA), Manzullo (CA), Marchant (TX), Markey (MA), Matheson (CO), Matsui (CA), McCarthy (CA), McCarthy (NY), McCaul (TX), McClintock (CA), McCollum (IL), McCotter (CA), McDermott (WA), McGovern (CA), McIntyre (CA), McKeon (CA), McKinley (OH), McMorris (CA), Rodgers (CA), McNeerney (CA), Meehan (CA), Meeks (CA), Mica (CA), Michaud (CA), Miller (FL), Miller (MI), Miller (NC), Miller, Gary (CA), Miller, George (CA), Moore (CA), Moran (CA), Murphy (CT), Murphy (PA), Myrick (CA), Nadler (CA), Napolitano (CA), Neal (CA), Neugebauer (CA), Noem (SD), Nugent (CA), Nunnelee (GA), Olson (CA), Oliver (CA), Owens (CA), Palazzo (CA), Pallone (CA), Pascarella (CA), Paulsen (CA), Pearce (CA), Pelosi (CA), Pence (CA), Perlmutter (CA), Peters (CA), Peterson (CA), Petri (CA), Pingree (ME), Pitts (CA), Platts (CA), Poe (TX), Polis (CA), Pompeo (CA), Posey (CA), Price (GA), Price (NC), Quayle (CA), Quigley (CA), Rahall (CA), Reed (CA), Rehberg (CA), Reichert (CA), Renacci (CA), Reyes (CA), Ribble (CA), Richardson (CA), Richmond (CA), Rigell (CA), Rivera (CA), Roby (CA), Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher (CA), Rokita (CA), Rooney (CA), Ros-Lehtinen (CA), Roskam (CA), Ross (AR), Ross (FL), Rothman (NJ), Roybal-Allard (CA), Royce (CA), Runyan (CA), Ruppertsberger (CA), Rush (CA), Ryan (OH), Ryan (WI), Sanchez, Linda T. (CA), Sanchez, Loretta T. (CA), Sarbanes (CA), Scalise (CA), Schakowsky (CA), Schiff (CA), Schilling (CA), Schmidt (CA), Schock (CA), Schrader (CA), Schwartz (CA), Schweikert (CA), Scott (SC), Scott (VA), Scott, Austin (CA), Scott, David (CA), Serrano (CA), Sessions (CA), Sewell (CA), Sherman (CA), Shimkus (CA), Shuler (CA), Shuster (CA), Simpson (CA), Smith (NE), Smith (NJ), Smith (TX), Smith (WA), Southerland (CA), Speier (CA), Stark (CA), Stearns (CA), Stivers (CA), Stutzman (CA), Sullivan (CA), Sutton (CA), Terry (CA), Thompson (CA), Thompson (MS), Thompson (PA), Thornberry (CA), Tiberi (CA), Tierney (CA), Tipton (CA), Tonko (CA), Tsongas (CA), Turner (NY), Turner (OH), Upton (CA), Van Hollen (CA), Velázquez (CA), Visclosky (CA), Walberg (CA), Walden (CA), Walz (MN), Waters (CA), Waxman (CA), Webster (CA), Welch (CA), West (CA), Westmoreland (CA), Whitfield (CA), Wilson (FL), Wilson (SC), Wittman (CA), Wolf (CA), Womack (CA), Woodall (CA), Woolsey (CA), Yarmuth (CA), Yoder (CA), Young (AK), Young (FL), Young (IN), Graves (GA), Griffith (VA), Labrador (CA), Mulvaney (CA), Gohmert (TX), Hinojosa (CA), Hirono (HI), Holden (CA), Jenkins (CA), Kingston (CA), Marino (CA), McHenry (CA), Nunes (CA), Pastor (AZ), Paul (CA), Rangel (CA), Sires (CA), Slaughter (CA), Towns (CA), Wasserman (CA), Schultz (CA), Watt (CA)

NAYS—10

NOT VOTING—26

Table with 3 columns: Name, State, and Vote. Includes names like Amash (MT), Broun (GA), Duncan (TN), Flake (AZ), Blumenauer (OR), Camp (CA), Canseco (CA), Cardoza (CA), Cassidy (CA), Critz (CA), Davis (KY), Farr (CA), Filner (CA), Graves (GA), Griffith (VA), Labrador (CA), Mulvaney (CA), Gohmert (TX), Hinojosa (CA), Hirono (HI), Holden (CA), Jenkins (CA), Kingston (CA), Marino (CA), McHenry (CA), Nunes (CA), Pastor (AZ), Paul (CA), Rangel (CA), Sires (CA), Slaughter (CA), Towns (CA), Wasserman (CA), Schultz (CA), Watt (CA)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶55.10 STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

Mrs. CAPPS moved to recommit the bill to the Committee on Education and the Workforce and the Committee on Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

SEC. 5. PROHIBITION AGAINST CUTS IN HEALTH INSURANCE BENEFITS FOR WOMEN AND CHILDREN.

Nothing in this Act shall endorse, promote, or result in a reduction of, or increased costs for, benefits in health insurance coverage offered by health insurance companies for women and children, including benefits for commonly prescribed contraception, mammograms, cervical cancer screenings, childhood immunizations, and health screenings for newborns.

After debate, By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOMACK, announced that the nays had it.

Mrs. CAPPS demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 178
negative } Nays 231

55.11

[Roll No. 194]

AYES—178

Ackerman Garamendi Olver
Altmire Gonzalez Owens
Andrews Green, Al Pallone
Baca Green, Gene Pascrell
Baldwin Grijalva Pastor (AZ)
Barrow Gutierrez Pelosi
Bass (CA) Hahn Perlmutter
Becerra Hanabusa Peters
Berkley Hastings (FL) Peterson
Berman Heinrich Pingree (ME)
Bishop (GA) Higgins Poliss
Bishop (NY) Himes Price (NC)
Bonamici Hinchey Quigley
Boren Hochul Rahall
Boswell Holt Reyes
Brady (PA) Honda Richardson
Braley (IA) Hoyer Richmond
Brown (FL) Israel
Butterfield Jackson (IL)
Capps Jackson Lee
Capuano (TX)
Carnahan Johnson (GA)
Carney Johnson, E. B.
Carson (IN) Kaptur
Castor (FL) Keating
Chandler Kildee
Chu Kind
Cicilline Kissell
Clarke (MI) Kucinich
Clarke (NY) Langevin
Clay Larsen (WA)
Cleaver Larson (CT)
Clyburn Lee (CA)
Cohen Levin
Connolly (VA) Lewis (GA)
Conyers Lipinski
Cooper Loeb sack
Costa Lofgren, Zoe
Costello Lowey
Courtney Lujan
Critz Lynch
Crowley Maloney
Cuellar Markey
Cummings Matheson
Davis (CA) Matsui
Davis (IL) McCarthy (NY)
DeFazio McColium
DeGette McDermott
DeLauro McGovern
Deutch McIntyre
Dicks McNerney
Dingell Meeks
Donnelly (IN) Michaud
Doyle Miller (NC)
Edwards Miller, George
Ellison Moore
Engel Moran
Eshoo Murphy (CT)
Fattah Nadler
Frank (MA) Napolitano
Fudge Neal

NOES—231

Adams Bucshon
Aderholt Buerkle
Akin Burgess
Alexander Burton (IN)
Amash Calvert
Amodei Campbell
Austria Cantor
Bachmann Capito
Bachus Carter
Bartlett Chabot
Bartlett Chaffetz
Barton (TX) Coble
Bass (NH) Coffman (CO)
Benishek Cole
Berg Conaway
Biggert Cravaack
Billbray Crawford
Bilirakis Garret
Bishop (UT) Crenshaw
Black Culberson
Blackburn Denham
Bonner Dent
Bono Mack DesJarlais
Boustany Diaz-Balart
Brady (TX) Dold
Brooks Dreier
Broun (GA) Duffy
Buchanan Duncan (TN)

Griffin (AR) Marchant
Griffith (VA) McCarthy (CA)
Grimm McCaul
Guinta McClintock
Guthrie McCotter
Hall McKeon
Hanna McKinley
Harper McMorris
Harris Rodgers
Hartzler Meehan
Hastings (WA) Mica
Hayworth Miller (FL)
Heck Miller (MI)
Hensarling Miller, Gary
Herger Mulvaney
Herrera Beutler Murphy (PA)
Huelskamp Myrick
Huizenga (MI) Neugebauer
Hultgren Noem
Hunter Nugent
Hurt Nunnelee
Issa Olson
Johnson (IL) Palazzo
Johnson (OH) Paulsen
Johnson, Sam Pearce
Jones Pence
Jordan Petri
Kelly Pitts
King (IA) Platts
King (NY) Poe (TX)
Kinzinger (IL) Pompeo
Kline Posey
Labrador Price (GA)
Lamborn Quayle
Lance Reed
Landry Rehberg
Lankford Reichert
Latham Renacci
LaTourette Ribble
Latta Rigell
Larsen (CA) Rivera
LoBiondo Roby
Long Roe (TN)
Lucas Rogers (AL)
Luetkemeyer Rogers (KY)
Lummis Rogers (MI)
Lungren, Daniel Rohrabacher
E. Rokita
Mack Rooney
Manzullo Ros-Lehtinen

NOT VOTING—22

Blumenauer Filner
Camp Hinojosa
Canseco Hirono
Cardoza Holden
Cassidy Jenkins
Davis (KY) Kingston
Doggett Marino
Farr McHenry

Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—195

Ackerman Critz
Altmire Crowley
Amash Cuellar
Andrews Cummings
Baca Davis (CA)
Baldwin Davis (IL)
Bass (CA) DeFazio
Becerra DeGette
Berkley DeLauro
Berman Deutch
Bishop (GA) Dicks
Black Dingell
Bonamici Doggett
Boswell Doyle
Brady (PA) Duncan (SC)
Braley (IA) Edwards
Broun (GA) Ellison
Brown (FL) Engel
Butterfield Eshoo
Capps Fattah
Capuano Fincher
Carnahan Flake
Carney Foxx
Carson (IN) Frank (MA)
Castor (FL) Franks (AZ)
Chandler Fudge
Chu Garamendi
Cicilline Garret
Clarke (MI) Gonzalez
Clarke (NY) Gosar
Clay Gowdy
Cleaver Graves (GA)
Clyburn Green, Al
Coble Green, Gene
Cohen Grijalva
Connolly (VA) Gutierrez
Conyers Hahn
Cooper Hanabusa
Costello Hastings (FL)
Courtney Heinrich

Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McCotter
McIntyre
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Myrick
Noem
Nugent
Thornberry
Nunnelee
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walden
Walsh (MN)
Webster
West
Whitfield
Wittman
Wolf
Womack
Posey
Reed
Rehberg
Reichert
Renacci

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mr. George MILLER of California, demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 215
affirmative } Nays 195

55.12

[Roll No. 195]

AYES—215

Adams Biggert
Aderholt Billbray
Akin Bilirakis
Alexander Bishop (NY)
Amodei Bishop (UT)
Austria Blackburn
Bachmann Boehner
Bachus Bonner
Bartlett Bono Mack
Barrow Boren
Bartlett Boustany
Barton (TX) Brady (TX)
Bass (NH) Brooks
Benishek Buchanan
Berg Bucshon

Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Cantor
Capito
Carter
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford

Himes
Hinchey
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney

Meeks	Quigley	Smith (WA)
Michaud	Rahall	Speier
Miller (FL)	Reyes	Stark
Miller (NC)	Richardson	Sutton
Miller, George	Richmond	Thompson (CA)
Moore	Ross (AR)	Thompson (MS)
Moran	Rothman (NJ)	Tierney
Mulvaney	Roybal-Allard	Tonko
Murphy (CT)	Ruppersberger	Tsongas
Murphy (PA)	Rush	Van Hollen
Nadler	Ryan (OH)	Velázquez
Napolitano	Sánchez, Linda	Viscosky
Neal	T.	Walberg
Neugebauer	Sanchez, Loretta	Walsh (IL)
Oliver	Sarbanes	Wasserman
Pallone	Schakowsky	Schultz
Pascarell	Schiff	Waters
Pastor (AZ)	Schrader	Watt
Pelosi	Schwartz	Waxman
Perlmutter	Schweikert	Welch
Peters	Scott (VA)	Westmoreland
Pingree (ME)	Scott, David	Wilson (FL)
Polis	Serrano	Wilson (SC)
Price (GA)	Sewell	Woodall
Price (NC)	Sherman	Woolsey
Quayle	Shuler	Yarmuth

NOT VOTING—22

Blumenauer	Filner	Nunes
Camp	Hinojosa	Paul
Canseco	Hirono	Rangel
Cardoza	Holden	Sires
Cassidy	Jenkins	Slaughter
Costa	Kingston	Towns
Davis (KY)	Marino	
Farr	McHenry	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶55.13 H.R. 3834—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. ROBY, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3834) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. ROBY, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶55.14 CLERK TO CORRECT ENGROSSMENT—H.R. 4849

On motion of Mr. HASTINGS of Washington, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes, the Clerk be authorized to make the change placed at the desk:

In Section 2(b)(1), strike “C 90-4621” and insert instead “C 09-4621”.

¶55.15 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. HUIZENGA of Michigan, laid before the House the following privileged concurrent resolution of the Senate (S. Con. Res. 43):

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶55.16 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mr. HUIZENGA of Michigan, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 United States Code 6431 note), as amended, and the order of the House of January 5, 2011, announced that the Speaker appointed the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014: Mr. Samuel Gejdenson, Branford, Connecticut.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

And then,

¶55.17 ADJOURNMENT

Mr. GOHMERT, pursuant to Senate Concurrent Resolution 43, One Hundred Twelfth Congress, moved that the House do now adjourn.

The question being put, *viva voce*,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. PALAZZO, announced that the yeas had it.

So the motion to adjourn was agreed to.

Accordingly,

Pursuant to Senate Concurrent Resolution 43, One Hundred Twelfth Congress, at 3 o'clock and 8 minutes p.m., the House stands adjourned until 2 p.m. on Monday, May 7, 2012.

¶55.18 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 3556. A bill to designate the new United States courthouse in Buffalo, New York, as the “Robert H. Jackson United States Courthouse” (Rept. 112-456). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 4097. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes (Rept. 112-457). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 3989. A bill to support State and local accountability for public education, inform parents of their schools’ performance, and for other purposes; with an amendment (Rept. 112-458). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 3990. A bill to encourage effective teachers in the classrooms of the United States and innovative education programs in our Nation’s schools; with an amendment (Rept. 112-459, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 3534. A bill to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes; with an amendment (Rept. 112-460). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4078. A bill to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent; with an amendment (Rept. 112-461, Pt. 1). Ordered to be printed.

¶55.19 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Armed Services and Financial Services discharged from further consideration. H.R. 3990 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶55.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself, Mr. RAHALL, Mr. LUCAS, Mr. PETERSON, Mr. GIBBS, and Mrs. NOEM):

H.R. 4965. A bill to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Wisconsin:

H.R. 4966. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on the Budget, and in addition to

the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. COHEN, Mr. COBLE, and Mr. CONYERS):

H.R. 4967. A bill to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; to the Committee on the Judiciary.

By Mr. GUINTA:

H.R. 4968. A bill to extend the temporary suspension of duty on bitolylene diisocyanate; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself and Ms. WOOLSEY):

H.R. 4969. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Natural Resources.

By Mrs. ADAMS (for herself, Mrs. NOEM, Mrs. BLACKBURN, Mrs. BONO MACK, Mrs. MCMORRIS RODGERS, Mrs. CAPITO, Ms. FOXX, Ms. BUERKLE, Mrs. ELLMERS, Ms. JENKINS, Mrs. EMERSON, Mrs. BLACK, Mrs. MYRICK, Mrs. SCHMIDT, Ms. GRANGER, Mrs. MILLER of Michigan, Mrs. LUMMIS, Mrs. HARTZLER, Mrs. ROBY, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. MCCARTHY of California, Mr. GOWDY, Mr. ROSS of Florida, Mr. LATHAM, Mr. JOHNSON of Ohio, Mr. WEST, Mr. MILLER of Florida, Mr. NUGENT, Mr. AMODEI, Mr. BARLETTA, Mr. KELLY, Mr. WEBSTER, Mr. STIVERS, Mr. RENACCI, and Mr. DANIEL E. LUNGREN of California):

H.R. 4970. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN (for himself, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BARTLETT, Mr. BENISHEK, Mrs. BLACK, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BURTON of Indiana, Mr. CANSECO, Mr. CHABOT, Mr. COLE, Mr. CONAWAY, Mr. CRAVAACK, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FLEMING, Mr. FLORES, Mr. FORTENBERRY, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. HARRIS, Mrs. HARTZLER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. JOHNSON of Ohio, Mr. JONES, Mr. JORDAN, Mr. KELLY, Mr. KINGSTON, Mr. KLINE, Mr. LAMBORN, Mr. LANDRY, Mr. LANKFORD, Mr. LIPINSKI, Mr. LUETKEMEYER, Mr. MARCHANT, Mr. MCCOTTER, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. PAUL, Mr. QUAYLE, Mrs. ROBY, Mr. ROSS of Florida, Mr. RYAN of Wisconsin, Mrs. SCHMIDT, Mr. SCHWEIKERT, Mr. SCOTT of South Carolina, Mr. SMITH of New Jersey, Mr. SMITH of Nebraska, Mr. SOUTHERLAND, Mr. STIVERS, Mr. WALBERG, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. BILIRAKIS):

H.R. 4971. A bill to amend title I of the Patient Protection and Affordable Care Act to ensure that the coverage offered under multi-State qualified health plans offered in

Exchanges is consistent with the Federal abortion funding ban; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio (for himself and Mrs. LOWEY):

H.R. 4972. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of drugs intended for human use to contain a parenthetical statement identifying the source of any ingredient constituting or derived from a grain or starch-containing ingredient; to the Committee on Energy and Commerce.

By Mr. ADERHOLT:

H.R. 4973. A bill to suspend temporarily the rate of duty on certain sleeping bag carry cases; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 4974. A bill to suspend temporarily the duty on certain nonwoven polypropylene zippered sleeping bag carry cases, not under 77.5 cm in circumference and not exceeding 127.7 cm in circumference; to the Committee on Ways and Means.

By Mr. ADERHOLT:

H.R. 4975. A bill to suspend temporarily the duty on man-made shells used in the manufacture of sleeping bags; to the Committee on Ways and Means.

By Mr. AMODEI:

H.R. 4976. A bill to provide for the conveyance of small parcels of National Forest System land and small parcels of public lands administered by the Bureau of Land Management to landowners whose lands share a boundary with the National Forest System land or public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 4977. A bill to extend the temporary suspension of duty on 1-Propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 4978. A bill to amend title 38, United States Code, to remove the maximum payment amount for certain qualified losses under the Traumatic Injury Protection under the Servicemembers' Group Life Insurance program; to the Committee on Veterans' Affairs.

By Ms. BALDWIN:

H.R. 4979. A bill to establish a grant program to enhance training and services to prevent abuse in later life; to the Committee on the Judiciary.

By Mr. BENISHEK:

H.R. 4980. A bill to suspend temporarily the duty on 1.3G grade fireworks; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 4981. A bill to suspend temporarily the duty on 1.4G grade fireworks; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself and Mr. DOLD):

H.R. 4982. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 4983. A bill to suspend temporarily the duty on women's sports bras of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to

compatible monitor; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4984. A bill to suspend temporarily the duty on knit tank tops of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4985. A bill to suspend temporarily the duty on knit garments of stretch fabric with textile or polymer-based electrodes knit into or attached to the fabric and that incorporate connectors designed to secure an electronic transmitter that transmits physiological information from the electrodes to a compatible monitor; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4986. A bill to suspend temporarily the duty on baby or child carriers designed for use on bicycles; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4987. A bill to suspend temporarily the duty on wide angle reflectors; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4988. A bill to suspend temporarily the duty on bicycle speedometers; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4989. A bill to suspend temporarily the duty on bicycle speedometer parts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4990. A bill to suspend temporarily the duty on certain brakes designed for bicycles; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 4991. A bill to suspend temporarily the duty on bicycle wheel rims; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4992. A bill to suspend temporarily the rate of duty on certain leathered footwear for women; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4993. A bill to suspend temporarily the rate of duty on certain leathered footwear for women; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4994. A bill to suspend temporarily the rate of duty on certain leathered footwear for men; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 4995. A bill to suspend temporarily the rate of duty on certain leathered footwear for men; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4996. A bill to extend the temporary suspension of duty on quinoline; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4997. A bill to extend and modify the temporary suspension of duty on 2-Cyanopyridine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4998. A bill to extend the temporary reduction of duty on DAT intermediate; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 4999. A bill to extend the temporary reduction of duty on DMDS; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5000. A bill to extend the temporary reduction of duty on methoxyfenozide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5001. A bill to extend the temporary suspension of duty on Quintec; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5002. A bill to suspend temporarily the duty on Benzamide, N[[[3,5 Dichloro-2-fluoro-4-1,1,2,3,3,3-hexafluoropropoxy)phenyl] amino]carbonyl] 2,6 difluoro - (9Cl); to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5003. A bill to extend the temporary suspension of duty on Dimethyl malonate; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5004. A bill to extend the temporary suspension of duty on diphenyl sulfide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5005. A bill to extend the temporary suspension of duty on 2,6-Dichloroaniline; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5006. A bill to extend the temporary suspension of duty on DEPCT; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5007. A bill to suspend temporarily the duty on 2-methoxy-4-trifluoromethylpyridine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5008. A bill to extend the temporary suspension of duty on fenbuconazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5009. A bill to extend the temporary suspension of duty on 1,3-Dimethyl-2-imidazolidinone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5010. A bill to suspend temporarily the duty on 2-Amino-5,7-dimethoxy-1,2,4-triazolo[1,5-a]pyrimidine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5011. A bill to suspend temporarily the duty on a Formulated product containing Propyzamide as the active ingredient; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5012. A bill to extend the temporary suspension of duty on MCPA-2-ethylhexyl; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5013. A bill to suspend temporarily the duty on Tebuthiuron; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5014. A bill to suspend temporarily the duty on 4 Ethoxy 1,1,1 trifluoro 3 butene-2-one; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5015. A bill to extend the temporary suspension of duty on Ethalfuralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5016. A bill to suspend temporarily the duty on 2 Chloro 1 (3 ethoxy 4 nitrophenoxy) 4 (trifluoromethyl) Benzene; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5017. A bill to suspend temporarily the duty on Dichlormid; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5018. A bill to extend the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5019. A bill to extend the temporary suspension of duty on Gallery; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5020. A bill to extend the temporary suspension of duty on mixtures of fungicide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5021. A bill to extend the temporary suspension of duty on myclobutanil; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5022. A bill to suspend temporarily the duty on (R)-(+)-2-(4 hydroxyphenoxy)propionic acid; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5023. A bill to suspend temporarily the duty on Acetic Acid, 5 Chloro-8-quinolinoxy, 1 Methylhexylester; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5024. A bill to extend the temporary suspension of duty on Benfluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5025. A bill to extend the temporary suspension of duty on trifluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5026. A bill to extend the temporary suspension of duty on 4,4-Dimethoxy-2-butanone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself and Mr. YOUNG of Indiana):

H.R. 5027. A bill to extend the temporary suspension of duty on mixed isomers of 1,3-dichloropropene; to the Committee on Ways and Means.

By Mr. CANSECO (for himself and Mr. CONAWAY):

H.R. 5028. A bill to extend the temporary suspension of duty on nylon woolpacks used to package wool; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 5029. A bill to suspend temporarily the duty on certain women's footwear not covering the ankle; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 5030. A bill to suspend temporarily the duty on certain women's footwear covering the ankle; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5031. A bill to suspend temporarily the duty on 2-chlorobenzenesulfonyl isocyanate; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5032. A bill to suspend temporarily the duty on mixtures of cymoxanil and inert ingredients; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 5033. A bill to reduce temporarily the duty on mixtures of 6-amino-5-chloro-2-cyclopropyl-pyrimidine-4-carboxylic acid and inert ingredients; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 5034. A bill to suspend temporarily the duty on certain rooftop cargo bags; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 5035. A bill to suspend temporarily the duty on certain magnetic snaps; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5036. A bill to suspend temporarily the duty on certain knitted or crocheted fabrics containing elastomeric yarn; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5037. A bill to suspend temporarily the duty on chocolate crumb imported in bulk quantities; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5038. A bill to suspend temporarily the duty on chocolate confectionery products filled with caramel or sugar-based paste imported in bulk quantities but ready for consumption in their condition as imported; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5039. A bill to suspend temporarily the duty on Triethylenediamine; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5040. A bill to extend the suspension of duty on certain mixtures of alkene polymers; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5041. A bill to extend the suspension of duty on mixtures of formaldehyde polymers with aniline and with 4,4'-methylendianiline; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5042. A bill to suspend temporarily the duty on Ancamine 2432; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5043. A bill to suspend temporarily the duty on Ancamine 2422; to the Committee on Ways and Means.

By Mr. DESJARLAIS (for himself, Mr. ROE of Tennessee, Mr. WEST, Mr. WALZ of Minnesota, Mrs. BLACKBURN, Mr. COOPER, Mr. HUNTER, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. KLINE, Mr. FLEISCHMANN, Mr. MCKEON, and Mrs. BLACK):

H.R. 5044. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.R. 5045. A bill to suspend temporarily the duty on certain coffee brewers with milk frothing capacity; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.R. 5046. A bill to extend the temporary suspension of duty on electromechanical ice shavers, with self-contained electric motor; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 5047. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 5048. A bill to extend the temporary suspension of duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:

H.R. 5049. A bill to suspend temporarily the duty on certain sector molds and tooling; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Ms. SCHAKOWSKY):

H.R. 5050. A bill to prohibit employers and certain other entities from requiring or requesting that employees and certain other individuals provide a user name, password, or other means for accessing a personal ac-

count on any social networking website; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts:

H.R. 5051. A bill to extend the temporary suspension of duty on certain synthetic filament yarns; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5052. A bill to extend the temporary suspension of duty on certain untwisted filament yarns; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5053. A bill to extend the suspension of duty on Basic Red 1; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5054. A bill to extend the suspension of duty on Acetoacetyl-2,5-dimethoxy-4-chloroanilide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5055. A bill to extend the suspension of duty on 3-Amino-4-methylbenzamide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5056. A bill to extend the suspension of duty on Basic Blue 7; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5057. A bill to extend the suspension of duty on 5-Chloro-3-hydroxy-2-methyl-2-naphthanilide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5058. A bill to extend the suspension of duty on Basic Violet 1; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5059. A bill to extend the suspension of duty on 5-Chloro-3-hydroxy-2-methoxy-2-naphthanilide; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5060. A bill to extend the suspension of duty on p-Aminobenzamide (4-aminobenzamide); to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5061. A bill to extend the suspension of duty on Basic Red 1:1; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5062. A bill to extend and modify the temporary reduction of duty on 3,3N-Dichlorobenzidine dihydrochloride; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5063. A bill to extend the suspension of duty on certain organic pigments and dyes; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5064. A bill to extend the suspension of duty on 4-Hexylresorcinol; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5065. A bill to suspend temporarily the duty on Hexadecyl; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5066. A bill to suspend temporarily the duty on 3-Amino-1,2-propanediol; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5067. A bill to suspend temporarily the duty on 2-phenyl-1H-benzimidazole-5-sulfonic acid; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5068. A bill to suspend temporarily the duty on 2-ethylhexyl salicylate; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5069. A bill to extend the temporary reduction of duty on artichokes, prepared or preserved by vinegar or acetic acid; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5070. A bill to extend the temporary reduction of duty on artichokes, prepared or

preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5071. A bill to extend the temporary suspension of duty on oysters (other than smoked), prepared or preserved; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5072. A bill to suspend temporarily the duty on 1,3-Isobenzofurandione, 5,5'-sulfonylbis-, polymer with 4,4'-methylenebis[2,6-dimethylbenzamine]; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5073. A bill to extend the suspension of duty on styrene, ar-ethyl-, polymer with divinylbenzene and styrene beads having low ash content and specifically manufactured for use as a specialty filler in lost wax mold casting applications in a variety of other specialty filler applications; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5074. A bill to extend the suspension of duty on 2 propenoic acid, polymer with diethenylbenzene; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5075. A bill to extend the temporary suspension of duty on helium; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5076. A bill to suspend temporarily the duty on ion-exchange resin of Benzene, diethenyl, polymer with ethenylbenzene and ethenylethylbenzene, chloromethylated, trimethylaminoquaternized; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5077. A bill to extend the suspension of duty on ion-exchange resin powder comprised of a copolymer of methacrylic acid cross-linked with divinylbenzene, in the potassium ionic form, of a nominal particle size between 0.025 mm and 0.150 mm, dried to less than 10% moisture; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5078. A bill to suspend temporarily the duty on Acephate formulation; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5079. A bill to extend the temporary suspension of duty on asulam sodium salt and mixed application adjuvants; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5080. A bill to suspend temporarily the duty on Strong Base Anionic Resin; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5081. A bill to suspend temporarily the duty on ion-exchange resin-Methanamine, N Methyl reaction products with chloromethylated divinylbenzene-styrene polymer; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5082. A bill to suspend temporarily the duty on ion-exchange resin and adsorbent; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5083. A bill to extend the suspension of duty on macroporous ion-exchange resin comprising a copolymer of styrene crosslinked with divinylbenzene, thiol functionalized; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5084. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5085. A bill to suspend temporarily the duty on Oxyfluorfen; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5086. A bill to extend the temporary suspension of duty on Thiophanate methyl; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5087. A bill to suspend temporarily the rate of duty on 5(1,1-Dimethylheptyl) Resorcinol; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5088. A bill to suspend temporarily the rate of duty on 4-Bromobenzyl Bromide; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5089. A bill to suspend temporarily the rate of duty on 1-(2-ChloroEthyl)-4-Ethyl-1,4-dihydro-5H-Tetrazol-5-one; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5090. A bill to suspend temporarily the rate of duty on 1,1-Cyclobutanedicarboxylic acid; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5091. A bill to suspend temporarily the rate of duty on 2-butyl-5-chloro-3H-imidazole-4-carbaldehyde; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5092. A bill to suspend temporarily the rate of duty on Phenyl-2-Pyridyl Acetamide; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5093. A bill to suspend temporarily the rate of duty on alpha-threo Phenyl-2-piperidyl acetamide; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5094. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 74.6 W equipped with a capacitor rated not over 4 microfarads; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5095. A bill to extend the temporary suspension of duty on AC electric motors of an output exceeding 74.6 W but not exceeding 85 W; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5096. A bill to suspend temporarily the rate of duty on 1-Benzyl-4-phenyl-4-piperidine carboxylic acid ethyl ester HCl; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5097. A bill to suspend temporarily the rate of duty on N-[(4-methoxymethyl)-1-phenylmethyl-4-piperidinyl]N-phenylpropanamide-ethanedioate; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5098. A bill to renew the temporary suspension of duty on AC electric motors of an output exceeding 74.6 W but not exceeding 95 W; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5099. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 37.5 W but not exceeding 72 W; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5100. A bill to suspend temporarily the rate of duty on alpha-Phenyl-2-piperidylacetic acid; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5101. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 37.5 W but not exceeding 72 W designed to be operated by means of an infrared remote control; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 5102. A bill to reduce temporarily the duty on certain AC electric motors of an output exceeding 74.6 W equipped with a capacitor rated over 4 microfarads; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself and Mr. LEWIS of Georgia):

H.R. 5103. A bill to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Natural Resources.

By Mr. HERGER:

H.R. 5104. A bill to suspend temporarily the duty on ski poles and parts and accessories

thereof; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5105. A bill to suspend temporarily the duty on carbonic dihydrazide; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5106. A bill to suspend temporarily the duty on hydrazine hydrate, aqueous solution; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5107. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5108. A bill to suspend temporarily the duty on 2-benzothiazolythio butanedioic acid (2BBA); to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5109. A bill to suspend temporarily the duty on 4-oxo-4-p-tolylbutyric acid adduct with 4-ethylmorpholine (NEM Salt); to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5110. A bill to suspend temporarily the duty on 1-Methylimidazole; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5111. A bill to suspend temporarily the duty on copper peptide (AHK-Cu); to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 5112. A bill to suspend temporarily the duty on copper peptide (GHK-Cu 1:1); to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5113. A bill to extend the temporary suspension of duty on a compound of strontium chloroapatite-europium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5114. A bill to extend the temporary suspension of duty on strontium magnesium phosphate-tin doped inorganic products of a kind used as luminophores; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5115. A bill to extend the temporary suspension of duty on resin cement based on calcium carbonate and silicone resins; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5116. A bill to extend the temporary suspension of duty on zinc silicate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5117. A bill to extend the temporary suspension of duty on a mixture of barium carbonate, strontium carbonate, calcium carbonate, and 1-methoxy-2-propanol acetate, for use as emitter suspension cathode coating; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5118. A bill to suspend temporarily the duty on a Phosphor blend of Yttrium Oxide doped with Europium and Lanthanum Phosphate luminophores; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5119. A bill to extend the temporary suspension of duty on calcium chloride phosphate phosphor activated by manganese and antimony; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5120. A bill to extend the temporary suspension of duty on calcium chloride phosphate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5121. A bill to extend the temporary suspension of duty on small particle calcium chloride phosphate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5122. A bill to suspend temporarily the duty on lanthanum phosphate phosphor, ac-

tivated by cerium and terbium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5123. A bill to suspend temporarily the duty on a Phosphor Blend of Yttrium Oxide doped with Europium, Cerium Aluminate doped with Terbium and Barium Aluminate doped with Europium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5124. A bill to extend the temporary suspension of duty on strontium halophosphate doped with europium; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5125. A bill to extend and modify the temporary suspension of duty on lanthanum phosphate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5126. A bill to extend the temporary suspension of duty on barium magnesium aluminate phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5127. A bill to extend and modify the temporary suspension of duty on coarse yttrium oxide phosphor; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5128. A bill to extend and modify the temporary suspension of duty on ultrafine yttrium oxide phosphor; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5129. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts paid by an employer on an employee's student loans; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5130. A bill to suspend temporarily the duty on certain time switches; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5131. A bill to extend the temporary suspension of duty on certain porcelain lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5132. A bill to extend the temporary suspension of duty on certain aluminum lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5133. A bill to suspend temporarily the duty on certain occupancy sensors; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5134. A bill to suspend temporarily the duty on certain surge protectors; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5135. A bill to suspend temporarily the duty on certain tamper resistant ground fault circuit interrupters; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5136. A bill to suspend temporarily the duty on banana jack connectors; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5137. A bill to extend the temporary suspension of duty on certain brass lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5138. A bill to extend the temporary suspension of duty on certain plastic lamp-holder housings; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5139. A bill to extend the temporary reduction of duty on certain 12-volt batteries; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5140. A bill to extend the temporary suspension of duty on certain electrical

transformers; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5141. A bill to extend the temporary suspension of duty on certain 6-volt batteries; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5142. A bill to extend the temporary suspension of duty on certain color video monitors with flat panel screens; to the Committee on Ways and Means.

By Mr. KIND (for himself, Mr. FLAKE,

Mr. BLUMENAUER, Mr. DEFazio, and Mr. FRANK of Massachusetts):

H.R. 5143. A bill to prohibit the Secretary of Agriculture from making payments to the Brazilian Cotton Institute; to the Committee on Agriculture.

By Mr. KING of New York (for himself,

Mr. CUELLAR, Mr. ROGERS of Alabama, Ms. HAHN, Mr. MCCAUL, Ms. RICHARDSON, Mrs. MILLER of Michigan, Mr. CRAVAACK, Mr. TURNER of New York, Mr. ROSS of Arkansas, Mr. GRIFFIN of Arkansas, and Mr. CARTER):

H.R. 5144. A bill to amend title 10, United States Code, to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack perpetrated within the United States; to the Committee on Armed Services.

By Mr. KISSELL:

H.R. 5145. A bill to suspend temporarily the duty on Reactive Black 31; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5146. A bill to suspend temporarily the duty on Chromate(4-), [7-amino-3-[(3-chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy-2-naphthalenesulfonato(3-)]-[6-amino-4-hydroxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-2-naphthalenesulfonato(4-)]-, tetrasodium (P 96-1335); to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5147. A bill to extend the temporary suspension of duty on reaction products of phosphorous trichloride with 1,1'-biphenyl and 2,4-bis(1,1-dimethylethyl)phenol; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5148. A bill to extend the temporary suspension of duty on ethanediamide, N-(2-ethoxyphenyl)-N'-(4-isodecylphenyl)-; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5149. A bill to extend the temporary suspension of duty on Pigment Brown 25; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5150. A bill to suspend temporarily the duty on Pigment Orange 62; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5151. A bill to extend the temporary suspension of duty on 3-Dodecyl-1-(2,2,6,6-tetramethyl-4-piperidinyl)-2,5-pyrrolidinedione; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5152. A bill to extend the temporary suspension of duty on 1,3-Benzenedicarboxamide, N, N'-bis-(2,2,6,6-tetramethyl-4-piperidinyl)-; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 5153. A bill to extend the temporary suspension of duty on 1-Acetyl-4-(3-dodecyl-2,5-dioxo-1-pyrrolidinyl)-2,2,6,6-tetramethylpiperidine; to the Committee on Ways and Means.

By Mr. LOBIONDO (for himself and Mr. PASCRELL):

H.R. 5154. A bill to provide for the reliquidation of certain entries of high-density, fiberboard-core laminate wall and floor panels, and for other purposes; to the Committee on Ways and Means.

By Mr. LOEBSACK:

H.R. 5155. A bill to suspend temporarily the duty on orthotoluidine; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. CONYERS, Ms. LORETTA SANCHEZ of California, Mr. McDERMOTT, Mr. HONDA, and Mr. CONNOLLY of Virginia):

H.R. 5156. A bill to amend the Immigration and Nationality Act to provide citizenship for certain children of United States servicemen born overseas during the Vietnam and Korean Wars; to the Committee on the Judiciary.

By Ms. ZOE LOFGREN of California (for herself, Ms. LORETTA SANCHEZ of California, Mr. WOLF, Mr. CONNOLLY of Virginia, and Mrs. DAVIS of California):

H.R. 5157. A bill to prohibit the designation of Vietnam under title V of the Trade Act of 1974; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 5158. A bill to reduce temporarily the duty on 2,3-Pyridinedicarboxylic acid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:

H.R. 5159. A bill to suspend temporarily the duty on 2-butyne-1,4-diol, polymer with (chloromethyl)oxirane, brominated, dehydrochlorinated, methoxylated and triethyl phosphate; to the Committee on Ways and Means.

By Mrs. LUMMIS:

H.R. 5160. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mrs. LUMMIS:

H.R. 5161. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mrs. LUMMIS:

H.R. 5162. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. CHABOT, Ms. ZOE LOFGREN of California, and Mr. DEUTCH):

H.R. 5163. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mrs. MALONEY:

H.R. 5164. A bill to suspend temporarily the duty on nonenumerated footwear with textile uppers for women, other than house slippers, valued \$13/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5165. A bill to suspend temporarily the duty on footwear other than house slippers, for women, valued \$9.00/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5166. A bill to suspend temporarily the duty on nonenumerated footwear for women, valued \$25/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5167. A bill to extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) coated with stearic acid; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5168. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate coated with stearic acid; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5169. A bill to extend the temporary suspension of duty on Helional; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5170. A bill to extend the temporary suspension of duty on cis-3-Hexen-1-ol; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5171. A bill to suspend temporarily the duty on imitation jewelry necklaces or bracelets, valued \$10 each or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5172. A bill to suspend temporarily the duty on necklaces or bracelets, other than necklaces or bracelets containing jadeites or rubies, valued \$10 each or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5173. A bill to suspend temporarily the duty on women's belts of leather or composition leather, each valued \$7.00 or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5174. A bill to extend the temporary suspension of duty on C12-18 alkenes, polymers (TPX) with 4-methyl-1-pentene; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5175. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin (other than house slippers, work footwear, tennis shoes, basketball shoes and the like), valued \$20/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5176. A bill to suspend temporarily the duty on footwear for women (other than house slippers, tennis shoes, basketball shoes, gym shoes, training shoes and the like and other than work footwear), valued \$15/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5177. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin, valued \$35/pair or higher; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 5178. A bill to suspend temporarily the duty on imitation jewelry earrings; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5179. A bill to extend the temporary suspension of duty on europium oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5180. A bill to extend and modify the temporary suspension of duty on mixtures or coprecipitates of lanthanum, cerium, and terbium phosphates; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5181. A bill to extend and modify the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5182. A bill to suspend temporarily the duty on cerium nitrate; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5183. A bill to suspend temporarily the duty on gadolinium oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5184. A bill to suspend temporarily the duty on lanthanum oxide; to the Committee on Ways and Means.

By Mr. MARINO:

H.R. 5185. A bill to extend and modify the temporary suspension of duty on yttrium oxide; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Ms. DELAURO, Ms. EDWARDS, Mr. LARSON of Connecticut, Mr. MORAN, Mr. PASCRELL, and Mr. SCOTT of Virginia):

H.R. 5186. A bill to prevent excessive speculation in energy commodities, and for other purposes; to the Committee on Agriculture.

By Mr. MARKEY (for himself, Mr. WAXMAN, Mr. BLUMENAUER, Mr. LARSON of Connecticut, and Mr. PASCRELL):

H.R. 5187. A bill to amend the Internal Revenue Code of 1986 to provide incentives for clean energy and to repeal fossil fuel subsidies for big oil companies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr. GEORGE MILLER of California, Mr. STARK, Mr. LEWIS of Georgia, and Ms. MOORE):

H.R. 5188. A bill to provide guaranteed child care assistance for low-income families; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McKEON:

H.R. 5189. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5190. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5191. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5192. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mr. McKEON:

H.R. 5193. A bill to suspend temporarily the duty on certain mechanics' work gloves; to the Committee on Ways and Means.

By Mrs. McMORRIS RODGERS (for herself and Mr. THOMPSON of California):

H.R. 5194. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, to amend title III of the Public Health Service Act to extend discounts under the 340B program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself and Mr. DOYLE):

H.R. 5195. A bill to establish a 5-year demonstration program to provide skills to classroom teachers and staff who work with children with autism spectrum disorders; to the Committee on Education and the Workforce.

By Mr. MULVANEY:

H.R. 5196. A bill to suspend temporarily the duty on Microcrystalline anatase-type titanium dioxide; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5197. A bill to extend the temporary suspension of duty on polytetramethylene ether glycol; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5198. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5199. A bill to suspend temporarily the duty on certain filament polyester window shade material in a modified basket weave; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5200. A bill to suspend temporarily the duty on anatase titanium dioxide; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5201. A bill to suspend temporarily the duty on certain filament polyester, foam-backed window shade material in a plain weave; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5202. A bill to suspend temporarily the duty on certain PCBTF; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5203. A bill to suspend temporarily the duty on certain woven fiberglass window shade material with acrylic coating; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5204. A bill to extend and modify the temporary suspension of duty on certain PCBTF with an acid acceptor; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5205. A bill to suspend temporarily the duty on certain PCBTF with antioxidant; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5206. A bill to suspend temporarily the duty on window shade material composed of woven fiberglass coated with ethyl vinyl acetate; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5207. A bill to suspend temporarily the duty on certain PCBTF with antistatic; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5208. A bill to suspend temporarily the duty on certain PCBTF with a corrosion inhibitor; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5209. A bill to suspend temporarily the duty on certain window shade material composed of 100% polyester filaments; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5210. A bill to suspend temporarily the duty on Dianil; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5211. A bill to suspend temporarily the duty on benzenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5212. A bill to suspend temporarily the duty on amino ethyl carbazole; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5213. A bill to extend the temporary suspension of duty on p-Toluenesulfonyl chloride; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5214. A bill to suspend temporarily the duty on Himic Anhydride; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5215. A bill to suspend temporarily the duty on liquid dielectric transformers having a power handling capacity exceeding 100,000 kVA; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5216. A bill to suspend temporarily the duty on helical springs not suitable for use in motor-vehicle suspension, of iron or steel wire having a cross-sectional dimension of 12.7 mm or more; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5217. A bill to suspend temporarily the duty on vibration dampeners; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5218. A bill to suspend temporarily the duty on complete digital process control systems designed for use with steam turbine generator sets for use in AP 1000 nuclear

powerplants certified by the Nuclear Regulatory Commission; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5219. A bill to suspend temporarily the duty on check valves of steel, having an opening approximately 7.62 cm. or more in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5220. A bill to suspend temporarily the duty on stop valves each designed to be actuated by steam turbine hydraulic control systems and thermostatically controlled by an electrohydraulic actuator, and parts thereof; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5221. A bill to suspend temporarily the duty on economizers for use with boilers of heading 8402 or 8403; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5222. A bill to suspend temporarily the duty on hand operated globe type valves of steel, having an opening less than approximately 7.62 cm. in diameter and certified by the importer as meeting ASME III certification requirements (but not meeting ASME B16.34 certification requirements) as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5223. A bill to suspend temporarily the duty on hand operated globe type valves of steel, having an opening less than approximately 7.62 cm. in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5224. A bill to suspend temporarily the duty on hand operated globe type valves of steel, having an opening approximately 7.62 cm. or more in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5225. A bill to suspend temporarily the duty on check valves of steel, having an opening approximately 7.62 cm. or more in diameter and certified by the importer as meeting ASME B16.34 certification requirements as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MULVANEY:

H.R. 5226. A bill to suspend temporarily the duty on check valves of steel, having an opening less than approximately 7.62 cm. in diameter and certified by the importer as meeting ASME III certification requirements (but not meeting ASME B16.34 certification requirements) as approved for use in nuclear facilities; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. HIMES):

H.R. 5227. A bill to suspend temporarily the duty on 2-Aminopyridine; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself and Mr. HIMES):

H.R. 5228. A bill to suspend temporarily the duty on 4-Chloro-3-nitrobenzoic acid; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5229. A bill to suspend temporarily the duty on 1,6-Diisocyanato-hexane homopolymer, polyethylene-polypropylene glycol mono-Bu ether blocked; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5230. A bill to extend the temporary suspension of duty on Desmodur E 14; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5231. A bill to extend and modify the temporary suspension of duty on Desmodur HL BA; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5232. A bill to extend the temporary suspension of duty on 1,2,2,3,3,4,4,4-Nonafluorobutanesulfonic acid, potassium salt; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5233. A bill to suspend temporarily the duty on Desmodur VP LS 2078/2; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5234. A bill to suspend temporarily the duty on Bayhydur XP 2547; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5235. A bill to suspend temporarily the duty on Bayhydur BL 5335; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5236. A bill to suspend temporarily the duty on Desmodur BL 1100/1; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5237. A bill to extend the temporary suspension of duty on Tetraethylammonium perfluorooctanesulfonate; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5238. A bill to reduce temporarily the duty on Chlorobenzene; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5239. A bill to reduce temporarily the duty on *P*-Dichlorobenzene; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5240. A bill to suspend temporarily the duty on Dimethyl dicarbonate; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5241. A bill to extend the temporary suspension of duty on certain plasticizers; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5242. A bill to extend the temporary suspension of duty on Phosphoric acid, tris (2-ethylhexyl)ester; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5243. A bill to extend the temporary suspension of duty on 2-Phenylphenol sodium salt; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5244. A bill to suspend temporarily the duty on Phosphorus Sulfochloride; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5245. A bill to extend the temporary suspension of duty on Thionyl chloride; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5246. A bill to extend the temporary suspension of duty on 2-Oxepanone polymer with 1,4-butanediol and 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, 2-ethyl-1-hexanol-blocked; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5247. A bill to extend and modify the temporary suspension of duty on Desmodur R-E; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5248. A bill to extend and modify the temporary suspension of duty on Poly(toluenes diisocyanate); to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5249. A bill to extend and modify the temporary suspension of duty on Desmodur RF-E; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5250. A bill to suspend temporarily the rate of duty on 1,6-Hexanediol-dimethyl car-

bonate copolymer; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5251. A bill to suspend temporarily the rate of duty on 1,6-Hexanediol-dimethyl carbonate copolymer; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5252. A bill to suspend temporarily the rate of duty on dimethyl carbonate polymer with 1,6-hexanediol copolymer and 2-oxepanone; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:

H.R. 5253. A bill to suspend temporarily the duty on reaction product of 3,5-dimethyl-1,2-diazole with polymer of hexane-1,6-diyl diisocyanate in organic solvent; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 5254. A bill to suspend temporarily the duty on Efka 6225; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 5255. A bill to reduce temporarily the duty on fasteners, in clips suitable for use in a mechanical attaching device; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 5256. A bill to suspend temporarily the duty on hand tools designed for securing plastic fasteners; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 5257. A bill to extend the temporary suspension of duty on product mixtures containing mesosulfuron-methyl; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 5258. A bill to suspend temporarily the rate of duty on certain mixtures containing Fenoxaprop-p-ethyl, Pyrasulfotole, Bromoxynil octanoate, Bromoxynil heptanoate, and Mefenpyr-diethyl; to the Committee on Ways and Means.

By Mr. NUNES:

H.R. 5259. A bill to suspend temporarily the duty on Fungaflor Technical (Imazalil); to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5260. A bill to extend the temporary suspension of duty on Dilauroyl peroxide; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5261. A bill to extend the temporary suspension of duty on Didecanoyl peroxide; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5262. A bill to extend the temporary suspension of duty on Bis(4-tbutylcyclohexyl) peroxydicarbonate; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5263. A bill to extend the temporary suspension of duty on 3,3',4,4'-Biphenyltetracarboxylic dianhydride; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5264. A bill to extend the temporary reduction of duty on 4,4'-Oxydianiline; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5265. A bill to extend the temporary suspension of duty on RODA; to the Committee on Ways and Means.

By Mr. OLSON:

H.R. 5266. A bill to extend the temporary suspension of duty on 4,4'-Oxydiphthalic anhydride; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5267. A bill to suspend temporarily the duty on 4,4'-Sulfonyldiphenol; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5268. A bill to suspend temporarily the duty on mixtures of fatty acids, C12-21 and C18-unsatd., 2,2,6,6-tetramethyl-4-piperidol esters and polyethylene or polypropylene or

3,5-di-tert-butyl-4-hydroxybenzoic acid, hexadecyl ester; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5269. A bill to suspend temporarily the duty on 1,6-Hexanediamine, N,N'-Bis(2,2,6,6-tetramethyl-4-piperidinyl)-, P/W 2,4-Dichloro-6-(4-morpholinyl)-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5270. A bill to suspend temporarily the duty on 2-(4,6-Bis-(2,4-dimethylphenyl)-1,3,5-triazin-2-yl)-5-(octyloxy)-phenol; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5271. A bill to suspend temporarily the duty on Hydroxylamine sulfate; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5272. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in containers holding 3.4 kg or less; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5273. A bill to extend the temporary reduction of duty on pepperoncini, prepared or preserved by vinegar; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5274. A bill to extend the temporary suspension of duty on pepperoncini, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5275. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in immediate containers holding more than 3.4 kg; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5276. A bill to extend and modify the temporary reduction of duty on o-Acetylsalicylic acid (Aspirin); to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5277. A bill to extend the temporary suspension of duty on D-Mannose; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 5278. A bill to extend the temporary suspension of duty on propoxur (2-(1-methylethoxy)phenol methylcarbamate); to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 5279. A bill to suspend temporarily the duty on certain portable personal area mosquito repellents; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H.R. 5280. A bill to suspend temporarily the duty on certain alginates; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H.R. 5281. A bill to suspend temporarily the duty on propylene glycol alginates; to the Committee on Ways and Means.

By Ms. PINGREE of Maine:

H.R. 5282. A bill to reduce temporarily the duty on sodium alginate; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5283. A bill to amend the Public Health Service Act to enhance the clinical trial registry data bank reporting requirements and enforcement measures; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself and Mr. THOMPSON of California):

H.R. 5284. A bill to amend section 1862 of the Social Security Act with respect to the application of Medicare secondary payer rules to workers' compensation settlement agreements and Medicare set-asides under such agreements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee:

H.R. 5285. A bill to extend the suspension of duty on o-Anisidine; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5286. A bill to extend the suspension of duty on Titanium mononitride; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5287. A bill to extend the suspension of duty on Phenyl salicylate (benzoic acid, 2-hydroxy-, phenyl ester); to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5288. A bill to extend the suspension of duty on 2,4-Xylidine; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5289. A bill to suspend temporarily the duty on 4-Chloro-1,8-naphthalic anhydride; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5290. A bill to suspend temporarily the duty on Ester gum 10D 25KG BG China; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5291. A bill to suspend temporarily the duty on Poly-Pale, 25 KG Bag, China; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5292. A bill to suspend temporarily the duty on Syloboc K-200; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5293. A bill to suspend temporarily the duty on HPHP; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5294. A bill to suspend temporarily the duty on 2-Ethylhexanol; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5295. A bill to suspend temporarily the duty on Sodium Benzoate, ODR/FLV Comp; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5296. A bill to suspend temporarily the duty on Isophthalic acid; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5297. A bill to suspend temporarily the duty on rosin and resin acids and derivatives thereof; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5298. A bill to suspend temporarily the duty on petroleum resins, coumarone, indene or coumarone-indene resins; polyterpenes; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 5299. A bill to suspend temporarily the duty on Ortho Toluidine; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5300. A bill to extend the temporary suspension of duty on certain single yarns of viscose rayon; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5301. A bill to extend the temporary suspension of duty on certain single yarns of viscose rayon; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5302. A bill to extend the temporary suspension of duty on certain artificial filament single yarns; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. BERMAN, Mr. ENGEL, Mr. BURTON of Indiana, Mr. CHABOT, Mr. DEUTCH, Mr. MANZULLO, Mr. POE of Texas, and Mr. ROTHMAN of New Jersey):

H.R. 5303. A bill to amend the Foreign Assistance Act of 1961 to limit assistance to the Palestinian Authority; to the Committee on Foreign Affairs.

By Ms. SCHWARTZ:
H.R. 5304. A bill to extend the temporary reduction of duty on liquid-filled glass bulbs designed for sprinkler systems and other release devices; to the Committee on Ways and Means.

By Ms. SCHWARTZ:
H.R. 5305. A bill to extend the temporary suspension of duty on aqueous emulsion of a modified aliphatic amine mixture of: decanedioic acid, compounds with 1,3-benzenedimethanamine- bisphenol A- bisphenol A diglycidyl etherdiethylenetriamine glycidyl phenyl ether reaction productepichlorohydrinformaldehyde- propylene oxidetriethylenetetramine polymer; to the Committee on Ways and Means.

By Ms. SCHWARTZ:
H.R. 5306. A bill to extend and modify the temporary suspension of duty on Cyazofamid; to the Committee on Ways and Means.

By Ms. SCHWARTZ:
H.R. 5307. A bill to extend the temporary reduction of duty on Acetamiprid Technical; to the Committee on Ways and Means.

By Ms. SCHWARTZ:
H.R. 5308. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5309. A bill to extend the temporary suspension of duty on PHBA; to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5310. A bill to extend the temporary suspension of duty on sorbic acid; to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5311. A bill to suspend temporarily the duty on potassium sorbate; to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5312. A bill to suspend temporarily the duty on certain screws, bolts, nuts, washers, and similar articles of steel; to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5313. A bill to suspend temporarily the duty on certain parts suitable for use solely or principally with the apparatus of heading 8535, 8536 or 8537; to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5314. A bill to suspend temporarily the duty on threaded articles of iron or steel nesoi (not bolts, nuts, or screws); to the Committee on Ways and Means.

By Mr. SESSIONS:
H.R. 5315. A bill to suspend temporarily the duty on other non-threaded articles (fasteners) of iron or steel, nesoi; to the Committee on Ways and Means.

By Ms. SLAUGHTER:
H.R. 5316. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one, 1-hydroxypyridine-2-thione, zinc salt, and application adjuvants; to the Committee on Ways and Means.

By Ms. SLAUGHTER:
H.R. 5317. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one and application adjuvants; to the Committee on Ways and Means.

By Mr. SMITH of Texas:
H.R. 5318. A bill to suspend temporarily the duty on ethylhexylglycerine; to the Committee on Ways and Means.

By Ms. TSONGAS (for herself and Mr. OLVER):
H.R. 5319. A bill to amend the Wild and Scenic Rivers Act to designate segments of the mainstem of the Nashua River and its tributaries in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System,

and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH (for himself and Mr. HANNA):
H.R. 5320. A bill to amend the Internal Revenue Code of 1986 to increase the quarterly wages paid threshold for classification as an agricultural labor employer for purposes of unemployment taxes; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself and Mr. GUTHRIE):

H.R. 5321. A bill to amend title 13, United States Code, to provide for the more accurate and complete enumeration of members of the Armed Forces in any tabulation of total population by the Secretary of Commerce, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. WOLF:
H.R. 5322. A bill to amend the Inspector General Act of 1978 to provide for an Inspector General for the Metropolitan Washington Airports Authority, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself and Mr. FORTENBERRY):
H. Con. Res. 121. Concurrent resolution expressing the sense of Congress that as one of the world's important wetland and coastal marine ecosystems, the Niger Delta should be protected and its recovery and economic development a priority; to the Committee on Foreign Affairs.

By Mr. LANDRY (for himself and Mr. FARENTHOLD):

H. Res. 635. A resolution expressing the sense of the House of Representatives that Mr. Al Armendariz, Environmental Protection Agency Administrator for South Central Region (Region 6), is not suitable to secure domestic energy development, and, therefore should immediately resign; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself, Mr. BILBRAY, Mr. FILNER, and Mr. HEINRICH):

H. Res. 636. A resolution expressing support for designation of the period beginning April 9, 2012, and ending May 6, 2012, as "Bataan-Corregidor Month"; to the Committee on Veterans' Affairs, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois (for himself and Mr. GOWDY):

H. Res. 637. A resolution expressing the sense of the House of Representatives that the release of information with respect to the 1940 decennial census is a cause for celebration, that the National Archives and Records Administration and the Bureau of the Census should be commended for maintaining custody of such information, and that the citizens of the United State should use such information to learn about their family history; to the Committee on Oversight and Government Reform.

By Mr. HINOJOSA (for himself and Mr. DOLD):

H. Res. 638. A resolution supporting the efforts of the National Association of State

Fire Marshals to raise awareness of proper bonding for yellow corrugated stainless steel tubing to the specifications of the National Fire Protection Association Code; to the Committee on Science, Space, and Technology.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. SARBANES, Ms. LEE of California, Mr. SIREES, Mr. GRIMM, Mr. JACKSON of Illinois, and Mr. FRELINGHUYSEN):

H. Res. 639. A resolution expressing the sense of the House of Representatives that the former Yugoslav Republic of Macedonia should work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of finding a mutually acceptable composite name, with a geographical qualifier and for all uses for the former Yugoslav Republic of Macedonia; to the Committee on Foreign Affairs.

By Mrs. NAPOLITANO (for herself, Ms. BONAMICI, Mr. BACA, Ms. BALDWIN, Ms. BERKLEY, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mrs. CAPPAS, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FILNER, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. HIRONO, Mr. HONDA, Mr. ISRAEL, Mr. CROWLEY, Ms. KAPTUR, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. LUJÁN, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCNERNEY, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. OLVER, Mr. OWENS, Mr. PASTOR of Arizona, Mr. PIERLUISI, Mr. POLIS, Mr. RANGEL, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SANCHEZ of California, Ms. SCHWARTZ, Mr. SERRANO, Mr. SCHIFF, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. THOMPSON of California, Mr. TONKO, Mr. TOWNS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Ms. WOOLSEY, Ms. CHU, Mr. MURPHY of Pennsylvania, and Mr. AUSTRIA):

H. Res. 640. A resolution expressing support for designation of May 2012 as Mental Health Month; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself and Ms. LEE of California):

H. Res. 641. A resolution expressing support for designation of April 28, 2012, as "Jon Faddis Day", and honoring his contribution as both a jazz musician and educator; to the Committee on Oversight and Government Reform.

By Mr. PEARCE:
H. Res. 642. A resolution expressing support for designation of the month of April as Parkinson's Awareness Month; to the Committee on Energy and Commerce.

§55.21 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HIMES:
H.R. 5323. A bill to provide for the liquidation or reliquidation of certain entries of top-of-the-stove stainless steel cooking ware from the Republic of Korea; to the Committee on Ways and Means.

By Mr. PASCRELL:
H.R. 5324. A bill to liquidate or reliquidate certain entries of digital still image video

cameras; to the Committee on Ways and Means.

155.22 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 273: Mr. LUJÁN, Mrs. CAPPS, and Mr. PASTOR of Arizona.
 H.R. 376: Mrs. MCCARTHY of New York and Mr. TONKO.
 H.R. 409: Mr. GOSAR.
 H.R. 436: Mr. ROHRBACHER, Mr. ROGERS of Alabama, and Mr. FLAKE.
 H.R. 664: Mr. CARSON of Indiana, Mr. MICHAUD, and Mr. PETERSON.
 H.R. 860: Mr. SHULER and Mr. CROWLEY.
 H.R. 876: Ms. BONAMICI.
 H.R. 890: Mr. SOUTHERLAND.
 H.R. 905: Mr. SCHOCK.
 H.R. 1063: Mr. GOSAR, Mr. LIPINSKI, and Ms. RICHARDSON.
 H.R. 1098: Mr. POLIS.
 H.R. 1112: Mr. SHERMAN, Ms. JENKINS, and Mr. WEST.
 H.R. 1175: Ms. MOORE.
 H.R. 1193: Mr. ANDREWS and Mr. HASTINGS of Florida.
 H.R. 1195: Mr. BROOKS, Mr. BOREN, Mr. SCHOCK, Mr. COSTELLO, Mrs. MCCARTHY of New York, Mr. ROGERS of Kentucky, and Mr. MEEHAN.
 H.R. 1206: Mr. GOSAR, Mr. DAVID SCOTT of Georgia, Mrs. EMERSON, Mr. CHAFFETZ, and Mr. MCKEON.
 H.R. 1219: Mr. ROGERS of Kentucky, Mr. BOREN, Mr. MEEHAN, and Mrs. MCCARTHY of New York.
 H.R. 1327: Mr. STEARNS and Mr. CLEAVER.
 H.R. 1370: Mr. GOSAR and Mr. FLAKE.
 H.R. 1416: Ms. PINGREE of Maine, Mr. JOHN-SON of Illinois, and Ms. HIRONO.
 H.R. 1426: Mr. SCHOCK.
 H.R. 1537: Mr. NEAL.
 H.R. 1578: Ms. CASTOR of Florida.
 H.R. 1580: Mr. GOSAR, Mr. SCHOCK, and Mr. MARCHANT.
 H.R. 1639: Mr. BARROW, Mr. TIPTON, and Ms. HANABUSA.
 H.R. 1672: Mr. COSTELLO, Ms. VELÁZQUEZ, Ms. CLARKE of New York, and Mr. COURTNEY.
 H.R. 1675: Ms. MATSUI and Mr. RANGEL.
 H.R. 1733: Mr. MEEKS.
 H.R. 1753: Mr. MCDERMOTT.
 H.R. 1792: Mr. GIBSON and Mr. TONKO.
 H.R. 1802: Mr. BERG and Mr. ROGERS of Kentucky.
 H.R. 1821: Mr. DAVIS of Illinois.
 H.R. 1860: Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Ms. LINDA T. SÁNCHEZ of California, and Mr. JORDAN.
 H.R. 1897: Mr. SHERMAN, Mr. PETERSON, and Mr. BRADY of Pennsylvania.
 H.R. 2104: Mr. THOMPSON of Mississippi.
 H.R. 2139: Mr. ROGERS of Kentucky, Ms. CASTOR of Florida, and Mr. FLEMING.
 H.R. 2182: Mr. BENISHEK.
 H.R. 2195: Mr. MEEHAN.
 H.R. 2197: Ms. MOORE and Ms. RICHARDSON.
 H.R. 2198: Mr. SCHILLING.
 H.R. 2353: Mr. PAUL.
 H.R. 2404: Mr. BILIRAKIS.
 H.R. 2568: Mr. CUELLAR.
 H.R. 2695: Mr. ROTHMAN of New Jersey.
 H.R. 2696: Mr. ROTHMAN of New Jersey.
 H.R. 2717: Mr. COBLE.
 H.R. 2880: Mr. PRICE of North Carolina.
 H.R. 2951: Mr. LANKFORD.
 H.R. 2957: Ms. ROYBAL-ALLARD.
 H.R. 2969: Mr. GOSAR, Mr. MEEHAN, Mrs. MILLER of Michigan, Mr. WEST, Mr. RANGEL, and Mr. CASSIDY.
 H.R. 2978: Mrs. HARTZLER.
 H.R. 3000: Mr. HARRIS, Mr. QUAYLE, and Mr. BARTLETT.
 H.R. 3053: Ms. CHU.
 H.R. 3057: Mr. GENE GREEN of Texas.

H.R. 3065: Mr. WALSH of Illinois.
 H.R. 3067: Mr. COFFMAN of Colorado, Mr. ROSKAM, Mr. CLARKE of Michigan, Mr. QUIGLEY, Ms. CASTOR of Florida, Mr. MILLER of North Carolina, Mr. DOGGETT, and Mr. NADLER.
 H.R. 3264: Mr. CULBERSON.
 H.R. 3269: Mr. RANGEL, Mrs. EMERSON, Mr. GOODLATTE, Mr. CLAY, Mr. LANDRY, Mr. BISHOP of Utah, Mr. ROYCE, Mr. GALLEGLY, and Mr. COBLE.
 H.R. 3283: Mr. KINGSTON.
 H.R. 3307: Ms. DEGETTE.
 H.R. 3357: Mr. MCKINLEY.
 H.R. 3364: Mr. PETRI and Mr. MCNERNEY.
 H.R. 3423: Mrs. MILLER of Michigan, Mr. WILSON of South Carolina, Mr. CROWLEY, Mr. LUJÁN, and Mr. PASCRELL.
 H.R. 3444: Mr. SOUTHERLAND.
 H.R. 3464: Mr. BERMAN and Ms. RICHARD-SON.
 H.R. 3502: Mr. CLARKE of Michigan.
 H.R. 3506: Mr. WOMACK.
 H.R. 3526: Mr. CARSON of Indiana.
 H.R. 3591: Mr. PASCRELL.
 H.R. 3618: Mr. PASTOR of Arizona and Mr. PETERS.
 H.R. 3627: Mr. FILNER.
 H.R. 3647: Mr. HINCHEY.
 H.R. 3661: Ms. FUDGE, Mr. KILDEE, Mr. STIVERS, Ms. ROYBAL-ALLARD, Mr. TOWNS, Ms. ZOE LOFGREN of California, Mr. KISSELL, and Mr. CARSON of Indiana.
 H.R. 3665: Mr. GRIJALVA and Mr. FILNER.
 H.R. 3667: Mr. YOUNG of Alaska and Mr. HEINRICH.
 H.R. 3668: Mr. CRAVAACK.
 H.R. 3769: Mr. TOWNS and Mr. MURPHY of Connecticut.
 H.R. 3783: Mr. ROTHMAN of New Jersey and Mr. LOBIONDO.
 H.R. 3839: Mr. PETERSON.
 H.R. 3848: Mrs. ELLMERS.
 H.R. 3849: Mr. MCINTYRE.
 H.R. 3862: Mr. PETERSON and Mr. SCHWEIKERT.
 H.R. 3863: Mr. HONDA.
 H.R. 3903: Ms. FUDGE and Ms. EDWARDS.
 H.R. 3987: Mrs. ELLMERS.
 H.R. 4005: Mr. SCOTT of Virginia.
 H.R. 4018: Mr. ANDREWS.
 H.R. 4045: Mr. PALAZZO.
 H.R. 4066: Mr. BROUN of Georgia.
 H.R. 4077: Mr. SMITH of New Jersey, Mr. HONDA, and Mr. HEINRICH.
 H.R. 4094: Mr. STIVERS.
 H.R. 4099: Mr. BARROW, Mr. CICILLINE, Mr. KILDEE, Mr. KING of Iowa, Mr. MCKINLEY, Ms. SCHWARTZ, and Mr. KELLY.
 H.R. 4103: Mr. OWENS.
 H.R. 4115: Mr. GIBBS.
 H.R. 4128: Mr. POE of Texas.
 H.R. 4132: Mr. HECK and Mr. DOLD.
 H.R. 4133: Mr. HALL, Mrs. CAPITO, Mr. LIPINSKI, Mr. BONNER, Ms. BONAMICI, Ms. FUDGE, Mr. NUNES, Mr. FITZPATRICK, Mrs. LUMMIS, and Mr. REICHERT.
 H.R. 4157: Ms. BALDWIN, Mrs. BLACK, Mr. LABRADOR, Mr. CRAVAACK, and Ms. HOCHUL.
 H.R. 4158: Mr. QUAYLE and Mr. MULVANEY.
 H.R. 4165: Ms. CHU, Mr. MEEHAN, and Mr. LUETKEMEYER.
 H.R. 4180: Mr. SAM JOHNSON of Texas, Mr. LUETKEMEYER, and Mr. HUIZENGA of Michigan.
 H.R. 4196: Mr. LUETKEMEYER.
 H.R. 4201: Mr. LOBIONDO, Mr. MCCOTTER, Mr. LATOURETTE, Mr. WHITFIELD, Mr. STIV-ERS, Mr. TURNER of New York, Mr. MEEHAN, Mr. KELLY, Mr. BARLETTA, Mr. GERLACH, Mr. DENT, Mr. OLSON, Mr. PLATTS, Mr. BROUN of Georgia, Mr. BUCHANAN, Ms. SCHAKOWSKY, Mr. HECK, Mr. BISHOP of Utah, Mr. JOHNSON of Ohio, Mr. BROOKS, Mr. CHABOT, Mr. REICHERT, Mrs. MCMORRIS RODGERS, Mr. AUSTIN SCOTT of Georgia, Mrs. HARTZLER, Mr. CONAWAY, Mr. BURGESS, Mrs. MILLER of Michigan, Mr. FLEMING, Mr. WILSON of South Carolina, Mr. LANCE, Mr. WEST, Mrs. ROBY,

Mr. PEARCE, Mr. POSEY, Mr. HANNA, Mr. ROSS of Florida, Mr. LUETKEMEYER, Mr. HUN-TER, Mr. SCHILLING, Mr. RIBBLE, Mr. DIAZ-BALART, Mr. GARY G. MILLER of California, Mr. RIGELL, Mr. MCKEON, Mr. CALVERT, Mr. BONNER, Mr. LEWIS of California, Mr. CAR-TER, Mr. BOUSTANY, Mr. COLE, Mr. LATTA, and Mr. SHIMKUS.
 H.R. 4203: Mrs. ELLMERS.
 H.R. 4212: Mr. WEST and Ms. CASTOR of Florida.
 H.R. 4215: Mr. WITTMAN, Ms. CHU, and Mr. PETERSON.
 H.R. 4222: Mr. QUAYLE.
 H.R. 4227: Ms. HIRONO, Mr. SCOTT of Vir-ginia, Mr. DAVIS of Illinois, Mr. ANDREWS, and Mr. RANGEL.
 H.R. 4232: Mr. HUIZENGA of Michigan.
 H.R. 4235: Mr. KINGSTON.
 H.R. 4256: Mr. MARCHANT.
 H.R. 4259: Mr. ROSKAM.
 H.R. 4269: Mr. JONES, Mr. KELLY, and Mr. MARCHANT.
 H.R. 4271: Ms. KAPTUR and Mr. ROTHMAN of New Jersey.
 H.R. 4278: Mr. CARTER and Mr. ALEXANDER.
 H.R. 4279: Mr. SCOTT of South Carolina.
 H.R. 4295: Mr. LUETKEMEYER.
 H.R. 4296: Mr. JOHNSON of Illinois, Mr. SCHILLING, Mr. TURNER of New York, Ms. RICHARDSON, Ms. BROWN of Florida, and Mr. HULTGREN.
 H.R. 4304: Mr. AMODEI.
 H.R. 4306: Mr. BERMAN, Mr. MORAN, and Ms. WOOLSEY.
 H.R. 4313: Mr. LATHAM.
 H.R. 4323: Mr. SCHOCK and Mr. MEEKS.
 H.R. 4330: Mr. KING of Iowa and Mr. LATHAM.
 H.R. 4331: Mrs. LUMMIS.
 H.R. 4341: Mrs. CAPPS.
 H.R. 4342: Mr. LOEBBACH.
 H.R. 4350: Mr. NADLER, Mr. DUFFY, Ms. BORDALLO, Mr. BOSWELL, Mr. FILNER, Mr. BLUMENAUER, Mr. GEORGE MILLER of Cali-fornia, Mr. HOLT, Mr. GARAMENDI, and Mr. LATOURETTE.
 H.R. 4367: Mr. HENSARLING, Mr. AMODEI, Mr. HUIZENGA of Michigan, and Mrs. EMER-SON.
 H.R. 4385: Mr. WESTMORELAND, Mr. LANKFORD, Mr. GINGREY of Georgia, Mr. GARDNER, Mr. LONG, and Mrs. ADAMS.
 H.R. 4386: Mr. AMASH.
 H.R. 4405: Mr. BERMAN.
 H.R. 4406: Mr. CONYERS, Mr. LEVIN, Mr. HIGGINS, Mr. ROGERS of Michigan, Mr. DIN-GELL, and Mr. UPTON.
 H.R. 4470: Ms. CLARKE of New York, Mr. GRIJALVA, Ms. CHU, Mr. HASTINGS of Florida, Mr. HINCHEY, and Mr. CLARKE of Michigan.
 H.R. 4480: Mr. LONG.
 H.R. 4481: Mr. JOHNSON of Ohio.
 H.R. 4485: Mr. FLORES, Mr. FRANKS of Ari-zona, Mr. HARRIS, Mr. KINZINGER of Illinois, Mr. LAMBORN, Mr. LOBIONDO, Mr. WALBERG, Mr. HALL, Mr. WEST, Mr. MILLER of Florida, Mr. FORBES, Mr. WITTMAN, and Mr. HUNTER.
 H.R. 4624: Mr. SCHWEIKERT and Mr. STIV-ERS.
 H.R. 4816: Mr. VAN HOLLEN, Ms. CLARKE of New York, Ms. BONAMICI, Mr. HEINRICH, Mr. CLARKE of Michigan, Mrs. MALONEY, Ms. WASSERMAN SCHULTZ, Mr. CLEAVER, Mr. DON-NELLY of Indiana, Mr. LARSEN of Washington, and Mr. DEFAZIO.
 H.R. 4819: Mr. REYES.
 H.R. 4820: Mr. REYES.
 H.R. 4821: Mr. REYES.
 H.J. Res. 47: Mr. WELCH.
 H.J. Res. 103: Mr. SAM JOHNSON of Texas and Mr. GARDNER.
 H.J. Res. 104: Mr. KINGSTON.
 H.J. Res. 105: Mr. SCOTT of South Carolina.
 H.J. Res. 106: Mr. SCHWEIKERT.
 H. Con. Res. 87: Mr. WOLF.
 H. Con. Res. 107: Mr. RIBBLE.
 H. Con. Res. 110: Mr. MARCHANT.
 H. Con. Res. 116: Mr. PETRI.

- H. Res. 246: Mr. RYAN of Ohio.
- H. Res. 282: Mr. PASCRELL and Mr. BURTON of Indiana.
- H. Res. 568: Mrs. CAPITO, Mr. LIPINSKI, Mr. RICHMOND, Mr. NUNES, and Mr. REICHERT.
- H. Res. 609: Ms. SPEIER.
- H. Res. 618: Mr. ACKERMAN and Mr. TURNER of New York.
- H. Res. 623: Mr. JONES.
- H. Res. 624: Mr. MILLER of Florida.
- H. Res. 627: Mr. GRIMM, Mr. JACKSON of Illinois, and Mr. FRELINGHUYSEN.

155.23 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

- H.R. 1588: Mr. CARNAHAN.

MONDAY, MAY 7, 2012 (56)

156.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. SMITH of Nebraska, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
May 7, 2012.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

156.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced he had examined and approved the Journal of the proceedings of Friday, April 27, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

156.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

- 5858. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Conservation Loan Program (RIN: 0560-AI04) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
- 5859. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's annual report for fiscal year 2011 on the quality of health care furnished under the health care programs of the Department of Defense; to the Committee on Armed Services.
- 5860. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Steven A. Shaprio, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.
- 5861. A letter from the Acting Under Secretary, Department of Defense, transmitting notification that the Department is pursuing a Multi-Year Procurement (MYP) contract for Virginia Class Submarines for Fiscal Year 2014 through 2018; to the Committee on Armed Services.
- 5862. A letter from the Acting Director, Federal Housing Finance Agency, transmitting Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

- 5863. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exemptions for Security-Based Swaps Issued By Certain Clearing Agencies [Release Nos.: 33-9308; 34-66703; 39-2484; File No. S7-22-11] (RIN: 3235-AL16) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.
- 5864. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Implementation of OMB Guidance on Nonprocurement Debarment and Suspension [Docket ID: Ed-2012-OS-0007] (RIN: 1890-AA17) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.
- 5865. A letter from the Inspector General, Department of Health and Human Services, transmitting the Department's report on the use of funds appropriated to carry out the Medicaid Integrity Program for Fiscal Year 2011; to the Committee on Energy and Commerce.
- 5866. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Department's final rule — Availability of Electric Power Sources, Regulatory Guide 1.93 received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5867. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Department's final rule — Administrative Guide for Verifying Compliance with Packaging Requirements for Shipping and Receiving of Radioactive Material, Regulatory Guide 7.7 received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5868. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Department's final rule — Water Sources for Long-Term Recirculation Cooling Following A Loss-of-Coolant Accident, Regulatory Guide 1.82 received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5869. A communication from the President of the United States, transmitting notification that the national emergency with respect to prohibiting certain transactions with and suspending entry into the United States of foreign sanctions evaders with respect to Iran and Syria, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-105); to the Committee on Foreign Affairs and ordered to be printed.
- 5870. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-345, "Raising the Expectations for Education Outcomes Omnibus Act of 2012"; to the Committee on Oversight and Government Reform.
- 5871. A letter from the General Counsel, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.
- 5872. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-58; Item IV; Docket 2012-0079; Sequence 2] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.
- 5873. A letter from the Director Equal Employment Opportunity, National Endowment for the Humanities, transmitting the Endowment's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

- 5874. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Certified Business Enterprise Expenditures of Public-Private Development Construction Projects for Fiscal year 2011", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.
- 5875. A letter from the Secretary and Chief Administrative Officer, Postal Regulatory Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.
- 5876. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Taking and Importing Marine Mammals; Naval Explosive Ordnance Disposal School Training Operations at Elgin Air Force Base, Florida [Docket No.: 100217098-2025-02] (RIN: 0648-AY64) received April 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5877. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures [Docket No.: 110707371-2136-02] (RIN: 0648-BB28) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5878. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Amendment 17 [Docket No.: 110901552-20494-02] (RIN: 0648-BB34) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5879. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB100) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5880. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries; Swordfish Retention Limits [Docket No.: 110211137-2141-02] (RIN: 0648-BA87) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5881. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program [Docket Nos.: 101126522-0640-02 and 1112113751-2102-02] (RIN: 0648-XB039) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5882. A letter from the Ombudsman for the Energy Employees Occupational Illness Compensation Program, Department of

Labor, transmitting the Department's 2011 Annual Report of the Ombudsman for the Energy Employees Occupational Illness Compensation Program, pursuant to 42 U.S.C. 7385s-15(e); to the Committee on the Judiciary.

5883. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. 112-104); to the Committee on the Judiciary and ordered to be printed.

5884. A letter from the Attorney, Department of Homeland Security, transmitting the Department's "Major" final rule — Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters [Docket No.: USCG-2001-10486] (RIN: 1625-AA32) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5885. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements [CMS-6010-F] (RIN: 0938-AQ01) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

§56.4 COMMUNICATION REGARDING
SUBPOENA

The SPEAKER pro tempore, Mr. SMITH of Nebraska, laid before the House the following communication from Ms. GRANGER:

HOUSE OF REPRESENTATIVES,
April 26, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Northern District of Texas, for deposition testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

KAY GRANGER,
Member of Congress.

§56.5 COMMUNICATION REGARDING
SUBPOENA

The SPEAKER pro tempore, Mr. SMITH of Nebraska, laid before the House the following communication from Mr. SESSIONS:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 26, 2012.

Hon. JOHN A. BOEHNER,
Speaker,
Washington, DC.

DEAR SPEAKER BOEHNER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the Northern District of Texas, for deposition testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

PETE SESSIONS,
Member of Congress.

§56.6 COMMUNICATION REGARDING
SUBPOENA

The SPEAKER pro tempore, Mr. SMITH of Nebraska, laid before the House the following communication from Harry T. Spikes, II, Special Assistant, office of the Honorable Elijah E. Cummings:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 27, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents and testimony issued by the District Court of Maryland, Baltimore County, in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not "material and relevant," compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

HARRY T. SPIKES, II,
Special Assistant.

§56.7 COMMUNICATION REGARDING
SUBPOENA

The SPEAKER pro tempore, Mr. SMITH of Nebraska, laid before the House the following communication from Mr. CUMMINGS:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 27, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents and testimony issued by the District Court of Maryland, Baltimore County, in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not "material and relevant," compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

ELIJAH E. CUMMINGS,
Member of Congress.

§56.8 RECESS—2:10 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 10 minutes p.m., until approximately 4 p.m.

§56.9 AFTER RECESS—4 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, called the House to order.

§56.10 KING KAMEHAMEHA BIRTHDAY

Mr. HARPER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 105):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be

used for an event on June 24, 2012, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. HARPER and Ms. HANABUSA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Ms. HANABUSA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

§56.11 GREATER WASHINGTON SOAP BOX
DERBY

Ms. HERRERA BEUTLER moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 106):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the "event"), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 16, 2012, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

- (1) free of admission charge and open to the public; and
- (2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Ms. HERRERA BEUTLER and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶56.12 JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. MICA moved to suspend the rules and pass the bill (H.R. 4097) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. MICA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶56.13 NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Mr. DENHAM moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 117):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the “sponsor”) shall be permitted to sponsor a public event, the 31st Annual National Peace Officers’ Memorial Service (in this resolution referred to as the “event”), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2011.

(b) DATE OF EVENT.—The event shall be held on May 15, 2012, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. DENHAM and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Ms. NORTON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶56.14 DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. DENHAM moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 118):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF THE CAPITOL GROUNDS FOR DC SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On June 1, 2012, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 27th Annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the “event”) may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. DENHAM and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DENHAM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶56.15 TRACY, CALIFORNIA

Mr. ISSA moved to suspend the rules and pass the bill of the Senate (S. 1302) to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, recognized Mr. ISSA and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶56.16 RECESS—5:04 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 4 minutes p.m., until approximately 6:30 p.m.

¶56.17 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶56.18 PROVIDING FOR CONSIDERATION OF H.R. 5326 AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-464) the resolution (H. Res. 643)

providing for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

56.19 H. CON. RES. 105—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 105) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 376 affirmative Nays 0

56.20 [Roll No. 196] YEAS—376

- Adams Capuano Duncan (TN)
Aderholt Carnahan Edwards
Akin Carney Ellison
Alexander Carter Emerson
Altmire Cassidy Engel
Amash Castor (FL) Eshoo
Amodei Chabot Farenthold
Andrews Chaffetz Farr
Austria Chandler Fattah
Baca Chu Fincher
Bachmann Cicilline Fitzpatrick
Bachus Clarke (MI) Fleischmann
Baldwin Clarke (NY) Fleming
Barletta Clay Forbes
Barrow Cleaver Fortenberry
Bartlett Clyburn Fox
Barton (TX) Coffman (CO) Franks (AZ)
Bass (CA) Cohen Frelinghuysen
Bass (NH) Cole Fudge
Becerra Conaway Garamendi
Benishek Connolly (VA) Gardner
Berg Conyers Garrett
Berkley Cooper Gerlach
Berman Costa Gibbs
Biggerl Gibson
Bilbray Courtney Gingrey (GA)
Bilirakis Cravaack Gohmert
Bishop (GA) Crawford Gonzalez
Bishop (NY) Crenshaw Goodlatte
Bishop (UT) Critz
Black Crowley Granger
Blackburn Cuellar Graves (GA)
Blumenauer Culberson Graves (MO)
Bonamici Cummings Green, Al
Bono Mack Davis (CA) Green, Gene
Boren Davis (IL) Griffin (AR)
Boswell Davis (KY) Griffith (VA)
Boustany DeFazio Grimm
Brady (PA) DeGette Guinta
Brady (TX) DeLauro Guthrie
Braley (IA) Denham Hahn
Brooks Dent Hall
Broun (GA) DesJarlais Hanabusa
Buchanan Deutch Harper
Bucshon Diaz-Balart Harris
Buerkle Dicks Hartzler
Burgess Dingell Hastings (FL)
Calvert Doggett Hastings (WA)
Camp Dold Hayworth
Campbell Donnelly (IN) Heck
Canseco Doyle Heinrich
Cantor Dreier Hensarling
Capito Duffy Herger
Capps Duncan (SC) Herrera Beutler

- Higgins
Himes
Hinchev
Hirono
Hochul
Holden
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowe y
Lucas
Luetkemeyer
Lujan
Lungren, Daniel E.
Lynch
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers

NOT VOTING—55

- Ackerman
Bonner
Brown (FL)
Burton (IN)
Butterfield
Cardoza
Carson (IN)
Coble
Eilmlers
Filner
Flake
Flores
Frank (MA)
Gallegly
Gosar
Grijalva
Gutiérrez
Hanna
Hinojosa
Hoyer
Johnson (IL)
Johnson, E. B.
Jones
Jordan
Kind
Kucinich
Labrador
Lamborn
Landry
Lummis
Mack
Maloney
Manzullo
McCarthy (CA)
McHenry
Moore
Murphy (CT)
Murphy (PA)
Olver
Pascrell
Paul
Pence
Perlmutter
Platts
Poe (TX)
Rohrabacher
Rothman (NJ)
Ruppersberger
Rush
Sanchez, Loretta
Scalise
Slaughter
Speier
Tiberi
Towns

- McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richardson
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sanchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

56.21 H. CON. RES. 117—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 117) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

The question being put,

Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 377 affirmative Nays 0

56.22 [Roll No. 197] YEAS—377

- Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggerl
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchev
Hirono
Hochul
Holden
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
Jenkins
Johnson (GA)
Johnson (OH)

Johnson, E. B. Nadler Scott (VA)
 Johnson, Sam Napolitano Scott, Austin
 Kaptur Neal Scott, David
 Keating Neugebauer Sensenbrenner
 Kelly Noem Serrano
 Kildee Nugent Sessions
 King (IA) Nunes Sewell
 King (NY) Nunnelee Sherman
 Kingston Olson Shimkus
 Kinzinger (IL) Owens Shuler
 Kissell Palazzo Shuster
 Kline Pallone Simpson
 Lance Pastor (AZ) Sires
 Langevin Paulsen Smith (NE)
 Lankford Pearce Smith (NJ)
 Larsen (WA) Pelosi Smith (TX)
 Larson (CT) Peters Smith (WA)
 Latham Peterson Southerland
 LaTourette Petri Stark
 Latta Pingree (ME) Stearns
 Lee (CA) Pitts Stivers
 Levin Polis Stutzman
 Lewis (CA) Pompeo Sullivan
 Lewis (GA) Posey Sutton
 Lipinski Price (GA) Terry
 LoBiondo Price (NC) Thompson (CA)
 LoBiondo Quayle Thompson (MS)
 LoBiondo Quigley Thompson (PA)
 Lofgren, Zoe Rahall Thornberry
 Long Rangel Tierney
 Lowey Reed Tipton
 Lucas Rehberg Tonko
 Luetkemeyer Reichert Tsongas
 Lujan Renacci Turner (NY)
 Lungren, Daniel E. Reyes Turner (OH)
 Lynch Ribble Richardson
 Marchant Richardson Upton
 Marino Richmond Van Hollen
 Markey Rigell Velázquez
 Matheson Rivera Visclosky
 Matsui Roby Walberg
 McCarthy (NY) Roe (TN) Walden
 McCaul Rogers (AL) Walsh (IL)
 McClintock Rogers (KY) Walz (MN)
 McCollum Rogers (MI) Wasserman
 McCotter Rokita Schultz
 McDermott Rooney Waters
 McGovern Ros-Lehtinen Watt
 McIntyre Roskam Waxman
 McKeon Ross (AR) Webster
 McKinley Ross (FL) Welch
 McMorris Roybal-Allard West
 Rodgers Royce Westmoreland
 McNeerney Runyan Whitfield
 Meehan Ryan (WI) Wilson (FL)
 Meeks Sánchez, Linda Wilson (SC)
 Mica T. Wittman
 Michaud Sarbanes Wolf
 Miller (FL) Schakowsky Womack
 Miller (MI) Schiff Woodall
 Miller (NC) Schilling Woolsey
 Miller, Gary Schmidt Yoder
 Miller, George Schock Yarmuth
 Moran Schrader Young (AK)
 Mulvaney Schwartz Young (FL)
 Murphy (PA) Schweikert Young (IN)
 Myrick Scott (SC)

NOT VOTING—54

Ackerman Hinojosa Olver
 Andrews Hoyer Pascrell
 Bonner Johnson (IL) Paul
 Brown (FL) Jones Pence
 Burton (IN) Jordan Perlmutter
 Butterfield Kind Platts
 Cardoza Kucinich Poe (TX)
 Carson (IN) Labrador Rohrabacher
 Coble Lamborn Rothman (NJ)
 Ellison Landry Ruppertsberger
 Ellmers Lummis Rush
 Filner Mack Ryan (OH)
 Flake Maloney Sanchez, Loretta
 Frank (MA) Manzullo Scalise
 Gosar McCarthy (CA) Slaughter
 Grijalva McHenry Speier
 Gutierrez Moore Tiberi
 Hanna Murphy (CT) Towns

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

156.23 H. CON. RES. 118—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 118) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The question being put, Will the House suspend the rules and agree to said concurrent resolution?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 375 Nays 0

156.24 [Roll No. 198]

YEAS—375

Adams Coffman (CO) Gowdy
 Aderholt Cohen Granger
 Akin Cole Graves (GA)
 Alexander Conaway Graves (MO)
 Altmire Connolly (VA) Green, Al
 Amash Conyers Green, Gene
 Amodei Cooper Griffin (AR)
 Austria Costa Griffith (VA)
 Baca Courtney Grimm
 Bachmann Cravaack Guinta
 Bachus Crawford Guthrie
 Baldwin Crenshaw Hahn
 Barletta Critz Hall
 Barrow Crowley Hanabusa
 Bartlett Cuellar Harper
 Barton (TX) Culberson Harris
 Bass (CA) Cummings Hartzler
 Bass (NH) Davis (CA) Hastings (FL)
 Becerra Davis (IL) Hastings (WA)
 Benishek Davis (KY) Hayworth
 Berg DeFazio Heck
 Berkley DeGette Heinrich
 Berman DeLauro Hensarling
 Biggert Denham Herger
 Bilbray Dent Herrera Beutler
 Billirakis DesJarlais Higgins
 Bishop (GA) Deutch Himes
 Bishop (NY) Diaz-Balart Hinchey
 Bishop (UT) Dicks Hirono
 Black Dingell Hochul
 Blackburn Doggett Holden
 Blumenauer Dold Holt
 Bonamici Donnelly (IN) Honda
 Bono Mack Doyle Huelskamp
 Boren Dreier Huizenga (MI)
 Boswell Duffy Hultgren
 Boustany Duncan (SC) Hunter
 Brady (PA) Duncan (TN) Hurt
 Brady (TX) Edwards Israel
 Brooks Ellison Issa
 Broun (GA) Emerson Jackson (IL)
 Buchanan Engel Jackson Lee
 Bucshon Eshoo (TX)
 Buerkle Farenthold Jenkins
 Burgess Farr Johnson (GA)
 Calvert Fattah Johnson (OH)
 Camp Fincher Johnson, E. B.
 Campbell Fitzpatrick Johnson, Sam
 Canseco Fleischmann Kaptur
 Cantor Fleming Keating
 Capito Flores Kelly
 Capps Forbes Kildee
 Capuano Fortenberry King (IA)
 Carnahan Gohmert King (NY)
 Carney Franks (AZ) Kingston
 Carter Frelinghuysen Kinzinger (IL)
 Cassidy Fudge Kissell
 Castor (FL) Gallegly Kline
 Chabot Garamendi Lance
 Chaffetz Gardner Langevin
 Chandler Garrett Lankford
 Chu Gerlach Larsen (WA)
 Cicilline Gibbs Larson (CT)
 Clarke (MI) Gibson Latham
 Clarke (NY) Gingrey (GA) LaTourette
 Clay Gohmert Latta
 Cleaver Gonzalez Lee (CA)
 Clyburn Goodlatte Levin

Lewis (CA) Pelosi Sewell
 Lewis (GA) Peters Sherman
 Lipinski Peterson Shimkus
 LoBiondo Petri Shuler
 LoBiondo LoBiondo Pingree (ME)
 LoBiondo Lofgren, Zoe Pitts Simpson
 Long Polis Sires
 Lowey Pompeo Smith (NE)
 Lucas Posey Smith (NJ)
 Luetkemeyer Price (GA) Smith (TX)
 Lujan Price (NC) Smith (WA)
 Lungren, Daniel Quayle Southerland
 E. Quigley Stark
 Lynch Rahall Stearns
 Marchant Rangel Stivers
 Marino Reed Stutzman
 Markey Rehberg Sullivan
 Matheson Reichert Sutton
 Matsui Renacci Terry
 McCarthy (NY) Reyes Thompson (CA)
 McCaul Ribble Thompson (MS)
 McClintock Richardson Thompson (PA)
 McCollum Richmond Thornberry
 McCotter Rigell Tierney
 McDermott Rivera Tipton
 McGovern Roby Tonko
 McIntyre Roe (TN) Tsongas
 McKeon Rogers (AL) Turner (NY)
 McKinley Rogers (KY) Turner (OH)
 McMorris Rogers (MI) Upton
 Rodgers Rokita Van Hollen
 McNeerney Rooney Velázquez
 Meehan Ros-Lehtinen Visclosky
 Mica Roskam Walden
 Michaud Ross (AR) Walsh (IL)
 Miller (FL) Ross (FL) Walsh (MN)
 Miller (MI) Roybal-Allard Wasserman
 Miller (NC) Royce Schultze
 Miller, Gary Miller, Gary Runyan
 Miller, George Ryan (OH) Waters
 Moran Ryan (WI) Watt
 Mulvaney Sánchez, Linda Waxman
 Murphy (PA) T. Webster
 Myrick Sarbanes Welch
 Nadler Schakowsky West
 Napolitano Schiff Westmoreland
 Neal Schilling Whitfield
 Neugebauer Schmidt Wilson (FL)
 Noem Schock Wilson (SC)
 Nugent Schrader Wittman
 Nunes Schwartz Wolf
 Nunnelee Schweikert Womack
 Olson Scott (SC) Woodall
 Owens Scott (VA) Woolsey
 Palazzo Scott, Austin Yarmuth
 Pallone Scott, David Yoder
 Pastor (AZ) Sensenbrenner Young (AK)
 Paulsen Serrano Young (FL)
 Pearce Sessions Young (IN)

NOT VOTING—56

Ackerman Hinojosa Olver
 Andrews Hoyer Pascrell
 Bonner Johnson (IL) Paul
 Braley (IA) Jones Pence
 Brown (FL) Jordan Perlmutter
 Burton (IN) Kind Platts
 Butterfield Kucinich Poe (TX)
 Cardoza Labrador Rohrabacher
 Carson (IN) Carson (IN) Rothman (NJ)
 Coble Landry Ruppertsberger
 Costello Lummis Rush
 Ellmers Mack Sanchez, Loretta
 Filner Maloney Scalise
 Flake Manzullo Slaughter
 Frank (MA) McCarthy (CA) Speier
 Gosar McHenry Tiberi
 Grijalva Meeks Towns
 Gutierrez Moore Walberg
 Hanna Murphy (CT)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

156.25 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills

of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 298. An Act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. An Act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

H.R. 2079. An Act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. An Act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244. An Act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. An Act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2767. An Act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 3004. An Act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246. An Act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247. An Act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248. An Act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

¶56.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CARSON of Indiana, for today and May 8; and

To Mr. JONES, for today and May 8.
And then,

¶56.27 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o'clock and 53 minutes p.m., the House adjourned.

¶56.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the provisions of H. Res. 631, the following reports were filed on May 2, 2012]

Mr. FRELINGHUYSEN: Committee on Appropriations. H.R. 5325. A bill making appropriations for energy and water development and related agencies for the fiscal year end-

ing September 30, 2013, and for other purposes (Rept. 112-462). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOLF: Committee on Appropriations. H.R. 5326. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-463). Referred to the Committee of the Whole House on the state of the Union.

[Submitted May 7, 2012]

Mr. WOODALL: Committee on Rules. House Resolution 643. Resolution providing for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes (Rept. 112-464). Referred to the House Calendar.

¶56.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KISSELL:

H.R. 5327. A bill to extend the temporary suspension of duty on preparations based on ethanediamide, N-(2-ethoxyphenyl)-N'-(4-isododecylphenyl)-; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5328. A bill to suspend temporarily the duty on Laromer PE 55 F; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5329. A bill to suspend temporarily the duty on Poly(urea/formaldehyde/isobutyraldehyde); to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 5330. A bill to suspend temporarily the rate of duty on certain leathered footwear for women; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Ms. CHU, Ms. CLARKE of New York, Mr. GRJALVA, Ms. HAHN, Ms. LEE of California, Ms. MOORE, Mr. POLIS, Ms. LORETTA SANCHEZ of California, and Ms. WATERS):

H.R. 5331. A bill to provide protections against violence against immigrant women, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY:

H.R. 5332. A bill to prohibit agency restrictions on conference locations; to the Committee on Oversight and Government Reform.

By Ms. BERKLEY:

H.R. 5333. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction of State and local general sales taxes, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself and Ms. DEGETTE):

H.R. 5334. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to ex-

pedite the development and review of breakthrough therapies; to the Committee on Energy and Commerce.

By Mr. BRALEY of Iowa:

H.R. 5335. A bill to suspend temporarily the rate of duty on certain drive axles designed for use in off-road construction loaders and backhoes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 5336. A bill to reduce temporarily the rate of duty on certain forged ring gear components and certain other parts of crankshafts and connecting rods; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5337. A bill to suspend temporarily the duty on mixtures comprising poly(methyl methacrylate) and zinc acetate; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5338. A bill to suspend temporarily the duty on mixtures comprising titanium dioxide, silica, and decyl(trimethoxy)silane; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5339. A bill to suspend temporarily the duty on mixtures comprising titanium dioxide and decyl(trimethoxy)silane; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself and Mr. REED):

H.R. 5340. A bill to suspend temporarily the duty on manganese ferrite carrier covered with acrylic resin; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 5341. A bill to improve postmarket risk identification and analysis with respect to devices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CASSIDY:

H.R. 5342. A bill to suspend temporarily the duty on phosphonic acid, maleic anhydride sodium salt complex; to the Committee on Ways and Means.

By Mr. CASSIDY:

H.R. 5343. A bill to suspend temporarily the duty on dimethyl hydrogen phosphite; to the Committee on Ways and Means.

By Ms. CHU (for herself, Mr. CUMMINGS, and Mr. HONDA):

H.R. 5344. A bill to prevent and respond to hazing incidents involving members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. DOLD:

H.R. 5345. A bill to suspend temporarily the duty on 3-[8-Amino-1-(2-phenyl-quinolin-7-yl)-imidazo[1,5-a]pyrazin-3-yl]-1-methylcyclobutanol (OSI-906); to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5346. A bill to extend the temporary suspension of duty on Macroporous poly(divinylbenzene); to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5347. A bill to extend the temporary suspension of duty on certain ion-exchange resin powder; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5348. A bill to temporarily suspend the duty on poly(4-(1-isobutoxy ethoxy)styrene-co-4-hydroxystyrene); to the Committee on Ways and Means.

By Mr. DOLD:

H.R. 5349. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. DOLD:

H.R. 5350. A bill to extend the temporary suspension of duty on Dinotefuran; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5351. A bill to extend the temporary suspension of duty on fenpropathrin; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5352. A bill to extend the temporary suspension of duty on Clothianidin; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5353. A bill to extend the temporary suspension of duty on Etoxazole; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5354. A bill to extend the temporary suspension of duty on Permethrin; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5355. A bill to extend the temporary reduction of duty on Flumioxazin; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5356. A bill to suspend temporarily the duty on 3-[8-Amino-1-(2-phenyl-quinolin-7-yl)-imidazo[1,5-a]pyrazin-3-yl]-1-methylcyclobutanol (OSI-906); to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5357. A bill to suspend temporarily the duty on placebos to be used in clinical trials for the drug ASP2408; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5358. A bill to suspend temporarily the duty on placebos to be used in clinical trials for the drug ASP0777; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5359. A bill to suspend temporarily the duty on 3-(1-Bromo-8-chloroimidazo[1,5-a]pyrazin-3-yl)cyclobutanone (OSIP-690631, bicyclic intermediate); to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5360. A bill to extend the temporary suspension of the duty on powdered ion exchange resin comprised of a copolymer of styrene, cross linked with divinyl-benzene; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5361. A bill to extend the temporary suspension of duty on 10,10'-Oxybisphenoxarsine; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5362. A bill to suspend temporarily the duty on certain macroporus adsorbent polymers; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. YOUNG of Indiana):

H.R. 5363. A bill to suspend temporarily the duty on 4-(1-Ethoxyethoxy) styrene-4-(t-butylcarbonyloxy) styrene-4-hydroxystyrene copolymer; to the Committee on Ways and Means.

By Mr. DOLD:
H.R. 5364. A bill to suspend temporarily the duty on placebos to be used in clinical trials for the drug ASKP1240; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:
H.R. 5365. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tires; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:
H.R. 5366. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tires; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:
H.R. 5367. A bill to reduce temporarily the rate of duty on certain machinery for molding unvulcanized rubber for tubeless radial tires; to the Committee on Ways and Means.

By Mr. DUNCAN of South Carolina:
H.R. 5368. A bill to reduce temporarily the rate of duty on certain machinery for mold-

ing unvulcanized rubber for tubeless radial tires; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5369. A bill to suspend temporarily the duty on Isoviolanthrone Crude Dry Presscake; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5370. A bill to suspend temporarily the duty on 2-Ethylhexylamine; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5371. A bill to suspend temporarily the duty on Para Nitro Aniline; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5372. A bill to suspend temporarily the duty on 4-Sulfo-1,8-naphthalic anhydride potassium salt; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5373. A bill to suspend temporarily the duty on Isononylamine; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5374. A bill to suspend temporarily the duty on Dodecyl aniline, mixed isomers; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5375. A bill to suspend temporarily the duty on n-Ethyl-n-Benzyl Aniline; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5376. A bill to suspend temporarily the duty on Altuglas® BS 100 beads, BS 110 beads, and BS 130 beads; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5377. A bill to suspend temporarily the duty on 2,5-dimethyl-2,5-hexanediol (dimethylhexanediol); to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5378. A bill to suspend temporarily the duty on dimethylisopropylamine (DMIPA); to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5379. A bill to extend the temporary suspension of duty on certain reusable grocery bags; to the Committee on Ways and Means.

By Mr. FITZPATRICK:
H.R. 5380. A bill to extend the temporary suspension of duty on mixed xylydines; to the Committee on Ways and Means.

By Mr. FLAKE:
H.R. 5381. A bill to amend the Clean Air Act with respect to exceptional event demonstrations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FRELINGHUYSEN:
H.R. 5382. A bill to suspend temporarily the duty on poly(vinyl alcohol), whether or not containing unhydrolyzed acetate groups; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5383. A bill to suspend temporarily the duty on Basic Violet 11; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5384. A bill to suspend temporarily the duty on Basic Violet 11:1; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5385. A bill to suspend temporarily the rate of duty on Huron Yellow dye; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5386. A bill to suspend temporarily the rate of duty on Invisible blue dye; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5387. A bill to suspend temporarily the rate of duty on Solvent Orange 115; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5388. A bill to suspend temporarily the rate of duty on Solvent Yellow 131; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5389. A bill to suspend temporarily the rate of duty on Zinc sulfide, copper chloride doped; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5390. A bill to suspend temporarily the rate of duty on Solvent Yellow 160:1; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5391. A bill to suspend temporarily the rate of duty on Reactive Red; to the Committee on Ways and Means.

By Ms. FUDGE:
H.R. 5392. A bill to suspend temporarily the rate of duty on Solvent Yellow 195; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri (for himself, Mr. TIPTON, Mr. CHABOT, Mr. MANZULLO, Mrs. BLACKBURN, Mr. MULVANEY, and Mrs. ELLMERS):
H.R. 5393. A bill to amend the Export Enhancement Act of 1988 to make improvements to the trade promotion policies and programs of the United States Government; to the Committee on Foreign Affairs.

By Mr. GRAVES of Missouri:
H.R. 5394. A bill to reduce temporarily the duty on 3-(difluoromethyl)-1-methyl-N-(3',4',5'-trifluorobiphenyl-2-yl)pyrazole-4-carboxamide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 5395. A bill to extend the temporary suspension of duty on E-5-(4-Chlorobenzylidene)-2,2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)cyclopentanol; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 5396. A bill to suspend temporarily the duty on Methyl N-(2-[[1-(4-chlorophenyl)-1H-pyrazol-3-yl]-oxymethyl]phenyl)-N-methoxycarbanose; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 5397. A bill to extend the temporary reduction of duty on Pyraclostrobin; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 5398. A bill to reduce temporarily the duty on Topremazone; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:
H.R. 5399. A bill to suspend temporarily the duty on Caramba Fungicide; to the Committee on Ways and Means.

By Ms. HOCHUL:
H.R. 5400. A bill to suspend temporarily the rate of duty on p-Toluenesulfonamide; to the Committee on Ways and Means.

By Ms. HOCHUL:
H.R. 5401. A bill to extend the temporary suspension of duty on Zeta-cypermethrin; to the Committee on Ways and Means.

By Ms. HOCHUL:
H.R. 5402. A bill to extend the temporary suspension of duty on Flonicamid; to the Committee on Ways and Means.

By Ms. HOCHUL:
H.R. 5403. A bill to extend the temporary suspension of duty on Iprodione; to the Committee on Ways and Means.

By Ms. HOCHUL:
H.R. 5404. A bill to extend the temporary suspension of duty on Clomazone; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5405. A bill to suspend temporarily the duty on solder spheres containing 2 percent or more, by weight, of silver; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5406. A bill to suspend temporarily the duty on Slurry; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5407. A bill to suspend temporarily the duty on parts of machines for punching; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5408. A bill to suspend temporarily the duty on centrifugal blowers and fans; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5409. A bill to extend the temporary suspension of duty on certain wire containing 99.9 percent or more by weight of gold and with dopants added to control wirebonding characteristics; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5410. A bill to suspend temporarily the duty on power supplies between 150 watts and 500 watts; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5411. A bill to suspend temporarily the duty on parts and accessories of oscilloscopes and spectrum analyzers; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5412. A bill to suspend temporarily the duty on axial fans; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5413. A bill to suspend temporarily the duty on parts and accessories of optical instruments and apparatuses; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5414. A bill to suspend temporarily the duty on lead-acid storage 12-volt batteries; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5415. A bill to suspend temporarily the duty on microscopes other than optical microscopes; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5416. A bill to suspend temporarily the duty on parts and accessories of microscopes other than optical; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5417. A bill to suspend temporarily the duty on insulated cable for a voltage of less than or equal to 1,000 volts; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5418. A bill to suspend temporarily the duty on lithium-ion batteries; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5419. A bill to suspend temporarily the duty on power distributors; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5420. A bill to suspend temporarily the duty on dry nickel-metal hydride batteries; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5421. A bill to suspend temporarily the duty on certain electric storage batteries; to the Committee on Ways and Means.

By Mr. HONDA:
H.R. 5422. A bill to extend the temporary suspension of duty on epoxy molding compounds, of a kind used for encapsulating integrated circuits; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5423. A bill to suspend temporarily the duty on footwear for men with outer soles and uppers of rubber or plastics, covering the ankle, other than work footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5424. A bill to suspend temporarily the duty on certain footwear for girls with outer soles of rubber, plastics, leather, or composition leather and uppers of leather, not covering the ankle; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5425. A bill to suspend temporarily the duty on certain footwear with outer soles and uppers of rubber or plastics, covering the ankle, other than work footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5426. A bill to suspend temporarily the duty on certain footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5427. A bill to suspend temporarily the duty on certain men's footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5428. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5429. A bill to suspend temporarily the duty on certain non-women's footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5430. A bill to suspend temporarily the duty on certain non-women's footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5431. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. HUELSKAMP:
H.R. 5432. A bill to suspend temporarily the duty on certain women's footwear; to the Committee on Ways and Means.

By Mr. ISRAEL:
H.R. 5433. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 10 mm or more; to the Committee on Ways and Means.

By Mr. ISRAEL:
H.R. 5434. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 70 mm or more; to the Committee on Ways and Means.

By Mr. ISRAEL:
H.R. 5435. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 55 mm or more but not over 200 mm; to the Committee on Ways and Means.

By Mr. LOEBSACK:
H.R. 5436. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize a national elementary and secondary service-learning program that promotes student academic achievement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LUETKEMEYER:
H.R. 5437. A bill to reduce temporarily the rate of duty on Metconazole; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:
H.R. 5438. A bill to extend the temporary reduction of duty on Fipronil; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:
H.R. 5439. A bill to suspend temporarily the rate of duty on Dimethomorph; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:
H.R. 5440. A bill to reduce temporarily the rate of duty on Boscalid; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:
H.R. 5441. A bill to suspend temporarily the rate of duty on formulations of [3-(4,5-dihydro-1,2-oxazol-3-yl)-4-mesyl-o-tolyl](5-hydroxy-1-methylpyrazol-4-yl)methanone; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:
H.R. 5442. A bill to extend the temporary suspension of duty on Prohexadione calcium; to the Committee on Ways and Means.

By Mr. LUETKEMEYER:
H.R. 5443. A bill to extend the temporary reduction of duty on Ethoxyquin; to the Committee on Ways and Means.

By Mr. McDERMOTT:
H.R. 5444. A bill to reauthorize the Export-Import Bank of the United States; to the Committee on Financial Services.

By Mr. MEEHAN:
H.R. 5445. A bill to suspend temporarily the duty on Captan technical; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5446. A bill to extend the temporary suspension of duty on thiophanate methyl; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5447. A bill to extend the temporary suspension of duty on Zinc dimethyldithiocarbamate; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5448. A bill to extend the temporary suspension of duty on Oryzalin; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5449. A bill to extend the temporary suspension of duty on mixtures of lambda-cyhalothrin; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5450. A bill to suspend temporarily the duty on Methane Sulfonyl Chloride; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5451. A bill to suspend temporarily the duty on Methane Sulfonic Acid; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5452. A bill to suspend temporarily the duty on 11-Aminoundecanoic acid; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5453. A bill to extend the temporary suspension of duty on certain textured rolled glass sheets; to the Committee on Ways and Means.

By Mr. MEEHAN:
H.R. 5454. A bill to reduce temporarily the duty on Problad Plus fungicide; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:
H.R. 5455. A bill to suspend temporarily the duty on Pigment Violet 23; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:
H.R. 5456. A bill to suspend temporarily the duty on methylated and butylated melamine-formaldehyde polymer; to the Committee on Ways and Means.

By Mr. MURPHY of Pennsylvania:
H.R. 5457. A bill to suspend temporarily the duty on pigments based on titanium dioxide; to the Committee on Ways and Means.

By Mr. NUNNELLEE:
H.R. 5458. A bill to suspend temporarily the duty on certain extrusion presses; to the Committee on Ways and Means.

By Mr. PITTS:
H.R. 5459. A bill to suspend temporarily the duty on certain smooth nonwoven fiberglass sheets; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5460. A bill to extend the temporary suspension of duty on copper oxychloride and copper hydroxide; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5461. A bill to extend the temporary suspension of duty on Tetraconazole; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5462. A bill to extend a temporary reduction of duty on Isoxadifen-Ethyl; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5463. A bill to suspend temporarily the duty on Sethoxydim /Nicoibifen; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5464. A bill to suspend temporarily the duty on 1-(4,6-dimethoxy-pyrimidin-2-yl)-3-[2-(dimethylcarbamoyl) phenylsufamoyl]urea; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5465. A bill to suspend temporarily the duty on oxyfluorfen; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina:
H.R. 5466. A bill to suspend temporarily the duty on acifluorfen; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5467. A bill to suspend temporarily the duty on vacuum-grade ferroniobium or ferrocolumbium; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5468. A bill to suspend temporarily the duty on standard-grade ferroniobium or ferrocolumbium; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5469. A bill to suspend temporarily the duty on manganese flake; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5470. A bill to suspend temporarily the duty on polycrystalline alumina tubes and shaped bodies designed for high intensity discharge (HID) lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5471. A bill to suspend temporarily the duty on metal screw type bases designed for high intensity discharge (HID) lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5472. A bill to suspend temporarily the duty on preformed iodide pellets or powder composed of iodides of dysprosium, thallium sodium, holmium, thulium and calcium; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5473. A bill to suspend temporarily the duty on frit rings composed of dysprosium oxide, dysprosium monosilicate, and mullite; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5474. A bill to suspend temporarily the duty on cermets for ceramic discharge lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5475. A bill to suspend temporarily the duty on polycrystalline alumina discharge tubes prefilled with metal halide salts and designated for high intensity discharge (HID) lamps; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5476. A bill to suspend temporarily the duty on ceramic bases designed for high intensity discharge (HID) lamps, with metal locking pins to allow passage of an electrical current; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5477. A bill to suspend temporarily the duty on light emitting diode (LED) cooler modules (LCM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5478. A bill to suspend temporarily the duty on light emitting diode (LED) Tubular LED (TLED); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5479. A bill to suspend temporarily the duty on light emitting diode (LED) down light modules (DLM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5480. A bill to suspend temporarily the duty on light emitting diode (LED) display modules (LDM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5481. A bill to suspend temporarily the duty on light emitting diode (LED) line modules; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5482. A bill to suspend temporarily the duty on light emitting diode (LED) twistable down light modules (TDLM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5483. A bill to suspend temporarily the duty on light emitting diode (LED) spot light modules (SLM); to the Committee on Ways and Means.

By Mr. REED:

H.R. 5484. A bill to suspend temporarily the duty on light emitting diode (LED) drivers; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5485. A bill to suspend temporarily the rate of duty on certain narrow woven fabrics; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5486. A bill to suspend temporarily the rate of duty on outer soles and heels, of rubber or plastics; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5487. A bill to extend the temporary suspension of duty on low expansion stoppers, lids, and other closures, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H.R. 5488. A bill to extend the temporary suspension of duty on low expansion laboratory glassware, and for other purposes; to the Committee on Ways and Means.

By Mr. REICHERT:

H.R. 5489. A bill to modify and extend the suspension of duty on certain cases or containers used for electronic drawing toys, electronic games, or educational toys or devices; to the Committee on Ways and Means.

By Mr. REICHERT:

H.R. 5490. A bill to suspend temporarily the duty on certain injection-molded ABS or PP cases or containers to be used for electronic drawing toys or electronic games; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5491. A bill to renew the temporary suspension of duty on certain viscose rayon yarn; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5492. A bill to renew the temporary suspension of duty on certain twisted yarn of viscose rayon; to the Committee on Ways and Means.

By Mr. ROTHMAN of New Jersey:

H.R. 5493. A bill to renew the temporary suspension of duty on certain artificial filament single yarn; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 5494. A bill to suspend temporarily the duty on certain power panels specifically designed for wind turbine generators; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY:

H.R. 5495. A bill to suspend temporarily the duty on certain switchgear assemblies and panel boards specifically designed for wind turbine generators; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5496. A bill to amend the Harmonized Tariff Schedule of the United States to make a technical correction relating to sanitary towels (pads) and tampons, diapers and diaper liners for babies and similar articles; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5497. A bill to suspend temporarily the rate of duty on certain warp knit open-work fabrics; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5498. A bill to suspend temporarily the rate of duty on plastic laminate sheets; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5499. A bill to suspend temporarily the rate of duty on 2-cyclo-hexylidene-2-phenyl-acetonitrile; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5500. A bill to extend and modify the temporary reduction of duty on Methylionone; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5501. A bill to suspend temporarily the rate of duty on mixtures of 1-(1,2,3,4,5,6,7,8-

octahydro-2,3,8,8-tetramethyl -2-naphthalenyl)-ethan-1-one (and isomers); to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5502. A bill to extend the temporary suspension of duty on mixtures of (acetato) pentamine cobalt dinitrate with a polymeric or paraffinic carrier; to the Committee on Ways and Means.

By Mrs. SCHMIDT:

H.R. 5503. A bill to suspend temporarily the rate of duty on 1,3-Propanediaminium, N-[3-[[[dimethyl[3-[(2-methyl-1-oxo-2-propenyl)amino]ammonio]acetyl]amino]propyl]-2-hydroxy-N,N,N',N',N'-pentamethyl-, trichloride, polymer with 2-propenamide; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5504. A bill to suspend temporarily the rate of duty on Dichloroacetyl Chloride; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5505. A bill to suspend temporarily the rate of duty on Profenofos; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5506. A bill to suspend temporarily the rate of duty on Sedaxane; to the Committee on Ways and Means.

By Mr. SMITH of Nebraska:

H.R. 5507. A bill to reduce temporarily the rate of duty on S-N-ALKYL-ANILIN; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5508. A bill to extend the temporary suspension of duty on electrically operated pencil sharpeners; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5509. A bill to suspend temporarily the duty on 4-Vinylbenzenesulfonic acid, sodium salt hydrate; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5510. A bill to extend the temporary suspension of duty on certain smooth nonwoven fiberglass sheets of a type primarily used as acoustical facing for ceiling panels; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5511. A bill to suspend temporarily the duty on 4-Vinylbenzenesulfonic acid, lithium salt; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself, Mr. HARPER, Mrs. EMERSON, and Mr. NUNNELEE):

H.R. 5512. A bill to amend title 28, United States Code, to realign divisions within two judicial districts; to the Committee on the Judiciary.

By Mr. TIPTON (for himself, Mr. COFFMAN of Colorado, Mr. GRAVES of Missouri, Mr. GARDNER, Mr. MANZULLO, Mr. CHABOT, Mr. HINOJOSA, and Mr. MULVANEY):

H.R. 5513. A bill to require the collection of up-to-date information on tariff and non-tariff laws, regulations, and practices of foreign countries affecting exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALBERG:

H.R. 5514. A bill to suspend temporarily the rate of duty on Modified Vinylchloride-Hydroxypropylacrylate copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5515. A bill to suspend temporarily the rate of duty on Vinyl chloride-Hydroxypropyl acrylate copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5516. A bill to suspend temporarily the rate of duty on Vinyl acetate-Alkeneic acid Copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5517. A bill to suspend temporarily the rate of duty on Diacid Modified Vinyl ace-

tate-Vinyl chloride copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5518. A bill to suspend temporarily the rate of duty on Polyvinylacetate for use in food; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5519. A bill to suspend temporarily the rate of duty on Acrylate Modified Vinyl acetate-Vinyl chloride copolymer; to the Committee on Ways and Means.

By Mr. WALBERG:

H.R. 5520. A bill to suspend temporarily the rate of duty on Vinylacetate-Vinylchloride copolymer; to the Committee on Ways and Means.

By Mr. WALSH of Illinois:

H.R. 5521. A bill to amend the Housing and Community Development Act of 1974 to set-aside community development block grant amounts in each fiscal year for grants to local chapters of veterans service organizations for rehabilitation of their facilities; to the Committee on Financial Services.

By Mr. WILSON of South Carolina:

H.R. 5522. A bill to extend the temporary suspension of duty on 1,4-Benzenedicarboxylic acid, polymer with N,N-Bis(2-aminoethyl)-1,2-ethanediamine, cyclized, methosulfate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5523. A bill to suspend temporarily the duty on fuel injectors each functional in a common rail fuel system with a pressure greater than 1200 bar; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5524. A bill to suspend temporarily the duty on cast-iron engine crankcases for marine propulsion engines, each measuring more than 1.1 meters in length; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5525. A bill to suspend temporarily the duty on forged steel crankshafts other than for vehicles of chapter 87, each measuring 1868 millimeters or more in length; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5526. A bill to suspend temporarily the duty on plain shaft sputter bearings without housing (other than spherical bearings), each weighing 260 grams or more; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5527. A bill to suspend temporarily the duty on fuel injection pumps (for compression-ignition engines), each weighing 60 kilograms or more and functional in a common rail fuel system with a pressure greater than 1200 bar; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5528. A bill to suspend temporarily the duty on pistons for marine propulsion engines, each weighing 12 kilograms or more; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5529. A bill to suspend temporarily the rate of duty on certain woven fabrics of synthetic filament yarn, including woven fabrics obtained from materials of heading 5404, of yarns of different colors; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5530. A bill to suspend temporarily the rate of duty on certain woven fabrics of synthetic staple fibers, containing 85 percent or more by weight of polyester staple fibers; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5531. A bill to suspend temporarily the rate of duty on woven fabrics of polyester staple fibers mixed mainly with or solely with man-made filaments; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5532. A bill to suspend temporarily the duty on certain woven fabrics of synthetic

filament yarn; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5533. A bill to suspend temporarily the duty on certain pile fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5534. A bill to suspend temporarily the rate of duty on woven fabrics of artificial staple fibers containing less than 85 percent by weight of artificial staple fibers, mixed mainly or solely with man-made filaments, of yarns of different colors; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5535. A bill to suspend temporarily the duty on certain warp knit fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5536. A bill to suspend temporarily the rate of duty on textile fabrics of man-made fibers impregnated, coated, covered or laminated with polyurethane; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5537. A bill to suspend temporarily the duty on certain warp knit fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5538. A bill to suspend temporarily the rate of duty on "Long pile" fabrics of man-made fibers; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5539. A bill to suspend temporarily the duty on certain knitted or crocheted fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5540. A bill to suspend temporarily the duty on pile fabrics; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 5541. A bill to suspend temporarily the rate of duty on Rubberized textile fabrics of cotton, other than those of heading 5902; to the Committee on Ways and Means.

By Mr. MCCAUL (for himself, Mr. ANDREWS, and Mr. SAM JOHNSON of Texas):

H. Con. Res. 122. Concurrent resolution expressing the sense of Congress that the United States should resume normal diplomatic relations with Taiwan, and for other purposes; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CAPPS, Mr. LATOURETTE, Mrs. MCCARTHY of New York, Mr. REYES, Mr. GONZALEZ, Ms. HAHN, Mr. ROTHMAN of New Jersey, Ms. NORTON, Mr. MORAN, Ms. LEE of California, Mr. SCHRADER, Mr. DINGELL, Ms. BORDALLO, Mr. LEWIS of Georgia, Ms. RICHARDSON, Mr. COHEN, Ms. SPEIER, Ms. WASSERMAN SCHULTZ, Mr. LEVIN, Mr. FALEOMAVAEGA, Mr. LARSEN of Washington, Mr. JACKSON of Illinois, Mr. HANNA, Mr. RUSH, Ms. SLAUGHTER, Ms. MOORE, Mr. CARNAHAN, Ms. HIRONO, Mr. RAHALL, Mr. OLVER, Ms. MCCOLLUM, Mrs. ELLMERS, Mr. BRALEY of Iowa, Mr. ISRAEL, Mr. CLARKE of Michigan, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. SCHWARTZ, Mr. HIGGINS, Ms. LINDA T. SANCHEZ of California, Mr. LANGEVIN, Mr. BARLETTA, Ms. CHU, Mr. BOSWELL, Mr. FILNER, Mr. MCGOVERN, Mr. CICILLINE, Ms. DELAURO, Mrs. MALONEY, Ms. FUDGE, Mr. CARSON of Indiana, Mr. LOEBSACK, Mr. SABLAN, Mr. HOLT, Mr. RUPPERSBERGER, Mr. COBLE, Ms. WILSON of Florida, Mr. PASTOR of Arizona, Mr. SHERMAN, Ms. BONAMICI, Ms. CLARKE of New York, and Mr. BILBRAY):

H. Res. 644. A resolution recognizing National Nurses Week on May 6 through May

12, 2012; to the Committee on Energy and Commerce.

By Mr. KISSELL (for himself, Mr. HANNA, Mrs. HARTZLER, Mr. GRAVES of Missouri, and Mr. LOEBSACK):

H. Res. 645. A resolution supporting the goals and ideals of National Teacher Day; to the Committee on Oversight and Government Reform.

By Mr. TURNER of New York:

H. Res. 646. A resolution expressing the sense of the House that Village Voice Media Holdings, LLC should eliminate the "adult entertainment" section of the classified advertising website Backpage.com; to the Committee on the Judiciary.

¶56.30 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

195. The SPEAKER presented a memorial of the House of Representatives of the State of Wyoming, relative to House Joint Resolution No. 08 expressing support for designation by the Congress of the fourth Saturday in July a National Day of the Cowboy; to the Committee on Oversight and Government Reform.

196. Also, a memorial of the House of Representatives of the State of Wyoming, relative to Joint Resolution No. 01 urging the Congress to pass legislation to open the section 1002 study of the coastal plain of the Arctic National Wildlife Refuge; to the Committee on Natural Resources.

197. Also, a memorial of the House of Representatives of the State of Wyoming, relative to House Joint Resolution No. 03 urging Congress to propose the Parental Rights Amendment to the states for ratification; to the Committee on the Judiciary.

¶56.31 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 14: Mrs. CAPPS.
 H.R. 59: Mr. UPTON.
 H.R. 85: Mr. HONDA.
 H.R. 139: Mr. NEAL and Mr. FILNER.
 H.R. 157: Mr. CRAVAACK and Mr. THOMPSON of Pennsylvania.
 H.R. 186: Mr. MICHAUD.
 H.R. 265: Ms. SCHAKOWSKY, Mr. HONDA, and Mr. RUSH.
 H.R. 266: Mr. RUSH and Mr. HONDA.
 H.R. 267: Mr. HONDA and Mr. RUSH.
 H.R. 327: Ms. KAPTUR.
 H.R. 451: Mr. FILNER.
 H.R. 469: Ms. HANABUSA.
 H.R. 529: Mr. BACA.
 H.R. 555: Mr. HONDA.
 H.R. 718: Mr. MURPHY of Connecticut.
 H.R. 719: Mr. LABRADOR.
 H.R. 721: Ms. HAHN and Ms. MCCOLLUM.
 H.R. 733: Mr. LONG and Mr. AMODEI.
 H.R. 860: Mr. SIRES, Mr. TIPTON, and Ms. SLAUGHTER.
 H.R. 876: Ms. ROYBAL-ALLARD and Ms. MOORE.
 H.R. 891: Mr. JOHNSON of Ohio.
 H.R. 927: Mr. LIPINSKI.
 H.R. 973: Mr. JOHNSON of Ohio.
 H.R. 1004: Mr. BUCHANAN.
 H.R. 1005: Mr. LATOURETTE.
 H.R. 1063: Mrs. CAPPS.
 H.R. 1112: Mrs. EMERSON.
 H.R. 1145: Mr. HANNA.
 H.R. 1218: Mr. BARLETTA.
 H.R. 1331: Mr. KISSELL.
 H.R. 1370: Mr. LUETKEMEYER, Mr. BARTLETT, Mrs. BACHMANN, and Mr. BACHUS.
 H.R. 1397: Ms. BONAMICI.
 H.R. 1404: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1409: Mr. CALVERT.

H.R. 1417: Ms. LEE of California.
 H.R. 1588: Mr. BOREN and Mr. SMITH of Nebraska.
 H.R. 1639: Mr. RIBBLE and Ms. HIRONO.
 H.R. 1653: Mr. ROONEY.
 H.R. 1672: Mr. COHEN.
 H.R. 1792: Mr. PLATTS, Mr. TURNER of New York, and Mr. LATOURETTE.
 H.R. 1802: Ms. HIRONO, Mr. CONYERS, and Mr. MCGOVERN.
 H.R. 1850: Mr. MCCAUL and Mr. SCOTT of South Carolina.
 H.R. 1862: Mr. MURPHY of Connecticut.
 H.R. 1876: Ms. ROYBAL-ALLARD.
 H.R. 1897: Mrs. BIGGERT, Mr. ROYCE, and Mr. GUINTA.
 H.R. 1909: Ms. JACKSON LEE of Texas.
 H.R. 1956: Mr. BOUSTANY, Mr. YOUNG of Florida, Mr. GRIFFIN of Arkansas, and Mr. YODER.
 H.R. 1960: Ms. PINGREE of Maine.
 H.R. 2012: Ms. CLARKE of New York.
 H.R. 2106: Mr. POE of Texas, Mr. BARTLETT, Mr. SULLIVAN, and Mr. YODER.
 H.R. 2139: Mr. WELCH and Mr. PETERS.
 H.R. 2182: Mr. ROSS of Arkansas.
 H.R. 2206: Mr. HECK.
 H.R. 2269: Mr. TONKO and Mr. PLATTS.
 H.R. 2288: Mr. MILLER of North Carolina.
 H.R. 2299: Mr. RENACCI.
 H.R. 2315: Ms. BORDALLO, Ms. CHU, and Mr. HASTINGS of Florida.
 H.R. 2353: Mr. KING of Iowa.
 H.R. 2382: Mr. CAMPBELL.
 H.R. 2418: Mr. KING of Iowa.
 H.R. 2514: Mr. PENCE and Mr. LABRADOR.
 H.R. 2529: Mr. HARRIS.
 H.R. 2569: Mr. LONG, Mr. FARENTHOLD, Mr. CONAWAY, Mr. MCKINLEY, Mr. PENCE, and Mr. ROYCE.
 H.R. 2637: Mr. HINOJOSA.
 H.R. 2679: Mrs. CAPPAS.
 H.R. 2697: Mr. GERLACH, Mr. HUIZENGA of Michigan, and Mrs. MCCARTHY of New York.
 H.R. 2751: Mr. RANGEL.
 H.R. 2774: Mr. LAMBORN.
 H.R. 2795: Mr. ELLISON.
 H.R. 2866: Ms. HIRONO.
 H.R. 2902: Mrs. NAPOLITANO and Mr. MCNERNEY.
 H.R. 2921: Mr. PETERS.
 H.R. 2955: Mr. WALZ of Minnesota.
 H.R. 2981: Mr. HOLT.
 H.R. 3000: Mrs. BONO MACK.
 H.R. 3059: Mr. FLORES and Ms. VELÁZQUEZ.
 H.R. 3090: Mr. AMASH.
 H.R. 3173: Mr. JONES, Mr. LATOURETTE, Mr. MICHAUD, Mr. MCCAUL, and Mr. NUNNELEE.
 H.R. 3187: Mr. MARCHANT, Ms. CHU, Mr. NEUGEBAUER, Mr. FILNER, Mr. ELLISON, Mr. LEVIN, Mr. LYNCH, Mr. GERLACH, Mr. ROYCE, Mr. RYAN of Ohio, Mr. NUNES, Mr. SMITH of Texas, Mr. LANCE, Mr. SIRES, Mr. ROTHMAN of New Jersey, and Ms. ROS-LEHTINEN.
 H.R. 3238: Mr. ACKERMAN.
 H.R. 3242: Mr. CONYERS.
 H.R. 3264: Mr. PENCE.
 H.R. 3288: Mr. SCHOCK and Mr. PERLMUTTER.
 H.R. 3352: Mr. GENE GREEN of Texas and Ms. HIRONO.
 H.R. 3358: Mr. BASS of New Hampshire.
 H.R. 3368: Mr. LARSEN of Washington and Mr. ELLISON.
 H.R. 3423: Mr. CARNEY, Mr. DOLD, Mrs. DAVIS of California, and Mr. HIMES.
 H.R. 3442: Mr. MCGOVERN.
 H.R. 3444: Mr. YODER.
 H.R. 3475: Mr. BOUSTANY.
 H.R. 3502: Mr. ELLISON.
 H.R. 3506: Ms. FUDGE and Mr. ROTHMAN of New Jersey.
 H.R. 3526: Mr. HIGGINS and Mr. PRICE of North Carolina.
 H.R. 3596: Mr. MARKEY.
 H.R. 3612: Mr. POSEY, Mr. HOLT, Mr. RAHALL, and Mr. MCCOTTER.
 H.R. 3625: Mr. RUPPERSBERGER.
 H.R. 3645: Mr. RANGEL.

H.R. 3665: Ms. HIRONO, Ms. BONAMICI, Mr. ELLISON, Mr. MCDERMOTT, Mr. RANGEL, and Mr. KUCINICH.
 H.R. 3667: Mr. LOEBSACK.
 H.R. 3676: Mr. YOUNG of Alaska.
 H.R. 3705: Mr. MCGOVERN.
 H.R. 3728: Mrs. NOEM.
 H.R. 3770: Mr. NUNNELEE.
 H.R. 3783: Mr. ANDREWS and Mr. RENACCI.
 H.R. 3786: Ms. KAPTUR.
 H.R. 3806: Mr. BISHOP of Utah.
 H.R. 3808: Mr. ROYCE.
 H.R. 3818: Mr. DINGELL.
 H.R. 3828: Mr. HURT.
 H.R. 3838: Ms. WATERS.
 H.R. 3839: Mr. WOLF, Mr. SCHILLING, and Mr. KING of Iowa.
 H.R. 3857: Mr. RANGEL.
 H.R. 3889: Mr. CASSIDY and Mr. ROSS of Florida.
 H.R. 3903: Mr. COSTELLO.
 H.R. 3994: Mr. YODER, Mr. BISHOP of Utah, and Mr. ROKITA.
 H.R. 4005: Ms. JACKSON LEE of Texas.
 H.R. 4045: Mr. CONNOLLY of Virginia.
 H.R. 4049: Mr. HIMES.
 H.R. 4070: Mr. DEFAZIO, Ms. RICHARDSON, Ms. BERKLEY, Mr. RANGEL, Mr. GRIMM, and Mr. RIVERA.
 H.R. 4075: Mr. AMODEL.
 H.R. 4077: Mr. MILLER of North Carolina and Mr. CONYERS.
 H.R. 4082: Ms. RICHARDSON and Mr. JOHN-SON of Georgia.
 H.R. 4095: Mr. KISSELL.
 H.R. 4114: Mr. STUTZMAN and Mr. FLORES.
 H.R. 4133: Ms. HERRERA BEUTLER, Mr. GOODLATTE, Ms. HAHN, Mr. SCHIFF, Mr. CRENSHAW, Mr. MCCARTHY of California, Mr. MICA, Mr. TIERNEY, Mr. LATOURETTE, Mr. QUIGLEY, Mr. GUINTA, Mr. QUAYLE, Mr. STIVERS, Mr. LUCAS, and Mr. FRANKS of Arizona.
 H.R. 4134: Mr. WILSON of South Carolina, Mr. ROKITA, Mr. GONZALEZ, and Mr. HOLT.
 H.R. 4137: Mr. CONNOLLY of Virginia and Ms. JENKINS.
 H.R. 4154: Ms. NORTON.
 H.R. 4155: Mrs. MALONEY, Mr. GIBBS, and Mr. RANGEL.
 H.R. 4160: Mr. FARENTHOLD and Mr. HUIZENGA of Michigan.
 H.R. 4168: Mr. RAHALL.
 H.R. 4169: Mr. CONNOLLY of Virginia, Mr. HOLT, Mr. HIMES, Mr. MURPHY of Connecticut, Ms. BASS of California, and Mr. SIRES.
 H.R. 4215: Mr. WELCH.
 H.R. 4227: Ms. HAHN, Mr. STARK, Mr. MARKEY, Mr. JACKSON of Illinois, Mr. HASTINGS of Florida, Mr. ACKERMAN, and Mr. HONDA.
 H.R. 4228: Mr. JOHNSON of Ohio and Mr. LONG.
 H.R. 4235: Mr. GRIMM.
 H.R. 4238: Mr. LARSON of Connecticut, Mr. MARKEY, and Mr. ROSS of Arkansas.
 H.R. 4256: Mr. SCOTT of South Carolina, Mr. SHUSTER, Mr. HENSARLING, and Mr. BUCHANAN.
 H.R. 4269: Mr. MCCOTTER, Mr. LANKFORD, Ms. JENKINS, Mr. GRAVES of Missouri, Mr. HULTGREN, Mr. LUETKEMEYER, and Mr. NUNNELEE.
 H.R. 4271: Mr. VAN HOLLEN and Mr. SHERMAN.
 H.R. 4278: Mr. PEARCE and Mr. MARINO.
 H.R. 4282: Mr. STARK.
 H.R. 4286: Mr. CARNAHAN, Mr. KUCINICH, Ms. BORDALLO, Mr. TOWNS, Mr. ELLISON, Mr. SABLAN, Ms. NORTON, and Mr. WELCH.
 H.R. 4287: Mr. RANGEL, Mr. RUNYAN, Ms. BORDALLO, Mr. CONYERS, Mr. MCGOVERN, and Mr. LARSEN of Washington.
 H.R. 4290: Mr. KUCINICH, Ms. SCHAKOWSKY, and Ms. CASTOR of Florida.
 H.R. 4296: Mr. LYNCH.
 H.R. 4301: Mr. PITTS and Mrs. MYRICK.
 H.R. 4329: Mr. CONNOLLY of Virginia.
 H.R. 4335: Mr. YOUNG of Alaska.
 H.R. 4345: Mr. BOSWELL and Mr. LUETKEMEYER.

H.R. 4370: Mrs. BACHMANN.
 H.R. 4377: Mr. ROONEY, Mr. FRANKS of Arizona, and Mr. WEST.
 H.R. 4379: Ms. WATERS.
 H.R. 4388: Mr. PLATTS, Mr. YOUNG of Alaska, and Mr. GARDNER.
 H.R. 4405: Mr. COHEN.
 H.R. 4454: Mr. LANDRY, Mr. RIVERA, Mr. HULTGREN, Mrs. ELLMERS, and Mr. SCHWEIKERT.
 H.R. 4626: Mr. DENT.
 H.R. 4643: Mrs. MYRICK.
 H.R. 4816: Ms. HAHN, Ms. PINGREE of Maine, Mr. RUPPERSBERGER, Ms. TSONGAS, Mr. KIND, Mr. FARR, Ms. WOOLSEY, Mr. MICHAUD, Mrs. DAVIS of California, Mr. OLVER, Ms. FUDGE, Mr. CAPUANO, Mr. ACKERMAN, and Ms. SCHAKOWSKY.
 H.R. 4965: Mr. SHUSTER, Mr. RIBBLE, Mr. ROONEY, Mr. FLAKE, Mr. WALDEN, Mr. YOUNG of Alaska, Mr. HANNA, Mr. SCHILLING, Mr. SOUTHERLAND, Ms. JENKINS, Mr. GRAVES of Missouri, Mr. JONES, Mr. FARENTHOLD, Mr. DENHAM, Mr. STUTZMAN, Mr. POMPEO, Mr. BARROW, Mr. SCHRADER, Mr. CARTER, Mr. CONAWAY, and Mr. TIPTON.
 H.R. 4970: Mr. MCCOTTER.
 H.R. 5129: Mr. KING of New York.
 H.R. 5303: Ms. BERKLEY, Mr. BILIRAKIS, Mr. TURNER of New York, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Ms. SCHWARTZ, and Mr. RIVERA.
 H.J. Res. 103: Mr. HURT and Mr. BARTON of Texas.
 H.J. Res. 106: Mr. ROYCE.
 H.J. Res. 107: Mr. MCCLINTOCK.
 H. Con. Res. 63: Mr. BACA and Mr. PALLONE.
 H. Con. Res. 110: Mr. MCCOTTER.
 H. Con. Res. 119: Mr. RANGEL, Mr. CLARKE of Michigan, Mr. GRIJALVA, Mr. RUSH, Ms. FUDGE, and Ms. CLARKE of New York.
 H. Res. 130: Ms. HAHN.
 H. Res. 177: Ms. MOORE and Ms. KAPTUR.
 H. Res. 282: Mr. DENHAM.
 H. Res. 367: Mr. BONNER.
 H. Res. 374: Mr. CONAWAY.
 H. Res. 557: Mr. HIGGINS and Mr. GRIMM.
 H. Res. 568: Mr. FARENTHOLD, Mr. PERLMUTTER, Mr. BUCHSHON, Mr. CUELLAR, Ms. HAHN, Mr. GUTIERREZ, Mr. CRENSHAW, Ms. FUDGE, Mr. HENSARLING, Mr. SMITH of Washington, and Mr. LUCAS.
 H. Res. 583: Ms. ROYBAL-ALLARD, Ms. WOOLSEY, and Mr. UPTON.
 H. Res. 589: Mr. LEVIN.
 H. Res. 608: Mr. GRIMM and Mr. CONYERS.
 H. Res. 610: Mr. HULTGREN.
 H. Res. 615: Mr. PAUL.
 H. Res. 618: Mr. SMITH of Washington, Mr. GARAMENDI, Mr. ROTHMAN of New Jersey, Mr. TOWNS, Mrs. BLACKBURN, Ms. KAPTUR, Mr. RUSH, Ms. NORTON, and Mr. COLE.
 H. Res. 621: Mr. LARSON of Connecticut, Ms. KAPTUR, Mr. ISRAEL, Mr. GEORGE MILLER of California, Mr. MCDERMOTT, Mr. LARSEN of Washington, Ms. ESHOO, Mr. RANGEL, Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ, Ms. TSONGAS, Mr. PETERS, Ms. NORTON, Mr. RUSH, and Mr. MORAN.
 H. Res. 623: Mr. KISSELL and Mr. COLE.
 H. Res. 640: Mr. HINCHAY, Mr. LEVIN, Mr. RICHARDSON, Ms. SPEIER, Mr. PALLONE, Mr. CARNAHAN, Mr. KEATING, and Ms. SLAUGHTER.

156.32 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

41. The SPEAKER presented a petition of The Borough Of Oakland, New Jersey, relative to Resolution 12-46 requesting the assistance of the appropriate Federal State, and County agencies in assist the Borough in addressing the flood control measures needed to prevent or reduce flooding along the Ramapo River and Allerman Brook; to the Committee on Transportation and Infrastructure.

42. Also, a petition of the Council of St. Charles Parish, Louisiana, relative to Resolution No. 5896 requesting the Congress to support H.R. 104 Ramp Act; jointly to the Committees on Transportation and Infrastructure and Rules.

¶56.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
H.R. 361: Mr. BACA.

TUESDAY, MAY 8, 2012 (57)

¶57.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

May 8, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶57.2 RECESS—10:35 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 35 minutes a.m., until noon.

¶57.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶57.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, May 7, 2012.

Mr. PITTS, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. PITTS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶57.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5886. A letter from the Executive Director, Comptroller of the Currency, transmitting the Office of Minority and Women Inclusion's annual report for FY 2011; to the Committee on Financial Services.

5887. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final

Flood Elevation Determinations: Randolph County, Arkansas; [Docket ID: FEMA-2012-0003] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5888. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations: City of Mandeville, Louisiana; [Docket ID: FEMA-2012-0003] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5889. A letter from the Director, Public and Congressional Affairs, National Credit Union Administration, transmitting the Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5890. A letter from the Director, Office of Standards, Regulations and Variances, Department of Labor, transmitting the Department's final rule — Examinations of Work Areas in Underground Coal Mines for Violations of Mandatory Health or Safety Standards (RIN: 1219-AB75) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5891. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notice that the Deputy Secretary has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office and on expenditure of PLO funds for a period of six months; to the Committee on Foreign Affairs.

5892. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-137, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5893. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Foreign Affairs.

5894. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's annual report for FY 2011 prepared in accordance with the and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5895. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-350, "Wrongful Death Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5896. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-349, "Medical Marijuana Cultivation Center Temporary Amendment At of 2012"; to the Committee on Oversight and Government Reform.

5897. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-348, "Advisory Neighborhood Commissions Boundaries Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

5898. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-347, "Fresh Healthy Mobile Cart Vending Pilot in Underserved Areas Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

5899. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-346, "DISB Fingerprint-Based Background Check Authorization Act of 2012"; to the Committee on Oversight and Government Reform.

5900. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's report for fiscal year 2011 on the amount of acquisitions from entities that manufacture articles, materials, or supplies outside of the United States; to the Committee on Oversight and Government Reform.

5901. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Biobased Procurements [FAC 2005-58; FAR Case 2010-004; Item I; Docket 2010-0004, Sequence 2] (RIN: 9000-AM03) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5902. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Representation Regarding Export of Sensitive Technology to Iran [FAC 2005-58; FAR Case 2010-018; Item II; Docket 2010-0018, Sequence 1] (RIN: 9000-AL91) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5903. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts [FAC 2005-58; FAR Case 2009-038; Item III; Docket 2010-0095, Sequence 1] (RIN: 9000-AL55) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5904. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-58; Small Entity Compliance Guide [Docket FAR 2012-0081, Sequence 3] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5905. A letter from the Chairman, National Labor Relations Board, transmitting the Board's FY 2011 Buy American Act report; to the Committee on Oversight and Government Reform.

5906. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2012 through March 31, 2012 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 112-106); to the Committee on House Administration and ordered to be printed.

5907. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery; Economic Data Collection; Correction [Docket No.: 110207103-2041-02] (RIN: 0648-BA80) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5908. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.:

101126522-0640-2] (RIN: 0648-XB070) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5909. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment for the South Atlantic [Docket No.: 100812345-2142-03] (RIN: 0648-AY73) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5910. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Interim Action [Docket No.: 120316196-2195-01] (RIN: 0648-BB89) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5911. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2012 and 2013 Harvest Specifications for Groundfish [Docket No.: 111207737-2141-02] (RIN: 0648-XA711) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5912. A letter from the Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLO Order No.: 009-2012] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5913. A letter from the Clerk, United States Court of Appeals for the First Circuit, transmitting the judicial opinion of the United States Court of Appeals for the First Circuit for Lawson v. FMR, et al., No. 10-2240; to the Committee on the Judiciary.

5914. A letter from the Secretary, Department of Transportation, transmitting the Department's 2012 annual report on recommendations made by the Intelligent Transportation Systems Program Advisory Committee; to the Committee on Transportation and Infrastructure.

5915. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Locomotive Safety Standards [Docket No.: FR-2009-0095; Notice No. 3] (RIN: 2130-AC16) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5916. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Memorandum of Understanding between the United States and the Government of the Republic of Bolivia concerning the imposition of import restrictions on archaeological material from the pre-Columbian cultures and certain ethnological material from the colonial and republican periods of Bolivia, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

5917. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — National Forest System Land Management Planning (RIN: 0596-AD02) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Natural Resources and Agriculture.

5918. A letter from the Assistant Secretary, Department of Defense, transmitting an additional legislative proposal that the Department of Defense requests to be enacted during the second session of the 112th Congress; jointly to the Committees on Rules, Energy and Commerce, Transportation and Infrastructure, Armed Services, Foreign Affairs, Ways and Means, the Judiciary, Financial Services, Oversight and Government Reform, and Natural Resources.

¶57.6 PROVIDING FOR CONSIDERATION OF H.R. 5326 AND WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII

Mr. WOODALL, by direction of the Committee on Rules, called up the following resolution (H. Res. 643):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 614 is amended in section 2(a) by inserting "and the allocations of spending authority printed in Tables 11 and 12 of House Report 112-421 shall be considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974" before the period.

SEC. 3. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on May 10, 2012, providing for consideration or disposition of any measure reported by the Committee on the Budget relating to section 201 of House Concurrent Resolution 112.

When said resolution was considered. After debate,

Mr. WOODALL moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. MARCHANT, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and

nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 235 affirmative } Nays 174

¶57.7 [Roll No. 199] YEAS—235

Table with 3 columns of names: Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Cuellar, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, Lewis (CA), LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E., Mack, Manullo, Marchant, Marino, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Paul, Paulsen, Pearce, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (FL), Runyan, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuler, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN), Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL)

Capps	Hinchev	Pelosi	Campbell	Huelskamp	Price (GA)	Levin	Pascrell	Scott, David
Capuano	Hirono	Perlmutter	Canseco	Huizenga (MI)	Quayle	Lewis (GA)	Pastor (AZ)	Serrano
Cardoza	Hochul	Peters	Canoso	Hultgren	Reed	Lipinski	Pelosi	Sewell
Carnahan	Holden	Peterson	Carter	Hunter	Rehberg	Loeb sack	Perlmutter	Sherman
Carney	Holt	Pingree (ME)	Cassidy	Hurt	Renacci	Lofgren, Zoe	Peters	Shuler
Castor (FL)	Honda	Polis	Chabot	Issa	Ribbie	Lowey	Peterson	Sires
Chandler	Hoyer	Price (NC)	Coble	Jenkins	Rigell	Lujan	Pingree (ME)	Smith (WA)
Chu	Israel	Quigley	Coffman (CO)	Johnson (IL)	Rivera	Lynch	Polis	Speier
Cicilline	Jackson (IL)	Rahall	Cole	Johnson (OH)	Roby	Maloney	Price (NC)	Stark
Clarke (MI)	Jackson Lee	Rangel	Conaway	Johnson, Sam	Roe (TN)	Markey	Quigley	Sutton
Clarke (NY)	(TX)	Reyes	Cravaack	Jordan	Rogers (AL)	Matheson	Rahall	Thompson (CA)
Clay	Johnson (GA)	Richardson	Crawford	Kelly	Rogers (AL)	Matsui	Rangel	Thompson (MS)
Cleaver	Johnson, E. B.	Richmond	Crenshaw	King (IA)	Rogers (KY)	McCarthy (NY)	Reyes	Tierney
Clyburn	Kaptur	Ross (AR)	Culberson	King (NY)	Rogers (MI)	McCollum	Richardson	Towns
Cohen	Keating	Rothman (NJ)	Davis (KY)	Kingston	Rohrabacher	McDermott	Richmond	Tsongas
Connolly (VA)	Kildee	Roybal-Allard	Denham	Kinzinger (IL)	Rokita	McGovern	Ross (AR)	Van Hollen
Conyers	Kind	Rush	Dent	Kline	Rooney	McIntyre	Rothman (NJ)	Velázquez
Cooper	Kissell	Ryan (OH)	DesJarlais	Labrador	Ros-Lehtinen	McNeerney	Roybal-Allard	Viscosky
Costello	Langevin	Sanchez, Linda	Diaz-Balart	Lamborn	Roskam	Meeks	Ruppersberger	Walz (MN)
Courtney	Larsen (WA)	T.	Dold	Lance	Ross (FL)	Michaud	Rush	Wasserman
Critz	Larson (CT)	Sanchez, Loretta	Dreier	Landry	Ryunan	Miller (NC)	Ryan (OH)	Schultz
Crowley	Lee (CA)	Sarbanes	DesJarlais	Lankford	Ryan (WI)	Miller, George	Sanchez, Linda	Watt
Cummings	Levin	Schiff	Duncan (SC)	Latham	Scalise	Moran	T.	Waters
Davis (CA)	Lewis (GA)	Schrader	Duncan (TN)	LaTourrette	Schilling	Murphy (CT)	Sanchez, Loretta	Watt
Davis (IL)	Lipinski	Schwartz	Emerson	Latta	Schmidt	Nadler	Sarbanes	Waxman
DeFazio	Loeb sack	Scott (VA)	Farenthold	Lewis (CA)	Schock	Napolitano	Schakowsky	Welch
DeGette	Lofgren, Zoe	Scott, David	Fincher	LoBiondo	Schweikert	Neal	Schiff	Wilson (FL)
DeLauro	Lowey	Serrano	Fitzpatrick	Long	Scott (SC)	Olver	Schrader	Woolsey
Deutch	Lujan	Sewell	Flake	Lucas	Scott, Austin	Owens	Schwartz	Yarmuth
Dicks	Lynch	Sherman	Fleischmann	Luetkemeyer	Sensenbrenner	Pallone	Scott (VA)	
Dingell	Maloney	Sires	Fleming	Lummis	Sessions			
Doggett	Markey	Smith (WA)	Flores	Lungren, Daniel	Shimkus			
Doyle	Matsui	Speier	Forbes	E.	Shuster			
Edwards	McCarthy (NY)	Stark	Fortenberry	Mack	Simpson			
Ellison	McCollum	Sutton	Fox	Manzullo	Smith (NE)			
Engel	McDermott	Thompson (CA)	Franks (AZ)	Marchant	Smith (NJ)			
Eshoo	McGovern	Thompson (MS)	Frelinghuysen	Marino	Smith (TX)			
Farr	McIntyre	Tierney	Galleghy	McCarthy (CA)	Southerland			
Fattah	McNeerney	Towns	Gardner	McCauly	Stearns			
Frank (MA)	Meeks	Tsongas	Garrett	McClintock	Stivers			
Fudge	Michaud	Van Hollen	Gerlach	McCotter	Stutzman			
Garamendi	Miller (NC)	Velázquez	Gibbs	McKeon	Sullivan			
Gonzalez	Miller, George	Viscosky	Gingrey (GA)	McKinley	Terry			
Green, Al	Moran	Walz (MN)	Gohmert	McMorris	Thompson (PA)			
Green, Gene	Murphy (CT)	Wasserman	Goodlatte	Rodgers	Thornberry			
Grijalva	Nadler	Schultz	Gosar	Mica	Tiberi			
Gutierrez	Napolitano	Waters	Gowdy	Miller (FL)	Tipton			
Hahn	Neal	Watt	Granger	Miller (MI)	Turner (NY)			
Hanabusa	Olver	Waxman	Graves (GA)	Miller, Gary	Turner (OH)			
Hastings (FL)	Owens	Welch	Graves (MO)	Mulvaney	Upton			
Heinrich	Pallone	Wilson (FL)	Griffin (AR)	Murphy (PA)	Walberg			
Higgins	Pascrell	Woolsey	Griffith (VA)	Neugebauer	Walden			
Himes	Pastor (AZ)	Yarmuth	Grimm	Noem	Walsh (IL)			

NOT VOTING—22

Bonner	Gibson	Reichert
Butterfield	Hinojosa	Royce
Cantor	Jones	Ruppersberger
Carson (IN)	Kucinich	Schakowsky
Costa	McHenry	Slaughter
Donnelly (IN)	Moore	Tonko
Ellmers	Palazzo	
Filner	Pence	

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MARCHANT, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 228 Nays 181

57.8 [Roll No. 200] AYES—228

Adams	Barton (TX)	Boustany
Aderholt	Bass (NH)	Brady (TX)
Akin	Benishek	Brooks
Alexander	Berg	Broun (GA)
Amash	Biggert	Buchanan
Amodei	Bilbray	Bucshon
Austria	Bilirakis	Buerkle
Bachmann	Bishop (UT)	Burgess
Bachus	Black	Burton (IN)
Barletta	Blackburn	Calvert
Bartlett	Bono Mack	Camp

NOES—181

Ackerman	Clyburn	Green, Al
Altmire	Cohen	Green, Gene
Andrews	Connolly (VA)	Grijalva
Baca	Conyers	Gutierrez
Baldwin	Cooper	Hahn
Barrow	Costello	Hanabusa
Bass (CA)	Courtney	Costa
Becerra	Critz	Hastings (FL)
Berkley	Crowley	Heinrich
Berman	Cuellar	Higgins
Bishop (GA)	Cummings	Himes
Bishop (NY)	Davis (CA)	Hinchev
Blumenauer	Davis (IL)	Hirono
Bonamici	DeFazio	Hochul
Boren	Honda	Holden
Boswell	Hoyer	Holt
Brady (PA)	Israel	Holt
Brady (IA)	Jackson (IL)	Honda
Brown (FL)	Jackson Lee	Hoyer
Capps	(TX)	Israel
Capuano	Johnson (GA)	Jackson (IL)
Cardoza	Johnson, E. B.	Jackson Lee
Carnahan	Kaptur	(TX)
Carney	Keating	Johnson (GA)
Castor (FL)	Kildee	Johnson, E. B.
Chandler	Kind	Johnson, E. B.
Chu	Kissell	Johnson, E. B.
Cielline	Langevin	Johnson, E. B.
Cicilline	Larsen (WA)	Johnson, E. B.
Clarke (MI)	Larson (CT)	Johnson, E. B.
Clarke (NY)	Lee (CA)	Johnson, E. B.
Clay		Johnson, E. B.
Cleaver		Johnson, E. B.

NOES—181

Ackerman	Clyburn	Green, Al
Altmire	Cohen	Green, Gene
Andrews	Connolly (VA)	Grijalva
Baca	Conyers	Gutierrez
Baldwin	Cooper	Hahn
Barrow	Costello	Hanabusa
Bass (CA)	Courtney	Costa
Becerra	Critz	Hastings (FL)
Berkley	Crowley	Heinrich
Berman	Cuellar	Higgins
Bishop (GA)	Cummings	Himes
Bishop (NY)	Davis (CA)	Hinchev
Blumenauer	Davis (IL)	Hirono
Bonamici	DeFazio	Hochul
Boren	Honda	Holden
Boswell	Hoyer	Holt
Brady (PA)	Israel	Holt
Brady (IA)	Jackson (IL)	Honda
Brown (FL)	Jackson Lee	Hoyer
Capps	(TX)	Israel
Capuano	Johnson (GA)	Jackson (IL)
Cardoza	Johnson, E. B.	Jackson Lee
Carnahan	Kaptur	(TX)
Carney	Keating	Johnson (GA)
Castor (FL)	Kildee	Johnson, E. B.
Chandler	Kind	Johnson, E. B.
Chu	Kissell	Johnson, E. B.
Cielline	Langevin	Johnson, E. B.
Clarke (MI)	Larsen (WA)	Johnson, E. B.
Clarke (NY)	Larson (CT)	Johnson, E. B.
Clay	Lee (CA)	Johnson, E. B.
Cleaver		Johnson, E. B.

NOT VOTING—22

Bonner	Gibson	Palazzo
Butterfield	Hinojosa	Pence
Cantor	Jones	Reichert
Carson (IN)	Kucinich	Royce
Chaffetz	McHenry	Slaughter
Donnelly (IN)	Meehan	Tonko
Ellmers	Moore	
Filner	Myrick	

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

57.9 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. MARCHANT, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, May 7, 2012.

The question being put, Will the House agree to the Chair's approval of said Journal?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 296 Nays 108 Answered present 3

57.10 [Roll No. 201] YEAS—296

Ackerman	Blumenauer	Clarke (MI)
Aderholt	Bonamici	Clarke (NY)
Akin	Bono Mack	Clay
Alexander	Boren	Cleaver
Altmire	Boustany	Clyburn
Amodei	Brady (TX)	Coble
Austria	Braley (IA)	Cohen
Baca	Brooks	Cole
Bachmann	Broun (GA)	Connolly (VA)
Bachus	Buchanan	Cooper
Barletta	Bucshon	Crenshaw
Barrow	Buerkle	Critz
Bartlett	Burton (IN)	Crowley
Barton (TX)	Calvert	Cuellar
Bass (NH)	Camp	Culberson
Becerra	Campbell	Cummings
Berg	Canseco	Davis (CA)
Berkley	Capito	Davis (KY)
Berman	Capps	DeGette
Biggert	Carnahan	DesJarlais
Bilbray	Carney	Deutch
Bilirakis	Carter	Diaz-Balart
Bishop (GA)	Cassidy	Dicks
Bishop (UT)	Chabot	Dingell
Black	Chu	Doggett
Blackburn	Cielline	Doyle

Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Flake
Fleischmann
Fleming
Flores
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Higgins
Himes
Hirono
Hochul
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance

Landry
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loeb sack
Lofgren, Zoe
Long
Lowe y
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeke s
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Noem
Nunes
Nunnelee
Olson
Pascrell
Paul
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Kingston
Reed
Rehberg
Reyes
Richardson
Richmond
Rigell

Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schiff
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souterland
Stearns
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tierney
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Young (FL)
Young (IN)

Olver
Pallone
Pastor (AZ)
Paulsen
Peters
Peterson
Poe (TX)
Quayle
Rahall
Roskam
Ribble
Rooney
Rush

Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schilling
Shuler
Sires
Speier
Stivers
Terry
Thompson (CA)

Thompson (MS)
Tiberi
Tipton
Visclosky
Walberg
Walden
Walsh (IL)
Waters
Woodall
Yoder
Young (AK)

LaTourette
Levin
Lipinski
Loeb sack
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McNerney
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mulvaney
Murphy (CT)
Nadler

Napolitano
Neal
Olver
Owens
Pallone
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Ross (AR)
Roybal-Allard
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Schakowsky
Schilling

Schrader
Schwartz
Serrano
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Velázquez
Visclosky
Walz (MN)
Watt
Welch
Woolsey
Yarmuth

ANSWERED "PRESENT"—3

NOT VOTING—24

Amash
Bonner
Butterfield
Cantor
Carson (IN)
Chaffetz
DeLauro
Donnelly (IN)
Ellmers

Gohmert
Filner
Gibson
Hinojosa
Jones
Kucinich
Lankford
Lujan
McHenry

Owens
Moore
Palazzo
Pence
Reichert
Slaughter
Stark
Tonko
Yarmuth

So the Journal was approved.

57.11 COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. MARCHANT, pursuant to House Resolution 643 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore, Mr. MARCHANT, by unanimous consent, designated Mr. BISHOP of Utah, as Chairman of the Committee of the Whole; and after some time spent therein,

57.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PETERS:

Page 3, line 10, after the dollar amount, insert "(increased by \$9,000,000)".

Page 65, line 1, after the dollar amount, insert "(reduced by \$17,000,000)".

Page 76, line 16, after the first dollar amount, insert "(increased by \$1,790,000)".

It was decided in the { Yeas 141 negative } Nays 261

57.13 [Roll No. 202]

AYES—141

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Benishek
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Chandler

Ciolline
Clarke (MI)
Clarke (NY)
Clay
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Dold
Ellison
Engel
Fattah
Fitzpatrick

Fortenberry
Frank (MA)
Garamendi
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinche y
Hochul
Holt
Israel
Jackson (IL)
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)

NAYS—108

Adams
Andrews
Baldwin
Bass (CA)
Benishek
Bishop (NY)
Boswell
Brady (PA)
Brown (FL)
Burgess
Capuano
Cardoza
Castor (FL)
Chandler
Coffman (CO)
Conaway
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Davis (IL)
DeFazio

Denham
Dent
Dold
Duffy
Fattah
Fincher
Fitzpatrick
Forbes
Foxy
Fudge
Gardner
Garrett
Gerlach
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Guinta
Hanna
Harris
Hastings (FL)
Heck
Herrera Beutler
Hinche y

Holden
Holt
Hoyer
Hunter
Jackson (IL)
Johnson (OH)
Jordan
Kind
Latham
Lee (CA)
Lewis (GA)
LoBiondo
Lynch
Maloney
Manzullo
Matheson
McCotter
McDermott
McGovern
Miller (FL)
Miller, George
Mulvaney
Neal
Nugent

NOES—261

Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hahn
Hall
Harper
Harris
Hartzer
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant

Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Miller (FL)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sarbanes
Scalise
Schiff
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler

Shuster	Tipton	West
Simpson	Towns	Westmoreland
Smith (NE)	Turner (NY)	Wilson (FL)
Smith (NJ)	Turner (OH)	Wilson (SC)
Smith (TX)	Upton	Wittman
Southerland	Van Hollen	Wolf
Stearns	Walberg	Womack
Stivers	Walden	Woodall
Stutzman	Walsh (IL)	Yoder
Sullivan	Wasserman	Young (AK)
Terry	Schultz	Young (FL)
Thompson (PA)	Waters	Young (IN)
Thornberry	Waxman	
Tiberi	Webster	

NOT VOTING—29

Becerra	Filner	Moore
Bonner	Gibson	Pascrell
Butterfield	Hirono	Pelosi
Camp	Honda	Pence
Cantor	Jenkins	Reichert
Cardoza	Johnson (GA)	Rothman (NJ)
Carson (IN)	Jones	Rush
Chu	Kucinich	Slaughter
Donnelly (IN)	Lee (CA)	Whitfield
Ellmers	McHenry	

So the amendment was not agreed to.

57.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 3, line 10, after the dollar amount, insert "(reduced by \$13,748,940)".

Page 4, line 21, after the dollar amount, insert "(reduced by \$2,019,990)".

Page 6, line 7, after the dollar amount, insert "(reduced by \$1,125,000)".

Page 6, line 18, after the dollar amount, insert "(reduced by \$860,670)".

Page 6, line 23, after the dollar amount, insert "(reduced by \$2,880,000)".

Page 7, line 5, after the dollar amount, insert "(reduced by \$7,600,080)".

Page 7, line 20, after the dollar amount, insert "(reduced by \$1,367,040)".

Page 11, line 11, after the dollar amount, insert "(reduced by \$18,635,190)".

Page 13, line 2, after the dollar amount, insert "(reduced by \$89,051,130)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$89,051,130)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$89,051,130)".

Page 17, line 6, after the dollar amount, insert "(reduced by \$1,650,000)".

Page 21, line 23, after the dollar amount, insert "(reduced by \$3,309,660)".

Page 22, line 23, after the dollar amount, insert "(reduced by \$383,160)".

Page 23, line 9, after the dollar amount, insert "(reduced by \$25,901,010)".

Page 26, line 14, after the dollar amount, insert "(reduced by \$60,000)".

Page 27, line 7, after the dollar amount, insert "(reduced by \$343,680)".

Page 28, line 4, after the dollar amount, insert "(reduced by \$35,654,640)".

Page 29, line 7, after the dollar amount, insert "(reduced by \$2,701,170)".

Page 30, line 15, after the dollar amount, insert "(reduced by \$245,550,210)".

Page 31, line 15, after the first dollar amount, insert "(reduced by \$71,895,120)".

Page 32, line 4, after the dollar amount, insert "(reduced by \$34,600,350)".

Page 34, line 3, after the dollar amount, insert "(reduced by \$204,606,510)".

Page 59, line 4, after the dollar amount, insert "(reduced by \$175,500)".

Page 65, line 1, after the dollar amount, insert "(reduced by \$85,305,000)".

Page 70, line 6, after the first dollar amount, insert "(reduced by \$8,982,000)".

Page 70, line 20, after the dollar amount, insert "(reduced by \$133,200)".

Page 71, line 20, after the dollar amount, insert "(reduced by \$275,790)".

Page 73, line 17, after the dollar amount, insert "(reduced by \$10,997,040)".

Page 74, line 7, after the dollar amount, insert "(reduced by \$2,490,000)".

Page 74, line 13, after the first dollar amount, insert "(reduced by \$510,000)".

Page 74, line 17, after the dollar amount, insert "(reduced by \$510,000)".

Page 76, line 8, after the dollar amount, insert "(reduced by \$90,750)".

Page 76, line 16, after the first dollar amount, insert "(reduced by \$1,537,530)".

Page 76, line 24, after the dollar amount, insert "(reduced by \$153,630)".

Page 101, line 10, after the dollar amount, insert "(increased by \$874,593,990)".

It was decided in the { Yeas 137 negative } Nays 270

57.15 [Roll No. 203]

AYES—137

Adams	Gosar	Paul
Akin	Govdy	Petri
Amash	Graves (GA)	Poe (TX)
Amodei	Graves (MO)	Polis
Bachmann	Griffith (VA)	Pompeo
Benishek	Guthrie	Posey
Bilirakis	Harper	Quayle
Bishop (UT)	Harris	Ribble
Black	Hartzler	Rogers (MI)
Blackburn	Hensarling	Rohrabacher
Boustany	Herger	Rokita
Brady (TX)	Herrera Beutler	Rooney
Brooks	Huelskamp	Ross (FL)
Broun (GA)	Huizenga (MI)	Royce
Buchanan	Hultgren	Ryunan
Buerkle	Hunter	Ryan (WI)
Burgess	Issa	Sanchez, Loretta
Burton (IN)	Jenkins	Scalise
Campbell	Johnson (IL)	Schilling
Carter	Johnson (OH)	Schmidt
Chabot	Jordan	Schweikert
Chaffetz	King (IA)	Scott (SC)
Coble	Kline	Scott, Austin
Coffman (CO)	Labrador	Sensenbrenner
Conaway	Lamborn	Shimkus
Davis (KY)	Landry	Smith (NE)
Duffy	LoBiondo	Smith (TX)
Duncan (SC)	Long	Southerland
Duncan (TN)	Luetkemeyer	Stearns
Emerson	Lummis	Sullivan
Farenthold	Mack	Terry
Fincher	Manzullo	Thompson (PA)
Fitzpatrick	Marchant	Thornberry
Flake	McClintock	Tipton
Fleischmann	McMorris	Towns
Fleming	Rodgers	Upton
Flores	Mica	Walberg
Fortenberry	Miller (FL)	Walden
Fox	Miller (MI)	Walsh (IL)
Fox	Mulvaney	Webster
Frank (MA)	Murphy (PA)	West
Franks (AZ)	Myrick	Wilson (SC)
Gardner	Neugebauer	Woodall
Garrett	Nugent	Yoder
Gingrey (GA)	Olson	Young (AK)
Gohmert		Young (IN)
Goodlatte		

NOES—270

Ackerman	Brown (FL)	Crenshaw
Aderholt	Buchson	Critz
Alexander	Calvert	Crowley
Altmire	Camp	Cuellar
Andrews	Canseco	Culberson
Austria	Capito	Cummings
Baca	Capps	Davis (CA)
Bachus	Capuano	Davis (IL)
Baldwin	Carnahan	DeFazio
Barletta	Carney	DeGette
Barrow	Cassidy	DeLauro
Bartlett	Castor (FL)	Denham
Barton (TX)	Chandler	Dent
Bass (CA)	Ciциlline	DesJarlais
Bass (NH)	Clarke (MI)	Deutch
Berg	Clarke (NY)	Diaz-Balart
Berkley	Clay	Dicks
Berman	Cleaver	Dingell
Biggert	Clyburn	Doggett
Bilbray	Cohen	Dold
Bishop (GA)	Cole	Doyle
Bishop (NY)	Connolly (VA)	Dreier
Blumenauer	Conyers	Edwards
Bonamici	Cooper	Ellison
Bono Mack	Costa	Engel
Boren	Costello	Eshoo
Boswell	Courtney	Farr
Brady (PA)	Cravaack	Fattah
Braley (IA)	Crawford	Forbes

Frelinghuysen	Lowey	Roby
Fudge	Lucas	Roe (TN)
Gallegly	Lujan	Rogers (AL)
Garamendi	Lungren, Daniel	Rogers (KY)
Gerlach	E.	Ros-Lehtinen
Gibbs	Lynch	Roskam
Gibson	Maloney	Ross (AR)
Gonzalez	Marino	Roybal-Allard
Granger	Markey	Ruppersberger
Green, Al	Matheson	Ryan (OH)
Green, Gene	Matsui	Sanchez, Linda
Griffin (AR)	McCarthy (CA)	T.
Grijalva	McCarthy (NY)	Sarbanes
Grimm	McCaul	Schakowsky
Guinta	McColum	Schiff
Gutierrez	McCotter	Schock
Hahn	McDermott	Schrader
Hall	McGovern	Schwartz
Hanabusa	McIntyre	Schwartz (VA)
Hanna	McKeon	Scott, David
Hastings (FL)	McKinley	Serrano
Hastings (WA)	McNerney	Sessions
Hayworth	Meehan	Sewell
Heck	Meeke	Sherman
Heinrich	Michaud	Shuler
Higgins	Miller (NC)	Shuster
Himes	Miller, Gary	Simpson
Hinchoy	Miller, George	Sires
Hinojosa	Moran	Smith (NJ)
Hochul	Murphy (CT)	Smith (WA)
Holden	Nadler	Speier
Holt	Napolitano	Stark
Hoyer	Neal	Stivers
Israel	Noem	Stutzman
Jackson (IL)	Nunes	Sutton
Jackson Lee	Nunnelee	Thompson (CA)
(TX)	Olver	Thompson (MS)
Johnson (GA)	Owens	Tiberi
Johnson, E. B.	Palazzo	Tierney
Johnson, Sam	Pallone	Tonko
Kaptur	Pastor (AZ)	Tsongas
Keating	Paulsen	Turner (NY)
Kelly	Pearce	Turner (OH)
Kildee	Pelosi	Van Hollen
Kind	Perlmutter	Velazquez
King (NY)	Peters	Visclosky
Kingston	Peterson	Walz (MN)
Kinzinger (IL)	Pingree (ME)	Wasserman
Kissell	Pitts	Schultz
Lance	Platts	Waters
Langevin	Price (GA)	Watt
Lankford	Price (NC)	Waxman
Larsen (WA)	Quigley	Welch
Larsen (CT)	Rahall	Westmoreland
Latham	Rangel	Wilson (FL)
LaTourette	Reed	Wittman
Latta	Rehberg	Wolf
Levin	Renacci	Womack
Lewis (CA)	Reyes	Woolsey
Lewis (GA)	Richardson	Yarmuth
Lipinski	Richmond	Young (FL)
Loebsack	Rigell	
Lofgren, Zoe	Rivera	

NOT VOTING—24

Becerra	Ellmers	Moore
Bonner	Filner	Pascrell
Butterfield	Hirono	Pence
Cantor	Honda	Reichert
Cardoza	Jones	Rothman (NJ)
Carson (IN)	Kucinich	Rush
Chu	Lee (CA)	Slaughter
Donnelly (IN)	McHenry	Whitfield

So the amendment was not agreed to.

57.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MCCLINTOCK:

Page 3, line 10, after the dollar amount, insert "(reduced by \$277,824,000)".

Page 101, line 10, after the dollar amount, insert "(increased by \$277,824,000)".

It was decided in the { Yeas 121 negative } Nays 287

57.17 [Roll No. 204]

AYES—121

Adams	Black	Burgess
Akin	Bono Mack	Burton (IN)
Amash	Boustany	Campbell
Amodei	Brooks	Canseco
Barton (TX)	Broun (GA)	Cassidy
Bishop (UT)	Buerkle	Chabot

Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Culberson
Denham
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Flake
Fleming
Flores
Foxy
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith (VA)
Guinta
Harper
Hartzler
Hastings (WA)
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Jordan
King (IA)
Labrador
Lamborn
Lance
Landry
Lankford
Long
Lummis
Mack
McClintock
McMorris
McMorris
Rodgers
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Paul
Pearce
Petri
Pompeo
Posey
Price (GA)

NOES—287

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Carter
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleischmann
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)

Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nunes
Oliver
Owens
Pallone
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schwartz
Serrano
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

So the amendment was not agreed to.

57.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MICHAUD:

Page 5, line 17, after the dollar amount, insert "(increased by \$38,000,000)".

Page 7, line 11, after the dollar amount, insert "(reduced by \$38,000,000)".

It was decided in the Yeas 190
negative 218

57.19 [Roll No. 205]

AYES—190

Ackerman
Alexander
Altmire
Austria
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Capito
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cunha
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dicks
Dingell
Dold
Doyle
Duncan (TN)
Ellison
Engel
Eshoo
Fattah
Fitzpatrick
Frank (MA)
Garamendi
Gibson
Goodlatte
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Harris
Kaptur
Keating
Kelly
Kildee
Kind
Kissell
Landry
Langevin
Larsen (WA)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)

Levin
Lipinski
LoBiondo
Loeb sack
Luetkemeyer
Lujan
Lynch
Manzullo
Marino
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McNerney
Meeks
Mica
Michaud
Miller (NC)
Murphy (CT)
Nadler
Neal
Noem
Oliver
Owens
Pallone
Paul
Paulsen
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Richardson
Rogers (KY)
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schiff
Schilling
Schock
Schwartz
Scott (VA)
Scott, David
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOES—218

Adams
Aderholt
Akin
Amash
Amodei
Andrews
Bachmann
Barletta
Bartlett
Barton (TX)
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capps
Carter
Cassidy
Chabot
Chaffetz
Clay
Coble
Coffman (CO)
Cole
Conaway
Conyers
Costa
Cravaack
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Deutch
Long
Lowey
Lucas
Lummis
Lungren, Daniel
E.
Mack
Maloney
Marchant
Markey
McCarthy (CA)
McCaul
McClintock
McKeon
McKinley
McMorris
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Gingrey (GA)
Gohmert
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Pearce
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reyes
Ribble
Richmond
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schakowsky
Schmidt
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tipton
Turner (NY)
Upton
Van Hollen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grijalva
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jackson (IL)
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latta
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Lowey
Lucas
Lummis
Lungren, Daniel
E.
Mack
Maloney
Marchant
Markey
McCarthy (CA)
McCaul
McClintock
McKeon
McKinley
McMorris
Meehan
Miller (FL)
Miller (MI)

Velázquez	West	Yoder
Walberg	Westmoreland	Young (AK)
Walden	Wilson (SC)	Young (FL)
Walsh (IL)	Wittman	Young (IN)
Waxman	Wolf	
Webster	Woodall	

NOT VOTING—23

Becerra	Ellmers	Pascrell
Bonner	Filner	Pence
Butterfield	Hirono	Reichert
Cantor	Honda	Rothman (NJ)
Cardoza	Jones	Rush
Carson (IN)	Kucinich	Slaughter
Chu	McHenry	Whitfield
Donnelly (IN)	Moore	

So the amendment was not agreed to.

57.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SCALISE:

Page 6, line 7, after the dollar amount, insert “(reduced by \$7,500,000)”.

Page 17, line 6, after the dollar amount, insert “(reduced by \$10,706,000)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$18,206,000)”.

It was decided in the	Yeas	174
negative	Nays	233

57.21 [Roll No. 206]

AYES—174

Adams	Graves (MO)	Olson
Akin	Griffith (VA)	Palazzo
Amash	Guthrie	Paul
Amodei	Hall	Paulsen
Bachmann	Hanna	Petri
Barton (TX)	Harper	Pitts
Benishek	Harris	Poe (TX)
Biggert	Hartzler	Pompeo
Bilirakis	Hastings (WA)	Posey
Bishop (UT)	Hensarling	Price (GA)
Black	Herger	Quayle
Blackburn	Herrera Beutler	Ribble
Bono Mack	Hochul	Rigell
Boustany	Huelskamp	Roby
Brady (TX)	Huizenga (MI)	Roe (TN)
Brooks	Hultgren	Rogers (MI)
Broun (GA)	Hunter	Rohrabacher
Buchanan	Hurt	Rokita
Buerkle	Issa	Rooney
Burgess	Jenkins	Roskam
Burton (IN)	Johnson (IL)	Ross (FL)
Calvert	Johnson (OH)	Royce
Camp	Johnson, Sam	Runyan
Campbell	Jordan	Ryan (WI)
Canseco	King (IA)	Scalise
Cassidy	Kingston	Schilling
Chabot	Kline	Schmidt
Chaffetz	Labrador	Schweikert
Coble	Lamborn	Scott (SC)
Coffman (CO)	Lance	Scott, Austin
Conaway	Landry	Sensenbrenner
Cravaack	Lankford	Sessions
Cuellar	Latta	Shimkus
Culberson	Lewis (CA)	Smith (NE)
Duffy	Long	Smith (TX)
Duncan (SC)	Luetkemeyer	Southerland
Duncan (TN)	Lummis	Stearns
Emerson	Lungren, Daniel	Stivers
Farenthold	E.	Stutzman
Fincher	Mack	Sullivan
Fitzpatrick	Manzullo	Terry
Flake	Marchant	Thornberry
Fleischmann	Marino	Tiberi
Fleming	McCarthy (CA)	Tipton
Flores	McCaul	Upton
Forbes	McClintock	Walberg
Fortenberry	McCotter	Walden
Fox	McMorris	Walsh (IL)
Franks (AZ)	Rodgers	Webster
Gallely	Mica	West
Gardner	Miller (FL)	Westmoreland
Garrett	Miller (MI)	Wilson (SC)
Gibson	Miller, Gary	Wittman
Gingrey (GA)	Mulvaney	Woodall
Gohmert	Murphy (PA)	Yoder
Goodlatte	Myrick	Young (AK)
Gosar	Neugebauer	Young (FL)
Gowdy	Nugent	Young (IN)
Graves (GA)	Nunnelee	

NOES—233

Ackerman	Frelinghuysen	Nunes
Aderholt	Fudge	Olver
Alexander	Garamendi	Owens
Altmire	Gerlach	Pallone
Andrews	Gibbs	Pastor (AZ)
Austria	Gonzalez	Pearce
Baca	Granger	Pelosi
Bachus	Green, Al	Perlmutter
Baldwin	Green, Gene	Peters
Barletta	Griffin (AR)	Peterson
Barrow	Grijalva	Pingree (ME)
Bartlett	Grimm	Platts
Bass (CA)	Guinta	Polis
Bass (NH)	Gutierrez	Price (NC)
Berg	Hahn	Quigley
Berkley	Hanabusa	Rahall
Berman	Hastings (FL)	Rangel
Bilbray	Hayworth	Reed
Bishop (GA)	Heck	Rehberg
Bishop (NY)	Heinrich	Renacci
Blumenauer	Higgins	Reyes
Bonamici	Himes	Richardson
Boren	Hinchey	Richmond
Boswell	Hinojosa	Rivera
Brady (PA)	Holden	Rogers (AL)
Braley (IA)	Holt	Rogers (KY)
Brown (FL)	Hoyer	Ros-Lehtinen
Bucshon	Israel	Ross (AR)
Capito	Jackson (IL)	Roybal-Allard
Capps	Jackson Lee	Ruppersberger
Capuano	(TX)	Ryan (OH)
Carnahan	Johnson (GA)	Sánchez, Linda
Carney	Johnson, E. B.	T.
Carter	Kaptur	Sanchez, Loretta
Castor (FL)	Keating	Sarbanes
Chandler	Kelly	Schakowsky
Cicilline	Kildee	Schiff
Clarke (MI)	Kind	Schock
Clarke (NY)	King (NY)	Schrader
Clay	Kinzinger (IL)	Schwartz
Cleaver	Kissell	Scott (VA)
Clyburn	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Cole	Larson (CT)	Sewell
Connolly (VA)	Latham	Sherman
Conyers	LaTourrette	Shuler
Cooper	Lee (CA)	Shuster
Costa	Levin	Simpson
Costello	Lewis (GA)	Sires
Courtney	Lipinski	Smith (NJ)
Crawford	LoBiondo	Smith (WA)
Crenshaw	Loebsock	Speier
Critz	Lofgren, Zoe	Stark
Crowley	Lowey	Sutton
Cummings	Lucas	Thompson (CA)
Davis (CA)	Lujan	Thompson (MS)
Davis (IL)	Lynch	Thompson (PA)
Davis (KY)	Markey	Tierney
DeFazio	Matheson	Tonko
DeGette	Matsui	Towns
DeLauro	McCarthy (NY)	Tsongas
Denham	McCollum	Turner (NY)
Dent	McDermott	Turner (OH)
DesJarlais	McGovern	Van Hollen
Deutch	McIntyre	Velázquez
Diaz-Balart	McKeon	Visclosky
Dicks	McKinley	Walz (MN)
Dingell	McNerney	Wasserman
Doggett	Meehan	Schultz
Dold	Meeks	Waters
Doyle	Michaud	Watt
Dreier	Miller (NC)	Waxman
Edwards	Miller, George	Welch
Ellison	Moran	Wilson (FL)
Engel	Murphy (CT)	Wolf
Eshoo	Nadler	Womack
Farr	Napolitano	Woolsey
Fattah	Neal	Yarmuth
Frank (MA)	Noem	

NOT VOTING—24

Becerra	Ellmers	Moore
Bonner	Filner	Pascrell
Butterfield	Hirono	Pence
Cantor	Honda	Reichert
Cardoza	Jones	Rothman (NJ)
Carson (IN)	Kucinich	Rush
Chu	Maloney	Slaughter
Donnelly (IN)	McHenry	Whitfield

So the amendment was not agreed to.

57.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment

numbered 3, submitted by Mr. POMPEO:

Page 5, lines 17 through 21, after each dollar amount, insert “(reduced to \$0)”.

Page 6, line 7, after the dollar amount, insert “(reduced to \$0)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$219,500,000)”.

It was decided in the	Yeas	129
negative	Nays	279

57.23 [Roll No. 207]

AYES—129

Adams	Gosar	Paul
Akin	Gowdy	Petri
Amash	Granger	Poe (TX)
Amodei	Graves (GA)	Pompeo
Bachmann	Guthrie	Posey
Bachus	Harper	Price (GA)
Bilirakis	Hensarling	Quayle
Bishop (UT)	Herger	Ribble
Black	Huelskamp	Rigell
Blackburn	Huizenga (MI)	Rogers (MI)
Boustany	Hultgren	Rohrabacher
Brady (TX)	Hunter	Rokita
Brooks	Hurt	Rooney
Broun (GA)	Issa	Roskam
Buerkle	Jenkins	Ross (FL)
Burgess	Johnson (IL)	Royce
Burton (IN)	Johnson, Sam	Ryan (WI)
Camp	Jordan	Scalise
Campbell	King (IA)	Schmidt
Canseco	Kingston	Schweikert
Carter	Kline	Scott (SC)
Cassidy	Labrador	Scott, Austin
Chabot	Lamborn	Sensenbrenner
Chaffetz	Lance	Sessions
Coble	Landry	Shuster
Coffman (CO)	Long	Smith (TX)
Conaway	Lummis	Stearns
Culberson	Mack	Stutzman
Dreier	Marchant	Sullivan
Duffy	McCaul	Terry
Duncan (SC)	McClintock	Thornberry
Farenthold	McCotter	Tiberi
Flake	McMorris	Tipton
Fleischmann	Rodgers	Walberg
Fleming	Mica	Walsh (IL)
Flores	Miller (FL)	Westmoreland
Forbes	Miller, Gary	Wilson (SC)
Fox	Mulvaney	Wittman
Franks (AZ)	Myrick	Woodall
Gardner	Neugebauer	Yoder
Garrett	Nugent	Young (FL)
Gingrey (GA)	Nunnelee	Young (IN)
Gohmert	Olson	
Goodlatte	Palazzo	

NOES—279

Ackerman	Castor (FL)	Doyle
Aderholt	Chandler	Duncan (TN)
Alexander	Cicilline	Edwards
Altmire	Clarke (MI)	Ellison
Andrews	Clarke (NY)	Emerson
Austria	Clay	Engel
Baca	Cleaver	Eshoo
Baldwin	Clyburn	Farr
Barletta	Cohen	Fattah
Barrow	Cole	Fincher
Bartlett	Connolly (VA)	Fitzpatrick
Barton (TX)	Conyers	Fortenberry
Bass (CA)	Cooper	Frank (MA)
Bass (NH)	Costa	Frelinghuysen
Benishek	Costello	Fudge
Berg	Courtney	Gallely
Berkley	Cravaack	Garamendi
Berman	Crawford	Gerlach
Biggert	Crenshaw	Gibbs
Bilbray	Critz	Gibson
Bishop (GA)	Crowley	Gonzalez
Bishop (NY)	Cuellar	Graves (MO)
Blumenauer	Cummings	Green, Al
Bonamici	Davis (CA)	Green, Gene
Bono Mack	Davis (IL)	Griffin (AR)
Boren	Davis (KY)	Griffith (VA)
Boswell	DeFazio	Grijalva
Brady (PA)	DeGette	Grimm
Braley (IA)	DeLauro	Guinta
Brown (FL)	Denham	Gutierrez
Buchanan	Dent	Hahn
Bucshon	DesJarlais	Hall
Calvert	Deutch	Hanabusa
Capito	Diaz-Balart	Hanna
Capps	Dicks	Harris
Capuano	Dingell	Hartzler
Carnahan	Doggett	Hastings (FL)
Carney	Dold	Hastings (WA)

Hayworth McCollum Sánchez, Linda
Heck McDermott T.
Heinrich McGovern Sanchez, Loretta
Herrera Beutler McIntyre Sarbanes
Higgins McKeon Schakowsky
Himes McKinley Schiff
Hinchey McNeerney Schilling
Hinojosa Meehan Schook
Hochul Meeks Schrader
Holden Michaud Flores
Holt Miller (MI) Scott (VA)
Hoyer Miller (NC) Scott, David
Israel Miller, George Serrano
Jackson (IL) Moran Sewell
Jackson Lee Murphy (CT) Sherman
(TX) Murphy (PA) Shimkus
Johnson (GA) Nadler Shuler
Johnson (OH) Napolitano Simpson
Johnson, E. B. Neal Sires
Kaptur Noem Smith (NE)
Keating Nunes Smith (NJ)
Kelly Oliver Smith (WA)
Kildee Owens Southerland
Kind Pallone Speier
King (NY) Pastor (AZ) Stark
Kinzinger (IL) Paulsen Stivers
Kissell Pearce Sutton
Langevin Pelosi Thompson (CA)
Lankford Perlmutter Thompson (MS)
Larsen (WA) Peters Thompson (PA)
Larson (CT) Peterson Tierney
Latham Pingree (ME) Tonko
LaTourette Pitts Towns
Latta Platts Tsongas
Lee (CA) Polis Turner (NY)
Levin Price (NC) Turner (OH)
Lewis (CA) Quigley Upton
Lewis (GA) Rahall Van Hollen
Lipinski Rangel Velázquez
LoBiondo Reed Visclosky
Loebsack Rehberg Walden
Lofgren, Zoe Lofgren, Zoe Walz (MN)
Lowe Renacci Wasserman
Lucas Reyes Schultz
Luetkemeyer Richardson
Lujan Richmond Waters
Lungren, Daniel Rivera Watt
E. Roby Waxman
Lynch Roe (TN) Webster
Maloney Rogers (AL) Welch
Manzullo Rogers (KY) West
Marino Ros-Lehtinen Wilson (FL)
Markey Ross (AR) Wolf
Matheson Roybal-Allard Womack
Matsui Runyan Woolsey
McCarthy (CA) Ruppensberger Yarmuth
McCarthy (NY) Ryan (OH) Young (AK)

NOT VOTING—23

Becerra Ellmers Pascrell
Bonner Filner Pence
Butterfield Hirono Reichert
Cantor Honda Rothman (NJ)
Cardoza Jones Rush
Carson (IN) Kucinich Slaughter
Chu McHenry Whitfield
Donnelly (IN) Moore

So the amendment was not agreed to.

57.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. QUAYLE:

Page 11, line 18, after the dollar amount insert "(reduced by \$21,000,000)".

Page 11, line 20, after the dollar amount insert "(reduced by \$21,000,000)".

Page 101, line 10, after the dollar amount insert "(increased by \$21,000,000)".

It was decided in the Yeas 147
negative Nays 259

57.25 [Roll No. 208]

AYES—147

Adams Bishop (UT) Burton (IN)
Akin Black Camp
Alexander Blackburn Campbell
Amash Bono Mack Canseco
Amodei Boustany Carter
Bachmann Brady (TX) Cassidy
Bachus Brooks Chabot
Barton (TX) Brown (GA) Chaffetz
Benishek Buerkle Coffman (CO)
Bilirakis Burgess Conaway

Culberson King (IA)
Denham Kline
Duncan (SC) Labrador
Duncan (TN) Lamborn
Farenthold Lance
Fincher Landry
Flake Lankford
Fleischmann Long
Fleming Luetkemeyer
Flores Lummis
Forbes Lungren, Daniel
Fortenberry E.
Foxy Mack
Franks (AZ) Marchant
Gardner McCarthy (CA)
Garrett McCaul
Gingrey (GA) McClintock
Gohmert McCotter
Goodlatte McMorris
Gosar Rodgers
Gowdy Mica
Granger Miller (FL)
Graves (GA) Miller (MI)
Graves (MO) Miller, Gary
Griffith (VA) Mulvaney
Guthrie Murphy (PA)
Hall Myrick
Harper Neugebauer
Harris Nugent
Hensarling Nunnelee
Herger Paul
Huelskamp Paulsen
Huizenga (MI) Petri
Hunter Poe (TX)
Issa Pompeo
Jenkins Posey
Johnson (IL) Price (GA)
Johnson, Sam Quayle
Jordan Ribble
Rigell

NOES—259

Ackerman Davis (CA)
Aderholt Davis (IL)
Altmire Davis (KY)
Andrews DeFazio
Austria DeGette
Baca DeLauro
Baldwin Dent
Barletta DesJarlais
Barrow Deutch
Bartlett Diaz-Balart
Bass (CA) Dicks
Bass (NH) Dingell
Berg Doggett
Berkley Dold
Berman Doyle
Biggett Dreier
Bilbray Duffy
Bishop (GA) Edwards
Bishop (NY) Ellison
Blumenauer Emerson
Bonamici Engel
Boren Eshoo
Boswell Farr
Brady (PA) Fattah
Braley (IA) Fitzpatrick
Brown (FL) Frank (MA)
Buchanan Frelinghuysen
Bucshon Fudge
Calvert Gallegly
Capito Garamendi
Capps Gerlach
Capuano Gibbs
Carnahan Gibson
Carmey Gonzalez
Castor (FL) Green, Al
Chandler Green, Gene
Cicilline Griffin (AR)
Clarke (MI) Grijalva
Clarke (NY) Grimm
Clay Guinta
Cleaver Gutierrez
Clyburn Hahn
Coble Hanabusa
Cohen Hanna
Cole Hartzler
Connolly (VA) Hastings (FL)
Conyers Hastings (WA)
Cooper Hayworth
Costa Heck
Costello Heinrich
Courtney Herrera Beutler
Cravaack Higgins
Crawford Himes
Crenshaw Hinchey
Crenshaw Hinojosa
Critz Hochul
Crowley Miller (NC)
Cuellar Nadler
Cummings Holt

Neal Rogers (AL)
Noem Rogers (KY)
Nunes Ros-Lehtinen
Olson Ross (AR)
Oliver Runyan
Owens Ruppensberger
Palazzo Ryan (OH)
Pallone Sanchez, Linda
Pastor (AZ) T.
Pearce Sanchez, Loretta
Pelosi Sarbanes
Perlmutter Schakowsky
Peters Schiff
Peterson Schilling
Pingree (ME) Schook
Pitts Schrader
Platts Schwartz
Polis Scott (VA)
Price (NC) Scott, David
Quigley Serrano
Rahall Sewell
Rangel Sherman
Reed Shimkus
Rehberg Shuler
Renacci Simpson
Reyes Sires
Richardson Smith (NJ)
Richmond Smith (WA)
Rivera Speier
Roe (TN) Stark

NOT VOTING—25

Becerra Filner Pence
Bonner Hirono Reichert
Butterfield Honda Rothman (NJ)
Cantor Jones Roybal-Allard
Cardoza Kucinich Rush
Carson (IN) Langevin Slaughter
Chu McHenry Whitfield
Donnelly (IN) Moore
Ellmers Pascrell

So the amendment was not agreed to.

57.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 10, submitted by Mr. HAR-RIS:

Page 13, line 2, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$542,000)".

Page 101, line 10, after the dollar amount, insert "(increased by \$542,000)".

It was decided in the Yeas 219
affirmative Nays 189

57.27 [Roll No. 209]

AYES—219

Adams Carter Franks (AZ)
Aderholt Cassidy Frelinghuysen
Akin Chabot Gardner
Alexander Chaffetz Garrett
Amash Coble Gerlach
Amodei Coffman (CO) Gibbs
Austria Cole Gingrey (GA)
Bachmann Conaway Gohmert
Bachus Cravaack Goodlatte
Barletta Crawford Gosar
Bartlett Crenshaw Gowdy
Barton (TX) Culberson Granger
Benishek Davis (KY) Graves (GA)
Berg Denham Graves (MO)
Bilirakis Dent Griffin (AR)
Bishop (UT) DesJarlais Griffith (VA)
Black Diaz-Balart Grimm
Blackburn Dreier Guinta
Bono Mack Duffy Guthrie
Brooks Boustany Duncan (TN) Hall
Broun (GA) Emerson Harper
Buchanan Farenthold Harris
Bucshon Fincher Hartzler
Buerkle Fitzpatrick Hastings (WA)
Burgess Buerkle Heck
Burton (IN) Burgess Fleischmann Hensarling
Fleming Miller (NC) Herger
Flores Miller, George Hochul
Forbes Moran Huelskamp
Fortenberry Murphy (CT) Huizenga (MI)
Foxy Nadler Hultgren
Capito Napolitano Hunter

Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney

Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Calvert
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DeLauterbach
Dicks
Dingell
Doggett
Dold
Doyle

Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Gallegly
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchee
Hinojosa
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
King
King (NY)
Kissell
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowe
Lujan

Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeke
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires

Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko

Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)

Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore

Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

NOT VOTING—23

So the amendment was agreed to.

57.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GRIMM:

Page 42, line 3, after the dollar amount, insert "(increased by \$18,000,000)".

Page 42, line 12, after the dollar amount, insert "(increased by \$18,000,000)".

Page 13, line 2, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$18,000,000)".

It was decided in the { Yeas 209 affirmative Nays 199

57.29

[Roll No. 210]

AYES—209

Ackerman
Adams
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Baldwin
Barletta
Bass (NH)
Benishke
Berg
Berkley
Biggert
Bishop (UT)
Black
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Brady (IA)
Brooks
Grimm
Guthrie
Harper
Hartzler
Hayworth
Heck
Hensarling
Herger
Himes
Hochul
Johnson
Chabot
Clarke (MI)
Cleaver
Coble
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cuellar
Davis (KY)
DeLauro
Denham
Dent
Doyle
Duffy
Duncan (SC)

Duncan (TN)
Emerson
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gallegly
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Goss
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Harper
Hartzler
Hayworth
Heck
Hensarling
Herger
Himes
Hochul
Johnson
Chabot
Clarke (MI)
Cleaver
Coble
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cuellar
Davis (KY)
DeLauro
Denham
Dent
Doyle
Duffy
Duncan (SC)

Landry
Larsen (WA)
Larson (CT)
Latham
Latta
Lewis (CA)
LoBiondo
Loeb sack
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marino
McCarthy (CA)
McCaul
McKeon
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Palazzo
Paulsen
Perlmutter
Peterson
Petri
Platts
Poe (TX)
Price (GA)
Quayle
Rahall
Rangel
Reed
Rehberg
Renacci
Ribble
Richardson
Rigell
Roby
Roe (TN)

Rogers (AL)
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Sullivan
Schock
Schwartz
Schweikert
Scott (SC)

Scott, Austin
Sensenbrenner
Sessions
Shuster
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Schwartz
Schweikert
Scott (SC)

Tonko
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walz (MN)
West
Westmoreland
Stivers
Wilson (SC)
Wittman
Woodall
Yarmuth
Young (AK)

NOES—199

Aderholt
Altmire
Amash
Andrews
Baca
Barrow
Bartlett
Barton (TX)
Bass (CA)
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Boren
Brown (FL)
Campbell
Capps
Capuano
Carnahan
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (NY)
Clay
Clyburn
Coffman (CO)
Cohen
Cole
Conyers
Costello
Crawford
Crenshaw
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Dreier
Edwards
Ellison
Engel
Eshoo
Farenthold
Farr
Fattah
Flores
Foxy
Frank (MA)
Fudge
Garamendi
Gardner
Gingrey (GA)

Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hastings (FL)
Hastings (WA)
Heinrich
Herrera Beutler
Higgins
Hinchee
Hinojosa
Holt
Israel
Jackson (IL)
Jackson Lee
Carney
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kingston
Labrador
Langevin
Lankford
LaTourette
Lee (CA)
Lowe
Lucas
Lummis
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Ribble
Richardson
Rigell
Roby
Roe (TN)

Olver
Owens
Pallone
Pastor (AZ)
Paul
Pearce
Pelosi
Peters
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (NC)
Quigley
Reyes
Richmond
Rivera
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schradler
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Levin
Shuler
Simpson
Smith (TX)
Speier
Stark
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Tipton
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yoder
Young (FL)
Young (IN)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)

Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore

Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

So the amendment was agreed to.

57.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 15, line 13, after the dollar amount, insert "(reduced by \$15,000,000)".

Page 101, line 10, after the dollar amount, insert "(increased by \$15,000,000)".

It was decided in the { Yeas 168 negative Nays 239

57.31 [Roll No. 211] AYES—168

- Adams Graves (MO) Palazzo
Akin Green, Al Paul
Amash Green, Gene Pearce
Amodei Griffith (VA) Pitts
Bachmann Guinta Platts
Barletta Guthrie Poe (TX)
Barrow Hall Pompeo
Barton (TX) Harper Posey
Berg Harris Price (GA)
Bilirakis Hartzler Quayle
Bishop (UT) Heck Reed
Black Hensarling Rehberg
Blackburn Herger Renacci
Bono Mack Huelskamp Ribble
Boustany Huizenga (MI) Rigell
Brady (TX) Hultgren Roby
Brooks Hunter Roe (TN)
Broun (GA) Hurt Rogers (MI)
Bucshon Issa Rohrabacher
Buerkle Jenkins Rokita
Burgess Johnson (IL) Rooney
Burton (IN) Johnson (OH) Ros-Lehtinen
Camp Johnson, Sam Roskam
Campbell Jordan Ross (FL)
Canseco Kelly Royce
Carter King (IA) Ryan (WI)
Cassidy Kinzinger (IL) Scalise
Chabot Labrador Schilling
Conaway Lamborn Schmidt
Cravaack Lance Schweikert
Culberson Landry Scott (SC)
Davis (KY) Lankford Scott, Austin
Dent Latta Sensenbrenner
Diaz-Balart Long Sessions
Duncan (SC) Luetkemeyer Smith (NE)
Duncan (TN) Lummis Smith (NJ)
Farenthold Mack Smith (TX)
Fincher Marchant Southerland
Flake Marino Stearns
Fleischmann Matheson Stutzman
Flores McCarthy (CA) Thompson (PA)
Forbes McCaul Thornberry
Foxy McClintock Tiberi
Franks (AZ) McIntyre Turner (NY)
Gardner Meehan Turner (OH)
Garrett Mica Upton
Gerlach Miller (FL) Walberg
Gibbs Miller (MI) Walsh (IL)
Gibson Mulvaney Webster
Gingrey (GA) Myrick West
Gohmert Neugebauer Westmoreland
Goodlatte Noem Wilson (SC)
Gosar Wittman
Gowdy Nunes Woodall
Granger Nunnelee Yoder
Graves (GA) Olson Young (IN)

NOES—239

- Ackerman Braley (IA) Cooper
Aderholt Brown (FL) Costa
Alexander Buchanan Costello
Altmire Calvert Courtney
Andrews Capito Crawford
Austria Capps Crenshaw
Baca Capuano Critz
Bachus Carnahan Crowley
Baldwin Carney Cuellar
Bartlett Castor (FL) Cummings
Bass (CA) Chaffetz Davis (CA)
Bass (NH) Chandler Davis (IL)
Benishek Cicilline DeFazio
Berkley Clarke (MI) DeGette
Berman Clarke (NY) DeLauro
Biggart Clay Denham
Bilbray Cleaver DesJarlais
Bishop (GA) Clyburn Deutch
Bishop (NY) Coble Dicks
Blumenauer Coffman (CO) Dingell
Bonamici Cohen Doggett
Boren Cole Dold
Boswell Connolly (VA) Doyle
Brady (PA) Conyers Dreier

- Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleming
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gonzalez
Griffin (AR)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kingston
Kissell
Kline
Kling
Langevin
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeback
Loftgren, Zoe
Lowe
Lucas
Lujan
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McMorris
McKinley
McMorris
Meeke
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—24

- Becerra
Bonter
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore
Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield
Wilson (FL)

So the amendment was not agreed to.

57.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RUNYAN:

Page 21, line 23, after the dollar amount, insert "(reduced by \$22,418,000)".

Page 43, line 15, after the dollar amount, insert "(increased by \$22,418,000)".

Page 43, line 17, after the dollar amount, insert "(increased by \$22,418,000)".

It was decided in the { Yeas 325 affirmative Nays 81

57.33 [Roll No. 212] AYES—325

- Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Bachmann
Bachus
Baldwin
Berkley
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggart
Bilbray
Billrakis
Bishop (GA)
Bishop (NY)
Bishop (UT)

- Black
Blackburn
Bonamici
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Capito
Capuano
Carnahan
Issa
Carter
Cassidy
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
Cohen
Cole
Cole
Conaway
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Emerson
Eshoo
Farenthold
Fincher
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loeback
Loftgren, Zoe
Lucas
Luetkemeyer
Lujan
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Palazzo
Pallone
Paul
Paulsen
Pearce
Perlmutter
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Velázquez
Walz (MN)
Waters
Welch
West
Wilson (FL)
Woolsey
Yarmuth
Young (IN)

It was decided in the { Yeas 199
negative } Nays 211

Gonzalez
Goodlatte
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Heinrich
Hensarling
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildeer
Kind
King (NY)
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel
E.
Lynch
Maloney
Marino
Marky
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (KY)
Ros-Lehtinen
Ross (AR)

Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Swell
Sherman
Shimkus
Shuler
Sires
Smith (NJ)
Smith (TX)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner (NY)
Van Hollen
Velázquez
Viscosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Yarmuth

NOES—204

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Bachus
Bartlett
Barton (TX)
Bass (CA)
Benishek
Berman
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chaffetz
Chu
Clarke (NY)
Clever
Clyburn
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Diaz-Balart
Duffy
Duncan (SC)
Edwards
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxy
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Oliver
Palazzo
Pearce
Perlmutter
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reyes
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roys
Rohrabacher
Rokita
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schiff
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Sensenbrenner
Sessions
Lamborn
Lance
Landy
Connolly (VA)
Cravaack
Crawford
Crenshaw
Davis (KY)
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Young (FL)

57.39 [Roll No. 215]
AYES—199

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Barletta
Barton (TX)
Benishek
Berg
Biggart
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Burchon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cravaack
Crawford
Crenshaw
Davis (KY)
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Herger
Herrera Beutler
Hinchea
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landy
Lankford
Latham
Latta
Lewis (CA)
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McCauley
McClintock
McCotter
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee

NOES—211

Ackerman
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Canseco
Capps
Capuano
Carnahan
Carney
Caster (FL)
Chabot
Chandler
Chu
Cielline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Bishop (GA)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fudge
Garamendi
Gerlach
Gibson

NOT VOTING—21
Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Dreier
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Waxman

So the amendment was agreed to.

57.38 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HUIZENGA of Michigan:
Strike section 212.

AYES—199
Gosar
Gowdy
Palazzo
Paulsen
Pearce
Petri
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—21

Bachmann
Bartlett
Butterfield
Cantor
Cardoza
Carson (IN)
Denham
Donnelly (IN)
Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

So the amendment was not agreed to.

57.40 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. JOHNSON of Georgia:

Page 65, line 1, insert "(reduced by \$26,000,000)" after the dollar amount.

Page 73, line 17, insert "(increased by \$7,143,000)" after the dollar amount.

It was decided in the { Yeas 96
negative } Nays 314

57.41 [Roll No. 216]
AYES—96

Ackerman
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Biggart
Bishop (GA)
Boswell
Brady (PA)
Braley (IA)
Capuano
Carnahan
Caster (FL)
Cielline
Clarke (MI)
Clarke (NY)
Clay
Cohen
Conyers
Cooper
Crowley
Crownley
DeGette
DeLauro
DeLauro
Doggett
Doyle
Ellison
Farr
Fattah
Fitzpatrick
Flake
Frank (MA)
Hahn
Hanabusa
Higgins
Himes
Hirono
Holden
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Keating
Kind
Langevin
Larson (CT)
Lee (CA)
Levin
Loeb sack
Lowey
Lynch
McCarthy (NY)
McCollum
McDermott
Meeks
Michaud
Miller (NC)
Murphy (CT)
Nadler
Pascrell

Pastor (AZ)
Peters
Pingree (ME)
Price (NC)
Quigley
Rangel
Richardson
Richmond
Roybal-Allard
Ryan (OH)
Sanchez, Linda T.

Sanchez, Loretta
Sarbanes
Schakowsky
Schradler
Scott, David
Serrano
Sires
Smith (WA)
Speier
Stark
Thompson (MS)
Tierney

Tonko
Towns
Tsongas
Velázquez
Visclosky
Wasserman
Schultz
Watt
Welch
Woolsey
Yarmuth

Ruppersberger
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson

Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg

Walden
Walsh (IL)
Walz (MN)
Waters
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Southernland

Stearns
Stutzman
Sullivan
Thornberry
Upton
Walberg
Walden
Walsh (IL)
Webster

West
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (FL)
Young (IN)

NOES—314

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Capps
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Chu
Clever
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Engel
Eshoo

Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Hall
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hinchev
Hinojosa
Hochul
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lewis (GA)

Lipinski
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCotter
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Paulsen
Pearse
Pelosi
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Eilmers
Filner
Gutierrez
Honda
Jones
Kucinich
Markey
McHenry

NOT VOTING—21

Moore
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

So the amendment was not agreed to.

WEDNESDAY, MAY 9 (LEGISLATIVE DAY OF MAY 8), 2012

57.42 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLAKE:

Page 68, line 14, after the dollar amount insert "(reduced by \$1,089,453,000)".

Page 69, line 8, after the dollar amount insert "(reduced by \$29,320,000)".

Page 69, line 19, after the dollar amount insert "(reduced by \$109,350,000)".

Page 70, line 6, after the first dollar amount insert "(reduced by \$17,360,000)".

Page 70, line 20, after the dollar amount insert "(reduced by \$620,000)".

Page 71, line 1, after the first dollar amount insert "(reduced by \$2,370,000)".

Page 101, line 10, after the dollar amount insert "(increased by \$1,248,473,000)".

It was decided in the { Yeas 121 negative } Nays 291

57.43 [Roll No. 217]

AYES—121

Adams
Akin
Amash
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burton (IN)
Campbell
Canseco
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Denham
DesJarlais
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Fortenberry

Foxy
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Latta

Long
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
Mica
Miller (FL)
Miller, Gary
Mulvaney
Neugebauer
Nugent
Olson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Quayle
Rehberg
Ribble
Rigell
Roby
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Burgess
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel

NOES—291

Eshoo
Farr
Fattah
Fleischmann
Flores
Forbes
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowe
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul

McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry

Thompson (CA) Turner (OH) Welch
Thompson (MS) Van Hollen Whitfield
Thompson (PA) Velázquez Wilson (FL)
Tiberi Visclosky Wittman
Tierney Walz (MN) Wolf
Tipton Wasserman Womack
Tonko Schultz Woolsey
Towns Waters Yarmuth
Tsongas Watt Young (AK)
Turner (NY) Waxman

ACKERMAN Aderholt Forbes
Alexander Frank (MA)
Frelinghuysen Fudge
Garamendi Gerlach
Gibson Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Brown (FL)
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann

Whole on the following amendment submitted by Mr. Austin SCOTT of Georgia:

Page 74, lines 13 through 19, after each dollar amount, insert "(reduced to \$0)".

Page 101, line 10, after the dollar amount, insert "(increased by \$328,000,000)".

It was decided in the { Yeas 122
negative } Nays 289

NOT VOTING—19

Bachmann Filner Pence
Butterfield Honda Reichert
Cantor Jones Rothman (NJ)
Cardoza Kucinich Rush
Carson (IN) McHenry Slaughter
Donnelly (IN) Moore
Ellmers Paul

NOES—246
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velázquez
Waltz (MN)
Wasserman
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

57.47 [Roll No. 219]
AYES—122

So the amendment was not agreed to.

57.44 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 11, submitted by Mr. WEST-MORELAND:

Page 74, line 13, insert "(reduced by \$128,000,000)" after the first dollar amount.

Page 74, line 13, insert "(reduced by \$128,000,000)" after the second dollar amount.

Page 101, line 10, insert "(increased by \$128,000,000)" after the dollar amount.

It was decided in the { Yeas 165
negative } Nays 246

57.45 [Roll No. 218]
AYES—165

Adams Guinta Olson
Akin Hall Palazzo
Amash Harris Paulsen
Amodei Hartzler Pearce
Barrow Hastings (WA) Petri
Barton (TX) Hensarling Pitts
Benishek Herger Pompeo
Berg Huelskamp Posey
Bilbray Huizenga (MI) Price (GA)
Bilirakis Hultgren Quayle
Bishop (UT) Hunter Rehberg
Black Hurt Ribble
Blackburn Issa Roby
Bono Mack Jenkins Rogers (MI)
Boustany Johnson (OH) Rohrabacher
Brady (TX) Johnson, Sam
Brooks Jordan
Broun (GA) Kelly
Buchanan King (IA)
Bucshon King (NY)
Buerkle Kingston
Burgess Kline
Burton (IN) Labrador
Calvert Lamborn
Camp Lance
Campbell Landry
Canseco Lankford
Carter Latta
Chabot LoBiondo
Chaffetz Long
Coble Lummis
Coffman (CO) Lungren, Daniel
Conaway E.
Culberson Mack
Denham Manzullo
DesJarlais Marino
Duffy McCarthy (CA)
Duncan (SC) McCaul
Fincher McClintock
Flake McCotter
Fleming McIntyre
Flores McKeon
Foxy McMorris
Franks (AZ) Rodgers
Gallegly Mica
Gardner Miller (FL)
Garrett Miller (MI)
Gibbs Miller, Gary
Gingrey (GA) Mulvaney
Goodlatte Murphy (PA)
Gosar Myrick
Gowdy Neugebauer
Granger Noem
Graves (GA) Nugent
Graves (MO) Nunes
Griffith (VA) Nunnelee

ACKERMAN Aderholt Forbes
Alexander Frank (MA)
Frelinghuysen Fudge
Garamendi Gerlach
Gibson Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Brown (FL)
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Lowey
Lucas
Luetkemeyer
Lujan
Lynch
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler

Adams Gosar Nunnelee
Akin Gowdy Olson
Amash Granger Paulsen
Barton (TX) Graves (GA) Pearce
Benishek Guinta Petri
Berg Harris Pitts
Bilbray Hastings (WA) Pompeo
Bishop (UT) Hensarling Posey
Black Herger Price (GA)
Blackburn Huelskamp Quayle
Boustany Huizenga (MI) Rehberg
Brady (TX) Hunter Ribble
Brooks Hurt Rogers (MI)
Broun (GA) Issa Rohrabacher
Buerkle Jenkins Rooney
Burgess Johnson (OH) Ross (FL)
Burton (IN) Johnson, Sam Royce
Campbell Jordan
Canseco Kelly Ryan (WI)
Carter King (IA) Scalise
Chabot Kline Schilling
Chaffetz Labrador Schmidt
Coffman (CO) Lamborn Schock
Conaway Landry Schweikert
Culberson Long Scott (SC)
Denham Mack Scott, Austin
DesJarlais Manzullo Sensenbrenner
Duffy Marino Shimkus
Duncan (SC) McCarthy (CA) Smith (NE)
Fincher McClintock Southerland
Flake McKeeon Stearns
Fleming Miller (FL) Thornberry
Flores Fox Miller, Gary Tipton
Foxy Mulvaney Walberg
Franks (AZ) Gallegly Murphy (PA) Walsh (IL)
Garrett Gardner Myrick Westmoreland
Garrett Garrett Neugebauer Wilson (SC)
Gibbs Gibbs Noem Woodall
Gingrey (GA) Nugent Yoder
Goodlatte Nunes Young (IN)

NOES—289

ACKERMAN Chandler Emerson
Aderholt Chu Engel
Alexander Cielline Eshoo
Altmire Clarke (MI) Farenthold
Amodei Clarke (NY) Farr
Andrews Clay Fattah
Austria Cleaver Fitzpatrick
Baca Clyburn Fleischmann
Bachus Coble Forbes
Baldwin Cohen Fortenberry
Barletta Cole Frank (MA)
Barrow Connolly (VA) Frelinghuysen
Bartlett Conyers Fudge
Bass (CA) Cooper Garamendi
Bass (NH) Costa Gerlach
Becerra Costello Gibson
Berkley Courtney Gohmert
Berman Cravaack Gonzalez
Biggert Crawford Graves (MO)
Bilirakis Waxman Green, Al
Bishop (GA) Critz Green, Gene
Bishop (NY) Crowley Griffin (AR)
Blumenauer Cuellar Griffith (VA)
Bonamici Cummings Grijalva
Bonner Davis (CA) Grimm
Bono Mack Davis (IL) Guthrie
Boren Davis (KY) Gutierrez
Boswell Hahn
Brady (PA) DeGette Hall
Braley (IA) DeLauro Hanabusa
Brown (FL) Dent Hanna
Buchanan Deutch Harper
Bucshon Diaz-Balart Hartzler
Calvert Dicks Hastings (FL)
Camp Dingell Hayworth
Capito Doggett Heck
Capps Dold Heinrich
Capuano Doyle Herrera Beutler
Carnahan Dreier Higgins
Carney Duncan (TN) Himes
Cassidy Edwards Hinchey
Castor (FL) Ellison Hinojosa

NOT VOTING—20

Bachmann Filner Paul
Butterfield Gohmert Pence
Cantor Honda Reichert
Cardoza Jones Rothman (NJ)
Carson (IN) Kucinich
Donnelly (IN) McHenry
Ellmers Moore

So the amendment was not agreed to.

57.46 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Hirono
Hochul
Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern

McIntyre
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeke
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Viscosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

It was decided in the { Yeas 238
affirmative } Nays 173

57.49

[Roll No. 220]

AYES—238

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson

Wilson (SC)
Wittman
Wolf

Womack
Woodall
Yoder

Young (AK)
Young (FL)
Young (IN)

NOES—173

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cruz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)

Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal

Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Kaptur
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Viscosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers

NOT VOTING—20

Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul

So the amendment was not agreed to.

57.48 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACK:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate—

- (1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;
- (2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;
- (3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;
- (4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;
- (5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McIntyre
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Denham
Donnelly (IN)

Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore

Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

So the amendment was agreed to.

57.50 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACKBURN:

At the end of the bill (before the short title), insert the following:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

It was decided in the { Yeas 160
negative } Nays 251

57.51

[Roll No. 221]

AYES—160

Adams
Akin
Amash
Amodei

Austria
Bachus
Bartlett
Barton (TX)

Benishek
Biggert
Bilirakis
Bishop (UT)

Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers

Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden

Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (FL)

NOT VOTING—19

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers

Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul

Pence
Reichert
Rothman (NJ)
Rush
Slaughter

So the amendment was not agreed to.

57.54 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SOUTHERLAND:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to develop, approve, or implement a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) that are not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

It was decided in the { Yeas 220
affirmative } Nays 191

57.55 [Roll No. 223]

AYES—220

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barietta
Barrow
Bartlett
Barton (TX)
Benishak
Berg
Biggart
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capuano
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Courtney
Cravaack

Crawford
Crenshaw
Critz
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Fincher
Flake
Fleischmann
Fleming
Flores
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibson
Gingrey (GA)
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall

Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Keating
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)

McCauley
McClintock
McCotter
McGovern
McIntyre
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pallone
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey

Price (GA)
Quayle
Reed
Rehberg
Renacci
Reyes
Ribble
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Simpson
Sires

Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tierney
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—191

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (GA)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchson
Buerkle
Capito
Capps
Carmahan
Carney
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Meeks
Michaud
Miller (NC)
Miller, George
Moran

Fudge
Garamendi
Gibbs
Gonzalez
Goodlatte
Granger
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Higgins
Himes
Hinche
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Hurt
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Kildee
Kind
Kingston
Kissell
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe
Lujan
Maloney
Markey
Matsui
McCollum
McDermott
McMorris
Rodgers
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran

Murphy (CT)
Nadler
Napolitano
Oliver
Owens
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Rigell
Roby
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Wittman
Woolsey
Yarmuth
Young (FL)

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers

Filner
Herger
Honda
Jones
Kucinich
McHenry
Moore

Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

So the amendment was agreed to.
The SPEAKER pro tempore, Mr. SMITH of Nebraska, assumed the Chair.

When Mr. HASTINGS of Washington, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

And then,

57.56 ADJOURNMENT

On motion of Mr. HUIZENGA of Michigan, at 12 o'clock and 27 minutes a.m., Wednesday, May 9 (legislative day of May 8), 2012, the House adjourned.

57.57 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2013 (Rept. 112-465). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 2764. A bill to amend the Homeland Security Act of 2002 to establish weapons of mass destruction intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; with an amendment (Rept. 112-466). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 3140. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to prioritize the assignment of officers and analysts to certain State and urban area fusion centers to enhance the security of mass transit systems (Rept. 112-467). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 2179. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organizations, Incorporated, and for other purposes; with an amendment (Rept. 112-468). Referred to the Committee of the Whole House on the state of the Union.

57.58 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASCARELL (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California,

Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 5542. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself and Mr. MCDERMOTT):

H.R. 5543. A bill to amend the Social Security Act to expand the authority of the Secretary of the Treasury to access the National Directory of New Hires for purposes of tax administration; to the Committee on Ways and Means.

By Mr. CRAVAACK:

H.R. 5544. A bill to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Mr. GARAMENDI, and Ms. WOOLSEY):

H.R. 5545. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. BACA:

H.R. 5546. A bill to amend the Elementary and Secondary Education Act of 1965 to provide States and high-need local educational agencies with flexibility in using Federal funds provided under such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BENISHEK:

H.R. 5547. A bill to suspend temporarily the duty on 4-Acetyltoluene; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 5548. A bill to suspend temporarily the duty on 2,3-Dichloro-5,6-dicyano-1,4-benzoquinone; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 5549. A bill to suspend temporarily the duty on recombinant staphylococcal protein A (56kDa); to the Committee on Ways and Means.

By Mr. BILBRAY:

H.R. 5550. A bill to extend the temporary suspension of duty on liquid crystal display (LCD) panel assemblies; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5551. A bill to reduce temporarily the duty on golf club driver heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5552. A bill to suspend temporarily the duty on fairway wood heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5553. A bill to reduce temporarily the duty on golf club iron heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5554. A bill to reduce temporarily the duty on golf club putter heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5555. A bill to reduce temporarily the duty on golf wedge club heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5556. A bill to suspend temporarily the duty on hybrid golf club heads; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5557. A bill to reduce temporarily the rate of duty on certain girls' shorts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5558. A bill to reduce temporarily the rate of duty on certain girls' trousers and breeches; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5559. A bill to reduce temporarily the rate of duty on certain footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5560. A bill to suspend temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5561. A bill to suspend temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5562. A bill to reduce temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5563. A bill to reduce temporarily the rate of duty on certain boys' shirts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5564. A bill to suspend temporarily the rate of duty on certain footwear; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 5565. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and Cyfluthrin or its β -Cyfluthrin isomer; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself, Mr. PIERLUISI, Ms. BORDALLO, Mr. SABLAN, and Mr. FALBOMAVEGA):

H.R. 5566. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the territories; to the Committee on Energy and Commerce.

By Mrs. CHRISTENSEN:

H.R. 5567. A bill to designate the facility of the United States Postal Service located at 4605 Tutu Park Mall in St. Thomas, United States Virgin Islands, as the "Kenneth Leslie Harmon Post Office"; to the Committee on Oversight and Government Reform.

By Mr. CLAY:

H.R. 5568. A bill to extend the temporary suspension of duty on p-cresidinesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5569. A bill to extend the temporary suspension of duty on N-ethyl-N-(3-sulfobenzyl)aniline (3-[(ethylphenylamino)methyl]-benzenesulfonic acid); to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5570. A bill to extend the temporary suspension of duty on synthetic indigo powder, (3H-indol-3-one, 2-(1,3-dihydro-3-oxo-2H-indol-2-ylidene)-1,2-dihydro-); to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5571. A bill to extend the temporary suspension of duty on 2-methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5572. A bill to extend the temporary suspension of duty on 2,4-disulfobenzaldehyde; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5573. A bill to extend the temporary suspension of duty on 2-amino-5-sulfobenzoic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5574. A bill to extend the temporary suspension of duty on 2,5-bis(1,3-

dioxobutyl)amino]benzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5575. A bill to extend the temporary suspension of duty on Direct Yellow 119; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5576. A bill to extend the temporary suspension of duty on 2-amino-6-nitrophenol-4-sulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5577. A bill to extend the temporary suspension of duty on 4-[(4-aminophenyl)azo]benzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5578. A bill to extend the temporary suspension of duty on Basic Yellow 40 chloride based; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5579. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5580. A bill to suspend temporarily the duty on synthetic and natural beta carotenes; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5581. A bill to suspend temporarily the duty on chlorophyllin; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5582. A bill to suspend temporarily the duty on Basic Red 51; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5583. A bill to suspend temporarily the duty on 2-Aminotoluene-5-sulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5584. A bill to suspend temporarily the duty on 2,6-Xylidine; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5585. A bill to suspend temporarily the duty on 4-Aminobenzoic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5586. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5587. A bill to suspend temporarily the duty on Solvent Violet 11; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5588. A bill to suspend temporarily the duty on 2-Amino-3-cyano thiophene; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5589. A bill to suspend temporarily the duty on Disperse Yellow 241; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5590. A bill to suspend temporarily the duty on Disperse Blue 359; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 5591. A bill to modify and extend the temporary reduction of duty on β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 5592. A bill to suspend temporarily the duty on mixtures containing β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 5593. A bill to provide a remedy for survivors and descendants of the victims of the Tulsa, Oklahoma Race Riot of 1921; to the Committee on the Judiciary.

By Mr. ELLISON:

H.R. 5594. A bill to suspend temporarily the duty on plastic mesh for filters; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5595. A bill to suspend temporarily the duty on plastic mesh for filters (high flow); to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5596. A bill to extend the temporary suspension of duty on Perfluorobutanesulfonyl fluoride; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5597. A bill to extend the temporary suspension of duty on C1-3 Perfluoroalkyl perfluoromorpholine; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5598. A bill to extend the temporary suspension of duty on mixtures of C5-18 perfluorocarbon alkanes, perfluorocarbon amines, and/or perfluorocarbon ethers; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5599. A bill to extend the temporary suspension of duty on C5-8 Perfluorocarbonalkanes; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5600. A bill to suspend temporarily the rate of duty on Encapsulated Ascorbic Acid; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5601. A bill to suspend temporarily the rate of duty on Encapsulated Potassium Persulfate; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5602. A bill to suspend temporarily the rate of duty on Bisphenol A Bis(3-methacryloyloxypropyl)ether substituted dimethacrylate; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5603. A bill to suspend temporarily the rate of duty on Copoly(acrylic acid/itaconic acid); to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5604. A bill to suspend temporarily the rate of duty on certain polycrystalline fibers designed for use in pollution control devices for motor vehicles; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5605. A bill to suspend temporarily the rate of duty on certain catalytic converter mounting and thermal insulation mats; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5606. A bill to suspend temporarily the rate of duty on certain children's wallets; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5607. A bill to suspend temporarily the rate of duty on certain bamboo baskets; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5608. A bill to suspend temporarily the rate of duty on certain bamboo kitchen devices; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5609. A bill to suspend temporarily the duty on certain electric wine bottle openers; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5610. A bill to suspend temporarily the duty on certain coupon holders; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5611. A bill to suspend temporarily the duty on certain swimming pools; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5612. A bill to extend the temporary suspension of duty on certain plastic fittings of perfluoroalkoxy; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5613. A bill to suspend temporarily the duty on cellular plastic sheets for nano-retention filters; to the Committee on Ways and Means.

By Mr. ELLISON:
H.R. 5614. A bill to suspend temporarily the duty on cellular plastic sheets for micron-retention filters; to the Committee on Ways and Means.

By Mr. HIMES (for himself and Mr. MURPHY of Connecticut):

H.R. 5615. A bill to amend title 4 of the United States Code to limit the extent to which States may tax the compensation earned by nonresident telecommuters; to the Committee on the Judiciary.

By Ms. JENKINS:
H.R. 5616. A bill to extend the temporary suspension of duty on certain turn or turned footwear with outer soles of leather and uppers of leather; to the Committee on Ways and Means.

By Ms. JENKINS:
H.R. 5617. A bill to extend the temporary reduction of duty on certain footwear with uppers of vegetable fibers; to the Committee on Ways and Means.

By Ms. JENKINS:
H.R. 5618. A bill to extend the temporary suspension of duty on certain work footwear for women; to the Committee on Ways and Means.

By Ms. JENKINS:
H.R. 5619. A bill to extend the temporary reduction of duty on certain footwear with uppers of vegetable fibers; to the Committee on Ways and Means.

By Mr. KIND:
H.R. 5620. A bill to authorize the Secretary of Defense to provide funding assistance to State training centers certified by the Federal Emergency Management Agency as capable of providing emergency response training; to the Committee on Armed Services.

By Mr. LATHAM:
H.R. 5621. A bill to suspend temporarily the duty on Fosamine; to the Committee on Ways and Means.

By Mr. LATHAM:
H.R. 5622. A bill to suspend temporarily the duty on Captain; to the Committee on Ways and Means.

By Mr. LATHAM:
H.R. 5623. A bill to suspend temporarily the duty on parts of gearing, gear boxes, and other speed changers; to the Committee on Ways and Means.

By Mrs. McMORRIS RODGERS:
H.R. 5624. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, to amend title III of the Public Health Service Act to extend discounts under the 340B program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Connecticut:
H.R. 5625. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Commerce.

By Mr. MURPHY of Connecticut:
H.R. 5626. A bill to authorize the Secretary of the Interior to make grants to facilitate certain acquisitions of property for conservation purposes, and for other purposes; to the Committee on Natural Resources.

By Mr. PAUL:
H.R. 5627. A bill to extend the temporary suspension of duty on lutetium oxide; to the Committee on Ways and Means.

By Mr. PAUL:
H.R. 5628. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide; to the Committee on Ways and Means.

By Mr. PAUL:
H.R. 5629. A bill to extend the temporary suspension of duty on cerium sulfide pigments; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself, Mr. McDERMOTT, Mr. BOUSTANY, and Mr. LEWIS of Georgia):

H.R. 5630. A bill to amend the Internal Revenue Code of 1986 to provide an increased penalty in certain cases of fraudulent understatement of a taxpayer's liability by a tax return preparer; to the Committee on Ways and Means.

By Mr. POLIS:
H.R. 5631. A bill to suspend temporarily the duty on certain rolling travel bags with a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:
H.R. 5632. A bill to suspend temporarily the duty on certain rolling travel bags without a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:
H.R. 5633. A bill to suspend temporarily the duty on certain rolling backpacks with a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:
H.R. 5634. A bill to suspend temporarily the duty on certain rolling backpacks without a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:
H.R. 5635. A bill to suspend temporarily the duty on certain rolling duffel bags with a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:
H.R. 5636. A bill to suspend temporarily the duty on certain rolling duffel bags without a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. TOWNS:
H.R. 5637. A bill to extend the temporary suspension of duty on certain golf bags; to the Committee on Ways and Means.

By Ms. VELAZQUEZ:
H.R. 5638. A bill to direct the Secretary concerned to develop and implement policies and procedures to prevent and respond to hazing in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. GOSAR:
H.R. 5639. A bill to reduce temporarily the duty on Hexythiazox Technical; to the Committee on Ways and Means.

By Mr. GOSAR:
H.R. 5640. A bill to extend the temporary suspension of duty on Pyridaben Technical; to the Committee on Ways and Means.

By Mr. GOSAR:
H.R. 5641. A bill to suspend temporarily the duty on Eptam Technical; to the Committee on Ways and Means.

By Mr. GOSAR:
H.R. 5642. A bill to suspend temporarily the duty on mixtures containing Fenazaquin; to the Committee on Ways and Means.

By Mr. GOSAR:
H.R. 5643. A bill to suspend temporarily the duty on Imidan Technical; to the Committee on Ways and Means.

By Mr. GOSAR:
H.R. 5644. A bill to suspend temporarily the duty on Zoxamide; to the Committee on Ways and Means.

By Mr. GOSAR:
H.R. 5645. A bill to suspend temporarily the duty on mixtures containing Azadirachtin A; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan (for himself, Mrs. HARTZLER, Mrs. ELLMERS, Mr. BOREN, and Mrs. ROBY):

H.R. 5646. A bill to prohibit funds appropriated for the Department of Homeland Security from being used to pay for an abortion, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mrs. MALONEY, Ms. SPEIER, Mrs. DAVIS of California, Ms. FUDGE, Mr. GEORGE MILLER of California, Mr. HIGGINS, Mr. RANGEL, Mr. JACKSON of Illinois, Mr. GRIJALVA, Mr. ROTHMAN of New Jersey, Ms. LEE of California, Mr. McDERMOTT, Mrs. CAPPS, Ms. DeLAURO, Ms. NORTON, Mr. ENGEL, Ms. SCHAKOWSKY, Ms. HAHN, Mr. CONYERS, Mrs. LOWEY, Mrs. CHRISTENSEN, Ms. MOORE, Mr. FARR, Ms. CHU, Ms. RICHARDSON, Ms. McCOLLUM, Mr. CROWLEY, Mr. PASCARELL, Mr. HINCHHEY, Ms. BROWN of Florida, Mr. MORAN, Mr. ACKERMAN, Mr. BOSWELL, Mr. OLVER, Mr. BRADY of Pennsylvania, Mr. CLARKE of Michigan, Ms. WOOLSEY, Mr. LEWIS of Georgia, Ms. LINDA T. SANCHEZ of California, Mr. HONDA, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. BERMAN, Ms. WATERS, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. MARKEY, Ms. MATSUI, Ms. TSONGAS, Ms. CLARKE of New York, Mr. HINOJOSA, Mr. CARNAHAN, Mr. SHERMAN, Ms. DeGETTE, Ms. SUTTON, Mr. LANGEVIN, Mr. BACA, Ms. PINGREE of Maine, Mr. SERRANO, Mr. ELLISON, Mr. KUCINICH, Ms. ESHOO, Mr. LARSEN of Washington, and Ms. SLAUGHTER):

H.R. 5647. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS (for himself and Mr. HARPER):

H.R. 5648. A bill to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting; to the Committee on Energy and Commerce.

By Mr. SCHILLING (for himself, Mr. OWENS, and Mr. McINTYRE):

H.R. 5649. A bill to amend the Commodity Exchange Act to clarify the exemptions for captive finance companies from the definition of major swap participant and from the swap clearing requirement; to the Committee on Agriculture.

157.59 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 157: Mrs. BLACK, Mr. BONNER, and Mr. CONAWAY.

H.R. 265: Mr. THOMPSON of Mississippi.

H.R. 300: Mr. CLEAVER, Mr. CONNOLLY of Virginia, and Mr. GUTIERREZ.

H.R. 469: Mr. DOYLE.

H.R. 555: Ms. WATERS.

H.R. 610: Mr. ROSKAM.

H.R. 719: Mr. TERRY.

H.R. 808: Mr. RANGEL.

H.R. 860: Mrs. NOEM, Ms. GRANGER, and Mr. HEINRICH.

H.R. 905: Mr. FLORES.

H.R. 930: Mr. OLVER, Mr. BACA, Mr. RANGEL, Mr. McGOVERN, Mr. BRALEY of Iowa, and Mr. LARSEN of Washington.

H.R. 931: Mr. LANDRY and Mr. BACHUS.

H.R. 972: Mr. WESTMORELAND.

H.R. 1167: Mr. PENCE.

H.R. 1195: Mr. FARENTHOLD.

H.R. 1219: Ms. PINGREE of Maine, Mr. SCHILLING, Mr. MILLER of Florida, and Mr. FARENTHOLD.

H.R. 1236: Mr. CROWLEY.

H.R. 1265: Mr. RICHMOND and Mr. WOMACK.

H.R. 1310: Mr. JOHNSON of Ohio.

H.R. 1327: Mr. KINGSTON, Mr. HANNA, Mr. GUTHRIE, Mr. CLARKE of Michigan, and Mr. HECK.

H.R. 1397: Mr. AL GREEN of Texas.

H.R. 1402: Mr. PRICE of North Carolina.

H.R. 1404: Ms. WATERS.

H.R. 1416: Mr. LANCE and Ms. BONAMICI.

H.R. 1426: Mr. COFFMAN of Colorado and Mr. DEFAZIO.

H.R. 1474: Mr. LUETKEMEYER and Mr. JOHNSON of Ohio.

H.R. 1509: Mr. COFFMAN of Colorado.

H.R. 1546: Mr. ROGERS of Kentucky.

H.R. 1620: Mr. YOUNG of Alaska.

H.R. 1639: Mr. PASTOR of Arizona, Mr. BURTON of Indiana, and Mr. SCHWEIKERT.

H.R. 1685: Ms. HAHN.

H.R. 1700: Mr. JOHNSON of Ohio.

H.R. 1704: Mr. HOLT, Mr. ROTHMAN of New Jersey, and Mr. WHITFIELD.

H.R. 1733: Mr. DEFAZIO.

H.R. 1755: Mr. JOHNSON of Ohio.

H.R. 1842: Ms. CLARKE of New York.

H.R. 1956: Mr. FARENTHOLD, Mr. OLSON, Mr. FINCHER, Mr. DUNCAN of Tennessee, Mr. BURGESS, Mr. ALEXANDER, and Mr. FITZPATRICK.

H.R. 2016: Mr. CICILLINE.

H.R. 2020: Mrs. DAVIS of California.

H.R. 2069: Mr. RENACCI.

H.R. 2077: Mr. JOHNSON of Ohio.

H.R. 2086: Mr. STIVERS.

H.R. 2104: Mr. BUCHSHON, Mr. SHERMAN, Mr. MARKEY, and Mr. NEAL.

H.R. 2148: Mr. BENISHEK.

H.R. 2168: Mr. CONYERS.

H.R. 2182: Mrs. CHRISTENSEN.

H.R. 2194: Mr. TOWNS.

H.R. 2198: Mr. MCHENRY.

H.R. 2288: Mr. TIERNEY.

H.R. 2353: Mr. JOHNSON of Ohio.

H.R. 2457: Mr. RENACCI.

H.R. 2569: Mr. BUCHSHON and Mr. GUTHRIE.

H.R. 2617: Ms. ROYBAL-ALLARD.

H.R. 2679: Ms. MATSUI.

H.R. 2697: Mr. JOHNSON of Ohio.

H.R. 2741: Mr. JOHNSON of Georgia.

H.R. 2787: Mr. HINOJOSA and Mr. DOYLE.

H.R. 2866: Mr. CHANDLER.

H.R. 2969: Mr. MARKEY, Ms. CHU, Mr. ACKERMAN, and Ms. HAHN.

H.R. 3000: Mr. SCOTT of South Carolina.

H.R. 3032: Mr. BRALEY of Iowa and Mr. SHUSTER.

H.R. 3059: Mr. HUIZENGA of Michigan.

H.R. 3066: Mr. STEARNS.

H.R. 3086: Mr. TONKO.

H.R. 3125: Mrs. CAPPS and Ms. BASS of California.

H.R. 3199: Mr. WESTMORELAND.

H.R. 3236: Mr. KISSELL and Mr. GIBSON.

H.R. 3252: Mr. GRIMM.

H.R. 3288: Mr. LARSEN of Washington.

H.R. 3324: Mr. CARNAHAN.

H.R. 3364: Ms. BALDWIN and Ms. ROYBAL-ALLARD.

H.R. 3367: Ms. SLAUGHTER.

H.R. 3395: Mr. PLATTS and Mr. BRADY of Pennsylvania.

H.R. 3418: Mr. MATHESON.

H.R. 3481: Mr. CRAWFORD.

H.R. 3487: Mr. TIPTON, Mr. PEARCE, Mr. MILLER of Florida, Mr. WALBERG, and Mrs. BONO MACK.

H.R. 3489: Mr. BARROW.

H.R. 3586: Mr. CRAVAACK.

H.R. 3591: Mr. RYAN of Ohio, Mr. HIGGINS, Mr. SCHRADER, and Mr. KING of New York.

H.R. 3596: Mr. WATT.

H.R. 3605: Mr. BERMAN and Mr. SHERMAN.

H.R. 3627: Mr. HANNA, Mr. GONZALEZ, Mr. RUPPERSBERGER, Mr. RUSH, and Mr. REBERG.

H.R. 3634: Mr. JOHNSON of Ohio.

H.R. 3643: Mr. WALSH of Illinois.

H.R. 3665: Ms. WOOLSEY and Mr. MICHAUD.

H.R. 3670: Mr. STUTZMAN.

H.R. 3785: Mr. POSEY.

H.R. 3808: Mr. KING of New York.

H.R. 3828: Mrs. BLACK.

H.R. 3831: Mr. ROTHMAN of New Jersey.

H.R. 3848: Mr. GRAVES of Missouri, Mr. MULVANEY, and Mr. NUNNELEE.

H.R. 3849: Mr. KLINE.

H.R. 3863: Mr. COLE.

H.R. 3895: Mr. HANNA.

H.R. 3905: Ms. KAPTUR.

H.R. 3914: Mr. TONKO.

H.R. 4005: Mr. POE of Texas.

H.R. 4057: Ms. PINGREE of Maine, Mr. HIGGINS, Mr. CASSIDY, and Mr. LIPINSKI.

H.R. 4066: Mr. NEAL.

H.R. 4087: Mr. PRICE of North Carolina and Mr. McGOVERN.

H.R. 4091: Mr. STIVERS.

H.R. 4093: Mr. SCHWEIKERT, Ms. JENKINS, and Mr. CONAWAY.

H.R. 4104: Mr. HANNA, Mr. RUNYAN, Mr. MCCARTHY of California, Mr. JOHNSON of Ohio, Ms. RICHARDSON, Mr. DRIER, Mr. COBLE, Mr. BERG, Mr. SAM JOHNSON of Texas, Mr. CAMP, Mr. GOWDY, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. BARTLETT, Mrs. BONO MACK, Mr. BONNER, Mr. CARTER, Mrs. BLACKBURN, Mr. GERLACH, Mr. BARLETTA, Ms. KAPTUR, Mrs. SCHMIDT, and Mr. CHABOT.

H.R. 4124: Mr. KING of New York.

H.R. 4125: Mr. YOUNG of Florida.

H.R. 4128: Mr. HURT.

H.R. 4132: Mr. DEUTCH, Mr. HASTINGS of Florida, and Mr. PLATTS.

H.R. 4133: Mr. KINZINGER of Illinois, Mr. ISSA, Mr. BRALEY of Iowa, Mr. GRIFFITH of Virginia, Ms. HOCHUL, Mr. HUNTER, Mr. PALAZZO, Mr. PITTS, Mrs. ROBY, Mr. ROYCE, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. VELÁZQUEZ, Mr. NEUGEBAUER, Mr. LATHAM, and Mr. CUMMINGS.

H.R. 4134: Mr. ALEXANDER.

H.R. 4155: Mr. BENISHEK.

H.R. 4156: Mr. CASSIDY, Mr. KING of New York, Mr. FILNER, Mr. McGOVERN, Mr. MULVANEY, Mr. TONKO, Mr. COBLE, Mr. WELCH, and Mr. DOYLE.

H.R. 4157: Mr. McCOTTER, Mr. DUFFY, Mr. COSTA, Mr. MARINO, and Mr. CONAWAY.

H.R. 4160: Mr. SCOTT of South Carolina.

H.R. 4165: Mr. GUTIERREZ, Mr. GERLACH, Mr. JOHNSON of Georgia, and Mr. NUNES.

H.R. 4169: Mr. JOHNSON of Georgia.

H.R. 4192: Mr. MILLER of North Carolina, Mr. MEEKS, Ms. MATSUI, and Mr. RICHMOND.

H.R. 4199: Ms. CHU.

H.R. 4201: Mr. FLORES, Mr. GARAMENDI, and Mrs. BLACK.

H.R. 4212: Mr. BONNER.

H.R. 4215: Mr. BRALEY of Iowa, Ms. SCHAKOWSKY, and Mr. HINOJOSA.

H.R. 4229: Mr. TONKO, Mr. CRITZ, Mr. CARNAHAN, Mr. DINGELL, Mr. ROSKAM, Mr. RUPPERSBERGER, and Mr. JOHNSON of Ohio.

H.R. 4256: Mr. GOODLATTE.

H.R. 4268: Mr. PAUL.

H.R. 4271: Mr. CARNAHAN, Mr. CLARKE of Michigan, Ms. CHU, Mr. McDERMOTT, Ms. SCHAKOWSKY, Mr. QUIGLEY and Mr. CARNEY.

H.R. 4273: Mr. LANKFORD, Mr. BARROW, Mr. WHITFIELD, and Mr. POMPEO.

H.R. 4278: Mr. DENHAM, Mr. PETERSON, Mr. LUETKEMEYER, and Mr. LATHAM.

H.R. 4290: Mr. FILNER and Mr. CICILLINE.

H.R. 4292: Mr. HIGGINS, Mr. LYNCH, and Mr. RAHALL.

H.R. 4296: Mr. McGOVERN, Mr. WITTMAN, and Mr. LATHAM.

H.R. 4302: Ms. HAHN.

H.R. 4322: Mr. TERRY and Mr. LATTI.

H.R. 4350: Mr. ACKERMAN, Mr. HONDA, Mr. HINCHEY, Mr. CAPUANO, Mr. CONNOLLY of Virginia, and Mr. CARSON of Indiana.

H.R. 4377: Mr. AMODEI.

H.R. 4405: Mr. HERGER and Mr. SCHOCK.

H.R. 4454: Mr. LATTA and Mr. DESJARLAIS.
H.R. 4470: Mrs. DAVIS of California, Mr. SERRANO, Ms. HAHN, Ms. WOOLSEY, and Mr. FILNER.

H.R. 4471: Mr. OLSON.
H.R. 4607: Mr. GRIFFIN of Arkansas.
H.R. 4631: Mr. LOEBESACK, Mr. BURGESS, Mr. LANDRY, and Mr. LUETKEMEYER.
H.R. 4643: Mr. ROSKAM.
H.R. 4740: Mr. JONES.
H.R. 4970: Mr. TIPTON and Mr. TERRY.
H.R. 4972: Ms. BORDALLO, Mr. MORAN, Mr. GRIJALVA, and Ms. NORTON.
H.R. 4979: Ms. MOORE.
H.R. 4982: Mr. COLE.
H.R. 4983: Mr. BARLETTA.
H.R. 4984: Mr. BARLETTA.
H.R. 4985: Mr. BARLETTA.
H.R. 5050: Mr. TOWNS and Ms. PINGREE of Maine.

H.R. 5195: Mr. MCGOVERN, Mr. REYES, Mrs. MALONEY, Ms. RICHARDSON, Mr. CONNOLLY of Virginia, and Mr. COSTELLO.
H.R. 5284: Mr. BRALEY of Iowa.
H.R. 5303: Mr. SIRES, Mr. JOHNSON of Ohio, Mr. ISRAEL, and Mr. HIGGINS.
H.R. 5321: Mrs. BLACKBURN.
H.R. 5331: Mrs. NAPOLITANO.
H.R. 5512: Mr. CARNAHAN.
H.J. Res. 90: Mr. BISHOP of Georgia and Ms. WOOLSEY.

H. Con. Res. 87: Mr. CRAVAACK.
H. Con. Res. 122: Mr. PITTS and Mr. BURTON of Indiana.

H. Res. 220: Ms. RICHARDSON.
H. Res. 298: Mr. GONZALEZ, Ms. NORTON, Ms. WASSERMAN SCHULTZ, and Mr. BARROW.
H. Res. 490: Mr. ROONEY and Mr. SCHOCK.
H. Res. 568: Mr. BRADY of Pennsylvania, Mr. HASTINGS of Washington, Mr. PETRI, Mr. QUAYLE, Ms. VELAZQUEZ, Mr. GRIFFITH of Virginia, and Mr. HUNTER.
H. Res. 589: Mr. HOLT.
H. Res. 606: Mr. ROE of Tennessee.
H. Res. 609: Mr. HIMES, Ms. SCHAKOWSKY, and Mr. WOLF.

WEDNESDAY, MAY 9, 2012 (58)

¶58.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. HARPER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

May 9, 2012.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶58.2 RECESS—10:51 A.M.

The SPEAKER pro tempore, Mr. HARPER, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 51 minutes a.m., until noon.

¶58.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶58.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, May 8, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶58.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5919. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding identifying core depot-level maintenance and repair capability requirements; to the Committee on Armed Services.

5920. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to South Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5921. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to China pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5922. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico, Canada, Chile, Colombia, Ecuador, China, Philippines, Japan, and South Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5923. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Chile pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5924. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5925. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia in Executive Order 12987 of October 21, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

5926. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning compliance by the Government of Cuba with the U.S.-Cuba Migration Accords (October 2011 to April 2012); to the Committee on Foreign Affairs.

5927. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2011 through January 31, 2012; to the Committee on Foreign Affairs.

5928. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Foreign Affairs.

5929. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 208th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

5930. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XB077) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5931. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XB024) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5932. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Catcher Vessels Greater Than or Equal to 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB112) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5933. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB111) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5934. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB102) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5935. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland Model EC135 Helicopters [Docket No.: FAA-2011-0453; Directorate Identifier 2008-SW-16-AD; Amendment 39-16942; AD 2012-03-01] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5936. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CPAC, Inc. Airplanes [Docket No.: FAA-2011-1128; Directorate Identifier 2011-CE-031-AD; Amendment 39-16933; AD 2012-02-10] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5937. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aviation Communication & Surveillance Systems (ACSS) Traffic Alert and Collision Avoidance System (TCAS) Units [Docket No.: FAA-2010-1204; Directorate Identifier 2010-NM-147-AD; Amendment 39-16931; AD 2010-02-08] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5938. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2011-1245; Directorate Identifier 2011-CE-033-AD; Amendment 39-16925; AD 2012-02-02] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5939. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1171; Directorate Identifier 2011-NM-101-AD; Amendment 39-16932; AD 2012-02-09] (RIN: 2120-AA64) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5940. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Reciprocating Engines [Docket No.: FAA-2009-0201; Directorate Identifier 2008-NE-47-AD; Amendment 39-16972; AD 2010-11-09R1] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5941. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0997; Directorate Identifier 2011-NM-043-AD; Amendment 39-16963; AD 2012-04-07] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5942. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. [Docket No.: FAA-2012-0190; Directorate Identifier 2012-NM-033-AD; Amendment 39-16979; AD 2012-05-07] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5943. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines [Docket No.: FAA-2010-0562; Directorate Identifier 2009-NE-29-AD; Amendment 39-16969; AD 2012-04-13] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5944. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines [Docket No.: FAA-2011-0959; Directorate Identifier 2011-NE-25-AD; Amendment 39-16970; AD 2012-04-14] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶58.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶58.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 9, 2012.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 9, 2012 at 9:22 a.m.:

That the Senate passed without amendment H.R. 2668.

That the Senate passed S. 743.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶58.8 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO SYRIA

The SPEAKER pro tempore, Mr. SIMPSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004, as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012, is to continue in effect beyond May 11, 2012.

While the Syrian regime has reduced the number of foreign fighters bound for Iraq, the regime's own brutality and repression of its citizens who have been calling for freedom and a representative government endangers not only the Syrian people themselves, but could yield greater instability throughout the region. The Syrian regime's actions and policies, including obstructing the Lebanese government's ability to function effectively, pursuing chemical and biological weapons, and supporting terrorist organizations, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Asad regime's use of brutal

violence and human rights abuses and calls on the Asad regime to step aside and immediately begin a transition in Syria to a political process that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice. The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

BARACK OBAMA.
THE WHITE HOUSE, May 9, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-107).

¶58.9 SECURING AMERICAN JOBS
THROUGH EXPORTS

Mr. Gary G. MILLER of California, moved to suspend the rules and pass the bill (H.R. 2072) to reauthorize the Export-Import Bank of the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. Gary G. MILLER of California, and Mrs. MCCARTHY of New York, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. Gary G. MILLER of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶58.10 UNITED STATES-ISRAEL ENHANCED
SECURITY COOPERATION

Ms. ROS-LEHTINEN moved to suspend the rules and pass the bill (H.R. 4133) to express the sense of Congress regarding the United States-Israel strategic relationship, to direct the President to submit to Congress reports on United States actions to enhance this relationship and to assist in the defense of Israel, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Ms. ROS-LEHTINEN and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of the Members present had voted in the affirmative.

Ms. ROS-LEHTINEN demanded that the vote be taken by the yeas and nays,

Herrera Beutler	McKeon	Rush
Higgins	McKinley	Ryan (OH)
Himes	McMorris	Ryan (WI)
Hinchey	Rodgers	Sánchez, Linda
Hinojosa	McNerney	T.
Hirono	Meehan	Sanchez, Loretta
Hochul	Meeks	Sarbanes
Holden	Mica	Scalise
Holt	Michaud	Schakowsky
Honda	Miller (FL)	Schiff
Hoyer	Miller (MI)	Schilling
Huelskamp	Miller (NC)	Schmidt
Huizenga (MI)	Miller, Gary	Schock
Hultgren	Miller, George	Schrader
Hunter	Moore	Schwartz
Hurt	Moran	Schweikert
Israel	Mulvaney	Scott (SC)
Issa	Murphy (CT)	Scott (VA)
Jackson (IL)	Murphy (PA)	Scott, Austin
Jackson Lee (TX)	Myrick	Scott, David
Jenkins	Nadler	Sensenbrenner
Johnson (GA)	Napolitano	Serrano
Johnson (IL)	Neal	Sessions
Johnson (OH)	Neugebauer	Sewell
Johnson, E. B.	Noem	Sherman
Johnson, Sam	Nugent	Shimkus
Jordan	Nunes	Shuler
Kaptur	Nunnelee	Shuster
Keating	Olson	Simpson
Kelly	Olver	Sires
Kildee	Owens	Smith (NE)
Kind	Palazzo	Smith (NJ)
King (IA)	Pallone	Smith (TX)
King (NY)	Pascrell	Smith (WA)
Kingston	Pastor (AZ)	Southerland
Kinzinger (IL)	Paulsen	Speier
Kissell	Pearce	Stearns
Kline	Pelosi	Stutzman
Labrador	Pence	Sullivan
Lamborn	Perlmutter	Sutton
Lance	Peters	Terry
Landry	Peterson	Thompson (CA)
Langevin	Petri	Thompson (MS)
Lankford	Pingree (ME)	Thompson (PA)
Larsen (WA)	Pitts	Thornberry
Larson (CT)	Platts	Tiberi
Latham	Poe (TX)	Tierney
LaTourette	Polis	Tipton
Latta	Pompeo	Tonko
Levin	Posey	Towns
Lewis (CA)	Price (GA)	Tsongas
Lewis (GA)	Price (NC)	Turner (NY)
Lipinski	Quayle	Turner (OH)
LoBiondo	Quigley	Upton
Loeb sack	Rahall	Van Hollen
Lofgren, Zoe	Rangel	Velázquez
Long	Reed	Visclosky
Lowey	Rehberg	Walberg
Lucas	Reichert	Walden
Luetkemeyer	Renacci	Walsh (IL)
Luján	Reyes	Walz (MN)
Lummis	Ribble	Wasserman
Lungren, Daniel E.	Richardson	Schultz
Lynch	Richmond	Waters
Mack	Rigell	Watt
Maloney	Rivera	Waxman
Manzullo	Roby	Webster
Marchant	Roe (TN)	Welch
Marino	Rogers (AL)	West
Markey	Rogers (KY)	Westmoreland
Matheson	Rogers (MI)	Whitfield
Matsui	Rohrabacher	Wilson (FL)
McCarthy (CA)	Rokita	Wilson (SC)
McCarthy (NY)	Rooney	Wittman
McCaul	Ros-Lehtinen	Wolf
McClintock	Roskam	Womack
McCotter	Ross (AR)	Woodall
McDermott	Ross (FL)	Yarmuth
McGovern	Rothman (NJ)	Yoder
McHenry	Roybal-Allard	Young (AK)
McIntyre	Royce	Young (FL)
	Runyan	Young (IN)
	Ruppersberger	

NAYS—2

Dingell Paul

ANSWERED "PRESENT"—9

Blumenauer	Ellison	McCollum
Carson (IN)	Jones	Stark
Edwards	Lee (CA)	Woolsey

NOT VOTING—9

Bachmann	Eshoo	Kucinich
Burton (IN)	Filner	Slaughter
Donnelly (IN)	Garamendi	Stivers

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

58.16 BANKRUPTCY JUDGES

On motion of Mr. COBLE, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 4967) to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

58.17 COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. REED, pursuant to House Resolution 643 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mrs. MILLER of Michigan, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. HASTINGS of Washington, assumed the Chair.

When Mr. PRICE of Georgia, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

58.18 SEQUESTER REPLACEMENT

Mr. CHAFFETZ, by direction of the Committee on the Budget, submitted a privileged report (Rept. No. 112-469, Part 1) on the bill (H.R. 4966) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; referred to the Union Calendar and ordered printed.

58.19 SEQUESTER REPLACEMENT RECONCILIATION FY 2013

Mr. CHAFFETZ, by direction of the Committee on the Budget, submitted a privileged report (Rept. No. 112-470) on the bill (H.R. 5652) to provide for reconciliation pursuant to Section 201 of the concurrent resolution on the budget for fiscal year 2013; referred to the Union Calendar and ordered printed.

58.20 COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to

House Resolution 643 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. PRICE of Georgia, Acting Chairman, assumed the chair; and after some time spent therein,

58.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CHAFFETZ:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used in contravention of paragraph (1), (2), or (3) of section 1001(a) of title 18, United States Code.

It was decided in the { Yeas 381 affirmative } Nays 41

58.22 [Roll No. 226]

AYES—381

Ackerman	Chaffetz	Gingrey (GA)
Adams	Chandler	Gohmert
Aderholt	Cicilline	Gonzalez
Akin	Clarke (MI)	Goodlatte
Alexander	Clay	Gosar
Altmire	Coble	Gowdy
Amash	Coffman (CO)	Granger
Amodei	Cole	Graves (GA)
Austria	Conaway	Graves (MO)
Baca	Connolly (VA)	Green, Al
Baldwin	Cooper	Green, Gene
Barletta	Costello	Griffin (AR)
Barrow	Courtney	Griffith (VA)
Bartlett	Cravaack	Grijalva
Barton (TX)	Crawford	Grimm
Bass (CA)	Crenshaw	Guinta
Bass (NH)	Critz	Guthrie
Benishak	Cuellar	Gutierrez
Berg	Culberson	Hall
Berkley	Cummings	Hanabusa
Berman	Davis (CA)	Hanna
Biggart	Davis (KY)	Harper
Bilbray	DeFazio	Harris
Bilirakis	DeLauro	Hartzler
Bishop (GA)	Denham	Hastings (FL)
Bishop (NY)	Dent	Hastings (WA)
Bishop (UT)	DesJarlais	Hayworth
Black	Deutch	Heck
Blackburn	Diaz-Balart	Heinrich
Blumenauer	Doggett	Hensarling
Bonamici	Dold	Herger
Bonner	Doyle	Herrera Beutler
Bono Mack	Dreier	Higgins
Boren	Duffy	Himes
Boswell	Duncan (SC)	Hirono
Boustany	Duncan (TN)	Hochul
Brady (PA)	Ellison	Holden
Brady (TX)	Ellmers	Holt
Braley (IA)	Emerson	Hoyer
Brooks	Engel	Huelskamp
Broun (GA)	Eshoo	Huizenga (MI)
Brown (FL)	Farenthold	Hultgren
Buchanan	Farr	Hunter
Bucshon	Fattah	Hurt
Buerkle	Fincher	Israel
Burgess	Fitzpatrick	Issa
Burton (IN)	Flake	Jackson Lee (TX)
Calvert	Fleischmann	Jenkins
Camp	Fleming	Johnson (IL)
Campbell	Flores	Johnson (OH)
Canseco	Forbes	Johnson, E. B.
Cantor	Fortenberry	Johnson, Sam
Capito	Fox	Jones
Capps	Frank (MA)	Jordan
Capuano	Franks (AZ)	Keating
Cardoza	Frelinghuysen	Kelly
Carnahan	Galleghy	Kildee
Carney	Gardner	Kind
Carter	Garrett	King (IA)
Cassidy	Gerlach	King (NY)
Castor (FL)	Gibbs	Kingston
Chabot	Gibson	

Kinzingler (IL) Nugent
 Kissell Nunes
 Kline Nunnelee
 Labrador Olson
 Lamborn Olver
 Lance Owens
 Landry Palazzo
 Langevin Pallone
 Lankford Pastor (AZ)
 Larsen (WA) Paul
 Larson (CT) Paulsen
 Latham Pearce
 LaTourette Pence
 Latta Perlmutter
 Levin Peters
 Lewis (CA) Peterson
 Lipinski Petri
 LoBiondo Pingree (ME)
 Loebsock Pitts
 Lofgren, Zoe Platts
 Long Poe (TX)
 Lowey Polis
 Lucas Pompeo
 Luetkemeyer Posey
 Lujan Price (GA)
 Lummis Price (NC)
 Lungren, Daniel Quayle
 E. Quigley
 Lynch Rahall
 Mack Reed
 Maloney Rehberg
 Manzullo Reichert
 Marchant Renacci
 Marino Reyes
 Markey Ribble
 Matheson Richmond
 McCarthy (CA) Rigell
 McCarthy (NY) Rivera
 McCaul Roby
 McClintock Roe (TN)
 McCotter Rogers (AL)
 McGovern Rogers (KY)
 McHenry Rogers (MI)
 McIntyre Rohrabacher
 McKeon Rokita
 McKinley Rooney
 McMorris Ros-Lehtinen
 Rodgers Roskam
 McNerney Ross (AR)
 Meehan Ross (FL)
 Mica Roybal-Allard
 Michaud Royce
 Miller (FL) Runyan
 Miller (MI) Ruppertsberger
 Miller (NC) Rush
 Miller, Gary Ryan (OH)
 Miller, George Ryan (WI)
 Moore Sanchez, Linda
 Mulvaney T.
 Murphy (CT) Sanchez, Loretta
 Murphy (PA) Sarbanes
 Myrick Scalise
 Nadler Schiff
 Napolitano Schilling
 Neal Schmidt
 Neugebauer Schock
 Noem Schrader

Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yarmuth
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

SEC. _____. For "Department of Justice, State and Local Law Enforcement Assistance" for the John R. Justice Prosecutors and Defenders program, as authorized by the first section 3001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc 21) (relating to loan repayment for prosecutors and public defenders), there is hereby appropriated, and the amount otherwise provided by this Act for "National Aeronautics and Space Administration, Science" for Mars Next Decade is hereby reduced by, \$10,000,000.

It was decided in the { Yeas 160
 negative } Nays 260

58.24

[Roll No. 227]

AYES—160

Ackerman
 Altmiré
 Andrews
 Baca
 Baldwin
 Barrow
 Bartlett
 Bass (CA)
 Becerra
 Berkley
 Berman
 Biggert
 Bishop (NY)
 Blumenauer
 Bonamici
 Boswell
 Brady (PA)
 Brady (IA)
 Brown (FL)
 Camp
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Chandler
 Cicilline
 Clarke (MI)
 Clay
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Crawford
 Critz
 Crowley
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 Dent
 Dingell
 Doggett
 Dold
 Doyle
 Duncan (SC)
 Ellison
 Farr
 Fitzpatrick
 Frank (MA)
 Gerlach
 Gibson
 Goodlatte
 Gowdy
 Grijalva
 Grimm
 Guinta
 Gutierrez
 Hahn
 Hanabusa
 Harris
 Hayworth
 Heinrich
 Herrera Beutler
 Higgins
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Israel
 Jackson (IL)
 Johnson (GA)
 Jones
 Keating
 Kildee
 Kind
 Kissell
 Labrador
 Langevin
 Larsen (WA)
 Levin
 Lipinski
 LoBiondo
 Loebsock
 Lujan
 Lynch
 Maloney
 Markey
 Matheson
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McKinley
 Meehan
 Meeks
 Michaud
 Miller, George
 Moran
 Mulvaney
 Myrick
 Nadler
 Neal
 Olver
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Pence
 Peters
 Pingree (ME)
 Platts
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reichert
 Richardson
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schrader
 Schwartz
 Scott (SC)
 Scott (VA)
 Scott, David
 Serrano
 Sherman
 Shuler
 Sires
 Smith (NJ)
 Smith (WA)
 Speier
 Stark
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Upton
 Visclosky
 Walden
 Waters
 Watt
 Welch
 Wilson (SC)
 Woolsey
 Yarmuth
 Young (FL)

Emerson
 Engel
 Eshoo
 Farenthold
 Fattah
 Fincher
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gibbs
 Greigrey (GA)
 Gohmert
 Gonzalez
 Gosar
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Guthrie
 Hall
 Hanna
 Harper
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Heck
 Hensarling
 Herger
 Himes
 Hinchey
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jackson Lee
 (TX)
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jordan
 Kaptur
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Lamborn
 Lance
 Landry
 Lankford
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Lewis (CA)
 Lewis (GA)
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 Matsui
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McMorris
 Rodgers
 McNerney
 Mica
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Moore
 Murphy (CT)
 Murphy (PA)
 Napolitano
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paul
 Paulsen
 Pearce
 Perlmutter
 Peterson
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (KY)
 Rogers (MI)
 Scott, Austin
 Sessions
 Sensenbrenner
 Serrano
 Sherman
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sutton
 Terry
 Thompson (CA)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Van Hollen
 Velázquez
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (IN)

NOES—41

Andrews
 Becerra
 Butterfield
 Carson (IN)
 Chu
 Clarke (NY)
 Cleaver
 Clyburn
 Cohen
 Conyers
 Crowley
 Davis (IL)
 DeGette
 Dicks
 Dingell
 Edwards
 Fudge
 Hahn
 Hinchey
 Hinojosa
 Honda
 Jackson (IL)
 Johnson (GA)
 Kaptur
 Lee (CA)
 Lewis (GA)
 Matsui
 McCollum
 McDermott
 Meeks
 Moran
 Pascrell
 Rangel
 Richardson
 Rothman (NJ)
 Schakowsky
 Scott, David
 Stark
 Waters
 Watt
 Woolsey

NOT VOTING—9

Bachmann
 Bachus
 Costa
 Donnelly (IN)
 Filner
 Garamendi
 Kucinich
 Pelosi
 Slaughter

So the amendment was agreed to.

58.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TIERNEY:

At the end of the bill (before the short title), insert the following new section:

NOES—260

Adams
 Aderholt
 Akin
 Alexander
 Amash
 Amodei
 Austria
 Barletta
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Buehler
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Campbell
 Canseco
 Cantor
 Capito
 Capps
 Carter
 Cassidy
 Castor (FL)
 Chabot
 Chaffetz
 Chu
 Clarke (NY)
 Clyburn
 Coble
 Coffman (CO)
 Cole
 Conaway
 Costello
 Courtney
 Cravaack
 Crenshaw
 Cuellar
 Culberson
 DeLauro
 Denham
 DesJarlais
 Deutch
 Diaz-Balart
 Dicks
 Dreier
 Duffy
 Duncan (TN)
 Edwards
 Ellmers

NOT VOTING—11

Bachmann
 Bachus
 Cleaver
 Donnelly (IN)
 Filner
 Garamendi
 Kucinich
 Miller (FL)
 Pelosi
 Slaughter
 Sullivan

So the amendment was not agreed to.

58.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACKBURN:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to defend against any action challenging—

- (1) any provision of Public Law 111 148 or any provision of title I or subtitle B of title II of Public Law 111 152; or
- (2) any amendment to a provision of law made by any provision described in paragraph (1).

It was decided in the affirmative { Yeas 229 Nays 194

58.26 [Roll No. 228] AYES—229

- Adams Gosar Palazzo
Aderholt Gowdy Paul
Akin Granger Paulsen
Alexander Graves (GA) Pearce
Amash Graves (MO) Pence
Amodei Griffin (AR) Peterson
Austria Griffith (VA) Petri
Barletta Grimm Pitts
Barrow Guinta Platts
Bartlett Guthrie Poe (TX)
Barton (TX) Hall Pompeo
Bass (NH) Hanna Posey
Benishek Harper Price (GA)
Berg Harris Quayle
Bilbray Hastings (WA) Reed
Bilirakis Hayworth Rehberg
Bishop (UT) Heck Reichert
Black Hensarling Renacci
Blackburn Herger Ribble
Bonner Herrera Beutler Rivera
Bono Mack Huelskamp Roby
Boren Huizenga (MI) Roe (TN)
Boustany Hultgren Rogers (AL)
Brady (TX) Hunter Rogers (KY)
Brooks Hurt Rogers (MI)
Broun (GA) Jenkins Rohrabacher
Buchanan Johnson (IL) Rokita
Bucshon Johnson (OH) Rooney
Buerkle Johnson, Sam Ros-Lehtinen
Burton (IN) Jones Rosskam
Calvert Jordan Ross (AR)
Camp Kelly Ross (FL)
Campbell King (IA) Royce
Canseco King (NY) Runyan
Cantor Kingston Scalise
Capito Kinzinger (IL) Schilling
Carter Kissell Schock
Cassidy Kline Schweikert
Chabot Labrador Scott (AZ)
Chandler Lamborn Scott, Austin
Coble Lance Scott, Austin
Coffman (CO) Landry Sessions
Cole Lankford Shimkus
Conaway Latham Shuler
Cravaack Latta Shuster
Crawford Lewis (CA) Simpson
Crenshaw LoBiondo Smith (NE)
Culberson Long Smith (NJ)
Davis (KY) Lucas Smith (TX)
Denham Luetkemeyer Southerland
Dent Lummis Stearns
DesJarlais Mack Stivers
Diaz-Balart Manzano Stutzman
Dreier Marchant Sullivan
Duffy Marino Terry
Duncan (SC) Matheson Thompson (PA)
Duncan (TN) McCarthy (CA) Thornberry
Ellmers McClintock Tiberi
Emerson McCotter Tipton
Farenthold McHenry Turner (NY)
Fincher McIntyre Turner (OH)
Fitzpatrick McKeon Upton
Flake McKinley Walberg
Fleischmann McMorris Walden
Flores Rodgers Walsh (IL)
Forbes Mica Webster
Gingrey (GA) Miller (FL) West
Gohmert Nunes Miller, Gary Westmoreland
Goodlatte Nunnelee Whitfield

NOES—194

- Ackerman Boswell Chu
Altmire Brady (PA) Cicilline
Andrews Braley (IA) Clarke (MI)
Baca Brown (FL) Clarke (NY)
Baldwin Burgess Clay
Bass (CA) Butterfield Cleaver
Becerra Capps Clyburn
Berkley Capuano Cohen
Berman Cardoza Connolly (VA)
Biggert Carnahan Conyers
Bishop (GA) Carney Cooper
Bishop (NY) Carson (IN) Costa
Blumenauer Castor (FL) Costello
Bonamici Chaffetz Courtney

- Critz Johnson (GA) Quigley
Crowley Johnson, E. B. Rahall
Cuellar Kaptur Rangel
Cummings Keating Reyes
Davis (CA) Kildee Richardson
Davis (IL) Kind Richmond
DeFazio Langevin Rigell
DeGette Larsen (WA) Rothman (NJ)
DeLauro Larson (CT) Roybal-Allard
Deutch LaTourette Ruppberger
Dicks Lee (CA) Rush
Dingell Levin Ryan (OH)
Doggett Lewis (GA) Ryan (WI)
Dold Lipinski Sanchez, Linda
Doyle Loeb sack T.
Edwards Lofgren, Zoe Sanchez, Loretta
Ellison Lowey Sarbanes
Engel Lujan Schakowsky
Eshoo Lungren, Daniel Schiff
Farr E. Schrader
Fattah Lynch Schwartz
Fortenberry Maloney Scott (VA)
Foxy Markey Scott, David
Frank (MA) Matsui Sensenbrenner
Fudge McCarthy (NY) Serrano
Garamendi McCollum Sewell
Gibson McDerrott Sherman
Gonzalez McGovern Sires
Green, Al McNeerney Smith (WA)
Green, Gene Meehan Speier
Grijalva Meeks Stark
Gutierrez Michaud Sutton
Hahn Miller (MI) Thompson (CA)
Hanabusa Miller (NC) Thompson (MS)
Hartzler Miller, George Tierney
Hastings (FL) Moore Tonko
Heinrich Moran Towns
Higgins Murphy (CT) Tsongas
Himes Nadler Van Hollen
Hinchey Napolitano Velázquez
Hinojosa Neal Visclosky
Hirono Oliver Walz (MN)
Owens Wasserman
Pallone Schultz
Pascrell Waters
Pastor (AZ) Watt
Pelosi Waxman
Perlmutter Welch
Peters Wilson (FL)
Pingree (ME) Woodall
Polis Woolsey
Price (NC) Yarmuth

NOT VOTING—8

- Bachmann Filner Schmidt
Bachus Kucinich Slaughter
Donnelly (IN) McCaul

So the amendment was agreed to.

58.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 38, submitted by Mr. DUNCAN of South Carolina:

At the end of the bill (and before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to litigate against any of the several States on behalf of the National Labor Relations Board pertaining to secret ballot union elections.

It was decided in the affirmative { Yeas 232 Nays 192

58.28 [Roll No. 229] AYES—232

- Adams Bishop (UT) Campbell
Aderholt Black Canseco
Akin Blackburn Cantor
Alexander Bonner Capito
Amash Bono Mack Carter
Amodei Boren Cassidy
Austria Boustany Chabot
Barletta Brady (TX) Chaffetz
Barrow Brooks Coble
Bartlett Broun (GA) Coffman (CO)
Barton (TX) Buchanan Cole
Bass (NH) Bucshon Conaway
Benishek Buerkle Cravaack
Berg Burgess Crawford
Biggert Burton (IN) Crenshaw
Bilbray Calvert Cuellar
Bilirakis Camp Culberson

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

NOES—192

- Ackerman Costa Himes
Altmire Costello Hinchey
Andrews Courtney Hinojosa
Baca Critz Hirono
Baldwin Crowley Hochul
Bass (CA) Cummings Holden
Becerra Davis (CA) Holt
Berkley Davis (IL) Honda
Berman DeFazio Hoyer
Bishop (GA) DeGette Israel
Bishop (NY) DeLauro Jackson (IL)
Blumenauer Deutch Jackson Lee
Bonamici Dicks (TX)
Boswell Dingell Johnson (GA)
Brady (PA) Doggett Johnson (IL)
Braley (IA) Doyle Johnson, E. B.
Brown (FL) Edwards Kaptur
Butterfield Ellison Keating
Capps Engel Kildee
Capuano Eshoo Kind
Cardoza Farr Kissell
Carnahan Fattah Langevin
Carney Frank (MA) Larsen (WA)
Carson (IN) Fudge Larson (CT)
Castor (FL) Garamendi LaTourette
Chandler Gonzalez Lee (CA)
Chu Green, Al Levin
Cicilline Green, Gene Lewis (GA)
Clarke (MI) Grijalva Lipinski
Clarke (NY) Grimm LoBiondo
Clay Gutierrez Loeb sack
Cleaver Hahn Lofgren, Zoe
Clyburn Hanabusa Lowey
Cohen Hartzler Luetkemeyer
Connolly (VA) Hastings (FL) Lujan
Conyers Heinich Lynch
Cooper Higgins Maloney

Markey
Matsui
McCarthy (NY)
McCullum
McCotter
McDermott
McGovern
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson

Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Runyan
Ruppertsberger
Rush
Ryan (OH)
Sánchez, Linda
Nadler
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano

Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—7

Bachmann
Bachus
Donnelly (IN)

Filner
Kucinich
Schmidt

Slaughter
Sullivan

So the amendment was agreed to.

58.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GARRETT:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Justice to be a party to a single or multi-state court settlement where funds are removed from any residential mortgage-backed securitization trust.

It was decided in the { Yeas 238 affirmative Nays 185

58.30 [Roll No. 230] AYES—238

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble

Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble

Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance

Landry
Lankford
Latham
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Riggell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert

NOES—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggett
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel

Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCullum
McDermott
McGovern
McIntyre
McNerney
Meehan

Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Visclosky
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Welch

Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Bachmann
Bachus
Donnelly (IN)

Filner
Kucinich
Schmidt

Slaughter
Sullivan

So the amendment was agreed to.

58.31 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SCHWEIKERT:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used by the Department of Justice to bring any action against any State for implementation of a State law requiring voter identification.

It was decided in the { Yeas 232 affirmative Nays 190

58.32 [Roll No. 231] AYES—232

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores

Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.

Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

Sessions Terry West
Shimkus Thompson (PA) Westmoreland
Shuster Thornberry Whitfield
Simpson Tiberi Wilson (SC)
Smith (NE) Tipton Wittman
Smith (NJ) Turner (NY) Wolf
Smith (TX) Turner (OH) Womack
Southerland Upton Woodall
Stearns Walberg Yoder
Stivers Walden Young (AK)
Stutzman Walsh (IL) Young (FL)
Sullivan Webster Young (IN)

NOES—190

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

NOT VOTING—9

Bachmann Filner Schmidt
Bachus Kucinich Slaughter
Donnelly (IN) Miller (NC) Welch

So the amendment was agreed to.

58.33 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WEBSTER:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used to conduct the survey, conducted by the Secretary of Com-

merce, commonly referred to as the "American Community Survey".

It was decided in the affirmative { Yeas 232 Nays 190

58.34 [Roll No. 232]

AYES—232

Adams Granger Nunes
Aderholt Graves (GA) Nunnelee
Akin Green (MO) Olson
Alexander Green, Gene Palazzo
Amash Griffin (AR) Paul
Amodei Griffith (VA) Paulsen
Austria Grimm Pearce
Barletta Guinta Pence
Barrow Guthrie Petri
Bartlett Hall Pitts
Bass (NH) Hanna Platts
Benishek Harper Poe (TX)
Berg Harris Pompeo
Bilirakis Hartzler Posey
Bishop (UT) Hastings (WA) Price (GA)
Black Heck Quayle
Blackburn Hensarling Reed
Bonner Herger Rehberg
Bono Mack Herrera Beutler Reichert
Boren Hochul Renacci
Boustany Huelskamp Ribble
Brady (TX) Huizenga (MI) Rigell
Brooks Hultgren Rivera
Broun (GA) Hunter Roby
Buchanan Hurt Roe (TN)
Buchson Issa Rogers (AL)
Buerkle Jenkins Rogers (KY)
Burgess Johnson (IL) Rogers (MI)
Burton (IN) Johnson (OH) Rohrabacher
Calvert Johnson, Sam Rokita
Camp Jones Rooney
Jordan Ros-Lehtinen Roskam
Kelly King (IA) Ross (FL)
King (NY) King (NY) Royce
Kingston Runyan Runyan
Kinzinger (IL) Ryan (WI)
Kissell Scalise Scalise
Kline Schilling Schilling
Labrador Schock Schilling
Lamborn Schweikert Schweikert
Lance Scott (SC) Scott (SC)
Landry Scott, Austin Scott, Austin
Lankford Sensenbrenner Sensenbrenner
Latham Sessions Sessions
LaTourette Shimkus Shimkus
Latta Shuster Shuster
Lewis (CA) Simpson Simpson
LoBiondo Smith (NE) Smith (NE)
Long Smith (NJ) Smith (NJ)
Lucas Smith (TX) Smith (TX)
Luetkemeyer Southerland Southerland
Lummis Lummis Lummis
Lungren, Daniel Lungren, Daniel Lungren, Daniel
E. E. E.
Mack Mack Mack
Manzullo Terry Terry
Marchant Thornberry Thornberry
Marino Tipton Tipton
McCarthy (CA) Tipton Tipton
McCaul Turner (NY) Turner (NY)
McClintock Upton Upton
McCotter Walberg Walberg
McKeon Walden Walden
McKinley Walsh (IL) Walsh (IL)
McMorris Webster Webster
Meehan West West
Meehan Westmoreland Westmoreland
Mica Whitfield Whitfield
Miller (FL) Wilson (SC) Wilson (SC)
Miller (MI) Wittman Wittman
Miller, Gary Wolf Wolf
Mulvaney Womack Womack
Murphy (PA) Woodall Woodall
Myrick Yoder Yoder
Neugebauer Young (AK) Young (AK)
Noem Young (FL) Young (FL)
Nugent Young (IN) Young (IN)

NOES—190

Ackerman Bilbray
Altmire Bishop (GA)
Andrews Bishop (NY)
Baca Blumenauer
Baldwin Bonamici
Barrow Broun (GA)
Bass (CA) Buchanan
Becerra Buerkle
Berkley Burgess
Berman Burton (IN)
Biggert Capps Crawford
Crenshaw

Clay Hoyer Price (NC)
Clever Israel Quigley
Clyburn Jackson (IL) Rahall
Cohen Jackson Lee Rangel
Connolly (VA) (TX) Reyes
Conyers Johnson (GA) Richardson
Cooper Johnson, E. B. Richmond
Costa Kaptur Ross (AR)
Costello Keating Rothman (NJ)
Courtney Kildee Roybal-Allard
Critz Kind Ruppertsberger
Crowley Langevin Rush
Cuellar Larsen (WA) Ryan (OH)
Cummings Larson (CT) Sanchez, Linda
Davis (CA) Lee (CA) T.
Davis (IL) Levin Sanchez, Loretta
DeFazio Lewis (GA) Sarbanes
DeGette Lipinski Schakowsky
DeLauro Loeb sack Schiff
Deutch Lofgren, Zoe Schrader
Dicks Lowey Schwartz
Dingell Lujan Scott (VA)
Doggett Maloney Scott, David
Dold Markey Serrano
Doyle Matheson Sewell
Edwards Matsui Sherman
Edwards McCarthy (NY) Shuler
Ellison McCollum Sires
Engel McDermott Smith (WA)
Eshoo McGovern Speier
Farr McHenry Stark
Fattah McIntyre Sutton
Frank (MA) McNerney Thompson (CA)
Fudge Meeks Thompson (MS)
Garamendi Michaud Thompson (PA)
Gerlach Miller (NC) Tierney
Gibson Miller, George Tonko
Gonzalez Moore Towns
Green, Al Moran Tsongas
Grijalva Moran Turner (OH)
Gutierrez Murphy (CT) Van Hollen
Hahn Nadler Velazquez
Hanabusa Napolitano Walz (MN)
Hastings (FL) Neal Wasserman
Hayworth Owens Schultz
Heinrich Pallone Watt
Higgins Pascrell Watt
Himes Pastor (AZ) Waxman
Hinchey Pelosi Peters
Hinojosa Perlmutter Wilson (FL)
Hirono Peters Waxman
Holden Peterson Woolsey
Holt Pingree (ME) Yarmuth
Honda Polis

NOT VOTING—9

Bachmann Filner Schmidt
Bachus Kucinich Slaughter
Donnelly (IN) Oliver Welch

So the amendment was agreed to.

58.35 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLORES:

Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

It was decided in the affirmative { Yeas 250 Nays 173

58.36 [Roll No. 233]

AYES—250

Adams Bishop (UT) Campbell
Aderholt Black Canseco
Akin Blackburn Cantor
Alexander Bonner Capito
Altmire Bono Mack Carter
Amash Boren Cassidy
Amodei Boustany Chabot
Austria Brady (TX) Chaffetz
Barletta Brooks Chandler
Barrow Broun (GA) Coble
Bartlett Buchanan Coffman (CO)
Barrow Bucshon Cole
Bass (NH) Buerkle Conaway
Benishek Burgess Costello
Berg Burton (IN) Cravaack
Biggert Calvert Crawford
Bilirakis Camp Crenshaw

Critz Johnson, Sam
 Cuellar Jones
 Culberson Jordan
 Davis (KY) Kelly
 Denham King (IA)
 Dent King (NY)
 DesJarlais Kingston
 Diaz-Balart Kinzinger (IL)
 Dold Kissell
 Doyle Kline
 Dreier Labrador
 Duffy Lamborn
 Duncan (SC) Lance
 Duncan (TN) Landry
 Ellmers Lankford
 Emerson Latham
 Farenthold LaTourette
 Fincher Latta
 Fitzpatrick Lewis (CA)
 Flake LoBiondo
 Fleischmann Long
 Fleming Lucas
 Flores Luetkemeyer
 Forbes Lummis
 Fortenberry Lungren, Daniel
 Foxx E.
 Franks (AZ) Mack
 Frelinghuysen Manzullo
 Gallegly Marchant
 Gardner Marino
 Garrett Matheson
 Gerlach McCarthy (CA)
 Gibbs McCaul
 Gibson McClintock
 Gingrey (GA) McCotter
 Gohmert McHenry
 Goodlatte McKeon
 Gosar McKinley
 Gowdy McMorris
 Granger Rodgers
 Graves (GA) Meehan
 Graves (MO) Mica
 Green, Gene Miller (FL)
 Griffin (AR) Miller (MI)
 Griffith (VA) Miller, Gary
 Grimm Mulvaney
 Guinta Murphy (PA)
 Hall Myrick
 Hanna Neugebauer
 Harper Noem
 Harris Nugent
 Hartzler Nunes
 Hastings (WA) Nunnelee
 Hayworth Olson
 Heck Palazzo
 Hensarling Paul
 Herger Paulsen
 Herrera Beutler Pearce
 Holden Pence
 Huelskamp Petri
 Huizenga (MI) Pitts
 Hultgren Platts
 Hunter Poe (TX)
 Hurt Pompeo
 Issa Posey
 Jenkins Price (GA)
 Johnson (OH) Quayle

NOES—173

Ackerman Clyburn
 Andrews Cohen
 Baca Connolly (VA)
 Baldwin Conyers
 Bass (CA) Cooper
 Becerra Costa
 Berkley Courtney
 Berman Crowley
 Bilbray Cummings
 Bishop (GA) Davis (CA)
 Bishop (NY) Davis (IL)
 Blumenauer DeFazio
 Bonamici DeGette
 Boswell DeLauro
 Brady (PA) Deutch
 Braley (IA) Dicks
 Brown (FL) Dingell
 Butterfield Doggett
 Capps Edwards
 Capuano Ellison
 Cardoza Engel
 Carnahan Eshoo
 Carney Farr
 Carson (IN) Fattah
 Castor (FL) Frank (MA)
 Chu Fudge
 Cicilline Garamendi
 Clarke (MI) Gonzalez
 Clarke (NY) Green, Al
 Clay Grijalva
 Cleaver Guthrie

Rahall Lipinski
 Reed Loeb sack
 Rehberg Lofgren, Zoe
 Reichert Lowey
 Renacci Lujan
 Ribble Lynch
 Rigell Maloney
 Rivera Markey
 Roby Matsui
 Roe (TN) McCarthy (NY)
 Rogers (AL) McCollum
 Rogers (KY) McDermott
 Rogers (MI) McGovern
 Rohrabacher McIntyre
 Rokita McNeerney
 Rooney Meeks
 Ros-Lehtinen Michaud
 Roskam Miller (NC)
 Ross (AR) Miller, George
 Ross (FL) Moore
 Royce Moran
 Runyan Murphy (CT)
 Ryan (OH) Nadler
 Ryan (WI) Napolitano
 Scalise Neal
 Schilling Olver
 Schock Owens
 Schweikert Pallone

NOT VOTING—8
 Bachmann Filner
 Bachus Kucinich
 Donnelly (IN) Schmidt

So the amendment was agreed to.

§58.37 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLORES:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to implement the National Ocean Policy developed under Executive Order 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes).

It was decided in the { Yeas 246
 affirmative } Nays 174

§58.38 [Roll No. 234]

AYES—246

Adams Coble
 Aderholt Coffman (CO)
 Akin Cole
 Alexander Conaway
 Altamire Cravaack
 Amash Crawford
 Amodei Crenshaw
 Austria Critz
 Barletta Cuellar
 Barrow Culberson
 Bartlett Davis (KY)
 Barton (TX) Denham
 Benishek Dent
 Berg DesJarlais
 Bilbray Diaz-Balart
 Bilirakis Dreier
 Bishop (NY) Duffy
 Black Duncan (SC)
 Blackburn Duncan (TN)
 Bonner Ellmers
 Bono Mack Emerson
 Boren Farenthold
 Boustany Fincher
 Brady (TX) Flake
 Brooks Fleischmann
 Broun (GA) Fleming
 Buchanan Flores
 Buchson Forbes
 Buerkle Fortenberry
 Burgess Foxx
 Burton (IN) Franks (AZ)
 Calvert Frelinghuysen
 Camp Gallegly
 Campbell Gardner
 Canseco Garrett
 Cantor Gerlach
 Capito Gibbs
 Carter Gibson
 Cassidy Gingrey (GA)
 Chabot Gohmert
 Chaffetz Goodlatte

Kline Serrano
 Labrador Sewell
 Lamborn Sherman
 Lance Shuler
 Landry Sires
 Lankford Smith (WA)
 Latham Speier
 Latta Stark
 Lewis (CA) Sutton
 LoBiondo Thompson (CA)
 Long Thompson (MS)
 Lucas Tierney
 Luetkemeyer Tonko
 Lummis Towns
 Lungren, Daniel Tsongas
 E. Van Hollen
 Mack Velázquez
 Manzullo Visclosky
 Marchant Walz (MN)
 Marino Wasserman
 Matheson Schultz
 McCarthy (CA) Waters
 McCaul Watt
 McClintock Waxman
 McCotter Wilson (FL)
 McHenry McKeon
 McKeon Roe (TN)
 McKinley Rogers (AL)
 McMorris Rogers (KY)
 Rodgers Rogers (MI)
 Meehan Rohrabacher
 Mica Rokita
 Miller (FL) Rooney
 Miller (MI) Ros-Lehtinen
 Miller, Gary Roskam
 Mulvaney Ross (AR)
 Murphy (PA) Ross (FL)
 Myrick Royce
 Neugebauer Runyan
 Noem Ryan (WI)
 Nugent Scalise
 Nunes Schilling

NOES—174

Ackerman Eshoo
 Andrews Farr
 Baca Fattah
 Baldwin Fitzpatrick
 Bass (CA) Frank (MA)
 Bass (NH) Fudge
 Becerra Garamendi
 Berkley Gonzalez
 Berman Grijalva
 Biggert Gutierrez
 Bishop (GA) Hahn
 Blumenauer Hanabusa
 Bonamici Hastings (FL)
 Boswell Hayworth
 Brady (PA) Heinrich
 Braley (IA) Higgins
 Brown (FL) Himes
 Butterfield Hinchey
 Capps Hinojosa
 Capuano Quigley
 Cardoza Holt
 Carnahan Honda
 Carney Hoyer
 Carson (IN) Israel
 Castor (FL) Jackson (IL)
 Chandler Jackson Lee
 Chu (TX)
 Cicilline Johnson (GA)
 Clarke (MI) Johnson, E. B.
 Clarke (NY) Jones
 Clay Kaptur
 Cleaver Keating
 Clyburn Kildee
 Cohen Kind
 Connolly (VA) Langevin
 Conyers Larsen (WA)
 Cooper Larson (CT)
 Costa LaTourette
 Costello Lee (CA)
 Courtney Levin
 Crowley Lewis (GA)
 Cummings Liptinski
 Davis (CA) Loeb sack
 Davis (IL) Lofgren, Zoe
 DeFazio Lowey
 DeGette Lujan
 DeLauro Lynch
 Deutch Maloney
 Dicks Markey
 Dingell Matsui
 Doggett McCarthy (NY)
 Dold McCollum
 Doyle McDermott
 Edwards McGovern
 Ellison McIntyre
 Engel McNeerney

Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

Visclosky Waters Yarmuth
Walz (MN) Watt
Wasserman Waxman
Schultz Woolsey

NOT VOTING—11

Bachmann Filner Slaughter
Bachus Kucinich Welch
Bishop (UT) Napolitano Wilson (FL)
Donnelly (IN) Schmidt

So the amendment was agreed to.
After some further time,

The SPEAKER pro tempore, Mr. WESTMORELAND, assumed the Chair.

When Mr. PRICE of Georgia, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶58.39 PROVIDING FOR CONSIDERATION OF H.R. 5652

Mr. WOODALL, by direction of the Committee on Rules, reported (Rept. No. 112-472) the resolution (H. Res. 648) providing for consideration of the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

When said resolution and report were referred to the House Calendar and ordered printed.

¶58.40 COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. WESTMORELAND, pursuant to House Resolution 643 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. PRICE of Georgia, Acting Chairman, assumed the chair; and after some time spent therein,

¶58.41 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 24, submitted by Mr. HUELSKAMP:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available under this Act, may be used in contravention of the Defense of Marriage Act (Public Law 104 199).

It was decided in the { Yeas 245 affirmative Nays 171

¶58.42 [Roll No. 235]

AYES—245

Adams Berg Bucshon
Aderholt Biggert Buerkle
Akin Bilbray Burgess
Alexander Bilirakis Burton (IN)
Amash Bishop (GA) Calvert
Amodei Bishop (UT) Camp
Austria Black Campbell
Bachmann Blackburn Canseco
Bachus Bonner Capito
Barletta Boren Carter
Barrow Boustany Cassidy
Bartlett Brady (TX) Chabot
Barton (TX) Brooks Chaffetz
Bass (NH) Broun (GA) Chandler
Benishek Buchanan Coble

Coffman (CO) Issa
Cole Jenkins
Conaway Johnson (IL)
Costello Johnson (OH)
Cravaack Johnson, Sam
Crawford Jones
Crenshaw Jordan
Critz Kelly
Cuellar King (IA)
Culberson King (NY)
Davis (KY) Kingston
Denham Kinzinger (IL)
Dent Kissell
DesJarlais Kline
Diaz-Balart Labrador
Dold Lamborn
Dreier Lance
Duffy Landry
Duncan (SC) Lankford
Duncan (TN) Latham
Elmers Latta
Emerson Lipinski
Farenthold LoBiondo
Fincher Long
Fitzpatrick Lucas
Flake Luetkemeyer
Fleischmann Lungren, Daniel
Fleming E.
Flores Mack
Forbes Manullo
Fortenberry Marchant
Foxy Marinov
Franks (AZ) Matheson
Frelinghuysen McCarthy (CA)
Gallegly McClintock
Gardner McCotter
Garrett McHenry
Gerlach McIntyre
Gibbs McKeon
Gibson McKinley
Gingrey (GA) McMorris
Gohmert Rodgers
Goodlatte Meehan
Gosar Mica
Gowdy Miller (FL)
Granger Miller (MI)
Graves (GA) Miller, Gary
Graves (MO) Mulvaney
Griffin (AR) Murphy (PA)
Griffith (VA) Myrick
Grimm Neugebauer
Guinta Noem
Guthrie Nugent
Hall Nunes
Harper Nunnelee
Harris Olson
Hartzler Palazzo
Hastings (WA) Paul
Heck Paulsen
Hensarling Pearce
Herger Pence
Herrera Beutler Peterson
Holden Petri
Huelskamp Pitts
Huizenga (MI) Platts
Hultgren Poe (TX)
Hunter Pompeo
Hurt Posey

NOES—171

Ackerman Cohen
Altmire Conyers
Andrews Cooper
Baca Costa
Baldwin Courtney
Bass (CA) Crowley
Becerra Cummings
Berkley Davis (CA)
Berman Davis (IL)
Bishop (NY) DeFazio
Blumenauer DeGette
Bonamici DeLauro
Bono Mack Deutch
Boswell Dicks
Brady (PA) Dingell
Brown (FL) Doggett
Butterfield Doyle
Capps Edwards
Capuano Ellison
Cardoza Engel
Carney Eshoo
Carson (IN) Farr
Castor (FL) Fattah
Chu Frank (MA)
Cicilline Fudge
Clarke (MI) Garamendi
Clarke (NY) Gonzalez
Clay Green, Al
Clever Green, Gene
Clyburn Grijalva

Price (GA) Levin
Rahall Lewis (CA)
Reed Lewis (GA)
Rehberg Loeb sack
Renacci Lofgren, Zoe
Ribble Lowey
Rigell Lujan
Rivera Lynch
Roby Maloney
Roe (TN) Markey
Rogers (AL) Matsui
Rogers (KY) McCarthy (NY)
Rogers (MI) McCollum
Rohrabacher McDermott
Rokita McGovern
Rooney McNeerney
Roskam Michaud
Ross (AR) Miller (NC)
Ross (FL) Miller, George
Royce Moore
Runyan Moran
Ryan (WI) Murphy (CT)
Scalise Nadler
Schilling Napolitano
Schmidt Neal
Schock Olver
Schweikert Owens
Scott (SC) Pallone
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Suttmann
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Pascrell Scott, David
Pastor (AZ) Serrano
Pelosi Sewell
Perlmutter Sherman
Peters Sires
Pingree (ME) Smith (WA)
Polis Speier
Price (NC) Stark
Quigley Sutton
Rangel Terry
Reyes Thompson (CA)
Richardson Thompson (MS)
Richmond Tierney
Ros-Lehtinen Tonko
Rothman (NJ) Towns
Roybal-Allard Tsongas
Ruppersberger Van Hollen
Miller (NC) Rush Velazquez
Ryan (OH) Ryan (OH)
Sanchez, Linda Sanchez, Loretta
T. T.
Sanchez, Loretta Sarbanes
Schakowsky Waters
Schiff Watt
Olver Waxman
Schwartz Welch
Scott (VA) Wilson (FL)
Woolsey

NOT VOTING—15

Bralley (IA) Filner Meeks
Cantor Kucinich Quayle
Carnahan Langevin Reichert
Connolly (VA) Lummis Slaughter
Donnelly (IN) McCaul Yarmuth

So the amendment was agreed to.

¶58.43 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LANDRY:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to implement a proposed rule for turtle excluder devices as described in the Southeast Fishery Bulletin published by the National Oceanic and Atmospheric Administration on May 8, 2012.

It was decided in the { Yeas 218 affirmative Nays 201

¶58.44 [Roll No. 236]

AYES—218

Adams Chaffetz Graves (GA)
Aderholt Coble Graves (MO)
Akin Coffman (CO) Griffin (AR)
Alexander Cole Guinta
Amash Conaway Guthrie
Amodei Costa Gutierrez
Austria Cravaack Hall
Bachmann Crawford Hanna
Bachus Crenshaw Harper
Barletta Barletta Culberson
Bartlett Davis (KY) Hartzler
Barton (TX) Denham Hastings (WA)
Bass (NH) Bass (NH) Heck
Benishek Dreier Hensarling
Berg Duffy Herger
Biggert Duncan (SC) Herrera Beutler
Bilirakis Bilirakis Duncan (TN) Hochul
Bishop (UT) Ellmers Huelskamp
Black Emerson Huizenga (MI)
Blackburn Farenthold Hultgren
Bonner Fincher Hunter
Bono Mack Flake Hurt
Boren Fleischmann Issa
Boustany Fleming Jenkins
Brady (TX) Brady (TX) Johnson, Sam
Brooks Brooks Jones
Broun (GA) Foyx Jordan
Buchanan Frelinghuysen Kelly
Bucshon Gallegly King (IA)
Buerkle Buerkle King (NY)
Burgess Garrett Kingston
Burton (IN) Gibbs Kinzinger (IL)
Calvert Gibson Kissell
Camp Gingrey (GA) Kline
Campbell Gohmert Labrador
Canseco Goodlatte Lamborn
Carter Gosar Lance
Cassidy Gowdy Landry
Chabot Granger Lankford

Latham
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee

NOES—201

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Browne (FL)
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr

Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinches
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larsen (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George

Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Turner (NY)
Turner (OH)
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Witman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Rooney
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Buchanan
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Townes
Tsongas
Upton
Van Hollen

Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Berman
Cantor
Donnelly (IN)
Filner

So the amendment was agreed to.

58.45 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 32, submitted by Mr. GARDNER:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

It was decided in the { Yeas 357 affirmative Nays 68

58.46 [Roll No. 237]

AYES—357

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Barrletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan

Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Young (FL)
Meeks
Johnson (OH)
Kucinich
McCaul
Slaughter
Sullivan
Waters

So the amendment was agreed to.

NOT VOTING—12

Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes

McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Paul
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)

NOES—68

Garamendi
Gonzalez
Grijalva
Gutierrez
Hastings (FL)
Hinches
Hirono
Jackson (IL)
Johnson (GA)
LaTourette
Lee (CA)
Lipinski
Lofgren, Zoe
McColum
Miller (NC)
Miller, George
Moore
Nadler
Olver
Pastor (AZ)
Price (NC)
Rangel
Rush

Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalese
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Witman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IN)

Sanchez, Linda T.
Schakowsky
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Speier
Stark
Thompson (CA)
Thompson (MS)
Townes
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Woolsey

NOT VOTING—6

Cantor
Donnelly (IN)
Filner
Kucinich
Meeks
Slaughter
So the amendment was agreed to.

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

NOT VOTING—7

Cantor	Kucinich	Sullivan
Donnelly (IN)	Meeks	
Filner	Slaughter	

So the amendment was not agreed to.

58.51 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HOLT:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Justice in contravention of any of the following:

(1) The Fifth and Fourteenth Amendments to the Constitution of the United States.

(2) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (relating to non-discrimination in federally assisted programs).

(3) Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)(1)) (relating to prohibition of discrimination).

(4) Section 210401(a) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14141(a)) (relating to unlawful police pattern or practice).

It was decided in the { Yeas 193 negative } Nays 232

58.52 [Roll No. 240]

AYES—193

Ackerman	Baldwin	Berkley
Amash	Barrow	Berman
Andrews	Bass (CA)	Bishop (GA)
Baca	Becerra	Bishop (NY)

Blumenauer	Heinrich	Peterson
Bonamici	Himes	Petri
Boswell	Hinchey	Pingree (ME)
Brady (PA)	Hinojosa	Platts
Braley (IA)	Hirono	Polis
Brown (FL)	Holden	Price (NC)
Butterfield	Holt	Quigley
Camp	Honda	Rahall
Capps	Hoyer	Rangel
Capuano	Israel	Reyes
Cardoza	Jackson (IL)	Ribble
Carnahan	Jackson Lee	Richardson
Carney	(TX)	Richmond
Carson (IN)	Johnson (GA)	Rigell
Castor (FL)	Johnson (IL)	Ross (AR)
Chandler	Johnson, E. B.	Rothman (NJ)
Chu	Kaptur	Roybal-Allard
Cicilline	Keating	Ruppersberger
Clarke (MI)	Kildee	Rush
Clarke (NY)	Kind	Ryan (OH)
Clay	Kissell	Sanchez, Linda
Cleaver	Langevin	T.
Clyburn	Larsen (WA)	Sanchez, Loretta
Cohen	Larson (CT)	Sarbanes
Connolly (VA)	LaTourrette	Schakowsky
Conyers	Lee (CA)	Schiff
Cooper	Levin	Schrader
Costa	Lewis (GA)	Schwartz
Costello	Lipinski	Scott (VA)
Courtney	Loeb sack	Scott, David
Critz	Lofgren, Zoe	Sensenbrenner
Crowley	Lowey	Serrano
Cuellar	Luetkemeyer	Sewell
Cummings	Lujan	Sherman
Davis (CA)	Lynch	Sires
Davis (IL)	Maloney	Smith (WA)
DeFazio	Markey	Speier
DeGette	Matsui	Stark
DeLauro	McCollum	Sutton
Deutch	McDermott	Thompson (CA)
Dicks	McGovern	Thompson (MS)
Dingell	McIntyre	Tierney
Doggett	McNerney	Tipton
Doyle	Michaud	Tonko
Duffy	Miller (NC)	Towns
Edwards	Miller, George	Tsongas
Ellison	Moore	Van Hollen
Engel	Moran	Velázquez
Eshoo	Mulvaney	Visclosky
Farr	Murphy (CT)	Walz (MN)
Fattah	Nadler	Wasserman
Frank (MA)	Napolitano	Schultz
Fudge	Neal	Waters
Gerlach	Oliver	Watt
Gonzalez	Owens	Waxman
Green, Al	Pallone	Welch
Green, Gene	Pascrell	Wilson (FL)
Grijalva	Pastor (AZ)	Woolsey
Gutierrez	Paul	Yarmuth
Hahn	Pelosi	Young (IN)
Hanabusa	Perlmutter	
Hastings (FL)	Peters	

NOES—232

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

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

NOT VOTING—6

Cantor	Filner	Meeks
Donnelly (IN)	Kucinich	Slaughter

So the amendment was not agreed to.

58.53 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, submitted by Mr. CRAVAACK:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to carry out the activities of the Climate Change Education program of the National Science Foundation.

It was decided in the { Yeas 238 affirmative } Nays 188

58.54 [Roll No. 241]

AYES—238

Adams	Buerkle	Duncan (SC)
Aderholt	Burgess	Duncan (TN)
Akin	Burton (IN)	Ellmers
Alexander	Calvert	Emerson
Amash	Camp	Farenthold
Amodei	Campbell	Fincher
Austria	Canseco	Fitzpatrick
Bachmann	Capito	Flake
Bachus	Carter	Fleischmann
Barletta	Cassidy	Fleming
Barrow	Chabot	Flores
Barton (TX)	Chaffetz	Forbes
Benishek	Coble	Fortenberry
Berg	Coffman (CO)	Fox
Biggart	Cole	Franks (AZ)
Bilbray	Conaway	Frelinghuysen
Bilirakis	Costello	Gallely
Bishop (UT)	Cravaack	Gardner
Black	Crawford	Garrett
Blackburn	Crenshaw	Gerlach
Bonner	Critz	Gibbs
Bono Mack	Culberson	Gingrey (GA)
Boren	Davis (KY)	Gohmert
Boustany	Denham	Goodlatte
Brady (TX)	Dent	Gosar
Brooks	DesJarlais	Gowdy
Broun (GA)	Diaz-Balart	Granger
Buchanan	Dreier	Graves (GA)
Bucshon	Duffy	Graves (MO)

Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)

NOES—188

Ackerman
Altmire
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio

Price (NC)
Quigley
Rangel
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Squires
Smith (WA)
Speier
Stark
Sutton
T.
Sanchez, Loretta
Sarbanes
Schakowsky

NOT VOTING—5

Cantor
Donnelly (IN)
Kucinich

So the amendment was agreed to.

58.55 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLAKE:

At the end of the bill (before the short title), add the following:

LIMITATION ON FUNDS FOR SELECTUSA INITIATIVE

SEC. ____ None of the funds made available in this Act may be used to carry out the SelectUSA initiative.

It was decided in the { Yeas 209 negative Nays 217

58.56 [Roll No. 242]

AYES—209

Adams
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher

Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Tipton
Turner (OH)

NOES—217

Ackerman
Aderholt
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berg
Berkley
Berman
Biggart
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Caputo
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Langevin
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Frank (MI)
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinche
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Latham
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loeb
Loeb
Lofgren, Zoe
Lowey
Lucas
Lujan
Lynch
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeke
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis

NOT VOTING—5

Cantor
Donnelly (IN)
Kucinich
Slaughter

So the amendment was not agreed to.

58.57 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLAKE:

Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation.

It was decided in the affirmative { Yeas 218 Nays 208

58.58 [Roll No. 243]

AYES—218

- Adams Goodlatte Nunnelee
Akin Olson
Alexander Gowdy Owens
Amash Granger Palazzolo
Amodei Graves (GA) Paul
Austria Graves (MO) Paulsen
Bachmann Green, Gene Pearce
Bachus Griffin (AR) Pence
Barletta Griffith (VA) Petri
Barrow Guinta Pitts
Barton (TX) Guthrie Poe (TX)
Bass (NH) Hall Pompeo
Benishke Harper Posey
Berg Harris Price (GA)
Billirakis Hartzler Quayle
Bishop (UT) Hastings (WA) Reed
Black Heck Rehberg
Blackburn Hensarling Ribble
Bonner Herger Rigell
Bono Mack Herrera Beutler Rivera
Boustany Huelskamp Roby
Brady (TX) Huizenga (MI) Roe (TN)
Brooks Hultgren Rogers (AL)
Broun (GA) Hunter Rogers (KY)
Buchanan Israel Rogers (MI)
Bucshon Issa Rohrabacher
Buerkle Jenkins Rokita
Burgess Johnson (OH) Rooney
Burton (IN) Johnson, Sam DeLauro
Calvert Jones Ros-Lehtinen
Camp Jordan Roskam
Campbell King (IA) Ross (FL)
Canseco Kingston Royce
Capito Kinzinger (IL) Runyan
Carney Kline Ryan (WI)
Carter Labrador Scalise
Cassidy Lamborn Schilling
Chabot Lance Schmidt
Chaffetz Landry Schock
Coble Lankford Schweikert
Coffman (CO) LaTourette Scott (SC)
Conaway Latta Scott, Austin
Cravaack Lewis (CA) Sensenbrenner
Crawford LoBiondo Sessions
Crenshaw Long Shimkus
Culberson Luetkemeyer Shuster
Davis (KY) Lummis Simpson
Denham Lungren, Daniel Smith (NE)
DesJarlais E. Smith (NJ)
Diaz-Balart Mack Smith (TX)
Dreier Manullo Southerland
Duffy Marchant Stearns
Duncan (SC) Marino Stutzman
Duncan (TN) McCarthy (CA) Sullivan
Ellmers McCaul Terry
Emerson McClintock Thornberry
Farenthold McCotter Turner (NY)
Fincher McHenry Upton
Flake McKeon Walberg
Fleischmann McKinley Walden
Fleming McMorris Walsh (IL)
Flores Rodgers Webster
Forbes Meehan West
Fortenberry Mica Westmoreland
Foxy Miller (FL) Whitfield
Franks (AZ) Miller (MI) Wilson (SC)
Frelinghuysen Miller, Gary Wittman
Gallegly Mulvaney Wolf
Gardner Murphy (PA) Womack
Garrett Myrick Woodall
Gerlach Neugebauer Yoder
Gibbs Noem Young (AK)
Gingrey (GA) Nugent Young (FL)
Gohmert Nunes

NOES—208

- Ackerman
Aderholt
Altmire
Andrews
Baca
Baldwin
Bartlett
Bass (CA)
Becerra
Berkley
Berman
Biggart
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carmahan
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hurt
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Renacci
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (OH)
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (IN)

NOT VOTING—5

- Cantor Filner Slaughter
Donnelly (IN) Kucinich

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. DENHAM, assumed the Chair.

When Mr. PRICE of Georgia, Acting Chairman, reported that the Committee, having had under consideration said bill, had directed him to report the same back to the House with sundry amendments adopted by the Committee, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Pursuant to House Resolution 643, the previous question was ordered on the amendments and the bill.

The following sundry amendments, reported from the Committee of the

Whole House on the state of the Union, were agreed to:

Page 3, line 15, after the dollar amount, insert "(increased by \$5,000,000)".

Page 5, line 17, strike "grants" and insert "grants, including grants authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722)".

Page 7, line 11, after the dollar amount, insert "(reduced by \$4,000,000)".

Page 13, line 2, after the dollar amount insert "(increased by \$1,600,000)".

Page 13, line 2, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 2, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 21, line 23, insert "(reduced by \$1,000,000)" after the dollar amount.

Page 21, line 23, after the dollar amount, insert "(reduced by \$22,418,000)".

Page 23, line 9, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 32, line 4, after the dollar amount insert "(reduced by \$1,900,000)".

Page 37, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

Page 42, line 3, after the dollar amount, insert "(increased by \$18,000,000)".

Page 42, line 12, after the dollar amount, insert "(increased by \$18,000,000)".

Page 43, line 15, after the dollar amount, insert "(increased by \$4,000,000)".

Page 43, line 15, after the dollar amount, insert "(increased by \$22,418,000)".

Page 43, line 17, after the dollar amount, insert "(increased by \$22,418,000)".

Page 44, line 23, after the dollar amount, insert "(increased by \$4,000,000)".

Page 48, line 20, after the dollar amount, insert "(reduced by \$30,000,000)(increased by \$30,000,000)".

Page 49, line 4, after the dollar amount, insert "(reduced by \$30,000,000)(increased by \$30,000,000)".

Page 50, line 25, after the dollar amount, insert "(increased by \$126,000,000)".

Page 51, line 12, after the dollar amount, insert "(increased by \$126,000,000)".

Page 65, line 1, after the dollar amount, insert "(reduced by \$126,000,000)".

Page 76, line 8, insert "(reduced by \$181,500)" after the dollar amount.

Page 101, line 10, insert "(increased by \$1,000,000)" after the dollar amount.

Page 101, line 10, after the dollar amount, insert "(increased by \$542,000)".

Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to develop, approve, or implement a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) that are not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

At the end of the bill (before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to implement, administer, or enforce the Equal Employment Opportunity Commission (EEOC) Enforcement Guidance Number 915.002 concerning "Consideration of arrest and conviction records in employment decisions".

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used in contravention of paragraph (1), (2), or (3) of section 1001(a) of title 18, United States Code.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to defend against any action challenging—

(1) any provision of Public Law 111-148 or any provision of title I or subtitle B of title II of Public Law 111-152; or

(2) any amendment to a provision of law made by any provision described in paragraph (1).

At the end of the bill (and before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to litigate against any of the several States on behalf of the National Labor Relations Board pertaining to secret ballot union elections.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Justice to be a party to a single or multi-state court settlement where funds are removed from any residential mortgage-backed securitization trust.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used by the Department of Justice to bring any action against any State for implementation of a State law requiring voter identification.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used to conduct the survey, conducted by the Secretary of Commerce, commonly referred to as the "American Community Survey".

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to implement the National Ocean Policy developed under Executive Order 13547 (75 Fed. Reg. 43023, relating to the stewardship of oceans, coasts, and the Great Lakes).

At the end of the bill (before the short title), insert the following:

SEC. 542. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading "Department of Justice—State and Local Law Enforcement Activities—Office of Justice Programs—State and Local Law Enforcement Assistance" may be used in contravention of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for the purpose of implementing section 36.302(c)(9) of title 28, Code of Federal Regulations.

At the end of the bill (before the short title), insert the following:

SEC. ____ . The amount made available by this Act For "Department of Justice—Office of Justice Programs—State and Local Law Enforcement Assistance" for emergency federal law enforcement assistance, as authorized by section 609M the Justice Assistance Act of 1984 (42 U.S.C. 10513; Public Law 98-473) is hereby increased by \$20,000,000 and the amount otherwise provided by this Act for PERIODIC CENSUSES AND PROGRAMS AND STATISTICS is hereby reduced by \$20,000,000.

At the end of the bill (before the short title) insert the following:

SEC. ____ . The amounts otherwise provided by this Act are revised by—

(1) reducing the amount made available under the heading "Department of Commerce; International Trade Administration; Operations and Administration" (and the amount provided under such heading for official representation expenses abroad) by \$155,979;

(2) reducing the amount made available under the heading "Department of Commerce; Bureau of Industry and Security; Operations and Administration" (and the amount provided under such heading for official representation expenses abroad), by \$6,750;

(3) reducing the amount made available under the heading "Department of Commerce; U.S. Patent and Trademark Office; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$450;

(4) reducing the amount made available under the heading "Department of Commerce; National Institute of Standards and Technology; Scientific and Technical Research and Services" (and the amount provided under such heading for official reception and representation expenses) by \$2,500;

(5) reducing the amount made available under the heading "Department of Com-

merce; Departmental Management; Salaries and Expenses" (and the amount provided under such heading for official reception and representation) by \$2,250;

(6) reducing the amount made available under the heading "Department of Justice; Legal Activities; Salaries and Expenses, General Legal Activities" (and the amount made available under such heading to INTERPOL Washington for official reception and representation expenses) by \$4,500;

(7) reducing the amount made available under the heading "Department of Justice; Legal Activities; Salaries and Expenses, United States Attorneys" (and the amount provided under such heading for official reception and representation expenses) by \$3,600;

(8) reducing the amount made available under the heading "Department of Justice; United States Marshals Service; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$3,000;

(9) reducing the amount made available under the heading "Department of Justice; Federal Bureau of Investigations; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$98,640;

(10) reducing the amount made available under the heading "Department of Justice; Drug Enforcement Administration; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$45,000;

(11) reducing the amount made available under the heading "Department of Justice; Bureau of Alcohol, Tobacco, Firearms and Explosives; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$18,000;

(12) reducing the amount made available under the heading "Department of Justice; Federal Prison System; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$2,700;

(13) reducing the amount made available under the heading "Science; Office of Science and Technology Policy" (and the amount provided under such heading for official reception and representation expenses) by \$1,125;

(14) reducing the amount made available under the heading "Science; National Aeronautics and Space Administration; Cross Agency Support" (and the amount provided under such heading for official reception and representation expenses) by \$31,709;

(15) reducing the amount made available under the heading "Science; National Science Foundation; Agency Operations and Award Management" (and the amount provided under such heading for official reception and representation expenses) by \$4,140;

(16) reducing the amount made available under the heading "Science; Office of the National Science Board" (and the amount provided under such heading for official reception and representation expenses) by \$1,250;

(17) reducing the amount made available under the heading "Related Agencies; Equal Employment Opportunity Commission" (and the amount provided under such heading for official reception and representation expenses) by \$1,125;

(18) reducing the amount made available under the heading "Related Agencies; International Trade Commission; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$1,125;

(19) reducing the amount made available under the heading "Related Agencies; Office of the United States Trade Representative; Salaries and Expenses" (and the amount pro-

vided under such heading for official reception and representation expenses) by \$58,032; (20) reducing the amount made available under the heading "Related Agencies; State Justice Institute; Salaries and Expenses" (and the amount provided under such heading for official reception and representation expenses) by \$1,125; and

(21) by increasing the amount made available for "Department of Commerce; National Institute of Standards and Technology; Industrial Technology Services" (and the amount provided under such heading for the Manufacturing Extension Partnership) by \$443,000.

At the end of the bill, before the short title, insert the following:

SEC. ____ . None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111-11.

At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Executive Office for United States Attorneys (including the offices of United States attorneys), the United States Marshals Service, or employees of the Department of Justice, to carry out activities located at a newly constructed Federal courthouse located on a site between Broadway, Hill, First, and Second Streets in Los Angeles, California.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available under this Act, may be used in contravention of the Defense of Marriage Act (Public Law 104-199).

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to implement a proposed rule for turtle excluder devices as described in the Southeast Fishery Bulletin published by the National Oceanic and Atmospheric Administration on May 8, 2012.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to carry out the activities of the Climate Change Education program of the National Science Foundation.

Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

THURSDAY, MAY 10 (LEGISLATIVE DAY OF MAY 9), 2012

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill were postponed.

¶58.59 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 743. An Act to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes; to the Committee on Government Reform; in addition, to the Permanent Select Committee on Intelligence; and to the Committee on Homeland Security for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶58.60 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1302. An Act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

And then,

¶58.61 ADJOURNMENT

On motion of Mr. WOLF, pursuant to the previous order of the House, at 12 o'clock and 1 minute a.m., Thursday, May 10 (legislative day of May 9), 2012, the House adjourned until 9 a.m. on Thursday, May 10, 2012.

¶58.62 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 4966. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace of sequester established by the Budget Control Act of 2011; with an amendment (Rept. 112-469, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 5652. A bill to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013 (Rept. 112-470). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 4235. A bill to amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts; with an amendment (Rept. 112-471, Pt. 1). Ordered to be printed.

Mr. WOODALL: Committee on Rules. House Resolution 648. Resolution providing for consideration of the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013 (Rept. 112-472). Referred to the House Calendar.

¶58.63 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further con-

sideration. H.R. 4966 referred to the Committee of the Whole House on the state of the Union.

¶58.64 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOLD:

H.R. 5650. A bill to amend title X of the Public Health Service Act to provide for no discrimination under the family planning program under such title on the basis of separate provision of abortion; to the Committee on Energy and Commerce.

By Mr. UPTON (for himself, Mr. WAXMAN, Mr. PITTS, Mr. PALLONE, Mr. BARTON of Texas, and Mr. DINGELL):

H.R. 5651. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BALDWIN:

H.R. 5653. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide dental care to veterans awarded the Purple Heart, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BACA:

H.R. 5654. A bill to remove the testing provisions in the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. BONNER:

H.R. 5655. A bill to suspend temporarily the rate of duty on 1-Propanone, 2-hydroxy-2-methyl-1-phenyl-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5656. A bill to extend the temporary suspension of duty on methyl-4-trifluoromethoxyphenyl-N-(chlorocarbonyl) carbamate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5657. A bill to extend the temporary suspension of duty on mixtures of indoxacarb and inert ingredients; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5658. A bill to suspend temporarily the rate of duty on Reactive Red 264; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5659. A bill to suspend temporarily the rate of duty on Ethanone, 2,2-dimethoxy-1,2-diphenyl-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5660. A bill to suspend temporarily the rate of duty on Reactive Red 267; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5661. A bill to suspend temporarily the rate of duty on 1-Hydroxy cyclohexyl phenyl ketone; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5662. A bill to suspend temporarily the rate of duty on 2,4-Bis(2-hydroxy-4-butyloxyphenyl)-6-(2,4-bis-butyloxyphenyl)-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5663. A bill to suspend temporarily the rate of duty on mixtures of certain types of Triazin; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5664. A bill to suspend temporarily the rate of duty on Phosphine oxide, phenylbis(2,4,6-trimethylbenzoyl)-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5665. A bill to suspend temporarily the rate of duty on 1-propanone, 2-methyl-1-[4-

(methylthio)phenyl]-2-(4-morpholinyl)-(9ci); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5666. A bill to suspend temporarily the duty on Topramezone technical; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5667. A bill to suspend temporarily the duty on 5-bromo-3-sec-butyl-6-methyluracil (Bromacil); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5668. A bill to suspend temporarily the rate of duty on isomeric mixtures of substituted hydroxy phenyl triazines; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5669. A bill to suspend temporarily the rate of duty on Bis(2,2,6,6-tetramethyl-4-piperidyl)sebacate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5670. A bill to suspend temporarily the rate of duty on Bis(2,2,6,6-tetramethyl-4-piperidyl)sebacate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5671. A bill to extend the temporary suspension of duty on methyl-4-trifluoromethoxyphenyl-N-(chlorocarbonyl) carbamate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5672. A bill to extend the temporary suspension of duty on Reactive Red 238; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5673. A bill to extend the temporary suspension of duty on Reactive Blue 235; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5674. A bill to suspend temporarily the rate of duty on Butane, 1-chloro; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5675. A bill to extend the temporary suspension of duty on benzyl carbazate (hydrazinecarboxylic acid, phenylmethyl ester); to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5676. A bill to suspend temporarily the rate of duty on Hexane, 1,6-dichloro-; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5677. A bill to extend the temporary suspension of duty on Vat Black 25; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5678. A bill to suspend temporarily the duty on dimethyl 2,3,5,6-tetrachloro-1, 4-Benzenedicarboxylate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5679. A bill to extend the temporary suspension of duty on mixtures of 5-methyl-5-(4-phenoxyphenyl)-3-(phenyl-amino)-2,4-oxazolidinedione(famoxadone), 2-cyano-N-[(ethylamino)-carbonyl]-2-(methoxyimino)acetamide (Cymoxanil) and application adjuvants; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5680. A bill to extend the temporary suspension of duty on Ethyl pyruvate; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5681. A bill to extend the temporary suspension of duty on Reactive Yellow 7459; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 5682. A bill to suspend temporarily the duty on 1,3,5-triazine, 2,4,6- tris (2-propenyloxy)-; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 5683. A bill to authorize the President to establish the Veterans' Job Corps as a means of providing gainful employment to unemployed veterans and widows of veterans

through the performance of useful public works, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HEINRICH (for himself, Mr. PERLMUTTER, Mr. RUSH, Mr. COOPER, Mrs. CAPPS, Mr. KISSELL, Mr. CICILLINE, Ms. NORTON, Mr. LEWIS of Georgia, Mr. LUJÁN, Mr. ROTHMAN of New Jersey, and Mr. SCHIFF):

H.R. 5684. A bill to prohibit employers from compelling or coercing any person to authorize access to a protected computer, and for other purposes; to the Committee on the Judiciary.

By Mr. HULTGREN:

H.R. 5685. A bill to suspend temporarily the duty on Pigment Yellow 151; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5686. A bill to extend the temporary suspension of duty on Pigment Yellow 154; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5687. A bill to extend the temporary suspension of duty on Pigment Red 185; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5688. A bill to extend the temporary suspension of duty on Pigment Yellow 175; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 5689. A bill to suspend temporarily the duty on Pigment Orange 74; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mrs. CAPPS, Mr. FULNER, Mr. JACKSON of Illinois, and Mr. RANGEL):

H.R. 5690. A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible entities to train elementary and secondary school nurses on how to respond to a biological or chemical attack or an outbreak of pandemic influenza in a school building or on school grounds; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. ELLISON, Mr. GUTIERREZ, Mr. MORAN, Mr. JACKSON of Illinois, Ms. RICHARDSON, Mr. VAN HOLLEN, Mr. SERRANO, Mr. CICILLINE, Mr. DINGELL, Mr. MILLER of North Carolina, Mr. RANGEL, Ms. CHU, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. CARSON of Indiana, Ms. HAHN, Ms. KAPTUR, Mr. NADLER, Mr. CONYERS, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. CUMMINGS, Ms. ESHOO, Mr. GONZALEZ, Ms. NORTON, Ms. LEE of California, Ms. DELAURO, Ms. WILSON of Florida, Ms. LORETTA SANCHEZ of California, Ms. WOOLSEY, Mrs. LOWEY, Mr. TOWNS, Ms. WATERS, Mr. TONKO, Mr. RUSH, Mr. ACKERMAN, Mr. HINCHEY, Mr. STARK, Mr. HOLT, Mr. PALLONE, Ms. TSONGAS, Mr. BECERRA, and Ms. BASS of California):

H.R. 5691. A bill to amend the Truth in Lending Act to establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. PAULSEN:

H.R. 5692. A bill to extend the suspension of duty on Interam mats; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5693. A bill to extend the suspension of duty on perfluorocarbon amines; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5694. A bill to extend the suspension of duty on certain fluoropolymers; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5695. A bill to extend the suspension of duty on certain cathode-ray tubes; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5696. A bill to extend the suspension of duty on certain cathode-ray tubes; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5697. A bill to extend the suspension of duty on 9-Anthracenecarboxylic acid, (triethoxysilyl)methyl ester; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. GERLACH):

H.R. 5698. A bill to suspend temporarily the duty on S-(2-benzothiazolyl)-2-(2-aminothiazol-4-yl)-2-acetoxyimino thioacetate (Thioester); to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5699. A bill to suspend temporarily the duty on certain yarn of carded wool; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5700. A bill to suspend temporarily the duty on certain cotton yarn of combed fibers; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5701. A bill to suspend temporarily the duty on certain cotton yarn of combed fibers; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5702. A bill to extend the temporary suspension of duty on Diiodomethyl-p-tolylsulfone; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5703. A bill to extend the temporary suspension of duty on 2-Propenoic acid, polymer with diethenylbenzene; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 5704. A bill to renew the temporary suspension of duty on Methyl Hydroxyethyl Cellulose; to the Committee on Ways and Means.

By Mr. REED (for himself and Mr. NEAL):

H.R. 5705. A bill to amend the Internal Revenue Code of 1986 to permanently modify the limitations on the deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHILLING (for himself and Mr. LOEBSACK):

H.R. 5706. A bill to provide strategic workload to Army arsenals in their function as a critical component of the organic defense industrial base; to the Committee on Armed Services.

By Ms. SCHWARTZ (for herself, Mr. HECK, Mrs. CHRISTENSEN, and Mr. COURTNEY):

H.R. 5707. A bill to amend part B of title XVIII of the Social Security Act to reform Medicare payment for physicians' services by eliminating the sustainable growth rate system and providing incentives for the adoption of innovative payment and delivery models to improve quality and efficiency; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WASSERMAN SCHULTZ (for herself and Ms. ROS-LEHTINEN):

H. Res. 647. A resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America in 2012; to the Committee on Foreign Affairs.

¶58.65 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

198. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 720 urging the federal government take no action to redeem, assume, or guarantee State debt; to the Committee on the Judiciary.

199. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 87 calling for an amendments convention for the purpose of proposing an amendment to have the federal debt be increased by approval from a majority of the legislatures of the separate states; to the Committee on the Judiciary.

200. Also, a memorial of the House of Representatives of the State of Maine, relative to House Joint Resolution, H.P. 1397 memorializing the President and the Congress to review portions of the National Defense Authorization Act; jointly to the Committees on Armed Services and Foreign Affairs.

201. Also, a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution H.P. 1390 urging the Congress to Adequately Fund the Low-Income Home Energy Assistance Program; jointly to the Committees on Energy and Commerce and Education and the Workforce.

158.66 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. KING of New York.
 H.R. 436: Mr. SMITH of Texas, Mr. LATHAM, and Mr. ROSS of Arkansas.
 H.R. 493: Mr. CONNOLLY of Virginia.
 H.R. 531: Ms. CASTOR of Florida.
 H.R. 544: Mr. CONYERS.
 H.R. 718: Mr. CONNOLLY of Virginia.
 H.R. 719: Ms. BUERKLE.
 H.R. 733: Mr. GRIMM.
 H.R. 750: Mr. AUSTIN SCOTT of Georgia, Mr. SCOTT of South Carolina, and Mr. BENISHEK.
 H.R. 777: Mr. JOHNSON of Ohio.
 H.R. 807: Mr. ELLISON.
 H.R. 860: Ms. BUERKLE.
 H.R. 885: Mr. SCHRADER, Mr. BRALEY of Iowa, Mr. CARDOZA, Mr. KISSELL, and Mr. QUIGLEY.
 H.R. 930: Ms. CHU.
 H.R. 1044: Mr. JACKSON of Illinois.
 H.R. 1057: Mr. WALZ of Minnesota.
 H.R. 1145: Mr. JOHNSON of Ohio.
 H.R. 1167: Mr. SCALISE.
 H.R. 1204: Mr. PRICE of North Carolina.
 H.R. 1238: Mr. CONYERS.
 H.R. 1244: Mr. MARINO.
 H.R. 1265: Mr. PETERS.
 H.R. 1327: Mr. NUNNELEE and Mrs. MYRICK.
 H.R. 1397: Ms. KAPTUR.
 H.R. 1416: Mr. FLAKE.
 H.R. 1515: Mr. MARKEY.
 H.R. 1614: Mr. JACKSON of Illinois.
 H.R. 1620: Mr. JOHNSON of Ohio.
 H.R. 1639: Mr. FRELINGHUYSEN.
 H.R. 1648: Mr. DINGELL, Ms. SCHWARTZ, and Mr. MARKEY.
 H.R. 1666: Ms. HAHN, Ms. BONAMICI, and Mr. PASTOR of Arizona.
 H.R. 1681: Mr. PRICE of North Carolina.
 H.R. 1687: Mr. FITZPATRICK.
 H.R. 1697: Mr. HUELSKAMP.
 H.R. 1704: Ms. SPEIER.
 H.R. 1718: Ms. MCCOLLUM.
 H.R. 1777: Mr. NEUGEBAUER.
 H.R. 1860: Mr. GUTHRIE and Mr. DEFazio.
 H.R. 1865: Mr. CARTER and Mr. POSEY.
 H.R. 1936: Mr. HINOJOSA.
 H.R. 1940: Mr. PASCRELL.
 H.R. 1955: Mr. LIPINSKI and Mr. VAN HOLLEN.
 H.R. 1956: Mr. CRAWFORD, Mr. TIBERI, Mr. WILSON of South Carolina, and Mr. DANIEL E. LUNGREN of California.
 H.R. 1957: Mr. AKIN.

H.R. 2077: Mr. CALVERT.
 H.R. 2082: Mr. STARK.
 H.R. 2085: Mr. PRICE of North Carolina.
 H.R. 2115: Mr. SMITH of Washington.
 H.R. 2140: Mr. JACKSON of Illinois.
 H.R. 2145: Mr. JORDAN.
 H.R. 2198: Mr. JONES.
 H.R. 2245: Mr. DOYLE.
 H.R. 2267: Mr. MCCOTTER, Mr. GRAVES of Missouri, Mr. GARDNER, Mr. JOHNSON of Ohio, Mr. BISHOP of New York, Mr. HOLDEN, Mrs. MALONEY, Mrs. MCCARTHY of New York, and Ms. BONAMICI.
 H.R. 2299: Mr. CALVERT.
 H.R. 2499: Mr. DUNCAN of Tennessee, Mr. TIERNEY, Mr. RUPPERSBERGER, and Mr. NADLER.
 H.R. 2502: Mr. WALBERG.
 H.R. 2513: Mr. COHEN.
 H.R. 2514: Mr. SCALISE.
 H.R. 2524: Mr. FILNER.
 H.R. 2568: Ms. CASTOR of Florida.
 H.R. 2595: Mr. MEEHAN and Ms. NORTON.
 H.R. 2600: Mr. PAUL and Mrs. BONO MACK.
 H.R. 2639: Ms. WATERS and Mr. HEINRICH.
 H.R. 2746: Mr. FITZPATRICK, Mr. PLATTS, and Mr. ANDREWS.
 H.R. 2810: Mr. LANKFORD and Mr. COLE.
 H.R. 2827: Ms. MOORE.
 H.R. 2951: Mrs. BLACK.
 H.R. 2962: Mr. GRIMM and Mr. MCDERMOTT.
 H.R. 3057: Mr. MCCOTTER.
 H.R. 3067: Mr. PASCRELL, Mr. SIREN, Mr. WELCH, Mr. COHEN, Ms. DEGETTE, Mr. FRELINGHUYSEN, Mr. WITTMAN, Mr. RYAN of Ohio, Mr. HIMES, Mr. PRICE of North Carolina, Mr. MATHESON, Mr. GRIMM, Mr. TIPTON, Ms. BERKLEY, Ms. WILSON of Florida, Mrs. MYRICK, Mr. BARTON of Texas, Mr. FITZPATRICK, Mr. BACA, Mr. KUCINICH, Mr. CLAY, Mr. CARTER, Mr. BERMAN, Mr. SESSIONS, Mr. RENACCI, Mr. CONYERS, Mr. BARTLETT, Mr. LEVIN, Mr. NEAL, Mr. CROWLEY, Mr. SERRANO, Mr. DAVIS of Illinois, and Ms. ROYBAL-ALLARD.
 H.R. 3145: Mr. KING of New York.
 H.R. 3173: Ms. HIRONO.
 H.R. 3185: Mr. CRAWFORD.
 H.R. 3187: Mr. KING of New York, Ms. WOOLSEY, Mr. LIPINSKI, Mr. MCKEON, Mr. BARTLETT, and Mr. ALEXANDER.
 H.R. 3242: Mr. MCGOVERN.
 H.R. 3264: Mr. FLORES.
 H.R. 3286: Mr. MCDERMOTT and Mr. NEAL.
 H.R. 3324: Mr. CLEAVER.
 H.R. 3395: Mr. HOLDEN.
 H.R. 3420: Mr. GARDNER.
 H.R. 3444: Mr. WALBERG.
 H.R. 3487: Mr. BERG, Mrs. NOEM, and Mr. MACK.
 H.R. 3497: Mr. JACKSON of Illinois.
 H.R. 3541: Mr. LOBIONDO and Mr. BUCSHON.
 H.R. 3596: Mr. JACKSON of Illinois.
 H.R. 3627: Mr. OLVER, Mr. SARBANES, and Mrs. BONO MACK.
 H.R. 3643: Mr. BUCHANAN.
 H.R. 3679: Mr. ACKERMAN.
 H.R. 3702: Mr. AMASH.
 H.R. 3713: Mr. WOLF, Mr. SHULER, Mrs. MALONEY, and Mrs. BLACKBURN.
 H.R. 3728: Mr. SCHWEIKERT.
 H.R. 3766: Mr. RUNYAN.
 H.R. 3776: Mr. QUIGLEY.
 H.R. 3798: Mr. DINGELL and Ms. WOOLSEY.
 H.R. 3803: Mr. DIAZ-BALART, Mr. GALLEGLY, and Mr. LEWIS of California.
 H.R. 3843: Mr. RANGEL, Ms. BERKLEY, and Mr. MCGOVERN.
 H.R. 3877: Mr. JOHNSON of Ohio.
 H.R. 3895: Mr. YOUNG of Florida.
 H.R. 3905: Ms. HIRONO.
 H.R. 4004: Mr. DEFazio and Mr. FITZPATRICK.
 H.R. 4005: Mr. BROUN of Georgia.
 H.R. 4057: Mr. CULBERSON and Mr. JACKSON of Illinois.
 H.R. 4066: Mr. GRAVES of Georgia.
 H.R. 4082: Mr. HOLT.
 H.R. 4091: Mr. PERLMUTTER, Mr. ROSS of Arkansas, Mr. GENE GREEN of Texas, Mr. CLAY, and Ms. FUDGE.

H.R. 4093: Mr. DUNCAN of Tennessee.
 H.R. 4094: Mr. HURT.
 H.R. 4103: Mr. CONNOLLY of Virginia and Mr. BENISHEK.
 H.R. 4104: Mr. RYAN of Wisconsin, Mr. AUSTIN SCOTT of Georgia, Mr. GINGREY of Georgia, Mr. TURNER of Ohio, Mr. LEWIS of California, Mrs. HARTZLER, Mr. COLE, Mr. FLEISCHMANN, Mr. BARTON of Texas, Mr. QUAYLE, Mr. POMPEO, Mr. TIPTON, Mr. GOSAR, Mr. HARRIS, Mr. JORDAN, Mr. SCOTT of South Carolina, Mr. WELCH, Mr. FARENTHOLD, Mr. WALDEN, Mr. POE of Texas, Mr. CONAWAY, Mr. SHUSTER, Mr. AUSTRIA, Mr. GOHMERT, Mr. MARCHANT, Mr. BENISHEK, Mr. KINZINGER of Illinois, Mr. COFFMAN of Colorado, Mrs. EMERSON, Mr. KING of New York, Mr. HARPER, Mrs. LUMMIS, Ms. JENKINS, Mr. KINGSTON, Mr. LANDRY, Mr. MICHAUD, Mr. ROSS of Arkansas, Mr. RUPPERSBERGER, Mr. CARDOZA, Mr. BOREN, Mr. BARROW, Mr. TONKO, Mr. THOMPSON of California, Ms. MATSUI, Mr. ANDREWS, Ms. ESHOO, Mr. HINCHEY, Ms. WOOLSEY, Mr. OLVER, Mr. STARK, Mr. REYES, Mr. PASTOR of Arizona, Mr. BOSWELL, Mrs. LOWEY, Ms. HAHN, Mr. ROTHMAN of New Jersey, Mr. KIND, Mr. COHEN, Mr. DEUTCH, Mr. HIMES, Mr. CROWLEY, Ms. HIRONO, and Mr. GRIFFIN of Arkansas.
 H.R. 4122: Ms. SCHAKOWSKY and Mr. DEFazio.
 H.R. 4132: Mr. PAUL.
 H.R. 4133: Ms. CLARKE of New York, Mr. BROUN of Georgia, Mr. MCNERNEY, Ms. SLAUGHTER, Mrs. SCHMIDT, Mr. CANSECO, Mr. CHABOT, Mr. GUTIERREZ, Mr. POE of Texas, and Ms. KAPTUR.
 H.R. 4134: Mr. HURT.
 H.R. 4155: Mr. JOHNSON of Ohio, Mr. COFFMAN of Colorado, Mr. CARSON of Indiana, and Mr. ROTHMAN of New Jersey.
 H.R. 4157: Mr. ROSS of Florida.
 H.R. 4169: Mr. COURTNEY and Mr. MCINTYRE.
 H.R. 4174: Mr. GARRETT.
 H.R. 4209: Ms. PINGREE of Maine, Mr. BACHUS, Mr. TONKO, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, and Mr. YOUNG of Alaska.
 H.R. 4227: Ms. PINGREE of Maine.
 H.R. 4229: Mr. PALLONE, Mr. GRAVES of Missouri, Mr. ROGERS of Alabama, Mrs. BACHMANN, Mr. GUTIERREZ, Mr. BERG, Mr. LANCE, Ms. MATSUI, Mr. FRANKS of Arizona, Mr. SMITH of New Jersey, Mr. JACKSON of Illinois, and Mr. RIVERA.
 H.R. 4254: Mr. JACKSON of Illinois.
 H.R. 4255: Mr. FORBES.
 H.R. 4269: Mr. WITTMAN, Mr. CANSECO, Mr. KLINE, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. CRAVAACK, Mr. JOHNSON of Ohio, Mr. YOUNG of Alaska, Mr. WILSON of South Carolina, and Mrs. MILLER of Michigan.
 H.R. 4282: Mr. CRITZ.
 H.R. 4293: Mr. JACKSON of Illinois.
 H.R. 4305: Mr. ROSS of Arkansas.
 H.R. 4332: Ms. DEGETTE and Mr. DOLD.
 H.R. 4336: Mr. MILLER of Florida.
 H.R. 4341: Mr. JOHNSON of Ohio and Mr. PRICE of North Carolina.
 H.R. 4350: Mr. JACKSON of Illinois, Ms. BERKLEY, and Mr. SMITH of New Jersey.
 H.R. 4367: Mr. FARENTHOLD, Mr. HURT, Mr. DIAZ-BALART, Mr. DOLD, Mr. KISSELL, Mr. HUELSKAMP, Mr. WALBERG, Mr. MEEKS, Mr. NUNNELEE, Mr. CARTER, Ms. JENKINS, Mr. FORTENBERRY, Mrs. MYRICK, Mr. MCGOVERN, Mr. MCINTYRE, and Mr. MARCHANT.
 H.R. 4372: Mr. MILLER of Florida.
 H.R. 4379: Mr. KUCINICH.
 H.R. 4386: Mr. WESTMORELAND.
 H.R. 4390: Mr. CASSIDY, Mr. QUIGLEY, and Ms. CHU.
 H.R. 4405: Mr. PASCRELL.
 H.R. 4609: Mr. CLARKE of Michigan, Mr. CONYERS, and Mr. JOHNSON of Georgia.
 H.R. 4643: Ms. ESHOO.
 H.R. 4816: Mr. CONNOLLY of Virginia and Mr. DINGELL.
 H.R. 4965: Mr. LATTI, Mr. SMITH of Nebraska, Mr. LATHAM, Mr. ROGERS of Ken-

tucky, Mr. MCINTYRE, Mr. LUETKEMEYER, Mr. BISHOP of Georgia, Mr. CRAWFORD, Mr. LANKFORD, Mr. BISHOP of Utah, and Mr. CRAVAACK.

- H.R. 5284: Mr. LOEBSACK and Mr. ROSKAM.
- H.R. 5303: Mr. DUNCAN of South Carolina, Ms. BUERKLE, Mr. ROHRBACHER, Mr. AUSTRIA, and Mrs. ELLMERS.
- H.R. 5331: Ms. ESHOO.
- H.R. 5344: Ms. NORTON.
- H.R. 5647: Mr. MCGOVERN, Mr. FILNER, Ms. ROYBAL-ALLARD, and Ms. BONAMICI.
- H.J. Res. 104: Mr. CRAWFORD.
- H. Con. Res. 87: Mr. ISSA.
- H. Res. 271: Mr. SULLIVAN and Mr. RENACCI.
- H. Res. 490: Mr. KINZINGER of Illinois.
- H. Res. 507: Mrs. MYRICK.
- H. Res. 568: Mr. HOYER.
- H. Res. 644: Mr. COOPER, Ms. WATERS, Mr. COURTNEY, Mr. WOLF, Mr. SCHILLING, and Ms. HOCHUL.
- H. Res. 645: Mr. HINOJOSA, Mr. RAHALL, Mr. SCHIFF, Ms. MCCOLLUM, Mr. DINGELL, Mr. GENE GREEN of Texas, and Ms. BONAMICI.
- H. Res. 646: Mr. PITTS.

THURSDAY, MAY 10, 2012 (59)

The House was called to order by the SPEAKER.

159.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 9, 2012.

Ms. JENKINS, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Ms. JENKINS objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

159.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

- 5945. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiamethoxam; Pesticide Tolerances [EPA-HQ-OPP-2010-1079; FRL-9331-8] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
- 5946. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trifloxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2011-0138; FRL-9336-5] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
- 5947. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trinexapac-ethyl; Pesticide Tolerances [EPA-HQ-OPP-2010-0524; FRL-9337-9] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
- 5948. A letter from the Acting Under Secretary, Department of Defense, transmitting

the Department's Evaluation of the TRICARE Program for Fiscal Year 2012, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

- 5949. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report presenting the specific amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2013; to the Committee on Armed Services.
- 5950. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report presenting the specific amounts of staff-years of technical effort to be allocated for each defense Federally Funded Research and Development Center during fiscal year 2013; to the Committee on Armed Services.
- 5951. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Fiscal Year 2010-2018 Strategic Workforce Plan; to the Committee on Armed Services.
- 5952. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "State High Risk Pool Grant Program for Federal Fiscal Year 2010"; to the Committee on Energy and Commerce.
- 5953. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Lead Ambient Air Quality Standards [EPA-R05-OAR-2010-0100; FRL-9641-8] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5954. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Atlanta; Fine Particulate Matter 2002 Base Year Emissions Inventory [EPA-R04-OAR-2012-0050-201207(a); FRL-9639-4] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5955. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Macon; Fine Particulate Matter 2001 Base Year Emissions Inventory [EPA-R04-OAR-2011-0850-201154(a); FRL-9639-8] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5956. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste Exclusion [FDMS Docket No.: EPA-R08-RCRA-2011-0823; FRL-9640 2] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5957. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Mojave Desert Quality Management District [EPA-R09-OAR-2011-0990; FRL-9626-4] received February 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5958. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Feather River Air, Quality Management District [EPA-R09-OAR-2011-0900; FRL-9626-3] received February

- 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.
- 5959. A letter from the Secretary, American Battle Monuments Commission, transmitting the Commission's FY 2011 Annual Report pursuant to Section 203, Title II of the Notification and Federal Antidiscrimination and Retaliation (No FEAR) Act; to the Committee on Oversight and Government Reform.
- 5960. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 11; Correction [Docket No.: 0808041037-1649-02] (RIN: 0648-AX05) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5961. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XB026) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5962. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery [Docket No.: 0910051338-0151-02] (RIN: 0648-XB059) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.
- 5963. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, "2011 Annual Report of the Director of the Administrative Office of the U.S. Courts"; to the Committee on the Judiciary.
- 5964. A letter from the Secretary, Department of Transportation, transmitting the Department's report of obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs for Fiscal Year 2011 as of September 30, 2011; to the Committee on Transportation and Infrastructure.
- 5965. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; South Bend, IN [Docket No.: FAA-2011-0250; Airspace Docket No. 11-AGL-6] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
- 5966. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Security Considerations for Lavatory Oxygen Systems [Docket No.: FAA-2011-0186; Amdt. Nos. 21-94,25-133, 121-354, 129-50; SFAR 111] (RIN: 2120-AJ92) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
- 5967. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of Category IIIa, IIIb, and IIIc Definitions [Docket No.: FAA-2012-0019; Amdt. No. 1-67] (RIN: 2120-AK03) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
- 5968. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department of Defense requests to be enacted during the second session of the 112th Congress;

Mica	Rivera	Smith (TX)
Miller (FL)	Roby	Southerland
Miller (MI)	Roe (TN)	Stearns
Miller, Gary	Rogers (AL)	Stivers
Mulvaney	Rogers (KY)	Sullivan
Murphy (PA)	Rogers (MI)	Terry
Myrick	Rohrabacher	Thompson (PA)
Neugebauer	Rokita	Thornberry
Nugent	Rooney	Tiberi
Nunes	Ros-Lehtinen	Tipton
Nunnelee	Roskam	Turner (NY)
Olson	Ross (FL)	Turner (OH)
Palazzo	Royce	Upton
Paulsen	Runyan	Walberg
Pearce	Ryan (WI)	Walden
Pence	Scalise	Walsh (IL)
Petri	Schilling	Webster
Pitts	Schmidt	West
Platts	Schock	Westmoreland
Poe (TX)	Schweikert	Whitfield
Pompeo	Scott (SC)	Wilson (SC)
Posey	Scott, Austin	Wittman
Price (GA)	Sensenbrenner	Wolf
Quayle	Sessions	Womack
Reed	Shimkus	Woodall
Rehberg	Shuler	Yoder
Reichert	Shuster	Young (FL)
Renacci	Simpson	Young (IN)
Ribble	Smith (NE)	
Rigell	Smith (NJ)	

NOES—183

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

NOT VOTING—15

Austria	Broun (GA)	Filner
Bachus	Burgess	Hinchee
Berman	Donnelly (IN)	Johnson (GA)

Mack	Paul	Stutzman
Noem	Slaughter	Young (AK)

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

159.6 MESSAGE FROM THE SENATE

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

- H. Con. Res. 105. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.
- H. Con. Res. 106. A concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.
- H. Con. Res. 117. A concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.
- H. Con. Res. 118. A concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

- S. 2224. An Act to require the President to report to Congress on issues related to Syria.

159.7 SEQUESTER REPLACEMENT RECONCILIATION FY 2013

Mr. RYAN of Wisconsin, pursuant to House Resolution 648, called up for consideration the bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

Pending consideration of said bill, Pursuant to House Resolution 648, the following amendment in the nature of a substitute, consisting of the text of Rules Committee Print 112-21, was considered as agreed to:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sequester Replacement Reconciliation Act of 2012".

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- TITLE I—AGRICULTURE
- Sec. 101. Short title.
- Sec. 102. ARRA sunset at June 30, 2012.
- Sec. 103. Categorical eligibility limited to cash assistance.
- Sec. 104. Standard utility allowances based on the receipt of energy assistance payments.
- Sec. 105. Employment and training; workfare.
- Sec. 106. End State bonus program for the supplemental nutrition assistance program.
- Sec. 107. Funding of employment and training programs.
- Sec. 108. Turn off indexing for nutrition education and obesity prevention.
- Sec. 109. Extension of Authorization of Food and Nutrition Act of 2008.
- Sec. 110. Effective dates and application of amendments.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Repeal of Certain ACA Funding Provisions

- Sec. 201. Repealing mandatory funding to states to establish American Health Benefit Exchanges.

- Sec. 202. Repealing Prevention and Public Health Fund.
- Sec. 203. Rescinding unobligated balances for CO-OP program.
 - Subtitle B—Medicaid
- Sec. 211. Revision of provider tax indirect guarantee threshold.
- Sec. 212. Rebasings of State DSH allotments for fiscal year 2022.
- Sec. 213. Repeal of Medicaid and CHIP maintenance of effort requirements under PPACA.
- Sec. 214. Medicaid payments to territories.
- Sec. 215. Repealing bonus payments for enrollment under Medicaid and CHIP.

TITLE III—FINANCIAL SERVICES

- Sec. 301. Table of contents.
 - Subtitle A—Orderly Liquidation Fund
- Sec. 311. Repeal of liquidation authority.
 - Subtitle B—Home Affordable Modification Program
- Sec. 321. Short title.
- Sec. 322. Congressional findings.
- Sec. 323. Termination of authority.
- Sec. 324. Sense of Congress.
 - Subtitle C—Bureau of Consumer Financial Protection
- Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.
 - Subtitle D—Flood Insurance Reform

- Sec. 341. Short title.
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Subtitle E—Repeal of the Office of Financial Research

- Sec. 381. Repeal of the Office of Financial Research.

TITLE IV—COMMITTEE ON THE JUDICIARY

- Sec. 401. Short title.
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 Sec. 407. Definitions.
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TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

- Sec. 501. Retirement contributions.
 Sec. 502. Annuity supplement.
 Sec. 503. Contributions to Thrift Savings Fund of payments for accrued or accumulated leave.

TITLE VI—COMMITTEE ON WAYS AND MEANS

- Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance
 Sec. 601. Recapture of overpayments resulting from certain federally-subsidized health insurance.
 Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit
 Sec. 611. Social security number required to claim the refundable portion of the child tax credit.

Subtitle C—Human Resources Provisions

- Sec. 621. Repeal of the program of block grants to States for social services.

TITLE VII—SEQUESTER REPLACEMENT

- Sec. 701. Short title.
 Sec. 702. Protecting veterans programs from sequester.
 Sec. 703. Achieving \$19 billion in discretionary savings.
 Sec. 704. Conforming amendments to section 314 of the Congressional Budget and Impoundment Control Act of 1974.
 Sec. 705. Treatment for PAYGO purposes.
 Sec. 706. Elimination of the fiscal year 2013 sequestration for defense direct spending.

TITLE I—AGRICULTURE

SEC. 101. SHORT TITLE.

This title may be cited as the "Agricultural Reconciliation Act of 2012".

SEC. 102. ARRA SUNSET AT JUNE 30, 2012.

Section 101(a)(2) of division A of the American Recovery and Reinvestment Act of 2009

(Public Law 111 5; 123 Stat. 120) is amended by striking "October 31, 2013" and inserting "June 30, 2012".

SEC. 103. CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking "households in which each member receives benefits" and inserting "households in which each member receives cash assistance", and

(2) in subsection (j) by striking "or who receives benefits under a State program" and inserting "or who receives cash assistance under a State program".

SEC. 104. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C) by striking clause (iv), and

(2) in subsection (k) by striking paragraph (4) and inserting the following:

"(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household."

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) by striking "and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))", and

(2) in subparagraph (A) by inserting before the semicolon the following: " , except that such payments or allowances shall not be deemed to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))".

SEC. 105. EMPLOYMENT AND TRAINING; WORKFARE.

(a) ADMINISTRATIVE COST-SHARING FOR EMPLOYMENT AND TRAINING PROGRAMS.—

(1) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (a) by inserting "(other than a program carried out under section 6(d)(4) or section 20)" after "supplemental nutrition assistance program" the 1st place it appears, and

(B) in subsection (h)—
 (i) by striking paragraphs (2) and (3), and
 (ii) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking "(g), (h)(2), or (h)(3)" and inserting "or (g)".

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended by striking "(g), (h)(2), and (h)(3)" and inserting "and (g)".

(b) ADMINISTRATIVE COST-SHARING AND REIMBURSEMENTS FOR WORKFARE.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

SEC. 106. END STATE BONUS PROGRAM FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

SEC. 107. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

For purposes of fiscal year 2013, the reference to \$90,000,000 in section 16(h)(1)(A) of

the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) shall be deemed to be a reference to \$79,000,000.

SEC. 108. TURN OFF INDEXING FOR NUTRITION EDUCATION AND OBESITY PREVENTION.

Section 28(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2037(d)) is amended by striking "years—" and all that follows through the period at the end, and inserting "years, \$375,000,000.".

SEC. 109. EXTENSION OF AUTHORIZATION OF FOOD AND NUTRITION ACT OF 2008.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended by striking "2012" and inserting "2013".

SEC. 110. EFFECTIVE DATES AND APPLICATION OF AMENDMENTS.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on October 1, 2012, and shall apply only with respect to certification periods that begin on or after such date.

(b) SPECIAL EFFECTIVE DATE.—Section 107 and the amendments made by sections 102, 103, 104, and 109 shall take effect on the date of the enactment of this Act and shall apply only with respect to certification periods that begin on or after such date.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Repeal of Certain ACA Funding Provisions

SEC. 201. REPEALING MANDATORY FUNDING TO STATES TO ESTABLISH AMERICAN HEALTH BENEFIT EXCHANGES.

(a) IN GENERAL.—Section 1311(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(a)) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available under such section 1311(a), the unobligated balance is rescinded.

SEC. 202. REPEALING PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u 11) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 203. RESCINDING UNOBLIGATED BALANCES FOR CO-OP PROGRAM.

Of the funds made available under section 1322(g) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(g)), the unobligated balance is rescinded.

Subtitle B—Medicaid

SEC. 211. REVISION OF PROVIDER TAX INDIRECT GUARANTEE THRESHOLD.

Section 1903(w)(4)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)(ii)) is amended by inserting "and for portions of fiscal years beginning on or after October 1, 2012," after "October 1, 2011,".

SEC. 212. REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2022.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended—

(1) by redesignating paragraph (9) as paragraph (10);

(2) in paragraph (3)(A) by striking "paragraphs (6), (7), and (8)" and inserting "paragraphs (6), (7), (8), and (9)"; and

(3) by inserting after paragraph (8) the following new paragraph:

"(9) REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2022.—With respect to fiscal 2022, for purposes of applying paragraph (3)(A) to determine the DSH allotment for a State, the amount of the DSH allotment for the State under paragraph (3) for fiscal year 2021 shall be treated as if it were such amount as reduced under paragraph (7)."

SEC. 213. REPEAL OF MEDICAID AND CHIP MAINTENANCE OF EFFORT REQUIREMENTS UNDER PPACA.

(a) REPEAL OF PPACA MEDICAID MOE.—Section 1902 of the Social Security Act (42

U.S.C. 1396a) is amended by striking subsection (gg).

(b) REPEAL OF PPACA CHIP MOE.—Section 2105(d)(3) of the Social Security Act (42 U.S.C. 1397ee(d)(3)) is amended—

(1) by striking subparagraph (A);
(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(3) in the paragraph heading, by striking “CONTINUATION OF ELIGIBILITY STANDARDS FOR CHILDREN UNTIL OCTOBER 1, 2019” and inserting “CONTINUITY OF COVERAGE”.

(c) CONFORMING AMENDMENTS.—

(1) Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended by striking paragraph (74).

(2) Effective January 1, 2014, paragraph (14) of section 1902(e) (as added by section 2002(a) of Public Law 111 148) is amended by striking the third sentence of subparagraph (A).

(d) EFFECTIVE DATE.—Except as provided in subsection (c)(2), the amendments made by this section shall take effect on the date of the enactment of this section.

SEC. 214. MEDICAID PAYMENTS TO TERRITORIES.

(a) LIMIT ON PAYMENTS.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

(1) in paragraph (2)—

(A) by striking “paragraphs (3) and (5)”; and

(B) by inserting “paragraph (3)” after “and subject to”;

(2) in paragraph (4), by striking “(3), and” and all that follows through “of this subsection” and inserting “and (3) of this subsection”; and

(3) by striking paragraph (5).

(b) FMAP.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by striking “shall be 55 percent” and inserting “shall be 50 percent”.

SEC. 215. REPEALING BONUS PAYMENTS FOR ENROLLMENT UNDER MEDICAID AND CHIP.

(a) IN GENERAL.—Paragraphs (3) and (4) of section 2105(a) of the Social Security Act (42 U.S.C. 1397ee(a)) are repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by section 2105(a)(3) of the Social Security Act, the unobligated balance is rescinded.

(c) CONFORMING CHANGES.—

(1) AVAILABILITY OF EXCESS FUNDS FOR PERFORMANCE BONUSES.—Section 2104(n)(2) of the Social Security Act (42 U.S.C. 1397dd(n)(2)) is amended by striking subparagraph (D).

(2) OUTREACH OR COVERAGE BENCHMARKS.—Section 2111(b)(3) of the Social Security Act (42 U.S.C. 1397kk(b)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by inserting “or” after the semicolon at the end; and

(ii) by striking clause (ii); and

(B) by striking subparagraph (C).

TITLE III—FINANCIAL SERVICES

SEC. 301. TABLE OF CONTENTS.

The table of contents for this title is as follows:

TITLE III—FINANCIAL SERVICES

Sec. 301. Table of contents.

Subtitle A—Orderly Liquidation Fund

Sec. 311. Repeal of liquidation authority.

Subtitle B—Home Affordable Modification Program

Sec. 321. Short title.

Sec. 322. Congressional findings.

Sec. 323. Termination of authority.

Sec. 324. Sense of Congress.

Subtitle C—Bureau of Consumer Financial Protection

Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.

Subtitle D—Flood Insurance Reform

Sec. 341. Short title.

Sec. 342. Extensions.

Sec. 343. Mandatory purchase.

Sec. 344. Reforms of coverage terms.

Sec. 345. Reforms of premium rates.

Sec. 346. Technical Mapping Advisory Council.

Sec. 347. FEMA incorporation of new mapping protocols.

Sec. 348. Treatment of levees.

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Sec. 373. Study on repaying flood insurance debt.

Sec. 374. No cause of action.

Sec. 375. Authority for the corps of engineers to provide specialized or technical services.

Subtitle E—Repeal of the Office of Financial Research

Sec. 381. Repeal of the Office of Financial Research.

Subtitle A—Orderly Liquidation Fund

SEC. 311. REPEAL OF LIQUIDATION AUTHORITY.

(a) IN GENERAL.—Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act is hereby repealed and any Federal law amended by such title shall, on and after the date of enactment of this Act, be effective as if title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act had not been enacted.

(b) CONFORMING AMENDMENTS.—

(1) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(A) in the table of contents for such Act, by striking all items relating to title II;

(B) in section 165(d)(6), by striking “, a receiver appointed under title II.”;

(C) in section 716(g), by striking “or a covered financial company under title II.”;

(D) in section 1105(e)(5), by striking “amount of any securities issued under that chapter 31 for such purpose shall be treated in the same manner as securities issued under section 208(n)(5)(E)” and inserting “issuances of such securities under that chapter 31 for such purpose shall be treated as public debt transactions of the United States, and the proceeds from the sale of any obligations acquired by the Secretary under this paragraph shall be deposited into the Treasury of the United States as miscellaneous receipts”;

(E) in section 1106(c)(2), by amending subparagraph (A) to read as follows:

“(A) require the company to file a petition for bankruptcy under section 301 of title 11, United States Code; or”.

(2) FEDERAL DEPOSIT INSURANCE ACT.—Section 10(b)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(3)) is amended by striking “, or of such nonbank financial company supervised by the Board of Governors or bank holding company described in section 165(a) of the Financial Stability Act of 2010, for the purpose of implementing its authority to provide for orderly liquidation of any such company under title II of that Act”.

(3) FEDERAL RESERVE ACT.—Section 13(3) of the Federal Reserve Act is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by striking “, resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or” and inserting “or is subject to resolution under”; and

(ii) in clause (iii), by striking “, resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or” and inserting “or resolution under”; and

(B) by striking subparagraph (E).

Subtitle B—Home Affordable Modification Program

SEC. 321. SHORT TITLE.
This subtitle may be cited as the “HAMP Termination Act of 2012”.

SEC. 322. CONGRESSIONAL FINDINGS.
The Congress finds the following:

(1) According to the Department of the Treasury—

(A) the Home Affordable Modification Program (HAMP) is designed to “help as many as 3 to 4 million financially struggling homeowners avoid foreclosure by modifying loans to a level that is affordable for borrowers now and sustainable over the long term”; and

(B) as of February 2012, only 782,609 active permanent mortgage modifications were made under HAMP.

(2) Many homeowners whose HAMP modifications were canceled suffered because they made futile payments and some of those homeowners were even forced into foreclosure.

(3) The Special Inspector General for TARP reported that HAMP “benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good”.

(4) Approximately \$30 billion was obligated by the Department of the Treasury to HAMP, however, approximately only \$2.54 billion has been disbursed.

(5) Terminating HAMP would save American taxpayers approximately \$2.84 billion, according to the Congressional Budget Office.

SEC. 323. TERMINATION OF AUTHORITY.

Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended by adding at the end the following new subsection:

“(C) TERMINATION OF AUTHORITY TO PROVIDE NEW ASSISTANCE UNDER THE HOME AFFORDABLE MODIFICATION PROGRAM.—

“(1) IN GENERAL.—Except as provided under paragraph (2), after the date of the enactment of this subsection the Secretary may not provide any assistance under the Home Affordable Modification Program under the Making Home Affordable initiative of the Secretary, authorized under this Act, on behalf of any homeowner.

“(2) PROTECTION OF EXISTING OBLIGATIONS ON BEHALF OF HOMEOWNERS ALREADY EXTENDED AN OFFER TO PARTICIPATE IN THE PROGRAM.—Paragraph (1) shall not apply with respect to assistance provided on behalf of a homeowner who, before the date of the enactment of this subsection, was extended an offer to participate in the Home Affordable Modification Program on a trial or permanent basis.

“(3) DEFICIT REDUCTION.—

“(A) USE OF UNOBLIGATED FUNDS.—Notwithstanding any other provision of this title, the amounts described in subparagraph (B) shall not be available after the date of the enactment of this subsection for obligation or expenditure under the Home Affordable Modification Program of the Secretary, but should be covered into the General Fund of the Treasury and should be used only for reducing the budget deficit of the Federal Government.

“(B) IDENTIFICATION OF UNOBLIGATED FUNDS.—The amounts described in this subparagraph are any amounts made available under title I of the Emergency Economic Stabilization Act of 2008 that—

“(i) have been allocated for use, but not yet obligated as of the date of the enactment of this subsection, under the Home Affordable Modification Program of the Secretary; and

“(ii) are not necessary for providing assistance under such Program on behalf of homeowners who, pursuant to paragraph (2), may be provided assistance after the date of the enactment of this subsection.

“(4) STUDY OF USE OF PROGRAM BY MEMBERS OF THE ARMED FORCES, VETERANS, AND GOLD STAR RECIPIENTS.—

“(A) STUDY.—The Secretary shall conduct a study to determine the extent of usage of the Home Affordable Modification Program by, and the impact of such Program on, covered homeowners.

“(B) REPORT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this subsection, the Secretary shall submit to the Congress a report setting forth the results of the study under subparagraph (A) and identifying best practices, derived from studying the Home Affordable Modification Program, that could be applied to existing mortgage assistance programs available to covered homeowners.

“(C) COVERED HOMEOWNER.—For purposes of this subsection, the term ‘covered homeowner’ means a homeowner who is—

“(i) a member of the Armed Forces of the United States on active duty or the spouse or parent of such a member;

“(ii) a veteran, as such term is defined in section 101 of title 38, United States Code; or

“(iii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.

“(5) PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.—Not later than 5 days after the date of the enactment of this subsection, the Secretary of the Treasury shall publish

to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: ‘The Home Affordable Modification Program (HAMP) has been terminated. If you are having trouble paying your mortgage and need help contacting your lender or servicer for purposes of negotiating or acquiring a loan modification, please contact your Member of Congress to assist you in contacting your lender or servicer for the purpose of negotiating or acquiring a loan modification.’.

“(6) NOTIFICATION TO HAMP APPLICANTS REQUIRED.—Not later than 30 days after the date of the enactment of this subsection, the Secretary of the Treasury shall inform each individual who applied for the Home Affordable Modification Program and will not be considered for a modification under such Program due to termination of such Program under this subsection—

“(A) that such Program has been terminated;

“(B) that loan modifications under such Program are no longer available;

“(C) of the name and contact information of such individual’s Member of Congress; and

“(D) that the individual should contact his or her Member of Congress to assist the individual in contacting the individual’s lender or servicer for the purpose of negotiating or acquiring a loan modification.’.

SEC. 324. SENSE OF CONGRESS.

The Congress encourages banks to work with homeowners to provide loan modifications to those that are eligible. The Congress also encourages banks to work and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications.

Subtitle C—Bureau of Consumer Financial Protection**SEC. 331. BRINGING THE BUREAU OF CONSUMER FINANCIAL PROTECTION INTO THE REGULAR APPROPRIATIONS PROCESS.**

Section 1017 of the Consumer Financial Protection Act of 2010 is amended—

(1) in subsection (a)—

(A) by amending the heading of such subsection to read as follows: “BUDGET, FINANCIAL MANAGEMENT, AND AUDIT.—”;

(B) by striking paragraphs (1), (2), and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively; and

(D) by striking subparagraphs (E) and (F) of paragraph (1), as so redesignated;

(2) by striking subsections (b), (c), and (d);

(3) by redesignating subsection (e) as subsection (b); and

(4) in subsection (b), as so redesignated—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$200,000,000 to carry out this title for each of fiscal years 2012 and 2013.”; and

(B) by redesignating paragraph (4) as paragraph (2).

Subtitle D—Flood Insurance Reform**SEC. 341. SHORT TITLE.**

This subtitle may be cited as the “Flood Insurance Reform Act of 2012”.

SEC. 342. EXTENSIONS.

(a) EXTENSION OF PROGRAM.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012” and inserting “September 30, 2016”.

(b) EXTENSION OF FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking “the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012” and inserting “September 30, 2016”.

SEC. 343. MANDATORY PURCHASE.

(a) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

(1) IN GENERAL.—Section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) is amended by adding at the end the following new subsection:

“(i) AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.—

“(1) FINDING BY ADMINISTRATOR THAT AREA IS AN ELIGIBLE AREA.—For any area, upon a request submitted to the Administrator by a local government authority having jurisdiction over any portion of the area, the Administrator shall make a finding of whether the area is an eligible area under paragraph (3). If the Administrator finds that such area is an eligible area, the Administrator shall, in the discretion of the Administrator, designate a period during which such finding shall be effective, which shall not be longer in duration than 12 months.

“(2) SUSPENSION OF MANDATORY PURCHASE REQUIREMENT.—If the Administrator makes a finding under paragraph (1) that an area is an eligible area under paragraph (3), during the period specified in the finding, the designation of such eligible area as an area having special flood hazards shall not be effective for purposes of subsections (a), (b), and (e) of this section, and section 202(a) of this Act. Nothing in this paragraph may be construed to prevent any lender, servicer, regulated lending institution, Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, at the discretion of such entity, from requiring the purchase of flood insurance coverage in connection with the making, increasing, extending, or renewing of a loan secured by improved real estate or a mobile home located or to be located in such eligible area during such period or a lender or servicer from purchasing coverage on behalf of a borrower pursuant to subsection (e).

“(3) ELIGIBLE AREAS.—An eligible area under this paragraph is an area that is designated or will, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after the date of the enactment of the Flood Insurance Reform Act of 2012, become designated as an area having special flood hazards and that meets any one of the following 3 requirements:

“(A) AREAS WITH NO HISTORY OF SPECIAL FLOOD HAZARDS.—The area does not include any area that has ever previously been designated as an area having special flood hazards.

“(B) AREAS WITH FLOOD PROTECTION SYSTEMS UNDER IMPROVEMENTS.—The area was intended to be protected by a flood protection system—

“(i) that has been decertified, or is required to be certified, as providing protection for the 100-year frequency flood standard;

“(ii) that is being improved, constructed, or reconstructed; and

“(iii) for which the Administrator has determined measurable progress toward completion of such improvement, construction, reconstruction is being made and toward securing financial commitments sufficient to fund such completion.

“(C) AREAS FOR WHICH APPEAL HAS BEEN FILED.—An area for which a community has appealed designation of the area as having special flood hazards in a timely manner under section 1363.

“(4) EXTENSION OF DELAY.—Upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, the Administrator may extend the period during which a finding under paragraph (1) shall be effective, except that—

“(A) each such extension under this paragraph shall not be for a period exceeding 12 months; and

“(B) for any area, the cumulative number of such extensions may not exceed 2.

“(5) ADDITIONAL EXTENSION FOR COMMUNITIES MAKING MORE THAN ADEQUATE PROGRESS ON FLOOD PROTECTION SYSTEM.—

“(A) EXTENSION.—

“(i) AUTHORITY.—Except as provided in subparagraph (B), in the case of an eligible area for which the Administrator has, pursuant to paragraph (4), extended the period of effectiveness of the finding under paragraph (1) for the area, upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, if the Administrator finds that more than adequate progress has been made on the construction of a flood protection system for such area, as determined in accordance with the last sentence of section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)), the Administrator may, in the discretion of the Administrator, further extend the period during which the finding under paragraph (1) shall be effective for such area for an additional 12 months.

“(ii) LIMIT.—For any eligible area, the cumulative number of extensions under this subparagraph may not exceed 2.

“(B) EXCLUSION FOR NEW MORTGAGES.—

“(i) EXCLUSION.—Any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) shall not be effective with respect to any excluded property after the origination, increase, extension, or renewal of the loan referred to in clause (ii)(II) for the property.

“(ii) EXCLUDED PROPERTIES.—For purposes of this subparagraph, the term ‘excluded property’ means any improved real estate or mobile home—

“(I) that is located in an eligible area; and

“(II) for which, during the period that any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) is otherwise in effect for the eligible area in which such property is located—

“(aa) a loan that is secured by the property is originated; or

“(bb) any existing loan that is secured by the property is increased, extended, or renewed.

“(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect the applicability of a designation of any area as an area having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (2).

“(7) REPORTS.—The Administrator shall, in each annual report submitted pursuant to section 1320, include information identifying each finding under paragraph (1) by the Administrator during the preceding year that an area is an area having special flood hazards, the basis for each such finding, any extensions pursuant to paragraph (4) of the periods of effectiveness of such findings, and the reasons for such extensions.”.

(2) NO REFUNDS.—Nothing in this subsection or the amendments made by this subsection may be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by paragraph (1).

(b) TERMINATION OF FORCE-PLACED INSURANCE.—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) in paragraph (2), by striking “insurance.” and inserting “insurance, including

premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount.”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) TERMINATION OF FORCE-PLACED INSURANCE.—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower’s existing flood insurance coverage, the lender or servicer shall—

“(A) terminate the force-placed insurance; and

“(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower’s flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.

“(4) SUFFICIENCY OF DEMONSTRATION.—For purposes of confirming a borrower’s existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.”.

(c) USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking “lending institutions not to make” and inserting “lending institutions—“(A) not to make”;

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking “less.” and inserting “less; and”;

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

“(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.”;

(2) in paragraph (2), by inserting after “provided in paragraph (1).” the following new sentence: “Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”;

(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: “The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”; and

(4) by adding at the end the following new paragraph:

“(5) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term ‘private flood insurance’ means a contract for flood insurance coverage allowed for sale under the laws of any State.”.

SEC. 344. REFORMS OF COVERAGE TERMS.

(a) MINIMUM DEDUCTIBLES FOR CLAIMS.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking “The Director is” and inserting the following: “(a) IN GENERAL.—The Administrator is”; and

(2) by adding at the end the following:

“(b) MINIMUM ANNUAL DEDUCTIBLES.—

“(1) SUBSIDIZED RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, and for which the chargeable rate for such coverage is less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be \$2,000.

“(2) ACTUARIAL RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, for which the chargeable rate for such coverage is not less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be \$1,000.”.

(b) CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.—Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2)—

(A) by striking “in the case of any residential property” and inserting “in the case of any residential building designed for the occupancy of from one to four families”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of \$250,000” and inserting “shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of \$250,000”; and

(2) in paragraph (4)—

(A) by striking “in the case of any nonresidential property, including churches,” and inserting “in the case of any nonresidential building, including a church.”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000 for each structure and \$500,000 for any contents related to each structure” and inserting “shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000, and coverage shall be made available up to a total of \$500,000 aggregate liability for contents owned by the building owner and \$500,000 aggregate liability for each unit within the building for contents owned by the tenant”.

(c) INDEXING OF MAXIMUM COVERAGE LIMITS.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”;

(3) by redesignating paragraph (5) as paragraph (7); and

(4) by adding at the end the following new paragraph:

“(8) each of the dollar amount limitations under paragraphs (2), (3), (4), (5), and (6) shall be adjusted effective on the date of the enactment of the Flood Insurance Reform Act of 2012, such adjustments shall be calculated using the percentage change, over the period beginning on September 30, 1994, and ending on such date of enactment, in such inflationary index as the Administrator shall, by regulation, specify, and the dollar amount of such adjustment shall be rounded to the next lower dollar; and the Administrator shall cause to be published in the Federal Register

the adjustments under this paragraph to such dollar amount limitations; except that in the case of coverage for a property that is made available, pursuant to this paragraph, in an amount that exceeds the limitation otherwise applicable to such coverage as specified in paragraph (2), (3), (4), (5), or (6), the total of such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1)."

(d) **OPTIONAL COVERAGE FOR LOSS OF USE OF PERSONAL RESIDENCE AND BUSINESS INTERRUPTION.**—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)), as amended by the preceding provisions of this section, is further amended by inserting after paragraph (4) the following new paragraphs:

"(5) the Administrator may provide that, in the case of any residential property, each renewal or new contract for flood insurance coverage may provide not more than \$5,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, except that—

"(A) purchase of such coverage shall be at the option of the insured;

"(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

"(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

"(i) a competitive private insurance market for such coverage does not exist; and

"(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;

"(6) the Administrator may provide that, in the case of any commercial property or other residential property, including multifamily rental property, coverage for losses resulting from any partial or total interruption of the insured's business caused by damage to, or loss of, such property from a flood may be made available to every insured upon renewal and every applicant, up to a total amount of \$20,000 per property, except that—

"(A) purchase of such coverage shall be at the option of the insured;

"(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

"(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

"(i) a competitive private insurance market for such coverage does not exist; and

"(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;."

(e) **PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.**—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

"(d) **PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.**—

"(1) **AUTHORITY.**—In addition to any other terms and conditions under subsection (a), such regulations shall provide that, in the case of any residential property, premiums for flood insurance coverage made available

under this title for such property may be paid in installments.

"(2) **LIMITATIONS.**—In implementing the authority under paragraph (1), the Administrator may establish increased chargeable premium rates and surcharges, and deny coverage and establish such other sanctions, as the Administrator considers necessary to ensure that insureds purchase, pay for, and maintain coverage for the full term of a contract for flood insurance coverage or to prevent insureds from purchasing coverage only for periods during a year when risk of flooding is comparatively higher or canceling coverage for periods when such risk is comparatively lower."

(f) **EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODS IN PROGRESS.**—Paragraph (1) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)) is amended by adding after the period at the end the following: "With respect to any flood that has commenced or is in progress before the expiration of such 30-day period, such flood insurance coverage for a property shall take effect upon the expiration of such 30-day period and shall cover damage to such property occurring after the expiration of such period that results from such flood, but only if the property has not suffered damage or loss as a result of such flood before the expiration of such 30-day period."

SEC. 345. REFORMS OF PREMIUM RATES.

(a) **INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.**—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking "10 percent" and inserting "20 percent".

(b) **PHASE-IN OF RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.**—

(1) **IN GENERAL.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting "or notice" after "prescribe by regulation";

(B) in subsection (c), by inserting "and subsection (g)" before the first comma; and

(C) by adding at the end the following new subsection:

"(g) **5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.**—

"(1) **5-YEAR PHASE-IN PERIOD.**—Notwithstanding subsection (c) or any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 5-year period that begins, except as provided in paragraph (2), upon the date that such maps, as issued, revised, updated, or otherwise changed, become effective, the chargeable premium rate for flood insurance under this title with respect to any covered property that is located within such area shall be the rate described in paragraph (3).

"(2) **APPLICABILITY TO PREFERRED RISK RATE AREAS.**—In the case of any area described in paragraph (1) that consists of or includes an area that, as of date of the effectiveness of the flood insurance maps for such area referred to in paragraph (1) as so issued, revised, updated, or changed, is eligible for any reason for preferred risk rate method premiums for flood insurance coverage and was eligible for such premiums as of the enactment of the Flood Insurance Reform Act of 2012, the 5-year period referred to in paragraph (1) for such area eligible for preferred risk rate method premiums shall begin upon the expiration of the period during which such area is eligible for such preferred risk rate method premiums.

"(3) **PHASE-IN OF FULL ACTUARIAL RATES.**—With respect to any area described in paragraph (1), the chargeable risk premium rate for flood insurance under this title for a covered property that is located in such area shall be—

"(A) for the first year of the 5-year period referred to in paragraph (1), the greater of—

"(i) 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

"(ii) in the case of any property that, as of the beginning of such first year, is eligible for preferred risk rate method premiums for flood insurance coverage, such preferred risk rate method premium for the property;

"(B) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

"(C) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

"(D) for the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

"(E) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

(4) **COVERED PROPERTIES.**—For purposes of the subsection, the term 'covered property' means any residential property occupied by its owner or a bona fide tenant as a primary residence."

(2) **REGULATION OR NOTICE.**—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this subsection and the amendments made by this subsection as soon as practicable after the date of the enactment of this Act.

(c) **PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PROPERTIES.**—

(1) **IN GENERAL.**—Section 1308(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(c)) is amended—

(A) by redesignating paragraph (2) as paragraph (7); and

(B) by inserting after paragraph (1) the following new paragraphs:

"(2) **COMMERCIAL PROPERTIES.**—Any non-residential property.

"(3) **SECOND HOMES AND VACATION HOMES.**—Any residential property that is not the primary residence of any individual.

"(4) **HOMES SOLD TO NEW OWNERS.**—Any single family property that—

"(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Administrator, before December 31, 1974, or before the effective date of the initial rate map published by the Administrator under paragraph (2) of section 1360(a) for the area in which such property is located, whichever is later; and

"(B) is purchased after the effective date of this paragraph, pursuant to section 345(c)(3)(A) of the Flood Insurance Reform Act of 2012.

"(5) **HOMES DAMAGED OR IMPROVED.**—Any property that, on or after the date of the enactment of the Flood Insurance Reform Act of 2012, has experienced or sustained—

"(A) substantial flood damage exceeding 50 percent of the fair market value of such property; or

"(B) substantial improvement exceeding 30 percent of the fair market value of such property.

"(6) **HOMES WITH MULTIPLE CLAIMS.**—Any severe repetitive loss property (as such term is defined in section 1366(j))."

(2) **TECHNICAL AMENDMENTS.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(A) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “the limitations provided under paragraphs (1) and (2)” and inserting “subsection (e)”;

(ii) in paragraph (1), by striking “, except” and all that follows through “subsection (e)”;

(B) in subsection (e), by striking “paragraph (2) or (3)” and inserting “paragraph (7)”.

(3) EFFECTIVE DATE AND TRANSITION.—

(A) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply beginning upon the expiration of the 12-month period that begins on the date of the enactment of this Act, except as provided in subparagraph (B) of this paragraph.

(B) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—

(i) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), (4), (5), or (6) of section 1308(c) of the National Flood Insurance Act of 1968, as amended by paragraph (1) of this subsection, that, as of the effective date under subparagraph (A) of this paragraph, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) of such Act for the area in which the property is located, the Administrator of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).

(ii) AMOUNT OF ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under subparagraph (A) of this paragraph and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with clause (iii)).

(iii) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this subparagraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.

(iv) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), (4), (5), and (6) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this subparagraph and thereafter.

(d) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this subtitle, is further amended—

(1) in subsection (e), by inserting “or subsection (h)” after “subsection (c)”;

(2) by adding at the end the following new subsection:

“(h) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, the Administrator shall not provide flood insurance coverage under this title for any property for which a policy for such coverage for the property has previously lapsed in cov-

erage as a result of the deliberate choice of the holder of such policy, at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) in which such property is located.”.

(e) RECOGNITION OF STATE AND LOCAL FUNDING FOR CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF RATES.—

(1) IN GENERAL.—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(A) in subsection (e)—

(i) in the first sentence, by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)”;

(ii) in the second sentence—

(I) by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system”;

(II) by inserting “based on the present value of the completed system” after “has been expended”;

(B) in subsection (f)—

(i) in the first sentence in the matter preceding paragraph (1), by inserting “(without respect to the level of Federal investment or participation)” before the period at the end;

(ii) in the third sentence in the matter preceding paragraph (1), by inserting “, whether coastal or riverine,” after “special flood hazard”;

(iii) in paragraph (1), by striking “a Federal agency in consultation with the local project sponsor” and inserting “the entity or entities that own, operate, maintain, or repair such system”.

(2) REGULATIONS.—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this subsection and the amendments made by this subsection as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Paragraph (3) may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

SEC. 346. TECHNICAL MAPPING ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the “Council”).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of—

(A) the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”), or the designee thereof;

(B) the Director of the United States Geological Survey of the Department of the Interior, or the designee thereof;

(C) the Under Secretary of Commerce for Oceans and Atmosphere, or the designee thereof;

(D) the commanding officer of the United States Army Corps of Engineers, or the designee thereof;

(E) the chief of the Natural Resources Conservation Service of the Department of Agriculture, or the designee thereof;

(F) the Director of the United States Fish and Wildlife Service of the Department of the Interior, or the designee thereof;

(G) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration of the Department of Commerce, or the designee thereof; and

(H) 14 additional members to be appointed by the Administrator of the Federal Emergency Management Agency, who shall be—

(i) an expert in data management;

(ii) an expert in real estate;

(iii) an expert in insurance;

(iv) a member of a recognized regional flood and storm water management organization;

(v) a representative of a State emergency management agency or association or organization for such agencies;

(vi) a member of a recognized professional surveying association or organization;

(vii) a member of a recognized professional mapping association or organization;

(viii) a member of a recognized professional engineering association or organization;

(ix) a member of a recognized professional association or organization representing flood hazard determination firms;

(x) a representative of State national flood insurance coordination offices;

(xi) representatives of two local governments, at least one of whom is a local levee flood manager or executive, designated by the Federal Emergency Management Agency as Cooperating Technical Partners; and

(xii) representatives of two State governments designated by the Federal Emergency Management Agency as Cooperating Technical States.

(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(H), the Administrator shall ensure that the membership of the Council has a balance of Federal, State, local, and private members, and includes an adequate number of representatives from the States with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator of the Federal Emergency Management Agency as at high-risk for flooding or special flood hazard areas.

(c) DUTIES.—

(1) NEW MAPPING STANDARDS.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Council shall develop and submit to the Administrator and the Congress proposed new mapping standards for 100-year flood insurance rate maps used under the national flood insurance program under the National Flood Insurance Act of 1968. In developing such proposed standards the Council shall—

(A) ensure that the flood insurance rate maps reflect true risk, including graduated risk that better reflects the financial risk to each property; such reflection of risk should be at the smallest geographic level possible (but not necessarily property-by-property) to ensure that communities are mapped in a manner that takes into consideration different risk levels within the community;

(B) ensure the most efficient generation, display, and distribution of flood risk data, models, and maps where practicable through dynamic digital environments using spatial database technology and the Internet;

(C) ensure that flood insurance rate maps reflect current hydrologic and hydraulic data, current land use, and topography, incorporating the most current and accurate ground and bathymetric elevation data;

(D) determine the best ways to include in such flood insurance rate maps levees, decertified levees, and areas located below dams, including determining a methodology for ensuring that decertified levees and other protections are included in flood insurance rate maps and their corresponding flood zones reflect the level of protection conferred;

(E) consider how to incorporate restored wetlands and other natural buffers into flood insurance rate maps, which may include wetlands, groundwater recharge areas, erosion

zones, meander belts, endangered species habitat, barrier islands and shoreline buffer features, riparian forests, and other features;

(F) consider whether to use vertical positioning (as defined by the Administrator) for flood insurance rate maps;

(G) ensure that flood insurance rate maps differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(H) ensure that flood insurance rate maps take into consideration the best scientific data and potential future conditions (including projections for sea level rise); and

(I) consider how to incorporate the new standards proposed pursuant to this paragraph in existing mapping efforts.

(2) ONGOING DUTIES.—The Council shall, on an ongoing basis, review the mapping protocols developed pursuant to paragraph (1), and make recommendations to the Administrator when the Council determines that mapping protocols should be altered.

(3) MEETINGS.—In carrying out its duties under this section, the Council shall consult with stakeholders through at least 4 public meetings annually, and shall seek input of all stakeholder interests including State and local representatives, environmental and conservation organizations, insurance industry representatives, advocacy groups, planning organizations, and mapping organizations.

(d) PROHIBITION ON COMPENSATION.—Members of the Council shall receive no additional compensation by reason of their service on the Council.

(e) CHAIRPERSON.—The Administrator shall serve as the Chairperson of the Council.

(f) STAFF.—

(1) FEMA.—Upon the request of the Council, the Administrator may detail, on a non-reimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.

(2) OTHER FEDERAL AGENCIES.—Upon request of the Council, any other Federal agency that is a member of the Council may detail, on a non-reimbursable basis, personnel to assist the Council in carrying out its duties.

(g) POWERS.—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as the Council considers appropriate.

(h) TERMINATION.—The Council shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act.

(1) MORATORIUM ON FLOOD MAP CHANGES.—

(1) MORATORIUM.—Except as provided in paragraph (2) and notwithstanding any other provision of this subtitle, the National Flood Insurance Act of 1968, or the Flood Disaster Protection Act of 1973, during the period beginning upon the date of the enactment of this Act and ending upon the submission by the Council to the Administrator and the Congress of the proposed new mapping standards required under subsection (c)(1), the Administrator may not make effective any new or updated rate maps for flood insurance coverage under the national flood insurance program that were not in effect for such program as of such date of enactment, or otherwise revise, update, or change the flood insurance rate maps in effect for such program as of such date.

(2) LETTERS OF MAP CHANGE.—During the period described in paragraph (1), the Administrator may revise, update, and change the flood insurance rate maps in effect for the national flood insurance program only pursuant to a letter of map change (including a letter of map amendment, letter of map revision, and letter of map revision based on fill).

tion, and letter of map revision based on fill).

SEC. 347. FEMA INCORPORATION OF NEW MAPPING PROTOCOLS.

(a) NEW RATE MAPPING STANDARDS.—Not later than the expiration of the 6-month period beginning upon submission by the Technical Mapping Advisory Council under section 346 of the proposed new mapping standards for flood insurance rate maps used under the national flood insurance program developed by the Council pursuant to section 346(c), the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”) shall establish new standards for such rate maps based on such proposed new standards and the recommendations of the Council.

(b) REQUIREMENTS.—The new standards for flood insurance rate maps established by the Administrator pursuant to subsection (a) shall—

(1) delineate and include in any such rate maps—

(A) all areas located within the 100-year flood plain; and

(B) areas subject to graduated and other risk levels, to the maximum extent possible;

(2) ensure that any such rate maps—

(A) include levees, including decertified levees, and the level of protection they confer;

(B) reflect current land use and topography and incorporate the most current and accurate ground level data;

(C) take into consideration the impacts and use of fill and the flood risks associated with altered hydrology;

(D) differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(E) identify and incorporate natural features and their associated flood protection benefits into mapping and rates; and

(F) identify, analyze, and incorporate the impact of significant changes to building and development throughout any river or costal water system, including all tributaries, which may impact flooding in areas downstream; and

(3) provide that such rate maps are developed on a watershed basis.

(c) REPORT.—If, in establishing new standards for flood insurance rate maps pursuant to subsection (a) of this section, the Administrator does not implement all of the recommendations of the Council made under the proposed new mapping standards developed by the Council pursuant to section 346(c), upon establishment of the new standards the Administrator shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate specifying which such recommendations were not adopted and explaining the reasons such recommendations were not adopted.

(d) IMPLEMENTATION.—The Administrator shall, not later than the expiration of the 6-month period beginning upon establishment of the new standards for flood insurance rate maps pursuant to subsection (a) of this section, commence use of the new standards and updating of flood insurance rate maps in accordance with the new standards. Not later than the expiration of the 10-year period beginning upon the establishment of such new standards, the Administrator shall complete updating of all flood insurance rate maps in accordance with the new standards, subject to the availability of sufficient amounts for such activities provided in appropriation Acts.

(e) TEMPORARY SUSPENSION OF MANDATORY PURCHASE REQUIREMENT FOR CERTAIN PROPERTIES.—

(1) SUBMISSION OF ELEVATION CERTIFICATE.—Subject to paragraphs (2) and (3) of this subsection, subsections (a), (b), and (e) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a), and section 202(a) of such Act, shall not apply to a property located in an area designated as having a special flood hazard if the owner of such property submits to the Administrator an elevation certificate for such property showing that the lowest level of the primary residence on such property is at an elevation that is at least three feet higher than the elevation of the 100-year flood plain.

(2) REVIEW OF CERTIFICATE.—The Administrator shall accept as conclusive each elevation certificate submitted under paragraph (1) unless the Administrator conducts a subsequent elevation survey and determines that the lowest level of the primary residence on the property in question is not at an elevation that is at least three feet higher than the elevation of the 100-year flood plain. The Administrator shall provide any such subsequent elevation survey to the owner of such property.

(3) DETERMINATIONS FOR PROPERTIES ON BORDERS OF SPECIAL FLOOD HAZARD AREAS.—

(A) EXPEDITED DETERMINATION.—In the case of any survey for a property submitted to the Administrator pursuant to paragraph (1) showing that a portion of the property is located within an area having special flood hazards and that a structure located on the property is not located within such area having special flood hazards, the Administrator shall expeditiously process any request made by an owner of the property for a determination pursuant to paragraph (2) or a determination of whether the structure is located within the area having special flood hazards.

(B) PROHIBITION OF FEE.—If the Administrator determines pursuant to subparagraph (A) that the structure on the property is not located within the area having special flood hazards, the Administrator shall not charge a fee for reviewing the flood hazard data and shall not require the owner to provide any additional elevation data.

(C) SIMPLIFICATION OF REVIEW PROCESS.—The Administrator shall collaborate with private sector flood insurers to simplify the review process for properties described in subparagraph (A) and to ensure that the review process provides for accurate determinations.

(4) TERMINATION OF AUTHORITY.—This subsection shall cease to apply to a property on the date on which the Administrator updates the flood insurance rate map that applies to such property in accordance with the requirements of subsection (d).

SEC. 348. TREATMENT OF LEVEES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

“(k) TREATMENT OF LEVEES.—The Administrator may not issue flood insurance maps, or make effective updated flood insurance maps, that omit or disregard the actual protection afforded by an existing levee, floodwall, pump or other flood protection feature, regardless of the accreditation status of such feature.”

SEC. 349. PRIVATIZATION INITIATIVES.

(a) FEMA AND GAO REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Com-

mittee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.

(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—

(1) AUTHORITY.—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(2) ASSESSMENT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program's insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.

(3) PROTOCOL FOR RELEASE OF DATA.—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).

(c) REINSURANCE.—The National Flood Insurance Act of 1968 is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting “, including as reinsurance of insurance coverage provided by the flood insurance program” before “, on such terms”;

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting “or reinsurance” after “flood insurance coverage”;

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by inserting “(1)” after “(a)”;

(B) by adding at the end the following new paragraph:

“(2) The Administrator is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources at rates and on terms determined by the Administrator to be reasonable and appropriate in an amount sufficient to maintain the ability of the program to pay claims and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.”;

(4) in section 1346(a) (12 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting “, or for purposes of securing reinsurance of insurance coverage provided by the program,” before “of any or all of”;

(B) in paragraph (1)—

(i) by striking “estimating” and inserting “Estimating”;

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking “receiving” and inserting “Receiving”;

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking “making” and inserting “Making”;

(ii) by striking “; and” and inserting a period;

(E) in paragraph (4)—

(i) by striking “otherwise” and inserting “Otherwise”;

(ii) by redesignating such paragraph as paragraph (5);

(F) by inserting after paragraph (3) the following new paragraph:

“(4) Placing reinsurance coverage on insurance provided by such program.”;

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: “, is subject to the reporting

requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program”.

(d) ASSESSMENT OF CLAIMS-PAYING ABILITY.—

(1) ASSESSMENT.—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program's utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.

(2) REPORT.—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.

SEC. 350. FEMA ANNUAL REPORT ON INSURANCE PROGRAM.

Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027) is amended—

(1) in the section heading, by striking “REPORT TO THE PRESIDENT” and inserting “ANNUAL REPORT TO CONGRESS”;

(2) in subsection (a)—

(A) by striking “biennially”;

(B) by striking “the President for submission to”;

(C) by inserting “not later than June 30 of each year” before the period at the end;

(3) in subsection (b), by striking “biennial” and inserting “annual”;

(4) by adding at the end the following new subsection:

“(c) FINANCIAL STATUS OF PROGRAM.—The report under this section for each year shall include information regarding the financial status of the national flood insurance program under this title, including a description of the financial status of the National Flood Insurance Fund and current and projected levels of claims, premium receipts, expenses, and borrowing under the program.”.

SEC. 351. MITIGATION ASSISTANCE.

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: “Such financial assistance shall be made available—

“(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

“(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

“(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.”.

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking “flood risk” and inserting “multi-hazard”;

(B) by striking “provides protection against” and inserting “examines reduction of”;

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

“(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).”;

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

“(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

“(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

“(A) severe repetitive loss structures;

“(B) repetitive loss structures; and

“(C) other subsets of structures as the Administrator may establish.”;

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

“(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—”;

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H);

(iv) by inserting after subparagraph (C) the following new subparagraph:

“(D) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);”;

(v) by inserting after subparagraph (E), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

“(F) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed \$50,000 for any mitigation plan of a State or \$25,000 for any mitigation plan of a local government or Indian tribe.”;

(vi) in subparagraph (H); as so redesignated by clause (iii) of this subparagraph, by striking “and” at the end; and

(vii) by adding at the end the following new subparagraphs:

“(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State, community, or Indian tribe; and

“(J) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed \$50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least \$1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.”;

(D) by adding at the end the following new paragraph:

“(6) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator.”; and

(E) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

“(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

“(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

“(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

“(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking “certified under subsection (g)” and inserting “required under subsection (d)”;

(ii) by striking “3 times the amount” and inserting “the amount”;

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) by striking “Riegle Community Development and Regulatory Improvement Act of 1994” and inserting “Flood Insurance Reform Act of 2012”;

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

“(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

“(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed \$40,000,000 and shall remain available until expended.

“(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) COMMUNITY.—The term ‘community’ means—

“(A) a political subdivision that—

“(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

“(ii) is participating in the national flood insurance program; or

“(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

“(2) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given such term in section 1370.

“(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ means a structure that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding \$15,000, and with the cumulative amount of such claims payments exceeding \$60,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.”.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (7), by inserting “and” after the semicolon; and

(2) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

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

“(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding \$90,000,000 to remain available until expended, of which—

“(A) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

“(B) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

“(C) not more than \$10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).”.

(B) in paragraph (3), by striking “section 1366(i)” and inserting “section 1366(e)”;

(2) in subsection (c), by striking “sections 1366 and 1323” and inserting “section 1366”;

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

“(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.”.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

SEC. 352. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.

Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:

“(f) ANNUAL NOTIFICATION.—The Administrator, in consultation with affected communities, shall establish and carry out a plan to notify residents of areas having special flood hazards, on an annual basis—

“(1) that they reside in such an area;

“(2) of the geographical boundaries of such area;

“(3) of whether section 1308(g) of the National Flood Insurance Act of 1968 applies to properties within such area;

“(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and

“(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.”.

SEC. 353. NOTIFICATION TO MEMBERS OF CONGRESS OF FLOOD MAP REVISIONS AND UPDATES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

“(1) NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Administrator shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.”.

SEC. 354. NOTIFICATION AND APPEAL OF MAP CHANGES; NOTIFICATION TO COMMUNITIES OF ESTABLISHMENT OF FLOOD ELEVATIONS.

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking the section designation and all that follows through the end of subsection (a) and inserting the following:

“SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Administrator shall first propose such determinations—

“(1) by providing the chief executive officer of each community affected by the proposed elevations, by certified mail, with a return receipt requested, notice of the elevations, including a copy of the maps for the elevations for such community and a statement explaining the process under this section to appeal for changes in such elevations;

“(2) by causing notice of such elevations to be published in the Federal Register, which notice shall include information sufficient to identify the elevation determinations and the communities affected, information explaining how to obtain copies of the elevations, and a statement explaining the process under this section to appeal for changes in the elevations;

“(3) by publishing in a prominent local newspaper the elevations, a description of the appeals process for flood determinations, and the mailing address and telephone number of a person the owner may contact for more information or to initiate an appeal;

“(4) by providing written notification, by first class mail, to each owner of real property affected by the proposed elevations of—

“(A) the status of such property, both prior to and after the effective date of the proposed determination, with respect to flood zone and flood insurance requirements under this Act and the Flood Disaster Protection Act of 1973;

“(B) the process under this section to appeal a flood elevation determination; and

“(C) the mailing address and phone number of a person the owner may contact for more information or to initiate an appeal; and”.

SEC. 355. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:

“SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

“(a) IN GENERAL.—The Administrator shall, upon entering into a contract for flood insurance coverage under this title for any property—

“(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and

“(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.

“(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—

“(1) whether the property is located in an area having special flood hazards;

“(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;

“(3) of the maximum amount of such coverage for contents available under this title at that time; and

“(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator where such information is available.”.

SEC. 356. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

Part C of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

“SEC. 1349. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

“(a) NOTIFICATION.—Not later than 60 days before the date on which a transferred flood insurance policy expires, and annually thereafter until such time as the Federal Emergency Management Agency is no longer directly administering such policy, the Administrator shall notify the holder of such policy that—

“(1) the Federal Emergency Management Agency is directly administering the policy;

“(2) such holder may purchase flood insurance that is directly administered by an insurance company; and

“(3) purchasing flood insurance offered under the National Flood Insurance Program that is directly administered by an insurance company will not alter the coverage provided or the premiums charged to such holder that otherwise would be provided or charged if the policy was directly administered by the Federal Emergency Management Agency.

“(b) DEFINITION.—In this section, the term ‘transferred flood insurance policy’ means a flood insurance policy that—

“(1) was directly administered by an insurance company at the time the policy was originally purchased by the policy holder; and

“(2) at the time of renewal of the policy, direct administration of the policy was or will be transferred to the Federal Emergency Management Agency.”.

SEC. 357. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPA GOOD FAITH ESTIMATE.

Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: “Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.”.

SEC. 358. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS AND COMMUNITIES OBTAINING LETTERS OF MAP AMENDMENT OR REVISION.

(a) IN GENERAL.—Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

“(m) REIMBURSEMENT.—

“(1) REQUIREMENT UPON BONA FIDE ERROR.—If an owner of any property located in an area described in section 102(i)(3) of the Flood Disaster Protection Act of 1973, or a community in which such a property is located, obtains a letter of map amendment, or a letter of map revision, due to a bona fide error on the part of the Administrator of the Federal Emergency Management Agency, the Administrator shall reimburse such owner, or such entity or jurisdiction acting on such owner’s behalf, or such community, as applicable, for any reasonable costs incurred in obtaining such letter.

“(2) REASONABLE COSTS.—The Administrator shall, by regulation or notice, determine a reasonable amount of costs to be reimbursed under paragraph (1), except that such costs shall not include legal or attorneys fees. In determining the reasonableness of costs, the Administrator shall only consider the actual costs to the owner or community, as applicable, of utilizing the services of an engineer, surveyor, or similar services.”.

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue the regulations or notice required under section 1360(m)(2) of the National Flood Insurance Act of 1968, as added by the amendment made by subsection (a) of this section.

SEC. 359. ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

“(n) ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.—In updating flood insurance maps under this section, the Administrator shall

communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas.”.

SEC. 360. NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREAS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this subtitle, is further amended by adding at the end the following new subsection:

“(o) NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREA.—In revising or updating any areas having special flood hazards, the Administrator shall provide to each owner of a property to be newly included in such a special flood hazard area, at the time of issuance of such proposed revised or updated flood insurance maps, a copy of the proposed revised or updated flood insurance maps together with information regarding the appeals process under section 1363 (42 U.S.C. 4104).”.

SEC. 361. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended by adding at the end the following new section:

“SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

“In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.”.

SEC. 362. INFORMATION REGARDING MULTIPLE PERILS CLAIMS.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(d) INFORMATION REGARDING MULTIPLE PERILS CLAIMS.—

“(1) IN GENERAL.—Subject to paragraph (2), if an insured having flood insurance coverage under a policy issued under the program under this title by the Administrator or a company, insurer, or entity offering flood insurance coverage under such program (in this subsection referred to as a ‘participating company’) has wind or other homeowners coverage from any company, insurer, or other entity covering property covered by such flood insurance, in the case of damage to such property that may have been caused by flood or by wind, the Administrator and the participating company, upon the request of the insured, shall provide to the insured, within 30 days of such request—

“(A) a copy of the estimate of structure damage;

“(B) proofs of loss;

“(C) any expert or engineering reports or documents commissioned by or relied upon by the Administrator or participating company in determining whether the damage was caused by flood or any other peril; and

“(D) the Administrator’s or the participating company’s final determination on the claim.

“(2) TIMING.—Paragraph (1) shall apply only with respect to a request described in

such paragraph made by an insured after the Administrator or the participating company, or both, as applicable, have issued a final decision on the flood claim involved and resolution of all appeals with respect to such claim.”.

SEC. 363. FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(e) **FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.**—Notwithstanding any other provision of this Act, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.”.

SEC. 364. APPEALS.

(a) **TELEVISION AND RADIO ANNOUNCEMENT.**—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104), as amended by the preceding provisions of this subtitle, is further amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(5) by notifying a local television and radio station;” and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: “and shall notify a local television and radio station at least once during the same 10-day period”.

(b) **EXTENSION OF APPEALS PERIOD.**—Subsection (b) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(b)) is amended—

(1) by striking “(b) The Director” and inserting “(b)(1) The Administrator”; and

(2) by adding at the end the following new paragraph:

“(2) The Administrator shall grant an extension of the 90-day period for appeals referred to in paragraph (1) for 90 additional days if an affected community certifies to the Administrator, after the expiration of at least 60 days of such period, that the community—

“(A) believes there are property owners or lessees in the community who are unaware of such period for appeals; and

“(B) will utilize the extension under this paragraph to notify property owners or lessees who are affected by the proposed flood elevation determinations of the period for appeals and the opportunity to appeal the determinations proposed by the Administrator.”.

(c) **APPLICABILITY.**—The amendments made by subsections (a) and (b) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

SEC. 365. RESERVE FUND.

(a) **ESTABLISHMENT.**—Chapter I of the National Flood Insurance Act of 1968 is amended by inserting after section 1310 (42 U.S.C. 4017) the following new section:

“SEC. 1310A. RESERVE FUND.

“(a) **ESTABLISHMENT OF RESERVE FUND.**—In carrying out the flood insurance program authorized by this title, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the ‘Reserve Fund’) which shall—

“(1) be an account separate from any other accounts or funds available to the Administrator; and

“(2) be available for meeting the expected future obligations of the flood insurance program.

“(b) **RESERVE RATIO.**—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

“(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

“(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

“(c) **MAINTENANCE OF RESERVE RATIO.**—

“(1) **IN GENERAL.**—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

“(A) to maintain the reserve ratio required under subsection (b); and

“(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

“(2) **CONSIDERATIONS.**—In exercising the authority under paragraph (1), the Administrator shall consider—

“(A) the expected operating expenses of the Reserve Fund;

“(B) the insurance loss expenditures under the flood insurance program;

“(C) any investment income generated under the flood insurance program; and

“(D) any other factor that the Administrator determines appropriate.

“(3) **LIMITATIONS.**—In exercising the authority under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates and annual increases of such rates.

“(d) **PHASE-IN REQUIREMENTS.**—The phase-in requirements under this subsection are as follows:

“(1) **IN GENERAL.**—Beginning in fiscal year 2012 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(2) **AMOUNT SATISFIED.**—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

“(3) **EXCEPTION.**—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(e) **LIMITATION ON RESERVE RATIO.**—In any given fiscal year, if the Administrator determines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to the Congress that—

“(1) describes and details the specific concerns of the Administrator regarding such consequences;

“(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

“(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

“(f) **AVAILABILITY OF AMOUNTS.**—The reserve ratio requirements under subsection (b) and the phase-in requirements under subsection (d) shall be subject to the availability of amounts in the National Flood Insurance Fund for transfer under section 1310(a)(10), as provided in section 1310(f).”.

(b) **FUNDING.**—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968

(42 U.S.C. 4017(a)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

“(10) for transfers to the National Flood Insurance Reserve Fund under section 1310A, in accordance with such section.”.

SEC. 366. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (24), by striking “and” at the end;

(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(26) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expenditures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—

“(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—

“(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;

“(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and

“(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph,

except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and

“(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and

“(27) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of

flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—

“(A) amounts used as provided under this paragraph shall be used only for activities designed to—

“(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

“(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

“(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

“(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;

“(v) encourage such owners and renters to maintain or acquire such coverage;

“(vi) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the ‘Administrator’) where such information is available; and

“(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

“(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term ‘non-Federal funds’ includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

“(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

“(D) each local government agency that uses amounts as provided under this paragraph shall submit a report to the Secretary

and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.”.

SEC. 367. TECHNICAL CORRECTIONS.

(a) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking “Director” each place such term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting “Administrator”;

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking “Director’s” and inserting “Administrator’s”.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking “Director” each place such term appears and inserting “Administrator”;

(2) in section 1363 (42 U.S.C. 4104), by striking “Director’s” each place such term appears and inserting “Administrator’s”.

(c) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking “Director” each place such term appears and inserting “Administrator”.

SEC. 368. REQUIRING COMPETITION FOR NATIONAL FLOOD INSURANCE PROGRAM POLICIES.

(a) REPORT.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with insurance companies, insurance agents and other organizations with which the Administrator has contracted, shall submit to the Congress a report describing procedures and policies that the Administrator shall implement to limit the percentage of policies for flood insurance coverage under the national flood insurance program that are directly managed by the Agency to not more than 10 percent of the aggregate number of flood insurance policies in force under such program.

(b) IMPLEMENTATION.—Upon submission of the report under subsection (a) to the Congress, the Administrator shall implement the policies and procedures described in the report. The Administrator shall, not later than the expiration of the 12-month period beginning upon submission of such report, reduce the number of policies for flood insurance coverage that are directly managed by the Agency, or by the Agency’s direct servicing contractor that is not an insurer, to not more than 10 percent of the aggregate number of flood insurance policies in force as of the expiration of such 12-month period.

(c) CONTINUATION OF CURRENT AGENT RELATIONSHIPS.—In carrying out subsection (b), the Administrator shall ensure that—

(1) agents selling or servicing policies described in such subsection are not prevented from continuing to sell or service such policies; and

(2) insurance companies are not prevented from waiving any limitation such companies could otherwise enforce to limit any such activity.

SEC. 369. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDIES.—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance pro-

gram. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

SEC. 370. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

SEC. 371. STUDY ON GRADUATED RISK.

(a) STUDY.—The National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions, which shall—

(1) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(2) rank such practices based on their best value, balancing cost, scientific integrity,

and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(3) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(4) identify examples where such practices have proven effective and recommend methods and processes by which they could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(5) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees which are actuarially sound and based on the flood risk data developed using the top three best value approaches identified pursuant to paragraph (1);

(6) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(7) taking into consideration the recommendations pursuant to paragraphs (1) through (3), recommend approaches to communicating the associated risks to community officials, homeowners, and other residents.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the National Academy of Sciences shall submit a report to the Committees on Financial Services and Science, Space, and Technology of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Commerce, Science and Transportation of the Senate on the study under subsection (a) including the information and recommendations required under such subsection.

SEC. 372. REPORT ON FLOOD-IN-PROGRESS DETERMINATION.

The Administrator of the Federal Emergency Management Agency shall review the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the national flood insurance program under the National Flood Insurance Act of 1968 and for providing public notification that such an event has commenced or is in progress. In such review, the Administrator shall take into consideration the effects and implications that weather conditions, such as rainfall, snowfall, projected snowmelt, existing water levels, and other conditions have on the determination that a flood event has commenced or is in progress. Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Administrator shall submit a report to the Congress setting forth the results and conclusions of the review undertaken pursuant to this section and any actions undertaken or proposed actions to be taken to provide for a more precise and technical determination that a flooding event has commenced or is in progress.

SEC. 373. STUDY ON REPAYING FLOOD INSURANCE DEBT.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting

forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

SEC. 374. NO CAUSE OF ACTION.

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this subtitle or any amendment made by this subtitle.

SEC. 375. AUTHORITY FOR THE CORPS OF ENGINEERS TO PROVIDE SPECIALIZED OR TECHNICAL SERVICES.

(a) IN GENERAL.—Notwithstanding any other provision of law, upon the request of a State or local government, the Secretary of the Army may evaluate a levee system that was designed or constructed by the Secretary for the purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) REQUIREMENTS.—A levee system evaluation under subsection (a) shall—

(1) comply with applicable regulations related to areas protected by a levee system;

(2) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish; and

(3) be carried out only if the State or local government agrees to reimburse the Secretary for all cost associated with the performance of the activities.

Subtitle E—Repeal of the Office of Financial Research

SEC. 381. REPEAL OF THE OFFICE OF FINANCIAL RESEARCH.

(a) IN GENERAL.—Subtitle B of title I of the Dodd-Frank Wall Street Reform and Consumer Protection Act is hereby repealed.

(b) CONFORMING AMENDMENTS TO THE DODD-FRANK ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in section 102(a), by striking paragraph (5);

(2) in section 111—

(A) in subsection (b)(2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively;

(B) in subsection (c)(1), by striking “subparagraphs (C), (D), and (E)” and inserting “subparagraphs (B), (C), and (D)”;

(3) in section 112—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking “direct the Office of Financial Research to”;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraphs (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), and (N) as subparagraphs (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), and (M), respectively; and

(B) in subsection (d)—

(i) in paragraph (1), by striking “the Office of Financial Research, member agencies, and” and inserting “member agencies and”;

(ii) in paragraph (2), by striking “the Office of Financial Research, any member agency, and” and inserting “any member agency and”;

(iii) in paragraph (3)—

(I) by striking “, acting through the Office of Financial Research,” each place it appears; and

(II) in subparagraph (B), by striking “the Office of Financial Research or”;

(iv) in paragraph (5)(A), by striking “, the Office of Financial Research,”;

(4) in section 116, by striking “, acting through the Office of Financial Research,” each place it appears; and

(5) by striking section 118.

(c) CONFORMING AMENDMENT TO THE PAPERWORK REDUCTION ACT.—Effective as of the date specified in section 1100H of the Dodd-Frank Wall Street Reform and Consumer Protection Act, section 1100D(a) of such Act is amended to read as follows:

“(a) DESIGNATION AS AN INDEPENDENT AGENCY.—Section 3502(5) of subchapter I of chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act) is amended by inserting ‘the Bureau of Consumer Financial Protection,’ after ‘the Securities and Exchange Commission,’.”

(d) TECHNICAL AMENDMENTS.—The table of contents for the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) by striking the item relating to section 118; and

(2) by striking the items relating to subtitle B of title I.

TITLE IV—COMMITTEE ON THE JUDICIARY

SEC. 401. SHORT TITLE.

This title may be cited as the “Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2011”.

SEC. 402. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

The time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first. In no event shall the time for commencement of a health care lawsuit exceed 3 years after the date of manifestation of injury unless tolled for any of the following—

(1) upon proof of fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

Actions by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that actions by a minor under the full age of 6 years shall be commenced within 3 years of manifestation of injury or prior to the minor’s 8th birthday, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care organization have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

SEC. 403. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this title shall limit a claimant’s recovery of the full amount of the available economic damages, notwithstanding the limitation in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—In any health care lawsuit, the amount of noneconomic damages, if available, may be as much as \$250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same injury.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—For purposes of applying the limitation in subsection (b), future noneconomic damages shall not be discounted to present value. The jury shall not be informed about the maximum award for noneconomic damages. An award for noneconomic damages in excess of \$250,000 shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law. If separate awards are rendered for past and

future noneconomic damages and the combined awards exceed \$250,000, the future noneconomic damages shall be reduced first.

(d) **FAIR SHARE RULE.**—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. Whenever a judgment of liability is rendered as to any party, a separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. 404. MAXIMIZING PATIENT RECOVERY.

(a) **COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.**—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants. In particular, in any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity. In no event shall the total of all contingent fees for representing all claimants in a health care lawsuit exceed the following limits:

(1) Forty percent of the first \$50,000 recovered by the claimant(s).

(2) Thirty-three and one-third percent of the next \$50,000 recovered by the claimant(s).

(3) Twenty-five percent of the next \$500,000 recovered by the claimant(s).

(4) Fifteen percent of any amount by which the recovery by the claimant(s) is in excess of \$600,000.

(b) **APPLICABILITY.**—The limitations in this section shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution. In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section. The requirement for court supervision in the first two sentences of subsection (a) applies only in civil actions.

SEC. 405. PUNITIVE DAMAGES.

(a) **IN GENERAL.**—Punitive damages may, if otherwise permitted by applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer. In any health care lawsuit where no judgment for compensatory damages is rendered against such person, no punitive damages may be awarded with respect to the claim in such lawsuit. No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages. At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

(1) whether punitive damages are to be awarded and the amount of such award; and

(2) the amount of punitive damages following a determination of punitive liability. If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(b) **DETERMINING AMOUNT OF PUNITIVE DAMAGES.**—

(1) **FACTORS CONSIDERED.**—In determining the amount of punitive damages, if awarded, in a health care lawsuit, the trier of fact shall consider only the following—

(A) the severity of the harm caused by the conduct of such party;

(B) the duration of the conduct or any concealment of it by such party;

(C) the profitability of the conduct to such party;

(D) the number of products sold or medical procedures rendered for compensation, as the case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) **MAXIMUM AWARD.**—The amount of punitive damages, if awarded, in a health care lawsuit may be as much as \$250,000 or as much as two times the amount of economic damages awarded, whichever is greater. The jury shall not be informed of this limitation.

(c) **NO PUNITIVE DAMAGES FOR PRODUCTS THAT COMPLY WITH FDA STANDARDS.**—

(1) **IN GENERAL.**—

(A) No punitive damages may be awarded against the manufacturer or distributor of a medical product, or a supplier of any component or raw material of such medical product, based on a claim that such product caused the claimant's harm where—

(i) (I) such medical product was subject to premarket approval, clearance, or licensure by the Food and Drug Administration with respect to the safety of the formulation or performance of the aspect of such medical product which caused the claimant's harm or the adequacy of the packaging or labeling of such medical product; and

(II) such medical product was so approved, cleared, or licensed; or

(ii) such medical product is generally recognized among qualified experts as safe and effective pursuant to conditions established by the Food and Drug Administration and applicable Food and Drug Administration regulations, including without limitation those related to packaging and labeling, unless the Food and Drug Administration has determined that such medical product was not manufactured or distributed in substantial compliance with applicable Food and Drug Administration statutes and regulations.

(B) **RULE OF CONSTRUCTION.**—Subparagraph (A) may not be construed as establishing the obligation of the Food and Drug Administration to demonstrate affirmatively that a manufacturer, distributor, or supplier referred to in such subparagraph meets any of the conditions described in such subparagraph.

(2) **LIABILITY OF HEALTH CARE PROVIDERS.**—A health care provider who prescribes, or who dispenses pursuant to a prescription, a medical product approved, licensed, or cleared by the Food and Drug Administration shall not be named as a party to a product liability lawsuit involving such product and shall not be liable to a claimant in a class action lawsuit against the manufacturer, distributor, or seller of such product. Nothing in this paragraph prevents a court

from consolidating cases involving health care providers and cases involving products liability claims against the manufacturer, distributor, or product seller of such medical product.

(3) **PACKAGING.**—In a health care lawsuit for harm which is alleged to relate to the adequacy of the packaging or labeling of a drug which is required to have tamper-resistant packaging under regulations of the Secretary of Health and Human Services (including labeling regulations related to such packaging), the manufacturer or product seller of the drug shall not be held liable for punitive damages unless such packaging or labeling is found by the trier of fact by clear and convincing evidence to be substantially out of compliance with such regulations.

(4) **EXCEPTION.**—Paragraph (1) shall not apply in any health care lawsuit in which—

(A) a person, before or after premarket approval, clearance, or licensure of such medical product, knowingly misrepresented to or withheld from the Food and Drug Administration information that is required to be submitted under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or section 351 of the Public Health Service Act (42 U.S.C. 262) that is material and is causally related to the harm which the claimant allegedly suffered

(B) a person made an illegal payment to an official of the Food and Drug Administration for the purpose of either securing or maintaining approval, clearance, or licensure of such medical product; or

(C) the defendant caused the medical product which caused the claimant's harm to be misbranded or adulterated (as such terms are used in chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.)).

SEC. 406. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) **IN GENERAL.**—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding \$50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments, in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) **APPLICABILITY.**—This section applies to all actions which have not been first set for trial or retrial before the effective date of this title.

SEC. 407. DEFINITIONS.

In this title:

(1) **ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.**—The term "alternative dispute resolution system" or "ADR" means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) **CLAIMANT.**—The term "claimant" means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity, or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) **COMPENSATORY DAMAGES.**—The term "compensatory damages" means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employ-

ment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. The term "compensatory damages" includes economic damages and non-economic damages, as such terms are defined in this section.

(4) CONTINGENT FEE.—The term "contingent fee" includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(5) ECONOMIC DAMAGES.—The term "economic damages" means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(6) HEALTH CARE LAWSUIT.—The term "health care lawsuit" means any health care liability claim concerning the provision of health care goods or services or any medical product affecting interstate commerce, or any health care liability action concerning the provision of health care goods or services or any medical product affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim. Such term does not include a claim or action which is based on criminal liability; which seeks civil fines or penalties paid to Federal, State, or local government; or which is grounded in anti-trust.

(7) HEALTH CARE LIABILITY ACTION.—The term "health care liability action" means a civil action brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(8) HEALTH CARE LIABILITY CLAIM.—The term "health care liability claim" means a demand by any person, whether or not pursuant to ADR, against a health care provider, health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, including, but not limited to, third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services or medical products, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(9) HEALTH CARE ORGANIZATION.—The term "health care organization" means any person or entity which is obligated to provide or pay for health benefits under any health plan, including any person or entity acting

under a contract or arrangement with a health care organization to provide or administer any health benefit.

(10) HEALTH CARE PROVIDER.—The term "health care provider" means any person or entity required by State or Federal laws or regulations to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(11) HEALTH CARE GOODS OR SERVICES.—The term "health care goods or services" means any goods or services provided by a health care organization, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, or treatment of any human disease or impairment, or the assessment or care of the health of human beings.

(12) MALICIOUS INTENT TO INJURE.—The term "malicious intent to injure" means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(13) MEDICAL PRODUCT.—The term "medical product" means a drug, device, or biological product intended for humans, and the terms "drug", "device", and "biological product" have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(g)(1) and (h)) and section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)), respectively, including any component or raw material used therein, but excluding health care services.

(14) NONECONOMIC DAMAGES.—The term "noneconomic damages" means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(15) PUNITIVE DAMAGES.—The term "punitive damages" means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider, health care organization, or a manufacturer, distributor, or supplier of a medical product. Punitive damages are neither economic nor noneconomic damages.

(16) RECOVERY.—The term "recovery" means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(17) STATE.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. 408. EFFECT ON OTHER LAWS.

(a) VACCINE INJURY.—

(1) To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this title does not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this title in conflict with a rule of law of such title XXI shall not apply to such action.

(2) If there is an aspect of a civil action brought for a vaccine-related injury or death

to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this title or otherwise applicable law (as determined under this title) will apply to such aspect of such action.

(b) OTHER FEDERAL LAW.—Except as provided in this section, nothing in this title shall be deemed to affect any defense available to a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. 409. STATE FLEXIBILITY AND PROTECTION OF STATES' RIGHTS.

(a) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this title preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this title. The provisions governing health care lawsuits set forth in this title supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this title; or

(2) prohibits the introduction of evidence regarding collateral source benefits, or mandates or permits subrogation or a lien on collateral source benefits.

(b) PROTECTION OF STATES' RIGHTS AND OTHER LAWS.—(1) Any issue that is not governed by any provision of law established by or under this title (including State standards of negligence) shall be governed by otherwise applicable State or Federal law.

(2) This title shall not preempt or supersede any State or Federal law that imposes greater procedural or substantive protections for health care providers and health care organizations from liability, loss, or damages than those provided by this title or create a cause of action.

(c) STATE FLEXIBILITY.—No provision of this title shall be construed to preempt—

(1) any State law (whether effective before, on, or after the date of the enactment of this Act) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this title, notwithstanding section 303(a); or

(2) any defense available to a party in a health care lawsuit under any other provision of State or Federal law.

SEC. 410. APPLICABILITY; EFFECTIVE DATE.

This title shall apply to any health care lawsuit brought in a Federal or State court, or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this Act, except that any health care lawsuit arising from an injury occurring prior to the date of the enactment of this Act shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

SEC. 501. RETIREMENT CONTRIBUTIONS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8334(c) of title 5, United States Code, is amended—

(A) by striking "(c) Each" and inserting "(c)(1) Each"; and

(B) by adding at the end the following:

"(2) Notwithstanding any other provision of this subsection, the applicable percentage of basic pay under this subsection shall—

"(A) except as provided in subparagraph (B) or (C), for purposes of computing an amount—

"(i) for a period in calendar year 2013, be equal to the applicable percentage under this

subsection for calendar year 2012, plus an additional 1.5 percentage points;

“(ii) for a period in calendar year 2014, be equal to the applicable percentage under this subsection for calendar year 2013 (as determined under clause (i)), plus an additional 0.5 percentage point;

“(iii) for a period in calendar year 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (ii) or this clause, as the case may be), plus an additional 1.0 percentage point; and

“(iv) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (iii));

“(B) for purposes of computing an amount with respect to a Member for Member service—

“(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

“(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (i) or this clause, as the case may be), plus an additional 1.5 percentage points; and

“(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (ii)); and

“(C) for purposes of computing an amount with respect to a Member or employee for Congressional employee service—

“(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

“(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (i) or this clause, as the case may be), plus an additional 1.5 percentage points; and

“(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (ii)).

“(3)(A) Notwithstanding subsection (a)(2), any excess contributions under subsection (a)(1)(A) (including the portion of any deposit under this subsection allocable to excess contributions) shall, if made by an employee of the United States Postal Service or the Postal Regulatory Commission, be deposited to the credit of the Postal Service Fund under section 2003 of title 39, rather than the Civil Service Retirement and Disability Fund.

“(B) For purposes of this paragraph, the term ‘excess contributions’, as used with respect to contributions made under subsection (a)(1)(A) by an employee of the United States Postal Service or the Postal Regulatory Commission, means the amount by which—

“(i) deductions from basic pay of such employee which are made under subsection (a)(1)(A), exceed

“(ii) deductions from basic pay of such employee which would have been so made if paragraph (2) had not been enacted.”.

(2) **GOVERNMENT CONTRIBUTIONS.**—Section 8334(a)(1)(B) of title 5, United States Code, is amended—

(A) in clause (i), by striking “Except as provided in clause (ii),” and inserting “Except as provided in clause (ii) or (iii),”; and

(B) by adding at the end the following:

“(iii) The amount to be contributed under clause (i) shall, with respect to a period in any year beginning after December 31, 2012, be equal to—

“(I) the amount which would otherwise apply under clause (i) with respect to such period, reduced by

“(II) the amount by which, with respect to such period, the withholding under subparagraph (A) exceeds the amount which would otherwise have been withheld from the basic pay of the employee or elected official involved under subparagraph (A) based on the percentage applicable under subsection (c) for calendar year 2012.”.

(b) **FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.**—

(1) **INDIVIDUAL CONTRIBUTIONS.**—Section 8422(a)(3) of title 5, United States Code, is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by inserting after subparagraph (A) the following:

“(B) Notwithstanding any other provision of this paragraph, the applicable percentage under this paragraph for civilian service by employees or Members other than revised annuity employees shall—

“(i) except as provided in clause (ii) or (iii), for purposes of computing an amount—

“(I) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 1.5 percentage points;

“(II) for a period in calendar year 2014, be equal to the applicable percentage under this paragraph for calendar year 2013 (as determined under subclause (I)), plus an additional 0.5 percentage point;

“(III) for a period in calendar year 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under subclause (II) or this subclause, as the case may be), plus an additional 1.0 percentage point; and

“(IV) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (III));

“(i) for purposes of computing an amount with respect to a Member—

“(I) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 2.5 percentage points;

“(II) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under subclause (I) or this subclause, as the case may be), plus an additional 1.5 percentage points; and

“(III) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (II)); and

“(iii) for purposes of computing an amount with respect to a Congressional employee—

“(I) for a period in calendar year 2013, 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (including as increased under this subclause, if applicable), plus an additional 1.5 percentage points; and

“(II) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (I)).”; and

(C) in subparagraph (C) (as so redesignated by subparagraph (A))—

(i) by striking “9.3” each place it appears and inserting “12”; and

(ii) by striking “9.8” each place it appears and inserting “12.5”.

(2) **GOVERNMENT CONTRIBUTIONS.**—Section 8423(a)(2) of title 5, United States Code, is amended—

(A) by striking “(2)” and inserting “(2)(A)”; and

(B) by adding at the end the following:

“(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2012, the normal-cost percentage under this subsection shall be deter-

mined and applied as if section 501(b)(1) of the Sequester Replacement Reconciliation Act of 2012 had not been enacted.

“(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

“(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

“(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.”.

SEC. 502. ANNUITY SUPPLEMENT.

Section 8421(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraphs (3) and (4)”; and

(2) in paragraph (2), by striking “paragraph (3)” and inserting “paragraphs (3) and (4)”; and

(3) by adding at the end the following:

“(4)(A) Except as provided in subparagraph (B), no annuity supplement under this section shall be payable in the case of an individual who first becomes subject to this chapter after December 31, 2012.

“(B) Nothing in this paragraph applies in the case of an individual separating under subsection (d) or (e) of section 8412.”.

SEC. 503. CONTRIBUTIONS TO THRIFT SAVINGS FUND OF PAYMENTS FOR ACCRUED OR ACCUMULATED LEAVE.

(a) **AMENDMENTS RELATING TO CSRS.**—Section 8351(b) of title 5, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

“(2)(A) An employee or Member may contribute to the Thrift Savings Fund in any pay period any amount of such employee’s or Member’s basic pay for such pay period, and may contribute (by direct transfer to the Fund) any part of any payment that the employee or Member receives for accumulated and accrued annual or vacation leave under section 5551 or 5552. Notwithstanding section 2105(e), in this paragraph the term ‘employee’ includes an employee of the United States Postal Service or of the Postal Regulatory Commission.”;

(2) by striking subparagraph (B) of paragraph (2); and

(3) by redesignating subparagraph (C) of paragraph (2) as subparagraph (B).

(b) **AMENDMENTS RELATING TO FERS.**—Section 8432(a) of title 5, United States Code, is amended—

(1) by striking all that precedes paragraph (3) and inserting the following:

“(a)(1) An employee or Member—

“(A) may contribute to the Thrift Savings Fund in any pay period, pursuant to an election under subsection (b), any amount of such employee’s or Member’s basic pay for such pay period; and

“(B) may contribute (by direct transfer to the Fund) any part of any payment that the employee or Member receives for accumulated and accrued annual or vacation leave under section 5551 or 5552.

“(2) Contributions made under paragraph (1)(A) pursuant to an election under subsection (b) shall, with respect to each pay period for which such election remains in effect, be made in accordance with a program of regular contributions provided in regulations prescribed by the Executive Director.”; and

(2) by adding at the end the following:

“(4) Notwithstanding section 2105(e), in this subsection the term ‘employee’ includes

an employee of the United States Postal Service or of the Postal Regulatory Commission.”.

(c) REGULATIONS.—The Executive Director of the Federal Retirement Thrift Investment Board shall promulgate regulations to carry out the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 1 year after the date of the enactment of this Act.

TITLE VI—COMMITTEE ON WAYS AND MEANS

Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance

SEC. 601. RECAPTURE OF OVERPAYMENTS RESULTING FROM CERTAIN FEDERALLY-SUBSIDIZED HEALTH INSURANCE.

(a) IN GENERAL.—Paragraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) CONFORMING AMENDMENT.—So much of paragraph (2) of section 36B(f) of such Code, as amended by subsection (a), as precedes “advance payments” is amended to read as follows:

“(2) EXCESS ADVANCE PAYMENTS.—If the”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2013.

Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit

SEC. 611. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer’s Social Security number on the return of tax for such taxable year.

“(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

“(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.”.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of such Code is amended to read as follows:

“(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return.”.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of such Code is amended by inserting “WITH RESPECT TO QUALIFYING CHILDREN” after “IDENTIFICATION REQUIREMENT” in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Subtitle C—Human Resources Provisions

SEC. 621. REPEAL OF THE PROGRAM OF BLOCK GRANTS TO STATES FOR SOCIAL SERVICES.

(a) REPEALS.—Sections 2001 through 2007 of the Social Security Act (42 U.S.C. 1397 1397f) are repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 404(d) of the Social Security Act (42 U.S.C. 604(d)) is amended—

(A) in paragraph (1), by striking “any or all of the following provisions of law:” and all that follows through “The” and inserting “the”;

(B) in paragraph (3)—

(i) by striking “RULES” and all that follows through “any amount paid” and inserting “RULES.—Any amount paid”;

(ii) by striking “a provision of law specified in paragraph (1)” and inserting “the Child Care and Development Block Grant Act of 1990”; and

(iii) by striking subparagraph (B); and

(C) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 422(b) of the Social Security Act (42 U.S.C. 622(b)) is amended—

(A) in paragraph (1)(A)—

(i) by striking “administers or supervises” and inserting “administered or supervised”; and

(ii) by striking “subtitle 1 of title XX” and inserting “subtitle A of title XX (as in effect before the repeal of such subtitle)”; and

(B) in paragraph (2), by striking “under subtitle 1 of title XX”.

(3) Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(A) in paragraph (4), by striking “, under subtitle 1 of title XX of this Act,”; and

(B) in paragraph (8), by striking “XIX, or XX” and inserting “or XIX”.

(4) Section 472(h)(1) of the Social Security Act (42 U.S.C. 672(h)(1)) is amended by striking the 2nd sentence.

(5) Section 473(b) of the Social Security Act (42 U.S.C. 673(b)) is amended—

(A) in paragraph (1), by striking “(3)” and inserting “(2)”; and

(B) in paragraph (4), by striking “paragraphs (1) and (2)” and inserting “paragraph (1)”; and

(C) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(6) Section 504(b)(6) of the Social Security Act (42 U.S.C. 704(b)(6)) is amended in each of subparagraphs (A) and (B) by striking “XIX, or XX” and inserting “or XIX”.

(7) Section 1101(a)(1) of the Social Security Act (42 U.S.C. 1301(a)(1)) is amended by striking the penultimate sentence.

(8) Section 1128(h) of the Social Security Act (42 U.S.C. 1320a-7(h)) is amended—

(A) by adding “or” at the end of paragraph (2); and

(B) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(9) Section 1128A(i)(1) of the Social Security Act (42 U.S.C. 1320a-7a(i)(1)) is amended by striking “or subtitle 1 of title XX”.

(10) Section 1132(a)(1) of the Social Security Act (42 U.S.C. 1320b-2(a)(1)) is amended by striking “XIX, or XX” and inserting “or XIX”.

(11) Section 1902(e)(13)(F)(iii) of the Social Security Act (42 U.S.C. 1396a(e)(13)(F)(iii)) is amended—

(A) by striking “EXCLUSIONS” and inserting “EXCLUSION”; and

(B) by striking “an agency that determines eligibility for a program established under the Social Services Block Grant established under title XX or”.

(12) The heading for title XX of the Social Security Act is amended by striking “BLOCK GRANTS TO STATES FOR SOCIAL SERVICES” and inserting “HEALTH PROFESSIONS DEMONSTRATIONS AND ENVIRONMENTAL HEALTH CONDITION DETECTION”.

(13) The heading for subtitle A of title XX of the Social Security Act is amended by striking “Block Grants to States for Social Services” and inserting “Health Professions Demonstrations and Environmental Health Condition Detection”.

(14) Section 16(k)(5)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C.

2025(k)(5)(B)(i)) is amended by striking “, or title XX,”.

(15) Section 402(b)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(3)) is amended by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(16) Section 245A(h)(4)(I) of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1255a(h)(4)(I)) is amended by striking “, XVI, and XX” and inserting “and XVI”.

(17) Section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (B)—

(I) by striking “—” and all that follows through “(i)”; and

(II) by striking “or” at the end of clause (i); and

(III) by striking clause (ii); and

(ii) in subparagraph (D)(ii), by striking “or title XX”; and

(B) in subsection (o)(2)(B)—

(i) by striking “or title XX” each place it appears; and

(ii) by striking “or XX”.

(18) Section 201(b) of the Indian Child Welfare Act of 1978 (25 U.S.C. 1931(b)) is amended by striking “titles IV B and XX” each place it appears and inserting “part B of title IV”.

(19) Section 3803(c)(2)(C) of title 31, United States Code, is amended by striking clause (vi) and redesignating clauses (vii) through (xvi) as clauses (vi) through (xv), respectively.

(20) Section 14502(d)(3) of title 40, United States Code, is amended—

(A) by striking “and title XX”; and

(B) by striking “, 1397 et seq.”.

(21) Section 2006(a)(15) of the Public Health Service Act (42 U.S.C. 300z-5(a)(15)) is amended by striking “and title XX”.

(22) Section 203(b)(3) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)(3)) is amended by striking “XIX, and XX” and inserting “and XIX”.

(23) Section 213 of the Older Americans Act of 1965 (42 U.S.C. 3020d) is amended by striking “or title XX”.

(24) Section 306(d) of the Older Americans Act of 1965 (42 U.S.C. 3026(d)) is amended in each of paragraphs (1) and (2) by striking “titles XIX and XX” and inserting “title XIX”.

(25) Section 2605 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624) is amended in each of subsections (b)(4) and (j) by striking “under title XX of the Social Security Act.”.

(26) Section 602 of the Child Development Associate Scholarship Assistance Act of 1985 (42 U.S.C. 10901) is repealed.

(27) Section 3(d)(1) of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14402(d)(1)) is amended by striking subparagraph (C) and redesignating subparagraphs (D) through (K) as subparagraphs (C) through (J), respectively.

(c) EFFECTIVE DATE.—The repeals and amendments made by this section shall take effect on October 1, 2012.

TITLE VII—SEQUESTER REPLACEMENT

SEC. 701. SHORT TITLE.

This title may be cited as the “Sequester Replacement Act of 2012”.

SEC. 702. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

SEC. 703. ACHIEVING \$19 BILLION IN DISCRETIONARY SAVINGS.

(a) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(2) with respect to fiscal year 2013, for the discretionary category, \$1,047,000,000 in new budget authority;”.

(b) **DISCRETIONARY SAVINGS.**—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(A) **FISCAL YEAR 2013.**—

“(i) **FISCAL YEAR 2013 ADJUSTMENT.**—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by \$19,104,000,000 in budget authority.

“(ii) **SUPPLEMENTAL SEQUESTRATION ORDER.**—On January 15, 2013, OMB shall issue a supplemental sequestration report for fiscal year 2013 and take the form of a final sequestration report as set forth in section 254(f)(2) and using the procedures set forth in section 253(f), to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall order a sequestration, if any, as required by such report.”.

SEC. 704. CONFORMING AMENDMENTS TO SECTION 314 OF THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

Section 314(a) of the Congressional Budget Act of 1974 is amended to read as follows:

“(a) **ADJUSTMENTS.**—

“(1) **IN GENERAL.**—The chair of the Committee on the Budget of the House of Representatives or the Senate may make adjustments as set forth in paragraph (2) for a bill or joint resolution, amendment thereto or conference report thereon, by the amount of new budget authority and outlays flowing therefrom in the same amount as required by section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(2) **MATTERS TO BE ADJUSTED.**—The chair of the Committee on the Budget of the House of Representatives or the Senate may make the adjustments referred to in paragraph (1) to—

“(A) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a);

“(B) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget; and

“(C) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget.”.

SEC. 705. TREATMENT FOR PAYGO PURPOSES.

The budgetary effects of this Act and any amendment made by it shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

SEC. 706. ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DEFENSE DIRECT SPENDING.

Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 648, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. LOEBSACK moved to recommit the bill to the Committee on the Budget with instructions to report the bill back to the House forthwith with the following amendment:

At the end of title V, add the following:

SEC. 504. PROHIBITION ON TAXPAYER-FUNDED PENSIONS FOR MEMBERS OF CONGRESS WHO BECOME HIGHLY-PAID LOBBYISTS.

(a) **IN GENERAL.**—Any former Member of Congress who is registered as a lobbyist, and whose annual income from lobbying activities exceeds \$1,000,000, shall not be eligible to receive benefits under either the Civil Service Retirement System or the Federal Employees' Retirement System for the period of time during which such former Member is employed as such a lobbyist and receiving from lobbying activities an annual income that exceeds \$1,000,000.

(b) **DEFINITION.**—For purposes of this section, the term “former Member of Congress” means an individual who becomes a former Member of Congress after the date of the enactment of this Act.

SEC. 505. ENSURING THAT MEMBERS OF CONGRESS PAY THEIR FAIR SHARE FOR RETIREMENT BENEFITS.

(a) **CIVIL SERVICE RETIREMENT SYSTEM.**—

(1) **INDIVIDUAL CONTRIBUTIONS.**—Section 8334(c) of title 5, United States Code, is amended—

(A) by striking “(c) Each” and inserting “(c)(1) Each”; and

(B) by adding at the end the following:

“(2) Notwithstanding any other provision of this subsection, the applicable percentage of basic pay under this subsection shall, for purposes of computing an amount with respect to a Member for Member service—

“(A) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

“(B) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under subparagraph (A) or this subparagraph, as the case may be), plus an additional 1.5 percentage points; and

“(C) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under subparagraph (B)).”.

(2) **GOVERNMENT CONTRIBUTIONS.**—Section 8334(a)(1)(B) of title 5, United States Code, is amended—

(A) in clause (i), by striking “Except as provided in clause (ii),” and inserting “Except as provided in clause (ii) or (iii),”; and

(B) by adding at the end the following:

“(iii) In the case of a Member, the amount to be contributed under clause (i) shall, with respect to a period in any year beginning after December 31, 2012, be equal to—

“(I) the amount which would otherwise apply under clause (i) with respect to such period, reduced by

“(II) the amount by which, with respect to such period, the withholding under subparagraph (A) exceeds the amount which would otherwise have been withheld from the basic pay of the Member involved under subparagraph (A) based on the percentage applicable under subsection (c) for calendar year 2012.”.

(b) **FEDERAL EMPLOYEES' RETIREMENT SYSTEM.**—

(1) **INDIVIDUAL CONTRIBUTIONS.**—Section 8422(a)(3) of title 5, United States Code, is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by inserting after subparagraph (A) the following:

“(B) Notwithstanding any other provision of this paragraph, the applicable percentage under this subsection shall, for purposes of computing an amount with respect to a Member (other than an individual who is a revised annuity employee by virtue of becoming a Member after December 31, 2012)—

“(i) for a period in calendar year 2013, be equal to the applicable percentage under this

paragraph for calendar year 2012, plus an additional 2.5 percentage points;

“(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under clause (i) or this clause, as the case maybe), plus an additional 1.5 percentage points; and

“(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under clause (ii)).”; and

(C) in subparagraph (C) (as so redesignated by subparagraph (A)), in the line relating to a Member, by striking “9.3” and inserting “12”.

(2) **GOVERNMENT CONTRIBUTIONS.**—Section 8423(a)(2) of title 5, United States Code, is amended—

(A) by striking “(2)” and inserting “(2)(A)”; and

(B) by adding at the end the following:

“(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2012, the normal-cost percentage under this subsection for Members shall be determined and applied as if section 505(b)(1)(B) of the Sequester Replacement Reconciliation Act of 2012 had not been enacted.

“(ii) Any contributions under this subsection with respect to Members in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

“(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.”.

SEC. 506. ANNUITY SUPPLEMENT TERMINATION APPLICABLE TO MEMBERS OF CONGRESS ONLY.

Section 8421(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraphs (3) and (4)”; and

(2) in paragraph (2), by striking “paragraph (3)” and inserting “paragraphs (3) and (4)”; and

(3) by adding at the end the following:

“(4) No annuity supplement under this section shall be payable in the case of any individual who, after December 31, 2012, first becomes subject to this chapter by virtue of being a Member.”.

SEC. 507. EXCLUSION OF MEMBERS OF CONGRESS FROM PROVISIONS ALLOWING CONTRIBUTIONS TO THRIFT SAVINGS FUND OF PAYMENTS FOR ACCRUED OR ACCUMULATED LEAVE.

Notwithstanding any other provision of this title, nothing in section 503 or any amendment made by section 503 shall apply with respect to a Member (within the meaning of section 8331 or 8401 of title 5, United States Code).

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mr. LOEBSACK demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the negative { Yeas 170
 Nays 232
 Answered present 11

59.8

[Roll No. 246]

YEAS—170

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

NAYS—232

- Adams
- Aderholt
- Akin
- Alexander
- Amash
- Amodei
- Austria
- Bachmann
- Bachus
- Barletta
- Bartlett
- Barton (TX)
- Bass (NH)
- Benishek
- Berg
- Biggart
- Bilbray
- Bilirakis
- Bishop (UT)
- Black
- Blackburn
- Bonner
- Bono Mack
- Boustany
- Brooks (TX)
- Brooks
- Buchanan
- Bucshon
- Buerkle
- Burton (IN)
- Calvert
- Camp
- Campbell
- Canseco
- Cantor
- Capito
- Cardoza
- Carter
- Cassidy
- Chabot
- Chaffetz
- Coffman (CO)
- Cole
- Conaway
- Cravaack
- Crawford
- Crenshaw
- Culberson
- Davis (KY)
- DeGette
- Denham
- Dent
- DesJarlais
- Diaz-Balart
- Dold
- Dreier
- Brady (TX)
- Brooks
- Buchanan
- Bucshon
- Ellison
- Ellmers
- Burton (IN)
- Calvert
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Forbes
- Fortenberry
- Fox
- Franks (AZ)
- Frelinghuysen
- Gallely
- Gardner
- Garrett
- Gerlach
- Gibbs
- Gibson
- Gingrey (GA)
- Gohmert
- Goodlatte
- Gosar
- Gowdy
- Granger
- Graves (GA)
- Graves (MO)
- Griffin (AR)
- Griffith (VA)
- Grimm
- Guinta
- Guthrie
- Hall
- Hanna

- Harper
- Harris
- Hartzler
- Hastings (WA)
- Hayworth
- Heck
- Hensarling
- Herger
- Herrera Beutler
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hunter
- Hurt
- Issa
- Jenkins
- Johnson (IL)
- Johnson (OH)
- Johnson, Sam
- Jordan
- Kelly
- King (IA)
- King (NY)
- Kingston
- Kline
- Labrador
- Lamborn
- Lance
- Landry
- Lankford
- Latham
- LaTourette
- Latta
- Lewis (CA)
- LoBiondo
- Long
- Lucas
- Luetkemeyer
- Lummis
- Lungren, Daniel E.
- Manzullo
- Marchant
- Marino
- McCarthy (CA)
- McCaul
- McClintock
- McCotter
- McHenry
- McKeon
- McKinley
- McMorris
- Meehan
- Mica
- Miller (FL)
- Miller (MI)
- Miller, Gary
- Mulvaney
- Murphy (PA)
- Myrick
- Neugebauer
- Nugent
- Nunes
- Nunnelee
- Olson
- Palazzo
- Pearce
- Pence
- Petri
- Pitts
- Platts
- Poe (TX)
- Pompeo
- Posey
- Price (GA)
- Quayle
- Reed
- Rehberg
- Reichert
- Renacci
- Ribble
- Rigell
- Rivera
- Robby
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rokita
- Rooney
- Ros-Lehtinen
- Roskam
- Royce
- Ryunan
- Ryan (WI)
- Scalise
- Schilling
- Schmidt
- Schock
- Schweikert
- Scott (SC)
- Scott, Austin
- Sessions
- Shimkus
- Shuler
- Shuster
- Simpson
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Southerland
- Stearns
- Stivers
- Sullivan
- Terry
- Thompson (PA)
- Thornberry
- Tiberi
- Tipton
- Turner (NY)
- Turner (OH)
- Upton
- Walberg
- Walden
- Walsh (IL)
- Webster
- West
- Westmoreland
- Whitfield
- Wilson (SC)
- Wittman
- Wolf
- Womack
- Woodall
- Yoder
- Young (AK)
- Young (FL)
- Young (IN)

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

ANSWERED "PRESENT"—11

- Brown (FL)
- Clarke (NY)
- Cleaver
- Fudge
- Hoyer
- Jackson (IL)
- Rohrabacher
- Rush
- Sensenbrenner
- Watt
- Waxman

NOT VOTING—18

- Berman
- Broun (GA)
- Burgess
- Donnelly (IN)
- Duncan (SC)
- Filner
- Flores
- Heinrich
- Johnson (GA)
- Mack
- Meeke
- Napolitano
- Noem
- Paul
- Paulsen
- Sires
- Slaughter
- Stutzman

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mr. VAN HOLLEN demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 218
 Nays 199
 Answered present 1

59.9

[Roll No. 247]

AYES—218

- Adams
- Aderholt
- Akin
- Alexander
- Amodei
- Austria
- Bachmann
- Bachus
- Barletta
- Barton (TX)
- Benishek
- Berg
- Biggart
- Bilbray
- Bilirakis
- Bishop (UT)
- Black
- Blackburn
- Bonner
- Bono Mack
- Boustany
- Brady (TX)
- Brooks
- Broun (GA)
- Buchanan
- Bucshon
- Buerkle
- Burton (IN)
- Calvert
- Camp
- Campbell
- Canseco
- Cantor

- Cleaver
- Clyburn
- Cohen
- Connolly (VA)
- Conyers
- Cooper
- Costa
- Costello
- Courtney
- Critz
- Crowley
- Cuellar
- Cummings
- Davis (CA)
- Davis (IL)
- DeFazio
- DeGette
- DeLauro
- Deutch
- Dicks
- Dingell
- Doggett
- Doyle
- Duncan (TN)
- Edwards
- Ellison
- Engel
- Eshoo
- Farr
- Fattah
- Fitzpatrick
- Frank (MA)
- Garamendi
- Gibson
- Gohmert
- Gonzalez
- Green, Al
- Green, Gene
- Grijalva
- Gutierrez
- Hahn
- Hanabusa
- Hastings (FL)
- Herrera Beutler
- Higgins
- Himes
- Hinche (NY)
- Hinojosa
- Hirono
- Hochul
- Holden
- Holt
- Honda
- Hoyer
- Israel
- Jackson (IL)
- Jackson Lee
- Johnson (GA)
- Johnson (IL)
- Johnson, E. B.
- Jones
- Kaptur
- Keating
- Kildee
- Kind
- Kissell
- Kucinich
- Labrador

NOES—199

Table with 3 columns of names: Langevin, Larsen (WA), Larson (CT), LaTourette, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loeb sack, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McNeerney, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Neal, Oliver, Owens, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Platts, Polis, Price (NC), Quigley, Rahall, Rangel, Reyes, Richardson, Richmond, Ross (AR), Rothman (NJ), Roybal-Allard, Ruppertsberger, Rush, Ryan (OH), Sanchez, Linda, T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Shuler, Sires, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Whitfield, Wilson (FL), Wolf, Woolsey, Yarmuth

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WEST, announced that the nays had it.

Mr. NADLER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 181 negative } { Nays 233

59.11 [Roll No. 248]

YEAS—181

Table with 3 columns of names: Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Frank (MA), Fudge, Garamendi, Gonzalez, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Higgins, Himes, Hinchey, Hinojosa, Hiroo, Hochul, Holden, Holt, Honda, Hoyer, Israel, Jackson (IL), Jackson Lee, Johnson (TX), Johnson (GA), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Loeb sack, Lofgren, Zoe, Lowey, Lynch, Maloney, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McNeerney, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Neal, Oliver, Owens, Ackerman, Altmore, Andrews, Baca, Baldwin, Barrow, Bass (CA), Becerra, Berkley, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Frank (MA), Fudge, Garamendi, Gonzalez, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Higgins, Himes, Hinchey, Hinojosa, Hiroo, Hochul, Holden, Holt, Honda, Hoyer, Israel, Jackson (IL), Jackson Lee, Johnson (TX), Johnson (GA), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Loeb sack, Lofgren, Zoe, Lowey, Lynch, Maloney, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McNeerney, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Neal, Oliver, Owens, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reyes, Richardson, Richmond, Ross (AR), Rothman (NJ), Roybal-Allard, Ruppertsberger, Rush, Ryan (OH), Sanchez, Linda, T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Shuler, Sires, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Whitfield, Wilson (FL), Wolf, Woolsey, Yarmuth

NAYS—233

Table with 3 columns of names: Adams, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Billirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burton (IN)

Table with 3 columns of names: Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foss, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Hunter, Cassidy, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingdon, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, Lewis (CA), LoBiondo, Long, Lucas, Luetkemeyer, Lujan, Lummis, Lungren, Daniel, E., Manzano, Marchant, Marino, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Nugent, Nunes, Olson, Nunelee, Palazzo, Pearce, Pence, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Hurt, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (FL), Runyan, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (TX), Souterland, Stearns, Stivers, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN)

NOT VOTING—17

Table with 3 columns of names: Aderholt, Berman, Burgess, Cardoza, Donnelly (IN), Filner, Heinrich, Mack, Markey, McIntyre, Napolitano, Noem, Paul, Paulsen, Royce, Slaughter, Stutzman

So the motion to recommit with instructions was not agreed to.

The question being put, Will the House pass said bill?

The SPEAKER pro tempore, Mr. WEST, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 247 affirmative } { Nays 163

59.12 [Roll No. 249]

YEAS—247

Table with 3 columns of names: Ackerman, Adams, Aderholt, Akin, Alexander, Amodei, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett

ANSWERED "PRESENT"—1

Table with 1 column of names: Sensenbrenner

NOT VOTING—13

Table with 3 columns of names: Berman, Burgess, Donnelly (IN), Filner, Heinrich, Mack, McIntyre, Napolitano, Noem, Paul, Paulsen, Slaughter, Stutzman

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

59.10 COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. WEST, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. NADLER moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment:

Page 17, line 6, after the dollar amount, insert "(reduced by \$1,500,000)".

Page 21, line 23, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 37, line 23, after the dollar amount, insert "(increased by \$20,500,000)".

Page 38, line 18, after the dollar amount, insert "(increased by \$2,000,000)".

Page 39, line 11, after the dollar amount, insert "(increased by \$10,000,000)".

Page 39, line 17, after the dollar amount, insert "(increased by \$4,500,000)".

Page 39, line 20, after the dollar amount, insert "(increased by \$500,000)".

Page 40, line 5, after the dollar amount, insert "(increased by \$2,500,000)".

Page 40, line 8, after the dollar amount, insert "(increased by \$1,000,000)".

Page 65, line 1, after the dollar amount, insert "(reduced by \$9,000,000)".

Page 70, line 6, after the first dollar amount, insert "(reduced by \$7,000,000)".

After debate,

Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Calvert
Camp
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Eilmlers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)

Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel
E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCauley
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo

NAYS—163

Altmire
Amash
Andrews
Baldwin
Bass (CA)
Becerra
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Butterfield
Campbell
Capps
Capuano
Carnahan
Castor (FL)
Chandler
Chu

Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch

Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Hahn
Hanabusa
Hastings (FL)
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsock
Lofgren, Zoe
Lowey
Lujan
Lummis
Lynch
Maloney
Markey
Matheson

Baca
Barton (TX)
Berman
Burgess
Burton (IN)
Cardoza
Carson (IN)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶59.13 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WEST, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, May 9, 2012.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. WEST, announced that the yeas had it.

So the Journal was approved.

¶59.14 ADJOURNMENT OVER

On motion of Mr. KING of Iowa, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11 a.m. on Friday, May 11, 2012; and further, when the House adjourns on Friday, May 11, 2012, it adjourn to meet at noon on Tuesday, May 15, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶59.15 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2224. An Act to require the President to report to Congress on issues related to Syria; to the Committee on Foreign Affairs.

NOT VOTING—21

Cooper
Costello
Donnelly (IN)
Filner
Gallegly
Heinrich
Mack

Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)

Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

McIntyre
Napolitano
Noem
Paul
Paulsen
Slaughter
Stutzman

¶59.16 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2668. An Act to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the "Brian A. Terry Border Patrol Station".

¶59.17 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HEINRICH, for today after noon; and

To Mrs. NAPOLITANO, for today after 1 p.m.

And then,

¶59.18 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 4 o'clock and 20 minutes p.m., the House adjourned until 11 a.m. on Friday, May 11, 2012.

¶59.19 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2621. A bill to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; with an amendment (Rept. 112-473). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2745. A bill to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; with an amendment (Rept. 112-474). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3874. A bill to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; with amendments (Rept. 112-475). Referred to the Committee of the Whole House on the state of the Union.

¶59.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOUSTANY (for himself and Mr. RICHMOND):

H.R. 5708. A bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes; to the Committee on Ways and Means.

By Mr. LIPINSKI:

H.R. 5709. A bill to amend the Public Health Service Act to provide for the public disclosure of charges for certain hospital and ambulatory surgical center treatment episodes; to the Committee on Energy and Commerce.

By Mr. WESTMORELAND (for himself, Mr. BRALEY of Iowa, Mr. PITTS, Mr. GARRETT, Mr. GOHMERT, Mr. MANZULLO, Mr. COLE, Mr. FLEISCHMANN,

Mr. AUSTIN SCOTT of Georgia, and Mr. KINGSTON):

H.R. 5710. A bill to amend the Energy Policy Act of 2005 to establish minimum efficiency standards for self-contained commercial refrigerators and freezers, and to direct the Department of Energy to establish standards for other related products; to the Committee on Energy and Commerce.

By Mr. CARNAHAN (for himself, Ms. BASS of California, Mr. BLUMENAUER, Mr. CARSON of Indiana, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. FILNER, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Ms. LEE of California, Ms. MCCOLLUM, Ms. NORTON, Mr. RANGEL, Mr. REYES, Ms. RICHARDSON, Mr. ROSS of Arkansas, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SEWELL, Mr. TONKO, Mr. TOWNS, Ms. WATERS, and Ms. WOOLSEY):

H.R. 5711. A bill to amend the Public Health Service Act to provide grants for treatment of heroin, cocaine, methamphetamine,

3,4-methylenedioxymethamphetamine (ecstasy), and phencyclidine (PCP) abuse, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. KINZINGER of Illinois, and Mr. REICHERT):

H.R. 5712. A bill to authorize the Secretary of Labor to establish a pilot program to have community business leaders mentor members of the Armed Forces under the Transition Assistance Program, and for other purposes; to the Committee on Armed Services.

By Mr. BUTTERFIELD (for himself, Mr. WATT, and Mr. KISSELL):

H.R. 5713. A bill to amend the Transportation Equity Act for the 21st Century to ensure that the highest priority consideration is given to local comments when selecting a toll pilot project, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of North Carolina (for himself and Mr. ELLISON):

H.R. 5714. A bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes; to the Committee on Financial Services.

By Mr. ANDREWS:

H.R. 5715. A bill to amend the Pension Protection Act of 2006 to extend special funding rules for certain plans maintained by commercial airlines, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself and Mrs. MALONEY):

H.R. 5716. A bill to establish a Skin Cancer Research Fund to increase funding for the conduct or support of research relating to skin cancer by the National Institutes of Health; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself and Mr. BERG):

H.R. 5717. A bill to require the Army Corps of Engineers to notify the public of certain

flood predictions regarding the Missouri River System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TOWNS:

H.R. 5718. A bill to amend the Internal Revenue Code of 1986 to revise the new market tax credit rules for population census tracts with low populations; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. McDERMOTT, Mr. PASCHELL, Mr. LEWIS of Georgia, Ms. BERKLEY, Mr. NEAL, Mr. LARSON of Connecticut, Mr. GERLACH, and Mr. BLUMENAUER):

H.R. 5719. A bill to amend the Internal Revenue Code of 1986 to increase the deduction allowed for student loan interest; to the Committee on Ways and Means.

By Mr. CARNEY (for himself, Mr. PETERS, Mr. RENACCI, Mr. OWENS, Mr. MEHAN, and Mr. DOLD):

H.R. 5720. A bill to establish procedures for the presentation and expedited consideration by Congress of the recommendations in the Federal Regulatory Reform Report prepared by the Office of Information and Regulatory Affairs, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 5721. A bill to suspend temporarily the duty on certain electric cooktops; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5722. A bill to suspend temporarily the duty on strontium europium halophosphate for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5723. A bill to suspend temporarily the duty on Yttrium europium oxide for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5724. A bill to suspend temporarily the duty on Barium magnesium aluminum oxide for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5725. A bill to suspend temporarily the duty on Calcium chloride phosphate activated by manganese and/or antimony for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky:

H.R. 5726. A bill to suspend temporarily the duty on Lanthanum phosphate for use in the production of fluorescent lamps; to the Committee on Ways and Means.

By Ms. DELAURO (for herself and Mr. BRALEY of Iowa):

H.R. 5727. A bill to rebuild the American middle class by creating jobs, investing in our future, building opportunity for working families, and restoring balance to the tax code; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Agriculture, Transportation and Infrastructure, Financial Services, Science, Space, and Technology, Small Business, the Judiciary, Rules, Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH:

H.R. 5728. A bill to extend the temporary reduction of duty on Acepate; to the Committee on Ways and Means.

By Ms. HANABUSA:

H.R. 5729. A bill to amend the Small Business Act to permit Native Hawaiian Organi-

zations to have status as HUBZone small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. HUIZENGA of Michigan:

H.R. 5730. A bill to amend title XVIII of the Social Security Act to make publicly available on the official Medicare Internet site medicare payment rates for frequently reimbursed hospital inpatient procedures, hospital outpatient procedures, and physicians' services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself, Mr. SMITH of New Jersey, Mr. PITTS, Mr. JONES, Mr. HULTGREEN, Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. LANKFORD, Mr. GOHMERT, Mr. CANSECO, Mr. ROSS of Florida, Mr. LANDRY, Mr. LIPINSKI, Mrs. MYRICK, Mrs. SCHMIDT, Mr. BENISHEK, Mrs. HARTZLER, Mr. JOHNSON of Ohio, Mr. MCHENRY, Mr. SOUTHERLAND, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. PEARCE, Mr. MANZULLO, Mr. COLE, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. SCHWEIKERT, Mrs. ELLMERS, Mr. GARRETT, Mr. FLORES, Mr. HARRIS, Mrs. BLACK, Mr. JORDAN, Mr. MARCHANT, Mrs. BLACKBURN, Mr. BARTLETT, Mr. SCOTT of South Carolina, Mr. BRADY of Texas, Mrs. BACHMANN, Mr. FLEMING, Mr. MILLER of Florida, Mr. KELLY, Mr. MCCOTTER, Mr. LAMBORN, and Mr. BROUN of Georgia):

H.R. 5731. A bill to prohibit Federal assistance for telemedicine abortions and to ban interstate abortions using telemedicine technology; to the Committee on the Judiciary, and in addition to the Committees on Agriculture, Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK:

H.R. 5732. A bill to authorize a competitive grant program to implement and evaluate digital learning in rural locales; to the Committee on Education and the Workforce.

By Mrs. MALONEY:

H.R. 5733. A bill to suspend temporarily the duty on instant print film for analog photography; to the Committee on Ways and Means.

By Mr. ROHRBACHER:

H.R. 5734. A bill to provide compensation for the deadly acts by elements of the Pakistani military and intelligence services against United States citizens; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. REYES):

H.R. 5735. A bill to provide for the establishment of a Tomb of Remembrance at Arlington National Cemetery for interment of cremated fragments of the remains of members of the Armed Forces killed in Afghanistan, Iraq, or a subsequent conflict when the fragments are unidentifiable by use of DNA testing or other means because of the condition of the fragments, are unclaimed, or are identified and authorized by the person designated to direct disposition of the remains for interment in such memorial; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs,

for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY (for himself and Mr. SMITH of Washington):

H.R. 5736. A bill to amend the United States Information and Educational Exchange Act of 1948 to authorize the domestic dissemination of information and material about the United States intended primarily for foreign audiences, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CANSECO (for himself, Mr. HINOJOSA, Mr. POSEY, Mr. CUELLAR, and Mr. WESTMORELAND):

H.J. Res. 108. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treasury and the Internal Revenue Service relating to the reporting requirements for interest that relates to deposits maintained at United States offices of certain financial institutions and is paid to certain nonresident alien individuals; to the Committee on Ways and Means.

By Mr. FRANKS of Arizona (for himself, Mr. McDERMOTT, Ms. LEE of California, Mr. WAXMAN, Ms. MCCOLLUM, Ms. WATERS, Ms. CLARKE of New York, Ms. BORDALLO, Mr. GRIJALVA, Ms. MOORE, Mr. BERMAN, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. WOOLSEY, Ms. HAHN, Mr. MARINO, Mr. CARTER, and Mr. MCGOVERN):

H. Con. Res. 123. Concurrent resolution recognizing the potential for the virtual elimination of pediatric HIV and AIDS and keeping HIV positive mothers alive; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARROW:

H. Res. 649. A resolution expressing the sense of the House of Representatives that Congress should work to eliminate the facilitated sexual exploitation and trafficking of minors over the Internet; to the Committee on the Judiciary.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. SARBANES, Mr. PALLONE, Mr. SIRES, Mr. GRIMM, Ms. LEE of California, Mr. JACKSON of Illinois, and Mr. MCGOVERN):

H. Res. 650. A resolution expressing the sense of the House of Representatives that the former Yugoslav Republic of Macedonia should work within the framework of the United Nations process with Greece to achieve longstanding United States and United Nations policy goals of finding a mutually acceptable name, for all uses, for the former Yugoslav Republic of Macedonia; to the Committee on Foreign Affairs.

By Mr. HOLT (for himself, Ms. CHU, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Mr. McDERMOTT, Mr. HONDA, and Mr. MORAN):

H. Res. 651. A resolution expressing the sense of the House of Representatives regarding the illicit ethnic and religious profiling and surveillance of Muslim American communities by the New York Police Department; to the Committee on the Judiciary.

By Mr. BACA:

H. Res. 652. A resolution recognizing the need to pursue research into the causes, a treatment, and an eventual cure for rhabdomyosarcoma, supporting the goals and ideals of the Claire Frick Rhabdomyosarcoma Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BERKLEY:

H. Res. 653. A resolution recognizing the goals of National Travel and Tourism Week and honoring the valuable contributions of travel and tourism to the United States; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Mr. CLARKE of Michigan, Mr. FALCOMA, Mr. SABLAN, and Ms. RICHARDSON):

H. Res. 654. A resolution recognizing the immense impact that Bruce Jun Fan Lee had on American and global popular culture and the important role he played in creating a bridge between cultures, championing values of self-respect, self-discipline, and tolerance in our Nation, and pioneering and cultivating the genres of martial arts, martial arts films, fitness and philosophy in the United States and the world; to the Committee on Oversight and Government Reform.

By Mr. MORAN (for himself, Mr. LARSEN of Washington, Mr. DEUTCH, Mr. MCGOVERN, Ms. MCCOLLUM, Mr. REYES, Mr. KUCINICH, Mr. ELLISON, Ms. BORDALLO, Ms. SEWELL, Mr. SABLAN, Ms. WATERS, Mr. SERRANO, Ms. WOOLSEY, and Ms. NORTON):

H. Res. 655. A resolution expressing support for the designation of June 7, 2012, as National Hunger Awareness Day; to the Committee on Oversight and Government Reform.

¶59.21 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

202. The SPEAKER presented a memorial of the House of Representatives of the State of Wyoming, relative to Joint Resolution No. 1 urging the Congress to pass a comprehensive and aggressive budget resolution; to the Committee on the Budget.

203. Also, a memorial of the House of Representatives of the State of Wyoming, relative to Joint Resolution No. 5 calling all Americans to defend our freedom of religion by opposing this mandate; to the Committee on Energy and Commerce.

204. Also, a memorial of the Senate of the State of Rhode Island, relative to Senate Resolution urging the Congress and the President to make the Republic of Poland eligible for the United States Department of State's Visa Waiver Program; to the Committee on the Judiciary.

205. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1007 urging the Congress to adopt a Veterans Remembered Flag; to the Committee on Veterans' Affairs.

¶59.22 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Ms. EDWARDS.
 H.R. 157: Mr. SULLIVAN and Mr. SCALISE.
 H.R. 436: Ms. HERRERA BEUTLER.
 H.R. 459: Mr. DANIEL E. LUNGREN of California and Mr. WEBSTER.
 H.R. 668: Mr. PLATTS.
 H.R. 750: Mr. OLSON.
 H.R. 860: Mr. FITZPATRICK and Mr. ROGERS of Kentucky.
 H.R. 931: Mr. FLEMING and Mr. NEUGEBAUER.
 H.R. 1005: Mr. FILNER and Mr. JOHNSON of Ohio.
 H.R. 1068: Mr. ANDREWS.
 H.R. 1085: Mr. DINGELL.
 H.R. 1092: Mr. RIGELL.
 H.R. 1116: Mrs. CHRISTENSEN and Mr. DICKS.
 H.R. 1167: Mr. BENISHEK.
 H.R. 1219: Ms. BONAMICI and Mr. BENISHEK.

H.R. 1260: Mr. JOHNSON of Ohio.
 H.R. 1327: Mr. FORBES.
 H.R. 1342: Mr. CARTER.
 H.R. 1370: Mr. GINGREY of Georgia.
 H.R. 1375: Ms. HAHN and Mrs. MALONEY.
 H.R. 1416: Mr. PETERSON.
 H.R. 1417: Mr. CLAY.
 H.R. 1648: Mr. PETERS.
 H.R. 1653: Ms. SEWELL.
 H.R. 1756: Mr. TURNER of New York.
 H.R. 1802: Mr. GRIJALVA, Mr. PALLONE, and Mr. LATHAM.
 H.R. 1810: Mr. NEAL and Mr. NUNES.
 H.R. 1867: Mr. SCHIFF.
 H.R. 1956: Mr. SMITH of Texas, Mr. GERLACH, Mr. QUAYLE, Mr. MULVANEY, and Mr. BARTLETT.
 H.R. 1960: Mr. JOHNSON of Ohio.
 H.R. 2028: Ms. RICHARDSON, Mr. JACKSON of Illinois, Ms. NORTON, Ms. BORDALLO, and Ms. WATERS.
 H.R. 2077: Mr. BILBRAY.
 H.R. 2082: Mr. CROWLEY.
 H.R. 2140: Ms. RICHARDSON.
 H.R. 2152: Mr. MURPHY of Connecticut, Ms. HAHN, and Mr. RICHMOND.
 H.R. 2187: Ms. MOORE.
 H.R. 2197: Mr. KUCINICH and Ms. SUTTON.
 H.R. 2245: Mr. BISHOP of Georgia.
 H.R. 2268: Mr. FORBES.
 H.R. 2304: Mr. AUSTIN SCOTT of Georgia.
 H.R. 2315: Mr. GUTIERREZ and Mr. CONYERS.
 H.R. 2368: Mr. CONYERS.
 H.R. 2595: Mr. MILLER of North Carolina and Mrs. DAVIS of California.
 H.R. 2654: Mr. CONYERS.
 H.R. 2697: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 2962: Ms. BUERKLE.
 H.R. 2964: Mr. DUNCAN of Tennessee.
 H.R. 3168: Mr. PITTS.
 H.R. 3187: Mr. CLARKE of Michigan and Mr. MILLER of Florida.
 H.R. 3192: Mr. MCCOTTER.
 H.R. 3199: Mr. HANNA.
 H.R. 3238: Mr. RANGEL and Mr. JACKSON of Illinois.
 H.R. 3269: Mr. HUELSKAMP, Mr. FILNER, Mr. CHABOT, and Mr. JOHNSON of Georgia.
 H.R. 3307: Mr. REHBERG.
 H.R. 3316: Mr. CONYERS.
 H.R. 3317: Mr. CONYERS.
 H.R. 3364: Mr. MURPHY of Connecticut and Mr. ROGERS of Kentucky.
 H.R. 3423: Mr. BONNER, Mr. MATHESON, Mr. TIERNEY, Mr. GERLACH, Mr. FORBES, Mr. WOMACK, and Mr. COOPER.
 H.R. 3435: Mr. KIND.
 H.R. 3487: Mr. ROGERS of Michigan.
 H.R. 3506: Ms. BALDWIN, Ms. HERRERA BEUTLER, and Mr. CONNOLLY of Virginia.
 H.R. 3511: Mr. BUCSHON and Mr. MILLER of Florida.
 H.R. 3596: Ms. MATSUI.
 H.R. 3599: Ms. BONAMICI.
 H.R. 3600: Mr. PAUL.
 H.R. 3612: Mr. HINOJOSA and Mr. AMODEI.
 H.R. 3619: Mr. KUCINICH, Mr. CAPUANO, and Mr. CONYERS.
 H.R. 3656: Mr. HINOJOSA.
 H.R. 3665: Ms. WATERS and Mr. DEFAZIO.
 H.R. 3679: Mr. WALDEN.
 H.R. 3713: Ms. ESHOO.
 H.R. 3798: Mrs. NAPOLITANO.
 H.R. 3811: Mr. NEUGEBAUER.
 H.R. 3839: Mr. WELCH and Mr. BISHOP of Georgia.
 H.R. 3855: Mr. MCCOTTER.
 H.R. 3856: Mr. NUGENT.
 H.R. 3862: Mr. SCALISE.
 H.R. 3863: Mr. BENISHEK.
 H.R. 3993: Ms. HIRONO and Mr. BENISHEK.
 H.R. 4017: Mr. SCHIFF.
 H.R. 4045: Mr. KIND.
 H.R. 4046: Mr. MILLER of Florida.
 H.R. 4055: Mr. OWENS, Ms. PINGREE of Maine, Mr. HIGGINS, Mr. CASSIDY, Mr. JACKSON of Illinois, and Mr. SMITH of Washington.
 H.R. 4066: Mr. HARRIS, Mr. BENISHEK, and Mr. GERLACH.

H.R. 4093: Mr. NUGENT.
 H.R. 4107: Mr. AMODEI.
 H.R. 4120: Mr. GERLACH, Mr. JACKSON of Illinois, and Mr. TURNER of New York.
 H.R. 4134: Mr. DINGELL.
 H.R. 4156: Mr. WOLF.
 H.R. 4160: Mr. FLAKE.
 H.R. 4169: Mr. MARINO.
 H.R. 4174: Mr. YODER and Mr. BUTTERFIELD.
 H.R. 4176: Mrs. MCCARTHY of New York and Mr. YODER.
 H.R. 4180: Mr. LANCE, Mr. CONAWAY, and Mr. MARCHANT.
 H.R. 4228: Mr. OLSON.
 H.R. 4232: Mr. FORBES and Mr. TIBERI.
 H.R. 4234: Mr. KISSELL.
 H.R. 4237: Mr. MILLER of Florida.
 H.R. 4238: Mr. JACKSON of Illinois.
 H.R. 4256: Mr. TIBERI.
 H.R. 4269: Mr. POSEY, Mr. ROE of Tennessee, and Mrs. ELLMERS.
 H.R. 4271: Mr. DINGELL, Ms. ESHOO, and Mr. DOYLE.
 H.R. 4278: Mr. GRIFFITH of Virginia.
 H.R. 4286: Mr. OLVER, Mr. RANGEL, and Mr. BOSWELL.
 H.R. 4287: Mr. BACA, Mr. TOWNS, and Mrs. NAPOLITANO.
 H.R. 4298: Mr. GRIFFITH of Virginia.
 H.R. 4318: Mr. CONYERS.
 H.R. 4330: Mr. LOBBSACK.
 H.R. 4336: Mr. POSEY.
 H.R. 4343: Mr. POSEY.
 H.R. 4350: Mr. SOUTHERLAND and Mr. SCHIFF.
 H.R. 4367: Mr. POSEY, Mr. MICHAUD, Mr. PRICE of Georgia, and Mr. GRIFFIN of Arkansas.
 H.R. 4380: Mr. OLVER.
 H.R. 4385: Mr. FARENTHOLD, Mr. CULBERSON, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. JORDAN, Mr. PENCE, Mr. PITTS, Mr. STEARNS, Mr. SCALISE, Mr. FINCHER, Mr. OLSON, Mr. CONAWAY, and Mr. JONES.
 H.R. 4386: Mrs. ELLMERS.
 H.R. 4390: Mr. JACKSON of Illinois.
 H.R. 4399: Ms. JENKINS.
 H.R. 4402: Mr. HECK, Mr. LONG, and Mr. JONES.
 H.R. 4405: Ms. JENKINS, Ms. SCHAKOWSKY, and Mr. WILSON of South Carolina.
 H.R. 4406: Mr. RYAN of Ohio, Mr. LATOURETTE, Ms. KAPTUR, Mr. KELLY, Mr. MCCOTTER, and Mr. BENISHEK.
 H.R. 4454: Mr. MILLER of Florida.
 H.R. 4534: Mr. OLVER.
 H.R. 4711: Mr. NEAL.
 H.R. 4712: Mr. NEAL.
 H.R. 4713: Mr. NEAL.
 H.R. 4714: Mr. NEAL.
 H.R. 4826: Mr. COSTELLO.
 H.R. 4972: Mr. NADLER.
 H.R. 4976: Mr. HECK, Mr. LONG, and Mr. JONES.
 H.R. 4978: Mr. RANGEL.
 H.R. 5044: Mr. JOHNSON of Ohio, Mr. MILLER of Florida, and Mr. SCALISE.
 H.R. 5050: Mr. HINCHEY and Mr. GRIMM.
 H.R. 5144: Mr. LONG and Ms. JACKSON LEE of Texas.
 H.R. 5188: Ms. NORTON, Mr. RANGEL, and Mr. KILDEE.
 H.R. 5303: Mr. ACKERMAN and Mr. WILSON of South Carolina.
 H.R. 5542: Mr. DINGELL.
 H.R. 5544: Mr. KLINE.
 H.R. 5647: Mr. MURPHY of Connecticut and Mr. POLIS.
 H.J. Res. 13: Mr. GRIFFIN of Arkansas.
 H.J. Res. 92: Mr. CONYERS.
 H.J. Res. 104: Mr. PETERSON.
 H. Con. Res. 107: Mr. GRIJALVA.
 H. Con. Res. 115: Mr. CALVERT, Mr. LUCAS, Mr. YOUNG of Florida, and Mr. MCCOTTER.
 H. Res. 111: Mr. CONYERS, Mr. PLATTS, Mr. BRALEY of Iowa, Mr. ENGEL, and Mr. MICA.
 H. Res. 521: Mrs. MALONEY and Mr. LEVIN.
 H. Res. 560: Mr. CICILLINE.
 H. Res. 568: Mr. BOUSTANY, Mr. FRANKS of Arizona, Mr. NEUGEBAUER, and Mrs. SCHMIDT.

H. Res. 618: Mr. WITTMAN.
 H. Res. 644: Mr. FARR, Mr. GERLACH, Mr. BISHOP of Georgia, and Mr. POSEY.

¶59.23 PETITIONS

Under clause 3 of rule XII,
 43. The SPEAKER presented a petition of Representative Joe Gibbons of the Florida House of Representatives, Florida, relative to urging the Congress to review and act on recommendations made by the Blue Ribbon Commission on America's Nuclear Future (BRC); which was referred to the Committee on Energy and Commerce.

¶59.24 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:
 H.R. 4004: Mr. COLE.

FRIDAY, MAY 11, 2012 (60)

¶60.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 May 11, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

¶60.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Thursday, May 10, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶60.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5970. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Timothy P. McGuire, United States Army, to wear the grade of brigadier general; to the Committee on Armed Services.

5971. A letter from the Acting Assistant Secretary, Department of Defense, transmitting a report to Congress specifying each Reserve component the additional items of equipment that would be procured and additional military construction projects for FY 2013; to the Committee on Armed Services.

5972. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 107-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

5973. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5974. A letter from the Secretary, Department of the Treasury, transmitting as re-

quired by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Foreign Affairs.

5975. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's 2011 Freedom of Information Act Litigation and Compliance Report, pursuant to 5 U.S.C. 552(e)(6); to the Committee on Oversight and Government Reform.

5976. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5977. A letter from the Administrator, Small Business Administration, transmitting the Administration's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5978. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2012 and 2013 Harvest Specifications for Groundfish [Docket No.: 111213751-2102-02] (RIN: 0648-XA758) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5979. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB149) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5980. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the 2011 Report to Congress on Apportionment of Membership on the Regional Fishery Management Councils; to the Committee on Natural Resources.

5981. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB138) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5982. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB118) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5983. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administra-

tion, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 11207737-2141-02] (RIN: 0648-XB122) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5984. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 11220786-1781-01] (RIN: 0648-XB103) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5985. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Colorado Springs, CO [Docket No.: FAA-2011-1191; Airspace Docket No. 11-ANM-21] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5986. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; and Establishment of Class E Airspace; Bozeman, MT [Docket No.: FAA-2011-0783; Airspace Docket No. 11-ANM-16] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5987. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Federal Airways; Alaska [Docket No.: FAA-2011-0010; Airspace Docket No. 11-AAA-1] (RIN: 2120-AA66) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5988. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Douglas, AZ [Docket No.: FAA-2011-1313; Airspace Docket No. 11-AWP-17] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5989. A letter from the Secretary, Department of Health and Human Services, transmitting the Report to Congress: Plan to Reform the Medicare Wage Index; to the Committee on Ways and Means.

And then,

¶60.4 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, and pursuant to the special order of the House agreed to on May 10, 2012, at 11 o'clock and 4 minutes a.m., declared the House adjourned until noon on Tuesday, May 15, 2012.

¶60.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 1838. A bill to repeal a provision of the Dodd-Frank Wall Street Reform and Consumer Protection Act prohibiting any Federal bailout of swap dealers or participants; with amendments (Rept. 112-476, Pt. 1). Ordered to be printed.

Mr. BACHUS: Committee on Financial Services. H.R. 3283. A bill to amend the Commodity Exchange Act and the Securities Ex-

change Act of 1934 to provide an exemption for certain swaps and security-based swaps involving Non-U.S. persons, and for other purposes; with an amendment (Rept. 112-477, Pt. 1). Ordered to be printed.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 365. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; with an amendment (Rept. 112-478). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCKEON: Committee on Armed Services. H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; with an amendment (Rept. 112-479). Referred to the Committee of the Whole House on the state of the Union.

¶60.6 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 1838. Referral to the Committee on Agriculture extended for a period ending not later than May 30, 2012.

H.R. 3283. Referral to the Committee on Agriculture extended for a period ending not later than May 30, 2012.

¶60.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISRAEL:

H.R. 5737. A bill to provide that a former Member of Congress receiving compensation as a highly-paid lobbyist shall be ineligible to concurrently receive Federal retirement benefits; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. CAMP, Mr. CONYERS, Mr. WALBERG, Mr. CLARKE of Michigan, and Mr. PETERS):

H.R. 5738. A bill to designate the facility of the United States Postal Service located at 15285 Samohin Drive in Macomb, Michigan, as the "Lance Cpl. Anthony A. DiLisio Clinton-Macomb Carrier Annex"; to the Committee on Oversight and Government Reform.

By Mr. SCOTT of South Carolina (for himself and Mr. CLYBURN):

H.R. 5739. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on the Judiciary.

¶60.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 942: Mr. GARDNER, Mrs. BLACKBURN, Mr. CROWLEY, and Mr. MCCOTTER.

H.R. 1259: Mr. BILIRAKIS and Mr. WEBSTER.

H.R. 1742: Mr. ELLISON, Mr. QUIGLEY, Mrs. CAPPAS, and Mr. HINCHEY.

H.R. 1860: Mr. OWENS.

H.R. 2139: Mr. NEUGEBAUER, Mr. SHERMAN, Mrs. DAVIS of California, Mr. SIMPSON, Mr. YOUNG of Florida, Mr. COOPER, and Mr. PASCRELL.

H.R. 2310: Mr. DINGELL.

H.R. 2569: Mr. FITZPATRICK and Mrs. MYRICK.

H.R. 2980: Mr. HINCHEY.

H.R. 2989: Mr. CLARKE of Michigan, Mr. PRICE of Georgia, Mr. BLUMENAUER, Mr. HIMES, and Mr. KIND.

H.R. 3015: Mr. COHEN.

H.R. 3032: Mr. THORNBERRY.

H.R. 3067: Mr. GINGREY of Georgia, Mr. POMPEO, Mr. HINOJOSA, Mr. COSTA, Mr. BILBRAY, Mr. TURNER of Ohio, Mr. WALDEN, Mr. TERRY, Mr. STIVERS, Mr. KINZINGER of Illinois, Mr. BUCSHON, and Mr. DENT.

H.R. 3091: Ms. JENKINS.

H.R. 3288: Mr. ROYCE.

H.R. 3790: Mrs. DAVIS of California.

H.R. 4152: Mr. DAVIS of Illinois.

H.R. 4180: Mr. GRAVES of Missouri.

H.R. 4229: Mr. TIBERI, Mr. SCHIFF, and Mr. MCCOTTER.

H.R. 4970: Mr. HECK.

H. Con. Res. 122: Mr. LAMBORN, Ms. BUERKLE, and Mr. MCHENRY.

TUESDAY, MAY 15, 2012 (61)

¶61.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. BISHOP of Utah, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

May 15, 2012.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶61.2 RECESS—12:05 P.M.

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 5 minutes p.m., until 2 p.m.

¶61.3 AFTER RECESS—2 P.M.

The SPEAKER called the House to order.

¶61.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, May 11, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶61.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5990. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2011 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2011, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

5991. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 14 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

5992. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John C. Koziol, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5993. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5994. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2011, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

5995. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5996. A letter from the Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5997. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Federal Employee Antidiscrimination Retaliation Act of 2002 (No FEAR Act) Report for FY 2011; to the Committee on Oversight and Government Reform.

5998. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2011 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

5999. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2011 Annual Report pursuant to Section 203, Title II of the Notification and Federal Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

6000. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2011 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6001. A letter from the Chief, Office of Special Counsel, transmitting the Office's annual report for FY 2011 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6002. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the semiannual report of receipts and expenditures of appropriations and other funds for the period October 1, 2011 through March 31, 2012; (H. Doc. No. 112-108); to the Committee on House Administration and ordered to be printed.

6003. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Acting Director, Office of Sustainable Fisheries, NMFS, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB113) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6004. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administra-

tion, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB142) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6005. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Altus AFB, OK [Docket No.: FAA-2011-0630; Airspace Docket No. 11-ASW-8] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6006. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; [Docket No.: FAA-2011-1146; Airspace Docket No. 11-ASO-36] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6007. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Compulsory Points; Alaska [Docket No.: FAA-2010-1398; Airspace Docket No. 11-AAL-21] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6008. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Inverness, FL [Docket No.: FAA-2011-0540; Airspace Docket No. 11-ASO-20] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6009. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rugby, ND [Docket No.: FAA-2011-0433; Airspace Docket No. 11-AGL-12] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6010. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-3704A and R-3704B; Fort Knox, KY [Docket No.: FAA-2011-1274; Airspace Docket No. 11-ASO-34] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6011. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kwigillingok, AK [Docket No.: FAA-2011-0881; Airspace Docket No. 11-AAL-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6012. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jackson, MI [Docket No.: FAA-2011-1143; Airspace Docket No. 11-AGL-23] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6013. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Saginaw, MI [Docket No.: FAA-2011-1144; Airspace Docket No. 11-AGL-24] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6014. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Galbraith Lake, AK [Docket No.: FAA-2011-0865; Airspace Docket No. 11-AAL-14] received April 19, 2012, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6015. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, MO; Lincoln, NE; Grand Rapids, MI [Docket No.: FAA-2011-1406; Airspace Docket No. 11-AWA-5] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6016. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Greenfield, IA [Docket No.: FAA-2011-0846; Airspace Docket No. 11-ACE-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6017. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Portsmouth, OH [Docket No.: FAA-2011-0850; Airspace Docket No. 11-AGL-17] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6018. A letter from the Director, Government Relations, Tennessee Valley Authority, transmitting the Statistical Summary for Fiscal Year 2011; to the Committee on Transportation and Infrastructure.

6019. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Greater Rochester International Airport, Rochester, NY, Tupelo Regional Airport, Tupelo, MS, and Key West International Airport, Key West, FL will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920 Public Law 107-71, section 108; to the Committee on Homeland Security.

6020. A letter from the Chairman and Vice Chairman, U.S.-China Economic and Security Review Commission, transmitting notification of a public hearing held on "Developments in China's Cyber and Nuclear Capabilities"; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

¶61.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. BISHOP of Utah, laid before the House the following communication from Mr. ISSA:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the District of Columbia, for trial testimony.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DARRELL ISSA,
Member of Congress.

¶61.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. BISHOP of Utah, laid before the House the following communication from Mr. ISSA, Chairman of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 10, 2012.

Hon. JOHN A. BOEHNER,
*Speaker, House of Representatives,
The Capitol, Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that the Committee on Oversight and Government Reform has been served with a subpoena, issued by the United States District Court for the District of Columbia, for documents.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DARRELL ISSA,
*Chairman, Committee on Oversight
and Government Reform.*

¶61.8 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BISHOP of Utah, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2012.

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol, House of Representatives,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 14, 2012 at 1:34 p.m.:

That the Senate passed without amendment H.R. 4967.

That the Senate passed S. 418.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶61.9 RECESS—2:14 P.M.

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 14 minutes p.m., until approximately 4 p.m.

¶61.10 AFTER RECESS—4:06 P.M.

The SPEAKER pro tempore, Mr. SMITH of Texas, called the House to order.

¶61.11 MOBILE WORKFORCE STATE
INCOME TAX

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 1864) to limit the authority of States to tax certain income of employees for employment duties performed in other States; as amended.

The SPEAKER pro tempore, Mr. SMITH of Texas, recognized Mr. COBLE and Mr. JOHNSON of Georgia, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶61.12 BORDER TUNNELS

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. PIERLUISI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, May 16, 2012.

¶61.13 BLUE ALERT PLANS

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. PIERLUISI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GRIMM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶61.14 SECURITY IN BONDING

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 3534) to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas,

and Mr. PIERLUISI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶61.15 CHIMNEY ROCK NATIONAL
MONUMENT

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 2621) to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. BISHOP of Utah, and Mr. HEINRICH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HEINRICH objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, May 16, 2012.

The point of no quorum was considered as withdrawn.

¶61.16 VIRGIN RIVER CONSERVATION

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 2745) to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. BISHOP of Utah, and Mr. HEINRICH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HEINRICH objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further pro-

ceedings on the question were postponed until Wednesday, May 16, 2012.

The point of no quorum was considered as withdrawn.

¶61.17 BLACK HILLS CEMETERIES

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. BISHOP of Utah, and Mr. HEINRICH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶61.18 TRIBAL HOME OWNERSHIP

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 205) to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Mr. BISHOP of Utah, and Mr. HEINRICH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶61.19 NORTH KOREAN HUMAN RIGHTS

Ms. ROS-LEHTINEN moved to suspend the rules and pass the bill (H.R. 4240) to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Ms. ROS-LEHTINEN and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶61.20 IRAN NUCLEAR WEAPONS

Ms. ROS-LEHTINEN moved to suspend the rules and agree to the following resolution (H. Res. 568); as amended:

Whereas since at least the late 1980s, Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear capability;

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding the full and sustained suspension of all uranium enrichment-related and reprocessing activities by the Iranian Government and its full cooperation with the International Atomic Energy Agency (IAEA) on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas Iran remains in violation of all of the aforementioned United Nations Security Council resolutions;

Whereas, on November 8, 2011, the IAEA issued an extensive report that—

(1) documents "serious concerns regarding possible military dimensions to Iran's nuclear programme";

(2) states that "Iran has carried out activities relevant to the development of a nuclear device"; and

(3) states that the efforts described in paragraphs (1) and (2) may be ongoing;

Whereas as of November 2008, Iran had produced, according to the IAEA—

(1) approximately 630 kilograms of uranium-235 enriched to 3.5 percent; and

(2) no uranium-235 enriched to 20 percent;

Whereas as of November 2011, Iran had produced, according to the IAEA—

(1) nearly 5,000 kilograms of uranium-235 enriched to 3.5 percent; and

(2) 79.7 kilograms of uranium-235 enriched to 20 percent;

Whereas, on January 9, 2011, IAEA inspectors confirmed that the Iranian Government had begun enrichment activities at the Fordow site, including possibly enrichment of uranium-235 to 20 percent;

Whereas Iran has repeatedly refused requests by IAEA inspectors to visit its Parchin military facility, a suspected site of Iranian activities related to testing of a nuclear weapon;

Whereas if Iran were successful in acquiring a nuclear weapon capability, it would likely spur other countries in the region to consider developing their own nuclear weapons capabilities;

Whereas, on December 6, 2011, Prince Turki al-Faisal of Saudi Arabia stated that if inter-

national efforts to prevent Iran from obtaining nuclear weapons fail, "we must, as a duty to our country and people, look into all options we are given, including obtaining these weapons ourselves";

Whereas top Iranian leaders have repeatedly threatened the existence of the State of Israel, pledging to "wipe Israel off the map";

Whereas the Department of State—

(1) has designated Iran as a "state sponsor of terrorism" since 1984; and

(2) has characterized Iran as the "most active state sponsor of terrorism";

Whereas Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hezbollah, and Shiite militias in Iraq that are responsible for the murders of hundreds of American forces and innocent civilians;

Whereas, on July 28, 2011, the Department of the Treasury charged that the Government of Iran had forged a "secret deal" with al Qaeda to facilitate the movement of al Qaeda fighters and funding through Iranian territory;

Whereas in October 2011, senior leaders of Iran's Islamic Revolutionary Guard Corps (IRGC) Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on United States soil;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran, including torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and "the systematic and serious restrictions on freedom of peaceful assembly", as well as severe restrictions on the rights to "freedom of thought, conscience, religion or belief";

Whereas the Governments of the P5+1 nations (the United States, the United Kingdom, France, Russia, China, and Germany) have made repeated efforts to engage the Iranian Government in dialogue about Iran's nuclear program and its international commitments under the Treaty on the Non-Proliferation Nuclear Weapons;

Whereas talks between the P5+1 and Iran regarding Iran's nuclear program resumed on April 14, 2012, in Istanbul, Turkey, and the parties agreed to meet again on May 23, 2012, in Baghdad, Iraq;

Whereas in the 2006 State of the Union Address, President Bush stated that "The Iranian Government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons.";

Whereas, on March 31, 2010, President Obama stated that the "consequences of a nuclear-armed Iran are unacceptable";

Whereas in his State of the Union Address on January 24, 2012, President Obama stated, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.";

Whereas Secretary of Defense Panetta stated, in December 2011, that it was unacceptable for Iran to acquire nuclear weapons, reaffirmed that all options were on the table to thwart Iran's nuclear weapons efforts, and vowed that if the United States gets "intelligence that they are proceeding with developing a nuclear weapon then we will take whatever steps necessary to stop it";

Whereas, on December 1, 2011, Deputy Secretary of State William J. Burns and Israeli Deputy Foreign Minister Daniel Ayalon issued a joint statement in Washington, DC, which emphasized that "Iran is the greatest challenge we face today in the Middle East" and that "[c]ontinued efforts by the international community are critical to bringing about change in Iranian behavior and pre-

venting Iran from developing a nuclear weapons capability.”;

Whereas the Department of Defense’s January 2012 Strategic Guidance stated that United States defense efforts in the Middle East would be aimed “to prevent Iran’s development of a nuclear weapons capability and counter its destabilizing policies”;

Whereas, on March 4, 2012, President Obama stated that “Iran’s leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.”; and

Whereas, on April 9, 2012, President Obama stated “[T]his continuing pursuit of nuclear weapons capability continues to be a major challenge.”; Now, therefore, be it

Resolved, That the House of Representatives—

(1) warns that time is limited to prevent the Government of Iran from acquiring a nuclear weapons capability;

(2) urges continued and increasing economic and diplomatic pressure on Iran to secure an agreement with the Government of Iran that includes—

(A) the full and sustained suspension of all uranium enrichment-related and reprocessing activities;

(B) complete cooperation with the IAEA on all outstanding questions related to Iran’s nuclear activities, including—

(i) the implementation of the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons; and

(ii) the verified end of Iran’s ballistic missile programs; and

(C) a permanent agreement that verifiably assures that Iran’s nuclear program is entirely peaceful;

(3) expresses support for the universal rights and democratic aspirations of the Iranian people;

(4) affirms that it is a vital national interest of the United States to prevent the Government of Iran from acquiring a nuclear weapons capability;

(5) strongly supports United States policy to prevent the Government of Iran from acquiring a nuclear weapons capability;

(6) rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran; and

(7) urges the President to reaffirm the unacceptability of an Iran with nuclear-weapons capability and opposition to any policy that would rely on containment as an option in response to the Iranian nuclear threat.

The SPEAKER pro tempore, Mr. CHAFFETZ, recognized Ms. ROS-LEHTINEN and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that two-thirds of the Members present had voted in the affirmative.

Ms. ROS-LEHTINEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, May 16, 2012.

¶61.21 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced

that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 2072. An Act to reauthorize the Export-Import Bank of the United States, and for other purposes.

¶61.22 RECESS—6:21 P.M.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 12(a) of rule I, declared the House in recess at 6 o’clock and 21 minutes p.m., for a period of less than 15 minutes.

¶61.23 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. WEST, called the House to order.

¶61.24 SUPPLEMENTAL REPORT ON H.R. 4310

On motion of Mr. BARTLETT, by unanimous consent,

Ordered, That the Committee on Armed Services be authorized to file a supplemental report on the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

¶61.25 H.R. 365—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WEST, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 394
affirmative { Nays 1

¶61.26 [Roll No. 250]

YEAS—394

Adams	Bonomaci	Clarke (MI)
Aderholt	Bonner	Clarke (NY)
Akin	Bono Mack	Clay
Alexander	Boren	Cleaver
Altmire	Boswell	Clyburn
Amodei	Brady (PA)	Coble
Andrews	Brady (TX)	Coffman (CO)
Austria	Brooks	Cole
Baca	Broun (GA)	Conaway
Bachmann	Buchanan	Connolly (VA)
Bachus	Bucshon	Cooper
Baldwin	Buerkle	Costa
Barletta	Burgess	Costello
Barrow	Burton (IN)	Courtney
Bartlett	Butterfield	Cravaack
Barton (TX)	Calvert	Crenshaw
Bass (CA)	Camp	Critz
Bass (NH)	Canseco	Crowley
Becerra	Cantor	Cuellar
Benishek	Capito	Culberson
Berg	Capps	Cummings
Berkley	Capuano	Davis (CA)
Berman	Carnahan	Davis (IL)
Biggert	Carson	Davis (KY)
Bilbray	Carney (IN)	DeFazio
Bilirakis	Carter	DeGette
Bishop (GA)	Castor (FL)	DeLauro
Bishop (NY)	Chabot	Denham
Bishop (UT)	Chaffetz	Dent
Black	Chandler	DesJarlais
Blackburn	Chu	Deutch
Blumenauer	Cicilline	Diaz-Balart

Dicks	Kissell	Reichert
Dingell	Kline	Renacci
Doggett	Kucinich	Reyes
Donnelly (IN)	Lamborn	Ribble
Doyle	Lance	Richardson
Dreier	Lankford	Rigell
Duffy	Larsen (WA)	Rivera
Duncan (SC)	Larson (CT)	Roby
Duncan (TN)	Latham	Roe (TN)
Edwards	LaTourette	Rogers (AL)
Ellison	Latta	Rogers (KY)
Ellmers	Lee (CA)	Rogers (MI)
Emerson	Levin	Rokita
Engel	Lewis (CA)	Rooney
Eshoo	Lewis (GA)	Ros-Lehtinen
Farenthold	Lipinski	Roskam
Farr	LoBiondo	Ross (AR)
Fattah	Loeback	Ross (FL)
Fitzpatrick	Lofgren, Zoe	Rothman (NJ)
Fleischmann	Long	Roybal-Allard
Fleming	Lowe	Royce
Forbes	Lucas	Runyan
Fortenberry	Lujan	Ruppersberger
Fox	Lummis	Rush
Frelinghuysen	Lungren, Daniel E.	Ryan (OH)
Gallegly	Lynch	Ryan (WI)
Garamendi	Mack	Sánchez, Linda T.
Gardner	Maloney	Sanchez, Loretta
Garrett	Manullo	Sarbanes
Gerlach	Marchant	Scalise
Gibbs	Marino	Schakowsky
Gibson	Markey	Schiff
Gingrey (GA)	Matheson	Schilling
Gohmert	Matsui	Schmidt
Gonzalez	McCarthy (CA)	Schock
Goodlatte	McCarthy (NY)	Schrader
Gosar	McCaul	Schwartz
Gowdy	McClintock	Schweikert
Granger	McCollum	Scott (VA)
Graves (GA)	McCotter	Scott, Austin
Graves (MO)	McDermott	Scott, David
Green, Al	McGovern	Sensenbrenner
Green, Gene	McHenry	Serrano
Griffin (AR)	McKeon	Sessions
Griffith (VA)	McKinley	Sewell
Grijalva	McMorris	Sherman
Grimm	Rodgers	Shimkus
Guinta	McNerney	Shuster
Guthrie	Meehan	Simpson
Gutierrez	Meeke	Sires
Hahn	Hall	Smith (NE)
Hanabusa	Hanabusa	Smith (NJ)
Hanna	Hanna	Smith (TX)
Harper	Harper	Smith (WA)
Harris	Harris	Southerland
Hartzler	Hartzler	Stark
Hastings (FL)	Hastings (FL)	Stearns
Hastings (WA)	Hastings (WA)	Stivers
Hayworth	Hayworth	Sullivan
Heck	Heck	Sutton
Heinrich	Heinrich	Terry
Hensarling	Hensarling	Thompson (CA)
Herger	Herger	Thompson (MS)
Herrera Beutler	Herrera Beutler	Thompson (PA)
Higgins	Higgins	Thornberry
Himes	Himes	Tiberi
Hinojosa	Hinojosa	Tierney
Hirono	Hirono	Tipton
Hochul	Hochul	Tonko
Holden	Holden	Towns
Holt	Holt	Tsongas
Honda	Honda	Turner (NY)
Hoyer	Hoyer	Turner (OH)
Huelskamp	Huelskamp	Upton
Huizenga (MI)	Huizenga (MI)	Pascrell
Hultgren	Hultgren	Pastor (AZ)
Hunter	Hunter	Paulsen
Hurt	Hurt	Pearce
Israel	Israel	Pence
Issa	Issa	Perlmutter
Jackson (IL)	Jackson (IL)	Peters
Jackson Lee	Jackson Lee	Peterson
(TX)	(TX)	Petri
Jenkins	Jenkins	Pingree (ME)
Johnson (GA)	Johnson (GA)	Pitts
Johnson (OH)	Johnson (OH)	Platts
Johnson, E. B.	Johnson, E. B.	Polis
Johnson, Sam	Johnson, Sam	Pompeo
Jones	Jones	Posey
Jordan	Jordan	Price (GA)
Kaptur	Kaptur	Price (NC)
Keating	Keating	Quayle
Kelly	Kelly	Quigley
Kildee	Kildee	Rahall
Kind	Kind	Rangel
King (IA)	King (IA)	Reed
King (NY)	King (NY)	Rehberg
Kingston	Kingston	
Kinzinger (IL)	Kinzinger (IL)	

Woodall Yoder Young (FL)
Woolsey Young (AK) Young (IN)

NAYS—1

Amash
NOT VOTING—36

Ackerman Fincher McIntyre
Boustany Flake Paul
Braley (IA) Flores Pelosi
Brown (FL) Frank (MA) Poe (TX)
Campbell Franks (AZ) Richmond
Cardoza Fudge Rohrabacher
Cassidy Hinchey Scott (SC)
Cohen Johnson (IL) Shuler
Conyers Labrador Slaughter
Crawford Landry Speier
Dold Langevin Stutzman
Filner Luetkemeyer Yarmuth

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

61.27 H.R. 3874—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WEST, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 400
affirmative } Nays 1

61.28 [Roll No. 251]

YEAS—400

Adams Brady (TX) Conyers
Aderholt Braley (IA) Cooper
Akin Brooks Costa
Alexander Broun (GA) Costello
Altmire Buchanan Courtney
Amodei Bucshon Cravaack
Andrews Buerkle Crenshaw
Austria Burgess Critz
Baca Burton (IN) Crowley
Bachmann Butterfield Cuellar
Bachus Calvert Culberson
Baldwin Camp Cummings
Barletta Campbell Davis (CA)
Barrow Canseco Davis (IL)
Bartlett Cantor Davis (KY)
Barton (TX) Capito DeFazio
Bass (CA) Capps DeGette
Bass (NH) Capuano DeLauro
Becerra Carnahan Denham
Benishek Carney Dent
Berg Carson (IN) DesJarlais
Berkley Carter Deutch
Berman Castor (FL) Diaz-Balart
Biggett Chabot Dicks
Bilbray Chaffetz Dingell
Bilirakis Chandler Doggett
Bishop (GA) Chu Donnelly (IN)
Bishop (NY) Cicilline Doyle
Bishop (UT) Clarke (MI) Dreier
Black Clarke (NY) Duffy
Blackburn Clay Duncan (SC)
Blumenauer Cleaver Duncan (TN)
Bonamici Clyburn Edwards
Bonner Coble Ellison
Bono Mack Coffman (CO) Ellmers
Boren Cole Emerson
Boswell Conaway Engel
Brady (PA) Connolly (VA) Eshoo

Farenthold Lee (CA)
Farr Levin
Fattah Lewis (CA)
Fitzpatrick Lewis (GA)
Fleischmann Lipinski
Fleming LoBiondo
Forbes Loebbeck
Fortenberry Lofgren, Zoe
Foxy Long
Frelinghuysen Lowey
Gallegly Lucas
Garamendi Lujan
Garrett Lummis
Gerlach Lungren, Daniel
Gibbs E.
Gibson Lynch
Gingrey (GA) Mack
Gohmert Maloney
Gonzalez Marchant
Goodlatte Marino
Gosar Markey
Gowdy Matheson
Granger Matsui
Graves (GA) McCarthy (CA)
Graves (MO) McCarthy (NY)
Green, Al McCaul
Green, Gene McClintock
Griffin (AR) McCollum
Griffith (VA) McCotter
Grijalva McDermott
Grimm McGovern
Guinta McHenry
Guthrie McKeon
Gutierrez McKinley
Hahn McMorris
Hall Rodgers
Hanabusa Meehan
Hanna Meeke
Harper Mica
Harris Michaud
Hartzler Miller (FL)
Hastings (FL) Miller (MI)
Hastings (WA) Miller (NC)
Hayworth Miller, Gary
Heck Miller, George
Heinrich Moore
Hensarling Moran
Herger Mulvaney
Herrera Beutler Murphy (CT)
Higgins Murphy (PA)
Himes Myrick
Hinojosa Nadler
Hirono Napolitano
Hochul Neal
Holden Neugebauer
Holt Noem
Honda Nugent
Hoyer Nunes
Huelskamp Nunnelee
Huizenga (MI) Olson
Hultgren Olver
Hunter Owens
Hurt Palazzo
Israel Pallone
Issa Pascrell
Jackson (IL) Pastor (AZ)
Jackson Lee Paulsen
King (IA) Pearce
King (NY) Pelosi
Kingston Price (GA)
Kinzinger (IL) Price (NC)
Kissell Quayle
Kline Rangel
Kucinich Reed
Lamborn Rehberg
Lance Reichert
Langevin Renacci
Lankford Reyes
Larsen (WA) Ribble
Larson (CT) Richardson
Latham Rigell
LaTourette Rivera
Latta Roby

NAYS—1

Amash

NOT VOTING—30

Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

Ackerman
Boustany
Brown (FL)
Cardoza
Cassidy
Cohen
Crawford
Dold
Filner
Fincher
Flake
Flores
Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry
Luetkemeyer
Manzullo
McIntyre
Paul
Poe (TX)
Richmond
Rohrabacher
Shuler
Slaughter
Speier
Yarmuth

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

61.29 H.R. 205—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WEST, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 205) to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 400
affirmative } Nays 0

61.30 [Roll No. 252]

YEAS—400

Adams Blackburn Chabot
Aderholt Blumenauer Chaffetz
Akin Bonamici Chandler
Alexander Bonner Chu
Altmire Bono Mack Cicilline
Amash Boren Clarke (MI)
Amodei Boswell Clarke (NY)
Andrews Brady (PA) Clay
Austria Brady (TX) Cleaver
Baca Braley (IA) Clyburn
Bachmann Brooks Coble
Bachus Broun (GA) Coffman (CO)
Baldwin Buchanan Cole
Barletta Bucshon Conaway
Barrow Buerkle Connolly (VA)
Bartlett Burgess Conyers
Barton (TX) Burton (IN) Cooper
Bass (CA) Butterfield Costa
Bass (NH) Calvert Costello
Becerra Camp Courtney
Benishek Campbell Cravaack
Berg Canseco Crenshaw
Berkley Cantor Critz
Berman Capito Crowley
Biggett Capps Cuellar
Bilbray Capuano Culberson
Bilirakis Carnahan Cummings
Bono Mack Carney Davis (CA)
Boren Cole Davis (IL)
Boswell Conaway Davis (KY)
Brady (PA) Connolly (VA) DeFazio

DeGette Kelly Price (GA)
 DeLauro Kildee Price (NC)
 Denham Kind Quayle
 Dent King (IA) Quigley
 DesJarlais King (NY) Rahall
 Deutch Kingston Rangel
 Diaz-Balart Kinzinger (IL) Reed
 Dicks Kissell Rehberg
 Dingell Kline Reichert
 Doggett Kucinich Renacci
 Donnelly (IN) Lamborn Reyes
 Doyle Lance Ribble
 Dreier Langevin Richardson
 Duffy Lankford Rigell
 Duncan (SC) Larson (WA) Rivera
 Duncan (TN) Larsen (CT) Roby
 Edwards Latham Roe (TN)
 Ellison LaTourette Rogers (AL)
 Ellmers Latta Rogers (KY)
 Emerson Lee (CA) Rogers (MI)
 Engel Levin Rokita
 Eshoo Lewis (CA) Rooney
 Farnsworth Lewis (GA) Ros-Lehtinen
 Farr Lipinski Roskam
 Fattah LoBiondo Ross (AR)
 Fitzpatrick Loeb sack Ross (FL)
 Fleischmann Lofgren, Zoe Rothman (NJ)
 Fleming Long Roybal-Allard
 Forbes Lowey Royce
 Fortenberry Lucas Runyan
 Foxx Luján Rush
 Frelinghuysen Lummis Ryan (OH)
 Gallegly Lungren, Daniel Ryan (WI)
 Garamendi E. Sanchez, Linda
 Gardner Lynch T.
 Garrett Mack Sanchez, Loretta
 Gerlach Maloney Sarbanes
 Gibbs Marchant Scalise
 Gibson Marino Schakowsky
 Gingrey (GA) Markey Schiff
 Gohmert Matheson Schilling
 Gonzalez Matsui Schmidt
 Goodlatte McCarthy (CA) Schock
 Gosar McCarthy (NY) Schrader
 Gowdy McCaul Schwartz
 Granger McClintock Schweikert
 Graves (GA) McCollum Scott (SC)
 Graves (MO) McCotter Scott (VA)
 Green, Al McDermott Scott, Austin
 Green, Gene McGovern Scott, David
 Griffin (AR) McHenry Sensenbrenner
 Griffith (VA) McKeon Serrano
 Grijalva McKinley Sessions
 Grimm McMorris Sewell
 Guinta Rodgers Sherman
 Guthrie McNerney Shimkus
 Gutierrez Meehan Shuster
 Hahn Meeks Simpson
 Hall Mica Sires
 Hanabusa Michaud Smith (NE)
 Hanna Miller (FL) Smith (NJ)
 Harper Miller (MI) Smith (TX)
 Harris Miller (NC) Smith (WA)
 Hartzler Miller, Gary Southerland
 Hastings (FL) Miller, George Stark
 Hastings (WA) Moore Stearns
 Hayworth Moran Stivers
 Heck Mulvaney Stutzman
 Heinrich Murphy (CT) Sullivan
 Hensarling Murphy (PA) Sutton
 Herger Myrick Terry
 Herrera Beutler Nadler Thompson (CA)
 Higgins Napolitano Thompson (MS)
 Himes Neal Thompson (PA)
 Hinojosa Neugebauer Thornberry
 Hirono Noem Tiberi
 Hochul Nugent Tierney
 Holden Nunes Tipton
 Holt Nunnelee Tonko
 Honda Olson Towns
 Hoyer Olver Tsongas
 Huelskamp Owens Turner (NY)
 Huizenga (MI) Palazzo Turner (OH)
 Hultgren Pallone Upton
 Hunter Pascrell Van Hollen
 Hurt Pastor (AZ) Velázquez
 Israel Paulsen Vislosky
 Issa Pearce Walberg
 Jackson (IL) Pelosi Walden
 Jackson Lee Pence Walsh (IL)
 (TX) Perlmutter Walz (MN)
 Jenkins Peters Wasserman
 Johnson (GA) Peterson Schultz
 Johnson (OH) Petri Waters
 Johnson, E. B. Pingree (ME) Watt
 Johnson, Sam Pitts Waxman
 Jones Platts Webster
 Jordan Polis Welch
 Kaptur Pompeo West
 Keating Posey Westmoreland

Whitfield Wolf
 Wilson (FL) Womack
 Wilson (SC) Womack
 Wittman Woolsey
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NOT VOTING—31

Ackerman Flores Paul
 Boustany Poe (MA) Poe (TX)
 Brown (FL) Franks (AZ) Richmond
 Cardoza Fudge Rohrabacher
 Cassidy Hinchey Ruppertsberger
 Cohen Johnson (IL) Shuler
 Crawford Labrador Slaughter
 Dold Landry Speier
 Filner Luetkemeyer Yarmuth
 Fincher Manzullo
 Flake McIntyre

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Act titled 'An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶61.31 DEPARTMENT OF DEFENSE PROGRAM GUIDANCE

Mr. KLINE moved to suspend the rules and pass the bill (H.R. 4045) to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date; as amended.

The SPEAKER pro tempore, Mrs. ROBY, recognized Mr. KLINE and Ms. BORDALLO, each for 20 minutes.

After debate, The question being put, *viva voce*, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. ROBY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶61.32 COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mrs. ROBY, pursuant to section 201(b) of the

International Religious Freedom Act of 1998 (22 United States Code 6431 note), as amended, and the order of the House of January 5, 2011, announced that the Speaker appointed the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014: Mr. Elliot Abrams, Virginia.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶61.33 PROVIDING FOR CONSIDERATION OF H.R. 4970 AND H.R. 4310

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112-481) the resolution (H. Res. 656) providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994; and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶61.34 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 8, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 3247. An Act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3246. An Act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3004. An Act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 2244. An Act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. An Act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 3248. An Act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

H.R. 2767. An Act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 298. An Act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. An Act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Michael E. Phillips Post Office".

H.R. 2079. An Act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. An Act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

And then,

¶61.35 ADJOURNMENT

On motion of Ms. EDWARDS, at 9 o'clock and 31 minutes p.m., the House adjourned.

¶61.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCKEON: Committee on Armed Services. Supplemental report on H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112-479, Pt. 2).

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4970. A bill to reauthorize the Violence Against Women Act of 1994; with an amendment (Rept. 112-480, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 656. Resolution providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112-481). Referred to the House Calendar.

¶61.37 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce, Education and the Workforce, and Financial Services discharged from further consideration. H.R. 4970 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶61.38 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BIGGERT:

H.R. 5740. A bill to extend the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. HECK (for himself, Mr. QUIGLEY, and Mr. CHABOT):

H.R. 5741. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself and Mr. VISCOLSKY):

H.R. 5742. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bul-

letproof Vest Partnership Grant Program through fiscal year 2016; to the Committee on the Judiciary.

By Mr. ROGERS of Michigan:

H.R. 5743. A bill to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. GOSAR (for himself, Mr. MATHESON, Mr. ROSS of Arkansas, Mr. WALDEN, Mr. AMODEI, Mr. TIP-TON, Mr. BISHOP of Utah, Mr. PEARCE, Mrs. MCMORRIS RODGERS, Mrs. LUMMIS, Mr. DUFFY, Mr. BERG, Mr. THOMPSON of Pennsylvania, Mr. DENHAM, Mr. SCHWEIKERT, Mr. SESSIONS, Mr. LONG, Mr. JOHNSON of Ohio, Mr. POMPEO, Mr. COLE, Mr. NUNES, Mr. CARTER, Mr. KING of Iowa, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. FLAKE, and Mr. QUAYLE):

H.R. 5744. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON:

H.R. 5745. A bill to eliminate certain subsidies for fossil-fuel production; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, Science, Space, and Technology, Energy and Commerce, Agriculture, Appropriations, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. SAM JOHNSON of Texas, Mr. RANGEL, Mr. NUNES, Mr. STARK, Mr. REICHERT, Mr. LEWIS of Georgia, Mr. ROSKAM, Mr. BLUMENAUER, Mr. GERLACH, Mr. KIND, Mr. SCHOCK, Mr. CROWLEY, Ms. JENKINS, and Mr. PAULSEN):

H.R. 5746. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to real estate investment trusts, and for other purposes; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself, Mr. FILNER, Mr. SMITH of Washington, Mr. TIERNEY, Ms. BROWN of Florida, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Mr. BRALEY of Iowa, Mr. DONNELLY of Indiana, and Mr. YARMUTH):

H.R. 5747. A bill to amend the Servicemembers Civil Relief Act to improve the protections for servicemembers against mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DELAURO (for herself, Mr. CARNAHAN, Ms. LEE of California, and Ms. MCCOLLUM):

H.R. 5748. A bill to provide assistance to sub-Saharan Africa to combat obstetric fistula; to the Committee on Foreign Affairs.

By Mr. GRIJALVA (for himself, Mr. CONYERS, Mr. DEFAZIO, Mr. FARR, Mr. FILNER, Ms. HAHN, Mr. HOLT, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE of California, Mr. POLIS, Mr. STARK, and Ms. WATERS):

H.R. 5749. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally-recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut (for himself and Mr. MURPHY of Connecticut):

H.R. 5750. A bill to amend the Harmonized Tariff Schedule to modify the tariffs on certain wrist watches, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. CONYERS, and Mr. SCOTT of Virginia):

H.R. 5751. A bill to amend title 18, United States Code, to provide for limitations on detentions of certain individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of South Carolina:

H.R. 5752. A bill to suspend temporarily the duty on Di-tert-amyl-2'-hydroxyphenyl benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5753. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5754. A bill to suspend temporarily the duty on 4-Nitrobenzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5755. A bill to suspend temporarily the duty on 4-Hydroxy-2,2,6,6-Tetramethylpiperidine-N-oxyl; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5756. A bill to suspend temporarily the duty on 2-[2-hydroxy-3,5-di(1,1-dimethylbenzyl)phenyl]-2H-benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5757. A bill to suspend temporarily the duty on Pentaerythritol tetrakis(3,5-di-tert-butyl-4-hydroxyhydrocinnamate); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5758. A bill to suspend temporarily the duty on 1,1'-Methylenebis[3(hydroxymethyl)-2,5-dioxo-4-imidazolidinyl]urea]; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5759. A bill to suspend temporarily the duty on Allantoin; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5760. A bill to suspend temporarily the duty on Imidurea; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5761. A bill to suspend temporarily the duty on Fluorescent Brightener CBS-X; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5762. A bill to suspend temporarily the duty on Octadecyl-3-(3,5-di-tert-4-hydroxyphenyl)-propionate; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5763. A bill to extend the suspension of duty on mixtures of N-phenyl-N-((trichloromethyl)thio)-benzenesulfonamide, calcium carbonate, and mineral oil; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5764. A bill to extend the reduction of duty on N-phenyl-p-phenylenediamine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5765. A bill to suspend temporarily the duty on 1,3-bis(3-methyl-2,5-dioxo-1H-pyrrolinylmethyl)benzene; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5766. A bill to suspend temporarily the duty on 2,2'-Dithiobisbenzothiazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5767. A bill to reduce temporarily the duty on Benzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5768. A bill to extend the temporary suspension of duty on Cyanuric chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5769. A bill to extend the temporary suspension of duty on Allyl pentaerythritol; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. LEWIS of Georgia, Ms. NORTON, and Mr. RANGEL):

H.R. 5770. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program; to the Committee on the Judiciary.

By Mr. SCOTT of South Carolina:
H.R. 5771. A bill to suspend temporarily the duty on modified phenolic resin in alkaline solution; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5772. A bill to suspend temporarily the duty on 1,2-Bis(3-aminopropyl)ethylenediamine, polymer with N-butyl-2,2,6,6-tetramethyl-4-piperidinamine and 2,4,6-trichloro-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5773. A bill to suspend temporarily the duty on Uvasorb S130; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5774. A bill to suspend temporarily the duty on Phenol 2,4 -bis(1,1-dimethyl ethyl)-phosphite (3:1); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5775. A bill to suspend temporarily the duty on Antioxidant 3114; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5776. A bill to extend the temporary suspension of duty on 2,2 -(2,5-Thiophenediyl)bis(5-(1,1-dimethylethyl)); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5777. A bill to extend the temporary suspension of duty on Decanedioic acid, bis(2,2,6,6-tetramethyl-4-piperidinyl) ester; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5778. A bill to suspend temporarily the duty on p-Nitrobenzoic Acid; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5779. A bill to suspend temporarily the duty on 2,4-Dihydroxy-benzophenone; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:
H.R. 5780. A bill to reduce temporarily the duty on ferroboron; to the Committee on Ways and Means.

By Mr. HULTGREN (for himself, Mr. PRICE of Georgia, Mr. PALAZZO, Mr. BROOKS, Mr. YODER, Mr. LATOURRETTE, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. WOLF, Mr. WEST, Mr. CULBERSON, Mrs. ADAMS, Mr. SMITH

of Texas, Mr. POSEY, Mr. POE of Texas, and Mr. OLSON):

H. Con. Res. 124. Concurrent resolution expressing the sense of the Congress that President Obama's delays in implementing a clear mission for the American space program represent a clear threat to American exceptionalism; to the Committee on Science, Space, and Technology.

By Mr. CLARKE of Michigan (for himself, Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. DAVIS of Illinois):

H. Res. 657. A resolution expressing the sense of the House of Representatives supporting Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:
H. Res. 658. A resolution supporting the goals and ideals of International Water Safety Day; to the Committee on Energy and Commerce.

161.39 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. CROWLEY.
H.R. 139: Ms. KAPTUR.
H.R. 184: Mr. WITTMAN.
H.R. 273: Mr. TIPTON and Ms. HIRONO.
H.R. 615: Mr. ROKITA.
H.R. 640: Mr. JACKSON of Illinois and Mr. LEVIN.
H.R. 750: Mr. SCALISE and Mr. CULBERSON.
H.R. 757: Mr. RIGELL.
H.R. 891: Mr. WELCH.
H.R. 1004: Mr. WALSH of Illinois.
H.R. 1044: Mr. KIND and Mr. WILSON of South Carolina.
H.R. 1091: Mr. GRIFFITH of Virginia.
H.R. 1145: Mr. MCKEON.
H.R. 1167: Mr. CULBERSON.
H.R. 1182: Mr. SCALISE, Mr. CULBERSON, and Mr. BENISHEK.
H.R. 1193: Mr. JACKSON of Illinois.
H.R. 1370: Mr. PRICE of Georgia, Mr. HARPER, and Mr. WESTMORELAND.
H.R. 1386: Mr. LUETKEMEYER, Mr. NUNES, Mr. COSTELLO, Mr. MCNERNEY, Mr. CONAWAY, Mr. FATTAH, Mr. WALZ of Minnesota, Mr. FITZPATRICK, Ms. ROS-LEHTINEN, Mr. RIGELL, Mr. COBLE, and Mr. VAN HOLLEN.
H.R. 1409: Mr. BENISHEK.
H.R. 1410: Mr. MORAN.
H.R. 1478: Mr. SESSIONS.
H.R. 1639: Mrs. BACHMANN.
H.R. 1704: Mrs. McMORRIS RODGERS.
H.R. 1726: Mr. MATHESON.
H.R. 1744: Mr. QUAYLE.
H.R. 1925: Mr. LYNCH.
H.R. 1956: Mr. BRADY of Texas.
H.R. 1971: Mr. GINGREY of Georgia.
H.R. 2069: Mr. HOLDEN.
H.R. 2077: Mr. ROSS of Florida.
H.R. 2088: Mr. DINGELL.
H.R. 2092: Mr. WEST.
H.R. 2198: Mr. MANZULLO.
H.R. 2248: Mr. YARMUTH.
H.R. 2315: Ms. WOOLSEY, Mrs. LOWEY, Ms. BALDWIN, and Ms. ROYBAL-ALLARD.
H.R. 2353: Ms. PINGREE of Maine.
H.R. 2382: Mr. SHERMAN and Mr. ROTHMAN of New Jersey.
H.R. 2499: Ms. ROYBAL-ALLARD.
H.R. 2505: Mr. SCHIFF.
H.R. 2514: Mr. CULBERSON.
H.R. 2524: Mr. SMITH of Washington.
H.R. 2529: Mr. LUETKEMEYER.
H.R. 2569: Mr. KINGSTON, Mr. NEUGEBAUER, Mr. CARTER, Mr. HANNA, and Mr. JONES.
H.R. 2626: Mr. NEAL.

H.R. 2627: Mr. NEAL.
H.R. 2751: Mr. CARNAHAN.
H.R. 2774: Mr. MCCLINTOCK.
H.R. 2866: Mr. SESSIONS.
H.R. 2962: Ms. MOORE, Mr. PETERS, Ms. VELÁZQUEZ, Mr. LUETKEMEYER, Mr. CHABOT, Mr. SESSIONS, Ms. HAHN, and Mr. SCHRADER.
H.R. 2969: Mr. POSEY, Ms. LINDA T. SÁNCHEZ of California, Mr. BONO MACK, Mr. TONKO, Ms. MCCOLLUM, and Mr. SCHIFF.
H.R. 3032: Mr. BILIRAKIS and Mr. STIVERS.
H.R. 3040: Mr. KILDEE.
H.R. 3053: Ms. MCCOLLUM.
H.R. 3067: Mr. WAXMAN, Mr. SMITH of Washington, Mr. MARINO, Mr. YOUNG of Alaska, Mr. LUETKEMEYER, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. CONNOLLY of Virginia, Mr. HONDA, Mr. ROYCE, Ms. FUDGE, and Mr. SCHILLING.
H.R. 3098: Mr. FLORES.
H.R. 3102: Mr. COURTNEY.
H.R. 3173: Mr. HARPER, Ms. HANABUSA, and Mr. CARNAHAN.
H.R. 3216: Mrs. MCCARTHY of New York.
H.R. 3264: Mr. SCALISE.
H.R. 3269: Mr. HURT, Mr. CAPUANO, Mr. HALL, and Mr. QUAYLE.
H.R. 3288: Mr. WAXMAN.
H.R. 3307: Mr. LIPINSKI and Mr. TONKO.
H.R. 3308: Mr. CULBERSON.
H.R. 3324: Mr. SCOTT of Virginia.
H.R. 3352: Mr. TONKO.
H.R. 3357: Mr. SCHIFF.
H.R. 3362: Mr. YODER.
H.R. 3364: Ms. CHU, Ms. PINGREE of Maine, Mr. HOLDEN, and Mr. YARMUTH.
H.R. 3418: Ms. MCCOLLUM.
H.R. 3443: Ms. BUERKLE.
H.R. 3590: Ms. CLARKE of New York.
H.R. 3612: Mr. HIGGINS and Mr. SCOTT of Virginia.
H.R. 3627: Mr. MURPHY of Pennsylvania.
H.R. 3635: Mr. RICHMOND.
H.R. 3643: Mr. THOMPSON of Pennsylvania and Mr. STUTZMAN.
H.R. 3665: Ms. MCCOLLUM.
H.R. 3687: Mr. OLVER, Ms. DELAURO, Mr. RANGEL, and Mr. GRIJALVA.
H.R. 3720: Mr. BROUN of Georgia.
H.R. 3761: Mr. RANGEL.
H.R. 3790: Mr. MCINTYRE.
H.R. 3798: Mr. THOMPSON of California and Mr. KILDEE.
H.R. 3863: Mr. HIGGINS.
H.R. 3889: Mr. JONES.
H.R. 3891: Ms. LEE of California.
H.R. 3993: Mr. HOLDEN.
H.R. 4057: Mr. CARTER.
H.R. 4070: Mr. ROGERS of Alabama.
H.R. 4077: Mr. SCHIFF.
H.R. 4104: Mr. RIBBLE, Mr. MCKEON, Mr. ROGERS of Alabama, Mrs. McMORRIS RODGERS, Mr. MILLER of Florida, Mr. MICA, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. WEST, Mr. ROHRBACHER, Mr. ROKITA, Mr. PAULSEN, Mr. ROSKAM, Mr. SCALISE, Mr. ROGERS of Michigan, Mr. MCHENRY, Mrs. ELLMERS, Mr. YOUNG of Indiana, Mr. DENHAM, Mr. ISSA, Mr. DANIEL E. LUNGREN of California, Mr. FORBES, Mr. NUGENT, Mr. MCCOTTER, Mr. SOUTHERLAND, Mr. LUCAS, Mr. LOEBSACK, Mr. SHIMKUS, Mr. NUNNELEE, Mr. WITTMAN, Mr. GRIFFITH of Virginia, Mr. CAMPBELL, Mr. PEARCE, Mr. YOUNG of Florida, Mr. HUNTER, and Mr. ROE of Tennessee.
H.R. 4124: Ms. PINGREE of Maine.
H.R. 4164: Mr. OWENS, Mr. WILSON of South Carolina, Mr. STARK, and Mr. JOHNSON of Ohio.
H.R. 4170: Mr. SABLON and Ms. ZOE LOFGREN of California.
H.R. 4183: Mr. DINGELL.
H.R. 4192: Ms. TSONGAS.
H.R. 4229: Mr. ROE of Tennessee, Mr. CRAVAACK, and Mr. CULBERSON.
H.R. 4232: Mr. HARPER.
H.R. 4240: Mr. ISRAEL.
H.R. 4259: Mr. SCHOCK, Ms. BASS of California, and Mr. COLE.

H.R. 4269: Mr. DUNCAN of Tennessee, Ms. HOCHUL, Mr. RAHALL, Mr. HARPER, Mr. WEST-MORELAND, and Mr. KISSELL.

H.R. 4271: Mr. GUTIERREZ, Mr. NADLER, Mr. PETERS, and Mr. GARAMENDI.

H.R. 4290: Mr. SCHIFF, Ms. WOOLSEY, and Ms. HIRONO.

H.R. 4323: Mr. KING of New York, Mr. HURT, Mr. STIVERS, Mr. LUETKEMEYER, and Mr. RENACCI.

H.R. 4327: Mr. WALZ of Minnesota.

H.R. 4339: Mr. KUCINICH.

H.R. 4351: Mr. JACKSON of Illinois and Ms. WILSON of Florida.

H.R. 4367: Mr. PETERS, Mr. JOHNSON of Georgia, Mr. CRENSHAW, Mrs. BLACKBURN, and Mr. LEWIS of Georgia.

H.R. 4373: Mrs. EMERSON and Mr. ROTHMAN of New Jersey.

H.R. 4377: Mr. LONG and Mr. QUAYLE.

H.R. 4390: Mr. SMITH of Washington.

H.R. 4402: Mr. CONAWAY, Mr. JOHNSON of Ohio, Mr. BENISHEK, and Mrs. McMORRIS RODGERS.

H.R. 4454: Mr. DUNCAN of Tennessee.

H.R. 4480: Mr. STEARNS.

H.R. 4625: Mr. DUNCAN of Tennessee.

H.R. 4848: Mr. KUCINICH.

H.R. 4965: Mr. HURT, Mr. COSTA, Mr. BROWN of Georgia, Mr. NUGENT, Mrs. ELLMERS, Mr. CARDOZA, Mr. KINGSTON, Mr. WESTMORELAND, and Mrs. EMERSON.

H.R. 4970: Mr. PENCE.

H.R. 4972: Ms. MCCOLLUM, Ms. ZOE LOFGREN of California, and Ms. SLAUGHTER.

H.R. 5050: Mr. NADLER.

H.R. 5187: Mrs. CAPPAS.

H.R. 5284: Mr. BUCHANAN.

H.R. 5303: Mr. NADLER.

H.R. 5646: Mr. ROSS of Florida, Mr. BACHUS, and Mr. FRANKS of Arizona.

H.R. 5647: Mr. RYAN of Ohio and Ms. BERKLEY.

H.R. 5691: Mr. GEORGE MILLER of California and Mr. MARKEY.

H.R. 5720: Mr. WELCH.

H.R. 5738: Mr. HUIZENGA of Michigan.

H. Con. Res. 63: Mr. LIPINSKI.

H. Con. Res. 120: Ms. WATERS and Mr. HIGGINS.

H. Res. 111: Mr. CASSIDY and Mr. CRITZ.

H. Res. 177: Ms. JACKSON LEE of Texas.

H. Res. 282: Mr. GRIJALVA.

H. Res. 351: Ms. MOORE, Mr. COOPER, Ms. WATERS, and Mr. MORAN.

H. Res. 460: Ms. HAYWORTH.

H. Res. 526: Mr. MURPHY of Connecticut and Mr. JOHNSON of Ohio.

H. Res. 568: Mr. WALSH of Illinois, Mrs. NAPOLITANO, Mr. CARNAHAN, Mr. KEATING, Mr. FRANK of Massachusetts, Mr. CUMMINGS, Mr. DONNELLY of Indiana, Mr. LARSEN of Washington, Mr. DINGELL, Ms. HOCHUL, Mr. TURNER of Ohio, Mr. SHUSTER, Mrs. NOEM, Ms. KAPTUR, and Mr. RUSH.

H. Res. 583: Mr. LANGEVIN.

H. Res. 645: Mr. PERLMUTTER and Mr. PRICE of North Carolina.

H. Res. 646: Mr. BARROW and Mr. KISSELL.

WEDNESDAY, MAY 16, 2012 (62)

¶62.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. BARTON of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
May 16, 2012.

I hereby appoint the Honorable JOE BARTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶62.2 RECESS—10:47 A.M.

The SPEAKER pro tempore, Mr. BARTON of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 47 minutes a.m., until noon.

¶62.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. DENHAM, called the House to order.

¶62.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DENHAM, announced he had examined and approved the Journal of the proceedings of Tuesday, May 15, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶62.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6021. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Pomegranates From Chile Under a Systems Approach [Docket No.: APHIS-2010-0024] (RIN: 0579-AD38) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6022. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Fresh Pitaya Fruit From Central America Into the Continental United States [Docket No.: APHIS-2010-0113] (RIN: 0579-AD40) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6023. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Clementines From Spain; Amendment to Inspection Provisions [Docket No.: APHIS-2010-0036] (RIN: 0579-AD27) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6024. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John E. Sterling, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6025. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Ann E. Rondeau, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6026. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Additions to Quarantined Areas in Massachusetts [Docket No.: APHIS-2010-0128] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6027. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevations Determinations [Docket ID: FEMA-2012-0003] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6028. A letter from the Secretary, Securities and Exchange Commission, transmitting

the Commission's "Major" final rule — Further Definition of "Swap Dealer", "Security-Based Swap Dealer", "Major Swap Participant", "Major Security-Based Swap Participant" and "Eligible Contract Participant" [Release No.: 34-66868; File No. S7-39-10] (RIN: 3235-AK65) received April 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6029. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Fiscal Year 2011 Annual Report; to the Committee on Energy and Commerce.

6030. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicaid Program; Community First Choice Option [CMS-2337-F] (RIN: 0398-AQ35) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6031. A letter from the Secretary, Department of Health and Human Services, transmitting a proposal for the reauthorization for the Medical Device User Fee Act (MDUFA); to the Committee on Energy and Commerce.

6032. A letter from the Associate Bureau Chief for Cybersecurity and Communications Reliability, Federal Communications Commission, transmitting the Commission's final rule — The Proposed Extension of Part 4 of the Connected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers [PS Docket No. 11-82] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6033. A letter from the Pricing Policy Division, Wireline Competition, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform — Mobility Fund [WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208] April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6034. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report for the period January 16, 2011 to January 15, 2012 on the activities of the Multinational Force and Observers (MFO) and U.S. participation in that organization; to the Committee on Foreign Affairs.

6035. A letter from the Presiding Governor, Broadcasting Board of Governors, transmitting the Broadcasting Board of Governors' 2011 Annual Report, pursuant to Section 305(a)(9) of the U.S. International Broadcasting Act of 1994, Pub. L. 103-236, pursuant to 22 U.S.C. 6204; to the Committee on Oversight and Government Reform.

6036. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6037. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Com-

munity Development Quota Program [Docket No.: 070718367-2061-02] (RIN: 0648-AV33) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6038. A letter from the Special Assistant, Alaska Rural Justice and Law Enforcement Commission, transmitting the January 2012 Report to Congress and the Alaska State Legislature; to the Committee on the Judiciary.

6039. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Revised Jurisdictional Threshold for Section 8 of the Clayton Act received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6040. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials; Packages Intended for Transport by Aircraft [Docket No.: PHMSA-07-29364 (HM-231A)] (RIN: 2137-AE32) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6041. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's "Major" final rule — National Registry of Certified Medical Examiners [Docket No.: FMCSA-2009-0363] (RIN: 2126-AA97) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6042. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's biennial report on evaluation, research and technical assistance activities supported by "The Promoting Safe and Stable Families Program"; to the Committee on Ways and Means.

6043. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and Claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 201 2-21) April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6044. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Extension of Certain Wage Index Reclassifications and Special Exemptions for the Hospital Inpatient Prospective Payment Systems (PPS) for Acute Care Hospitals and the Hospital Outpatient PPS [CMS-1442-N] received May 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

6045. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare and Medicaid Program; Regulatory Provisions to Promote Program Efficiency, Transparency, and Burden Reduction [CMS-9070-F] (RIN: 0938-AQ96) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

6046. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Memorandum of justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority; jointly to the Committees on Foreign Affairs and Appropriations.

6047. A letter from the Acting Under Secretary, Department of Defense, transmitting the annual report on the National Security Education Program (NSEP) for 2011, pursuant to 50 U.S.C. 1906; jointly to the Committees on Intelligence (Permanent Select) and Education and the Workforce.

¶62.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶62.7 PROVIDING FOR CONSIDERATION OF H.R. 4970 AND H.R. 4310

Ms. FOXX, by direction of the Committee on Rules, called up the following resolution (H. Res. 656):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

Pending consideration of said resolution,

¶62.8 POINT OF ORDER

Ms. MOORE made a point of order against consideration of said resolution, and said:

"Mr. Speaker, I raise a point of order against H. Res. 656 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, except those arising under clause 10 of rule XXI, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a)."

The SPEAKER pro tempore, Mr. DENHAM, responded to the point of order, and said:

"The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

"The gentlewoman has met the threshold burden under the rule and the gentlewoman from Wisconsin and a

Member opposed each will control ten minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration."

Ms. MOORE was further recognized and said:

"Mr. Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are some unfunded mandates in the underlying bill, H.R. 4970; rather, I am here today because this is the only opportunity to voice opposition to this bill, given the strict, closed terms of our debate today.

"It is baffling to me, Mr. Speaker, that we would be so shut out of today's debate and that House Republicans would so completely abandon any pretense of bipartisanship on a bill like the Violence Against Women Act. This bill has always been a bipartisan effort, and I would argue that on an issue like this, it is incredibly important to have a well-rounded discussion.

"We obviously disagree about the key elements that are critical to include in a Violence Against Women Act reauthorization. Well, why not allow us to have a healthy debate? More importantly, Mr. Speaker, why not allow us our chance to try to improve the legislation before us?

"Our allies in the domestic violence and sexual assault advocacy community have literally spent years compiling input and data from service providers, law enforcement, and victims themselves about what we must do to update VAWA in a reauthorization. And I am here to be a voice of protest because their input is invaluable; yet, for the very first time, their input has been cast aside.

"Last night I offered a substitute, along with Representative CONYERS and Representative LOFGREN, that would have allowed us to consider the Senate-passed version of the Violence Against Women Act, a version which I proudly introduced in March here in this House of Representatives. This legislation was passed in the Senate with sound bipartisan support and includes the improvements that have been endorsed by a broad array of individuals and organizations, including law enforcement agencies.

"But, unfortunately, today we will not be allowed to vote on the Senate bill. We will have to vote on the Adams bill, which is now officially opposed by over 325 organizations. Yes, Mr. Speaker, you heard it right—325 organizations."

Ms. FOXX was recognized to speak to the point of order and said:

"The question before the House is: 'Should the House now consider H. Res. 656?' Section 4 of the Unfunded Mandates Reform Act, or UMRA, excludes from the application of that act any legislative provision that establishes or enforces statutory rights prohibiting discrimination.

"The Congressional Budget Office has stated that while they have not reviewed a provision in section 3 of H.R.

4970 for intergovernmental or private-sector mandates, since that provision prohibits discrimination on the basis of race, color, religion, national origin, sex, or disability, other provisions of H.R. 4970 would impose no intergovernmental mandates as defined in UMRA.

“CBO goes on to say the bill would impose private-sector mandates as defined in UMRA on brokers of international marriage and certain supervisors over persons under official control of the United States. However, CBO estimates that the cost of those mandates would fall well below the annual threshold established in UMRA: \$146 million in 2012, adjusted annually for inflation.

“Mr. Speaker, the motion of the gentlewoman is dilatory. In order to allow the House to continue its scheduled business for the day, I urge Members to vote ‘yes’ on the question of consideration of the resolution, and I reserve the balance of my time.”

Ms. MOORE was further recognized and said:

“I do appreciate the woman walking us through the protocols for the unfunded mandates. And I would submit to her that the National Network to End Domestic Violence, who does a point-in-time counting of domestic violence services nationwide, would indicate that it costs not only personal anguish, but there are costs in society, actual fiscal costs, to not protecting women who are suffering in violent situations.

“Right in my own State of Wisconsin, 714,000 women have been assaulted, raped, or stalked by an intimate partner. This number actually exceeds the population of the entire city of Milwaukee. Imagine the cost to employers when people don’t show up at work. Imagine the cost in emergency rooms when people show up battered and bruised and broken and have no health insurance.

“Approximately half a million of these women were fearful or concerned for their safety. Two hundred and eighty thousand Wisconsin women, 12.7 percent of our population, have been stalked in their lifetime. Imagine the cost of additional police work when these women call the police and nothing has been done in terms of making arrests and asking for accountability.

“A study of childhood exposure to violence in Milwaukee has found that 16 percent of Wisconsin adults report having experienced recurring violence between adults in their childhood. Imagine the loss of productivity at schools. There’s often a lot of talk about kids being inattentive in school and not being able to pass and succeed in school. Next to hunger, imagine the cost of witnessing and experiencing violence in the home as a cost to society.

“I would now like to yield to the gentle lady for a question.

“There were several amendments that were introduced in the Rules Committee last evening, and I was wondering if you were aware of any amendments that were adopted after we left

the Rules Committee last evening. I know there had been a hearing. I was wondering if any of the amendments that Democrats had introduced were adopted.”

Ms. FOXX was further recognized and said:

“None of the amendments were made in order except the manager’s amendment, which brings the bill closer to the Senate version of the bill.”

Ms. MOORE was further recognized and said:

“The manager’s amendment, thankfully, was adopted, because the manager’s amendment did have one little piece in there that helps out immigrant women. But there are 325 groups and organizations, everything from national women organizations to evangelical women and the bishops, that oppose even the manager’s amendment because they say that not only are there just simply rollbacks to the Violence Against Women Act, but it actually puts immigrant women in danger, as the balance is tipped from current law in favor of these batterers, sexual assaulters, abusers, and killers.

“I would like to yield to the gentle lady for one more question.

“Will this body ever have an opportunity to vote on the bipartisan bill from the Senate that passed 68-31? Will this body ever have the opportunity? Will that bill ever be before us?”

Ms. FOXX was further recognized and said:

“Mr. Speaker, it really pains me to see my colleagues across the aisle make the kind of accusations that they make about Republicans being unconcerned about the issue of violence against women. How could they possibly accuse us of not being concerned about that issue? All Republicans are concerned about violence against anyone. Violence, we are very concerned about that. I personally won’t even watch any kind of movie that has any kind of violence in it because I can’t stand to see violence perpetrated on another human being. So Republican men and women both abhor violence against women.

“But what we have done in the legislation that we are proposing is we are asking for increased accountability and to see that more services are directly offered to women who have violence perpetrated against them. In fact, I would say that we are more concerned about violence for women because we want to see those women served better and we want to see the money spent better.

“Mr. Speaker, helping victims of abuse and domestic violence is not a Republican or Democrat issue. I have been pleased to work with Congresswoman Loretta SANCHEZ on H.R. 196, Simplifying the Ambiguous Law Keeping Everyone Reliably Safe, or STALKERS, Act which she has championed for the last two Congresses. The Democrats wouldn’t bring this bill up when they were in control of the House.

“The STALKERS Act updates the Federal stalking statute to include

electronic surveillance and other means of cyber-stalking to ensure that potential stalking victims are protected as technology changes. In addition, the STALKERS Act increases criminal penalties by 5 years for offenders who have violated a protective order or whose victims are under the age of 18 or elderly.

“Congresswoman SANCHEZ and I worked together regardless of which party was in charge of the House, and I’m pleased that legislation with the original cosponsor, who’s a Democrat, has been included in the VAWA reauthorization bill that the House will vote on today. The VAWA reauthorization bill also adds stalking as an allowable grant purpose to continue the work of protecting these victims.

“As we all know, law enforcement and prosecutors must have the resources they need to pursue violent criminals, and I hope my colleagues on both sides of the aisle will join me in voting for H.R. 4970 after voting for this rule providing for its consideration, or the rule we will consider in just a few minutes.

“I’m not going to impugn the character of my colleagues on the other side of the aisle. We all want to stop violence against women. That’s why Republicans have brought forth this bill. Again, the STALKERS Act could have been brought forward under Democrat control of the House. It was not, and I’m very disappointed. But I’m proud of Republicans, that we’re doing it and we’re strengthening the Violence Against Women Act, not weakening the act.”

After debate,

The question being put, viva voce,

Will the House now consider the resolution?

The SPEAKER pro tempore, Mr. DENHAM, announced that the yeas had it.

Ms. FOXX demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 239
affirmative } Nays 183

¶62.9

[Roll No. 253]

YEAS—239

Adams	Bonner	Cole
Aderholt	Bono Mack	Conaway
Akin	Boustany	Cravaack
Alexander	Brady (TX)	Crawford
Amash	Brooks	Crenshaw
Amodei	Broun (GA)	Culberson
Austria	Buchanan	Davis (KY)
Bachmann	Bucshon	Denham
Bachus	Buerkle	Dent
Barletta	Burgess	DesJarlais
Bartlett	Calvert	Diaz-Balart
Barton (TX)	Camp	Dold
Bass (NH)	Campbell	Dreier
Benishke	Canseco	Duffy
Berg	Cantor	Duncan (SC)
Biggert	Capito	Duncan (TN)
Bilbray	Carter	Ellmers
Bilirakis	Chabot	Emerson
Bishop (UT)	Chaffetz	Farenthold
Black	Coble	Fincher
Blackburn	Coffman (CO)	Fitzpatrick

Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford

NAYS—183

Ackerman
Altmire
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa

Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Blumenauer
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Elliason
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev

Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souterland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

HINOJOSA

Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott

McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pastore (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)

NOT VOTING—9

Andrews
Burton (IN)
Cassidy

So the House decided to consider said resolution.

A motion to reconsider the vote whereby the House decided to consider said resolution was, by unanimous consent, laid on the table.

Accordingly, After said resolution was considered. When debate,

Ms. FOXX moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 235 Nays 187

62.10 [Roll No. 254] YEAS—235

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Bigger
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp

Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman

Chandler
Filner
King (IA)

Labrador
Pitts
Slaughter

Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro

McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Lewis (CA)
LoBiondo
Long
Lucas
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley

NAYS—187

Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Elliason
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Herger
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)

Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pastore (AZ)
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez

Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris

Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin

Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Waters
Watt
Altmire
Burton (IN)
Cassidy

Waxman
Welch
Filner
Gerlach
Labrador

Wilson (FL)
Woolsey
Perlmutter
Slaughter
Yarmuth

ANSWERED "PRESENT"—1

Young (AK)

NOT VOTING—9

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

62.13 H.R. 4119—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 416 Nays 4

62.14 [Roll No. 256]

YEAS—416

Ackerman
Adams
Aderholt
Akin
Alexander
Amodei
Andrews
Austria
Bachmann
Bachus
Baldwin
Bartletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Dewine
Dingell
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gibbs
Ginsburg
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffith (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper

NOT VOTING—9

Akin
Burton (IN)
Cassidy
Filner
Labrador
Luetkemeyer
Perlmutter
Slaughter
Young (FL)

So the previous question on the resolution was ordered.

62.11 MOMENT OF SILENCE IN MEMORY OF THE FALLEN LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that all Members stand and observe a moment of silence in memory of the fallen law enforcement officers.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 235 Nays 186 Answered present 1

62.12 [Roll No. 255]

YEAS—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Bartletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggett
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latita
Lewis (CA)
LoBiondo
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper

Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce

NAYS—186

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Crenshaw
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe y
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinche y
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe y
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud

Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz

Harris	McCaul	Royce
Hartzler	McClintock	Runyan
Hastings (FL)	McCollum	Ruppersberger
Hastings (WA)	McCotter	Rush
Hayworth	McDermott	Ryan (OH)
Heck	McGovern	Ryan (WI)
Heinrich	McHenry	Sánchez, Linda
Hensarling	McIntyre	T.
Herger	McKeon	Sanchez, Loretta
Herrera Beutler	McKinley	Sarbanes
Higgins	McMorris	Scalise
Himes	Rodgers	Schakowsky
Hinchee	McNerney	Schiff
Hinojosa	Meehan	Schilling
Hirono	Meeks	Schmidt
Hochul	Mica	Schock
Holden	Michaud	Schrader
Holt	Miller (FL)	Schwartz
Honda	Miller (MI)	Schweikert
Hoyer	Miller (NC)	Scott (SC)
Huelskamp	Miller, Gary	Scott, Austin
Huizenga (MI)	Miller, George	Scott, David
Hultgren	Moore	Sensenbrenner
Hunter	Moran	Serrano
Hurt	Mulvaney	Sessions
Israel	Murphy (CT)	Sewell
Issa	Murphy (PA)	Sherman
Jackson (IL)	Myrick	Shimkus
Jackson Lee	Nadler	Shuler
(TX)	Napolitano	Shuster
Jenkins	Neal	Simpson
Johnson (GA)	Neugebauer	Sires
Johnson (IL)	Noem	Smith (NE)
Johnson (OH)	Nugent	Smith (NJ)
Johnson, E. B.	Nunes	Smith (TX)
Johnson, Sam	Nunnelee	Smith (WA)
Jones	Olson	Southerland
Jordan	Olver	Speier
Kaptur	Owens	Stark
Keating	Palazzo	Stearns
Kelly	Pallone	Stivers
Kildee	Pascrell	Stutzman
Kind	Pastor (AZ)	Sullivan
King (IA)	Paulsen	Sutton
King (NY)	Pearce	Terry
Kingston	Pelosi	Thompson (CA)
Kinzinger (IL)	Pence	Thompson (MS)
Kissell	Peters	Thompson (PA)
Kline	Peterson	Thornberry
Kucinich	Petri	Tiberi
Lamborn	Pingree (ME)	Tierney
Lance	Pitts	Tipton
Landry	Platts	Tonko
Langevin	Poe (TX)	Towns
Lankford	Polis	Tsongas
Larsen (WA)	Pompeo	Turner (NY)
Larson (CT)	Posey	Upton
Latham	Price (GA)	Van Hollen
LaTourette	Price (NC)	Velázquez
Latta	Quayle	Viscosky
Lee (CA)	Quigley	Walberg
Levin	Rahall	Walden
Lewis (CA)	Rangel	Walsh (IL)
Lewis (GA)	Reed	Walz (MN)
Lipinski	Rehberg	Wasserman
LoBiondo	Reichert	Schultz
Loeb sack	Renacci	Waters
Lofgren, Zoe	Reyes	Watt
Long	Ribble	Waxman
Lowe y	Richardson	Webster
Lucas	Richmond	Welch
Luetkemeyer	Rigell	West
Luján	Rivera	Westmoreland
Lummis	Roby	Whitfield
Lungren, Daniel	Roe (TN)	Wilson (FL)
E.	Rogers (AL)	Wilson (SC)
Lynch	Rogers (KY)	Wittman
Mack	Rogers (MI)	Wolf
Maloney	Rohrabacher	Womack
Manzullo	Rokita	Woodall
Marchant	Rooney	Woolsey
Marino	Ros-Lehtinen	Yoder
Markey	Roskam	Young (AK)
Matheson	Ross (AR)	Young (FL)
Matsui	Ross (FL)	Young (FL)
McCarthy (CA)	Rothman (NJ)	
McCarthy (NY)	Roybal-Allard	

NAYS—4

Amash	Paul
Broun (GA)	Scott (VA)

NOT VOTING—11

Altmire	Filner	Slaughter
Boren	Gerlach	Turner (OH)
Burton (IN)	Labrador	Yarmuth
Cassidy	Perlmutter	

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶62.15 PERMISSION TO FILE REPORTS

On motion of Mr. ADERHOLT, by unanimous consent, the Committee on Appropriations was granted permission until 6 p.m. on Friday, May 25, 2012, to file its privileged reports on the following: a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes; a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; and a bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2013, and for other purposes.

¶62.16 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. RAHALL, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to agree to sections 1528, 20017 (to the extent that such section amends section 5323 of title 49, United States Code, to provide subsection (k) relating to Buy America), 33007, 33008, and 35210 of the amendment of the Senate.

¶62.17 H.R. 2745—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. MILLER of Michigan, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2745) to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶62.18 VIOLENCE AGAINST WOMEN

Mrs. ADAMS, pursuant to House Resolution 656, called up for consideration the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994.

Pending consideration of said bill,

Pursuant to House Resolution 656, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, modified by the following amendment printed in House Report 112-481, was considered as agreed to:

Page 19, strike line 21 and all that follows through page 20, line 3, and insert the following:

“(A) NONDISCRIMINATION.—No person in any State shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be denied the assistance of, or excluded from receiving services from, a grantee under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act
Page 28, line 15, insert “or the Secretary of Health and Human Services, as applicable,” after “Attorney General”.

Page 28, line 18, insert “or the Secretary of Health and Human Services, as applicable,” after “Attorney General”.

Page 29, after line 22, insert the following:
(e) TRAINING AND RESOURCES FOR VAWA GRANTEEES.—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended—

(1) in the heading, by striking “and grant provisions” and inserting “, grant provisions, and training and resources for vawa grantees”; and

(2) by adding at the end the following new subsection:

“(d) TRAINING AND RESOURCES FOR VAWA GRANTEEES.—

“(1) IN GENERAL.—The Attorney General and Secretary of Health and Human Services, as applicable, shall—

“(A) develop standards, protocols, and sample tools and forms to provide guidance to grantees and subgrantees under any program or activity described in paragraph (2) regarding financial record-keeping and accounting practices required of such grantees and subgrantees as recipients of funds from the disbursing agency;

“(B) provide training to such grantees and subgrantees regarding such standards, protocols, and sample tools and forms; and

“(C) publish on the public Internet website of the Office of Violence Against Women information to assist such grantees and subgrantees with compliance with such standards, protocols, and sample tools and forms.

“(2) VAWA PROGRAMS AND ACTIVITIES.—For purposes of paragraph (1), a program or activity described in this paragraph is any program or activity funded in whole or in part with funds made available under this title, the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”.

Page 36, strike lines 11 through 13 and insert the following:

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

Page 36, line 14, strike “(iv)” and insert “(iii)”.

Page 36, line 24, strike “(v)” and insert “(iv)”.

Page 36, line 25, strike “clause (iii)” and insert “clause (ii)”.

Page 37, line 19, insert “and” after the second semi-colon.

Page 37, strike lines 20 through 24.

Page 38, line 1, strike “(V)” and insert “(IV)”.

Page 39, strike lines 6 through 8, and insert the following:

(II) in subparagraph (D), by striking “linguistically and”; and

Page 49, line 2, strike “the second occurrence of”.

Page 49, line 24, insert “, and adjusting the margin accordingly” after “respectively”.

Page 69, line 22, move the margin for the subparagraph (C) two ems to the right.

Page 89, line 12, insert “the first occurrence of” after “through”.

Page 141, line 24, insert before the period at the end the following: “so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”.

Page 142, line 7, move the margin of the subclause (III) eight ems to the left.

Page 142, beginning on line 8, strike “under this clause” and all that follows through “investigative officer”, and insert the following: “under this clause shall be assigned to an investigative officer”.

Page 142, beginning on line 21, strike “may also gather” and all that follows through “to be interviewed.” and insert the following: “may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.”.

Page 143, insert after line 4 the following, and redesignate provisions accordingly:

“(dd) The investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether the petitioner had filed previous applications or petitions for immigration benefits that had been denied and whether the petitioner had been the beneficiary of a previous petition filed pursuant to this section that had been denied. If either was the case, the investigative officer shall consider the denials and the reasons for the denials as part of the adjudication of the petition.

“(ee) The investigative officer who is responsible for the adjudication and final determination of eligibility shall as part of the adjudication of the petition consult with the investigative officer at the local office of United States Citizenship and Immigration Services who had conducted the in-person interview of the alien who filed the petition.

Page 143, line 7, insert after “the investigative officer” the following: “who is responsible for the adjudication and final determination of eligibility”.

Page 143, beginning on line 17, strike “clear and convincing evidence” and insert “a preponderance of the evidence”.

Page 143, beginning on line 23, strike “clear and convincing evidence” and insert “a preponderance of the evidence”.

Page 144, line 5, insert “so long as this evidence was not gathered in violation of section 384 of the Illegal Immigration Reform

and Immigrant Responsibility Act of 1996” before the period at the end.

Page 144, beginning on line 8, strike “at the local office of United States Citizenship and Immigration Services” and insert “who is responsible for the adjudication and final determination of eligibility”.

Page 145, strike line 12 and all that follows through page 147, line 4 and redesignate provisions accordingly.

Page 147, strike lines 16 through 19 and insert the following:

(3) in subparagraph (A)(vii), by adding at the end the following continuation text:

“The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).”.

Page 147, line 22, move the margin of the subclause (III) eight ems to the left.

Page 147, line 23, strike “under this clause” and all that follows through “an investigative officer” on page 148, line 1, and insert the following: “under this clause shall be assigned to an investigative officer”.

Page 148, line 11, strike “may also gather” and all that follows through “interviewed” on line 15, and insert the following: “may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.”.

Page 148, insert after line 20 the following, and redesignate provisions accordingly:

“(dd) The investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether the petitioner had filed previous applications or petitions for immigration benefits that had been denied and whether the petitioner had been the beneficiary of a previous petition filed pursuant to this section that had been denied. If either was the case, the investigative officer shall consider the denials and the reasons for the denials as part of the adjudication of the petition.

“(ee) The investigative officer who is responsible for the adjudication and final determination of eligibility shall as part of the adjudication of the petition consult with the investigative officer at the local office of United States Citizenship and Immigration Services who had conducted the in-person interview of the alien who filed the petition.

Page 148, line 22, insert after “the investigative officer” the following: “who is responsible for the adjudication and final determination of eligibility”.

Page 149, beginning on line 7, strike “clear and convincing evidence” and insert “a preponderance of the evidence”.

Page 149, beginning on line 13, strike “clear and convincing evidence” and insert “a preponderance of the evidence”.

Page 149, line 19, add at the end “so long as this evidence was not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”

Page 149, beginning on line 22, strike “at the local office of United States Citizenship and Immigration Services” and insert “who is responsible for the adjudication and final determination of eligibility”.

Strike page 151, line 1, and all that follows through page 152, line 18, and redesignate provisions accordingly.

On page 158, strike lines 2 through 18, and insert the following (and redesignate provisions accordingly):

(a) IN GENERAL.—Section 245(m) of the Immigration and Nationality Act (8 U.S.C.

1255(m)) is amended by striking “the alien is not described” and inserting “the individual who was convicted of the criminal activity referred to in section 101(a)(15)(U)(i)(I) that was the basis for the alien being admitted into the United States (or otherwise provided nonimmigrant status) under section 101(a)(15)(U) was himself or herself an alien and has been physically removed to the foreign state of which the alien with nonimmigrant status under section 101(a)(15)(U) is a national, and if the alien with nonimmigrant status under section 101(a)(15)(U) is not described”.

(b) DURATION OF NONIMMIGRANT STATUS.—Section 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended by striking “if the alien is eligible for relief under section 245(m) and is unable to obtain such relief because regulations have not been issued to implement such section and shall be extended”.

Page 162, line 23, strike “(a) IN GENERAL.—” and adjust the margin accordingly.

Page 163, strike line 16 and all that follows through page 164, line 9.

Page 180, strike line 17 and insert the following:

“§ 2261A. Stalking.

Page 181, line 25, insert a period after “section 2261”.

Page 185, insert after line 8 the following:

SEC. 1006. FEDERAL PROTECTION ORDERS.
(a) FEDERAL PROTECTION ORDERS.—Chapter 110A of title 18, United States Code, is amended by inserting after section 2262 the following:

“§ 2262A. Federal domestic violence protection orders involving Indians and Indian country

“(a) PETITION FOR PROTECTION ORDER.—

“(1) IN GENERAL.—A victim of an act of domestic violence, or an Indian tribe as *parens patriae* on behalf of the victim of an act of domestic violence, may petition a district court of the United States to issue a protection order against the person (whether an Indian or a non-Indian) who is alleged to have committed the act of domestic violence if—

“(A) the victim is an Indian or a minor who resides with or is in the care and custody of an Indian;

“(B) the victim resides or is employed at a place located in the Indian country of the Indian tribe that files the petition; and

“(C) the person against whom the order is sought is alleged to have committed an act of domestic violence in the Indian country.

“(2) CONTENTS OF PETITION.—A petition filed under this section shall contain—

“(A) the facts that meet the requirements under paragraph (1);

“(B) the name of each victim on whose behalf the protection order is sought;

“(C) the name and, if known, the residential address of the person against whom the order is sought;

“(D) a detailed description of the alleged act of domestic violence, including the date or approximate date and the location of the act of domestic violence; and

“(E) the relief sought.

“(3) ISSUANCE OF PROTECTION ORDER.—The court may issue a protection order in accordance with this section and subsections (b) and (c) of section 2265 and Rule 65(d)(1) of the Federal Rules of Civil Procedure if the court finds that such order is reasonably necessary to provide protection against violence, threats, or harassment against, contact or communication with, or physical proximity to—

“(A) a spouse or intimate partner who resides or is employed at a location in the Indian country of the Indian tribe involved in the proceeding; or

“(B) a minor who resides with or is in the care or custody of a spouse or intimate part-

ner who resides or is employed at a location in the Indian country.

“(4) SCOPE OF PROTECTION ORDERS.—Any protection order under this section may—

“(A) prohibit the person against whom the order is sought from—

“(i) threatening to commit or committing an act of domestic violence against or otherwise harassing the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner;

“(ii) communicating, directly or indirectly, with the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner; and

“(iii) knowingly coming within a specified distance from the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner;

“(B) direct the person against whom the order is sought to stay away from the residence, school, or place of employment of the spouse or intimate partner, or any other specified place frequented by the spouse or intimate partner, regardless of whether the residence, school, place of employment, or other specified place is located in Indian country; and

“(C) exclude or bar the person against whom the order is sought from the Indian country of the Indian tribe involved in the proceeding or any portion or area of that Indian country.

“(5) EMERGENCY EX PARTE ORDERS.—If a petition requests an emergency ex-parte protection order and from the facts alleged in the petition there appears to be a danger of a further, imminent act of domestic violence against a victim, the court may grant an emergency ex-parte protection order against the person against whom the order is sought in accordance with the requirements of section 2265(b)(2).

“(6) DURATION OF PROTECTION ORDER.—A protection order under this section may be permanent or of such other shorter duration as the court determines necessary to protect a victim from a further act of domestic violence by the person against whom the order is sought.

“(b) VIOLATION OF PROTECTION ORDER.—A person who intentionally violates a protection order under this section shall be punished as provided in section 2262(b).”

(b) VIOLATION OF FEDERAL PROTECTION ORDER.—Section 2262(b) of title 18, United States Code, is amended in the matter preceding paragraph (1), by striking “this section” and inserting “this section or a protection order issued under section 2262A”.

(c) DEFINITIONS.—Section 2266 of title 18, United States Code, is amended by inserting after paragraph (10) the following:

“(11) ACT OF DOMESTIC VIOLENCE.—The term ‘act of domestic violence’ means an act or attempted act of violence or stalking, or a threatened act of violence, by a person against a spouse or intimate partner, or a minor residing with or in the care or custody of the spouse or intimate partner.

“(12) INDIAN.—The term ‘Indian’ means a person who is a member of any Indian tribe, regardless of whether that Indian tribe is the plaintiff Indian tribe under section 2262A.

“(13) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

“(14) MINOR.—The term ‘minor’ means a person under the age of 18 years.”

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2262 the following:

“2262A. Federal domestic violence protection orders involving Indians and Indian country.”

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 656, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. MOORE moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Page 30, after line 3, insert the following:

SEC. 6. PROTECTING CONFIDENTIALITY AND PRIVACY OF VICTIMS OF VIOLENCE.

Nothing in this Act shall be construed to eliminate, reduce, or otherwise limit any protection in effect on the day before the date of enactment of this Act that provides confidentiality to victims of domestic violence to protect such victims from future violence. This protection includes preventing notification of a victim’s efforts to seek assistance from law enforcement from being exposed or transmitted to the victim’s suspected batterer.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Ms. MOORE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 187 negative } Nays 236

62.19 [Roll No. 257] YEAS—187

- Ackerman Cleaver Green, Al
Altmire Clyburn Green, Gene
Andrews Cohen Grijalva
Baca Connolly (VA) Gutierrez
Baldwin Conyers Hahn
Barrow Cooper Hanabusa
Bass (CA) Costa Hastings (FL)
Beccerra Costello Heinrich
Berkley Courtney Higgins
Berman Critz Himes
Bishop (GA) Crowley Hinchey
Bishop (NY) Cuellar Hirono
Blumenauer Cummings Hochul
Bonamici Davis (CA) Holden
Boren Davis (IL) Holt
Boswell DeFazio Honda
Brady (PA) DeGette Hoyer
Braley (IA) DeLauro Israel
Brown (FL) Deutch Jackson (IL)
Burton (IN) Dicks Jackson Lee
Butterfield Dingell (TX)
Capps Doggett Johnson, E. B.
Capuano Donnelly (IN) Jones
Cardoza Doyle Kaptur
Carnahan Edwards Keating
Carney Ellison Kildee
Carson (IN) Engel Kind
Castor (FL) Eshoo Kissell
Chandler Farr Kucinich
Chu Fattah Langevin
Cicilline Frank (MA) Larsen (WA)
Clarke (MI) Fudge Larson (CT)
Clarke (NY) Garamendi Lee (CA)
Clay Gonzalez Levin

- Lewis (GA) Pallone Scott, David
Lipinski Pascrell Serrano
Loeb sack Pastor (AZ) Sewell
Lofgren, Zoe Pelosi Sherman
Lowey Perlmutter Shuler
Lujan Peters Sires
Lynch Peterson Smith (WA)
Maloney Pingree (ME) Speier
Markey Polis Stark
Matheson Price (NC) Sutton
Matsui Quigley Thompson (CA)
McCarthy (NY) Rahall Thompson (MS)
McCollum Rangel Tierney
McDermott Reyes Tonko
McGovern Richardson Towns
McIntyre Richmond Tsongas
McNerney Ross (AR) Van Hollen
Meeks Rothman (NJ) Velázquez
Michaud Roybal-Allard Vislosky
Miller (NC) Ruppelberger Walz (MN)
Miller, George Rush Wasserman
Moore Ryan (OH) Schultz
Moran Sanchez, Loretta Waters
Murphy (CT) Sarbanes Watt
Nadler Schakowsky Waxman
Napolitano Schiff Welch
Neal Schrader Wilson (FL)
Oliver Schwartz Woolsey
Owens Scott (VA) Yarmuth

NAYS—236

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

Smith (NJ)	Tipton	Wilson (SC)
Smith (TX)	Turner (NY)	Wittman
Southerland	Turner (OH)	Wolf
Stearns	Upton	Womack
Stivers	Walberg	Woodall
Stutzman	Walden	Yoder
Sullivan	Walsh (IL)	Young (AK)
Terry	Webster	Young (FL)
Thompson (PA)	West	Young (IN)
Thornberry	Westmoreland	
Tiberi	Whitfield	

NOT VOTING—8

Cassidy	Johnson (GA)	Sánchez, Linda
Filner	Labrador	T.
Hinojosa	Landry	Slaughter

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*, Will the House pass said bill?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mr. CONYERS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 222
affirmative } Nays 205

¶62.20 [Roll No. 258]

AYES—222

Adams	Fleischmann	LoBiondo
Aderholt	Fleming	Long
Akin	Flores	Lucas
Alexander	Forbes	Luetkemeyer
Amodei	Fortenberry	Lummis
Austria	Fox	Lungren, Daniel
Bachmann	Franks (AZ)	E.
Bachus	Frelinghuysen	Mack
Barletta	Gallely	Manzullo
Barrow	Gardner	Marchant
Barton (TX)	Gerlach	Marino
Benishek	Gibbs	Matheson
Berkley	Gibson	McCarthy (CA)
Bilbray	Gingrey (GA)	McCauley
Bilirakis	Gohmert	McCotter
Bishop (UT)	Goodlatte	McHenry
Black	Gowdy	McIntyre
Blackburn	Granger	McKeon
Bonner	Graves (GA)	McKinley
Bono Mack	Graves (MO)	McMorris
Boren	Griffin (AR)	Rodgers
Boustany	Griffith (VA)	Mica
Brady (TX)	Grimm	Miller (FL)
Brooks	Guinta	Miller (MI)
Buchanan	Guthrie	Miller, Gary
Bucshon	Hall	Mulvaney
Buerkle	Harper	Murphy (PA)
Burgess	Harris	Myrick
Burton (IN)	Hartzler	Neugebauer
Calvert	Hastings (WA)	Noem
Camp	Hayworth	Nugent
Campbell	Heck	Nunes
Canseco	Hensarling	Nunnelee
Cantor	Herger	Olson
Capito	Herrera Beutler	Palazzo
Carter	Huizenga (MI)	Paulsen
Chabot	Hultgren	Pearce
Chaffetz	Hunter	Pence
Coble	Hurt	Peterson
Coffman (CO)	Issa	Petri
Cole	Jenkins	Pitts
Conaway	Johnson (IL)	Pompeo
Cravaack	Johnson (OH)	Posey
Crawford	Johnson, Sam	Price (GA)
Crenshaw	Jones	Quayle
Culberson	Jordan	Reed
Denham	Kelly	Rehberg
Dent	King (IA)	Reichert
DesJarlais	King (NY)	Renacci
Dreier	Kingston	Ribble
Duffy	Kinzinger (IL)	Rigell
Duncan (SC)	Kline	Roby
Duncan (TN)	Lamborn	Roe (TN)
Ellmers	Lance	Rogers (AL)
Emerson	Landry	Rogers (KY)
Farenthold	Lankford	Rogers (MI)
Fincher	Latham	Rokita
Fitzpatrick	Latta	Rooney
Flake	Lewis (CA)	Roskam

Ross (FL)	Smith (NE)	Walberg
Royce	Smith (NJ)	Walden
Ryunan	Smith (TX)	Walsh (IL)
Ryan (WI)	Southerland	Webster
Scalise	Stearns	West
Schilling	Stivers	Westmoreland
Schmidt	Stutzman	Whitfield
Schock	Sullivan	Wilson (SC)
Schweikert	Terry	Wittman
Scott (SC)	Thompson (PA)	Womack
Scott, Austin	Thornberry	Woodall
Sensenbrenner	Tiberi	Yoder
Sessions	Tipton	Young (AK)
Shimkus	Turner (NY)	Young (FL)
Shuster	Turner (OH)	Young (IN)
Simpson	Upton	

NOES—205

Ackerman	Fudge	Olver
Altmiere	Garamendi	Owens
Amash	Garrett	Pallone
Andrews	Gonzalez	Pascarell
Baca	Gosar	Pastor (AZ)
Baldwin	Green, Al	Paul
Bartlett	Green, Gene	Pelosi
Bass (CA)	Grijalva	Perlmutter
Bass (NH)	Gutierrez	Peters
Becerra	Hahn	Pingree (ME)
Berg	Hanabusa	Platts
Berman	Hanna	Poe (TX)
Biggert	Hastings (FL)	Polis
Bishop (GA)	Heinrich	Price (NC)
Bishop (NY)	Higgins	Quigley
Blumenauer	Himes	Rahall
Bonamici	Hinche	Rangel
Boswell	Hinojosa	Reyes
Brady (PA)	Hirono	Richardson
Braley (IA)	Hochul	Richmond
Broun (GA)	Holden	Rivera
Brown (FL)	Holt	Rohrabacher
Butterfield	Honda	Ros-Lehtinen
Capps	Hoyer	Ross (AR)
Capuano	Huelskamp	Rothman (NJ)
Cardoza	Israel	Roybal-Allard
Carnahan	Jackson (IL)	Ruppersberger
Carney	Jackson Lee	Rush
Carson (IN)	(TX)	Ryan (OH)
Castor (FL)	Johnson (GA)	Sánchez, Linda
Chandler	Johnson, E. B.	T.
Chu	Kaptur	Sanchez, Loretta
Cicilline	Keating	Sarbanes
Clarke (MI)	Kildee	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kissell	Schrader
Cleaver	Kucinich	Schwartz
Clyburn	Langevin	Scott (VA)
Cohen	Larsen (WA)	Scott, David
Connelly (VA)	Larson (CT)	Serrano
Conyers	LaTourette	Sewell
Cooper	Lee (CA)	Sherman
Costa	Levin	Shuler
Costello	Lewis (GA)	Shuler
Courtney	Lipinski	Sires
Critz	Loeb sack	Smith (WA)
Crowley	Lofgren, Zoe	Speier
Cuellar	Lowe	Stark
Cummings	Lujan	Sutton
Davis (CA)	Lynch	Thompson (CA)
Davis (IL)	Maloney	Thompson (MS)
Davis (KY)	Markey	Tierney
DeFazio	Matsui	Tonko
DeGette	McCarthy (NY)	Towns
DeLauro	McClintock	Tsongas
Deutch	McCollum	Van Hollen
Diaz-Balart	McDermott	Velázquez
Dicks	McGovern	Visclosky
Dingell	McNerney	Walz (MN)
Doggett	Meehan	Wasserman
Dold	Meeks	Schultz
Donnelly (IN)	Michaud	Waters
Doyle	Miller (NC)	Watt
Edwards	Miller, George	Waxman
Ellison	Moore	Welch
Engel	Moran	Wilson (FL)
Eshoo	Murphy (CT)	Wolf
Farr	Nadler	Woolsey
Fattah	Napolitano	Yarmuth
Frank (MA)	Neal	

NOT VOTING—4

Cassidy	Labrador
Filner	Slaughter

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶62.21 H.R. 2621—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2621) to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶62.22 MESSAGE FROM THE PRESIDENT—

NATIONAL EMERGENCY WITH RESPECT TO YEMEN

The SPEAKER pro tempore, Mrs. EMERSON, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of certain members of the Government of Yemen and others to threaten Yemen's peace, security, and stability.

The order does not target the entire country of Yemen or its government, but rather targets those who threaten the peace, security, or stability of Yemen, including by obstructing the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power that meets the legitimate demands and aspirations of the Yemeni people for change, or by obstructing the political process in Yemen. The order provides criteria for the blocking of property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to: have engaged in acts that directly or indirectly threaten the peace, security, or stability of Yemen, such as acts that obstruct the implementation of the agreement of November 23, 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power in Yemen, or that obstruct the political process in Yemen; be a political or military leader of an entity that has

engaged in the acts described above; have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the acts described above or any person whose property and interests in property are blocked pursuant to the order; or be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

The designation criteria will be applied in accordance with applicable Federal law including, where appropriate, the First Amendment to the United States Constitution.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, May 16, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-109).

¶62.23 NATIONAL FLOOD INSURANCE PROGRAM

Mrs. BIGGERT moved to suspend the rules and pass the bill (H.R. 5740) to extend the National Flood Insurance Program, and for other purposes.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mrs. BIGGERT and Mr. David SCOTT of Georgia, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROSS of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. David SCOTT of Georgia, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROSS of Florida, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, May 17, 2012.

¶62.24 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. BARROW, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amend-

ment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on title II of the House bill, regarding approval of the Keystone XL Pipeline.

¶62.25 DEFENSE AUTHORIZATION FY 2013

The SPEAKER pro tempore, Mr. MCHENRY, pursuant to House Resolution 656 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

The SPEAKER pro tempore, Mr. MCHENRY, by unanimous consent, designated Mr. ROSS of Florida, as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. ROSS of Florida, assumed the Chair.

When Mr. THOMPSON of Pennsylvania, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶62.26 RECESS—9:45 P.M.

The SPEAKER pro tempore, Mr. RUNYAN, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 45 minutes p.m., subject to the call of the Chair.

THURSDAY, MAY 17 (LEGISLATIVE DAY OF MAY 16), 2012

¶62.27 AFTER RECESS—2:28 A.M.

The SPEAKER pro tempore, Mr. NUGENT, called the House to order.

¶62.28 PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4310

Mr. BISHOP of Utah, by direction of the Committee on Rules, reported (Rept. No. 112-485) the resolution (H. Res. 661) providing for further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶62.29 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 14, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 2668. An Act to designate the station of the United States Border located at 2136 South Naco Highway in Bisbee, Arizona, as the "Brian A. Terry Border Patrol Station".

And then,

¶62.30 ADJOURNMENT

On motion of Mr. BISHOP of Utah, at 2 o'clock and 29 minutes a.m., Thursday, May 17 (legislative day of May 16), 2012, the House adjourned.

¶62.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUCAS: Committee on Agriculture. H.R. 1840. A bill to improve consideration by the Commodity Futures Trading Commission of the costs and benefits of its regulations and orders (Rept. 112-482). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 373. A bill to amend the Unfunded Mandates Reform Act of 1995 to ensure that actions taken by regulatory agencies are subject to that Act, and for other purposes; with an amendment (Rept. 112-483, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 3433. A bill to amend title 31, United States Code, to provide transparency and require certain standards in the award of Federal grants, and for other purposes; with amendments (Rept. 112-484). Referred to the Committee of the Whole House on the state of the Union.

[Filed on May 17 (legislative day of May 16), 2012]

Mr. BISHOP of Utah: Committee on Rules. House Resolution 661. Resolution providing for further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112-485). Referred to the House Calendar.

¶62.32 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Rules, the Budget, and the Judiciary discharged from further consideration. H.R. 373 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶62.33 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SCHAKOWSKY (for herself, Mr. ELLISON, Mr. FARR, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mr. LANGEVIN, Ms. NORTON, and Ms. RICHARDSON):

H.R. 5781. A bill to require all newly constructed, federally assisted, single-family houses and town houses to meet minimum standards of visitability for persons with disabilities; to the Committee on Financial Services.

By Ms. WATERS:

H.R. 5782. A bill to suspend temporarily the duty on certain plastic device book style covers; to the Committee on Ways and Means.

By Ms. WATERS:

H.R. 5783. A bill to suspend temporarily the duty on certain textile device book style

covers; to the Committee on Ways and Means.

By Ms. WATERS:

H.R. 5784. A bill to suspend temporarily the duty on certain textile device covers and stands; to the Committee on Ways and Means.

By Ms. WATERS:

H.R. 5785. A bill to suspend temporarily the duty on certain plastic device covers and stands; to the Committee on Ways and Means.

By Mr. DOLD:

H.R. 5786. A bill to suspend temporarily the duty on -Phenyl-7-(4,4,5,6-tetrahydro-1,3,2-dioxaborolan-2-yl)-quinoline (OSIP-690520, quinolone boronate); to the Committee on Ways and Means.

By Mr. JONES:

H.R. 5787. A bill to provide for congressional oversight of United States agreements with the Government of Afghanistan; to the Committee on Foreign Affairs.

By Mr. REICHERT (for himself, Mr. LARSEN of Washington, Ms. HERRERA BEUTLER, Mr. HASTINGS of Washington, Mrs. McMORRIS RODGERS, Mr. DICKS, Mr. McDERMOTT, and Mr. SMITH of Washington):

H.R. 5788. A bill to designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the "National Park Ranger Margaret Anderson Post Office"; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Ms. DELAURO, Ms. SCHAKOWSKY, Mr. FILER, and Mr. CARNAHAN):

H.R. 5789. A bill to authorize the Secretary of Agriculture to implement a certain interim final or final rule regarding nutrition programs under the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 5790. A bill to provide for the transfer of the United States Postal Service surplus with respect to certain retirement benefits, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FLAKE:

H.R. 5791. A bill to provide for reasonable and necessary access to Wilderness Areas for the restoration of water sources, supplies, or infrastructure during a state of emergency declared by the Governor of a State; to the Committee on Natural Resources.

By Ms. LORETTA SANCHEZ of California:

H.R. 5792. A bill to require a report on implementation of a termination of the ground combat exclusion policy for female members of the Armed Forces; to the Committee on Armed Services.

By Ms. BASS of California (for herself, Mr. ANDREWS, Mrs. BACHMANN, Mr. BARTLETT, Ms. BERKLEY, Mr. BISHOP of New York, Mrs. BLACK, Mrs. BLACKBURN, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. COOPER, Mr. CONYERS, Mr. COSTA, Mr. COSTELLO, Mr. COURTNEY, Mr. CRITZ, Mr. CROWLEY, Mr. DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Mr. DOGGETT, Mr. FATAH, Mr. GRIJALVA, Mr. GRIMM, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mrs. HARTZLER, Mr. HASTINGS of Florida, Ms. HIRONO, Mr. HOLDEN, Mr. HOYER, Mr. HUELSKAMP, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Illinois, Ms.

EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LATHAM, Ms. LEE of California, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARINO, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. McGOVERN, Ms. MOORE, Mr. MORAN, Mrs. MYRICK, Mr. NUNNELLEE, Mr. OLVER, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Mr. PETERSON, Mr. PLATTS, Mr. POLIS, Mr. RANGEL, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. SCHILLING, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL, Mr. STARK, Mr. THOMPSON of California, Ms. TSONGAS, Mr. WALZ of Minnesota, Ms. WILSON of Florida, Ms. WOOLSEY, and Mr. YARMUTH):

H. Res. 659. A resolution recognizing the goals and ideals of National Foster Care Month; to the Committee on Ways and Means.

By Mr. PALLONE:

H. Res. 660. A resolution expressing support for designation of December 12, 2012, as Foster Children's Day; to the Committee on Oversight and Government Reform.

¶62.34 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

206. The SPEAKER presented a memorial of the Senate of the State of Idaho, relative to Senate Joint Memorial No. 104 requesting that the President and the Congress reverse and reject the HHS regulation so that those who sponsor, purchase and issue health insurance plans should not be forced to violate their deeply held moral and religious convictions; to the Committee on Energy and Commerce.

207. Also, a memorial of the Senate of the State of Idaho, relative to Senate Joint Resolution No. 103 urging the Congress to endorse and enact a Community Forest Trust pilot for Idaho; jointly to the Committees on Agriculture and Natural Resources.

208. Also, a memorial of the Senate of the State of Idaho, relative to Senate Joint Memorial No. 105 urging the Congress to reexamine, reform and reauthorize the Endangered Species Act; jointly to the Committees on Natural Resources and the Judiciary.

¶62.35 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 451: Mr. JOHNSON of Ohio and Mr. PRICE of Georgia.
 H.R. 595: Mr. MICHAUD.
 H.R. 639: Ms. BUERKLE.
 H.R. 733: Mr. LARSEN of Washington and Mr. WOMACK.
 H.R. 780: Ms. MATSUI.
 H.R. 835: Mr. LARSEN of Washington.
 H.R. 860: Mr. HECK.
 H.R. 904: Mrs. BACHMANN.
 H.R. 973: Mr. UPTON.
 H.R. 1044: Ms. ESHOO.
 H.R. 1051: Mr. HALL.
 H.R. 1066: Mr. NADLER.
 H.R. 1085: Mr. SCHIFF.
 H.R. 1283: Mr. GRIJALVA.
 H.R. 1327: Mr. RENACCI, Mr. STUTZMAN, Mr. DOLD, Mr. HUNTER, Mrs. ELLMERS, Mrs. NOEM, Mr. SCHILLING, Mr. BARLETTA, Mr. MARINO, Mr. SULLIVAN, Mr. WHITFIELD, Mr. TERRY, Mr. ADERHOLT, Mr. REED, Mr. CULBERSON, Mr. COBLE, Mr. GIBSON, Mr. BROOKS, Mr. HERGER, Mr. FINCHER, Mr. FLEISCHMANN, and Mr. YOUNG of Alaska.

H.R. 1340: Mr. HUELSKAMP.

H.R. 1370: Mr. BUCHANAN and Mr. CAMPBELL.

H.R. 1394: Ms. HIRONO, Mr. MARINO, Ms. TSONGAS, Mr. McGOVERN, Mr. DOYLE, Mr. THOMPSON of California, Ms. BALDWIN, Mrs. CAPPS, Mr. VAN HOLLEN, Mr. McDERMOTT, Mr. LUJÁN, Ms. DEGETTE, and Mr. NADLER.

H.R. 1404: Mr. RANGEL.

H.R. 1410: Mr. BARTON of Texas.

H.R. 1418: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1426: Mr. JONES and Mrs. MCCARTHY of New York.

H.R. 1478: Mr. PAULSEN.

H.R. 1498: Mr. ROTHMAN of New Jersey, Mr. HIGGINS, Mr. LOBIONDO, Mr. KING of New York, and Mr. TONKO.

H.R. 1546: Mr. JONES, Mr. PRICE of North Carolina, and Mr. TERRY.

H.R. 1581: Mr. ROHRBACHER, Mr. ROONEY, and Mrs. BIGGERT.

H.R. 1639: Mr. CLAY and Mr. QUAYLE.

H.R. 1653: Mr. HECK.

H.R. 1666: Ms. DEGETTE.

H.R. 1675: Ms. SEWELL, Mr. CLEAVER, Mr. SMITH of New Jersey, Mr. PASTOR of Arizona, Mr. BISHOP of New York, Mr. AMODEI, and Mr. PETERSON.

H.R. 1697: Mr. THORNBERRY.

H.R. 1733: Mr. COHEN.

H.R. 1756: Ms. DELAURO.

H.R. 1792: Ms. PINGREE of Maine.

H.R. 1802: Mr. MURPHY of Pennsylvania, Mr. BOSWELL, and Mr. PLATTS.

H.R. 1842: Ms. KAPTUR.

H.R. 1860: Mr. SCHOCK and Ms. WILSON of Florida.

H.R. 1955: Ms. ROS-LEHTINEN.

H.R. 1956: Mr. RENACCI.

H.R. 1957: Mr. JOHNSON of Georgia and Mr. HECK.

H.R. 1964: Mr. HURT.

H.R. 2030: Mr. ALTMIRE, Mr. RANGEL, Mr. NADLER, and Ms. DELAURO.

H.R. 2051: Mr. FRELINGHUSEN.

H.R. 2065: Mr. JOHNSON of Georgia and Mr. CLARKE of Michigan.

H.R. 2077: Mr. MCCLINTOCK.

H.R. 2104: Mr. ENGEL, Ms. LINDA T. SANCHEZ of California, Mr. DOYLE, Mr. CARNAHAN, Mr. COURTNEY, and Mr. ROKITA.

H.R. 2123: Mr. CONNOLLY of Virginia.

H.R. 2139: Mr. ADERHOLT.

H.R. 2238: Ms. DELAURO.

H.R. 2299: Mr. KINGSTON.

H.R. 2310: Mr. SCHIFF.

H.R. 2359: Ms. PINGREE of Maine.

H.R. 2492: Mr. WILSON of South Carolina and Mr. LEVIN.

H.R. 2514: Mr. SCOTT of South Carolina.

H.R. 2569: Mr. ROKITA.

H.R. 2637: Mr. HONDA.

H.R. 2672: Mr. BRUN of Georgia, Mr. LATTA, and Mr. PAUL.

H.R. 2721: Mr. CUELLAR and Mr. WELCH.

H.R. 2746: Ms. MCCOLLUM and Ms. NORTON.

H.R. 2780: Ms. BERKLEY.

H.R. 2787: Ms. MCCOLLUM.

H.R. 2866: Mr. DINGELL.

H.R. 2874: Mr. RIBBLE.

H.R. 2888: Mr. RANGEL.

H.R. 2902: Mr. HONDA.

H.R. 2978: Mr. AMODEI.

H.R. 2985: Mr. ISSA.

H.R. 3087: Mr. SCHOCK.

H.R. 3125: Mr. THOMPSON of California, Ms. LEE of California, and Ms. MATSUI.

H.R. 3173: Mr. HIGGINS and Ms. LORETTA SANCHEZ of California.

H.R. 3187: Mr. HALL, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. BARTON of Texas, Mr. KING of Iowa, Ms. BONAMICI, Mr. CONNOLLY of Virginia, Ms. GRANGER, and Mr. HIGGINS.

H.R. 3200: Mr. DENT.

H.R. 3238: Mr. SCOTT of Virginia.

H.R. 3288: Mr. POLIS.

H.R. 3308: Mr. SCOTT of South Carolina.

H.R. 3337: Mr. MCGOVERN.
 H.R. 3444: Mr. BROOKS.
 H.R. 3497: Ms. BROWN of Florida, Mr. JONES, Mr. WALDEN, Ms. NORTON, Mr. NEAL, Mr. CLAY, Mr. KING of New York, and Mr. CRITZ.
 H.R. 3506: Mr. ANDREWS, Ms. DEGETTE, and Ms. PINGREE of Maine.
 H.R. 3541: Mr. GOSAR.
 H.R. 3591: Mr. TONKO, Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, and Mr. HOLDEN.
 H.R. 3596: Mr. SCOTT of Virginia, Mr. RANGEL, and Mr. NEAL.
 H.R. 3627: Ms. MATSUI and Mr. MORAN.
 H.R. 3643: Mr. MARCHANT and Mr. DENT.
 H.R. 3661: Mr. BACA, Mr. FILNER, Ms. ESHOO, Mr. JACKSON of Illinois, Mr. LUJÁN, Mr. HIGGINS, and Mr. BOSWELL.
 H.R. 3668: Mrs. LUMMIS, Mr. GERLACH, Mr. YODER, Mr. STIVERS, Mr. CULBERSON, Mr. SMITH of New Jersey, Mr. KING of New York, Mr. MCCAUL, Mr. DANIEL E. LUNGREN of California, Mr. GOWDY, Mr. ROSKAM, Mr. TIPTON, Mr. WHITFIELD, Mr. MARINO, Mr. JOHNSON of Ohio, Mr. KELLY, Mr. BARLETTA, Mr. ISSA, Mr. YOUNG of Florida, Mr. KINZINGER of Illinois, Mr. GRIMM, Mr. GUTHRIE, and Mr. BURGESS.
 H.R. 3679: Mr. YARMUTH.
 H.R. 3785: Mr. MCCLINTOCK.
 H.R. 3790: Mr. ACKERMAN.
 H.R. 3803: Mr. WHITFIELD, Mr. WEST, Mr. RIGELL, Mr. HENSARLING, Mr. THOMPSON of Pennsylvania, Mr. WITTMAN, Mr. BROOKS, and Mr. HURT.
 H.R. 3839: Mr. CONNOLLY of Virginia and Mr. HEINRICH.
 H.R. 3849: Mr. ADERHOLT and Ms. SEWELL.
 H.R. 3985: Mr. CICILLINE.
 H.R. 4051: Mrs. MCCARTHY of New York and Mr. NUGENT.
 H.R. 4052: Mr. HIGGINS, Mr. GENE GREEN of Texas, Mr. CASSIDY, Mr. CULBERSON, Ms. CHU, and Mr. JACKSON of Illinois.
 H.R. 4066: Mr. ROSS of Florida.
 H.R. 4070: Mr. SOUTHERLAND.
 H.R. 4077: Mr. COSTA.
 H.R. 4095: Mr. CONNOLLY of Virginia.
 H.R. 4124: Mr. DONNELLY of Indiana.
 H.R. 4134: Mr. COSTA, Mr. CHANDLER, Mr. CARTER, and Mr. TERRY.
 H.R. 4155: Mr. MICHAUD.
 H.R. 4160: Mr. ROE of Tennessee.
 H.R. 4192: Mr. HONDA.
 H.R. 4202: Ms. SCHAKOWSKY, Mr. ROTHMAN of New Jersey, Mr. SCHIFF, Mr. ROSS of Arkansas, and Mr. SHERMAN.
 H.R. 4210: Mr. BUTTERFIELD and Ms. WILSON of Florida.
 H.R. 4227: Mr. MURPHY of Connecticut, Ms. SCHAKOWSKY, and Mr. BISHOP of New York.
 H.R. 4229: Mr. CLARKE of Michigan, Mr. CANSECO, Mr. PLATTS, Mr. WALDEN, and Mr. FINCHER.
 H.R. 4235: Mr. BILIRAKIS.
 H.R. 4256: Mr. MCCLINTOCK.
 H.R. 4269: Mr. LATTA.
 H.R. 4271: Mr. HEINRICH and Mr. LEVIN.
 H.R. 4295: Mrs. MYRICK.
 H.R. 4323: Mr. GRIMM.
 H.R. 4327: Mr. BENISHEK.
 H.R. 4342: Mr. JACKSON of Illinois.
 H.R. 4362: Ms. LINDA T. SÁNCHEZ of California, Mr. DEUTCH, Mr. RIVERA, and Mr. GALLEGLY.
 H.R. 4367: Mr. QUIGLEY and Mr. LANKFORD.
 H.R. 4377: Mr. GRIFFIN of Arkansas and Mr. POE of Texas.
 H.R. 4402: Mr. BISHOP of Utah.
 H.R. 4471: Mr. TERRY, Mr. LANCE, Mr. STEARNS, Mr. HARPER, Mr. MCKINLEY, Mr. KINZINGER of Illinois, and Mr. SULLIVAN.
 H.R. 4480: Mr. HARPER.
 H.R. 4643: Mr. LONG and Mr. NEAL.
 H.R. 4816: Mr. KEATING and Ms. MATSUI.
 H.R. 4818: Mr. SOUTHERLAND.
 H.R. 4933: Ms. BALDWIN.
 H.R. 5303: Mr. WALSH of Illinois.
 H.R. 5331: Mr. HONDA, Mr. RANGEL, Mr. STARK, and Ms. ROYBAL-ALLARD.

H.R. 5542: Mr. CICILLINE.
 H.R. 5615: Ms. DELAURO.
 H.R. 5646: Mr. BURTON of Indiana, Mr. POMPEO, Mr. CANSECO, Mr. SMITH of New Jersey, Mr. LATTA, Mr. ROE of Tennessee, Mr. WALBERG, Mr. GINGREY of Georgia, Mr. LIPINSKI, Mr. MARCHANT, and Mr. JONES.
 H.R. 5684: Mr. RANGEL and Mr. MCGOVERN.
 H.R. 5707: Ms. CASTOR of Florida, Mr. FRANK of Massachusetts, and Mr. POLIS.
 H.R. 5710: Mrs. ELLMERS, Mr. HUIZENGA of Michigan, and Mr. SCOTT of South Carolina.
 H.R. 5713: Mr. JONES.
 H.R. 5719: Mr. MEEKS.
 H.R. 5738: Mr. DINGELL.
 H.R. 5740: Ms. WATERS.
 H.R. 5741: Ms. BERKLEY and Mr. VAN HOLLEN.
 H.R. 5748: Mr. MORAN.
 H.R. 5750: Mr. DEUTCH.
 H.J. Res. 13: Mr. LIPINSKI.
 H.J. Res. 45: Mr. MCINTYRE.
 H.J. Res. 47: Mr. HOYER.
 H.J. Res. 81: Mr. BAILEY of Iowa.
 H.J. Res. 108: Mr. DIAZ-BALART.
 H. Con. Res. 101: Mr. GRAVES of Missouri.
 H. Con. Res. 122: Mr. BARTON of Texas and Mr. MARCHANT.
 H. Res. 25: Mr. DONNELLY of Indiana and Mr. MATHESON.
 H. Res. 134: Mr. KEATING and Mr. ROHR-ABACHER.
 H. Res. 282: Mr. FRANKS of Arizona.
 H. Res. 298: Mr. COOPER.
 H. Res. 568: Mr. DAVIS of Illinois.
 H. Res. 604: Mr. BARTON of Texas.
 H. Res. 609: Mr. ELLISON.
 H. Res. 618: Mr. NADLER and Mr. PETERSON.
 H. Res. 644: Mr. STIVERS.
 H. Res. 647: Mr. WAXMAN, Mr. BERMAN, Mr. DEUTCH, Mr. CARNAHAN, Mr. NADLER, Mr. ENGEL, Mr. ACKERMAN, Mr. HASTINGS of Florida, Mr. FRANK of Massachusetts, and Ms. BERKLEY.
 H. Res. 650: Mr. BLUMENAUER and Mr. TIERNY.

H. Res. 654: Ms. CHU, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, and Mr. JACKSON of Illinois.

¶62.36 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

44. The SPEAKER presented a petition of the City of Lauderdale Lakes, Florida, relative to Resolution No. 2012-38 expressing condolences to the family of Trayvon Martin; to the Committee on the Judiciary.

45. Also, a petition of the Town of New Shoreham, Rhode Island, relative to Resolution condemning in no uncertain terms Section 1021 of the 2012 NDAA; jointly to the Committees on Armed Services and Foreign Affairs.

¶62.37 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4103: Mr. BENISHEK.
 H. Con. Res. 107: Mr. GRIJALVA.

THURSDAY, MAY 17, 2012 (63)

¶63.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. SHIMKUS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 May 17, 2012.

I hereby appoint the Honorable JOHN SHIMKUS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶63.2 RECESS—11:12 A.M.

The SPEAKER pro tempore, Ms. BUERKLE, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 12 minutes a.m., until noon.

¶63.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶63.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 16, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶63.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6048. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Quinalofop Ethyl: Pesticide Tolerances [EPA-HQ-OPP-2010-1018; FRL-9340-5] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6049. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the Hawaii State Implementation Plan, Minor New Source Review Program [EPA-R09-OAR-2012-0213; FRL-9661-6] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6050. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Toxics Release Inventory (TRI) Reporting for Facilities Located in Indian Country and Clarification of Additional Opportunities Available to Tribal Governments under the TRI Program [EPA-HQ-OEI-2011-0196; 9660-9] (RIN: 2025-AA31) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6051. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; North Carolina; Annual Emissions Reporting [EPA-R04-OAR-2009-0140(b); FRL-9662-3] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6052. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Alabama: Removal of State Low-Reid Vapor Pressure Requirement for the Birmingham Area [EPA-R04-OAR-2012-0118; FRL-9662-4] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6053. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Atlanta; Ozone 2002 Base Year Emissions Inventory [EPA-R04-OAR-2010-0021(a); FRL-9662-1] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6054. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Regional Haze State Implementation Plan [EPA-R04-OAR-2009-0786; FRL-9663-6] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6055. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Change of Address for Region 4, State and Local Agencies; Technical Correction [FRL-9660-3] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6056. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Condition-Monitoring Techniques for Electric Cables Used in Nuclear Power Plants, Regulatory Guide 1.218 received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6057. A letter from the Special Inspector General for Iraq Reconstruction, transmitting seventh lessons learned report entitled "Iraq Reconstruction: Lessons Learned from Investigations"; to the Committee on Foreign Affairs.

6058. A communication from the President of the United States, transmitting notification that an executive order has been issued declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of certain members of the Government of Yemen and others to threaten Yemen's peace, security, and stability; (H. Doc. No. 112-109); to the Committee on Foreign Affairs and ordered to be printed.

6059. A letter from the Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6060. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting a report on the progress of implementing the provisions of the Family Court Act; to the Committee on the Judiciary.

6061. A letter from the Administrator, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded \$5 million for the cost of response and recovery efforts for FEMA-3335-EM, in the State of Maryland, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

6062. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Multiple Domestic, Alaskan, and Hawaiian Compulsory Reporting Points [Docket No.: FAA-2012-0129; Airspace Docket No. 12-AWA-1] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6063. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Brooksville, FL

[Docket No.: FAA-2012-0013; Airspace Docket No. 12-ASO-13] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6064. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Bellefonte, PA [Docket No.: FAA-2011-1337; Airspace Docket No. 11-AEA-23] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6065. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Area Navigation Route T-288; WY [Docket No.: FAA-2011-1193; Airspace Docket No. 11-ANM-14] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6066. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, TN [Docket No.: FAA-2011-0591; Airspace Docket No. 11-ASO-26] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6067. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Jacksonville, NC [Docket No.: FAA-2011-0556; Airspace Docket No. 11-ASO-21] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6068. A letter from the Special Inspector General for Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) April 2012 Quarterly Report; jointly to the Committees on Foreign Affairs and Appropriations.

¶63.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶63.7 MESSAGE FROM THE PRESIDENT— NATIONAL EMERGENCY WITH RESPECT TO BURMA

The SPEAKER pro tempore, Mrs. MILLER of Michigan, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Burma that was declared on May 20, 1997, is to continue in effect beyond May 20, 2012.

The Burmese government has made progress in a number of areas including releasing hundreds of political prisoners, pursuing cease-fire talks with several armed ethnic groups, and pursuing a substantive dialogue with Burma's leading pro-democracy opposition party. The United States is committed to supporting Burma's reform effort,

but the situation in Burma continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Burma has made important strides, but the political opening is nascent, and we continue to have concerns, including remaining political prisoners, ongoing conflict, and serious human rights abuses in ethnic areas. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma and to maintain in force the sanctions that respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, May 17, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-110).

¶63.8 PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4310

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 661):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. No further general debate shall be in order.

SEC. 2. (a) In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112 22. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided

and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Pending consideration of said resolution,

¶63.9 POINT OF ORDER

Mr. LARSON of Connecticut, made a point of order against consideration of the resolution, and said:

"Madam Speaker, I make a point of order against the consideration of the resolution. The resolution violates clause 9 of rule XXI by waiving that rule against consideration of amendment no. 1 by Mr. McKEON."

The SPEAKER pro tempore, Mrs. MILLER of Michigan, responded to the point of order, and said:

"The gentleman from Connecticut makes a point of order that the resolution violates clause 9(c) of rule XXI.

"Under clause 9(c) of rule XXI, the gentleman from Connecticut and the gentleman from Utah each will control 10 minutes of debate on the question of consideration.

"After that debate, the Chair will put the question of consideration."

Mr. LARSON of Connecticut, was further recognized and said:

"I rise to speak on behalf of so many families of our men and women in service who are in need of our help. I'm proud to be joined on the floor this afternoon by my dear friend and colleague, Walter JONES.

"I think, Madam Speaker, what we have here is just simply—as the line from 'Cool Hand Luke' says—a failure to communicate. These things can happen. But I know that there are honorable people on both sides who are in agreement with the plight of what happens to the Kenyon family, that I have pictured here. I use this picture and rise on their behalf because these are constituents of mine who brought to my attention a concern that while men and women deployed in our armed services—and in this case, Sergeant Major William Kenyon, deployed twice while his daughter, Rachel, deals with autism.

"Autism is near epidemic in this country, and for military families especially, when someone is abroad in the service of their country, it's hard enough when two parents are at home to deal with autism, but it's even more

complicated when a father or mother is away from their child. And so we heard from thousands of family members across this Nation, and in the process we learned how important this was.

"What they seek is applied behavior analysis, which, unfortunately for them, there's a cap that's placed on this. Imagine you're the mother at home. This loving mother, Rachel, with her daughter, Rachel Margaret, with caps imposed on them, can't afford or can't get the service.

"This amendment is simple and straightforward and has been accepted by the committee. And what happened in the process—and this is why I say that there is miscommunication—is that when the agreed pay-for was asked to be modified, it indeed was, but there was a miscommunication between Rules and the committee.

"I know in my heart that not only Mr. JONES, Mr. BISHOP, who is here, Mr. SESSIONS, who's part of the committee and the Caucus on Autism, and the number of like-minded people in both caucuses care deeply about these results.

"As we approach Memorial Day, certainly we want the message to be to our men and women in the field that we will leave no soldier behind on the battlefield. We also have to know that we will leave no child behind at home.

"This is a compelling case that the Kenyons make on behalf of all Americans—men and women who serve in our military—and one that has been underscored by my dear friend in his experience at Camp Lejeune."

Mr. JONES was recognized to speak to the point of order and said:

"I want to say to both parties, he is exactly right. I have Camp Lejeune Marine Base in my district. The last 4 years I've met two different times with Marine husbands and wives and their children with autism. It is a serious problem. And as Mr. LARSON has said, this was fixed, but somewhere along the way the communication breaks down, like it does too often here in Washington.

"As Mr. LARSON said, let's try to fix this problem today. Let's get it in the base bill. Let's send it over to the Senate on behalf of all of our men and women in uniform and the families who have children with autism.

"Please, God, let us fix this for those families."

Mr. LARSON of Connecticut, was further recognized and said:

"This is a pretty remarkable family. And about a month ago I was in New York City on the Intrepid where we heard from several military families, families in general that are dealing with the issue of autism. So many like-minded people in this caucus, and frankly in this Congress, understand the predicament that the Kenyons face.

"Imagine, Sergeant Major Kenyon, having done two tours of duty in Afghanistan. I rise today on behalf of him and his daughter, who only ask of this Congress what I know everyone would like to deliver on. We can't let a

miscommunication stand between their getting the relief that they and so many American families need.

"I would hope, and I'm told through our process that because, as the resolution was read, that because Chairman McKEON has en bloc capability, that we are able to work out something and have this amendment as it was intended, as it was agreed to in the process, and as the corrections were made that were asked of the majority so that it could be made in order and placed en bloc, that this may occur for this family and the thousands others that are like them.

"I ask my colleague from Utah, a man of great distinction—and I don't know that he will use his 10 minutes or if we could enter into a colloquy—as to how we might proceed on this."

Mr. BISHOP of Utah, was recognized to speak to the point of order and said:

"Would you like to start the colloquy, because I really don't have the best answer for you right now."

Mr. LARSON of Connecticut, was further recognized and said:

"It is my hope and understanding that this may not be a remedy that we can have through the Rules Committee, and rather than put the body through a series of votes, if we could work with the committee and the committee of cognizance, the Armed Services Committee, I know that Ranking Member SMITH is here and certainly will work with and strive to correct this anomaly that has occurred, and I believe that like-minded people on both sides of the aisle want to see this succeed."

Mr. BISHOP of Utah, was further recognized and said:

"There are a couple of different levels on which we need to respond. I have the utmost respect for the gentleman from Connecticut, as well as the gentleman from North Carolina, on this issue. I have a great deal of empathy on this issue. There is the technical approach about which this rule deals, as well as the potential of how we can actually solve the problem, and those are two different concepts. I think you alluded to that fact.

"The first one, as to the specifics of this, and as I would then obviously claim the time in favor of the consideration of the resolution, the question before the House is: 'Should the House now consider House Resolution 661?' And while the resolution waives all points of order against the amendment in the nature of a substitute and the amendment printed in the Rules Committee report, the committee is not aware of any points of order and the waivers are prophylactic in nature, which means Chairman McKEON has filed an earmark statement regarding his manager's amendment and the statement we will read at some time in the future.

"There is the ability, though, of obviously trying to find a solution to a problem that has developed, whether it is from miscommunication or not. From my position as managing this

particular rule, I cannot commit to that. But I am aware, and I am sure that the committee is obviously recognizing the fact that we have multiple steps as we go forward. The Senate still has to produce a piece of work, and it has to go to a conference committee. At any of those steps along the way, there is the opportunity of trying to find a good solution to this particular issue. Though I cannot make a commitment on my part at this time, I think we can talk about that in the future.”

Mr. LARSON of Connecticut, was further recognized and said:

“I thank the gentleman from Utah. I know that he is a man of great integrity and respect, and I understand the dilemma that he is placed in in terms of the Rules Committee.

“It is my understanding and hope, and we will work with the committee of cognizance because we do think, with so many people having signed on to this bill and so many people watching and knowing that there was good-faith agreements on all sides—and this is not about finger-pointing or blame. This is about helping these kids out. It’s about helping these families out. I’m not here to obstruct the process, you’re right. I raised the point of order so I would have an opportunity to talk about the Kenyons, not about the point of order. But that’s the only tool that I had available to me, and I will continue to proceed down the road. And I know that I will be joined by Members on both sides, and hopefully we can have the will of the House be known and not rely on the Senate in the process of conference.”

Mr. BURTON of Indiana, was recognized to speak to the point of order and said:

“When I was chairman of Government Reform and Oversight, we had hearings for about 2 years on the autism issue. And while I’m not going to speak on this particular motion, I would just like to say that it is a real tragedy that we are facing in this country. We used to have one in 10,000 people that were autistic—kids—and now it is 1 in 88. It is an absolute epidemic, and there’s really not much of a recourse for the parents. These kids are going to live a normal life expectancy, and it’s going to cost the taxpayers of this country and all the States a ton of money. And so we have to get a handle on this as quickly as possible.

“So I appreciate the gentleman raising the issue. I’m not going to be able to support his position, but if I can work with you in any way to deal with this problem, I hope you’ll contact me.”

Mr. BISHOP of Utah, was further recognized and said:

“Madam Speaker, at this time, I am limited in the kinds of responses I have here. Once again, I appreciate the gentleman from Connecticut bringing this issue up. It is a significant issue. We have a great deal of empathy for this particular issue, and I’m sure that as we go along through the process of this

bill, this issue and some others may be able to be worked out in other venues.

“At this stage of the game, though, there are certain restrictions procedurally on what we can and cannot do with this particular issue. This issue, as I said, has had the statement by Chairman MCKEON as to the amendments. His statement was simply as follows:

‘The amendments to be offered by Representative MCKEON to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 under rule XXI.’

“So with that, there are certain restrictions which we have to do procedurally to go forward with this particular piece of legislation, realizing there are other discussions that will take place before we come to a final conclusion. So in order to allow the House to continue its scheduled business for the day, I would urge Members to vote ‘yes’ on the question of consideration of this resolution so that we can continue on with the 141 amendments that were made in order and then talk about procedurally how to do some others that may be coming down at some other time.”

After debate,
The question being put, viva voce,
Will the House now consider the resolution?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

So the House decided to consider said resolution.

A motion to reconsider the vote whereby the House decided to consider said resolution was, by unanimous consent, laid on the table.

Accordingly,
When said resolution was considered.

After debate,
Mr. BISHOP of Utah, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,
Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 236
affirmative } Nays 182

¶63.10 [Roll No. 259]

YEAS—236

Adams	Bartlett	Black
Aderholt	Barton (TX)	Blackburn
Akin	Bass (NH)	Bonner
Alexander	Benishek	Bono Mack
Amash	Berg	Boustany
Austria	Biggart	Brady (TX)
Bachmann	Bilbray	Brooks
Bachus	Billirakis	Broun (GA)
Barletta	Bishop (UT)	Buchanan

Bucshon	Hayworth	Poe (TX)
Buerkle	Heck	Pompeo
Burgess	Hensarling	Posey
Burton (IN)	Hergert	Price (GA)
Calvert	Herrera Beutler	Quayle
Camp	Huelskamp	Reed
Campbell	Huizenga (MI)	Rehberg
Canseco	Hultgren	Reichert
Cantor	Hunter	Renacci
Capito	Hurt	Ribble
Carter	Jenkins	Rigell
Cassidy	Johnson (IL)	Rivera
Chabot	Johnson (OH)	Roby
Chaffetz	Johnson, Sam	Roe (TN)
Coble	Jordan	Rogers (AL)
Coffman (CO)	Kelly	Rogers (KY)
Cole	King (IA)	Rogers (MI)
Conaway	King (NY)	Rohrabacher
Cravaack	Kingston	Rokita
Crawford	Kinzinger (IL)	Rooney
Crenshaw	Kline	Ros-Lehtinen
Culberson	Labrador	Roskam
Davis (KY)	Lamborn	Ross (AR)
Denham	Lance	Ross (FL)
Dent	Landry	Royce
DesJarlais	Lankford	Ryunan
Diaz-Balart	Latham	Ryan (WI)
Dold	LaTourette	Schilling
Donnelly (IN)	Latta	Schmidt
Dreier	Lewis (CA)	Schock
Duffy	LoBiondo	Schweikert
Duncan (SC)	Long	Scott (SC)
Duncan (TN)	Lucas	Scott, Austin
Ellmers	Luetkemeyer	Sensenbrenner
Emerson	Lummis	Sessions
Farenthold	Lungren, Daniel	Shimkus
Fincher	E.	Shuster
Fitzpatrick	Mack	Simpson
Flake	Manzullo	Smith (NE)
Fleischmann	Marchant	Smith (NJ)
Fleming	Marino	Smith (TX)
Flores	Matheson	Stearns
Forbes	McCarthy (CA)	Stivers
Fortenberry	McCauley	Stutzman
Fox	McClintock	Sullivan
Franks (AZ)	McCotter	Terry
Frelinghuysen	McHenry	Thompson (PA)
Galleghy	McKeon	Thornberry
Gardner	McKinley	Tiberi
Garrett	McMorris	Tipton
Gerlach	Rodgers	Turner (NY)
Gibbs	Meehan	Turner (OH)
Gingrey (GA)	Mica	Upton
Gohmert	Miller (FL)	Walberg
Goodlatte	Miller (MI)	Walden
Gosar	Miller, Gary	Walsh (IL)
Gowdy	Mulvaney	Webster
Granger	Murphy (PA)	West
Graves (GA)	Myrick	Westmoreland
Graves (MO)	Neugebauer	Whitfield
Griffin (AR)	Noem	Wilson (SC)
Griffith (VA)	Nugent	Wittman
Grimm	Nunes	Wolf
Guinta	Olson	Womack
Guthrie	Palazzo	Woodall
Hall	Paulsen	Yoder
Hanna	Pearce	Young (AK)
Harper	Pence	Young (FL)
Harris	Petri	Young (IN)
Hartzler	Pitts	
Hastings (WA)	Platts	

NAYS—182

Ackerman	Chandler	Doyle
Altmire	Chu	Edwards
Andrews	Cicilline	Ellison
Baca	Clarke (MI)	Engel
Baldwin	Clarke (NY)	Eshoo
Barrow	Clay	Farr
Bass (CA)	Cleaver	Fattah
Becerra	Clyburn	Frank (MA)
Berkley	Cohen	Fudge
Berman	Connolly (VA)	Garamendi
Bishop (GA)	Conyers	Gibson
Bishop (NY)	Cooper	Gonzalez
Blumenauer	Costa	Green, Al
Bonamici	Courtney	Green, Gene
Boren	Critz	Grijalva
Boswell	Crowley	Gutierrez
Brady (PA)	Cuellar	Hahn
Braley (IA)	Cummings	Hanabusa
Brown (FL)	Davis (CA)	Hastings (FL)
Butterfield	Davis (IL)	Heinrich
Capps	DeFazio	Higgins
Capuano	DeGette	Himes
Cardoza	DeLauro	Hinchev
Carnahan	Deutch	Hinojosa
Carnahan	Dicks	Hirono
Carson (IN)	Dingell	Hochul
Castor (FL)	Doggett	Holt

Honda	McNerney	Sarbanes	Coffman (CO)	Johnson (IL)	Quayle	Kaptur	Murphy (CT)	Schiff
Hoyer	Meeks	Schakowsky	Cole	Johnson (OH)	Reed	Keating	Nader	Schrader
Israel	Michaud	Schiff	Conaway	Johnson, Sam	Rehberg	Kildee	Napolitano	Schwartz
Jackson (IL)	Miller (NC)	Schrader	Cravaco	Jordan	Reichert	Kind	Neal	Scott (VA)
Jackson Lee	Moore	Schwartz	Crawford	Kelly	Renacci	Kucinich	Olver	Scott, David
(TX)	Moran	Scott (VA)	Crenshaw	King (IA)	Ribble	Langevin	Pallone	Serrano
Johnson (GA)	Murphy (CT)	Scott, David	Culberson	King (NY)	Rigell	Larsen (WA)	Pastor (AZ)	Sewell
Johnson, E. B.	Nader	Serrano	Davis (KY)	Kingston	Rivera	Larson (CT)	Paul	Sherman
Jones	Napolitano	Sewell	Denham	Kinzinger (IL)	Roby	Lee (CA)	Pelosi	Sires
Kaptur	Neal	Sherman	Dent	Kissell	Roe (TN)	Levin	Perlmutter	Smith (WA)
Keating	Oliver	Shuler	DesJarlais	Kline	Rogers (AL)	Lewis (GA)	Peters	Speier
Kildee	Owens	Sires	Diaz-Balart	Labrador	Rogers (KY)	Lipinski	Peterson	Stark
Kildee	Pallone	Smith (WA)	Dold	Lamborn	Rogers (MI)	Loebsack	Pingree (ME)	Sutton
Kissell	Pastor (AZ)	Speier	Donnelly (IN)	Lance	Rohrabacher	Lofgren, Zoe	Polis	Thompson (CA)
Kucinich	Paul	Stark	Donnell	Landry	Rokita	Lowe	Price (NC)	Thompson (MS)
Langevin	Pelosi	Stark	Duffy	Lankford	Rooney	Lujan	Quigley	Tierney
Larsen (WA)	Perlmutter	Sutton	Duncan (SC)	Latham	Ros-Lehtinen	Lynch	Rahall	Tonko
Larson (CT)	Peters	Thompson (CA)	Duncan (TN)	LaTourette	Roskam	Maloney	Rangel	Towns
Lee (CA)	Peterson	Thompson (MS)	Ellmers	Latta	Ross (AR)	Markey	Reyes	Tsongas
Levin	Pingree (ME)	Tierney	Emerson	Lewis (CA)	Ross (FL)	Matsui	Richardson	Van Hollen
Lewis (GA)	Polis	Tonko	Farenthold	LoBiondo	Royce	McCarthy (NY)	Richmond	Velázquez
Lipinski	Price (NC)	Towns	Fincher	Long	Runyan	McCollum	Rothman (NJ)	Visclosky
Loebsack	Quigley	Tsongas	Fitzpatrick	Lucas	Ryan (WI)	McDermott	Roybal-Allard	Walz (MN)
Lofgren, Zoe	Rahall	Van Hollen	Flake	Luetkemeyer	Scalise	McGovern	Ruppersberger	Waters
Lowe	Rangel	Velázquez	Fleischmann	Lummis	Schilling	McNerney	Rush	Watt
Lujan	Reyes	Visclosky	Fleming	Lungren, Daniel	Schmidt	Meeks	Ryan (OH)	Waxman
Lynch	Richardson	Walz (MN)	Flores	E.	Schock	Michaud	Sánchez, Linda	Welch
Maloney	Richmond	Waters	Forbes	Mack	Schweikert	Miller (NC)	T.	Wilson (FL)
Markey	Rothman (NJ)	Watt	Fortenberry	Manzullo	Scott (SC)	Moore	Sarbanes	Woolsey
Matsui	Roybal-Allard	Waxman	Fox	Marchant	Scott, Austin	Moran	Schakowsky	Yarmuth
McCarthy (NY)	Ruppersberger	Welch	Franks (AZ)	Marino	Sensenbrenner			
McCollum	Rush	Wilson (FL)	Frelinghuysen	Matheson	Sessions			
McDermott	Ryan (OH)	Woolsey	Gallegly	McCarthy (CA)	Shimkus	Amodei	Miller, George	Wasserman
McGovern	Sánchez, Linda	Yarmuth	Gardner	McCauley	Shuler	Costello	Pascrell	Schultz
McIntyre	T.		Garrett	McClintock	Shuster	Filner	Sanchez, Loretta	
			Gerlach	McCotter	Simpson	Holden	Slaughter	
			Gibbs	McHenry	Smith (NE)			
			Gingrey (GA)	McIntyre	Smith (NJ)			
			Gohmert	McKeon	Smith (TX)			
			Goodlatte	McKinley	Southerland			
			Goodlatte	Gosar	Stearns			
			Gowdy	McMorris	Stivers			
			Granger	Rodgers	Stutzman			
			Graves (GA)	Meehan	Sullivan			
			Graves (MO)	Mica	Terry			
			Griffin (AR)	Miller (FL)	Thompson (PA)			
			Griffith (VA)	Miller (MI)	Thornberry			
			Grimm	Miller, Gary	Tiberi			
			Guinta	Mulvaney	Tipton			
			Guthrie	Murphy (PA)	Turner (NY)			
			Hall	Myrick	Turner (OH)			
			Hanna	Neugebauer	Upton			
			Harper	Noem	Walberg			
			Harris	Nugent	Walden			
			Hartzler	Nunes	Walsh (IL)			
			Hastings (WA)	Nunnelee	Webster			
			Hayworth	Olson	West			
			Heck	Owens	Westmoreland			
			Hensarling	Palazzo	Whitfield			
			Herger	Paulsen	Wilson (SC)			
			Herrera Beutler	Pearce	Wittman			
			Huelskamp	Pence	Wolf			
			Huizenga (MI)	Petri	Womack			
			Hultgren	Pitts	Woodall			
			Hunter	Platts	Yoder			
			Hurt	Poe (TX)	Young (AK)			
			Issa	Pompeo	Young (FL)			
			Jenkins	Posey	Young (IN)			
				Price (GA)				

NOT VOTING—13

Amodei	Miller, George	Slaughter
Costello	Nunnelee	Southerland
Filner	Pascrell	Wasserman
Holden	Sanchez, Loretta	Schultz
Issa	Scalise	

So the previous question on the resolution was ordered.

¶63.11 MOMENT OF SILENCE IN MEMORY OF MEMBERS OF THE UNITED STATES ARMED FORCES IN IRAQ AND AFGHANISTAN

The SPEAKER pro tempore, Mr. GRIMM, announced that all Members stand and observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan and their families, and of all who serve in our Armed Forces and their families.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. GRIMM, announced that the yeas had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 244 Nays 178

¶63.12 [Roll No. 260] AYES—244

Adams	Biggert	Bucshon
Aderholt	Bilbray	Buerkle
Akin	Bilirakis	Burgess
Alexander	Bishop (UT)	Burton (IN)
Amash	Black	Calvert
Austria	Blackburn	Camp
Bachmann	Bonner	Canseco
Bachus	Bono Mack	Cantor
Barletta	Boren	Capito
Bartlett	Boustany	Carter
Barton (TX)	Brady (TX)	Cassidy
Bass (NH)	Brooks	Chabot
Benishek	Broun (GA)	Chaffetz
Berg	Buchanan	Coble

Ackerman	Clarke (MI)	Fattah
Altmire	Clarke (NY)	Frank (MA)
Andrews	Clay	Fudge
Baca	Cleaver	Garamendi
Baldwin	Clyburn	Gibson
Barrow	Cohen	Gonzalez
Bass (CA)	Connolly (VA)	Green, Al
Becerra	Conyers	Green, Gene
Berkley	Cooper	Grijalva
Berman	Costa	Gutierrez
Bishop (GA)	Courtney	Hahn
Bishop (NY)	Critz	Hanabusa
Blumenauer	Crowley	Hastings (FL)
Bonamici	Cuellar	Heinrich
Boswell	Cummings	Higgins
Brady (PA)	Davis (CA)	Himes
Braley (IA)	Davis (IL)	Hinches
Brown (FL)	DeFazio	Hinojosa
Butterfield	DeGette	Hirono
Campbell	DeLauro	Hochul
Capps	Deutch	Holt
Capuano	Dicks	Honda
Cardoza	Dingell	Hoyer
Carnahan	Doggett	Israel
Carmey	Doyle	Jackson (IL)
Carson (IN)	Edwards	Jackson Lee
Castor (FL)	Ellison	(TX)
Chandler	Engel	Johnson (GA)
Chu	Eshoo	Johnson, E. B.
Cicilline	Farr	Jones

NOES—178

Kaptur	Murphy (CT)	Schiff
Keating	Nader	Schrader
Kildee	Napolitano	Schwartz
Kind	Neal	Scott (VA)
Kucinich	Olver	Scott, David
Langevin	Pallone	Serrano
Larsen (WA)	Pastor (AZ)	Sewell
Larson (CT)	Paul	Sherman
Lee (CA)	Pelosi	Sires
Levin	Perlmutter	Smith (WA)
Lewis (GA)	Peters	Speier
Lipinski	Peterson	Stark
Loebsack	Pingree (ME)	Sutton
Lofgren, Zoe	Polis	Thompson (CA)
Lowe	Price (NC)	Thompson (MS)
Lujan	Quigley	Tierney
Lynch	Rahall	Tonko
Maloney	Rangel	Towns
Markey	Reyes	Tsongas
Matsui	Richardson	Van Hollen
McCarthy (NY)	Richmond	Velázquez
McCollum	Rothman (NJ)	Visclosky
McDermott	Roybal-Allard	Walz (MN)
McGovern	Ruppersberger	Waters
McIntyre	Rush	Watt
	Ryan (OH)	Waxman
	Sánchez, Linda	Welch
	T.	Wilson (FL)
	Sarbanes	Woolsey
	Schakowsky	Yarmuth

NOT VOTING—9

Amodei	Miller, George	Wasserman
Costello	Pascrell	Schultz
Filner	Sanchez, Loretta	
Holden	Slaughter	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶63.13 H. RES. 568—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GRIMM, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 568) expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 401 Nays 11 Answered present 9

¶63.14 [Roll No. 261]

YEAS—401

Ackerman	Bishop (GA)	Canseco
Adams	Bishop (NY)	Cantor
Aderholt	Bishop (UT)	Capito
Akin	Black	Capps
Alexander	Blackburn	Capuano
Altmire	Bonamici	Cardoza
Andrews	Bonner	Carnahan
Austria	Bono Mack	Carmey
Baca	Boren	Carson (IN)
Bachmann	Boswell	Carter
Bachus	Boustany	Cassidy
Baldwin	Brady (PA)	Castor (FL)
Barletta	Brady (TX)	Chabot
Barrow	Braley (IA)	Chaffetz
Bartlett	Brooks	Chandler
Barton (TX)	Broun (GA)	Chu
Bass (CA)	Brown (FL)	Cicilline
Bass (NH)	Buchanan	Clarke (MI)
Becerra	Bucshon	Clarke (NY)
Benishek	Buerkle	Clay
Berg	Burgess	Cleaver
Berkley	Burton (IN)	Clyburn
Berman	Butterfield	Coble
Biggert	Calvert	Coffman (CO)
Bilbray	Camp	Cohen
Bilirakis	Campbell	Cole

Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Hoyer
Huelskamp

Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
Kline
Klinder
Labrador
Lamborn
Lance
Landy
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeke
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pallone
Pastor (AZ)

Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schneider
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Walberg
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Posey
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

Upton
Van Hollen
Velazquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)

Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador

NAYS—11

Amash
Blumenauer
Davis (KY)
Duncan (TN)
Kucinich
Lee (CA)
McDermott
Oliver

Paul
Stark
Woolsey

ANSWERED "PRESENT"—9

Conyers
DeFazio
Ellison

McCullum
Moore
Speier

NOT VOTING—10

Amodei
Costello
Filner
Gohmert

Holden
Miller, George
Pascrell
Sanchez, Loretta
Slaughter
Wasserman
Schultz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

63.15 H.R. 5740—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GRIMM, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5740) to extend the National Flood Insurance Program, and for other purposes.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 402 Nays 18

63.16 [Roll No. 262]

YEAS—402

Ackerman
Adams
Aderholt
Akin
Alexander
Altmore
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benicsh
Berg
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell

Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn

Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy

Lamborn
Lance
Landy
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCullum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeke
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Ribble

Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schneider
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Walberg
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Posey
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—18

Amash	Mack	Reed
Broun (GA)	McClintock	Rohrabacher
Duncan (TN)	Miller (MI)	Ross (FL)
Flake	Paul	Sensenbrenner
Franks (AZ)	Petri	Viscosky
Graves (GA)	Quayle	Walsh (IL)

NOT VOTING—11

Amodei	Holden	Schock
Costello	Miller, George	Slaughter
Filner	Pascrell	Wasserman
Hastings (WA)	Sanchez, Loretta	Schultz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

63.17 DEFENSE AUTHORIZATION FY 2013

The SPEAKER pro tempore, Mr. WOODALL, pursuant to House Resolution 661 and rule XVIII, declared the House resolved into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

Mr. YODER, Acting Chairman, assumed the chair; and after some time spent therein,

The Committee rose informally to receive a message from the Senate.

The SPEAKER pro tempore, Mrs. HARTZLER, assumed the Chair.

63.18 MESSAGE FROM THE SENATE

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

H.R. 2415. An Act to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the "Trooper Joshua D. Miller Post Office Building".

H.R. 3220. An Act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the "Master Sergeant Daniel L. Fedder Post Office".

H.R. 3413. An Act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

H.R. 4045. An Act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

H.R. 4119. An Act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

The message also announced that the Senate has passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4849. An Act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

The Committee resumed its sitting; and after some further time spent therein,

63.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in House Report 112-485, submitted by Mr. ROHR-ABACHER:

At the end of subtitle B of title XII of division A of the bill, add the following:

SEC. 12xx. PROHIBITION ON AVAILABILITY OF FUNDS FOR ASSISTANCE FOR PAKISTAN.

Notwithstanding any other provision of this Act, none of the funds authorized to be appropriated by this Act may be used to provide assistance for Pakistan.

It was decided in the { Yeas 84
negative } Nays 335

63.20 [Roll No. 263]

AYES—84

Adams	Gohmert	Petri
Amash	Gowdy	Poe (TX)
Baldwin	Graves (GA)	Posey
Benishek	Green, Gene	Price (GA)
Bilirakis	Herrera Beutler	Reed
Black	Huelskamp	Ribble
Bono Mack	Hultgren	Rigell
Broun (GA)	Hunter	Rohrabacher
Buchanan	Jackson (IL)	Rokita
Cohen	Jenkins	Rooney
Cravaack	Johnson (IL)	Rothman (NJ)
Culberson	Jordan	Royce
Davis (IL)	Keating	Runyan
DeFazio	King (IA)	Rush
Denham	Kinzinger (IL)	Schilling
DesJarlais	Kissell	Schweikert
Doggett	Landry	Scott (SC)
Duffy	LoBiondo	Scott, Austin
Duncan (SC)	Lummis	Sensenbrenner
Duncan (TN)	Lynch	Stark
Farenthold	Mack	Stearns
Fincher	McClintock	Stutzman
Fox	Miller (FL)	Tiberi
Franks (AZ)	Mulvaney	Upton
Garrett	Napolitano	Walsh (IL)
Gerlach	Nugent	Westmoreland
Gibson	Pallone	Woodall
Gingrey (GA)	Paul	Yoder

NOES—335

Ackerman	Brady (TX)	Clyburn
Aderholt	Braley (IA)	Coble
Akin	Brooks	Coffman (CO)
Alexander	Brown (FL)	Cole
Altmire	Bucshon	Conaway
Andrews	Buerkle	Connolly (VA)
Austria	Burgess	Conyers
Baca	Burton (IN)	Cooper
Bachmann	Butterfield	Costa
Bachus	Calvert	Courtney
Barletta	Camp	Crawford
Barrow	Campbell	Crenshaw
Bartlett	Canseco	Critz
Barton (TX)	Cantor	Crowley
Bass (CA)	Capito	Cummings
Bass (NH)	Capps	Davis (CA)
Becerra	Capuano	Davis (KY)
Berg	Carnahan	DeGette
Berkley	Carney	DeLauro
Berman	Carson (IN)	Dent
Bilbray	Carter	Deutch
Bishop (GA)	Cassidy	Diaz-Balart
Bishop (NY)	Castor (FL)	Dicks
Bishop (UT)	Chabot	Dingell
Blackburn	Chaffetz	Dold
Blumenauer	Chandler	Donnelly (IN)
Bonamici	Chu	Doyle
Bonner	Cicilline	Dreier
Boren	Clarke (MI)	Edwards
Boswell	Clarke (NY)	Ellison
Boustany	Clay	Ellmers
Brady (PA)	Cleaver	Emerson

Engel	Latta	Richardson
Eshoo	Lee (CA)	Richmond
Farr	Levin	Rivera
Fattah	Lewis (CA)	Roby
Fitzpatrick	Lewis (GA)	Roe (TN)
Flake	Lipinski	Rogers (AL)
Fleischmann	Loeb sack	Rogers (KY)
Fleming	Lofgren, Zoe	Rogers (MI)
Flores	Long	Ros-Lehtinen
Forbes	Lowe y	Roskam
Fortenberry	Lucas	Ross (AR)
Frank (MA)	Luetkemeyer	Ross (FL)
Frelinghuysen	Lujan	Roybal-Allard
Fudge	Lungren, Daniel E.	Ruppersberger
Gallegly	Maloney	Ryan (OH)
Garamendi	Manzullo	Ryan (WI)
Gardner	Marchant	Sanchez, Linda T.
Gibbs	Marino	Sarbanes
Gonzalez	Markey	Scalise
Goodlatte	Matheson	Schakowsky
Gosar	Matsui	Schiff
Granger	McCarthy (CA)	Schmidt
Graves (MO)	McCarthy (NY)	Schock
Green, Al	McCaul	Schrader
Griffin (AR)	McCollum	Schwartz
Griffith (VA)	McCotter	Scott (VA)
Grijalva	McDermott	Scott, David
Grimm	McGovern	Serrano
Guinta	McHenry	Sessions
Guthrie	McIntyre	Sewell
Gutierrez	McKeon	Sherman
Hahn	McKinley	Shimkus
Hall	McMorris	Shuler
Hanabusa	Rodgers	Shuster
Hanna	McNerney	Simpson
Harper	Meehan	Sires
Harris	Meeke s	Smith (NE)
Hartzler	Mica	Smith (NJ)
Hastings (FL)	Michaud	Smith (TX)
Hastings (WA)	Miller (MI)	Smith (WA)
Hayworth	Miller (NC)	Southerland
Heck	Miller, Gary	Speier
Heinrich	Miller, George	Stivers
Hensarling	Moore	Sullivan
Herger	Moran	Sutton
Higgins	Murphy (CT)	Terry
Himes	Murphy (PA)	Thompson (CA)
Hinche y	Myrick	Thompson (MS)
Hinojosa	Nader	Thompson (PA)
Hirono	Neal	Thornberry
Hochul	Neugebauer	Tierney
Holt	Noem	Tipton
Honda	Nunes	Tonko
Hoyer	Nunnelee	Towns
Huizenga (MI)	Hurt	Tsongas
Hurt	Olver	Turner (NY)
Israel	Owens	Turner (OH)
Issa	Palazzo	Van Hollen
Jackson Lee	Pastor (AZ)	Velázquez
(TX)	Paulsen	Visclosky
Johnson (GA)	Pearce	Walberg
Johnson (OH)	Pelosi	Walden
Johnson, E. B.	Pence	Walz (MN)
Johnson, Sam	Perlmutter	Waters
Jones	Peters	Watt
Kaptur	Peterson	Waxman
Kildee	Pingree (ME)	Webster
Kind	Pitts	Welch
King (NY)	Platts	West
Kingston	Polis	Whitfield
Kline	Pompeo	Wilson (FL)
Kucinich	Price (NC)	Wilson (SC)
Labrador	Quayle	Wittman
Lamborn	Quigley	Wolf
Lance	Rahall	Womack
Langevin	Rangel	Woolsey
Lankford	Rehberg	Yarmuth
Larsen (WA)	Reichert	Young (AK)
Larson (CT)	Renacci	Young (FL)
Latham	Reyes	Young (IN)
LaTourette		

NOT VOTING—12

Amodei	Filner	Slaughter
Biggert	Holden	Wasserman
Cardoza	Kelly	Schultz
Costello	Pascrell	
Cuellar	Sanchez, Loretta	

So the amendment was not agreed to.

63.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 112-485, submitted by Ms. LEE:

At the end of subtitle B of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON FUNDS FOR OPERATIONS OF THE ARMED FORCES IN AFGHANISTAN.

(a) IN GENERAL.—Funds made available to carry out this Act for operations of the Armed Forces in Afghanistan shall be obligated and expended only for purposes of providing for the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to authorize the use of funds for the continuation of combat operations in Afghanistan while carrying out the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan; and

(2) to prohibit or otherwise restrict the use of funds available to any department or agency of the United States to carry out diplomatic efforts or humanitarian, development, or general reconstruction activities in Afghanistan.

It was decided in the { Yeas 113 negative } Nays 303

¶63.22 [Roll No. 264]

AYES—113

- Amah Gutierrez Pallone
Baldwin Hahn Pastor (AZ)
Bass (CA) Hanabusa Paul
Becerra Hastings (FL) Petri
Benishek Higgins Pingree (ME)
Blumenauer Himes Polis
Bonamici Hinchey Quigley
Boswell Hirono Rahall
Brady (PA) Holt Honda
Braley (IA) Campbell Jackson (IL)
Capps Jackson Lee
Capuano (TX)
Carson (IN) Johnson (IL)
Cassidy Johnson, E. B.
Chu Jones
Cicilline Keating
Clarke (MI) Kucinich
Clarke (NY) Larson (CT)
Clay Lee (CA)
Cleaver Lewis (GA)
Cohen Loeb sack
Conyers Lofgren, Zoe
Crowley Maloney
Cummings Markey
Davis (IL) Matsui
DeFazio McClintock
DeGette McDermott
DeLauro McGovern
Doyle Meeke
Duncan (TN) Michaud
Edwards Miller, George
Ellison Moore
Eshoo Moran
Farr Murphy (CT)
Fattah Nadler
Frank (MA) Napolitano
Fudge Neal
Grijalva Oliver

NOES—303

- Ackerman Bilbray Burton (IN)
Adams Bilirakis Butterfield
Aderholt Bishop (GA) Calvert
Akin Bishop (NY) Camp
Alexander Bishop (UT) Canseco
Altmire Black Cantor
Andrews Blackburn Capito
Austria Bonner Carnahan
Baca Bono Mack Carney
Bachmann Boren Carter
Bachus Boustany Castor (FL)
Barletta Brady (TX) Chabot
Barrow Brooks Chaffetz
Bartlett Brown (GA) Chandler
Barton (TX) Brown (FL) Clyburn
Bass (NH) Buchanan Coble
Berg Bucshon Coffman (CO)
Berkley Buerkle Cole
Berman Burgess Conaway

- Connolly (VA)
Cooper
Costa
Courtney
Crawaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffin (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hinojosa
Hochul
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Amodei
Holden
Kaptur
Lewis (CA)
Pascrell
Pence
Sanchez, Loretta
Slaughter
Sullivan
Wasserman
Schultz

NOT VOTING—15

- Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kildee
Kind
King (IA)
King (NY)
Kissell
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richmond
Rigell
Rivera
Robby
Roe (TN)
Ross (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

112-485, submitted by Mr. CONNOLLY of Virginia:

Page 542, after line 19, insert the following:

“(3) A certification of the Secretary of Defense that the Government of Pakistan—

“(A) has opened the Ground Lines of Communication;

“(B) is allowing the transit of NATO supplies through Pakistan into Afghanistan; and

“(C) is supporting retrograde of United States equipment out of Afghanistan.”

It was decided in the { Yeas 412 affirmative } Nays 1

¶63.24 [Roll No. 265]

AYES—412

- Ackerman Connolly (VA) Hahn
Adams Conyers Hanabusa
Aderholt Cooper Hanna
Akin Costa Harper
Alexander Courtney Harris
Altmire Crawford Hartzler
Amash Crenshaw Hastings (FL)
Andrews Critz Hastings (WA)
Austria Crowley Hayworth
Baca Cuellar Heck
Bachmann Culberson Heinrich
Bachus Schilling Hensarling
Baldwin Davis (CA) Herger
Barletta Davis (IL) Herrera Beutler
Barrow Davis (KY) Higgins
Bartlett DeFazio Himes
Barton (TX) DeGette Hinchey
Bass (CA) DeLauro Hinojosa
Bass (NH) Denham Hirono
Becerra Dent Hochul
Benishek Sessions Holt
Berg DesJarlais Honda
Berkley Diaz-Balart Hoyer
Berman Berman Huelskamp
Billbray Dingell Huizenga (MI)
Bilirakis Doggett Hultgren
Bishop (GA) Dold Hunter
Bishop (NY) Donnelly (IN) Hurt
Doyle Israel
Dreier Issa
Duffy Jackson (IL)
Duncan (SC) Jackson Lee
Edwards Duncan (TN)
Ellison Edwards Jenkins
Ellmers Ellison Johnson (GA)
Emerson Ellmers Johnson (IL)
Engel Emerson Johnson (OH)
Eshoo Bustany Johnson, E. B.
Farr Brady (PA) Johnson, Sam
Farr Brady (TX) Jones
Fattah Braley (IA) Jordan
Finger Brooks Kaptur
Fitzpatrick Broun (GA) Keating
Flake Broun (FL) Kelly
Fleischmann Buchanan Kind
Fleming Bucshon King (IA)
Flores Buerkle King (NY)
Forbes Burgess Kingston
Fortenberry Burton (IN) Kinzinger (IL)
Foxy Butterfield Kissell
Frank (MA) Camp Kline
Franks (AZ) Campbell Franks (AZ)
Frelinghuysen Canseco Labradador
Fudge Cantor Lamborn
Gallegly Fudge Lance
Garamendi Capito Langevin
Gardner Capuano Lankford
Garrett Carnahan Garrett
Gerlach Carney Gerlach
Gibbs Carson (IN) Gibb
Gibson Carter LaTourette
Gingrey (GA) Cassidy Latta
Gohmert Castor (FL) Lee (CA)
Gonzalez Chabot Levin
Goodlatte Chaffetz Goodlatte
Gosar Chandler Lewis (CA)
Gowdy Carson (IN) Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
Gutierrez
E.

So the amendment was not agreed to.

¶63.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, printed in House Report

Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pastor (AZ)
Paul
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri

Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions

Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Townes
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walsh (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—1

NOT VOTING—18

Amodei
Biggert
Cardoza
Costello
Cravaack
Filner
Grimm

Hall
Holden
Miller, George
Pascrell
Pence
Sanchez, Loretta
Schilling

Schock
Slaughter
Walberg
Wasserman
Schultz

So the amendment was agreed to.

63.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in House Report 112-485, submitted by Mr. ROONEY:

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

SEC. 10. TRIAL OF FOREIGN TERRORISTS.

After the date of the enactment of this Act, any foreign national, who—

(1) engages or has engaged in conduct constituting an offense relating to a terrorist attacking against persons or property in the United States or against any United States Government property or personnel outside the United States, and

(2) is subject to trial for that offense by a military commission under chapter 47A of title 10, United States Code,

shall be tried for that offense only by a military commission under that chapter.

It was decided in the affirmative { Yeas 249 Nays 171

63.26

[Roll No. 266]

AYES—249

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Berkley
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach

Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
Emerson
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach

Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Peters
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—171

Ackerman
Amash
Andrews
Baca
Baldwin

Bass (CA)
Becerra
Berman
Bishop (GA)
Blumenauer

Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)

Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farenthold
Farr
Fattah
Frank (MA)
Fudge
Gonzalez
Green, Al
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey

Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Gowdy
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pastor (AZ)

Paul
Pelosi
Perlmutter
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Ribble
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—11

Amodei
Biggert
Cardoza
Costello

Filner
Holden
Pascrell
Pence

Sanchez, Loretta
Slaughter
Wasserman
Schultz

So the amendment was agreed to.

63.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, printed in House Report 112-485, submitted by Mr. BARTLETT:

At the end of subtitle A of title XXVIII, add the following new section:

SEC. 28. USE OF PROJECT LABOR AGREEMENTS IN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) REQUIREMENTS.—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The Secretary of Defense and the Secretaries of the military departments, when awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, shall not—

“(A) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; and

“(B) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

“(2) Nothing in this subsection shall prohibit a contractor or subcontractor from voluntarily entering into an agreement with one or more labor organizations, as pro-

tected by the National Labor Relations Act (29 U.S.C. 151 et seq.)."

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall not apply to construction contracts awarded before the date of the enactment of this Act.

It was decided in the { Yeas 211 affirmative Nays 209

63.28 [Roll No. 267] AYES—211

- Adams, Garrett, Noem
Aderholt, Gerlach, Nugent
Akin, Gibbs, Nunes
Alexander, Gingrey (GA), Nunnelee
Amash, Gohmert, Olson
Austria, Goodlatte, Palazzo
Bachmann, Gosar, Paul
Bachus, Gowdy, Paulsen
Barletta, Granger, Pearce
Bartlett, Graves (GA), Petri
Barton (TX), Graves (MO), Pitts
Bass (NH), Griffin (AR), Platts
Benishek, Griffith (VA), Poe (TX)
Berg, Guinta, Pompeo
Billray, Guthrie, Posey
Bilirakis, Hall, Price (GA)
Bishop (UT), Hanna, Quayle
Black, Harper, Reed
Blackburn, Harris, Rehberg
Bonner, Hartzler, Renacci
Bono Mack, Ribble, Hastings (WA)
Boren, Hayworth, Rigell
Boustany, Heck, Rivera
Brady (TX), Hensarling, Roby
Brooks, Herger, Roe (TN)
Broun (GA), Herrera Beutler, Rogers (AL)
Buchanan, Huelskamp, Rogers (KY)
Bucshon, Huizenga (MI), Rogers (MI)
Buerkle, Hultgren, Rohrabacher
Burgess, Hunter, Rokita
Burton (IN), Hurt, Rooney
Calvert, Issa, Ross (FL)
Camp, Jenkins, Royce
Campbell, Johnson (OH), Ryan (WI)
Canseco, Johnson, Sam, Scalise
Cantor, Jordan, Schilling
Capito, Kelly, Schweikert
Carter, King (IA), Scott (SC)
Cassidy, Kingston, Scott, Austin
Chabot, Kline, Sensenbrenner
Chaffetz, Labrador, Sessions
Coble, Lamborn, Shuster
Coffman (CO), Landry, Simpson
Cole, Lankford, Smith (NE)
Conaway, Latham, Smith (TX)
Crawford, Latta, Southerland
Crenshaw, Lewis (CA), Stearns
Culberson, Long, Stivers
Davis (KY), Lucas, Stutzman
Denham, Luetkemeyer, Sullivan
Dent, Lummis, Terry
DesJarlais, Lungren, Daniel, Thompson (PA)
Dreier, E, Thornberry
Duffy, Mack, Tiberi
Duncan (SC), Manzullo, Tipton
Duncan (TN), Marchant, Turner (NY)
Ellmers, Marino, Upton
Farenthold, McCarthy (CA), Walberg
Fincher, McCaul, Walden
Fitzpatrick, McClintock, Webster
Flake, McHenry, West
Fleischmann, McKeon, Westmoreland
Fleming, McMorris, Whitfield
Flores, Rodgers, Wilson (SC)
Forbes, Mica, Wittman
Fortenberry, Miller (FL), Wolf
Foxy, Miller (MI), Womack
Franks (AZ), Miller, Gary, Woodall
Frelinghuysen, Mulvaney, Yoder
Gallegly, Myrick, Young (FL)
Gardner, Neugebauer, Young (IN)

NOES—209

- Ackerman, Bonamici, Chu
Altmire, Boswell, Cicilline
Andrews, Brady (PA), Clarke (MI)
Baca, Braley (IA), Clarke (NY)
Baldwin, Brown (FL), Clay
Barrow, Butterfield, Cleaver
Bass (CA), Capps, Clyburn
Becerra, Capuano, Cohen
Berkley, Carnahan, Connolly (VA)
Berman, Carney, Conyers
Bishop (GA), Carson (IN), Cooper
Bishop (NY), Castor (FL), Costa
Blumenauer, Chandler, Courtney

- Cravaack, Kildee, Rangel
Critz, Kind, Reichert
Crowley, King (NY), Reyes
Cuellar, Kinzinger (IL), Richardson
Cummings, Kissell, Richmond
Davis (CA), Kucinich, Ros-Lehtinen
Davis (IL), Lance, Roskam
DeFazio, Langevin, Ross (AR)
DeGette, Larsen (WA), Rothman (NJ)
DeLauro, Larson (CT), Roybal-Allard
Deutch, LaTourette, Runyan
Diaz-Balart, Lee (CA), Ruppertsberger
Dicks, Levin, Rush
Dingell, Lewis (GA), Ryan (OH)
Doggett, Lipinski, Sanchez, Linda
Dold, LoBiondo, T.
Donnelly (IN), Loebsock, Sarbanes
Doyle, Loggren, Zoe, Schakowsky
Edwards, Lowey, Schiff
Ellison, Lujan, Schmitt
Emerson, Lynch, Schock
Engel, Maloney, Schrader
Eshoo, Markey, Schwartz
Farr, Matheson, Scott (VA)
Fattah, Matsui, Scott, David
Frank (MA), McCarthy (NY), Serrano
Fudge, McCollum, Sewell
Garamendi, McCotter, Sherman
Gibson, McDermott, Shimkus
Gonzalez, McGovern, Shuler
Green, Al, McIntyre, Sires
Green, Gene, McKinley, Smith (NJ)
Grijalva, McNeerney, Smith (WA)
Grimm, Meehan, Speier
Gutierrez, Meeks, Michaud
Hahn, Hahn, Miller (NC)
Hanabusa, Miller (NC), Stark
Hastings (FL), Miller, George, Stutton
Heinrich, Moore, Thompson (CA)
Higgins, Moran, Thompson (MS)
Himes, Murphy (CT), Tierney
Hinojosa, Murphy (PA), Tonko
Hirono, Nadler, Towns
Hiro, Napolitano, Tsongas
Hochul, Neal, Turner (OH)
Holt, Olver, Van Hollen
Honda, Owens, Velazquez
Hoyer, Pallone, Visclosky
Israel, Pastor (AZ), Walsh (IL)
Jackson (IL), Pelosi, Walsh (MN)
Jackson Lee, Perlmutter, Waters
King (IA), Peters, Watt
Johnson (GA), Peterson, Waxman
Johnson (IL), Pingree (ME), Welch
Johnson, E. B., Polis, Wilson (FL)
Jones, Price (NC), Woolsey
Kaptur, Quigley, Yarmuth
Keating, Rahall, Young (AK)

NOT VOTING—11

- Amodei, Filner, Sanchez, Loretta
Biggert, Holden, Slaughter
Cardoza, Pascrell, Wasserman
Costello, Pence, Schultz

So the amendment was agreed to.

63.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 11, printed in House Report 112-485, submitted by Mr. MARKEY:

In title II, strike section 211 and insert the following new section:

SEC. 211. DELAY OF NEW LONG-RANGE PENETRATING BOMBER AIRCRAFT.

(a) PROHIBITION ON FUNDS.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2013 through 2023 for the Department of Defense may be obligated or expended for the research, development, test, and evaluation or procurement of a long-range penetrating bomber aircraft.

(b) REDUCTION OF FUNDS.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Air Force, as specified in the corresponding funding table in division D, is hereby reduced by \$291,742,000, with the amount of the reduction to be derived from Line 042, Program Ele-

ment 0604015F, Long Range Strike, as set forth in the table under section 4201.

It was decided in the { Yeas 112 negative Nays 308

63.30 [Roll No. 268] AYES—112

- Amash, Griffith (VA), Pelosi
Baldwin, Grijalva, Perlmutter
Bass (CA), Gutierrez, Peters
Becerra, Hahn, Petri
Berkley, Higgins, Pingree (ME)
Berman, Hinchey, Polis
Bishop (NY), Hinojosa, Quigley
Blumenauer, Hirono, Rahall
Bonamici, Holt, Rangel
Boswell, Honda, Reed
Braley (IA), Jackson (IL), Richmond
Campbell, Jackson Lee, Rohrabacher
Capps, (TX), Rothman (NJ)
Capuano, Johnson (GA), Rush
Carson (IN), Keating, Sanchez, Linda
Chu, Kind, T.
Clarke (MI), Kucinich, Sarbanes
Clarke (NY), Lee (CA), Schakowsky
Clay, Lewis (GA), Schwartz
Cleaver, Loebsock, Sensenbrenner
Cohen, Lofgren, Zoe, Serrano
Conyers, Lynch, Smith (NJ)
Crowley, Maloney, Speier
Cummings, Markey, Stark
Davis (IL), Matsui, Thompson (CA)
DeFazio, McCollum, Tierney
DeGette, McDermott, Tonko
Deutch, McGovern, Towns
Doggett, Michaud, Tsongas
Doyle, Miller, George, Van Hollen
Edwards, Moore, Velazquez
Ellison, Mulvaney, Walz (MN)
Eshoo, Nadler, Waters
Farr, Napolitano, Waxman
Fattah, Neal, Welch
Frank (MA), Olver, Wilson (FL)
Fudge, Pallone, Woolsey
Gibson, Paul, Yarmuth

NOES—308

- Ackerman, Chandler, Gerlach
Adams, Cicilline, Gibbs
Aderholt, Clyburn, Gingrey (GA)
Akin, Coble, Gohmert
Alexander, Coffman (CO), Gonzalez
Altmire, Cole, Goodlatte
Andrews, Conaway, Gosar
Austria, Connolly (VA), Gowdy
Baca, Cooper, Granger
Bachmann, Costa, Graves (GA)
Bachus, Courtney, Graves (MO)
Barletta, Cravaack, Green, Al
Barrow, Crawford, Green, Gene
Bartlett, Crenshaw, Griffin (AR)
Barton (TX), Critz, Grimm
Bass (NH), Cuellar, Guinta
Benishek, Culberson, Guthrie
Berg, Davis (CA), Hall
Billray, Davis (KY), Hanabusa
Bilirakis, DeLauro, Hanna
Bishop (GA), Denham, Harper
Bishop (UT), Dent, Harris
Black, DesJarlais, Hartzler
Blackburn, Diaz-Balart, Hastings (FL)
Bonner, Dicks, Hastings (WA)
Bono Mack, Dingell, Hayworth
Boren, Dold, Heck
Boustany, Donnelly (IN), Heinrich
Brady (PA), Dreier, Hensarling
Brady (TX), Duffy, Herger
Brooks, Duncan (SC), Herrera Beutler
Broun (GA), Duncan (TN), Himes
Brown (FL), Ellmers, Hochul
Buchanan, Emerson, Hoyer
Bucshon, Engel, Huelskamp
Buerkle, Farenthold, Huizenga (MI)
Burgess, Fincher, Hultgren
Burton (IN), Fitzpatrick, Hunter
Butterfield, Flake, Hurt
Calvert, Fleischmann, Israel
Camp, Fleming, Issa
Canseco, Flores, Jenkins
Cantor, Forbes, Johnson (IL)
Capito, Fortenberry, Johnson (OH)
Carnahan, Foxx, Johnson, E. B.
Carney, Franks (AZ), Johnson, Sam
Carter, Carney, Jones
Cassidy, Gallegly, Jordan
Castor (FL), Garamendi, Kaptur
Chabot, Gardner, Kelly
Chaffetz, Garrett, Kildee

King (IA)	Moran	Schock	Becerra	Hastings (FL)	Owens	Lamborn	Olson	Scott (SC)
King (NY)	Murphy (CT)	Schrader	Bishop (NY)	Heinrich	Pallone	Lance	Palazzo	Scott, Austin
Kingston	Murphy (PA)	Schweikert	Blumenauer	Higgins	Pastor (AZ)	Lankford	Paulsen	Scott, David
Kinzinger (IL)	Myrick	Scott (SC)	Bonamici	Himes	Paul	Latham	Pearce	Sensenbrenner
Kissell	Neugebauer	Scott (VA)	Boswell	Hinchoy	Pelosi	Latta	Peterson	Sessions
Kline	Noem	Scott, Austin	Brady (PA)	Hinojosa	Perlmutter	Lewis (CA)	Pitts	Shimkus
Labrador	Nugent	Scott, David	Braley (IA)	Hirono	Peters	Lipinski	Platts	Shuler
Lamborn	Nunes	Sessions	Butterfield	Hochul	Petri	LoBiondo	Poe (TX)	Shuster
Lance	Nunnelee	Sewell	Capps	Holt	Pingree (ME)	Long	Pompeo	Simpson
Landry	Olson	Sherman	Capuano	Honda	Polis	Lucas	Posey	Smith (NE)
Langevin	Owens	Shimkus	Carnahan	Hoyer	Price (NC)	Luetkemeyer	Price (GA)	Smith (NJ)
Lankford	Palazzo	Shuler	Carney	Huizenga (MI)	Quigley	Lummis	Quayle	Smith (TX)
Larsen (WA)	Pastor (AZ)	Shuster	Carson (IN)	Israel	Rahall	Lungren, Daniel	Reed	Southerland
Larson (CT)	Paulsen	Simpson	Castor (FL)	Jackson (IL)	Rangel	E.	Rehberg	Stearns
Latham	Pearce	Chu	Castor (FL)	Jackson Lee	Reyes	Mack	Reichert	Stivers
LaTourette	Peterson	Cicilline	Chu	(TX)	Ribble	Manzullo	Renacci	Stutzman
Latta	Pitts	Clarke (MI)	Cicilline	Johnson (GA)	Richmond	Marchant	Richardson	Sullivan
Levin	Platts	Clarke (NY)	Clarke (MI)	Kaptur	Rothman (NJ)	Marino	Rigell	Terry
Lewis (CA)	Poe (TX)	Clay	Clarke (NY)	Keating	Rush	McCarthy (CA)	Rivera	Thompson (MS)
Lipinski	Pompeo	Cleaver	Clay	Kildee	Sánchez, Linda	McCarthy (NY)	Roby	Thompson (PA)
LoBiondo	Posey	Clyburn	Cleaver	Kind	T.	McCaul	Roe (TN)	Thornberry
Long	Price (GA)	Cohen	Clyburn	Kucinich	Sarbanes	McClintock	Rogers (AL)	Tiberi
Lowe	Price (NC)	Conyers	Cohen	Labrador	Schakowsky	McCotter	Rogers (KY)	Tipton
Lucas	Quayle	Cooper	Conyers	Langevin	Schiff	McHenry	Rogers (MI)	Turner (NY)
Luetkemeyer	Rehberg	Courtney	Cooper	Larsen (WA)	Schrader	McIntyre	Rohrabacher	Turner (OH)
Lujan	Reichert	Critz	Courtney	Larson (CT)	Schwartz	McKeon	Rokita	Walberg
Lummis	Renacci	Crowley	Critz	Lee (CA)	Scott (VA)	McKinley	Rooney	Walsh (IL)
Lungren, Daniel	Reyes	Cummings	Crowley	Levin	Serrano	McMorris	Ros-Lehtinen	Webster
E.	Ribble	Davis (CA)	Cummings	Lewis (GA)	Rodgers	Morris	Roskam	West
Mack	Richardson	Davis (IL)	Davis (CA)	Loeb	Sewell	Meehan	Ross (AR)	Westmoreland
Manzullo	Rigell	DeFazio	Davis (IL)	Loeb	Sherman	Mica	Ross (FL)	Whitfield
Marchant	Rivera	DeFazio	DeFazio	Lowgren, Zoe	Sires	Miller (FL)	Royce	Wilson (SC)
Marino	Roby	DeGette	DeFazio	Lofgren, Zoe	Smith (WA)	Miller (MI)	Runyan	Wittman
Matheson	Roe (TN)	DeLauro	DeLauro	Lujan	Speier	Miller, Gary	Ruppersberger	Wolf
McCarthy (CA)	Rogers (AL)	Deutch	DeLauro	Lynch	Stark	Murphy (PA)	Ryan (OH)	Womack
McCarthy (NY)	Rogers (KY)	Dingell	Deutch	Maloney	Sutton	Myrick	Ryan (WI)	Woodall
McCaul	Rogers (MI)	Doggett	Dingell	Markey	Thompson (CA)	Neugebauer	Scalise	Yoder
McClintock	Rokita	Doyle	Doggett	Matheson	Tierney	Noem	Schilling	Young (AK)
McCotter	Rooney	Duncan (TN)	Doyle	Matsui	Tonko	Nugent	Schmidt	Young (FL)
McHenry	Ros-Lehtinen	Edwards	Duncan (TN)	McCollum	Towns	Nunes	Schock	Young (IN)
McIntyre	Roskam	Ellison	Edwards	McDermott	Tsongas	Nunnelee	Schweikert	
McKeon	Ross (AR)	Engel	Ellison	McGovern	Upton			
McKinley	Ross (FL)	Eshoo	Engel	McNerney	Van Hollen			
McMorris	Roybal-Allard	Farr	Eshoo	Meeks	Velazquez			
Rodgers	Royce	Fattah	Farr	Michaud	Visclosky			
McNerney	Runyan	Frank (MA)	Fattah	Miller (NC)	Walden			
Meehan	Ruppersberger	Fudge	Frank (MA)	Miller, George	Walz (MN)			
Meeks	Ryan (OH)	Garamendi	Fudge	Moore	Waters			
Mica	Ryan (WI)	Gibson	Garamendi	Moran	Watt			
Miller (FL)	Scalise	Gonzalez	Gibson	Mulvaney	Waxman			
Miller (MI)	Schiff	Goodlatte	Gonzalez	Murphy (CT)	Welch			
Miller (NC)	Schilling	Griffith (VA)	Goodlatte	Nadler	Wilson (FL)			
Miller, Gary	Schmidt	Grijalva	Griffith (VA)	Napolitano	Woolsey			
		Gutierrez	Gutierrez	Neal	Yarmuth			
		Hahn	Hahn	Oliver				

NOT VOTING—11

Amodei	Filner	Sanchez, Loretta
Biggert	Holden	Slaughter
Cardoza	Pascrell	Wasserman
Costello	Pence	Schultz

So the amendment was not agreed to.

¶63.31 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 12, printed in House Report 112-485, submitted by Mr. POLIS:

Page 63, line 15, strike "\$1,261,000,000" and insert "\$857,695,000".

Page 64, after line 2, insert the following new subsection:

(c) REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in this section for the ground-based midcourse defense system, as specified in the corresponding funding table in division D, is hereby reduced by \$403,305,000, with the amount of the reduction to be derived from Ballistic Missile Defense Midcourse Defense Segment, Line 080, East Coast site planning and development, and EIS work program, as set forth in the table under section 4201. The amount of such reduction shall not be available for any purpose other than deficit reduction.

It was decided in the { Yeas 165
negative } Nays 252

¶63.32 [Roll No. 269]

AYES—165

Ackerman	Andrews	Baldwin
Amash	Baca	Bass (CA)

NOES—252

Adams	Chabot	Gingrey (GA)
Aderholt	Chaffetz	Gohmert
Akin	Chandler	Gosar
Alexander	Coble	Gowdy
Altmire	Coffman (CO)	Granger
Austria	Cole	Graves (GA)
Bachmann	Conaway	Graves (MO)
Bachus	Connolly (VA)	Green, Al
Barletta	Costa	Green, Gene
Barrow	Cravaack	Griffin (AR)
Bartlett	Crawford	Grimm
Barton (TX)	Crenshaw	Guinta
Bass (NH)	Cuellar	Guthrie
Benishek	Culberson	Hall
Berg	Davis (KY)	Hanabusa
Berkley	Denham	Hanna
Berman	Dent	Harper
Bilbray	DesJarlais	Harris
Bilirakis	Diaz-Balart	Hartzler
Bishop (GA)	Dold	Hastings (WA)
Bishop (UT)	Donnelly (IN)	Hayworth
Black	Dreier	Heck
Blackburn	Duffy	Hensarling
Bonner	Duncan (SC)	Heger
Bono Mack	Ellmers	Herrera Beutler
Boren	Emerson	Huelskamp
Boustany	Farenthold	Hultgren
Brady (TX)	Fincher	Hunter
Brooks	Fitzpatrick	Hurt
Broun (GA)	Flake	Issa
Brown (FL)	Fleischmann	Jenkins
Buchanan	Fleming	Johnson (IL)
Bucshon	Flores	Johnson (OH)
Buerkle	Forbes	Johnson, E. B.
Burgess	Fortenberry	Johnson, Sam
Burton (IN)	Fox	Jones
Calvert	Franks (AZ)	Jordan
Camp	Frelinghuysen	Kelly
Campbell	Gallegly	King (IA)
Canseco	Gardner	King (NY)
Cantor	Garrett	Kingston
Capito	Gerlach	Kinzinger (IL)
Carter	Gibbs	Kissell
Cassidy		Kline

NOT VOTING—14

Amodei	Holden	Roybal-Allard
Biggert	Landry	Sanchez, Loretta
Cardoza	LaTourette	Slaughter
Costello	Pascrell	Wasserman
Filner	Pence	Schultz

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. WEST, assumed the Chair.

When Mr. HASTINGS of Washington, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶63.33 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. BARROW submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on title II of the House bill, regarding approval of the Keystone XL Pipeline.

Pending consideration of said motion,

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 7(b)(2) of rule XXII, divided the time for debate equally among Messrs. BARROW, UPTON, and WAXMAN.

After debate, By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce, Will the House agree to said motion?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. WHITFIELD demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Friday, May 18, 2012.

¶63.34 MOTION TO INSTRUCT
CONFEREES—H.R. 4348

Mr. RAHALL submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to agree to sections 1528, 20017 (to the extent that such section amends section 5323 of title 49, United States Code, to provide subsection (k) relating to Buy America), 33007, 33008, and 35210 of the amendment of the Senate.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. CHAFFETZ, announced that the yeas had it.

Mr. RAHALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CHAFFETZ, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Friday, May 18, 2012.

¶63.35 DEFENSE AUTHORIZATION FY 2013

The SPEAKER pro tempore, Mr. WITTMAN, pursuant to House Resolution 661 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

Mr. CHAFFETZ, Acting Chairman, assumed the chair; and after some time spent therein,

**FRIDAY, MAY 18 (LEGISLATIVE DAY
OF MAY 17), 2012**

The SPEAKER pro tempore, Mr. CHABOT, assumed the Chair.

When Mr. PETRI, Acting Chairman, reported that the Committee, having

had under consideration said bill, had come to no resolution thereon.

¶63.36 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2072. An Act to reauthorize the Export-Import Bank of the United States, and for other purposes.

H.R. 4967. An Act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

¶63.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. WASSERMAN SCHULTZ, for today and balance of the week.

And then,

¶63.38 ADJOURNMENT

On motion of Mr. MCKEON, at 1 o'clock and 32 minutes a.m., Friday, May 18 (legislative day of May 17), 2012, the House adjourned.

¶63.39 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DREIER (for himself and Mr. BERMAN):

H.R. 5793. A bill to amend the Internal Revenue Code of 1986 to extend the election to treat the cost of qualified film and television productions as an expense which is not chargeable to capital account; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 5794. A bill to amend the Fair Debt Collection Practices Act to exempt a debt collector from liability when leaving certain voice mail messages for a consumer with respect to a debt as long as the debt collector follows regulations prescribed by the Bureau of Consumer Financial Protection on the appropriate manner in which to leave such a message, and for other purposes; to the Committee on Financial Services.

By Mr. KIND (for himself, Mr. LEVIN, Mr. RANGEL, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. LARSON of Connecticut, Mr. PASCRELL, Mr. CROWLEY, and Mr. STARK):

H.R. 5795. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax on domestic manufacturing income to 20 percent; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself and Ms. ROS-LEHTINEN):

H.R. 5796. A bill to establish a common fund to pay claims to the Americans held hostage in Iran, and to members of their families, who are identified as class members in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAVAACK:

H.R. 5797. A bill to amend title 46, United States Code, with respect to Mille Lacs Lake, Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. McDERMOTT (for himself and Mr. REICHERT):

H.R. 5798. A bill to amend the Export Enhancement Act of 1988 to improve export promotion activities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself,

Mr. CLYBURN, Mr. HOYER, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. BACA, Ms. BASS of California, Mr. BECERRA, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARNAHAN, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DEFazio, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DINGELL, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Ms. FUDGE, Mr. GONZÁLEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KILDEE, Mr. KIND, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Ms. ZOE LOFGREEN of California, Mr. LUJÁN, Mrs. MALONEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PASCRELL, Mr. PETERS, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. REYES, Ms. RICHARDSON, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL, Mr. SIREs, Mr. SMITH of Washington, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TONKO, Mr. TOWNS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Ms. WOOLSEY, Mr. KEATING, and Mr. BISHOP of New York):

H.R. 5799. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, Science, Space, and Technology, Veterans' Affairs, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. GENE GREEN of Texas, Mr. CARTER, and Mr. THORNBERRY):

H.R. 5800. A bill to amend title XIX of the Social Security Act to provide for increased price transparency of hospital information and to provide for additional research on consumer information on charges and out-of-pocket costs; to the Committee on Energy and Commerce.

By Ms. RICHARDSON (for herself, Mr. CONYERS, Mr. CLARKE of Michigan, and Mr. KUCINICH):

H.R. 5801. A bill to provide interest-free deferment on unsubsidized student loans made to recent college students during periods when the national unemployment rate is above 7 percent and other periods of deferment; to the Committee on Education and the Workforce.

By Ms. RICHARDSON:

H.R. 5802. A bill to amend title 46, United States Code, to authorize use of port security grant funds for replacement of certain security equipment or facilities; to the Committee on Homeland Security.

By Ms. RICHARDSON:

H.R. 5803. A bill to amend title 46, United States Code, regarding port security grant funding for mandated security personnel, and for other purposes; to the Committee on Homeland Security.

By Ms. RICHARDSON:

H.R. 5804. A bill to amend the Homeland Security Act of 2002 to require the Administrator of the Federal Emergency Management Agency to provide guidance to and coordination with local educational agencies and school districts that are at high risk of acts of terrorism or other incidents, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 5805. A bill to direct the Secretary of Labor to establish alternate guidelines for measuring the progress of State and local performance for entrepreneurial training services under the Workforce Investment Act of 1998; to the Committee on Education and the Workforce.

By Ms. RICHARDSON:

H.R. 5806. A bill to amend the Homeland Security Act of 2002 to require the Administrator of the Federal Emergency Management Agency to provide guidance and coordination for outreach to people with disabilities during emergencies, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON:

H.R. 5807. A bill to require an audit of the extent to which regional FEMA offices are able to support coordinated and integrated Federal preparedness, protection, response, recovery, and mitigation capabilities to respond to an act of terrorism or other incident, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO:

H.R. 5808. A bill to suspend temporarily the duty on certain horizontally-oriented lead shot machines; to the Committee on Ways and Means.

By Mr. COSTELLO:

H.R. 5809. A bill to suspend temporarily the duty on certain cupping machines; to the Committee on Ways and Means.

By Mr. COSTELLO:

H.R. 5810. A bill to suspend temporarily the duty on certain tool blocks; to the Committee on Ways and Means.

By Mr. COSTELLO:

H.R. 5811. A bill to suspend temporarily the duty on certain parts of cupping presses; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H.R. 5812. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HAHN:

H.R. 5813. A bill to amend the Small Business Act to provide for the establishment of the Ports as Small Business Incubators Program to provide eligible small businesses with access to commercial real property, and for other purposes; to the Committee on Small Business.

By Mr. HOLT:

H.R. 5814. A bill to amend the Help America Vote Act of 2002 to establish standards for the publication of the poll tapes used in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HOLT:

H.R. 5815. A bill to prohibit deceptive practices in Federal elections; to the Committee on the Judiciary.

By Mr. HOLT (for himself, Mr. ACKERMAN, Mr. ALTMIRE, Mr. ANDREWS, Mr. BECERRA, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CHANDLER, Mr. CLAY, Mr. COHEN, Mr. COSTELLO, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DOGGETT, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HOLDEN, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. KEATING, Mr. KISSELL, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mrs. LOWEY, Mrs. MALONEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE of Maine, Mr. POLIS, Mr. RANGEL, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHULER, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WALZ of Minnesota, Ms. WASSERMAN SCHULTZ, Mr.

WATT, Mr. WAXMAN, Ms. WOOLSEY, Mr. BOSWELL, and Mr. HIMES):

H.R. 5816. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUTKEMEYER (for himself, Mr. WESTMORELAND, and Mr. GARRETT):

H.R. 5817. A bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement; to the Committee on Financial Services.

By Mr. MCDERMOTT:

H.R. 5818. A bill to suspend temporarily the duty on certain fitness equipment; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 5819. A bill to suspend temporarily the duty on certain suspension system stabilizer bars; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 5820. A bill to modify the provisions of the Harmonized Tariff Schedule of the United States relating to returned property; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 5821. A bill to provide for duty free treatment for certain United States Government property returned to the United States; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself, Mr. KING of New York, Mr. ROGERS of Alabama, Mrs. MILLER of Michigan, Mr. MCCAUL, Mr. CRAVAACK, Mr. LONG, Mr. DANIEL E. LUNGREN of California, and Mr. DENT):

H.R. 5822. A bill to require a report on the designation of Boko Haram as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Mr. GARY G. MILLER of California (for himself, Ms. CHU, Mr. ROHRABACHER, Mr. CALVERT, Mrs. DAVIS of California, Mr. SHERMAN, and Mr. BACA):

H.R. 5823. A bill to prohibit the Federal Housing Finance Agency from disposing of certain real estate-owned of such Agency, the Federal National Mortgage Association, and the Federal Home Loan Mortgage Corporation, under the initiative of such Agency for bulk sales of real estate-owned; to the Committee on Financial Services.

By Mr. PIERLUISI (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. FALEOMAVAEGA, and Mr. SERRANO):

H.R. 5824. A bill to amend the Social Security Act to eliminate the cap on certain payments under the TANF program to Puerto Rico, the Virgin Islands, Guam, and American Samoa, and for other purposes; to the Committee on Ways and Means.

By Mr. WELCH (for himself and Mr. WALZ of Minnesota):

H.R. 5825. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize and improve the Rural Energy for America Program; to the Committee on Agriculture.

By Mr. WALBERG (for himself, Mr. WEBSTER, Mr. FORBES, Mr. HULTGREN, Mr. WILSON of South Carolina, Mr. LANKFORD, Mr. BROWN of Georgia, Mr. GINGREY of Georgia, Mr. HARRIS, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. HENSARLING, Mr. ROE of Tennessee, Mr. BISHOP of Utah, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. FRANKS of Arizona, Mr. PITTS, Mr. NEUGEBAUER, Mr. THOMPSON of

Pennsylvania, Mr. STUTZMAN, Mr. GOHMERT, Mr. WEST, Mr. SOUTHERLAND, Mrs. NOEM, Mr. CARTER, Mr. OLSON, Mr. BILIRAKIS, Mr. AKIN, Mr. LAMBORN, Mr. MILLER of Florida, Mrs. HARTZLER, Mr. FLEMING, and Mr. SCALISE):

H. Res. 662. A resolution expressing support for prayer at school board meetings; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mrs. LOWEY):

H. Res. 663. A resolution expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes; to the Committee on Foreign Affairs.

By Ms. FUDGE (for herself, Ms. MOORE, and Mr. MCGOVERN):

H. Res. 664. A resolution expressing the sense of the House of Representatives regarding funding for feeding assistance programs, especially those affecting children; to the Committee on Agriculture.

¶63.40 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

209. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 211 urging the Congress to reject the Department of Defense's recommendations to remove the A-10 Thunderbolt II aircraft from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; to the Committee on Armed Services.

210. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1001 urging the Congress to adopt measures and policies contained in the Save Arizona's Forest Environment (SAFE) Plan; to the Committee on Natural Resources.

211. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1008 urging Congress to enact legislation exempting United States military bases from the regulations and restrictions of the Endangered Species Act; to the Committee on Natural Resources.

212. Also, a memorial of the Senate of the State of Michigan, relative to Senate Concurrent Resolution No. 19 urging the Congress to approve a grant for a project at the I-275 and Ford Road Interchange; to the Committee on Transportation and Infrastructure.

213. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Resolution 1014 supporting an increase in the United States Customs and Border protection personnel in the Tucson sector along the border between the United States and Mexico; to the Committee on Homeland Security.

214. Also, a memorial of the Senate of the State of Arizona, relative to Senate Concurrent Memorial 1003 urging the Congress to adequately fund the United States Forest Service; jointly to the Committees on Agriculture and Natural Resources.

215. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2004 urging the Congress to enact legislation making monies collected under the federal gas tax immediately available to the individual

states; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

216. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1080 urging the Congress to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War; jointly to the Committees on Armed Services, Veterans' Affairs, and Financial Services.

217. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1486 urging the Congress to pass H.R. 2918; jointly to the Committees on Foreign Affairs, the Judiciary, and Ways and Means.

218. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1778 urging the Congress to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; jointly to the Committees on Financial Services, Agriculture, Energy and Commerce, the Judiciary, the Budget, Oversight and Government Reform, Ways and Means, and Small Business.

¶63.41 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Ms. BONAMICI.
 H.R. 420: Mr. LOBIONDO.
 H.R. 498: Mr. GARDNER.
 H.R. 709: Ms. KAPTUR.
 H.R. 721: Mr. RUPPERSBERGER.
 H.R. 733: Mr. HARRIS.
 H.R. 808: Mr. GRIJALVA and Mr. HASTINGS of Florida.
 H.R. 885: Mr. NEAL.
 H.R. 891: Mr. CONNOLLY of Virginia.
 H.R. 904: Mr. WALZ of Minnesota and Ms. HOCHUL.
 H.R. 930: Mr. RUNYAN.
 H.R. 1005: Mr. CASSIDY.
 H.R. 1048: Mr. VAN HOLLEN, Mr. CAPUANO, Mr. TOWNS, and Ms. BERKLEY.
 H.R. 1063: Mr. DUFFY.
 H.R. 1190: Mr. NADLER.
 H.R. 1208: Mr. RANGEL.
 H.R. 1244: Mr. WALDEN.
 H.R. 1288: Mr. PASCRELL.
 H.R. 1370: Mr. LANKFORD.
 H.R. 1397: Mr. DAVID SCOTT of Georgia.
 H.R. 1418: Mr. DAVIS of Illinois.
 H.R. 1489: Mr. KILDEE.
 H.R. 1521: Ms. RICHARDSON, Mr. FILNER, Ms. EDWARDS, and Mr. DAVID SCOTT of Georgia.
 H.R. 1623: Mr. FILNER.
 H.R. 1639: Mr. FORBES.
 H.R. 1648: Mr. DAVID SCOTT of Georgia and Mr. MATHESON.
 H.R. 1792: Mr. MILLER of North Carolina.
 H.R. 1936: Mr. LATTI.
 H.R. 1956: Mr. BUCHANAN, Mr. HALL, Mr. SCHOCK, Ms. GRANGER, Mr. POE of Texas, and Mrs. EMERSON.
 H.R. 1957: Mr. MEEHAN.
 H.R. 1971: Mr. CONNOLLY of Virginia.
 H.R. 2030: Mr. JOHNSON of Georgia.
 H.R. 2069: Mr. CONNOLLY of Virginia.
 H.R. 2077: Mr. HARPER.
 H.R. 2088: Mr. BERMAN.
 H.R. 2364: Mr. BERMAN.
 H.R. 2382: Mr. ROYCE and Mr. MANZULLO.
 H.R. 2479: Mr. TIERNEY.
 H.R. 2569: Mrs. CAPITO, Mr. WALSH of Illinois, and Mr. SCHILLING.
 H.R. 2696: Ms. ZOE LOFGREN of California.
 H.R. 2730: Mr. DAVIS of Illinois and Mr. RANGEL.
 H.R. 2758: Mr. MORAN.
 H.R. 2985: Mr. COBLE.
 H.R. 3086: Ms. LEE of California and Ms. BORDALLO.
 H.R. 3091: Mr. STIVERS.

H.R. 3159: Mr. TOWNS.
 H.R. 3173: Mr. SIRES, Mr. LOBIONDO, and Mr. GUINTA.
 H.R. 3187: Mr. HENSARLING, Mr. DONNELLY of Indiana, and Mr. SHUSTER.
 H.R. 3192: Mr. CICILLINE.
 H.R. 3199: Mr. RUNYAN.
 H.R. 3252: Mr. HIGGINS.
 H.R. 3395: Mr. BARLETTA, Mr. RIGELL, Mr. MEEHAN, Ms. MOORE, Mr. HINCHEY, and Mr. BENISHEK.
 H.R. 3415: Mr. FILNER.
 H.R. 3423: Mr. LOEBSACK, Ms. ROYBAL-ALLARD, Mr. NADLER, Mr. BERMAN, and Mr. SERRANO.
 H.R. 3461: Mr. DESJARLAIS, Mr. BROUN of Georgia, and Mr. STEARNS.
 H.R. 3497: Mr. HARPER and Mr. LUETKEMEYER.
 H.R. 3619: Ms. NORTON, Mr. MCDERMOTT, Mr. TOWNS, and Mr. RANGEL.
 H.R. 3643: Mr. CICILLINE and Mr. CARTER.
 H.R. 3709: Mr. GARAMENDI.
 H.R. 3728: Mr. CARTER.
 H.R. 3761: Ms. LEE of California.
 H.R. 3767: Mr. CICILLINE.
 H.R. 3798: Ms. BONAMICI and Mr. GARAMENDI.
 H.R. 3993: Ms. BONAMICI.
 H.R. 4066: Mr. THOMPSON of California.
 H.R. 4070: Mr. SCHILLING.
 H.R. 4091: Mr. DUNCAN of South Carolina, Mr. ANDREWS, Mr. SIRES, Mr. CONNOLLY of Virginia, and Mr. TONKO.
 H.R. 4103: Mr. GRIJALVA and Mr. LANGEVIN.
 H.R. 4122: Mr. LANGEVIN, Mr. BILIRAKIS, and Mr. KEATING.
 H.R. 4152: Mr. CHAFFETZ and Mr. FITZPATRICK.
 H.R. 4154: Mr. DOYLE, Mr. LARSEN of Washington, and Mr. REED.
 H.R. 4165: Mr. CHABOT and Mr. LOEBSACK.
 H.R. 4180: Mr. NEUGEBAUER, Ms. FOXX, and Mr. BROUN of Georgia.
 H.R. 4232: Ms. HOCHUL.
 H.R. 4269: Mr. HALL.
 H.R. 4271: Mr. JOHNSON of Georgia.
 H.R. 4278: Mr. STEARNS.
 H.R. 4296: Mr. KEATING, Mr. TIERNEY, Mr. ROSS of Florida, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. HUIZENGA of Michigan, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, and Mr. WALBERG.
 H.R. 4306: Mr. STARK.
 H.R. 4336: Mr. BURTON of Indiana, Mr. GRIF-FIN of Arkansas, and Mr. LOBIONDO.
 H.R. 4341: Mr. CARNAHAN.
 H.R. 4345: Mr. KING of Iowa, Mr. SMITH of Nebraska, and Mrs. BACHMANN.
 H.R. 4350: Mr. GRIMM, Mr. DEUTCH, Mr. MORAN, and Mrs. NAPOLITANO.
 H.R. 4367: Mrs. CAPITO, Mr. MANZULLO, and Mr. TERRY.
 H.R. 4483: Mr. SCOTT of Virginia and Ms. LEE of California.
 H.R. 4816: Mr. SCOTT of Virginia and Mr. RYAN of Ohio.
 H.R. 4971: Mr. HALL.
 H.R. 5044: Mr. TURNER of Ohio, Mr. JORDAN, Mr. ROHRBACHER, and Mr. LUETKEMEYER.
 H.R. 5186: Ms. ESHOO.
 H.R. 5188: Ms. WOOLSEY.
 H.R. 5646: Mr. MILLER of Florida.
 H.R. 5648: Mr. SCHRADER.
 H.R. 5684: Ms. MCCOLLUM, Mr. HASTINGS of Florida, and Mr. RYAN of Ohio.
 H.R. 5691: Mr. COHEN.
 H.R. 5720: Mr. LOEBSACK.
 H.R. 5738: Mr. BENISHEK.
 H.R. 5742: Ms. KAPTUR, Mr. RIVERA, Mr. DEFazio, Mr. FARR, Mr. CARSON of Indiana, Mr. PASCRELL, and Mr. COURTNEY.
 H.J. Res. 53: Mr. HALL.
 H.J. Res. 108: Mr. SESSIONS.
 H. Con. Res. 107: Mr. BENISHEK and Mr. GOHMERT.
 H. Con. Res. 122: Mr. LUETKEMEYER.
 H. Res. 25: Mr. RIVERA.
 H. Res. 239: Mr. WALZ of Minnesota.

- H. Res. 282: Mr. SCHRADER.
- H. Res. 568: Mr. CLAY.
- H. Res. 577: Mr. HUIZENGA of Michigan, Mr. LATTA, and Mr. SMITH of Nebraska.
- H. Res. 623: Mr. CARDOZA and Mr. MATHE-SON.
- H. Res. 646: Mr. FORTENBERRY.
- H. Res. 654: Ms. LORETTA SANCHEZ of California.

FRIDAY, MAY 18, 2012 (64)

The House was called to order by the SPEAKER.

¶64.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, May 17, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶64.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6069. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Golden Nematode; Removal of Regulated Areas [Docket No.: APHIS-2011-0036] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6070. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Karnal Bunt; Regulated Areas in California [Docket No.: APHIS-2011-0074] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6071. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (City of Gulf Shores, Baldwin County, Alabama et al.) [Docket ID: FEMA-2012-0003] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6072. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Town of Barton, Tioga County, New York, et al.) [Internal Agency Docket No.: FEMA-8225] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6073. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations (Mobile County, Alabama, et al.) [Internal Agency Docket No.: FEMA-B-1248] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6074. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations (Yavapai County, Arizona, et al.) [Docket ID: FEMA-2011-0002] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6075. A letter from the Solicitor of Labor, Department of Labor, transmitting the Department's final rule — Administrative Claims Under the Federal Tort Claims Act and Related Statutes (RIN: 1290-AA25) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6076. A letter from the Deputy Chief, CGB, Federal Communications Commission, trans-

mitting the Commission's final rule — Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 [CG Docket No.: 02-278] received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6077. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Interpretations; Removal of Part 8 [NRC-2011-0180] (RIN: 3150-AJ02) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6078. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Reintegration of Security into the Reactor Oversight Process Assessment Program received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6079. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-58; Introduction [Docket: FAR 2012-0080, Sequence 3] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6080. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Professional, Technical, and Scientific Services (RIN: 3245-AG07) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6081. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Jobs Act: Implementation of Conforming and Technical Amendments (RIN: 3245-AG15) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6082. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Payment or Reimbursement for Emergency Services for Nonservice-Connected Conditions in Non-VA Facilities (RIN: 2900-AN86) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6083. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Rules Governing Hearings Before the Agency of Original Jurisdiction and the Board of Veterans' Appeals; Repeal of Prior Rule Change (RIN: 2900-AO43) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

¶64.3 DEFENSE AUTHORIZATION FY 2013

The SPEAKER pro tempore, Mr. GINGREY of Georgia, pursuant to House Resolution 661 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes.

Mr. DOLD, Acting Chairman, assumed the chair; and after some time spent therein,

¶64.4 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 46, printed in House Report 112-485, submitted by Mr. SMITH of Washington:

At the end of subtitle D of title X, add the following new section:

SEC. 1044. DISPOSITION OF COVERED PERSONS DETAINED IN THE UNITED STATES PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) SHORT TITLE.—This section may be cited as the "Due Process and Military Detention Amendments Act".

(b) DISPOSITION.—Section 1021 of the National Defense Authorization Act for Fiscal Year 2012 is amended—

(1) in subsection (c), by striking "The disposition" and inserting "Except as provided in subsection (g), the disposition"; and

(2) by adding at the end the following new subsections:

"(g) DISPOSITION OF PERSONS DETAINED IN THE UNITED STATES.—

"(1) PERSONS DETAINED PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE OR THE FISCAL YEAR 2012 OR 2013 NATIONAL DEFENSE AUTHORIZATION ACTS.—In the case of a covered person who is detained in the United States, or a territory or possession of the United States, pursuant to the Authorization for Use of Military Force, this Act, or the National Defense Authorization Act for Fiscal Year 2013, disposition under the law of war shall occur immediately upon the person coming into custody of the Federal Government and shall only mean the immediate transfer of the person for trial and proceedings by a court established under Article III of the Constitution of the United States or by an appropriate State court. Such trial and proceedings shall have all the due process as provided for under the Constitution of the United States.

"(2) PROHIBITION ON TRANSFER TO MILITARY CUSTODY.—No person detained, captured, or arrested in the United States, or a territory or possession of the United States, may be transferred to the custody of the Armed Forces for detention under the Authorization for Use of Military Force, this Act, or the National Defense Authorization Act for Fiscal Year 2013.

"(h) RULE OF CONSTRUCTION.—This section shall not be construed to authorize the detention of a person within the United States, or a territory or possession of the United States, under the Authorization for Use of Military Force, this Act, or the National Defense Authorization Act for Fiscal Year 2013."

(c) REPEAL OF REQUIREMENT FOR MILITARY CUSTODY.—

(1) REPEAL.—Section 1022 of the National Defense Authorization Act for Fiscal Year 2012 is hereby repealed.

(2) CONFORMING AMENDMENT.—Section 1029(b) of such Act is amended by striking "applies to" and all that follows through "any other person" and inserting "applies to any person".

It was decided in the { Yeas 182
negative } Nays 238

¶64.5 [Roll No. 270]

AYES—182

Ackerman	Becerra	Brady (PA)
Altmire	Berkley	Braley (IA)
Amash	Berman	Broun (GA)
Andrews	Bishop (NY)	Brown (FL)
Baca	Bishop (UT)	Butterfield
Baldwin	Blumenauer	Capps
Bartlett	Bonamici	Capuano
Bass (CA)	Boswell	Carnahan

Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinches
Hinojosa
Hirono
Hochul
Holden

Holt
Honda
Hoyer
Huelskamp
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Petri
Holden

Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reyes
Ribble
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sherman
Shimkus
Shuler
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Viscosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen

Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)

Scott, Austin
Sessions
Sewell
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

It was decided in the { Yeas 243
affirmative } Nays 173

¶64.7 [Roll No. 271]

AYES—243

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

Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent

Nunes
Olson
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Amodei
Cardoza
Clay
Costello
Filner
Gosar
Pascrell
Rogers (AL)
Sanchez, Loretta
Slaughter
Speier

So the amendment was not agreed to.

¶64.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 45, printed in House Report 112-485, submitted by Mr. GOHMERT:

Page 366, line 16, strike “**HABEAS CORPUS RIGHTS**” and insert “**RIGHTS UNAFFECTED**”.

Page 366, line 17, strike “Nothing” and insert “(a) RULE OF CONSTRUCTION.—Nothing”.

Page 366, line 21, insert “or to deny any Constitutional rights” after “habeas corpus”.

Page 366, line 23, strike “person who is detained in the United States” and insert “person who is lawfully in the United States when detained”.

Page 366, line 25, insert “and who is otherwise entitled to the availability of such writ or such rights” before the period.

Page 366, after line 25, insert the following:

(b) NOTIFICATION OF DETENTION OF PERSONS UNDER AUTHORIZATION FOR USE OF MILITARY FORCE.—Not later than 48 hours after the date on which a person who is lawfully in the United States is detained pursuant to the Authorization for Use of Military Force (Public Law 107 40; 50 U.S.C. 1541 note), the President shall notify Congress of the detention of such person.

(c) HABEAS APPLICATIONS.—A person who is lawfully in the United States when detained pursuant to the Authorization for Use of Military Force (Public Law 107 40; 50 U.S.C. 1541 note) shall be allowed to file an application for habeas corpus relief in an appropriate district court not later than 30 days after the date on which such person is placed in military custody.

NOES—238

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Barrow
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellison
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)

Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas

NOES—173

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)

Chandler	Holden	Perlmutter
Chu	Holt	Peters
Cicilline	Honda	Pingree (ME)
Clarke (MI)	Hoyer	Polis
Clarke (NY)	Huelskamp	Price (NC)
Cleaver	Israel	Quigley
Clyburn	Jackson (IL)	Reyes
Cohen	Jackson Lee	Richardson
Connolly (VA)	(TX)	Richmond
Conyers	Johnson (GA)	Ross (AR)
Cooper	Johnson, E. B.	Rothman (NJ)
Courtney	Jones	Roybal-Allard
Critz	Kaptur	Ruppersberger
Crowley	Keating	Rush
Cummings	Kildee	Ryan (OH)
Davis (CA)	Kind	Sánchez, Linda
Davis (IL)	Kucinich	T.
DeFazio	Langevin	Sarbanes
DeGette	Larsen (WA)	Schakowsky
DeLauro	Larson (CT)	Schiff
Deutch	Lee (CA)	Schrader
Dicks	Levin	Schwartz
Dingell	Lewis (GA)	Schweikert
Doggett	Loebsack	Scott (VA)
Doyle	Lofgren, Zoe	Scott, David
Edwards	Lowey	Serrano
Ellison	Luján	Sewell
Engel	Maloney	Sherman
Eshoo	Markey	Sires
Farr	Matsui	Smith (WA)
Fattah	McClintock	Stark
Frank (MA)	McCollum	Thompson (CA)
Fudge	McGovern	Thompson (MS)
Garamendi	McNerney	Tierney
Gonzalez	Meeks	Tonko
Green, Al	Michaud	Towns
Green, Gene	Miller (NC)	Tsongas
Griffith (VA)	Miller, George	Van Hollen
Grijalva	Moore	Velázquez
Gutierrez	Moran	Visclosky
Hahn	Murphy (CT)	Wasserman
Hanabusa	Nadler	Schultz
Hastings (FL)	Napolitano	Waters
Heinrich	Neal	Watt
Higgins	Olver	Waxman
Himes	Owens	Welch
Hinchev	Pallone	Wilson (FL)
Hinojosa	Pastor (AZ)	Woolsey
Hirono	Paul	Yarmuth
Hochul	Pelosi	

NOT VOTING—15

Amodei	Gosar	Rangel
Cardoza	McDermott	Sanchez, Loretta
Clay	Nunnelee	Slaughter
Costello	Pascrell	Speier
Filner	Paulsen	Sutton

So the amendment was agreed to.

¶64.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 17, printed in House Report 112-485, submitted by Mr. COFFMAN of Colorado:

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

SEC. 3. GUIDELINES AND PROCEDURES FOR USE OF CIVILIAN EMPLOYEES OR CONTRACTOR PERSONNEL TO PERFORM DEPARTMENT OF DEFENSE FUNCTIONS.

(a) IMPLEMENTATION GUIDELINES AND PROCEDURES REQUIRED.—Subsection (a) of section 2463 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the first sentence and inserting the following: “The Under Secretary of Defense for Personnel and Readiness shall devise and implement guidelines and procedures to implement this section.”; and

(2) in paragraph (2), by striking “to performance by Department of Defense civilian employees” and inserting “to either performance by Department of Defense civilian employees or performance by contractor personnel”.

(b) CERTAIN FUNCTIONS.—Subsection (b) of such section is amended to read as follows:

“(b) SPECIAL CONSIDERATION FOR CERTAIN FUNCTIONS.—The guidelines and procedures required under subsection (a) shall provide

for special consideration to be given to using Department of Defense civilian employees to perform any function that is performed by a contractor if the function—

“(1) is closely associated with the performance of an inherently governmental function; or

“(2) has been performed pursuant to a contract awarded on a non-competitive basis.”.

(c) REPEAL OF EXCLUSION.—Such section is further amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) through (g) as subsections (c) through (f), respectively.

(d) CROSS REFERENCE.—Paragraph (2) of subsection (d), as so redesignated, is amended by striking “inherently governmental or any function described in subparagraph (A), (B), or (C) of subsection (b)(1)” and inserting “inherently governmental function”.

(e) DEFINITIONS.—Subsection (f) of such section, as so redesignated, is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

It was decided in the { Yeas 209 negative } Nays 211

¶64.9 [Roll No. 272]

AYES—209

Adams	Franks (AZ)	McHenry
Aderholt	Frelinghuysen	McKeon
Akin	Gallegly	McKinley
Alexander	Gardner	McMorris
Amash	Garrett	Rodgers
Austria	Gibbs	Mica
Bachmann	Gingrey (GA)	Miller (FL)
Bachus	Gohmert	Miller (MI)
Barletta	Goodlatte	Miller, Gary
Bartlett	Gowdy	Mulvaney
Barton (TX)	Granger	Myrick
Benishek	Graves (GA)	Neugebauer
Berg	Graves (MO)	Noem
Biggart	Griffin (AR)	Nugent
Bilbray	Griffith (VA)	Nunes
Bilirakis	Guinta	Nunnelee
Black	Guthrie	Olson
Blackburn	Hall	Palazzo
Bonner	Hanna	Paulsen
Bono Mack	Harper	Pearce
Boustany	Harris	Pence
Brady (TX)	Hartzler	Petri
Brooks	Hastings (WA)	Pitts
Broun (GA)	Hayworth	Poe (TX)
Buchanan	Heck	Pompeo
Bucshon	Hensarling	Posey
Buerkle	Herger	Price (GA)
Burgess	Herrera Beutler	Quayle
Burton (IN)	Huelskamp	Reed
Calvert	Huizenga (MI)	Rehberg
Camp	Hultgren	Reichert
Campbell	Hunter	Renacci
Canseco	Hurt	Ribble
Cantor	Issa	Rigell
Capito	Jenkins	Rivera
Carter	Johnson (OH)	Roby
Cassidy	Johnson, Sam	Roe (TN)
Chabot	Jordan	Rogers (KY)
Coffman (CO)	Kelly	Rogers (MI)
Conaway	King (IA)	Rohrabacher
Crawaack	King (NY)	Rokita
Crawford	Kingston	Rooney
Crenshaw	Kinzinger (IL)	Roskam
Culberson	Kline	Ross (FL)
Davis (KY)	Labrador	Royce
Denham	Lamborn	Ryan (WI)
Dent	Lance	Scalise
DesJarlais	Landry	Schmidt
Diaz-Balart	Lankford	Schock
Dold	Latham	Schweikert
Dreier	Latta	Scott (SC)
Duffy	Lewis (CA)	Sensenbrenner
Duncan (SC)	Long	Sessions
Duncan (TN)	Luetkemeyer	Shimkus
Ellmers	Lummis	Simpson
Farenthold	Lungren, Daniel	Smith (NE)
Fincher	E.	Smith (TX)
Flake	Mack	Southerland
Fleischmann	Manzullo	Stearns
Fleming	Marchant	Stivers
Flores	Marino	Stutzman
Forbes	McCarthy (CA)	Sullivan
Fortenberry	McCaul	Terry
Foxx	McClintock	Thompson (PA)

Thornberry	Walsh (IL)
Tiberi	Webster
Tipton	West
Turner (NY)	Westmoreland
Upton	Whitfield
Walberg	Wilson (SC)
Walden	Wittman

NOES—211

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

NOT VOTING—11

Amodei	Filner	Sanchez, Loretta
Cardoza	Gosar	Slaughter
Clay	Pascrell	Speier
Costello	Ros-Lehtinen	

So the amendment was not agreed to.

¶64.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 18, printed in House Report 112-485, submitted by Mr. KEATING:

Page 132, line 7, strike “106,005” and insert “106,700”.

Page 133, line 22, strike "14,952" and insert "14,833".

At the end of subtitle G of title X, add the following new section:

SEC. 1078. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANSFER, REDUCTION, OR ELIMINATION OF CERTAIN AIR NATIONAL GUARD UNITS.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used during fiscal year 2013 to transfer, reduce, or eliminate, or prepare to transfer, reduce, or eliminate, any unit of the Air National Guard supporting an Air and Space Operations Center or an Air Force Forces Staff.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary submits to the congressional defense committees written certification that such a waiver is necessary to meet an emergency national security requirement; and

(2) a period of 30 days has elapsed following the date on which such certification is submitted.

(c) REPORT.—

(1) IN GENERAL.—Not later than June 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report by the Chief of the National Guard Bureau and the Chief of Staff of the Air Force and approved by the Secretary of Defense that specifies, with respect to all Air National Guard units supporting an Air and Space Operations Center or an Air Force Forces Staff that are proposed to be reduced or eliminated during fiscal years 2013 through 2017—

(A) the economic analysis used to make each decision with respect to such unit to be reduced or eliminated;

(B) alternative options considered for each such decision, including an analysis of such options;

(C) a detailed account of the communications with the corresponding Air and Space Operations Center or Air Force Forces Staff that went into each such decision;

(D) a detailed account of the communications with the corresponding command that went into each such decision;

(E) the effect of each such decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Air Force; and

(F) the plans for each location that is being realigned, including the analysis used for such plans.

(2) GAO ANALYSIS.—The Comptroller General of the United States shall carry out the following:

(A) An economic analysis of each decision made by the Secretary of Defense with respect to reducing or eliminating an Air national guard unit included in the report under paragraph (1).

(B) An analysis of the alternative options considered for each such decision, including an analysis of such options.

(C) An analysis of the communications with the corresponding Air and Space Operations Center or Air Force Forces Staff that went into each such decision.

(D) An analysis of the communications with the corresponding command that went into each such decision.

(E) An analysis of the effect of each such realignment decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Army; and

(3) COOPERATION.—The Secretary of Defense shall provide the Comptroller General with relevant data and cooperation to carry out the analyses under paragraph (2).

(4) SUBMITTAL.—Not later than 90 days after the date on which the Secretary submits the report under paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the analyses conducted under paragraph (2).

(d) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 301 and 421 for operation and maintenance and military personnel, as specified in the corresponding funding tables in section 4301 and 4401, respectively, are hereby increased by a total of \$36,513,000, to be distributed as follows:

(A) The amount authorized to be appropriated in section 4301 for operation and maintenance, Air National Guard, is hereby increased by \$10,686,000.

(B) The amount authorized to be appropriated in section 4301 for operation and maintenance, Air Force, is hereby increased by \$1,040,000.

(C) The amount authorized to be appropriated in section 4401 for military personnel, Air National Guard, is hereby increased by \$21,993,000.

(D) The amount authorized to be appropriated in section 4401 for military personnel (MERHC), Air National Guard, is hereby increased by \$2,794,000.

(2) REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for Research, Development, Test, and Evaluation, as specified in the corresponding funding table in section 4201, is hereby reduced by \$36,513,000, to be derived from the Ballistic Missile Defense Midcourse Defense Segment.

It was decided in the { Yeas 192 negative Nays 229

¶64.11 [Roll No. 273] AYES—192

- Ackerman Dent Johnson, E. B. Aderholt Deutch Jones Alexander Dicks Kaptur Altmiere Dingell Keating Andrews Doggett Kildee Baca Donnelly (IN) Kind Baldwin Doyle Kucinich Bass (CA) Edwards Langevin Becerra Ellison Larsen (WA) Berkley Engel Larson (CT) Berman Eshoo Lee (CA) Bishop (NY) Farr Levin Blumenauer Pattah Lewis (GA) Bonamici Fitzpatrick LoBiondo Boswell Fleming Loebsock Boustany Frank (MA) Lofgren, Zoe Brady (PA) Fudge Lowey Braley (IA) Garamendi Luetkemeyer Brown (FL) Gibson Lujan Butterfield Gonzalez Lynch Capps Green, Al Maloney Capuano Green, Gene Markey Carnahan Grijalva Matsui Carney Guinta McCarthy (NY) Carson (IN) Gutierrez McCollum Castor (FL) Hahn McDermott Chandler Hanabusa McGovern Chu Harper McIntyre Cielline Hastings (FL) McNerney Clarke (MI) Heinrich Meehan Clarke (NY) Higgins Meeks Cleaver Himes Mica Clyburn Hinchey Michaud Cohen Hinojosa Miller (NC) Connolly (VA) Hirono Miller, George Conyers Hochul Moore Costa Holden Moran Courtney Holt Murphy (CT) Critz Honda Nadler Crowley Hoyer Napolitano Cuellar Israel Neal Cummings Jackson (IL) Nunnelee Davis (IL) Jackson Lee Oliver DeFazio (TX) Owens DeLauro Johnson (GA) Pallone

- Pastor (AZ) Scalise Tierney Paul Schakowsky Tonko Pelosi Schiff Towns Perlmutter Schilling Tsongas Peters Schrader Upton Peterson Schwartz Van Hollen Pingree (ME) Scott (VA) Velázquez Poe (TX) Scott, David Visclosky Price (NC) Serrano Walden Rahall Sewell Walz (MN) Rangel Sherman Wasserman Richardson Shuler Schultz Richmond Sires Waters Ross (AR) Smith (WA) Waxman Rothman (NJ) Stutzman Welch Roybal-Allard Sutton Wilson (FL) Ruppertsberger Thompson (CA) Woolsey Rush Thompson (MS) Yarmuth Ryan (OH) Thompson (PA) Young (FL) Sarbanes Tiberi

NOES—229

- Adams Gingrey (GA) Olson Akin Gohmert Palazzo Amash Goodlatte Paulsen Austria Pearce Gowdy Granger Pence Bachus Graves (GA) Petri Barletta Graves (MO) Pitts Barrow Griffin (AR) Platts Bartlett Griffith (VA) Pollis Barton (TX) Grimm Pompeo Bass (NH) Guthrie Posey Benishek Hall Price (GA) Berg Hanna Quayle Biggart Harris Quigley Bilbray Hartzler Reed Bilirakis Hastings (WA) Rehberg Bishop (GA) Hayworth Reichert Bishop (UT) Heck Renacci Black Hensarling Reyes Blackburn Herger Ribble Bonner Herrera Beutler Rigell Bono Mack Huelskamp Rivera Boren Huizenga (MI) Roby Brady (TX) Hultgren Roe (TN) Brooks Hunter Rogers (AL) Broun (GA) Hurt Rogers (KY) Buchanan Issa Rogers (MI) Buchson Jenkins Rohrabacher Buerkle Johnson (IL) Rokita Burgess Johnson (OH) Rooney Burton (IN) Johnson, Sam Ros-Lehtinen Calvert Jordan Roskam Camp Kelly Ross (FL) Campbell King (IA) Royce Canseco King (NY) Kingston Kingston Kinzinger (IL) Ryan (WI) Cantor Kingdon Sánchez, Linda Capito Kinzinger (IL) T. Cassidy Kline Schmidt Chabot Labrador Schmidt Chaffetz Lamborn Schock Coble Lance Schweikert Coffman (CO) Landry Scott (SC) Cole Lankford Scott, Austin Conaway Latham Sensenbrenner Cooper Cravaack Sessions Latta Shimkus Crawford Lewis (CA) Shuster Crenshaw Lipinski Simpson Culberson Long Smith (NE) Davis (CA) Lucas Smith (NJ) Davis (KY) Lummis Smith (TX) DeGette Lungren, Daniel Southerland Denham E. Stark DesJarlais Mack Stearns Diaz-Balart Manullo Stivers Dold Marchant Stivers Dreier Marino Sullivan Terry Duffy Matheson Thornberry Duncan (SC) McCarthy (CA) Tipton Duncan (TN) McCaul Turner (NY) Ellmers McClintock Turner (OH) Emerson McCotter Walberg Farenthold McHenry Walsh (IL) Fincher McKeon Watt Fincher Flake McKinley Webster Flake Fleischmann McMorris West Flores Rodgers Westmoreland Forbes Miller (FL) Whitfield Fortenberry Miller (MI) Wilson (SC) Foxx Miller, Gary Wittman Franks (AZ) Mulvaney Wolf Frelinghuysen Murphy (PA) Womack Gallegly Myrick Woodall Gardner Neugebauer Yoder Garrett Noem Young (AK) Gerlach Nugent Young (IN) Gibbs Nunes

NOT VOTING—10

Amodei	Filner	Slaughter
Cardoza	Gosar	Speier
Clay	Pascrell	
Costello	Sanchez, Loretta	

So the amendment was not agreed to.

¶64.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 19, printed in House Report 112-485, submitted by Mr. BROUN of Georgia:

At the end of subtitle C of title V, add the following new section:

SEC. 5. ELIMINATION OF MAXIMUM AGE LIMITATION FOR ORIGINAL ENLISTMENTS IN THE ARMED FORCES FOR INDIVIDUALS WHO ARE OTHERWISE QUALIFIED FOR ENLISTMENT.

Section 505(a) of title 10, United States Code, is amended by striking “nor more than forty-two years of age”.

It was decided in the { Yeas 164
negative Nays 256

¶64.13 [Roll No. 274]

AYES—164

Adams	Harris	Polis
Amash	Hayworth	Posey
Baca	Heinrich	Price (GA)
Bachus	Herrera Beutler	Quayle
Baldwin	Huelskamp	Quigley
Barton (TX)	Huizenga (MI)	Rangel
Bass (CA)	Hultgren	Reyes
Bass (NH)	Israel	Ribble
Benishkeh	Jackson Lee	Richardson
Bishop (UT)	(TX)	Rogers (MI)
Bonomici	Johnson (IL)	Rohrabacher
Boswell	Johnson (OH)	Rokita
Brady (TX)	Jones	Ros-Lehtinen
Braley (IA)	Jordan	Ross (FL)
Brooks	Keating	Rothman (NJ)
Broun (GA)	King (IA)	Rush
Burgess	Kingston	Sarbanes
Burton (IN)	Kissell	Schakowsky
Butterfield	Kucinich	Schiff
Camp	Labrador	Schilling
Capuano	Landry	Schmidt
Carnahan	Langevin	Schweikert
Carney	Lankford	Scott (SC)
Cassidy	Latham	Scott (VA)
Chabot	LaTourette	Scott, David
Cicilline	Lee (CA)	Sensenbrenner
Clarke (MI)	LoBiondo	Serrano
Coble	Lofgren, Zoe	Sherman
Cohen	Lucas	Simpson
Connolly (VA)	Lujan	Sires
Costa	Lynch	Smith (NJ)
Crenshaw	Manzullo	Stark
Crowley	Matsui	Stivers
Cummings	McCaul	Stutzman
Davis (IL)	McClintock	Sullivan
DeFazio	McCollum	Thompson (CA)
Dent	McCotter	Thompson (PA)
Doggett	McKinley	Tiberi
Duncan (SC)	McMorris	Towns
Duncan (TN)	Rodgers	Turner (NY)
Ellison	Meeks	Upton
Engel	Mica	Walberg
Eshoo	Miller (FL)	Walden
Farr	Miller, George	Walsh (IL)
Frank (MA)	Moore	Waters
Franks (AZ)	Moran	Watt
Garamendi	Mulvaney	Webster
Garrett	Neugebauer	Whitfield
Gibson	Pallone	Wolf
Gingrey (GA)	Pastor (AZ)	Woodall
Gohmert	Paul	Yoder
Gonzalez	Pearce	Young (AK)
Gowdy	Perlmutter	Young (FL)
Graves (GA)	Peterson	Young (IN)
Green, Gene	Petri	
Hahn	Poe (TX)	

NOES—256

Ackerman	Austria	Berg
Aderholt	Bachmann	Berkley
Akin	Barletta	Berman
Alexander	Barrow	Biggert
Altmire	Bartlett	Bilbray
Andrews	Becerra	Bilirakis

Bishop (GA)	Grijalva	Noem
Bishop (NY)	Grimm	Nugent
Black	Guinta	Nunes
Blackburn	Guthrie	Nunnelee
Blumenauer	Gutierrez	Olson
Bonner	Hall	Oliver
Bono Mack	Hanabusa	Owens
Boren	Hanna	Palazzo
Boustany	Harper	Paulsen
Brady (PA)	Hartzler	Pelosi
Brown (FL)	Hastings (FL)	Pence
Buchanan	Hastings (WA)	Peters
Bucshon	Heck	Pingree (ME)
Buerkle	Hensarling	Pitts
Calvert	Herger	Platts
Campbell	Higgin	Pompeo
Canseco	Himes	Price (NC)
Cantor	Hinche	Rahall
Capito	Hinojosa	Reed
Capps	Hirono	Rehberg
Carson (IN)	Hochul	Reichert
Carter	Holden	Renacci
Castor (FL)	Holt	Richmond
Chaffetz	Honda	Rigell
Chandler	Hoyer	Rivera
Chu	Hunter	Roby
Clarke (NY)	Hurt	Roe (TN)
Cleaver	Issa	Rogers (AL)
Clyburn	Jackson (IL)	Rogers (KY)
Coffman (CO)	Jenkins	Rooney
Cole	Johnson (GA)	Roskam
Conaway	Johnson, E. B.	Ross (AR)
Conyers	Johnson, Sam	Roybal-Allard
Cooper	Kaptur	Royce
Courtney	Kelly	Runyan
Cravaack	Kildee	Ruppersberger
Crawford	Kind	Ryan (WI)
Critz	King (NY)	Sanchez, Linda
Cuellar	Kinzinger (IL)	T.
Culberson	Kline	Scalise
Davis (CA)	Lamborn	Schock
Davis (KY)	Lance	Schrader
DeGette	Larsen (WA)	Schwartz
DeLauro	Larsen (CT)	Scott, Austin
Denham	Latta	Sessions
DesJarlais	Levin	Sewell
Deutch	Lewis (CA)	Shimkus
Diaz-Balart	Lewis (GA)	Shupinski
Dicks	Lipinski	Shuster
Dingell	Loebsack	Smith (NE)
Dold	Long	Smith (TX)
Donnelly (IN)	Lowey	Smith (WA)
Doyle	Luetkemeyer	Southerland
Dreier	Lummis	Stearns
Duffy	Lungren, Daniel	Sutton
Edwards	E.	Terry
Ellmers	Mack	Thompson (MS)
Emerson	Maloney	Thornberry
Farenthold	Marchant	Tierney
Fattah	Marino	Tipton
Fincher	Markey	Tonko
Fitzpatrick	Matheson	Tsongas
Flake	McCarthy (CA)	Turner (OH)
Fleischmann	McCarthy (NY)	Van Hollen
Fleming	McDermott	Velázquez
Flores	McGovern	Visclosky
Forbes	McHenry	Walz (MN)
Fortenberry	McIntyre	Wasserman
Fox	McKeon	Schultz
Frelinghuysen	McNerney	Waxman
Fudge	Meehan	Welch
Gallegly	Michaud	West
Gardner	Miller (MI)	Westmoreland
Gerlach	Miller (NC)	Wilson (FL)
Gibbs	Miller, Gary	Wilson (SC)
Goodlatte	Murphy (CT)	Wittman
Granger	Murphy (PA)	Womack
Graves (MO)	Myrick	Woolsey
Green, Al	Nadler	Yarmuth
Griffin (AR)	Napolitano	
Griffith (VA)	Neal	

NOT VOTING—11

Amodei	Filner	Sanchez, Loretta
Cardoza	Gosar	Slaughter
Clay	Pascrell	Speier
Costello	Ryan (OH)	

So the amendment was not agreed to.

¶64.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 20, printed in House Report 112-485, submitted by Mr. CARSON of Indiana:

At the end of subtitle C of title V, add the following new section:

SEC. 5. PROHIBITION ON USE OF MENTAL HEALTH RECORDS, ADDICTION SERVICE RECORDS, COUNSELING RECORDS, OR OTHER DOCUMENTS REGARDING SEEKING ASSISTANCE WITH MENTAL HEALTH ISSUES WHEN MAKING DETERMINATIONS ABOUT PROMOTIONS.

(a) PROHIBITION.—Except as provided in subsection (b), when making determinations about promotions or separations, a promotion board may not request, review, or consider—

(1) the mental health records, addiction service records, counseling records, or any other documents concerning the pursuit of assistance with mental health issues, ongoing or past, of a member of the Armed Forces; or

(2) information contained in any of these records or documents whether provided by word of mouth or in writing from commanding officers, noncommissioned officers, or any other individual.

(b) LIMITED EXCEPTION.—The Secretary of Defense shall establish a process by which a member of the Armed Forces can be excluded from the prohibition and the records and information described in subsection (a) considered, if—

(1) the member is being considered for a discharge from the Armed Forces based on a severe or untreatable mental health disorder;

(2) a physician determines that the member could be a danger to himself or herself or other persons as a result of a mental health issue that is unresolved or untreated before the board meets;

(3) a physician determines that the member will be unable to complete the duties and responsibilities associated with the advancement in rank being considered by a promotion board as a result of a mental health issue that is unresolved or untreated before the board meets; or

(4) the member consents to consideration of the records or information, such as to explain negative actions considered by a promotion board connected with a mental health issue that has been treated.

(c) NOTIFICATION.—The Secretary of Defense shall ensure that notification of the prohibition imposed by subsection (a), and the limited exception provided by subsection (b), is made available to members of the Armed Forces not later than 90 days after the date of the enactment of this Act.

It was decided in the { Yeas 180
negative Nays 241

¶64.15 [Roll No. 275]

AYES—180

Ackerman	Cicilline	Ellison
Altmire	Clarke (MI)	Engel
Andrews	Clarke (NY)	Eshoo
Baca	Cleaver	Farr
Baldwin	Clyburn	Fattah
Barrow	Cohen	Fox
Bass (CA)	Connolly (VA)	Frank (MA)
Becerra	Conyers	Fudge
Berkley	Cooper	Garamendi
Berman	Courtney	Gibson
Bishop (GA)	Critz	Gonzalez
Bishop (NY)	Crowley	Green, Al
Bonomici	Cuellar	Green, Gene
Bono Mack	Cummings	Grijalva
Boswell	Davis (CA)	Gutierrez
Brady (PA)	Davis (IL)	Hahn
Braley (IA)	DeFazio	Hanabusa
Butterfield	DeGette	Harris
Campbell	DeLauro	Hastings (FL)
Capps	Deutch	Heinrich
Capuano	Dicks	Herrera Beutler
Carnahan	Dingell	Higgins
Carney	Doggett	Himes
Carson (IN)	Donnelly (IN)	Hinche
Castor (FL)	Doyle	Hinojosa
Chandler	Edwards	Hirono

Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCullum
McDermott
McGovern

McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush

Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Townsend
Tsongas
Upton
Van Hollen
Velazquez
Visclosky
Walden
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner

Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner (NY)

Turner (OH)
Walberg
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Amodei
Cardoza
Clay
Costello

Filner
Gosar
Pascrell
Sanchez, Loretta

Slaughter
Speier

So the amendment was not agreed to.

¶64.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 26, printed in House Report 112-485, submitted by Mr. CUMMINGS:

At the end of subtitle G of title VI, add the following new section:

SEC. 664. MORTGAGE PROTECTION FOR MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN VETERANS.

(a) MORTGAGE PROTECTION.—
(1) IN GENERAL.—Section 303 of the Servicemembers Civil Relief Act (50 U.S.C. App. 533) is amended to read as follows:
“SEC. 303. MORTGAGES AND TRUST DEEDS.

“(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property that is secured by a mortgage, trust deed, or other security in the nature of a mortgage and is owned by a covered individual as follows:

“(1) With respect to an obligation on real or personal property owned by a servicemember, such obligation that originated before the period of the servicemember’s military service and for which the servicemember is still obligated.

“(2) With respect to an obligation on real property owned by a servicemember serving in support of a contingency operation (as defined in section 101(a)(13) of title 10, United States Code), such obligation that originated at any time and for which the servicemember is still obligated.

“(3) With respect to an obligation on real property owned by a veteran described in subsection (f)(1)(B), such obligation that originated at any time and for which the veteran is still obligated.

“(4) With respect to an obligation on real property owned by a surviving spouse described in subsection (f)(1)(C), such obligation that originated at any time and for which the spouse is still obligated.

“(b) STAY OF PROCEEDINGS AND ADJUSTMENT OF OBLIGATION.—(1) In an action filed during a covered time period to enforce an obligation described in subsection (a), the court may after a hearing and on its own motion and shall upon application by a covered individual when the individual’s ability to comply with the obligation is materially affected by military service—

“(A) stay the proceedings for a period of time as justice and equity require, or

“(B) adjust the obligation to preserve the interests of all parties.

“(2) For purposes of applying paragraph (1) to a covered individual who is a surviving spouse of a servicemember described in subsection (f)(1)(C), the term ‘military service’ means the service of such servicemember.

“(c) SALE OR FORECLOSURE.—A sale, foreclosure, or seizure of property for a breach of an obligation described in subsection (a) shall not be valid during a covered time period except—

“(1) upon a court order granted before such sale, foreclosure, or seizure with a return made and approved by the court; or

“(2) if made pursuant to an agreement as provided in section 107.

“(d) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.

“(e) PROOF OF SERVICE.—(1) A veteran described in subsection (f)(1)(B) shall provide documentation described in paragraph (2) to relevant persons to prove the eligibility of the veteran to be covered under this section.

“(2) Documentation described in this paragraph is a rating decision or a letter from the Department of Veterans Affairs that confirms that the veteran is totally disabled because of one or more service-connected injuries or service-connected disability conditions.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means the following individuals:

“(A) A servicemember.

“(B) A veteran who was retired under chapter 61 of title 10, United States Code, and whom the Secretary of Veterans Affairs, at the time of such retirement, determines is a totally disabled veteran.

“(C) A surviving spouse of a servicemember who—

“(i) died while serving in support of a contingency operation if such spouse is the successor in interest to property covered under subsection (a); or

“(ii) died while in military service and whose death is service-connected if such spouse is the successor in interest to property covered under subsection (a).

“(2) The term ‘covered time period’ means the following time periods:

“(A) With respect to a servicemember, during the period beginning on the date on which such servicemember begins military service and ending on the date that is 12 months after the date on which such servicemember is discharged from such service.

“(B) With respect to a servicemember serving in support of a contingency operation, during the period beginning on the date of the military orders for such service and ending on the date that is 12 months after the date on which such servicemember redeploys from such contingency operation.

“(C) With respect to a veteran described in subsection (f)(1)(B), during the 12-month period beginning on the date of the retirement of such veteran described in such subsection.

“(D) With respect to a surviving spouse of a servicemember described in subsection (f)(1)(C), during the 12-month period beginning on the date of the death of the servicemember.”

(2) CONFORMING AMENDMENT.—Section 107 of the Servicemembers Civil Relief Act (50 U.S.C. App. 517) is amended by adding at the end the following:

“(e) OTHER INDIVIDUALS.—For purposes of this section, the term ‘servicemember’ includes any covered individual under section 303(f)(1).”

(3) REPEAL OF SUNSET.—Subsection (c) of section 2203 of the Housing and Economic Recovery Act of 2008 (Public Law 110 289; 50 U.S.C. App. 533 note) is amended to read as follows:

“(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.”

(b) INCREASED CIVIL PENALTIES FOR MORTGAGE VIOLATIONS.—Paragraph (3) of section

NOES—241

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers

Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Gallagher
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham

LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher

801(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended to read as follows:

“(3) to vindicate the public interest, assess a civil penalty—

“(A) with respect to a violation of section 303 regarding real property—

“(i) in an amount not exceeding \$110,000 for a first violation; and

“(ii) in an amount not exceeding \$220,000 for any subsequent violation; and

“(B) with respect to any other violation of this Act—

“(i) in an amount not exceeding \$55,000 for a first violation; and

“(ii) in an amount not exceeding \$110,000 for any subsequent violation.”.

(c) CREDIT DISCRIMINATION.—Section 108 of such Act (50 U.S.C. App. 518) is amended—

(1) by striking “Application by” and inserting “(a) Application by”; and

(2) by adding at the end the following new subsection:

“(b) In addition to the protections under subsection (a), an individual who is eligible, or who may likely become eligible, for any provision of this Act may not be denied or refused credit or be subject to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such eligibility.”.

(d) REQUIREMENTS FOR LENDING INSTITUTIONS THAT ARE CREDITORS FOR OBLIGATIONS AND LIABILITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.—Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) LENDING INSTITUTION REQUIREMENTS.—

“(1) COMPLIANCE OFFICERS.—Each lending institution subject to the requirements of this section shall designate an employee of the institution as a compliance officer who is responsible for ensuring the institution’s compliance with this section and for distributing information to servicemembers whose obligations and liabilities are covered by this section.

“(2) TOLL-FREE TELEPHONE NUMBER.—During any fiscal year, a lending institution subject to the requirements of this section that had annual assets for the preceding fiscal year of \$10,000,000,000 or more shall maintain a toll-free telephone number and shall make such telephone number available on the primary Internet Web site of the institution.”.

It was decided in the { Yeas 394 affirmative } Nays 27

¶64.17 [Roll No. 276]

AYES—394

Table listing names of representatives and their states, such as Ackerman (Bishop GA), Adams (Bishop NY), Aderholt (Bishop UT), etc.

Table listing names of representatives and their states, such as Conyers, Cooper, Costa, Jackson (IL), etc.

Table listing names of representatives and their states, such as Issa, Jackson (IL), Peterson, Petri, etc.

Table listing names of representatives and their states, such as Wasserman, Westmoreland, Woolsey, etc.

NOES—27

Table listing names of representatives and their states, such as Amash, Hastings (WA), Myrick, etc.

NOT VOTING—10

Table listing names of representatives and their states, such as Amodei, Filner, Slaughter, etc.

So the amendment was agreed to.

¶64.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 29, printed in House Report 112-485, submitted by Mr. SABLAN:

At the end of subtitle C of title X, add the following new section:

SEC. 1023. OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Subsection (a) of section 7310 of title 10, United States Code, is amended—

(1) by striking “the United States or Guam” each place it appears and inserting “the United States, Guam, or the Commonwealth of the Northern Mariana Islands”; and

(2) in the heading for such subsection, by striking “UNITED STATES OR GUAM” and inserting “UNITED STATES, GUAM, OR COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS”.

It was decided in the { Yeas 118 negative } Nays 303

¶64.19 [Roll No. 277]

AYES—118

Table listing names of representatives and their states, such as Altmire, Harris, Neal, etc.

Velázquez
Visclosky
Walz (MN)
Waters

Watt
Welch
Woodall
Woolsey

Young (AK)
Young (IN)

Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)

Wasserman
Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)

Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (FL)

Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)

Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)

Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—303

Ackerman
Adams
Aderholt
Akin
Alexander
Andrews
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Biggart
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Culbertson
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold

Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hirono
Hochul
Holden
Huelskamp
Huizenga (MI)
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lynch
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold

McClintock
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Paulsen
Pearce
Pence
Peters
Petri
Platts
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rangel
Reed
Rehberg
Reichert
Renacci
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Capuano
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sewell
Sherman
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko

NOT VOTING—10

Amodei
Cardoza
Clay
Costello

Filner
Gosar
Pascrell
Sanchez, Loretta

Slaughter
Speier

So the amendment was not agreed to.

64.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 30, printed in House Report 112-485, submitted by Mr. JOHNSON of Georgia:

In title X, strike section 1064 and insert the following:

SEC. 1064. FINDINGS ON DEPLOYMENT OF TACTICAL NUCLEAR FORCES IN THE WESTERN PACIFIC REGION.

Congress finds the following:

(1) The United States and allied forces are currently capable of responding to aggression by the Democratic People's Republic of Korea ("North Korea").

(2) The deployment of tactical nuclear weapons to the Republic of Korea ("South Korea") would destabilize the areas of responsibility of the United States Pacific Command and United States Forces Korea.

(3) Such deployment would not be in the national security interests of the United States.

It was decided in the { Yeas 160
negative } Nays 261

64.21

[Roll No. 278]

AYES—160

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Devin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Doyle
Edwards
Ellison
Eshoo

Farr
Fattah
Fudge
Garamendi
Gibson
Gonzalez
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey

Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David

NOES—261

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchson
Hunter
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culbertson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner

Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem

Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Kingston
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Latta
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Amodei	Filner	Slaughter
Cardoza	Gosar	Speier
Clay	Pascrell	
Costello	Sanchez, Loretta	

So the amendment was not agreed to.

¶64.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 31, printed in House Report 112-485, submitted by Mr. JOHNSON of Georgia:

At the end of subtitle E of title X, add the following new section:

SEC. 1065A. REPORT ON PLANNED REDUCTIONS OF NUCLEAR WEAPONS OF THE UNITED STATES.

Not later than January 15, 2013, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees a report on whether—

(1) the planned reductions to the number of nuclear weapons of the United States pursuant to the levels set forth under the New START Treaty are in the national security interests of the United States; and

(2) such reductions should continue.

It was decided in the { Yeas 175
negative } Nays 245

¶64.23 [Roll No. 279]

AYES—175

Ackerman	Frank (MA)	Meeks
Altmire	Frank (NY)	Michaud
Andrews	Garamendi	Miller (NC)
Baca	Gingrey (GA)	Miller, George
Baldwin	Gonzalez	Moore
Bass (CA)	Green, Al	Moran
Becerra	Green, Gene	Murphy (CT)
Berkley	Grijalva	Nadler
Berman	Gutierrez	Napolitano
Bishop (GA)	Hahn	Neal
Bishop (NY)	Hanabusa	Oliver
Blumenauer	Hastings (FL)	Pallone
Bonamici	Heinrich	Pastor (AZ)
Boswell	Higgins	Paul
Brady (PA)	Himes	Pelosi
Braley (IA)	Hinchev	Peters
Brown (FL)	Hinojosa	Pingree (ME)
Butterfield	Hirono	Polis
Capps	Hochul	Price (NC)
Capuano	Holden	Quigley
Carnahan	Holt	Rahall
Carney	Honda	Rangel
Carson (IN)	Hoyer	Reyes
Castor (FL)	Israel	Richardson
Chandler	Jackson (IL)	Richmond
Chu	Jackson Lee	Rigell
Cicilline	(TX)	Rothman (NJ)
Clarke (MI)	Johnson (GA)	Roybal-Allard
Clarke (NY)	Johnson, E. B.	Ruppersberger
Cleaver	Jones	Rush
Clyburn	Kaptur	Ryan (OH)
Cohen	Keating	Sánchez, Linda
Connolly (VA)	Kildee	T.
Conyers	Kind	Sarbanes
Cooper	Kissell	Schakowsky
Courtney	Kucinich	Schiff
Critz	Langevin	Schrader
Crowley	Larsen (WA)	Schwartz
Cuellar	Larson (CT)	Scott (VA)
Cummings	Lee (CA)	Scott, David
Davis (CA)	Levin	Serrano
Davis (IL)	Lewis (GA)	Sewell
DeFazio	Loeb	Sherman
DeGette	Loeb	Sires
DeLauro	Lofgren, Zoe	Smith (WA)
Deutch	Lowe	Stark
Dicks	Lujan	Sutton
Dingell	Lynch	Thompson (CA)
Doggett	Maloney	Thompson (MS)
Donnelly (IN)	Markey	Tierney
Doyle	Matheson	Tonko
Edwards	Matsui	Towns
Ellison	McCarthy (NY)	Tsongas
Engel	McCollum	Van Hollen
Eshoo	McDermott	Velázquez
Farr	McGovern	Visclosky
Fattah	McIntyre	
	McNerney	

Wasserman
Schultz
Waters

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Curberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Marino
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert

Waxman
Welch
Wilson (FL)

NOES—245

Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landy
Lankford
Latham
LaTourrette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Terry
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Neuberg
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo

Woolsey
Yarmuth

Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rivera
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souterland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Witman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Whole on the following amendment numbered 32, printed in House Report 112-485, submitted by Mr. PRICE of Georgia:

At the end of subtitle E of title X, add the following new section:

SEC. 1066. PROHIBITION ON UNILATERAL REDUCTION OF NUCLEAR WEAPONS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following:

“§ 498. Prohibition on unilateral reduction of nuclear weapons

“(1) The President may not retire, dismantle, or eliminate, or prepare to retire, dismantle, or eliminate, any nuclear weapon of the United States (including such deployed weapons and nondeployed weapons and warheads in the nuclear weapons stockpile) if such action would reduce the number of such weapons to a number that is less than the level described in the New START Treaty (as defined in section 130f(c) of this title) unless such action is—

“(1) required by a treaty or international agreement specifically approved with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution; or

“(2) specifically authorized by an Act of Congress.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“498. Prohibition on unilateral reduction of nuclear weapons.”.

It was decided in the { Yeas 241
affirmative } Nays 179

¶64.25 [Roll No. 280]

AYES—241

Adams	Crenshaw	Harris
Aderholt	Cuellar	Hartzler
Akin	Culberson	Hastings (WA)
Alexander	Davis (KY)	Hayworth
Austria	Denham	Heck
Bachmann	Dent	Hensarling
Bachus	DesJarlais	Herger
Barletta	Diaz-Balart	Herrera Beutler
Barrow	Dold	Huelskamp
Bartlett	Dreier	Huizenga (MI)
Barton (TX)	Duffy	Hultgren
Bass (NH)	Duncan (SC)	Hunter
Benishak	Duncan (TN)	Hurt
Berg	Ellmers	Jenkins
Biggart	Emerson	Johnson (IL)
Bilbray	Farenthold	Johnson (OH)
Bilirakis	Fincher	Johnson, Sam
Bishop (UT)	Fitzpatrick	Jones
Black	Flake	Jordan
Blackburn	Fleischmann	Kelly
Bonner	Fleming	King (IA)
Bono Mack	Flores	King (NY)
Boustany	Forbes	Kingston
Brady (TX)	Fortenberry	Kinzinger (IL)
Brooks	Fox	Kissell
Broun (GA)	Franks (AZ)	Kline
Buchanan	Frelinghuysen	Labrador
Bucshon	Gallegly	Lamborn
Buerkle	Gardner	Lance
Burgess	Garrett	Landy
Burton (IN)	Gerlach	Lankford
Calvert	Gibbs	Latham
Camp	Gingrey (GA)	LaTourrette
Canseco	Gohmert	Latta
Cantor	Goodlatte	Lewis (CA)
Capito	Gowdy	LoBiondo
Carter	Granger	Long
Cassidy	Graves (GA)	Lucas
Chabot	Graves (MO)	Luetkemeyer
Chaffetz	Griffin (AR)	Lummis
Coble	Griffith (VA)	Lungren, Daniel E.
Coffman (CO)	Grimm	Mack
Cole	Guinta	Manzullo
Conaway	Guthrie	Marchant
Costa	Hall	Marino
Cravaack	Hanna	Matheson
Crawford	Harper	

NOT VOTING—11

Amodei	Filner	Sanchez, Loretta
Cardoza	Gosar	Slaughter
Clay	Johnson (IL)	Speier
Costello	Pascrell	

So the amendment was not agreed to.

¶64.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

McCarthy (CA) Price (GA)
 McCaul Quayle
 McClintock Reed
 McCotter Rehberg
 McHenry Reichert
 McIntyre Renacci
 McKeon Ribble
 McKinley Rigell
 McMorris Rivera
 Rodgers Roby
 Meehan Roe (TN)
 Mica Rogers (AL)
 Miller (FL) Rogers (KY)
 Miller (MI) Rogers (MI)
 Miller, Gary Rohrabacher
 Murphy (PA) Rokita
 Myrick Rooney
 Neugebauer Ros-Lehtinen
 Noem Roskam
 Nugent Ross (FL)
 Nunes Royce
 Nunnelee Runyan
 Olson Ryan (WI)
 Palazzo Scalise
 Paulsen Schilling
 Pearce Schmidt
 Pence Schock
 Peterson Schweikert
 Petri Scott (SC)
 Pitts Scott, Austin
 Platts Sensenbrenner
 Poe (TX) Sessions
 Pompeo Shimkus
 Posey Shuler

NOES—179

Ackerman Garamendi
 Altmire Gibson
 Amash Gonzalez
 Andrews Green, Al
 Baca Green, Gene
 Baldwin Grijalva
 Bass (CA) Gutierrez
 Becerra Hahn
 Berkley Hanabusa
 Berman Hastings (FL)
 Bishop (GA) Heinrich
 Bishop (NY) Higgins
 Blumenauer Himes
 Bonamici Hinchey
 Boren Hinojosa
 Boswell Hirono
 Brady (PA) Hochul
 Braley (IA) Holden
 Brown (FL) Holt
 Butterfield Honda
 Campbell Hoyer
 Capps Israel
 Capuano Jackson (IL)
 Carman Jackson Lee
 Carney (TX)
 Carson (IN) Johnson (GA)
 Castor (FL) Johnson, E. B.
 Chandler Kaptur
 Chu Keating
 Cicilline Kildee
 Clarke (MI) Kind
 Clarke (NY) Kucinich
 Cleaver Langevin
 Clyburn Larsen (WA)
 Cohen Larson (CT)
 Connolly (VA) Lee (CA)
 Conyers Levin
 Cooper Lewis (GA)
 Courtney Lipinski
 Critz Loebsock
 Crowley Lofgren, Zoe
 Cummings Lowey
 Davis (CA) Lujan
 Davis (IL) Lynch
 DeFazio Maloney
 DeGette Markey
 DeLauro Matsui
 Deutch McCarthy (NY)
 Dicks McCollum
 Dingell McDermott
 Doggett McGovern
 Donnelly (IN) McNerney
 Doyle Meeks
 Edwards Michaud
 Ellison Miller (NC)
 Engel Miller, George
 Eshoo Moore
 Farr Moran
 Fattah Mulvaney
 Frank (MA) Murphy (CT)
 Fudge Nadler

NOT VOTING—11
 Amodei Filner Sanchez, Loretta
 Cardoza Gosar Slaughter
 Clay Issa Speier
 Costello Pascrell

So the amendment was agreed to.

¶64.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 38, printed in House Report 112-485, submitted by Mr. RIGELL:

At the end of subtitle H of title X, add the following new section:

SEC. ____ CONDITIONAL REPLACEMENT FOR FY 2013 SEQUESTER.

(a) CONTINGENT EFFECTIVE DATE.—This section and the amendments made by it shall take effect upon the enactment of—

(1) the Act contemplated in section 201 of H. Con. Res. 112 (112th Congress) that achieves at least the deficit reduction called for in such section for such periods; or

(2) similar legislation that at least offsets the outlay reductions flowing from the budget authority reductions mandated by section 251A(7)(A) and 251A(8) as it applies to direct spending in the defense function for fiscal year 2013 of the Balanced Budget and Emergency Deficit Control Act of 1985, as in force immediately before the date of enactment of this Act, combined with the outlay reductions flowing from the amendment to section 251A(7)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 made by subsection (c), within five years of enactment.

(b) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(2) with respect to fiscal year 2013, for the discretionary category, \$1,047,000,000,000 in new budget authority;”.

(c) DISCRETIONARY SAVINGS.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(A) FISCAL YEAR 2013.—

“(i) FISCAL YEAR 2013 ADJUSTMENT.—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by \$19,104,000,000 in budget authority.

“(ii) SUPPLEMENTAL SEQUESTRATION ORDER.—On January 15, 2013, OMB shall issue a supplemental sequestration report for fiscal year 2013 and take the form of a final sequestration report as set forth in section 254(f)(2) and using the procedures set forth in section 253(f), to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall order a sequestration, if any, as required by such report.”.

(d) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DEFENSE DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(e) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a detailed report on the impact of the sequestration of funds authorized and appropriated for Fiscal Year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, as required by section 251A of the Balanced Budget and Emergency Deficit

Control Act of 1985 (2 U.S.C. 901a), as in effect immediately before the date of enactment of this Act.

(2) CONTENTS OF REPORT.—The report required by this section shall include—

(A) an assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, full spectrum training miles, and all other readiness metrics;

(B) an assessment of the impact on ability of the Department of Defense to carry out the National Military Strategy of the United States and any changes to the most recent Chairman’s Risk Assessment required by section 153 of title 10, United States Code;

(C) a listing of the programs, projects, and activities across the military departments and components that would be reduced or terminated as a result of automatically triggered cuts;

(D) an estimate of the number and value of all contracts that will be terminated, restructured, or rescoped due to sequestration, including an estimate of potential termination costs and increased contracts costs due to renegotiation and reinstatement of the contract; and

(E) an estimate of the number of civilian, contract, and uniformed personnel whose employment would be terminated due to sequestration, including the estimated cost to the Department of executing such a draw-down.

It was decided in the { Yeas 220
 affirmative } Nays 201

¶64.27 [Roll No. 281]

AYES—220

Adams	Farenthold	Landry
Aderholt	Fincher	Lankford
Akin	Flake	Latham
Alexander	Fleischmann	Latta
Austria	Fleming	Lewis (CA)
Bachmann	Flores	LoBiondo
Bachus	Forbes	Long
Barletta	Fortenberry	Lucas
Bass (NH)	Fox	Luetkemeyer
Benishek	Franks (AZ)	Lummis
Berg	Frelinghuysen	Lungren, Daniel
Biggart	Gallegly	E.
Bilbray	Garamendi	Mack
Bilirakis	Gardner	Manzullo
Bishop (UT)	Gerlach	Marchant
Black	Gibbs	Marino
Blackburn	Gingrey (GA)	McCarthy (CA)
Bonner	Gohmert	McCaul
Bono Mack	Goodlatte	McClintock
Boustany	Gowdy	McCotter
Brady (TX)	Granger	McHenry
Brooks	Graves (MO)	McIntyre
Broun (GA)	Griffin (AR)	McKeon
Buchanan	Griffith (VA)	McKinley
Bucshon	Grimm	McMorris
Buerkle	Guinta	Rodgers
Burgess	Guthrie	Meehan
Burton (IN)	Hall	Mica
Calvert	Hanna	Miller (FL)
Camp	Harper	Miller (MI)
Canseco	Harris	Miller, Gary
Cantor	Hartzler	Murphy (PA)
Capito	Hastings (WA)	Myrick
Carter	Hayworth	Neugebauer
Cassidy	Heck	Noem
Chabot	Hensarling	Nugent
Chaffetz	Herger	Nunes
Coble	Huelskamp	Nunnelee
Coffman (CO)	Huizenga (MI)	Olson
Cole	Hultgren	Palazzo
Conaway	Hunter	Paulsen
Cravaack	Hurt	Pearce
Crawford	Issa	Pence
Crenshaw	Jenkins	Petri
Culberson	Johnson (OH)	Pitts
Davis (KY)	Johnson, Sam	Platts
Denham	Jordan	Pompeo
DesJarlais	Kelly	Posey
Diaz-Balart	King (IA)	Price (GA)
Dold	King (NY)	Quayle
Dreier	Kingston	Reed
Duffy	Kinzinger (IL)	Rehberg
Duncan (SC)	Kline	Reichert
Ellmers	Lamborn	Renacci
Emerson	Lance	Ribble

Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt

Schock
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi

Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NOES—201

Ackerman
 Altmire
 Amash
 Andrews
 Baca
 Baldwin
 Barrow
 Bartlett
 Barton (TX)
 Bass (CA)
 Becerra
 Berkley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Boren
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Campbell
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Dent
 Deutch
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Duncan (TN)
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitzpatrick
 Frank (MA)

NOT VOTING—10

Amodei
 Cardoza
 Clay
 Costello

Fudge
 Garrett
 Gibson
 Gonzalez
 Green, Al
 Green, Gene
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Israel
 Jackson (IL)
 Jackson Lee
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kildee
 Kind
 Kissell
 Kucinich
 Labrador
 Langevin
 Larsen (WA)
 Larson (CT)
 LaTourette
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 Loebsack
 Lofgren, Zoe
 Lowey
 Lujan
 Lynch
 Maloney
 Markey
 Matheson
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McNeerney
 Meeks
 Michaud
 Miller (NC)
 Moore
 Moran
 Mulvaney

Murphy (CT)
 Nadler
 Napolitano
 Neal
 Oliver
 Owens
 Pallone
 Pastor (AZ)
 Paul
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Poe (TX)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reyes
 Richardson
 Richmond
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (SC)
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shuler
 Simpson
 Sires
 Smith (WA)
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velazquez
 Visclosky
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Wolf
 Woolsey
 Yarmuth

64.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 42, printed in House Report 112-485, submitted by Ms. LEE:

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

SEC. 1084. REDUCTION OF AUTHORIZATION OF APPROPRIATIONS.

(a) REDUCTION.—Notwithstanding any other provision of this Act, but subject to subsection (b), the President, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator for Nuclear Security, shall make such reductions in the amounts authorized to be appropriated under this Act in such manner as the President considers appropriate to achieve an aggregate reduction of \$8,231,100,000.

(b) EXCLUSIONS.—In carrying out subsection (a), the President shall not reduce the amount of funds for the following accounts:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

It was decided in the { Yeas 170
 negative } Nays 252

64.29 [Roll No. 282]

AYES—170

Ackerman
 Amash
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Becerra
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Campbell
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Dent
 Deutch
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Duncan (TN)
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitzpatrick
 Frank (MA)

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

NOES—252

Garrett
 Gerlach
 Gibbs
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanabusa
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Hochul
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (OH)
 Johnson, Sam
 Jordan
 Kaptur
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Lamborn
 Lance
 Landry
 Lankford
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lewis (CA)
 Lipinski
 LoBiondo
 Loebsack
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manullo
 Marchant
 Marino
 Matheson
 McCarthy (CA)
 McCaul
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Murphy (PA)

NOT VOTING—9

Amodei
 Cardoza
 Costello

So the amendment was not agreed to.

64.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 47, printed in House Report

Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Paulsen
 Pearce
 Pence
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Runyan
 Ruppertsberger
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stivers
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

Filner
 Gosar
 Pascrell
 Sanchez, Loretta
 Slaughter
 Speier

So the amendment was not agreed to.

Amodei
 Cardoza
 Costello

112-485, submitted by Mr. DUNCAN of South Carolina:

At the end of subtitle D of title XII of division A of the bill, add the following:

SEC. 12xx. LIMITATION ON FUNDS FOR INSTITUTIONS OR ORGANIZATIONS ESTABLISHED BY THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.

None of the funds authorized to be appropriated by this Act may be made available for any institution or organization established by the United Nations Convention on the Law of the Sea, including the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf.

It was decided in the { Yeas 229 affirmative } Nays 193

¶64.31 [Roll No. 283] AYES—229

- Adams Garrett Miller (MI)
Aderholt Gerlach Miller, Gary
Akin Gibbs Mulvaney (PA)
Alexander Gingrey (GA) Murphy (PA)
Amash Gohmert Myrick
Austria Goodlatte Neugebauer
Bachmann Gowdy Noem
Bachus Graves (GA) Nugent
Bartlett Graves (MO) Nunes
Barton (TX) Green, Gene Nunnelee
Bass (NH) Griffin (AR) Olson
Benishek Griffith (VA) Palazzo
Berg Grimm Paul
Biggart Guinta Paulsen
Bilbray Guthrie Pearce
Bilirakis Hall Pence
Bishop (UT) Hanna Petri
Black Harris Pitts
Blackburn Hartzler Platts
Bonner Hastings (WA) Poe (TX)
Bono Mack Heck Pompeo
Boustany Hensarling Posey
Brady (TX) Herger Price (GA)
Brooks Herrera Beutler Quayle
Broun (GA) Huelskamp Reed
Buchanan Huizenga (MI) Rehberg
Bucshon Hultgren Reichert
Buerkle Hunter Ribble
Burgess Hurt Rigell
Burton (IN) Issa Rivera
Calvert Jenkins Roby
Camp Johnson (OH) Roe (TN)
Campbell Johnson, Sam Rogers (AL)
Canseco Jones Rogers (KY)
Cantor Jordan Rogers (MI)
Capito Kelly Rohrabacher
Carter King (IA) Rokita
Cassidy King (NY) Rooney
Chabot Kingston Ros-Lehtinen
Chaffetz Kinzinger (IL) Roskam
Coble Kline Ross (FL)
Coffman (CO) Labrador Royce
Cole Lamborn Runyan
Conaway Lance Ryan (WI)
Cravaack Landry Scalise
Crawford Lankford Schilling
Crenshaw Latham Schmidt
Culberson LaTourette Schweikert
Davis (KY) Latta Scott (SC)
Denham Lewis (CA) Scott, Austin
Dent LoBiondo Sensenbrenner
DesJarlais Long Sessions
Diaz-Balart Lucas Shimkus
Dreier Luetkemeyer Shuster
Duffy Lummis Simpson
Duncan (SC) Lungren, Daniel Smith (NE)
Duncan (TN) E. Smith (NJ)
Ellmers Mack Smith (TX)
Emerson Manullo Sutherland
Farenthold Marchant Stearns
Fincher Marino Stutzman
Fitzpatrick McCarthy (CA) Sullivan
Flake McCaul Terry
Fleischmann McClintock Thompson (PA)
Fleming McCotter Thornberry
Flores McHenry Tiberi
Forbes McKeon Tipton
Fortenberry McKinley Turner (NY)
Foxy McMorris Turner (OH)
Franks (AZ) Rodgers Upton
Frelinghuysen Meehan Walberg
Gallegly Mica Walden
Gardner Miller (FL) Walsh (IL)

- Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack

NOES—193

- Ackerman Gibson Neal
Altmire Gonzalez Olver
Andrews Granger Owens
Baca Green, Al Grijalva
Baldwin Grijalva Gutierrez
Barletta Gutierrez Hahn
Barrow Barrow Hanabusa
Bass (CA) Harper
Becerra Hastings (FL)
Berkley Harper
Berman Hayworth
Bishop (GA) Heinrich
Bishop (NY) Higgins
Blumenauer Himes
Bonamici Hincey
Boren Hinojosa
Boswell Hiroso
Brady (PA) Hochul
Braley (IA) Holden
Brown (FL) Holt
Butterfield Honda
Capps Hoyer
Capuano Israel
Carnahan Jackson (IL)
Carney Carney (IN)
Carson (IN) Carson (IN)
Castor (FL) Castor (FL)
Chandler Chandler
Chu Johnson (GA)
Johnson (IL)
Johnson, E. B. Johnson (IL)
Kaptur Kaptur
Keating Keating
Kildee Kildee
Kind Kind
Kissell Kissell
Kucinich Kucinich
Cohen Langevin
Larsen (WA) Larsen (WA)
Larson (CT) Larson (CT)
Lee (CA) Lee (CA)
Levin Levin
Lewis (GA) Lewis (GA)
Lipinski Lipinski
Loeb sack Loeb sack
Lofgren, Zoe Lofgren, Zoe
Stivers Stivers
Sutton Sutton
Thompson (CA) Thompson (CA)
Thompson (MS) Thompson (MS)
Tierney Tierney
Tonko Tonko
Towns Towns
Tsongas Tsongas
Van Hollen Van Hollen
Velázquez Velázquez
Visclosky Visclosky
Walz (MN) Walz (MN)
Wasserman Wasserman
Schultz Schultz
Waters Waters
Watt Watt
Waxman Waxman
Welch Welch
Wilson (FL) Wilson (FL)
Woolsey Woolsey
Yarmuth Yarmuth
Young (AK) Young (AK)

NOT VOTING—9

- Amodei
Cardoza
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

So the amendment was agreed to.

¶64.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 48, printed in House Report 112-485, submitted by Mr. COFFMAN of Colorado:

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

SEC. 12 . . . REMOVAL OF BRIGADE COMBAT TEAMS FROM EUROPE.

(a) FINDING.—Congress finds that, because defense spending among European NATO countries fell 12% since 2008, from \$314 billion to \$275 billion, so that currently only 4 out of the 28 NATO allies of the United States are spending the widely agreed-to

standard of 2% of their GDP on defense, the United States must look to more wisely allocate scarce resources to provide for the national defense.

(b) REMOVAL AUTHORIZED.—The President is authorized and requested to end the permanent basing of units of the United States Armed Forces in European member nations of the North Atlantic Treaty Organization and return the four Brigade Combat Teams currently stationed in Europe to the United States.

(c) USE OF ROTATIONAL FORCES TO SATISFY SECURITY NEEDS.—It is the policy of the United States that the deployment of units of the United States Armed Forces on a rotational basis at military installations in European member nations of the North Atlantic Treaty Organization pursuant to the Army Force Generation (ARFORGEN) process is a force-structure arrangement sufficient to permit the United States—

(1) to satisfy the commitments undertaken by United States pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964);

(2) to address the current security environment in Europe; and

(3) to contribute to peace and stability in Europe.

It was decided in the { Yeas 226 affirmative } Nays 196

¶64.33 [Roll No. 284] AYES—226

- Ackerman Donnelly (IN) Landry
Adams Doyle Langevin
Amash Duncan (SC) Larson (CT)
Andrews Duncan (TN) Lee (CA)
Baca Edwards Lewis (GA)
Baldwin Ellison Lipinski
Barrow Eshoo Loeb sack
Bartlett Farr Lofgren, Zoe
Bass (CA) Fattah Lowey
Becerra Frank (MA) Lujan
Benishek Fudge Lummis
Berman Garamendi Lungren, Daniel
Bilbray Garrett E.
Gibson Bishop (GA) Lynch
Bishop (NY) Gohmert Maloney
Blumenauer Gonzalez Markey
Bonamici Goodlatte Matheson
Brady (PA) Graves (GA) Matsui
Braley (IA) Green, Al McCarthy (NY)
Brooks Green, Gene McClintock
Brown (FL) Griffith (VA) McCollum
Butterfield Grijalva McDermott
Camp Guthrie McGovern
Campbell Gutierrez Meehan
Capps Hahn Meeks
Capuano Hanabusa Michaud
Carnahan Harris Miller, George
Carney Hastings (FL) Moore
Carson (IN) Heinrich Moran
Castor (FL) Higgins Mulvaney
Chabot Himes Murphy (CT)
Chandler Hincey Nadler
Chu Hinojosa Napolitano
Cicilline Hiroso Neal
Clarke (MI) Hochul Nunes
Clarke (NY) Holden Olver
Cleave Holt Owens
Clyburn Honda Pallone
Coble Huelskamp Pastor (AZ)
Coffman (CO) Huizenga (MI) Paul
Cohen Israel Pelosi
Connolly (VA) Jackson (IL) Perlmutter
Conyers Jackson Lee Peters
Cooper (TX) Petri
Cravaack Jenkins Pingree (ME)
Critz Johnson (GA) Poe (TX)
Crowley Johnson, E. B. Polis
Cuellar Jones Price (GA)
Cummings Jordan Price (NC)
Davis (IL) Kaptur Quigley
DeFazio Keating Rahall
DeGette Kildee Rangel
DeLauro Kind Reyes
Deutch Kingston Ribble
Dicks Kissell Richardson
Dingell Kucinich Richmond
Doggett Labrador Rigell

Rogers (MI)
Rohrabacher
Rokita
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, Austin

Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Southernland
Stark
Stivers
Stutzman
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko

Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth
Yoder

NOES—196

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Barton (TX)
Bass (NH)
Berg
Berkley
Biggart
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Canseco
Cantor
Capito
Carter
Cassidy
Chaffetz
Clay
Cole
Conaway
Costa
Courtney
Crawford
Crenshaw
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx

Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gingrey (GA)
Gowdy
Granger
Graves (MO)
Griffin (AR)
Grimm
Guinta
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hoyer
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kline
Lamborn
Lance
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)

Miller (NC)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tipton
Townes
Turner (NY)
Turner (OH)
Walberg
Wasserman
Schultz
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Amodei
Cardoza
Costello

Filner
Gosar
Pascrell

Sanchez, Loretta
Slaughter
Speier

So the amendment was agreed to.

64.34 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment numbered 49, printed in House Report 112-485, submitted by Ms. LEE:

At the appropriate place in title XII of division A of the bill, add the following:

Subtitle—PREVENT IRAN FROM ACQUIRING NUCLEAR WEAPONS AND STOP WAR THROUGH DIPLOMACY ACT

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “Prevent Iran from Acquiring Nuclear Weapons and Stop War Through Diplomacy Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) In his Nobel Peace Prize acceptance speech on December 10, 2009, President Obama said, “I know that engagement with repressive regimes lacks the satisfying purity of indignation. But I also know that sanctions without outreach—and condemnation without discussion—can carry forward a crippling status quo. No repressive regime can move down a new path unless it has the choice of an open door.”

(2) In his address to the American Israel Public Affairs Committee on March 4, 2012, President Obama said, “I have said that when it comes to preventing Iran from obtaining a nuclear weapon, I will take no options off the table, and I mean what I say. That includes all elements of American power. A political effort aimed at isolating Iran; a diplomatic effort to sustain our coalition and ensure that the Iranian program is monitored; an economic effort to impose crippling sanctions; and, yes, a military effort to be prepared for any contingency.”

(3) While the Obama Administration has rejected failed policies of the past by engaging in negotiations with Iran without preconditions, only four of such meetings have occurred.

(4) Official representatives of the United States and official representatives of Iran have held only two direct, bilateral meetings in over 30 years, both of which occurred in October 2009, one on the sidelines of the United Nations Security Council negotiations in Geneva, and one on the sidelines of negotiations brokered by the United Nations International Atomic Energy Agency (referred to in this Act as the “IAEA”) in Vienna.

(5) All of the outstanding issues between the United States and Iran cannot be resolved instantaneously. Resolving such issues will require a robust, sustained effort.

(6) Under the Department of State’s current “no contact” policy, officers and employees of the Department of State are not permitted to make any direct contact with official representatives of the Government of Iran without express prior authorization from the Secretary of State.

(7) On September 20, 2011, then-Chairman of the Joint Chiefs of Staff Admiral Mike Mullen, called for establishing direct communications with Iran, stating, “I’m talking about any channel that’s open. We’ve not had a direct link of communication with Iran since 1979. And I think that has planted many seeds for miscalculation. When you miscalculate, you can escalate and misunderstand.”

(8) On November 8, 2011, the IAEA issued a report about Iran’s nuclear program and expressed concerns about Iran’s past and ongoing nuclear activities.

(9) On December 2, 2011, Secretary of Defense Leon Panetta warned that an attack on Iran would result in “an escalation that would take place that would not only involve many lives, but I think it could consume the Middle East in a confrontation and a conflict that we would regret.”

SEC. 3. STATEMENT OF POLICY.

It should be the policy of the United States—

(1) to prevent Iran from pursuing or acquiring a nuclear weapon and to resolve the concerns of the United States and of the international community about Iran’s nuclear program and Iran’s human rights obligations under international and Iranian law;

(2) to ensure inspection of cargo to or from Iran, as well as the seizure and disposal of prohibited items, as authorized by United Nations Security Council Resolution 1929 (June 9, 2010);

(3) to pursue sustained, direct, bilateral negotiations with the Government of Iran without preconditions in order to reduce tensions, prevent war, prevent nuclear proliferation, support human rights, and seek resolutions to issues that concern the United States and the international community;

(4) to utilize all diplomatic tools, including direct talks, targeted sanctions, Track II diplomacy, creating a special envoy described in section 4, and enlisting the support of all interested parties, for the purpose of establishing an agreement with Iran to put in place a program that includes international safeguards, guarantees, and robust transparency measures that provide for full IAEA oversight of Iran’s nuclear program, including rigorous, ongoing inspections, in order to verify that Iran’s nuclear program is exclusively for peaceful purposes and that Iran is not engaged in nuclear weapons work;

(5) to pursue opportunities to build mutual trust and to foster sustained negotiations in good faith with Iran, including pursuing a fuel swap deal to remove quantities of low enriched uranium from Iran and to refuel the Tehran Research Reactor, similar to the structure of the deal that the IAEA, the United States, China, Russia, France, the United Kingdom, and Germany first proposed in October 2009;

(6) to explore areas of mutual benefit to both Iran and the United States, such as regional security, the long-term stabilization of Iraq and Afghanistan, the establishment of a framework for peaceful nuclear energy production, other peaceful energy modernization programs, and counter-narcotics efforts; and

(7) that no funds appropriated or otherwise made available to any executive agency of the Government of the United States may be used to carry out any military operation or activity against Iran unless the President determines that a military operation or activity is warranted and seeks express prior authorization by Congress, as required under article I, section 8, clause 2 of the United States Constitution, which grants Congress the sole authority to declare war, except that this requirement shall not apply to a military operation or activity—

(A) to directly repel an offensive military action launched from within the territory of Iran against the United States or any ally with whom the United States has a mutual defense assistance agreement;

(B) in hot pursuit of forces that engage in an offensive military action outside the territory of Iran against United States forces or an ally with whom the United States has a mutual defense assistance agreement and then enter into the territory of Iran; or

(C) to directly thwart an imminent offensive military action to be launched from within the territory of Iran against United States forces or an ally with whom the United States has a mutual defense assistance agreement.

SEC. 4. APPOINTMENT OF HIGH-LEVEL U.S. REPRESENTATIVE OR SPECIAL ENVOY.

(a) APPOINTMENT.—At the earliest possible date, the President, in consultation with the Secretary of State, shall appoint a high-level United States representative or special envoy for Iran.

(b) CRITERIA FOR APPOINTMENT.—The President shall appoint an individual under subsection (a) on the basis of the individual's knowledge and understanding of the issues regarding Iran's nuclear program, experience in conducting international negotiations, and ability to conduct negotiations under subsection (c) with the respect and trust of the parties involved in the negotiations.

(c) DUTIES.—The high-level United States representative or special envoy for Iran shall—

(1) seek to facilitate direct, unconditional, bilateral negotiations with Iran for the purpose of easing tensions and normalizing relations between the United States and Iran;

(2) lead the diplomatic efforts of the Government of the United States with regard to Iran;

(3) consult with other countries and international organizations, including countries in the region, where appropriate and when necessary to achieve the purpose set forth in paragraph (1);

(4) act as liaison with United States and international intelligence agencies where appropriate and when necessary to achieve the purpose set for in paragraph (1); and

(5) ensure that the bilateral negotiations under paragraph (1) complement the ongoing international negotiations with Iran.

SEC. 5. DUTIES OF THE SECRETARY OF STATE.

(a) ELIMINATION OF "NO CONTACT" POLICY.—Not later than 30 days after the date of enactment of this Act, the Secretary of State shall rescind the "no contact" policy that prevents officers and employees of the Department of State from making any direct contact with official representatives of the Government of Iran without express prior authorization from the Secretary of State.

(b) OFFICE OF HIGH-LEVEL U.S. REPRESENTATIVE OR SPECIAL ENVOY.—Not later than 30 days after the appointment of a high-level United States representative or special envoy under section 4(a), the Secretary of State shall establish an office in the Department of State for the purpose of supporting the work of the representative or special envoy.

SEC. 6. REPORTING TO CONGRESS.

(a) REPORTS.—Not later than 60 days after the high-level United States representative or special envoy for Iran is appointed under section 4, and every 180 days thereafter, the United States representative or special envoy shall report to the committees set forth in subsection (b) on the steps that have been taken to facilitate direct, bilateral diplomacy with the government of Iran under section 4(c). Each such report may, when necessary or appropriate, be submitted in classified and unclassified form.

(b) COMMITTEES.—The committees referred to in subsection (a) are—

(1) the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for fiscal year 2013.

It was decided in the { Yeas 77 negative } { Nays 344

¶64.35 [Roll No. 285] AYES—77

- Baldwin Bishop (GA) Capuano
Bass (CA) Blumenauer Chu
Becerra Capps Clarke (NY)

- Clay
Cleaver
Clyburn
Cohen
Conyers
Cummings
Davis (IL)
DeFazio
DeGette
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Fattah
Fudge
Garamendi
Grijalva
Gutierrez
Hahn
Heinrich
Hinchey
Holt
Honda
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Lujan
McCollum
McDermott
McGovern
Miller (NC)
Miller, George
Moore
Moran
Napolitano
Olver
Pastor (AZ)

NOES—344

- Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Coble
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Dodd
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ehlers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loeb
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney

- Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Paul
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Visclosky
Walberg
Walden
Walsh (IL)
Wasserman
Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

- Amodei
Cardoza
Coffman (CO)
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

So the amendment was not agreed to.

¶64.36 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 54, printed in House Report 112-485, submitted by Mr. FRANKS of Arizona:

At the end of subtitle B of title XXXI, add the following new section:

SEC. 3123. LIMITATION ON AVAILABILITY OF FUNDS FOR NUCLEAR NON-PROLIFERATION ACTIVITIES WITH RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for defense nuclear nonproliferation may be obligated or expended for nuclear nonproliferation activities with the Russian Federation until the date that is 30 days after the date on which the Secretary of Energy certifies, in coordination with the Secretary of State and the Secretary of Defense, to the appropriate congressional committees that—

(1) Russia is no longer—
(A) providing direct or indirect support to the government of Syria's suppression of the Syrian people; and

(B) transferring to Iran, North Korea, or Syria equipment and technology that have the potential to make a material contribution to the development of weapons of mass destruction or cruise or ballistic missile systems controlled under multilateral control lists; or

(2) funds planned to be obligated or expended for nuclear nonproliferation activities with the Russian Federation are strictly for project closeout activities and will not be used for new activities or activities that will extend beyond fiscal year 2013.

(b) WAIVER.—The Secretary of Energy may waive the limitation in subsection (a) if—

(1) the Secretary determines that such waiver is in the national security interests of the United States;

(2) the Secretary briefs, in an unclassified form, the appropriate congressional committees on the justifications of such waiver; and
(3) a period of 90 days has elapsed following the date on which such briefing is held.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

It was decided in the { Yeas 241
affirmative Nays 181

64.37 [Roll No. 286] AYES—241

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

- Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton

NOES—181

- Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
E.
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinche
Hinojosa
Hirono
Hochul
Holden
Holt
Hond
Hoyer
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowe
Lujan
Lungren, Daniel
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeke
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth

- Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)
Broun (GA)
Buchanan
Burgess
Campbell
Canseco
Capps
Capuano
Carter
Cassidy
Chaffetz
Chu
Cicilline
Coffman (CO)
Conaway
Conyers
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
Lummis
Doggett
Edwards
Ellison
Farenthold
Farr
Flake
Frank (MA)
Garamendi
Gardner
Gohmert
Graves (MO)
Grijalva
Hahn
Heinrich
Higgins
Himes
Hinche
Holt
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Woolsey
Yarmuth

- Honda
Huelskamp
Huizenga (MI)
Hultgren
Israel
Jackson (IL)
Jones
Keating
King (IA)
Kingston
Kucinich
Labrador
Lance
Lankford
Larsen (WA)
Levin
Lewis (GA)
Lofgren, Zoe
Lujan
Lummis
Maloney
Marchant
Markey
Matheson
Matsui
McCaul
McClintock
McDermott
McGovern
McMorris
Rodgers
McNerney
Michaud
Nadler
Napolitano
Neal
Neugebauer
Olson
Olver
Pallone
Paul
Paulsen
Pearce
Pelosi
Perlmutter
Pingree (ME)
Polis
Posey
Quigley
Rahall
Rangel
Rokita
Roybal-Allard
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schwartz
Serrano
Sherman
Shimkus
Smith (NE)
Stark
Thompson (PA)
Tierney
Tonko
Tsongas
Visclosky
Walberg
Waters
Watt
Waxman
Webster
Welch
Woodall
Woolsey

NOES—300

- Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Bonner
Bono Mack
Boren
Bostany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Hirono
Hochul
Holden
Hoyer
Hunter
Hurt
Issa
Jackson Lee
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kinzinger (IL)
Kissell
Kline
Lamborn
Landry
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowe
Lucas
Luetkemeyer
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marino
McCarthy (CA)
McCarthy (NY)
McCarty (CA)
McCaul
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan

NOT VOTING—9

- Amodei
Cardoza
Costello
Filner
Gosar
Pascrell
Sanchez, Loretta
Slaughter
Speier

So the amendment was agreed to.

64.38 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 55, printed in House Report 112-485, submitted by Mr. PEARCE:

In subtitle E of title XXXI, strike section 3156.

It was decided in the { Yeas 121
negative Nays 300

64.39 [Roll No. 287] AYES—121

- Amash
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley

- Bishop (UT)
Blumenauer
Bonamici

McCollum	Renacci	Simpson
McCotter	Reyes	Sires
McHenry	Ribble	Smith (NJ)
McIntyre	Richardson	Smith (TX)
McKeon	Richmond	Smith (WA)
McKinley	Rigell	Southerland
Meehan	Rivera	Stearns
Meeks	Roby	Stivers
Mica	Roe (TN)	Stutzman
Miller (FL)	Rogers (AL)	Sullivan
Miller (MI)	Rogers (KY)	Sutton
Miller (NC)	Rogers (MI)	Terry
Miller, Gary	Rohrabacher	Thompson (CA)
Miller, George	Rooney	Thompson (MS)
Moore	Ros-Lehtinen	Thornberry
Moran	Roskam	Tiberi
Mulvaney	Ross (AR)	Tipton
Murphy (CT)	Ross (FL)	Towns
Murphy (PA)	Rothman (NJ)	Turner (NY)
Myrick	Royce	Turner (OH)
Noem	Runyan	Upton
Nugent	Ruppersberger	Van Hollen
Nunes	Rush	Velázquez
Nunnelee	Ryan (OH)	Walden
Owens	Ryan (WI)	Walsh (IL)
Palazzo	Scalise	Walz (MN)
Pastor (AZ)	Schiff	Wasserman
Pence	Schilling	Schultz
Peters	Schmidt	West
Peterson	Schock	Westmoreland
Petri	Schrader	Whitfield
Pitts	Schweikert	Wilson (FL)
Platts	Scott (SC)	Wilson (SC)
Poe (TX)	Scott (VA)	Wittman
Pompeo	Scott, Austin	Wolf
Price (GA)	Scott, David	Womack
Price (NC)	Sensenbrenner	Yarmuth
Quayle	Sessions	Yoder
Reed	Sewell	Young (AK)
Rehberg	Shuler	Young (FL)
Reichert	Shuster	Young (IN)

vert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

“(2) The term ‘strategic delivery system’ means the following delivery platforms for nuclear weapons:

“(A) Land-based intercontinental ballistic missiles.

“(B) Submarine-launched ballistic missiles and associated ballistic missile submarines.

“(C) Nuclear-certified strategic bombers.

“(3) The term ‘triad’ means the nuclear deterrent capabilities of the United States composed of the strategic delivery systems.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 497 the following new item:

“498. Commensurate strategic delivery system reductions.”.

It was decided in the { Yeas 238
affirmative } Nays 162

Reed	Scalise	Tiberi
Rehberg	Schmidt	Tipton
Reichert	Schweikert	Turner (NY)
Renacci	Scott (SC)	Turner (OH)
Ribble	Scott, Austin	Upton
Rigell	Sensenbrenner	Walberg
Rivera	Sessions	Walden
Roby	Shimkus	Walsh (IL)
Roe (TN)	Shuler	Webster
Rogers (AL)	Shuster	West
Rogers (KY)	Simpson	Westmoreland
Rogers (MI)	Smith (NE)	Whitfield
Rohrabacher	Smith (NJ)	Wilson (SC)
Rooney	Smith (TX)	Wittman
Ros-Lehtinen	Southerland	Wolf
Roskam	Stearns	Womack
Ross (AR)	Stivers	Woodall
Ross (FL)	Stutzman	Yoder
Royce	Terry	Young (AK)
Runyan	Thompson (PA)	Young (FL)
Ryan (WI)	Thornberry	Young (IN)

NOES—162

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

NOT VOTING—31

Amodei	Grimm	Schilling
Bilirakis	Higgins	Schock
Braley (IA)	Johnson (GA)	Slaughter
Cardoza	Labrador	Speier
Costa	LaTourette	Sullivan
Costello	Lewis (CA)	Tonko
Farr	Nunnelee	Waxman
Filner	Olver	Welch
Frank (MA)	Pascrell	Woolsey
Gingrey (GA)	Rokita	
Gosar	Sanchez, Loretta	

So the amendment was agreed to.

¶64.42 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 111, printed in House Report

NOT VOTING—10

Amodei	Gosar	Slaughter
Cardoza	Johnson (GA)	Speier
Costello	Pascrell	
Filner	Sanchez, Loretta	

So the amendment was not agreed to.

¶64.40 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 59, printed in House Report 112-485, submitted by Mr. REHBERG:

At the end of subtitle E of title X, add the following new section:

SEC. 1065A. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF STRATEGIC DELIVERY SYSTEMS.

(a) LIMITATION.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following:

“§ 498. Commensurate strategic delivery system reductions

“(a) LIMITATION ON NEW START REDUCTIONS.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system pursuant to the levels set forth for such systems under the New START Treaty unless the President certifies to the congressional defense committees that—

“(1) the Russian Federation must make a commensurate reduction, conversion, or decommissioning pursuant to the levels set forth under such treaty; and

“(2) the Russian Federation is not developing or deploying a strategic delivery system that is—

“(A) not covered under the limits set forth under such treaty; and

“(B) capable of reaching the United States.

“(b) LIMITATION ON TRIAD REDUCTIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the Department of Defense may be obligated or expended to reduce, con-

¶64.41 [Roll No. 288] AYES—238

Adams	Dreier	King (NY)
Aderholt	Duffy	Kingston
Akin	Duncan (SC)	Kinzinger (IL)
Alexander	Duncan (TN)	Kissell
Altmire	Ellmers	Kline
Austria	Emerson	Lamborn
Bachmann	Farenthold	Lance
Bachus	Fincher	Landry
Barletta	Fitzpatrick	Lankford
Barrow	Flake	Latham
Bartlett	Fleischmann	Latta
Barton (TX)	Fleming	LoBiondo
Bass (NH)	Flores	Long
Benishek	Forbes	Lucas
Berg	Portenberry	Luetkemeyer
Biggart	Fox	Lummis
Bilbray	Franks (AZ)	Lungren, Daniel
Bishop (UT)	Frelinghuysen	E.
Black	Gallegly	Mack
Blackburn	Gardner	Manzullo
Bonner	Garrett	Marchant
Bono Mack	Gerlach	Marino
Boustany	Gibbs	Matheson
Brady (TX)	Gohmert	McCarthy (CA)
Brooks	Goodlatte	McCaul
Broun (GA)	Gowdy	McClintock
Buchanan	Granger	McCotter
Bucshon	Graves (GA)	McHenry
Buerkle	Graves (MO)	McIntyre
Burgess	Griffin (AR)	McKeon
Burton (IN)	Griffith (VA)	McKinley
Calvert	Guinta	McMorris
Camp	Guthrie	Rodgers
Campbell	Gutierrez	Meehan
Canseco	Hall	Mica
Cantor	Hanna	Miller (FL)
Capito	Harper	Miller (MI)
Carter	Harris	Miller, Gary
Cassidy	Hartzler	Mulvaney
Chabot	Hastings (WA)	Murphy (PA)
Chaffetz	Hayworth	Myrick
Chandler	Heck	Neugebauer
Coble	Hensarling	Noem
Coffman (CO)	Herger	Nugent
Cole	Herrera Beutler	Nunes
Conaway	Huelskamp	Olson
Cooper	Huizenga (MI)	Palazzo
Cravaack	Hultgren	Paulsen
Crawford	Hunter	Pearce
Crenshaw	Hurt	Pence
Cuellar	Issa	Peterson
Culberson	Jenkins	Petri
Davis (KY)	Johnson (IL)	Pitts
Denham	Johnson (OH)	Platts
Dent	Johnson, Sam	Poe (TX)
DesJarlais	Jones	Pompeo
Diaz-Balart	Jordan	Posey
Dold	Kelly	Price (GA)
Donnelly (IN)	King (IA)	Quayle

112-485, submitted by Mr. PRICE of Georgia:

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

SEC. 1084. REQUIREMENT FOR ATTORNEY GENERAL TO INVESTIGATE POSSIBLE VIOLATIONS OF FEDERAL LAW RELATED TO LEAKS OF SENSITIVE INFORMATION INVOLVING THE MILITARY, INTELLIGENCE, AND OPERATIONAL CAPABILITIES OF THE UNITED STATES AND ISRAEL.

(a) INVESTIGATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall initiate an investigation into possible violations of Federal law related to leaks of sensitive information involving the military, intelligence, and operational capabilities of the United States and Israel.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report describing the status and progress of the investigation required under subsection (a).

It was decided in the affirmative { Yeas 379 Nays 38

64.43 [Roll No. 289] AYES—379

- Adams Cohen Gowdy
Aderholt Cole Granger
Akin Conaway Graves (GA)
Alexander Connolly (VA) Graves (MO)
Altmire Conyers Green, Al
Amash Costa Green, Gene
Austria Courtney Griffin (AR)
Baca Cravaack Griffith (VA)
Bachmann Crawford Grimm
Bachus Crenshaw Guinta
Baldwin Critz Guthrie
Barletta Crowley Gutierrez
Barrow Cuellar Hahn
Bartlett Culberson Hall
Barton (TX) Cummings Hanabusa
Bass (NH) Davis (CA) Hanna
Benishek Davis (IL) Harper
Berg Davis (KY) Harris
Berkley DeGette Hartzler
Biggart DeLauro Hastings (FL)
Bilbray Denham Hastings (WA)
Bilirakis Dent Hayworth
Bishop (GA) DesJarlais Heck
Bishop (NY) Deutch Heinrich
Bishop (UT) Diaz-Balart Hensarling
Black Dicks Herger
Blackburn Dingell Herrera Beutler
Bonner Doggett Higgins
Bono Mack Dold Himes
Boren Donnelly (IN) Hinchey
Boswell Doyle Hinojosa
Boustany Dreier Hirono
Brady (PA) Duffy Hochul
Brady (TX) Duncan (SC) Holden
Brooks Duncan (TN) Hoyer
Broun (GA) Ellmers Huelskamp
Buchanan Emerson Huizenga (MI)
Bucshon Engel Hultgren
Buerkle Eshoo Hunter
Burgess Farenthold Hurt
Burton (IN) Farr Israel
Calvert Fattah Issa
Camp Fincher Jackson (IL)
Campbell Fitzpatrick Jackson Lee
Canseco Flake (TX)
Cantor Fleischmann Jenkins
Capito Fleming Johnson (IL)
Capps Flores Johnson (OH)
Capuano Forbes Johnson, E. B.
Carnahan Fortenberry Johnson, Sam
Carney Fox Jones
Carter Franks (AZ) Jordan
Cassidy Frelinghuysen Kaptur
Castor (FL) Gallegly Keating
Chabot Garamendi Kelly
Chaffetz Gardner Kildee
Chandler Garrett Kind
Chu Gerlach King (IA)
Cicilline Gibbs King (NY)
Clarke (MI) Gibson Kingston
Clay Gingrey (GA) Kinzinger (IL)
Cleaver Gohmert Kissell
Coble Gonzalez Kline
Coffman (CO) Goodlatte Labrador

- Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowe y
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNeerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Petri
Pingree (ME)
Pitts
Platts
Lujan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souterland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Wooolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NOES—38

- Ackerman
Andrews
Bass (CA)
Becerra
Berman
Blumenauer
Bonamici
Brown (FL)
Butterfield
Carson (IN)
Clarke (NY)
Clyburn
Cooper
DeFazio
Edwards
Ellison
Fudge
Grijalva
Holt
Honda
Johnson (GA)
Kucinich
Lee (CA)
Lewis (GA)
McCollum
Olver
Paul
Peterson
Rahall
Rangel
Sherman
Stark
Thompson (MS)
Towns
Wasserman
Schultz
Waters
Watt
Young (AK)

NOT VOTING—14

- Amodei
Braley (IA)
Cardoza
Costello
Filner
Frank (MA)
Gosar
Lewis (CA)
Pascrell
Sanchez, Loretta
Slaughter
Speier
Sullivan
Wolf

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mrs. BIGGERT, assumed the Chair.

When Mr. WESTMORELAND, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 661, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 2013".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations
Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs
Sec. 111. Multiyear procurement authority for Army CH-47 helicopters.

Sec. 112. Reports on airlift requirements of the Army.

Subtitle C—Navy Programs
Sec. 121. Retirement of nuclear-powered ballistic submarines.

Sec. 122. Extension of Ford-class aircraft carrier construction authority.

Sec. 123. Extension of multiyear procurement authority for F/A-18E, F/A-18F, and EA-18G aircraft.

Sec. 124. Multiyear procurement authority for V-22 joint aircraft program.

Sec. 125. Multiyear procurement authority for Arleigh Burke-class destroyers and associated systems.

Sec. 126. Multiyear procurement authority for Virginia-class submarine program.

Sec. 127. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.

Sec. 128. Report on Littoral Combat Ship designs.

Sec. 129. Comptroller General reviews of Littoral Combat Ship program.

Sec. 130. Sense of Congress on importance of engineering in early stages of shipbuilding.

Sec. 131. Sense of Congress on Marine Corps Amphibious Lift and Presence Requirements.

Subtitle D—Air Force Programs
Sec. 141. Retirement of B-1 bomber aircraft.

Sec. 142. Maintenance of strategic airlift aircraft.

Sec. 143. Limitation on availability of funds for investment or retirement of C-27J aircraft.

Sec. 144. Limitation on availability of funds for termination of C-130 avionics modernization program.

Sec. 145. Review of C-130 force structure.

Sec. 146. Limitation on availability of funds for evolved expendable launch vehicle program.

Sec. 147. Procurement of space-based infrared systems.

- Subtitle E—Joint and Multiservice Matters
- Sec. 151. Requirement to set F-35 aircraft initial operational capability dates.
- Sec. 152. Limitation on availability of funds for retirement of RQ-4 Global Hawk unmanned aircraft systems.
- Sec. 153. Common data link for manned and unmanned intelligence, surveillance, and reconnaissance systems.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

- Subtitle A—Authorization of Appropriations
- Sec. 201. Authorization of appropriations.
- Subtitle B—Program Requirements, Restrictions, and Limitations
- Sec. 211. Next-generation long-range strike bomber aircraft nuclear certification requirement.
- Sec. 212. Unmanned combat air system.
- Sec. 213. Extension of limitation on availability of funds for Unmanned Carrier-launched Surveillance and Strike system program.
- Sec. 214. Limitation on availability of funds for future manned ground moving target indicator capability of the Air Force.
- Sec. 215. Limitation on availability of funds for milestone A activities for the MQ-18 unmanned aircraft system.
- Sec. 216. Vertical lift platform technology demonstrations.

Subtitle C—Missile Defense Programs

- Sec. 221. Procurement of AN/TPY-2 radars.
- Sec. 222. Development of advanced kill vehicle.
- Sec. 223. Missile defense site on the East Coast.
- Sec. 224. Ground-based midcourse defense system.
- Sec. 225. Ground-based midcourse defense interceptor test.
- Sec. 226. Deployment of SM-3 IIB interceptors on land and sea.
- Sec. 227. Iron Dome short-range rocket defense program.
- Sec. 228. Sea-based X-band radar.
- Sec. 229. Prohibition on the use of funds for the MEADS program.
- Sec. 230. Limitation on availability of funds for phased, adaptive approach to missile defense in Europe.
- Sec. 231. Limitation on availability of funds for the precision tracking space system.
- Sec. 232. Plan to improve discrimination and kill assessment capability of ballistic missile defense systems.
- Sec. 233. Plan to increase rate of flight tests of ground-based midcourse defense system.
- Sec. 234. Report on regional missile defense architectures.
- Sec. 235. Use of funds for conventional prompt global strike program.
- Sec. 236. Transfer of Aegis weapon system equipment to Missile Defense Agency.

Subtitle D—Reports

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TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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Sec. 3502. Application of the Federal acquisition regulation.

Sec. 3503. Limitation of National Defense Reserve Fleet vessels to those over 1,500 gross tons.

Sec. 3504. Donation of excess fuel to maritime academies.

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Sec. 4501. OTHER AUTHORIZATIONS.

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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR ARMY CH-47 HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Army may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of airframes for CH-47F helicopters.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 112. REPORTS ON AIRLIFT REQUIREMENTS OF THE ARMY.

(a) REPORTS.—Not later than October 31, 2012, and each year thereafter through 2017, the Secretary of the Army shall submit to the congressional defense committees a report on the time-sensitive or mission-critical airlift requirements of the Army.

(b) MATTERS INCLUDED.—The reports under subsection (a) shall include, with respect to the fiscal year before the fiscal year in which the report is submitted, the following information:

(1) The total number of time-sensitive or mission-critical airlift movements required for training, steady-state, and contingency operations.

(2) The total number of time-sensitive or mission-critical airlift sorties executed for training, steady-state, and contingency operations.

(3) Of the total number of sorties listed under paragraph (2), the number of such sorties that were operated using each of—

- (A) aircraft of the Army;
- (B) aircraft of the Air Force; and
- (C) aircraft of contractors.

(4) For each sortie described under subparagraph (A) or (C) of paragraph (3), an explanation for why the Secretary did not use aircraft of the Air Force to support the mission.

Subtitle C—Navy Programs

SEC. 121. RETIREMENT OF NUCLEAR-POWERED BALLISTIC SUBMARINES.

Section 5062 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) Beginning October 1, 2012, the Secretary of the Navy may not retire or decommission a nuclear-powered ballistic missile submarine if such retirement or decommissioning would result in the active or commissioned fleet of such submarines consisting of less than 12 submarines.

“(2) The limitation in paragraph (1) shall not apply to a nuclear-powered ballistic submarine that has been converted to carry exclusively non-nuclear payloads as of October 1, 2012.”.

SEC. 122. EXTENSION OF FORD-CLASS AIRCRAFT CARRIER CONSTRUCTION AUTHORITY.

Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104), as amended by section 124 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1320), is amended by striking “four fiscal years” and inserting “five fiscal years”.

SEC. 123. EXTENSION OF MULTIYEAR PROCUREMENT AUTHORITY FOR F/A-18E, F/A-18F, AND EA-18G AIRCRAFT.

Section 128 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2217), as amended by Public Law 111-238 (124 Stat. 2500), is amended by adding at the end the following new subsection:

“(f) EXTENSION OF MULTIYEAR AUTHORITY.—Notwithstanding section 2306b of title 10, United States Code, the Secretary of the Navy may modify a multiyear contract entered into under subsection (a) to add a fifth production year to such contract.”.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22 JOINT AIRCRAFT PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of V-22 aircraft for the Department of the Navy, the Department of the Air Force, and the United States Special Operations Command.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE-CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2013 pro-

gram year, for the procurement of not more than 10 Arleigh Burke-class guided missile destroyers, including the Aegis weapon systems, MK 41 vertical launching systems, and commercial broadband satellite systems associated with such vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into a contract, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA-CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—

(1) IN GENERAL.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2014 program year, for the procurement of not more than 10 Virginia-class submarines and Government-furnished equipment associated with the Virginia-class submarine program.

(2) USE OF INCREMENTAL FUNDING.—The Secretary may use incremental funding with respect to a contract entered into under paragraph (1).

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into a contract, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a)(1).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a)(1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

SEC. 127. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. ABRAHAM LINCOLN.

(a) REFUELING AND COMPLEX OVERHAUL.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2013 for shipbuilding and conversion, Navy, not more than \$1,613,392,000 may be obligated or expended for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN-72) during such fiscal year. Such amount shall be the first increment in the two-year sequence of incremental funding planned for such nuclear refueling and complex overhaul.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into a contract during fiscal year 2013 for the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 128. REPORT ON LITTORAL COMBAT SHIP DESIGNS.

Not later than December 31, 2013, the Secretary of the Navy shall submit to the congressional defense committees a report on the designs of the Littoral Combat Ship, including comparative cost and performance information for both designs of such ship.

SEC. 129. COMPTROLLER GENERAL REVIEWS OF LITTORAL COMBAT SHIP PROGRAM.

(a) ACCEPTANCE OF LCS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the compliance of the Secretary of the Navy with part 246 of title 48 of the Code of Federal Regulations and subpart 46.5 of the Federal Acquisition Regulation in accepting the LCS.

(2) MATTERS INCLUDED.—The review under paragraph (1) shall include a discussion of the knowledge of, and determinations by, the LCS program office and contractors with respect to the following:

- (A) Potential for cracks in the LCS hull and deckhouse and any corresponding potential design risks.
- (B) Chargeable equipment failures.
- (C) Potential for engine failures or breakdowns.
- (D) Meeting key performance parameters, including speed.
- (E) Review of the quality of seals and welds.
- (F) Review of water jet corrosion.
- (G) Completeness of records to support acceptance of the LCS.
- (H) How the LCS risk and problems compare to lead ships in comparable programs.

(I) Security of the ship and systems, including any known lapses.

(J) Manning analysis, including how it would affect key performance parameters.

(K) Strategies for balancing cost, schedule, and performance trade-offs as required by section 201 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 123 Stat. 1719).

(b) OPERATIONAL SUPPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the operational support and sustainment strategy for the Littoral Combat Ship program, including modernization and logistics support.

(c) COOPERATION.—For purposes of conducting the review under subsection (a)(1) and (b), the Secretary of Defense shall ensure that the Comptroller General has access to—

- (1) all relevant records of the Department; and
- (2) all relevant communications between Department officials, whether such communications occurred inside or outside the Federal Government.

SEC. 130. SENSE OF CONGRESS ON IMPORTANCE OF ENGINEERING IN EARLY STAGES OF SHIPBUILDING.

It is the sense of Congress that—

(1) placing a priority on engineering dollars in the early stages of shipbuilding programs is a vital component of keeping cost down; and

(2) therefore, the Secretary of the Navy should take appropriate steps to prioritize early engineering in large ship construction including amphibious class ships beginning with the LHA-8.

SEC. 131. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRESENCE REQUIREMENTS.

(a) IN GENERAL.—It is the sense of Congress that—

(1) the United States Marine Corps is a combat force which leverages maneuver from the sea as a force multiplier allowing for a variety of operational tasks ranging from major combat operations to humanitarian assistance;

(2) the United States Marine Corps is unique in that, while embarked upon Naval vessels, they bring all the logistic support necessary for the full range of military operations, operating “from the sea” they require no third party host nation permission to conduct military operations;

(3) the Department of the Navy has a requirement for 38 amphibious assault ships to meet this full range of military operations;

(4) for budgetary reasons only that requirement of 38 vessels was reduced to 33 vessels, which adds military risk to future operations;

(5) the Department of the Navy has been unable to meet even the minimal requirement of 33 operationally available vessels and has submitted a shipbuilding and ship retirement plan to the Congress which will reduce the force to 28 vessels; and

(6) experience has shown that early engineering and design of naval vessels has significantly reduced the acquisition costs and life-cycle costs of those vessels.

(b) NEXT GENERATION OF AMPHIBIOUS SHIPS.—In light of subsection (a), it is the sense of Congress that—

(1) the Navy should consider prioritization of investment in and procurement of the next generation of amphibious assault ships;

(2) the next generation amphibious assault ships should maintain survivability protection level II in accordance with current Navy ship requirements;

(3) commonality in hull form design could be a desirable element to reduce acquisition and life cycle cost; and

(4) maintaining a robust amphibious shipbuilding industrial base is vital for future national security.

Subtitle D—Air Force Programs

SEC. 141. RETIREMENT OF B-1 BOMBER AIRCRAFT.

(a) IN GENERAL.—Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h)(1) Beginning October 1, 2011, the Secretary of the Air Force may not retire more than six B-1 aircraft.

“(2) The Secretary shall maintain in a common capability configuration not less than 36 B-1 aircraft as combat-coded aircraft.

“(3) In this subsection, the term ‘combat-coded aircraft’ means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.”

(b) CONFORMING AMENDMENT.—Section 132 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1320) is amended by striking subsection (c).

SEC. 142. MAINTENANCE OF STRATEGIC AIRLIFT AIRCRAFT.

(a) MODIFICATION TO LIMITATION ON RETIREMENT OF C-5 AIRCRAFT.—Section 137(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2222) is amended by striking “316” and inserting “301”.

(b) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2013, the Commander of the United States Transportation Command shall submit to the congressional defense committees a report assessing the operational risk of meeting the steady-state and warfighting requirements of the commanders of the geographical combatant commands with respect to the Secretary of the Air Force maintaining an inventory of strategic airlift aircraft of less than 301 aircraft.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include a description and analysis of the assumptions made by the Commander with respect to—

- (A) aircraft usage rates;
- (B) aircraft mission availability rates;
- (C) aircraft mission capability rates;
- (D) aircrew ratios;
- (E) aircrew production;
- (F) aircrew readiness rates; and
- (G) any other assumption the Commander uses to develop such report.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR RETIREMENT OF C-27J AIRCRAFT.

(a) IN GENERAL.—After fiscal year 2013, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to divest, retire, or transfer, or prepare to divest, retire, or transfer, a C-27J aircraft until a period of 180 days has elapsed following the date on which—

(1) the Director of the Congressional Budget Office submits to the congressional defense committees the analysis conducted under subsection (b)(1); and

(2) the reports under subsections (d)(2) and (e)(2) of section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1318) are submitted to the congressional defense committees.

(b) LIFE-CYCLE COST ANALYSIS.—

(1) CBO.—The Director of the Congressional Budget Office shall submit to the congressional defense committees a 40-year life-cycle cost analysis of C-27J aircraft, C-130H aircraft, and C-130J aircraft.

(2) MATTERS INCLUDED.—The life-cycle cost analysis conducted under paragraph (1) shall—

(A) take into account all upgrades and modifications required to sustain the aircraft specified in paragraph (1) during a 40-year service-life;

(B) assess the most cost-effective and mission-effective manner for which C-27J aircraft could be affordably fielded by the Air National Guard, including by determining—

(i) the number of basing locations required;

(ii) the number of authorized personnel associated with a unit's manning document; and

(iii) the maintenance and sustainment strategy required; and

(C) outline any limiting factors regarding the analysis of C-27J aircraft with respect to cost assumptions used by the Director in such analysis and the actual costs incurred for aircraft fielded by the Air Force as of the date of the analysis.

(3) COOPERATION.—The Secretary of Defense shall provide the Director with any information, including original source documentation, the Director determines is required to promptly conduct the analysis under paragraph (1).

SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR TERMINATION OF C-130 AVIONICS MODERNIZATION PROGRAM.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to terminate the C-130 avionics modernization program until a period of 180 days has elapsed after the date on which the Secretary of the Air Force submits to the congressional defense committees the cost-benefit analysis conducted under subsection (b)(1).

(b) COST-BENEFIT ANALYSIS.—

(1) FFRDC.—The Secretary shall seek to enter into an agreement with the Institute for Defense Analyses to conduct an independent cost-benefit analysis that compares the following alternatives:

(A) Upgrading and modernizing the legacy C-130 airlift fleet using the C-130 avionics modernization program.

(B) Upgrading and modernizing the legacy C-130 airlift fleet using a reduced scope program for avionics and mission planning systems.

(2) MATTERS INCLUDED.—The cost-benefit analysis conducted under paragraph (1) shall take into account—

(A) the effect of life-cycle costs for—

(i) each of the alternatives described in subparagraphs (A) and (B); and

(ii) C-130 aircraft that are not upgraded or modernized; and

(B) the future costs associated with the potential upgrades to avionics and mission systems that may be required in the future for legacy C-130 aircraft to remain relevant and mission effective.

SEC. 145. REVIEW OF C-130 FORCE STRUCTURE.

(a) REVIEW.—The Secretary of the Air Force shall conduct a review of the C-130 force structure.

(b) REPORT.—Not later than the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2014, the Secretary of the Air Force shall submit to the congressional defense committees a report of the review under subsection (a), including—

(1) how the Secretary will determine which C-130 aircraft will be retired or relocated during fiscal years 2014 through 2018;

(2) a description of the methodologies underlying such determinations, including the factors and assumptions that shaped the specific determinations;

(3) the rationale for selecting C-130 aircraft to be retired or relocated with respect to such aircraft of the regular components and such aircraft of the reserve components; and

(4) details of the costs incurred, avoided, or saved with respect to retiring or relocating C-130 aircraft.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the report is submitted under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report, including the costs and benefits of the planned retirements and relocations described in such report.

SEC. 146. LIMITATION ON AVAILABILITY OF FUNDS FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) assured access to space remains critical to national security; and

(2) the plan by the Air Force to commit, beginning in fiscal year 2013, to an annual production rate of launch vehicle booster cores should maintain mission assurance, stabilize the industrial base, reduce costs, and provide opportunities for competition.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force for the evolved expendable launch vehicle program, 10 percent may not be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees—

(1) a report describing the acquisition strategy for such program; and

(2) written certification that such strategy—

(A) maintains assured access to space;

(B) achieves substantial cost savings; and

(C) provides opportunities for competition.

(c) MATTERS INCLUDED.—The report under subsection (b)(1) shall include the following information:

(1) The anticipated savings to be realized under the acquisition strategy for the evolved expendable launch vehicle program.

(2) The number of launch vehicle booster cores covered by the planned contract for such program.

(3) The number of years covered by such contract.

(4) An assessment of when new entrants that have submitted a statement of intent will be certified to compete for evolved expendable launch vehicle-class launches.

(5) The projected launch manifest, including possible opportunities for certified new

entrants to compete for evolved expendable launch vehicle-class launches.

(6) Any other relevant analysis used to inform the acquisition strategy for such program.

(d) COMPTROLLER GENERAL.—

(1) REVIEW.—The Comptroller General of the United States shall review the report under subsection (b)(1).

(2) SUBMITTAL.—Not later than 30 days after the date on which the report under subsection (b)(1) is submitted to the appropriate congressional committees, the Comptroller General shall—

(A) submit to such committees a report on the review under paragraph (1); or

(B) provide to such committees a briefing on such review.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 147. PROCUREMENT OF SPACE-BASED INFRARED SYSTEMS.

(a) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Air Force may procure two space-based infrared systems by entering into a fixed-price contract. Such procurement may also include—

(A) material and equipment in economic order quantities when cost savings are achievable; and

(B) cost reduction initiatives.

(2) USE OF INCREMENTAL FUNDING.—With respect to a contract entered into under paragraph (1) for the procurement of space-based infrared systems, the Secretary may use incremental funding for a period not to exceed six fiscal years.

(3) LIABILITY.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that the total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

(b) LIMITATION OF COSTS.—

(1) LIMITATION.—Except as provided by subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two space-based infrared systems authorized by subsection (a) may not exceed \$3,900,000,000.

(2) EXCLUSION.—The amounts described in this paragraph are amounts associated with the following:

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program support costs.

(D) Technical support for obsolescence studies.

(c) WAIVER AND ADJUSTMENT TO LIMITATION AMOUNT.—

(1) WAIVER.—In accordance with paragraph (2), the Secretary may waive the limitation in subsection (b)(1) if the Secretary submits to the congressional defense committees written notification of the adjustment made to the amount set forth in such subsection.

(2) ADJUSTMENT.—Upon waiving the limitation under paragraph (1), the Secretary may adjust the amount set forth in subsection (b)(1) by the following:

(A) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2012.

(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2012.

(C) The amounts of increases or decreases in costs of the satellites that are attributable to insertion of new technology into a space-based infrared system, as compared to the technology built into such a system procured prior to fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is—

(i) expected to decrease the life-cycle cost of the system; or

(ii) required to meet an emerging threat that poses grave harm to national security.

(d) REPORT.—Not later than 30 days after the date on which the Secretary awards a contract under subsection (a), the Secretary shall submit to the congressional defense committees a report on such contract, including the following:

(1) The total cost savings resulting from the authority provided by subsection (a).

(2) The type and duration of the contract awarded.

(3) The total contract value.

(4) The funding profile by year.

(5) The terms of the contract regarding the treatment of changes by the Federal Government to the requirements of the contract, including how any such changes may affect the success of the contract.

(6) A plan for using cost savings described in paragraph (1) to improve the capability of overhead persistent infrared, including a description of—

(A) the available funds, by year, resulting from such cost savings;

(B) the specific activities or subprograms to be funded by such cost savings and the funds, by year, allocated to each such activity or subprogram;

(C) the objectives for each such activity or subprogram and the criteria used by the Secretary to determine which such activity or subprogram to fund;

(D) the method in which such activities or subprograms will be awarded, including whether it will be on a competitive basis; and

(E) the process for determining how and when such activities and subprograms would transition to an existing program or be established as a new program of record.

Subtitle E—Joint and Multiservice Matters

SEC. 151. REQUIREMENT TO SET F-35 AIRCRAFT INITIAL OPERATIONAL CAPABILITY DATES.

(a) F-35A.—Not later than December 31, 2012, the Secretary of the Air Force shall—

(1) establish the initial operational capability date for the F-35A aircraft; and

(2) submit to the congressional defense committees a report on the details of such initial operational capability.

(b) F-35B AND F-35C.—Not later than December 31, 2012, the Secretary of the Navy shall—

(1) establish the initial operational capability dates for the F-35B and F-35C aircraft; and

(2) submit to the congressional defense committees a report on the details of such initial operational capabilities for both variants.

SEC. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RQ-4 GLOBAL HAWK UNMANNED AIRCRAFT SYSTEMS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to retire, prepare to retire, or place in storage an RQ-4 Block 30 Global Hawk unmanned aircraft system.

(b) MAINTAINED LEVELS.—During the period preceding December 31, 2014, in supporting the operational requirements of the combatant commands, the Secretary of the Air

Force shall maintain the operational capability of each RQ-4 Block 30 Global Hawk unmanned aircraft system belonging to the Air Force or delivered to the Air Force during such period.

SEC. 153. COMMON DATA LINK FOR MANNED AND UNMANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE SYSTEMS.

Section 141 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3164), as amended by section 143 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2223), is amended by adding at the end the following new subsection:

“(e) STANDARDS IN SOLICITATIONS.—The Secretary of Defense shall ensure that a solicitation for a common data link described in subsection (a)—

“(1) complies with the most recently issued common data link specification standard of the Department of Defense as of the date of the solicitation; and

“(2) does not include any proprietary or undocumented interface or waveform as a requirement or criterion for evaluation.”.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. NEXT-GENERATION LONG-RANGE STRIKE BOMBER AIRCRAFT NUCLEAR CERTIFICATION REQUIREMENT.

The Secretary of the Air Force shall ensure that the next-generation long-range strike bomber is—

(1) capable of carrying strategic nuclear weapons as of the date on which such aircraft achieves initial operating capability; and

(2) certified to use such weapons by not later than two years after such date.

SEC. 212. UNMANNED COMBAT AIR SYSTEM.

The Secretary of the Navy shall—

(1) conduct additional technology development risk reduction activities using the unmanned combat air system; and

(2) preserve a competitive acquisition environment for the Unmanned Carrier-launched Surveillance and Strike system program.

SEC. 213. EXTENSION OF LIMITATION ON AVAILABILITY OF FUNDS FOR UNMANNED CARRIER-LAUNCHED SURVEILLANCE AND STRIKE SYSTEM PROGRAM.

(a) EXTENSION OF LIMITATION.—Subsection (a) of section 213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1330) is amended by inserting “or fiscal year 2013” after “fiscal year 2012”.

(b) TECHNOLOGY DEVELOPMENT PHASE.—Such section is further amended by adding at the end the following new subsection:

“(d) TECHNOLOGY DEVELOPMENT AND CRITICAL DESIGN PHASES.—

“(1) CONTRACTORS.—The Secretary of the Navy may not reduce the number of prime contractors working on the Unmanned Carrier-launched Surveillance and Strike system program to one prime contractor for the technology development phase of such program prior to the program achieving the critical design review milestone.

“(2) CRITICAL DESIGN REVIEW.—The Unmanned Carrier-launched Surveillance and Strike system program may not achieve the critical design review milestone until on or after October 1, 2016.”.

(c) TECHNICAL AMENDMENT.—Such section is further amended by striking “Future Unmanned Carrier-based Strike System” each place it appears and inserting “Unmanned Carrier-launched Surveillance and Strike system”.

SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR FUTURE MANNED GROUND MOVING TARGET INDICATOR CAPABILITY OF THE AIR FORCE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for research, development, test, and evaluation, Air Force, may be obligated or expended for any activity, including pre-Milestone A activities, to initiate a new start acquisition program to provide the Air Force with a manned ground moving target indicator capability or manned dismount moving target indicator capability until a period of 90 days has elapsed following the date on which the Secretary of the Air Force submits the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the plan of the future manned ground moving target and manned dismount moving target indicator capabilities of the Air Force.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The plan to maintain onboard command and control capability that is equal to or better than such capability provided by the E-8C joint surveillance target attack radar program.

(B) Each analysis of alternatives completed during fiscal year 2012 regarding future manned ground moving target indicator capability or manned dismount moving target indicator capability.

(C) With respect to each new program analyzed in an analysis of alternatives described in subparagraph (B)—

(i) the development, procurement, and sustainment cost estimates for such program; and

(ii) a description of how such program will affect the potential growth of future manned ground moving target indicator capability or manned dismount moving target indicator capability.

(D) A description of potential operational and sustainment cost savings realized by the Air Force using a platform that is—

(i) derived from commercial aircraft; and

(ii) in operation by the Department of Defense as of the date of the report.

(E) The plan by the Secretary of Defense to retire or replace E-8C joint surveillance target attack radar aircraft.

(F) Any other matter the Secretary considers appropriate.

(c) WAIVER.—The Secretary may waive the limitation in subsection (a) if the Secretary—

(1) determines that such waiver is required to meet an urgent operational need or other emergency contingency requirement directly related to ongoing combat operations; and

(2) notifies the congressional defense committees of such determination.

SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR MILESTONE A ACTIVITIES FOR THE MQ-18 UNMANNED AIRCRAFT SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for research, development, test, and evaluation, Army, may be obligated or expended for Milestone A activities with respect to the MQ-18 medium-range multi-purpose vertical take-off and landing unmanned aircraft system until—

(1) the Chairman of the Joint Requirements Oversight Council certifies in writing

to the appropriate congressional committees that—

(A) such system is required to meet a capability in the manned and unmanned medium-altitude intelligence, surveillance, and reconnaissance force structure of the Department of Defense; and

(B) an existing unmanned aircraft system cannot meet such capability or be modified to meet such capability; and

(2) a period of 30 days has elapsed following the date on which the Chairman submits the certification under paragraph (1).

(b) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(2) The term “Milestone A activities” means, with respect to an acquisition program of the Department of Defense—

(A) the distribution of request for proposals;

(B) the selection of technology demonstration contractors; and

(C) technology development.

SEC. 216. VERTICAL LIFT PLATFORM TECHNOLOGY DEMONSTRATIONS.

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for joint capability technology demonstrations, the Under Secretary of Defense for Acquisition, Technology, and Logistics may obligate or expend not more than \$5,000,000 to carry out a program to develop and flight-demonstrate vertical lift platform technologies that address the capability gaps described in the Future Vertical Lift Strategic Plan of the Department of Defense submitted to Congress in August 2010.

(b) GOALS AND OBJECTIVES.—The Under Secretary shall ensure that the program under subsection (a) has the following goals and objectives:

(1) To develop innovative vertical lift platform technologies that address capability gaps in speed, range, ceiling, survivability, reliability, and affordability applicable to both current and future rotorcraft of the Department of Defense.

(2) To flight-demonstrate such vertical lift technologies no later than 2016.

(3) To accelerate the development and transition of innovative vertical lift technologies by promoting the formation of competitive teams of small business working in collaboration with large contractors and academia.

Subtitle C—Missile Defense Programs

SEC. 221. PROCUREMENT OF AN/TPY-2 RADARS.

(a) PROCUREMENT.—The Secretary of Defense shall procure two AN/TPY-2 radars.

(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of developing an AN/TPY-2 radar on a rotational table to allow the radar to quickly change directions.

SEC. 222. DEVELOPMENT OF ADVANCED KILL VEHICLE.

Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report that includes—

(1) a plan to provide that the new advanced kill vehicle on the standard missile-3 block IIB interceptor shall have the capability of being used for the ground-based midcourse defense program; and

(2) a description of the technology of and concept behind applying the former multiple

kill vehicle concept to the new vehicle described in paragraph (1).

SEC. 223. MISSILE DEFENSE SITE ON THE EAST COAST.

(a) OPERATIONAL SITE.—The Secretary of Defense shall ensure that a covered missile defense site on the East Coast of the United States is operational by not later than December 31, 2015.

(b) CONSIDERATION OF LOCATION.—

(1) STUDY.—Not later than December 31, 2013, the Secretary of Defense shall conduct a study evaluating three possible locations selected by the Director of the Missile Defense Agency for a covered missile defense site on the East Coast of the United States.

(2) EIS.—The Secretary shall prepare an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each location evaluated under paragraph (1).

(3) LOCATION.—In selecting the three possible locations for a covered missile defense site under paragraph (1), the Secretary should—

(A) take into consideration—

(i) the strategic location of the proposed site; and

(ii) the proximity of the proposed site to major population centers; and

(B) give priority to a proposed site that—

(i) is operated or supported by the Department of Defense;

(ii) lacks encroachment issues; and

(iii) has a controlled airspace.

(c) PLAN.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to deploy an appropriate missile defense interceptor for a missile defense site on the East Coast.

(2) MATTERS INCLUDED.—In developing the plan under paragraph (1), the Director shall evaluate the use of—

(A) two- or three-stage ground-based interceptors; and

(B) standard missile-3 interceptors, including block IA, block IB, and for a later deployment, block IIA or block IIB interceptors.

(3) SUBMISSION.—The Director shall submit to the President the plan under paragraph (1) for inclusion with the budget materials submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2014.

(4) FUNDING.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Missile Defense Agency, \$100,000,000 may be obligated or expended to carry out the plan developed under paragraph (1) after a period of 30 days has elapsed following the date on which the congressional defense committees receive the plan pursuant to paragraph (3).

(d) COVERED MISSILE DEFENSE SITE.—In this section, the term “covered missile defense site” means a missile defense site that uses—

(1) ground-based interceptors; or

(2) standard missile-3 interceptors.

SEC. 224. GROUND-BASED MIDCOURSE DEFENSE SYSTEM.

(a) GMD SYSTEM.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense, not less than \$1,261,000,000 shall be made available for the ground-based midcourse defense system, as specified in the funding table in section 4201.

(b) CERTAIN PROGRAMS OF THE GMD SYSTEM.—

(1) EKV.—The Secretary of Defense shall complete the refurbishment of the CEI exoatmospheric kill vehicle-equipped ground-based interceptors.

(2) MF-1.—Of the funds authorized to be appropriated by this Act or otherwise made

available for fiscal year 2013 for the ground-based midcourse defense system, not less than \$205,000,000 shall be obligated or expended to upgrade Missile Field 1 at Fort Greely, Alaska.

SEC. 225. GROUND-BASED MIDCOURSE DEFENSE INTERCEPTOR TEST.

Not later than December 31, 2013, the Secretary of Defense shall conduct an intercontinental ballistic missile test of the ground-based midcourse defense program using a ground-based interceptor equipped with a CEI exoatmospheric kill vehicle.

SEC. 226. DEPLOYMENT OF SM-3 IIB INTERCEPTORS ON LAND AND SEA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that standard missile-3 block IIB interceptors should be deployable in both land-based and sea-based modes by the date on which such interceptors achieve initial operating capability.

(b) LAND AND SEA MODES.—The Secretary of Defense shall ensure that standard missile-3 block IIB interceptors are deployable using both land-based and sea-based systems by the date on which such interceptors achieve initial operating capability.

(c) REPORT.—

(1) FORCE STRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on how the deployment of standard missile-3 block IIB interceptors affects the force structure of the Navy.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The implications for the force structure of the Navy if standard missile-3 block IIB interceptors cannot fit in the standard vertical launching system configuration for the Aegis ballistic missile defense system, including the implications regarding—

- (i) ship deployments;
- (ii) cost; and
- (iii) ability to respond to raids.

(B) An explanation for how standard missile-3 block IIB interceptors would be used, at initial operating capability, for the defense of the United States from threats originating in the Pacific region if such interceptors are not deployable in a sea-based mode, including an explanation of cost and force structure requirements.

SEC. 227. IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.

(a) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—Of the funds authorized to be appropriated by section 201 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201, or otherwise made available for the Department of Defense for fiscal years 2012 through 2015, the Secretary of Defense may provide up to \$680,000,000 to the Government of Israel for the procurement of additional batteries and interceptors under the Iron Dome short-range rocket defense system and for related operations and sustainment expenses.

(2) AVAILABILITY.—Funds made available for fiscal year 2012 or 2013 to carry out paragraph (1) are authorized to remain available until September 30, 2014.

(b) OFFICE.—The Secretary of Defense shall establish within the Missile Defense Agency of the Department of Defense an office to carry out subsection (a) and other matters relating to assistance for Israel's Iron Dome short-range rocket defense system.

SEC. 228. SEA-BASED X-BAND RADAR.

The Director of the Missile Defense Agency shall ensure that the sea-based X-band radar is maintained in a status such that the radar may be deployed in less than 14 days and for at least 60 days each year.

SEC. 229. PROHIBITION ON THE USE OF FUNDS FOR THE MEADS PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended for the medium extended air defense system.

SEC. 230. LIMITATION ON AVAILABILITY OF FUNDS FOR PHASED, ADAPTIVE APPROACH TO MISSILE DEFENSE IN EUROPE.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for covered missile defense activities, not more than 75 percent may be obligated or expended until—

(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees—

(A) a report on the cost-sharing arrangements for the phased, adaptive approach to missile defense in Europe; and

(B) written certification that a proportional share, as determined by the Secretaries, of the costs for such approach to missile defense will be provided by members of the North Atlantic Treaty Organization other than the United States; and

(2) the Secretary of Defense—

(A) submits a NATO prefinancing request for consideration of expenses regarding such approach to missile defense (excluding such expenses related to military construction described in section 2403(b)); and

(B) submits to the appropriate congressional committees the response by the NATO Secretary General or the North Atlantic Council to such request.

(b) WAIVER.—The President may waive the limitation in subsection (a) with respect to a specific project of a covered missile defense activity if the President submits to the appropriate congressional committees and the written certification that the waiver for such project is vital to the national security interests of the United States.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) The term “covered missile defense activities” means, with respect to the phased, adaptive approach to missile defense in Europe, activities regarding—

(A) Aegis ashore sites; or

(B) an AN/TPY-2 radar located in Turkey.

SEC. 231. LIMITATION ON AVAILABILITY OF FUNDS FOR THE PRECISION TRACKING SPACE SYSTEM.

(a) INITIAL LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the precision tracking space system may be obligated or expended until the date on which—

(1) a federally funded research and development center begins the analysis under subsection (b)(1); and

(2) the terms of reference for the analysis are submitted to the congressional defense committees.

(b) ANALYSIS OF ALTERNATIVES.—

(1) FFRDC.—The Director of the Missile Defense Agency shall enter into an agreement with a federally funded research and development center that has not previously been involved with the precision tracking space system to conduct an analysis of alternatives of such program.

(2) BASIS OF ANALYSIS.—The analysis under paragraph (1) shall be based on a clear articulation by the Director of—

(A) the ground-based sensors that will be required to be maintained to aid the precision tracking space system constellation;

(B) the number of satellites to be procured for a first constellation, including the projected lifetime of such satellites in the first constellation, and the number projected to be procured for a first and, if applicable, second replenishment;

(C) the technological and acquisition risks of such system;

(D) an evaluation of the technological capability differences between the precision tracking space system sensor and the space tracking and surveillance system sensor; and

(E) the cost differences, as confirmed by the Director of Cost Assessment and Program Evaluation, between such systems, including costs relating to launch services.

(3) ANALYSIS.—In conducting the analysis under paragraph (1), the federally funded research and development center shall—

(A) appoint a panel of independent study leaders for such analysis;

(B) evaluate whether the precision tracking space system, as planned by the Director in the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2013, is the lowest cost sensor option with respect to land-, air-, or space-based sensors, or a combination thereof, to improve the homeland missile defense of the United States, including by adding discrimination capability to the ground-based midcourse defense system;

(C) examine the overhead persistent infrared data or other data that is available as of the date of the analysis that is not being used;

(D) determine how using the data described in subparagraph (C) could improve sensor coverage for the homeland missile defense of the United States and regional missile defense capabilities;

(E) study the plans of the Director to integrate the precision tracking space system concept into the ballistic missile defense system and evaluate the concept or operations of such use; and

(F) consider the agreement entered into under subsection (d)(1).

(4) COST DETERMINATION.—In determining costs under the analysis under paragraph (1), the federally funded research and development center shall take into account acquisition costs and operation and sustainment costs during the initial ten-year and twenty-year periods.

(c) FURTHER LIMITATION.—

(1) SUBMITTAL AND WAIT.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the precision tracking space system may be obligated or expended until—

(A) the Director submits to the congressional defense committees the analysis under subsection (b)(1); and

(B) a period of 60 days has elapsed following the date of such submittal.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply to funds described in such paragraph that are obligated or expended for technology development activities.

(d) MEMORANDUM OF AGREEMENT.—

(1) IN GENERAL.—The Director shall enter into a memorandum of agreement with the Commander of the Air Force Space Command with respect to the space situational awareness capabilities, requirements, design, and cost-sharing of the precision tracking space system.

(2) SUBMITTAL.—The Director shall submit to the congressional defense committees the agreement entered into under paragraph (1).

SEC. 232. PLAN TO IMPROVE DISCRIMINATION AND KILL ASSESSMENT CAPABILITY OF BALLISTIC MISSILE DEFENSE SYSTEMS.

(a) PLAN.—The Director of the Missile Defense Agency shall develop a plan to improve

the discrimination and kill assessment capability of ballistic missile defense systems, particularly with respect to the ground-based midcourse defense system.

(b) **SUBMISSION.**—Not later than December 31, 2012, the Director shall—

(1) transmit to the Secretary of Defense the plan under subsection (a) to be used in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2014; and

(2) submit to the congressional defense committees such plan.

SEC. 233. PLAN TO INCREASE RATE OF FLIGHT TESTS OF GROUND-BASED MID-COURSE DEFENSE SYSTEM.

(a) **PLAN.**—

(1) **IN GENERAL.**—The Director of the Missile Defense Agency shall develop a plan to increase the rate of flight tests and ground tests of the ground-based midcourse defense system.

(2) **RATE OF PLANNED FLIGHT TESTS.**—The plan under paragraph (1) shall ensure that there are at least three flight tests conducted during every two-year period unless the Director submits to the congressional defense committees—

(A) written certification that such rate of tests is not feasible or cost-effective; and

(B) an analysis explaining the reasoning of such certification.

(b) **SUBMISSION.**—Not later than December 31, 2012, the Director shall—

(1) transmit to the Secretary of Defense the plan under subsection (a)(1) to be used in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2014; and

(2) submit to the congressional defense committees such plan.

SEC. 234. REPORT ON REGIONAL MISSILE DEFENSE ARCHITECTURES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report on—

(1) the regional missile defense architectures, including the force structure and inventory requirements derived from such architectures; and

(2) the comprehensive force management process to evaluate such requirements, including the capability, deployment, and resource outcomes that such process has determined.

SEC. 235. USE OF FUNDS FOR CONVENTIONAL PROMPT GLOBAL STRIKE PROGRAM.

The Secretary of Defense shall ensure that any funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for ground-testing activities of the conventional prompt global strike program are obligated or expended using competitive solicitation procedures to involve industry as well as government partners.

SEC. 236. TRANSFER OF AEGIS WEAPON SYSTEM EQUIPMENT TO MISSILE DEFENSE AGENCY.

(a) **TRANSFER BY NAVY.**—In accordance with section 230, the Secretary of the Navy may—

(1) transfer to the Director of the Missile Defense Agency Aegis weapon system equipment with ballistic missile defense capability for use by the Director in the Aegis ashore site in the country the Director has designated as “Host Nation 1”;

(2) in ensuring the shipbuilding schedules of ships affected by this section—

(A) obligate or expend unobligated funds made available for fiscal year 2012 for ship-

building and conversion, Navy, for the DDG-51 Destroyer to deliver complete, mission-ready Aegis weapon system equipment with ballistic missile defense capability to a DDG-51 Destroyer for which funds were made available for fiscal year 2012 under shipbuilding and conversion, Navy; or

(B) use any Aegis weapon system equipment acquired using such funds to deliver complete, mission-ready Aegis weapon system equipment with ballistic missile defense capability to a DDG-51 Destroyer for which funds were made available for fiscal year 2012 under shipbuilding and conversion, Navy; and

(3) treat equipment transferred to the Secretary under subsection (b) as equipment acquired using funds made available under shipbuilding and conversion, Navy, for purposes of completing the construction and outfitting of such equipment.

(b) **TRANSFER BY MDA.**—In accordance with section 230, upon the receipt of any equipment under subsection (a), the Director of the Missile Defense Agency shall transfer to the Secretary of the Navy Aegis weapon system equipment with ballistic missile defense capability procured by the Director for installation in a shore-based Aegis weapon system for use by the Secretary in the DDG-51 Destroyer program.

Subtitle D—Reports

SEC. 241. STUDY ON ELECTRONIC WARFARE CAPABILITIES OF THE MARINE CORPS.

(a) **STUDY.**—The Commandant of the Marine Corps shall conduct a study on the future capabilities of the Marine Corps with respect to electronic warfare.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Commandant shall submit to the congressional defense committees a report on the study conducted under subsection (a).

(2) **MATTERS INCLUDED.**—The report under paragraph (1) shall include the following:

(A) A detailed plan for EA-6B Prowler aircraft squadrons.

(B) A solution for the replacement of such aircraft.

(C) Concepts of operation for future air-ground task force electronic warfare capabilities of the Marine Corps.

(D) Any other issues that the Commandant determines appropriate.

SEC. 242. NATIONAL RESEARCH COUNCIL REVIEW OF DEFENSE SCIENCE AND TECHNICAL GRADUATE EDUCATION NEEDS.

(a) **REVIEW.**—The Secretary of Defense shall enter into an agreement with the National Research Council to conduct a review of specialized degree-granting graduate programs of the Department of Defense in engineering, applied sciences, and management.

(b) **MATTERS INCLUDED.**—At a minimum, the review under subsection (a) shall address—

(1) the need by the Department of Defense and the military departments for military and civilian personnel with advanced degrees in engineering, applied sciences, and management, including a list of the numbers of such personnel needed by discipline;

(2) an analysis of the sources by which the Department of Defense and the military departments obtain military and civilian personnel with such advanced degrees;

(3) the need for educational institutions under the Department of Defense to meet the needs identified in paragraph (1);

(4) the costs and benefits of maintaining such educational institutions, including costs relating to directed research;

(5) the ability of private institutions or distance-learning programs to meet the needs identified in paragraph (1);

(6) existing organizational structures, including reporting chains, within the military

departments to manage the graduate education needs of the Department of Defense and the military departments; and

(7) recommendations for improving the ability of the Department of Defense to identify, manage, and source the graduate education needs of the Department.

(c) **REPORT.**—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary shall submit to the congressional defense committees a report on the results of such review.

SEC. 243. REPORT ON THREE-DIMENSIONAL INTEGRATED CIRCUIT MANUFACTURING CAPABILITIES.

(a) **ASSESSMENT.**—The Secretary of Defense shall conduct a comprehensive assessment regarding the manufacturing capability of the United States to produce three-dimensional integrated circuits to serve the national defense interests of the United States.

(b) **ELEMENTS.**—The assessment under subsection (a) shall include—

(1) an assessment of the military requirements for using three-dimensional integrated circuits in future microelectronic systems;

(2) an assessment of the current domestic commercial capability to develop and manufacture three-dimensional integrated circuits for use in military systems, including a plan for alternative sources to supply such circuits in case of shortages in the domestic supply;

(3) an assessment of the feasibility, as well as planning and design requirements, for the development of a domestic manufacturing capability for three-dimensional integrated circuits; and

(4) an assessment of any challenges that may exist in the manufacturing capability of the United States to produce three-dimensional integrated circuits (including a review of the challenges that may exist in the manufacturing capability of the United States to produce small-lot quantities of advanced chips (200mm and 300mm)) and a general analysis on potential ways to overcome these challenges and encourage domestic commercial capability to develop and manufacture three-dimensional integrated circuits for use in military systems.

(c) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessment under subsection (a).

(d) **FORM.**—The report under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SEC. 244. REPORT ON EFFORTS TO FIELD NEW DIRECTED ENERGY WEAPONS.

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report summarizing efforts within the Department of Defense to transition mature and maturing directed energy technologies to new operational weapon systems during the five- to ten-year period beginning on the date of the report.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall include the following:

(1) Thorough assessments of—

(A) the maturity of high-energy laser, high-power microwave, and millimeter wave non-lethal technologies, both domestically and foreign;

(B) missions for which directed energy weapons could be used to substantially enhance the current and planned military capabilities of the United States;

(C) the potential for new directed energy systems to reduce requirements for expendable air and missile defense weapons;

(D) the status of and prognosis for foreign directed energy programs;

(E) the potential vulnerabilities of military systems of the United States to foreign directed energy weapons and efforts by the Secretary to mitigate such vulnerabilities; and

(F) a summary of actions the Secretary is taking to ensure that the military will be the global leader in directed energy capabilities.

(2) In light of the suitability of surface ships to support a solid-state laser weapon based on mature and maturing technologies, whether—

(A) the Department of the Navy should be designated as lead service for fielding a 100 to 200 kilowatt-class laser to defend surface ships against unmanned aircraft, cruise missile, and fast attack craft threats; and

(B) the Secretary of the Navy should initiate a program of record to begin fielding a ship-based solid-state laser weapon system.

(3) In light of the potential effectiveness of high-power microwave weapons against sensors, battle management, and integrated air defense networks, whether—

(A) the Department of the Navy and the Department of the Air Force should be designated as lead services for integrating high-power microwave weapons on small air vehicles, including cruise missiles and unmanned aircraft; and

(B) the Secretary of the Air Force should initiate a program of record to field a cruise missile- or unmanned air vehicle-based high-power microwave weapon.

(4) In light of the potential of mature chemical laser technologies to counter air and ballistic missile threats from relocatable fixed sites, whether the Secretary of the Army should initiate a program of record to develop and field a multi-megawatt class chemical laser weapon system to defend forward airfields, ports, and other theater bases critical to future operations.

(5) Whether the investments by the Secretary of Defense in high-energy laser weapons research, development, test, and evaluation are appropriately prioritized across each military department and defense-wide accounts to support the weaponization of mature and maturing directed energy technologies during the five- to ten-year period beginning on the date of the report, including whether sufficient funds are allocated within budget area 4 and higher accounts to prepare for near term weaponization opportunities.

(c) FORM.—The report under subsection (a) shall be unclassified, but may include a classified annex.

SEC. 245. REPORT ON AIR FORCE CYBER OPERATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a study of Air Force cyber operations research, science, and technology. The report shall include following:

(1) The near-, mid- and far-term research and development priorities of the Secretary with respect to cyber operations, including the resources needed to execute such priorities.

(2) The percentage of research and development funding of the Air Force that is used to support cyber operations during each year covered by the future-years defense program submitted to Congress during 2012 under section 221 of title 10, United States Code.

(3) The anticipated role of each of the installations of the Air Force Research Laboratory with respect to cybersecurity research and development and operational support during each year covered by such future-years defense program.

(4) The resources, including both personnel and funding, that are projected to support the Air Force Research Laboratory in fulfilling such roles.

(5) Anticipated budget actions, if any, that the Secretary of Defense and the Secretary of the Air Force plan to take during fiscal year 2013 to ensure that the Department of Defense and the Air Force maintain the leadership role in cyber research.

(6) The plan of the Secretary of the Air Force to integrate cyber operations into military operations.

(7) The ways in which the Secretary is recruiting and retaining scientists and engineers at the Air Force Research Laboratory involved with cyber operations research, including the use of the authorities granted under the laboratory demonstration program established by Section 342 of the National Defense Authorization Act for Fiscal Year 1995 and section 1114 of the National Defense Authorization Act for Fiscal Year 2001.

(8) Efforts to coordinate science and technology cyber activities of the Air Force Research Laboratory with other Air Force organizations, including the Air Force Institute of Technology and the Air Force Institute of Technology Center for Cyberspace Research.

(9) The potential benefit to the Air Force for collaboration with private industry and the development of cyber security technology clusters.

Subtitle E—Other Matters

SEC. 251. ELIGIBILITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATIONAL PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN TERRITORIES AND POSSESSIONS OF THE UNITED STATES.

(a) ELIGIBILITY OF INSTITUTIONS IN TERRITORIES AND POSSESSIONS.—Section 2194(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) The term ‘United States’ includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.”.

(b) TECHNICAL AMENDMENT.—Paragraph (2) of such section is amended by inserting “(20 U.S.C. 7801)” before the period.

SEC. 252. REGIONAL ADVANCED TECHNOLOGY CLUSTERS.

(a) DEVELOPMENT OF INNOVATIVE ADVANCED TECHNOLOGIES.—The Secretary of Defense may use the research and engineering network of the Department of Defense, including the organic industrial base, to support regional advanced technology clusters established by the Secretary of Commerce to encourage the development of innovative advanced technologies, including advanced robotics, advanced defense systems, power and energy innovations, systems to mitigate manmade and naturally occurring electromagnetic pulse or high-powered microwaves, cybersecurity and applied lightweight materials, to address national security and homeland defense challenges.

(b) DESIGNATION OF LEAD OFFICE.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) designate an office within the Department of Defense with the lead responsibility for enhancing the use of regional advanced technology clusters by the Department; and

(2) notify the appropriate congressional committees of such designation.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate congressional committees a report describing—

(1) the participation of the Department of Defense in regional advanced technology clusters;

(2) implementation by the Department of processes and tools to facilitate collaboration with the clusters; and

(3) agreements established by the Department with the Department of Commerce to jointly support the continued growth of the clusters.

(d) COLLABORATION.—The Secretary of Defense may meet, collaborate, and share resources with other Federal agencies for purposes of assisting in the expansion of regional advanced technology clusters under this section.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Commerce, Science, and Transportation of the Senate; and

(C) the Committee on Energy and Commerce of the House of Representatives.

(2) The term “regional advanced technology clusters” means geographic centers focused on building science and technology-based innovation capacity in areas of local and regional strength to foster economic growth and improve quality of life.

SEC. 253. BRIEFING ON POWER AND ENERGY RESEARCH CONDUCTED AT UNIVERSITY AFFILIATED RESEARCH CENTER.

Not later than February 28, 2013, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on power and energy research conducted at the University Affiliated Research Centers. The briefing shall include—

(1) a description of research conducted with other university based energy centers; and

(2) a description of collaboration efforts with university-based research centers on energy research and development activities, particularly with centers that have an expertise in energy efficiency and renewable energy, including—

(A) lighting;

(B) heating;

(C) ventilation and air-conditioning systems; and

(D) renewable energy integration.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS OF FUNDS FOR INACTIVATION EXECUTION OF U.S.S. ENTERPRISE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Secretary of the Navy for fiscal year 2013 for inactivation execution of the U.S.S. Enterprise (CVN 65) as specified in the funding table in section 4301.

(b) LIMITATION.—The total amount obligated and expended by the Secretary of the Navy for the inactivation execution of the U.S.S. Enterprise may not exceed \$708,000,000.

(c) CONTRACT AUTHORITY.—

(1) IN GENERAL.—Subject to the availability of funds under subsection (a) and the condition in paragraph (2), the Secretary of the Navy may enter into a contract during fiscal year 2013 for the inactivation execution of the U.S.S. Enterprise.

(2) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appro-

priations for that purpose for that fiscal year.

Subtitle B—Energy and Environmental Provisions

SEC. 311. TRAINING RANGE SUSTAINMENT PLAN AND TRAINING RANGE INVENTORY.

Section 366 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2522; 10 U.S.C. 113 note), as most recently amended by section 348 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2159) is amended in subsections (a)(5) and (c)(2), by striking “fiscal years 2005 through 2013” and inserting “fiscal years 2005 through 2018”.

SEC. 312. MODIFICATION OF DEFINITION OF CHEMICAL SUBSTANCE.

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by inserting “, or any component of any such article including, without limitation, shot, bullets and other projectiles, propellants, and primers” before “, and”.

SEC. 313. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142) is amended by adding at the end the following: “This section shall not apply to the Department of Defense.”.

SEC. 314. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ALTERNATIVE FUEL.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available during fiscal year 2013 for the Department of Defense may be obligated or expended for the production or purchase of any alternative fuel if the cost of producing or purchasing the alternative fuel exceeds the cost of producing or purchasing a traditional fossil fuel that would be used for the same purpose as the alternative fuel.

(b) EXCEPTION.—Notwithstanding subsection (a), the Secretary of Defense may purchase such limited quantities of alternative fuels as are necessary to complete fleet certification for 50/50 blends. In such instances, the Secretary shall purchase such alternative fuel using competitive procedures and ensure the best purchase price for the fuel.

SEC. 315. PLAN ON ENVIRONMENTAL EXPOSURES TO MEMBERS OF THE ARMED FORCES.

(a) PLAN.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan on the time line of the Secretary to develop a material solution to measure environmental exposures to members of the Armed Forces in the continental United States and outside the continental United States.

(b) MATTERS INCLUDED.—The plan under subsection (a) shall include the following:

(1) A time line for identifying relevant material solutions that would facilitate the Secretary identifying members of the Armed Forces who have individual exposures to environmental hazards.

(2) A time line, and estimated cost, of developing and deploying the material solution described in paragraph (1).

(3) A system for collecting and maintaining exposure data and a description of the content required.

(4) An identification of the categories of environmental exposures that will be tracked, including burn pits, dust or sand, water contamination, hazardous materials, and waste.

(5) A summary of ongoing research into health consequences of military environmental exposures and areas where additional research is needed.

(6) A status report on the sharing of environmental exposure data with the Secretary of Veterans Affairs on an ongoing and regular basis for use in medical and treatment records of veterans, including using such data in determining the service-connectedness of health conditions and in identifying the possible origins and causes of disease.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the plan developed under subsection (a).

SEC. 316. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2283. Establishment of the Southern Sea Otter Military Readiness Areas

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish areas, to be known as ‘Southern Sea Otter Military Readiness Areas’, for national defense purposes. Such areas shall include each of the following:

“(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

“N. Latitude/W. Longitude

“33°27.8’/119°34.3’

“33°20.5’/119°15.5’

“33°13.5’/119°11.8’

“33°06.5’/119°15.3’

“33°02.8’/119°26.8’

“33°08.8’/119°46.3’

“33°17.2’/119°56.9’

“33°30.9’/119°54.2’.

“(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line, as designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

“(3) The area that includes Marine Corps Base Camp Pendleton and the adjacent waters within the following coordinates:

“Latitude/W. Longitude

“33°26.6’/117°38.9’

“33°21.3’/117°45.8’

“32°56.2’/117°39.7’

“33°6.5’/117°28.5’

“33°10.2’/117°23.7’

“33°11.8’/117°23.2’

“33°26.6’/117°38.9’.

“(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

“(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

“(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting military readiness activities.

“(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of any military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

“(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require the removal of any southern sea otter located within the Southern Sea Otter Military Readiness Areas as of the date of the enactment of this section or thereafter.

“(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with, and with the concurrence of, the Secretary of the Navy, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are substantially impeding southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

“(e) MONITORING.—

“(1) IN GENERAL.—The Secretary of the Navy, in consultation and in cooperation with the Secretary of the Interior, shall monitor the Southern Sea Otter Military Readiness Areas not less often than every year to evaluate the status of the southern sea otter population.

“(2) REPORTS.—Within 18 months after the effective date of this section and every three years thereafter, the Secretaries of the Navy and the Interior shall jointly report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘incidental taking’ means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

“(2) The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

“(3) The term ‘southern sea otter’ means any member of the subspecies *Enhydra lutris nereis*.

“(4) The term ‘take’—

“(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531-1544) shall have the meaning given such term in that Act; and

“(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1423h), shall have the meaning given such term in that Act.

“(5) The term ‘military readiness activity’ has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 16 U.S.C. 703 note), and includes all training and operations of the Armed Forces that relate to combat, and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

“2283. Establishment of the Southern Sea Otter Military Readiness Areas.”.

(c) CONSERVATION AND MANAGEMENT ACTIONS.—Section 1 of Public Law 99-625 (16 U.S.C. 1536 note) is amended by adding at the end the following:

“(g) CONSERVATION AND MANAGEMENT ACTIONS.—If the Secretary issues a final rule ending the management plan authorized under subsection (b) through the termination of the regulations implementing such plan—

“(1) the Secretary, in planning and implementing recovery and conservation measures

under the Act to allow for the expansion of the range of the population of the sea otter, shall coordinate and cooperate with—

“(A) the Secretary of the Navy;

“(B) the Secretary of Commerce regarding recovery efforts for species listed under the Act; and

“(C) the State of California to assist the State in continuing viable commercial harvest of State fisheries; and

“(2) interaction with sea otters in the course of engaging in fishing in any State fishery south of Point Conception, California, under an authorization issued by the State of California shall not be treated as a violation of section 9 of the Act for incidental take or of the Marine Mammal Protection Act of 1972.”.

SEC. 317. AUTHORITY OF SECRETARY OF A MILITARY DEPARTMENT TO ENTER INTO COOPERATIVE AGREEMENTS WITH INDIAN TRIBES FOR LAND MANAGEMENT ASSOCIATED WITH MILITARY INSTALLATIONS AND STATE-OWNED NATIONAL GUARD INSTALLATIONS.

(a) INCLUSION OF INDIAN TRIBES.—Section 103A(a) of the Sikes Act (16 U.S.C. 670c-1(a)) is amended in the matter preceding paragraph (1) by inserting “Indian tribes,” after “local governments.”.

(b) INDIAN TRIBE DEFINED.—Section 100 of such Act (16 U.S.C. 670) is amended by adding at the end the following new paragraph:

“(6) INDIAN TRIBE.—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”.

SEC. 318. SENSE OF CONGRESS REGARDING DECONTAMINATION OF FORMER BOMBARDMENT AREA ON ISLAND OF CULEBRA, PUERTO RICO.

(a) FINDINGS.—The Congress finds the following—

(1) Section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4464) requires the Secretary of Defense within 270 days of receiving a request from the government of Puerto Rico, to conduct a study assessing the presence of unexploded ordnance, and any threat to public health, public safety and the environment posed by such unexploded ordnance, in the portion of the former bombardment area on the island of Culebra, Puerto Rico, that was transferred to the government of Puerto Rico by quitclaim deed on August 11, 1982.

(2) On April 25, 2011, the Governor of Puerto Rico formally requested by letter that the Secretary of Defense commence this study.

(3) On May 25, 2011, the Deputy Under Secretary of Defense for Installations and Environment acknowledged receipt of the Governor’s letter on behalf of the Secretary of Defense, and affirmed that the Department of Defense would conduct the study in accordance with such section 2815 and provide the final report to Congress no later than 270 days from the date of the Governor’s letter.

(4) January 20, 2012, marked the date 270 days after the Governor’s letter of April 25, 2011.

(5) Section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93-166; 87 Stat. 668) stated that “the present bombardment area on the island of Culebra shall not be utilized for any purpose that would require decontamination at the expense of the United States.” The Department of Defense has interpreted this provision to constitute a permanent prohibition on the use of Federal funds in the area of Culebra

referenced in such section to pay for decontamination and removal of unexploded ordnance, although it may be warranted to protect public health, public safety, and the environment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should expeditiously submit to the Committees on Armed Services of the Senate and House of Representatives the final report prepared in accordance with section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4464);

(2) if that report indicates that decontamination and removal of unexploded ordnance in the portion of the former bombardment area on Culebra that was transferred to the government of Puerto Rico by quitclaim deed on August 11, 1982, could be conducted at reasonable cost to the Federal Government, it is appropriate for Congress to amend section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93-166; 87 Stat. 668) to authorize such decontamination and removal of unexploded ordnance; and

(3) any removal of unexploded ordnance should be accomplished pursuant to the normal prioritization process established by the Department of Defense under the Military Munitions Response Program within the Defense Environmental Restoration Program.

Subtitle C—Logistics and Sustainment

SEC. 321. EXPANSION AND REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.

(a) EXPANSION.—Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 10 U.S.C. 5013 note), as most recently amended by section 329 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 67), is amended—

(1) by striking subsection (a) and inserting the following new subsection:

“(a) DEMONSTRATION PROJECT AUTHORIZED.—In accordance with subsection 4703 of title 5, United States Code, the Secretary of a military department may carry out a demonstration project at facilities described in subsection (b) under which workers who are certified at the journey level as able to perform multiple trades shall be promoted by one grade level.”; and

(2) in subsection (b), by striking “Logistics Center, Navy Fleet Readiness Center,” and inserting “Logistics Complex, Navy Fleet Readiness Center, Navy shipyard, Marine Corps Logistics Base.”.

(b) REAUTHORIZATION.—Such section is further amended—

(1) in subsection (d), by striking “2013” and inserting “2018”; and

(2) in subsection (e), by striking “2014” and inserting “2019”.

SEC. 322. DEPOT-LEVEL MAINTENANCE AND REPAIR.

(a) AMENDMENTS TO DEFINITION OF DEPOT-LEVEL MAINTENANCE AND REPAIR.—Section 2460 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting after “software” the following: “during the course of a customary depot-level maintenance action”; and

(B) by striking “or the modification or rebuild of end-items,” and inserting “retrofit, modification, upgrade, or rebuild of end items, components,”;

(2) in paragraph (1)(B), by striking “and” at the end;

(3) in paragraph (2)(B), by striking “change events made to operational software, integration and testing” and inserting “and change events (including integration and testing) made to operational software”;

(4) in paragraph (2)(C), by striking the period and inserting “; and”; and

(5) by adding at the end the following new paragraph:

“(3) excludes—

“(A) the nuclear refueling or defueling of an aircraft carrier and any concurrent complex overhaul; and

“(B) the procurement of major modifications or upgrades designed to significantly improve the performance or safety of a weapon system or major end item.”.

(b) AMENDMENTS RELATING TO CORE DEPOT-LEVEL MAINTENANCE AND REPAIR CAPABILITIES.—

(1) ASSOCIATED CAPACITY.—Section 2464(a)(3)(A) of title 10, United States Code, is amended by striking “and capacity required in paragraph (1)” and inserting “required in paragraph (1) and the associated capacity to maintain those capabilities in accordance with paragraph (2)”.

(2) DIRECT SUPPORT OF ASSOCIATED LOGISTICS CAPABILITIES.—Section 2464(a)(3)(B) of such title is amended by inserting “in direct support of depot-level maintenance and repair” after “associated logistics capabilities”.

(3) TIME OF FIELDING.—Section 2464(a)(3) of such title is further amended by adding at the end the following new sentence: “If a weapon system or item of military equipment does not have an officially scheduled initial operational capability, the weapon system or item is considered fielded at the time when, as part of combined or individual operation, it provides a warfighting capability, unless the Secretary waives this paragraph under subsection (b)(1)(A) based on a determination that the system or item is not an enduring element of the national defense strategy.”.

(3) REQUIREMENT TO NOTIFY CONGRESS BEFORE ISSUANCE OF WAIVER.—Section 2464(b)(3) of such title is amended by striking “within 30 days of issuance” and inserting “at least 30 days before issuance of the waiver”.

(4) PROHIBITION ON DELEGATION OF CERTAIN WAIVER AUTHORITY.—Section 2464(b) of such title is amended by adding at the end the following new paragraph:

“(4) The authority of the Secretary of Defense to waive the requirement in subsection (a)(3) on the basis of a determination under paragraph (1)(A) or (1)(B) may not be delegated.”.

(5) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS AND SPECIAL ACCESS PROGRAMS.—Section 2464 of such title is further amended—

(A) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(B) by inserting after subsection (c) the following new subsection (d):

“(d) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS AND SPECIAL ACCESS PROGRAMS.—(1) The requirement in subsection (a)(3) shall not apply to nuclear aircraft carriers.

“(2) The requirement in subsection (a)(3) shall not apply to special access programs.”.

(6) ANNUAL SPECIAL ACCESS PROGRAM CORE CAPABILITY REVIEW.—Section 2464 of such title is further amended by adding at the end the following new subsection:

“(i) BIENNIAL SPECIAL ACCESS PROGRAM CORE CAPABILITY REVIEW.—Notwithstanding the inapplicability of subsection (a)(3) to special access programs (as provided in subsection (d)), the Secretary of Defense shall, not later than April 1 on each even-numbered year, conduct a review of each special access program in existence during the two fiscal years preceding the fiscal year during which the review is conducted to determine the core depot maintenance and repair capabilities required to provide a ready and controlled source of technical competence, and the resources that would be required to establish a core capability if it becomes nec-

essary. The Secretary of Defense shall include the results of such review in the form of a classified annex to the biennial core report required under subsection (f).”

(7) AMENDMENTS FOR CONSISTENCY IN USE OF TERMS.—Section 2464 of such title is further amended—

(A) in subsection (a)(1), by striking “a core depot-level maintenance and repair capability” and inserting “core depot-level maintenance and repair capabilities”;

(B) in subsection (a)(2), by striking “This core depot-level maintenance and repair capability” and inserting “The core depot-level maintenance and repair capabilities required in paragraph (1)”;

(C) in subsection (e)(1), as redesignated by paragraph (5), by striking “a core depot-level maintenance and repair capability” and inserting “core depot-level maintenance and repair capabilities”.

(8) CONFORMING AMENDMENTS.—Section 2464(b) of such title is further amended—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by inserting “or” at the end of subparagraph (A); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2) and in that paragraph by striking “or (2)”.

SEC. 323. SENSE OF CONGRESS REGARDING THE PERFORMANCE OF COMMERCIALLY-AVAILABLE ACTIVITIES BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) our Nation’s economic strength is characterized by individual freedom and the competitive enterprise system, and as such, the Federal Government should not compete with its citizens and private enterprise;

(2) in recognition of this policy, the Government should rely on commercially available sources to provide commercial products and services and should not start or carry on any activity to provide a commercial product or service if the product or service can be procured more economically from a commercial source;

(3) this policy conforms with Department of Defense Total Force Management procedures aimed at improving total manpower requirements, determinations, and planning to facilitate decisions regarding which sector (military, civilian, or contractor personnel) should perform each requirement; and

(4) the Department of Defense should not convert the performance of any function from performance by a contractor to performance by Department of Defense civilian employees unless the function is inherently governmental in nature or the conversion is necessary to comply with section 129a of title 10, United States Code, as amended by this Act.

(b) DEFINITION OF INHERENTLY GOVERNMENTAL.—In this section, the term “inherently governmental” has the meaning given that term in section 5(2) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105-270; 112 Stat. 2384; 31 U.S.C. 501 note).

Subtitle D—Readiness

SEC. 331. INTERGOVERNMENTAL SUPPORT AGREEMENTS WITH STATE AND LOCAL GOVERNMENTS.

(a) AGREEMENTS AUTHORIZED.—Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(c) INTERGOVERNMENTAL SUPPORT AGREEMENTS WITH STATE AND LOCAL GOVERN-

MENTS.—(1) The Secretary of the military department concerned may enter into an intergovernmental support agreement with a State or local government to provide, receive, or share installation-support services when such an agreement—

“(A) serves the best interests of the military department by enhancing mission effectiveness or creating efficiencies or economies of scale, including by reducing costs;

“(B) serves the best interest of State or local government party to the agreement, as determined by the community’s particular circumstances; and

“(C) otherwise provides a mutual benefit to the military department and the State or local government.

“(2) The authority provided by this subsection and limitations on its use are not intended to revoke, preclude, or otherwise interfere with existing or proposed mutual-aid agreements relating to police or fire protection services or other similar first responder agreements or arrangements.

“(3) Funds available to the Secretary of the military department concerned for installation support may be used to reimburse a State or local government for providing installation-support services pursuant to an agreement under this subsection. Funds received by the Secretary as reimbursement for providing installation-support services pursuant to the agreement shall be credited to the appropriation or account charged with providing installation support.”

(b) INSTALLATION-SUPPORT SERVICES DEFINED.—Subsection (e) of section 2391 of title 10, United States Code, as redesignated by subsection (a)(1) of this section, is amended by adding at the end the following new paragraph:

“(4) The term ‘installation-support services’ means those services, supplies, resources, and support provided typically by a local government, except that the term does not include or authorize police or fire protection services.”

SEC. 332. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ASSURED BUSINESS GUARANTEES TO CARRIERS PARTICIPATING IN CIVIL RESERVE AIR FLEET.

(a) EXTENSION.—Subsection (k) of section 9515 of title 10, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2020”.

(b) APPLICATION TO ALL SEGMENTS OF CRAF.—Such section is further amended—

(1) in subsection (a)(3), by striking “passenger”;

(2) in subsection (j), by striking “, except that it only means such transportation for which the Secretary of Defense has entered into a contract for the purpose of passenger travel”.

SEC. 333. EXPANSION AND REAUTHORIZATION OF PILOT PROGRAM FOR AVAILABILITY OF WORKING-CAPITAL FUNDS FOR PRODUCT IMPROVEMENTS.

(a) EXPANSION.—Section 330 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 68) is amended—

(1) in subsection (a), by inserting “, the Secretary of the Navy, and the Secretary of the Air Force (in this section referred to as the ‘Secretary concerned’)” after “the Secretary of the Army”;

(2) in subsection (d)—

(A) by inserting “by the Secretary concerned” after “submitted”;

(B) by inserting “by the Secretary concerned” after “used”;

(3) in subsection (e)—

(A) in paragraph (1), by striking “the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in consultation with the Assistant Secretary of the Army for Financial Management and Comp-

troller,” and inserting “the Secretary concerned”;

(B) in paragraph (2), by striking “the Assistant Secretary of the Army for Acquisition, Logistics, and Technology” and inserting “the Secretary concerned”.

(b) COVERED PRODUCT IMPROVEMENTS.—Subsection (b) of such section is amended—

(1) by inserting “retrofit, modernization, upgrade, or rebuild of a” before “component”;

(2) by striking “reliability and maintainability” and inserting “reliability, availability, and maintainability”.

(c) LIMITATION ON CERTAIN PROJECTS.—Subsection (c)(1) of such section is amended by striking “performance envelope” and inserting “capability”.

(d) REPORTING REQUIREMENT.—Subsection (e) of such section is amended—

(1) in paragraph (2), by striking “2012” and inserting “2017”;

(2) in paragraph (3), by striking “60 days” and inserting “45 days”.

(e) EXTENSION.—Subsection (f) of such section, as amended by section 354 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1377), is further amended by striking “2014” and inserting “2018”.

(f) CLERICAL AMENDMENT.—The heading of such section is amended by striking “to army”.

SEC. 334. CENTER OF EXCELLENCE FOR THE NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Chapter 5 of title 32, United States Code, is amended by adding at the end the following new section:

“§ 510. Center of Excellence for the National Guard State Partnership Program

“(a) CENTER AUTHORIZED.—The National Guard Bureau may maintain a Center of Excellence for the National Guard State Partnership Program (in this section referred to as the ‘Center’).

“(b) CENTER AUTHORITY AND PURPOSE.—If the Center is established, the Chief of the National Guard Bureau shall administer the Center to provide training opportunities for units and members of the regular and reserve components for the purpose of improving the skills for such units and members when deployed to complete the mission of the State Partnership Program. The Center will provide accredited instruction in partnership with a university program and other internationally recognized institutions.

“(c) CONDUCT OF CENTER.—The Chief of the National Guard Bureau may provide for the conduct of the Center in such State as the Chief considers appropriate.

“(d) PERSONS ELIGIBLE TO PARTICIPATE IN CENTER TRAINING.—(1) The Chief of the National Guard Bureau may recommend units and members of the National Guard to attend training at the Center under section 502(f) of this title for not longer than the duration of the training.

“(2) The Secretaries of the Army, Navy, Air Force, and Marine Corps may detail units or members of their respective regular or reserve components to attend training at the Center. The Secretary of Homeland Security may detail members of the Coast Guard to attend training and provide subject matter expertise as requested.

“(e) AUTHORIZED TRAINING.—The training authorized to be provided by the Center involves such matters within the core competencies of the National Guard and suitable for contacts under the State Partnership Program as the Chief of the National Guard Bureau specifies consistent with regulations issued by the Secretary of Defense.

“(f) CENTER PERSONNEL.—(1) The Chief of the National Guard Bureau shall appoint an active member of the National Guard to be

the Commandant of the Center to administer and lead the center.

“(2) The Center shall contain personnel authorizations under a table of distribution and allowance that ensures sufficient cadre and support to the Center and will be assigned to the host State.

“(3) Personnel of the National Guard of any State may serve on full-time National Guard duty for the purpose of providing command, administrative, training, or supporting services for the Center. For the performance of those services, any personnel may be ordered to duty under section 502(f) of this title.

“(4) Employees of the Departments of Defense may be detailed to the Center for the purpose of providing additional training.

“(5) The National Guard Bureau may procure, by contract, the temporary full time services of such civilian personnel as may be necessary in carrying out the training provided by the Center.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“510. Center for Excellence for the National Guard State Partnership Program.”.

SEC. 335. CODIFICATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) STATE PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 32, United States Code, is amended by adding at the end the following new section:

“§ 116. State Partnership Program

“(a) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense, including for the Air and Army National Guard, shall be available for the payment of costs to conduct activities under the State Partnership Program, whether inside the United States or outside the United States, for purposes as follows:

“(A) To support the objectives of the commander of the combatant command for the theater of operations in which such contacts and activities are conducted.

“(B) To support the objectives of the United States chief of mission of the partnership with which contacts and activities are conducted.

“(C) To build international partnerships and defense and security capacity.

“(D) To strengthen cooperation between the departments and agencies of the United States Government and agencies of foreign governments to support building of defense and security capacity.

“(E) To facilitate intergovernmental collaboration between the United States Government and foreign governments in the areas of defense and security.

“(F) To facilitate and enhance the exchange of information between the United States Government and foreign governments on matters relating to defense and security.

“(2) Costs under paragraph (1) may include costs as follows:

“(A) Costs of pay and allowances of members of the National Guard.

“(B) Travel and necessary expenses of United States personnel outside of the Department of Defense in the State Partnership Program.

“(C) Travel and necessary expenses of foreign participants directly supporting activities under the State Partnership Program.

“(b) LIMITATIONS.—(1) Funds shall not be available under subsection (a) for activities described in that subsection that are conducted in a foreign country unless jointly approved by the commander of the combatant command concerned and the chief of mission concerned.

“(2) Funds shall not be available under subsection (a) for the participation of a

member of the National Guard in activities described in that subsection in a foreign country unless the member is on active duty in the armed forces at the time of such participation.

“(3) Funds shall not be available under subsection (a) for interagency activities involving United States civilian personnel or foreign civilian personnel unless the participation of such personnel in such activities—

“(A) contributes to responsible management of defense resources;

“(B) fosters greater respect for and understanding of the principle of civilian control of the military;

“(C) contributes to cooperation between United States military and civilian governmental agencies and foreign military and civilian government agencies; or

“(D) improves international partnerships and capacity on matters relating to defense and security.

“(c) REIMBURSEMENT.—In the event of the participation of United States Government participants (other than personnel of the Department of Defense) in activities for which payment is made under subsection (a), the head of the department or agency concerned shall reimburse the Secretary of Defense for the costs associated with the participation of such personnel in such contacts and activities. Amounts reimbursed the Department of Defense under this subsection shall be deposited in the appropriation or account from which amounts for the payment concerned were derived. Any amounts so deposited shall be merged with amounts in such appropriation or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘State Partnership Program’ means a program that establishes a defense and security relationship between the National Guard of a State or territory and the military and security forces, and related disaster management, emergency response, and security ministries, of a foreign country.

“(2) The term ‘activities’, for purposes of the State Partnership Program, means any military-to-military activities or interagency activities for a purpose set forth in subsection (a)(1).

“(3) The term ‘interagency activities’ means the following:

“(A) Contacts between members of the National Guard and foreign civilian personnel outside the ministry of defense of the foreign country concerned on matters within the core competencies of the National Guard.

“(B) Contacts between United States civilian personnel and members of the Armed Forces of a foreign country on matters within such core competencies.

“(4) The term ‘matter within the core competencies of the National Guard’ means matters with respect to the following:

“(A) Disaster response and mitigation.

“(B) Defense support to civil authorities.

“(C) Consequence management and installation protection.

“(D) Response to a chemical, biological, radiological, nuclear, or explosives (CBRNE) event.

“(E) Border and port security and cooperation with civilian law enforcement.

“(F) Search and rescue.

“(G) Medicine.

“(H) Counterdrug and counternarcotics activities.

“(I) Public affairs.

“(J) Employer support and family support for reserve forces.

“(5) The term ‘United States civilian personnel’ means the following:

“(A) Personnel of the United States Government (including personnel of departments and agencies of the United States Govern-

ment other than the Department of Defense) and personnel of State and local governments of the United States.

“(B) Members and employees of the legislative branch of the United States Government.

“(C) Non-governmental individuals.

“(6) The term ‘foreign civilian personnel’ means the following:

“(A) Civilian personnel of a foreign government at any level (including personnel of ministries other than ministries of defense).

“(B) Non-governmental individuals of a foreign country.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by adding at the end the following new item:

“116. State Partnership Program.”.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

Subtitle E—Reports

SEC. 341. REPORT ON JOINT STRATEGY FOR READINESS AND TRAINING IN A C4ISR-DENIED ENVIRONMENT.

(a) REPORT REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall submit to Congress a report on the readiness of the joint force to conduct operations in environments where there is no access to Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (in this section referred to as “C4ISR”) systems, including satellite communications, classified Internet protocol-based networks, and the Global Positioning System (in this section referred to as “GPS”).

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall include a description of the steps taken and planned to be taken—

(1) to identify likely threats to the C4ISR systems of the United States, including both weapons and those states with such capabilities; as well as the most likely areas in which C4ISR systems could be at risk;

(2) to identify vulnerabilities to the C4ISR systems of the United States that could result in a C4ISR-denied environment;

(3) to determine how the Armed Forces should respond in order to reconstitute C4ISR systems, prevent further denial of C4ISR systems; and develop counter-attack capabilities;

(4) to determine which types of joint operations could be feasible in an environment in which access to C4ISR systems is restricted or denied;

(5) to conduct training and exercises for sustaining combat and logistics operations in C4ISR-denied environments; and

(6) to propose changes to current tactics, techniques, and procedures to prepare to operate in an environment in which C4ISR systems are degraded or denied for 48-hour, 7 day, 30-day, or 60-day periods.

(c) JOINT EXERCISE PLAN REQUIRED.—Based on the findings of the report required by subsection (a), the Chairman of the Joint Chiefs of Staff shall develop a roadmap and joint exercise plan for the joint force to operate in an environment where access to C4ISR systems, including satellite communications, classified Internet protocol-based networks, and the GPS network, is denied. The plan and joint exercise program shall include—

(1) the development of alternatives to satellite communications, classified Internet protocol-based networks, and GPS for logistics, intelligence, surveillance, and reconnaissance, and combat operations; and

(2) methods to mitigate dependency on satellite communications, classified Internet protocol-based networks, and GPS;

(3) methods to protect vulnerable satellite communications, classified Internet protocol-based networks, and GPS; and

(4) a joint exercise and training plan to include fleet battle experiments, to enable the force to operate in a satellite communications, Internet protocol-based network, and GPS-denied environment.

(d) **FORM OF REPORT.**—The report required to be submitted by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 342. COMPTROLLER GENERAL REVIEW OF ANNUAL DEPARTMENT OF DEFENSE REPORT ON PREPOSITIONED MATERIAL AND EQUIPMENT.

Section 2229a(b)(1) of title 10, United States Code, is amended—

(1) by striking “By not later than 120 days after the date on which a report is submitted under subsection (a), the” and inserting “The”; and

(2) by striking “the report” and inserting “each report submitted under subsection (a)”.

SEC. 343. MODIFICATION OF REPORT ON MAINTENANCE AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

Section 7310(c) of title 10, United States Code, is amended—

(1) in paragraph (3)(A), by inserting after “justification under law” the following: “and operational justification”; and

(2) in paragraph (4), by adding at the end the following new subparagraph:

“(C) A vessel not described in subparagraph (A) or (B) that is operated pursuant to a contract entered into by the Military Sealift Command, the Maritime Administration, or the United States Transportation Command.”.

SEC. 344. EXTENSION OF DEADLINE FOR COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE SERVICE CONTRACT INVENTORY.

Section 803(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2402) is amended by striking “180 days” and inserting “270 days”.

SEC. 345. GAO REPORT REVIEWING METHODOLOGY OF DEPARTMENT OF DEFENSE RELATING TO COSTS OF PERFORMANCE BY CIVILIAN EMPLOYEES, MILITARY PERSONNEL, AND CONTRACTORS.

(a) **REVIEW REQUIREMENT.**—The Comptroller General of the United States shall conduct a review of Department of Defense Directive-Type Memorandum 09-007 entitled “Estimating and Comparing the Full Costs of Civilian and Military Manpower and Contractor Support” to determine whether the methodology used in the memorandum reflects the actual, relevant, and quantifiable costs to taxpayers of performance by Federal civilian employees, military personnel, and contractors.

(b) **CONSULTATION.**—In conducting the review required by subsection (a), the Comptroller General shall consult with the Under Secretary of Defense for Personnel and Readiness, the Director of Cost Assessment and Program Evaluation, the Director of the Office of Management and Budget, and private sector stakeholders.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report on the review required by subsection (a) to the Committees on Armed Services of the Senate and the House of Representatives. The report shall contain the results of the review and make recommendations for any statutory changes that the Comptroller General determines are necessary to ensure that the memorandum reviewed includes the actual, relevant, and quantifiable costs to taxpayers for Federal civilian employees, military personnel, and contractors.

SEC. 346. REPORT ON MEDICAL EVACUATION POLICIES.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and the Comptroller General of the United States a report on the policies, procedures, and guidelines of the Department of Defense for helicopter evacuation of injured members of the Armed Forces performed by—

(1) unarmed Army helicopters (in this section referred to as “MEDEVAC”); and

(2) armed Air Force helicopters (in this section referred to as “CASEVAC”).

(b) **CONTENTS.**—The report submitted under subsection (a) shall contain the following:

(1) The differences between armed escort helicopters that accompany MEDEVAC helicopters and CASEVAC helicopters.

(2) The differences between Army and Air Force training of MEDEVAC and CASEVAC air crews.

(3) The differences between the capacity of the Army and the Air Force to care for wounded members of the Armed Forces.

(4) The potential costs associated with—

(A) arming MEDEVAC helicopters;

(B) increasing the training of MEDEVAC air crews to be comparable to the training of CASEVAC air crews; and

(C) increasing the quality of the avionics used in MEDEVAC helicopters to be comparable to the quality of the avionics used in CASEVAC helicopters.

(5) An analysis of the Army rescue goal, commonly known as the “golden hour”, which specifies a goal of transporting an injured member of the Armed Forces to a military medical treatment facility not later than 60 minutes after the MEDEVAC unit receives notification of the injury, including an analysis on—

(A) whether the 60-minute time period should begin at the time of injury instead of at the time of notification;

(B) the usefulness of gathering information about survival rates using additional different time periods; and

(C) the validity of the survival rate associated with the “golden hour”.

(6) A comparison of the helicopter evacuation capabilities in combat zones of—

(A) the Army;

(B) the Air Force;

(C) Special Operations Command; and

(D) armed forces of other countries that perform helicopter evacuations in combat zones.

(7) An analysis of—

(A) the requirements under the Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field, done at Geneva, August 12, 1949 (6 UST 3114) and the related protocols with regard to the weapons an aircraft may carry and still be considered a medical aircraft (which, for purposes of such Convention and protocols, means an aircraft exclusively employed for the removal of wounded and sick and for the transport of medical personnel and equipment) protected under such Convention, and of the interpretations of and policies under such requirements by the Department of Defense;

(B) the threats to MEDEVAC and CASEVAC air crews and assets posed by unconventional forces that do not abide by international law, military tradition, or custom, such as insurgent or criminal organizations; and

(C) any strategies to respond to the threats identified in subparagraph (B), as well as any legal or policy restrictions to such responses based on the requirements, policies, and interpretations identified in subparagraph (A).

(8) An explanation of how the survival rate of injured members of the Armed Forces rescued by helicopter evacuation is calculated.

(9) Information on the average number of injured members of the Armed Forces that are evacuated during each MEDEVAC and CASEVAC mission.

(c) **REVIEW BY COMPTROLLER GENERAL.**—Not later than 120 days after the date on which the Comptroller General receives the report submitted by the Secretary of Defense under subsection (a), the Comptroller General shall submit to the congressional defense committees an analysis of such report.

SEC. 347. REPORT ON PROVIDING TELECOMMUNICATIONS SERVICES TO UNIFORMED PERSONNEL TRANSITING THROUGH FOREIGN AIRPORTS.

(a) **REPORT REQUIREMENT.**—The Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of providing market-rate or below-market rate (or both) telecommunications service (either phone, VoIP, video chat, or a combination thereof), either directly or through a contract, to uniformed military personnel transiting through a foreign airport while in transit to or returning from deployment overseas. The Secretary also shall investigate allegations of certain telecom companies specifically targeting uniformed military personnel in transit overseas (who have no other option to contact their families) with above-market-rate fees, and shall include the results of that investigation in the report.

(b) **SUBMISSION.**—The report required by subsection (a) shall be submitted not later than 180 days after the date of the enactment of this Act.

SEC. 348. SURVEY AND REPORT ON PERSONAL PROTECTION EQUIPMENT NEEDED BY MEMBERS OF THE ARMED FORCES DEPLOYED ON THE GROUND IN COMBAT ZONES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that, when sending members of the United States Armed Forces into combat, the United States has an obligation to ensure that—

(1) the members are properly equipped with the best available protective equipment and supplies; and

(2) the members, or their family and friends, never feel compelled to purchase additional equipment and supplies to be safer in combat.

(b) **SURVEY REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an anonymous survey among members and former members of the Armed Forces who were deployed on the ground in a combat zone since September 11, 2001, requesting information on what kinds of personal protection equipment (such as body armor and ballistic eyewear) the member believes should have been provided to members during deployment but were not provided. The Secretary shall include in the survey questions about whether members, their families, or other persons purchased any personal protection equipment because the Armed Forces did not provide the equipment and the types and quantity of equipment purchased.

(c) **REPORT ON RESULTS OF SURVEY.**—Not later than 180 days after the completion of the survey required by subsection (b), the Secretary of Defense shall submit to Congress a report—

(1) describing the results of the survey;

(2) describing the types and quantity of personal protection equipment not provided by the Armed Forces and purchased instead by or on behalf of members of the Armed Forces to protect themselves;

(3) explaining why such personal protection equipment was not provided; and

(4) recommending future funding solutions to prevent the omission in the future.

SEC. 349. REPORT ON STATUS OF TARGETS IN OPERATIONAL ENERGY STRATEGY IMPLEMENTATION PLAN.

(a) IN GENERAL.—The Secretary of Defense shall submit annually to the relevant congressional committees a report on the status of the targets listed in the document entitled “Operational Energy Strategy: Implementation Plan, Department of Defense, March 2012”, including—

- (1) the status of each of the targets listed in the implementation plan;
- (2) the steps being taken to meet the targets;
- (3) the expected date of completion for each target if such date is different from the date indicated in the report; and
- (4) the reason for any delays in meeting the targets.

(b) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “relevant congressional committees” means—

- (1) the Committee on Armed Services of the Senate and the House of Representatives;
- (2) the Committee on Oversight and Government Reform of the House of Representatives;
- (3) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (4) the Committee on Foreign Affairs of the House of Representatives; and
- (5) the Committee on Foreign Relations of the Senate.

Subtitle F—Limitations and Extensions of Authority

SEC. 351. REPEAL OF AUTHORITY TO PROVIDE CERTAIN MILITARY EQUIPMENT AND FACILITIES TO SUPPORT CIVILIAN LAW ENFORCEMENT AND EMERGENCY RESPONSE.

Section 372 of title 10, United States Code, is amended—

- (1) in subsection (a), by striking “(a) IN GENERAL.—The Secretary” and inserting “The Secretary”; and
- (2) by striking subsection (b).

SEC. 352. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DISESTABLISHMENT OF AEROSPACE CONTROL ALERT LOCATIONS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to disestablish or downgrade any of the 18 level 5 aerospace control alert defense locations in existence as of the date of the enactment of this Act.

(b) MAINTAINED LEVELS.—The Secretary of the Air Force shall maintain the operational capabilities provided by the 18 level 5 aerospace control alert defense capabilities until the later of the following dates:

- (1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.
- (2) September 30, 2013.

(c) CONSOLIDATED BUDGET EXHIBIT.—The Secretary of Defense shall establish a consolidated budget justification display that fully identifies the baseline aerospace control alert budget for each of the military services and encompasses all programs and activities of the aerospace control alert mission for each of the following functions:

- (1) Procurement.
- (2) Operation and maintenance.
- (3) Research, development, testing, and evaluation.
- (4) Military construction.
- (d) REPORT.—

(1) REPORT TO CONGRESS.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report that provides a cost-benefit analysis and risk-based assessment of the aerospace control alert mission as it relates to expected future changes to the budget and force structure of such mission.

(2) COMPTROLLER GENERAL REVIEW.—Not later than 120 days after the date on which the Secretary submits the report required by paragraph (1), the Comptroller General of the United States shall—

(A) conduct a review of the force structure plan of the Department of Defense and the cost-benefit analysis and risk-based assessment contained in the report; and

(B) submit to the congressional defense committees a report on the findings of such review.

(e) SENSE OF CONGRESS ON THE ESSENTIAL SERVICE PROVIDED BY FIGHTER WINGS PERFORMING AEROSPACE CONTROL ALERT MISSIONS.—It is the sense of Congress that fighter wings performing the 24-hour Aerospace Control Alert missions provide an essential service in defending the sovereign airspace of the United States in the aftermath of the terrorist attacks upon the United States on September 11, 2001.

SEC. 353. LIMITATION ON AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL MUSEUM OF THE UNITED STATES ARMY.

Of the amounts authorized to be appropriated for Operation and Maintenance for fiscal year 2013, not more than \$5,000,000 shall be made available for the National Museum of the United States Army until the Secretary of the Army submits to the congressional defense committees certification in writing that sufficient private funding has been raised to fund the construction of the portion of the museum known as the “Baseline Museum” and that at least 50 percent of the Baseline Museum has been completed.

SEC. 354. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(b) EXCEPTION.—Notwithstanding subsection (a), the U.S.S. Port Royal, CG 73, is authorized for retirement.

(c) MAINTAINED LEVELS.—The Secretary of the Navy, in supporting the operational requirements of the combatant commands, shall maintain the operational capability and perform the necessary maintenance of each cruiser and dock landing ship belonging to the Navy until the later of the following dates:

- (1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.
- (2) September 30, 2013.

SEC. 355. RENEWAL OF EXPIRED PROHIBITION ON RETURN OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) CODIFICATION OF PROHIBITION.—Section 2572 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) Except as provided in paragraph (3), and notwithstanding this section or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or an entity controlled by a foreign government, or otherwise transfer or convey such an object to any person or entity for purposes of the ultimate transfer or conveyance of the object to a foreign country or entity controlled by a foreign government.

“(2) In this subsection:

“(A) The term ‘entity controlled by a foreign government’ has the meaning given that term in section 2536(c)(1) of this title.

“(B) The term ‘veterans memorial object’ means any object, including a physical structure or portion thereof, that—

“(i) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

“(ii) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the armed forces; and

“(iii) was brought to the United States from abroad as a memorial of combat abroad.

“(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object if—

“(A) the transfer of that veterans memorial object is specifically authorized by law; or

“(B) the transfer is made after September 30, 2017.”.

(b) REPEAL OF OBSOLETE SOURCE LAW.—Section 1051 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 10 U.S.C. 2572 note) is repealed.

Subtitle G—Other Matters

SEC. 361. RETIREMENT, ADOPTION, CARE, AND RECOGNITION OF MILITARY WORKING DOGS.

(a) RETIREMENT AND ADOPTION OF MILITARY WORKING DOGS.—

(1) RETIREMENT AND RECLASSIFICATION OF MILITARY WORKING DOGS.—Section 2583 of title 10, United States Code, is amended—

(A) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively; and

(B) by inserting after subsection (e) the following new subsections:

“(f) CLASSIFICATION OF MILITARY WORKING DOGS.—The Secretary of Defense shall classify military working dogs as canine members of the armed forces. Such dogs shall not be classified as equipment.

“(g) TRANSFER OF RETIRED MILITARY WORKING DOGS.—If the Secretary of the military department concerned determines that a military working dog should be retired, and no suitable adoption is available at the military facility where the dog is located, the Secretary may transfer the dog—

- “(1) to the 341st Training Squadron; or
- “(2) to another location for adoption under this section.”.

(2) ACCEPTANCE OF FREQUENT TRAVELER MILES TO FACILITATE ADOPTION.—Section 2613(d) of such title is amended—

(A) in paragraph (1)(B), by striking “; or” and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new paragraph:

“(3) facilitating the adoption of a military working dog under section 2583 of this title.”.

(b) VETERINARY CARE FOR RETIRED MILITARY WORKING DOGS.—

(1) VETERINARY CARE.—

(A) IN GENERAL.—Chapter 50 of such title is amended by adding at the end the following new section:

“§ 993. Military working dogs: veterinary care for retired military working dogs

“(a) IN GENERAL.—The Secretary of Defense shall establish and maintain a system to provide for the veterinary care of retired military working dogs.

“(b) ELIGIBLE DOGS.—(1) A retired military working dog eligible for veterinary care under this section is any military working dog adopted under section 2583 of this title.

“(2) The veterinary care provided a military working dog under this section shall be provided during the life of the dog beginning on the date on which the dog is adopted under such section 2583.

“(c) ADMINISTRATION.—(1) The Secretary shall administer the system required by this section under a contract awarded by the Secretary for that purpose.

“(2)(A) The contract under this subsection shall be awarded to a private non-profit enti-

ty selected by the Secretary from among such entities submitting an application therefor that have such experience and expertise as the Secretary considers appropriate for purposes of this subsection.

“(B) An entity seeking the award of a contract under this subsection shall submit to the Secretary an application therefor in such form, and containing such information, as the Secretary shall require.

“(3) The term of any contract under this subsection shall be such duration as the Secretary shall specify.

“(d) STANDARDS OF CARE.—(1) The veterinary care provided under the system required by this section shall meet such standards as the Secretary shall establish and from time to time update.

“(2) The standards required by this subsection shall include the following:

“(A) Provisions regarding the types of care to be provided to retired military working dogs.

“(B) Provisions regarding the entities (including private veterinarians and entities) qualified to provide the care.

“(C) Provisions regarding the facilities, including military installations, government facilities, and private facilities, in which the care may be provided.

“(D) A requirement that complete histories be maintained on the health and use in research of retired military working dogs.

“(E) Such other matters as the Secretary considers appropriate.

“(3) The Secretary shall consult with the board of directors of the non-profit private entity awarded the contract under subsection (c) in establishing and updating standards of care under this subsection.

“(e) COVERAGE OF COSTS.—(1) Except as provided in paragraph (2), any costs of operation and administration of the system required by this section, and of any veterinary care provided under the system, shall be covered by such combination of the following as the Secretary and the non-profit entity awarded the contract under subsection (c) jointly consider appropriate:

“(A) Contributions from the non-profit entity.

“(B) Payments for such care by owners or guardians of the retired military working dogs receiving such care.

“(C) Other appropriate non-Federal sources of funds.

“(2) Funds provided by the Federal Government—

“(A) may not be used—

“(i) to provide veterinary care under the system required by this section; or

“(ii) to pay for the normal operation of the non-profit entity awarded the contract under subsection (c); and

“(B) may be used to carry out the duties of the Secretary under subsections (a), (c), (d), and (f).

“(f) REGULATIONS.—The Secretary shall prescribe regulations for the discharge of the requirements and authorities in this section, including regulations on the standards of care required by subsection (d).”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“993. Military working dogs: veterinary care for retired military working dogs.”.

(2) REGULATIONS.—The Secretary of Defense shall prescribe the regulations required by subsection (f) of section 993 of title 10, United States Code (as added by paragraph (1)), not later than 180 days after the date of the enactment of this Act.

(c) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—Section 1125 of such title is amended—

(1) by inserting “(a) GENERAL AUTHORITY.—” before “The Secretary of Defense”; and

(2) by adding at the end the following new subsection:

“(b) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense shall create a decoration or other appropriate recognition to recognize military working dogs under the jurisdiction of the Secretary that are killed in action or perform an exceptionally meritorious or courageous act in service to the United States.”.

SEC. 362. ASSISTANCE FOR HOMELAND DEFENSE MISSION TRAINING.

(a) ASSISTANCE AUTHORIZED.—Chapter 9 of title 32, United States Code, is amended by adding at the end the following new section:

“§ 909. Training assistance

“(a) ASSISTANCE AUTHORIZED.—To improve the training of National Guard units and Federal agencies performing homeland defense activities, the Secretary of Defense may provide funding assistance through a special military cooperative agreement for the operation and maintenance of any State training center certified by the Federal Emergency Management Agency as capable of providing emergency response training.

“(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds under subsection (a) with or to a specific entity shall—

“(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10 or on competitive procedures; and

“(2) comply with other applicable provisions of law.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“909. Training assistance.”.

SEC. 363. COMPTROLLER GENERAL REVIEW OF HANDLING, LABELING, AND PACKAGING PROCEDURES FOR HAZARDOUS MATERIAL SHIPMENTS.

(a) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall conduct a review of the policies and procedures of the Department of Defense for the handling, labeling, and packaging of hazardous material shipments.

(b) MATTERS INCLUDED.—The review conducted under subsection (a) shall address the following:

(1) The relevant statutes, regulations, and guidance and policies of the Department of Defense pertaining to the handling, labeling, and packaging procedures of hazardous material shipments to support military operations.

(2) The extent to which the such guidance, policies, and procedures contribute to the safe, timely, and cost-effective handling of such material.

(3) The extent to which discrepancies in Department of Transportation guidance, policies, and procedures pertaining to handling, labeling, and packaging of hazardous materials shipments in commerce and similar Department of Defense guidance, policies, and procedures pertaining to the handling, labeling, and packaging of hazardous materials shipments impact the safe, timely, and cost-effective handling of such material.

(4) Any additional matters that the Comptroller General determines will further inform the appropriate congressional committees on issues related to the handling, labeling, and packaging procedures for hazardous material shipments to members of the Armed Forces worldwide.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report of the review conducted under subsection (a).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2013, as follows:

- (1) The Army, 552,100.
- (2) The Navy, 322,700.
- (3) The Marine Corps, 197,300.
- (4) The Air Force, 330,383.

SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

- “(1) For the Army, 552,100.
- “(2) For the Navy, 322,700.
- “(3) For the Marine Corps, 197,300.
- “(4) For the Air Force, 330,383.”.

SEC. 403. LIMITATIONS ON END STRENGTH REDUCTIONS FOR REGULAR COMPONENT OF THE ARMY AND MARINE CORPS.

(a) ANNUAL CERTIFICATION.—Subject to subsections (b) and (c), if the President determines that a reduction in end strength of the regular component of the Army or Marine Corps (or both) is necessary for any of fiscal years 2014 through 2017, the President shall submit to Congress, with the budget request for that fiscal year, a certification that the reduction in end strength, should the assumptions of the National Security Strategy prescribed by the President in the most recent annual national security strategy report under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) prove to be incorrect, will not—

- (1) undermine the ability of the Armed Forces to meet the requirements of the National Security Strategy;
- (2) increase security risks for the United States; or
- (3) compel members of the Armed Forces to endure diminished dwell time and repeated deployments.

(b) ANNUAL LIMITATION ON REDUCTIONS.—

(1) ARMY.—The end strength of the regular component of the Army shall not be reduced by more than 15,000 members during each of fiscal years 2014 through 2017 from the end strength of the regular component of the Army at the end of the preceding fiscal year.

(2) MARINE CORPS.—The end strength of the regular component of the Marine Corps shall not be reduced by more than 5,000 members during each of fiscal years 2014 through 2017 from the end strength of the regular component of the Marine Corps at the end of the preceding fiscal year.

(c) BUDGETING REQUIREMENT.—The budget for the Department of Defense for each of fiscal years 2014 through 2017 as submitted to Congress—

(1) shall include amounts for maintaining an end strength of the regular component of the Army and the Marine Corps sufficient to comply with the active duty end strengths prescribed in section 691(b) of title 10, United States Code; and

(2) shall not rely on any emergency, supplemental, or overseas contingency operations funding.

SEC. 404. EXCLUSION OF MEMBERS WITHIN THE INTEGRATED DISABILITY EVALUATION SYSTEM FROM END STRENGTH LEVELS FOR ACTIVE FORCES.

(a) **EXCLUSION.**—A member of the Armed Forces who is within the Integrated Disability Evaluation System as of the last day of any of fiscal years 2013 through 2018 shall not be counted toward the end strength levels for active duty members of the Armed Forces prescribed for that fiscal year.

(b) **FUNDING SOURCE.**—The Secretary of Defense shall use funds authorized to be appropriated for overseas contingency operations being carried out by the Armed Forces to cover any military personnel expenses incurred as a result of the exclusion under subsection (a) of members of the Armed Forces from the end strengths levels for active forces.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2013, as follows:

- (1) The Army National Guard of the United States, 358,200.
- (2) The Army Reserve, 205,000.
- (3) The Navy Reserve, 62,500.
- (4) The Marine Corps Reserve, 39,600.
- (5) The Air National Guard of the United States, 106,005.
- (6) The Air Force Reserve, 72,428.
- (7) The Coast Guard Reserve, 9,000.

(b) **END STRENGTH REDUCTIONS.**—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **END STRENGTH INCREASES.**—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2013, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 32,060.
- (2) The Army Reserve, 16,277.
- (3) The Navy Reserve, 10,114.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 14,952.
- (6) The Air Force Reserve, 2,888.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2013 for the reserve components of the Army and the Air Force (notwithstanding

section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 27,210.

(2) For the Army Reserve, 8,395.

(3) For the Air National Guard of the United States, 22,272.

(4) For the Air Force Reserve, 10,946.

SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) **LIMITATIONS.**—

(1) **NATIONAL GUARD.**—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2013, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) **ARMY RESERVE.**—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2013, may not exceed 595.

(3) **AIR FORCE RESERVE.**—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2013, may not exceed 90.

(b) **NON-DUAL STATUS TECHNICIANS DEFINED.**—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2013, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

- (1) The Army National Guard of the United States, 17,000.
- (2) The Army Reserve, 13,000.
- (3) The Navy Reserve, 6,200.
- (4) The Marine Corps Reserve, 3,000.
- (5) The Air National Guard of the United States, 16,000.
- (6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) **CONSTRUCTION OF AUTHORIZATION.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2013.

TITLE V—MILITARY PERSONNEL POLICY

**Subtitle A—Officer Personnel Policy
Generally**

SEC. 501. LIMITATION ON NUMBER OF NAVY FLAG OFFICERS ON ACTIVE DUTY.

(a) **ADDITIONAL FLAG OFFICER AUTHORIZED.**—Section 526(a)(2) of title 10, United States Code, is amended by striking “160” and inserting “161”.

(b) **CORRESPONDING CHANGE IN COMPUTING NUMBER OF FLAG OFFICERS IN STAFF CORPS OF THE NAVY.**—Section 5150(c) of such title is amended by striking the last sentence.

SEC. 502. EXCEPTION TO REQUIRED RETIREMENT AFTER 30 YEARS OF SERVICE FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W-5.

Section 1305(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “A regular warrant officer (other than a regular Army warrant officer)” and inserting “Subject to paragraphs (2) and (3), a regular warrant officer”; and

(B) by striking “he” and inserting “the officer”; and

(2) by adding at the end the following new paragraph:

“(3) In the case of a regular Navy warrant officer in the grade of chief warrant officer, W-5, the officer shall be retired 60 days after the date on which the officer completes 33 years of total active service.”.

SEC. 503. AIR FORCE CHIEF AND DEPUTY CHIEF OF CHAPLAINS.

(a) **ESTABLISHMENT OF POSITIONS; APPOINTMENT.**—Chapter 805 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8039. Chief and Deputy Chief of Chaplains; appointment; duties

“(a) **CHIEF OF CHAPLAINS.**—(1) There is a Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 8067(h) of this title as chaplains who—

“(A) are serving in the grade of colonel or above;

“(B) are serving on active duty; and

“(C) have served on active duty as a chaplain for at least eight years.

“(2) An officer appointed as the Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

“(3) The Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and by law.

“(b) **DEPUTY CHIEF OF CHAPLAINS.**—(1) There is a Deputy Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 8067(h) of this title as chaplains who—

“(A) are serving in the grade of colonel;

“(B) are serving on active duty; and

“(C) have served on active duty as a chaplain for at least eight years.

“(2) An officer appointed as the Deputy Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

“(3) The Deputy Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and the Chief of Chaplains and by law.

“(c) **SELECTION BOARD.**—Under regulations approved by the Secretary of Defense, the Secretary of the Air Force, in selecting an officer for recommendation to the President for appointment as the Chief of Chaplains or the Deputy Chief of Chaplains, shall ensure that the officer selected is recommended by a board of officers that, insofar as practicable, is subject to the procedures applicable to the selection boards convened under chapter 36 of this title.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“8039. Chief and Deputy Chief of Chaplains; appointment; duties.”.

SEC. 504. EXTENSION OF TEMPORARY AUTHORITY TO REDUCE MINIMUM LENGTH OF ACTIVE SERVICE AS A COMMISSIONED OFFICER REQUIRED FOR VOLUNTARY RETIREMENT AS AN OFFICER.

(a) **ARMY.**—Section 3911(b)(2) of title 10, United States Code, is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

(b) NAVY AND MARINE CORPS.—Section 6323(a)(2)(B) of such title is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

(c) AIR FORCE.—Section 8911(b)(2) of such title is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

SEC. 505. TEMPORARY INCREASE IN THE TIME-IN-GRADE RETIREMENT WAIVER LIMITATION FOR LIEUTENANT COLONELS AND COLONELS IN THE ARMY, AIR FORCE, AND MARINE CORPS AND COMMANDERS AND CAPTAINS IN THE NAVY.

Section 1370(a)(2)(F) of title 10, United States Code, is amended—

(1) by striking “the period ending on December 31, 2007” and inserting “fiscal years 2013 through 2018”;

(2) by striking “Air Force” and inserting “Army, Air Force, and Marine Corps”; and

(3) by striking “in the period”.

SEC. 506. MODIFICATION TO LIMITATIONS ON NUMBER OF OFFICERS FOR WHOM SERVICE-IN-GRADE REQUIREMENTS MAY BE REDUCED FOR RETIREMENT IN GRADE UPON VOLUNTARY RETIREMENT.

Section 1370(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (E)—

(A) by inserting “(i)” after “exceed”; and

(B) by inserting before the period at the end the following: “or (ii) in the case of officers of that armed forces in a grade specified in subparagraph (G), two officers, whichever number is greater”;

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

“(G) Notwithstanding subparagraph (E), during fiscal years 2013 through 2017, the total number of brigadier generals and major generals of the Army, Air Force, and Marine Corps, and the total number of rear admirals (lower half) and rear admirals of the Navy, for whom a reduction is made under this section during any fiscal year of service-in-grade otherwise required under this paragraph—

“(i) for officers of the Army, Navy, and Air Force, may not exceed five percent of the authorized active-duty strength for that fiscal year for officers of that armed force in those grades; and

“(ii) for officers of the Marine Corps, may not exceed 10 percent of the authorized active-duty strength for that fiscal year for officers in those grades.”.

SEC. 507. DIVERSITY IN MILITARY LEADERSHIP AND RELATED REPORTING REQUIREMENTS.

(a) PLAN TO ACHIEVE MILITARY LEADERSHIP REFLECTING DIVERSITY OF UNITED STATES POPULATION.—

(1) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 656. Diversity in military leadership: plan

“(a) PLAN.—The Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve a dynamic, sustainable level of members of the armed forces (including reserve components) that, among both commissioned officers and senior enlisted personnel of each armed force, will reflect the diverse population of the United States eligible to serve in the armed forces, including gender specific, racial, and ethnic populations. Any metric established pursuant to this subsection may not be used in a manner that undermines the merit-based processes of the Department of Defense, including such processes for accession, retention, and promotion. Such metrics may not be combined with the identification of specific quotas based upon diversity characteristics. The

Secretary shall continue to account for diversified language and cultural skills among the total force of the military.

“(b) METRICS TO MEASURE PROGRESS IN DEVELOPING AND IMPLEMENTING PLAN.—In developing and implementing the plan under subsection (a), the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) shall develop a standard set of metrics and collection procedures that are uniform across the armed forces. The metrics required by this subsection shall be designed—

“(1) to accurately capture the inclusion and capability aspects of the armed forces broader diversity plans, including race, ethnic, and gender specific groups, functional expertise, and diversified cultural and language skills as to leverage and improve readiness; and

“(2) to be verifiable and systematically linked to strategic plans that will drive improvements.

“(c) DEFINITION OF DIVERSITY.—In developing and implementing the plan under subsection (a), the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) shall develop a uniform definition of diversity.

“(d) CONSULTATION.—Not less than annually, the Secretary of Defense and the Secretary of Homeland Security shall meet with the Secretaries of the military departments, the Joint Chiefs of Staff, the Commandant of the Coast Guard, and senior enlisted members of the armed forces to discuss the progress being made toward developing and implementing the plan established under subsection (a).

“(e) COOPERATION WITH STATES.—The Secretary of Defense shall coordinate with the National Guard Bureau and States in tracking the progress of the National Guard toward developing and implementing the plan established under subsection (a).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“656. Diversity in military leadership: plan.”.

(b) INCLUSION IN DOD MANPOWER REQUIREMENTS REPORT.—Section 115a(c) of such title is amended by adding at the end the following new paragraphs:

“(4) The progress made in implementing the plan required by section 656 of this title to accurately measure the efforts of the Department to reflect the diverse population of the United States eligible to serve in the armed forces.

“(5) The number of members of the armed forces, including reserve components, listed by sex and race or ethnicity for each rank under each military department.

“(6) The number of members of the armed forces, including reserve components, who were promoted during the year covered by the report, listed by sex and race or ethnicity for each rank under each military department.

“(7) The number of members of the armed forces, including reserve components, who reenlisted or otherwise extended the commitment to military service during the year covered by the report, listed by sex and race or ethnicity for each rank under each military department.

“(8) The available pool of qualified candidates for the general officer grades of general and lieutenant general and the flag officer grades of admiral and vice admiral.”.

(c) COAST GUARD REPORT.—

(1) ANNUAL REPORT REQUIRED.—The Secretary of Homeland Security shall prepare an annual report addressing diversity among commissioned officers of the Coast Guard

and Coast Guard Reserve and among enlisted personnel of the Coast Guard and Coast Guard Reserve. The report shall include—

(A) an assessment of the available pool of qualified candidates for the flag officer grades of admiral and vice admiral;

(B) the number of such officers and personnel, listed by sex and race or ethnicity for each rank;

(C) the number of such officers and personnel who were promoted during the year covered by the report, listed by sex and race or ethnicity for each rank; and

(D) the number of such officers and personnel who reenlisted or otherwise extended the commitment to the Coast Guard during the year covered by the report, listed by sex and race or ethnicity for each rank.

(2) SUBMISSION.—The report under paragraph (1) shall be submitted each year not later than 45 days after the date on which the President submits to Congress the budget for the next fiscal year under section 1105 of title 31, United States Code. Each report shall be submitted to the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives, and the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate.

Subtitle B—Reserve Component Management

SEC. 511. CODIFICATION OF STAFF ASSISTANT POSITIONS FOR JOINT STAFF RELATED TO NATIONAL GUARD AND RESERVE MATTERS.

(a) CODIFICATION OF EXISTING POSITIONS.—Chapter 5 of title 10, United States Code, is amended by inserting after section 155 the following new section:

“§ 155a. Assistants to the Chairman of the Joint Chiefs of Staff for National Guard matters and for Reserve matters

“(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall establish the following positions within the Joint Staff:

“(1) Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters.

“(2) Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters.

“(b) SELECTION.—(1) The Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters shall be selected by the Chairman from officers of the Army National Guard of the United States or the Air Guard of the United States who—

“(A) are recommended for such selection by their respective Governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard;

“(B) have had at least 10 years of federally recognized commissioned service in the National Guard and significant joint duty experience, as determined by the Chairman of the Joint Chiefs of Staff; and

“(C) are in a grade above the grade of colonel.

“(2) The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters shall be selected by the Chairman from officers of the Army Reserve, the Navy Reserve, the Marine Corps Reserve, or the Air Force Reserve who—

“(A) are recommended for such selection by the Secretary of the military department concerned;

“(B) have had at least 10 years of commissioned service in their reserve component and significant joint duty experience, as determined by the Chairman of the Joint Chiefs of Staff; and

“(C) are in a grade above the grade of colonel or, in the case of the Navy Reserve, captain.

“(c) TERM OF OFFICE.—Each Assistant to the Chairman of the Joint Chiefs of Staff

under subsection (a) serves at the pleasure of the Chairman for a term of two years and may be continued in that assignment in the same manner for one additional term. However, in time of war there is no limit on the number of terms.

“(d) GRADE.—Each Assistant to the Chairman of the Joint Chiefs of Staff under subsection (a), while so serving, holds the grade of major general or, in the case of the Navy Reserve, rear admiral. Each such officer shall be considered to be serving in a position covered by the limited exclusion from the authorized strength of general officers and flag officers on active duty provided by section 526(b) of this title.

“(e) DUTIES.—(1) The Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters is an adviser to the Chairman on matters relating to the National Guard and performs the duties prescribed for that position by the Chairman.

“(2) The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters is an adviser to the Chairman on matters relating to the reserves and performs the duties prescribed for that position by the Chairman.

“(f) OTHER RESERVE COMPONENT REPRESENTATION ON JOINT STAFF.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs, shall develop appropriate policy guidance to ensure that, to the maximum extent practicable, the level of representation of reserve component officers on the Joint Staff is commensurate with the significant role of the reserve components within the armed forces.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 155 the following new item:

“155a. Assistants to the Chairman of the Joint Chiefs of Staff for National Guard matters and for Reserve matters.”

(c) REPEAL OF SUPERSEDED LAW.—Section 901 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 10 U.S.C. 155 note) is repealed.

SEC. 512. AUTOMATIC FEDERAL RECOGNITION OF PROMOTION OF CERTAIN NATIONAL GUARD WARRANT OFFICERS.

Section 310(a) of title 32, United States Code, is amended—

(1) by inserting “(1)” before “Notwithstanding”; and

(2) by adding at the end the following new paragraph:

“(2) Notwithstanding sections 307 and 309 of this title, if a warrant officer, W-1, of the National Guard is promoted to the grade of chief warrant officer, W-2, to fill a vacancy in a federally recognized unit in the National Guard, Federal recognition is automatically extended to that officer in the grade of chief warrant officer, W-2, effective as of the date on which that officer has completed the service in the grade prescribe by the Secretary concerned under section 12242 of title 10, if the warrant officer has remained in an active status since the warrant officer was so recommended.”

SEC. 513. ON-LINE TRACKING OF CERTAIN RESERVE DUTY.

The Secretary of Defense shall establish an online means by which members of the Ready Reserve of the Armed Forces can track their operational active-duty service performed after January 28, 2008, under section 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10, United States Code. The tour calculator shall specify early retirement credit authorized for each qualifying tour of active duty, as well as cumulative early reserve retirement credit authorized to date under the

amendments to section 12731 of such title made by section 647 of the National Defense Authorization Act for fiscal year 2008 (Public Law 110-181; 122 Stat. 160).

Subtitle C—General Service Authorities

SEC. 521. MODIFICATIONS TO CAREER INTERMISSION PILOT PROGRAM.

(a) EXTENSION OF PROGRAMS TO INCLUDE ACTIVE GUARD AND RESERVE PERSONNEL.—Subsection (a)(1) of section 533 of Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4449; 10 U.S.C. 701 prec.) is amended by inserting after “officers and enlisted members of the regular components” the following: “, and members of the Active Guard and Reserve (as defined in section 101(b)(16) of title 10, United States Code).”

(b) AUTHORITY TO CARRY FORWARD UNUSED ACCRUED LEAVE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:

“(5) LEAVE.—A member who participates in a pilot program is entitled to carry forward the leave balance, existing as of the day on which the member begins participation and accumulated in accordance with section 701 of title 10, United States Code, but not to exceed 60 days.”

(c) AUTHORITY FOR DISABILITY PROCESSING.—Subsection (j) of such section is amended—

(1) by striking “for purposes of the entitlement” and inserting “for purposes of—

“(1) the entitlement”;

(2) by striking the period at the end and inserting “; and”;

(3) by adding at the end the following new paragraph:

“(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of title 10, United States Code.”

SEC. 522. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMS FOR POST-TRAUMATIC STRESS DISORDER.

Section 1177(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “or psychiatrist” and inserting “psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner”; and

(2) in paragraph (3), by striking “or psychiatrist” and inserting “, psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner”.

SEC. 523. AUTHORITY TO ACCEPT VOLUNTARY SERVICES TO ASSIST DEPARTMENT OF DEFENSE EFFORTS TO ACCOUNT FOR MISSING PERSONS.

Section 1501(a)(6) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) Notwithstanding section 1342 of title 31, the Secretary of Defense may accept voluntary services provided by individuals or non-Federal entities to further the purposes of this chapter.”

SEC. 524. AUTHORIZED LEAVE AVAILABLE FOR MEMBERS OF THE ARMED FORCES UPON BIRTH OR ADOPTION OF A CHILD.

Section 701 of title 10, United States Code, is amended—

(1) by striking subsections (i) and (j) and inserting the following new subsection:

“(i)(1) A member of the armed forces who gives birth to a child or who adopts a child in a qualifying child adoption and will be primary caregiver for the adopted child shall receive 42 days of leave after the birth or adoption to be used in connection with the birth or adoption of the child.

“(2) A married member of the armed forces on active duty whose wife gives birth to a child or who adopts a child in a qualifying child adoption, but will not be primary caregiver for the adopted child, shall receive 10

days of leave to be used in connection with the birth or adoption of the child.

“(3) If two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, only one of the members may be designated as primary caregiver for purposes of paragraph (1). In the case of a dual-military couple, the member authorized leave under paragraph (1) and the member authorized leave under paragraph (2) may utilize the leave at the same time.

“(4) For the purpose of this subsection, an adoption of a child by a member is a qualifying child adoption if the member is eligible for reimbursement of qualified adoption expenses for such adoption under section 1052 of this title.

“(5) Leave authorized under this subsection is in addition to other leave provided under other provisions of this section.

“(6) The Secretary of Defense may prescribe such regulations as may be necessary to carry out this subsection.”; and

(2) by redesignating subsection (k) as subsection (j).

SEC. 525. COMMAND RESPONSIBILITY AND ACCOUNTABILITY FOR REMAINS OF MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS WHO DIE OUTSIDE THE UNITED STATES.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall take such steps as may be necessary to ensure that there is continuous, designated military command responsibility and accountability for the care, handling, and transportation of the remains of each deceased member of the Army, Navy, Air Force, or Marine Corps who died outside the United States, beginning with the initial recovery of the remains, through the defense mortuary system, until the interment of the remains or the remains are otherwise accepted by the person designated as provided by section 1482(c) of title 10, United States Code, to direct disposition of the remains.

SEC. 526. REPORT ON FEASIBILITY OF DEVELOPING GENDER-NEUTRAL OCCUPATIONAL STANDARDS FOR MILITARY OCCUPATIONAL SPECIALTIES CURRENTLY CLOSED TO WOMEN.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the feasibility of incorporating gender-neutral occupational standards for military occupational specialties closed, as of the date of the enactment of this Act, to female members of the Armed Forces.

SEC. 527. COMPLIANCE WITH MEDICAL PROFILES ISSUED FOR MEMBERS OF THE ARMED FORCES.

(a) COMPLIANCE REQUIREMENT.—The Secretary of a military department shall ensure that commanding officers—

(1) do not prohibit or otherwise restrict the ability of physicians and other licensed health-care providers to issue a medical profile for a member of the Armed Forces; and

(2) comply with the terms of a medical profile issued to a member of the Armed Forces is assigning duties to the member.

(b) LIMITED WAIVER AUTHORITY.—The first general officer or flag officer in the chain of command of a member of the Armed Forces covered by a medical profile may authorize, on a case-by-case basis, a temporary waiver of the compliance requirement imposed by subsection (a)(2) if the officer determines that the assignment of duties to the member in violation of the terms of the medical profile is vital to ensuring the readiness of the member and the unit.

(c) MEDICAL PROFILE DEFINED.—In this section, the term “medical profile”, with respect to a member of the Armed Forces, means a limitation imposed by a physician

or other licensed health-care provider on the physical activity of the member on account of an illness or injury to facilitate the member's recovery or reduce the seriousness of the illness or injury.

Subtitle D—Military Justice and Legal Matters

SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.

(a) APPOINTMENT BY THE PRESIDENT AND PERMANENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—Subsection (a) of section 5046 of title 10, United States Code, is amended—

(1) in the first sentence, by striking “detailed” and inserting “appointed by the President, by and with the advice and consent of the Senate,”; and

(2) by striking the second sentence and inserting the following: “If the officer to be appointed as the Staff Judge Advocate to the Commandant of the Marine Corps holds a grade lower than the grade of major general immediately before the appointment, the officer shall be appointed in the grade of major general.”

(b) DUTIES, AUTHORITY, AND ACCOUNTABILITY.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) The Staff Judge Advocate to the Commandant of the Marine Corps, under the direction of the Commandant of the Marine Corps and the Secretary of the Navy, shall—

“(1) perform such duties relating to legal matters arising in the Marine Corps as may be assigned to the Staff Judge Advocate;

“(2) perform the functions and duties, and exercise the powers, prescribed for the Staff Judge Advocate to the Commandant of the Marine Corps in chapters 47 (the Uniform Code of Military Justice) and 53 of this title; and

“(3) perform such other duties as may be assigned to the Staff Judge Advocate.”

(c) COMPOSITION OF HEADQUARTERS, MARINE CORPS.—Section 5041(b) of such title is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) The Staff Judge Advocate to the Commandant of the Marine Corps.”

(d) SUPERVISION OF CERTAIN LEGAL SERVICES.—

(1) ADMINISTRATION OF MILITARY JUSTICE.—Section 806(a) of such title (article 6(a) of the Uniform Code of Military Justice) is amended in the third sentence by striking “or senior members of his staff” and inserting “, the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs”.

(2) DELIVERY OF LEGAL ASSISTANCE.—Section 1044(b) of such title is amended by inserting “and, within the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps” after “jurisdiction of the Secretary”.

SEC. 532. PERSONS WHO MAY EXERCISE DISPOSITION AUTHORITY REGARDING CHARGES INVOLVING CERTAIN SEXUAL MISCONDUCT OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PERSONS WHO MAY EXERCISE DISPOSITION AUTHORITY.—

(1) DISPOSITION AUTHORITY.—With respect to any charge under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) that alleges an offense specified in paragraph (2), the Secretary of Defense shall require the Secretaries of the military departments to restrict disposition

authority under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) to officers of the Armed Forces who have the authority to convene special courts-martial under section 823 of such chapter (article 23 of the Uniform Code of Military Justice), but no lower than the first colonel, or in the case of the Navy, the first captain, with a legal advisor (or access to a legal advisor) in the chain of command of the person accused of committing the offense.

(2) COVERED OFFENSES.—Paragraph (1) applies with respect to a charge that alleges any of the following offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(A) Rape or sexual assault under subsection (a) or (b) of section 920 of such chapter (article 120).

(B) Forcible sodomy under section 925 of such chapter (article 125).

(C) An attempt to commit an offense specified in paragraph (1) or (2), as punishable under section 880 of such chapter (article 80).

(b) IMPLEMENTATION.—

(1) SERVICE SECRETARIES.—The Secretaries of the military departments shall revise policies and procedures as necessary to comply with subsection (a).

(2) SECRETARY OF DEFENSE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with subsection (a).

(c) RECOMMENDATION OF ADDITIONAL CHANGES TO MANUAL FOR COURTS-MARTIAL OR UCMJ POLICY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall make recommendations for additional changes to the Manual for Courts-Martial or to Department of Defense policies that would—

(1) ensure the consideration of the material facts regarding an alleged offense specified in subsection (a)(2) or other sexual offense under sections 920 through 920c of title 10, United States Code (articles 120 through 120c of the Uniform Code of Military Justice) is given precedence over the consideration of the character of the military service of the person accused of the sexual offense; and

(2) require all commanders who receive a report or complaint alleging an offense specified in subsection (a)(2) to refer the report or complaint to the Defense Criminal Investigative Service, Army Criminal Investigative Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigations, as the case may be.

SEC. 533. INDEPENDENT REVIEW AND ASSESSMENT OF UNIFORM CODE OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.

(a) INDEPENDENT REVIEW AND ASSESSMENT.—The Secretary of Defense shall establish an independent panel to conduct an independent review and assessment of judicial proceedings under the Uniform Code of Military Justice involving sexual assault and related offenses for the purpose of developing potential improvements to such proceedings.

(b) INDEPENDENT PANEL FOR REVIEW.—

(1) COMPOSITION.—The panel shall be composed of five members, appointed by the Secretary of Defense from among private United States citizens who have expertise in military law, civilian law, prosecution of sexual assaults in Federal criminal court, military justice policies, the missions of the Armed Forces, or offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice.

(2) CHAIR.—The chair of the panel shall be appointed by the Secretary from among the members of the panel appointed under paragraph (1).

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of

the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.

(4) DEADLINE FOR APPOINTMENTS.—All original appointments to the panel shall be made not later than 120 days after the date of the enactment of this Act.

(5) MEETINGS.—The panel shall meet at the call of the chair.

(6) FIRST MEETING.—The chair shall call the first meeting of the panel not later than 60 days after the date of the appointment of all the members of the panel.

(7) DURATION.—The panel shall expire on September 30, 2017.

(c) DUTIES.—

(1) ANNUAL REPORT ON IMPLEMENTATION OF UCMJ AMENDMENTS.—The panel shall prepare annual reports regarding the implementation of the reforms to the offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice enacted by section 541 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1404).

(2) REVIEW AND CONSULTATION.—In preparing the reports, the panel shall review, evaluate, and assess the following:

(A) The advisory sentencing guidelines given by judges in Federal courts and how those guidelines compare to advisory sentencing guidance provided to panels rendering punishments in court-martial proceedings, including whether it would be more beneficial for advisory sentencing guidelines to be provided to panels or for discretion to be given to judges regarding whether to issue advisory sentencing guidelines.

(B) The punishments or administrative actions taken in response to sexual assault court-martial proceedings, including the number of punishments or administrative actions taken as rendered by a panel and the number of punishments or administrative actions rendered by a judge and the consistency and proportionality of the decisions, punishments, and administrative actions to the facts of each case compared with Federal and State criminal courts.

(C) The court-martial convictions of sexual assaults in the year covered by the report and the number and description of instances when punishments were reduced upon appeal and the instances in which the defendant appealed following a plea agreement, if such information is available.

(D) The number of instances in which the previous sexual conduct of the alleged victim was considered in Article 32 proceedings and any instances where previous sexual conduct was deemed to be inadmissible.

(E) The number of instances in which evidence of the previous sexual conduct of the alleged victim was introduced by the defense in a court-martial what impact that evidence had on the case.

(F) The training level of defense and prosecution trial counsel, including an inventory of the experience of JAG lead trial counsel in each instance and any existing standards or requirements for lead counsel, including their experience in defending or prosecuting sexual assault and related offenses.

(G) Such other matters and materials as the panel considers appropriate for purposes of the reports.

(3) UTILIZATION OF OTHER STUDIES.—In preparing the reports, the panel may review, and incorporate as appropriate, the findings of applicable ongoing and completed studies.

(4) FIRST REPORT.—Not later than 180 days after its first meeting, the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives its first report under this subsection. The panel shall include proposals for such legislative or administrative action as the panel considers appropriate in light of its review.

(d) POWERS OF PANEL.—

(1) HEARINGS.—The panel may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the panel considers appropriate to carry out its duties under this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—Upon request by the chair of the panel, any department or agency of the Federal Government may provide information that the panel considers necessary to carry out its duties under this section.

(e) PERSONNEL MATTERS.—

(1) PAY OF MEMBERS.—Members of the panel shall serve without pay by reason of their work on the panel.

(2) TRAVEL EXPENSES.—The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance or services for the panel.

SEC. 534. COLLECTION AND RETENTION OF RECORDS ON DISPOSITION OF REPORTS OF SEXUAL ASSAULT.

(a) COLLECTION.—The Secretary of Defense shall require that the Secretary of each military department establish a record on the disposition of any report of sexual assault, whether such disposition is court martial, nonjudicial punishment, or other administrative action. The record of any such disposition shall include the following, as appropriate:

(1) Documentary information collected about the incident reported, other than investigator case notes.

(2) Punishment imposed, including the sentencing by judicial or non-judicial means including incarceration, fines, restriction, and extra duty as a result of military court-martial, Federal and local court and other sentencing, or any other punishment imposed.

(3) Administrative actions taken, if any.

(4) Any pertinent referrals offered as a result of the incident (such as drug and alcohol counseling and other types of counseling or intervention).

(b) RETENTION.—The Secretary of Defense shall require that—

(1) the records established pursuant to subsection (a) be retained by the Department of Defense for a period of not less than 20 years; and

(2) a copy of such records be maintained at a centralized location for the same period as applies to retention of the records under paragraph (1).

SEC. 535. BRIEFING, PLAN, AND RECOMMENDATIONS REGARDING EFFORTS TO PREVENT AND RESPOND TO HAZING INCIDENTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) BRIEFING AND PLAN REQUIRED.—Not later than May 1, 2013, the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and plan that outlines efforts by the Department of Defense and the Coast Guard—

(1) to prevent the hazing of members of the Armed Forces by other members of the Armed Forces; and

(2) to respond to and resolve alleged hazing incidents involving members of the Armed Forces, including the prosecution of offenders through the use of punitive articles under subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(b) DATABASE.—The plan required by subsection (a) shall include the establishment of a database for the purpose of improving the ability of the Department of Defense and the Coast Guard—

(1) to determine the extent to which hazing incidents involving members of the Armed Forces are occurring and the nature of such hazing incidents; and

(2) to track, respond to, and resolve hazing incidents involving members of the Armed Forces.

(c) RECOMMENDATIONS.—As part of the briefing required by subsection (a), the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) shall submit such recommendations for changes to the Uniform Code of Military Justice and the Manual for Courts-Martial as the Secretaries consider necessary to improve the prosecution of hazing incidents.

(d) CONSULTATION.—The Secretary of Defense shall prepare the plan, database, and recommendations required by this section in consultation with the Secretaries of the military departments.

(e) TRANSFER OF VICTIMS OF HAZING IN THE ARMED FORCES.—The Secretary concerned (as defined in section 101(a)(9) of title 10, United States Code) shall develop and implement a procedure to transfer a member of that branch of the Armed Forces who has been the victim of a substantiated incident of hazing to another unit in such branch of the Armed Forces.

(f) HAZING DESCRIBED.—For purposes of carrying out this section, the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard) shall use the definition of hazing contained in the August 28, 1997, Secretary of Defense Policy Memorandum, which defined hazing as any conduct whereby a member of the Armed Forces, regardless of branch or rank, without proper authority causes another member to suffer, or be exposed to, any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another person to perpetrate any such activity is also considered hazing. Hazing need not involve physical contact among or between members of the Armed Forces. Hazing can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator.

(g) ANNUAL REPORTING REQUIREMENT.—

(1) IN GENERAL.—The database required by subsection (b) shall be used to develop and implement an annual congressional report.

(2) REPORTS REQUIRED.—Not later than January 15 of each year, the Secretary of Defense and the Secretary of Homeland Security (with respect to the Coast Guard) shall submit to the designated congressional committees a report on the hazing incidents involving members of the Armed Forces during the preceding year.

(3) ELEMENTS.—Each report shall include the following:

(A) an assessment by the Secretaries of the implementation during the preceding year of the policies and procedures of each Armed Force on the prevention of and response to hazing involving members of the Armed Forces in order to determine the effectiveness of such policies and procedures.

(B) Data on the number of alleged and substantiated hazing incidents within each Armed Force that occurred that year, including the race, gender and Armed Force of the victim and offender, the nature of the hazing, and actions taken to resolve and address the hazing.

(h) COMPTROLLER GENERAL REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the designated congressional committees a report on the policies to prevent hazing and systems initiated to track incidents of hazing in each of the Armed Forces, including officer cadet schools, military academies, military academy pre-

paratory schools, and basic training and professional schools for enlisted members.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An evaluation of the definition of hazing used pursuant to subsection (e).

(B) A description of the criteria used, and the methods implemented, in the systems to track incidents of hazing in the Armed Forces.

(C) An assessment of the following:

(i) The scope of hazing in each Armed Force.

(ii) The policies in place and the training on hazing provided to members throughout the course of their careers for each Armed Force.

(iii) The actions taken to mitigate hazing incidents in each Armed Force.

(iv) The effectiveness of the training and policies in place regarding hazing.

(v) The number of alleged and substantiated incidents of hazing over the last five years for each Armed Force, the nature of these cases and actions taken to address such matters through non-judicial and judicial action.

(D) An evaluation of the additional actions, if any, the Secretary of Defense and the Secretary of Homeland Security propose to take to further address the incidence of hazing in the Armed Forces.

(E) Such recommendations as the Comptroller General considers appropriate for improving hazing prevention programs, policies, and other actions taken to address hazing within the Armed Forces.

(i) DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.—In subsections (f) and (g), the term “designated congressional committees” means—

(1) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Commerce, Science and Transportation of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 536. PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND CHAPLAINS OF SUCH MEMBERS.

(a) PROTECTION.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1034 the following new section:

“§ 1034a. Protection of rights of conscience of members of the Armed Forces and chaplains of such members

“(a) PROTECTION OF RIGHTS OF CONSCIENCE.—The Armed Forces shall accommodate the conscience and sincerely held moral principles and religious beliefs of the members of the Armed Forces concerning the appropriate and inappropriate expression of human sexuality and may not use such conscience, principles, or beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Nothing in this subsection precludes disciplinary action for conduct that is proscribed by chapter 47 of this title (the Uniform Code of Military Justice).

“(b) PROTECTION OF CHAPLAINS.—(1) For purposes of this title, a military chaplain is—

“(A) a certified religious leader or clergy of a faith community who, after satisfying the professional and educational requirements of the commissioning service, is commissioned as an officer in the Chaplains Corps of one of the branches of the Armed Forces; and

“(B) a representative of the faith group of the chaplain, who remains accountable to the endorsing faith group for the religious

ministry involved to members of the Armed Forces, to—

“(i) provide for the religious and spiritual needs of members of the Armed Forces of that faith group; and

“(ii) facilitate the religious needs of members of the Armed Forces of other faith groups.

“(2) No member of the Armed Forces may—

“(A) direct, order, or require a chaplain to perform any duty, rite, ritual, ceremony, service, or function that is contrary to the conscience, moral principles, or religious beliefs of the chaplain, or contrary to the moral principles and religious beliefs of the endorsing faith group of the chaplain; or

“(B) discriminate or take any adverse personnel action against a chaplain, including denial of promotion, schooling, training, or assignment, on the basis of the refusal by the chaplain to comply with a direction, order, or requirement prohibited by subparagraph (A).

“(C) REGULATIONS.—The Secretary of Defense shall issue regulations implementing the protections afforded by this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of title 10, United States Code, is amended by inserting after the item relating to section 1034 the following new item:

“1034a. Protection of rights of conscience of members of the Armed Forces and chaplains of such members.”

SEC. 537. USE OF MILITARY INSTALLATIONS AS SITES FOR MARRIAGE CEREMONIES OR MARRIAGE-LIKE CEREMONIES.

A military installation or other property owned or rented by, or otherwise under the jurisdiction or control of, the Department of Defense may not be used to officiate, solemnize, or perform a marriage or marriage-like ceremony involving anything other than the union of one man with one woman.

SEC. 538. COORDINATION BETWEEN YELLOW RIBBON REINTEGRATION PROGRAM AND SMALL BUSINESS DEVELOPMENT CENTERS.

The Office for Reintegration Programs shall assist each State to coordinate services under the Yellow Ribbon Reintegration Program under section 582 of the National Defense Authorization Act of 2008 (10 U.S.C. 10101 note) with Small Business Development Centers (as defined in section 3(t) of the Small Business Act) in each State.

Subtitle E—Member Education and Training Opportunities and Administration

SEC. 541. TRANSFER OF TROOPS-TO-TEACHERS PROGRAM FROM DEPARTMENT OF EDUCATION TO DEPARTMENT OF DEFENSE AND ENHANCEMENTS TO THE PROGRAM.

(a) TRANSFER OF FUNCTIONS.—

(1) TRANSFER.—The responsibility and authority for operation and administration of the Troops-to-Teachers Program in chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is transferred from the Secretary of Education to the Secretary of Defense.

(2) EFFECTIVE DATE.—The transfer under paragraph (1) shall take effect on the first day of the first month beginning more than 90 days after the date of the enactment of this Act, or on such earlier date as the Secretary of Education and the Secretary of Defense may jointly provide.

(b) ENACTMENT OF PROGRAM AUTHORITY IN TITLE 10, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1154. Assistance to eligible members and former members to obtain employment as teachers: troops-to-teachers program

“(a) DEFINITIONS.—In this section:

“(1) CHARTER SCHOOL.—The term ‘charter school’ has the meaning given that term in section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1)).

“(2) ELIGIBLE SCHOOL.—The term ‘eligible school’ means—

“(A) a public school, including a charter school, at which—

“(i) at least 30 percent of the students enrolled in the school are from families with incomes below 185 percent of poverty level (as defined by the Office of Management and Budget and revised at least annually in accordance with section 9(b)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(1)) applicable to a family of the size involved; or

“(ii) at least 13 percent of the students enrolled in the school qualify for assistance under part B of the Individuals with Disabilities Education Act; or

“(B) a Bureau-funded school as defined in section 1141(3) of the Education Amendments of 1978 (25 U.S.C. 2021(3)).

“(3) HIGH-NEED SCHOOL.—The term ‘high-need school’ means—

“(A) an elementary or middle school in which at least 50 percent of the enrolled students are children from low-income families, based on the number of children eligible to for free and reduced priced lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the number of children eligible to receive medical assistance under the Medicaid program, or a composite of these indicators;

“(B) a high school in which at least 40 percent of enrolled students are children from low-income families, which may be calculated using comparable data from feeder schools; or

“(C) a school that is in a local educational agency that is eligible under section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b)).

“(4) MEMBER OF THE ARMED FORCES.—The term ‘member of the armed forces’ includes a retired or former member of the armed forces.

“(5) PARTICIPANT.—The term ‘participant’ means an eligible member of the armed forces selected to participate in the Program.

“(6) PROGRAM.—The term ‘Program’ means the Troops-to-Teachers Program authorized by this section.

“(7) SECRETARY.—The term ‘Secretary’ means the Secretary of Defense.

“(8) ADDITIONAL TERMS.—The terms ‘elementary school’, ‘local educational agency’, ‘secondary school’, and ‘State’ have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(b) PROGRAM AUTHORIZATION.—The Secretary of Defense may carry out a Troops-to-Teachers Program—

“(1) to assist eligible members of the armed forces described in subsection (d) to obtain certification or licensing as elementary school teachers, secondary school teachers, or career or technical teachers; and

“(2) to facilitate the employment of such members—

“(A) by local educational agencies or charter schools that the Secretary of Education identifies as—

“(i) receiving grants under part A of title I of the Elementary and Secondary Edu-

cation Act of 1965 (20 U.S.C. 6301 et. seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or

“(ii) experiencing a shortage of teachers, in particular a shortage of science, mathematics, special education, foreign language, or career or technical teachers; and

“(B) in elementary schools or secondary schools, or as career or technical teachers.

“(c) COUNSELING AND REFERRAL SERVICES.—The Secretary may provide counseling and referral services to members of the armed forces who do not meet the eligibility criteria described in subsection (d), including the education qualification requirements under paragraph (3)(B) of such subsection.

“(d) ELIGIBILITY AND APPLICATION PROCESS.—

“(1) ELIGIBLE MEMBERS.—The following members of the armed forces are eligible for selection to participate in the Program:

“(A) Any member who—

“(i) on or after October 1, 1999, becomes entitled to retired or retainer pay under this title or title 14;

“(ii) has an approved date of retirement that is within one year after the date on which the member submits an application to participate in the Program; or

“(iii) has been transferred to the Retired Reserve.

“(B) Any member who, on or after January 8, 2002—

“(i) is separated or released from active duty after four or more years of continuous active duty immediately before the separation or release; or

“(ii) has completed a total of at least six years of active duty service, six years of service computed under section 12732 of this title, or six years of any combination of such service; and

“(iii) executes a reserve commitment agreement for a period of not less than three years under paragraph (5)(B).

“(C) Any member who, on or after January 8, 2002, is retired or separated for physical disability under chapter 61 of this title.

“(2) SUBMISSION OF APPLICATIONS.—(A) Selection of eligible members of the armed forces to participate in the Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in subparagraph (B). An application shall be in such form and contain such information as the Secretary may require.

“(B) In the case of an eligible member of the armed forces described in subparagraph (A)(i), (B), or (C) of paragraph (1), an application shall be considered to be submitted on a timely basis under if the application is submitted not later than three years after the date on which the member is retired, separated, or released from active duty, whichever applies to the member.

“(3) SELECTION CRITERIA; EDUCATIONAL BACKGROUND REQUIREMENTS; HONORABLE SERVICE REQUIREMENT.—(A) The Secretary shall prescribe the criteria to be used to select eligible members of the armed forces to participate in the Program.

“(B) If a member of the armed forces is applying for the Program to receive assistance for placement as an elementary school or secondary school teacher, the Secretary shall require the member to have received a baccalaureate or advanced degree from an accredited institution of higher education.

“(C) If a member of the armed forces is applying for the Program to receive assistance for placement as a career or technical teacher, the Secretary shall require the member—

“(i) to have received the equivalent of one year of college from an accredited institution of higher education or the equivalent in military education and training as certified by the Department of Defense; or

“(ii) to otherwise meet the certification or licensing requirements for a career or technical teacher in the State in which the member seeks assistance for placement under the Program.

“(D) A member of the armed forces is eligible to participate in the Program only if the member’s last period of service in the armed forces was honorable, as characterized by the Secretary concerned. A member selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty may continue to participate in the Program after the retirement, separation, or release only if the member’s last period of service is characterized as honorable by the Secretary concerned.

“(4) SELECTION PRIORITIES.—In selecting eligible members of the armed forces to receive assistance under the Program, the Secretary—

“(A) shall give priority to members who—

“(i) have educational or military experience in science, mathematics, special education, foreign language, or career or technical subjects; and

“(ii) agree to seek employment as science, mathematics, foreign language, or special education teachers in elementary schools or secondary schools or in other schools under the jurisdiction of a local educational agency; and

“(B) may give priority to members who agree to seek employment in a high-need school.

“(5) OTHER CONDITIONS ON SELECTION.—(A) Subject to subsection (i), the Secretary may not select an eligible member of the armed forces to participate in the Program and receive financial assistance unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (e) with respect to the member.

“(B) The Secretary may not select an eligible member of the armed forces described in paragraph (1)(B)(i) to participate in the Program and receive financial assistance under subsection (e) unless the member executes a written agreement to serve as a member of the Selected Reserve of a reserve component of the armed forces for a period of not less than three years.

“(e) PARTICIPATION AGREEMENT AND FINANCIAL ASSISTANCE.—

“(1) PARTICIPATION AGREEMENT.—(A) An eligible member of the armed forces selected to participate in the Program under subsection (b) and to receive financial assistance under this subsection shall be required to enter into an agreement with the Secretary in which the member agrees—

“(i) within such time as the Secretary may require, to obtain certification or licensing as an elementary school teacher, secondary school teacher, or career or technical teacher; and

“(ii) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in an eligible school to begin the school year after obtaining that certification or licensing.

“(B) The Secretary may waive the three-year commitment described in subparagraph (A)(ii) for a participant if the Secretary determines such waiver to be appropriate. If the Secretary provides the waiver, the participant shall not be considered to be in violation of the agreement and shall not be required to provide reimbursement under subsection (f), for failure to meet the three-year commitment.

“(2) VIOLATION OF PARTICIPATION AGREEMENT; EXCEPTIONS.—A participant shall not be considered to be in violation of the par-

ticipation agreement entered into under paragraph (1) during any period in which the participant—

“(A) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

“(B) is serving on active duty as a member of the armed forces;

“(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

“(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

“(E) is unable to find full-time employment as a teacher in an elementary school or secondary school or as a career or technical teacher for a single period not to exceed 27 months; or

“(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

“(3) STIPEND AND BONUS FOR PARTICIPANTS.—(A) Subject to subparagraph (C), the Secretary may pay to a participant a stipend to cover expenses incurred by the participant to obtain the required educational level, certification or licensing. Such stipend may not exceed \$5,000 and may vary by participant.

“(B)(i) Subject to subparagraph (C), the Secretary may pay a bonus to a participant who agrees in the participation agreement under paragraph (1) to accept full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in an eligible school.

“(ii) The amount of the bonus may not exceed \$5,000, unless the eligible school is a high-need school, in which case the amount of the bonus may not exceed \$10,000. Within such limits, the bonus may vary by participant and may take into account the priority placements as determined by the Secretary.

“(C)(i) The total number of stipends that may be paid under subparagraph (A) in any fiscal year may not exceed 5,000.

“(ii) The total number of bonuses that may be paid under subparagraph (B) in any fiscal year may not exceed 3,000.

“(iii) A participant may not receive a stipend under subparagraph (A) if the participant is eligible for benefits under chapter 33 of title 38.

“(iv) The combination of a stipend under subparagraph (A) and a bonus under subparagraph (B) for any one participant may not exceed \$10,000.

“(4) TREATMENT OF STIPEND AND BONUS.—A stipend or bonus paid under this subsection to a participant shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

“(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—

“(1) REIMBURSEMENT REQUIRED.—A participant who is paid a stipend or bonus under this subsection shall be subject to the repayment provisions of section 373 of title 37 under the following circumstances:

“(A) The participant fails to obtain teacher certification or licensing or to obtain employment as an elementary school teacher, secondary school teacher, or career or technical teacher as required by the participation agreement under subsection (e)(1).

“(B) The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or career or technical teacher during the three years of required service in violation of the participation agreement.

“(C) The participant executed a written agreement with the Secretary concerned under subsection (d)(5)(B) to serve as a mem-

ber of a reserve component of the armed forces for a period of three years and fails to complete the required term of service.

“(2) AMOUNT OF REIMBURSEMENT.—A participant required to reimburse the Secretary for a stipend or bonus paid to the participant under subsection (e) shall pay an amount that bears the same ratio to the amount of the stipend or bonus as the unserved portion of required service bears to the three years of required service.

“(3) INTEREST.—Any amount owed by a participant under this subsection shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of 90 days or less and shall accrue from the day on which the participant is first notified of the amount due.

“(4) EXCEPTIONS TO REIMBURSEMENT REQUIREMENT.—A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive the reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

“(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—Except as provided in subsection (e)(3)(C)(iii), the receipt by a participant of a stipend or bonus under subsection (e) shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 or 33 of title 38 or chapter 1606 of this title.

“(h) PARTICIPATION BY STATES.—

“(1) DISCHARGE OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The Secretary may permit States participating in the Program to carry out activities authorized for such States under the Program through one or more consortia of such States.

“(2) ASSISTANCE TO STATES.—(A) Subject to subparagraph (B), the Secretary may make grants to States participating in the Program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members of the armed forces for participation in the Program and facilitating the employment of participants as elementary school teachers, secondary school teachers, and career or technical teachers.

“(B) The total amount of grants made under subparagraph (A) in any fiscal year may not exceed \$5,000,000.

“(i) LIMITATION ON TOTAL FISCAL-YEAR OBLIGATIONS.—The total amount obligated by the Secretary under the Program for any fiscal year may not exceed \$15,000,000.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“1154. Assistance to eligible members and former members to obtain employment as teachers: Troops-to-Teachers Program.”

(c) CONFORMING AMENDMENT.—Subparagraph (C) of section 1142(b)(4) of such title is amended by striking “section 2302” and all that follows through the end of the subparagraph and inserting “under section 1154 of this title.”

(d) TERMINATION OF DEPARTMENT OF EDUCATION TROOPS-TO-TEACHERS PROGRAM.—

(1) TERMINATION.—Chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents in section 2 of the Elementary and Secondary Education Act 1965 is amended by striking the items relating to chapter A of subpart 1 of part C of title II of such Act.

(3) EXISTING AGREEMENTS.—The repeal of chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) by paragraph (1) shall not affect—

(A) the validity or terms of any agreement entered into under such chapter, as in effect immediately before such repeal, before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a); or

(B) the authority to pay assistance, make grants, or obtain reimbursement in connection with such an agreement as in effect before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a).

SEC. 542. SUPPORT OF NAVAL ACADEMY ATHLETIC AND PHYSICAL FITNESS PROGRAMS.

(a) AUTHORITY TO SUPPORT PROGRAMS.—Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 6981. Support of athletic and physical fitness programs

“(a) AUTHORITY.—The Secretary of the Navy may enter into agreements, including cooperative agreements (as described in section 6305 of title 31), with the Naval Academy Athletic Association and its successors and assigns (in this section referred to as the ‘association’) to manage any aspect of the athletic and physical fitness programs of the Naval Academy.

“(b) AUTHORITY TO PROVIDE SUPPORT TO ASSOCIATION.—(1) The Secretary of the Navy may transfer funds to the association to pay expenses incurred by the association in managing the athletic and physical fitness programs of the Naval Academy.

“(2) The Secretary may provide personal property and the services of members of the naval service and civilian personnel of the Department of the Navy to assist the association in managing the athletic and physical fitness programs of the Naval Academy.

“(c) ACCEPTANCE OF GIFTS FROM THE ASSOCIATION.—The Secretary of the Navy may accept from the association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy.

“(d) RECEIPT AND RETENTION OF FUNDS FROM ASSOCIATION AND OTHER SOURCES.—(1) The Secretary of the Navy may receive from the association funds generated by the athletic and physical fitness programs of the Naval Academy and any other activity of the association and to retain and use such funds to further the mission of the Naval Academy. Receipt and retention of such funds shall be subject to oversight by the Secretary.

“(2) The Secretary may accept, use, and retain funds from the National Collegiate Athletic Association and to transfer all or part of those funds to the association for the support of the athletic and physical fitness programs of the Naval Academy.

“(e) USER FEES.—The Secretary of the Navy may charge user fees to the association for the association’s use of Naval Academy facilities for the conduct of summer athletic camps. Fees collected under this subsection may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

“(f) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—(1) The Secretary of the Navy may enter into an agreement with the association authorizing the association to represent the Department of the Navy in connection with licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, to the extent authorized by the Chief of Naval Research and in accordance with sections 2260 and 5022 of this title.

“(2) Notwithstanding section 2260(d)(2) of this title, any funds generated by the licensing, marketing, and sponsorship under an agreement entered into under paragraph (1) may be accepted, used, and retained by the Secretary, or transferred by the Secretary to the association, for—

“(A) payment of the costs of securing trademark registrations and operating of licensing programs; or

“(B) supporting the athletic and physical fitness programs of the Naval Academy.

“(g) AUTHORIZED SERVICE ON BOARD OF DIRECTORS.—The Secretary may authorize members of the naval service and civilian personnel of the Department of the Navy to serve in accordance with sections 1033 and 1589 of this title as members of the governing board of the association.

“(h) CONDITIONS.—The authority provided in this section with respect to the association is available only so long as the association continues—

“(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986;

“(2) to operate in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the association; and

“(3) to operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

“(i) CONGRESSIONAL NOTIFICATION.—Not later than 60 days after the date on which the Secretary of the Navy enters into an agreement under the authority of this section, the Secretary shall provide a copy of the agreement to the congressional defense committees.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“6981. Support of athletic and physical fitness programs.”

SEC. 543. DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW OF ACCESS TO MILITARY INSTALLATIONS BY REPRESENTATIVES OF FOR-PROFIT EDUCATIONAL INSTITUTIONS.

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review to determine the extent of the access that representatives of for-profit educational institutions have to military installations and whether there are adequate safeguards in place to regulate such access.

(b) ELEMENTS OF REVIEW.—The review shall determine at a minimum the following:

(1) The extent to which representatives of for-profit educational institutions are accessing military installations for marketing and recruitment purposes.

(2) Whether there uniform and robust enforcement of DOD Directive 1344.07.

(3) Whether additional Department rules, policies, or oversight mechanisms should be put in place to regulate such practices.

(c) INSPECTOR GENERAL ACCESS.—The Secretary of Defense shall ensure that the Inspector General has access to all Department of Defense records and military installations for the purpose of conducting the review.

SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT PROGRAM ON RECEIPT OF CIVILIAN CREDENTIALING FOR MILITARY OCCUPATIONAL SPECIALTY SKILLS.

(a) EXPANSION OF PROGRAM.—Subsection (b)(1) of section 558 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2015 note) is amended by striking “or more than five”.

(b) USE OF INDUSTRY-RECOGNIZED CERTIFICATIONS.—Subsection (b) of such section is further amended—

(1) by striking “and” at the end of paragraph (1);

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

“(2) consider utilizing industry-recognized certifications or licensing opportunities for civilian occupational skills comparable to the specialties or codes so designated; and”.

Subtitle F—Decorations and Awards

SEC. 551. ISSUANCE OF PRISONER-OF-WAR MEDAL.

Section 1128(a)(4) of title 10, United States Code, is amended by striking “that are hostile to the United States.”.

SEC. 552. AWARD OF PURPLE HEART TO MEMBERS OF THE ARMED FORCES WHO WERE VICTIMS OF THE ATTACKS AT RECRUITING STATION IN LITTLE ROCK, ARKANSAS, AND AT FORT HOOD, TEXAS.

(a) AWARD REQUIRED.—The Secretary of the military department concerned shall award the Purple Heart to the members of the Armed Forces who were killed or wounded in the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009.

(b) EXCEPTION.—Subsection (a) shall not apply to a member of the Armed Forces whose wound was the result of the willful misconduct of the member.

SEC. 553. ADVANCEMENT OF BRIGADIER GENERAL CHARLES E. YEAGER, UNITED STATES AIR FORCE (RETIRED), ON THE RETIRED LIST.

(a) ADVANCEMENT.—Brigadier General Charles E. Yeager, United States Air Force (retired), is entitled to hold the rank of major general while on the retired list of the Air Force.

(b) ADDITIONAL BENEFITS NOT TO ACCRUE.—The advancement of Charles E. Yeager on the retired list of the Air Force under subsection (a) shall not affect the retired pay or other benefits from the United States to which Charles E. Yeager is now or may in the future be entitled based upon his military service or affect any benefits to which any other person may become entitled based on his service.

SEC. 554. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized to award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the American Civil War.

SEC. 555. RETROACTIVE AWARD OF ARMY COMBAT ACTION BADGE.

(a) AUTHORITY TO AWARD.—The Secretary of the Army may award the Army Combat Action Badge (established by order of the Secretary of the Army through Headquarters, Department of the Army Letter 600-05-1, dated June 3, 2005) to a person who, while a member of the Army, participated in combat during which the person personally engaged, or was personally engaged by, the enemy at any time during the period beginning on December 7, 1941, and ending on September 18, 2001 (the date of the otherwise ap-

plicable limitation on retroactivity for the award of such decoration), if the Secretary determines that the person has not been previously recognized in an appropriate manner for such participation.

(b) **PROCUREMENT OF BADGE.**—The Secretary of the Army may make arrangements with suppliers of the Army Combat Action Badge so that eligible recipients of the Army Combat Action Badge pursuant to subsection (a) may procure the badge directly from suppliers, thereby eliminating or at least substantially reducing administrative costs for the Army to carry out this section.

SEC. 556. REPORT ON NAVY REVIEW, FINDINGS, AND ACTIONS PERTAINING TO MEDAL OF HONOR NOMINATION OF MARINE CORPS SERGEANT RAFAEL PERALTA.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing the Navy review, findings, and actions pertaining to the Medal of Honor nomination of Marine Corps Sergeant Rafael Peralta. The report shall account for all evidence submitted with regard to the case.

Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) **ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.**—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) **ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.**—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$5,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(c) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In this section, the term “local educational agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 562. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO WERE CARRIED DURING PREGNANCY AT THE TIME OF DEPENDENT-ABUSE OFFENSE COMMITTED BY AN INDIVIDUAL WHILE A MEMBER OF THE ARMED FORCES.

(a) **DEFINITION OF DEPENDENT CHILD.**—Subsection (1) of section 1059 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking “at the time of the dependent-abuse offense resulting in the separation of the former member” and inserting “or eligible spouse or former spouse at the time of the dependent-abuse offense resulting in the separation of the former member or who was carried during pregnancy at the time of the dependent-abuse offense resulting in the separation of

the former member and was subsequently born alive to the eligible spouse or former spouse”.

(b) **DETERMINATION OF PAYMENT AMOUNT.**—Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(4) A payment to a child under this section shall not cover any period during which the child was in utero.”.

(c) **PROSPECTIVE APPLICABILITY.**—No benefits shall accrue by reason of the amendments made by this section for any month that begins before the date of the enactment of this Act.

SEC. 563. MODIFICATION OF AUTHORITY TO ALLOW DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS TO ENROLL CERTAIN STUDENTS.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(k) **ENROLLMENT OF RELOCATED DEFENSE DEPENDENTS' EDUCATION SYSTEM STUDENTS.**—(1) The Secretary of Defense may authorize the enrollment in a Department of Defense education program provided by the Secretary pursuant to subsection (a) of a dependent of a member of the armed forces or a dependent of a Federal employee who is enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921) if—

“(A) the dependents departed the overseas location as a result of a evacuation order;

“(B) the designated safe haven of the dependent is located within reasonable commuting distance of a school operated by the Department of Defense education program; and

“(C) the school possesses the capacity and resources necessary to enable the student to attend the school.

“(2) A dependent described in paragraph (1) who is enrolled in a school operated by the Department of Defense education program pursuant to such paragraph may attend the school only through the end of the school year.

“(1) **ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM.**—(1) Under regulations prescribed by the Secretary of Defense, the Secretary may authorize the enrollment in the virtual elementary and secondary education program established as a component of the Department of Defense education program of a dependent of a member of the armed forces on active duty who—

“(A) is enrolled in an elementary or secondary school operated by a local educational agency or another accredited educational program in the United States (other than a school operated by the Department of Defense education program); and

“(B) immediately before such enrollment, was enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921).

“(2) Enrollment of a dependent described in paragraph (1) pursuant to such paragraph shall be on a tuition basis.”.

SEC. 564. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.

(a) **CHILD CUSTODY PROTECTION.**—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

“SEC. 208. CHILD CUSTODY PROTECTION.

“(a) **RESTRICTION ON TEMPORARY CUSTODY ORDER.**—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated deployment of a parent who is a servicemem-

ber, then the court shall require that, upon the return of the servicemember from deployment, the custody order that was in effect immediately preceding the temporary order shall be reinstated, unless the court finds that such a reinstatement is not in the best interest of the child, except that any such finding shall be subject to subsection (b).

“(b) **EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD'S BEST INTEREST.**—If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, in determining the best interest of the child.

“(c) **NO FEDERAL JURISDICTION OR RIGHT OF ACTION OR REMOVAL.**—Nothing in this section shall create a Federal right of action or otherwise give rise to Federal jurisdiction or create a right of removal.

“(d) **PREEMPTION.**—In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

“(e) **DEPLOYMENT DEFINED.**—In this section, the term ‘deployment’ means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 18 months pursuant to temporary or permanent official orders—

“(1) that are designated as unaccompanied;

“(2) for which dependent travel is not authorized; or

“(3) that otherwise do not permit the movement of family members to that location.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

“208. Child custody protection.”.

SEC. 565. TREATMENT OF RELOCATION OF MEMBERS OF THE ARMED FORCES FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.

(a) **IN GENERAL.**—Title III of the Servicemembers Civil Relief Act is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

“SEC. 303A. TREATMENT OF RELOCATION OF SERVICEMEMBERS FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.

“(a) **TREATMENT OF ABSENCE FROM RESIDENCE DUE TO ACTIVE DUTY.**—While a servicemember who is the mortgagor under an existing mortgage does not reside in the residence that secures the existing mortgage because of a relocation described in subsection (c)(1)(B), if the servicemember inquires about or applies for a covered refinancing mortgage, the servicemember shall be considered, for all purposes relating to the covered refinancing mortgage (including such inquiry or application and eligibility for, and compliance with, any underwriting criteria and standards regarding such covered refinancing mortgage) to occupy the residence that secures the existing mortgage to be paid or prepaid by such covered refinancing mortgage as the principal residence of the servicemember during the period of such relocation.

“(b) **LIMITATION.**—Subsection (a) shall not apply with respect to a servicemember who inquires about or applies for a covered refinancing mortgage if, during the 5-year period preceding the date of such inquiry or application, the servicemember entered into a covered refinancing mortgage pursuant to this section.

“(c) DEFINITIONS.—In this section:

“(1) EXISTING MORTGAGE.—The term ‘existing mortgage’ means a mortgage that is secured by a 1- to 4-family residence, including a condominium or a share in a cooperative ownership housing association, that was the principal residence of a servicemember for a period that—

“(A) had a duration of 13 consecutive months or longer; and

“(B) ended upon the relocation of the servicemember caused by the servicemember receiving military orders for a permanent change of station or to deploy with a military unit, or as an individual in support of a military operation, for a period of not less than 18 months that did not allow the servicemember to continue to occupy such residence as a principal residence.

“(2) COVERED REFINANCING MORTGAGE.—The term ‘covered refinancing mortgage’ means any mortgage that—

“(A) is made for the purpose of paying or prepaying, and extinguishing, the outstanding obligations under an existing mortgage or mortgages; and

“(B) is secured by the same residence that secured such existing mortgage or mortgages.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

“303A. Treatment of relocation of servicemembers for active duty for purposes of mortgage refinancing.”

SEC. 566. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.

(a) FINDINGS.—Congress makes the following findings:

(1) The hopes and prayers of the American people for the safe return of members of the Armed Forces serving overseas are demonstrated through the proud display of yellow ribbons.

(2) The designation of a “Yellow Ribbon Day” would serve as an additional reminder for all Americans of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the Yellow Ribbon as the symbol of support for members of the Armed Forces and American civilians serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day, observed on April 9th each year, in honor of members of the Armed Forces and American civilians who are serving overseas in defense of the United States apart from their families and loved ones.

Subtitle H—Improved Sexual Assault Prevention and Response in the Armed Forces

SEC. 571. ESTABLISHMENT OF SPECIAL VICTIM TEAMS TO RESPOND TO ALLEGATIONS OF CHILD ABUSE, SERIOUS DOMESTIC VIOLENCE, OR SEXUAL OFFENSES.

(a) ESTABLISHMENT REQUIRED.—The Secretary of each military department shall establish special victim teams for the purpose of—

(1) investigating and prosecuting allegations of child abuse, serious domestic violence, or sexual offenses; and

(2) providing support for the victims of such offenses.

(b) PERSONNEL.—A special victim team shall be comprised of specially trained and selected—

(1) investigators from the Defense Criminal Investigative Service, Army Criminal Investigative Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigations;

(2) judge advocates;

(3) victim witness assistance personnel; and

(4) administrative paralegal support personnel.

(c) TRAINING, SELECTION, AND CERTIFICATION STANDARDS.—The Secretary of each military department shall prescribe standards for the training, selection, and certification of personnel for special victim teams established by that Secretary.

(d) TIME FOR ESTABLISHMENT.—

(1) DISCRETION REGARDING NUMBER OF TEAMS NEEDED.—The Secretary of a military department shall determine the total number of special victim teams to be established, and prescribe regulations for their management and use, in order to provide effective, timely, and responsive world-wide support for the purposes described in subsection (a). Not later than 270 days after the date of the enactment of this Act, each Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan and time line for the establishment of the special victim teams that the Secretary has determined are needed.

(2) INITIAL TEAM.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall have available for use at least one special victim team.

(e) EVALUATION OF EFFECTIVENESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the common criteria to be used by the Secretaries of the military departments to measure the effectiveness and impact of the special victim teams from the investigative, prosecutorial, and victim’s perspectives, and require the Secretaries of the military departments to collect and report the data required by the Secretary of Defense.

(f) SPECIAL VICTIM TEAM DEFINED.—In this section, the term “special victim team” means a distinct, recognizable group of appropriately skilled professionals who work collaboratively to achieve the purposes described in subsection (a). This section does not require that a special victim team be created as separate military unit or have a separate chain of command.

SEC. 572. ENHANCEMENT TO TRAINING AND EDUCATION FOR SEXUAL ASSAULT PREVENTION AND RESPONSE.

Section 585 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1434) is amended by adding at the end the following new subsections:

“(d) COMMANDERS’ TRAINING.—The Secretary of Defense shall provide for the inclusion of a sexual assault prevention and response training module in the training for new or prospective commanders at all levels of command. The training shall be tailored to the responsibilities and leadership requirements of members of the Armed Forces as they are assigned to command positions. Such training shall include the following:

“(1) Fostering a command climate that does not tolerate sexual assault.

“(2) Fostering a command climate in which persons assigned to the command are encouraged to intervene to prevent potential incidents of sexual assault.

“(3) Fostering a command climate that encourages victims of sexual assault to report any incident of sexual assault.

“(4) Understanding the needs of, and the resources available to, the victim after an incident of sexual assault.

“(5) Use of military criminal investigative organizations for the investigation of alleged incidents of sexual assault.

“(6) Available disciplinary options, including court-martial, non-judicial punishment, administrative action, and deferral of discipline for collateral misconduct, as appropriate.

“(e) EXPLANATION TO BE INCLUDED IN INITIAL ENTRY AND ACCESSION TRAINING.—

“(1) REQUIREMENT.—The Secretary of Defense shall require that the matters specified in paragraph (2) be carefully explained to each member of the Army, Navy, Air Force, and Marine Corps at the time of (or within fourteen duty days after)—

“(A) the member’s initial entrance on active duty; or

“(B) the member’s initial entrance into a duty status with a reserve component.

“(2) MATTERS TO BE EXPLAINED.—This subsection applies with respect to the following:

“(A) Department of Defense policy with respect to sexual assault.

“(B) The resources available with respect to sexual assault reporting and prevention and the procedures to be followed by a member seeking to access those resources.”

SEC. 573. ENHANCEMENT TO REQUIREMENTS FOR AVAILABILITY OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.

(a) REQUIRED POSTING OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.—

(1) POSTING.—The Secretary of Defense shall require that there be prominently posted, in accordance with paragraph (2), notice of the following information relating to sexual assault prevention and response, in a form designed to ensure visibility and understanding:

(A) Resource information for members of the Armed Forces, military dependents, and civilian personnel of the Department of Defense with respect to prevention of sexual assault and reporting of incidents of sexual assault.

(B) Contact information for personnel who are designated as Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.

(C) The Department of Defense “hotline” telephone number, referred to as the Safe Helpline, for reporting incidents of sexual assault, or any successor operation.

(2) POSTING PLACEMENT.—Posting under subsection (a) shall be at the following locations, to the extent practicable:

(A) Any Department of Defense duty facility.

(B) Any Department of Defense dining facility.

(C) Any Department of Defense multi-unit residential facility.

(D) Any Department of Defense health care facility.

(E) Any Department of Defense commissary or exchange.

(F) Any Department of Defense Community Service Agency.

(G) Any Department of Defense website.

(b) NOTICE TO VICTIMS OF AVAILABLE ASSISTANCE.—The Secretary of Defense shall require that procedures in the Department of Defense for responding to a complaint or allegation of sexual assault submitted by or against a member of the Armed Forces include prompt notice to the person making the complaint or allegation of the forms of assistance available to that person from the Department of Defense and, to the extent known to the Secretary, through other departments and agencies, including State and local agencies, and other sources.

SEC. 574. MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS REGARDING SEXUAL ASSAULTS.

(a) GREATER DETAIL IN CASE SYNOPSIS PORTION OF REPORT.—Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

“(f) ADDITIONAL DETAILS FOR CASE SYNOPSIS PORTION OF REPORT.—The Secretary of

each military department shall include in the case synopsis portion of each report described in subsection (b)(3) the following additional information:

“(1) If an Article 32 Investigating Officer recommends dismissal of the charges against a member of the Armed Forces accused of committing a sexual assault, the case synopsis shall explicitly state the reasons for that recommendation.

“(2) If the case synopsis states that a member of the Armed Forces accused of committing a sexual assault was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court martial, the case synopsis shall include the characterization (honorable, general, or other than honorable) given the service of the member upon separation.

“(3) The case synopsis shall indicate whether a member of the Armed Forces accused of committing a sexual assault was ever previously accused of a substantiated sexual assault.

“(4) The case synopsis shall indicate the branch of the Armed Forces of each member accused of committing a sexual assault and the branch of the Armed Forces of each member who is a victim of a sexual assault.

“(5) If the case disposition includes non-judicial punishment, the case synopsis shall explicitly state the nature of the punishment.

“(6) If alcohol was involved in any way in a substantiated sexual assault incident, the case synopsis shall specify whether the member of the Armed Forces accused of committing the sexual assault had previously been ordered to attend substance abuse counseling.”.

(b) APPLICATIONS FOR CERTAIN TRANSFERS BY SEXUAL ASSAULT VICTIMS.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

“(7) The number of applications submitted under section 673 of title 10, United States Code, during the year covered by the report for a permanent change of station or unit transfer for members of the Armed Forces on active duty who are the victim of a sexual assault or related offense, the number of applications denied, and, for each application denied, a description of the reasons why the application was denied.”.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be submitted by March 1, 2013, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

SEC. 575. INCLUSION OF SEXUAL HARASSMENT INCIDENTS IN ANNUAL DEPARTMENT OF DEFENSE REPORTS ON SEXUAL ASSAULTS.

Effective with the report required to be submitted by March 1, 2013, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4433; 10 U.S.C. 1561 note), the Secretary of each military department shall include in each annual report required by that section information on sexual harassment involving members of the Armed Forces under the jurisdiction of that Secretary during the preceding year. For purposes of complying with this section, the Secretary of the military department concerned shall apply subsection (b) of such section 1631 by substituting the term “sexual harassment” for “sexual assault” each place it appears in paragraphs (1) through (4) of such subsection.

SEC. 576. CONTINUED SUBMISSION OF PROGRESS REPORTS REGARDING CERTAIN INCIDENT INFORMATION MANAGEMENT TOOLS.

(a) REPORTS REQUIRED.—Not later than August 28, 2012, and every six months thereafter

until the date determined under subsection (b), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the progress made during the previous six months to ensure that both of the following are fully functional and operational:

(1) The Defense Incident-Based Reporting System.

(2) The Defense Sexual Assault Incident Database.

(b) DURATION OF REPORTING REQUIREMENT.—The reporting requirement imposed by subsection (a) shall continue until the date on which the Secretary of Defense certifies, in a report submitted under such subsection, that—

(1) the Defense Incident-Based Reporting System and the Defense Sexual Assault Incident Database are fully functional and operational throughout the Department of Defense; and

(2) each of the military departments is using the Defense Incident-Based Reporting System or providing data for inclusion in the Defense Sexual Assault Incident Database.

(c) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Section 598 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2345; 10 U.S.C. 113 note) is repealed.

SEC. 577. BRIEFINGS ON DEPARTMENT OF DEFENSE ACTIONS REGARDING SEXUAL ASSAULT PREVENTION AND RESPONSE IN THE ARMED FORCES.

Not later than October 31, 2012, and April 30, 2013, the Secretary of Defense (or the designee of the Secretary of Defense) shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing that outlines efforts by the Department of Defense to implement—

(1) subtitle H of title V of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1430) and the amendments made by that subtitle;

(2) the additional initiatives announced by the Secretary of Defense on April 17, 2012, to address sexual assault involving members of the Armed Forces; and

(3) any other initiatives, policies, or programs being undertaken by the Secretary of Defense and the Secretaries of the military departments to address sexual assault involving members of the Armed Forces.

SEC. 578. ARMED FORCES WORKPLACE AND GENDER RELATIONS SURVEYS.

(a) ADDITIONAL CONTENT OF SURVEYS.—Subsection (c) of section 481 of title 10, United States Code, is amended—

(1) by striking “harassment and discrimination” and inserting “harassment, assault, and discrimination”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) The specific types of assault that have occurred, and the number of times each respondent has been assaulted during the preceding year.”;

(4) in paragraph (4), as so redesignated, by striking “discrimination” and inserting “discrimination, harassment, and assault”; and

(5) by adding at the end the following new paragraph

“(5) Any other issues relating to discrimination, harassment, or assault as the Secretary of Defense considers appropriate.”.

(b) TIME FOR CONDUCTING OF SURVEYS.—Such section is further amended—

(1) in subsection (a)(1), by striking “four quadrennial surveys (each in a separate year)” and inserting “four surveys”; and

(2) by striking subsection (d) and inserting the following new subsection:

“(d) WHEN SURVEYS REQUIRED.—(1) One of the two Armed Forces Workplace and Gender

Relations Surveys shall be conducted in 2014 and then every second year thereafter and the other Armed Forces Workplace and Gender Relations Survey shall be conducted in 2015 and then every second year thereafter, so that one of the two surveys is being conducted each year.

“(2) The two Armed Forces Workplace and Equal Opportunity Surveys shall be conducted at least once every four years. The two surveys may not be conducted in the same year.”.

SEC. 579. REQUIREMENT FOR COMMANDERS TO CONDUCT ANNUAL ORGANIZATIONAL CLIMATE ASSESSMENTS.

(a) REQUIREMENT.—The Secretary of Defense shall require the commander of each covered unit to conduct an organizational climate assessment within 120 days after the commander assumes command and annually thereafter.

(b) DEFINITIONS.—In this section:

(1) COVERED UNIT.—The term “covered unit” means any organizational element of the Armed Forces (other than the Coast Guard) with more than 50 members assigned, including any such element of a reserve component.

(2) ORGANIZATIONAL CLIMATE ASSESSMENT.—The term “organizational climate assessment” means an assessment intended to obtain information about the positive and negative factors that may have an impact on unit effectiveness and readiness by measuring matters relating to human relations climate such as prevention and response to sexual assault and equal opportunity.

SEC. 580. ADDITIONAL REQUIREMENTS FOR ORGANIZATIONAL CLIMATE ASSESSMENTS.

(a) ELEMENTS OF ASSESSMENTS.—An organizational climate assessment shall include avenues for members of the Armed Forces to express their views on how their leaders, including commanders, are responding to allegations of sexual assault and complaints of sexual harassment. The Secretary of Defense shall require the Office of Diversity Management and Equal Opportunity and the Sexual Assault Prevention and Response Office to ensure equal opportunity advisors and officers of the Sexual Assault Prevention and Response Office are available to conduct these assessments.

(b) ENSURING COMPLIANCE.—

(1) IN GENERAL.—The Secretary of Defense shall direct the Secretaries of the military departments to verify and track the compliance of commanding officers in conducting organizational climate assessments.

(2) IMPLEMENTATION.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—

(A) a description of the progress of the development of the system that will verify and track the compliance of commanding officers in conducting organizational climate assessments; and

(B) an estimate of when the system will be completed and implemented.

(c) CONSULTATION.—In developing the sexual harassment and sexual assault portion of an organizational climate assessment, the Secretary of Defense shall consult with representatives of the following:

(1) The Sexual Assault Prevention and Response Office.

(2) The Office of Diversity Management.

(3) Appropriate non-Governmental organizations that have expertise in areas related to sexual harassment and sexual assault in the Armed Forces.

(d) RELATION TO OTHER REPORTING REQUIREMENTS.—The reporting requirements of this section are in addition to, and an expansion of, the Armed Forces Workplace and

Gender Relations Surveys required by section 481 of title 10, United States Code.

SEC. 581. REVIEW OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT AND SUBSEQUENT SEPARATION OF MEMBERS MAKING SUCH REPORTS.

(a) **REVIEW REQUIRED.**—The Secretary of Defense shall conduct a review of all unrestricted reports of sexual assault made by members of the Armed Forces since October 1, 2000, to determine the number of members who were subsequently separated from the Armed Forces and the circumstances of and grounds for such separation.

(b) **ELEMENTS OF REVIEW.**—The review shall determine at a minimum the following:

(1) For each member who made an unrestricted report of sexual assault and was subsequently separated, the reason provided for the separation and whether the member requested an appeal.

(2) For each member separated on the grounds of having a personality disorder, whether the separation was carried out in compliance with Department of Defense Instruction 1332.14.

(3) For each member who requested an appeal, the basis and results of the appeal.

(c) **SUBMISSION OF RESULTS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the review.

SEC. 582. LIMITATION ON RELEASE FROM ACTIVE DUTY OR RECALL TO ACTIVE DUTY OF RESERVE COMPONENT MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT WHILE ON ACTIVE DUTY.

(a) **IN GENERAL.**—Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 12323. Active duty for response to sexual assault

“(a) **CONTINUATION ON ACTIVE DUTY.**—In the case of a member of a reserve component who is the alleged victim of sexual assault committed while on active duty and who is expected to be released from active duty before the determination of whether the member was assaulted while in the line of duty, the Secretary concerned may, upon the request of the member, order the member to be retained on active duty until the line of duty determination, but not to exceed 180 days beyond the original expiration of active duty date. A member eligible for continuation on active duty under this subsection shall be informed as soon as practicable after the alleged assault of the option to request continuation on active duty under this subsection.

“(b) **RETURN TO ACTIVE DUTY.**—In the case of a member of a reserve component not on active duty who is the alleged victim of a sexual assault that occurred while the member was on active duty and when the determination whether the member was in the line of duty is not completed, the Secretary concerned may, upon the request of the member, order the member to active duty for such time as necessary to complete the line of duty determination, but not to exceed 180 days.

“(c) **REGULATIONS.**—The Secretaries of the military departments shall prescribe regulations to carry out this section, subject to guidelines prescribed by the Secretary of Defense. The guidelines of the Secretary of Defense shall provide that—

“(1) a request submitted by a member described in subsection (a) or (b) to continue on active duty, or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request; and

“(2) if the request is denied, the member may appeal to the first general officer or flag

officer in the chain of command of the member, and in the case of such an appeal a decision on the appeal must be made within 15 days from the date of the appeal.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended adding at the end the following new item:

“12323. Active duty for response to sexual assault.”.

SEC. 583. INCLUSION OF INFORMATION ON SUBSTANTIATED REPORTS OF SEXUAL HARASSMENT IN MEMBER'S OFFICIAL SERVICE RECORD.

(a) **INCLUSION.**—If a complaint of sexual harassment is made against a member of the Army, Navy, Air Force, or Marine Corps and the complaint is substantiated, a notation to that effect shall be placed in the service record of the member, regardless of the member's rank, for the purpose of—

(1) reducing the likelihood that a member who has committed sexual harassment can commit the same offense multiple times without suffering the appropriate consequences; and

(2) alerting commanders of the background of the members of their command, so the commanders have better awareness of its members, especially as members are transferred.

(b) **DEFINITION OF SUBSTANTIATED.**—For purposes of implementing this section, the Secretary of Defense shall use the definition of substantiated developed for the annual report on sexual assaults involving members of the Armed Forces prepared under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4433; 10 U.S.C. 1561 note).

SEC. 584. SENSE OF CONGRESS ON MILITARY SEXUAL TRAUMA.

(a) **FINDINGS.**—Congress finds the following:

(1) The Department of Defense conducted a survey of members of the Armed Forces serving on active duty that revealed that only 13.5 percent of such members reported incidents of sexual assault, which means that more than 19,000 incidents of sexual assault of members of the Armed Forces actually occurred in 2010 alone.

(2) Despite attempts, the Department of Defense has failed to address the chronic under reporting of incidents of sexual assault and harassment, as by the Department's own estimates, 86 percent of sexual assaults went unreported in 2010.

(3) Sexual assault in the military is an ongoing problem leading many victims to seek help after separation from the Armed Forces from the Department of Veterans Affairs.

(4) About 1 in 5 women and 1 in 100 men seen in Veterans Health Administration respond “Yes” when screened for military sexual trauma.

(5) Among users of healthcare provided by the Department of Veterans Affairs, medical record data indicates that diagnoses of post-traumatic stress disorder and other anxiety disorders, depression and other mood disorders, and substance use disorders are most frequently associated with military sexual trauma.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Secretary of Veterans Affairs should expand efforts to raise awareness about military sexual trauma and the treatment and services that the Department provides to victims; and

(2) in light of the fact that the available data shows an overwhelming number of military sexual trauma claims go unreported within the Department of Defense, making it very difficult for veterans to show proof of

the assault when filing claims with the Department of Veterans Affairs for post-traumatic stress disorder and other mental health conditions caused by military sexual trauma, the Secretary of Veterans Affairs should review the disability process to ensure that victims of military sexual trauma who file claims for service connection do not face unnecessary or overly burdensome requirements in order to claim disability benefits with the Department.

SEC. 585. CORRECTION OF MILITARY RECORDS OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE RETALIATORY PERSONNEL ACTIONS FOR MAKING A REPORT OF SEXUAL ASSAULT OR SEXUAL HARASSMENT.

The Secretary of Defense shall conduct a general education campaign to notify members of the Armed Forces regarding the authorities available under chapter 79 of title 10, United States Code, for the correction of military records when a member experiences any retaliatory personnel action for making a report of sexual assault or sexual harassment.

SEC. 586. DEPARTMENT OF DEFENSE SEXUAL ASSAULT AND HARASSMENT OVERSIGHT AND ADVISORY COUNCIL.

(a) **IN GENERAL.**—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 188. Sexual Assault and Harassment Oversight and Advisory Council

“(a) **ESTABLISHMENT.**—There is a Sexual Assault and Harassment Oversight and Advisory Council (in this section referred to as the ‘Council’).

“(b) **MEMBERSHIP.**—(1) The Council shall be comprised of individuals appointed by the Secretary of Defense who are experts and professionals in the fields of sexual assault and harassment, judicial proceedings involving sexual assault or harassment, or treatment for sexual assault or harassment. At a minimum, the Council shall include as members the following:

“(A) The Director of the Sexual Assault Prevention and Response Office of the Department of Defense.

“(B) The Judge Advocates General of the Army, Navy, and Air Force.

“(C) A judge advocate from the Army, Navy, Air Force, and Marine Corps with experience in prosecuting sexual assault cases.

“(D) A Department of Justice representative with experience in prosecuting sexual assault cases.

“(E) An individual who has extensive experience in providing assistance to sexual assault victims.

“(F) An individual who has expertise the civilian judicial system with respect to sexual assault.

“(2) Subject to paragraph (3), members shall be appointed for a term of two years. A member may serve after the end of the member's term until the member's successor takes office.

“(3) If a vacancy occurs in the Council, the vacancy shall be filled in the same manner as the original appointment. A member of the Council appointed to fill a vacancy occurring before the end of the term for which the member's predecessor was appointed shall only serve until the end of such term.

“(c) **CHAIRMAN; MEETINGS.**—(1) The Council shall elect a chair from among its members.

“(2) The Council shall meet not less often than once every year.

“(3) If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance, for good cause, by the Board chairman, such failure shall be grounds for termination from membership on the Board. A person designated for membership on the Board shall be provided notice of the provi-

sions of this paragraph at the time of such designation.

“(d) ADMINISTRATIVE PROVISIONS.—(1) Each member of the Council who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for Executive Schedule Level IV under section 5315 of title 5, for each day (including travel time) during which such member is engaged in the performance of the duties of the Council. Members of the Council who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

“(2) The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services for the Council.

“(e) RESPONSIBILITIES.—The Council shall be responsible for providing oversight and advice to the Secretary of Defense and the Secretaries of the military departments on the activities and implementation of policies and programs developed by the Sexual Assault Prevention and Response Office, including any modifications to the Uniform Code of Military Justice, in response to sexual assault and harassment.

“(f) ANNUAL REPORT.—Not later than March 31 of each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report that describes the activities of the Council during the preceding year and contains such recommendations as the Council considers appropriate to improve sexual assault prevention and treatment programs and policies of the Department of Defense.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“188. Sexual Assault and Harassment Oversight and Advisory Council.”.

Subtitle I—Other Matters

SEC. 590. INCLUSION OF FREELY ASSOCIATED STATES WITHIN SCOPE OF JUNIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM.

Section 2031(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) If a secondary educational institution in the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau otherwise meets the conditions imposed by subsection (b) on the establishment and maintenance of units of the Junior Reserve Officers’ Training Corps, the Secretary of a military department may establish and maintain a unit of the Junior Reserve Officers’ Training Corps at the secondary educational institution even though the secondary educational institution is not a United States secondary educational institution.”.

SEC. 591. PRESERVATION OF EDITORIAL INDEPENDENCE OF STARS AND STRIPES.

To preserve the actual and perceived editorial and management independence of the Stars and Stripes newspaper, the Secretary of Defense shall extend the lease for the commercial office space in the District of Columbia currently occupied by the editorial and management operations of the Stars and Stripes newspaper until such time as the Secretary provides space and information technology and other support for such operations in a Government-owned facility in the National Capital Region geographically remote from facilities of the Defense Media Activity at Fort Meade, Maryland.

SEC. 592. SENSE OF CONGRESS REGARDING DESIGNATION OF BUGLE CALL COMMONLY KNOWN AS “TAPS” AS NATIONAL SONG OF REMEMBRANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) The bugle call commonly known as “Taps” is known throughout the United States.

(2) In July 1862, following the Seven Days Battles, Union General Daniel Butterfield and bugler Oliver Willcox Norton created “Taps” at Berkley Plantation, Virginia, as a way to signal the end of daily military activities.

(3) “Taps” is now established by the uniformed services as the last call of the day and is sounded at the completion of a military funeral.

(4) “Taps” has become the signature, solemn musical farewell for members of the uniformed services and veterans who have faithfully served the United States during times of war and peace.

(5) Over its 150 years of use, “Taps” has been woven into the historical fabric of the United States.

(6) When sounded, “Taps” summons emotions of loss, pride, honor, and respect and encourages Americans to remember patriots who served the United States with honor and valor.

(7) The 150th anniversary of the writing of “Taps” will be observed with events culminating in June 2012 with a rededication of the Taps Monument at Berkley Plantation, Virginia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the bugle call commonly known as “Taps” should be designated as the National Song of Remembrance.

SEC. 593. RECOMMENDED CONDUCT DURING SOUNDING OF BUGLE CALL COMMONLY KNOWN AS “TAPS”.

(a) CONDUCT DURING SOUNDING OF “TAPS”.—Chapter 3 of title 36, United States Code, is amended by adding at the end the following new section:

“§ 306. Conduct during sounding of ‘Taps’

“(a) DEFINITION.—In this section, the term ‘Taps’ refers to the bugle call consisting of 24 notes normally sounded on a bugle or trumpet without accompaniment or embellishment as the last call of the day on a military base, at the completion of a military funeral, or on other occasions as the solemn musical farewell to members of the uniform services and veterans.

“(b) CONDUCT DURING SOUNDING.—

“(1) IN GENERAL.—During a performance of Taps—

“(A) all present, except persons in uniform, should stand at attention with the right hand over the heart;

“(B) men not in uniform should remove their headdress with their right hand and hold the headdress at the left shoulder, the hand being over the heart; and

“(C) persons in uniform should stand at attention and give the military salute at the first note of Taps and maintain that position until the last note.

“(2) EXCEPTION.—Paragraph (1) shall not apply when Taps is sounded as the final bugle call of the day at a military base.

“(c) DEFINITION OF MILITARY BASE.—In this section, the term ‘military base’ means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CHAPTER HEADING.—The heading of chapter 3 of title 36, United States Code, is amended to read as follows:

“CHAPTER 3—NATIONAL ANTHEM, MOTTO, AND OTHER NATIONAL DESIGNATIONS”.

(2) TABLE OF CHAPTERS.—The item relating to chapter 3 in the table of chapters for such title is amended to read as follows:

“3. National Anthem, Motto, and Other National Designations 301”.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“306. Conduct during sounding of ‘Taps’.”.

SEC. 594. INSPECTION OF MILITARY CEMETERIES UNDER THE JURISDICTION OF DEPARTMENT OF DEFENSE.

(a) DOD INSPECTOR GENERAL INSPECTION OF ARLINGTON NATIONAL CEMETERY AND UNITED STATES SOLDIERS’ AND AIRMEN’S HOME NATIONAL CEMETERY.—Section 1(d) of Public Law 111-339; 124 Stat. 3592) is amended—

(1) in paragraph (1), by striking “The Secretary” in the first sentence and inserting “Subject to paragraph (2), the Secretary”; and

(2) in paragraph (2), by adding at the end the following new sentence: “However, in the case of the report required to be submitted during 2013, the assessment described in paragraph (1) shall be conducted, and the report shall be prepared and submitted, by the Inspector General of the Department of Defense instead of the Secretary of the Army.”.

(b) TIME FOR SUBMISSION OF REPORT AND PLAN OF ACTION REGARDING INSPECTION OF CEMETERIES AT MILITARY INSTALLATIONS.—Section 592(d)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1443) is amended—

(1) by striking “December 31, 2012” and inserting “June 29, 2013”; and

(2) by striking “April 1, 2013” and inserting “October 1, 2013”.

SEC. 595. PILOT PROGRAM TO PROVIDE TRANSITIONAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES WITH A FOCUS ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(a) PROGRAM AUTHORITY.—The Secretary of Defense may conduct one or more pilot programs to provide transitional assistance for members of the Armed Forces leaving active duty that focuses on assisting the members to transition into the fields of science, technology, engineering, and mathematics to address the shortage of expertise within the Department of Defense in those fields.

(b) COOPERATION WITH EDUCATIONAL INSTITUTIONS.—The Secretary of Defense may enter into an agreement with an institution of higher education to provide for the management and execution of a pilot program under this section. The institution of higher education must agree to allow the translation of military experience and training into course credit and provide for the transfer of previously received credit through local community colleges and other accredited institutions of higher education.

(c) DURATION.—Any pilot program established under the authority of this section may not operate for more than three academic years.

(d) REPORTING REQUIREMENT.—At the conclusion of a pilot program under this section, the Secretary of Defense shall submit to the congressional defense committee a report on the results of the pilot program, including the cost incurred to conduct the program, the number of participants of the program, and the outcomes for the participants of the program.

SEC. 596. SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.

(a) FINDINGS.—Congress makes the following findings:

(1) Commencing August 26, 1946, though late February 1947 the United States Navy Antarctic Developments Program Task Force 68, codenamed “Operation Highjump” initiated and undertook the largest ever-to-date exploration of the Antarctic continent.

(2) The primary mission of the Task Force 68 organized by Rear Admiral Richard E. Byrd Jr. USN, (Ret) and led by Rear Admiral Richard H. Cruzen, USN, was to do the following:

(A) Establish the Antarctic research base Little America IV.

(B) In the defense of the United States of America from possible hostile aggression from abroad - to train personnel test equipment, develop techniques for establishing, maintaining and utilizing air bases on ice, with applicability comparable to interior Greenland, where conditions are similar to those of the Antarctic.

(C) Map and photograph a full two-thirds of the Antarctic Continent during the classified, hazardous duty/volunteer-only operation involving 4700 sailors, 23 aircraft and 13 ships including the first submarine the U.S.S. Sennet, and the aircraft carrier the U.S.S. Philippine Sea, brought to the edge of the ice pack to launch (6) Navy ski-equipped, rocket-assisted R4Ds.

(D) Consolidate and extend United States sovereignty over the largest practicable area of the Antarctic continent.

(E) Determine the feasibility of establishing, maintaining and utilizing bases in the Antarctic and investigating possible base sites.

(3) While on a hazardous duty/all volunteer mission vital to the interests of National Security and while over the eastern Antarctica coastline known as the Phantom Coast, the PBM-5 Martin Mariner “Flying Boat” “George 1” entered a whiteout over Thurston Island. As the pilot attempted to climb, the aircraft grazed the glacier’s ridgeline and exploded within 5 seconds instantly killing Ensign Maxwell Lopez, Navigator and Wendell “Bud” Hendersin, Aviation Machinists Mate 1st Class while Frederick Williams, Aviation Radioman 1st Class died several hours later. Six other crewmen survived including the Captain of the “George 1’s” seaplane tender U.S.S. Pine Island.

(4) The bodies of the dead were protected from the desecration of Antarctic scavenging birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.

(5) Rescue requirements of the “George-1” survivors forced the abandonment of their crewmates’ bodies.

(6) Conditions prior to the departure of Task Force 68 precluded a return to the area to the recover the bodies.

(7) For nearly 60 years Navy promised the families that they would recover the men: “If the safety, logistical, and operational prerequisites allow a mission in the future, every effort will be made to bring our sailors home.”

(8) The Joint POW/MIA Accounting Command twice offered to recover the bodies of this crew for Navy.

(9) A 2004 NASA ground penetrating radar overflight commissioned by Navy relocated the crash site three miles from its crash position.

(10) The Joint POW/MIA Accounting Command offered to underwrite the cost of an aerial ground penetrating radar (GPR) survey of the crash site area by NASA.

(11) The Joint POW/MIA Accounting Command studied the recovery with the recognized recovery authorities and national scientists and determined that the recovery is only “medium risk”.

(12) National Science Foundation and scientists from the University of Texas, Austin, regularly visit the island.

(13) The crash site is classified as a “perishable site”, meaning a glacier that will calve into the Bellingshausen Sea.

(14) The National Science Foundation maintains a presence in area - of the Pine Island Glacier.

(15) The National Science Foundation Director of Polar Operations will assist and provide assets for the recovery upon the request of Congress.

(16) The United States Coast Guard is presently pursuing the recovery of 3 WWII air crewmen from similar circumstances in Greenland.

(17) On Memorial Day, May 25, 2009, President Barack Obama declared: “* * * the support of our veterans is a sacred trust * * * we need to serve them as they have served us * * * that means bringing home all our POWs and MIAs * * *”.

(18) The policies and laws of the United States of America require that our armed service personnel be repatriated.

(19) The fullest possible accounting of United States fallen military personnel means repatriating living American POWs and MIAs, accounting for, identifying, and recovering the remains of military personnel who were killed in the line of duty, or providing convincing evidence as to why such a repatriation, accounting, identification, or recovery is not possible.

(20) It is the responsibility of the Federal Government to return to the United States for proper burial and respect all members of the Armed Forces killed in the line of duty who lie in lost graves.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the recovery and return to the United States, the remains and bodies of all members of the Armed Forces killed in the line of duty, and for the efforts by the Joint POW-MIA Accounting Command to recover the remains of members of the Armed Forces from all wars, conflicts and missions;

(2) recognizes the courage and sacrifice of all members of the Armed Forces who participated in Operation Highjump and all missions vital to the national security of the United States of America;

(3) acknowledges the dedicated research and efforts by the US Geological Survey, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all persons and organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Naval Aviator, Frederick Williams, Aviation Machinist’s Mate 1ST Class, Wendell Hendersin, Aviation Radioman 1ST Class of the “George 1” explosion and crash; and

(4) encourages the Department of Defense to review the facts, research and to pursue new efforts to undertake all feasible efforts to recover, identify, and return the well-preserved frozen bodies of the “George 1” crew from Antarctica’s Thurston Island.

SEC. 597. REPORT ON EFFECTS OF MULTIPLE DEPLOYMENTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report on the effects of multiple deployments on the well-being of military personnel and any recommended changes to health evaluations prior to redeployments.

SEC. 598. ESTABLISHMENT OF CHAIN OF COMMAND FOR ARMY NATIONAL MILITARY CEMETERIES.

(a) MILITARY CHAIN OF COMMAND REQUIRED.—The Secretary of the Army shall establish a chain of command for the Army National Military Cemeteries, to include a military commander of the Army National Military Cemeteries to replace the current civilian director upon the termination of the tenure of the director.

(b) CONFORMING AMENDMENT.—Section 4724(a)(1) of title 10, United States Code, is amended by striking “who shall meet” and inserting “who is a commissioned officer and meets”.

SEC. 599. MILITARY SALUTE DURING RECITATION OF PLEDGE OF ALLEGIANCE BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.

Section 4 of title 4, United States Code, is amended by adding at the end the following new sentence: “Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.”

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2013 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2013 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2013, the rates of monthly basic pay for members of the uniformed services are increased by 1.7 percent.

SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR TWO-MEMBER COUPLES WHEN ONE MEMBER IS ON SEA DUTY.

(a) IN GENERAL.—Subparagraph (C) of section 403(f)(2) of title 37, United States Code, is amended to read as follows:

“(C) Notwithstanding section 421 of this title, a member of a uniformed service in a pay grade below pay grade E-6 who is assigned to sea duty and is married to another member of a uniformed service is entitled to a basic allowance for housing subject to the limitations of subsection (e).”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2013.

SEC. 603. NO REDUCTION IN BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS WHO TRANSITION BETWEEN ACTIVE DUTY AND FULL-TIME NATIONAL GUARD DUTY WITHOUT A BREAK IN ACTIVE SERVICE.

Section 403(g) of title 37, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) The rate of basic allowance for housing to be paid to a member of the Army National Guard of the United States or the Air National Guard of the United States shall not be reduced upon the transition of the member from active duty to full-time National Guard duty, or from full-time National Guard duty to active duty, when the transition occurs without a break in active service.

“(B) For the purposes of this paragraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.”

SEC. 604. MODIFICATION OF PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS OF THE RESERVE COMPONENTS UNDER DOD INSTRUCTION 1327.06.

Effective as of October 1, 2011, the changes made by the Secretary of Defense to the Pro-

gram Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components under DOD Instruction 1327.06 shall not apply to a member of a reserve component whose qualified mobilization (as described in such program guidance) commenced before October 1, 2011, and continued on or after that date until the date the mobilization is terminated.

SEC. 605. PAYMENT OF BENEFIT FOR NON-PARTICIPATION OF ELIGIBLE MEMBERS IN POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM DUE TO GOVERNMENT ERROR.

(a) PAYMENT OF BENEFIT.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary concerned shall, upon application therefor, make a payment to each individual described in paragraph (2) of \$200 for each day of nonparticipation of such individual in the Post-Deployment/Mobilization Respite Absence program as described in that paragraph.

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) was eligible for participation as a member of the Armed Forces in the Post-Deployment/Mobilization Respite Absence program; but

(B) as determined by the Secretary concerned pursuant to an application for the correction of the military records of such individual pursuant to section 1552 of title 10, United States Code, did not participate in one or more days in the program for which the individual was so eligible due to Government error.

(b) DECEASED INDIVIDUALS.—

(1) APPLICATIONS.—If an individual otherwise covered by subsection (a) is deceased, the application required by that subsection shall be made by the individual's legal representative.

(2) PAYMENT.—If an individual to whom payment would be made under subsection (a) is deceased at time of payment, payment shall be made in the manner specified in section 1552(c)(2) of title 10, United States Code.

(c) PAYMENT IN LIEU OF ADMINISTRATIVE ABSENCE.—Payment under subsection (a) with respect to a day described in that subsection shall be in lieu of any entitlement of the individual concerned to a day of administrative absence for such day.

(d) CONSTRUCTION.—

(1) CONSTRUCTION WITH OTHER PAY.—Any payment with respect to an individual under subsection (a) is in addition to any other pay provided by law.

(2) CONSTRUCTION OF AUTHORITY.—It is the sense of Congress that—

(A) the sole purpose of the authority in this section is to remedy administrative errors; and

(B) the authority in this section is not intended to establish any entitlement in connection with the Post-Deployment/Mobilization Respite Absence program.

(e) PAYMENTS SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—No cash payment may be made under subsection (a) unless the funds to be used to make the payments are available pursuant to an appropriations Act enacted after the date of enactment of this Act.

(f) FUNDING OFFSET.—The Secretary of Defense shall transfer \$2,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

(g) DEFINITIONS.—In this section, the terms “Post-Deployment/Mobilization Respite Absence program” and “Secretary concerned” have the meaning given such terms in sec-

tion 604(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2350).

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 408a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2012” and inserting “December 31, 2013”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM AMOUNT OF OFFICER AFFILIATION BONUS FOR OFFICERS IN THE SELECTED RESERVE.

Section 308j(d) of title 37, United States Code, is amended by striking “\$10,000” and inserting “\$20,000”.

SEC. 617. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE BONUS FOR RESERVE COMPONENT MEMBERS WHO CONVERT MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGES.

Section 326(c)(1) of title 37, United States Code, is amended by striking “\$4,000, in the case of a member of a regular component of the armed forces, and \$2,000, in the case of a member of a reserve component of the armed forces.” and inserting “\$4,000.”

Subtitle C—Travel and Transportation Allowances Generally

SEC. 621. TRAVEL AND TRANSPORTATION ALLOWANCES FOR NON-MEDICAL ATTENDANTS FOR MEMBERS RECEIVING CARE IN A RESIDENTIAL TREATMENT PROGRAM.

(a) AUTHORIZED TRAVEL AND TRANSPORTATION.—Subsection (a) of section 481k of title 37, United States Code, is amended—

(1) by inserting “(1)” before “Under uniform regulations”; and

(2) by adding at the end the following new paragraph:

“(2) Travel and transportation described in subsection (d) also may be provided for a

qualified non-medical attendant for a member of the uniformed services who is receiving care in a residential treatment program if the attending physician or other mental health professional and the commander or head of the military medical facility exercising control over the member determine that the presence and participation of such an attendant is essential to the treatment of the member.”.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (b)—

(A) by striking “covered member” in the matter preceding paragraph (1) and inserting “member”; and

(B) in paragraph (2), by striking “surgeon and the commander or head of the military medical facility” and inserting “surgeon (or mental health professional in the case of a member described in subsection (a)(2)) and the commander or head of the military medical facility exercising control over the member”; and

(2) in subsection (c), by striking “this section” in the matter preceding paragraph (1) and inserting “subsection (a)(1)”.

Subtitle D—Benefits and Services for Members Being Separated or Recently Separated

SEC. 631. EXTENSION OF AUTHORITY TO PROVIDE TWO YEARS OF COMMISSARY AND EXCHANGE BENEFITS AFTER SEPARATION.

(a) EXTENSION OF AUTHORITY.—Section 1146 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “2012” and inserting “2018”; and

(2) in subsection (b), by striking “2012” and inserting “2018”.

(b) CORRECTION OF REFERENCE TO ADMINISTERING SECRETARY.—Such section is further amended—

(1) in subsection (a), by striking “The Secretary of Transportation” and inserting “The Secretary concerned”; and

(2) in subsection (b), by striking “The Secretary of Homeland Security” and inserting “The Secretary concerned”.

SEC. 632. TRANSITIONAL USE OF MILITARY FAMILY HOUSING.

(a) RESUMPTION OF AUTHORITY TO AUTHORIZE TRANSITIONAL USE.—Subsection (a) of section 1147 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “October 1, 1990, and ending on December 31, 2001” and inserting “October 1, 2012, and ending on December 31, 2018”; and

(2) in paragraph (2), by striking “October 1, 1994, and ending on December 31, 2001” and inserting “October 1, 2012, and ending on December 31, 2018”.

(b) PROHIBITION ON PROVISION OF TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Such section is further amended by adding at the end the following new subsection:

“(c) NO TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Nothing in this section shall be construed to authorize the Secretary concerned to continue to provide for any period of time to an individual who is involuntary separated all or any portion of a basic allowance for housing to which the individual was entitled under section 403 of title 37 immediately before being involuntarily separated, even in cases in which the individual or members of the individual’s household continue to reside after the separation in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of this title that is not owned or leased by the United States.”.

(c) CORRECTION OF REFERENCE TO ADMINISTERING SECRETARY.—Subsection (a)(2) of such section is further amended by striking “The Secretary of Transportation” and inserting “The Secretary concerned”.

Subtitle E—Commissary and Non-appropriated Fund Instrumentality Benefits and Operations

SEC. 641. CHARITABLE ORGANIZATIONS ELIGIBLE FOR DONATIONS OF UNUSABLE COMMISSARY STORE FOOD AND OTHER FOOD PREPARED FOR THE ARMED FORCES.

Subparagraph (A) of section 2485(f) of title 10, United States Code, is amended to read as follows:

“(A) A food bank, food pantry, or soup kitchen (as those terms are defined in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501)).”.

SEC. 642. REPEAL OF CERTAIN RECORDKEEPING AND REPORTING REQUIREMENTS APPLICABLE TO COMMISSARY AND EXCHANGE STORES OVERSEAS.

(a) REPEAL.—Section 2489 of title 10, United States Code, is amended by striking subsections (b) and (c).

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking “GENERAL AUTHORITY.—(1)” and inserting “AUTHORITY TO ESTABLISH RESTRICTIONS.—”;

(2) by striking “(2)” and inserting “(b) LIMITATIONS ON USE OF AUTHORITY.—”;

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

SEC. 643. TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE, AS A FISHER HOUSE.

(a) FISHER HOUSES AND AUTHORIZED FISHER HOUSE RESIDENTS.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking “by patients” and all that follows through “such patients;” and inserting “by authorized Fisher House residents;”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

“(2) The term ‘Fisher House’ includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.”;

and

(4) by adding at the end the following new paragraph:

“(4) The term ‘authorized Fisher House residents’ means the following:

“(A) With respect to a Fisher House described in paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:

“(i) Patients of that health care facility.

“(ii) Members of the families of such patients.

“(iii) Other persons providing the equivalent of familial support for such patients.

“(B) With respect to the Fisher House described in paragraph (2), the following persons:

“(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

“(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.

“(iii) An escort of a family member described in clause (i) or (ii).”.

(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking “health care” each place it appears.

(c) REPEAL OF FISCAL YEAR 2012 FREE-STANDING DESIGNATION.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1466) is repealed.

SEC. 644. PURCHASE OF SUSTAINABLE PRODUCTS, LOCAL FOOD PRODUCTS, AND RECYCLABLE MATERIALS FOR RESALE IN COMMISSARY AND EXCHANGE STORE SYSTEMS.

(a) IMPROVED PURCHASING EFFORTS.—Section 2481(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) The governing body established pursuant to paragraph (2) shall endeavor to increase the purchase for resale at commissary stores and exchange stores of sustainable products, local food products, and recyclable materials.

“(B) As part of its efforts under subparagraph (A), the governing body shall develop—

“(i) guidelines for the identification of fresh meat, poultry, seafood, and fish, fresh produce, and other products raised or produced through sustainable methods; and

“(ii) goals, applicable to all commissary stores and exchange stores world-wide, to maximize, to the maximum extent practical, the purchase of sustainable products, local food products, and recyclable materials by September 30, 2017.”.

(b) DEADLINE FOR ESTABLISHMENT AND GUIDELINES.—The initial guidelines required by paragraph (3)(B)(i) of section 2481(c) of title 10, United States Code, as added by subsection (a), shall be issued not later than two years after the date of the enactment of this Act.

Subtitle F—Disability, Retired Pay, and Survivor Benefits

SEC. 651. REPEAL OF REQUIREMENT FOR PAYMENT OF SURVIVOR BENEFIT PLAN PREMIUMS WHEN PARTICIPANT WAIVES RETIRED PAY TO PROVIDE A SURVIVOR ANNUITY UNDER FEDERAL EMPLOYEES RETIREMENT SYSTEM AND TERMINATING PAYMENT OF THE SURVIVOR BENEFIT PLAN ANNUITY.

(a) DEPOSITS NOT REQUIRED.—Section 1452(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting “AND FERS” after “CSRS”;

(2) by inserting “or chapter 84 of such title,” after “chapter 83 of title 5”;

(3) by inserting “or 8416(a)” after “8339(j)”;

and

(4) by inserting “or 8442(a)” after “8341(b)”.

(b) CONFORMING AMENDMENTS.—Section 1450(d) of such title is amended—

(1) by inserting “or chapter 84 of such title” after “chapter 83 of title 5”;

(2) by inserting “or 8416(a)” after “8339(j)”;

and

(3) by inserting “or 8442(a)” after “8341(b)”.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to any participant electing an annuity for survivors under chapter 84 of title 5, United States Code, on or after the date of the enactment of this Act.

Subtitle G—Other Matters

SEC. 661. CONSISTENT DEFINITION OF DEPENDENT FOR PURPOSES OF APPLYING LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO CERTAIN MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Paragraph (2) of section 987(i) of title 10, United States Code, is amended to read as follows:

“(2) DEPENDENT.—The term ‘dependent’, with respect to a covered member, means a person described in subparagraph (A), (D), (E), or (I) of section 1072(2) of this title.”.

SEC. 662. LIMITATION ON REDUCTION IN NUMBER OF MILITARY AND CIVILIAN PERSONNEL ASSIGNED TO DUTY WITH SERVICE REVIEW AGENCIES.

Section 1559(a) of title 10, United States Code, is amended by striking “December 31, 2013” and inserting “December 31, 2016”.

SEC. 663. EQUAL TREATMENT FOR MEMBERS OF COAST GUARD RESERVE CALLED TO ACTIVE DUTY UNDER TITLE 14, UNITED STATES CODE.

(a) INCLUSION IN DEFINITION OF CONTINGENCY OPERATION.—Section 101(a)(13)(B) of title 10, United States Code, is amended by inserting “section 712 of title 14,” after “chapter 15 of this title.”

(b) CREDIT OF SERVICE TOWARDS REDUCTION OF ELIGIBILITY AGE FOR RECEIPT OF RETIRED PAY FOR NON-REGULAR SERVICE.—Section 12731(f)(2)(B) of title 10, United States Code, is amended by adding at the end the following new clause:

“(iv) Service on active duty described in this subparagraph is also service on active duty pursuant to a call or order to active duty authorized by the Secretary of Homeland Security under section 712 of title 14 for purposes of emergency augmentation of the Regular Coast Guard forces.”

(c) POST 9/11 EDUCATIONAL ASSISTANCE.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting “or section 712 of title 14” after “title 10”.

(d) RETROACTIVE APPLICATION OF AMENDMENTS.—

(1) INCLUSION OF PRIOR ORDERS.—The amendments made by this section shall apply to any call or order to active duty authorized by the Secretary of Homeland Security under section 712 of title 14, United States Code, on or after April 19, 2010.

(2) CREDIT FOR PRIOR SERVICE.—The amendments made by this section shall be deemed to have been enacted on April 19, 2010, for purposes of applying the amendments to the following provisions of law:

(A) Section 5538 of title 5, United States Code, relating to nonreduction in pay.

(B) Section 701 of title 10, United States Code, relating to the accumulation and retention of leave.

(C) Section 12731 of title 10, United States Code, relating to age and service requirements for receipt of retired pay for non-regular service.

SEC. 664. MORTGAGE PROTECTION FOR MEMBERS OF THE ARMED FORCES, SURVIVING SPOUSES, AND CERTAIN VETERANS.

(a) MORTGAGE PROTECTION.—

(1) IN GENERAL.—Section 303 of the Servicemembers Civil Relief Act (50 U.S.C. App. 533) is amended to read as follows:

“SEC. 303. MORTGAGES AND TRUST DEEDS.

“(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property that is secured by a mortgage, trust deed, or other security in the nature of a mortgage and is owned by a covered individual as follows:

“(1) With respect to an obligation on real or personal property owned by a servicemember, such obligation that originated before the period of the servicemember’s military service and for which the servicemember is still obligated.

“(2) With respect to an obligation on real property owned by a servicemember serving in support of a contingency operation (as defined in section 101(a)(13) of title 10, United States Code), such obligation that originated at any time and for which the servicemember is still obligated.

“(3) With respect to an obligation on real property owned by a veteran described in subsection (f)(1)(B), such obligation that originated at any time and for which the veteran is still obligated.

“(4) With respect to an obligation on real property owned by a surviving spouse described in subsection (f)(1)(C), such obligation that originated at any time and for which the spouse is still obligated.

“(b) STAY OF PROCEEDINGS AND ADJUSTMENT OF OBLIGATION.—(1) In an action filed during a covered time period to enforce an

obligation described in subsection (a), the court may after a hearing and on its own motion and shall upon application by a covered individual when the individual’s ability to comply with the obligation is materially affected by military service—

“(A) stay the proceedings for a period of time as justice and equity require, or

“(B) adjust the obligation to preserve the interests of all parties.

“(2) For purposes of applying paragraph (1) to a covered individual who is a surviving spouse of a servicemember described in subsection (f)(1)(C), the term ‘military service’ means the service of such servicemember.

“(c) SALE OR FORECLOSURE.—A sale, foreclosure, or seizure of property for a breach of an obligation described in subsection (a) shall not be valid during a covered time period except—

“(1) upon a court order granted before such sale, foreclosure, or seizure with a return made and approved by the court; or

“(2) if made pursuant to an agreement as provided in section 107.

“(d) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.

“(e) PROOF OF SERVICE.—(1) A veteran described in subsection (f)(1)(B) shall provide documentation described in paragraph (2) to relevant persons to prove the eligibility of the veteran to be covered under this section.

“(2) Documentation described in this paragraph is a rating decision or a letter from the Department of Veterans Affairs that confirms that the veteran is totally disabled because of one or more service-connected injuries or service-connected disability conditions.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means the following individuals:

“(A) A servicemember.

“(B) A veteran who was retired under chapter 61 of title 10, United States Code, and whom the Secretary of Veterans Affairs, at the time of such retirement, determines is a totally disabled veteran.

“(C) A surviving spouse of a servicemember who—

“(i) died while serving in support of a contingency operation if such spouse is the successor in interest to property covered under subsection (a); or

“(ii) died while in military service and whose death is service-connected if such spouse is the successor in interest to property covered under subsection (a).

“(2) The term ‘covered time period’ means the following time periods:

“(A) With respect to a servicemember, during the period beginning on the date on which such servicemember begins military service and ending on the date that is 12 months after the date on which such servicemember is discharged from such service.

“(B) With respect to a servicemember serving in support of a contingency operation, during the period beginning on the date of the military orders for such service and ending on the date that is 12 months after the date on which such servicemember redeployes from such contingency operation.

“(C) With respect to a veteran described in subsection (f)(1)(B), during the 12-month period beginning on the date of the retirement of such veteran described in such subsection.

“(D) With respect to a surviving spouse of a servicemember described in subsection (f)(1)(C), during the 12-month period beginning on the date of the death of the servicemember.”

(2) CONFORMING AMENDMENT.—Section 107 of the Servicemembers Civil Relief Act (50

U.S.C. App. 517) is amended by adding at the end the following:

“(e) OTHER INDIVIDUALS.—For purposes of this section, the term ‘servicemember’ includes any covered individual under section 303(f)(1).”

(3) REPEAL OF SUNSET.—Subsection (c) of section 2203 of the Housing and Economic Recovery Act of 2008 (Public Law 110–289; 50 U.S.C. App. 533 note) is amended to read as follows:

“(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.”

(b) INCREASED CIVIL PENALTIES FOR MORTGAGE VIOLATIONS.—Paragraph (3) of section 801(b) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended to read as follows:

“(3) to vindicate the public interest, assess a civil penalty—

“(A) with respect to a violation of section 303 regarding real property—

“(i) in an amount not exceeding \$110,000 for a first violation; and

“(ii) in an amount not exceeding \$220,000 for any subsequent violation; and

“(B) with respect to any other violation of this Act—

“(i) in an amount not exceeding \$55,000 for a first violation; and

“(ii) in an amount not exceeding \$110,000 for any subsequent violation.”

(c) CREDIT DISCRIMINATION.—Section 108 of such Act (50 U.S.C. App. 518) is amended—

(1) by striking “Application by” and inserting “(a) Application by”; and

(2) by adding at the end the following new subsection:

“(b) In addition to the protections under subsection (a), an individual who is eligible, or who may likely become eligible, for any provision of this Act may not be denied or refused credit or be subject to any other action described under paragraphs (1) through (6) of subsection (a) solely by reason of such eligibility.”

(d) REQUIREMENTS FOR LENDING INSTITUTIONS THAT ARE CREDITORS FOR OBLIGATIONS AND LIABILITIES COVERED BY THE SERVICEMEMBERS CIVIL RELIEF ACT.—Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) LENDING INSTITUTION REQUIREMENTS.—

“(1) COMPLIANCE OFFICERS.—Each lending institution subject to the requirements of this section shall designate an employee of the institution as a compliance officer who is responsible for ensuring the institution’s compliance with this section and for distributing information to servicemembers whose obligations and liabilities are covered by this section.

“(2) TOLL-FREE TELEPHONE NUMBER.—During any fiscal year, a lending institution subject to the requirements of this section that had annual assets for the preceding fiscal year of \$10,000,000 or more shall maintain a toll-free telephone number and shall make such telephone number available on the primary Internet Web site of the institution.”

SEC. 665. STUDY ON ISSUING IDENTIFICATION CARDS TO CERTAIN MEMBERS UPON DISCHARGE.

(a) STUDY.—The Secretary of Defense shall conduct a study assessing the feasibility of issuing to a covered member an identification card that would—

(1) provide such member with a convenient method of summarizing the DD-214 form or other official document from the official military personnel file of the member; and

(2) not serve as proof of any benefits to which the member may be entitled to.

(b) **MATTERS INCLUDED.**—The study conducted under subsection (a) shall address the following:

(1) The information to be included on the identification card.

(2) Whether the Secretary should issue such card—

(A) to each covered member; or

(B) to a covered member upon request.

(3) If the card were to be issued to each covered member, the estimated cost of such issuance.

(4) If the card were to be issued upon the request of a covered member, whether the Secretary should charge such member a fee for such card, including the amount of such fee.

(c) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted under subsection (a).

(d) **COVERED MEMBER.**—In this section, the term “covered member” means a member of the Armed Forces who—

(1) is expected to be discharged—

(A) after the completion of the service obligation of the member; and

(B) under conditions other than dishonorable;

(2) is expected to be issued a DD Form 214 Certificate of Release or Discharge from Active Duty; and

(3) after such discharge, would not otherwise be issued an identification card by the Department of Defense or the Department of Veterans Affairs.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Improvements to Health Benefits

SEC. 701. SENSE OF CONGRESS ON NONMONEY CONTRIBUTIONS TO HEALTH CARE BENEFITS MADE BY CAREER MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

It is the sense of Congress that—

(1) career members of the uniformed services and their families endure unique and extraordinary demands and make extraordinary sacrifices over the course of a 20- to 30-year career in protecting freedom for all Americans; and

(2) those decades of sacrifice constitute a significant pre-paid premium for health care during a career member’s retirement that is over and above what the member pays with money.

SEC. 702. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.

(a) **TRICARE STANDARD COVERAGE.**—Section 1076d(b) of title 10, United States Code, is amended—

(1) by striking “Eligibility” and inserting “(1) Except as provided in paragraph (2), eligibility”; and

(2) by adding at the end the following new paragraph:

“(2) During the period beginning on the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013 or October 1, 2012, and ending December 31, 2018, eligibility for a member under this section who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate 180 days after the date on which the member is separated.”

(b) **TRICARE DENTAL COVERAGE.**—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: “During the period beginning on the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013 or October 1, 2012, and ending December 31, 2018, such plan shall provide that coverage

for a member of the Selected Reserve who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall not terminate earlier than 180 days after the date on which the member is separated.”

SEC. 703. MEDICAL AND DENTAL CARE CONTRACTS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD.

(a) **STANDARDS.**—The Secretary of Defense shall ensure that each individual who receives medical or dental care under a covered contract meets the standards of medical and dental readiness of the Secretary upon the mobilization of the individual.

(b) **COVERED CONTRACT DEFINED.**—In this section, the term “covered contract” means a contract entered into by the National Guard of a State to provide medical or dental care to the members of such National Guard to ensure that the members meet applicable standards of medical and dental readiness.

SEC. 704. CERTAIN TREATMENT OF AUTISM UNDER TRICARE.

(a) **IN GENERAL.**—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) In providing health care under subsection (a) to a covered beneficiary described in paragraph (3)(A), the treatment of autism spectrum disorders shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

“(2) In carrying out this subsection, the Secretary shall ensure that—

“(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

“(B) if applied behavior analysis or other behavioral health treatment is provided by an employee or contractor of a person described in subparagraph (A), the employee or contractor shall meet minimum qualifications, training, and supervision requirements as set forth by the Secretary.

“(3)(A) A covered beneficiary described in this subparagraph is a covered beneficiary who is a beneficiary by virtue of—

“(i) service in the armed forces (not including the Coast Guard); or

“(ii) being a dependent of a member of the armed forces (not including the Coast Guard).

“(B) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits otherwise provided under this chapter to a covered beneficiary who is a beneficiary by virtue of—

“(1) service in the Coast Guard, the Commissioned Corp of the National Oceanic and Atmospheric Administration, or the Commissioned Corp of the Public Health Service; or

“(ii) being a dependent of a member of a service described in clause (1).

“(C) This subsection shall not apply to a medicare-eligible beneficiary (as defined in section 1111(b) of this title).

“(D) Except as provided in subparagraph (C), nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a medicare-eligible beneficiary under—

“(i) this chapter;

“(ii) part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.); or

“(iii) any other law.”

(b) **FUNDING.**—

(1) **INCREASE.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by \$30,000,000.

(2) **OFFSET.**—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for Research, Development, Test and Evaluation, Army, as specified in the corresponding funding table in division D, is hereby reduced by \$30,000,000, to be derived as follows:

(A) \$21,000,000 from the Aerostat Joint Project Office.

(B) \$9,000,000 from Endurance UAVs.

SEC. 705. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.

(a) **IN GENERAL.**—Section 1074m of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraph (B) and (C) as subparagraph (C) and (D), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) Once during each 180-day period during which a member is deployed.”; and

(2) in subsection (c)(1)(A)—

(A) in clause (i), by striking “; and” and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) by personnel in deployed units whose responsibilities include providing unit health care services if such personnel are available and the use of such personnel for the assessments would not impair the capacity of such personnel to perform higher priority tasks; and”.

(b) **CONFORMING AMENDMENT.**—Section 1074m(a)(2) of title 10, United States Code, is amended by striking “subparagraph (B) and (C)” and inserting “subparagraph (C) and (D)”.

Subtitle B—Health Care Administration

SEC. 711. UNIFIED MEDICAL COMMAND.

(a) **UNIFIED COMBATANT COMMAND.**—

(1) **IN GENERAL.**—Chapter 6 of title 10, United States Code, is amended by inserting after section 167a the following new section: “§ 167b. Unified combatant command for medical operations

“(a) **ESTABLISHMENT.**—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified command for medical operations (in this section referred to as the ‘unified medical command’). The principal function of the command is to provide medical services to the armed forces and other health care beneficiaries of the Department of Defense as defined in chapter 55 of this title.

“(b) **ASSIGNMENT OF FORCES.**—In establishing the unified medical command under subsection (a), all active military medical treatment facilities, training organizations, and research entities of the armed forces shall be assigned to such unified command, unless otherwise directed by the Secretary of Defense.

“(c) **GRADE OF COMMANDER.**—The commander of the unified medical command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such command shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37. During the five-year period beginning on the date on which the Secretary establishes the command under subsection (a), the commander of such command shall be exempt from the requirements of section 164(a)(1) of this title.

“(d) SUBORDINATE COMMANDS.—(1) The unified medical command shall have the following subordinate commands:

“(A) A command that includes all fixed military medical treatment facilities, including elements of the Department of Defense that are combined, operated jointly, or otherwise operated in such a manner that a medical facility of the Department of Defense is operating in or with a medical facility of another department or agency of the United States.

“(B) A command that includes all medical training, education, and research and development activities that have previously been unified or combined, including organizations that have been designated as a Department of Defense executive agent.

“(C) The Defense Health Agency established under subsection (f).

“(2) The commander of a subordinate command of the unified medical command shall hold the grade of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The commander of such a subordinate command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such a subordinate command shall also be required to be a surgeon general of one of the military departments.

“(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the unified medical command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to medical operations activities.

“(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to medical operations activities (whether or not relating to the unified medical command):

“(A) Developing programs and doctrine.

“(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for the forces described in subsection (b) and for other forces assigned to the unified medical command.

“(C) Exercising authority, direction, and control over the expenditure of funds—

“(i) for forces assigned to the unified medical command;

“(ii) for the forces described in subsection (b) assigned to unified combatant commands other than the unified medical command to the extent directed by the Secretary of Defense; and

“(iii) for military construction funds of the Defense Health Program.

“(D) Training assigned forces.

“(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

“(F) Validating requirements.

“(G) Establishing priorities for requirements.

“(H) Ensuring the interoperability of equipment and forces.

“(I) Monitoring the promotions, assignments, retention, training, and professional military education of medical officers described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

“(3) The commander of such command shall be responsible for the Defense Health Program, including the Defense Health Program Account established under section 1100 of this title.

“(f) DEFENSE HEALTH AGENCY.—(1) In establishing the unified medical command under subsection (a), the Secretary shall also establish under section 191 of this title a defense agency for health care (in this section referred to as the ‘Defense Health Agency’),

and shall transfer to such agency the organization of the Department of Defense referred to as the TRICARE Management Activity and all functions of the TRICARE Program (as defined in section 1072(7)).

“(2) The director of the Defense Health Agency shall hold the rank of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The director of such agency shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The director of such agency shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

“(g) REGULATIONS.—In establishing the unified medical command under subsection (a), the Secretary of Defense shall prescribe regulations for the activities of the unified medical command.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167a the following new item:

“167b. Unified combatant command for medical operations.”

(b) PLAN, NOTIFICATION, AND REPORT.—

(1) PLAN.—Not later than July 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan to establish the unified medical command authorized under section 167b of title 10, United States Code, as added by subsection (a), including any legislative actions the Secretary considers necessary to implement the plan.

(2) NOTIFICATION.—The Secretary shall submit to the congressional defense committees written notification of the time line of the Secretary to establish the unified medical command under such section 167b by not later than the date that is 30 days before establishing such command.

(3) REPORT.—Not later than 180 days after submitting the notification under paragraph (2), the Secretary shall submit to the congressional defense committees a report on—
(A) the establishment of the unified medical command; and

(B) the establishment of the Defense Health Agency under subsection (f) of such section 167b.

SEC. 712. AUTHORITY FOR AUTOMATIC ENROLLMENT IN TRICARE PRIME OF DEPENDENTS OF MEMBERS IN PAY GRADES ABOVE PAY GRADE E-4.

Subsection (a) of section 1097a of title 10, United States Code, is amended to read as follows:

“(a) AUTOMATIC ENROLLMENT OF CERTAIN DEPENDENTS.—(1) In the case of a dependent of a member of the uniformed services who is entitled to medical and dental care under section 1076(a)(2)(A) of this title and resides in an area in which TRICARE Prime is offered, the Secretary—

“(A) shall automatically enroll the dependent in TRICARE Prime if the member is in pay grade E-4 or below; and

“(B) may automatically enroll the dependent in TRICARE Prime if the member is in pay grade E-5 or higher.

“(2) Whenever a dependent of a member is enrolled in TRICARE Prime under paragraph (1), the Secretary concerned shall provide written notice of the enrollment to the member.

“(3) The enrollment of a dependent of the member may be terminated by the member or the dependent at any time.”

SEC. 713. COOPERATIVE HEALTH CARE AGREEMENTS BETWEEN THE MILITARY DEPARTMENTS AND NON-MILITARY HEALTH CARE ENTITIES.

(a) AUTHORITY.—In addition to the authority of the Secretary of Defense under section

713 of the National Defense Authorization Act of 2010 (10 U.S.C. 1073 note), the Secretary of each military department may establish cooperative health care agreements between military installations and local or regional health care entities.

(b) REQUIREMENTS.—In establishing an agreement under subsection (a), the Secretary concerned shall—

(1) consult with—

(A) representatives from the military installation selected for the agreement, including the TRICARE managed care support contractor with responsibility for such installation; and

(B) Federal, State, and local government officials;

(2) identify and analyze health care services available in the area in which the military installation is located, including such services available at a military medical treatment facility or in the private sector (or a combination thereof);

(3) determine the cost avoidance or savings resulting from innovative partnerships between the military department concerned and the private sector; and

(4) determine the opportunities for and barriers to coordinating and leveraging the use of existing health care resources, including such resources of Federal, State, local, and private entities.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the provision of health care services at military medical treatment facilities or other facilities of the Department of Defense to individuals who are not otherwise entitled or eligible for such services under chapter 55 of title 10, United States Code.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term ‘Secretary concerned’ has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 714. REQUIREMENT TO ENSURE THE EFFECTIVENESS AND EFFICIENCY OF HEALTH ENGAGEMENTS.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Assistant Secretary of Defense for Health Affairs and the Uniformed Services University of the Health Sciences, shall develop a process to ensure that health engagements conducted by the Department of Defense are effective and efficient in meeting the national security goals of the United States.

(b) PROCESS GOALS.—The Assistant Secretary of Defense for Health Affairs and the Uniformed Services University of the Health Sciences shall ensure that each process developed under subsection (a)—

(1) assesses the operational mission capabilities of the health engagement;

(2) uses the collective expertise of the Federal Government and non-governmental organizations to ensure collaboration and partnering activities; and

(3) assesses the stability and resiliency of the host nation of such engagement.

(c) PILOT PROGRAMS.—The Secretary of Defense, in coordination with the Uniformed Services University of the Health Sciences, may conduct pilot programs to assess the effectiveness of any process developed under subsection (a) to ensure the applicability of the process to health engagements conducted by the Department of Defense.

SEC. 715. CLARIFICATION OF APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.

Section 1089(a) of title 10, United States Code, is amended in the last sentence—

(1) by striking ‘‘if the physician, dentist, nurse, pharmacist, or paramedical’’ and inserting ‘‘to such a physician, dentist, nurse, pharmacist, or paramedical’’;

(2) by striking ‘‘involved is’’; and

(3) by inserting before the period at the end the following: “or a subcontract at any tier under such a contract”.

SEC. 716. PILOT PROGRAM ON INCREASED THIRD-PARTY COLLECTION REIMBURSEMENTS IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to assess the feasibility of using processes described in paragraph (2) to increase the amounts collected under section 1095 of title 10, United States Code, from a third-party payer for charges for health care services incurred by the United States at a military medical treatment facility.

(2) PROCESSES DESCRIBED.—The processes described in this paragraph are revenue-cycle improvement processes, including cash-flow management and accounts-receivable processes.

(b) REQUIREMENTS.—In carrying out the pilot program under subsection (a)(1), the Secretary shall—

(1) identify and analyze the best practice options with respect to the processes described in subsection (a)(2) that are used in nonmilitary health care facilities; and

(2) conduct a cost-benefit analysis to assess the pilot program, including an analysis of—

(A) the different processes used in the pilot program;

(B) the amount of third-party collections that resulted from such processes;

(C) the cost to implement and sustain such processes; and

(D) any other factors the Secretary determines appropriate to assess the pilot program.

(c) LOCATIONS.—The Secretary shall carry out the pilot program under subsection (a)(1) at not less than two military installations of different military departments that meet the following criteria:

(1) There is a military medical treatment facility that has inpatient and outpatient capabilities at the installation.

(2) At least 40 percent of the military beneficiary population residing in the catchment area surrounding the installation is potentially covered by a third-party payer (as defined in section 1095(h)(1) of title 10, United States Code).

(d) DURATION.—The Secretary shall commence the pilot program under subsection (a)(1) by not later than 270 days after the date of the enactment of this Act and shall carry out such program for three years.

(e) REPORT.—Not later than 180 days after completing the pilot program under subsection (a)(1), the Secretary shall submit to the congressional defense committees a report describing the results of the program, including—

(1) a comparison of—

(A) the processes described in subsection (a)(2) that were used in the military medical treatment facilities participating in the program; and

(B) the third-party collection processes used by military medical treatment facilities not included in the program;

(2) a cost analysis of implementing the processes described in subsection (a)(2) for third-party collections at military medical treatment facilities; and

(3) an assessment of the program, including any recommendations to improve third-party collections.

SEC. 717. PILOT PROGRAM FOR REFILLS OF MAINTENANCE MEDICATIONS FOR TRICARE FOR LIFE BENEFICIARIES THROUGH THE TRICARE MAIL-ORDER PHARMACY PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to refill prescription maintenance medications for each

TRICARE for Life beneficiary through the national mail-order pharmacy program under section 1074g(a)(2)(E)(iii) of title 10, United States Code.

(b) MEDICATIONS COVERED.—

(1) DETERMINATION.—The Secretary shall determine the prescription maintenance medications included in the pilot program under subsection (a).

(2) SUPPLY.—In carrying out the pilot program under subsection (a), the Secretary shall ensure that the medications included in the program are—

(A) generally available to the TRICARE for Life beneficiary through retail pharmacies only for an initial filling of a 30-day or less supply; and

(B) any refills of such medications are obtained through the national mail-order pharmacy program.

(3) EXEMPTION.—The Secretary may exempt the following prescription maintenance medications from the requirements in paragraph (2):

(A) Such medications that are for acute care needs.

(B) Such other medications as the Secretary determines appropriate.

(c) NONPARTICIPATION.—

(1) OPT OUT.—The Secretary shall give TRICARE for Life beneficiaries who have been covered by the pilot program under subsection (a) for a period of one year an opportunity to opt out of continuing to participate in the program.

(2) WAIVER.—The Secretary may waive the requirement of a TRICARE for Life beneficiary to participate in the pilot program under subsection (a) if the Secretary determines, on an individual basis, that such waiver is appropriate.

(d) TRICARE FOR LIFE BENEFICIARY DEFINED.—In this section, the term “TRICARE for Life beneficiary” means a TRICARE beneficiary enrolled in the Medicare wraparound coverage option of the TRICARE program made available to the beneficiary by reason of section 1086(d) of title 10, United States Code.

(e) REPORTS.—Not later than March 31 of each year beginning in 2014 and ending in 2018, the Secretary shall submit to the congressional defense committees a report on the pilot program under subsection (a), including the effects of offering incentives for the use of mail order pharmacies by TRICARE beneficiaries and the effect on retail pharmacies.

(f) SUNSET.—The Secretary may not carry out the pilot program under subsection (a) after December 31, 2017.

SEC. 718. COST-SHARING RATES FOR PHARMACY BENEFITS PROGRAM OF THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074g(a)(6) of title 10, United States Code, is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) The Secretary, in the regulations prescribed under subsection (h), shall establish cost-sharing requirements under the pharmacy benefits program. In accordance with subparagraph (C), such cost-sharing requirements shall consist of the following:

“(i) With respect to each supply of a prescription covering not more than 30 days that is obtained by a covered beneficiary under the TRICARE retail pharmacy program—

“(I) in the case of generic agents, \$5;

“(II) in the case of formulary agents, \$17; and

“(III) in the case of nonformulary agents, \$44.

“(ii) With respect to each supply of a prescription covering not more than 90 days that is obtained by a covered beneficiary under the national mail-order pharmacy program—

“(I) in the case of generic agents, \$0;

“(II) in the case of formulary agents, \$13; and

“(III) in the case of nonformulary agents, \$43.”; and

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

“(C) Beginning October 1, 2013, the Secretary may only increase in any year the cost-sharing amount established under subparagraph (A) by an amount equal to the percentage by which retired pay is increased under section 1401a of this title.”.

(b) EFFECTIVE DATE.—The cost-sharing requirements under section 1074g(a)(6)(A) of title 10, United States Code, as amended by subsection (a)(1), shall apply with respect to prescriptions obtained under the TRICARE pharmacy benefits program on or after October 1, 2012.

SEC. 719. REVIEW OF THE ADMINISTRATION OF THE MILITARY HEALTH SYSTEM.

Section 716(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1477) is amended by striking “until a 120-day period” and all that follows through the period and inserting the following: “until the Secretary implements and completes any recommendations included in the report submitted by the Comptroller General of the United States under subsection (b)(3) and notifies the congressional defense committees of such implementation and completion.”.

Subtitle C—Reports and Other Matters

SEC. 721. EXTENSION OF COMPTROLLER GENERAL REPORT ON CONTRACT HEALTH CARE STAFFING FOR MILITARY MEDICAL TREATMENT FACILITIES.

Section 726(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1480) is amended by striking “March 31, 2012” and inserting “March 31, 2013”.

SEC. 722. EXTENSION OF COMPTROLLER GENERAL REPORT ON WOMEN-SPECIFIC HEALTH SERVICES AND TREATMENT FOR FEMALE MEMBERS OF THE ARMED FORCES.

Section 725(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1480) is amended by striking “December 31, 2012” and inserting “March 31, 2013”.

SEC. 723. ESTABLISHMENT OF TRICARE WORKING GROUP.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) children of members of the Armed Forces deserve health-care practices and policies that—

(A) are designed to meet their pediatric-specific needs;

(B) are developed and determined proactively and comprehensively; and

(C) ensure and maintain their access to pediatric-specific treatments, providers, and facilities.

(2) children’s health-care needs and standards of care are different and distinct from those of adults, therefore the TRICARE program should undertake a proactive, comprehensive approach to review and analyze its policies and practices to meet the needs of children to ensure that children and their families receive appropriate care in proper settings and avoid unnecessary challenges in seeking or obtaining proper health care;

(3) a proactive and comprehensive review is necessary because the reimbursement structure of the TRICARE program is patterned upon Medicare and the resulting policies and practices of the TRICARE program do not always properly reflect appropriate standards for pediatric care;

(4) one distinct aspect of children’s health care is the need for specialty care and serv-

ices for children with special-health-care needs and chronic-health conditions;

(5) the requirement for specialized health care and developmental support is an ongoing and serious matter of day-to-day life for families with children with special or chronic-health-care needs;

(6) the Department of Defense and the TRICARE program, recognizing the special needs of certain children, have instituted special-needs programs, including the ECHO program, but there are collateral needs that are not being met, generally because the services are provided in the local community rather than by the Department of Defense, who may not always have the best tools or knowledge to access these State and local resources;

(7) despite wholehearted efforts by the Department of Defense, a gap exists between linking military families with children with special-health-care needs and chronic conditions with the resources and services available from local or regional highly specialized providers and the communities and States in which they reside;

(8) the gap is especially exacerbated by the mobility of military families, who often move from State to State, because special-needs health care, educational, and social services are very specific to each local community and State and such services often have lengthy waiting lists; and

(9) the Department of Defense will be better able to assist military families with children with special-health-care needs fill the gap by collaborating with special-health-care needs providers and those knowledgeable about the opportunities for such children that are provided by States and local communities.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish a working group to carry out a review of the TRICARE program with respect to—

(A) pediatric health care needs under paragraph (2); and

(B) pediatric special and chronic health care needs under paragraph (3).

(2) PEDIATRIC HEALTH CARE NEEDS.—

(A) DUTIES.—The working group shall—

(i) comprehensively review the policy and practices of the TRICARE program with respect to providing pediatric health care;

(ii) recommend changes to such policies and practices to ensure that—

(I) children receive appropriate care in an appropriate manner, at the appropriate time, and in an appropriate setting; and

(II) access to care and treatment provided by pediatric providers and children's hospitals remains available for families with children; and

(iii) develop a plan to implement such changes.

(B) REVIEW.—In carrying out the duties under subparagraph (A), the working group shall—

(i) identify improvements in policies, practices, and administration of the TRICARE program with respect to pediatric-specific health care and pediatric-specific healthcare settings;

(ii) analyze the direct and indirect effects of the reimbursement policies and practices of the TRICARE program with respect to pediatric care and care provided in pediatric settings;

(iii) consider case management programs with respect to pediatric complex and chronic care, including whether pediatric specific programs are necessary;

(iv) develop a plan to ensure that the TRICARE program addresses pediatric-specific health care needs on an on-going basis beyond the life of the working group;

(v) consider how the TRICARE program can work with the pediatric provider com-

munity to ensure access, promote communication and collaboration, and optimize experiences of military families seeking and receiving health care services for children; and

(vi) review matters that further the mission of the working group.

(3) PEDIATRIC SPECIAL AND CHRONIC HEALTH CARE NEEDS.—

(A) DUTIES.—The working group shall—

(i) review the methods in which families in the TRICARE program who have children with special-health-care needs access community resources and health-care resources;

(ii) review how having access to, and a better understanding of, community resources may improve access to health care and support services;

(iii) recommend methods to accomplish improved access by such children and families to community resources and health-care resources, including through collaboration with children's hospitals and other providers of pediatric specialty care, local agencies, local communities, and States;

(iv) consider approaches and make recommendations for the improved integration of individualized or compartmentalized medical and family support resources for military families;

(v) work closely with the Office of Community Support for Military Families with Special Needs of the Department of Defense and other relevant offices to avoid redundancies and target shared areas of concern for children with special or chronic-health-care needs; and

(vi) review any relevant information learned and findings made by the working group under this paragraph that may be considered or adopted in a consistent manner with respect to improving access, resources, and services for adults with special needs.

(B) REVIEW.—In carrying out the duties under subparagraph (A), the working group shall—

(i) discuss improvements to special needs health care policies and practices;

(ii) determine how to support and protect families of members of the National Guard or Reserve Components as the members transition into and out of the relevant Exceptional Family Member Program or the ECHO program;

(iii) analyze case management services to improve consistency, communication, knowledge, and understanding of resources and community contacts;

(iv) identify areas in which a State may offer services that are not covered by the TRICARE program or the ECHO program and how to coordinate such services;

(v) identify steps that States and communities can take to improve support for military families of children with special health care needs;

(vi) consider how the TRICARE program and other programs of the Department of Defense can work with specialty pediatric providers and resource communities to ensure access, promote communication and collaboration, and optimize experiences of military families seeking and receiving health care services for their children with special or chronic health care needs;

(vii) consider special and chronic health care in a comprehensive manner without focus on one or more conditions or diagnoses to the exclusion of others;

(viii) focus on ways to create innovative partnerships, linkages, and access to information and resources for military families across the spectrum of the special-needs community and between the medical community and the family support community; and

(ix) review matters that further the mission of the working group.

(c) MEMBERSHIP.—

(1) APPOINTMENTS.—The working group shall be composed of not less than 14 members as follows:

(A) The Chief Medical Officer of the TRICARE program, who shall serve as chairperson.

(B) The Chief Medical Officers of the North, South, and West regional offices of the TRICARE program.

(C) One individual representing the Army appointed by the Surgeon General of the Army.

(D) One individual representing the Navy appointed by the Surgeon General of the Navy.

(E) One individual representing the Air Force appointed by the Surgeon General of the Air Force.

(F) One individual representing the regional managed care support contractor of the North region of the TRICARE program appointed by such contractor.

(G) One individual representing the regional managed care support contractor of the South region of the TRICARE program appointed by such contractor.

(H) One individual representing the regional managed care support contractor of the West region of the TRICARE program appointed by such contractor.

(I) Not more than three individuals representing the non-profit organization the Military Coalition appointed by such organization.

(J) One individual representing the American Academy of Pediatrics appointed by such organization.

(K) One individual representing the National Association of Children's Hospitals appointed by such organization.

(L) One individual representing military families who is not an employee of an organization representing such families.

(M) Any other individual as determined by the Chief Medical Officer of the TRICARE program.

(2) TERMS.—Each member shall be appointed for the life of the working group. A vacancy in the working group shall be filled in the manner in which the original appointment was made.

(3) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(4) STAFF.—The Secretary of Defense shall ensure that employees of the TRICARE program provide the working group with the necessary support to carry out this section.

(d) MEETINGS.—

(1) SCHEDULE.—The working group shall—

(A) convene its first meeting not later than 60 days after the date of the enactment of this Act; and

(B) convene not less than four other times.

(2) FORM.—Any meeting of the working group may be conducted in-person or through the use of video conferencing.

(3) QUORUM.—Seven members of the working group shall constitute a quorum but a lesser number may hold hearings.

(e) ADVICE.—With respect to carrying out the review of the TRICARE program and pediatric special and chronic health care needs under subsection (b)(3), the working group shall seek counsel from the following individuals acting as an expert advisory group:

(1) One individual representing the Exceptional Family Member Program of the Army.

(2) One individual representing the Exceptional Family Member Program of the Navy.

(3) One individual representing the Exceptional Family Member Program of the Air Force.

(4) One individual representing the Exceptional Family Member Program of the Marine Corps.

(5) One individual representing the Office of Community Support for Military Families with Special Needs.

(6) One individual who is not an employee of an organization representing military families shall represent a military family with a child with special health care needs.

(7) Not more than three individuals representing organizations that—

(A) are not otherwise represented in this paragraph or in the working group; and

(B) possess expertise needed to carry out the goals of the working group.

(f) REPORTS REQUIRED.—

(1) REPORT.—Not later than 12 months after the date on which the working group convenes its first meeting, the working group shall submit to the congressional defense committees a report including—

(A) any changes described in subsection (b)(2)(A)(ii) identified by the working group that—

(i) require legislation to carry out, including proposed legislative language for such changes;

(ii) require regulations to carry out, including proposed regulatory language for such changes; and

(iii) may be carried out without legislation or regulations, including a time line for such changes; and

(B) steps that States and local communities may take to improve the experiences of military families with special-needs children in interacting with and accessing State and local community resources.

(2) FINAL REPORT.—Not later than 18 months after the date on which the report is submitted under paragraph (1), the working group shall submit to the congressional defense committees a final report including—

(A) any additional information and updates to the report submitted under paragraph (1);

(B) information with respect to how the Secretary of Defense is implementing the changes identified in the report submitted under paragraph (1); and

(C) information with respect to any steps described in subparagraph (B) of such paragraph that were taken by States and local communities after the date on which such report was submitted.

(g) TERMINATION.—The working group shall terminate on the date that is 30 days after the date on which the working group submits the final report pursuant to subsection (f)(2).

(h) DEFINITIONS.—In this Act:

(1) The term “children” means dependents of a member of the Armed Forces who are—

(A) individuals who have not yet attained the age of 21; or

(B) individuals who have not yet attained the age of 27 if the inclusion of such dependents is applicable and relevant to a program or policy being reviewed under this Act.

(2) The term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(3) The term “ECHO program” means the program established pursuant to subsections (d) through (e) of section 1079 of title 10, United States Code (commonly referred to as the “Extended Care Health Option program”).

(4) The term “TRICARE program” means the managed health care program that is established by the Department of Defense under chapter 55 of title 10, United States Code.

SEC. 724. REPORT ON STRATEGY TO TRANSITION TO USE OF HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report that outlines a strategy to refine and,

when appropriate, transition to using human-based training methods for the purpose of training members of the Armed Forces in the treatment of combat trauma injuries by October 1, 2017.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) Required research, development, testing, and evaluation investments to validate human-based training methods to refine, reduce, and, when appropriate, transition from the use of live animals in medical education and training by October 1, 2015.

(B) Phased sustainment and readiness costs to refine, reduce, and, when appropriate, replace the use of live animals in medical education and training by October 1, 2017.

(C) Any risks associated with transitioning to human-based training methods, including resource availability, anticipated technological development time lines, and potential impact on the present combat trauma training curricula.

(D) An assessment of the potential effect of transitioning to human based-training methods on the quality of medical care delivered on the battlefield including any reduction in the competency of combat medical personnel.

(E) An assessment of risks to maintaining the level of combat life-saver techniques performed by all members of the Armed Forces.

(b) UPDATED ANNUAL REPORTS.—Not later than March 1, 2014, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purposes of training members of the Armed Forces in the treatment of combat trauma injuries under this section.

(c) DEFINITIONS.—In this section:

(1) The term “combat trauma injuries” means severe injuries likely to occur during combat, including—

(A) extremity hemorrhage;

(B) tension pneumothorax;

(C) amputation resulting from blast injury;

(D) compromises to the airway; and

(E) other injuries.

(2) The term “human-based training methods” means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

(A) simulators;

(B) partial task trainers;

(C) moulage;

(D) simulated combat environments; and

(E) human cadavers.

(3) The term “partial task trainers” means training aids that allow individuals to learn or practice specific medical procedures.

SEC. 725. PILOT PROGRAM ON ENHANCEMENTS OF DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.

(a) PROGRAM AUTHORITY.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves, their family members, and their caregivers through community partners.

(b) COMMUNITY PARTNERS.—The Secretary of Defense may award grants to community partners described in subsection (c) using a competitive and merit-based award process whereby the awardee agrees to make contributions toward the costs of activities carried out with the grant, from non-Federal sources, an amount equal to not less than \$3 for each \$1 of funds provided under the grant.

(c) COMMUNITY PARTNER DESCRIBED.—A community partner described in this sub-

section is a private non-profit organization or institution that engages in one or more of the following:

(1) Research on the causes, development, and innovative treatment of mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves, their family members, and their caregivers.

(2) Providing treatment to such members and their families for such mental health and substance use disorders and traumatic brain injury.

(3) Identifying and disseminating evidence-based treatments of mental health and substance use disorders and traumatic brain injury described in paragraph (1).

(4) Outreach and education to such members, their families and caregivers, and the public about mental health and substance use disorders and traumatic brain injury described in paragraph (1).

(d) DURATION.—The duration of the pilot program may not exceed three years.

(e) REPORT.—Not later than 180 days before the completion of the pilot program, the Secretary of Defense shall submit to the Secretary of Veterans Affairs and Congress a report on the results of the pilot program, including the amount of grants so awarded and activities carried out, the number of members of the National Guard and Reserves provided treatment or services by community partners, and a description and assessment of the effectiveness and achievements of the pilot program with respect to research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury.

SEC. 726. STUDY ON BREAST CANCER AMONG MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) STUDY.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly conduct a study on the incidence of breast cancer among members of the Armed Forces (including members of the National Guard and reserve components) and veterans. Such study shall include the following:

(1) A determination of the number of members and veterans diagnosed with breast cancer.

(2) A determination of demographic information regarding such members and veterans, including—

(A) race;

(B) ethnicity;

(C) sex;

(D) age;

(E) possible exposure to hazardous elements or chemical or biological agents (including any vaccines) and where such exposure occurred;

(F) the locations of duty stations that such member or veteran was assigned;

(G) the locations in which such member or veteran was deployed; and

(H) the geographic area of residence prior to deployment.

(3) An analysis of breast cancer treatments received by such members and veterans.

(4) Other information the Secretaries consider necessary.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report containing the results of the study required under subsection (a).

(c) FUNDING INCREASE AND OFFSETTING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by \$10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(2) the amount authorized to be appropriated in section 101 for Weapons Procurement, Navy, as specified in the corresponding funding table in section 4101 of division D, is hereby reduced by a total \$10,000,000, with the amount of the reduction to be derived from—

(A) Line 004 (AMRAAM) in the amount of \$2,700,000;

(B) Line 006 (JSOW) in the amount of \$2,700,000; and

(C) Line 009 (Hellfire) in the amount of \$4,600,000.

SEC. 727. INCREASED COLLABORATION WITH NIH TO COMBAT TRIPLE NEGATIVE BREAST CANCER.

The Office of Health of the Department of Defense shall work in collaboration with the National Institutes of Health to—

(1) identify specific genetic and molecular targets and biomarkers for triple negative breast cancer; and

(2) provide information useful in biomarker selection, drug discovery, and clinical trials design that will enable both—

(A) triple negative breast cancer patients to be identified earlier in the progression of their disease; and

(B) the development of multiple targeted therapies for the disease.

SEC. 728. PILOT PROGRAM ON PAYMENT FOR TREATMENT OF MEMBERS OF THE ARMED FORCES AND VETERANS FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) **PAYMENT PROCESS.**—The Secretary of Defense and the Secretary of Veterans Affairs shall carry out a five-year pilot program under which each such Secretary shall establish a process through which each Secretary shall provide payment for treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed Forces and veterans in health care facilities other than military treatment facilities or Department of Veterans Affairs medical facilities. Such process shall provide that payment be made directly to the health care facility furnishing the treatment.

(b) **CONDITIONS FOR PAYMENT.**—The approval by a Secretary for payment for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved or cleared by the Food and Drug Administration for any purpose.

(2) The treatment must have been approved by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

(3) The treatment (including any patient disclosure requirements) must be used by the health care provider delivering the treatment.

(4) The patient receiving the treatment must demonstrate an improvement as a result of the treatment on one or more of the following:

(A) Standardized independent pre-treatment and post-treatment neuropsychological testing.

(B) Accepted survey instruments.

(C) Neurological imaging.

(D) Clinical examination.

(5) The patient receiving the treatment must be receiving the treatment voluntarily.

(6) The patient receiving the treatment may not be a retired member of the uniformed services or of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act.

(c) **ADDITIONAL RESTRICTIONS PROHIBITED.**—Except as provided in this subsection (b), no restriction or condition for reimbursement may be placed on any health care provider

that is operating lawfully under the laws of the State in which the provider is located with respect to the receipt of payment under this section.

(d) **PAYMENT DEADLINE.**—The Secretary of Defense and the Secretary of Veterans Affairs shall make a payment for a treatment pursuant to subsection (a) not later than 30 days after a member of the Armed Forces or veteran (or health care provider on behalf of such member or veteran) submits to the Secretary documentation regarding the treatment. The Secretary of Defense and the Secretary of Veterans Affairs shall ensure that the documentation required under this subsection may not be an undue burden on the member of the Armed Forces or veteran or on the health care provider.

(e) **PAYMENT AUTHORITY.**—

(1) **DEPARTMENT OF DEFENSE.**—The Secretary of Defense shall make payments under this section for treatments received by members of the Armed Forces using the authority in subsection (c)(1) of section 1074 of title 10, United States Code.

(2) **DEPARTMENT OF VETERANS AFFAIRS.**—The Secretary of Veterans Affairs shall make payments under this section for treatments received by veterans using the authority in section 1728 of title 38, United States Code.

(f) **PAYMENT AMOUNT.**—A payment under this section shall be made at the equivalent Centers for Medicare and Medicaid Services reimbursement rate in effect for appropriate treatment codes for the State or territory in which the treatment is received. If no such rate is in effect, payment shall be made at a fair market rate, as determined by the Secretary of Defense, in consultation with the Secretary of Health and Human Services, with respect to a patient who is a member of the Armed Forces or the Secretary of Veterans Affairs with respect to a patient who is a veteran.

(g) **DATA COLLECTION AND AVAILABILITY.**—

(1) **IN GENERAL.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretaries shall ensure that the database preserves confidentiality and be made available only—

(A) for third-party payer examination;

(B) to the appropriate congressional committees and employees of the Department of Defense, the Department of Veterans Affairs, the Department of Health and Human Services, and appropriate State agencies; and

(C) to the primary investigator of the institutional review board that approved the treatment, in the case of data relating to a patient case involving the use of such treatment.

(2) **ENROLLMENT IN INSTITUTIONAL REVIEW BOARD STUDY.**—In the case of a patient enrolled in a registered institutional review board study, results may be publically distributable in accordance with the regulations prescribed pursuant to the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) and other regulations and practices in effect as of the date of the enactment of this Act.

(3) **QUALIFIED INSTITUTIONAL REVIEW BOARDS.**—The Secretary of Defense and the Secretary of Veterans Affairs shall each ensure that the Internet Web site of their respective departments includes a list of all civilian institutional review board studies that have received a payment under this section.

(h) **ASSISTANCE FOR MEMBERS TO OBTAIN TREATMENT.**—

(1) **ASSIGNMENT TO TEMPORARY DUTY.**—The Secretary of a military department may assign a member of the Armed Forces under the jurisdiction of the Secretary to temporary duty or allow the member a permis-

sive temporary duty in order to permit the member to receive treatment for traumatic brain injury or post-traumatic stress disorder, for which payments shall be made under subsection (a), at a location beyond reasonable commuting distance of the member's permanent duty station.

(2) **PAYMENT OF PER DIEM.**—A member who is away from the member's permanent station may be paid a per diem in lieu of subsistence in an amount not more than the amount to which the member would be entitled if the member were performing travel in connection with a temporary duty assignment.

(3) **GIFT RULE WAIVER.**—Notwithstanding any rule of any department or agency with respect to ethics or the receipt of gifts, any assistance provided to a member of the Armed Forces with a service-connected injury or disability for travel, meals, or entertainment incidental to receiving treatment under this section, or for the provision of such treatment, shall not be subject to or covered by any such rule.

(i) **RETALIATION PROHIBITED.**—No retaliation may be made against any member of the Armed Forces or veteran who receives treatment as part of registered institutional review board study carried out by a civilian health care practitioner.

(j) **TREATMENT OF UNIVERSITY AND NATIONALLY ACCREDITED INSTITUTIONAL REVIEW BOARDS.**—For purposes of this section, a university-affiliated or nationally accredited institutional review board shall be treated in the same manner as a Government institutional review board.

(k) **MEMORANDA OF UNDERSTANDING.**—The Secretary of Defense and the Secretary of Veterans Affairs shall seek to expeditiously enter into memoranda of understandings with civilian institutional review boards described in subsection (j) for the purpose of providing for members of the Armed Forces and veterans to receive treatment carried out by civilian health care practitioners under a treatment approved by and under the oversight of civilian institutional review boards that would qualify for payment under this section.

(l) **OUTREACH REQUIRED.**—

(1) **OUTREACH TO VETERANS.**—The Secretary of Veterans Affairs shall notify each veteran with a service-connected injury or disability of the opportunity to receive treatment pursuant to this section.

(2) **OUTREACH TO MEMBERS OF THE ARMED FORCES.**—The Secretary of Defense shall notify each member of the Armed Forces with a service-connected injury or disability of the opportunity to receive treatment pursuant to this section.

(m) **REPORT TO CONGRESS.**—Not later than 30 days after the last day of each fiscal year during which the Secretary of Defense and the Secretary of Veterans Affairs are authorized to make payments under this section, the Secretaries shall jointly submit to Congress an annual report on the implementation of this section. Such report shall include each of the following for that fiscal year:

(1) The number of individuals for whom the Secretary has provided payments under this section.

(2) The condition for which each individual receives treatment for which payment is provided under this section and the success rate of each such treatment.

(3) Treatment methods that are used by entities receiving payment provided under this section and the respective rate of success of each such method.

(4) The recommendations of the Secretaries with respect to the integration of treatment methods for which payment is provided under this section into facilities of the Department of Defense and Department of Veterans Affairs.

(n) **TERMINATION.**—The authority to make a payment under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(o) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each fiscal year during which the Secretary of Veterans Affairs and the Secretary of Defense are authorized to make payments under this section.

(p) **FUNDING INCREASE AND OFFSETTING REDUCTION.**—

(1) **IN GENERAL.**—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2013—

(A) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by \$10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(B) the amount authorized to be appropriated in section 301 for Operation and Maintenance, Defense-wide, as specified in the corresponding funding table in division D, is hereby reduced by \$10,000,000, with the amount of the reduction to be derived from Line 260, Office of the Secretary of Defense as set forth in the table under section 4301.

(2) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A decision to commit, obligate, or expend funds referred to in paragraph (1)(A) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

SEC. 729. CONGRESSIONAL SUPPORT FOR GREATER AWARENESS OF POST-TRAUMATIC STRESS DISORDER.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being.

(2) More than 2,400,000 members of the Armed Forces have deployed overseas as part of overseas contingency operations since the events of September 11, 2001.

(3) One in five members who have returned from deployment reported symptoms of post-traumatic stress disorder (PTSD).

(4) Just over ½ of the members have sought treatment for PTSD symptoms.

(5) More than 90,000 members returning from deployment to Operation Enduring Freedom or Operation Iraqi Freedom are clinically diagnosed with PTSD.

(6) The Armed Forces have sustained an operational tempo for a period of time unprecedented in the history of the United States, with many members deploying multiple times, placing them at high risk of PTSD.

(7) Up to 10 percent of Operation Desert Storm veterans, 30 percent of Vietnam veterans, and 8 percent of the general population of the United States suffer or have suffered from PTSD.

(8) Many cases of PTSD remain unreported, undiagnosed, and untreated due to a lack of awareness about PTSD and the persistent stigma associated with mental health issues.

(9) PTSD significantly increases the risk of depression, suicide, and drug- and alcohol-related disorders and deaths, especially if left untreated.

(10) The Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain.

(11) About ½ of members and their spouses report they are somewhat or not at all knowledgeable about the signs and symptoms of PTSD.

(b) **CONGRESSIONAL EXPRESSION OF SUPPORT.**—In light of the findings made in subsection (a), Congress—

(1) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense to educate service members, veterans, the families of service members and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress disorder (PTSD); and

(2) supports the creation of an advisory commission on PTSD to coordinate the efforts of the Department of Defense, Department of Veterans Affairs, and other executive departments and agencies for the prevention, diagnosis, and treatment of PTSD.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. PILOT EXEMPTION REGARDING TREATMENT OF PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE IN ACCORDANCE WITH THE DEPARTMENT OF ENERGY'S WORK FOR OTHERS PROGRAM.

(a) **EXEMPTION FROM INSPECTOR GENERAL REVIEWS AND DETERMINATIONS.**—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 2304 note) is amended by adding at the end the following new paragraph:

“(7) **TREATMENT OF PROCUREMENTS THROUGH DEPARTMENT OF ENERGY.**—For purposes of this subsection, effective during the 24-month period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the procurement of property or services on behalf of the Department of Defense pursuant to an interagency agreement between the Department of Defense and the Department of Energy in accordance with the Department of Energy's Work For Others Program, under which the property or services are provided by a management and operating contractor of the Department of Energy and are procured on behalf of the Department of Defense, shall not be considered a procurement of property or services on behalf of the Department of Defense by a covered non-defense agency.”.

(b) **EXEMPTION FROM CERTAIN CERTIFICATION REQUIREMENTS.**—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (4)”; and

(2) by adding at the end the following new paragraph:

“(4) **EXCEPTION FOR PROCUREMENTS IN ACCORDANCE WITH THE DEPARTMENT OF ENERGY'S WORK FOR OTHERS PROGRAM.**—Effective during the 24-month period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the limitation in paragraph (1) shall not apply to the procurement of property or services on behalf of the Department of Defense pursuant to an interagency agreement between the Department of Defense and the Department of Energy in accordance with the Department of Energy's Work for Others Program, under which the property or services are provided by a management and operating contractor of the Department of Energy and procured on behalf of the Department of Defense.”.

(c) **CERTIFICATION.**—Not later than 20 months after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees the following:

(1) A statement certifying whether the procurement policies, procedures, and internal controls of the Department of Energy provide sufficient protection and oversight for Department of Defense funds expended through the Department of Energy Work for Others Program.

(2) A recommendation regarding whether the pilot exemption granted by the amendments made by this section should be extended.

SEC. 802. REQUIREMENTS RELATING TO CONTRACTS FOR PURCHASE OF HELICOPTERS FOR AFGHAN SECURITY FORCES.

(a) **REQUIREMENT FOR COMPETITIVELY BID CONTRACTS.**—Subject to subsection (b), the Secretary of Defense shall award any contract that will use United States funds for the procurement of helicopters for the Afghan Security Forces using competitive procedures.

(b) **PROHIBITION ON CONTRACTING WITH CERTAIN ENTITIES.**—Notwithstanding subsection (a), the Secretary of Defense may not award a contract, directly or indirectly, to any entity controlled, directed, or influenced by—

(1) a country that has provided weapons to Syria at any time after the date of the enactment of the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108-175); or

(2) any country that is currently a state sponsor of terrorism.

(c) **STATE SPONSOR OF TERRORISM DEFINED.**—In subsection (b), the term “state sponsor of terrorism” means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, or section 40 of the Arms Export Control Act.

(d) **EFFECTIVE DATE.**—The requirement in subsection (a) shall apply to contracts awarded after the date of the enactment of this Act.

(e) **NATIONAL SECURITY WAIVER AUTHORITY.**—The Secretary of Defense may waive the applicability of this section if the Secretary determines such a waiver is necessary in the national security interests of the United States.

SEC. 803. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH STATE SPONSORS OF TERRORISM.

(a) **PROHIBITION.**—The Department of Defense may not enter into a contract for the procurement of goods or services with any person that has business operations with a state sponsor of terrorism.

(b) **DEFINITIONS.**—In this section:

(1) **STATE SPONSOR OF TERRORISM.**—The term “state sponsor of terrorism” means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to—

(A) section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)) (as continued in effect pursuant to the International Emergency Economic Powers Act);

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371); or

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780).

(2) **BUSINESS OPERATIONS.**—The term “business operations” means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, fa-

cilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) PERSON.—The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. MODIFICATION OF TIME PERIOD FOR CONGRESSIONAL NOTIFICATION OF THE LEASE OF CERTAIN VESSELS BY THE DEPARTMENT OF DEFENSE.

Section 2401(h)(2) of title 10, United States Code, is amended by striking “30 days of continuous session of Congress” and inserting “60 days”.

SEC. 812. EXTENSION OF AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.

(a) EXTENSION.—Effective as of January 1, 2012, section 4202 of the Clinger–Cohen Act of 1996 (division D of Public Law 104–106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended in subsection (e) by striking “2012” and inserting “2015”.

(b) TECHNICAL AMENDMENT TO CROSS REFERENCES.—Subsection (e) of such Act is further amended by striking “section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section,” and inserting “section 3305(a) of title 41, United States Code, and section 1901(a) of title 41, United States Code.”

SEC. 813. CODIFICATION AND AMENDMENT RELATING TO LIFE-CYCLE MANAGEMENT AND PRODUCT SUPPORT REQUIREMENTS.

(a) CODIFICATION AND AMENDMENT.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2335. Life-cycle management and product support

“(a) GUIDANCE ON LIFE-CYCLE MANAGEMENT.—The Secretary of Defense shall issue and maintain comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems. The guidance issued pursuant to this subsection shall—

“(1) maximize competition and make the best possible use of available Department of Defense and industry resources at the system, subsystem, and component levels; and

“(2) maximize value to the Department of Defense by providing the best possible product support outcomes at the lowest operations and support cost.

“(b) PRODUCT SUPPORT MANAGERS.—

“(1) REQUIREMENT.—The Secretary of Defense shall require that each major weapon system be supported by a product support manager in accordance with this subsection.

“(2) RESPONSIBILITIES.—A product support manager for a major weapon system shall—

“(A) develop and implement a comprehensive product support strategy for the weapon system;

“(B) use advanced predictive analysis to the extent practicable to improve material availability and reliability, increase oper-

ational availability rates, and reduce operation and sustainment costs;

“(C) conduct appropriate cost analyses to validate the product support strategy, including cost-benefit analyses as outlined in Office of Management and Budget Circular A–94;

“(D) ensure achievement of desired product support outcomes through development and implementation of appropriate product support arrangements;

“(E) adjust performance requirements and resource allocations across product support integrators and product support providers as necessary to optimize implementation of the product support strategy;

“(F) periodically review product support arrangements between the product support integrators and product support providers to ensure the arrangements are consistent with the overall product support strategy;

“(G) prior to each change in the product support strategy or every five years, whichever occurs first, revalidate any business-case analysis performed in support of the product support strategy; and

“(H) ensure that the product support strategy maximizes small business participation at the appropriate tiers and apply the requirements of section 15(g) of the Small Business Act (15 U.S.C. 644(g)) in a manner that ensures that small business concerns are not inappropriately selected for performance as a prime contractor.

“(c) DEFINITIONS.—In this section:

“(1) PRODUCT SUPPORT.—The term ‘product support’ means the package of support functions required to field and maintain the readiness and operational capability of major weapon systems, subsystems, and components, including all functions related to weapon system readiness.

“(2) PRODUCT SUPPORT ARRANGEMENT.—The term ‘product support arrangement’ means a contract, task order, or any type of other contractual arrangement, or any type of agreement or non-contractual arrangement within the Federal Government, for the performance of sustainment or logistics support required for major weapon systems, subsystems, or components. The term includes arrangements for any of the following:

“(A) Performance-based logistics.

“(B) Sustainment support.

“(C) Contractor logistics support.

“(D) Life-cycle product support.

“(E) Weapon systems product support.

“(3) PRODUCT SUPPORT INTEGRATOR.—The term ‘product support integrator’ means an entity within the Federal Government or outside the Federal Government charged with integrating all sources of product support, both private and public, defined within the scope of a product support arrangement.

“(4) PRODUCT SUPPORT PROVIDER.—The term ‘product support provider’ means an entity that provides product support functions. The term includes an entity within the Department of Defense, an entity within the private sector, or a partnership between such entities.

“(5) MAJOR WEAPON SYSTEM.—The term ‘major weapon system’ has the meaning given that term in section 2302d of this title.

“(6) ADVANCED PREDICTIVE ANALYSIS.—The term ‘advanced predictive analysis’ means a type of analysis that applies advanced predictive modeling methodology to life-cycle management and product support by using event simulation to account for variations in asset demand over time, including events such as current equipment condition, planned usage, aging of parts, maintenance capacity and quality, and logistics response.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by adding at the end the following new item:

“2335. Life-cycle management and product support.”

(b) REPEAL OF SUPERSEDED SECTION.—Section 805 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2302) is repealed.

SEC. 814. CODIFICATION OF REQUIREMENT RELATING TO GOVERNMENT PERFORMANCE OF CRITICAL ACQUISITION FUNCTIONS.

(a) CODIFICATION.—

(1) IN GENERAL.—Subchapter I of chapter 87 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1706. Government performance of certain acquisition functions

“(a) GOAL.—It shall be the goal of the Department of Defense and each of the military departments to ensure that, for each major defense acquisition program and each major automated information system program, each of the following positions is performed by a properly qualified member of the armed forces or full-time employee of the Department of Defense:

“(1) Program manager.

“(2) Deputy program manager.

“(3) Product support manager.

“(4) Chief engineer.

“(5) Systems engineer.

“(6) Chief developmental tester.

“(7) Cost estimator.

“(b) PLAN OF ACTION.—The Secretary of Defense shall develop and implement a plan of action for recruiting, training, and ensuring appropriate career development of military and civilian personnel to achieve the objective established in subsection (a).

“(c) DEFINITIONS.—In this section:

“(1) The term ‘major defense acquisition program’ has the meaning given such term in section 2430(a) of this title.

“(2) The term ‘major automated information system program’ has the meaning given such term in section 2445a(a) of this title.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“1706. Government performance of certain acquisition functions.”

(b) REPEAL OF SUPERSEDED SECTION.—Section 820 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 1701 note) is repealed.

SEC. 815. LIMITATION ON FUNDING PENDING CERTIFICATION OF IMPLEMENTATION OF REQUIREMENTS FOR COMPETITION.

(a) LIMITATION ON FUNDING FOR CERTAIN OFFICES.—Of the funds authorized to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Secretary of Defense may be obligated or expended until the certification described in subsection (b) is submitted.

(b) CERTIFICATION REQUIRED.—The Secretary of Defense shall certify to the congressional defense committees that the Department of Defense is implementing the requirements of section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 10 U.S.C. 2430 note). Such a certification shall be accompanied by—

(1) a briefing to the congressional defense committees on processes and procedures that have been implemented across the military departments and Defense Agencies to maximize competition throughout the life-cycle of major defense acquisition programs, including actions to award contracts for performance of maintenance and sustainment of major weapon systems or subsystems and components of such systems; and

(2) a representative sample of solicitations issued since May 22, 2009, intended to fulfill the objectives of such section 202(d).

SEC. 816. CONTRACTOR RESPONSIBILITIES IN REGULATIONS RELATING TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1493; 10 U.S.C. 2302 note) is amended to read as follows:

“(B) the cost of counterfeit electronic parts and suspect counterfeit electronic parts and the cost of rework or corrective action that may be required to remedy the use or inclusion of such parts are not allowable costs under Department contracts, unless—

“(i) the covered contractor has an operational system to detect and avoid counterfeit parts and suspect counterfeit electronic parts that has been reviewed and approved by the Department of Defense pursuant to subsection (e)(2)(B);

“(ii) the counterfeit electronic parts or suspect counterfeit electronic parts were—

“(I) procured from a trusted supplier in accordance with regulations described in paragraph (3); or

“(II) provided to the contractor as Government property in accordance with part 45 of the Federal Acquisition Regulation; and

“(iii) the covered contractor provides timely notice to the Government pursuant to paragraph (4).”.

SEC. 817. ADDITIONAL DEFINITION RELATING TO PRODUCTION OF SPECIALTY METALS WITHIN THE UNITED STATES.

Section 2533b(m) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(11) The term ‘produced’, as used in subsections (a) and (b), means melted, or processed in a manner that results in physical or chemical property changes that are the equivalent of melting. The term does not include finishing processes such as rolling, heat treatment, quenching, tempering, grinding, or shaving.”.

SEC. 818. ASSESSMENT AND REPORT RELATING TO INFRARED TECHNOLOGY SECTORS.

(a) **ASSESSMENT.**—The Secretary of Defense, in conjunction with the sector-by-sector, tier-by-tier review conducted by the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, shall conduct an assessment of the health and status of various national defense infrared technology sectors, including technology such as focal plane arrays sensitive to infrared wavelengths, read-out integrate circuits, cryogenic coolers, Dewar technology, infrared sensor engine assemblies, and infrared imaging systems.

(b) **REPORT.**—The Secretary of Defense shall submit to the congressional defense committees a report on the findings of the assessment within 90 days after the date of the enactment of this Act.

SEC. 819. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHAN MILITARY OR AFGHAN NATIONAL POLICE.

(a) **REQUIREMENT.**—In the case of any textile components supplied by the Department of Defense to the Afghan National Army or the Afghan National Police for purposes of production of uniforms, section 2533a of title 10, United States Code, shall apply, and no exceptions or exemptions under that section shall apply.

(b) **EFFECTIVE DATE.**—This section shall apply to solicitations issued and contracts awarded for the procurement of such components after the date of the enactment of this Act.

Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

SEC. 821. EXTENSION AND EXPANSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) **EXTENSION OF TERMINATION DATE.**—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2399) is amended by striking “on or after the date occurring three years after the date of the enactment of this Act” and inserting “after December 31, 2014”.

(b) **EXPANSION OF AUTHORITY TO COVER FORCES OF THE UNITED STATES AND COALITION FORCES.**—Subsection (b)(1) of such section is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C), by adding “or” at the end; and

(3) by adding at the end the following: “(D) by the United States or coalition forces in Afghanistan if the product or service is from a country that has agreed to allow the transport of coalition personnel, equipment, and supplies;”.

(c) **LIMITATION.**—Such section is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following:

“(d) **LIMITATION.**—The Secretary may not use the authority provided in subsection (a) to procure goods or services from Pakistan until such time as the Government of Pakistan agrees to re-open the Ground Lines of Communication for the movement of United States equipment and supplies through Pakistan.”.

(d) **REPEAL OF EXPIRED REPORT REQUIREMENT.**—Subsection (h) of such section, as redesignated by subsection (c) of this section, is repealed.

(e) **CLERICAL AMENDMENT.**—The heading of such section is amended by striking “; report”.

SEC. 822. LIMITATION ON AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN AFGHANISTAN.

Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 266; 10 U.S.C. 2302 note) is amended—

(1) in the section heading, by striking “Iraq and”;

(2) by striking “Iraq or” each place it appears; and

(3) in subsection (b)—

(A) by inserting “(A)” after “(1)”;

(B) in paragraph (2)—

(i) by redesignating clauses (i) and (ii) of subparagraph (B) as subclauses (I) and (II), respectively, and in subclause (II), as so redesignated, by striking the period at the end and inserting “; and”;

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

(iii) by striking “(2)” and inserting “(B)”;

and

(C) by adding at the end the following new paragraph (2):

“(2) the Government of Afghanistan is not taxing assistance provided by the United States to Afghanistan in violation of any bilateral or other agreement with the United States.”.

Subtitle D—Other Matters

SEC. 831. ENHANCEMENT OF REVIEW OF ACQUISITION PROCESS FOR RAPID FIELDING OF CAPABILITIES IN RESPONSE TO URGENT OPERATIONAL NEEDS.

Section 804(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal

Year 2011 (Public Law 111-383; 124 Stat. 4256; 10 U.S.C. 2302 note) is amended—

(1) by inserting “and” at the end of subparagraph (B);

(2) by striking “; and” at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

SEC. 832. LOCATION OF CONTRACTOR-OPERATED CALL CENTERS IN THE UNITED STATES.

The Secretary of Defense shall ensure that any call center operated pursuant to a contract entered into by the Secretary or by the head of any of the military departments is located in the United States.

SEC. 833. CONSIDERATION AND VERIFICATION OF INFORMATION RELATING TO EFFECT ON DOMESTIC EMPLOYMENT OF AWARD OF DEFENSE CONTRACTS.

(a) **IN GENERAL.**—Section 2305(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) The head of an agency, in issuing a solicitation for competitive proposals, shall state in the solicitation that the agency may consider information (in this paragraph referred to as a ‘jobs impact statement’) that the offeror may include in its offer related to the effects on employment within the United States of the contract if it is awarded to the offeror.

“(B) The information that may be included in a jobs impact statement may include the following:

“(i) The number of jobs expected to be created in the United States, or the number of jobs retained that otherwise would be lost, if the contract is awarded to the offeror.

“(ii) The number of jobs created or retained in the United States by the subcontractors expected to be used by the offeror in the performance of the contract.

“(iii) A guarantee from the offeror that jobs created or retained in the United States will not be moved outside the United States after award of the contract.

“(C) The contracting officer may consider the information in the jobs impact statement in the evaluation of the offer.

“(D) The agency may request further information from the offeror in order to verify the accuracy of the information in the jobs impact statement.

“(E) In the case of a contract awarded to an offeror that submitted a jobs impact statement with the offer for the contract, the agency shall, not later than six months after the award of the contract and annually thereafter for the duration of the contract or contract extension, assess the accuracy of the jobs impact statement.

“(F) The Secretary of Defense shall submit to Congress an annual report on the frequency of use within the Department of Defense of jobs impact statements in the evaluation of competitive proposals.”.

(b) **REVISION OF FEDERAL ACQUISITION REGULATION.**—The Federal Acquisition Regulation shall be revised to implement the amendment made by this section.

SEC. 834. ENERGY SAVINGS PERFORMANCE CONTRACT REPORT.

Not later than June 30, 2013, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each submit to the congressional defense committees a report on the use of energy savings performance contracts by the Department of the Army, the Department of the Navy, and the Department of the Air Force, respectively, including each of the following:

(1) The amount of appropriated funds that have been obligated or expended and that are expected to be obligated or expended for energy savings performance contracts.

(2) The amount of such funds that have been used for comprehensive retrofits.

(3) The amount of such funds that have been used to leverage private sector capital, including the amount of such capital.

SEC. 835. REQUIREMENT TO INCLUDE TRAFFICKING IN PERSONS IN PERFORMANCE ASSESSMENTS OF DEFENSE CONTRACTORS.

(a) PERFORMANCE ASSESSMENTS TO INCLUDE EVALUATION OF TRAFFICKING IN PERSONS.—With respect to any performance assessment of a defense contractor or subcontractor of such a contractor, or any labor recruiter, broker, or other agent used by the contractor or subcontractor, the Secretary of Defense shall include an evaluation of trafficking in persons.

(b) TRAFFICKING IN PERSONS DEFINED.—In this section, the term “trafficking in persons” has the meaning provided the term “severe form of trafficking in persons” in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. ADDITIONAL DUTIES OF DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR MANUFACTURING AND INDUSTRIAL BASE POLICY AND AMENDMENTS TO STRATEGIC MATERIALS PROTECTION BOARD.

(a) FINDINGS.—Congress finds the following:

(1) The Defense Logistics Agency has made little progress in addressing the findings and recommendations from the April 2009 report of the Department of Defense report titled “Reconfiguration of the National Defense Stockpile Report to Congress”.

(2) The office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy has historically analyzed the United States defense industrial base from the point of view of prime contractors and original equipment manufacturers and has provided insufficient attention to producers of materials critical to national security, including raw materials producers.

(3) Responsibility for the secure supply of materials critical to national security, which supports the defense industrial base, is decentralized throughout the Department of Defense.

(4) The office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy should expand its focus to consider both a top-down view of the supply chain, beginning with prime contractors, and a bottom-up view that begins with raw materials suppliers.

(5) To enable this focus and support a more coherent, comprehensive strategy as it pertains to materials critical to national security, the office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy should develop policy, conduct oversight, and monitor resource allocation for agencies of the Department of Defense, including the Defense Logistics Agency, for all activities that pertain to ensuring a secure supply of materials critical to national security.

(6) The Strategic Materials Protection Board should be reconfigured so as to be chaired by the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy and should fully execute its duties and responsibilities.

(b) APPOINTMENT OF DEPUTY ASSISTANT SECRETARY.—Section 139c(a) of title 10, United States Code, is amended by striking “appointed by” and all that follows through the end of the subsection and inserting “appointed by the Secretary of Defense.”

(c) RESPONSIBILITIES OF DEPUTY ASSISTANT SECRETARY.—Section 139c(b) of such title is amended—

(1) by striking paragraphs (1) through (4) and inserting the following:

“(1) Providing input to strategy reviews, including quadrennial defense reviews conducted pursuant to section 118 of this title, on matters related to—

“(A) the defense industrial base; and

“(B) materials critical to national security.”

(2) Establishing policies of the Department of Defense for developing and maintaining the defense industrial base of the United States and ensuring a secure supply of materials critical to national security.

(3) Providing recommendations to the Under Secretary on budget matters pertaining to the industrial base, the supply chain, and the development and retention of skills necessary to support the industrial base.

(4) Providing recommendations and acquisition policy guidance to the Under Secretary on supply chain management and supply chain vulnerability throughout the entire supply chain, from suppliers of raw materials to producers of major end items.”

(2) by striking paragraph (5) and redesignating paragraphs (6), (7), (8), (9), and (10) as paragraphs (5), (6), (7), (8), and (9), respectively;

(3) by inserting after paragraph (9), as so redesignated, the following new paragraph (10):

“(10) Providing policy and oversight of matters related to materials critical to national security to ensure a secure supply of such materials to the Department of Defense.”

(4) by redesignating paragraph (15) as paragraph (18); and

(5) by inserting after paragraph (14) the following new paragraphs:

“(15) Coordinating with the Director of Small Business Programs on all matters related to industrial base policy of the Department of Defense.

“(16) Ensuring reliable sources of materials critical to national security, such as specialty metals, armor plate, and rare earth elements.

“(17) Establishing policies of the Department of Defense for continued reliable resource availability from domestic sources and allied nations for the industrial base of the United States.”

(d) MATERIALS CRITICAL TO NATIONAL SECURITY DEFINED.—Section 139c of such title is further amended by adding at the end the following new subsection:

“(d) MATERIALS CRITICAL TO NATIONAL SECURITY DEFINED.—In this section, the term ‘materials critical to national security’ has the meaning given that term in section 187(e)(1) of this title.”

(e) AMENDMENTS TO STRATEGIC MATERIALS PROTECTION BOARD.—

(1) MEMBERSHIP.—Paragraph (2) of section 187(a) of such title is amended to read as follows:

“(2) The Board shall be composed of the following:

“(A) The Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, who shall be the chairman of the Board.

“(B) The Administrator of the Defense Logistics Agency Strategic Materials, or any successor organization, who shall be the vice chairman of the Board.

“(C) A designee of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

“(D) A designee of the Assistant Secretary of the Navy for Research, Development, and Acquisition.

“(E) A designee of the Assistant Secretary of the Air Force for Acquisition.”

(2) DUTIES.—Paragraphs (3) and (4) of section 187(b) of such title are each amended by

striking “President” and inserting “Secretary”.

(3) MEETINGS.—Section 187(c) of such title is amended by striking “Secretary of Defense” and inserting “Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy”.

(4) REPORTS.—Section 187(d) of such title is amended to read as follows:

“(d) REPORTS.—(1) After each meeting of the Board, the Board shall prepare a report containing the results of the meeting and such recommendations as the Board determines appropriate. The Secretary of each military department shall review and comment on the report.

“(2) Each such report shall be published in the Federal Register and subsequently submitted to the congressional defense committees, together with public comments and comments and recommendations from the Secretary of Defense, not later than 90 days after the meeting covered by the report.”

SEC. 902. REQUIREMENT FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.

(a) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.—

(1) IN GENERAL.—The Secretary of Defense, after consultation with the Secretaries of the military departments, shall designate a senior official in the Office of the Secretary of Defense as the principal official of the Department of Defense responsible for leading the Department’s actions on urgent operational needs and rapid acquisition, in accordance with this section.

(2) STAFF AND RESOURCES.—The Secretary shall assign to the senior official designated under paragraph (1) appropriate staff and resources necessary to carry out the official’s functions under this section.

(b) RESPONSIBILITIES.—The senior official designated under subsection (a) shall be responsible for the following:

(1) Acting as an advocate within the Department of Defense for issues related to the Department’s ability to rapidly respond to urgent operational needs, including programs funded and carried out by the military departments.

(2) Improving visibility of urgent operational needs throughout the Department, including across the military departments, the Defense Agencies, and all other entities and processes in the Department that address urgent operational needs.

(3) Ensuring that tools and mechanisms are used to track, monitor, and manage the status of urgent operational needs within the Department, from validation through procurement and fielding, including a formal feedback mechanism for the armed forces to provide information on how well fielded solutions are meeting urgent operational needs.

(c) URGENT OPERATIONAL NEEDS DEFINED.—In this section, the term “urgent operational needs” means capabilities that are determined by the Secretary of Defense, pursuant to the review process required by section 804(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2302 note), to be suitable for rapid fielding in response to urgent operational needs.

SEC. 903. DESIGNATION OF DEPARTMENT OF DEFENSE SENIOR OFFICIAL FOR ENTERPRISE RESOURCE PLANNING SYSTEM DATA CONVERSION.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate a senior official of the Department of Defense as the official with principal responsibility for coordination and management oversight of data conversion for all enterprise resource planning systems of the Department; and

(2) set forth the responsibilities of that senior official with respect to such data conversion.

SEC. 904. ADDITIONAL RESPONSIBILITIES AND RESOURCES FOR DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION.

(a) SUPERVISION.—Section 139b(a)(3) of title 10, United States Code, is amended by striking “to the Under Secretary” before the period and inserting “directly to the Under Secretary, without the interposition of any other supervising official”.

(b) CONCURRENT SERVICE.—Section 139b(a)(7) of such title is amended by striking “may” and inserting “shall”.

(c) RESOURCES.—Section 139b(a) of such title is amended by adding at the end the following new paragraph:

“(8) RESOURCES.—

“(A) The President shall include in the budget transmitted to Congress, pursuant to section 1105 of title 31, for each fiscal year, a separate statement of estimated expenditures and proposed appropriations for the fiscal year for the activities of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation in carrying out the duties and responsibilities of the Deputy Assistant Secretary under this section.

“(B) The Deputy Assistant Secretary of Defense for Developmental Test and Evaluation shall have sufficient professional staff of military and civilian personnel to enable the Deputy Assistant Secretary to carry out the duties and responsibilities prescribed by law. The resources for the Deputy Assistant Secretary shall be comparable to the resources, including Senior Executive Service positions, other civilian positions, and military positions, available to the Director of Operational Test and Evaluation.”

(d) ANNUAL REPORT.—Section 139b(d) of such title is amended—

(1) in the subsection heading, by striking “JOINT”;

(2) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(3) by inserting “(1)” before “Not later than March 31”;

(4) in the matter appearing before subparagraph (A), as so redesignated, by striking “jointly” and inserting “each”; and

(5) by adding at the end the following new paragraph:

“(2) With respect to the report required under paragraph (1) by the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation—

“(A) the report shall include a separate section that covers the activities of the Department of Defense Test Resource Management Center (established under section 196 of this title) during the preceding year; and

“(B) the report shall be transmitted to the Under Secretary of Defense for Acquisition, Technology, and Logistics at the same time it is submitted to the congressional defense committees.”

SEC. 905. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.—

(1) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(A) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the

four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(b) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) DEFINITION OF “MILITARY DEPARTMENT”.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

“(8) The term ‘military department’ means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.”

(2) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: “The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.”

(3) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking “There is a Secretary of the Navy” and inserting “There is a Secretary of the Navy and Marine Corps”.

(4) CHAPTER HEADINGS.—

(A) The heading of chapter 503 of such title is amended to read as follows:

“CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS”.

(B) The heading of chapter 507 of such title is amended to read as follows:

“CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS”.

(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking “Assistant Secretaries of the Navy” and inserting “Assistant Secretaries of the Navy and Marine Corps”.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting “and Marine Corps” after “of the Navy”, with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(c) OTHER PROVISIONS OF LAW AND OTHER REFERENCES.—

(1) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking “Department of the Navy” and “Secretary of the Navy” each place they appear and inserting “Department of the Navy and Marine Corps” and “Secretary of the Navy and Marine Corps”, respectively.

(2) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (a)(2) shall be considered to be a reference to that office as redesignated by that section.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month be-

ginning more than 60 days after the date of the enactment of this Act.

Subtitle B—Space Activities

SEC. 911. ANNUAL ASSESSMENT OF THE SYNCHRONIZATION OF SEGMENTS IN SPACE PROGRAMS THAT ARE MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ANNUAL ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for five years, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall annually submit to the congressional defense committees an assessment of the synchronization of the operability of the program segments of each space program that is a major defense acquisition program.

(b) CONTENTS.—Each assessment required under subsection (a) shall include—

(1) a description of the intended primary capabilities of each space program that is a major defense acquisition program and the level of operability of each program segment of such space program at the time of such assessment;

(2) a schedule for the deployment of such intended primary capabilities of such space program in each such program segment and in such space program as a whole;

(3) for each such space program for which a primary capability of such program will be operable by one program segment at least one year after the date on which such capability is operable by another program segment—

(A) an explanation of the reasons that such primary capability will be operable by one program segment at least one year after the date such capability is operable by another program segment; and

(B) an identification of the steps the Department is taking to improve the alignment of when the program segments become operable and the related challenges, costs, and risks; and

(4) a description of the impact on the mission of such space program caused by such primary capability being operable by one program segment at least one year after the date such capability is operable by another program segment.

(c) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—The term “major defense acquisition program” has the meaning given the term in section 2430 of title 10, United States Code.

(2) PROGRAM SEGMENT.—The term “program segment” means, with respect to a space program that is a major defense acquisition program, the following segments:

(A) The portion of such program that is satellite-based.

(B) The portion of such program that is ground-based.

(C) The portion of such program that is operated by the end-user.

SEC. 912. REPORT ON OVERHEAD PERSISTENT INFRARED TECHNOLOGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there are significant investments in overhead persistent infrared technology that span multiple agencies and support a variety of missions, including missile warning, missile defense, battle space awareness, and technical intelligence; and

(2) further efforts should be made to fully exploit overhead persistent infrared sensor data.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of

the Senate a report on overhead persistent infrared technology that includes—

(1) an assessment of whether there are further opportunities for the Department of Defense and the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) to capitalize on increased data sharing, fusion, interoperability, and exploitation; and

(2) recommendations on how to better coordinate the efforts by the Department and the intelligence community to exploit overhead persistent infrared sensor data.

(c) **COMPTROLLER GENERAL ASSESSMENT.**—Not later than 90 days after the date on which the Secretary of Defense submits the report required under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the report required under subsection (b), including—

(1) an assessment of whether such report is comprehensive, fully supported, and sufficiently detailed; and

(2) an identification of any shortcomings, limitations, or other reportable matters that affect the quality or findings of the report required under subsection (b).

SEC. 913. PROHIBITION ON USE OF FUNDS TO IMPLEMENT INTERNATIONAL AGREEMENT ON SPACE ACTIVITIES THAT HAS NOT BEEN RATIFIED BY THE SENATE OR AUTHORIZED BY STATUTE.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or any other Act may be used by the Secretary of Defense or the Director of National Intelligence to limit the activities of the Department of Defense or the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) in outer space to implement or comply with an international agreement concerning outer space activities unless such agreement is ratified by the Senate or authorized by statute.

(b) **REPORT ON INTERNATIONAL AGREEMENT NEGOTIATIONS.**—

(1) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Defense shall submit to the appropriate congressional committees a report on the progress of negotiations on an international agreement concerning outer space activities. Such report shall include a description of which foreign countries have agreed to sign such an international agreement and any implications that the draft of the agreement being negotiated may have on both classified and unclassified military and intelligence activities of the United States in outer space.

(2) **FORM.**—

(A) **UNCLASSIFIED.**—Except as provided in subparagraph (B), each report required under paragraph (1) shall be submitted in unclassified form.

(B) **CLASSIFIED ANNEX.**—The Secretary of Defense may submit to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate a classified annex to a report required under paragraph (1) containing any classified information required to be submitted for such report.

(3) **TERMINATION DATE.**—The requirement to submit a report under paragraph (1) shall cease to apply on the date on which the President submits to the appropriate congressional committees a certification that the United States is no longer involved in negotiations on an international agreement concerning outer space activities.

(4) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Science, Space, and Technology of the House of Representatives; and

(B) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate.

(c) **REPORT ON FOREIGN COUNTER-SPACE PROGRAMS.**—

(1) **REPORT REQUIRED.**—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2275. Report on foreign counter-space programs

“(a) **REPORT REQUIRED.**—Not later than January 1 of each year, the Secretary of Defense shall submit to Congress a report on the counter-space programs of foreign countries.

“(b) **CONTENTS.**—Each report required under subsection (a) shall include—

“(1) an explanation of whether any foreign country has a counter-space program that could be a threat to the national security or commercial space systems of the United States; and

“(2) the name of each country with a counter-space program described in paragraph (1).

“(c) **FORM.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), each report required under subsection (a) shall be submitted in unclassified form.

“(2) **CLASSIFIED ANNEX.**—The Secretary of Defense may submit to the covered congressional committees a classified annex to a report required under subsection (a) containing any classified information required to be submitted for such report.

“(3) **FOREIGN COUNTRY NAMES.**—

“(A) **UNCLASSIFIED FORM.**—Subject to subparagraph (B), each report required under subsection (a) shall include the information required under subsection (b)(2) in unclassified form.

“(B) **NATIONAL SECURITY WAIVER.**—The Secretary of Defense may waive the requirement under subparagraph (A) if the Secretary determines it is in the interests of national security to waive such requirement and submits to Congress an explanation of why the Secretary waived such requirement.

“(d) **PROHIBITION ON USE OF FUNDS FOR NON-COMPLIANCE.**—If in any fiscal year the Secretary of Defense does not submit a report required under subsection (a) on or before the date on which such report is required to be submitted, none of the funds authorized to be appropriated by any Act for such fiscal year for activities of the Department of Defense may be used for travel related to the negotiation of an international agreement concerning outer space activities until such report is submitted.

“(e) **COVERED CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term ‘covered congressional committees’ means the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by adding at the end the following new item:

“2275. Report on foreign counter-space programs.”

SEC. 914. ASSESSMENT OF FOREIGN COMPONENTS AND THE SPACE LAUNCH CAPABILITY OF THE UNITED STATES.

(a) **ASSESSMENT.**—The Secretary of the Air Force shall enter into an agreement with a

federally funded research and development center to conduct an independent assessment of the national security implications of continuing to use foreign component and propulsion systems for the launch vehicles under the evolved expendable launch vehicle program.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the congressional defense committees a report on the assessment conducted under subsection (a).

SEC. 915. REPORT ON COUNTER SPACE TECHNOLOGY.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report based on all available information describing key space technologies that could be used, or are being sought, by a foreign country with a counter space or ballistic missile program, and should be subject to export controls by the United States or an ally of the United States, as appropriate.

(b) **FORM.**—Each report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 916. COMMERCIAL SPACE LAUNCH COOPERATION.

(a) **IN GENERAL.**—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2276. Commercial space launch cooperation

“(a) **AUTHORITY.**—The Secretary of Defense may take such actions as the Secretary considers to be in the best interest of the Federal Government to—

“(1) maximize the use of the capacity of the space transportation infrastructure of the Department of Defense by the private sector in the United States;

“(2) maximize the effectiveness and efficiency of the space transportation infrastructure of the Department of Defense;

“(3) reduce the cost of services provided by the Department of Defense related to space transportation infrastructure at launch support facilities and space recovery support facilities;

“(4) encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department of Defense; and

“(5) foster cooperation between the Department of Defense and covered entities.

“(b) **AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.**—The Secretary of Defense—

“(1) may enter into an agreement with a covered entity to provide the covered entity with support and services related to the space transportation infrastructure of the Department of Defense; and

“(2) upon the request of such covered entity, may include such support and services in the space launch and reentry range support requirements of the Department of Defense if—

“(A) the Secretary determines that the inclusion of such support and services in such requirements—

“(i) is in the best interest of the Federal Government;

“(ii) does not interfere with the requirements of the Department of Defense; and

“(iii) does not compete with the commercial space activities of other covered entities, unless that competition is in the national security interests of the United States; and

“(B) any commercial requirement included in the agreement has full non-Federal funding before the execution of the agreement.

“(c) CONTRIBUTIONS.—

“(1) IN GENERAL.—The Secretary of Defense may enter into an agreement with a covered entity on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

“(2) USE OF CONTRIBUTIONS.—Any funds, services, or equipment accepted by the Secretary under this subsection—

“(A) may be used only for the objectives specified in this section in accordance with terms of use set forth in the agreement entered into under this subsection; and

“(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

“(3) REQUIREMENTS WITH RESPECT TO AGREEMENTS.—An agreement entered into with a covered entity under this subsection—

“(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the agreement; and

“(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other agreement with the United States.

“(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a special account to be known as the ‘Defense Cooperation Space Launch Account’.

“(2) CREDITING OF FUNDS.—Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

“(3) USE OF FUNDS.—Funds deposited in the Defense Cooperation Space Launch Account under paragraph (2) are authorized to be appropriated and shall be available for obligation only to the extent provided in advance in an appropriation Act for costs incurred by the Department of Defense in carrying out subsection (b). Funds in the Account shall remain available until expended.

“(e) ANNUAL REPORT.—Not later than January 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the funds, services, and equipment accepted and used by the Secretary under this section during the preceding fiscal year.

“(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

“(g) DEFINITIONS.—In this section:

“(1) COVERED ENTITY.—The term ‘covered entity’ means a non-Federal entity that—

“(A) is organized under the laws of the United States or of any jurisdiction within the United States; and

“(B) is engaged in commercial space activities.

“(2) LAUNCH SUPPORT FACILITIES.—The term ‘launch support facilities’ has the meaning given the term in section 50501(7) of title 51.

“(3) SPACE RECOVERY SUPPORT FACILITIES.—The term ‘space recovery support facilities’ has the meaning given the term in section 50501(11) of title 51.

“(4) SPACE TRANSPORTATION INFRASTRUCTURE.—The term ‘space transportation infrastructure’ has the meaning given that term in section 50501(12) of title 51.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2276. Commercial space launch cooperation.”

Subtitle C—Intelligence-Related Activities

SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO CERTAIN SECURITY ALLIANCES AND REGIONAL ORGANIZATIONS.

(a) AUTHORIZATION.—Section 443(a) of title 10, United States Code, is amended—

(1) by striking “The Director” and inserting “(1) Subject to paragraph (2), the Director”;

(2) by striking “foreign countries” and inserting “foreign countries, regional organizations with defense or security components, and security alliances of which the United States is a member”; and

(3) by adding at the end the following new paragraph:

“(2) In each case in which the Director of the National Geospatial-Intelligence Agency provides imagery intelligence or geospatial information support to a regional organization or security alliance under paragraph (1), the Director shall—

“(A) ensure that such intelligence and such support are not provided by such regional organization or such security alliance to any other person or entity;

“(B) notify the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate, that the Director has provided such intelligence or such support; and

“(C) coordinate the provision of such intelligence and such support with the commander of the appropriate combatant command.”

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 443 of title 10, United States Code, is amended by striking “foreign countries” and inserting “foreign countries, regional organizations, and security alliances”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 22 of title 10, United States Code, is amended by striking the item relating to section 443 and inserting the following new item:

“443. Imagery intelligence and geospatial information: support for foreign countries, regional organizations, and security alliances.”

SEC. 922. TECHNICAL AMENDMENTS TO REFLECT CHANGE IN NAME OF NATIONAL DEFENSE INTELLIGENCE COLLEGE TO NATIONAL INTELLIGENCE UNIVERSITY.

(a) CONFORMING AMENDMENTS TO REFLECT NAME CHANGE.—Section 2161 of title 10, United States Code, is amended by striking “National Defense Intelligence College” each place it appears and inserting “National Intelligence University”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§2161. Degree granting authority for National Intelligence University”.

(2) TABLE OF SECTIONS.—The item related to such section in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

“2161. Degree granting authority for National Intelligence University.”

Subtitle D—Total Force Management

SEC. 931. LIMITATION ON CERTAIN FUNDING UNTIL CERTIFICATION THAT INVENTORY OF CONTRACTS FOR SERVICES HAS BEGUN.

(a) LIMITATION ON FUNDING FOR CERTAIN OFFICES.—Of the funds authorized to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for

the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics; the Office of the Assistant Secretary of the Navy for Research, Development, and Acquisition; and the Office of the Assistant Secretary of the Air Force for Acquisition may be obligated or expended until the certification described in subsection (c) is submitted.

(b) LIMITATION ON FUNDING FOR OTHER CONTRACTS.—Of the funds authorized for other contracts or other services to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Secretary of Defense, the Department of the Navy, and the Department of the Air Force may be obligated or expended until the certification described in subsection (c) is submitted.

(c) CERTIFICATION.—The certification described in this subsection is a certification in writing submitted to the congressional defense committees and made by the Secretary of Defense that the collection of data for purposes of meeting the requirements of section 2330a of title 10, United States Code, has begun.

(d) DEFINITION.—In this section, the term “other contracts or other services” means funding described in line 0989 within Exhibit OP-32 of the justification materials accompanying the President’s budget request for fiscal year 2013.

SEC. 932. REQUIREMENT TO ENSURE SUFFICIENT LEVELS OF GOVERNMENT MANAGEMENT, CONTROL, AND OVERSIGHT OF FUNCTIONS CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS.

Section 129a of title 10, United States Code, is amended—

(1) in subparagraph (B) of subsection (f)(3), by inserting after “Government” the following: “management, control, and”; and

(2) by adding at the end the following new subsection:

“(g) REQUIREMENT FOR MANAGEMENT, CONTROL, AND OVERSIGHT OR APPROPRIATE CORRECTIVE ACTIONS.—For purposes of subsection (f)(3)(B), if insufficient levels of Government management, control, and oversight are found, the Secretary of the military department or head of the Defense agency responsible shall provide such management, control, and oversight or take appropriate corrective actions, including potential conversion to Government performance, consistent with this section and sections 129 and 2463 of this title.”

SEC. 933. SPECIAL MANAGEMENT ATTENTION REQUIRED FOR CERTAIN FUNCTIONS IDENTIFIED IN INVENTORY OF CONTRACTS FOR SERVICES.

Subparagraph (C) of section 2330a(e)(2) of title 10, United States Code, is amended to read as follows:

“(C) special management attention is being given to functions identified in the inventory as being closely associated with inherently governmental functions; and”.

Subtitle E—Cyberspace-Related Matters

SEC. 941. MILITARY ACTIVITIES IN CYBERSPACE.

Section 954 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1551) is amended to read as follows:

“SEC. 954. MILITARY ACTIVITIES IN CYBERSPACE.

“(a) AFFIRMATION.—Congress affirms that the Secretary of Defense is authorized to conduct military activities in cyberspace.

“(b) AUTHORITY DESCRIBED.—The authority referred to in subsection (a) includes the authority to carry out a clandestine operation in cyberspace—

“(1) in support of a military operation pursuant to the Authorization for Use of Military Force (50 U.S.C. 1541 note; Public Law

107-40) against a target located outside of the United States; or

“(2) to defend against a cyber attack against an asset of the Department of Defense.

“(C) RULE OF CONSTRUCTION REGARDING AUTHORITY IN CYBERSPACE.—Nothing in this section shall be construed to limit the authority of the Secretary of Defense to conduct military activities in cyberspace.

“(D) RULE OF CONSTRUCTION REGARDING COVERT ACTIONS.—Nothing in this section shall be construed to authorize a covert action (as defined in section 503(e) of the National Security Act of 1947 (50 U.S.C. 413b(e))) or modify the requirements of section 503 of such Act (50 U.S.C. 413b).

“(E) CONGRESSIONAL NOTIFICATION.—Consistent with, and in addition to, any other reporting requirements under law, the Secretary of Defense shall ensure that the congressional intelligence committees (as defined in section 3(7) of the National Security Act of 1947 (50 U.S.C. 401a(7))) are kept fully and currently informed of any intelligence or intelligence-related activities undertaken in support of military activities in cyberspace.”.

SEC. 942. QUARTERLY CYBER OPERATIONS BRIEFINGS.

(a) BRIEFINGS.—Chapter 23 of title 10, United States Code, is amended by inserting after section 483 the following new section:

“§ 484. Quarterly cyber operations briefings

“The Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate quarterly briefings on all offensive and significant defensive military operations in cyberspace carried out by the Department of Defense during the immediately preceding quarter.”.

(b) INITIAL BRIEFING.—The first briefing required under section 484 of title 10, United States Code, as added by subsection (a), shall be provided not later than March 1, 2013.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of title 10, United States Code, is amended by inserting after the item relating to section 483 the following new item:

“484. Quarterly cyber operations briefings.”.

Subtitle F—Other Matters

SEC. 951. ADVICE ON MILITARY REQUIREMENTS BY CHAIRMAN OF JOINT CHIEFS OF STAFF AND JOINT REQUIREMENTS OVERSIGHT COUNCIL.

(a) AMENDMENTS RELATED TO CHAIRMAN OF JOINT CHIEFS OF STAFF.—Section 153(a)(4) of title 10, United States Code, is amended by striking subparagraph (F) and inserting the following new subparagraphs:

“(F) Identifying, assessing, and approving military requirements (including existing systems and equipment) to meet the national military strategy.

“(G) Recommending to the Secretary appropriate trade-offs among life-cycle cost, schedule, and performance objectives to ensure that such trade-offs are made in the acquisition of materiel and equipment to meet military requirements in a manner that best supports the strategic and contingency plans required by subsection (a).”.

(b) AMENDMENTS RELATED TO JROC.—Section 181(b) of such title is amended—

(1) in paragraph (1)(C), by striking “in ensuring” and all that follows through “requirements” and inserting the following: “in ensuring that appropriate trade-offs are made among life-cycle cost, schedule, and performance objectives in the acquisition of materiel and equipment to meet military requirements”; and

(2) in paragraph (3), by striking “such resource level” and inserting “the total cost of such resources”.

(c) AMENDMENTS RELATED CHIEFS OF ARMED FORCES.—Section 2547(a) of such title is amended—

(1) in paragraph (1), by striking “of requirements relating to the defense acquisition system” and inserting “and certification of requirements for equipping the armed force concerned”;;

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) The recommendation of trade-offs among life-cycle cost, schedule, and performance objectives to ensure acquisition programs to equip the armed force concerned deliver best value.

“(4) Termination of development or procurement programs that fail to meet life-cycle cost, schedule, and performance objectives.”.

SEC. 952. EXPANSION OF PERSONS ELIGIBLE FOR EXPEDITED FEDERAL HIRING FOLLOWING COMPLETION OF NATIONAL SECURITY EDUCATION PROGRAM SCHOLARSHIP.

Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended to read as follows:

“(K) EMPLOYMENT OF PROGRAM PARTICIPANTS.—

“(1) APPOINTMENT AUTHORITY.—The Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, or the head of a Federal agency or office identified by the Secretary of Defense under subsection (g) as having national security responsibilities—

“(A) may, without regard to any provision of title 5 governing appointments in the competitive service, appoint an eligible program participant—

“(i) to a position in the excepted service that is certified by the Secretary of Defense under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or

“(ii) subject to clause (ii) of such subsection, to a position in the excepted service in such Federal agency or office identified by the Secretary; and

“(B) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of subparagraph (A), convert the appointment of such individual, without competition, to a career or career conditional appointment.

“(2) TREATMENT OF CERTAIN SERVICE.—In the case of an eligible program participant described in clause (ii) or (iii) of paragraph (3)(B) who receives an appointment under paragraph (1)(A), the head of a Department or Federal agency or office referred to in paragraph (1) may count any period that the individual served in a position with the Federal Government towards satisfaction of the service requirement under paragraph (1)(B) if that service—

“(A) in the case of an appointment under clause (i) of paragraph (1)(A), was in a position that is identified under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or

“(B) in the case of an appointment under clause (ii) of paragraph (1)(A), was in the Federal agency or office in which the appointment under that clause is made.

“(3) ELIGIBLE PROGRAM PARTICIPANT DEFINED.—In this subsection, the term ‘eligible program participant’ means an individual who—

“(A) has successfully completed an academic program for which a scholarship or fellowship under this section was awarded; and

“(B) at the time of the appointment of the individual to an excepted service position under paragraph (1)(A)—

“(i) under the terms of the agreement for such scholarship or fellowship, owes a service commitment to a Department or Federal agency or office referred to in paragraph (1);

“(ii) is employed by the Federal Government under a non-permanent appointment to a position in the excepted service that has national security responsibilities; or

“(iii) is a former civilian employee of the Federal Government who has less than a one-year break in service from the last period of Federal employment of such individual in a non-permanent appointment in the excepted service with national security responsibilities.”.

SEC. 953. ANNUAL BRIEFING TO CONGRESSIONAL DEFENSE COMMITTEES ON CERTAIN WRITTEN POLICY GUIDANCE.

Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) The Secretary of Defense shall provide an annual briefing to the congressional defense committees on the written policy guidance provided under paragraphs (1) and (2).”.

SEC. 954. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NON-GOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) EXTENSION.—Paragraph (1) of section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 184 note), is amended by striking “through 2012” and inserting “through 2013”.

(b) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess—

(1) the effectiveness of the Regional Centers for Security Studies in meeting the Centers’ objectives and advancing the priorities of the Department of Defense;

(2) the extent to which the Centers perform a unique function within the interagency community or the extent to which there are similar or duplicative efforts within the Department of Defense or the Department of State;

(3) the measures of effectiveness and impact indicators each Regional Center uses to internally evaluate its programs;

(4) the oversight mechanisms within the Department of Defense with respect to the Regional Centers; and

(5) the costs and benefits to the Department of Defense of waiving reimbursement costs for personnel of nongovernmental organizations and international organizations to participate in activities of the Centers on an ongoing basis.

(c) REPORT.—Not later than March 1, 2013, the Comptroller General shall submit to the Committees on Armed Services and on Foreign Relations of the Senate and the Committees on Armed Services and on Foreign Affairs of the House of Representatives a report on the assessment required by subsection (b).

SEC. 955. NATIONAL LANGUAGE SERVICE CORPS.

(a) CHARTER FOR NATIONAL LANGUAGE SERVICE CORPS.—The David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

“SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.

“(a) ESTABLISHMENT.—

“(1) The Secretary of Defense shall establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the ‘Corps’).

“(2) The purpose of the Corps is to provide a pool of personnel with foreign language skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of Defense or another department or agency of the United States.

“(b) NATIONAL SECURITY EDUCATION BOARD.—The Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

“(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps. Members of the Corps may include employees of the Federal Government and of State and local governments.

“(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

“(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States.

“(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be merged with amounts in such account, and shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.

“(g) USEREA APPLICABILITY.—For purposes of the applicability of chapter 43 of title 38, United States Code, to a member of the Corps—

“(1) a period of active service in the Corps shall be deemed to be service in the uniformed services; and

“(2) the Corps shall be deemed to be a uniformed service.”.

(b) NATIONAL SECURITY EDUCATION BOARD MATTERS.—

(1) COMPOSITION.—Subsection (b) of section 803 of such Act (50 U.S.C. 1903) is amended—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

“(5) The Secretary of Homeland Security.

“(6) The Secretary of Energy.

“(7) The Director of National Intelligence.”.

(2) FUNCTIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

“(A) identifying and assessing on a periodic basis the needs of the departments and agencies of the Federal Government for personnel with skills in various foreign languages;

“(B) establishing plans to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

“(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal Government that use those skills;

“(D) coordinating activities with Executive agencies and State and Local governments to develop interagency plans and agreements to address overall foreign lan-

guage shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills; and

“(E) proposing to the Secretary regulations to carry out section 813.”.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$3,500,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

SEC. 1003. ANNUAL REPORT ON ARMED FORCES UNFUNDED PRIORITIES.

(a) REPORT REQUIRED.—Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, each member of the Joint Chiefs of Staff specified in subsection (b) and the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report containing a list of the unfunded priorities for the Armed Force under the jurisdiction of that member or commander.

(b) COVERED MILITARY SERVICE CHIEFS.—The reports required by subsection (a) shall be submitted by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of the National Guard Bureau.

(c) UNFUNDED PRIORITIES DEFINED.—In this section, the term “unfunded priorities”, with

respect to a report required by subsection (a) for a fiscal year, means a program or mission requirement that—

(1) has not been selected for funding in the proposed budget for the fiscal year;

(2) is necessary to fulfill a requirement associated with a combatant commander operational or contingency plan or other validated global force requirement; and

(3) the officer submitting the report would have recommended for inclusion in the proposed budget for the fiscal year had additional resources been available or had the requirement emerged before the budget was submitted.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF THE AUTHORITY OF THE CHIEF OF THE NATIONAL GUARD BUREAU TO ESTABLISH AND OPERATE NATIONAL GUARD COUNTERDRUG SCHOOLS.

Section 901 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3536; 32 U.S.C. 112 note) is amended—

(1) in subsection (c)—

(A) by striking paragraph (1) and redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(B) by adding at the end the following new paragraph:

“(5) The Western Regional Counterdrug Training Center, Camp Murray, Washington.”;

(2) by striking subsection (f) and redesignating subsection (g) as subsection (f); and

(3) in subsection (f)(1), as so redesignated, by striking “fiscal years 2006 through 2010” and inserting “fiscal years 2013 through 2017”.

SEC. 1012. REPORTING REQUIREMENT ON EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

Section 1022(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-255), as most recently amended by the section 1008 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1558), is further amended by striking “February 15, 2012” and inserting “February 15, 2013”.

SEC. 1013. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1558), is amended—

(1) in subsection (a), by striking “2012” and inserting “2013”; and

(2) in subsection (c), by striking “2012” and inserting “2013”.

SEC. 1014. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1594; 10 U.S.C. 371 note) is amended by striking “2012” and inserting “2013”.

SEC. 1015. SENSE OF CONGRESS REGARDING THE COUNTERDRUG TETHERED AEROSTAT RADAR SYSTEM PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Since 1992, the Air Force has administered the Counterdrug Tethered Aerostat Radar System (TARS) program, which contributes to deterring and detecting smugglers moving illicit drugs into the United States.

(2) There are eight current tethered aerostat systems, located at Yuma, Arizona, Fort

Huachuca, Arizona, Deming, New Mexico, Marfa, Texas, Eagle Pass, Texas, Rio Grande City, Texas, Cudjoe Key, Florida, and Lajas, Puerto Rico.

(3) Primary customers of the surveillance data from the TARS program are the Department of Homeland Security, the United States Northern Command, the United States Southern Command, and the North American Aerospace Defense Command.

(4) In the past two years, the radars in two of the eight tethered aerostat systems have been destroyed in strong weather conditions, namely the radar at Lajas, Puerto Rico, which was destroyed in April 2011, and the radar at Marfa, Texas, which was destroyed in February 2012.

(5) The Air Force has indicated that it does not have sufficient spare parts in its inventory to replace either of these two radars or the funding necessary to purchase any new radars. As a result, there are no current plans to resume operations at Lajas, Puerto Rico or Marfa, Texas.

(6) The loss of these two tethered aerostats systems substantially degrades counterdrug capabilities in the Caribbean corridor and along the Southwest border.

(7) The loss of the tethered aerostat system in Lajas, Puerto Rico, is particularly detrimental to the national counterdrug mission. In Section 1023 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), Congress found that—

(A) “Drug traffickers use the Caribbean corridor to smuggle narcotics to the United States via Puerto Rico and the Dominican Republic. This route is ideal for drug trafficking because of its geographic expanse, numerous law enforcement jurisdictions, and fragmented investigative efforts.”; and

(B) “The tethered aerostat system in Lajas, Puerto Rico, contributes to deterring and detecting smugglers moving illicit drugs into Puerto Rico. The aerostat’s range and operational capabilities allow it to provide surveillance coverage of the eastern Caribbean corridor and the strategic waterway between Puerto Rico and the Dominican Republic, known as the Mona Passage.”

(8) In such section 1023, Congress expressed that “Congress and the Department of Defense should fund the Counter-Drug Tethered Aerostat program.”

(9) In recent years, Puerto Rico and the United States Virgin Islands have been increasingly impacted by the drug trade and related violence. Both jurisdictions have homicide rates that are roughly six times the national average and about three times higher than any State, and many of these homicides are linked to the drug trade.

(10) The Department of Defense has raised questions as to whether it should continue to administer the TARS program or, alternatively, whether responsibility for this program should be vested in the Department of Homeland Security.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), it is the sense of Congress that—

(1) irrespective of whether the Department of Defense continues to be responsible for the Counterdrug Tethered Aerostat Radar System (TARS) program or such responsibility is assigned to another agency, Congress and the responsible agency should fund the TARS program; and

(2) Congress and the responsible agency should take all appropriate steps to ensure that the eight current tethered aerostat systems are fully functional and, in particular, to ensure that the TARS program is providing coverage to protect jurisdictions of the United States in the Caribbean region, as well as jurisdictions of the United States along the United States-Mexico border and in the Florida Straits.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 303), as most recently amended by section 1015 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4586), is amended by striking “Secretary of Defense” and all that follows through the period and inserting the following: “Secretary the Navy notifies the congressional defense committees that, as a result of a cost-benefit analysis, it would not be practical for the Navy to design the class of ships with an integrated nuclear power system.”

SEC. 1022. LIMITATION ON AVAILABILITY OF FUNDS FOR DELAYED ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

(a) IN GENERAL.—Section 231 of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e)(1) If the Secretary of Defense does not include with the defense budget materials for a fiscal year the plan and certification under subsection (a), the Secretary of the Navy may not use more than 50 percent of the funds described in paragraph (2) during the fiscal year in which such materials are submitted until the date on which such plan and certification are submitted to the congressional defense committees.

“(2) The funds described in this paragraph are funds made available to the Secretary of the Navy for operation and maintenance, Navy, for emergencies and extraordinary expenses.”

(b) CONFORMING AMENDMENT.—Section 12304b(i) of title 10, United States Code, is amended by striking “231(e)(2)” and inserting “section 231(f)(2)”.

Subtitle D—Counterterrorism

SEC. 1031. FINDINGS ON DETENTION PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE ENACTED IN 2001.

Congress finds the following:

(1) In 2001, Congress passed, and the President signed, the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) (hereinafter referred to as the “AUMF”), which authorized the President to “use all necessary and appropriate force” against those responsible for the attacks of September 11, 2001, and those who harbored them “in order to prevent any future acts of international terrorism against the United States”.

(2) In 2004, the Supreme Court held in *Hamdi v. Rumsfeld* that the AUMF authorized the President to detain individuals, including a United States citizen captured in Afghanistan and later detained in the United States, legitimately determined to be “engaged in armed conflict against the United States” until the end of hostilities, noting that “[W]e understand Congress’ grant of authority for the use of ‘necessary and appropriate force’ to include the authority to detain for the duration of the relevant conflict, and our understanding is based on long-standing law-of-war principles”.

(3) The Court reaffirmed the long-standing principle of American law that a United States citizen may not be detained in the United States pursuant to the AUMF without due process of law, stating the following:

(A) “Striking the proper constitutional balance here is of great importance to the Nation during this period of ongoing combat.

But it is equally vital that our calculus not give short shrift to the values that this country holds dear or to the privilege that is American citizenship.”

(B) “It is during our most challenging and uncertain moments that our Nation’s commitment to due process is most severely tested; and it is in those times that we must preserve our commitment at home to the principles for which we fight abroad.”

(C) “[A] state of war is not a blank check for the President when it comes to the rights of the Nation’s citizens.”

(D) “[A]bsent suspension, the writ of habeas corpus remains available to every individual detained within the United States.”

(E) “All agree suspension of the writ has not occurred here.”

(F) “[A]n enemy combatant must receive notice of the factual basis for his classification, and a fair opportunity to rebut the Government’s factual assertions before a neutral decisionmaker.”

(G) “Whatever power the United States Constitution envisions for the Executive in its exchanges with other nations or with enemy organizations in times of conflict, it most assuredly envisions a role for all three branches when individual liberties are at stake.”

(H) “[U]nless Congress acts to suspend it, the Great Writ of habeas corpus allows the Judicial Branch to play a necessary role in maintaining this delicate balance of governance, serving as an important judicial check on the Executive’s discretion in the realm of detentions.”

(I) “We reaffirm today the fundamental nature of a citizen’s right to be free from involuntary confinement by his own government without due process of law, and we weigh the opposing governmental interests against the curtailment of liberty that such confinement entails.”

(4) In 2008, in *Boumediene v. Bush*, the Supreme Court also extended the constitutional right to habeas corpus to the foreign detainees held pursuant to the AUMF at the United States Naval Station, Guantanamo Bay, Cuba.

(5) Chapter 47A of title 10, United States Code, as originally enacted by the Military Commissions Act of 2006 (Public Law 109-366), only allows for prosecution of foreign terrorists by military commission.

(6) In 2011, with the enactment of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), Congress and the President affirmed the authority of the Armed Forces of the United States to detain pursuant to the AUMF a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored those responsible for those attacks, or a person who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces.

(7) The interpretation of the detention authority provided by the AUMF under the National Defense Authorization Act for Fiscal Year 2012 is the same as the interpretation used by the Obama administration in its legal filings in Federal court and is nearly identical to the interpretation used by the Bush administration. This interpretation has also been upheld by the United States Court of Appeals for the District of Columbia Circuit.

(8) Such Act also requires the Secretary of Defense to regularly brief Congress regarding the application of the detention authority provided by the AUMF.

(9) Section 1021 of such Act states that “Nothing in this section shall be construed

to affect existing law or authorities relating to the detention of United States citizens, lawful resident aliens of the United States, or any other persons who are captured or arrested in the United States.”.

SEC. 1032. FINDINGS REGARDING HABEAS CORPUS RIGHTS.

Congress finds the following:

(1) Article 1, section 9 of the Constitution states “The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.”.

(2) Regarding the Great Writ, the Supreme Court has noted “The writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action.”.

SEC. 1033. RIGHTS UNAFFECTED.

(a) **RULE OF CONSTRUCTION.**—Nothing in the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) or the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) shall be construed to deny the availability of the writ of habeas corpus or to deny any Constitutional rights in a court ordained or established by or under Article III of the Constitution for any person who is lawfully in the United States when detained pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) and who is otherwise entitled to the availability of such writ or such rights.

(b) **NOTIFICATION OF DETENTION OF PERSONS UNDER AUTHORIZATION FOR USE OF MILITARY FORCE.**—Not later than 48 hours after the date on which a person who is lawfully in the United States is detained pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note), the President shall notify Congress of the detention of such person.

(c) **HABEAS APPLICATIONS.**—A person who is lawfully in the United States when detained pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) shall be allowed to file an application for habeas corpus relief in an appropriate district court not later than 30 days after the date on which such person is placed in military custody.

SEC. 1034. EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.

(a) **EXTENSION.**—Section 127b(c)(3)(C) of title 10, United States Code, is amended by striking “September 30, 2013” and inserting “September 30, 2014”.

(b) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that outlines the future requirements and authorities to make rewards for combating terrorism. The report shall include—

(1) an analysis of future requirements under section 127b of title 10, United States Code;

(2) a detailed description of requirements for rewards in support of operations with allied forces; and

(3) an overview of geographic combatant commander requirements through September 30, 2014.

SEC. 1035. PROHIBITION ON TRAVEL TO THE UNITED STATES FOR CERTAIN DETAINEES REPATRIATED TO THE FEDERATED STATES OF MICRONESIA, THE REPUBLIC OF PALAU, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) **PROHIBITION ON TRAVEL TO THE UNITED STATES.**—Notwithstanding any provision of the applicable Compact of Free Association described in subsection (c), an individual described in subsection (b) who has been repatriated to the Federated States of Micro-

nesia, the Republic of the Marshall Islands, or the Republic of Palau may not be afforded the rights and benefits put forth in section 141 of such applicable Compact of Free Association.

(b) **INDIVIDUAL DESCRIBED.**—An individual described in this subsection is an individual who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is or was located at United States Naval Station, Guantanamo Bay, Cuba, on or after September 11, 2001, while—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(c) **APPLICABLE COMPACT OF FREE ASSOCIATION.**—The applicable Compact of Free Association described in this subsection is—

(1) with respect to an individual repatriated to the Federal States of Micronesia, the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia as set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188; 48 U.S.C. 1921 note);

(2) with respect to an individual repatriated to the Republic of the Marshall Islands, the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands as set forth in section 201(b) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188; 48 U.S.C. 1921 note); and

(3) with respect to an individual repatriated to the Republic of Palau, the Compact of Free Association between the Government of the United States of America and the Government of Palau as set forth in section 201 of the joint resolution entitled “A Joint Resolution to approve the ‘Compact of Free Association’ between the United States and the Government of Palau, and for other purposes”, approved November 14, 1986 (Public Law 99-658; 48 U.S.C. 1931 note).

SEC. 1036. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated by this Act for fiscal year 2013 may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1037. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) **CERTIFICATION REQUIRED PRIOR TO TRANSFER.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense for fiscal year 2013 to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in sub-

section (b) not later than 30 days before the transfer of the individual.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) **CERTIFICATION.**—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary’s certifications.

(c) **PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.**—

(1) **PROHIBITION.**—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual’s country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) **NATIONAL SECURITY WAIVER.**—

(1) **IN GENERAL.**—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by subsection (c) and, with the concurrence of the Secretary of State and in

consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) **REPORTS.**—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States; and

(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 1038. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **IN GENERAL.**—No amounts authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2013 may be used to construct or modify any facility in the United States, its territories,

or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) **EXCEPTION.**—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” has the meaning given that term in section 1037(e)(2).

SEC. 1039. REPORTS ON RECIDIVISM OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, THAT HAVE BEEN TRANSFERRED TO FOREIGN COUNTRIES.

(a) **REPORT ON FACTORS CAUSING OR CONTRIBUTING TO RECIDIVISM.**—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for five years, the Director of the Defense Intelligence Agency, in consultation with the head of each element of the intelligence community that the Director considers appropriate, shall submit to the covered congressional committees a report assessing the factors that cause or contribute to the recidivism of individuals detained at Guantanamo that are transferred or released to a foreign country, including a discussion of trends, by country and region, where recidivism has occurred.

(b) **REPORT ON EFFECTIVENESS OF INTERNATIONAL AGREEMENTS.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, with the concurrence of the Secretary of Defense, shall submit to the covered congressional committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report assessing the effectiveness of international agreements relating to the transfer or release of individuals detained at Guantanamo between the United States and each foreign country to which an individual detained at Guantanamo has been transferred or released.

(c) **FORM.**—The reports required under subsections (a) and (b) shall be submitted in unclassified form, but may include a classified annex.

(d) **DEFINITIONS.**—In this section:

(1) **COVERED CONGRESSIONAL COMMITTEES.**—The term “covered congressional committees” means—

(A) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) **INDIVIDUAL DETAINED AT GUANTANAMO.**—The term “individual detained at Guantanamo” means any individual that is or was located at United States Naval Station, Guantanamo Bay, Cuba, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is or was—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1040. NOTICE AND REPORT ON USE OF NAVAL VESSELS FOR DETENTION OF INDIVIDUALS CAPTURED OUTSIDE AFGHANISTAN PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) **NOTICE TO CONGRESS.**—Not later than 5 days after first detaining an individual who is captured pursuant to the Authorization for Use of Military Force on a naval vessel outside the United States, the Secretary of

Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the detention.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of naval vessels for the detention outside the United States of any individual who is captured pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note). Such report shall include—

(A) procedures and any limitations on detaining such individuals at sea on board United States naval vessels;

(B) an assessment of any force protection issues associated with detaining such individuals on such vessels;

(C) an assessment of the likely effect of such detentions on the original mission of the naval vessel; and

(D) any restrictions on long-term detention of individuals on United States naval vessels.

(2) **FORM OF REPORT.**—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

SEC. 1041. NOTICE REQUIRED PRIOR TO TRANSFER OF CERTAIN INDIVIDUALS DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.

(a) **NOTICE REQUIRED.**—The Secretary of Defense shall submit to the appropriate congressional committees notice in writing of the proposed transfer of any individual detained pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) who is a national of a country other than the United States or Afghanistan from detention at the Detention Facility at Parwan, Afghanistan, to the custody of the Government of Afghanistan or of any other country. Such notice shall be provided not later than 10 days before such a transfer may take place.

(b) **ADDITIONAL ASSESSMENTS AND CERTIFICATIONS.**—As part of the notice required under subsection (a), the Secretary shall include the following:

(1) In the case of the proposed transfer of such an individual by reason of the individual being released, an assessment of the threat posed by the individual and the security environment of the country to which the individual is to be transferred.

(2) In the case of the proposed transfer of such an individual to a country other than Afghanistan for the purpose of the prosecution of the individual, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of the country with respect to prosecuting similar cases, including a description of the evidence against the individual that is likely to be admissible as part of the prosecution.

(3) In the case of the proposed transfer of such an individual for reintegration or rehabilitation in a country other than Afghanistan, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track records of the country for reintegrating or rehabilitating similar individuals.

(4) In the case of the proposed transfer of such an individual to the custody of the government of Afghanistan for prosecution or detention, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of Afghanistan to prosecute or detain long-term such individuals.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the Committee on Armed Services

and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1042. REPORT ON RECIDIVISM OF INDIVIDUALS FORMERLY DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the relevant congressional committees a report that—

(1) assesses recidivism rates and the factors that cause or contribute to the recidivism of individuals formerly detained at the Detention Facility at Parwan, Afghanistan, who are transferred or released, with particular emphasis on individuals transferred or released in connection with reconciliation efforts or peace negotiations; and

(2) includes a general rationale of the Commander, International Security Assistance Force, as to why such individuals were released.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “relevant congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1043. ADDITIONAL REQUIREMENTS RELATING TO THE TRANSFER OF INDIVIDUALS DETAINED AT GUANTANAMO TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

Section 1028 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) is amended—

(1) in subsection (a)(1)—

(A) by striking “the certification described in subsection (b) not later than 30 days before the transfer of the individual” and inserting “by not later than 90 days before the transfer each of the following;” and

(B) by adding at the end the following new subparagraphs:

“(A) The certification described in subsection (b).

“(B) An assessment of the likelihood that the individual to be transferred will engage in terrorist activity after the transfer takes place.

“(C) A detailed summary, in classified or unclassified form, of the individual’s history of associations with foreign terrorist organizations and the individual’s record of cooperation while in the custody of or under the effective control of the Department of Defense.”; and

(2) in subsection (d)(2)—

(A) by striking “30 days” and inserting “90 days”; and

(B) by adding at the end the following new subparagraphs:

“(E) An assessment of the likelihood that the individual to be transferred will engage in terrorist activity after the transfer takes place.

“(F) A detailed summary, in classified or unclassified form, of the individual’s history of associations with foreign terrorist organizations and the individual’s record of cooperation while in the custody of or under the effective control of the Department of Defense.”.

Subtitle E—Nuclear Forces

SEC. 1051. NUCLEAR WEAPONS EMPLOYMENT STRATEGY OF THE UNITED STATES.

(a) SENSE OF CONGRESS.—Subsection (a) of section 1046 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law

112-81; 125 Stat. 1579) is amended to read as follows:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) any future modification to the nuclear weapons employment strategy, plans, and options of the United States should maintain or enhance the ability of the nuclear forces of the United States to support the goals of the United States with respect to nuclear deterrence, extended deterrence, and assurances for allies, and the defense of the United States; and

“(2) the oversight responsibility of Congress includes oversight of the nuclear weapons employment strategy, plans, and options of the United States and that therefore the Chairmen and Ranking Members of the Committees on Armed Services of the Senate and House of Representatives, and such professional staff as they designate, should have access to the nuclear weapons employment strategy, plans, and options of the United States.”.

(b) REPORTS ON STRATEGY.—Section 491 of title 10, United States Code, is—

(1) transferred to chapter 24 of such title, as added by subsection (c)(1); and

(2) amended—

(A) in the heading, by inserting “**weapons**” after “**Nuclear**”; and

(B) by striking “nuclear employment strategy” each place it appears and inserting “nuclear weapons employment strategy”;

(C) in paragraph (1)—

(i) by inserting “the” after “modifications to”; and

(ii) by inserting “, plans, and options” after “employment strategy”;

(D) by inserting after paragraph (3) the following new paragraph:

“(4) the extent to which such modifications include an increased reliance on conventional or non-nuclear global strike capabilities or missile defenses of the United States.”;

(E) by striking “On the date” and inserting “(a) REPORTS.—On the date”; and

(F) by adding at the end the following new subsection:

“(b) ANNUAL BRIEFINGS.—Not later than March 15 of each year, the Secretary of Defense shall provide to the congressional defense committees a briefing regarding the nuclear weapons employment strategy, plans, and options of the United States.”.

(c) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 24.—Part I of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 24—NUCLEAR POSTURE

“Sec.

“491. Nuclear weapons employment strategy of the United States: modification of strategy.”.

(2) TABLE OF CHAPTERS.—The table of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 23 the following new item:

“24. Nuclear posture 491”.

(3) TRANSFER OF PROVISIONS.—

(A) CHAPTER 23.—Chapter 23 of title 10, United States Code, is amended as follows:

(i) Section 490a is—

(I) transferred to chapter 24 of such title, as added by paragraph (1);

(II) inserted after section 491 of such title, as added to such chapter 24 by subsection (b)(1); and

(III) redesignated as section 492.

(ii) The table of sections at the beginning of such chapter 23 is amended by striking the items relating to sections 490a and 491.

(B) FY12 NDAA.—Section 1077 of the National Defense Authorization Act for Fiscal

Year 2012 (Public Law 112-81; 50 U.S.C. 2514) is—

(i) transferred to chapter 24 of title 10, United States Code, as added by paragraph (1);

(ii) inserted after section 492 of such title, as added by subparagraph (A)(i);

(iii) redesignated as section 493; and

(iv) amended by striking “the date of the enactment of this Act” and inserting “December 31, 2011.”.

(C) CHAPTER 24.—The table of sections at the beginning of chapter 24 of title 10, United States Code, as added by paragraph (1), is amended by inserting after the item relating to section 491 the following new items:

“492. Biennial assessment and report on the delivery platforms for nuclear weapons and the nuclear command and control system.

“493. Reports to Congress on the modification of the force structure for the strategic nuclear weapons delivery systems of the United States.”.

(4) CONFORMING AMENDMENT.—Section 1041(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1574) is amended by striking “section 490a of title 10, United States Code, as added by subsection (a),” and inserting “section 492 of title 10, United States Code.”.

SEC. 1052. COMMITMENTS FOR NUCLEAR WEAPONS STOCKPILE MODERNIZATION.

(a) FINDINGS.—Congress finds the following:

(1) In 2008, then Secretary of Defense Robert Gates warned that “to be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.”.

(2) Secretary Gates also warned in September 2009 that modernization is a prerequisite to nuclear force reductions, stating that modernizing the nuclear capability of the United States is an “enabler of arms control and our ability to reduce the size of our nuclear stockpile. When we have more confidence in the long-term viability of our weapons systems, then our ability to reduce the number of weapons we must keep in the stockpile is enhanced.”.

(3) President Obama’s 2010 Nuclear Posture Review stated that—

(A) “In order to sustain a safe, secure, and effective United States nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure—comprised of the national security laboratories and a complex of supporting facilities.”; and

(B) “[I]mplementation of the Stockpile Stewardship Program and the nuclear infrastructure investments recommended in the NPR will allow the United States to shift away from retaining large numbers of non-deployed warheads as a hedge against technical or geopolitical surprise, allowing major reductions in the nuclear stockpile. These investments are essential to facilitating reductions while sustaining deterrence under New START and beyond.”.

(4) Section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549) required the President to submit a report to Congress on the plan for the nuclear weapons stockpile, nuclear weapons complex, and delivery platforms at the time a follow-on treaty to the Strategic Arms Reduction Treaty was submitted by the President to the Senate. The President submitted such report in May 2010 and submitted updates in November 2010 and February 2011.

(5) Such section 1251 also contained a sense of Congress that “the enhanced safety, secu-

ity, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of nuclear delivery systems are key to enabling further reductions in the nuclear forces of the United States.”

(6) Forty-one Senators wrote to President Obama on December 15, 2009, stating, “we don’t believe further reductions can be in the national security interest of the United States in the absence of a significant program to modernize our nuclear deterrent.”

(7) Former Secretary of Defense and Secretary of Energy James Schlesinger stated, while testifying before the Committee on Foreign Relations of the Senate in April 2010, “I believe that it is immensely important for the Senate to ensure, what the Administration has stated as its intent, i.e., that there be a robust plan with a continuation of its support over the full 10 years, before it proceeds to ratify this START follow-on treaty.”

(8) Former Secretary of State James Baker stated in testimony before the Committee on Foreign Relations of the Senate in May 2010 that “because our security is based upon the safety and reliability of our nuclear weapons, it is important that our Government budget enough money to guarantee that those weapons can carry out their mission.”

(9) Former Secretary of State Henry Kissinger also stated in May 2010 while testifying before the Committee on Foreign Relations of the Senate that “as part of a number of recommendations, my colleagues, Bill Perry, George Shultz, Sam Nunn, and I have called for significant investments in a repaired and modernized nuclear weapons infrastructure and added resources for the three national laboratories.”

(10) Then Secretary of Defense Robert Gates, while testifying before the Committee on Armed Services of the Senate in June 2010, stated, “I see this treaty as a vehicle to finally be able to get what we need in the way of modernization that we have been unable to get otherwise * * *. We are essentially the only nuclear power in the world that is not carrying out these kinds of modernization programs.”

(11) Secretary Gates further stated that “I’ve been up here for the last four springs trying to get money for this and this is the first time I think I’ve got a fair shot of actually getting money for our nuclear arsenal.”

(12) The Directors of the national nuclear weapons laboratories wrote to the chairman and ranking member of the Committee on Foreign Relations of the Senate in December 2010 that “We are very pleased by the update to the Section 1251 Report, as it would enable the laboratories to execute our requirements for ensuring a safe, secure, reliable and effective stockpile under the Stockpile Stewardship and Management Plan. In particular, we are pleased because it clearly responds to many of the concerns that we and others have voiced in the past about potential future-year funding shortfalls, and it substantially reduces risks to the overall program. In summary, we believe that the proposed budgets provide adequate support to sustain the safety, security, reliability and effectiveness of America’s nuclear deterrent within the limit of 1,550 deployed strategic warheads established by the New START Treaty with adequate confidence and acceptable risk.”

(13) President Obama pledged, in a December 2010 letter to several Senators, “I recognize that nuclear modernization requires investment for the long-term * * *. That is my commitment to the Congress—that my Administration will pursue these programs and capabilities for as long as I am President.”

(14) Secretary Gates added in May 2011 that, “this modernization program was very carefully worked out between ourselves and

the Department of Energy; and, frankly, where we came out on that played a fairly significant role in the willingness of the Senate to ratify the New START agreement.”

(15) The Administrator for Nuclear Security, Thomas D’Agostino, testified before Congress in November 2011 that, “it is critical to accept the linkage between modernizing our current stockpile in order to achieve the policy objective of decreasing the number of weapons we have in our stockpile, while still ensuring that the deterrent is safe, secure, and effective.”

(b) NEW START TREATY DEFINED.—In this subtitle, the term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1053. LIMITATION AND REPORT IN THE EVENT OF INSUFFICIENT FUNDING FOR MODERNIZATION OF NUCLEAR WEAPONS STOCKPILE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) consistent with Condition 9 of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, agreed to on December 22, 2011, the United States is committed to ensuring the safety, security, reliability, and credibility of its nuclear forces; and

(2) the United States is committed to—

(A) proceeding with a robust stockpile stewardship program and maintaining and modernizing nuclear weapons production capabilities and capacities of the United States to ensure the safety, security, reliability, and credibility of the nuclear arsenal of the United States at the New START Treaty levels and meeting requirements for hedging against possible international developments or technical problems;

(B) reinvigorating and sustaining the nuclear security laboratories of the United States and preserving the core nuclear weapons competencies therein; and

(C) providing the resources needed to achieve these objectives, at a minimum at the levels set forth in the President’s 10-year plan provided to Congress in November 2010 pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549).

(b) INSUFFICIENT FUNDING REPORT AND LIMITATION.—

(1) IN GENERAL.—Paragraph (2) of section 1045(a) of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b) is amended to read as follows:

“(2) INSUFFICIENT FUNDING.—

“(A) REPORT.—During each year in which the New START Treaty is in force, if the President determines that an appropriations Act is enacted that fails to meet the resource levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549) or if at any time determines that more resources are required to carry out such plan than were estimated, the President shall submit to the appropriate congressional committees, within 60 days of making such a determination, a report detailing—

“(i) a plan to remedy the resource shortfall;

“(ii) if more resources are required to carry out the plan than were estimated—

“(I) the proposed level of funding required; and

“(II) an identification of the stockpile work, campaign, facility, site, asset, program, operation, activity, construction, or project for which additional funds are required;

“(iii) any effects caused by the shortfall on the safety, security, reliability, or credibility of the nuclear forces of the United States; and

“(iv) whether and why, in light of the shortfall, remaining a party to the New START Treaty is in the national interest of the United States.

“(B) LIMITATION.—If the President submits a report under subparagraph (A), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used to reduce the number of deployed nuclear warheads until—

“(i) after the date on which such report is submitted, the President certifies in writing to the appropriate congressional committees that the resource shortfall identified in such report has been addressed; and

“(ii) a period of 120 days has elapsed following the date on which such certification is made.

“(C) EXCEPTION.—The limitation in subparagraph (B) shall not apply to—

“(i) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

“(ii) nuclear warheads that are retired or awaiting dismantlement on the date of the report under subparagraph (A).

“(D) DEFINITIONS.—In this paragraph:

“(i) The term ‘appropriate congressional committees’ means—

“(I) the congressional defense committees; and

“(II) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

“(ii) The term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.”

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2012.

SEC. 1054. PROGRESS OF MODERNIZATION.

(a) FINDINGS.—Congress finds the following:

(1) In 2008, then Secretary of Defense Robert Gates warned that “to be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.”

(2) The 2010 Nuclear Posture Review stated that “the President has directed a review of post-New START arms control objectives, to consider future reductions in nuclear weapons. Several factors will influence the magnitude and pace of future reductions in United States nuclear forces below New START levels”, including—

(A) “First, any future nuclear reductions must continue to strengthen deterrence of potential regional adversaries, strategic stability vis-à-vis Russia and China, and assurance of our allies and partners. This will require an updated assessment of deterrence requirements; further improvements in United States, allied, and partner non-nuclear capabilities; focused reductions in strategic and non-strategic weapons; and close consultations with allies and partners. The United States will continue to ensure that, in the calculations of any potential opponent, the perceived gains of attacking the United States or its allies and partners would be far outweighed by the unacceptable costs of the response.”;

(B) “Second, implementation of the Stockpile Stewardship Program and the nuclear infrastructure investments recommended in the NPR will allow the United States to shift away from retaining large numbers of non-deployed warheads as a hedge against technical or geopolitical surprise, allowing major reductions in the nuclear stockpile. These investments are essential to facilitating reductions while sustaining deterrence under New START and beyond.”; and

(C) “Third, Russia’s nuclear force will remain a significant factor in determining how much and how fast we are prepared to reduce United States forces. Because of our improved relations, the need for strict numerical parity between the two countries is no longer as compelling as it was during the Cold War. But large disparities in nuclear capabilities could raise concerns on both sides and among United States allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced. Therefore, we will place importance on Russia joining us as we move to lower levels.”.

(3) The 2010 Nuclear Posture Review also stated that the Administration would “conduct follow-on analysis to set goals for future nuclear reductions below the levels expected in New START, while strengthening deterrence of potential regional adversaries, strategic stability vis-à-vis Russia and China, and assurance of our allies and partners.”.

(4) The Secretary of Defense has warned in testimony before the Committee on Armed Services of the House of Representatives regarding the sequestration mechanism under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 that “if this sequester goes into effect and it doubles the number of cuts, then it’ll truly devastate our national defense, because it will then require that we have to go at our force structure. We will have to hollow it out * * * [I]t will badly damage our capabilities for the future * * *. And if you have a smaller force, you’re not going to be able to be out there responding in as many areas as we do now.”.

(5) The 2010 Nuclear Posture Review also stated that “by modernizing our aging nuclear facilities and investing in human capital, we can substantially reduce the number of nuclear weapons we retain as a hedge.”.

(6) The President requested the promised \$7,600,000,000 for weapons activities of the National Nuclear Security Administration in fiscal year 2012 but signed an appropriations Act for fiscal year 2012 that provided only \$7,233,997,000, a substantial reduction to only the second year of the ten-year plan under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549).

(7) The President requested only \$7,577,341,000 for weapons activities of the National Nuclear Security Administration in fiscal year 2013 while the President’s section 1251 plan promised \$7,900,000,000.

(8) The President’s section 1251 plan further promised to request \$8,400,000,000 in fiscal year 2014, \$8,700,000,000 in fiscal year 2015, \$8,900,000,000 in fiscal year 2016, at least \$8,900,000,000 in fiscal year 2017, at least \$9,200,000,000 in fiscal year 2018, at least \$9,400,000,000 in fiscal year 2019, at least \$9,400,000,000 in fiscal year 2020, and at least \$9,500,000,000 in fiscal year 2021.

(9) While the administration has not yet shared with Congress the terms of reference of the so-called Nuclear Posture Review Implementation Study, or the Department of Defense’s instructions for that review, the only publicly available statements by the administration, including language from the Nuclear Posture Review, suggest the review

was specifically instructed by the President and his senior political appointees to only consider reductions to the nuclear forces of the United States.

(10) When asked at a hearing if the New START Treaty allowed the United States “to maintain a nuclear arsenal that is more than is needed to guarantee an adequate deterrent,” then Commander of the United States Strategic Command, General Kevin P. Chilton said, “I do not agree that it is more than is needed. I think the arsenal that we have is exactly what is needed today to provide the deterrent.”.

(b) NUCLEAR EMPLOYMENT STRATEGY.—Section 491 of title 10, United States Code, as amended by section 1051, is amended by adding after subsection (b) the following:

“(c) LIMITATION.—With respect to a new nuclear weapons employment strategy described in a report submitted to Congress under subsection (a), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to implement such strategy until a period of one year has elapsed following the date on which such report is submitted to Congress.”.

(c) LIMITATION.—During each of fiscal years 2012 through 2021, none of the funds made available for each such fiscal year for the Department of Defense may be used to carry out the results of the decisions made pursuant to the 2010 Nuclear Posture Review Implementation Study that would alter the nuclear weapons employment strategy, guidance, plans, or options of the United States until the date on which the President certifies to the congressional defense committees that—

(1) the President has included the resources necessary to carry out the February 2011 update to the report required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549) in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for such fiscal year;

(2) the resources described in paragraph (1) have been provided to the President in an appropriations Act; and

(3) the sequestration mechanism under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 has been repealed or the sequestration mechanism under such section for the security category has otherwise been terminated.

SEC. 1055. LIMITATION ON STRATEGIC DELIVERY SYSTEM REDUCTIONS.

(a) FINDINGS.—Congress finds the following:

(1) The Nuclear Posture Review of 2010 said, with respect to modernizing the triad, “for planned reductions under New START, the United States should retain a smaller Triad of SLBMs, ICBMs, and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities.”.

(2) The Senate stated in Declaration 13 of the Resolution of Advice and Consent to Ratification of the New START Treaty that “In accordance with paragraph 1 of Article V of the New START Treaty, which states that, ‘Subject to the provisions of this Treaty, modernization and replacement of strategic offensive arms may be carried out,’ it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems.”.

(3) The Senate required the President, prior to the entry into force of the New START Treaty, to certify to the Senate that the President intended to modernize or replace the triad of strategic nuclear delivery systems.

(4) The President made this certification in a message to the Senate on February 2, 2011, in which the President stated, “I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base.”.

(b) LIMITATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

“§ 494. Strategic delivery system reductions

“(a) ANNUAL CERTIFICATION.—Beginning fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether plans to modernize or replace strategic delivery systems are fully resourced and being executed at a level equal to or more than the levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549), including plans regarding—

“(1) a heavy bomber and air-launched cruise missile;

“(2) an intercontinental ballistic missile;

“(3) a submarine-launched ballistic missile;

“(4) a ballistic missile submarine; and

“(5) maintaining—

“(A) the nuclear command and control system; and

“(B) the rocket motor industrial base of the United States.

“(b) LIMITATION.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully resourced or being executed, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to reduce, convert, or eliminate strategic delivery systems, whether deployed or nondeployed, pursuant to the New START Treaty or otherwise until a period of 120 days has elapsed following the date on which such certification is made.

“(c) EXCEPTION.—The limitation in subsection (b) shall not apply to—

“(1) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and delivery systems; or

“(2) strategic delivery systems that are retired or awaiting dismantlement on the date of the certification under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) The term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

“(2) The term ‘strategic delivery system’ means a delivery platform for nuclear weapons.”.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“494. Strategic delivery system reductions.”.

SEC. 1056. PREVENTION OF ASYMMETRY OF NUCLEAR WEAPON STOCKPILE REDUCTIONS.

(a) FINDINGS.—Congress finds the following:

(1) Then Secretary of Defense Robert Gates warned in 2008 that, “There is no way to ignore efforts by rogue states such as North Korea and Iran to develop and deploy nuclear weapons or Russian or Chinese strategic modernization programs. To be sure, we do not consider Russia or China as adversaries, but we cannot ignore these developments and the implications they have for our national security.”

(2) The 2010 Nuclear Posture Review stated that, “large disparities in nuclear capabilities could raise concerns on both sides and among United States allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced.”

(3) The Senate stated in the Resolution of Advice and Consent to Ratification of the New START Treaty that, “It is the sense of the Senate that, in conducting the reductions mandated by the New START Treaty, the President should regulate reductions in United States strategic offensive arms so that the number of accountable strategic offensive arms under the New START Treaty possessed by the Russian Federation in no case exceeds the comparable number of accountable strategic offensive arms possessed by the United States to such an extent that a strategic imbalance endangers the national security interests of the United States.”

(4) At a hearing before the Committee on Armed Services of the House of Representatives in 2011, Secretary of Defense Leon Panetta said, with respect to unilateral nuclear reductions by the United States, “I don’t think we ought to do that unilaterally—we ought to do that on the basis of negotiations with the Russians and others to make sure we are all walking the same path.”

(b) CERTIFICATION.—Section 1045 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b) is amended by adding at the end the following new subsection:

“(d) PREVENTION OF ASYMMETRY IN REDUCTIONS.—

“(1) CERTIFICATION.—During any year in which the President recommends to reduce the number of nuclear weapons in the active and inactive stockpiles of the United States by a number that is greater than one percent of the number of nuclear weapons in such stockpiles, the President shall certify in writing to the congressional defense committees whether such reductions will cause the number of nuclear weapons in such stockpiles to be fewer than the number of nuclear weapons in the active and inactive stockpiles of the Russian Federation.

“(2) LIMITATION.—If the President certifies under paragraph (1) that the recommended number of nuclear weapons in the active and inactive stockpiles of the United States is fewer than the number of nuclear weapons in the active and inactive stockpiles of the Russian Federation, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used to carry out any reduction to such stockpiles of the United States until—

“(A) after the date on which such certification is made, the President transmits to the congressional defense committees a report by the Commander of the United States Strategic Command, without change, detailing whether the recommended reduction would create a strategic imbalance between the total nuclear forces of the United States and the total nuclear forces of the Russian Federation; and

“(B) a period of 180 days has elapsed following the date on which such report is transmitted.

“(3) EXCEPTION.—The limitation in paragraph (2) shall not apply to—

“(A) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

“(B) nuclear warheads that are retired or awaiting dismantlement on the date of the certification under paragraph (1).”

SEC. 1057. CONSIDERATION OF EXPANSION OF NUCLEAR FORCES OF OTHER COUNTRIES.

(a) FINDINGS.—Congress finds the following:

(1) The Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate said, “It is the sense of the Senate that if, during the time the New START Treaty remains in force, the President determines that there has been an expansion of the strategic arsenal of any country not party to the New START Treaty so as to jeopardize the supreme interests of the United States, then the President should consult on an urgent basis with the Senate to determine whether adherence to the New START Treaty remains in the national interest of the United States.”

(2) In 2011, experts testified before the Committee on Armed Services of the House of Representatives that—

(A) “Russia is modernizing every leg of its nuclear triad with new, more advanced systems”, including new ballistic missile submarines, new heavy intercontinental ballistic missiles carrying up to 15 warheads each, new shorter range ballistic missiles, and new low-yield warheads; and

(B) “China is steadily increasing the numbers and capabilities of the ballistic missiles it deploys and is upgrading older ICBMs to newer, more advanced systems. China also appears to be actively working to develop a submarine-based nuclear deterrent force, something it has never had * * *. A recent unclassified Department of Defense report says that this network of tunnels could be in excess of 5,000 kilometers and is used to transport nuclear weapons and forces.”

(b) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

“§ 495. Consideration of expansion of nuclear forces of other countries

“(a) REPORT AND CERTIFICATION.—During any year in which the President recommends any reductions in the nuclear forces of the United States, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used for such recommended reduction until the date on which—

“(1) the President transmits to the appropriate congressional committees a report detailing, for each country with nuclear weapons—

“(A) the number of each type of nuclear weapons possessed by such country;

“(B) the modernization plans for such weapons of such country;

“(C) the production capacity of nuclear warheads and strategic delivery systems (as defined in section 491(c) of this title) of such country; and

“(D) the nuclear doctrine of such country; and

“(2) the Commander of the United States Strategic Command certifies to the appropriate congressional committees whether

such recommended reductions in the nuclear forces of the United States will—

“(A) impair the ability of the United States to address—

“(i) unplanned strategic or geopolitical events; or

“(ii) technical challenge; or

“(B) degrade the deterrence or assurance provided by the United States to friends and allies of the United States.

“(b) FORM.—The reports required by subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

“(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means the following:

“(1) The congressional defense committees.

“(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.”

(2) The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 494 the following new item:

“495. Consideration of expansion of nuclear forces of other countries.”

SEC. 1058. CHEMISTRY AND METALLURGY RESEARCH REPLACEMENT NUCLEAR FACILITY AND URANIUM PROCESSING FACILITY.

(a) FINDINGS.—Congress finds the following:

(1) Administrator for Nuclear Security Thomas D’Agostino testified before the Committee on Armed Services of the House of Representatives in February 2008 that “Infrastructure improvements are a major part of the complex transformation plan that we have, and we’ve made important progress, but we have a lot more to do. Some major facilities that we have date back to World War II and cannot readily meet today’s safety and security requirements. Let me give you just two quick examples, if I could. A sufficient capability to work with plutonium is an essential part of a national security enterprise and is required for as long as we retain a nuclear deterrent, and most likely even longer. Currently, we have a very small production capacity at Los Alamos, about 10 pits per year, at our TA-55 area. Our building at Los Alamos, the Chemistry and Metallurgy Research Facility, is well over 50 years old and is insufficient to support the national security requirements for the stockpile and for future national security mission areas. So, whether we continue on our existing path or move towards a replacement modern warhead-type stockpile, we still need the capacity to produce about 50 to 80 pits per year, which is less than one-tenth of our Cold War level, as well as the ability to carry out pit surveillance, which is an essential part of maintaining our stockpile.”

(2) Then Commander of the United States Strategic Command General Kevin P. Chilton also testified in February 2008 that “When you have a responsive complex that has the capacity to flex to production as you may need it or adjust your deployed force posture in the future, should you need it—in other words, if we go to a lower number, you need to be certain that you can come back up, should the strategic environment change, and you can’t necessarily without that flexible or responsive infrastructure behind it, and that’s probably one of my great concerns. And then how you posture both the portion of your stockpile that you hold in reserve and your confidence in the weapons that you have deployed is very much a function of modernizing, in my view, the weapons systems that we have available today, which are, as the secretary described, of Cold War legacy design, and the associated issues with them.”

(3) The Congressional Commission on the Strategic Posture of the United States reported in May 2009, with respect to the timing of the replacement of the nuclear weapons infrastructure of the United States, that “This raises an obvious question about whether these two replacement programs might proceed in sequence rather than concurrently. There are strong arguments for moving forward concurrently. Existing facilities are genuinely decrepit and are maintained in a safe and secure manner only at high cost. Moreover, the improved production capabilities they promise are integral to the program of refurbishment and modernization described in the preceding chapter. If funding can be found for both, this would best serve the national interest in maintaining a safe, secure, and reliable stockpile of weapons in the most effective and efficient manner.”

(4) The 2010 Nuclear Posture Review states—

(A) “The National Nuclear Security Administration (NNSA), in close coordination with DoD, will provide a new stockpile stewardship and management plan to Congress within 90 days, consistent with the increases in infrastructure investment requested in the President’s FY 2011 budget. As critical infrastructure is restored and modernized, it will allow the United States to begin to shift away from retaining large numbers of non-deployed warheads as a technical hedge, allowing additional reductions in the United States stockpile of non-deployed nuclear weapons over time.”

(B) “In order to sustain a safe, secure, and effective United States nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure—comprised of the national security laboratories and a complex of supporting facilities.”

(C) “Funding the Chemistry and Metallurgy Research Replacement Project at Los Alamos National Laboratory to replace the existing 50-year old Chemistry and Metallurgy Research facility in 2021.”

(D) “Developing a new Uranium Processing Facility at the Y-12 Plant in Oak Ridge, Tennessee to come on line for production operations in 2021.”

(E) “Without an ability to produce uranium components, any plan to sustain the stockpile, as well as support for our Navy nuclear propulsion, will come to a halt. This would have a significant impact, not just on the weapons program, but in dealing with nuclear dangers of many kinds.”; and

(F) “The non-deployed stockpile currently includes more warheads than required for the above purposes, due to the limited capacity of the National Nuclear Security Administration (NNSA) complex to conduct LEPs for deployed weapons in a timely manner. Progress in restoring NNSA’s production infrastructure will allow these excess warheads to be retired along with other stockpile reductions planned over the next decade.”

(5) In the memorandum of agreement between the Department of Defense and the Department of Energy concerning the modernization of the nuclear weapon stockpile of the United States dated May 3, 2010, then Secretary of Defense Robert Gates and Secretary of Energy Steven Chu agreed that “DOE Agrees to * * * increase pit production capacity * * * plan and program to ramp up to a minimum of 50–80 PPY in 2022.”

(6) The plan required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) submitted by the President states that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will complete construction by 2021 and will achieve full operational functionality by 2024.

(7) The Senate required that, prior to the entry into force of the New START Treaty, the President certifies to the Senate that the President intends to—

(A) accelerate to the extent possible the design and engineering phase of the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility; and

(B) request full funding, including on a multiyear basis as appropriate, for the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility upon completion of the design and engineering phase for such facilities.

(8) The President did request full funding for such facilities on February 2, 2011, when the President stated, “I intend to (a) accelerate, to the extent possible, the design and engineering phase of the Chemistry and Metallurgy Research Replacement (CMRR) building and the Uranium Processing Facility (UPF); and (b) request full funding, including on a multi-year basis as appropriate, for the CMRR building and the UPF upon completion of the design and engineering phase for such facilities.”

(b) LIMITATION.—Section 1045 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b), as amended by section 1056(b), is amended by adding at the end the following new subsection:

“(c) CMRR AND UPF.—

“(1) ANNUAL CERTIFICATION.—Beginning fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether—

“(A) the construction of both the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will be completed by not later than 2021; and

“(B) both facilities will be fully operational by not later than 2024.

“(2) LIMITATION.—If the President certifies under paragraph (1) that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will be completed by later than 2021 or be fully operational by later than 2024, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the National Nuclear Security Administration may be used to reduce the nondeployed nuclear warheads in the nuclear weapons stockpile of the United States until a period of 120 days has elapsed following the date of such certification.

“(3) EXCEPTION.—The limitation in paragraph (2) shall not apply to—

“(A) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

“(B) nuclear warheads that are retired or awaiting dismantlement on the date of the certification under paragraph (1).

“(4) TERMINATION.—The requirement in paragraph (1) shall terminate on the date on which the President certifies in writing to the congressional defense committees that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility are both fully operational.”

SEC. 1059. NUCLEAR WARHEADS ON INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that reducing the number of nuclear warheads contained on each intercontinental ballistic missile of the United States does not promote strategic stability if at the same time other nuclear weapons states, including the Russian Federation and the People’s Republic of China, are rapidly increas-

ing the warhead-loading of their land-based missile forces.

(b) LIMITATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

“§ 496. Nuclear warheads on intercontinental ballistic missiles of the United States

“(a) IN GENERAL.—During any year in which the President proposes to reduce the number of nuclear warheads contained on an intercontinental ballistic missile of the United States, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used for such proposed reduction if the reduction results in such missile having only a single nuclear warhead unless the President certifies in writing to the congressional defense committees that the Russian Federation and the People’s Republic of China are both also carrying out a similar reduction.

“(b) EXCEPTION.—The limitation in subsection (a) shall not apply to reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems.”

(2) The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 495 the following:

“496. Nuclear warheads on intercontinental ballistic missiles of the United States.”

SEC. 1060. NONSTRATEGIC NUCLEAR WEAPON REDUCTIONS AND EXTENDED DETERRENCE POLICY.

(a) FINDINGS.—Congress finds the following:

(1) The NATO Strategic Concept of 2010 endorsed the continued role of nuclear weapons in the security of the NATO alliance, stating—

(A) “The supreme guarantee of the security of the Allies is provided by the strategic nuclear forces of the Alliance, particularly those of the United States; the independent strategic nuclear forces of the United Kingdom and France, which have a deterrent role of their own, contribute to the overall deterrence and security of the Allies.”

(B) “We will ensure that NATO has the full range of capabilities necessary to deter and defend against any threat to the safety and security of our populations. Therefore, we will * * * maintain an appropriate mix of nuclear and conventional forces”; and

(C) “[NATO will] ensure the broadest possible participation of Allies in collective defence planning on nuclear roles, in peacetime basing of nuclear forces, and in command, control and consultation arrangements.”

(2) However, the 2010 Strategic Concept also walked away from the decades-long policy encapsulated by the 1999 Strategic Concept that said, “The presence of United States conventional and nuclear forces in Europe remains vital to the security of Europe, which is inseparably linked to that of North America.”

(3) Former Secretary of Defense William Perry said in March 2011 testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives that “the reason we have nuclear weapons in Europe in the first place, is not because the rest of our weapons are not capable of deterrence, but because, during the Cold War at least, our allies in Eu-

rope felt more assured when we had nuclear weapons in Europe. That is why they were deployed there in the first place. Today the issue is a little different. The issue is the Russians in the meantime have built a large number of nuclear weapons, and we keep our nuclear weapons there as somewhat of a political leverage for dealing with an ultimate treaty in which we may get Russia and the United States to eliminate tactical nuclear weapons. My own view is it would be desirable if both the United States and Russia would eliminate tactical nuclear weapons, but I see it as very difficult to arrive at that conclusion if we were to simply eliminate all of our tactical nuclear weapons unilaterally."

(4) During testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives in July 2011—

(A) former Department of Defense official Frank Miller stated, "as long as United States allies believe that those weapons need to be there, we need to make sure that we provide that security."; and

(B) former Department of Defense official Mort Halperin stated, "I do not think we should be willing to trade our withdrawal of our nuclear weapons from Europe for some reduction, even a substantial reduction, in Russian tactical nuclear weapons because if it is * * * that the credibility of the American nuclear deterrent for our NATO allies depends on the presence of nuclear weapons in Europe, that will not change if the Russians cut their tactical nuclear arsenal by two thirds, or even eliminate it because they will still have their strategic weapons, which, while they can't have intermediate range missiles, they can find a way to target them on the NATO countries."

(5) Section 1237(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) expressed the sense of Congress that—

(A) the commitment of the United States to extended deterrence in Europe and the nuclear alliance of NATO is an important component of ensuring and linking the national security of the United States and its European allies;

(B) the nuclear forces of the United States are a key component of the NATO nuclear alliance; and

(C) the presence of the nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—provides reassurance to NATO allies who feel exposed to regional threats.

(b) LIMITATION.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

"§ 497. Limitation on reduction, consolidation, or withdrawal of nuclear forces based in Europe

"(a) POLICY ON NONSTRATEGIC NUCLEAR WEAPONS.—It is the policy of the United States—

"(1) to pursue negotiations with the Russian Federation aimed at the reduction of Russian deployed and nondeployed, nonstrategic nuclear forces;

"(2) that nonstrategic nuclear weapons should be considered when weighing the balance of the nuclear forces of the United States and the Russian Federation;

"(3) that any geographical relocation or storage of nonstrategic nuclear weapons by the Russian Federation does not constitute a reduction or elimination of such weapons;

"(4) the vast advantage of the Russian Federation in nonstrategic nuclear weapons con-

stitutes a threat to the United States and its allies and a growing asymmetry in Western Europe; and

"(5) the forward-deployed nuclear forces of the United States are an important contributor to the assurance of the allies of the United States and constitute a check on proliferation and a tool in dealing with neighboring states hostile to NATO.

"(b) POLICY ON EXTENDED DETERRENCE COMMITMENT TO EUROPE.—It is the policy of the United States that—

"(1) it maintain its commitment to extended deterrence, specifically the nuclear alliance of the North Atlantic Treaty Organization, as an important component of ensuring and linking the national security interests of the United States and the security of its European allies;

"(2) forward-deployed nuclear forces of the United States shall remain based in Europe in support of the nuclear policy and posture of NATO;

"(3) the presence of nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—contributes to the cohesion of NATO and provides reassurance to allies and partners who feel exposed to regional threats; and

"(4) only the President and Congress can articulate when and how the United States will employ the nuclear forces of the United States and no multilateral organization, not even NATO, can articulate a declaratory policy concerning the use of nuclear weapons that binds the United States.

"(c) LIMITATION ON REDUCTION, CONSOLIDATION, OR WITHDRAWAL OF NUCLEAR FORCES BASED IN EUROPE.—In light of the policy expressed in subsections (a) and (b), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to effect or implement the reduction, consolidation, or withdrawal of nuclear forces of the United States that are based in Europe unless—

"(1) the reduction, consolidation, or withdrawal of such nuclear forces is requested by the government of the host nation in the manner provided in the agreement between the United States and the host nation regarding the forces;

"(2) the President certifies that—

"(A) NATO member states have considered the reduction, consolidation, or withdrawal in the High Level Group;

"(B) NATO has decided to support such reduction, consolidation, or withdrawal;

"(C) the remaining nuclear forces of the United States that are based in Europe after such reduction, consolidation, or withdrawal would provide a commensurate or better level of assurance and credibility as before such reduction, consolidation, or withdrawal; and

"(D) there has been reciprocal action by the Russian Federation, not including the Russian Federation relocating nuclear forces from one location to another; or

"(3) the reduction, consolidation, or withdrawal of such nuclear forces is specifically authorized by an Act of Congress.

"(d) NOTIFICATION.—Upon any decision to reduce, consolidate, or withdraw the nuclear forces of the United States that are based in Europe, the President shall submit to the appropriate congressional committees a notification containing—

"(1) the certification required by paragraph (2) of subsection (c) if such reduction, consolidation, or withdrawal is based upon such paragraph;

"(2) justification for such reduction, consolidation, or withdrawal; and

"(3) an assessment of how NATO member states, in light of such reduction, consolidation, or withdrawal, assess the credibility of the deterrence capability of the United States in support of its commitments undertaken pursuant to article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964).

"(e) NOTICE AND WAIT REQUIREMENT.—The President may not commence a reduction, consolidation, or withdrawal of the nuclear forces of the United States that are based in Europe for which the certification required by subsection (c)(2) is made until the expiration of a 180-day period beginning on the date on which the President submits the notification under subsection (d) containing the certification.

"(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term 'appropriate congressional committees' means—

"(1) the Committees on Armed Services of the House of Representatives and the Senate; and

"(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate."

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 496 the following:

"497. Limitation on reduction, consolidation, or withdrawal of nuclear forces based in Europe."

SEC. 1061. IMPROVEMENTS TO NUCLEAR WEAPONS COUNCIL.

Section 179 of title 10, United States Code, is amended—

(1) in subsection (b)(3), by adding at the end the following: "Not later than seven days before a meeting, the Chairman shall disseminate to each member of the Council the agenda and documents for such meeting."; and

(2) in subsection (d)—

(A) in paragraph (2), by inserting "and alternatives" before the period;

(B) in paragraph (3), by inserting "and approving" after "Coordinating";

(C) in paragraph (7)—

(i) by striking "broad" and inserting "specific"; and

(ii) by inserting before the period the following: "and priorities among activities, including production, surveillance, research, construction, and any other programs within the National Nuclear Security Administration"; and

(D) by adding at the end the following new paragraph:

"(11) Coordinating and approving the annual budget proposals of the National Nuclear Security Administration, including before such proposals are submitted to—

"(A) the Director of the Office of Management and Budget;

"(B) the President; and

"(C) Congress under section 1105 of title 31."

SEC. 1062. INTERAGENCY COUNCIL ON THE STRATEGIC CAPABILITY OF THE NATIONAL LABORATORIES.

(a) ESTABLISHMENT.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 188. Interagency Council on the Strategic Capability of the National Laboratories

"(a) ESTABLISHMENT.—There is an Interagency Council on the Strategic Capability of the National Laboratories (in this section referred to as the 'Council').

"(b) MEMBERSHIP.—The membership of the Council is comprised of the following:

"(1) The Secretary of Defense.

“(2) The Secretary of Energy.

“(3) The Secretary of Homeland Security.

“(4) The Director of National Intelligence.

“(5) The Administrator for Nuclear Security.

“(6) Such other officials as the President considers appropriate.

“(c) **STRUCTURE AND PROCEDURES.**—The President may determine the chair, structure, staff, and procedures of the Council.

“(d) **RESPONSIBILITIES.**—The Council shall be responsible for the following matters:

“(1) Identifying and considering the science, technology, and engineering capabilities of the national laboratories that could be leveraged by each participating agency to support national security missions.

“(2) Reviewing and assessing the adequacy of the national security science, technology, and engineering capabilities of the national laboratories for supporting national security missions throughout the Federal Government.

“(3) Establishing and overseeing means of ensuring that—

“(A) capabilities identified by the Council under paragraph (1) are sustained to an appropriate level; and

“(B) each participating agency provides the appropriate level of institutional support to sustain such capabilities.

“(4) In accordance with acquisition rules regarding federally funded research and development centers, establishing criteria for when each participating agency should seek to use the services of the national laboratories, including the identification of appropriate mission areas and capabilities.

“(5) Making recommendations to the President and Congress regarding regulatory or statutory changes needed to better support—

“(A) the strategic capabilities of the national laboratories; and

“(B) the use of such laboratories by each participating agency.

“(6) Other actions the Council considers appropriate with respect to—

“(A) the sustainment of the national laboratories; and

“(B) the use of the strategic capabilities of such laboratories.

“(e) **STREAMLINED PROCESS.**—With respect to the participating agency for which a member of the Council is the head of, each member of the Council shall—

“(1) establish processes to streamline the consideration and approval of procuring the services of the national laboratories on appropriate matters; and

“(2) ensure that such processes are used in accordance with the criteria established under subsection (d)(4).

“(f) **DEFINITIONS.**—In this section:

“(1) The term ‘participating agency’ means a department or agency of the Federal Government that is represented on the Council by a member under subsection (b).

“(2) The term ‘national laboratories’ means—

“(A) each national security laboratory (as defined in section 3281(1) of the National Nuclear Security Administration Act (50 U.S.C. 2471(1))); and

“(B) each national laboratory of the Department of Energy.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 187 the following new item:

“188. Interagency Council on the Strategic Capability of the National Laboratories.”

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than July 1, 2013, the Interagency Council on the Stra-

tegic Capability of the National Laboratories under section 188 of title 10, United States Code, as added by subsection (a), shall submit to the appropriate congressional committees a report describing and assessing the following:

(A) The actions taken to implement the requirements of such section 188 and the charter titled “Governance Charter for an Interagency Council on the Strategic Capability of DOE National Laboratories as National Security Assets” signed by the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence in July 2010.

(B) The effectiveness of the Council in accomplishing the purpose and objectives of such section and such Charter.

(C) Efforts to strengthen work-for-others programs at the national laboratories.

(D) Efforts to make work-for-others opportunities more cost-effective.

(E) Ongoing and planned measures for increasing cost-sharing and institutional support investments from other agencies.

(F) Any regulatory or statutory changes recommended to improve the ability of such other agencies to leverage expertise and capabilities at such laboratories.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this subsection, the term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(C) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(D) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(E) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) **CONSTRUCTION.**—Nothing in section 188 of title 10, United States Code, as added by subsection (a), shall be construed to limit section 309 of the Homeland Security Act of 2002 (6 U.S.C. 189).

SEC. 1063. REPORT ON CAPABILITY OF CONVENTIONAL AND NUCLEAR FORCES AGAINST CERTAIN TUNNEL SITES.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Commander of the United States Strategic Command shall submit to the appropriate congressional committees a report on the underground tunnel network used by the People’s Republic of China with respect to the capability of the United States to use conventional and nuclear forces to neutralize such tunnels and what is stored within such tunnels.

(b) **FORM.**—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1064. REPORT ON CONVENTIONAL AND NUCLEAR FORCES IN THE WESTERN PACIFIC REGION.

(a) **SENSE OF CONGRESS.**—Congress—

(1) supports steps taken by the President to—

(A) reinforce the security of the allies of the United States; and

(B) strengthen the deterrent capability of the United States against the illegal and in-

creasingly belligerent actions of North Korea; and

(2) encourages further steps, including such steps to deploy additional conventional forces of the United States and redeploy tactical nuclear weapons to the Western Pacific region.

(b) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on deploying additional conventional and nuclear forces to the Western Pacific region to ensure the presence of a robust conventional and nuclear capability, including a forward-deployed nuclear capability, of the United States in response to the ballistic missile and nuclear weapons developments of North Korea and the other belligerent actions North Korea has made against allies of the United States. The report shall include an evaluation of any bilateral agreements, basing arrangements, and costs that would be involved with such additional deployments.

SEC. 1065. SENSE OF CONGRESS ON NUCLEAR ARSENAL.

It is the sense of Congress that the nuclear force structure of the United States should be periodically reexamined, through nuclear posture reviews, to assess assumptions that shape the structure, size, and targeting of the nuclear forces of the United States and to ensure that such forces are structured, sized, and targeted—

(1) to be capable of holding at risk the assets that potential adversaries value; and

(2) to provide robust extended deterrence and assurance to allies of the United States.

SEC. 1065A. BUDGET REQUIREMENTS ASSOCIATED WITH SUSTAINING AND MODERNIZING THE NUCLEAR DETERRENT.

Section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by amending subparagraph (F) to read as follows:

“(F) In accordance with paragraph (3), a detailed estimate of the budget requirements associated with sustaining and modernizing the nuclear deterrent of the United States and the nuclear weapons stockpile of the United States, including the costs associated with the plans outlined under subparagraphs (A) through (E), over the 10-year period following the date of the report, including the applicable and appropriate costs associated with—

“(i) training;

“(ii) basing;

“(iii) security;

“(iv) testing;

“(v) research;

“(vi) development;

“(vii) deployment;

“(viii) transportation;

“(ix) personnel;

“(x) overhead; and

“(xi) other appropriate matters.”; and

(B) by adding at the end the following new paragraph:

“(3) **DETAILED BUDGET ESTIMATE CONTENTS.**—Each budget estimate under paragraph (2)(F) shall include a detailed description of the matters included in such estimate, the rationale for including such matters, and the cost listed by location. Such costs listed by location shall be submitted in the form of a classified annex in accordance with subsection (b).”; and

(2) by adding at the end the following new subsection:

“(c) **COMPTROLLER GENERAL.**—The Comptroller General of the United States shall—

“(1) review each report under subsection (a) for accuracy and completeness with respect to the matters described in paragraphs (2)(F) and (3) of such subsection; and

“(2) not later than 180 days after the date on which such report under subsection (a) is submitted, submit to the congressional defense committees a summary of each such review.”.

SEC. 1065B. PROHIBITION ON UNILATERAL REDUCTION OF NUCLEAR WEAPONS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following:

“§ 498. Prohibition on unilateral reduction of nuclear weapons

“The President may not retire, dismantle, or eliminate, or prepare to retire, dismantle, or eliminate, any nuclear weapon of the United States (including such deployed weapons and nondeployed weapons and warheads in the nuclear weapons stockpile) if such action would reduce the number of such weapons to a number that is less than the level described in the New START Treaty (as defined in section 130f(c) of this title) unless such action is—

“(1) required by a treaty or international agreement specifically approved with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution; or

“(2) specifically authorized by an Act of Congress.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“498. Prohibition on unilateral reduction of nuclear weapons.”.

SEC. 1065C. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF STRATEGIC DELIVERY SYSTEMS.

(a) LIMITATION.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following:

“§ 498. Commensurate strategic delivery system reductions

“(a) LIMITATION ON NEW START REDUCTIONS.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system pursuant to the levels set forth for such systems under the New START Treaty unless the President certifies to the congressional defense committees that—

“(1) the Russian Federation must make a commensurate reduction, conversion, or decommissioning pursuant to the levels set forth under such treaty; and

“(2) the Russian Federation is not developing or deploying a strategic delivery system that is—

“(A) not covered under the limits set forth under such treaty; and

“(B) capable of reaching the United States.

“(b) LIMITATION ON TRIAD REDUCTIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

“(2) The term ‘strategic delivery system’ means the following delivery platforms for nuclear weapons:

“(A) Land-based intercontinental ballistic missiles.

“(B) Submarine-launched ballistic missiles and associated ballistic missile submarines.

“(C) Nuclear-certified strategic bombers.

“(3) The term ‘triad’ means the nuclear deterrent capabilities of the United States composed of the strategic delivery systems.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 497 the following new item:

“498. Commensurate strategic delivery system reductions.”.

Subtitle F—Studies and Reports

SEC. 1066. ASSESSMENT OF DEPARTMENT OF DEFENSE USE OF ELECTROMAGNETIC SPECTRUM.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a briefing assessing the use of electromagnetic spectrum by the Department of Defense, including—

(1) a comparison of the actual and projected cost impact, time required to plan and implement, and policy implications of electromagnetic spectrum reallocations made since the enactment of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66, 107 Stat. 312);

(2) an identification of critical electromagnetic spectrum assignments where there is use by the Department of Defense that—

(A) cannot be eliminated, relocated, consolidated in other electromagnetic spectrum bands, or for which there is no commercial or non-spectrum alternative, including a detailed explanation of why that is the case; and

(B) can be eliminated, relocated, consolidated in other electromagnetic spectrum bands, or for which there is a commercial or non-spectrum alternative, including frequency of use, time necessary to relocate or consolidate to another electromagnetic spectrum band, and operational and cost impacts; and

(3) an analysis of the research being conducted by the Department of Defense in electromagnetic spectrum-sharing and other dynamic electromagnetic spectrum access technologies, including maturity level, applicability for spectrum relocation or consolidation, and potential costs for continued development or implementation.

SEC. 1067. ELECTRONIC WARFARE STRATEGY OF THE DEPARTMENT OF DEFENSE.

(a) GUIDANCE REQUIRED.—Not later than January 1, 2013, the Secretary of Defense shall review and update Department of Defense guidance related to electronic warfare to ensure that oversight roles and responsibilities within the Department related to electronic warfare policy and programs are clearly defined. Such guidance shall clarify, as appropriate, the roles and responsibilities related to the integration of electronic warfare matters and cyberspace operations.

(b) PLAN REQUIRED.—Not later than January 1, 2013, the Commander of the United States Strategic Command shall update and issue guidance regarding the responsibilities of the Command with regard to joint electronic warfare capabilities. Such guidance shall—

(1) define the role and objectives of the Joint Electromagnetic Spectrum Control Center or any other center established in the Command to provide governance and oversight of electronic warfare matters; and

(2) include an implementation plan outlining tasks, metrics, and timelines to establish such a center.

(c) ADDITIONAL REPORTING REQUIREMENTS.—Section 1053(b)(1) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2459) is amended—

(1) in subparagraph (B), by striking “; and” and inserting a semicolon;

(2) in subparagraph (C), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(D) performance measures to guide the implementation of such strategy;

“(E) an identification of resources and investments necessary to implement such strategy; and

“(F) an identification of the roles and responsibilities within the Department to implement such strategy.”.

SEC. 1068. REPORT ON COUNTERPROLIFERATION CAPABILITIES AND LIMITATIONS.

(a) REPORT REQUIRED.—Not later than March 1, 2013, the Secretary of Defense shall provide to the congressional defense committees a report outlining operational capabilities, limitations, and shortfalls within the Department of Defense with respect to counterproliferation and combating weapons of mass destruction involving special operations forces and key enabling forces.

(b) ELEMENTS.—The report required under subsection (a) shall include each of the following elements:

(1) An overview of current capabilities and limitations.

(2) An overview and assessment of current and future training requirements and gaps.

(3) An assessment of technical capability gaps.

(4) An assessment of interagency coordination capabilities and gaps.

(5) An outline of current and future proliferation and weapons of mass destruction threats, including critical intelligence gaps.

(6) An assessment of current international bilateral and multilateral partnerships and the limitations of such partnerships, including an assessment of existing authorities to build partnership capacity in this area.

(7) A description of efforts to address the limitations and gaps referred to in paragraphs (1) through (6), including timelines and requirements to address such limitations and such gaps.

(8) Any other matters the Secretary considered appropriate.

SEC. 1069. REPORT ON COMMUNICATIONS FROM CONGRESS ON STATUS OF MILITARY CONSTRUCTION PROJECTS.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress a report describing any letters from Congress (including a committee of the Senate or the House of Representatives, a member of Congress, an officer of Congress, or a congressional staff member) received by the Department of Defense that refers to or requests information on the status of a military construction project on the future-years defense program.

(b) DEADLINE.—The report required by subsection (a) shall be submitted not later than one year after the date of the enactment of this Act.

SEC. 1070. FEDERAL MORTUARY AFFAIRS ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established a Federal Mortuary Affairs Advisory Commission.

(b) PURPOSE.—The purpose of the Commission shall be to advise the President, the Secretary of Defense, the Secretary of Veterans Affairs, and Congress on the best practices for casualty notification, family support, and mortuary affairs operations so as to ensure prompt notification and compas-

sionate and responsive support for families who have lost servicemembers, and for the honorable and dignified disposition of the remains of fallen servicemembers.

(c) SCOPE.—Within the Department of Defense and the Department of Veterans Affairs, the Commission shall examine, on an ongoing basis, all matters that encompass the notification of family members on the death of a servicemember in said family; all family support programs, policies, and procedures designed to assist affected families; and all aspects of mortuary affairs operations, including the final disposition of fallen servicemembers.

(d) COMPOSITION.—

(1) MEMBERS.—The Commission shall consist of 13 members, appointed as follows:

(A) One member appointed by the President of the United States.

(B) One member appointed by the Speaker of the House of Representatives.

(C) One member appointed by the Minority Leader of the House of Representatives.

(D) One member appointed by the Majority Leader of the Senate.

(E) One member appointed by the Minority Leader of the Senate.

(F) One member appointed by the Chairman of the House Committee on Veterans Affairs.

(G) One member appointed by the Ranking Member of the House Committee on Veterans Affairs.

(H) One member appointed by the Chairman of the House Committee on Armed Services.

(I) One member appointed by the Ranking Member of the House Committee on Armed Services.

(J) One member appointed by the Chairman of the Senate Committee on Veterans Affairs.

(K) One member appointed by the Ranking Member of the Senate Committee on Veterans Affairs.

(L) One member appointed by the Chairman of the Senate Committee on Armed Services.

(M) One member appointed by the Chairman of the Senate Committee on Armed Services.

(2) TERM.—Each member shall serve a term of three years.

(3) MEETINGS AND QUORUM.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Seven members of the Commission shall constitute a quorum.

(4) CHAIRMAN AND VICE CHAIRMAN.—Upon convening for its first meeting, the Commission members shall elect by majority vote a chairman and vice chairman of the Commission.

(5) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) QUALIFICATIONS.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government.

(3) OTHER QUALIFICATIONS.—At least four individuals appointed to the Commission should include family members who have direct experience dealing with the loss of a servicemember that involved interactions with the Dover Port Mortuary. At least three individuals should have extensive private or public sector experience in mortuary science, operations, procedures, and decorum.

(f) DURATION.—The Commission shall have a 5 year duration, beginning after the last member of the Commission is appointed.

(g) MEETINGS AND REPORTS.—The Commission shall hold regular public meetings, notification of which shall appear in the Federal Register and on the Commission's website. Not less than annually, the Commission shall provide a written report to the President, the Secretary of Defense, the Secretary of Veterans Affairs, and Congress on—

(1) recommendations for improving casualty notification, family support, and remains disposition; and

(2) progress, or lack thereof, by the Department of Defense and the Department of Veterans Affairs in acting upon prior recommendations of the Commission. Said report shall also be posted on the Commission's website for public inspection.

(h) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, Commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this title. Each department, bureau, agency, board, Commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(i) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(j) STAFF OF COMMISSION.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(3) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commis-

sion, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(4) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(k) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 1070A. REPORT ON MANUFACTURING INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report assessing the manufacturing industry of the United States. The report shall include, at a minimum, the following:

(1) An assessment of the current manufacturing capacity of the United States as it relates to the ability of the United States to respond to both civilian and defense needs.

(2) An assessment of the tax, trade, and regulatory policies of the United States as such policies impact the growth of the manufacturing industry in the United States.

(3) An analysis of the factors leading to the increased outsourcing of manufacturing processes to foreign nations.

(4) An analysis of the strength of the United States defense industrial base, including the security and stability of the supply chain and an assessment of the vulnerabilities of that supply chain.

SEC. 1070B. REPORT ON LONG-TERM COSTS OF OPERATION NEW DAWN, OPERATION ENDURING FREEDOM, AND OTHER CONTINGENCY OPERATIONS.

(a) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of the long-term costs of Operation New Dawn and Operation Enduring Freedom for each of the following scenarios:

(1) The scenario in which the number of members of the Armed Forces deployed in support of Operation Enduring Freedom is reduced from roughly 90,000 in 2012 to 67,000 in 2013, and 50,000 by the beginning of 2014, and remains at 50,000 through 2020.

(2) The scenario in which the number of members of the Armed Forces deployed in support of Operation Enduring Freedom is reduced from roughly 90,000 in 2012 to 60,000 in 2013, and 30,000 by the beginning of 2014, and remains at 30,000 through 2020.

(3) An alternative scenario, determined by the President and based on current contingency operation and withdrawal plans, which takes into account expected force levels and the expected length of time that members of the Armed Forces will be deployed in support of Operation Enduring Freedom.

(b) ESTIMATES TO BE USED IN PREPARATION OF REPORT.—In preparing the report required

by subsection (b), the President shall make estimates and projections through at least fiscal year 2020, adjust any dollar amounts appropriately for inflation, and take into account and specify each of the following:

(1) The total number of members of the Armed Forces expected to be deployed in support of Operation Enduring Freedom, and Operation Odyssey Dawn, including—

(A) the number of members of the Armed Forces actually deployed in Southwest Asia in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn;

(B) the number of members of reserve components of the Armed Forces called or ordered to active duty in the United States for the purpose of training for eventual deployment in Southwest Asia, backfilling for deployed troops, or supporting other Department of Defense missions directly or indirectly related to Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn; and

(C) the break-down of deployments of members of the regular and reserve components and activation of members of the reserve components.

(2) The number of members of the Armed Forces, including members of the reserve components, who have previously served in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn and who are expected to serve multiple deployments.

(3) The number of contractors and private military security firms that have been used and are expected to be used during the course of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(4) The number of veterans currently suffering and expected to suffer from post-traumatic stress disorder, traumatic brain injury, or other mental injuries.

(5) The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred during service in support of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom.

(6) The current number of pending Department of Veterans Affairs claims from veterans of military service in Iraq, Afghanistan, and Libya, and the total number of such veterans expected to seek disability compensation from the Department of Veterans Affairs.

(7) The total number of members of the Armed Forces who have been killed or wounded in Iraq, Afghanistan, or Libya, including noncombat casualties, the total number of members expected to suffer injuries in Iraq, Afghanistan, and Libya, and the total number of members expected to be killed in Iraq, Afghanistan, and Libya, including noncombat casualties.

(8) The amount of funds previously appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for costs related to Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, including an account of the amount of funding from regular Department of Defense, Department of State, and Department of Veterans Affairs budgets that has gone and will go to costs associated with such operations.

(9) Current and future operational expenditures associated with Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn including—

(A) funding for combat operations;

(B) deploying, transporting, feeding, and housing members of the Armed Forces (including fuel costs);

(C) activation and deployment of members of the reserve components of the Armed Forces;

(D) equipping and training of Iraqi and Afghani forces;

(E) purchasing, upgrading, and repairing weapons, munitions, and other equipment consumed or used in Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn; and

(F) payments to other countries for logistical assistance in support of such operations.

(10) Past, current, and future costs of entering into contracts with private military security firms and other contractors for the provision of goods and services associated with Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(11) Average annual cost for each member of the Armed Forces deployed in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn, including room and board, equipment and body armor, transportation of troops and equipment (including fuel costs), and operational costs.

(12) Current and future cost of combat-related special pays and benefits, including reenlistment bonuses.

(13) Current and future cost of calling or ordering members of the reserve components to active duty in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(14) Current and future cost for reconstruction, embassy operations and construction, and foreign aid programs for Iraq and Afghanistan.

(15) Current and future cost of bases and other infrastructure to support members of the Armed Forces serving in Iraq and Afghanistan.

(16) Current and future cost of providing health care for veterans who served in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn—

(A) the cost of mental health treatment for veterans suffering from post-traumatic stress disorder and traumatic brain injury, and other mental problems as a result of such service; and

(B) the cost of lifetime prosthetics care and treatment for veterans suffering from amputations as a result of such service.

(17) Current and future cost of providing Department of Veterans Affairs disability benefits for the lifetime of veterans who incur disabilities while serving in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(18) Current and future cost of providing survivors' benefits to survivors of members of the Armed Forces killed while serving in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(19) Cost of bringing members of the Armed Forces and equipment back to the United States upon the conclusion of Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn, including the cost of demobilization, transportation costs (including fuel costs), providing transition services for members of the Armed Forces transitioning from active duty to veteran status, transporting equipment, weapons, and munitions (including fuel costs), and an estimate of the value of equipment that will be left behind.

(20) Cost to restore the military and military equipment, including the equipment of the reserve components, to full strength after the conclusion of Operation New Dawn or Operation Enduring Freedom.

(21) Amount of money borrowed to pay for Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Op-

eration Odyssey Dawn, and the sources of that money.

(22) Interest on money borrowed, including interest for money already borrowed and anticipated interest payments on future borrowing, for Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

Subtitle G—Miscellaneous Authorities and Limitations

SEC. 1071. RULE OF CONSTRUCTION RELATING TO PROHIBITION ON INFRINGING ON THE INDIVIDUAL RIGHT TO LAWFULLY ACQUIRE, POSSESS, OWN, CARRY, AND OTHERWISE USE PRIVATELY OWNED FIREARMS, AMMUNITION, AND OTHER WEAPONS.

Section 1062(c) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4363) is amended—

(1) in paragraph (1)(B), by striking “; or” and inserting a semicolon;

(2) in paragraph (2), by striking “others.” and inserting “others; or”; and

(3) by adding at the end the following new paragraph:

“(3) authorize a mental health professional that is a member of the Armed Forces or a civilian employee of the Department of Defense or a commanding officer to inquire if a member of the Armed Forces plans to acquire, or already possesses or owns, a privately-owned firearm, ammunition, or other weapon, if such mental health professional or such commanding officer has reasonable grounds to believe such member is at high risk for suicide or causing harm to others.”.

SEC. 1072. EXPANSION OF AUTHORITY OF THE SECRETARY OF THE ARMY TO LOAN OR DONATE EXCESS SMALL ARMS FOR FUNERAL AND OTHER CEREMONIAL PURPOSES.

Section 4683(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) In order to meet the needs of an eligible organization with respect to performing funeral and other ceremonies, if the Secretary determines appropriate, the Secretary may—

“(i) loan or donate excess small arms to an eligible organization;

“(ii) authorize an eligible organization to retain small arms other than M-1 rifles; or

“(iii) if excess small arms stock is insufficient to meet organizational requirements, prescribe policies and procedures to establish a rotational loan program based on the needs of eligible organizations.

“(B) Nothing in this paragraph shall be construed to supersede any Federal law or regulation governing the use or ownership of firearms.

“(C) The Secretary may not delegate the authority under this paragraph.”.

SEC. 1073. PROHIBITION ON THE USE OF FUNDS FOR MANUFACTURING BEYOND LOW-RATE INITIAL PRODUCTION AT CERTAIN PROTOTYPE INTEGRATION FACILITIES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used for manufacturing production beyond the greater of low-rate initial production or 1000 units at a prototype integration facility of any of the following components of the Army Research, Development, and Engineering Command:

(1) The Armament Research, Development, and Engineering Center.

(2) The Aviation and Missile Research, Development, and Engineering Center.

(3) The Communications-Electronics Research, Development, and Engineering Center.

(4) The Tank Automotive Research, Development, and Engineering Center.

(b) WAIVER.—The Assistant Secretary of the Army for Acquisition, Logistics, and

Technology may waive the prohibition under subsection (a) for a fiscal year if—

(1) the Assistant Secretary determines that the waiver is necessary—

(A) for reasons of national security; or
(B) to rapidly acquire equipment to respond to combat emergencies; and

(2) the Assistant Secretary submits to Congress a notification of the waiver together with the reasons for the waiver.

(c) **LOW-RATE INITIAL PRODUCTION.**—For purposes of this section, the term “low-rate initial production” shall be determined in accordance with section 2400 of title 10, United States Code.

SEC. 1074. INTERAGENCY COLLABORATION ON UNMANNED AIRCRAFT SYSTEMS.

(a) **FINDINGS ON JOINT DEPARTMENT OF DEFENSE-FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.**—Section 1036(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4596) is amended by adding at the end the following new paragraph:

“(9) Collaboration of scientific and technical personnel and sharing resources from the Department of Defense, Federal Aviation Administration, and National Aeronautics and Space Administration can advance an enduring relationship of research capability to advance the access of unmanned aircraft systems of the Department of Defense to the National Airspace System.”.

(b) **INTERAGENCY COLLABORATION.**—

(1) **IN GENERAL.**—The Secretary of Defense shall collaborate with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration to conduct research and seek solutions to challenges associated with the safe integration of unmanned aircraft systems into the National Airspace System in accordance with subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 126 Stat. 72).

(2) **ACTIVITIES IN SUPPORT OF PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.**—Collaboration under paragraph (1) may include research and development of scientific and technical issues, equipment, and technology in support of the plan to safely accelerate the integration of unmanned aircraft systems as required by subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 126 Stat. 72).

(3) **NONDUPLICATIVE EFFORTS.**—If the Secretary of Defense determines it is in the interest of the Department of Defense, the Secretary may use existing aerospace-related laboratories, personnel, equipment research radars, and ground facilities of the Department of Defense to avoid the duplication of efforts in carrying out collaboration under paragraph (1).

(4) **REPORTS.**—

(A) **REQUIREMENT.**—The Secretary of Defense, on behalf of the UAS Executive Committee, shall annually submit to the congressional defense committees, the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of collaborative research activity, including—

(i) the progress on accomplishing the goals of the unmanned aircraft systems research, development, and demonstration roadmap of the Next Generation Air Transportation System Joint Planning and Development Office of the Federal Aviation Administration; and
(ii) estimates of long-term funding needs.

(B) **TERMINATION.**—The requirement to submit a report under subparagraph (A) shall terminate on the date that is five years after the date of the enactment of this Act.

(c) **UAS EXECUTIVE COMMITTEE DEFINED.**—In this section, the term “UAS Executive Committee” means the Department of Defense—Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

SEC. 1075. AUTHORITY TO TRANSFER SURPLUS MINE-RESISTANT AMBUSH-PROTECTED VEHICLES AND SPARE PARTS.

(a) **AUTHORITY.**—The Secretary of Defense is authorized to transfer surplus Mine-Resistant Ambush-Protected vehicles, including spare parts for such vehicles, to non-profit United States humanitarian demining organizations for purposes of demining activities and training of such organizations.

(b) **TERMS AND CONDITIONS.**—Any transfer of vehicles or spare parts under subsection (a) shall be subject to the following terms and conditions:

(1) The transfer shall be made on a loan basis.

(2) The costs of operation and maintenance of the vehicles shall be borne by the recipient organization.

(3) Any other terms and conditions as the Secretary of Defense determines to be appropriate.

(c) **NOTIFICATION.**—The Secretary of Defense shall notify the congressional defense committees in writing not less than 60 days before making any transfer of vehicles or spare parts under subsection (a). Such notification shall include the name of the organization, the number and model of the vehicle to be transferred, a listing of any spare parts to be transferred, and any other information the Secretary considers appropriate.

SEC. 1076. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF AIRCRAFT.

(a) **IN GENERAL.**—Except as provided by section 135, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Army or the Air Force may be used during fiscal year 2013 to divest, retire, or transfer, or prepare to divest, retire, or transfer, any—

(1) C-23 aircraft of the Army assigned to the Army as of May 31, 2012; or

(2) aircraft of the Air Force assigned to the Air Force as of May 31, 2012.

(b) **WAIVER.**—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary submits to the congressional defense committees written certification that such a waiver is necessary to meet an emergency national security requirement; and

(2) a period of 15 days has elapsed following the date on which such certification is submitted.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report by the Chief of the National Guard Bureau, the Chief of Staff of the Air Force, and the Chief of Staff of the Army and approved by the Secretary of Defense that specifies, with respect to all aircraft proposed to be retired during fiscal years 2013 through 2017—

(A) the economic analysis used to make each realignment decision with respect to such aircraft of the National Guard and Air Force Reserve;

(B) alternative options considered for each such realignment decision, including an analysis of such options;

(C) the effect of each such realignment decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Army; and

(D) the plans for each location that is being realigned, including the analysis used for such plans.

(2) **GAO ANALYSIS.**—The Comptroller General of the United States shall carry out the following:

(A) An economic analysis of the realignment decisions made by the Secretary of Defense with respect to the aircraft of the National Guard and Air Force Reserve described in paragraph (1)(A).

(B) An analysis of the alternative options considered for each such realignment decision.

(C) An analysis of the effect of each such realignment decision on—

(i) the current personnel at the location; and

(ii) the missions and capabilities of the Army; and

(D) An analysis of the plans described in paragraph (1)(D).

(3) **COOPERATION.**—The Secretary of Defense shall provide the Comptroller General with relevant data and cooperation to carry out the analyses under paragraph (2).

(4) **SUBMITTAL.**—Not later than 90 days after the date on which the Secretary submits the report under paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the analyses conducted under paragraph (2).

SEC. 1077. PROHIBITION ON DEPARTMENT OF DEFENSE USE OF NONDISCLOSURE AGREEMENTS TO PREVENT MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT FROM COMMUNICATING WITH MEMBERS OF CONGRESS.

(a) **INCLUSION OF CIVILIAN EMPLOYEES IN CURRENT PROHIBITION ON RESTRICTING COMMUNICATION.**—Paragraph (1) of subsection (a) of section 1034 of title 10, United States Code, is amended by inserting “or civilian employee of the Department of Defense” after “member of the armed forces”.

(b) **PROHIBITION ON USING NONDISCLOSURE AGREEMENTS TO RESTRICT COMMUNICATION.**—Such subsection is further amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2)(A) The prohibition imposed by paragraph (1) precludes the use of a nondisclosure agreement with a member of the armed forces or a civilian employee of the Department of Defense to restrict the member or employee in communicating with a Member of Congress or an Inspector General.

“(B) Subparagraph (A) does not prevent the use of nondisclosure agreements to prevent the disclosure of—

“(i) deliberations regarding the closure or realignment of a military installation under a base closure law;

“(ii) commercial proprietary information; and

“(iii) classified information the level of which exceeds the clearance held by the requester.”.

SEC. 1078. AUTHORITY FOR CORPS OF ENGINEERS TO CONSTRUCT PROJECTS CRITICAL TO NAVIGATION SAFETY.

The Secretary of the Army, acting through the Chief of Engineers, may accept non-Federal funds and use such funds to construct a navigation project that has not been specifically authorized by law if—

(1) the Secretary has received a completed Chief of Engineers’ report for the project;

(2) the project is fully funded by non-Federal sources using non-Federal funds; and

(3) the Secretary finds that the improvements to be made by the project are critical to navigation safety.

SEC. 1079. REVIEW OF AIR NATIONAL GUARD COMPONENT NUMBERED AIR FORCE AUGMENTATION FORCE.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of the Air Force shall conduct a review of the decision of the Secretary to cancel or consolidate the Air National Guard Component Numbered Air Force Augmentation Force.

(2) MATTERS INCLUDED.—The review under paragraph (1) shall include the following:

(A) An explanation of how the Secretary determined which Air National Guard Augmentation Units would be retired or relocated during fiscal year 2013.

(B) A description of the methodologies underlying such determinations, including the factors and assumptions that shaped the specific determinations.

(C) The rationale for selecting Augmentation Units to be retired or relocated with respect to such Units of the Air National Guard.

(D) An explanation of how such consolidation or relocation affects national security.

(E) Details of the costs incurred, avoided, or saved with respect to consolidation or relocation of Augmentation Units.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the review conducted under subsection (a)(1).

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the report is submitted under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report.

Subtitle H—Other Matters

SEC. 1081. BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.

(a) BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—

(1) ESTABLISHMENT.—Chapter 2 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 119b. Bipartisan independent strategic review panel

“(a) ESTABLISHMENT.—There is established a bipartisan independent strategic review panel (in this section referred to as the ‘Panel’) to conduct a regular review of the national defense strategic environment of the United States and to conduct an independent assessment of the quadrennial defense review required under section 118.

“(b) MEMBERSHIP.—

“(1) APPOINTMENT.—The Panel shall be composed of 12 members from civilian life with a recognized expertise in national security matters who shall be appointed as follows:

“(A) Four members shall be appointed by the Secretary of Defense, of whom not more than three members shall be of the same political party.

“(B) Two members shall be appointed by the chair of the Committee on Armed Services of the House of Representatives.

“(C) Two members shall be appointed by the chair of the Committee on Armed Services of the Senate.

“(D) Two members shall be appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

“(E) Two members shall be appointed by the ranking minority member of the Committee on Armed Services of the Senate.

“(2) INITIAL MEMBERS: APPOINTMENT DATE AND TERM OF SERVICE.—

“(A) APPOINTMENT DATE.—The initial members of the Panel shall be appointed under paragraph (1) not later than January 30, 2013.

“(B) TERMS.—

“(i) The Secretary of Defense shall designate two initial members of the Panel ap-

pointed under paragraph (1)(A) to serve terms that expire on December 31, 2013, and two such initial members to serve terms that expire on December 31, 2014.

“(ii) The chair of the Committee on Armed Services of the House of Representatives shall designate one initial member of the Panel appointed under paragraph (1)(B) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

“(iii) The chair of the Committee on Armed Services of the Senate shall designate one initial member of the Panel appointed under paragraph (1)(C) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

“(iv) The ranking minority member of the Committee on Armed Services of the House of Representatives shall designate one initial member of the Panel appointed under paragraph (1)(D) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

“(v) The ranking minority member of the Committee on Armed Services of the Senate shall designate one initial member of the Panel appointed under paragraph (1)(E) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.

“(3) CHAIRS.—The Secretary of Defense shall designate two members appointed pursuant to paragraph (1)(A) that are not of the same political party to serve as the Chairs of the Panel.

“(4) VACANCIES.—

“(A) A vacancy in the Panel shall be filled in the same manner as the original appointment and not later than 30 days after the date on which the vacancy begins.

“(B) A member of the Panel appointed to fill a vacancy shall be appointed for a term that expires—

“(i) in the case of an appointment to fill a vacancy resulting from a person not serving the entire term for which such person was appointed, at the end of the remainder of such term; and

“(ii) in the case of an appointment to fill a vacancy resulting from the expiration of the term of a member of the panel, two years after the date on which the term of such member expired.

“(5) REAPPOINTMENT.—Members of the Panel may be reappointed to the Panel for additional terms of service.

“(6) PAY.—The members of the Panel shall serve without pay

“(7) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

“(c) DUTIES.—

“(1) REVIEW OF NATIONAL DEFENSE STRATEGIC ENVIRONMENT.—The Panel shall every four years, during a year following a year evenly divisible by four, review the national defense strategic environment of the United States. Such review shall include a review and assessment of—

“(A) the national defense environment, including challenges and opportunities;

“(B) the national defense strategy and policy;

“(C) the national defense roles, missions, and organizations;

“(D) the risks to the national defense of the United States and how such risks affect challenges and opportunities to national defense; and

“(2) ADDITIONAL REVIEWS.—The Panel may conduct additional reviews under paragraph (1) as requested by Congress or the Secretary of Defense, or when the Panel determines a

significant change in the national defense environment has occurred that would warrant new recommendations from the Panel.

“(3) ASSESSMENT OF QUADRENNIAL DEFENSE REVIEW.—The Panel shall conduct an assessment of each quadrennial defense review required to be conducted under section 118. Each assessment shall include—

“(A) a review of the Secretary of Defense’s terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on such quadrennial defense review;

“(B) an assessment of the assumptions, strategy, findings, and risks in the report of the Secretary of Defense on such quadrennial defense review required under section 118(d), with particular attention paid to the risks described in such a report;

“(C) an independent assessment of a variety of possible force structures for the armed forces, including the force structure identified in the report required under section 118(d); and

“(D) a review of the resource requirements identified in such quadrennial defense review pursuant to section 118(b)(3) and, to the extent practicable, a general comparison of such resource requirements with the resource requirements to support the forces contemplated under the force structures assessed under subparagraph (C).

“(d) ADMINISTRATIVE PROVISIONS.—

“(1) STAFF.—

“(A) IN GENERAL.—The Chairs of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director and not more than 11 additional personnel, as may be necessary to enable the Panel to perform the duties of the Panel.

“(B) COMPENSATION.—The Chairs of the Panel may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to the classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

“(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Panel without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

“(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairs of the Panel may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title.

“(4) PROVISION OF INFORMATION.—The Panel may request directly from the Department of Defense and any of its components such information as the Panel considers necessary to carry out its duties under this section. The head of the department or agency concerned shall cooperate with the Panel to ensure that information requested by the Panel under this paragraph is promptly provided to the maximum extent practical.

“(5) USE OF CERTAIN DEPARTMENT OF DEFENSE RESOURCES.—Upon the request of the Chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally-funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

“(6) FUNDING.—Funds for activities of the Panel shall be provided from amounts available to the Department of Defense.

“(e) REPORTS.—

(1) REVIEW OF NATIONAL DEFENSE STRATEGIC ENVIRONMENT.—Not later than June 30 of a year following a year evenly divisible by four, the Panel shall submit to the congressional defense committees, the Secretary of Defense, and the National Security Council a report containing the results of the review conducted under subsection (c)(1) and any recommendations or other matters that the Panel considers appropriate.

(2) ASSESSMENT OF QUADRENNIAL DEFENSE REVIEW.—Not later than 90 days after the date on which a report on a quadrennial defense review is submitted to Congress under section 118(d), the Panel shall submit to the congressional defense committees and the Secretary of Defense a report containing the results of the assessment conducted under subsection (c)(3) and any recommendations or other matters that the Panel considers appropriate.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by adding at the end the following new item:

“119b. Bipartisan independent strategic review panel.”.

(b) UPDATES FROM SECRETARY OF DEFENSE ON PROGRESS OF QUADRENNIAL DEFENSE REVIEW.—Section 118(f) of title 10, United States Code, is amended to read as follows:

“(f) UPDATES TO BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—The Secretary of Defense shall ensure that periodically, but not less often than every 60 days, or at the request of the Chairs of the bipartisan independent strategic review panel established under section 119b(a), the Department of Defense briefs such panel on the progress of the conduct of a quadrennial defense review under subsection (a).”.

(c) BIPARTISAN INDEPENDENT STRATEGIC REVIEW OF THE UNITED STATES ARMY.—

(1) REVIEW REQUIRED.—Not later than 30 days after the date on which all initial members of the bipartisan independent strategic review panel are appointed under section 119b(b) of title 10, United States Code, as added by subsection (a)(1) of this section, the Panel shall begin a review of the future of the Army.

(2) ELEMENTS OF REVIEW.—The review required under paragraph (1) shall include a review and assessment of—

(A) the validity and utility of the scenarios and planning assumptions the Army used to develop the current force structure of the Army;

(B) such force structure and an evaluation of the adequacy of such force structure for meeting the goals of the national military strategy of the United States;

(C) the size and structure of elements of the Army, in particular United States Army Training and Doctrine Command, United States Army Materiel Command, and corps and higher headquarters elements;

(D) potential alternative force structures of the Army; and

(E) the resource requirements of each of the alternative force structures analyzed by the Panel.

(3) REPORT.—

(A) PANEL REPORT.—Not later than one year after the date on which the Panel begins the review required under paragraph (1), the Panel shall submit to the congressional defense committees and the Secretary of Defense a report containing the findings and recommendations of the Panel, including any recommendations concerning changes to the planned size and composition of the Army.

(B) ADDITIONAL VIEWS.—The report required under subparagraph (A) shall include any additional or dissenting views of a member of the Panel that such member considers appropriate to include in such report.

(4) DEFINITIONS.—In this section:

(A) ARMY.—The term “Army” includes the reserve components of the Army.

(B) BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—The terms “bipartisan independent strategic review panel” and “Panel” mean the bipartisan independent strategic review panel established under section 119b(a) of title 10, United States Code, as added by subsection (a)(1) of this section.

SEC. 1082. NOTIFICATION OF DELAYED REPORTS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 122a the following new section:

“§ 122b. Notification of delayed reports

“If the Secretary of Defense determines that a report required by law to be submitted by any official of the Department of Defense to Congress will not be submitted by the date required under law, the Secretary shall submit to the congressional defense committees a notification, by not later than such date, of the following:

“(1) An explanation of why such report will not be submitted by such date.

“(2) The date on which such report will be submitted.

“(3) The status of such report as of the date of the notification.

“(4) The office of the Department carrying out such report and the individual acting as the head of such office.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 122a the following new item:

“122b. Notification of delayed reports.”.

SEC. 1083. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Effective as of December 31, 2011, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(1) Section 243(d) (125 Stat. 1344) is amended by striking “paragraph” and inserting “subsection”.

(2) Section 541(b) (125 Stat. 1407) is amended by striking “, as amended by subsection (a).”.

(3) Section 589(b) (125 Stat. 1438) is amended by striking “section 717” and inserting “section 2564”.

(4) Section 602(a)(2) (125 Stat. 1447) is amended by striking “repairs,” and inserting “repairs”.

(5) Section 631(e)(28)(A) (125 Stat. 1464) is amended by striking “In addition” in the matter proposed to be inserted and inserting “Under regulations”.

(6) Section 631(f)(2) (125 Stat. 1464) is amended by striking “table of chapter” and inserting “table of chapters”.

(7) Section 631(f)(3)(B) (125 Stat. 1465) is amended by striking “chapter 9” and inserting “chapter 10”.

(8) Section 631(f)(4) (125 Stat. 1465) is amended by striking “subsection (c)” both places it appears and inserting “subsection (d)”.

(9) Section 801 (125 Stat. 1482) is amended—

(A) in subsection (a)(1)(B), by striking “paragraphs (6) and (7)” and inserting “paragraphs (5) and (6)”;

(B) in subsection (a)(2), in the matter proposed to be inserted as a new paragraph, by striking the double closing quotation marks after “capabilities” and inserting a single closing quotation mark; and

(C) in subsection (e)(1)(A), by striking “Point” in the matter proposed to be struck and inserting “Point A”.

(10) Section 832(b)(1) (125 Stat. 1504) is amended by striking “Defenese” and inserting “Defense”.

(11) Section 855 (125 Stat. 1521) is amended by striking “Section 139e(b)(12)” and inserting “Section 139c(b)(12)”.

(12) Section 864(a)(2) (125 Stat. 1522) is amended by striking “for Acquisition Workforce Programs” in the matter proposed to be struck.

(13) Section 864(d)(2) (125 Stat. 1525) is amended to read as follows:

“(2) in paragraph (6), by striking ‘ensure that amounts collected’ and all that follows through the end of the paragraph (as amended by section 526 of division C of Public Law 112–74 (125 Stat. 914)) and inserting ‘ensure that amounts collected under this section are not used for a purpose other than the activities set forth in section 1201(a) of this title.’”.

(14) Section 866(a) (125 Stat. 1526) is amended by striking “September 30” in the matter proposed to be struck and inserting “December 31”.

(15) Section 867 (125 Stat. 1526) is amended—

(A) in paragraph (1), by striking “2010” in the matter proposed to be struck and inserting “2011”; and

(B) in paragraph (2), by striking “2013” in the matter proposed to be struck and inserting “2014”.

(16) Section 1045(c)(1) (125 Stat. 1577) is amended by striking “described in subsection (b)” and inserting “described in paragraph (2)”.

(17) Section 1067 (125 Stat. 1589) is amended—

(A) by striking subsection (a); and

(B) by striking the subsection designation and the subsection heading of subsection (b).

(18) Section 2702 (125 Stat. 1681) is amended—

(A) in the section heading, by striking “authorized” and inserting “authorization of appropriations for”; and

(B) by striking “Using amounts” and all that follows through “may carry out” and inserting “Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for”.

(19) Section 2815(c) (125 Stat. 1689) is amended by inserting “subchapter III of” before “chapter 169”.

(b) AMENDMENTS TO IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Effective as of January 7, 2011, and as if included therein as enacted, the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(1) Section 533(b) (124 Stat. 4216) is amended by inserting “Section” before “1559(a)”.

(2) Section 863(d)(9) (124 Stat. 4293; 10 U.S.C. 2330 note) is amended by striking “this title” and inserting “title 10, United States Code”.

(3) Section 896(a) (124 Stat. 4314) is amended by striking “Chapter 7” and inserting “Chapter 4”.

(c) AMENDMENTS TO REFLECT REDESIGNATION OF CERTAIN POSITIONS IN OFFICE OF SECRETARY OF DEFENSE.—

(1) ASSISTANT SECRETARY OF DEFENSE FOR NUCLEAR, CHEMICAL, AND BIOLOGICAL DEFENSE PROGRAMS.—Section 1605(a)(5) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note) is amended by striking “The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs” each place it appears and inserting “The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs”.

(2) ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—

(A) The following provisions are amended by striking “Director of Defense Research and Engineering” and inserting “Assistant

Secretary of Defense for Research and Engineering”;

(i) Sections 2362(a)(1) and 2521(e)(5) of title 10, United States Code.

(ii) Section 241(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 10 U.S.C. 2521 note).

(iii) Section 212(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 10 U.S.C. 2358 note).

(iv) Section 246(d)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2358 note).

(v) Section 257(a) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 10 U.S.C. 2358 note).

(vi) Section 1101(b)(1)(D) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 5 U.S.C. 3104 note).

(vii) Section 802(g)(1)(B)(ii) of the Higher Education Opportunity Act (20 U.S.C. 9631(g)(1)(B)(ii)).

(B) Section 2365 of title 10, United States Code, is amended—

(i) in subsection (a), by inserting “of Defense for Research and Engineering” after “Assistant Secretary”; and

(ii) in subsection (d)(3)(A), by striking “Director” and inserting “Assistant Secretary”.

(C) Section 256 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 10 U.S.C. 1071 note) is amended in subsections (b)(4) and (d) by striking “Director, Defense” and inserting “Assistant Secretary of Defense for”.

(D) Section 1504 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 2358 note) is amended—

(i) in subsection (a), by striking “Director of Defense” and inserting “Assistant Secretary of Defense for”; and

(ii) in subsection (b)(9), by striking “the Director of the” and all that follows through “Engineering” and inserting “the Director and the Assistant Secretary”.

(E) Section 802 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2358 note) is amended—

(i) in subsection (a), by striking “Director of Defense” and inserting “Assistant Secretary of Defense for”;

(ii) in subsections (b), (d), and (e), by striking “Director” and inserting “Assistant Secretary”; and

(iii) in subsection (f), by striking “Not later than” and all that follows through “the Director” and inserting “The Assistant Secretary”.

(F) Section 214 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 2521 note) is amended by striking “unless the” and all that follows through “ensures” and inserting “unless the Assistant Secretary of Defense for Research and Engineering ensures”.

(d) CROSS-REFERENCE AMENDMENTS RELATING TO ENACTMENT OF TITLE 41.—Title 10, United States Code, is amended as follows:

(1) Section 2302 is amended—

(A) in paragraph (7), by striking “section 4 of such Act” and inserting “such section”; and

(B) in paragraph (9)(A)—

(i) by striking “section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)” and inserting “chapter 15 of title 41”; and

(ii) by striking “such section” and inserting “such chapter”.

(2) Section 2306a(b)(3)(B) is amended by striking “section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))” and inserting “section 103(3)(A) of title 41”.

(3) Section 2321(f)(2) is amended by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and inserting “section 104 of title 41”.

(4) Section 2359a(h) is amended by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and inserting “section 1702(c) of title 41”.

(5) Section 2359b(k)(4) is amended—

(A) in subparagraph (A), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and inserting “section 110 of title 41”; and

(B) in subparagraph (B), by adding a period at the end.

(6) Section 2379 is amended—

(A) in subsections (a)(1)(A), (b)(2)(A), and (c)(1)(B)(i), by striking “section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))” and inserting “section 103 of title 41”; and

(B) in subsections (b) and (c)(1), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and inserting “section 104 of title 41”.

(7) Section 2382(c) is amended—

(A) in paragraph (2)(B), by striking “sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)” and inserting “sections 4101, 4103, 4105, and 4106 of title 41”; and

(B) in paragraph (3)(A), by striking “section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))” and inserting “section 1702(c) of title 41”.

(8) Section 2410m(b)(1) is amended—

(A) in subparagraph (A)(i), by striking “section 7 of such Act” and inserting “section 7104(a) of such title”; and

(B) in subparagraph (B)(ii), by striking “section 7 of the Contract Disputes Act of 1978” and inserting “section 7104(a) of title 41”.

(9) Section 2533b is amended—

(A) in subsection (h)—

(i) in paragraph (1), by striking “sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)” and inserting “sections 1906 and 1907 of title 41”; and

(ii) in paragraph (2), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and inserting “section 104 of title 41”; and

(B) in subsection (m)—

(i) in paragraph (2), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and inserting “section 105 of title 41”; and

(ii) in paragraph (3), by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and inserting “section 131 of title 41”; and

(iii) in paragraph (5), by striking “section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))” and inserting “section 104 of title 41”.

(e) OTHER CROSS-REFERENCE AMENDMENTS IN TITLE 10.—Title 10, United States Code, is amended as follows:

(1) Section 1722b(c) is amended—

(A) in paragraph (3), by striking “subsections (b)(2)(A) and (b)(2)(B)” and inserting “subsections (b)(1)(A) and (b)(1)(B)”; and

(B) in paragraph (4), by striking “1734(d), or 1736(c)” and inserting “or 1734(d)”.

(2) Section 2382(b)(1) is amended by inserting “of the Small Business Act (15 U.S.C. 657q(c)(4))” after “section 44(c)(4)”; and

(3) Section 2548(e)(2) is amended by striking “section 103(f) of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note),” and inserting “section 2438(f) of this title”.

(4) Section 2925 is amended—

(A) in subsection (a)(1), by striking “section 533” and inserting “section 553”; and

(B) in subsection (b)(1), by striking “section 139b” and inserting “section 138c”.

(f) DATE OF ENACTMENT REFERENCES.—Title 10, United States Code, is amended as follows:

(1) Section 1564(a)(2)(B) is amended by striking “the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011” in clauses (ii) and (iii) and inserting “January 7, 2011”.

(2) Section 2359b(k)(5) is amended by striking “the date that is five years after the date of the enactment of this Act” and inserting “January 7, 2016”.

(3) Section 2649(c) is amended by striking “During the 5-year period beginning on the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011” and inserting “Until January 6, 2016”.

(4) Section 2790(g)(1) is amended by striking “on or after the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011” and inserting “after January 6, 2011”.

(5) Sections 3911(b)(2), 6323(a)(2)(B), and 8911(b)(2) are amended by striking “the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011” and inserting “January 7, 2011”.

(6) Section 10217(d)(3) is amended by striking “after the end of the 2-year period beginning on the date of the enactment of this subsection” and inserting “after January 6, 2013”.

(g) OTHER MISCELLANEOUS AMENDMENTS TO TITLE 10.—Title 10, United States Code, is amended as follows:

(1) Section 113(c)(2) is amended by striking “on” after “Board on”.

(2) The table of sections at the beginning of chapter 4 is amended by striking the item relating to section 133b.

(3) Paragraph (3) of section 138(c), as added by section 314(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1357), is transferred to appear at the end of section 138c(c).

(4) Section 139a(d)(4) is amended by adding a period at the end.

(5) Section 139b(a)(6) is amended by striking “propriety” and inserting “proprietary”.

(6) The item relating to section 225 at the end of the table of sections at the beginning of chapter 9 is transferred to appear after the item relating to section 224.

(7) Section 843(b)(2)(B)(v) (article 43 of the Uniform Code of Military Justice) is amended by striking “Kidnaping,,” and inserting “Kidnaping,”

(8) Section 920(g)(7) (article 120 of the Uniform Code of Military Justice) is amended by striking the second period at the end.

(9) Section 1086(b)(1) is amended by striking “clause (2)” and inserting “paragraph (2)”.

(10) Section 1142(b)(10) is amended by striking “training,,” and inserting “training,”

(11) Section 1401(a) is amended by striking “columns 1, 2, 3, and 4,” in the matter preceding the table and inserting “columns 1, 2, and 3,”

(12) Section 1781(a) is amended—

(A) in the first sentence, by striking “Director” and inserting “Office”; and

(B) in the first sentence, by striking “hereinafter”; and

(C) in the second sentence, by striking “office” both places it appears and inserting “Office”.

(13) Section 1790 is amended—

(A) by striking the section heading and inserting the following:

“§ 1790. Military personnel citizenship processing”;

(B) by striking “AUTHORIZATION OF PAYMENTS.—”;

(C) by striking “title 10, United States Code” and inserting “this title”;

(D) by striking “Secs.”; and

(E) by striking “sections 286(m) and (n) of such Act (8 U.S.C. Sec. 1356(m))” and inserting “subsections m and (n) of section 286 of such Act (8 U.S.C. 1356).”.

(14) Section 2006(b)(2) is amended by redesignating the second subparagraph (E) (as added by section 109(b)(2)(B) of Public Law 111-377 (124 Stat. 4120), effective August 1, 2011) as subparagraph (F).

(15) Section 2350m(e) is amended by striking “Not later than October 31, 2009, and annually thereafter” and inserting “Not later than October 31 each year”.

(16) Section 2401 is amended by striking “the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives” in subsections (b)(1)(B) and (h)(1) and inserting “the congressional defense committees”.

(17) Section 2438(a)(3) is amended by inserting “the senior” before “officials”.

(18) Section 2548 is amended—

(A) in subsection (a)—

(i) by striking “Not later than” and all that follows through “the Secretary” and inserting “The Secretary”; and

(ii) by adding a period at the end of paragraph (3);

(B) in subsection (d), by striking “Beginning with fiscal year 2012, the” and inserting “The”; and

(C) in subsection (e)(1), by striking “, United States Code.”.

(19) Section 2561(f)(2) is amended by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.

(20) Section 2687a is amended—

(A) in subsection (a), by striking “Foreign relations” and inserting “Foreign Relations”; and

(B) in subsection (b)(1)—

(i) by striking the comma after “including”; and

(ii) by striking “The Treaty” and inserting “the Treaty”.

(21) Section 4342 is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking “clause” both places it appears and inserting “paragraph”; and

(ii) in paragraph (5), by striking “clauses” and inserting “paragraphs”;

(B) in subsection (d), by striking “clauses” and inserting “paragraphs”; and

(C) in subsection (f), by striking “clauses” and inserting “paragraphs”.

(22) Section 4343 is amended by striking “clauses” and inserting “paragraphs”.

(23) Section 6954 is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking “clause” both places it appears and inserting “paragraph”; and

(ii) in paragraph (5), by striking “clauses” and inserting “paragraphs”; and

(B) in subsection (d), by striking “clauses” and inserting “paragraphs”.

(24) Section 6956(b) is amended by striking “clauses” and inserting “paragraphs”.

(25) Section 9342 is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking “clause” both places it appears and inserting “paragraph”; and

(ii) in paragraph (5), by striking “clauses” and inserting “paragraphs”;

(B) in subsection (d), by striking “clauses” and inserting “paragraphs”; and

(C) in subsection (f), by striking “clauses” and inserting “paragraphs”.

(26) Section 9343 is amended by striking “clauses” and inserting “paragraphs”.

(27) Section 10217(c)(3) is amended by striking “consider” and inserting “considered”.

(h) REPEAL OF EXPIRED PROVISIONS.—Title 10, United States Code, is amended as follows:

(1) Section 1108 is amended—

(A) by striking subsections (j) and (k); and
(B) by redesignating subsection (l) as subsection (j).

(2) Section 2325 is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

(3) Section 2349a is repealed, and the table of sections at the beginning of subchapter I of chapter 138 is amended by striking the item relating to that section.

(4) Section 2374b is repealed, and the table of sections at the beginning of chapter 139 is amended by striking the item relating to that section.

(i) AMENDMENTS TO TITLE 37.— Title 37, United States Code, is amended as follows:

(1) Section 310(c)(1) is amended by striking “section for” and inserting “section for”.

(2) Section 431, as transferred to chapter 9 of such title by section 631(d)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1460), is redesignated as section 491.

(j) AMENDMENTS TO TITLE 41.— Title 41, United States Code, is amended as follows:

(1) Section 1122(a)(5) is amended by striking the period at the end and inserting a semicolon.

(2) Section 1703(i)(6) is amended by striking “Procurement” and inserting “Procurement”.

(k) AMENDMENT TO TITLE 46.— Subsection (a) of section 51301 of title 46, United States Code, is amended in the heading by striking “IN GENERAL” and inserting “IN GENERAL”.

(l) DUPLICATIVE PROVISION IN ARMED FORCES RETIREMENT HOME ACT OF 1991.— Section 1511(d) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(d)) is amended by striking the first paragraph (3), leaving the second paragraph (3) added by section 561 of Public Law 112-81 (125 Stat. 1420).

(m) CROSS REFERENCES AND DATE OF ENACTMENT REFERENCES IN REINSTATEMENT OF TEMPORARY EARLY RETIREMENT AUTHORITY.— Section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 1293 note), as amended by section 504(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1391), is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A), by striking “1995 (” and inserting “1995 (Public Law 103-337;”; and

(B) in subparagraph (B), by striking “1995” and inserting “1996”;

(2) in subsection (h), by striking “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012” and inserting “December 31, 2011;”; and

(3) in subsection (i)(2), by striking “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012” and inserting “December 31, 2011.”.

(n) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any amendment made by other provisions of this Act.

SEC. 1084. PROHIBITION ON USE OF INFORMATION AGAINST A UNITED STATES CITIZEN GATHERED BY UNMANNED AERIAL VEHICLE WITHOUT A WARRANT.

Notwithstanding any other provision of law, information acquired by an unmanned aerial vehicle operated by the Department of Defense may not be admitted in a Federal court, State court, or court of a political

subdivision of a State as evidence against a United States citizen unless such information was obtained by such unmanned aerial vehicle pursuant to a court order.

SEC. 1085. THE HOUSE OF REPRESENTATIVES HONORS.

(a) FINDINGS.—The House of Representatives finds the following:

(1) The spread of warfare across Europe and Asia led to the establishment on May 20, 1941, of the United States Office of Civilian Defense by Executive Order No. 8757 of President Franklin D. Roosevelt, to “assure effective coordination of Federal relations with State and local governments engaged in defense activities, to provide for necessary cooperation with States and local governments in respect to measures for adequate protection of the civilian population in emergency periods, to facilitate constructive civilian participation in the defense program, and to sustain national morale”.

(2) The December 7, 1941, attack by the Empire of Japan on Pearl Harbor, Hawaii, precipitated the entry of the United States into the worldwide conflict and signaled a new era of warfare that demanded new efforts to protect the people of the United States from airborne assault by an overseas enemy.

(3) In response to this new threat, the United States Office of Civilian Defense mobilized millions of volunteers to participate in efforts to enhance the preparedness of the United States in case of attack, including fire protection, communication and logistics, construction of bomb shelters, and air raid blackout drills.

(4) Thousands of Americans unable to serve in the United States Armed Forces volunteered their service as Air Raid Wardens in communities across the United States during World War II, contributing to America’s defense against potential enemy assault and the ultimate victory of the Allied nation.

(5) A training manual distributed to Air Raid Wardens during World War II noted that “In the system of civilian defense, the Air Raid Warden occupies the key position. He is the field officer under whose supervision the efforts of the civilian population are directed in the tremendous task of effective defense. Through the Air Raid Wardens, civilian activity is coordinated with that of the police and fire departments and other vital services.”.

(6) Training manuals distributed to Air Raid Wardens included “I am an Air Raid Warden”, by Frank W. Atherton, Chief Air Raid Warden, 1st District, United States Citizens’ Defense Corps of Michigan, which read, in part that “I am an Air Raid Warden. My country, my state and my community have given me many pleasant and fruitful years and now in time of trouble I feel that it is my duty to do my part in the work assigned to me in helping to reduce to a minimum any harm that may come from without or within.”.

(7) Tony Pastor and His Orchestra released a song in 1942, titled “Obey Your Air Raid Warden”, which was widely distributed as a public service announcement and contained the following lyrics: “One, be calm. Two, get under shelter. Three, don’t run. Obey your air-raid warden. Four, stay home. Five, keep off the highway. Six, don’t phone. Obey your air-raid warden. There are rules that you should know, What to do and where to go, When you hear the sirens blow, Stop, look, and listen. Seven, don’t smoke. Eight, help all the kiddies. Most of all, obey your air-raid warden. Stop, look, and listen. Dim the lights, Wait for information, Most of all, obey your air-raid warden. Stop the panic, Don’t get in a huff, Our aim today is to call their bluff. Follow these rules and that is enough. Obey your air-raid warden.”.

(b) THE HOUSE OF REPRESENTATIVES HONORS.—The House of Representatives encourages surviving Air Raid Wardens and other volunteers of the United States Office of Civilian Defense during the World War II to record and permanently preserve stories of their service for future generations.

SEC. 1086. COST OF WARS.

The Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, shall post on the public Web site of the Department of Defense the costs, including the relevant legacy costs, to each American taxpayer of each of the wars in Afghanistan and Iraq.

SEC. 1087. INCREASE IN AUTHORIZED NUMBER OF WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

(a) IN GENERAL.—Section 1403(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2676; 10 U.S.C. 12310 note) is amended—

(1) in paragraph (1), by striking “23” and inserting “a minimum of 25”; and

(2) by striking “55 teams” each place it appears and inserting “57 teams”.

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, Army, as specified in the corresponding funding table in section 4301, for Line 070, Force Readiness Operations Support is hereby increased by \$5,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in division D, is hereby reduced by \$5,000,000, to be derived from Line 036, Program Element 0603384BP, Chemical and Biological Defense Program.

SEC. 1088. TRIAL OF FOREIGN TERRORISTS.

After the date of the enactment of this Act, any foreign national, who—

(1) engages or has engaged in conduct constituting an offense relating to a terrorist attack against persons or property in the United States or against any United States Government property or personnel outside the United States, and

(2) is subject to trial for that offense by a military commission under chapter 47A of title 10, United States Code, shall be tried for that offense only by a military commission under that chapter.

SEC. 1089. RIALTO-COLTON BASIN, CALIFORNIA, WATER RESOURCES STUDY.

(a) IN GENERAL.—Not later than 2 years after funds are made available to carry out this Act, the Secretary of the Interior, acting through the Director of the United States Geological Survey, shall complete a study of water resources in the Rialto-Colton Basin in the State of California (in this section referred to as the “Basin”), including—

(1) a survey of ground water resources in the Basin, including an analysis of—

(A) the delineation, either horizontally or vertically, of the aquifers in the Basin, including the quantity of water in the aquifers;

(B) the availability of ground water resources for human use;

(C) the salinity of ground water resources;

(D) the identification of a recent surge in perchlorate concentrations in ground water, whether significant sources are being flushed through the vadose zone, or if perchlorate is being remobilized;

(E) the identification of impacts and extents of all source areas that contribute to the regional plume to be fully characterized;

(F) the potential of the ground water resources to recharge;

(G) the interaction between ground water and surface water;

(H) the susceptibility of the aquifers to contamination, including identifying the extent of commingling of plume emanating within surrounding areas in San Bernardino County, California; and

(I) any other relevant criteria; and

(2) a characterization of surface and bedrock geology of the Basin, including the effect of the geology on ground water yield and quality.

(b) COORDINATION.—The Secretary shall carry out the study in coordination with the State of California and any other entities that the Secretary determines to be appropriate, including other Federal agencies and institutions of higher education.

(c) REPORT.—Upon completion of the study, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the study.

SEC. 1090. REPORT ON DESIGNATION OF BOKO HARAM AS A FOREIGN TERRORIST ORGANIZATION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this section, the Secretary of State shall submit to the appropriate congressional committees—

(A) a detailed report on whether the Nigerian organization named “People Committed to the Propagation of the Prophet’s Teachings and Jihad” (commonly known as “Boko Haram”), meets the criteria for designation as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(B) if the Secretary of State determines that Boko Haram does not meet such criteria, a detailed justification as to which criteria have not been met.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if appropriate.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Homeland Security, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to infringe upon the sovereignty of Nigeria to combat militant or terrorist groups operating inside the boundaries of Nigeria.

SEC. 1091. SENSE OF CONGRESS ON RECOGNIZING AIR MOBILITY COMMAND ON ITS 20TH ANNIVERSARY.

(a) FINDINGS.—Congress finds the following:

(1) On June 1, 1992, Air Mobility Command was established as the Air Force’s functional command for cargo and passenger delivery, air refueling, and aeromedical evacuation.

(2) As the lead Major Command for all Mobility Air Forces, Air Mobility Command ensures that the Air Force’s core functions of global vigilance, power, and reach are fulfilled.

(3) The ability of the United States to rapidly respond to humanitarian disasters and the outbreak of hostilities anywhere in the world truly defines the United States as a global power.

(4) Mobility Air Forces Airmen are unified by one single purpose: to answer the call of others so they may prevail.

(5) The United States’ hand of friendship to the world many times takes the form of Mobility Air Forces aircraft delivering humanitarian relief. Since its inception, Air Mobility Command has provided forces for 43 humanitarian relief efforts at home and abroad, from New Orleans, Louisiana, to Bam, Iran.

(6) A Mobility Air Forces aircraft departs every 2 minutes, 365 days a year. Since September 11, 2001, Mobility Air Forces aircraft have flown 18.9 million passengers, 6.8 million tons of cargo, and offloaded 2.2 billion pounds of fuel. Many of these flights have assisted combat aircraft protection United States forces from overhead.

(7) The United States keeps its solemn promise to its men and women in uniform with Air Mobility Command, accomplishing 186,940 patient movements since the beginning of Operation Iraqi Freedom.

(8) Mobility Air Forces Airmen reflect the best values of the Nation: delivering hope, saving lives, and fueling the fight.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, on the occasion of the 20th anniversary of the establishment of Air Mobility Command, the people of the United States should—

(1) recognize the critical role that Mobility Air Forces play in the Nation’s defense; and

(2) express appreciation for the leadership of Air Mobility Command and the more than 134,000 active-duty, Air National Guard, Air Force Reserve, and Department of Defense civilians that make up the command.

SEC. 1092. CONSOLIDATION OF DATA CENTERS.

Section 2867 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A), by inserting after “April 1, 2012,” the following: “and each year thereafter;” and

(B) by adding at the end the following new paragraph:

“(C) ADDITIONAL ELEMENT.—The performance plan required under this paragraph, with respect to plans submitted after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, shall be consistent with the July 2011 Government Accountability Office report to Congress, entitled ‘Data Center Consolidation Agencies Need to Complete Inventories and Plans to Achieve Expected Savings’ (GAO-11-565), as updated by quarterly consolidation progress reports submitted by the Department of Defense to the Office of Management and Budget”; and

(2) in subsection (d)(1), by adding at the end the following: “Beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, such report shall include progress updates on consolidation goals achieved during the preceding fiscal year consistent with the framework outlined by the July 2011 Government Accountability Office report to Congress, entitled ‘Data Center Consolidation Agencies Need to Complete Inventories and Plans to Achieve Expected Savings’ (GAO-11-565), as updated by quarterly consolidation progress reports submitted by the Department of Defense to the Office of Management and Budget.”.

SEC. 1093. SENSE OF CONGRESS REGARDING PRESERVATION OF SECOND AMENDMENT RIGHTS OF ACTIVE DUTY MILITARY PERSONNEL STATIONED OR RESIDING IN THE DISTRICT OF COLUMBIA.

(a) FINDINGS.—Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.

(2) Approximately 40,000 servicemen and women across all branches of the Armed

Forces either live in or are stationed on active duty within the Washington, DC metropolitan area. Unless these individuals are granted a waiver as serving in a law enforcement role, they are subject to the District of Columbia's onerous and highly restrictive laws on the possession of firearms.

(3) Military personnel, despite being extensively trained in the proper and safe use of firearms, are therefore deprived by the laws of the District of Columbia of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the United States for sporting use and for lawful defense of their persons, homes, businesses, and families.

(4) The District of Columbia has one of the highest per capita murder rates in the Nation, which may be attributed in part to previous local laws prohibiting possession of firearms by law-abiding persons who would have otherwise been able to defend themselves and their loved ones in their own homes and businesses.

(5) The Gun Control Act of 1968, as amended by the Firearms Owners' Protection Act, and the Brady Handgun Violence Prevention Act, provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws that only affect and disarm law-abiding citizens.

(6) On June 26, 2008, the Supreme Court of the United States in the case of District of Columbia v. Heller held that the Second Amendment protects an individual's right to possess a firearm for traditionally lawful purposes, and thus ruled that the District of Columbia's handgun ban and requirements that rifles and shotguns in the home be kept unloaded and disassembled or outfitted with a trigger lock to be unconstitutional.

(7) On July 16, 2008, the District of Columbia enacted the Firearms Control Emergency Amendment Act of 2008 (D.C. Act 17-422; 55 DCR 8237), which places onerous restrictions on the ability of law-abiding citizens from possessing firearms, thus violating the spirit by which the Supreme Court of the United States ruled in District of Columbia v. Heller.

(8) On February 26, 2009, the United States Senate adopted an amendment on a bipartisan vote of 62-36 by Senator John Ensign to S. 160, the District of Columbia House Voting Rights Act of 2009, which would fully restore Second Amendment rights to the citizens of the District of Columbia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States and therefore should be exempt from the District of Columbia's restrictions on the possession of firearms.

SEC. 1094. CONDITIONAL REPLACEMENT FOR FY 2013 SEQUESTER.

(a) CONTINGENT EFFECTIVE DATE.—This section and the amendments made by it shall take effect upon the enactment of—

(1) the Act contemplated in section 201 of H. Con. Res. 112 (112th Congress) that achieves at least the deficit reduction called for in such section for such periods; or

(2) similar legislation that at least offsets the outlay reductions flowing from the budget authority reductions mandated by section 251A(7)(A) and 251A(8) as it applies to direct spending in the defense function for fiscal year 2013 of the Balanced Budget and Emergency Deficit Control Act of 1985, as in force immediately before the date of enactment of this Act, combined with the outlay reduc-

tions flowing from the amendment to section 251A(7)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 made by subsection (c), within five years of enactment.

(b) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(2) with respect to fiscal year 2013, for the discretionary category, \$1,047,000,000,000 in new budget authority;”.

(c) DISCRETIONARY SAVINGS.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(A) FISCAL YEAR 2013.—

“(i) FISCAL YEAR 2013 ADJUSTMENT.—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by \$19,104,000,000 in budget authority.

“(ii) SUPPLEMENTAL SEQUESTRATION ORDER.—On January 15, 2013, OMB shall issue a supplemental sequestration report for fiscal year 2013 and take the form of a final sequestration report as set forth in section 254(f)(2) and using the procedures set forth in section 253(f), to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall order a sequestration, if any, as required by such report.”.

(d) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DEFENSE DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(e) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a detailed report on the impact of the sequestration of funds authorized and appropriated for Fiscal Year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, as required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), as in effect immediately before the date of enactment of this Act.

(2) CONTENTS OF REPORT.—The report required by this section shall include—

(A) an assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, full spectrum training miles, and all other readiness metrics;

(B) an assessment of the impact on ability of the Department of Defense to carry out the National Military Strategy of the United States and any changes to the most recent Chairman's Risk Assessment required by section 153 of title 10, United States Code;

(C) a listing of the programs, projects, and activities across the military departments and components that would be reduced or terminated as a result of automatically triggered cuts;

(D) an estimate of the number and value of all contracts that will be terminated, restructured, or rescoped due to sequestration, including an estimate of potential termination costs and increased contracts costs due to renegotiation and reinstatement of the contract; and

(E) an estimate of the number of civilian, contract, and uniformed personnel whose employment would be terminated due to sequestration, including the estimated cost to the Department of executing such a draw-down.

SEC. 1095. REPORT ON DEFENSE FORENSIC DATA.

(a) REQUIREMENT.—The Director of the Defense Forensic Office within the Office of the Undersecretary of Defense for Acquisition, Technology, and Logistics may evaluate opportunities to increase the matching success rate when forensic data is collected during site exploitation to match forensic data stored in DNA databases. Among other items, the Defense Forensic Office may evaluate opportunities to assist other countries with moving forward with DNA database programs that require a defined category of criminal offender to submit DNA to a foreign country's national DNA database.

(b) REPORT.—The Defense Forensic Office shall submit to the congressional defense committees a report containing its findings and solutions no later than 120 days after the date of the enactment of this Act.

SEC. 1096. DISPLAY OF STATE, DISTRICT OF COLUMBIA, AND TERRITORIAL FLAGS BY ARMED FORCES.

Section 2249b of title 10, United States Code, is amended—

(1) by adding at the end the following new subsection:

“(c) DISPLAY OF DISTRICT OF COLUMBIA AND TERRITORIAL FLAGS BY ARMED FORCES.—The Secretary of Defense shall ensure that whenever the official flags of all 50 States are displayed by the armed forces, such display shall include the flags of the District of Columbia, Commonwealth of Puerto Rico, United States Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands.”; and

(2) in the section heading, by striking the colon and all that follows.

SEC. 1097. DISSEMINATION ABROAD OF INFORMATION ABOUT THE UNITED STATES.

(a) UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.—Section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) is amended to read as follows:

“GENERAL AUTHORIZATION

“SEC. 501. (a) The Secretary and the Broadcasting Board of Governors are authorized to use funds appropriated or otherwise made available for public diplomacy information programs to provide for the preparation, dissemination, and use of information intended for foreign audiences abroad about the United States, its people, and its policies, through press, publications, radio, motion pictures, the Internet, and other information media, including social media, and through information centers, instructors, and other direct or indirect means of communication.

“(b)(1) Except as provided in paragraph (2), the Secretary and the Broadcasting Board of Governors may, upon request and reimbursement of the reasonable costs incurred in fulfilling such a request, make available, in the United States, motion pictures, films, video, audio, and other materials prepared for dissemination abroad or disseminated abroad pursuant to this Act, the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.), or the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.). The Secretary and the Broadcasting Board of Governors shall issue necessary regulations—

“(A) to establish procedures to maintain such material;

“(B) for reimbursement of the reasonable costs incurred in fulfilling requests for such material; and

“(C) to ensure that the persons seeking release of such material have secured and paid for necessary United States rights and licenses.

“(2) With respect to material prepared for dissemination abroad or disseminated abroad before the effective date of the Smith-Mundt Modernization Act of 2012—

“(A) the Secretary and the Broadcasting Board of Governors shall make available to the Archivist of the United States, for domestic distribution, motion pictures, films, videotapes, and other material 12 years after the initial dissemination of the material abroad; and

“(B) the Archivist shall be the official custodian of the material and shall issue necessary regulations to ensure that persons seeking its release in the United States have secured and paid for necessary United States rights and licenses and that all costs associated with the provision of the material by the Archivist shall be paid by the persons seeking its release, in accordance with paragraph (3).

“(3) The Archivist may charge fees to recover the costs described in paragraph (2), in accordance with section 2116 (c) of title 44. Such fees shall be paid into, administered, and expended as part of the National Archives Trust Fund.

“(c) Nothing in this section may be construed to require the Secretary or the Broadcasting Board of Governors to make material disseminated abroad available in any format other than in the format disseminated abroad.”.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to affect the allocation of funds appropriated or otherwise made specifically available for public diplomacy.

(c) **FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1986 AND 1987.**—Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) is amended to read as follows:

“SEC. 208. CLARIFICATION ON DOMESTIC DISTRIBUTION OF PROGRAM MATERIAL.

“(a) **IN GENERAL.**—No funds authorized to be appropriated to the Department of State or the Broadcasting Board of Governors shall be used to influence public opinion in the United States. This section shall apply only to programs carried out pursuant to the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.), the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.), the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.), and the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.). This section shall not prohibit or delay the Department of State or the Broadcasting Board of Governors from providing information about its operations, policies, programs, or program material, or making such available, to the media, public, or Congress, in accordance with other applicable law.

“(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prohibit the Department of State or the Broadcasting Board of Governors from engaging in any medium or form of communication, either directly or indirectly, because a United States domestic audience is or may be thereby exposed to program material, or based on a presumption of such exposure. Such material may be made available within the United States and disseminated, when appropriate, pursuant to sections 502 and 1005 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1462 and 1437), except that nothing in this section may be construed to authorize the Department of State or the Broadcasting Board of Governors to disseminate within the United States any program material prepared for dissemination abroad on or before the effective date of the Smith-Mundt Modernization Act of 2012.

“(c) **APPLICATION.**—The provisions of this section shall apply only to the Department of State and the Broadcasting Board of Governors and to no other department or agency of the Federal Government.”.

(d) **CONFORMING AMENDMENTS.**—The United States Information and Educational Exchange Act of 1948 is amended—

(1) in section 502 (22 U.S.C. 1462)—

(A) by inserting “and the Broadcasting Board of Governors” after “Secretary”; and

(B) by inserting “or the Broadcasting Board of Governors” after “Department”; and

(2) in section 1005 (22 U.S.C. 1437), by inserting “and the Broadcasting Board of Governors” after “Secretary” each place it appears.

(e) **EFFECTIVE DATE.**—This section shall take effect and apply on the date that is 180 days after the date of the enactment of this section.

SEC. 1098. IMPROVING ORGANIZATION FOR COMPUTER NETWORK OPERATIONS.

(a) **CHARTER.**—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a charter to establish an interagency body or organization to coordinate and deconflict full-spectrum military cyber operations for the Federal Government.

(b) **ELEMENTS.**—The charter required under subsection (a) shall include—

(1) business rules and processes for the functioning of the body or organization established by such charter;

(2) interagency guidance clarifying roles and responsibilities for full-spectrum military cyber operations;

(3) clarification and defined membership for such body or organization; and

(4) accommodation for documentation of the activities of such body or organization, including minutes and historical archives.

(c) **REPORT.**—Not later than 240 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a report outlining the charter required under subsection (a), and plans to ensure the implementation of such charter.

(d) **BUDGET JUSTIFICATION DOCUMENTS.**—The Secretary of Defense shall submit to the congressional defense committees dedicated budget documentation materials to accompany future budget submissions, including a single Department of Defense-wide budget estimate and detailed budget planning data for full-spectrum military cyberspace operations (computer network defense, attack, and exploitation) in both unclassified and classified funding data.

SEC. 1099. IMPROVING UNITED STATES FOREIGN POLICE ASSISTANCE ACTIVITIES.

(a) **FINAL REPORT.**—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the relevant congressional committees the final report from the National Security Council’s Interagency Policy Committee on Security Sector Assistance.

(b) **PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Secretaries of Defense and State shall jointly submit to the relevant congressional committees a plan to institute mechanisms to better coordinate, document, disseminate, and share information analysis and assessments regarding United States foreign police assistance activities.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “relevant congressional committees” means—

(1) the Committee on Armed Services of the Senate and the House of Representatives;

(2) the Committee on Oversight and Government Reform of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives; and

(5) the Committee on Foreign Relations of the Senate.

SEC. 1099A. SENSE OF CONGRESS REGARDING UNITED STATES NORTHERN COMMAND PREPAREDNESS.

It is the sense of the Congress that—

(1) the United States Northern Command plays a crucial role in providing additional response capability to State and local governments in domestic disaster relief and consequence management operations;

(2) the United States Northern Command must continue to build upon its current efforts to develop command strategies, leadership training, and response plans to effectively work with civil authorities when acting as the lead agency or a supporting agency; and

(3) the United States Northern Command should leverage whenever possible training and management expertise that resides within the Department of Defense, other Federal agencies, State and local governments, and private sector businesses and academic institutions to enhance—

(A) its defense support to civil authorities and incidence management missions;

(B) relationships with other entities involved in disaster response; and

(C) its ability to respond to unforeseen events.

SEC. 1099B. LIMITATION ON MILITARY MUSICAL UNITS.

Amounts authorized to be appropriated pursuant to this Act for military musical units (as such term is defined in section 974 of title 10, United States Code) may not exceed \$200,000,000.

SEC. 1099C. REQUIREMENT FOR ATTORNEY GENERAL TO INVESTIGATE POSSIBLE VIOLATIONS OF FEDERAL LAW RELATED TO LEAKS OF SENSITIVE INFORMATION INVOLVING THE MILITARY, INTELLIGENCE, AND OPERATIONAL CAPABILITIES OF THE UNITED STATES AND ISRAEL.

(a) **INVESTIGATION REQUIRED.**—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall initiate an investigation into possible violations of Federal law related to leaks of sensitive information involving the military, intelligence, and operational capabilities of the United States and Israel.

(b) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report describing the status and progress of the investigation required under subsection (a).

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—General Provisions

SEC. 1101. EXPANSION OF PERSONNEL MANAGEMENT AUTHORITY UNDER EXPERIMENTAL PROGRAM WITH RESPECT TO CERTAIN SCIENTIFIC AND TECHNICAL POSITIONS.

Subparagraph (A) of section 1101(b)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note), as most recently amended by section 1110 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1615), is further amended by striking “40” and inserting “60”.

SEC. 1102. AUTHORITY TO PAY FOR THE TRANSPORT OF FAMILY HOUSEHOLD PETS FOR FEDERAL EMPLOYEES DURING CERTAIN EVACUATION OPERATIONS.

Section 5725 of title 5, United States Code, is amended—

(1) in subsection (a), in the matter following paragraph (2), by striking “and personal effects,” and inserting “, personal effects, and family household pets.”; and

(2) by adding at the end the following:

“(c)(1) The expenses authorized under subsection (a) shall, with respect to the trans-

port of family household pets, include the expenses for the shipment of and the payment of any quarantine costs for such pets.

“(2) Any payment or reimbursement under this section in connection with the transport of family household pets shall be subject to terms and conditions which—

“(A) the head of the agency shall by regulation prescribe; and

“(B) shall, to the extent practicable, be the same as would apply under regulations prescribed under section 476(b)(1)(H)(iii) of title 37 in connection with the transport of family household pets of members of the uniformed services, including regulations relating to the types, size, and number of pets for which such payment or reimbursement may be provided.”.

SEC. 1103. EXTENSION OF AUTHORITY TO FILL SHORTAGE CATEGORY POSITIONS FOR CERTAIN FEDERAL ACQUISITION POSITIONS FOR CIVILIAN AGENCIES.

Section 1703(j) of title 41, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “sections 3304, 5333, and 5753” and inserting “section 3304”; and

(B) by striking “use the authorities in those sections to recruit and”; and

(2) in paragraph (2), by striking “September 30, 2012” and inserting “September 30, 2017”.

SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2013, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1612), is further amended by striking “through 2012” and inserting “through 2013”.

SEC. 1105. POLICY ON SENIOR MENTORS.

(a) IN GENERAL.—The Secretary of Defense shall provide written notice to the congressional defense committees at least 60 days before implementing any change in the policy regarding senior mentors issued on or about April 1, 2010.

(b) APPLICABILITY.—Changes implemented before the date of the enactment of this Act shall not be affected by this section.

Subtitle B—Interagency Personnel Rotations

SEC. 1111. INTERAGENCY PERSONNEL ROTATIONS.

(a) SHORT TITLE.—This subtitle may be cited as the “Interagency Personnel Rotation Act of 2012”.

(b) DEFINITIONS.—In this subtitle:

(1) AGENCY.—The term “agency” has the meaning given the term “Executive agency” under section 105 of title 5, United States Code.

(2) COMMITTEE.—The term “Committee” means the Committee on National Security Personnel established under subsection (c)(1).

(3) COVERED AGENCY.—The term “covered agency” means an agency that is part of an ICI.

(4) ICI.—The term “ICI” means a National Security Interagency Community of Interest identified by the Committee under subsection (d)(1).

(5) ICI POSITION.—The term “ICI position”—

(A) means—

(i) a position that—

(I) is identified by the head of a covered agency as a position within the covered agency that has significant responsibility for the subject area of the ICI in which the posi-

tion is located and for activities that involve more than 1 agency;

(II) is in the civil service (as defined in section 2101(1) of title 5, United States Code) in the executive branch of the Government (including a position in the Foreign Service) at or above GS-11 of the General Schedule or at a level of responsibility comparable to a position at or above GS-11 of the General Schedule; and

(III) is within an ICI; or

(ii) a position in an interagency body identified as an ICI position under subsection (d)(3)(B)(i); and

(B) shall not include—

(i) any position described under paragraph (10)(A) or (C); or

(ii) any position filled by an employee described under paragraph (10)(B).

(6) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(7) INTERAGENCY BODY.—The term “interagency body” means an entity or component identified under subsection (d)(3)(A).

(8) INTERAGENCY ROTATIONAL SERVICE.—The term “interagency rotational service” means service by an employee in—

(A) an ICI position that is—

(i) in—

(I) a covered agency other than the covered agency employing the employee; or

(II) an interagency body, without regard to whether the employee is employed by the agency in which the interagency body is located; and

(ii) the same ICI as the position in which the employee serves or has served before serving in that ICI position; or

(B) a position in an interagency body identified under subsection (d)(3)(B)(ii).

(9) NATIONAL SECURITY INTERAGENCY COMMUNITY OF INTEREST.—The term “National Security Interagency Community of Interest” means the positions in the executive branch of the Government that—

(A) as a group are positions within multiple agencies of the executive branch of the Government; and

(B) have significant responsibility for the same substantive, functional, or regional subject area related to national security or homeland security that requires integration of the positions and activities in that area across multiple agencies to ensure that the executive branch of the Government operates as a single, cohesive enterprise to maximize mission success and minimize cost.

(10) POLITICAL APPOINTEE.—The term “political appointee” means an individual who—

(A) is employed in a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

(B) is a noncareer appointee in the Senior Executive Service, as defined under section 3132(a)(7) of title 5, United States Code; or

(C) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.

(11) SENIOR POSITION.—The term “senior position” means—

(A) a Senior Executive Service position, as defined in section 3132(a)(2) of title 5, United States Code;

(B) a position in the Senior Foreign Service established under the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);

(C) a position in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service established under section 3151 of title 5, United States Code;

(D) a position filled by a limited term appointee or limited emergency appointee in the Senior Executive Service, as defined

under paragraphs (5) and (6), respectively, of section 3132(a) of title 5, United States Code; and

(E) any other equivalent position identified by the Committee.

(c) COMMITTEE ON NATIONAL SECURITY PERSONNEL.—

(1) ESTABLISHMENT.—There is established the Committee on National Security Personnel within the Executive Office of the President.

(2) MEMBERSHIP.—The members of the Committee shall be the Director of the Office of Management and Budget, the Director of the Office of Personnel Management, and the Assistant to the President for National Security Affairs.

(3) CHAIRPERSON.—The Director of the Office of Management and Budget shall be the Chairperson of the Committee.

(4) FUNCTIONS.—

(A) IN GENERAL.—The Committee shall perform the functions as provided under this subtitle to implement this subtitle and shall validate the actions taken by the heads of covered agencies to implement the directives issued and meet the standards established under subparagraph (B).

(B) DIRECTIVES AND STANDARDS.—

(i) IN GENERAL.—In consultation with the Director of the Office of Personnel Management and the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget shall issue directives and establish standards relating to the implementation of this subtitle.

(ii) USE BY COVERED AGENCIES.—The head of each covered agency shall carry out the responsibilities under this subtitle in accordance with the directives issued and standards established by the Director of the Office of Management and Budget.

(5) SUPPORT AND IMPLEMENTATION.—

(A) BOARD.—There is established to assist the Committee a board, the members of which shall be appointed—

(i) in accordance with subparagraph (B); and

(ii) from among individuals holding an office or position in level III of the Executive Schedule.

(B) APPOINTMENTS.—Members of the board shall be appointed as follows:

(i) One by the Secretary of State.

(ii) One by the Secretary of Defense.

(iii) One by the Secretary of Homeland Security.

(iv) One by the Attorney General.

(v) One by the Secretary of the Treasury.

(vi) One by the Secretary of Energy.

(vii) One by the Secretary of Health and Human Services.

(viii) One by the Secretary of Commerce.

(ix) One by the head of any other agency (or, if more than 1, by each of the respective heads of any other agencies) determined appropriate by the Committee.

As used in clause (ix), the term “agency” does not include any element of the intelligence community.

(C) CHIEF HUMAN CAPITAL OFFICERS COUNCIL.—The Chief Human Capital Officers Council shall provide advice to the Committee regarding technical human capital issues.

(D) COVERED AGENCY OFFICIALS.—

(i) IN GENERAL.—The head of each covered agency shall designate an officer and office within that covered agency with responsibility for the implementation of this subtitle.

(ii) EXISTING OFFICES.—If an officer or office of a covered agency is designated as the officer or office within the covered agency with responsibility for the implementation of Executive Order No. 13434 for the covered agency on the date of enactment of this Act, the head of the covered agency shall des-

ignate the officer or office as the officer or office within the covered agency with responsibility for the implementation of this subtitle.

(E) STAFF.—

(i) IN GENERAL.—Not more than 3 full-time employees (or the equivalent) may be hired to assist the Committee in the implementation of this subtitle. Each employee so hired shall be selected from among individuals serving in the Office of Management and Budget, the Office of Personnel Management, or any other agency.

(ii) FUNDING.—

(I) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2013 through 2017 to carry out clause (i) an amount equal to the amount expended for salaries and expenses of the National Security Professional Development Integration Office during fiscal year 2012.

(II) OFFSET.—

(aa) IN GENERAL.—Except as provided in subparagraph (D)(ii), effective on the date of enactment of this Act, the National Security Professional Development Integration Office of the Department of Defense is terminated and, on and after the date of enactment of this Act, the Secretary of Defense may not establish a comparable office to implement Executive Order No. 13434 or to design, administer, or report on the creation of a national security professional development system, cadre of national security professionals, or any personnel rotations, education, or training for individuals involved in interagency activities or who are national security professionals who are not employed by the Department of Defense. Nothing in this item shall be construed to prohibit the Secretary of Defense from establishing or designating an office to administer interagency rotations by, or the interagency activities of, employees of the Department of Defense.

(bb) TRANSFER OF FUNCTIONS.—Effective on the date of enactment of this Act, there are transferred to the Office of Management and Budget or the Office of Personnel Management, as determined appropriate by the Committee, the functions of the National Security Professional Development Integration Office of the Department of Defense.

(cc) FUNDS.—Effective on the date of enactment of this Act, all unobligated balances made available for the activities of the National Security Professional Development Integration Office of the Department of Defense are rescinded.

(d) NATIONAL SECURITY INTERAGENCY COMMUNITIES OF INTEREST.—

(1) IDENTIFICATION OF ICIS.—Subject to subsection (g), the Committee—

(A) shall identify ICIs on an ongoing basis for purposes of carrying out this subtitle; and

(B) may alter or discontinue an ICI identified under subparagraph (A).

(2) IDENTIFICATION OF ICI POSITIONS.—The head of each covered agency shall identify ICI positions within the covered agency.

(3) INTERAGENCY BODIES.—

(A) IDENTIFICATION.—

(i) IN GENERAL.—The Committee shall identify—

(I) entities in the executive branch of the Government that are primarily involved in interagency activities relating to national security or homeland security; and

(II) components of agencies that are primarily involved in interagency activities relating to national security or homeland security and have a mission distinct from the agency within which the component is located.

(ii) CERTAIN BODIES.—

(I) IN GENERAL.—The Committee shall identify the National Security Council as an interagency body under this subparagraph.

(II) FBI ROTATIONS.—Joint Terrorism Task Forces shall not be considered interagency bodies for purposes of service by employees of the Federal Bureau of Investigation.

(iii) DUTIES OF HEAD OF COVERED AGENCY.—The Committee shall designate the Federal officer who shall perform the duties of the head of a covered agency relating to ICI positions within an interagency body.

(B) POSITIONS IN INTERAGENCY BODIES.—The officials designated under subparagraph (A)(iii) shall identify—

(i) positions within their respective interagency bodies that are ICI positions; and

(ii) positions within their respective interagency bodies—

(I) that are not a position described under subsection (b)(10)(A) or (C) or a position filled by an employee described under subsection (b)(10)(B); and

(II) for which service in the position shall constitute interagency rotational service.

(e) INTERAGENCY COMMUNITY OF INTEREST ROTATIONAL SERVICE.—

(1) EXCLUSION OF SENIOR POSITIONS.—For purposes of this subsection, the term “ICI position” does not include a senior position.

(2) ROTATIONS.—

(A) IN GENERAL.—The Committee shall provide for employees serving in an ICI position to be assigned on a rotational basis to another ICI position that is—

(i) within another covered agency or within an interagency body; and

(ii) within the same ICI.

(B) EXCEPTION.—An employee may be assigned to an ICI position in another covered agency or in an interagency body that is not in the ICI applicable to an ICI position in which the employee serves or has served if—

(i) the employee has particular nongovernmental or other expertise or skills that are relevant to the assigned ICI position; and

(ii) the head of the covered agency employing the employee, the head of the covered agency to which the assignment is made, and the Committee approve the assignment.

(C) NONREIMBURSABLE BASIS.—Service by an employee in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee shall be performed without reimbursement.

(D) RETURN TO PRIOR POSITION.—Except as otherwise provided by the Committee, an employee performing service in an ICI position in another covered agency or interagency body or in a position designated under subsection (d)(3)(B)(ii) shall be entitled to return, within a reasonable period of time after the end of the period of service, to the position held by the employee, or a corresponding or higher position (or, in the case of an employee in the Foreign Service, as defined in section 102(11) of the Foreign Service Act of 1980 (22 U.S.C. 3902(11)), a position in the same or a higher personnel category), in the covered agency employing the employee.

(3) SELECTION OF ICI POSITIONS OPEN FOR ROTATIONAL SERVICE.—

(A) IN GENERAL.—The head of each covered agency shall determine which ICI positions in the covered agency shall be available for service by employees from another covered agency and may modify a determination under this subparagraph.

(B) LIST.—The Committee shall maintain a single, integrated list of ICI positions and of positions available for service by employees from another covered agency under this subsection and shall make the list available to Federal employees on an ongoing basis in order to facilitate applications for the positions and long-term career planning by employees of the executive branch of the Government, except to the extent that the Com-

mittee determines that the identity of certain positions should not be distributed in order to protect national security or homeland security.

(4) MINIMUM PERIOD OF SERVICE.—With respect to the period of service in an ICI position in another covered agency or interagency body, the Committee—

(A) shall, notwithstanding any other provision of law, ensure that the period of service is sufficient to gain an adequately detailed understanding and perspective of the covered agency or interagency body at which the employee is assigned;

(B) may provide for different periods of service, depending upon the nature of the position, including whether the position is in an area that is a combat zone for purposes of section 112 of the Internal Revenue Code of 1986; and

(C) shall require that an employee performing service in an ICI position in another covered agency or interagency body is informed of the period of service for the position before beginning such service.

(5) VOLUNTARY NATURE OF ROTATIONAL SERVICE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), service in an ICI position in another covered agency or interagency body shall be voluntary on the part of the employee.

(B) AUTHORITY TO ASSIGN INVOLUNTARILY.—If the head of a covered agency has the authority under another provision of law to assign an employee involuntarily to a position and the employee is serving in an ICI position, the head of the covered agency may assign the employee involuntarily to serve in an ICI position in another covered agency or interagency body.

(6) TRAINING AND EDUCATION OF PERSONNEL PERFORMING INTERAGENCY ROTATIONAL SERVICE.—Each employee performing interagency rotational service shall participate in the training and education, if any, that is regularly provided to new employees by the covered agency or interagency body in which the employee is serving in order to learn how the covered agency or interagency body functions.

(7) PREVENTION OF NEED FOR INCREASED PERSONNEL LEVELS.—The Committee shall ensure that employees are rotated across covered agencies and interagency bodies within an ICI in a manner that ensures that, for the original ICI positions of all employees performing service in an ICI position in another covered agency or interagency body—

(A) employees from another covered agency or interagency body who are performing service in an ICI position in another covered agency or interagency body, or other available employees, begin service in such original positions within a reasonable period, at no additional cost to the covered agency or the interagency body in which such original positions are located; or

(B) other employees do not need to serve in the positions in order to maintain the effectiveness of or to prevent any costs being accrued by the covered agency or interagency body in which such original positions are located.

(8) OPEN AND FAIR COMPETITION.—Each covered agency or interagency body that has an ICI position available for service by an employee from another covered agency shall coordinate with the Office of Personnel Management to ensure that employees of covered agencies selected to perform interagency rotational service shall be selected in a fully open and competitive manner that is consistent with the merit system principles set forth in paragraphs (1) and (2) of section 2301(b) of title 5, United States Code, unless the ICI position is otherwise exempt under another provision of law.

(9) PERSONNEL LAW MATTERS.—

(A) NATIONAL SECURITY EXCLUSION.—The identification of a position as available for service by an employee of another covered agency or as being within an ICI shall not be a basis for an order under section 7103(b) of title 5, United States Code, excluding the covered agency, or a subdivision thereof, in which the position is located from the applicability of chapter 71 of such title.

(B) ON ROTATION.—An employee performing interagency rotational service shall have all the rights that would be available to the employee if the employee were detailed or assigned under a provision of law other than this subtitle from the agency employing the employee to the agency in which the ICI position in which the employee is serving is located.

(10) CONSULTATION.—The Committee shall consult with relevant associations, unions, and other groups involved in collective bargaining or encouraging public service, organizational reform of the Government, or interagency activities (such as the Simons Center for the Study of Interagency Cooperation of the Command and General Staff College Foundation) in formulating and implementing policies under this subtitle.

(11) OFFICERS OF THE ARMED FORCES.—The policies, procedures, and practices for the management of officers of the Armed Forces may provide for the assignment of officers of the Armed Forces to ICI positions or positions designated under subsection (d)(3)(B)(ii).

(12) PERFORMANCE APPRAISALS.—The Committee shall—

(A) ensure that an employee receives performance evaluations that are based primarily on the contribution of the employee to the work of the covered agency in which the employee is performing service in an ICI position in another covered agency or interagency body and the functioning of the applicable ICI; and

(B) require that—

(i) officials at the covered agency employing the employee conduct the evaluations based on input from the supervisors of the employee during service in an ICI position in another covered agency or interagency body; and

(ii) the evaluations shall be provided the same weight in the receipt of promotions and other rewards by the employee from the covered agency employing the employee as performance evaluations receive for other employees of the covered agency.

(f) SELECTION OF SENIOR POSITIONS IN AN INTERAGENCY COMMUNITY OF INTEREST.—

(1) SELECTION OF INDIVIDUALS TO FILL SENIOR POSITIONS WITHIN AN ICI.—In selecting individuals to fill senior positions within an ICI, the head of a covered agency shall ensure that a strong preference is given to personnel who have performed interagency rotational service.

(2) ESTABLISHMENT BY HEADS OF COVERED AGENCIES OF MINIMUM THRESHOLDS.—

(A) IN GENERAL.—On October 1 of the 2nd fiscal year after the fiscal year in which the Committee identifies an ICI, and October 1 of each fiscal year thereafter, the head of each covered agency within which 1 or more positions within that ICI are located shall establish the minimum number of that agency's senior positions that are within that ICI that shall be filled by personnel who have performed interagency rotational service.

(B) REPORTING REQUIREMENTS.—

(i) MINIMUM NUMBER OF POSITIONS.—Not later than 30 days after the date on which all heads of covered agencies have established the minimum number required under subparagraph (A) for a fiscal year, the Committee shall submit to Congress a consolidated list of the minimum numbers of senior positions that shall be filled by personnel

who have performed interagency rotational service.

(ii) FAILURE TO MEET MINIMUM NUMBER.—Not later than 30 days after the end of any fiscal year in which a covered agency fails to meet the minimum number of senior positions to be filled by individuals who have performed interagency rotational service established by the head of the covered agency under subparagraph (A), the head of the covered agency shall submit to the Committee and Congress a report identifying the failure and indicating what actions the head of the covered agency has taken or plans to take in response to the failure.

(3) OTHER ROTATIONAL REQUIREMENTS.—

(A) CREDIT FOR SERVICE IN ANOTHER COMPONENT WITHIN AN AGENCY.—Service performed during the first 3 fiscal years after the fiscal year in which an ICI is identified by the Committee by an employee in a rotation to an ICI position in another component of the covered agency that employs the employee that is identified under subparagraph (B) shall constitute interagency rotational service for purposes of this section.

(B) IDENTIFICATION OF COMPONENTS.—Subject to approval by the Committee, the head of a covered agency may identify the components of the covered agency that are sufficiently independent in functionality for service in a rotation in the component to qualify as service in another component of the covered agency for purposes of subparagraph (A).

(g) IMPLEMENTATION.—

(1) ICIS AND ICI POSITIONS.—

(A) IN GENERAL.—During each of the first 4 fiscal years after the fiscal year in which this Act is enacted—

(i) there shall be 2 ICIs, which shall be an ICI for emergency management and an ICI for stabilization and reconstruction; and

(ii) not less than 20 employees and not more than 25 employees in the executive branch of the Government shall perform service in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee under this subtitle.

(B) LOCATION.—

(i) IN GENERAL.—The Committee shall designate a metropolitan area in which the ICI for emergency management will be located and a metropolitan area in which the ICI for stabilization and reconstruction will be located.

(ii) SERVICE.—During the first 4 fiscal years after the fiscal year in which this Act is enacted, any service in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee shall be performed—

(I) by an employee who is located in a metropolitan area for the ICI designated under clause (i) before beginning service in the ICI position; and

(II) at a location in a metropolitan area for the ICI designated under clause (i).

(2) PRIORITY FOR DETAILS.—During the first 4 fiscal years after the fiscal year in which this Act is enacted, a covered agency shall give priority in using amounts available to the covered agency for details to assigning employees on a rotational basis under this subtitle.

(h) STRATEGY AND PERFORMANCE EVALUATION.—

(1) ISSUING OF STRATEGY.—

(A) IN GENERAL.—Not later than October 1 of the 3rd fiscal year after the fiscal year in which this Act is enacted, and every 4 fiscal years thereafter through the 11th fiscal year after the fiscal year in which this Act is enacted, the Committee shall issue a National Security Human Capital Strategy to develop the national security and homeland security personnel necessary for accomplishing national security and homeland security objec-

tives that require integration of personnel and activities from multiple agencies of the executive branch of the Government.

(B) CONSULTATIONS WITH CONGRESS.—In developing or making adjustments to the National Security Human Capital Strategy issued under subparagraph (A), the Committee—

(i) shall consult at least annually with Congress, including majority and minority views from all appropriate authorizing, appropriations, and oversight committees; and

(ii) as the Committee determines appropriate, shall solicit and consider the views and suggestions of entities potentially affected by or interested in the strategy.

(C) CONTENTS OF STRATEGY.—Each National Security Human Capital Strategy issued under subparagraph (A) shall—

(i) provide for the implementation of this subtitle;

(ii) identify best practices from ICIs already in operation;

(iii) identify any additional ICIs to be identified by the Committee;

(iv) include a schedule for the issuance of directives and establishment of standards relating to the requirements under this subtitle by the Committee;

(v) include a description of how the strategy incorporates views and suggestions obtained through the consultations with Congress required under subparagraph (B);

(vi) include an assessment of performance measures over a multi-year period, such as—

(I) the percentage of ICI positions available for service by employees from another covered agency for which such employees performed such service;

(II) the number of personnel participating in interagency rotational service in each covered agency and interagency body;

(III) the length of interagency rotational service under this subtitle;

(IV) reports by the heads of covered agencies submitted under subsection (f)(2)(B)(ii);

(V) the training and education of personnel who perform interagency rotational service, and the evaluation by the Committee of the training and education;

(VI) the positions (including grade level) held by employees who perform interagency rotational service during the period beginning on the date on which the interagency rotational service terminates and ending on the date of the assessment; and

(VII) to the extent possible, the evaluation of the Committee of the utility of interagency rotational service in improving interagency integration.

(2) REPORTS.—Not later than October 1 of the 2nd fiscal year after a fiscal year in which the Committee issues a National Security Human Capital Strategy under paragraph (1), the Committee shall assess the performance measures described in paragraph (1)(C)(vi).

(3) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Committee issues a National Security Human Capital Strategy under paragraph (1) or assesses performance measures under paragraph (2), the Committee shall submit the strategy or assessment to Congress.

(i) GAO STUDY OF INTERAGENCY ROTATIONAL SERVICE.—Not later than the end of the 2nd fiscal year after the fiscal year in which this Act is enacted, the Comptroller General of the United States shall submit to Congress a report regarding—

(1) the extent to which performing service in an ICI position in another covered agency or an interagency body under this subtitle enabled the employees performing the service to gain an adequately detailed understanding of and perspective on the covered agency or interagency body, including an assessment of the effect of—

(A) the period of service; and

(B) the duties performed by the employees during the service;

(2) the effectiveness of the Committee and the staff of the Committee funded under subsection (c)(5)(E)(ii) in overseeing and managing interagency rotational service under this subtitle, including an evaluation of any directives or standards issued by the Committee;

(3) the participation of covered agencies in interagency rotational service under this subtitle, including whether each covered agency that performs a mission relating to an ICI in effect—

(A) identified positions within the covered agency as ICI positions;

(B) had 1 or more employees from another covered agency perform service in an ICI position in the covered agency; or

(C) had 1 or more employees of the covered agency perform service in an ICI position in another covered agency;

(4) the positions (including grade level) held by employees after completing interagency rotational service under this subtitle, and the extent to which the employees were rewarded for the service; and

(5) the extent to which or likelihood that interagency rotational service under this subtitle has improved or is expected to improve interagency integration.

(j) **PROHIBITION OF PRINTED REPORTS.**—Each strategy, plan, report, or other submission required under this subtitle—

(1) shall be made available by the agency issuing the strategy, plan, report, or other submission only in electronic form; and

(2) shall not be made available by the agency in printed form.

(k) **EXCLUSION.**—This subtitle shall not apply to any element of the intelligence community.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) **AUTHORITY FOR FISCAL YEAR 2013.**—Subsection (a) of section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619) is amended—

(1) in the heading, by striking “FISCAL YEAR 2012” and inserting “FISCAL YEAR 2013”; and

(2) by striking “fiscal year 2012” and inserting “fiscal year 2013”.

(b) **QUARTERLY REPORTS.**—Subsection (b)(1) of such section is amended by striking “fiscal year 2012” and inserting “fiscal year 2013”.

(c) **EXTENSION OF AUTHORITY TO ACCEPT CONTRIBUTIONS.**—Subsection (f) of such section is amended by striking “in fiscal year 2012” and inserting “during any period during which the authority of subsection (a) is in effect”.

SEC. 1202. MODIFICATION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) **AUTHORIZED ELEMENTS.**—Section 1206(b)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3457), as amended by the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2418), is further amended by striking “equipment, supplies and training” and inserting “equipment, supplies, training, and small-scale military construction activities”.

(b) **USE OF FUNDS FOR FISCAL YEAR 2013.**—Subsection (c) of such section, as most recently amended by section 1204(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1621),

is further amended by adding at the end the following:

“(6) **USE OF FUNDS FOR FISCAL YEAR 2013.**—

“(A) **LIMITATION ON SMALL-SCALE MILITARY CONSTRUCTION ACTIVITIES.**—Of amounts available under this subsection for the authority in subsection (a) for fiscal year 2013—

“(i) not more than \$750,000 may be obligated or expended for small-scale military construction activities (as described in subsection (b)(1)) under a program authorized under subsection (a); and

“(ii) not more than \$25,000,000 may be obligated or expended for small-scale military construction activities (as described in subsection (b)(1)) under all programs authorized under subsection (a).

“(B) **AVAILABILITY OF FUNDS FOR PROGRAMS DURING FISCAL YEAR 2014.**—

“(i) **IN GENERAL.**—Subject to clause (ii), not more than 20 percent of amounts available under this subsection for the authority in subsection (a) for fiscal year 2013 may be obligated and expended to conduct or support a program authorized under subsection (a) during fiscal year 2014.

“(ii) **NOTIFICATION.**—Whenever the Secretary of Defense decides, with the concurrence of the Secretary of State, to conduct or support a program authorized under subsection (a) during fiscal year 2014 using amounts described in clause (i), the Secretary of Defense shall submit to the congressional committees specified in paragraph (3) of subsection (e) a notification in writing of that decision in accordance with such subsection by not later than September 30, 2013.”.

SEC. 1203. THREE-YEAR EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2514; 10 U.S.C. 168 note) is amended by striking “September 30, 2012” and inserting “September 30, 2015”.

Subtitle B—Matters Relating to Iraq, Afghanistan, and Pakistan

SEC. 1211. ONE-YEAR EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) **EXTENSION.**—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1630), is further amended—

(1) by striking “fiscal year 2012” and inserting “fiscal year 2013”; and

(2) by striking “Operation Iraqi Freedom or”.

(b) **LIMITATION ON AMOUNT AVAILABLE.**—Subsection (d)(1) of such section, as so amended, is further amended—

(1) by striking “fiscal year 2012” and inserting “fiscal year 2013”;

(2) by striking “\$1,690,000,000” and inserting “\$1,650,000,000”; and

(3) by adding at the end the following: “Of the aggregate amount specified in the preceding sentence, the total amount of reimbursements made under subsection (a) and support provided under subsection (b) to Pakistan during fiscal year 2013 may not exceed \$650,000,000.”.

(c) **ADDITIONAL LIMITATION ON REIMBURSEMENT OF THE GOVERNMENT OF PAKISTAN.**—Such section, as so amended, is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) **ADDITIONAL LIMITATION ON REIMBURSEMENT OF THE GOVERNMENT OF PAKISTAN.**—In

addition to the other requirements of this section, reimbursements authorized by subsection (a) and the support authorized by subsection (b) may be made to the Government of Pakistan for support of United States military operations for fiscal year 2013 only if the Secretary of Defense submits to the congressional defense committees the following:

“(1) A report that contains a description of—

“(A) a model for reimbursement, including how claims are proposed and adjudicated;

“(B) new conditions or caveats that the Government of Pakistan places on the use of its supply routes; and

“(C) the estimated differences in costs associated with transit through supply routes in Pakistan for fiscal year 2011 as compared to fiscal year 2013.

“(2) A certification of the Secretary of Defense that the Government of Pakistan is taking demonstrable steps to—

“(A) supporting counterterrorism operations against Al Qaeda, its associated movements, the Haqqani Network, and other domestic and foreign terrorist organizations;

“(B) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

“(C) preventing the proliferation of nuclear-related material and expertise; and

“(D) issuing visas in a timely manner for United States Government personnel supporting counterterrorism efforts and assistance programs in Pakistan.

“(3) A certification of the Secretary of Defense that the Government of Pakistan—

“(A) has opened the Ground Lines of Communication;

“(B) is allowing the transit of NATO supplies through Pakistan into Afghanistan; and

“(C) is supporting retrograde of United States equipment out of Afghanistan.”.

SEC. 1212. AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) **TYPES OF SUPPORT.**—Subsection (b) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1631) is amended—

(1) by striking “The operations” and inserting the following:

“(1) **IN GENERAL.**—The operations”; and

(2) by adding at the end the following:

“(2) **TRAIN AND ASSIST.**—The operations and activities that may be carried out by the Office of Security Cooperation in Iraq using funds provided under subsection (a) may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel.”.

(b) **LIMITATION ON AMOUNT.**—Subsection (c) of such section is amended by inserting at the end before the period the following: “and in fiscal year 2013 may not exceed \$508,000,000”.

(c) **SOURCE OF FUNDS.**—Subsection (d) of such section is amended—

(1) by inserting “or fiscal year 2013” after “fiscal year 2012”; and

(2) by striking “that fiscal year” and inserting “fiscal year 2012 or 2013, as the case may be.”.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the Office of Security Cooperation in Iraq.

(2) **MATTERS TO BE INCLUDED.**—The report shall include the following:

(A) The plan to consolidate Office sites.

(B) The status of any pending requests for additional United States military forces for the Office.

(C) The legal status and legal protections provided to Office personnel, the operational impact of such status and protections, and the associated constraints on the operational capacity of such personnel by reason of their legal status.

(D) The operational and functional limitations and authorities of Office personnel.

(E) A description of potential direct threats to Office personnel and their capacity to provide adequate force protection to thwart those threats.

(3) FORM.—The report shall be submitted in unclassified form, but may contain a classified annex if necessary.

(4) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1213. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4392), as amended by section 1216 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1632), is further amended—

(1) in subsection (a)—

(A) by striking “\$50,000,000” and inserting “\$35,000,000”; and

(B) by striking “in each of fiscal years 2011 and 2012” and inserting “for fiscal year 2013”; and

(2) in subsection (e)—

(A) by striking “utilize funds” and inserting “obligate funds”; and

(B) by striking “December 31, 2012” and inserting “December 31, 2013”.

SEC. 1214. PROHIBITION ON USE OF PRIVATE SECURITY CONTRACTORS AND MEMBERS OF THE AFGHAN PUBLIC PROTECTION FORCE TO PROVIDE SECURITY FOR MEMBERS OF THE ARMED FORCES AND MILITARY INSTALLATIONS AND FACILITIES IN AFGHANISTAN.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Department of Defense, as of February 1, 2012, there had been 42 insider attacks on coalition forces since 2007 by the Afghan National Army, Afghan National Police, or Afghan nationals hired by private security contractors to guard United States bases and facilities in Afghanistan.

(2) The Department of Defense data shows that the trend of insider attacks is increasing.

(3) Members of the Armed Forces of the United States continue to be garrisoned and housed in facilities and installations in Afghanistan that are guarded by private security contractors and not by United States or coalition forces.

(4) President Karzai has prohibited the use of private security contractors in Afghanistan and determined that beginning in March, 2012, the Afghan Ministry of Interior will provide Afghan Public Protection Forces on a reimbursable basis to those desiring to contract for additional security.

(5) The Afghan Ministry of Interior will have the primary responsibility for screening and vetting the Afghan nationals who will comprise the Afghan Public Protection Force.

(6) The current force levels in Afghanistan are necessary to accomplish the International Security Assistance Force mission

and force protection for members of the Armed Forces garrisoned and housed in Afghanistan should not come at the expense of mission success.

(7) The President of the United States has begun to draw down United States military forces in Afghanistan and has committed to continue this drawdown through 2014.

(8) The redeployment phase of any military operation brings increasing vulnerabilities to members of the Armed Forces.

(9) It is the responsibility of the Commander in Chief to provide for the security for members of the Armed Forces deployed to Afghanistan and to mitigate internal threats to such forces to the greatest extent possible, while continuing to meet the objectives of the International Security Assistance Force mission in Afghanistan, including the training and equipping of the Afghan National Security Forces in order that they may provide for their own security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the best security and force protection for members of the Armed Forces garrisoned and housed in Afghanistan should be provided;

(2) better security and force protection for members of the Armed Forces garrisoned and housed in Afghanistan can be provided by United States military personnel than private security contractors or members of the Afghan Public Protection Force;

(3) the President should take action in light of the increased risk to members of the Armed Forces during this transitional period in Afghanistan and the increasing number of insider attacks; and

(4) the United States remains committed to mission success in Afghanistan in light of the national security interests in the region and the sacrifice and commitment of the United States Armed Forces over the last ten years.

(c) PROHIBITION.—Notwithstanding section 2465 of title 10, United States Code, funds appropriated to the Department of Defense may not be obligated or expended for the purpose of—

(1) entering into a contract for the performance of security-guard functions at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;

(2) otherwise employing private security contractors to provide security for members of the Armed Forces deployed to Afghanistan; or

(3) employing the Afghan Public Protection Force to provide security for such members or to perform such security-guard functions at such a military installation or facility.

(d) REQUIREMENT.—

(1) IN GENERAL.—The President shall ensure that as many appropriately trained members of the Armed Forces of the United States as are necessary are available to—

(A) perform security-guard functions at all military installations and facilities in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;

(B) provide security for members of the Armed Forces deployed to Afghanistan; and

(C) provide adequate counterintelligence support for such members.

(2) RELATIONSHIP TO OTHER REQUIREMENTS AND LIMITATIONS.—The members of the Armed Forces required to be made available under paragraph (1) shall be in addition to—

(A) the number of such members who are deployed to Afghanistan to support the requirements of the North Atlantic Treaty Organization mission in Afghanistan and the military campaign plan of the Commander of

the International Security and Assistance Force; and

(B) any limitation on force levels that may be in effect.

(e) WAIVER.—The President may waive the prohibition under subsection (c) and the requirement under subsection (d) if the President submits to Congress a certification in writing that—

(1) the use of private security contractors or the Afghan Public Protection Force can provide a level of security and force protection for members of the Armed Forces deployed to Afghanistan that is at least equal to the security and force protection that can be provided by members of the Armed Forces; and

(2) the Secretary of Defense has ensured that all employees of private security contractors and members of the Afghan Public Protection Force providing security or force protection for members of the Armed Forces deployed to Afghanistan are independently screened and vetted by members of the Armed Forces of the United States.

(f) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the end of each quarter of fiscal years 2013 and 2014, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(A) Data on attempted and successful attacks by the Afghan National Security Forces, the Afghan Public Protection Force, and private security contractors on United States Armed Forces and civilian personnel of the Department of Defense.

(B) The number of members of the United States Armed Forces and civilian personnel of the Department of Defense wounded or killed due to such attacks.

(C) A description of tactical or covert methods used in such attacks and a description of motivations for such attacks.

(2) ADDITIONAL INFORMATION.—The first report submitted following the date of the enactment of this Act and the report submitted for the first quarter of fiscal year 2014 shall also include the following:

(A) Actions the Department of Defense is taking to monitor indicators and early warning signs of infiltration or co-option of the Afghan National Security Forces, the Afghan Public Protection Force, and private security contractors.

(B) The methodology and systematic approach to resolving disputes between the Afghan National Security Forces and United States Armed Forces and civilian personnel of the Department of Defense when such disputes arise.

(g) DEFINITION.—In this section, the term “members of the Armed Forces deployed to Afghanistan” means members of the Armed Forces deployed to Afghanistan in support of the International Security Assistance Force in Afghanistan and members of the Armed Forces of the United States deployed to Afghanistan in support of Operation Enduring Freedom.

SEC. 1215. REPORT ON UPDATES AND MODIFICATIONS TO CAMPAIGN PLAN FOR AFGHANISTAN.

(a) REPORT REQUIRED.—Not later than 180 days after the date on which any substantial update or modification is made to the campaign plan for Afghanistan (including the supporting and implementing documents for such plan), the Comptroller General of the United States shall submit to the congressional defense committees a report on the updated or modified plan, including an assessment of the updated or modified plan.

(b) EXCEPTION.—The requirement to submit a report under subsection (a) on any substantial update or modification to the campaign plan for Afghanistan shall not apply if the Comptroller General—

(1) determines that a report submitted to Congress by the Comptroller General before

the date of the enactment of this Act substantially meets the requirement to submit the report under subsection (a); and

(2) notifies the congressional defense committees in writing of the determination under paragraph (1).

(c) **TERMINATION.**—The requirement to submit a report under subsection (a) on any substantial update or modification to the campaign plan for Afghanistan shall terminate on September 30, 2014.

(d) **REPEAL.**—Section 1226 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2525) is repealed.

SEC. 1216. UNITED STATES MILITARY SUPPORT IN AFGHANISTAN.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) following Al Qaeda’s attacks on the United States on September 11, 2001, United States and coalition forces have achieved significant progress toward security and stability in Afghanistan;

(2) as the United States completes transfer of the lead for security to the Afghan National Security Forces by the end of 2014, the United States should ensure that the gains in security are maintained;

(3) the United States mission in Afghanistan continues to be to disrupt, dismantle, and defeat al Qaeda, as well as to prevent its return to either Afghanistan or Pakistan;

(4) the specific objectives in Afghanistan are to deny safe haven to Al Qaeda and to deny the Taliban the ability to overthrow the Afghan Government;

(5) the Taliban, Haqqanis, and associated insurgents continue to enjoy safe havens in Pakistan, but are unlikely to be capable of overthrowing the Afghan Government unless the United States withdraws forces precipitously from Afghanistan;

(6) the Haqqani Network provides unique capabilities and capacity to the Afghan Taliban, and additionally, serves as a combat multiplier to the Afghan insurgency due to its geographic primacy over the key terrain of the Paktika, Paktia, and Khost provinces, as well as North and South Waziristan, and willingness to introduce international weaponry and technology into the battle space and serve as the reception point and integrator of international foreign fighters into the Afghan insurgency;

(7) the Haqqani Network has been the most important Afghan-based protector of Al Qaeda;

(8) the unique capabilities and effects brought to the battle space by the Haqqani Network necessitate that the Government of Afghanistan should have superior operational capacity in order to maintain the security of Afghanistan over time;

(9) the United States military should not maintain an indefinite combat mission in Afghanistan and should transition to a counter-terrorism and advise and assist mission at the earliest practicable date, consistent with conditions on the ground;

(10) significant uncertainty exists within Afghanistan regarding the level of future United States military support; and

(11) in order to reduce this uncertainty, and to promote further stability and security in Afghanistan, the President should—

(A) fully consider the International Security Assistance Force Commander’s assessment regarding the need for the United States to maintain a “significant combat presence through 2013”;

(B) maintain a force of at least 68,000 troops through December 31, 2014, unless fewer forces can achieve United States objectives;

(C) maintain a credible troop presence after December 31, 2014, sufficient to conduct counter-terrorism and train and advise the

Afghan National Security Forces, consistent with the Strategic Partnership Agreement (signed on May 2, 2012); and

(D) maintain sufficient funding for the Afghan National Security Forces to accomplish the objectives described in paragraphs (3), (4), and (8).

(b) **NOTIFICATION.**—The President shall notify the congressional defense committees of any decision to reduce the number of United States Armed Forces deployed in Afghanistan below the number of such Armed Forces deployed in Afghanistan on—

- (1) December 31, 2012;
- (2) December 31, 2013; and
- (3) December 31, 2014.

prior to any public announcement of any such decision to reduce the number of United States Armed Forces deployed in Afghanistan.

(c) **MATTERS TO INCLUDE IN NOTIFICATION.**—As part of a notification required by subsection (b), the President shall—

(1) provide an assessment of the relevant security risk metrics associated with the marginal reduction in force levels; and

(2) provide a by-unit assessment of the operational capability of the Afghan National Security Forces to independently conduct the required operations to maintain security in Afghanistan.

SEC. 1217. EXTENSION AND MODIFICATION OF PAKISTAN COUNTERINSURGENCY FUND.

(a) **IN GENERAL.**—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2521), as most recently amended by section 1220 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1633), is further amended by striking “September 30, 2012” both places it appears and inserting “September 30, 2013”.

(b) **LIMITATION ON FUNDS SUBJECT TO REPORT AND UPDATES.**—Section 1220(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1633) is amended—

(1) in the heading of paragraph (1), by inserting “FOR FISCAL YEAR 2012” after “FUNDS”;

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(3) by inserting after paragraph (1) the following:

“(2) **LIMITATION ON FUNDS FOR FISCAL YEAR 2013; REPORT REQUIRED.**—Of the amounts appropriated or transferred to the Fund for fiscal year 2013, not more than 10 percent of such amounts may be obligated or expended until 30 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate congressional committees an update of the report required under paragraph (1).”;

(4) in paragraph (3) (as redesignated)—

(A) by inserting “after fiscal year 2013” after “any fiscal year”;

(B) by striking “requested to be”;

(C) by striking “at the same time that the President’s budget is submitted pursuant to section 1105(a) of title 31, United States Code” and inserting “not later than 45 days before amounts in the Fund are made available to the Secretary of Defense”;

(5) in paragraph (4) (as redesignated), by striking “the update required under paragraph (2)” and inserting “the updates required under paragraphs (2) and (3)”.

SEC. 1218. MODIFICATION OF REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN.

(a) **IN GENERAL.**—Section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 385), as most recently amended by section 1218(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1632), is further amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following:

“(e) **ADDITIONAL MATTERS TO BE INCLUDED ON AFGHANISTAN NATIONAL SECURITY FORCES.**—In reporting on performance indicators and measures of progress required under subsection (d)(2)(D), the report required under subsection (a) shall assess the following:

“(1) For overall Afghanistan National Security Forces (ANSF):

“(A) Overall Afghan National Army (ANA) and Afghan National Police (ANP) literacy rate; ANA and ANP literacy rate by region; ANSF literacy rate by Kandak, Brigade, and Corps; trends over time; and how literacy improvements have enhanced associated mission essential competencies and professionalization of the ANSF.

“(B) An assessment of the ANA and the ANP interaction with the Afghan civilian population, respect for human rights, and associated professional education.

“(C) By fiscal year (current and one-year projected) budget requirements.

“(D) A by-country outline of contributions for the current fiscal year and one-year projected fiscal year.

“(E) By-Kandak Mission Essential Task List proficiency.

“(2) For recruitment:

“(A) Outline of screening criteria.

“(B) Literacy rate of all recruits.

“(C) Outline of the security vetting procedures.

“(D) Percentage screened that are not eligible to serve.

“(E) Percentage screened that report for entry level training.

“(F) Percentage attained of the required ANA end strength, of the ANP end strength, and overall ANSF end strength.

“(G) Trends in each above mentioned category from the prior fiscal year through the current report deadline.

“(3) For entry-level training:

“(A) Percentage that entered and successfully complete training.

“(B) A by-specialty list of all recruits that fail to graduate entry level training for the ANA and ANP.

“(C) Percentage of recruits that become unaccounted (UA) for or are ‘Absent Without Leave’ (AWOL) during training.

“(D) Trends in each above mentioned category from the prior fiscal year through the current report deadline.

“(4) For personnel administration:

“(A) Percentage of the ANSF that was paid on time.

“(B) UA/AWOL rate by Kandak, Brigade, and Corps.

“(C) Trends in each above mentioned category from the prior fiscal year through the current report deadline.

“(5) For professionalization of the ANSF:

“(A) Percentage of noncommissioned officer corps personnel as compared to non-commissioned officer corps end-strength requirements.

“(B) Number of enlisted, noncommissioned officer corps, and officers that complete continuing education.

“(C) An assessment of the noncommissioned officer corps continuing education program.

“(6) For retention:

“(A) On average time ANA and ANP personnel remain in their respective units.

“(B) By-fiscal year, by-Kandak percentage of personnel retained and personnel attrition from the prior fiscal year through the current report deadline.

“(7) For logistics:

“(A) On average percentage shortfall, by Kandak, of Class I-IX supplies, which in-

cludes Class I - Food, rations, and water; Class II - Clothing; Class III - Petroleum, oils, and lubricants; Class IV - Fortification and barrier materials; Class V - Ammunition; Class VII - Major End Items; Class VIII - Medical supplies; and Class IX - Repair Parts.

“(B) On average number of days to fill supply requests to address operational shortfalls.

“(C) Operational readiness rate for all mission essential equipment by Kandak, Brigade, and Corps.

“(8) For transition:

“(A) Provide the framework that ISAF, in conjunction with the Afghan government, uses to synthesize ANSF performance metrics and adjudicate transition of ANSF units through proficiency levels.

“(B) A by-Kandak analysis of the on average time to transition between proficiency levels since inception of the ANSF transition.

“(C) A by-region overview of the force structure mix that is correlated with the evolution of threat picture in the region.”.

(b) **EFFECTIVE DATE.**—The amendments made this section apply with respect to any report required to be submitted under section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 385) on or after the date of the enactment of this Act.

SEC. 1219. LIMITATION ON USE OF FUNDS UNDER THE PAKISTAN COUNTERINSURGENCY FUND.

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act for the Pakistan Counterinsurgency Fund may be used to provide assistance to the Government of Pakistan until the Secretary of Defense, in consultation with the Secretary of State, certifies to the appropriate congressional committees that the Government of Pakistan is demonstrating a continuing commitment to and is making significant efforts toward the implementation of a strategy to counter improvised explosive devices (IEDs), including—

(1) attacking IED networks;

(2) monitoring known precursors used in IEDs; and

(3) developing a strict protocol for the manufacture of explosive materials, including calcium ammonium nitrate, and accessories and their supply to legitimate end users.

(b) **WAIVER.**—The Secretary of Defense, in consultation with the Secretary of State, may waive the requirements of subsection (a) if the Secretary determines it is in the national security interest of the United States to do so.

(c) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Subtitle C—Matters Relating to Iran

SEC. 1221. DECLARATION OF POLICY.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Iran, which has long sought to foment instability and promote extremism in the Middle East, is now seeking to exploit the dramatic political transition underway in the region to undermine governments traditionally aligned with the United States and support extremist political movements in these countries.

(2) At the same time, Iran may soon attain a nuclear weapons capability, a development that would threaten United States interests, destabilize the region, encourage regional nuclear proliferation, further empower and

embolden Iran, the world’s leading state sponsor of terrorism, and provide it the tools to threaten its neighbors, including Israel.

(3) With the assistance of Iran over the past several years, Syria, Hezbollah, and Hamas have increased their stockpiles of rockets, with more than 60,000 rockets now ready to be fired at Israel. Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran’s neighbors, Israel, and United States Armed Forces in the region.

(4) Preventing Iran from acquiring a nuclear weapon is among the most urgent national security challenges facing the United States.

(5) Successive United States administrations have stated that an Iran armed with a nuclear weapon is unacceptable.

(6) President Obama stated on January 24, 2012, “Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.”.

(7) In order to prevent Iran from developing nuclear weapons, the United States, in cooperation with its allies, must utilize all elements of national power including diplomacy, robust economic sanctions, and credible, visible preparations for a military option.

(8) Nevertheless, to date, diplomatic overtures, sanctions, and other non-kinetic actions toward Iran have not caused the Government of Iran to abandon its nuclear weapons program.

(9) With the impact of additional sanctions uncertain, additional pressure on the Government of Iran could come from the credible threat of military action against Iran’s nuclear program.

(b) **DECLARATION OF POLICY.**—It shall be the policy of the United States to take all necessary measures, including military action if required, to prevent Iran from threatening the United States, its allies, or Iran’s neighbors with a nuclear weapon.

SEC. 1222. UNITED STATES MILITARY PREPAREDNESS IN THE MIDDLE EAST.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) military exercises conducted in the Persian Gulf and Gulf of Oman emphasize the United States resolve and the policy of the United States described in section 1221(b) by enhancing the readiness of the United States military and allied forces, as well as signaling to the Government of Iran the commitment of the United States to defend its vital national security interests; and

(2) the President, as Commander in Chief, should augment the presence of the United States Fifth Fleet in the Middle East and to conduct military deployments, exercises, or other visible, concrete military readiness activities to underscore the policy of the United States described in section 1221(b).

(b) **PLAN.**—

(1) **IN GENERAL.**—The Secretary of Defense shall prepare a plan to augment the presence of the United States Fifth Fleet in the Middle East and to conduct military deployments, exercises, or other visible, concrete military readiness activities to underscore the policy of the United States described in section 1221(b).

(2) **MATTERS TO BE INCLUDED.**—The plan required under paragraph (1) shall include, at a minimum, steps necessary for the Armed Forces to support the policy of the United States described in section 1221(b), including—

(A) pre-positioning sufficient supplies of aircraft, munitions, fuel, and other materials for both air- and sea-based missions at key forward locations in the Middle East and Indian Ocean;

(B) maintaining sufficient naval assets in the region necessary to signal United States

resolve and to bolster United States capabilities to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets, to protect seaborne shipping, and to deny Iranian retaliation against United States interests in the region;

(C) discussing the viability of deploying at least two United States aircraft carriers, an additional large deck amphibious ship, and a Mine Countermeasures Squadron in the region on a continual basis, in support of the actions described in subparagraph (B); and

(D) conducting naval fleet exercises similar to the United States Fifth Fleet’s major exercise in the region in March 2007 to demonstrate ability to keep the Strait of Hormuz open and to counter the use of anti-ship missiles and swarming high-speed boats.

(3) **SUBMISSION TO CONGRESS.**—The plan required under paragraph (1) shall be submitted to the congressional defense committees not later than 120 days after the date of enactment of this Act.

SEC. 1223. ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) **IN GENERAL.**—Section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2542) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

“(c) **COMBATANT COMMANDER ASSESSMENT.**—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Central Command on the following:

“(1) Any critical gaps in intelligence that limit the ability of the Commander to counter threats emanating from Iran.

“(2) Any gaps in the capabilities, capacity, and authorities of the Commander to counter Iranian threats to United States Armed Forces and United States interests in the region.

“(3) Any gaps in the capabilities and capacity of the Commander to take military action against Iran to prevent Iran from developing a nuclear weapon.

“(4) Any other matters the Commander considers to be relevant.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010 on or after such date of enactment.

SEC. 1224. ENHANCING THE DEFENSE OF ISRAEL AND UNITED STATES INTERESTS IN THE MIDDLE EAST.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States should take the following actions to assist in the defense of Israel:

(1) Provide Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend the urgent threat posed to Israel and United States forces in the region.

(2) Provide Israel defense articles, intelligence, and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.

(3) Allocate additional weaponry and munitions for the forward-deployed United States stockpile in Israel.

(4) Provide Israel additional surplus defense articles and defense services, as appropriate, in the wake of the withdrawal of United States forces from Iraq.

(5) Offer the Israeli Air Force additional training and exercise opportunities in the

United States to compensate for Israel's limited air space.

(6) Expand Israel's authority to make purchases under section 23 of the Arms Export Control Act (relating to the "Foreign Military Financing" program) on a commercial basis.

(7) Seek to enhance the capabilities of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.

(8) Encourage an expanded role for Israel within the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises.

(9) Support extension of the long-standing loan guarantee program for Israel, recognizing Israel's unbroken record of repaying its loans on time and in full.

(10) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

(b) REPORT ON ISRAEL'S QUALITATIVE MILITARY EDGE.—

(1) STATEMENT OF POLICY.—It is the policy of the United States—

(A) to help Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation; and

(B) to encourage further development of advanced technology programs between the United States and Israel in light of current trends and instability in the region.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

(c) REPORT ON OTHER MATTERS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on each of the following:

(1) Taking into account Israel's urgent requirement for F-35 aircraft, actions to improve the process relating to Israel's purchase of F-35 aircraft to improve cost efficiency and timely delivery.

(2) Efforts to expand cooperation between the United States and Israel in homeland defense, counter-terrorism, maritime security, cybersecurity, and other appropriate areas.

(3) Actions to integrate Israel into the defense of the Eastern Mediterranean.

SEC. 1225. PLAN TO ENHANCE MILITARY CAPABILITIES OF PERSIAN GULF ALLIES.

(a) PLAN.—The Secretary of Defense, in consultation with the Secretary of State, shall develop a plan to enhance the military capabilities of Persian Gulf allies to bolster the posture of such allies in relation to Iran.

(b) MATTERS TO BE INCLUDED.—The plan required under subsection (a) shall include the following:

(1) A description of the means to augment the offensive strike capabilities of key Gulf Cooperation Council allies, including the potential sale or upgrades of strike attack aircraft and bunker buster munitions, to augment the viability of a credible military option and to strengthen such allies' self-defense capabilities against retaliation or military aggression by Iran.

(2) A needs-based assessment, or an update to an existing needs-based assessment, of the military requirements of Persian Gulf allies to support a credible military option and to defend against potential military aggression by Iran.

(3) A detailed summary of any arms sales and training requests by Persian Gulf allies and a description and justification for United States actions taken.

(c) RULE OF CONSTRUCTION.—Nothing in the plan required under subsection (a) shall be construed to alter Israel's qualitative military edge.

(d) SUBMISSION TO CONGRESS.—The plan required under subsection (a) shall be submitted to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act.

(e) FORM.—The plan required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex.

SEC. 1226. PLAN TO INCREASE STRATEGIC REGIONAL PARTNERSHIPS.

(a) FINDINGS.—Congress finds the following:

(1) The United States should ensure that it has the broadest set of geographic approaches to militarily access Iran.

(2) United States Armed Forces and support staff currently have access from the eastern, southern, and western borders of Iran.

(3) Azerbaijan borders the northern frontier of Iran closest to nuclear sites near Tehran and the Government of Azerbaijan cooperates with the United States on Caspian Sea security and energy issues.

(b) POLICY.—It shall be the policy of the United States to—

(1) increase pressure on Iran by providing United States Armed Forces with the broadest set of geographic approaches to militarily access Iran; and

(2) explore means to enhance access to military facilities on the northern border of Iran.

(c) PLAN.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall develop a plan to increase the strategic partnership with regional allies to provide United States Armed Forces with the broadest set of geographic approaches to militarily access Iran.

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include the following information:

(A) Mechanisms to broaden the geographical approaches to militarily access Iran.

(B) The need, if any, to strengthen the self-defense capabilities of regional allies as a result of such partnerships.

(C) The viability of increasing access for United States Armed Forces to bases in Azerbaijan to augment the viability of a credible military option.

(3) SUBMISSION TO CONGRESS.—The plan required under paragraph (1) shall be submitted to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act.

SEC. 1227. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate.

(2) QUALITATIVE MILITARY EDGE.—The term "qualitative military edge" has the meaning given the term in section 36(h)(2) of the Arms Export Control Act (22 U.S.C. 2776(h)(2)).

SEC. 1228. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against Iran.

Subtitle D—Reports and Other Matters

SEC. 1231. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 781; 10 U.S.C. 113 note), as most re-

cently amended by section 1238 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1642), is further amended—

(1) by redesignating paragraphs (10), (11), and (12) as paragraphs (12), (13), and (14), respectively; and

(2) by inserting after paragraph (9) the following:

"(10) The strategy, goals, and capabilities of Chinese space programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Chinese military capabilities.

"(11) The strategy, goals, and capabilities of Chinese cyber activities, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities. Relevant analyses and forecasts shall consider—

"(A) Chinese cyber activities directed against the Department of Defense;

"(B) potential harms that may affect Department of Defense communications, computers, networks, systems, or other military assets as a result of a cyber attack; and

"(C) any other developments regarding Chinese cyber activities that the Secretary of Defense determines are relevant to the national security of the United States."

(b) COMBATANT COMMANDER ASSESSMENT.—Such section is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

"(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Pacific Command on the following:

"(1) Any gaps in intelligence that limit the ability of the Commander to address challenges posed by the People's Republic of China.

"(2) Any gaps in the capabilities, capacity, and authorities of the Commander to address challenges posed by the People's Republic of China to United States Armed Forces and United States interests in the region.

"(3) Any other matters the Commander considers to be relevant."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after such date of enactment.

SEC. 1232. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) ADDITIONAL REPORT.—Subsection (a) of section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1641) is amended by inserting after "November 1, 2012," the following: "and November 1, 2013,".

(b) COMBATANT COMMANDER ASSESSMENT.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Pacific Command on the following:

“(1) Any gaps in intelligence that limit the ability of the Commander to counter threats emanating from North Korea.

“(2) Any gaps in the capabilities, capacity, and authorities of the Commander to counter North Korean threats to United States Armed Forces and United States interests in the region.

“(3) Any other matters the Commander considers to be relevant.”

SEC. 1233. REPORT ON HOST NATION SUPPORT FOR OVERSEAS UNITED STATES MILITARY INSTALLATIONS AND UNITED STATES ARMED FORCES DEPLOYED IN COUNTRY.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year from 2013 through 2015, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the direct, indirect, and burden-sharing contributions made by host nations to support United States Armed Forces deployed in country.

(2) ELEMENTS.—The report required by paragraph (1) shall include at least the following:

(A) The methodology and accounting procedures used to measure and track direct, indirect, and burden-sharing contributions made by host nations.

(B) The stationing costs, paid by the host nation, associated with United States Armed Forces stationed outside the territory of the United States in that nation.

(C) A description of direct, indirect, and burden-sharing contributions by host nation, including the following:

(i) Contributions accepted for the following costs:

(I) Compensation for local national employees of the Department of Defense.

(II) Military construction projects of the Department of Defense, including design, procurement, construction management costs, rents on privately-owned land, facilities, labor, utilities and vicinity improvements.

(III) Other costs such as loan guarantees on public-private venture housing and payment-in-kind for facilities returned to the host nation.

(ii) Contributions accepted for any other purpose.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) HOST NATION.—The term “host nation” means any country that hosts a permanent or temporary United States military installation or a permanent or rotational deployment of United States Armed Forces located outside of the borders of the United States.

(3) CONTRIBUTIONS.—The term “contributions” means cash and in-kind contributions made by a host nation that replace expenditures that would otherwise be made by the Secretary of Defense using funds appropriated or otherwise made available in defense appropriations Acts.

SEC. 1234. NATO SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2541), as amended by section 1242 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124

Stat. 4405), is further amended by striking “fiscal year 2011” and inserting “fiscal year 2013”.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the NATO Special Operations Headquarters, not more than 50 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of Defense finalizes and formalizes United States Special Operations Command as the executive agent and lead component for the NATO Special Operations Headquarters.

SEC. 1235. REPORTS ON EXPORTS OF MISSILE DEFENSE TECHNOLOGY TO CERTAIN COUNTRIES.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and each year thereafter through 2015, the Secretary of Defense shall submit to the appropriate congressional committees a report on the following:

(1) A description of the types of assistance, including assistance relating to missile defense, provided by the Department of Defense to foreign countries that export space, counter-space, and ballistic missile equipment, material, and technologies that could be used in other countries’ space, counter-space, and ballistic missile programs.

(2) A description of such exports to countries with space, counter-space, and ballistic missile programs, including a description of specific technologies that are exported to such countries.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee of Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1236. LIMITATION ON FUNDS TO PROVIDE THE RUSSIAN FEDERATION WITH ACCESS TO MISSILE DEFENSE TECHNOLOGY.

(a) LIMITATION ON FUNDS FOR CLASSIFIED TECHNOLOGY AND DATA.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to provide the Russian Federation with access to information that is classified or was classified as of January 2, 2012, regarding—

(A) missile defense technology of the United States, including hit-to-kill technology; or

(B) data, including sensitive technical data, warning, detection, tracking, targeting, telemetry, command and control, and battle management data, that support the missile defense capabilities of the United States.

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(b) LIMITATION ON FUNDS FOR OTHER TECHNOLOGY AND DATA.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to provide the Russian Federation with access to missile defense technology or technical data not described in subsection (a) unless—

(A) the President submits to the appropriate congressional committees—

(i) a report that contains a description of—

(I) the specific missile defense technology or technical data to be provided to the Russian Federation, the reasons for providing such technology or data, and how the technology or technical data is intended to be used;

(II) the measures necessary to protect the technology or technical data;

(III) the specific missile defense technology or technical data of the Russian Federation that the Russian Federation is providing the United States with access to; and

(IV) the status and substance of discussions between the United States and the Russian Federation on missile defense matters; and

(ii) written certification by the President that providing the Russian Federation with access to such missile defense technology or technical data—

(I) includes an agreement on prohibiting access to such technology or data by any other country or entity;

(II) will not enable the development of countermeasures to any missile defense system of the United States or otherwise undermine the effectiveness of any such missile defense system; and

(III) will correspond to equitable access by the United States to missile defense technology or technical data of the Russian Federation; and

(B) a period of 30 days has elapsed following the date on which the President submits to the appropriate congressional committees the report and written certification under subparagraph (A).

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(c) FORM.—The report described in clause (i) of subsection (b)(1)(A) and the certification described in clause (ii) of such subsection shall be submitted in unclassified form, but may contain a classified annex, if necessary.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1237. INTERNATIONAL AGREEMENTS RELATING TO MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that an agreement regarding missile defense cooperation between the United States and the Russian Federation that is negotiated with the Russian Federation through the North Atlantic Treaty Organization (“NATO”) or a provision to amend the charter of the NATO-Russia Council, should not be considered legally or politically binding unless the agreement is—

(1) specifically approved with the advice and consent of the Senate pursuant to article II, section 2, clause 2 of the Constitution; or

(2) specifically authorized by an Act of Congress.

(b) MISSILE DEFENSE AGREEMENTS.—

(1) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 130f. International agreements relating to missile defense

“(a) IN GENERAL.—In accordance with the understanding under subsection (b)(1)(B) of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, any agreement with a country or international organization or amendment to the New START Treaty (including an agreement made by the Bilateral Consultative Commission established by the New START Treaty) concerning the limitation of the missile defense capabilities of the United States shall not be binding on the United States, and shall not enter into force with respect to the United States, unless after the date of the enactment of this section, such agreement or amendment is—

“(1) specifically approved with the advice and consent of the Senate pursuant to article II, section 2, clause 2 of the Constitution; or

“(2) specifically authorized by an Act of Congress.

“(b) ANNUAL NOTIFICATION.—Not later than January 31 of each year, beginning in 2013, the President shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a notification of—

“(1) whether the Russian Federation has recognized during the previous year the sovereign right of the United States to pursue quantitative and qualitative improvements in missile defense capabilities; and

“(2) whether during any treaty negotiations or other Government-to-Government contacts between the United States and the Russian Federation (including under the auspices of the Bilateral Consultative Commission established by the New START Treaty) during the previous year a representative of the Russian Federation suggested that a treaty or other international agreement include, with respect to the United States—

“(A) restricting missile defense capabilities, military capabilities in space, or conventional prompt global strike capabilities; or

“(B) reducing the number of non-strategic nuclear weapons deployed in Europe.

“(c) NEW START TREATY DEFINED.—In this section, the term ‘New START Treaty’ means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130e the following new item:

“130f. International agreements relating to missile defense.”

(c) DEFENSE TECHNOLOGY COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2350n. Defense technology cooperation agreements between the United States and the Russian Federation

“(a) IN GENERAL.—None of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to implement a defense technology cooperation agreement entered into between the United States and the Russian Federation until a period of 60 days has elapsed following the date on which the President transmits such agreement to the congressional defense committees.

“(b) DEFENSE TECHNOLOGY COOPERATION AGREEMENT DEFINED.—In this section, the term ‘defense technology cooperation agreement’ means a cooperative agreement related to research and development entered into under section 2358 of this title or any other provision of this title.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2350m the following new item:

“2350n. Defense technology cooperation agreement between the United States and the Russian Federation.”

(d) LIMITATION ON MISSILE DEFENSE NEGOTIATION.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the

Department of Defense may be used to implement an agreement regarding missile defense entered into with the Russian Federation until the date that is 30 days after the date on which the President transmits to the appropriate congressional committees the draft agreement discussed between the United States and the Russian Federation at Deauville, France, in May 2011.

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1238. LIMITATION ON ASSISTANCE TO PROVIDE TEAR GAS OR OTHER RIOT CONTROL ITEMS.

None of the funds authorized to be appropriated by this Act may be used to provide tear gas or other riot control items to the government of a country undergoing a transition to democracy in the Middle East or North Africa unless the Secretary of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the security forces of such government are not using excessive force to repress peaceful, lawful, and organized dissent.

SEC. 1239. REQUIREMENT TO SUBMIT TO CONGRESS A PLAN FOR A FOREIGN INFRASTRUCTURE PROJECT USING FUNDS MADE AVAILABLE FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) PLAN REQUIRED.—Not later than 60 days prior to the commencement of a covered infrastructure project, the head of the Federal department or agency with primary responsibility for carrying out the project shall submit to Congress a plan to carry out and sustain the project.

(b) MATTERS TO BE INCLUDED.—The plan shall include a description of the following:

(1) The total amount of funds to be obligated and expended under the project, including the total amount of funds to be contributed from other sources.

(2) How the project will be maintained after its completion, who will be responsible for maintaining the project, and who will contribute funds for maintaining the project.

(3) How the project will be protected after its completion.

(c) COVERED INFRASTRUCTURE PROJECT.—In this section, the term “covered infrastructure project” or “project” means a project to improve the infrastructure of a foreign country under which the United States contributes not less than \$1,000,000 from funds made available for overseas contingency operations.

(d) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect covered infrastructure projects commenced on or after 60 days after such date of enactment.

SEC. 1240. SALE OF F-16 AIRCRAFT TO TAIWAN.

The President shall carry out the sale of no fewer than 66 F-16C/D multirole fighter aircraft to Taiwan.

SEC. 1240A. LIMITATION ON FUNDS FOR INSTITUTIONS OR ORGANIZATIONS ESTABLISHED BY THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.

None of the funds authorized to be appropriated by this Act may be made available for any institution or organization established by the United Nations Convention on the Law of the Sea, including the Inter-

national Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf.

SEC. 1240B. REMOVAL OF BRIGADE COMBAT TEAMS FROM EUROPE.

(a) FINDING.—Congress finds that, because defense spending among European NATO countries fell 12% since 2008, from \$314 billion to \$275 billion, so that currently only 4 out of the 28 NATO allies of the United States are spending the widely agreed-to standard of 2% of their GDP on defense, the United States must look to more wisely allocate scarce resources to provide for the national defense.

(b) REMOVAL AUTHORIZED.—The President is authorized and requested to end the permanent basing of units of the United States Armed Forces in European member nations of the North Atlantic Treaty Organization and return the four Brigade Combat Teams currently stationed in Europe to the United States.

(c) USE OF ROTATIONAL FORCES TO SATISFY SECURITY NEEDS.—It is the policy of the United States that the deployment of units of the United States Armed Forces on a rotational basis at military installations in European member nations of the North Atlantic Treaty Organization pursuant to the Army Force Generation (ARFORGEN) process is a force-structure arrangement sufficient to permit the United States—

(1) to satisfy the commitments undertaken by United States pursuant to Article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964);

(2) to address the current security environment in Europe; and

(3) to contribute to peace and stability in Europe.

SEC. 1240C. LIMITATION ON FUNDS FOR UNITED STATES PARTICIPATION IN JOINT MILITARY EXERCISES WITH EGYPT.

None of the funds authorized to be appropriated by this Act may be made available for United States participation in joint military exercises with Egypt if the Government of Egypt terminates or withdraws from the 1979 Israeli-Egypt peace treaty.

Subtitle E—Authority to Remove Satellites and Related Components and Technology From the United States Munitions List

SEC. 1241. AUTHORITY TO REMOVE SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY FROM THE UNITED STATES MUNITIONS LIST.

(a) AUTHORITY.—Subject to subsection (b), the President is authorized to remove commercial satellites and related components and technology from the United States Munitions List, consistent with the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)).

(b) DETERMINATION.—The President may exercise the authority provided in subsection (a) only if the President submits to the appropriate congressional committees a determination that the transfer of commercial satellites and related components and technology from the United States Munitions List does not pose an unacceptable risk to the national security of the United States. Such determination shall include a description of the risk-mitigating controls, procedures, and safeguards the President will put in place to reduce such risk to an absolute minimum.

(c) PROHIBITION.—No license or other authorization for export shall be granted for the transfer, retransfer, or reexport of any commercial satellite or related component or technology contained on the Commerce Control List to any person or entity of the following:

- (1) The People's Republic of China.
- (2) Cuba.
- (3) Iran.
- (4) North Korea.
- (5) Sudan.
- (6) Syria.

(7) Any other country with respect to which the United States would deny the application for licenses and other approvals for exports and imports of defense articles under section 126.1 of the International Traffic in Arms Regulations.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to the appropriate congressional committees on efforts of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire commercial satellites and related components and technology.

(2) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1242. REPORT ON LICENSES AND OTHER AUTHORIZATIONS TO EXPORT COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY CONTAINED ON THE COMMERCE CONTROL LIST.

(a) IN GENERAL.—Not later than 60 days after the end of each calendar quarter, the President shall transmit to the Committee on Banking, Finance, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report containing a listing of all licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List.

(b) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1243. REVIEW OF UNITED STATES MUNITIONS LIST.

Section 38(f)(1) of the Arms Export Control Act (22 U.S.C. 2778(f)(1)) is amended by striking the last sentence and inserting the following: “Such notice shall include, to the extent practicable, an enumeration of the item or items to be removed and describe the nature of any controls to be imposed on the item or items under any other provision of law.”

SEC. 1244. REPORT ON COUNTRY EXEMPTIONS FOR LICENSING OF EXPORTS OF MUNITIONS AND RELATED TECHNICAL DATA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Attorney General and Secretary of Homeland Security shall submit to the appropriate congressional committees a report that contains an assessment of the extent to which the terms and conditions of an exemption for foreign countries from the licensing requirements of the Commerce Munitions List (or analogous controls for commercial satellites and related components and technology) contain strong safeguards.

(b) MATTERS TO BE INCLUDED.—The report shall include a compilation of sufficient documentation relating to the export of munitions, commercial spacecraft, and related technical data to facilitate law enforcement

efforts to effectively detect, investigate, deter, and enforce criminal violations of any provision of the Export Administration Regulations, including efforts on the part of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire such controlled United States technology.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1245. END-USE MONITORING OF MUNITIONS AND RELATED TECHNICAL DATA.

(a) ESTABLISHMENT OF MONITORING PROGRAM.—In order to ensure accountability with respect to the export of munitions and related technical data on the Commerce Munitions List, the President shall establish a program to provide for the end-use monitoring of such munitions and related technical data.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report describing the actions taken to implement this section, including a detailed accounting of the costs and number of personnel associated with the program established under subsection (a).

SEC. 1246. INTERAGENCY PROCESS FOR MODIFICATION OF CATEGORY XV OF THE UNITED STATES MUNITIONS LIST.

(a) INTERAGENCY REVIEW.—Subject to the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), the President shall ensure that, through interagency procedures or regulations, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, and as appropriate the Director of National Intelligence concur on all subsequent modifications to Category XV of the United States Munitions List (relating to spacecraft systems and associated equipment).

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on the results of the interagency reviews required by subsection (a).

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include the following matters:

(A) A review of the space and space-related technologies currently on the United States Munitions List, to include satellite systems, dedicated subsystems, and components.

(B) An assessment of the national security risks of removing certain space and space-related technologies identified under subparagraph (A) from the United States Munitions List.

(C) An examination of the degree to which other nations' export control policies control or limit the export of space and space-related technologies for national security reasons.

(D) Recommendations for—

(i) the space and space-related technologies that should remain on, or may be candidates for removal from, the United States Munitions List based on the national security review required under subsection (a);

(ii) the safeguards and verifications necessary to—

(I) prevent the proliferation and diversion of such space and space-related technologies;

(II) confirm appropriate end use and end users; and

(III) minimize the risk that such space and space-related technologies could be use in

foreign missile, space, or other applications that could pose a threat to the security of the United States; and

(iii) improvements to the space export control policy and processes of the United States that do not adversely affect United States national security.

(E) A description of and recommendations regarding how the United States industrial base and United States national security could be enhanced and strengthened through reforms to and amendments of export control laws and regulations.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1247. DEFINITIONS.

In this subtitle:

(1) COMMERCE MUNITIONS LIST.—The term “Commerce Munitions List” means items transferred from the United States Munitions List to the Commerce Control List and designated as “600 series” items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 Fed. Reg. 41958), or any successor regulations.

(2) COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY.—The term “commercial satellites and related components and technology” means—

(A) communications satellites that do not contain classified components, including remote sensing satellites with performance parameters below thresholds identified on the United States Munitions List; and

(B) systems, subsystems, parts, and components associated with such satellites and with performance parameters below thresholds specified for items that would remain on the United States Munitions List.

(3) EXPORT ADMINISTRATION REGULATIONS.—The term “Export Administration Regulations” means the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or any successor regulations.

(4) STATE SPONSOR OF TERRORISM.—The term “state sponsor of terrorism” means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law.

(5) UNITED STATES MUNITIONS LIST.—The term “United States Munitions List” means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2013 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term “fiscal year 2013 Cooperative

Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2013, 2014, and 2015.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the \$519,111,000 authorized to be appropriated to the Department of Defense for fiscal year 2013 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$68,271,000.

(2) For chemical weapons destruction, \$14,630,000.

(3) For global nuclear security, \$99,789,000.

(4) For cooperative biological engagement, \$276,399,000.

(5) For proliferation prevention, \$32,402,000.

(6) For threat reduction engagement, \$2,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, \$25,245,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2013 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2013 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2013 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION ACTIVITIES WITH RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for Cooperative Threat Reduction may be obligated or expended for cooperative threat reduction activities with the Russian Federation until the date that is 30 days after the date on which the Secretary of Defense certifies, in coordination with the Secretary of State, to the appropriate congressional committees that—

(1) Russia is no longer—

(A) providing direct or indirect support to the government of Syria's suppression of the Syrian people; and

(B) transferring to Iran, North Korea, or Syria equipment and technology that have the potential to make a material contribution to the development of weapons of mass destruction or cruise or ballistic missile systems controlled under multilateral control lists; or

(2) funds planned to be obligated or expended for cooperative threat reduction activities with the Russian Federation are strictly for project closeout activities and will not be used for new activities or activities that will extend beyond fiscal year 2013.

(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary determines that such waiver is in the national security interests of the United States;

(2) the Secretary briefs, in an unclassified form, the appropriate congressional committees on the justifications of such waiver; and

(3) a period of 90 days has elapsed following the date on which such briefing is held.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for the fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the Defense

Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1407. CEMETERY EXPENSES.

Funds are hereby authorized to be appropriated for the Department of the Army for fiscal year 2013 for cemetery expenses, not otherwise provided for, as specified in the funding table in section 4501.

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2013, the National Defense Stockpile Manager may obligate up to \$44,899,227 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 1412. ADDITIONAL SECURITY OF STRATEGIC MATERIALS SUPPLY CHAINS.

Section 2(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by inserting "or a single point of failure" after "foreign sources".

Subtitle C—Other Matters

SEC. 1421. REDUCTION OF UNOBLIGATED BALANCES WITHIN THE PENTAGON RESERVATION MAINTENANCE REVOLVING FUND.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall transfer \$26,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

SEC. 1422. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 1406 and available for the Defense Health Program for operation and maintenance, \$139,204,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used

are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

SEC. 1423. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2013 from the Armed Forces Retirement Home Trust Fund the sum of \$67,590,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2013 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise pro-

vided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$3,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

SEC. 1523. LIMITATION ON USE OF FUNDS IN OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND.

Amounts appropriated to the Overseas Contingency Operations Transfer Fund pursuant to the authorizations of appropriations contained in this title and available for use or transfer to cover expenses directly relating to overseas contingency operations by the United States Armed Forces may be used only for an item or activity specified in the overseas contingency operations portion of the budget submitted to Congress by the President under section 1105 of title 31, United States Code, for fiscal year 2013.

Subtitle C—Limitations and Other Matters

SEC. 1531. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013. In providing prior notice to the congressional defense committees of the obligation of funds from the Joint Improvised Explosive Device Defeat Fund for such fiscal year, as required by paragraph (4) of such subsection (c), the Secretary of Defense shall include the market research or associated analysis of alternatives conducted in the process of taking action to initiate any project for which the total obligation of funds from the Fund will exceed \$10,000,000.

(b) MONTHLY OBLIGATIONS AND EXPENDITURE REPORTS.—Not later than 15 days after the end of each month of fiscal year 2013, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining monthly commitments, obligations, and expenditures by line of action.

(c) ADDITIONAL AUTHORIZED USE OF FUNDS IN JIEDDF.—Funds in the Joint Improvised Explosive Device Defeat Fund shall be available, with the concurrence of the Secretary of State, for the purpose of monitoring, disrupting, and interdicting the movement of explosive device precursors from a country that borders Afghanistan to a location within Afghanistan. For a country in which the actions and activities described in the preceding sentence are carried out, such funds may, with the concurrence of the Secretary of State, also be used to train and equip the security forces of that country that support missions to monitor, disrupt, and interdict the movement of explosive device precursors into Afghanistan.

SEC. 1532. ONE-YEAR EXTENSION OF PROJECT AUTHORITY AND RELATED REQUIREMENTS OF TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

(a) EXTENSION.—Subsection (a) of section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4426), as amended by section 1534 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1658), is further amended—

(1) in paragraph (6), by striking “October 31, 2011, and October 31, 2012” and inserting “October 31, 2011, October 31, 2012, and October 31, 2013”; and

(2) in paragraph (7), by striking “September 30, 2012” and inserting “September 30, 2013”.

(b) SCOPE OF PROJECTS.—Paragraph (3) of such subsection, as so amended, is further amended—

(1) by striking “private investment, mining sector development, industrial development, and other projects” and inserting “mining and natural resource industry development”; and

(2) by striking “focus on improving the commercial viability of” and inserting “complement”.

(c) FUNDING.—Paragraph (4) of such subsection, as so amended, is further amended—

(1) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”.

(2) by striking “The amount” and all that follows through “appropriate congressional committees.” and inserting the following:

“(B) LIMITATION.—The amount of funds used under authority of subparagraph (A)—

“(i) may not exceed \$150,000,000 for fiscal year 2012, except that not more than 50 percent of such amount may be obligated until the plan required by subsection (b) is submitted to the appropriate congressional committees; and

“(ii) may not exceed \$50,000,000 for fiscal year 2013, except that no such funds may be obligated until the Secretary notifies the appropriate congressional committees that the activities of the Task Force for Business and Stability Operations in Afghanistan will be transitioned to the Department of State by September 30, 2013.”; and

(3) by striking “The funds” and inserting the following:

“(C) AVAILABILITY.—The funds”.

SEC. 1533. LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF EXISTING LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2013 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

(b) AFGHAN PUBLIC PROTECTION FORCE.—

(1) LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2013 for the Afghanistan Security Forces Fund may be obligated or expended for the Afghan Public Protection Force (in this subsection referred to as the “APPF”) until the Secretary of Defense certifies in writing to the congressional defense committees the following:

(A) Each subcontract, task order, or delivery order entered into with the APPF under a contract of the Department of Defense, or any agreement between the United States and Afghanistan for services of the APPF for the Department of Defense, will include—

(i) standard format, content, and liability clauses to ensure consistent levels of security and dispute resolution mechanisms;

(ii) a requirement for members of the APPF to adhere to the APPF Code of Conduct, including principles of conduct for such personnel, minimum vetting requirements, and management and oversight commitments;

(iii) authority for the prime contractor or, in the case of an agreement, the United States, to independently conduct biometric screening;

(iv) authority for the prime contractor or, in the case of an agreement, the United States—

(I) to direct the APPF, at its own expense, to remove or replace any personnel performing on a subcontract or such agreement who fail to meet the APPF Code of Conduct or terms of such subcontract or agreement; and

(II) to terminate the subcontract or such agreement, if the failure to comply is a gross violation or is repeated; and

(v) authority for the Commander, International Security Assistance Force (or his designee)—

(I) to provide an arming authorization for APPF personnel authorized to perform activities at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;

(II) to account for and keep appropriate records of APPF personnel authorized to perform activities at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed, including on a database referred to as the Synchronized Predeployment and Operational Tracker; and

(III) to consult with the Minister of Interior of Afghanistan regarding rules on the use of force for APPF personnel.

(B) The Minister of Interior of Afghanistan is committed to ensuring that sufficient numbers of APPF personnel are trained to match demand and attrition.

(C) Sufficient clarity exists with regard to command and control of APPF personnel and the role of risk management consultants.

(D) The program established pursuant to section 1225 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 22 U.S.C. 2785 note) is sufficient to—

(i) account for the transfer of any contractor-acquired, United States Government-owned defense articles to the APPF; and

(ii) conduct end-use monitoring, including an inventory of the existence and completeness of any such defense articles;

(E) Mechanisms are in place to ensure that there is no additional cost to the United States for—

(i) a weapon used in the performance of APPF services under a subcontract of a contract of the Department of Defense, or through an agreement between the United States and Afghanistan, if such a weapon is a United States Government-owned weapon; and

(ii) any assistance also provided through the Afghan Security Forces Fund for support to APPF.

(F) The Minister of Interior of Afghanistan has established the elements required by subparagraphs (A) through (F) of section 862(a)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181). For purposes of the preceding sentence, the terms “personnel performing private security functions in an area of combat operations or other significant military operations”, “contractor”, and “contractor personnel”, as used in section 862 of such Act, mean members of the APPF.

(G) The Secretary is confident the security provided to supply convoys, to Department of Defense construction projects, and to Armed Forces deployed to Afghanistan will not be degraded.

(2) ADDITIONAL LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2013 for the Afghanistan Security Forces Fund may be obligated or expended for infrastructure improvements at a APPF training center.

(3) QUARTERLY REPORTS.—

(A) ASSESSMENT REQUIRED.—Each fiscal year quarter during fiscal years 2013 and 2014, the Secretary of Defense shall conduct an assessment of the APPF.

(B) REPORTS.—Thirty days following the end of each quarter of fiscal years 2013 and 2014, the Secretary shall submit a report to the congressional defense committees of each assessment conducted under subparagraph (A).

(C) MATTERS COVERED.—Each such report shall include—

(i) a detailed assessment of the ability of the APPF to perform the essential tasks identified by the assessment team;

(ii) an identification and evaluation of measures of effectiveness;

(iii) a description of the size of the APPF and an assessment of the sufficiency of its recruiting and training; and

(iv) a discussion of the issues the Secretary considers significant, and any recommendations to address those issues or other recommendations to improve future performance of the APPF, as the Secretary considers appropriate.

(D) FIRST REPORT.—The first quarterly report submitted after the date of the enactment of this Act shall include an estimate of the cost to the Department of Defense of the APPF, including funds within the Afghan Security Forces Fund and estimated contractual costs for fiscal years 2013 and 2014.

(E) A report submitted following the end of the second and fourth quarter of a fiscal year shall include a comparison of the cost to the Department of Defense (both direct and to contractors of the Department of Defense) for the preceding six months of—

(i) the use of the APPF; and

(ii) the historical use of private security contractors for a similar six-month period.

(4) AGREEMENTS.—The Secretary shall submit to the congressional defense committees a copy of each agreement signed by the United States and Afghanistan for services of the APPF for the Department of Defense during the first six months following the date of the enactment of this Act.

TITLE XVI—INDUSTRIAL BASE MATTERS

Subtitle A—Defense Industrial Base Matters

SEC. 1601. DISESTABLISHMENT OF DEFENSE MATERIEL READINESS BOARD.

(a) DISESTABLISHMENT OF BOARD.—The Defense Materiel Readiness Board established pursuant to section 871 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is hereby disestablished.

(b) TERMINATION OF DEFENSE STRATEGIC READINESS FUND.—The Defense Strategic

Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is hereby closed.

(c) REPEAL.—Subtitle G of title VIII of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is repealed.

SEC. 1602. ASSESSMENT OF EFFECTS OF FOREIGN BOYCOTTS.

Section 2505 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) ASSESSMENT OF EXTENT OF EFFECTS OF FOREIGN BOYCOTTS.—Each assessment under subsection (a) shall include a separate discussion and presentation regarding the extent to which the national technology and industrial base is affected by foreign boycotts. The discussion and presentation regarding foreign boycotts shall—

“(1) identify sectors of the national technology and industrial base being affected by foreign boycotts;

“(2) assess the harm to the national technology and industrial base as a result of such boycotts; and

“(3) identify actions necessary to minimize the effects of foreign boycotts on the national technology and industrial base.”.

SEC. 1603. ADVANCING INNOVATION PILOT PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, may establish and implement a pilot program, to be known as the “Advancing Innovation Pilot Program”, in furtherance of the national security objectives in section 2501(a) of title 10, United States Code.

(b) PURPOSE.—The purpose of the pilot program is to accelerate development and fielding of research innovations from qualifying institutions.

(c) AVAILABILITY OF FUNDS.—Of the funds authorized and appropriated, or otherwise made available, for research, development, test and evaluation, the Secretary may allocate funding to qualifying institutions in accordance with this subsection. Such funding shall be used to evaluate the potential of fielding or commercialization of existing discoveries, including—

(1) proof of concept research or prototype development; and

(2) activities that contribute to determining a project’s path to fielding or commercialization of dual-use technologies, including technical validations, market research, determination of intellectual property rights, and investigating military or commercial opportunities.

(d) IMPLEMENTATION.—Prior to obligation or execution of funding under the pilot program, the Secretary shall develop and issue guidance to implement the pilot program. Such guidance shall, at a minimum—

(1) require that funding allocated under the pilot program shall be done using a competitive, merit-based process;

(2) ensure that qualifying institutions establish a rigorous, diverse review board for program execution that shall be comprised of experts in translational and proof of concept research, including representatives that provide expertise in transitioning technology, financing mechanisms, intellectual property rights, and advancement of small business concerns;

(3) ensure that technology validation milestones are established; and

(4) enable the Assistant Secretary to reallocate funding with the pilot program from poor performing projects to those with more potential.

(e) LIMITATION.—Funding made available under the pilot program shall not be used for basic research, or to fund the acquisition of research equipment or supplies not directly related to fielding activities to meet military requirements or commercialization of dual-use technologies.

(f) REPORT.—Not later than 90 days after the completion of the pilot program, the Secretary shall submit to the congressional defense committees a report evaluating the effectiveness of the activities of the pilot program. The report shall include—

(1) a detailed description of the execution of the pilot program, including incentives and activities undertaken by review board experts;

(2) an accounting of the funds used in the pilot program;

(3) a detailed description of the institutional and proposal selection process;

(4) a detailed compilation of results achieved by the pilot program;

(5) an analysis of the program's effectiveness, with data supporting the analysis; and

(6) recommendations for advancing innovation and otherwise improving the transition of technology to meet Department of Defense requirements.

(g) DEFINITIONS.—In this section:

(1) QUALIFYING INSTITUTION.—The term “qualifying institution” means any entity at which research and development activities are conducted and that has past performance in technology transition or commercialization of third-party research, including—

(A) an institution of higher education or other nonprofit entity; and

(B) a for-profit entity.

(2) RESEARCHER.—The term “researcher” means a university or Federal laboratory that conducts basic research.

(3) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965.

(4) DUAL-USE.—The term “dual-use” has the meaning provided in section 2500(2) of title 10, United States Code.

(h) TERMINATION.—The pilot program conducted under this section shall terminate on September 30, 2017.

SEC. 1604. NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) REQUIREMENT FOR STRATEGY.—

(1) IN GENERAL.—Section 2501 of title 10, United States Code, is amended as follows:

(A) The section heading is amended by striking “objectives concerning” and inserting “strategy for”.

(B) Subsection (a) is amended—

(i) in the subsection heading, by striking “OBJECTIVES” and inserting “STRATEGY”;

(ii) by striking “It is the policy of” and all that follows through “objectives:” and inserting the following: “The Secretary of Defense shall develop a national security strategy for the national technology and industrial base. Such strategy shall be based on a prioritized assessment of risks and challenges to the defense supply chain and shall ensure that the national technology and industrial base is capable of achieving the following national security objectives:”; and

(iii) by adding at the end the following new paragraphs:

“(9) Ensuring reliable sources of materials that are critical to national security, such as specialty metals, armor plate and rare earth elements.

“(10) Reducing, to the maximum extent practicable, the presence of counterfeit parts in the supply chain and the risk associated with such parts.”.

(2) CLERICAL AMENDMENT.—The item relating to section 2501 in the table of sections at the beginning of subchapter II of chapter 148 of such title is amended to read as follows:

“2501. National security strategy for national technology and industrial base.”.

(b) AMENDMENT TO ANNUAL REPORT RELATING TO DEFENSE INDUSTRIAL BASE.—Section 2504 of such title is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2); and

(3) by inserting after paragraph (2) (as so redesignated) the following new paragraph (3):

“(3) Based on the assessments prepared pursuant to section 2505 of this title—

“(A) a description of any mitigation strategies necessary to address any gaps or vulnerabilities in the national technology and industrial base; and

“(B) any other steps necessary to foster and safeguard the national technology and industrial base.”.

(c) REQUIREMENT FOR CONSIDERATION OF STRATEGY IN ACQUISITION PLANS.—Section 2440 of such title is amended by inserting after “base” the following: “, in accordance with the strategy required by section 2501 of this title.”.

(d) CONFORMING AMENDMENTS.—Section 852 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1517; 10 U.S.C. 2504 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c), and in that subsection by striking “subsection (c).” in the first sentence and inserting “section 2501 of title 10, United States Code.”.

Subtitle B—Department of Defense Activities Related to Small Business Matters

SEC. 1611. PILOT PROGRAM TO ASSIST IN THE GROWTH AND DEVELOPMENT OF ADVANCED SMALL BUSINESS CONCERNS.

(a) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Defense shall establish a pilot program within the Department of Defense to assist in the growth and development of advanced small business concerns in accordance with this section.

(b) REQUIREMENTS OF PILOT PROGRAM.—

(1) RESTRICTED COMPETITION FOR CERTAIN CONTRACTS.—Under the pilot program and except as provided under paragraph (2)(B), competition for contract awards may be restricted to advanced small business concerns if—

(A) the anticipated award price of the contract (including options) is reasonably expected to exceed \$25,000,000;

(B) the Procurement Center Representative of the Small Business Administration or the Director of Small Business Programs of the Department of Defense determines that, if the contract were not awarded under the pilot program, the contract would likely be awarded to an entity other than a small business concern;

(C) there is a reasonable expectation that at least two advanced small business concerns will submit offers with respect to the contract;

(D) such advanced small business concerns agree to the requirements specified in section 15(o) of the Small Business Act (15 U.S.C. 644(o)) (relating to percentage of work under the contract to be performed by the concern), except that work performed by other advanced small business concerns or by small business concerns shall be considered as work performed by the prime contractor for purposes of such requirements; and

(E) the contract award can be made at a fair market price.

(2) ELIGIBILITY.—

(A) ADVANCED SMALL BUSINESS CONCERN.—An entity shall be considered an advanced small business concern and eligible for par-

ticipation in the pilot program if the entity—

(i) is independently owned and operated and is not dominant in its field of operation; and

(ii) has fewer than—

(I) twice the number of employees the Small Business Administration has assigned as a size standard to the North American Industrial Classification Standard code in which the entity is operating; or

(II) three times the average annual receipts the Small Business Administration has assigned as a size standard to the North American Industrial Classification Standard code in which the entity is operating.

(B) SMALL BUSINESS CONCERN.—Notwithstanding paragraph (1), a small business concern may submit an offer for any contract under the pilot program.

(3) CONSIDERATION AND NOTICE TO PUBLIC.—With respect to a contract opportunity determined to meet the criteria specified in paragraph (1), a contracting officer for the Department of Defense shall—

(A) consider awarding a contract under the pilot program before using full and open competition for such contract; and

(B) provide notice of the contract opportunity (including the eligibility requirements of the contract opportunity) in accordance with the Federal Acquisition Regulation and other applicable guidelines.

(4) RELATIONSHIP TO SMALL BUSINESS ACT PROGRAMS.—

(A) An advanced small business concern shall not be eligible for any assistance provided to small businesses by the Small Business Act (15 U.S.C. 637 et seq.) or the Small Business Investment Act of 1958 22 (15 U.S.C. 661 et seq.), unless eligibility is expressly provided through the pilot program established by this Act, and contracts awarded pursuant to the pilot program shall not be counted toward the achievement of the small business prime or subcontracting goals established by the Small Business Act (15 U.S.C. 644).

(B) An advanced small business concern shall enter into a subcontracting plan in accordance with section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

(C) Nothing in this section authorizes a Procurement Center Representative or an employee of the Office of Small Business Programs to provide assistance to advanced small business concerns or to advocate for the restriction of competition to advanced small business concerns.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the Small Business Administration, shall develop and issue guidance to implement the pilot program. The guidance shall—

(1) identify criteria under which the pilot program is evaluated, including a methodology to collect data during the course of the pilot program to facilitate an assessment at the conclusion of the pilot program;

(2) permit a self-certification for eligibility for participation in the pilot program;

(3) ensure that any self-certification requires the concern involved to meet the requirements of the Small Business Administration regarding ownership, control, and affiliation (as set forth in section 121.103 of title 13 of the Code of Federal Regulations);

(4) establish an appeals process to handle challenges to self-certifications of advanced small business concerns, with the certification of eligibility residing with the Small Business Administration's Office of Hearings and Appeals;

(5) identify a method to reimburse the Small Business Administration for additional costs to the Administration relating to such self-certifications;

(6) establish a methodology for identifying and tracking program participants, including reporting on contracts awarded to program participants using the Federal Procurement Data System; and

(7) ensure that the pilot program does not supersede goals or programs authorized by the Small Business Act (15 U.S.C. 637 et seq.) or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) or count toward the achievement of the small business prime or subcontracting goals established by the Small Business Act (15 U.S.C. 644).

(d) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the duration of the pilot program, the Secretary of Defense shall submit to the appropriate congressional committees a report on the pilot program that includes each of the following:

(1) The number of contracts awarded in the prior year under the pilot program.

(2) The value of the contracts awarded under the pilot program and a description of the work carried out under such contracts.

(3) The number of program participants under the pilot program.

(4) An assessment of the success of the pilot program based on the criteria described in subsection (c)(1).

(5) Such recommendations as the Secretary considers appropriate, including a recommendation regarding whether to extend the pilot program or terminate it early.

(e) TERMINATION.—The pilot program shall terminate on the date that is three years after the date on which the guidance for the pilot program is issued pursuant to subsection (c).

(f) DEFINITIONS.—In this section:

(1) **ADVANCED SMALL BUSINESS CONCERN.**—The term “advanced small business concern” means an entity that meets the requirements specified in subsection (b)(2)(A).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means each of the following:

(A) The Committees on Armed Services and on Small Business and Entrepreneurship of the Senate.

(B) The Committees on Armed Services and on Small Business of the House of Representatives.

(3) **OFFICE OF SMALL BUSINESS PROGRAMS.**—The term “Office of Small Business Programs” means the Office of Small Business Programs described in section 144(b) of title 10, United States Code.

(4) **PILOT PROGRAM.**—The term “pilot program” means the program established by the Secretary of Defense under subsection (a).

(5) **PROCUREMENT CENTER REPRESENTATIVE.**—The term “Procurement Center Representative” has the meaning provided in section 15 of the Small Business Act (15 U.S.C. 644).

(6) **SMALL BUSINESS CONCERN.**—The term “small business concern” has the meaning provided under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

SEC. 1612. ROLE OF THE DIRECTORS OF SMALL BUSINESS PROGRAMS IN REQUIREMENTS DEVELOPMENT AND ACQUISITION DECISION PROCESSES OF THE DEPARTMENT OF DEFENSE.

(a) **GUIDANCE REQUIRED.**—The Secretary of Defense shall develop and issue guidance to ensure that the head of each Office of Small Business Programs in the Department of Defense is a participant in requirements development and acquisition decision processes—

(1) of the Department, in the case of the Director of Small Business Programs in the Department of Defense; and

(2) of the military department concerned, in the case of the Director of Small Business Programs in the Department of the Army, in the Department of the Navy, and in the Department of the Air Force.

(b) **MATTERS TO BE INCLUDED.**—Such guidance shall, at a minimum—

(1) require the Director of Small Business Programs in the Department of Defense—

(A) to serve as an advisor to the Defense Acquisition Board; and

(B) to serve as an advisor to the Information Technology Acquisition Board; and

(2) require coordination between the chiefs of the Armed Forces and the service acquisition executives, as appropriate (or their designees), and the Director of Small Business Programs in each military department during the process for approval of—

(A) a requirements document, as defined in section 2547 of title 10, United States Code; and

(B) acquisition strategies or plans.

SEC. 1613. SMALL BUSINESS ADVOCATE FOR DEFENSE AUDIT AGENCIES.

(a) **SMALL BUSINESS ADVOCATE.**—Subchapter II of chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 204. Small Business Advocate for defense audit agencies

“(a) **SMALL BUSINESS ADVOCATE.**—The Secretary of Defense shall designate within each defense audit agency an official as the Small Business Advocate to have the duties described in subsection (b) and such other responsibilities as may be determined by the Secretary.

“(b) **DUTIES.**—The Small Business Advocate at a defense audit agency shall—

“(1) advise the Director of the defense audit agency on all issues related to small business concerns;

“(2) serve as the defense audit agency’s primary point of contact and source of information for small business concerns; and

“(3) collect relevant data and monitor the defense audit agency’s conduct of audits of small business concerns, including—

“(A) monitoring the timeliness of audit closeouts for small business concerns; and

“(B) monitoring the responsiveness of the agency to issues or other matters raised by small business concerns; and

“(4) develop and implement processes and procedures to improve the performance of the defense audit agency related to the timeliness of audits of small business concerns and the responsiveness of the agency to issues or other matters raised by small business concerns.

“(c) **DEFENSE AUDIT AGENCY DEFINED.**—In this section, the term “defense audit agency” means the Defense Contract Audit Agency and the Defense Contract Management Agency.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 8 of such title is amended by inserting after the item relating to section 203 the following new item:

“204. Small Business Advocate for defense audit agencies.”.

SEC. 1614. INDEPENDENT ASSESSMENT OF FEDERAL PROCUREMENT CONTRACTING PERFORMANCE OF THE DEPARTMENT OF DEFENSE.

(a) **ASSESSMENT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct an independent assessment of the Department’s procurement performance related to small business concerns.

(b) **MATTERS COVERED.**—The assessment under subsection (a) shall, at a minimum, include—

(1) a description of the industrial composition of companies receiving subcontracts pursuant to the test program for the negotiation of comprehensive small business sub-

contracting plans pursuant to section 834 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-189; 15 U.S.C. 637 note);

(2) a comparison of the industrial composition of prime contractors participating in such test program and the industrial composition of all prime contractors of the Department of Defense;

(3) a determination of barriers to accurately capturing data on small business prime contracting and subcontracting, including an examination of the reliability of the information technology systems of the Department that are used to track such data;

(4) recommendations for improving the quality and availability of data regarding small business prime contracting and subcontracting performance;

(5) recommendations to improve and inform negotiations regarding small business contract goals for the Department;

(6) an examination of the execution of small business subcontracting plans, including an assessment of the degree to which initial teaming agreements are not maintained through the performance of contracts;

(7) an examination of the extent to which the Department adheres to current policies and guidelines relating to small business prime contracting and subcontracting goals;

(8) recommendations for increasing opportunities for small business concerns owned and controlled by service-disabled veterans (as defined by section 3(q) of the Small Business Act (15 U.S.C. 632(q)) to do business with the Department of Defense;

(9) an examination of the extent to which the Department bundles, consolidates, or otherwise groups requirements into contracts that are unsuitable for award to small businesses, and the effects that such practices have on small business participation;

(10) recommendations for increasing small business prime contracting and subcontracting opportunities with the Department; and

(11) recommendations for steps that can be taken to prevent abuses and ensuring that small business contracts are in fact going to small businesses.

(c) **REPORT.**—Not later than January 1, 2014, the Secretary shall submit to the congressional defense committees a report on the independent assessment conducted under this section.

SEC. 1615. ASSESSMENT OF SMALL BUSINESS PROGRAMS TRANSITION.

(a) **INDEPENDENT REVIEW AND ASSESSMENT.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall select an appropriate entity outside the Department of Defense to conduct an independent review and assessment of the transition of technologies developed by small business, such as those developed under the Small Business Innovation Research Program, into major weapon systems and major automated information systems for the Department of Defense.

(b) **ELEMENTS.**—The review and assessment required by subsection (a) shall include the following:

(1) An analysis of a representative sample of major weapon systems and major automated information systems to determine the content of the systems from small businesses, including components transitioned from the Small Business Innovation Research Program.

(2) An analysis of established or ad hoc processes to allow program offices to monitor, evaluate, and transition small business-developed technologies into their program.

(3) Recommendations for developing a systematic and sustained process for monitoring, evaluating, and transitioning small

business-developed technologies for use by the entire defense acquisition system of the Department of Defense, including data collection and measures of effectiveness and performance.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the entity conducting the review and assessment under subsection (a) shall submit to the Secretary and the congressional defense committees a report containing—

(A) the results of the review and assessment; and

(B) recommendations for improving the process for managing the transition and integration of technologies developed by small business (including under the Small Business Innovation Research Program) into major weapons systems and major automated information systems.

(2) ADDITIONAL EVALUATION REQUIRED.—Not later than 30 days after the date on which the congressional defense committees receive the report required by paragraph (1), the Secretary shall submit to such committees an evaluation by the Secretary of the results and recommendations contained in such report.

(d) SBIR PROGRAM DEFINED.—In this section, the term “Small Business Innovation Research Program” has the meaning provided such term by section 2500(11) of title 10, United States Code.

SEC. 1616. ADDITIONAL RESPONSIBILITIES OF INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT FOR PEER REVIEWS.—Section 8(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking “and” at the end of paragraph (8);

(2) by striking the period and inserting “; and” at the end of paragraph (9); and

(3) by adding at the end the following new paragraph:

“(10) conduct peer reviews of Department of Defense audit agencies in accordance with and in such frequency as provided by Government auditing standards as established by the Comptroller General of the United States.”.

(b) REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.—Section 8(f) of such Act is amended by striking paragraph (1) and inserting the following:

“(1) Each semiannual report prepared by the Inspector General of the Department of Defense under section 5(a) shall be transmitted by the Secretary of Defense to the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Government Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress. Each such report shall include—

“(A) information concerning the numbers and types of contract audits conducted by the Department during the reporting period; and

“(B) information concerning any Department of Defense audit agency that, during the reporting period, has either failed an audit or is overdue for a peer review required to be conducted in accordance with subsection (c)(10).”.

SEC. 1617. RESTORATION OF 1 PERCENT FUNDING FOR ADMINISTRATIVE EXPENSES OF COMMERCIALIZATION READINESS PROGRAM OF DEPARTMENT OF DEFENSE.

(a) RESTORATION.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)), as amended by section 5141(b)(1)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1853) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) FUNDING.—For payment of expenses incurred to administer the Commercialization Readiness Program under this subsection, the Secretary of Defense and each Secretary of a military department is authorized to use not more than an amount equal to 1 percent of the funds available to the Department of Defense or the military department pursuant to the Small Business Innovation Research Program. Such funds shall not be used to make Phase III awards.”.

(b) TECHNICAL AMENDMENT.—Section 5141(b)(3)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1854) is amended—

(1) by striking “subsection (y)” and all that follows through “the following:” and inserting “subsection (y), by amending paragraph (4) to read as follows:”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of January 1, 2012.

Subtitle C—Matters Relating to Small Business Concerns

PART I—PROCUREMENT CENTER REPRESENTATIVES

SEC. 1621. PROCUREMENT CENTER REPRESENTATIVES.

(a) IN GENERAL.—Section 15(1) of the Small Business Act (15 U.S.C. 644(1)) is amended by striking the subsection enumerator and inserting the following:

“(1) PROCUREMENT CENTER REPRESENTATIVES.—”.

(b) ASSIGNMENT AND ROLE.—Paragraph (1) of section 15(1) of such Act (15 U.S.C. 644(1)) is amended to read as follows:

“(1) ASSIGNMENT AND ROLE.—The Administrator shall assign to each major procurement center a procurement center representative with such assistance as may be appropriate.”.

(c) ACTIVITIES.—Section 15(1)(2) of such Act (15 U.S.C. 644(1)(2)) is amended—

(1) in the matter preceding subparagraph (A) by striking “(2) In addition to carrying out the responsibilities assigned by the Administration, a breakout” and inserting the following:

“(2) ACTIVITIES.—A”;

(2) by striking subparagraph (A) and inserting the following:

“(A) attend any provisioning conference or similar evaluation session during which a determination may be made with respect to the procurement method to be used to satisfy a requirement, review any acquisition plan with respect to a requirement, and make recommendations regarding procurement method determinations and acquisition plans”;

(3) in subparagraph (B)—

(A) by striking “(B) review, at any time, restrictions on competition” and inserting the following:

“(B) review, at any time, barriers to small business participation in Federal contracting”;

(B) by striking “items” and inserting “goods and services”; and

(C) by striking “limitations” and inserting “barriers”;

(4) in subparagraph (C) by striking “(C) review restrictions on competition” and inserting the following:

“(C) review barriers to small business participation in Federal contracting”;

(5) by striking subparagraph (D) and inserting the following:

“(D) review any bundled or consolidated solicitation or contract in accordance with this Act”;

(6) by striking subparagraph (E) and inserting the following:

“(E) have electronic access to procurement records, acquisition plans developed or in development, and other data of the procurement center commensurate with the level of such representative’s approve security clearance classification”;

(7) by striking subparagraphs (F) and (G) and inserting the following:

“(F) receive, from personnel responsible for reviewing unsolicited proposals, copies of unsolicited proposals from small business concerns and any information on outcomes relating to such proposals;

“(G) participate in any session or planning process and review any documents with respect to a decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;

“(H) be an advocate for the maximum practicable utilization of small business concerns in Federal contracting, including by advocating against the bundling of contract requirements when not justified; and

“(I) carry out any other responsibility assigned by the Administrator.”.

(d) APPEALS.—Section 15(1)(3) of such Act (15 U.S.C. 644(1)(3)) is amended by striking “(3) A breakout procurement center representative” and inserting the following:

“(3) APPEALS.—A procurement center representative”.

(e) NOTIFICATION AND INCLUSION.—Paragraph (4) of section 15(1) of such Act (15 U.S.C. 644(1)) is amended to read as follows:

“(4) NOTIFICATION AND INCLUSION.—Agency heads shall ensure that procurement center representatives are included in applicable acquisition planning processes.”.

(f) POSITION REQUIREMENTS.—Section 15(1)(5) of such Act (15 U.S.C. 644(1)(5)) is amended—

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

“(5) POSITION REQUIREMENTS.—”;

(2) by striking subparagraphs (A) and (B) and inserting the following:

“(A) IN GENERAL.—A procurement center representative assigned under this subsection shall—

“(i) be a full-time employee of the Administration;

“(ii) be fully qualified, technically trained, and familiar with the goods and services procured by the major procurement center to which that representative is assigned; and

“(iii) have a Level III Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that any person serving in such a position on the date of enactment of this clause may continue to serve in that position for a period of 5 years without the required certification.”; and

(3) in subparagraph (C) by striking “(C) The Administration shall establish personnel positions for breakout procurement representatives and advisers assigned pursuant to” and inserting the following:

“(B) COMPENSATION.—The Administrator shall establish personnel positions for procurement center representatives assigned under”.

(g) MAJOR PROCUREMENT CENTER DEFINED.—Section 15(1)(6) of such Act (15 U.S.C. 644(1)(6)) is amended—

(1) by striking “(6) For purposes” and inserting the following:

“(6) MAJOR PROCUREMENT CENTER DEFINED.—For purposes”; and

(2) by striking “other than commercial items and which has the potential to incur significant savings as the result of the placement of a breakout procurement center representative” and inserting “goods or services, including goods or services that are commercially available”.

(h) TRAINING.—Section 15(1)(7) of such Act (15 U.S.C. 644(1)(7)) is amended—

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

“(7) TRAINING.—”;

(2) by striking subparagraph (A) and inserting the following:

“(A) AUTHORIZATION.—At such times as the Administrator deems appropriate, a procurement center representative shall provide training for contracting officers, other appropriate personnel of the procurement center to which such representative is assigned, and small businesses groups seeking to do business with such procurement center. Such training shall acquaint the participants with the provisions of this subsection and shall instruct the participants in methods designed to further the purposes of this subsection.

“(B) LIMITATION.—A procurement center representative may provide training under subparagraph (A) only to the extent that the training does not interfere with the representative carrying out other activities under this subsection.”; and

(3) in subparagraph (B)—

(A) by striking “(B) The breakout procurement center representative” and inserting the following:

“(8) ANNUAL BRIEFING AND REPORT.—A procurement center representative”; and

(B) by striking “sixty” and inserting “60”.

SEC. 1622. SMALL BUSINESS ACT CONTRACTING REQUIREMENTS TRAINING.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this part, the Defense Acquisition University and the Federal Acquisition Institute shall each provide a course on contracting requirements under the Small Business Act, including the requirements for small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(b) COURSE REQUIRED.—To have a Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification an individual shall be required to complete the course established under subsection (a).

(c) REQUIREMENT THAT BUSINESS OPPORTUNITY SPECIALISTS BE CERTIFIED.—Section 7(j)(10)(D)(i) of the Small Business Act (15 U.S.C. 636(j)(10)(D)(i)) is amended by inserting after “to assist such Program Participant.” the following: “The Business Opportunity Specialist shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a Business Opportunity Specialist serving at the time of the date of enactment of the Small Business Opportunity Act of 2012 may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on that date of enactment without such a certification.”.

(d) GAO REPORT.—Not later than 365 days after the date of enactment of this part, the Comptroller General of the United States shall conduct a study and submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the relationship between the size and quality of the acquisition workforce and the Federal government’s ability to maximize the utilization of small businesses in Federal procurement. The report shall specifically address the following:

(1) The extent to which training on small business contracting laws affects a contracting officer’s determination to use one of the contracting authorities provided in the Small Business Act.

(2) The relationship between a robust Federal acquisition workforce and small busi-

ness success in obtaining Federal contracting opportunities.

(3) The effect on economic growth if small businesses experienced a significant reduction in small business procurement activities.

(4) The effect of the anticipated acceleration of retirements by the acquisition workforce on small business procurement opportunities.

SEC. 1623. ACQUISITION PLANNING.

Section 15(e)(1) of the Small Business Act (15 U.S.C. 644(e)(1)) is amended—

(1) by striking “the various agencies” and inserting “a Federal department or agency”; and

(2) by striking the period and inserting “and each such Federal department or agency shall—

“(A) enumerate opportunities for the participation of small business concerns during all acquisition planning processes and in all acquisition plans;

“(B) invite the participation of the appropriate Director of Small and Disadvantaged Business Utilization in all acquisition planning processes and provide that Director access to all acquisition plans in development; and

“(C) invite the participation of the appropriate procurement center representative in all acquisition planning processes and provide that representative access to all acquisition plans in development.”.

PART II—GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS

SEC. 1631. GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

(a) IN GENERAL.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by striking the subsection enumerator and inserting the following:

“(g) GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—”.

(b) GOVERNMENTWIDE GOALS.—Paragraph (1) of section 15(g) of such Act (15 U.S.C. 644(g)) is amended to read as follows:

“(1) GOVERNMENTWIDE GOALS.—The President shall annually establish Governmentwide goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in accordance with the following:

“(A) The Governmentwide goal for participation by small business concerns shall be established at not less than 25 percent of the total value of all prime contract awards for each fiscal year and 40 percent of the total value of all subcontract awards for each fiscal year.

“(B) The Governmentwide goal for participation by small business concerns owned and controlled by service-disabled veterans shall be established at not less than 3 percent of the total value of all prime contract and at not less than 3 percent of the total value of all subcontract awards for each fiscal year.

“(C) The Governmentwide goal for participation by qualified HUBZone small business concerns shall be established at not less than 3 percent of the total value of all prime contract and at not less than 3 percent of the total value of all subcontract awards for each fiscal year.

“(D) The Governmentwide goal for participation by small business concerns owned and controlled by socially and economically disadvantaged individuals shall be established at not less than 5 percent of the total value of all prime contract and at not less than 5

percent of the total value of all subcontract awards for each fiscal year.

“(E) The Governmentwide goal for participation by small business concerns owned and controlled by women shall be established at not less than 5 percent of the total value of all prime contract and at not less than 5 percent of the total value of all subcontract awards for each fiscal year.”.

(c) AGENCY GOALS.—Paragraph (2) of section 15(g) of such Act (15 U.S.C. 644(g)) is amended to read as follows:

“(2) AGENCY GOALS.—

“(A) ESTABLISHMENT.—The head of each Federal agency shall annually establish, for the agency that individual heads, goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

“(B) RELATIONSHIP TO GOVERNMENTWIDE GOALS.—

“(i) SCOPE.—The goals established by the head of a Federal agency under subparagraph (A) shall be in the same format as the goals established by the President under paragraph (1) and shall address both prime contract and subcontract awards.

“(ii) REQUIREMENT PERTAINING TO AGENCY GOALS.—With respect to each goal for a fiscal year established under subparagraph (A) for a category of small business concern, the participation percentage applicable to such goal may not be less than the participation percentage applicable to the Governmentwide goal for such fiscal year established under paragraph (1) for such category.

“(C) CONSULTATION REQUIRED.—

“(i) IN GENERAL.—In establishing goals under subparagraph (A), the head of each Federal agency shall consult with the Administrator.

“(ii) DISAGREEMENTS.—Except as provided by clause (iii), if the Administrator and the head of a Federal agency fail to agree on a goal established under subparagraph (A), the disagreement shall be submitted to the Administrator for Federal Procurement Policy for final determination.

“(iii) AGENCY GOALS OF THE DEPARTMENT OF DEFENSE.—In the case of a goal proposed by the Secretary of Defense that is lower than a goal established during the preceding fiscal year for the Department of the Defense and for which the Administrator does not agree, the disagreement shall be submitted to the Administrator for Federal Procurement Policy for final determination.

“(D) PLAN FOR ACHIEVING GOALS.—After establishing goals under subparagraph (A) for a fiscal year, the head of each Federal agency shall develop a plan for achieving such goals, which shall apportion responsibilities among the agency’s acquisition executives and officials.

“(E) EXPANDED PARTICIPATION.—In establishing goals under subparagraph (A), the head of each Federal agency shall make a consistent effort to annually expand participation by small business concerns from each industry category in procurement contracts of such agency, including participation by small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

“(F) CONSIDERATION.—The head of each Federal agency, in attempting to attain expanded participation under subparagraph (E), shall consider—

“(i) contracts awarded as the result of unrestricted competition; and

“(ii) contracts awarded after competition restricted to eligible small business concerns under this section and under the program established under section 8(a).

“(G) COMMUNICATION REGARDING GOALS.—

“(i) IMPORTANCE OF ACHIEVING GOALS.—Each procurement employee or program manager described in clause (i) shall communicate to the subordinates of the procurement employee or program manager the importance of achieving goals established under subparagraph (A).

“(ii) PROCUREMENT EMPLOYEES OR PROGRAM MANAGERS DESCRIBED.—A procurement employee or program manager described in this clause is a senior procurement executive, senior program manager, or Director of Small and Disadvantaged Business Utilization of a Federal agency having contracting authority.”.

(d) ENFORCEMENT; DETERMINATIONS OF THE TOTAL VALUE OF CONTRACT AWARDS.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)), as amended by this part, is further amended by adding at the end the following:

“(3) ENFORCEMENT.—If the Administrator does not issue the report required in subsection (h)(2) on or before the date that is 120 days after the end of the prior fiscal year, the Administrator may not carry out or establish any pilot program until the date on which the Administrator issues the report.

“(4) DETERMINATIONS OF THE TOTAL VALUE OF CONTRACT AWARDS.—For purposes of the goals established under paragraphs (1) and (2), the total value of contract awards for a fiscal year may not be determined in a manner that excludes the value of a contract based on—

“(A) where the contract is awarded;

“(B) where the contract is performed;

“(C) whether the contract is mandated by Federal law to be performed by an entity other than a small business concern;

“(D) whether funding for the contract is made available in an appropriations Act, if the contract is subject to competitive procedures under chapter 33 of title 41, United States Code; or

“(E) whether the contract is subject to the Federal Acquisition Regulation.”.

SEC. 1632. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Subsection (h) of section 15 of the Small Business Act (15 U.S.C. 644) is amended to read as follows:

“(h) REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—

“(1) AGENCY REPORTS.—At the conclusion of each fiscal year, the head of each Federal agency shall submit to the Administrator a report describing—

“(A) the extent of the participation by small business concerns, small business concerns owned and controlled by veterans (including service-disabled veterans), qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in the procurement contracts of such agency during such fiscal year;

“(B) whether the agency achieved the goals established for the agency under subsection (g)(2)(A) with respect to such fiscal year; and

“(C) any justifications for a failure to achieve such goals.

“(2) REPORTS BY ADMINISTRATOR.—Not later than 60 days after receiving a report from each Federal agency under paragraph (1) with respect to a fiscal year, the Administrator shall submit to the President and Congress, and to make available on a public website, a report that includes—

“(A) a copy of each report submitted to the Administrator under paragraph (1);

“(B) a determination of whether each goal established by the President under subsection (g)(1) for such fiscal year was achieved;

“(C) a determination of whether each goal established by the head of a Federal agency under subsection (g)(2)(A) for such fiscal year was achieved;

“(D) the reasons for any failure to achieve a goal established under paragraph (1) or (2)(A) of subsection (g) for such fiscal year and a description of actions planned by the applicable agency to address such failure, including the Administrator’s comments and recommendations on the proposed remediation plan;

“(E) for the Federal Government and each Federal agency, an analysis of the number and dollar amount of prime contracts awarded during such fiscal year to—

“(i) small business concerns—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns; and

“(IV) through unrestricted competition;

“(ii) small business concerns owned and controlled by service-disabled veterans—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to small business concerns owned and controlled by service-disabled veterans; and

“(V) through unrestricted competition;

“(iii) qualified HUBZone small business concerns—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to qualified HUBZone small business concerns;

“(V) through unrestricted competition where a price evaluation preference was used; and

“(VI) through unrestricted competition where a price evaluation preference was not used;

“(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals;

“(V) through unrestricted competition; and

“(VI) by reason of that concern’s certification as a small business owned and controlled by socially and economically disadvantaged individuals;

“(v) small business concerns owned by an Indian tribe other than an Alaska Native Corporation—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

“(V) through unrestricted competition; and

“(vi) small business concerns owned by Native Hawaiian Organization—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

“(V) through unrestricted competition; and

“(vii) small business concerns owned by an Alaska Native Corporation—

“(I) in the aggregate;

“(II) through sole source contracts;

“(III) through competitions restricted to small business concerns;

“(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

“(V) through unrestricted competition; and

“(viii) small business concerns owned and controlled by women—

“(I) in the aggregate;

“(II) through competitions restricted to small business concerns;

“(III) through competitions restricted using the authority under section 8(m)(2);

“(IV) through competitions restricted using the authority under section 8(m)(2) and in which the waiver authority under section 8(m)(3) was used; and

“(V) through unrestricted competition; and

“(F) for the Federal Government and each Federal agency, the number, dollar amount, and distribution with respect to the North American Industry Classification System of subcontracts awarded during such fiscal year to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.”.

SEC. 1633. SENIOR EXECUTIVES.

(a) TRAINING.—Programs established for the development of senior executives under section 3396(a) of title 5, United States Code, shall include training with respect to Federal procurement requirements, including contracting requirements under the Small Business Act (15 U.S.C. 631 et seq.).

(b) EVALUATION OF EXECUTIVES.—The head of an agency shall ensure that evaluations of members of the senior executive service, as defined under section 3396(a) of title 5, United States Code, responsible for acquisition, other senior officials responsible for acquisition, and other members of the senior executive service, as appropriate, include consideration of the agency’s success in achieving small business contracting goals and percentages. Such evaluations shall, as a minimum, consider the extent to which the executive—

(1) promotes a climate or environment that is responsive to small business concerns;

(2) communicates the importance of achieving the agency’s small business contracting goals; and

(3) encourages small business awareness, outreach, and support.

(c) DEFINITIONS.—In this section the term “responsible for acquisition”, with respect to a member of the senior executive service or other senior official, means such a member or official who acquires services or supplies, directs agency organizations to acquire services or supplies, oversees acquisition officials, including program managers, contracting officers, and other acquisition workforce personnel responsible for formulating and approving acquisition strategies and plans.

PART III—MENTOR-PROTEGE PROGRAM

SEC. 1641. MENTOR-PROTEGE PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 46; and

(2) by inserting after section 44 the following:

“SEC. 45. MENTOR-PROTEGE PROGRAMS.

“(a) ADMINISTRATION PROGRAM.—

“(1) AUTHORITY.—The Administrator is authorized to establish a mentor-protége program for all small business concerns.

“(2) MODEL FOR PROGRAM.—The mentor-protége program established under paragraph (1) shall be identical to the mentor-protége program of the Administration for small business concerns that participate in the program under section 8(a) of this Act (as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2013), except that the Administrator may modify the program to the extent necessary given the types of small business concerns included as proteges.

“(b) PROGRAMS OF OTHER AGENCIES.—

“(1) APPROVAL REQUIRED.—Except as provided in paragraph (4), a Federal department or agency may not carry out a mentor-protége program for small business concerns unless—

“(A) the head of the department or agency submits a plan to the Administrator for the program; and

“(B) the Administrator approves such plan.

“(2) BASIS FOR APPROVAL.—The Administrator shall approve or disapprove a plan submitted under paragraph (1) based on whether the program proposed—

“(A) will assist proteges to compete for Federal prime contracts and subcontracts; and

“(B) complies with the regulations issued under paragraph (3).

“(3) REGULATIONS.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2013, the Administrator shall issue, subject to notice and comment, regulations with respect to mentor-protége programs, which shall ensure that such programs improve the ability of proteges to compete for Federal prime contracts and subcontracts and which shall address, at a minimum, the following:

“(A) Eligibility criteria for program participants, including any restrictions on the number of mentor-protége relationships permitted for each participant.

“(B) The types of developmental assistance to be provided by mentors, including how the assistance provided shall improve the competitive viability of the proteges.

“(C) Whether any developmental assistance provided by a mentor may affect the status of a program participant as a small business concern due to affiliation.

“(D) The length of mentor-protége relationships.

“(E) The effect of mentor-protége relationships on contracting.

“(F) Benefits that may accrue to a mentor as a result of program participation.

“(G) Reporting requirements during program participation.

“(H) Postparticipation reporting requirements.

“(I) The need for a mentor-protége pair, if accepted to participate as a pair in a mentor-protége program of any Federal department or agency, to be accepted to participate as a pair in all Federal mentor-protége programs.

“(J) Actions to be taken to ensure benefits for proteges and to protect proteges against actions by the mentor that—

“(i) may adversely affect the proteges status as a small business; or

“(ii) provide disproportionate economic benefits to the mentor relative to those provided the protége.

“(4) LIMITATION ON APPLICABILITY.—Paragraph (1) does not apply to the following:

“(A) Any mentor-protége program of the Department of Defense.

“(B) Any mentoring assistance provided under a Small Business Innovation Research Program or a Small Business Technology Transfer Program.

“(C) Until the date that is 1 year after the date on which the Administrator issues regulations under paragraph (3), any Federal department or agency operating a mentor-protége program in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2013.

“(c) REPORTING.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter, the Administrator shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report that—

“(A) identifies each Federal mentor-protége program;

“(B) specifies the number of participants in each such program, including the number of participants that are—

“(i) small business concerns;

“(ii) small business concerns owned and controlled by service-disabled veterans;

“(iii) qualified HUBZone small business concerns;

“(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals; or

“(v) small business concerns owned and controlled by women;

“(C) describes the type of assistance provided to proteges under each such program;

“(D) describes the benefits provided to mentors under each such program; and

“(E) describes the progress of proteges under each such program with respect to competing for Federal prime contracts and subcontracts.

“(2) PROVISION OF INFORMATION.—The head of each Federal department or agency carrying out a mentor-protége program shall provide to the Administrator, on an annual basis, the information necessary for the Administrator to submit a report required under paragraph (1).

“(d) DEFINITIONS.—In this section, the following definitions apply:

“(1) MENTOR.—The term ‘mentor’ means a for-profit business concern, of any size, that—

“(A) has the ability to assist and commits to assisting a protége to compete for Federal prime contracts and subcontracts; and

“(B) satisfies any other requirements imposed by the Administrator.

“(2) MENTOR-PROTEGE PROGRAM.—The term ‘mentor-protége program’ means a program that pairs a mentor with a protége for the purpose of assisting the protége to compete for Federal prime contracts and subcontracts.

“(3) PROTEGE.—The term ‘protége’ means a small business concern that—

“(A) is eligible to enter into Federal prime contracts and subcontracts; and

“(B) satisfies any other requirements imposed by the Administrator.

“(e) CURRENT MENTOR PROTEGE AGREEMENTS.—Mentors and proteges with approved agreement in a program operating pursuant to subsection (b)(4)(C) shall be permitted to continue their relationship according to the terms specified in their agreement until the expiration date specified in the agreement.

“(f) SUBMISSION OF AGENCY PLANS.—Agencies operating mentor protége programs pursuant to subsection (b)(4)(C) must submit the plans specified in subsection (b)(1)(A) to the Administrator within 6 months of the promulgation of rules required by subsection (b)(3). The Administrator shall provide initial comments on each plan within 60 days of

receipt, and final approval or denial of each plan with 180 days of receipt.”.

SEC. 1642. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.

Not later than the date that is 2 years after the agencies operating subject to section 45(b)(4)(C) of the Small Business Act have their plans approved or denied by the Administrator, the Comptroller General of the United States shall conduct a study to—

(1) update the study required by section 1345 of the Small Business Jobs Act of 2010 (Pub. Law 111-240);

(2) examine whether potential affiliation issues between mentors and proteges under the prior programs have been resolved by enactment of this Act; and

(3) examine whether the regulations issued pursuant to section 45(b)(3)(I) of the Small Business Act have increased opportunities for mentor-protége pairs, and if they have decreased the paperwork required for such pairs participating in programs at multiple agencies.

PART IV—TRANSPARENCY IN SUBCONTRACTING

Subpart A—Limitations on Subcontracting

SEC. 1651. LIMITATIONS ON SUBCONTRACTING.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 47; and

(2) by inserting after section 44 the following:

“SEC. 45. LIMITATIONS ON SUBCONTRACTING.

“(a) IN GENERAL.—If awarded a contract under section 8(a), 8(m), 15(a), 31, or 36, a covered small business concern—

“(1) in the case of a contract for services, may not expend on subcontractors more than 50 percent of the amount paid to the concern under the contract;

“(2) in the case of a contract for supplies (other than from a regular dealer in such supplies), may not expend on subcontractors more than 50 percent of the amount, less the cost of materials, paid to the concern under the contract;

“(3) in the case of a contract described in more than 1 of paragraphs (1) through (2)—

“(A) shall determine for which category of services or supplies, described in 1 of paragraphs (1) through (4), the greatest percentage of the contract amount is awarded;

“(B) shall determine the amount awarded under the contract for that category of services or supplies; and

“(C) may not expend on subcontractors, with respect to the amount determined under subparagraph (B), more than—

“(i) 50 percent of that amount, if the category of services or supplies applicable under subparagraph (A) is described in paragraph (1); and

“(ii) 50 percent of that amount, if the category of services or supplies applicable under subparagraph (A) is described in paragraph (2); and

“(4) in the case of a contract for supplies from a regular dealer in such supplies, shall supply the product of a domestic small business manufacturer or processor, unless a waiver of such requirement is granted—

“(A) by the Administrator, after reviewing a determination by the applicable contracting officer that no small business manufacturer or processor can reasonably be expected to offer a product meeting the specifications (including period for performance) required by the contract; or

“(B) by the Administrator for a product (or class of products), after determining that no small business manufacturer or processor is available to participate in the Federal procurement market.

“(b) SIMILARLY SITUATED ENTITIES.—Contract amounts expended by a covered small

business concern on a subcontractor that is a similarly situated entity shall not be considered subcontracted for purposes of determining whether the covered small business concern has violated a requirement established under subsection (a) or (d).

“(c) MODIFICATIONS OF PERCENTAGES.—

“(1) IN GENERAL.—The Administrator may change, by rule (after providing notice and an opportunity for public comment), a percentage specified in paragraphs (1) through (4) of subsection (a) if the Administrator determines that such change is necessary to reflect conventional industry practices among business concerns that are below the numerical size standard for businesses in that industry category.

“(2) UNIFORMITY.—A change to a percentage under paragraph (1) shall apply to all covered small business concerns.

“(d) OTHER CONTRACTS.—

“(1) IN GENERAL.—With respect to a category of contracts to which a requirement under subsection (a) does not apply, the Administrator is authorized to establish, by rule (after providing notice and an opportunity for public comment), a requirement that a covered small business concern may not expend on subcontractors more than a specified percentage of the amount paid to the concern under a contract in that category.

“(2) UNIFORMITY.—A requirement established under paragraph (1) shall apply to all covered small business concerns.

“(3) CONSTRUCTION PROJECTS.—The Administrator shall establish, through public rule-making, requirements similar to those specified in paragraph (1) to be applicable to contracts for general and specialty construction and to contracts for any other industry category not otherwise subject to the requirements of such paragraph. The percentage applicable to any such requirement shall be determined in accordance with paragraph (2).

“(e) DEFINITIONS.—In this section, the following definitions apply:

“(1) COVERED SMALL BUSINESS CONCERN.—The term ‘covered small business concern’ means a business concern that—

“(A) with respect to a contract awarded under section 8(a), is a small business concern eligible to receive contracts under that section;

“(B) with respect to a contract awarded under section 8(m)—

“(i) is a small business concern owned and controlled by women (as defined in that section); or

“(ii) is a small business concern owned and controlled by women (as defined in that section) that is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law);

“(C) with respect to a contract awarded under section 15(a), is a small business concern;

“(D) with respect to a contract awarded under section 31, is a qualified HUBZone small business concern; or

“(E) with respect to a contract awarded under section 36, is a small business concern owned and controlled by service-disabled veterans.

“(2) SIMILARLY SITUATED ENTITY.—The term ‘similarly situated entity’ means a subcontractor that—

“(A) if a subcontractor for a small business concern, is a small business concern;

“(B) if a subcontractor for a small business concern eligible to receive contracts under section 8(a), is such a concern;

“(C) if a subcontractor for a small business concern owned and controlled by women (as defined in section 8(m)), is such a concern;

“(D) if a subcontractor for a small business concern owned and controlled by women (as

defined in section 8(m)) that is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law), is such a concern;

“(E) if a subcontractor for a qualified HUBZone small business concern, is such a concern; or

“(F) if a subcontractor for a small business concern owned and controlled by service-disabled veterans, is such a concern.”.

SEC. 1652. PENALTIES.

Section 16 of the Small Business Act (15 U.S.C. 645) is amended by adding at the end the following:

“(g) SUBCONTRACTING LIMITATIONS.—

“(1) IN GENERAL.—Whoever violates a requirement established under section 45 shall be subject to the penalties prescribed in subsection (d), except that, for an entity that exceeded a limitation on subcontracting under such section, the fine described in subsection (d)(2)(A) shall be treated as the greater of—

“(A) \$500,000; or

“(B) the dollar amount expended, in excess of permitted levels, by the entity on subcontractors.

“(2) MONITORING.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall take such actions as are necessary to ensure that an existing Federal subcontracting reporting system is modified to notify the Administrator, the appropriate Director of the Office of Small and Disadvantaged Business Utilization, and the appropriate contracting officer if a requirement established under section 45 is violated.”.

SEC. 1653. CONFORMING AMENDMENTS.

(a) HUBZONES.—Section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) is amended—

(1) in subparagraph (A)(i) by striking subclause (III) and inserting the following:

“(III) with respect to any subcontract entered into by the small business concern pursuant to a contract awarded to the small business concern under section 31, the small business concern will ensure that the requirements of section 45 are satisfied; and”;

(2) by striking subparagraphs (B) and (C); and

(3) by redesignating subparagraph (D) as subparagraph (B).

(b) ENTITIES ELIGIBLE FOR CONTRACTS UNDER SECTION 8(a).—Section 8(a) of such Act (15 U.S.C. 637(a)) is amended by striking paragraph (14) and inserting the following:

“(14) LIMITATIONS ON SUBCONTRACTING.—A concern may not be awarded a contract under this subsection as a small business concern unless the concern agrees to satisfy the requirements of section 45.”.

(c) SMALL BUSINESS CONCERNS.—Section 15 of such Act (15 U.S.C. 644) is amended by striking subsection (o) and inserting the following:

“(o) LIMITATIONS ON SUBCONTRACTING.—A concern may not be awarded a contract under subsection (a) as a small business concern unless the concern agrees to satisfy the requirements of section 45.”.

SEC. 1654. REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidance with respect to compliance with the changes made to the Small Business Act by the amendments in this part, with opportunities for notice and comment.

Subpart B—Subcontracting Plans

SEC. 1655. SUBCONTRACTING PLANS.

(a) SUBCONTRACTING REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—

(A) by striking “(6) Each subcontracting plan” and inserting the following:

“(6) SUBCONTRACTING PLAN REQUIREMENTS.—Each subcontracting plan”;

(B) by amending subparagraph (E) to read as follows:

“(E) assurances that the offeror or bidder will—

“(i) submit—

“(I) not later than 180 days after the date on which performance under the applicable contract begins, and every 180 days thereafter until contract performance ends, a report that describes all subcontracting activities under the contract during the preceding 180-day period;

“(II) not later than 1 year after the date on which performance under the applicable contract begins, and annually thereafter until contract performance ends, a report that describes all subcontracting activities under the contract that have occurred before the date on which the report is submitted; and

“(III) not later than 30 days after the date on which performance under the applicable contract ends, a report that describes all subcontracting activities under the contract; and

“(ii) cooperate with any study or survey required by the applicable Federal agency or the Administration to determine the extent of compliance by the offeror or bidder with the subcontracting plan”; and

(C) by moving the margins for subparagraphs (A), (B), (C), (D), and (F) 2 ems to the right (so that the align with subparagraph (E), as amended by subparagraph (B) of this paragraph).

(2) REPORTING SYSTEM MODIFICATION.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this part, the Administrator of the Small Business Administration shall take such actions as are necessary to ensure that the Federal subcontracting reporting system to which covered reports are submitted is modified to notify the Administrator, the appropriate contracting officer, and the appropriate Director of Small and Disadvantaged Business Utilization if an entity fails to submit a required covered report. If the Administrator does not modify the subcontracting reporting system on or before the date that is 1 year after the date of enactment of this part, the Administrator may not carry out or establish any pilot program until the date the Administrator modifies the reporting system.

(B) COVERED REPORT DEFINED.—In this paragraph, the term ‘covered report’ means a report submitted in accordance with assurances provided under section 8(d)(6)(E) of the Small Business Act (15 U.S.C. 637(d)(6)(E)).

(b) FAILURE TO SUBMIT SUBCONTRACTING REPORTS AS BREACH OF CONTRACT.—Section 8(d)(8) of such Act (15 U.S.C. 637(d)(8)) is amended—

(1) by striking “(8) The failure” and inserting the following:

“(8) MATERIAL BREACH.—The failure”;

(2) in subparagraph (A) by striking “subsection, or” and inserting “subsection,”;

(3) in subparagraph (B) by striking “subcontract,” and inserting “subcontract, or”;

(4) by inserting after subparagraph (B) the following:

“(C) assurances provided under paragraph (6)(E),”; and

(5) by moving the margins of subparagraphs (A), (B), and the matter following subparagraph (B) 2 ems to the right.

(c) AUTHORITY OF SMALL BUSINESS ADMINISTRATION.—Section 8(d)(10) of such Act (15 U.S.C. 637(d)(10)) is amended—

(1) by striking “(10) In the case of” and inserting the following:

“(10) AUTHORITY OF ADMINISTRATION.—In the case of”;

(2) in subparagraph (B) by striking “, which shall be advisory in nature,”;

(3) in subparagraph (C) by striking “, either on a contract-by-contract basis, or in the case contractors” and inserting “as a supplement to evaluations performed by the contracting agency, either on a contract-by-contract basis or, in the case of contractors”;

(4) by moving the margins of subparagraphs (A) through (C) 2 ems to the right.

(d) APPEALS.—Section 8(d) of such Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

“(13) REVIEW AND ACCEPTANCE OF SUBCONTRACTING PLANS.—

“(A) IN GENERAL.—Except as provided in subparagraph (E), if a procurement center representative or commercial market representative determines that a subcontracting plan required under paragraph (4) or (5) fails to provide the maximum practicable opportunity for covered small business concerns to participate in the performance of the contract to which the plan applies, such representative may delay acceptance of the plan in accordance with subparagraph (B).

“(B) PROCESS.—

“(i) IN GENERAL.—Except as provided in clause (ii), a procurement center representative or commercial market representative who makes the determination under subparagraph (A) with respect to a subcontracting plan may delay acceptance of the plan for a 30-day period by providing written notice of such determination to head of the procuring activity of the contracting agency. Such notice shall include recommendations for altering the plan to provide the maximum practicable opportunity described in that subparagraph.

“(ii) EXCEPTION.—In the case of the Department of Defense, a procurement center representative or commercial market representative who makes the determination under subparagraph (A) with respect to a subcontracting plan may delay acceptance of the plan for a 15-day period by providing written notice of such determination to appropriate personnel of the Department of Defense. Such notice shall include recommendations for altering the plan to provide the maximum practicable opportunity described in that subparagraph. The authority of a procurement center representative or commercial market representative to delay acceptance of a subcontracting plan as provided in subparagraph (A), does not include the authority to delay the award or performance of the contract concerned.

“(C) DISAGREEMENTS.—If a procurement center representative or commercial market representative delays the acceptance of a subcontracting plan under subparagraph (B) and does not reach agreement with head of the procuring activity of the contracting agency to alter the plan to provide the maximum practicable opportunity described in subparagraph (A) not later than 30 days from the date written notice was provided, the disagreement shall be submitted to the head of the contracting agency by the Administrator for a final determination.

“(D) COVERED SMALL BUSINESS CONCERNS DEFINED.—In this paragraph, the term ‘covered small business concerns’ means small business concerns, qualified HUBZone small business concerns, small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

“(E) EXCEPTION.—The procurement center representative or commercial market representative may not delay the acceptance of a subcontracting plan if the appropriate personnel of the contracting agency certify that the agency’s need for the property or serv-

ices is of such an unusual and compelling urgency that the United States would be seriously injured unless the agency is permitted to accept the subcontracting plan.”

SEC. 1656. NOTICES OF SUBCONTRACTING OPPORTUNITIES.

Section 8(k)(1) of the Small Business Act (15 U.S.C. 637(k)(1)) is amended by striking “in the Commerce Business Daily” and inserting “on the appropriate Federal Web site (as determined by the Administrator)”.

SEC. 1657. REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidance with respect to the changes made to the Small Business Act, with opportunity for notice and comment.

Subpart C—Publication of Certain Documents

SEC. 1658. PUBLICATION OF CERTAIN DOCUMENTS.

The Small Business Act (15 U.S.C. 631 et seq.), as amended by this part, is further amended by inserting after section 45 the following:

“SEC. 46. PUBLICATION OF CERTAIN DOCUMENTS.

“A Federal agency, other than the Department of Defense, may only convert a function that is being performed by a small business concern to performance by a Federal employee if the agency has made publicly available the procedures and methodologies of the agency with respect to decisions to convert a function being performed by a small business concern to performance by a Federal employee, including procedures and methodologies for determining which contracts will be studied for potential conversion; procedures and methodologies by which a contract is evaluated as inherently governmental or as a critical agency function; and procedures and methodologies for estimating and comparing costs.”

PART V—SMALL BUSINESS CONCERN SIZE STANDARDS

SEC. 1661. SMALL BUSINESS CONCERN SIZE STANDARDS.

Section 3 of the Small Business Act (15 U.S.C. 632) is amended—

(1) by striking “SEC. 3.” and inserting the following:

“SEC. 3. DEFINITIONS.”;

and

(2) in subsection (a)—

(A) by striking the subsection enumerator and inserting the following:

“(a) SMALL BUSINESS CONCERNS.—”;

(B) in paragraph (1) by striking “(1) For the purposes” and inserting the following:

“(1) IN GENERAL.—For the purposes”;

(C) in paragraph (3) by striking “(3) When establishing” and inserting the following:

“(3) VARIATION BY INDUSTRY AND CONSIDERATION OF OTHER FACTORS.—When establishing”;

(D) by moving paragraph (5), including each subparagraph and clause therein, 2 ems to the right; and

(E) by adding at the end the following:

“(6) PROPOSED RULE MAKING.—In conducting rulemaking to revise, modify or establish size standards pursuant to this section, the Administrator shall consider, and address, and make publicly available as part of the notice of proposed rule making and notice of final rule each of the following:

“(A) a detailed description of the industry for which the new size standard is proposed;

“(B) an analysis of the competitive environment for that industry;

“(C) the approach the Administrator used to develop the proposed standard including the source of all data used to develop the proposed rulemaking; and

“(D) the anticipated effect of the proposed rulemaking on the industry, including the

number of concerns not currently considered small that would be considered small under the proposed rulemaking and the number of concerns currently considered small that would be deemed other than small under the proposed rulemaking.

“(7) COMMON SIZE STANDARDS.—In carrying out this subsection, the Administrator may establish or approve a single size standard for a grouping of four digit North American Industrial Classification codes only if the Administrator makes publicly available, not later than the date on which such size standard is established or approved, a justification demonstrating that such size standard is appropriate for each individual industry classification included in the grouping.

“(8) NUMBER OF SIZE STANDARDS.—The Administrator shall not limit the number of size standards it creates pursuant to paragraph (2), and shall assign the appropriate size standard to each North American Industrial Classification System Code”.

PART VI—CONTRACT BUNDLING

SEC. 1671. CONSOLIDATION OF PROVISIONS RELATING TO CONTRACT BUNDLING.

Section 44 of the Small Business Act (15 U.S.C. 657q) is amended to read as follows:

“SEC. 44. CONTRACT BUNDLING.

“(a) DEFINITIONS.—In this Act:

“(1) BUNDLED CONTRACT.—The term ‘bundled contract’—

“(A) means a contract that is entered into to meet procurement requirements that are combined in a bundling of contract requirements, without regard to whether a study of the effects of the solicitation on Federal officers or employees has been made; and

“(B) does not include—

“(i) a contract with an aggregate dollar value below the dollar threshold; or

“(ii) a single award contract for the acquisition of a weapons system acquired through a major defense acquisition.

“(2) BUNDLING METHODOLOGY.—The term ‘bundling methodology’ means—

“(A) a solicitation to obtain offers for a single contract or a multiple award contract;

“(B) a solicitation of offers for the issuance of a task or a delivery order under an existing single or multiple award contract; or

“(C) the creation of any new procurement requirements that permits a combination of contract requirements, including any combination of contract requirements or order requirements.

“(3) BUNDLING OF CONTRACT REQUIREMENTS.—The term ‘bundling of contract requirements’, with respect to the contract requirements of a Federal agency—

“(A) means the use of any bundling methodology to satisfy 2 or more procurement requirements for new or existing goods or services provided to or performed for the Federal agency, including any construction services, that is likely to be unsuitable for award to a small-business concern due to—

“(i) the diversity, size, or specialized nature of the elements of the performance specified;

“(ii) the aggregate dollar value of the anticipated award;

“(iii) the geographical dispersion of the contract performance sites; or

“(iv) any combination of the factors described in clauses (i), (ii), and (iii); and

“(B) does not include the use of a bundling methodology for an anticipated award with an aggregate dollar value below the dollar threshold.

“(4) CHIEF ACQUISITION OFFICER.—The term ‘Chief Acquisition Officer’ means the employee of a Federal agency designated as the Chief Acquisition Officer for the Federal agency under section 1702(a) of title 41, United States Code.

“(5) CONTRACT.—The term ‘contract’ includes, for purposes of this section, any task

order made pursuant to an indefinite quantity, indefinite delivery contract.

“(6) CONTRACT BUNDLING.—The term ‘contract bundling’ means the process by which a bundled contract is created.

“(7) DOLLAR THRESHOLD.—The term ‘dollar threshold’ means—

“(A) in the case of a contract for construction, \$5,000,000; and

“(B) in any other case, \$2,000,000.

“(8) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ‘major defense acquisition program’ has the meaning given in section 2430(a) of title 10, United States Code.

“(9) PREVIOUSLY BUNDLED CONTRACT.—The term ‘previously bundled contract’ means a contract that is the successor to a contract that required a bundling analysis, contract for which any of the successor contract were designated as a consolidated contract or bundled contract in the Federal procurement database, or a contract for which the Administrator designated the prior contract as a bundled contract.

“(10) PROCUREMENT ACTIVITY.—The term ‘procurement activity’ means the Federal agency or office thereof acquiring goods or services.

“(11) PROCUREMENT REQUIREMENT.—The term ‘procurement requirement’ means a determination by an agency that the acquisition of a specified good or service is needed to satisfy the mission of the agency.

“(12) SENIOR PROCUREMENT EXECUTIVE.—The term ‘senior procurement executive’ means an official designated under section 1702(c) of title 41, United States Code, as the senior procurement executive for a Federal agency.

“(13) TRADE ASSOCIATION.—The term ‘trade association’ means any entity that is described in paragraph (3), (6), (12), or (19) of section 501(c) of the Internal Revenue Code of 1986 and which is exempt from tax under section 501(a) of such Code.

“(b) POLICY.—The head of each Federal agency shall ensure that the decisions made by the Federal agency regarding contract bundling are made with a view to providing small business concerns with the maximum practicable opportunities to participate as prime contractors and subcontractors in the procurements of the Federal agency.

“(c) CONTRACT BUNDLING.—

“(1) PROPOSED PROCUREMENTS.—Paragraphs (2) through (4) shall apply to a proposed procurement if the proposed procurement—

“(A) one or more small business concerns would suffer economic harm or disruption of its business operations, including the potential loss of an existing contract, as a direct or indirect result of the contract bundling;

“(B) includes, in its statement of work, goods or services—

“(i)(I) currently being performed by a small business; and

“(II) if the proposed procurement is in a quantity or estimated dollar value the magnitude of which renders small business prime contract participation unlikely; or

“(ii)(I) that are of a type that the Administrator through market research can demonstrate that two or more small businesses are capable of performing; and

“(II) if the statement of work proposes combining the goods or services identified in subclause (I) with other requirements for goods or services into the solicitation of offers;

“(C) is for construction and—

“(i) seeks to package or combine discrete construction projects; or

“(ii) the value of the goods or services subject to the contract exceeds the dollar threshold; or

“(D) is determined by the Administrator to have a solicitation that involves an unnecessary or unjustified bundling of contract requirements.

“(2) RESPONSIBILITY OF THE PROCUREMENT ACTIVITY.—At least 45 days prior to the issuance of a solicitation, the Procurement Activity shall notify and provide a copy of the proposed procurement to the procurement center representative assigned to the Procurement Activity. The 45-day notification process under this paragraph shall occur concurrently with other processing steps required prior to issuance of the solicitation. The notice shall include a statement as to why the agency has determined that contract bundling is necessary and justified and shall also describe why the proposed acquisition cannot be offered so as to make small business participation likely. Such statement shall address—

“(A) why the proposed acquisition cannot be further divided into reasonably small lots or discrete tasks in order to permit offers by small business concerns;

“(B) if applicable, a list of the incumbent contractors disaggregated by and including names, addresses, and whether or not the contractor is a small business concern;

“(C) a description of the industries that might be interested in bidding on the contract requirements;

“(D) an assessment of the impact on small businesses that had bid on previous procurement requirements that are included in the bundling of contract requirements;

“(E) delineating the number of existing small business concerns whose contracts will cease if the contract bundling proceeds;

“(F) if delivery schedule was a factor in the decision to bundle, an explanation as to why a schedule could not be developed that would encourage small business participation; and

“(G) in the case of a construction contract, why construction cannot be procured as separate discrete projects.

“(3) PUBLICATION OF NOTICE STATEMENT.—Concurrently, the statement required in paragraph (2) shall be published in the Federal contracting opportunities database.

“(4) RECOMPETITION OF A PREVIOUSLY BUNDLED CONTRACT.—If the proposed procurement is a previously bundled contract, that is to be recompeted as a bundled contract, the Administrator shall determine, with the assistance of the agency proposing the procurement—

“(A) the amount of savings and benefits (in accordance with subsection (d)) achieved under the bundling of contract requirements;

“(B) whether such savings and benefits will continue to be realized if the contract remains bundled, and whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns;

“(C) the dollar value of subcontracts awarded to small business concerns under the bundled contract, disaggregated by North American Industrial Classification System Code;

“(D) the percentage of subcontract dollars awarded to small businesses under the bundled contract, disaggregated by North American Industrial Classification System Code; and

“(E) the dollar amount and percentage of prime contract dollars awarded to small businesses in the primary North American Industrial Classification System Code for that bundled contract during each of the two fiscal years preceding the award of the bundled contract and during each fiscal year of the performance of the bundled contract.

“(5) FAILURE TO PROVIDE NOTICE.—

“(A) NO NOTIFICATION RECEIVED.—If no notification of the proposed procurement or accompanying statement is received, but the Administrator determines that the proposed procurement is a proposed procurement described in paragraph (1), then the Adminis-

trator shall require that such a statement of work be completed by the Procurement Activity and sent to the procurement center representative and postpone the solicitation process for at least 10 days but not more than 45 days to allow the Administrator to review the statement and make recommendations as described in this section before the procurement process is continued.

“(B) NO WORK CONTINUED.—If the Administrator requires a Procurement Activity to provide a statement of work pursuant to subparagraph (A), the Procurement Activity shall not be permitted to continue with the procurement until such time as the Procurement Activity complies with the requirements of subparagraph (A).

“(6) RESPONSIBILITY OF THE PROCUREMENT CENTER REPRESENTATIVE.—Within 15 days after receipt of the proposed procurement and accompanying statement, if the procurement center representative believes that the procurement as proposed will render small business prime contract participation unlikely, the representative shall recommend to the Procurement Activity alternative procurement methods which would increase small business prime contracting opportunities.

“(7) DISAGREEMENT BETWEEN THE ADMINISTRATOR AND THE PROCUREMENT ACTIVITY.—

“(A) IN GENERAL.—If the Administrator determines that a small business concern would be adversely affected, directly or indirectly, by the proposed procurement, or if a small business concern or a trade association of which that small business concern is a member so requests, the Administrator may take action under this paragraph to further the interests of small businesses.

“(B) APPEAL TO AGENCY HEAD.—The proposed procurement shall be submitted for determination to the head of the contracting agency by the Administrator.

“(C) APPEAL BY AFFECTED SMALL BUSINESS CONCERN TO GAO.—For purposes of subchapter V of chapter 35 of title 31, United States Code, if a protest is submitted to the Comptroller General under that subchapter alleging a violation of this section of the Small Business Act, a trade association representing small business concerns shall be considered an interested party.

“(d) MARKET RESEARCH.—

“(1) IN GENERAL.—Before proceeding with an acquisition strategy that could lead to bundled contracts, the head of an agency shall conduct market research to determine whether bundling of the requirements is necessary and justified.

“(2) FACTORS.—For purposes of subsection (c)(1), a bundled contract is necessary and justified if the bundling of contract requirements will result in substantial measurable benefits in excess of those benefits resulting from a procurement of the contract requirements that does not involve contract bundling.

“(3) BENEFITS.—For the purposes of bundling of contract requirements, benefits described in paragraph (2) may include the following:

“(A) Cost savings.

“(B) Quality improvements.

“(C) Reduction in acquisition cycle times.

“(D) Better terms and conditions.

“(E) Any other benefits.

“(4) REDUCTION OF COSTS NOT DETERMINATIVE.—For purposes of this subsection:

“(A) Cost savings shall not include any reduction in the use of military interdepartmental purchase requests or any similar transfer funds among Federal agencies for the use of a contract issued by another Federal agency.

“(B) The reduction of administrative or personnel costs alone shall not be a justification for bundling of contract requirements unless the cost savings are expected to be

substantial in relation to the dollar value of the procurement requirements to be bundled.

“(5) **LIMITATION ON ACQUISITION STRATEGY.**—The head of a Federal agency may not carry out an acquisition strategy that includes bundled contracts valued in excess of the dollar threshold, unless the senior procurement executive or, if applicable, Chief Acquisition Officer, for the Federal agency, certifies to the head of the Federal agency that steps will be taken to include small business concerns in the acquisition strategy prior to the implementation of such acquisition strategy.

“(e) **STRATEGY SPECIFICATIONS.**—If the head of a contracting agency determines that an acquisition plan or proposed procurement strategy will result in a bundled contract, the proposed acquisition plan or procurement strategy shall—

“(1) identify specifically the benefits anticipated to be derived from the bundling of contract requirements;

“(2) set forth an assessment of the specific impediments to participation by small business concerns as prime contractors that result from the contract bundling and specify actions designed to maximize small business participation as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements; and

“(3) include a specific determination that the anticipated measurable benefits of the proposed bundled contract justify its use.

“(f) **CONTRACT TEAMING.**—In the case of a solicitation of offers for a bundled contract that is issued by the head of an agency, a small-business concern may submit an offer that provides for use of a particular team of subcontractors for the performance of the contract. The head of the agency shall evaluate the offer in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors. If a small business concern teams under this paragraph, it shall not affect its status as a small business concern for any other purpose.

“(g) **DATABASE, ANALYSIS, AND ANNUAL REPORT REGARDING CONTRACT BUNDLING.**—

“(1) **DATABASE.**—Not later than 180 days after the date of the enactment of this subsection, the Administrator shall develop and shall thereafter maintain a database containing data and information regarding—

“(A) each bundled contract awarded by a Federal agency; and

“(B) each small business concern that has been displaced as a prime contractor as a result of the award of such a contract.

“(2) **ANALYSIS.**—For each bundled contract that is to be recompeted, the Administrator shall determine—

“(A) the amount of savings and benefits realized, in comparison with the savings and benefits anticipated by the analysis required under subsection (d) prior to the contract award; and

“(B) whether such savings and benefits will continue to be realized if the contract remains bundled, and whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns.

“(3) **ANNUAL REPORT ON CONTRACT BUNDLING.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this paragraph, and annually in March thereafter, the Administrator shall transmit a report on contract bundling to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate.

“(B) **CONTENTS.**—Each report transmitted under subparagraph (A) shall include—

“(i) data on the number, arranged by industrial classification, of small business concerns displaced as prime contractors as a result of the award of bundled contracts by Federal agencies; and

“(ii) a description of the activities with respect to previously bundled contracts of each Federal agency during the preceding year, including—

“(I) data on the number and total dollar amount of all contract requirements that were bundled; and

“(II) with respect to each bundled contract, data or information on—

“(aa) the justification for the bundling of contract requirements;

“(bb) the cost savings realized by bundling the contract requirements over the life of the contract;

“(cc) the extent to which maintaining the bundled status of contract requirements is projected to result in continued cost savings;

“(dd) the extent to which the bundling of contract requirements complied with the contracting agency’s small business subcontracting plan, including the total dollar value awarded to small business concerns as subcontractors and the total dollar value previously awarded to small business concerns as prime contractors; and

“(ee) the impact of the bundling of contract requirements on small business concerns unable to compete as prime contractors for the consolidated requirements and on the industries of such small business concerns, including a description of any changes to the proportion of any such industry that is composed of small business concerns.

“(h) **BUNDLING ACCOUNTABILITY MEASURES.**—

“(1) **TEAMING REQUIREMENTS.**—Each Federal agency shall include in each solicitation for any multiple award contract above the dollar threshold a provision soliciting bids from any responsible source, including responsible small business concerns and teams or joint ventures of small business concerns.

“(2) **POLICIES ON REDUCTION OF CONTRACT BUNDLING.**—

“(A) **IN GENERAL.**—Not later than 270 days after the date of enactment of this subparagraph, the Federal Acquisition Regulatory Council, established under section 1302(a) of title 41, United States Code, shall amend the Federal Acquisition Regulation issued under section 1303 of such title to—

“(i) establish a Government-wide policy regarding contract bundling, including regarding the solicitation of teaming and joint ventures; and

“(ii) require that the policy established under clause (i) be published on the website of each Federal agency.

“(B) **RATIONALE FOR CONTRACT BUNDLING.**—Not later than 30 days after the date on which the head of a Federal agency submits the report required under section 15(h), the head of the Federal agency shall publish on the website of the Federal agency a list and rationale for any bundled contract for which the Federal agency solicited bids or that was awarded by the Federal agency.”.

SEC. 1672. REPEAL OF REDUNDANT PROVISIONS.

(a) **CERTAIN PROVISIONS REGARDING CONTRACT BUNDLING REPEALED.**—

(1) Section 15(a) of the Small Business Act (15 U.S.C. 644(a)), is amended by striking “If a proposed procurement includes” and all that follows through “the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.”.

(2) All references in law to such sentences as they were in effect on the date that is one day prior to the effective date of this Act shall be deemed to be references to section 44(d), as added by this part.

(b) **CERTAIN PROVISIONS REGARDING MARKET RESEARCH REPEALED.**—

(1) Paragraphs (2) through (4) of section 15(e) of the Small Business Act (15 U.S.C. 644(e)) are repealed.

(2) All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to subsections (d) through (f), respectively, of section 44 of the Small Business Act, as added by this section.

(c) **CERTAIN PROVISIONS REGARDING CONTRACT BUNDLING DATABASE REPEALED.**—

(1) Paragraph (1) of section 15(p) of the Small Business Act (15 U.S.C. 644(p)) is repealed.

(2) Paragraphs (2) through (4) of section 15(p) of the Small Business Act (15 U.S.C. 644(p)) are repealed. All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to paragraphs (1) through (3), respectively, of section 44(h) of the Small Business Act, as added by this part.

(d) **CERTAIN PROVISIONS REGARDING BUNDLING ACCOUNTABILITY MEASURES REPEALED.**—

(1) Paragraphs (1) and (2) of section 15(q) of the Small Business Act (15 U.S.C. 644(q)) are repealed.

(2) All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to paragraphs (1) and (2), respectively, of section 44(i) of the Small Business Act, as added by this part.

(e) **CERTAIN PROVISIONS REGARDING.**—Subsection (o) of section 3 of the Small Business Act (15 U.S.C.) is repealed.

SEC. 1673. TECHNICAL AMENDMENTS.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(1) in the heading of subsection (p), to read as follows: “ACCESS TO DATA.—”; and

(2) in the heading of subsection (q), to read as follows: “REPORTS RELATED TO PROCUREMENT CENTER REPRESENTATIVES.—”.

PART VII—INCREASED PENALTIES FOR FRAUD

SEC. 1681. SAFE HARBOR FOR GOOD FAITH COMPLIANCE EFFORTS.

(a) **SMALL BUSINESS FRAUD.**—Section 16(d) of the Small Business Act (15 U.S.C. 645(d)) is amended by inserting after paragraph (2) the following:

“(3) **LIMITATION ON LIABILITY.**—This subsection shall not apply to any conduct in violation of subsection (a) if the defendant acted in reliance on a written advisory opinion from a licensed attorney who is not an employee of the defendant.”.

(b) **REGULATIONS.**—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall issue rules defining what constitutes an adequate advisory opinion for purposes of section 16(d)(3) of the Small Business Act.

(c) **SMALL BUSINESS COMPLIANCE GUIDE.**—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall issue (pursuant to section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996) a compliance guide to assist business concerns in accurately determining their status as a small business concern.

SEC. 1682. OFFICE OF HEARINGS AND APPEALS.

(a) **CHIEF HEARING OFFICER.**—Section 4(b)(1) of the Small Business Act is amended by adding at the end the following: “One shall be designated at the time of his or her appointment as the Chief Hearing Officer, who shall head and administer the Office of Hearings and Appeals within the Administration.”.

(b) **OFFICE OF HEARINGS AND APPEALS ESTABLISHED IN ADMINISTRATION.**—Section 5 of

the Small Business Act (15 U.S.C. 634) is amended by adding at the end the following:

“(i) OFFICE OF HEARINGS AND APPEALS.—

“(1) IN GENERAL.—There is established in the Administration an Office of Hearings and Appeals—

“(A) to impartially decide such matters, where Congress designates that a hearing on the record is required or which the Administrator designates by regulation or otherwise; and

“(B) which shall contain the Administration’s Freedom of Information/Privacy Acts Office.

“(2) CHIEF HEARING OFFICER.—The Chief Hearing Officer shall be a career member of the Senior Executive Service and an attorney duly licensed by any State, commonwealth, territory, or the District of Columbia.

“(A) DUTIES.—The Chief Hearing Officer shall—

“(i) serve as the Chief Administrative Law Judge; and

“(ii) be responsible for the operation and management of the Office of Hearings and Appeals, pursuant to the rules of practice established by the Administrator.

“(B) ALTERNATIVE DISPUTE RESOLUTION.—The Chief Hearing Officer may also assign a matter for mediation or other means of alternative dispute resolution.

“(3) ADMINISTRATIVE LAW JUDGES.—

“(A) IN GENERAL.—An administrative law judge shall be an attorney duly licensed by any State, commonwealth, territory, or the District of Columbia.

“(B) CONDITIONS OF EMPLOYMENT.—(i) An administrative law judge shall serve in the excepted service as an employee of the Administration under section 2103 of title 5, United States Code, and under the supervision of the Chief Hearing Officer.

“(ii) Administrative law judge positions shall be classified at Senior Level, as such term is defined in section 5376 of title 5, United States Code.

“(iii) Compensation for administrative law judge positions shall be set in accordance with the pay rates of section 5376 of title 5, United States Code.

“(C) TREATMENT OF CURRENT PERSONNEL.—An individual serving as a Judge in the Office of Hearings and Appeals (as that position and office are designated in section 134.101 of title 13, Code of Federal Regulations (as in effect on January 1, 2012)) on the effective date of this subsection shall be considered as qualified to be and redesignated as administrative law judges.

“(D) POWERS.—An administrative law judge shall have the authority to conduct hearings in accordance with sections 554, 556, and 557 of title 5, United States Code.”.

SEC. 1683. REQUIREMENT FRAUDULENT BUSINESSES BE SUSPENDED OR DEBARRED.

(a) IN GENERAL.—Section 16(d)(2)(C) of the Small Business Act (15 U.S.C. 645(d)(2)(C)) is amended by striking “on the basis that such misrepresentation indicates a lack of business integrity that seriously and directly affects the present responsibility to perform any contract awarded by the Federal Government or a subcontract under such a contract”.

(b) REVISION TO FAR.—Not later than 270 days after the date of enactment of this part, the Federal Acquisition Regulation shall be revised to implement the amendment made by this section.

(c) DEVELOPMENT AND PROMULGATION OF GUIDANCE.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall develop and promulgate guidance implementing this section.

(d) PUBLICATION OF PROCEDURES REGARDING SUSPENSION AND DEBARMENT.—Not later than

270 days after the date of enactment of this part, the Administrator shall publish on the Administration’s Web site the standard operating procedures for suspension and debarment in effect, and the name and contact information for the individual designated by the Administrator as the senior individual responsible for suspension and debarment proceedings.

SEC. 1684. ANNUAL REPORT ON SUSPENSIONS AND DEBARMENTS PROPOSED BY SMALL BUSINESS ADMINISTRATION.

(a) REPORT REQUIREMENT.—The Administrator of the Small Business Administration shall submit each year to the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report on the suspension and debarment actions taken by the Administrator during the year preceding the year of submission of the report.

(b) MATTERS COVERED.—The report required by subsection (a) shall include the following information for the year covered by the report:

(1) NUMBER.—The number of contractors proposed for suspension or debarment.

(2) SOURCE.—The office within a Federal agency that originated each proposal for suspension or debarment.

(3) REASONS.—The reason for each proposal for suspension or debarment.

(4) RESULTS.—The result of each proposal for suspension or debarment, and the reason for such result.

(5) REFERRALS.—The number of suspensions or debarments referred to the Inspector General of the Small Business Administration or another agency, or to the Attorney General (for purposes of this paragraph, the Administrator may redact identifying information on names of companies or other information in order to protect the integrity of any ongoing criminal or civil investigation).

PART VIII—OFFICES OF SMALL AND DISADVANTAGED BUSINESS UNITS

SEC. 1691. OFFICES OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

(a) APPOINTMENT AND POSITION OF DIRECTOR.—Section 15(k)(2) of the Small Business Act (15 U.S.C. 644(k)(2)) is amended by striking “such agency,” and inserting “such agency to a position that is a Senior Executive Service position (as such term is defined under section 3132(a) of title 5, United States Code), except that, for any agency in which the positions of Chief Acquisition Officer and senior procurement executive (as such terms are defined under section 44(a) of this Act) are not Senior Executive Service positions, the Director of Small and Disadvantaged Business Utilization may be appointed to a position compensated at not less than the minimum rate of basic pay payable for grade GS-15 of the General Schedule under section 5332 of such title (including comparability payments under section 5304 of such title);”.

(b) PERFORMANCE APPRAISALS.—Section 15(k)(3) of such Act (15 U.S.C. 644(k)(3)) is amended—

(1) by striking “be responsible only to, and report directly to, the head” and inserting “shall be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, the head”; and

(2) by striking “be responsible only to, and report directly to, such Secretary” and inserting “be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, such Secretary”.

(c) SMALL BUSINESS TECHNICAL ADVISERS.—Section 15(k)(8)(B) of such Act (15 U.S.C. 644(k)(8)(B)) is amended—

(1) by striking “and 15 of this Act,” and inserting “, 15, and 44 of this Act;”; and

(2) by inserting after “of this Act” the following: “(giving priority in assigning to small business that are in metropolitan statistical areas for which the unemployment rate is higher than the national average unemployment rate for the United States)”.

(d) ADDITIONAL REQUIREMENTS.—Section 15(k) of such Act (15 U.S.C. 644(k)) is amended by inserting after paragraph (10) the following:

“(11) shall review and advise such agency on any decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;

“(12) shall provide to the Chief Acquisition Officer and senior procurement executive of such agency advice and comments on acquisition strategies, market research, and justifications related to section 44 of this Act;

“(13) may provide training to small business concerns and contract specialists, except that such training may only be provided to the extent that the training does not interfere with the Director carrying out other responsibilities under this subsection;

“(14) shall receive unsolicited proposals and, when appropriate, forward such proposals to personnel of the activity responsible for reviewing such proposals;

“(15) shall carry out exclusively the duties enumerated in this Act, and shall, while the Director, not hold any other title, position, or responsibility, except as necessary to carry out responsibilities under this subsection; and

“(16) shall submit, each fiscal year, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—

“(A) the training provided by the Director under paragraph (13) in the most recently completed fiscal year;

“(B) the percentage of the budget of the Director used for such training in the most recently completed fiscal year; and

“(C) the percentage of the budget of the Director used for travel in the most recently completed fiscal year.”.

(e) REQUIREMENT OF CONTRACTING EXPERIENCE FOR OSDBU DIRECTOR.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by this part, is further amended, in the matter preceding paragraph (1), by striking “who shall” and insert the following: “, with experience serving in any combination of the following roles: federal contracting officer, small business technical advisor, contracts administrator for federal government contracts, attorney specializing in federal procurement law, small business liaison officer, officer or employee who managed federal government contracts for a small business, or individual whose primary responsibilities were for the functions and duties of section 8, 15 or 44 of this Act. Such officer or employee”.

(f) TECHNICAL AMENDMENTS.—Section 15(k) of such Act (15 U.S.C. 644(k)), as amended, is further amended—

(1) in paragraph (1)—

(A) by striking “be known” and inserting “shall be known”; and

(B) by striking “such agency,” and inserting “such agency;”;

(2) in paragraph (2) by striking “be appointed by” and inserting “shall be appointed by”;

(3) in paragraph (3)—

(A) by striking “director” and inserting “Director”; and

(B) by striking “Secretary’s designee,” and inserting “Secretary’s designee;”;

(4) in paragraph (4)—

(A) by striking “be responsible” and inserting “shall be responsible”; and

(B) by striking “such agency,” and inserting “such agency;”;

(5) in paragraph (5) by striking "identify proposed" and inserting "shall identify proposed";

(6) in paragraph (6) by striking "assist small" and inserting "shall assist small";

(7) in paragraph (7)—

(A) by striking "have supervisory" and inserting "shall have supervisory"; and

(B) by striking "this Act," and inserting "this Act";

(8) in paragraph (8)—

(A) by striking "assign a" and inserting "shall assign a"; and

(B) in subparagraph (A), by striking "the activity, and" and inserting "the activity; and";

(9) in paragraph (9)—

(A) by striking "cooperate, and" and inserting "shall cooperate, and"; and

(B) by striking "subsection, and" and inserting "subsection;"; and

(10) in paragraph (10)—

(A) by striking "make recommendations" and inserting "shall make recommendations";

(B) by striking "subsection (a), or section" and inserting "subsection (a), section";

(C) by striking "Act or section 2323" and inserting "Act, or section 2323";

(D) by striking "Code. Such recommendations shall" and inserting "Code, which shall"; and

(E) by striking "contract file." and inserting "contract file";

SEC. 1692. SMALL BUSINESS PROCUREMENT ADVISORY COUNCIL.

(a) DUTIES.—Section 7104(b) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended—

(1) in paragraph (1) by striking "and" at the end;

(2) in paragraph (2) by striking "authorities." and inserting "authorities;"; and

(3) by adding at the end the following:

"(3) to conduct reviews of each Office of Small and Disadvantaged Business Utilization established under section 15(k) of the Small Business Act (15 U.S.C. 644(k)) to determine the compliance of each Office with requirements under such section;

"(4) to identify best practices for maximizing small business utilization in Federal contracting that may be implemented by Federal agencies having procurement powers; and

"(5) to submit, annually, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—

"(A) the comments submitted under paragraph (2) during the 1-year period ending on the date on which the report is submitted, including any outcomes related to the comments;

"(B) the results of reviews conducted under paragraph (3) during such 1-year period; and

"(C) best practices identified under paragraph (4) during such 1-year period."

(b) MEMBERSHIP.—Section 7104(c)(3) of such Act (15 U.S.C. 644 note) is amended by striking "(established under section 15(k) of the Small Business Act (15 U.S.C. 644(k))".

(c) CHAIRMAN.—Section 7104(d) of such Act (15 U.S.C. 644 note) is amended by inserting after "Small Business Administration" the following: "(or the designee of the Administrator)".

PART IX—EARLY STAGE SMALL BUSINESS CONTRACTING

SEC. 1693a. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following:

"SEC. 46. PROGRAM TO PROVIDE FEDERAL CONTRACTS TO EARLY STAGE SMALL BUSINESSES.

"(a) ESTABLISHMENT.—The Administrator shall establish and carry out a program in accordance with the requirements of this section to provide improved access to Federal contract opportunities for early stage small business concerns.

"(b) PROCUREMENT CONTRACTS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Administrator, in consultation with other Federal agencies, shall identify procurement contracts of Federal agencies for award under the program.

"(2) CONTRACT AWARDS.—Under the program established pursuant to this section, the award of a procurement contract of a Federal agency identified by the Administrator pursuant to paragraph (1) shall be made by the agency to an eligible program participant selected, and determined to be responsible, by the agency.

"(3) COMPETITION.—

"(A) SOLE SOURCE.—A contracting officer may award a sole source contract under this program if such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more early stage small business concerns will submit offers for the contracting opportunity and in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

"(B) RESTRICTED COMPETITION.—A contracting officer may award contracts on the basis of competition restricted to early stage small business concerns if the contracting officer has a reasonable expectation that not less than 2 early stage small business concerns will submit offers and that the award can be made at a fair market price.

"(4) CONTRACT VALUE.—Contracts shall be awarded under this program if its value is greater than \$3,000 and less than half the upper threshold of section 15(j)(1) of the Small Business Act.

"(c) ELIGIBILITY.—Only an early stage small business concern shall be eligible to compete for a contract to be awarded under the program. The Administrator shall certify that a small business concern is an early stage small business concern, or the Administrator shall approve a Federal agency, a State government, or a national certifying entity to certify that the business meets the eligibility criteria of an early stage small business concern.

"(d) TECHNICAL ASSISTANCE.—The Administrator shall provide early stage small business concerns with technical assistance and counseling with regard to—

"(1) applying for and competing for Federal contracts; and

"(2) fulfilling the administrative responsibilities associated with the performance of a Federal contract.

"(e) ATTAINMENT OF CONTRACT GOALS.—All contract awards made under the program shall be counted toward the attainment of the goals specified in section 15(g) of the Small Business Act.

"(f) REGULATIONS.—The Administrator shall—

"(1) issue proposed regulations to carry out this section not later than 180 days after the date of enactment of this Act; and

"(2) issue final regulations to carry out this section not later than 270 days after the date of enactment of this Act.

"(g) REPORT TO CONGRESS.—Not later than April 30, 2015, the Administrator shall transmit to the Congress a report on the performance of the program.

"(h) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) PROGRAM.—The term 'program' means a program established pursuant to subsection (a).

"(2) EARLY STAGE SMALL BUSINESS CONCERN.—The term 'early stage small business concern' means a small business concern that—

"(A) has not more than 15 employees; and

"(B) has average annual receipts that total not more than \$1,000,000, except if the concern is in an industry with an average annual revenue standard that is less than \$1,000,000, as defined by the North American Industry Classification System."

(b) REPEAL OF SIMILAR PROGRAM.—Section 304 of the Small Business Administration Reauthorization and Amendments Act of 1994 (15 U.S.C. 644 note) is repealed.

PART X—OTHER MATTERS

SEC. 1695. SURETY BONDS.

(a) MAXIMUM BOND AMOUNT.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended—

(1) by inserting "(A)" after "(1)";

(2) by striking "\$2,000,000" and inserting "\$6,500,000, as adjusted for inflation in accordance with section 1908 of title 41, United States Code,;"; and

(3) by adding at the end the following:

"(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract amount that does not exceed \$10,000,000, if a contracting officer of a Federal agency certifies that such a guarantee is necessary."

(b) DENIAL OF LIABILITY.—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—

(1) by striking subsection (e) and inserting the following:

"(e) REIMBURSEMENT OF SURETY; CONDITIONS.—Pursuant to any such guarantee or agreement, the Administration shall reimburse the surety, as provided in subsection (c) of this section, except that the Administration shall be relieved of liability (in whole or in part within the discretion of the Administration) if—

"(1) the surety obtained such guarantee or agreement, or applied for such reimbursement, by fraud or material misrepresentation,

"(2) the total contract amount at the time of execution of the bond or bonds exceeds \$6,500,000,

"(3) the surety has breached a material term or condition of such guarantee agreement, or

"(4) the surety has substantially violated the regulations promulgated by the Administration pursuant to subsection (d)."; and

(2) by adding at the end the following:

"(j) For bonds made or executed with the prior approval of the Administration, the Administration shall not deny liability to a surety based upon material information that was provided as part of the guaranty application."

(c) SIZE STANDARDS.—Section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a) is amended by adding at the end the following:

"(9) Notwithstanding any other provision of law or any rule, regulation, or order of the Administration, for purpose of sections 410, 411, and 412 the term 'small business concern' means a business concern that meets the size standard for the primary industry in which such business concern, and the affiliates of such business concern, is engaged, as determined by the Administrator in accordance with the North American Industry Classification System."

SEC. 1696. ASSESSMENT OF OUTREACH FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES REQUIRED BEFORE CONVERSION OF CERTAIN FUNCTIONS TO CONTRACTOR PERFORMANCE.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act) that are located in the geographic area near the military base.

SEC. 1697. LIMITATION ON CONTRACTING.

No agency may enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3))) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2))).

TITLE XVII—END TRAFFICKING IN GOVERNMENT CONTRACTING

SEC. 1701. SHORT TITLE.

This title may be cited as the “End Trafficking in Government Contracting Act of 2012”.

SEC. 1702. DEFINITIONS.

In this title:

(1) **EXECUTIVE AGENCY.**—The term “executive agency” has the meaning given the term in section 133 of title 41, United States Code.

(2) **SUBCONTRACTOR.**—The term “subcontractor” means a recipient of a contract at any tier under a grant, contract, or cooperative agreement.

(3) **SUBGRANTEE.**—The term “subgrantee” means a recipient of a grant at any tier under a grant or cooperative agreement.

(4) **UNITED STATES.**—The term “United States” has the meaning provided in section 103(12) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(12)).

SEC. 1703. CONTRACTING REQUIREMENTS.

Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)) is amended by striking “if the grantee or any subgrantee,” and all that follows through the period at the end and inserting the following: “or take any of the other remedial actions authorized under section 1705(c) of the End Trafficking in Government Contracting Act of 2012, if the grantee or any subgrantee, or the contractor or any subcontractor, engages in, or uses labor recruiters, brokers, or other agents who engage in, (i) severe forms of trafficking in persons, (ii) the procurement of a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, (iii) the use of forced labor in the performance of the grant, contract, or cooperative agreement, or (iv) acts that directly support or advance trafficking in persons, including the following acts:

“(1) Destroying, concealing, removing, or confiscating an employee’s immigration documents without the employee’s consent.

“(2) Failing to repatriate an employee upon the end of employment, unless—

“(A) exempted from the duty to repatriate the employee by the Federal department or

agency providing or entering into the grant, contract, or cooperative agreement; or

“(B) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.

“(3) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.

“(4) Charging recruited employees exorbitant placement fees, such as fees equal to or greater than the employee’s monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited.

“(5) Providing inhumane living conditions.”.

SEC. 1704. COMPLIANCE PLAN AND CERTIFICATION REQUIREMENT.

(a) **REQUIREMENT.**—The head of an executive agency may not provide or enter into a grant, contract, or cooperative agreement valued at \$1,000,000 or more if performance will substantially be conducted overseas, unless a duly designated representative of the recipient of such grant, contract, or cooperative agreement certifies to the contracting or grant officer prior to receiving an award and on an annual basis thereafter, after having conducted due diligence, that—

(1) the recipient has implemented a plan to prevent the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703, and is in compliance with that plan;

(2) the recipient has implemented procedures to prevent any activities described in such section 106(g) and to monitor, detect, and terminate any subcontractor, subgrantee, or employee of the recipient engaging in any activities described in such section; and

(3) to the best of the representative’s knowledge, neither the recipient, nor any subcontractor or subgrantee of the recipient or any agent of the recipient or of such a subcontractor or subgrantee, is engaged in any of the activities described in such section.

(b) **LIMITATION.**—Any plan or procedures implemented pursuant to subsection (a) shall be appropriate to the size and complexity of the grant, contract, or cooperative agreement and to the nature and scope of its activities, including the number of non-United States citizens expected to be employed.

(c) **DISCLOSURE.**—The recipient shall provide a copy of the plan to the contracting or grant officer upon request, and, as appropriate, shall post the useful and relevant contents of the plan or related materials on its website and at the workplace.

(d) **PERFORMANCE SUBSTANTIALLY OVERSEAS.**—For purposes of subsection (a), a grant, contract, or cooperative agreement shall be considered to be performed substantially overseas if the estimated value of the services required to be performed under the grant, contract, or cooperative agreement outside the United States exceeds \$500,000.

SEC. 1705. MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.

(a) **INVESTIGATION.**—If the contracting or grant officer of an executive agency for a grant, contract, or cooperative agreement receives credible evidence that a recipient of the grant, contract, or cooperative agreement or of such a subgrantee or subcontractor, has engaged in an activity described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703, including a report from a con-

tracting officer representative, an inspector general, an auditor, an alleged victim or victim’s representative, or any other credible source, the contracting or grant officer shall, before exercising any option to renew such grant, contract, or cooperative agreement, request that the agency’s Office of Inspector General immediately initiate an investigation of the allegation or allegations contained in the report. If the agency’s Office of Inspector General is unable to conduct a timely investigation, the suspension and debarment office or another investigative unit of the agency shall conduct the investigation.

(b) **REPORT.**—Upon completion of an investigation under subsection (a), the office or unit that conducted the investigation shall submit to the contracting or grant officer and, if such investigation was not conducted by the agency’s Office of Inspector General, to the agency’s Office of Inspector General, a report on the investigation, including conclusions about whether credible evidence exists that the recipient of a grant, contract, or cooperative agreement; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703.

(c) **REMEDIAL ACTIONS.**—

(1) **IN GENERAL.**—If a contracting or grant official determines that a recipient of a grant, contract, or cooperative agreement, or any subcontractor or subgrantee of the recipient, has engaged in any of the activities described in such section 106(g), the contracting or grant officer shall consider taking one or more of the following remedial actions:

(A) Requiring the recipient to remove an employee from the performance of work under the grant, contract, or cooperative agreement.

(B) Requiring the recipient to terminate a subcontract or subgrant.

(C) Suspending payments under the grant, contract, or cooperative agreement.

(D) Withholding award fees, consistent with the award fee plan, for the performance period in which the agency determined the contractor or subcontractor engaged in any of the activities described in such section 106(g).

(E) Declining to exercise available options under the contract.

(F) Terminating the contract for default or cause, in accordance with the termination clause for the contract.

(G) Referring the matter to the agency suspension and debarment official.

(H) Referring the matter to the Department of Justice for prosecution under any applicable law.

(2) **SAVINGS CLAUSE.**—Nothing in this subsection shall be construed as limiting the scope of applicable remedies available to the Federal Government.

(3) **MITIGATING FACTOR.**—Where applicable, the contracting or grant official may consider whether the contractor or grantee had a plan in place under section 1704, and was in compliance with that plan at the time of the violation, as a mitigating factor in determining which remedies, if any, should apply.

(d) **INCLUSION OF REPORT CONCLUSIONS IN FAPHS.**—The contracting or grant officer shall ensure that relevant findings contained in the report under subsection (b) are included in the Federal Awardee Performance and Integrity Information System (FAPHS). These findings shall be considered relevant past performance data for the purpose of awarding future contracts, grants, or cooperative agreements.

SEC. 1706. NOTIFICATION TO INSPECTORS GENERAL AND COOPERATION WITH GOVERNMENT.

The head of an executive agency making or awarding a grant, contract, or cooperative agreement shall require that the recipient of the grant, contract, or cooperative agreement—

(1) immediately inform the Inspector General of the executive agency of any information it receives from any source that alleges credible evidence that the recipient; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, has engaged in conduct described in section 106(g) of the Trafficking in Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703; and

(2) fully cooperate with any Federal agencies responsible for audits, investigations, or corrective actions relating to trafficking in persons.

SEC. 1707. EXPANSION OF FRAUD IN FOREIGN LABOR CONTRACTING TO INCLUDE WORK OUTSIDE THE UNITED STATES.

Section 1351 of title 18, United States Code, is amended—

(1) by striking “whoever knowingly” and inserting “(a) WORK INSIDE THE UNITED STATES.—Whoever knowingly”; and

(2) by adding at the end the following new subsection:

“(b) WORK OUTSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States or causes another person to recruit, solicit, or hire a person outside the United States, or attempts to do so, for purposes of work performed on a United States Government contract performed outside the United States, or on a United States military installation or mission or other property or premises owned or controlled by the United States Government, by means of

materially false or fraudulent pretenses, representations, or promises regarding that employment, shall be fined under this title or imprisoned for not more than 5 years, or both.”.

SEC. 1708. IMPROVING DEPARTMENT OF DEFENSE ACCOUNTABILITY FOR REPORTING TRAFFICKING IN PERSONS CLAIMS AND VIOLATIONS.

Section 105(d)(7)(H) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amended—

(1) in clause (iii), by inserting “and” at the end after the semicolon; and

(2) by adding at the end the following new clause:

“(iv) all trafficking in persons activities of contractors reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics;”.

SEC. 1709. RULE OF CONSTRUCTION.

Excluding section 1707, nothing in this title shall be construed to supersede, enlarge, or diminish the common law or statutory liabilities of any grantee, subgrantee, contractor, subcontractor, or other party covered by section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 1703.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2013”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic

Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2015; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2015; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2016 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2012; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$10,400,000
	Joint Base Elmendorf-Richardson	\$7,900,000
California	Concord	\$8,900,000
	Fort Carson	\$52,000,000
Colorado	Fort McNair	\$7,200,000
	Fort Benning	\$16,000,000
District of Columbia	Fort Gordon	\$23,300,000
	Fort Stewart	\$49,650,000
Georgia	Pohakuloa Training Area	\$29,000,000
	Schofield Barracks	\$96,000,000
Hawaii	Wheeler Army Air Field	\$85,000,000
	Fort Riley	\$12,200,000
Kansas	Fort Campbell	\$81,800,000
	Fort Knox	\$6,000,000
Kentucky	Fort Leonard Wood	\$123,000,000
	Joint Base McGuire-Dix-Lakehurst	\$47,000,000
Missouri	Picatinny Arsenal	\$10,200,000
	Fort Drum	\$95,000,000
New Jersey	U.S. Military Academy	\$192,000,000
	Fort Bragg	\$98,000,000
New York	Fort Sill	\$4,900,000
	Fort Jackson	\$24,000,000
North Carolina	Corpus Christi	\$37,200,000
	Fort Bliss	\$7,200,000
Oklahoma	Fort Hood	\$51,200,000
	Joint Base San Antonio	\$21,000,000
South Carolina	Arlington	\$84,000,000
	Fort Belvoir	\$94,000,000
Texas	Fort Lee	\$81,000,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
Washington	Joint Base Lewis-McChord	\$164,000,000
	Yakima	\$5,100,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Italy	Camp Ederle	\$36,000,000
	Vicenza	\$32,000,000
Japan	Okinawa	\$78,000,000
	Sagami	\$18,000,000
Korea	Camp Humphreys	\$45,000,000
Kwajalein Atoll	Kwajalein Atoll	\$62,000,000

SEC. 2102. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601 the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,641,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family hous-

ing functions of the Department of the Army as specified in the funding table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2628) for Fort Belvoir, Virginia, for construction of a Road and Access Control Point at the installation, the Secretary of the Army may construct a standard design Access Control Point consistent with the Army's construction guidelines for Access Control Points.

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4659), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	\$1,400,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility Phase I	\$9,900,000

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until Octo-

ber 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
Louisiana	Fort Polk	Land Purchases and Condemnation	\$17,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility Phase 2	\$10,200,000
Virginia	Fort Belvoir	Road and Access Control Point	\$9,500,000
Washington	Fort Lewis	Fort Lewis-McChord AFB Joint Access	\$9,000,000
Kuwait	Kuwait	APS Warehouses	\$82,000,000

SEC. 2107. EXTENSION OF LIMITATION ON OBLIGATION OR EXPENDITURE OF FUNDS FOR TOUR NORMALIZATION.

Section 2111 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1665) is amended in the matter preceding paragraph (1) by inserting after “under this Act” the

following: “or an Act authorizing funds for military construction for fiscal year 2013”.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$29,285,000
California	Camp Pendleton	\$88,110,000
	Coronado	\$78,541,000
	Miramar	\$27,897,000
	Point Mugu	\$12,790,000
	San Diego	\$71,188,000
	Seal Beach	\$30,594,000
	Twentynine Palms	\$47,270,000
Florida	Jacksonville	\$21,980,000
Hawaii	Kaneohe Bay	\$97,310,000
Mississippi	Meridian	\$10,926,000
New Jersey	Earle	\$33,498,000
North Carolina	Camp Lejeune	\$69,890,000
	Cherry Point Marine Corps Air Station	\$45,891,000
	New River	\$8,525,000
South Carolina	Beaufort	\$81,780,000
	Parris Island	\$10,135,000
Virginia	Dahlgren	\$28,228,000
	Oceana Naval Air Station	\$39,086,000
	Portsmouth	\$32,706,000
	Quantico	\$58,714,000
	Yorktown	\$48,823,000
Washington	Whidbey Island	\$6,272,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction

projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	\$1,691,000
Greece	Souda Bay	\$25,123,000
Japan	Iwakuni	\$13,138,000
	Okinawa	\$8,206,000
Romania	Deveselu	\$45,205,000
Spain	Rota	\$17,215,000
Worldwide (Unspecified)	Unspecified Worldwide Locations	\$34,048,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,527,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$97,655,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION.—The Secretary of the Navy shall not enter into an award for a military construction project in Romania until after the date on which the Secretary submits a NATO prefinancing request for consideration of the military construction project.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666), for Kitsap (Bangor) Washington, for construction of Explosives Handling

Wharf No. 2 at that location, the Secretary of the Navy may acquire fee or lesser real property interests to accomplish required environmental mitigation for the project using appropriations authorized for the project.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat. 4670) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1668), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendleton	Operations Access Points, Red Beach	\$11,970,000

Navy: Extension of 2009 Project Authorizations—Continued

State	Installation or Location	Project	Amount
District of Columbia	Marine Corps Air Station, Miramar	Emergency Response Station	\$6,530,000
	Washington Navy Yard	Child Development Center	\$9,340,000

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (123 Stat. 2632), shall remain in effect until

October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2010 Project Authorization

State/Country	Installation or Location	Project	Amount
California	Bridgeport	Mountain Warfare Training, Commissary	\$6,830,000
Maine	Portsmouth Naval Shipyard	Gate 2 Security Improvements	\$7,090,000
Djibouti	Camp Lemonier	Security Fencing	\$8,109,000
		Ammo Supply Point	\$21,689,000
		Interior Paved Roads	\$7,275,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations in-

side the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Arkansas	Little Rock Air Force Base	\$30,178,000
Florida	Tyndall Air Force Base	\$14,750,000
Georgia	Fort Stewart	\$7,250,000
	Moody Air Force Base	\$8,500,000
	Holloman Air Force Base	\$25,000,000
New Mexico	Minot Air Force Base	\$4,600,000
North Dakota	Joint Base San Antonio	\$18,000,000
Texas	Hill Air Force Base	\$13,530,000
Utah		

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Greenland	Thule Air Base	\$63,500,000
Guam	Andersen Air Force Base	\$128,000,000
Italy	Aviano Air Base	\$9,400,000
Worldwide, Unspecified	Unspecified Worldwide Locations	\$34,657,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,253,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropria-

tions in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$79,571,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (123 Stat. 2636), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Missouri	Whiteman Air Force Base	Land Acquisition North & South Boundary	\$5,500,000
Montana	Malmstrom Air Force Base	Weapons Storage Area (WSA), Phase 2	\$10,600,000

**TITLE XXIV—DEFENSE AGENCIES
MILITARY CONSTRUCTION**

Subtitle A—Defense Agency Authorizations

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES
CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations in-

side the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$1,300,000
California	Coronado	\$55,259,000
	DEF Fuel Support Point-San Diego	\$91,563,000
	Edwards Air Force Base	\$27,500,000
	Twentynine Palms	\$27,400,000
Colorado	Buckley Air Force Base	\$30,000,000
	Fort Carson	\$56,673,000
	Pikes Peak	\$3,600,000
CONUS Classified	Classified Location	\$59,577,000
Delaware	Dover Air Force Base	\$2,000,000
Florida	Eglin Air Force Base	\$41,965,000
	Hurlburt Field	\$16,000,000
	MacDill Air Force Base	\$34,409,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$24,289,000
Illinois	Great Lakes	\$28,700,000
	Scott Air Force Base	\$86,711,000
Indiana	Grissom Army Reserve Base	\$26,800,000
Kentucky	Fort Campbell	\$71,639,000
Louisiana	Barksdale Air Force Base	\$11,700,000
Maryland	Annapolis	\$66,500,000
	Bethesda Naval Hospital	\$69,200,000
	Fort Meade	\$128,600,000
Missouri	Fort Leonard Wood	\$18,100,000
New Mexico	Cannon Air Force Base	\$93,085,000
New York	Fort Drum	\$43,200,000
North Carolina	Camp Lejeune	\$80,064,000
	Fort Bragg	\$100,422,000
	Seymour Johnson Air Force Base	\$55,450,000
Pennsylvania	DEF Distribution Depot New Cumberland	\$17,400,000
South Carolina	Shaw Air Force Base	\$57,200,000
Texas	Red River Army Depot	\$16,715,000
Virginia	Dam Neck	\$11,000,000
	Joint Expeditionary Base Little Creek-Fort Story	\$11,132,000
	Norfolk	\$8,500,000
Washington	Fort Lewis	\$50,520,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Brussels	\$26,969,000
Germany	Stuttgart-Patch Barracks	\$2,413,000
	Vogelweh	\$61,415,000
	Weisbaden	\$52,178,000
Guam	Andersen Air Force Base	\$67,500,000
Guantanamo Bay, Cuba	Guantanamo Bay	\$40,200,000

Defense Agencies: Outside the United States—Continued

Country	Installation or Location	Amount
Japan	Camp Zama	\$13,273,000
	Kadena Air Base	\$143,545,000
	Sasebo	\$35,733,000
Korea	Zukeran	\$79,036,000
	Kunsan Air Base	\$13,000,000
	Osan Air Base	\$77,292,000
Romania	Deveselu	\$157,900,000
United Kingdom	Menwith Hill Station	\$50,283,000
	Royal Air Force Feltwell	\$30,811,000
	Royal Air Force Mildenhall	\$6,490,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section

2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy con-

servations projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
Alaska	Clear	\$15,337,000
	Fort Hunter Liggett	\$9,600,000
California	Parks RFTA	\$9,256,000
	Aerospace Data Facility	\$3,310,000
Colorado	Fort Carson	\$4,000,000
	Joint Base Pearl Harbor Hickam	\$6,610,000
Hawaii	Whiteman	\$6,000,000
Missouri	Fort Bragg	\$2,700,000
	MCB Camp Lejeune	\$5,701,000
New Jersey	Sea Girt	\$3,000,000
Pennsylvania	NSA Mechanicsburg	\$19,926,000
	Susquehanna	\$2,550,000
	Tobyhanna Army Depot	\$3,950,000
	Arnold	\$3,606,000
Tennessee	Fort Bliss	\$5,700,000
	Fort Bliss	\$2,600,000
Texas	Laughlin	\$4,800,000
	MCB Quantico	\$7,943,000
Virginia	Pentagon Reservation	\$2,360,000
	Pentagon Reservation	\$2,120,000
Various Locations	Various Locations	\$12,886,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation

projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of

title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Italy	Naval Air Station Sigonella	\$6,121,000
Spain	Naval Station Rota	\$2,671,000
Various Locations	Various Locations	\$7,253,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) **LIMITATION.**—The Secretary of Defense shall not enter into an award for a military construction project in Romania until after the date on which the Secretary submits a

NATO prefinancing request for consideration of the military construction project.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) **MARYLAND.**—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), is amended in the item relating to Fort Meade, Maryland, by striking “\$29,640,000” in the amount column and inserting “\$792,200,000”.

(b) **GERMANY.**—The table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), is amended in the item relating to Rhine Ordnance Barracks, Germany, by striking “\$750,000,000” in the amount column and inserting “\$850,000,000”.

SEC. 2405. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECT.

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of

Public Law 111-84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2401(a) of that Act (123 Stat. 2640), shall remain in effect until

October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Virginia	Pentagon Reservation	Pentagon electrical upgrade	\$19,272,000

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction and land acquisition for chemical demilitarization as specified in the funding table in section 4601.

SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2699), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4697), is further amended—

(1) under the agency heading relating to Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colo-

rado, by striking “\$484,000,000” in the amount column and inserting “\$520,000,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$866,454,000”.

(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking “\$484,000,000” and inserting “\$520,000,000”.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	\$5,400,000
Arkansas	Searcy	\$6,800,000
California	Fort Irwin	\$25,000,000
Connecticut	Camp Hartell	\$32,000,000
Delaware	Bethany Beach	\$5,500,000
Florida	Camp Blanding	\$9,000,000
	Miramar	\$20,000,000
Hawaii	Kapolei	\$28,000,000
Idaho	Orchard Training Area	\$40,000,000
Indiana	South Bend	\$21,000,000
	Terra Haute	\$9,000,000
Iowa	Camp Dodge	\$3,000,000
Kansas	Topeka	\$9,500,000
Kentucky	Frankfort	\$32,000,000
Massachusetts	Camp Edwards	\$27,200,000
Michigan	Camp Grayling	\$17,000,000
Minnesota	Camp Ripley	\$17,000,000
	St. Paul	\$17,000,000
Missouri	Fort Leonard Wood	\$18,000,000
	Kansas City	\$1,900,000
	Monett	\$820,000
	Perryville	\$700,000
Montana	Miles City	\$11,000,000
New Jersey	Sea Girt	\$34,000,000
New York	Stomville	\$24,000,000
Ohio	Chillcothe	\$3,100,000
	Delaware	\$12,000,000
Oklahoma	Camp Gruber	\$25,000,000
Utah	Camp Williams	\$36,000,000
Vermont	North Hyde Park	\$4,397,000
Washington	Fort Lewis	\$35,000,000

Army National Guard: Inside the United States—Continued

State	Location	Amount
West Virginia	Logan	\$14,200,000
Wisconsin	Wausau	\$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Re-

serve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National

Guard locations outside the United States, and in the amounts, set forth in the following table:

Army National Guard: Outside the United States

Country	Location	Amount
Guam	Barrigada	\$8,500,000
Puerto Rico	Camp Santiago	\$3,800,000
	Ceiba	\$2,200,000
	Guaynabo	\$15,000,000
	Gurabo	\$14,700,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry

out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	\$78,300,000
	Tustin	\$27,000,000
Illinois	Fort Sheridan	\$28,000,000
Maryland	Aberdeen Proving Ground	\$21,000,000
	Baltimore	\$10,000,000
Massachusetts	Devens Reserve Forces Training Area	\$8,500,000
Nevada	Las Vegas	\$21,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$7,400,000
Pennsylvania	Conneant Lake	\$4,800,000
Washington	Joint Base Lewis-McChord	\$40,000,000
Wisconsin	Fort McCoy	\$47,800,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the

Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Arizona	Yuma	\$5,379,000
Iowa	Fort Des Moines	\$19,162,000
Louisiana	New Orleans	\$7,187,000
New York	Brooklyn	\$4,430,000
Texas	Fort Worth	\$11,256,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
California	Fresno Yosemite International Airport Air National Guard	\$11,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$6,500,000

Air National Guard—Continued

State	Location	Amount
New Mexico	Kirtland Air Force Base	\$8,500,000
Tennessee	McGee-Tyson Airport	\$18,000,000
Wyoming	Cheyenne Municipal Airport	\$6,486,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Reserve Base	\$16,900,000
New York	Niagara Falls International Airport	\$6,100,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD READINESS CENTER PROJECT, NORTH LAS VEGAS, NEVADA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2648) for North Las Vegas, Nevada, for construction of a Readiness Center, the Secretary of the Army may construct up to 68,593 square feet of readiness center, 10,000 square feet of unheated equipment storage area, and 25,000 square feet of unheated vehicle storage, consistent with the Army's construction guidelines for readiness centers.

(b) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, MIRAMAR, CALIFORNIA.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2649) for Camp Pendleton, California, for construction of an Army Reserve Center, the Secretary of the Army may instead construct an Army Reserve Center in the vicinity of the Marine Corps Air Station, Miramar, California.

(c) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, BRIDGEPORT, CONNECTICUT.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2649) for Bridgeport, Connecticut, for construction of an Army Reserve Center/Land, the Secretary of the Army may instead construct an Army Reserve Center and acquire land in the vicinity of Bridgeport, Connecticut.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, FORT STORY, VIRGINIA.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4453) for Fort Story, Virginia, for construction of an Army Reserve Center, the Secretary of the Army may instead construct an Army Reserve Center in the vicinity of Fort Story, Virginia.

(b) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, FORT CHAFFEE, ARKANSAS.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Fort Chaffee, Arkansas, for construction of a Live Fire Shoot House, the Secretary of the Army may construct up to 5,869 square feet of Live Fire Shoot House.

(c) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WINDSOR LOCKS, CONNECTICUT.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Windsor Locks, Connecticut, for construction of a Readiness Center, the Secretary of the Army may construct up to 119,510 square feet of a Readiness Center.

(d) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, KALAEOLOA, HAWAII.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Kalealoa, Hawaii, for construction of a Combined Support Maintenance Shop, the Secretary of the Army may construct up to 137,548 square feet of a Combined Support Maintenance Shop.

(e) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WICHITA, KANSAS.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Wichita, Kansas, for construction of a Field Maintenance Shop, the Secretary of the Army may construct up to 62,102 square feet of Field Maintenance Shop.

(f) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, MINDEN, LOU-

ISIANA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Minden, Louisiana, for construction of a Readiness Center, the Secretary of the Army may construct up to 90,944 square feet of a Readiness Center.

(g) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, SAINT INIGOES, MARYLAND.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Saint Inigoes, Maryland, for construction of a Tactical Unmanned Aircraft System Facility, the Secretary of the Army may construct up to 10,298 square feet of a Tactical Unmanned Aircraft System Facility.

(h) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, CAMP GRAFTON, NORTH DAKOTA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Camp Grafton, North Dakota, for construction of a Readiness Center, the Secretary of the Army may construct up to 68,671 square feet of a Readiness Center.

(i) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WATERTOWN, SOUTH DAKOTA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4451) for Watertown, South Dakota, for construction of a Readiness Center, the Secretary of the Army may construct up to 97,865 square feet of a Readiness Center.

SEC. 2613. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (122 Stat. 4706), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air National Guard: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Munitions Complex	\$3,400,000

SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of

Public Law 111–84; 123 Stat. 2627), the authorizations set forth in the tables in subsection (b), as provided in sections 2602 and 2604 of that Act (123 Stat. 2649, 2651), shall remain in effect until October 1, 2013, or the date of the

enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The tables referred to in subsection (a) are as follows:

Army Reserve: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Army Reserve Center	\$19,500,000
Connecticut	Bridgeport	Army Reserve Center/Land	\$18,500,000

Air National Guard: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Base Entrance	\$6,500,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act as specified in the funding table in section 4601.

SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2711. CONSOLIDATION OF DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNTS AND AUTHORIZED USES OF BASE CLOSURE ACCOUNT FUNDS.

(a) ESTABLISHMENT OF SINGLE DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT; USE OF FUNDS.—The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking sections 2906 and 2906A and inserting the following new section 2906:
“SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

“(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the ‘Department of De-

fense Base Closure Account’ which shall be administered by the Secretary as a single account.

“(b) CREDITS TO ACCOUNT.—There shall be credited to the Account the following:

“(1) Funds authorized for and appropriated to the Account.

“(2) Funds transferred to the Account pursuant to section ___(b) of the National Defense Authorization Act for Fiscal Year 2013.

“(3) Funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that funds may be transferred under the authority of this paragraph only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees.

“(4) Proceeds received from the lease, transfer, or disposal of any property at a military installation closed or realigned under this part or the 1988 BRAC law.

“(c) USE OF ACCOUNT.—

“(1) AUTHORIZED PURPOSES.—The Secretary may use the funds in the Account only for the following purposes:

“(A) To carry out the Defense Environmental Restoration Program under section 2701 of title 10, United States Code, and other environmental restoration and mitigation activities at military installations closed or realigned under this part or the 1988 BRAC law.

“(B) To cover property management, disposal, and caretaker costs incurred at military installations closed or realigned under this part or the 1988 BRAC law.

“(C) To cover costs associated with supervision, inspection, overhead, engineering, and design of military construction projects undertaken under this part or the 1988 BRAC law before September 30, 2013, and subsequent claims, if any, related to such activities.

“(D) To record, adjust, and liquidate obligations properly chargeable to the following accounts:

“(i) The Department of Defense Base Closure Account 2005 established by section 2906A of this part, as in effect on September 30, 2013.

“(ii) The Department of Defense Base Closure Account 1990 established by this section, as in effect on September 30, 2013.

“(iii) The Department of Defense Base Closure Account established by section 207 of the 1988 BRAC law, as in effect on September 30, 2013.

“(2) SOLE SOURCE OF FUNDS.—The Account shall be the sole source of Federal funds for the activities specified in paragraph (1) at a military installation closed or realigned under this part or the 1988 BRAC law.

“(3) PROHIBITION ON USE OF ACCOUNT FOR NEW MILITARY CONSTRUCTION.—Except as provided in paragraph (1), funds in the Account may not be used, directly or by transfer to another appropriations account, to carry out a military construction project, including a minor military construction project, under section 2905(a) or any other provision of law at a military installation closed or realigned under this part or the 1988 BRAC law.

“(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NON-APPROPRIATED FUNDS.—

“(1) DEPOSIT OF PROCEEDS IN RESERVE ACCOUNT.—If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or non-appropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the 1988 BRAC law.

“(2) The amount so deposited under paragraph (1) shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary of Defense.

“(3) USE OF RESERVE FUNDS.—Subject to the limitation contained in section 204(b)(7)(C)(iii) of the 1988 BRAC law, amounts in the reserve account are hereby made available to the Secretary, without appropriation and until expended, for the purpose of acquiring, constructing, and improving—

“(A) commissary stores; and
 “(B) real property and facilities for non-appropriated fund instrumentalities.

“(e) ANNUAL REPORTS.—

“(1) ANNUAL ACCOUNTING.—No later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this part, the Secretary shall transmit a report to the congressional defense committees containing an accounting of—

“(A) the amount and nature of credits to, and expenditures from, the Account during such fiscal year; and

“(B) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report.

“(2) SPECIFIC ELEMENTS OF REPORT.—The report for a fiscal year shall include the following:

“(A) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

“(B) The fiscal year in which appropriations or transfers for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

“(C) An estimate of the net revenues to be received from property disposals under this part or the 1988 BRAC law to be completed during the first fiscal year commencing after the submission of the report.

“(f) CLOSURE OF ACCOUNT; TREATMENT OF REMAINING FUNDS.—

“(1) CLOSURE.—The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code, except that unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under paragraph (2).

“(2) FINAL REPORT.—No later than 60 days after the closure of the Account under paragraph (1), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

“(A) all the funds credited to and expended from the Account or otherwise expended under this part or the 1988 BRAC law; and

“(B) any funds remaining in the Account.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘commissary store funds’ means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

“(2) The term ‘nonappropriated funds’ means funds received from a nonappropriated fund instrumentality.

“(3) The term ‘nonappropriated fund instrumentality’ means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

“(4) The term ‘1988 BRAC law’ means title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).”

(b) CLOSURE OF EXISTING CURRENT ACCOUNTS; TRANSFER OF FUNDS.—

(1) CLOSURE.—Subject to paragraph (2), the Secretary of the Treasury shall close, pursuant to section 1555 of title 31, United States Code, the following accounts on the books of the Treasury:

(A) The Department of Defense Base Closure Account 2005 established by section 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as in effect on the effective date of this section.

(B) The Department of Defense Base Closure Account 1990 established by section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as in effect on the effective date of this section.

(C) The Department of Defense Base Closure Account established by section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note), as in effect on the effective date of this section.

(2) TRANSFER OF FUNDS.—All amounts remaining in the three accounts specified in paragraph (1) as of the effective date of this section, shall be transferred, effective on that date, to the Department of Defense Base Closure Account established by section 2906 of the Defense Base Closure and Realignment Act of 1990, as added by subsection (a).

(3) CROSS REFERENCES.—Except as provided in this subsection or the context requires otherwise, any reference in a law, regulation, document, paper, or other record of the United States to an account specified in paragraph (1) shall be deemed to be a reference to the Department of Defense Base Closure Account established by section 2906 of the Defense Base Closure and Realignment Act of 1990, as added by subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF FORMER ACCOUNT.—Section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note) is repealed.

(2) DEFINITION.—

(A) 1990 LAW.—Section 2910(1) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by striking “1990 established by section 2906(a)(1)” and inserting “established by section 2906(a)”.

(B) 1988 LAW.—The Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note) is amended—

(i) in section 204(b)(7)(A), by striking “established by section 207(a)(1)”;

(ii) in section 209(1), by striking “established by section 207(a)(1)” and inserting “established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note)”.

(3) ENVIRONMENTAL RESTORATION.—Chapter 160 of title 10, United States Code, is amended—

(A) in section 2701(d)(2), by striking “Department of Defense Base Closure Account 1990 or the Department of Defense Base Closure Account 2005 established under sections 2906 and 2906A” and inserting “Department of Defense Base Closure Account established by section 2906”;

(B) in section 2703(h)—

(i) by striking “the applicable Department of Defense base closure account” and inserting “the Department of Defense Base Closure Account established under section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note)”;

(ii) by striking “the applicable base closure account” and inserting “such base closure account”;

(C) in section 2905(g)(2), by striking “Closure Account 1990” and inserting “Closure Account”.

(4) DEPARTMENT OF DEFENSE HOUSING FUNDS.—Section 2883 of such title is amended—

(A) in subsection (c)—

(i) by striking subparagraph (G) of paragraph (1); and

(ii) by striking subparagraph (G) of paragraph (2); and

(B) in subsection (f)—

(i) in the first sentence, by striking “or (G)” both places it appears; and

(ii) by striking the second sentence.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—

(1) October 1, 2013; and

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014.

SEC. 2712. AIR ARMAMENT CENTER, EGLIN AIR FORCE BASE.

The Secretary of the Air Force shall retain an Air Armament Center at Eglin Air Force Base, Florida, in name and function, with the same integrated mission elements, responsibilities, and capabilities as existed upon the completion of implementation of the recommendations of the 2005 Base Closure and Realignment Commission regarding such military installation contained in the report transmitted by the President to Congress in accordance with section 2914(e) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

SEC. 2713. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round, and none of the funds appropriated pursuant to the authorization of appropriations contained in this Act may be used to propose, plan for, or execute an additional BRAC round.

SEC. 2714. CONSIDERATION OF UNITED STATES MILITARY BASES LOCATED OVERSEAS IN CRITERIA USED TO CONSIDER AND RECOMMEND MILITARY INSTALLATIONS FOR CLOSURE OR REALIGNMENT.

Section 2687(b)(1)(B) of title 10, United States Code, is amended—

(1) by striking “and” at the end of clause (i); and

(2) by adding at the end the following new clause:

“(iii) the anticipated continuing need for and availability of military bases outside the United States, taking into account current restrictions on the use of military bases outside the United States and the potential for future prohibitions or restrictions on the use of such bases; and”.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. PREPARATION OF MILITARY INSTALLATION MASTER PLANS.

(a) MILITARY INSTALLATION MASTER PLANS.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2863 the following new section:

“§ 2864. Military installation master plans

“(a) PLANS REQUIRED.—At a time interval prescribed by the Secretary concerned (but not less frequently than once every 10 years), the commander of each military installation under the jurisdiction of the Secretary shall ensure an installation master plan is developed to address environmental planning, sustainable design and development, sustainable range planning, real property master planning, and transportation planning.

“(b) TRANSPORTATION COMPONENT.—

“(1) COOPERATION WITH METROPOLITAN PLANNING ORGANIZATIONS.—The transportation component of an installation master plan shall be developed and updated in co-

operation with the metropolitan planning organization designated for the metropolitan planning area in which the military installation is located.

“(2) DEFINITIONS.—In this subsection, the terms ‘metropolitan planning area’ and ‘metropolitan planning organization’ have the meanings given those terms in section 134(b) of title 23 and section 5303(b) of title 49.

“(3) TRANSIT SERVICES.—The installation master plan for a military installation shall also address operating costs for transit service and travel demand measures on the installation.”.

SEC. 2802. SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY FOR MILITARY HOUSING PRIVATIZATION PROJECTS AND RELATED ANNUAL REPORTING REQUIREMENTS.

(a) SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY FOR PRIVATIZATION PROJECTS.—

(1) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2885 the following new section:

“§ 2885a. Oversight and accountability for privatization projects: sustainment

“(a) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Each Secretary concerned shall prescribe regulations to effectively oversee and manage a military housing privatization project carried out under this subchapter during the sustainment phase of the project following completion of the construction or renovation of the housing units. The regulations shall include the following requirements for each privatization project:

“(1) The financial health and performance of the military housing privatization project, including the debt-coverage ratio of the project and occupancy rates for the constructed or renovated housing units.

“(2) A resident satisfaction assessment of the privatization project.

“(3) An assessment of the backlog of maintenance and repair.

“(b) REQUIRED QUALIFICATIONS.—The Secretary concerned or designated representative shall ensure that the project owner, developer, or general contractor that is selected for each military housing privatization initiative project has sustainment experience commensurate with that required to maintain the project.”.

(2) CONFORMING AMENDMENT.—Section 2885(a) of such title is amended in the matter preceding paragraph (1) by inserting before the period at the end of the first sentence the following: “during the course of the construction or renovation of the housing units”.

(3) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of section 2885 of such title is amended to read as follows:

“§ 2885. Oversight and accountability for privatization projects: construction”.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2885 and inserting the following new items:

“2885. Oversight and accountability for privatization projects: construction.

“2885a. Oversight and accountability for privatization projects: sustainment.”.

(b) ANNUAL REPORTING REQUIREMENTS.—Section 2884(b) of such title is amended—

(1) by striking paragraphs (2), (3), (4), and (7);

(2) by redesignating paragraphs (5), (6), and (8) as paragraphs (2), (3), and (4), respectively; and

(3) by adding at the end the following new paragraphs:

“(5) A trend analysis of the backlog of maintenance and repair for each privatization project, including the total cost of the operation, maintenance, and repair costs associated with each project.

“(6) If the debt associated with a privatization project exceeds net operating income or the occupancy rates for the constructed or renovated housing units are below 75 percent for any sustained period of more than one year, a report regarding the plan to mitigate the financial risk of the project.”.

SEC. 2803. ONE-YEAR EXTENSION OF AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2804(a)(2) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1685), is amended—

(1) in paragraph (1), by striking “September 30, 2012” and inserting “September 30, 2013”; and

(2) in paragraph (2), by striking “fiscal year 2013” and inserting “fiscal year 2014”.

SEC. 2804. TREATMENT OF CERTAIN DEFENSE NUCLEAR FACILITY CONSTRUCTION PROJECTS AS MILITARY CONSTRUCTION PROJECTS.

(a) FINDINGS.—Congress finds the following:

(1) According to a memorandum of agreement between the Secretary of Defense and the Secretary of Energy dated May 2010 and a subsequent addendum to such memorandum, the Secretary of Defense plans to transfer \$8,300,000,000 of the budgetary authority of the Department of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration between fiscal years 2011 and 2016 to fund activities of the Administration that the Secretary determines to be high priorities.

(2) Such funding has directly supported defense activities at the National Nuclear Security Administration, including design and construction activities for the Chemistry and Metallurgy Research Building Replacement project and the Uranium Processing Facility project specified in paragraphs (2) and (3) of subsection (b).

(b) COVERED FACILITIES.—This section applies to the following construction projects of the National Nuclear Security Administration:

(1) Any project to build a nuclear facility, initiated on or after October 1, 2013, that is estimated to cost in excess of \$1,000,000,000 and is intended to be primarily utilized to support the nuclear weapons activities of the National Nuclear Security Administration.

(2) The Chemistry and Metallurgy Research Building Replacement project, Los Alamos, New Mexico.

(3) The Uranium Processing Facility project, Oak Ridge, Tennessee.

(c) TREATMENT AS MILITARY CONSTRUCTION PROJECTS.—In the case of the construction projects of the National Nuclear Security Administration specified in subsection (b), the projects are deemed to be military construction projects to be carried out with respect to a military installation and therefore subject to the following:

(1) The advance-project authorization requirement of section 2802(a) of title 10, United States Code, and other requirements of chapter 169 of such title related to military construction projects carried out by the Secretary of Defense with respect to the Defense Agencies.

(2) Annual Acts authorizing military construction projects (and authorizing the appropriation of funds therefor) for a fiscal year.

(d) MILITARY CONSTRUCTION AUTHORIZATION FOR CERTAIN DEFENSE NUCLEAR FACILITY PROJECTS.—The Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Defense Nuclear Facility Projects

State	Installation or Location	Amount
New Mexico	Los Alamos	\$3,500,000,000
Tennessee	Oak Ridge	\$4,200,000,000

(e) REGULATION, REQUIREMENTS, AND COORDINATION.—For each project specified in subsection (b)—

(1) the Administrator for Nuclear Security of the National Nuclear Security Administration and the Secretary of Energy shall retain authority to regulate design and construction activities pursuant to the Atomic Energy Act and other applicable laws;

(2) the Secretary of Defense shall coordinate with the Administrator for Nuclear Security regarding requirements for the facility; and

(3) the Administrator for Nuclear Security shall make available to the Secretary of De-

fense the expertise of the National Nuclear Security Administration to support design and construction activities.

(f) TRANSFER OF FACILITIES.—Upon completion of construction of a project specified in subsection (b), the Secretary of Defense shall negotiate with the Administrator for Nuclear Security of the National Nuclear Security Administration to transfer the constructed facility to the authority of the Administrator for operations.

(g) SENSE OF CONGRESS.—It is the sense of Congress that during fiscal year 2014 and thereafter, the budgetary authority provided by the Secretary of Defense to the Adminis-

trator for Nuclear Security of the National Nuclear Security Administration under the memorandum described in subsection (a)(1) should be reduced by the amount needed to fund the design and construction of the projects specified in paragraphs (2) and (3) of subsection (b).

(h) INFORMATION TRANSFER AND LEGAL EFFECT OF TRANSFER.—Not later than September 30, 2013, the Administrator for Nuclear Security of the National Nuclear Security Administration shall transfer to the Secretary of Defense all information in the possession of the Administrator related to architectural and engineering services and

construction design for the construction projects specified in subsection (b). All environmental impact statements and legal rulings in effect before that date related to the projects shall be considered valid upon transfer of responsibility for the projects to the Secretary of Defense under subsection (c).

(i) **EFFECTIVE DATE.**—This section shall apply to the construction projects specified in subsection (b) effective for fiscal year 2014 and fiscal years thereafter.

SEC. 2805. EXECUTION OF CHEMISTRY AND METALLURGY RESEARCH BUILDING REPLACEMENT NUCLEAR FACILITY AND LIMITATION ON ALTERNATIVE PLUTONIUM STRATEGY.

(a) **POLICY.**—It is the policy of the United States to create and sustain the capability to produce plutonium pits for nuclear weapons, and to ensure sufficient plutonium pit production capacity, to respond to technical challenges in the existing nuclear weapons stockpile or geopolitical developments.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) successful and timely construction of the Chemistry and Metallurgy Research Building Replacement nuclear facility in Los Alamos, New Mexico, is critical to achieving the policy expressed in subsection (a) and that such facility should achieve full operational capability by fiscal year 2024;

(2) prior-year funds for the Chemistry and Metallurgy Research Building Replacement nuclear facility, up to \$160,000,000 being available, should be applied to continue design and construction of this facility in fiscal year 2013; and

(3) during fiscal year 2014 and thereafter, the budgetary authority provided by the Secretary of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration under the memorandum of agreement between the Secretary of Defense and the Secretary of Energy dated May 2010 should be reduced by the amount needed to fund the design and construction of the Chemistry and Metallurgy Research Building Replacement nuclear facility under the military construction authorities provided in section 2804.

(c) **FUTURE BUDGET REQUESTS.**—The Secretary of Defense, in coordination with the Administrator for Nuclear Security of the National Nuclear Security Administration, shall request such funds in fiscal year 2014 and subsequent fiscal years under the military construction authorities of section 2804 to ensure the Chemistry and Metallurgy Research Building Replacement nuclear facility achieves full operational capability by fiscal year 2024.

(d) **LIMITATION ON ALTERNATIVE PLUTONIUM STRATEGY.**—No funds authorized to be appropriated by this Act or any other Act may be obligated or expended on any activities associated with a plutonium strategy for the National Nuclear Security Administration that does not include achieving full operational capability of the Chemistry and Metallurgy Research Building Replacement nuclear facility by fiscal year 2024.

SEC. 2806. USE OF PROJECT LABOR AGREEMENTS IN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) **REQUIREMENTS.**—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The Secretary of Defense and the Secretaries of the military departments, when awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, shall not—

“(A) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; and

“(B) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

“(2) Nothing in this subsection shall prohibit a contractor or subcontractor from voluntarily entering into an agreement with one or more labor organizations, as protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).”

(b) **APPLICATION OF AMENDMENT.**—The amendment made by subsection (a) shall not apply to construction contracts awarded before the date of the enactment of this Act.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. AUTHORITY OF MILITARY MUSEUMS TO ACCEPT GIFTS AND SERVICES AND TO ENTER INTO LEASES AND COOPERATIVE AGREEMENTS.

(a) **MUSEUM SUPPORT AUTHORITY.**—Chapter 155 of title 10, United States Code, is amended by inserting after section 2608 the following new section:

“§ 2609. Military museum programs: acceptance of gifts and other support

“(a) **ACCEPTANCE OF SERVICES.**—Notwithstanding section 1342 of title 31, the Secretary concerned may accept services from a nonprofit entity to support a military museum program under the jurisdiction of the Secretary.

“(b) **LIMITATION ON USE OF GIFT FUNDS.**—A gift made for the purpose of assisting in the development, operation, maintenance, or management of, or for the acquisition of collections for, a military museum program and deposited into one of the general gift funds specified in section 2601(c) of this title shall be available only for the military museum program and the purpose for which the gift was made.

“(c) **SOLICITATION OF GIFTS.**—Under regulations prescribed under this section, the Secretary concerned may solicit from any person or public or private entity, for the use and benefit of a military museum program, a gift of books, manuscripts, works of art, historical artifacts, drawings, plans, models, condemned or obsolete combat materiel, or other personal property.

“(d) **LEASING AUTHORITY.**—(1) In accordance with section 2667 of this title, the Secretary concerned may lease real and personal property of a military museum program to a nonprofit entity for purposes related to the military museum program.

“(2) A lease under this subsection may not include any part of the collection of a military museum program.

“(e) **COOPERATIVE AGREEMENTS.**—The Secretary concerned may enter into a cooperative agreement with a nonprofit entity for purposes related to support of a military museum program.

“(f) **EMPLOYEE STATUS.**—For purposes of this section, employees or personnel of a nonprofit entity may not be considered to be employees of the United States.

“(g) **REGULATIONS.**—(1) The Secretary of Defense shall prescribe regulations to implement this section. The regulations shall apply uniformly throughout the Department of Defense.

“(2) The regulations shall provide that solicitation of a gift, acceptance of a gift (including a gift of services), or use of a gift under this section may not occur if the nature or circumstances of the solicitation, acceptance, or use would compromise the integrity or the appearance of integrity of any program of the Department of Defense or any individual involved in such program.

“(h) **DEFINITIONS.**—In this section:

“(1) The term ‘military museum program’ may include an individual museum.

“(2) The term ‘nonprofit entity’ means an exempt organization under section 501(c)(3)

of the Internal Revenue Code of 1986 whose primary purpose is supporting a military museum program.

“(3) The term ‘Secretary concerned’ includes the Secretary of Defense with respect to matters concerning the Defense Agencies.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2608 the following new item:

“2609. Military museum programs: acceptance of gifts and other support.”

SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT CERTAIN MILITARY INSTALLATIONS.

Section 2869(a)(1) of title 10, United States Code, is amended—

(1) by striking “any eligible entity” and inserting “any person”;

(2) by striking “the entity” and inserting “the person”;

(3) by striking “their control” and inserting “the person’s control”.

SEC. 2813. INDEMNIFICATION OF TRANSFEREES OF PROPERTY AT ANY CLOSED MILITARY INSTALLATION.

Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 2687 note) is amended—

(1) in subsection (a)(1), by striking “pursuant to a base closure law” and inserting “after October 24, 1988, the date of the enactment of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note)”;

(2) in subsection (f), by striking paragraph (3).

SEC. 2814. IDENTIFICATION REQUIREMENT FOR ENTRY ON MILITARY INSTALLATIONS.

(a) **IDENTIFICATION REQUIREMENT FOR MILITARY INSTALLATIONS.**—

(1) **MINIMUM IDENTIFICATION REQUIRED.**—

(A) **IN GENERAL.**—Beginning on the day that is 120 days after the date of the enactment of this Act, the Secretary concerned may not permit a person who is 18 years old or older to enter a military installation in the United States unless such person presents, as determined by an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), at a minimum—

(i) a valid Federal or State government issued photo identification card;

(ii) a valid Common Access Card; or

(iii) a valid uniformed services identification card.

(B) **EXCEPTION FOR CERTAIN FOREIGN PASSPORTS.**—The Secretary concerned may permit a person to enter a military installation in the United States if such person presents a valid foreign passport, as determined by an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), if—

(i) such person is visiting such military installation on official business between the Armed Forces and the armed forces of a foreign country; or

(ii) such person is visiting a member of the uniformed services or a civilian employee of the Department of Defense on such military installation.

(2) **EXPIRED OR FRAUDULENT IDENTIFICATION.**—The Secretary concerned shall confiscate any form of identification that the Secretary determines, using an authentication procedure that meets the minimum procedural requirements identified by the Sec-

retary of Defense in paragraph (4), to be expired or fraudulent.

(3) **COORDINATION AMONG MILITARY INSTALLATIONS OF A STATE.**—The Secretary concerned shall keep a list and shall inform the personnel at any other military installation in the State of such military installation of the name of any person—

(A) who attempts to help a person required to present a valid form of identification under paragraph (1) to enter a military installation in the United States without such required identification; or

(B) who attempts to enter a military installation military installation in the United States with a form of identification that the Secretary concerned determines to be expired or fraudulent under paragraph (2).

(4) **PROCEDURAL REQUIREMENTS FOR IDENTIFICATION VERIFICATION.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall identify the minimum procedural requirements for the Secretary concerned to authenticate the forms of identification in paragraph (1) for a person entering a military installation in the United States. In identifying such requirements, the Secretary of Defense shall identify minimum procedural requirements to ensure that individuals who need to enter a military installation in the United States to perform work under a contract awarded by the Department of Defense present a valid form of identification under paragraph (1).

(b) **DEFINITIONS.**—

(1) **COMMON ACCESS CARD.**—In this section, the term “Common Access Card” means the standard identification card issued by the Secretary of Defense to active-duty military personnel, Selected Reserve personnel, Department of Defense civilian employees, and certain persons awarded contracts by the Secretary of Defense.

(2) **SECRETARY CONCERNED.**—In this section, the term “Secretary concerned” has the meaning given the term in section 101(a) of title 10, United States Code.

(3) **UNIFORMED SERVICES IDENTIFICATION CARD.**—In this section, the term “uniformed services identification card” means the identification card issued by the Secretary of Defense to spouses and other eligible dependents of members of the uniformed services and other eligible persons, as determined by the Secretary of Defense.

SEC. 2815. PLAN TO PROTECT CRITICAL DEPARTMENT OF DEFENSE CRITICAL ASSETS FROM ELECTROMAGNETIC PULSE WEAPONS.

(a) **PLAN REQUIRED.**—Not later than September 1, 2013, the Secretary of the Defense shall submit to the congressional defense committees a plan to protect defense critical assets under the jurisdiction of the Department of Defense, and critical equipment at military installations, from the adverse effects of electromagnetic pulse and high-powered microwave weapons.

(b) **PREPARATION AND ELEMENTS OF PLAN.**—In preparing the plan required by subsection (a), the Secretary of Defense shall utilize the guidance and recommendations of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack established by section 1401 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-345). The plan shall include the following elements:

(1) An assessment of overall military installation protection from electromagnetic pulse and high-powered microwave weapons.

(2) A listing of defense critical assets.

(3) An assessment of the adequacy of each defense critical asset, to include the backup power capabilities of the defense critical asset, to withstand attack currently and a description and a cost estimate for each project to improve, repair, renovate, or mod-

ernize defense critical assets for which any deficiency is identified in the assessment.

(4) A list of projects, costs, and timelines through the future-years defense program to meet the requirements to overcome deficiencies identified under paragraph (3) for all defense critical assets.

(5) A list of civilian critical infrastructures upon which a defense critical asset depends (electricity, water, telecommunications, etc) that, if rendered inoperable by electromagnetic pulse or high-powered microwave weapons, would compromise the function of a defense critical asset.

(c) **FORM OF SUBMISSION.**—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **DEFENSE CRITICAL ASSET.**—In this section, the term “defense critical asset” means an asset of such extraordinary importance to operations in peace, crisis, and war that its incapacitation or destruction would have a very serious debilitating effect on the ability of the Department of Defense to fulfill its missions.

Subtitle C—Energy Security

SEC. 2821. CONGRESSIONAL NOTIFICATION FOR CONTRACTS FOR THE PROVISION AND OPERATION OF ENERGY PRODUCTION FACILITIES AUTHORIZED TO BE LOCATED ON REAL PROPERTY UNDER THE JURISDICTION OF A MILITARY DEPARTMENT.

Section 2662(a)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(H) Any transaction or contract action for the provision and operation of energy production facilities on real property under the jurisdiction of the Secretary of a military department, as authorized by section 2922a(a)(2) of this title, if the term of the transaction or contract exceeds 20 years.”

SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION AND EXPANSION TO INCLUDE IMPLEMENTATION OF ASHRAE BUILDING STANDARD 189.1.

Section 2830(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1695) is amended—

(1) in the subsection heading, by inserting after “AND ASHRAE IMPLEMENTATION” after “CERTIFICATION”; and

(2) in paragraph (1)—

(A) by striking “authorized to be”;

(B) by striking “by this Act”;

(C) by inserting “or 2013” after “fiscal year 2012”; and

(D) by inserting before the period at the end the following: “and implementing ASHRAE building standard 189.1”.

SEC. 2823. AVAILABILITY AND USE OF DEPARTMENT OF DEFENSE ENERGY COST SAVINGS TO PROMOTE ENERGY SECURITY.

Section 2912(b)(1) of title 10, United States Code, is amended by inserting after “additional energy conservation” the following: “and energy security”.

SEC. 2824. DEFINITION OF RENEWABLE ENERGY SOURCE FOR DEPARTMENT OF DEFENSE ENERGY SECURITY.

Section 2924(7)(A) of title 10, United States Code, is amended by inserting before the period at the end the following: “and direct solar renewable energy”.

Subtitle D—Provisions Related to Guam Realignment

SEC. 2831. USE OF OPERATION AND MAINTENANCE FUNDING TO SUPPORT COMMUNITY ADJUSTMENTS RELATED TO REALIGNMENT OF MILITARY INSTALLATIONS AND RELOCATION OF MILITARY PERSONNEL ON GUAM.

(a) **TEMPORARY ASSISTANCE AUTHORIZED.**—

(1) **ASSISTANCE TO GOVERNMENT OF GUAM.**—Using funds made available under subsection (c), the Secretary of Defense may assist the Government of Guam in meeting the costs of providing increased municipal services and facilities required as a result of the realignment of military installations and the relocation of military personnel on Guam (in this section referred to as the “Guam realignment”) if the Secretary determines that an unfair and excessive financial burden will be incurred by the Government of Guam to provide the services and facilities in the absence of the Department of Defense assistance.

(2) **MITIGATION OF IDENTIFIED IMPACTS.**—The Secretary of Defense may take such actions as the Secretary considers to be appropriate to mitigate the significant impacts identified in the Record of Decision of the “Guam and CNMI Military Relocation Environmental Impact Statement” by providing increased municipal services and facilities to activities that directly support the Guam realignment.

(b) **METHODS OF PROVIDING ASSISTANCE.**—

(1) **USE OF EXISTING PROGRAMS.**—The Secretary of Defense shall carry out subsection (a) through existing Federal programs supporting the Government of Guam and the Guam realignment, whether or not the programs are administered by the Department of Defense or another Federal agency.

(2) **COST SHARE ASSISTANCE.**—The Secretary may assist the Government of Guam to any cost-sharing obligation imposed on the Government of Guam under any Federal program utilized by the Secretary under paragraph (1).

(c) **SOURCE OF FUNDS.**—

(1) **TRANSFER AUTHORITY.**—To the extent necessary to carry out subsection (a), the Secretary is authorized to transfer funds made available in fiscal year 2013 to the Department of Defense or a military department for operation and maintenance to a different account of the Department of Defense or another Federal agency in order to make funds available to the Government of Guam under a Federal program utilized by the Secretary under subsection (b)(1). Amounts so transferred shall be merged with the appropriation to which transferred and shall be available only for the purpose of assisting the Government of Guam as described in subsection (a).

(2) **ADDITIONAL AUTHORITY.**—The transfer authority provided by paragraph (1) is in addition to the transfer authority provided by section 1001.

(d) **PROGRESS REPORTS REQUIRED.**—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives semi-annual reports indicating the total amount expended under the authority of this section during the preceding six-month period, the specific projects for which assistance was provided during such period, and the total amount provided for each project during such period.

(e) **TERMINATION.**—The authority to provide assistance under this section expires September 30, 2020. Amounts obligated on or before that date may be expended after that date.

SEC. 2832. CERTIFICATION OF MILITARY READINESS NEED FOR FIRING RANGE ON GUAM AS CONDITION ON ESTABLISHMENT OF RANGE.

A firing range on Guam may not be established (including any construction or lease of lands related to such establishment) until the Secretary of Defense certifies to the congressional defense committees that there is a national security need for the firing range related to readiness of the Armed Forces assigned to the United States Pacific Command.

SEC. 2833. REPEAL OF CONDITIONS ON USE OF FUNDS FOR GUAM REALIGNMENT.

Section 2207(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1668) is amended—

- (1) in paragraph (2), by inserting “and” after the semicolon;
- (2) by striking paragraphs (3) and (4); and
- (3) by redesignating paragraph (5) as paragraph (3).

Subtitle E—Land Conveyances

SEC. 2841. MODIFICATION TO AUTHORIZED LAND CONVEYANCE AND EXCHANGE, JOINT BASE ELMENDORF RICHARDSON, ALASKA.

(a) CHANGE IN OFFICER AUTHORIZED TO CARRY OUT CONVEYANCES.—Subsection (a) of section 2851 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1697) is amended—

(1) in paragraph (1), by striking “The Secretary of the Air Force may, in consultation with the Secretary of the Interior” and inserting “The Secretary of the Interior may, in consultation with the Secretary of the Air Force”; and

(2) in paragraph (2)—

(A) by striking “The Secretary of the Air Force may, in consultation with the Secretary of the Interior, upon terms mutually agreeable to the Secretary of the Air Force” and inserting “The Secretary of the Interior may, in consultation with the Secretary of the Air Force, upon terms mutually agreeable to the Secretary of the Interior”; and

(B) by striking “in consultation with the Secretary of the Interior” the second place it appears and inserting “in consultation with the Secretary of the Air Force”.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)(3), by inserting “of the Interior” after “Secretary”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “The Secretary of the Air Force” and inserting “The Secretary of the Interior”;

(ii) by striking “the Secretary” the first place it appears and inserting “the Secretary of the Interior and the Secretary of the Air Force”; and

(iii) by striking “the Secretary” in each other place it appears and inserting “the Secretaries”; and

(B) in paragraph (2), by striking “the Secretary” and inserting “the Secretaries”; and

(3) in subsections (e) and (f), by inserting “of the Interior” after “Secretary”.

(c) TECHNICAL AMENDMENT.—Subsection (a)(1) of such section is further amended by striking “JBER” and inserting “Joint Base Elmendorf Richardson, Alaska (in this section referred to as ‘JBER’)”.

SEC. 2842. MODIFICATION OF FINANCING AUTHORITY, BROADWAY COMPLEX OF THE DEPARTMENT OF THE NAVY, SAN DIEGO, CALIFORNIA.

Subsection (a) of section 2732 of the Military Construction Authorization Act, 1987 (division B of Public Law 99-661; 100 Stat. 4046) is amended to read as follows:

“(a) IN GENERAL.—(1) Subject to subsections (b) through (g), the Secretary of the Navy may enter into long-term leases of real property located within the Broadway Complex of the Department of the Navy, San Diego, California.

“(2) Subject to subsections (b) through (g), the Secretary may assist any lessee of real property described in paragraph (1) in financing the construction by the lessee of any facility on such real property or otherwise within the boundaries of the metropolitan San Diego, California, area.”.

SEC. 2843. LAND CONVEYANCE, JOHN KUNKEL ARMY RESERVE CENTER, WARREN, OHIO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Village of Lordstown, Ohio (in this section referred to as the “Village”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 6.95 acres and containing the John Kunkel Army Reserve Center located at 4967 Tod Avenue in Warren, Ohio, for the purpose of permitting the Village to use the parcel for public purposes.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed to the Village, the Secretary may lease the property to the Village.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Village to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Village in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Village.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) CONDITIONS OF CONVEYANCE.—The conveyance of the real property under subsection (a) shall be subject to the following conditions:

(1) That the Village not use any Federal funds to cover any portion of the conveyance costs required by subsection (c) to be paid by the Village or to cover the costs for the design or construction of any facility on the property.

(2) That the Village begin using the property for public purposes before the end of the five-year period beginning on the date of conveyance.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2844. LAND CONVEYANCE, CASTNER RANGE, FORT BLISS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—

(1) CONVEYANCE AUTHORITY.—The Secretary of the Army may convey, without consideration, to the Parks and Wildlife Department of the State of Texas (in this section referred to as the “Department”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 7,081 acres at Fort Bliss, Texas, for the purpose of permitting the Department to establish and operate a park as an element of the Franklin Mountains State Park.

(2) PIECEMEAL CONVEYANCES.—In anticipation of the conveyance of the entire parcel of

real property described in paragraph (1), the Secretary may subdivide the parcel and convey to the Department portions of the real property as the Secretary determines that the condition of the real property is compatible with the Department’s intended use of the property.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the land conveyance under this section, including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Department in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to Department. This paragraph does not apply to costs associated with the environmental remediation of the property to be conveyed.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal descriptions of the parcels of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2845. MODIFICATION OF LAND CONVEYANCE, FORT HOOD, TEXAS.

Section 2848(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2140) is amended by striking “for the sole purpose” and all that follows through “Central Texas.” and inserting the following: “for the purpose of permitting the University System to use the property—

“(1) for the establishment of a State-supported university, separate from other universities of the University System, designated as Texas A&M University, Central Texas; and

“(2) for such other educational and related purposes as the University System considers to be appropriate and the Secretary of the Army determines to be compatible with military activities in the vicinity of the property.”.

SEC. 2846. TRANSFER OF ADMINISTRATIVE JURISDICTION, FORT LEE MILITARY RESERVATION AND PETERSBURG NATIONAL BATTLEFIELD, VIRGINIA.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION FROM SECRETARY OF THE ARMY.—The

Secretary of the Army shall transfer to the Secretary of the Interior, without reimbursement, administrative jurisdiction over a parcel of land at Fort Lee Military Reservation consisting of approximately 1.171 acres and depicted as "Area to be transferred to Petersburg National Battlefield" on the map titled "Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction", numbered 325/80,801A, and dated May 2011. The Secretary of the Interior shall include the land transferred under this subsection within the boundary of Petersburg National Battlefield and administer the land as part of the park in accordance with laws and regulations applicable to the park.

(b) **TRANSFER OF ADMINISTRATIVE JURISDICTION TO SECRETARY OF THE ARMY.**—The Secretary of the Interior shall transfer to the Secretary of the Army, without reimbursement, administrative jurisdiction over a parcel of land consisting of approximately 1.170 acres and depicted as "Area to be transferred to Fort Lee Military Reservation" on the map referred to in subsection (a).

(c) **AVAILABILITY OF MAP.**—The map referred to in subsection (a) shall be available for public inspection in the appropriate offices of the National Park Service.

Subtitle F—Other Matters

SEC. 2861. INCLUSION OF RELIGIOUS SYMBOLS AS PART OF MILITARY MEMORIALS.

(a) **AUTHORITY.**—Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

"§ 2115. Inclusion of religious symbols as part of military memorials

"(a) **INCLUSION OF RELIGIOUS SYMBOLS AUTHORIZED.**—To recognize the religious background of members of the United States Armed Forces, religious symbols may be included as part of—

"(1) a military memorial that is established or acquired by the United States Government; or

"(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.

"(b) **MILITARY MEMORIAL DEFINED.**—In this section, the term 'military memorial' means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title."

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2115. Inclusion of religious symbols as part of military memorials."

SEC. 2862. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.

(a) **REDESIGNATION.**—The Department of Defense regional center for security studies known as the Center for Hemispheric Defense Studies is hereby renamed the "William J. Perry Center for Hemispheric Defense Studies".

(b) **CONFORMING AMENDMENTS.**—(1) Section 184 of title 10, United States Code, is amended—

(A) in subsection (b)(2)(C), by striking "The Center for Hemispheric Defense Studies" and inserting "The William J. Perry Center for Hemispheric Defense Studies"; and

(B) in subsection (f)(5), by striking "the Center for Hemispheric Defense Studies" and inserting "the William J. Perry Center for Hemispheric Defense Studies".

(2) Section 2611(a)(2)(C) of such title is amended by striking "The Center for Hemispheric Defense Studies." and inserting "The

William J. Perry Center for Hemispheric Defense Studies."

(c) **REFERENCES.**—Any reference to the Department of Defense Center for Hemispheric Defense Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the William J. Perry Center for Hemispheric Defense Studies.

SEC. 2863. SENSE OF CONGRESS REGARDING ESTABLISHMENT OF MILITARY DIVERS MEMORIAL AT WASHINGTON NAVY YARD.

It is the sense of Congress that the Secretary of the Navy should provide an appropriate site at the former Navy Dive School at the Washington Navy Yard for a memorial, to be paid for with private funds, to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world, so long as the Secretary of the Navy has exclusive authority to approve the design and site of the memorial.

SEC. 2864. GOLD STAR MOTHERS NATIONAL MONUMENT, ARLINGTON NATIONAL CEMETERY.

(a) **ESTABLISHMENT.**—The Secretary of the Army shall permit the Gold Star Mothers National Monument Foundation (a nonprofit corporation established under the laws of the District of Columbia) to establish an appropriate monument in Arlington National Cemetery or on Federal land in its environs under the jurisdiction of the Department of the Army to commemorate the sacrifices made by mothers, and made by their sons and daughters who as members of the Armed Forces make the ultimate sacrifice, in defense of the United States. The monument shall be known as the "Gold Star Mothers National Monument".

(b) **PAYMENT OF EXPENSES.**—The Gold Star Mothers National Monument Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the monument, and no Federal funds may be used to pay such expenses.

SEC. 2865. NAMING OF TRAINING AND SUPPORT COMPLEX, FORT BRAGG, NORTH CAROLINA.

(a) **NAMING.**—The complex located on Fort Bragg, North Carolina, currently referred to as "Patriot Point", shall be known and designated as the "Colonel Robert Howard Training and Support Complex".

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the complex referred to in subsection (a) shall be deemed to be a reference to the "Colonel Robert Howard Training and Support Complex".

SEC. 2866. NAMING OF ELECTROCHEMISTRY ENGINEERING FACILITY, NAVAL SUPPORT ACTIVITY CRANE, CRANE, INDIANA.

(a) **NAMING.**—The electrochemistry engineering facility on Naval Support Activity Crane, Crane, Indiana, shall be known and designated as the "John Hostettler Electrochemistry Engineering Facility".

(b) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "John Hostettler Electrochemistry Engineering Facility".

SEC. 2867. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE, MASSACHUSETTS.

The Secretary of the Air Force shall retain the core functions of the Electronic Systems Center at Hanscom Air Force Base, Massachusetts, with the same integrated mission elements, responsibilities, and capabilities

as existed as of November 1, 2011, until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

SEC. 2868. RETENTION OF CORE FUNCTIONS OF THE AIR FORCE MATERIEL COMMAND, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.

The Secretary of the Air Force shall retain the core functions of the Air Force Materiel Command that exist at Wright-Patterson Air Force Base, Ohio, as of November 1, 2011, until such time as such core functions are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

SEC. 2869. MASSACHUSETTS INSTITUTE OF TECHNOLOGY—LINCOLN LABORATORY IMPROVEMENT PROJECT.

(a) **IMPROVEMENT AND MODERNIZATION PROJECT.**—The Secretary of the Air Force may enter into discussions with the Massachusetts Institute of Technology for a project to improve and modernize the Lincoln Laboratory complex at Hanscom Air Force Base, Massachusetts. The project may include modifications and additions to research laboratories, office spaces, and supporting facilities necessary to carry out the mission of the Lincoln Laboratory as a Federally Funded Research and Development Center (in this section referred to as "FFRDC"). Supporting facilities under the project may include infrastructure for utilities.

(b) **USE OF FACILITIES.**—The right of the Massachusetts Institute of Technology to use such facilities and equipment shall be as provided by the FFRDC Sponsoring Agreement and FFRDC contract between the Department of Defense and the Massachusetts Institute of Technology.

(c) **RULE OF CONSTRUCTION REGARDING CONSTRUCTION AUTHORITY.**—Nothing in this section shall be construed to authorize the Secretary of the Air Force to carry out a construction project at Hanscom Air Force Base, Massachusetts, unless such project is otherwise authorized by law.

(d) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in the FFRDC Sponsoring Agreement and the FFRDC contract as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

SEC. 2870. LIMITATION ON AVAILABILITY OF FUNDS PENDING REPORT REGARDING ACQUISITION OF LAND AND DEVELOPMENT OF A TRAINING RANGE FACILITY ADJACENT TO THE MARINE CORPS GROUND AIR COMBAT CENTER TWENTY NINE PALMS, CALIFORNIA.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Marine Corps has studied the feasibility of acquiring land and developing a training range facility to conduct Marine Expeditionary Brigade level live-fire training on or near the West Coast.

(2) The Bureau of Land management estimates on national economic impact show \$261.5 million in commerce at risk.

(3) Economic impact on the local community is estimated to be \$71.1 million.

(b) **LIMITATION OF FUNDS PENDING REPORT.**—

(1) **IN GENERAL.**—The Secretary of the Navy may not obligate or expend funds for the transfer of land or development of a new training range on land adjacent to the Marine Corps Ground Air Combat Center Twenty Nine Palms, California until the Secretary of the Navy has provided the Congress-

sional defense committees a report on the Marine Corps' efforts with respect to the proposed training range.

(2) ELEMENTS OF REPORT.—The report required under paragraph (1) shall be submitted not later than 90 days after the date of enactment of this Act and shall include the following:

(A) A description of the actual training requirements for the proposed range and where those training requirements are currently being met to support combat deployments.

(B) Identify the impact on off-road vehicle recreational users of the land, the economic impact on the local economy, the recreation industry, and any other stakeholders.

(C) Identify any concerns discussed with the Bureau of Land Management regarding their assessments of the impact on other users.

(D) Identify the impact on the State of California's 1980 Desert Conservation plan regarding allocation of the Off Highway Vehicle Recreation Areas.

(E) The potential to use the same land without transfer, but under specific permits for use provided by the (such as agreements at other locations under permit from the Forest Service and Bureau of Land Management).

(F) Any potential on other Bureau of Land Management lands proximate to the Marine Corps Ground Air Combat Center Twenty Nine Palms or other locations in the geographic region.

(3) SECRETARY OF DEFENSE WAIVER.—In the event of urgent national need, the Secretary of Defense may notify the Congressional Committees and waive the requirement for this report.

SEC. 2871. RETENTION OF CORE FUNCTIONS OF THE AIR TRAFFIC CONTROL STATION, JOHNSTOWN AIR NATIONAL GUARD BASE, PENNSYLVANIA.

The Secretary of the Air Force shall retain the core functions of the Air Traffic Control Station at Johnstown Air National Guard Base, Pennsylvania, with the same integrated mission elements, responsibilities,

and capabilities as existed as of November 1, 2011, until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.

SEC. 2872. MODIFICATION OF NOTICE REQUIREMENTS IN ADVANCE OF PERMANENT REDUCTION OF SIZABLE NUMBERS OF MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS.

(a) CALCULATION OF NUMBER OF AFFECTED MEMBERS.—Subsection (a) of section 993 of title 10, United States Code, is amended by adding at the end the following new sentence: "In calculating the number of members to be reduced, the Secretary shall take into consideration both direct reductions and indirect reductions."

(b) NOTICE REQUIREMENTS.—Subsection (b) of such section is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) the Secretary of Defense or the Secretary of the military department concerned—

"(A) submits to Congress a notice of the proposed reduction and the number of military and civilian personnel assignments affected, including reductions in base operations support services and personnel to occur because of the proposed reduction; and

"(B) includes in the notice a justification for the reduction and an evaluation of the costs and benefits of the reduction and of the local economic, environmental, strategic, and operational consequences of the reduction; and

"(2) a period of 90 days expires following the day on which the notice is submitted to Congress."

(c) TIME AND FORM OF SUBMISSION OF NOTICE.—Such section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

Navy: Outside the United States

Country	Installation or Location	Amount
SW Asia	SW Asia	\$51,348,000
Djibouti	Camp Lemonier	\$99,420,000

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction projects outside the United States authorized by subsection (a) as specified in the funding table in section 4602.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the Na-

tional Nuclear Security Administration as follows:

Project 13-D-301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory, Livermore, California, and Los Alamos National Laboratory, Los Alamos, New Mexico, \$23,000,000.

Project 13-D-905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, \$8,890,000.

Project 13-D-904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, \$2,000,000.

Project 13-D-903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, \$14,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP. Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for other defense activities in carrying out programs as specified in the funding table in section 4701.

"(c) TIME AND FORM OF SUBMISSION OF NOTICE.—The notice required by subsections (a) and (b) may be submitted to Congress only as part of the budget justification materials submitted by the Secretary of Defense to Congress in support of the budget for a fiscal year submitted under section 1105 of title 31."

(d) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

"(e) DEFINITIONS.—In this section:

"(1) The term 'direct reduction' means a reduction involving one or more members of a unit.

"(2) The term 'indirect reduction' means subsequent planned reductions or relocations in base operations support services and personnel able to occur due to the direct reductions.

"(3) The term 'military installation' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

"(4) The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level)."

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) OUTSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

SEC. 3104. ENERGY SECURITY AND ASSURANCE.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for energy security and assurance programs necessary for national security as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR.

(a) CAP ON FULL-TIME EQUIVALENT POSITIONS.—

(1) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by inserting after section 3241 the following new section:

"SEC. 3241A. AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR.

"(a) FULL-TIME EQUIVALENT PERSONNEL LEVELS.—(1) Beginning 180 days after the date of the enactment of this section, the total number of employees of the Office of the Administrator of the Administration may not exceed 1,730.

“(2) Beginning October 1, 2014, the total number of employees of the Office of the Administrator may not exceed 1,630.

“(b) COUNTING RULE.—(1) A determination of the number of employees in the Office of the Administrator under subsection (a) shall be expressed on a full-time equivalent basis.

“(2) Except as provided by paragraph (3), in determining the total number of employees in the Office of the Administrator under subsection (a), the Administrator shall count each employee of the Office without regard to whether the employee is located at the headquarters of the Administration, a site office of the Administration, a service or support center of the Administration, or any other location.

“(3) The following employees may not be counted for purposes of determining the total number of employees in the Office of the Administrator under subsection (a):

“(A) Employees of the Office of Naval Reactors.

“(B) Employees of the Office of Secure Transportation.

“(C) Members of the Armed Forces detailed to the Administration.

“(c) VOLUNTARY EARLY RETIREMENT.—In accordance with section 3523 of title 5, United States Code, the Administrator may offer voluntary separation or retirement incentives to meet the total number of employees authorized under subsection (a).

“(d) WORK PLACEMENT PROGRAM.—The Administrator shall establish a work placement program to assist employees of the Administration who are separated from service pursuant to this section find new employment.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3241 the following new item:

“Sec. 3241A. Authorized personnel levels of the Office of the Administrator.”.

(b) INCREASE IN EXCEPTED POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking “300” and inserting “450”.

(c) REPORTS.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report—

(A) describing the criteria and processes used to implement the personnel levels required by section 3241A of the National Nuclear Security Administration Act, as added by subsection (a);

(B) detailing the realized and expected cost savings within the Office of the Administrator and the nuclear security enterprise resulting from such personnel reductions and the transition to performance-based governance, management, and oversight pursuant to section 3265 of such Act, as added by section 3113;

(C) describing any impacts such personnel reductions have had or will have on the ability of the Administration to perform the mission of the Administration safely, securely, effectively, and efficiently;

(D) assessing various levels of further personnel reductions, including reductions of 10 percent, 15 percent, and 50 percent, on the ability of the Administration to perform the mission of the Administration safely, securely, effectively, and efficiently;

(E) recommending any further efficiencies and personnel reductions that should be made as a result of such transition pursuant to such section 3265, including an implementation plan and schedule for achieving such efficiencies and reductions; and

(F) assessing the salary and wage structure of the Office of the Administrator and the

management and operating contractors of the nuclear security enterprise, as well as the status and effectiveness of contractor assurance systems across the nuclear security enterprise.

(2) ASSESSMENT.—Not later than 180 days after the date on which the report under paragraph (1) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of such report.

SEC. 3112. BUDGET JUSTIFICATION MATERIALS.

Section 3251(b) of the National Nuclear Security Administration Act (50 U.S.C. 2451) is amended—

(1) by striking “In the” and inserting “(1) In the”; and

(2) by adding at the end the following new paragraph:

“(2) In the budget justification materials submitted to Congress in support of each such budget, the Administrator shall include an assessment of how the budget maintains the core nuclear weapons skills of the Administration, including nuclear weapons design, engineering, production, testing, and prediction of stockpile aging.”.

SEC. 3113. CONTRACTOR GOVERNANCE, OVERSIGHT, AND ACCOUNTABILITY.

(a) OVERSIGHT OF CONTRACTORS.—

(1) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by adding after section 3264 the following new section:

“SEC. 3265. CONTRACTOR GOVERNANCE, OVERSIGHT, AND ACCOUNTABILITY.

“(a) PERFORMANCE-BASED CONTRACTOR GOVERNANCE, MANAGEMENT, AND OVERSIGHT.—(1) The Administrator shall establish a system of governance, management, and oversight of covered contractors.

“(2) The system established under paragraph (1) shall—

“(A) include clear, consistent, and auditable performance-based standards relating to the mission effectiveness and operations of a covered contractor;

“(B) ensure that the governance, management, and oversight of the mission effectiveness and operations of a covered contractor is conducted pursuant to national and international standards and best practices;

“(C) recognize the respective roles of—

“(i) the Federal Government in determining the performance-based standards with respect to high-level mission and operations performance objectives; and

“(ii) a covered contractor, particularly a contractor that is a federally funded research and development corporation, in determining how to accomplish such objectives;

“(D) conduct oversight based on outcomes and performance-based standards rather than detailed, transaction-based oversight; and

“(E) include appropriate measures to ensure that the Administrator has accurate and consistent data and information to manage and make decisions with respect to the nuclear security enterprise.

“(3)(A) The Administrator may exempt individual areas of governance, management, and oversight from the requirements of the system established under paragraph (1) and continue to conduct transaction-based oversight if the Administrator determines that such exemption is necessary to ensure the national security or the safety, security, or performance of the Administration.

“(B) If the Administrator makes an exemption under subparagraph (A), the Administrator shall annually submit to the congressional defense committees a certification for each such exemption, including a description of why such exemption is needed.

“(C) During the three-year period beginning on the date of the enactment of this

section, the Administrator may temporarily exempt individual facilities or contractors from the system established under paragraph (1) and continue to conduct transaction-based oversight if the Administrator determines that such exemption is needed to ensure that robust contractor assurance, accountability, and performance-based oversight mechanisms are in place for such facility or contractor.

“(D) If the Administrator makes an exemption under subparagraph (C), the Administrator shall annually submit to the congressional defense committees a written justification for such exemption and a plan and schedule to transition the exempted facility or contractor to the system established under paragraph (1).

“(b) CONTRACTOR ACCOUNTABILITY.—The Administrator shall—

“(1) ensure that each management and operating contract includes robust mechanisms to ensure the accountability of a covered contractor; and

“(2) exercise such mechanisms as the Administrator determines appropriate to ensure the performance of the covered contractor.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘covered contractor’ means a contractor who enters into a management and operating contract.

“(2) The term ‘management and operating contract’ means a contract entered into by the Administrator and a contractor to manage and operate a Government-owned, contractor-operated facility.

“(3) The term ‘performance-based standards’, with respect to a covered contract, means that the contract includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3264 the following new item:

“Sec. 3265. Contractor governance, oversight, and accountability.”.

(b) REPORTS.—Not later than January 15, 2013, and each year thereafter through 2016, the Administrator shall submit to the congressional defense committees a report that includes—

(1) a description of each instance during the previous calendar year in which the Administrator, or any other head of an agency of the Federal Government, used a procedure, standard, or process for governance, management, and oversight of a covered contract (as defined in section 3265(d)(1) of the National Nuclear Security Administration Act, as added by subsection (a)(1)) that is not a procedure, standard, or process that conforms to national or international standards or industry best practices;

(2) an explanation of why such procedure, standard, or process was used during such year and any steps that will be taken by the Administrator or other head of an agency, as the case may be, in future years to instead use a procedure, standard, or process that conforms to national or international standards or industry best practices; and

(3) a description of any oversight activities by any agency of the Federal Government that occurred during the previous calendar year that the Administrator considers duplicative or unnecessary.

SEC. 3114. NATIONAL NUCLEAR SECURITY ADMINISTRATION COUNCIL.

(a) NNSA COUNCIL.—Section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) is amended to read as follows:

“SEC. 4102. MANAGEMENT STRUCTURE FOR NUCLEAR SECURITY ENTERPRISE.

“(a) IN GENERAL.—The Administrator shall establish a management structure for the nuclear security enterprise in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.).

“(b) NATIONAL NUCLEAR SECURITY ADMINISTRATION COUNCIL.—(1) The Administrator shall establish a council to be known as the ‘National Nuclear Security Administration Council’. The Council may advise the Administrator on scientific and technical issues relating to policy matters, operational concerns, strategic planning, and the development of priorities relating to the mission and operations of the Administration and the nuclear security enterprise.

“(2) The Council shall be composed of the directors of the national security laboratories and the nuclear weapons production facilities.

“(3) The Council may provide the Administrator or the Secretary of Energy recommendations for improving the—

“(A) governance, management, effectiveness, and efficiency of the Administration; and

“(B) any other matter in accordance with paragraph (1).

“(4) Not later than 60 days after the date on which any recommendation under paragraph (3) is received, the Administrator or the Secretary, as the case may be, shall respond to the Council with respect to whether such recommendation will be implemented and the reasoning for implementing or not implementing such recommendation.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4102 and inserting the following new item:

“Sec. 4102. Management structure for nuclear security enterprise.”.

SEC. 3115. SAFETY, HEALTH, AND SECURITY OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) SECURITY OF ASSETS AND INFORMATION.—

(1) IN GENERAL.—Section 3231 of the National Nuclear Security Administration Act (50 U.S.C. 2421) is amended to read as follows:

“SEC. 3231. PROTECTION OF SPECIAL NUCLEAR MATERIAL AND NATIONAL SECURITY INFORMATION.

“(a) POLICIES AND PROCEDURES REQUIRED.—The Administrator shall establish policies and procedures to ensure the protection of—

“(1) special nuclear material and other sensitive physical assets of the Administration; and

“(2) classified information in the possession of the Administration.

“(b) PROMPT REPORTING.—The Administrator shall establish procedures to ensure prompt reporting to the Administrator of any significant problem, abuse, violation of law or Executive order, or deficiency relating to the—

“(1) protection of the special nuclear material and other sensitive physical assets of the Administration; and

“(2) management of classified information by personnel of the Administration.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3231 and inserting the following new item:

“Sec. 3231. Protection of special nuclear material and national security information.”.

(b) HEALTH AND SAFETY.—

(1) IN GENERAL.—Section 3261 of the National Nuclear Security Administration Act (50 U.S.C. 2461) is amended—

(A) in subsection (a), by striking “The Administrator” and inserting “In accordance with subsections (c) and (d), the Administrator”;

(B) by striking subsection (c);

(C) by adding at the end the following new subsection:

“(c) NON-NUCLEAR HEALTH AND SAFETY.—(1) In carrying out this section with respect to non-nuclear operations, the Administrator shall ensure that the Administration complies with all applicable occupational safety and health standards promulgated under the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) that are administered by the Secretary of Labor.

“(2) With respect to complying with the occupational safety and health standards under paragraph (1), and conducting oversight of such occupational safety and health standards, the Administrator shall ensure that such complying and oversight by the Administration is conducted—

“(A) in accordance with best industry and Government practices for meeting such standards; and

“(B) in accordance with the performance-based system of governance, management, and oversight established under section 3265, notwithstanding the exemption authority under subsection (a)(3) of such section.

“(3) Except as provided by paragraph (4), the Administrator may not establish or prescribe any order, rule, or regulation regarding occupational safety and health unless such order, rule, or regulation is pursuant to an occupational safety and health standard described in paragraph (1).

“(4)(A) In carrying out paragraph (3)—

“(i) the Administrator may waive the requirement under such paragraph for any type of high hazard operations if the Administrator determines that such waiver is necessary to ensure safety; and

“(ii) the Administrator shall waive such requirements for operations involving beryllium.

“(B) The Administrator shall submit an annual certification to the congressional defense committees regarding why any such waivers made under subparagraph (A) are required to ensure safety.”; and

(D) by adding after subsection (c), as added by subparagraph (C), the following new subsection:

“(d) NUCLEAR HEALTH AND SAFETY.—(1) In carrying out this section with respect to nuclear operations, the Administrator shall prescribe appropriate policies and regulations to ensure the adequate protection of the health and safety of the employees of the Administration, contractors of the Administration, and the public. Such policies and regulations shall be based upon risk whenever sufficient data exists.

“(2) With respect to prescribing and complying with the policies and regulations under paragraph (1), and conducting oversight of such policies and regulations by the Administration, the Administrator shall ensure that such prescribing, complying, and oversight is conducted in accordance with the performance-based system of governance, management, and oversight established under section 3265, notwithstanding the exemption authority under subsection (a)(3) of such section.

“(3) CONSTRUCTION.—Nothing in this subsection shall be construed to cause a reduction in nuclear safety standards.”.

(2) NUCLEAR HEALTH AND SAFETY EFFECTIVE DATE.—The amendment made by paragraph (1)(D) shall take effect October 1, 2013.

(c) REPORT ON AUTHORITY FOR NUCLEAR SAFETY.—Not later than March 1, 2013, the Administrator shall submit to the congressional defense committees a report that includes—

(1) an implementation plan describing the actions needed to fully transition the policy,

regulatory, and oversight authority for the nuclear safety of the nuclear security enterprise from the Department of Energy to the Administration; and

(2) a description of the costs and benefits of such a transition.

SEC. 3116. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS.

(a) PROTOTYPES.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4508 the following new section:

“SEC. 4509. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS FOR INTELLIGENCE PURPOSES.

“(a) PROTOTYPES.—The Administrator shall develop and carry out a plan for the national security laboratories and nuclear weapons production plants to design and build prototypes of nuclear weapons to further intelligence estimates with respect to foreign nuclear weapons activities.

“(b) PROHIBITION ON PRODUCTION OF NUCLEAR YIELDS.—In carrying out subsection (a), the Administrator may not conduct any experiments that produce a nuclear yield.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4508 the following new item:

“Sec. 4509. Design and use of prototypes of nuclear weapons for intelligence purposes.”.

SEC. 3117. IMPROVEMENT AND STREAMLINING OF THE MISSIONS AND OPERATIONS OF THE DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security, in coordination with the Secretary of Defense and other officials, as the Secretary of Energy and the Administrator consider appropriate, shall revise the Department of Energy Acquisition Regulation and other regulations, rules, directives, orders, and policies that apply to the administration, execution, and oversight of the missions and operations of the Department of Energy and the National Nuclear Security Administration to improve and streamline such administration, execution, and oversight.

(b) IMPROVEMENT AND STREAMLINING.—In carrying out subsection (a), the Secretary of Energy and the Administrator for Nuclear Security shall—

(1) streamline business processes and structures to reduce unnecessary, burdensome, or duplicative approvals;

(2) delegate approval for work for others agreements and cooperative research and development agreements (except those that the Secretary or Administrator determine are high value or unique) to the management and operating contractors of a Government-owned, contractor-operated facility of the Department or Administration and hold such contractors accountable for maintaining appropriate portfolios with respect to such agreements;

(3) establish processes for ensuring routine or low-risk procurement and subcontracting decisions are made at the discretion of the management and operating contractors while ensuring that the Secretary or Administrator apply appropriate oversight;

(4) assess procurement thresholds as of the date of the enactment of this Act and take steps as appropriate to adjust such thresholds;

(5) eliminate duplicative or low-value reports and data calls and ensure consistency in management and cost accounting data; and

(6) otherwise streamline, clarify, and eliminate redundancy in the regulations, rules, directives, orders, and policies described by subsection (a).

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Administrator shall provide to the appropriate congressional committees a briefing on the regulations, rules, directives, orders, and policies improved and streamlined pursuant to subsection (a).

(2) APPROPRIATE COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SEC. 3118. COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

(a) LIMITATION.—The Administrator for Nuclear Security may not release a final request for proposal for competition of any contract to manage and operate a facility of the National Nuclear Security Administration until the date on which the Administrator submits to the congressional defense committees a report described in subsection (b).

(b) REPORT DESCRIBED.—A report described in this subsection is a report on a request for proposal for competition described in subsection (a) that includes—

(1) the expected cost savings resulting from the competition over the life of the contract;

(2) the costs of the competition, including immediate costs of conducting the competition and any increased costs over the life of the contract;

(3) a description of—

(A) any disruption or delay in mission activities or deliverables resulting from the competition; and

(B) any benefits of the proposed competition to mission performance or operations;

(4) how the competition complies with the Federal Acquisition Regulation regarding federally funded research and development centers, if applicable; and

(5) any other matters the Administrator considers appropriate.

(c) GAO REVIEW.—Not later than 90 days after each report is submitted to the congressional defense committees under subsection (a) or (d)(2), the Comptroller General of the United States shall submit to such committees a review of such report.

(d) APPLICABILITY.—

(1) IN GENERAL.—The limitation in subsection (a) shall apply with respect to a request for proposal described by such subsection that is released by the Administrator for Nuclear Security during fiscal years 2012 through 2017.

(2) FISCAL YEAR 2012 RFPS.—For each request for proposal described by subsection (a) that is released by the Administrator during fiscal year 2012 before the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report described in subsection (b) by not later than 90 days after the date of such enactment.

SEC. 3119. LIMITATION ON AVAILABILITY OF FUNDS FOR INERTIAL CONFINEMENT FUSION IGNITION AND HIGH YIELD CAMPAIGN.

(a) LIMITATION.—Except as provided in subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for fusion ignition under the Inertial Confinement Fusion Ignition and High Yield Campaign, not more than 50 percent may be obligated or expended until the date on which—

(1) the Administrator for Nuclear Security certifies to the congressional defense committees that fusion ignition has been achieved at the National Ignition Facility at Lawrence Livermore National Laboratory; or

(2) the Administrator submits to such committees a detailed report on fusion ignition, including—

(A) a thorough description of the remaining technical challenges and gaps in understanding with respect to such ignition;

(B) a plan and schedule for reevaluating the ignition program and incorporating experimental data into computer models;

(C) the best judgment of the Administrator with respect to whether ignition can be achieved at the National Ignition Facility, as designed on the date of the report; and

(D) if funding being spent on ignition research as of the date of the report were applied to life extension programs—

(i) a description of such programs that could be accelerated or otherwise improved; and

(ii) how such funding changes would affect the stockpile stewardship program.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to the Z machine at Sandia National Laboratories or the Omega laser system at the University of Rochester.

SEC. 3120. LIMITATION ON AVAILABILITY OF FUNDS FOR GLOBAL SECURITY THROUGH SCIENCE PARTNERSHIPS PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the National Nuclear Security Administration, not more than \$8,000,000 may be obligated or expended for the Global Security through Science Partnerships Program, formerly known as the Global Initiatives for Proliferation Prevention Program, until the date on which the Secretary of Energy submits to the appropriate congressional committees the report under subsection (b).

(b) REPORT.—The Secretary of Energy shall submit to the appropriate congressional committees a report with a plan to complete the Global Security through Science Partnerships Program by the end of calendar year 2015 or with a detailed justification on the continued threat and how the continuation of the program would effectively address such threat.

(c) FORM.—The report under subsection (b) may be submitted in unclassified form and may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 3121. LIMITATION ON AVAILABILITY OF FUNDS FOR CENTER OF EXCELLENCE ON NUCLEAR SECURITY.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the National Nuclear Security Administration, not more than \$7,000,000 may be obligated or expended for the United States-China Center of Excellence on Nuclear Security until the date on which the Secretary of Energy submits to the appropriate congressional committees the report under subsection (b)(2).

(b) NUCLEAR SECURITY.—

(1) REVIEW.—The Secretary of Energy, in coordination with the Secretary of Defense, shall conduct a review of the existing and planned non-proliferation activities with the People's Republic of China as of the date of

the enactment of this Act to determine if the engagement is directly or indirectly supporting the proliferation of nuclear weapons development and technology to other nations.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the appropriate congressional committees a report certifying that the activities reviewed under paragraph (1) are not contributing to the proliferation of nuclear weapons development and technology to other nations.

(c) FORM.—The report under subsection (b)(2) may be submitted in unclassified form and may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 3122. TWO-YEAR EXTENSION OF SCHEDULE FOR DISPOSITION OF WEAPONS-USABLE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.

Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (C), by striking “2012” and inserting “2014”; and

(B) in subparagraph (D), by striking “2017” and inserting “2019”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “by January 1, 2012”;

(B) in paragraph (4), by striking “2012” each place it appears and inserting “2014”; and

(C) in paragraph (5), by striking “2012” and inserting “2014”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “2012” and inserting “2014”;

(B) in paragraph (1), by striking “2014” and inserting “2016”; and

(C) in paragraph (2), by striking “2020” each place it appears and inserting “2022”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “2014” and inserting “2016”; and

(ii) by striking “2019” and inserting “2021”; and

(B) in paragraph (2)(A), by striking “2020” each place it appears and inserting “2022”; and

(5) in subsection (e), by striking “2023” and inserting “2025”.

SEC. 3123. LIMITATION ON AVAILABILITY OF FUNDS FOR NUCLEAR NON-PROLIFERATION ACTIVITIES WITH RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for defense nuclear nonproliferation may be obligated or expended for nuclear nonproliferation activities with the Russian Federation until the date that is 30 days after the date on which the Secretary of Energy certifies, in coordination with the Secretary of State and the Secretary of Defense, to the appropriate congressional committees that—

(1) Russia is no longer—

(A) providing direct or indirect support to the government of Syria's suppression of the Syrian people; and

(B) transferring to Iran, North Korea, or Syria equipment and technology that have the potential to make a material contribution to the development of weapons of mass destruction or cruise or ballistic missile systems controlled under multilateral control lists; or

(2) funds planned to be obligated or expended for nuclear nonproliferation activities with the Russian Federation are strictly for project closeout activities and will not be used for new activities or activities that will extend beyond fiscal year 2013.

(b) WAIVER.—The Secretary of Energy may waive the limitation in subsection (a) if—

(1) the Secretary determines that such waiver is in the national security interests of the United States;

(2) the Secretary briefs, in an unclassified form, the appropriate congressional committees on the justifications of such waiver; and

(3) a period of 90 days has elapsed following the date on which such briefing is held.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

Subtitle C—Improvements to National Security Energy Laws

SEC. 3131. IMPROVEMENTS TO THE ATOMIC ENERGY DEFENSE ACT.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) is amended to read as follows:

“SEC. 4002. DEFINITIONS.

“In this division:

“(1) The term ‘Administration’ means the National Nuclear Security Administration.

“(2) The term ‘Administrator’ means the Administrator for Nuclear Security.

“(3) The term ‘classified information’ means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

“(4) The term ‘congressional defense committees’ means—

“(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

“(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

“(5) The term ‘nuclear security enterprise’ means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.

“(6) The term ‘national security laboratory’ means any of the following:

“(A) Los Alamos National Laboratory, Los Alamos, New Mexico.

“(B) Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.

“(C) Lawrence Livermore National Laboratory, Livermore, California.

“(7) The term ‘nuclear weapons production facility’ means any of the following:

“(A) The Kansas City Plant, Kansas City, Missouri.

“(B) The Pantex Plant, Amarillo, Texas.

“(C) The Y-12 National Security Complex, Oak Ridge, Tennessee.

“(D) The Savannah River Site, Aiken, South Carolina.

“(E) The Nevada National Security Site, Nevada.

“(F) Any facility of the Department of Energy that the Secretary of Energy, in consultation with the Administrator and the Congress, determines to be consistent with the mission of the Administration.

“(8) The term ‘Restricted Data’ has the meaning given such term in section 11 y. of

the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4002 and inserting the following new item:

“Sec. 4002. Definitions.”.

(b) STOCKPILE STEWARDSHIP.—Section 4201(b)(5)(E) of the Atomic Energy Defense Act (50 U.S.C. 2521(b)(5)(E)) is amended by striking “(as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471))”.

(c) ANNUAL ASSESSMENTS.—Section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) is amended by striking subsection (i).

(d) TESTING OF NUCLEAR WEAPONS.—(1) IN GENERAL.—Section 4210 of the Atomic Energy Defense Act (50 U.S.C. 2530) is amended to read as follows:

“SEC. 4210. TESTING OF NUCLEAR WEAPONS.

“(a) UNDERGROUND TESTING.—No underground test of nuclear weapons may be conducted by the United States after September 30, 1996, unless a foreign state conducts a nuclear test after this date, at which time the prohibition on United States nuclear testing is lifted.

“(b) ATMOSPHERIC TESTING.—None of the funds appropriated pursuant to the National Defense Authorization Act for Fiscal Year 1994 or any other Act for any fiscal year may be available to maintain the capability of the United States to conduct atmospheric testing of a nuclear weapon.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the items relating to sections 4210 and 4211 and inserting the following new item:

“Sec. 4210. Testing of nuclear weapons.”.

(3) CONFORMING AMENDMENT.—Section 4211 of the Atomic Energy Defense Act (50 U.S.C. 2531) is repealed.

(e) MANUFACTURING INFRASTRUCTURE.—Section 4212 of the Atomic Energy Defense Act (50 U.S.C. 2532) is amended by striking subsections (d) and (e).

(f) CRITICAL DIFFICULTIES REPORT.—

(1) IN GENERAL.—Section 4213 of the Atomic Energy Defense Act (50 U.S.C. 2533) is amended—

(A) in the heading, by striking “nuclear weapons laboratories and nuclear weapons production plants” and inserting “national security laboratories and nuclear weapons production facilities”;

(B) in subsection (a), by striking “Assistant Secretary of Energy for Defense Programs” and inserting “Administrator”;

(C) by striking “Assistant Secretary” each place it appears and inserting “Administrator”;

(D) by striking “nuclear weapons laboratory” each place it appears and inserting “national security laboratory”;

(E) by striking “production plant” each place it appears and inserting “production facility”;

(F) by striking subsection (e).

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4213 and inserting the following new item:

“Sec. 4213. Reports on critical difficulties at national security laboratories and nuclear weapons production facilities.”.

(g) PLAN FOR TRANSFORMATION.—

(1) IN GENERAL.—Section 4214 of the Atomic Energy Defense Act (50 U.S.C. 2534) is amended—

(A) by striking subsections (b) and (d); and

(B) by redesignating subsection (c) as subsection (b).

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4213 the following new item:

“Sec. 4214. Plan for transformation of national nuclear security administration nuclear weapons complex.”.

(h) TRITIUM PRODUCTION PROGRAM.—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541) is amended to read as follows:

“SEC. 4231. TRITIUM PRODUCTION PROGRAM.

“(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a tritium production program that is capable of meeting the tritium requirements of the United States for nuclear weapons. In carrying out the tritium production program, the Secretary shall assess alternative means for tritium production, including production through—

“(1) types of new and existing reactors, including multipurpose reactors (such as advanced light water reactors and gas turbine gas-cooled reactors) capable of meeting both the tritium production requirements and the plutonium disposition requirements of the United States for nuclear weapons;

“(2) an accelerator; and

“(3) multipurpose reactor projects carried out by the private sector and the Government.

“(b) LOCATION OF TRITIUM PRODUCTION FACILITY.—The Secretary shall locate any new tritium production facility of the Department of Energy at the Savannah River Site, South Carolina.”.

(i) TRITIUM RECYCLING FACILITIES.—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544) is amended—

(1) by striking “(a) IN GENERAL.—The Secretary of Energy” and inserting “The Secretary”; and

(2) by striking subsection (b).

(j) RESTRICTED DATA.—Section 4501 of the Atomic Energy Defense Act (50 U.S.C. 2651(a)) is amended by striking subsection (c).

(k) FOREIGN VISITORS.—Section 4502 of the Atomic Energy Defense Act (50 U.S.C. 2652) is amended—

(1) by striking “national laboratory” each place it appears and inserting “national security laboratory”; and

(2) in subsection (g), by striking paragraphs (3) and (4).

(l) BACKGROUND INVESTIGATIONS.—Section 4503 of the Atomic Energy Defense Act (50 U.S.C. 2653) is amended—

(1) by striking “(a) IN GENERAL.—”;

(2) by striking subsections (b) and (c); and

(3) by striking “national laboratory” and inserting “national security laboratory”.

(m) SECURITY FUNCTIONS REPORT.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended—

(1) by striking “(a) IN GENERAL.—”;

(2) by striking subsection (b).

(n) COUNTERINTELLIGENCE REPORT.—Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is amended—

(1) by striking “national laboratories” each place it appears and inserting “national security laboratories”; and

(2) by striking subsection (c).

(o) COMPUTER SECURITY REPORT.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659)—

(1) in subsection (a), by striking “national laboratories” and inserting “national security laboratories”; and

(2) by striking subsections (e) and (f).

(p) DOCUMENT REVIEW.—Section 4521 of the Atomic Energy Defense Act (50 U.S.C. 2671) is amended by striking subsection (c).

(q) REPORTS ON LOCAL IMPACT ASSISTANCE.—

(1) IN GENERAL.—Section 4604(f) of the Atomic Energy Defense Act (50 U.S.C. 2704(f)) is amended by adding at the end the following new paragraph:

“(3) In addition to the plans submitted under paragraph (1), the Secretary of Energy shall submit to Congress every six months a report setting forth a description of, and the amount or value of, all local impact assistance provided during the preceding six months under subsection (c)(6).”

(2) CONFORMING AMENDMENT.—Section 4851 of the Atomic Energy Defense Act (50 U.S.C. 2821) is repealed.

(3) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4851.

(F) RECRUITMENT AND TRAINING.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—

(1) in subsection (b)—

(A) by striking “(1) As part of” and inserting “As part of”; and

(B) by striking paragraph (2); and

(2) by striking subsection (d).

(S) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—

(A) in the heading, by striking “department of energy nuclear weapons complex” and inserting “nuclear security enterprise”;

(B) by striking “Department of Energy nuclear weapons complex” each place it appears and inserting “nuclear security enterprise”;

(C) in subsection (c), by striking “following” and all that follows through the period at the end and inserting “national security laboratories and nuclear weapon production facilities.”; and

(D) in subsection (f)(2), by striking “the Department of Energy for” and inserting “the nuclear security enterprise for”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4623 and inserting the following new item:

“Sec. 4623. Fellowship program for development of skills critical to the nuclear security enterprise.”

(T) COST OVERRUNS.—Section 4713(a)(1)(A) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)(1)(A)) is amended—

(1) by striking “for Nuclear Security”; and

(2) by striking “National Nuclear Security”.

(U) BUDGET REQUEST.—

(1) IN GENERAL.—Section 4731 of the Atomic Energy Defense Act (50 U.S.C. 2771) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4731.

(V) CONTRACTOR BONUSES.—Section 4802 of the Atomic Energy Defense Act (50 U.S.C. 2782) is amended—

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(W) FUNDS FOR RESEARCH AND DEVELOPMENT.—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended—

(1) by striking subsections (b) through (d); and

(2) by redesignating subsection (e) as subsection (b).

(X) TECHNOLOGY PARTNERSHIPS.—Section 4813(c) of the Atomic Energy Defense Act (50 U.S.C. 2794(c)) is amended by striking paragraph (5).

(Y) UNIVERSITY COLLABORATION.—Section 4814 of the Atomic Energy Defense Act (50 U.S.C. 2795) is amended by striking subsection (c).

(Z) ENGINEERING AND MANUFACTURING RESEARCH.—Section 4832 of the Atomic Energy Defense Act (50 U.S.C. 2812) is amended by striking subsections (c) through (e).

(aa) PILOT PROGRAM REPORT.—Section 4833 of the Atomic Energy Defense Act (50 U.S.C. 2813) is amended by striking subsection (e).

(bb) TECHNICAL AMENDMENTS.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended as follows:

(1) By striking “Nevada Test Site” each place it appears and inserting “Nevada National Security Site”.

(2) By striking “Director of Central Intelligence” each place it appears and inserting “Director of National Intelligence”.

SEC. 3132. IMPROVEMENTS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.

(a) NUCLEAR SECURITY ENTERPRISE REFERENCE.—

(1) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended by striking “nuclear weapons complex” each place it appears and inserting “nuclear security enterprise”.

(2) GAO REPORTS.—Section 3255 of the National Nuclear Security Administration Act (50 U.S.C. 2455) is amended—

(A) by striking “nuclear security complex” each place it appears and inserting “nuclear security enterprise”; and

(B) in subsection (b), by striking paragraph (3).

(3) DEFINITION.—Section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471) is amended by adding at the end the following new paragraph:

“(6) The term ‘nuclear security enterprise’ means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.”

(b) TRANSFER OF FUNCTIONS.—

(1) NEW TRANSFERS.—

(A) IN GENERAL.—Section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481) is amended to read as follows:

“SEC. 3291. TRANSFER OF FUNCTIONS.

“(a) AUTHORITY TO TRANSFER FUNCTIONS.—The Secretary of Energy may transfer to the Administrator any facility, mission, or function of the Department of Energy that the Secretary, in consultation with the Administrator and Congress, determines to be consistent with the mission of the Administration.

“(b) ENVIRONMENTAL REMEDIATION AND WASTE MANAGEMENT ACTIVITIES.—In the case of any environmental remediation and waste management activity of any element of the Administration, the Secretary of Energy may determine to transfer responsibility for that activity to another element of the Department of Energy.

“(c) TRANSFER OF FUNDS.—(1) Any balance of appropriations that the Secretary of Energy determines is available and needed to finance or discharge a function, power, or duty or an activity that is transferred to the Administration shall be transferred to the Administration and used for any purpose for which those appropriations were originally available. Balances of appropriations so transferred shall—

“(A) be credited to any applicable appropriation account of the Administration; or

“(B) be credited to a new account that may be established on the books of the Department of the Treasury; and shall be merged with the funds already credited to that account and accounted for as one fund.

“(2) Balances of appropriations credited to an account under paragraph (1)(A) are subject only to such limitations as are specifically applicable to that account. Balances of

appropriations credited to an account under paragraph (1)(B) are subject only to such limitations as are applicable to the appropriations from which they are transferred.

“(d) PERSONNEL.—(1) With respect to any function, power, or duty or activity of the Department of Energy that is transferred to the Administration, those employees of the element of the Department of Energy from which the transfer is made that the Secretary of Energy determines are needed to perform that function, power, or duty, or for that activity, as the case may be, shall be transferred to the Administration.

“(2) The authorized strength in civilian employees of any element of the Department of Energy from which employees are transferred under this section is reduced by the number of employees so transferred.”

(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3291 and inserting the following new item:

“Sec. 3291. Transfer of Functions.”

(2) APPLICABILITY OF EXISTING LAWS AND REGULATIONS.—Section 3296 of the National Nuclear Security Administration Act (50 U.S.C. 2484) is amended to read as follows:

“SEC. 3296. APPLICABILITY OF PREEXISTING LAWS AND REGULATIONS.

“With respect to any facility, mission, or function of the Department of Energy that the Secretary of Energy transfers to the Administrator under section 3291, unless otherwise provided in this title, all provisions of law and regulations in effect immediately before the date of the transfer that are applicable to such facility, mission, or functions shall continue to apply to the corresponding functions of the Administration.”

(3) RULE OF CONSTRUCTION.—Nothing in section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481), as amended by paragraph (1), may be construed to affect any function or activity transferred by the Secretary of Energy to the Administrator for Nuclear Security before the date of the enactment of this Act.

(c) REPEAL OF EXPIRED PROVISIONS.—

(1) IN GENERAL.—The following sections of the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) are repealed:

(A) Section 3242 (50 U.S.C. 2442).

(B) Section 3292 (50 U.S.C. 2482).

(C) Section 3295 (50 U.S.C. 2483).

(D) Section 3297 (50 U.S.C. 2401 note).

(2) CLERICAL AMENDMENTS.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to sections 3242, 3292, 3295, and 3297.

(d) TECHNICAL AMENDMENTS TO THE NNSA ACT.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended as follows:

(1) In section 3212(a)(2) (50 U.S.C. 2402), by striking “as added by section 3202 of this Act.”

(2) In section 3253(b)(3) (50 U.S.C. 2453(b)(3)), by striking “section 3158 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (42 U.S.C. 2121 note)” and inserting “section 4202(a) of the Atomic Energy Defense Act (50 U.S.C. 2522(a))”.

(3) In section 3281(2) (50 U.S.C. 2471(2))—

(A) in subparagraph (C), by striking “Y-12 Plant” and inserting “Y-12 National Security Complex”; and

(B) in subparagraph (D), by striking “tritium operations facilities at the”.

(4) By striking “Nevada Test Site” each place it appears and inserting “Nevada National Security Site”.

(e) TECHNICAL AMENDMENT TO THE DOE ORGANIZATION ACT.—Section 643 of the Depart-

ment of Energy Organization Act (42 U.S.C. 7253) is amended by redesignating the second subsection (b) as subsection (c).

SEC. 3133. CLARIFICATION OF THE ROLE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) **ROLE UNDER NNSA ACT.**—

(1) **FUNCTION.**—Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—

(A) in subsection (b), by striking “all programs and activities of the Administration” and inserting “all programs, policies, regulations, and rules of the Administration”; and

(B) in subsection (d), by striking “, unless disapproved by the Secretary of Energy.” and inserting “to carry out the mission and functions of the Administration, except as provided by section 3219.”.

(2) **ROLE OF THE SECRETARY OF ENERGY.**—

(A) **IN GENERAL.**—Section 3219 of the National Nuclear Security Administration Act (50 U.S.C. 2409) is amended to read as follows:

“SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY REGARDING THE ADMINISTRATION.

“(a) **IN GENERAL.**—(1) The Secretary of Energy may disapprove any action, policy, regulation, or rule of the Administrator if—

“(A) the Secretary submits to the congressional defense committees justification for such disapproval; and

“(B) a period of 15 days has elapsed following the date on which such justification was submitted.

“(2) Nothing in this title may be construed to provide authority to the Secretary of Energy to administer, enforce, or oversee the activities under this title except—

“(A) as provided by paragraph (1); or

“(B) to the extent otherwise specifically provided by law.

“(3) Except as provided by this section, the Administrator shall have complete authority to establish and conduct oversight of policies, activities, and procedures of the Administration without direction or oversight by the Secretary of Energy.

“(4) The authority of the Secretary under paragraph (1) may be delegated only to the Deputy Secretary of Energy, without further redelegation.

“(b) **LIMITATION ON TRANSFER.**—Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish, abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by section 3291.”.

(B) **CLERICAL AMENDMENT.**—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3219 and inserting the following new item:

“Sec. 3219. Scope of Authority of Secretary of Energy regarding the Administration.”.

(C) **DEPARTMENT OF ENERGY ORGANIZATION ACT.**—Section 202(c)(3) of the Department of Energy Organization Act (42 U.S.C. 7132(c)(3)) is amended to read as follows:

“(3) The Under Secretary for Nuclear Security shall serve as the Administrator for Nuclear Security under section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402). In carrying out the functions of the Administrator, the Under Secretary shall be subject to the authority of the Secretary of Energy in accordance with section 3219 of such Act (50 U.S.C. 2409).”.

(3) **STATUS OF ADMINISTRATION AND CONTRACTOR PERSONNEL.**—Section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraph (B) and (C) as subparagraph (A) and (B), respectively; (ii) in paragraph (2), by striking “any other officer, employee, or agent of the Department of Energy” and inserting “any officer, employee, or agent of the Department of Energy, except as provided by section 3219”; and

(B) in subsection (b), by striking “except for” and all that follows through the period and inserting “except as provided by section 3219.”.

(4) **OFFICE OF DEFENSE NUCLEAR SECURITY.**—Section 3232 of the National Nuclear Security Administration Act (50 U.S.C. 2422) is amended to read as follows:

“SEC. 3232. OFFICE OF DEFENSE NUCLEAR SECURITY.

“(a) **ESTABLISHMENT.**—There is within the Administration an Office of Defense Nuclear Security, headed by a Chief appointed by the Administrator.

“(b) **CHIEF OF DEFENSE NUCLEAR SECURITY.**—(1) The head of the Office of Defense Nuclear Security is the Chief of Defense Nuclear Security, who shall report to the Administrator and shall implement the security policies directed by the Administrator.

“(2) The Chief shall be responsible for the development and implementation of security programs and policies for the Administration, including the protection, control, and accounting of materials, and for the physical and cyber security for all facilities of the Administration.”.

(5) **COUNTERINTELLIGENCE PROGRAMS.**—Section 3233 of the National Nuclear Security Administration Act (50 U.S.C. 2423) is amended in each of subsections (a) and (b) by striking “The Secretary of Energy shall” and inserting “The Secretary of Energy, in coordination with the Administrator, shall”.

(6) **BUDGET TREATMENT.**—Section 3251(a) of the National Nuclear Security Administration Act (50 U.S.C. 2451(a)) is amended by striking “within the other amounts requested for the Department of Energy” and inserting “from the amounts requested for any other agency, including the Department of Energy”.

(7) **FUTURE-YEARS NUCLEAR SECURITY PROGRAM.**—Section 3253(b)(6) of the National Nuclear Security Administration Act (50 U.S.C. 2453(b)(6)) is amended by striking “, developed in consultation with the Director of the Office of Health, Safety, and Security of the Department of Energy.”.

(b) **ROLE UNDER THE AEDA.**—

(1) **STOCKPILE STEWARDSHIP.**—Section 4201(a) of the Atomic Energy Defense Act (50 U.S.C. 2521(a)) is amended by striking “The Secretary of Energy, acting through the Administrator for Nuclear Security,” and inserting “The Administrator”.

(2) **REPORT ON STOCKPILE STEWARDSHIP.**—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended—

(A) in subsection (a)—

(i) by striking “The Secretary of Energy” and inserting “The Administrator”; and

(ii) by striking “Department of Energy” and inserting “Administration”; and

(B) in subsection (b), by striking “The Secretary of Energy” and inserting “The Administrator”.

(3) **STOCKPILE MANAGEMENT.**—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(A) in subsection (a), by striking “The Secretary of Energy, acting through the Administrator for Nuclear Security” and inserting “The Administrator.”; and

(B) in subsection (b), by striking “Secretary of Energy” and inserting “Administrator”.

(4) **ANNUAL ASSESSMENTS.**—Section 4205(h) of the Atomic Energy Defense Act (50 U.S.C. 2525(h)) is amended to read as follows:

“(h) **SECRETARY CONCERNED DEFINED.**—In this section, the term ‘Secretary concerned’ means—

“(1) the Secretary of Energy, with respect to matters concerning the Administration; and

“(2) the Secretary of Defense, with respect to matters concerning the Department of Defense.”.

(5) **NUCLEAR TEST BAN READINESS PROGRAM.**—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended—

(A) in subsection (b), by striking “Secretary of Energy” and inserting “Administrator”; and

(B) in subsection (d), by striking “Secretary of Energy” and inserting “Administrator”.

(6) **SPECIFIC REQUEST REQUIREMENT.**—Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(A) in subsection (a)(1)—

(i) by striking “after fiscal year 2002 in which the Secretary of Energy” and inserting “in which the Administrator”; and

(ii) by striking “the Secretary shall” and inserting “the Administrator shall”; and

(B) in subsection (b), by striking “Secretary shall” and inserting “Administrator shall”.

(7) **MANUFACTURING INFRASTRUCTURE.**—Section 4212(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2532(a)(1)) is amended by striking “Secretary of Energy” and inserting “Administrator”.

(8) **PLAN FOR TRANSFORMATION.**—Section 4214 of the Atomic Energy Defense Act (50 U.S.C. 2534), as amended by section 3131(g)(1), is amended by striking “Secretary of Energy” each place it appears and inserting “Administrator”.

(9) **NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING.**—Section 4303(a) of the Atomic Energy Defense Act (50 U.S.C. 2563(a)) is amended—

(A) by striking “Secretary of Energy” and inserting “Administrator”; and

(B) by striking “Department of Energy” and inserting “Administration”.

(10) **TRITIUM PRODUCTION PROGRAM.**—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541), as amended by section 3131(h), is amended—

(A) by striking “Secretary” each place it appears and inserting “Administrator”; and

(B) in subsection (b), by striking “Department of Energy” and inserting “Administration”.

(11) **TRITIUM RECYCLING FACILITIES.**—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544), as amended by section 3131(i), is amended by striking “Secretary” and inserting “Administrator”.

(12) **CERTAIN FISSILE MATERIALS PROGRAM.**—Section 4305 of the Atomic Energy Defense Act (50 U.S.C. 2565) is amended by striking “Secretary of Energy” and inserting “Administrator”.

(13) **FISSILE MATERIALS MANAGEMENT PLAN.**—Section 4403(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2583(a)(1)) is amended by striking “the Office of Defense Programs” and inserting “the Administration”.

(14) **RESTRICTED DATA.**—Section 4501(a) of the Atomic Energy Defense Act (50 U.S.C. 2651(a)) is amended by striking “The Secretary of Energy” and inserting “The Administrator”.

(15) **BACKGROUND INVESTIGATIONS.**—Section 4503 of the Atomic Energy Defense Act (50 U.S.C. 2653), as amended by section 3131(l), is amended by striking “The Secretary of Energy” and inserting “The Administrator”.

(16) COUNTERINTELLIGENCE FAILURES.—Section 4505 of the Atomic Energy Defense Act (50 U.S.C. 2656) is amended—

(A) by striking “Secretary of Energy” each place it appears and inserting “Administrator”;

(B) by striking “Secretary” each place it appears and inserting “Administrator”;

(C) by striking “Department of Energy” each place it appears and inserting “Administration”;

(D) by striking “Department” each place it appears and inserting “Administration”.

(17) SECURITY FUNCTIONS REPORT.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657), as amended by section 3131(m), is amended by striking “the Secretary of Energy” and inserting “the Administrator”.

(18) COUNTERINTELLIGENCE REPORT.—Section 4507(a) of the Atomic Energy Defense Act (50 U.S.C. 2658(a)) is amended by striking “Secretary of Energy” and inserting “Administrator”.

(19) COMPUTER SECURITY REPORT.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is amended—

(A) in subsection (c), by striking “Secretary of Energy” each place it appears and inserting “Administrator”;

(B) in subsection (d), by striking “Secretary” each place it appears and inserting “Administrator”.

(20) DOCUMENT REVIEW.—Section 4521 of the Atomic Energy Defense Act (50 U.S.C. 2671) is amended—

(A) in subsection (a)—

(i) by striking “Secretary of Energy” and inserting “Administrator”;

(ii) by striking “Department of Energy” and inserting “Administration”;

(B) in subsection (b), by striking “Secretary” each place it appears and inserting “Administrator”.

(21) MANAGEMENT TRAINING.—

(A) IN GENERAL.—Section 4621 of the Atomic Energy Defense Act (50 U.S.C. 2721) is amended—

(i) in the heading, by inserting “and national nuclear security administration” after “energy”;

(ii) in subsection (a)—

(I) by striking “Secretary of Energy” and inserting “Under Secretary of Energy for Nuclear Security”;

(II) by inserting “and the Administration” after “the Department of Energy”;

(iii) in subsection (b)(1), by inserting “and Administration” after “Department of Energy”.

(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4621 and inserting the following new item:

“Sec. 4621. Executive management training in the Department of Energy and National Nuclear Security Administration.”

(22) RECRUITMENT AND TRAINING.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—

(A) in subsection (a), by striking “the Secretary of Energy” and inserting “the Administrator”;

(B) in subsection (c), by striking “Secretary” and inserting “Administrator”.

(23) FELLOWSHIP PROGRAM.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—

(A) by striking “Secretary of Energy” each place it appears and inserting “Administrator”;

(B) by striking “Secretary” each place it appears and inserting “Administrator”;

(C) in subsection (b)(1), by striking “Department of Energy” and inserting “Administration”;

(D) in subsection (e), by striking “, in consultation with the Assistant Secretary of Energy for Defense Programs,”.

(24) TRANSFER OF WEAPONS FUNDS.—Section 4711 of the Atomic Energy Defense Act (50 U.S.C. 2751) is amended—

(A) in subsection (a), by striking “Secretary of Energy” and inserting “Administrator”;

(B) in subsection (d), by striking “Secretary, acting through the Administrator for Nuclear Security,” and inserting “Administrator”;

(C) in subsection (e)—

(i) in paragraph (1)—

(I) by striking “Department of Energy” and inserting “Administration”;

(II) by striking “Department” and inserting “Administration”;

(ii) in paragraph (2), by inserting “or the Administration” after “Department of Energy”.

(25) COST OVERRUNS.—Section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by striking “Secretary of Energy” and inserting “Administrator”;

(II) in clause (ii), by striking “Department” and inserting “Administration”;

(ii) in subparagraph (B), by striking “Secretary” and inserting “Administrator”;

(B) in subsection (c)(2)(B), by inserting “or the Administration” after “Department of Energy”.

(26) PENALTIES.—Section 4721(a) of the Atomic Energy Defense Act (50 U.S.C. 2761(a)) is amended by striking “the Department of Energy for the Naval Nuclear Propulsion Program” and inserting “the Administration for the Naval Nuclear Reactor Program”.

(27) RESEARCH AND DEVELOPMENT.—Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791) is amended—

(A) in subsection (a), by inserting “and the Administration” after “Department of Energy”;

(B) in subsection (b)—

(i) by striking “The Secretary” and inserting “(1) Except as provided by paragraph (2), the Secretary”;

(ii) by adding at the end the following new paragraph:

“(2) With respect to the conduct of laboratory-directed research and development at laboratories of the Administration, the Administrator shall prescribe regulations for such conduct and oversee such regulations.”;

(C) in subsection (c), by inserting “or the Administrator” after “the Secretary”.

(28) FUNDS FOR RESEARCH AND DEVELOPMENT.—Subsection (a)(1) of section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792(a)(1)) is amended—

(A) by striking “the Department of Energy in” and inserting “the Administration in”;

(B) by striking “under the Department of Energy” and inserting “under the”;

(C) by striking “any Department of Energy” and inserting “any”;

(D) by striking “mission of the Department of Energy” and inserting “mission of the Administration”.

SEC. 3134. CONSOLIDATED REPORTING REQUIREMENTS RELATING TO NUCLEAR STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE.

(a) CONSOLIDATED PLAN FOR STEWARDSHIP, MANAGEMENT, AND CERTIFICATION OF WARHEADS IN THE NUCLEAR WEAPONS STOCKPILE.—

(1) IN GENERAL.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended to read as follows:

“SEC. 4203. NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.

“(a) PLAN REQUIREMENT.—The Administrator, in consultation with the Secretary of Defense and other appropriate officials of the departments and agencies of the Federal Government, shall develop and annually update a plan for sustaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, stockpile surveillance, program direction, infrastructure modernization, human capital, and nuclear test readiness. The plan shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.

“(b) SUBMISSIONS TO CONGRESS.—(1) In accordance with subsection (c), not later than March 15 of each even-numbered year, the Administrator shall submit to the congressional defense committees a summary of the plan developed under subsection (a).

“(2) In accordance with subsection (d), not later than March 15 of each odd-numbered year, the Administrator shall submit to the congressional defense committees a detailed report on the plan developed under subsection (a).

“(3) The summaries and reports required by this subsection shall be submitted in unclassified form, but may include a classified annex.

“(c) ELEMENTS OF BIENNIAL PLAN SUMMARY.—Each summary of the plan submitted under subsection (b)(1) shall include, at a minimum, the following:

“(1) A summary of the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type.

“(2) A summary of the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types.

“(3) A summary of the methods and information used to determine that the nuclear weapons stockpile is safe and reliable, as well as the relationship of science-based tools to the collection and interpretation of such information.

“(4) A summary of the status of the nuclear security enterprise, including programs and plans for infrastructure modernization and retention of human capital, as well as associated budgets and schedules.

“(5) A summary of the status of achieving the purposes of the program established under section 4207(b).

“(6) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

“(7) Such other information as the Administrator considers appropriate.

“(d) ELEMENTS OF BIENNIAL DETAILED REPORT.—Each detailed report on the plan submitted under subsection (b)(2) shall include, at a minimum, the following:

“(1) With respect to stockpile stewardship and management—

“(A) the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type;

“(B) for each five-year period occurring during the period beginning on the date of the report and ending on the date that is 20 years after the date of the report—

“(i) the planned number of nuclear warheads (including active and inactive) for each warhead type in the nuclear weapons stockpile; and

“(ii) the past and projected future total lifecycle cost of each type of nuclear weapon;

“(C) the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types;

“(D) a description of the process by which the Administrator assesses the lifetimes, and requirements for life extension or replacement, of the nuclear and non-nuclear components of the warheads (including active and inactive warheads) in the nuclear weapons stockpile;

“(E) a description of the process used in recertifying the safety, security, and reliability of each warhead type in the nuclear weapons stockpile;

“(F) any concerns of the Administrator which would affect the ability of the Administrator to recertify the safety, security, or reliability of warheads in the nuclear weapons stockpile (including active and inactive warheads);

“(G) mechanisms to provide for the manufacture, maintenance, and modernization of each warhead type in the nuclear weapons stockpile, as needed;

“(H) mechanisms to expedite the collection of information necessary for carrying out the stockpile management program required by section 4204, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials;

“(I) mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and nuclear weapons production facility, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel;

“(J) mechanisms to ensure that each national security laboratory has full and complete access to all weapons data to enable a rigorous peer-review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205;

“(K) mechanisms for allocating funds for activities under the stockpile management program required by section 4204, including allocations of funds by weapon type and facility; and

“(L) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4204.

“(2) With respect to science-based tools—

“(A) a description of the information needed to determine that the nuclear weapons stockpile is safe and reliable;

“(B) for each science-based tool used to collect information described in subparagraph (A), the relationship between such tool and such information and the effectiveness of such tool in providing such information based on the criteria developed pursuant to section 4202(a); and

“(C) the criteria developed under section 4202(a) (including any updates to such criteria).

“(3) An assessment of the stockpile stewardship program under section 4201 by the Administrator, in consultation with the directors of the national security laboratories, which shall set forth—

“(A) an identification and description of—

“(i) any key technical challenges to the stockpile stewardship program; and

“(ii) the strategies to address such challenges without the use of nuclear testing;

“(B) a strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.

“(C) an assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-

based tools expected to exist during the period covered by the future-years nuclear security program; and

“(D) an assessment of the core scientific and technical competencies required to achieve the objectives of the stockpile stewardship program and other weapons activities and weapons-related activities of the Administration, including—

“(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and

“(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.

“(4) With respect to the nuclear security infrastructure—

“(A) a description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements prescribed in—

“(i) the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) if such strategy has been submitted as of the date of the plan;

“(ii) the most recent quadrennial defense review if such strategy has not been submitted as of the date of the plan; and

“(iii) the most recent nuclear posture review as of the date of the plan;

“(B) a schedule for implementing the measures described under subparagraph (A) during the 10-year period following the date of the plan; and

“(C) the estimated levels of annual funds the Administrator determines necessary to carry out the measures described under subparagraph (A), including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.

“(5) With respect to the nuclear test readiness of the United States—

“(A) an estimate of the period of time that would be necessary for the Administrator to conduct an underground test of a nuclear weapon once directed by the President to conduct such a test;

“(B) a description of the level of test readiness that the Administrator, in consultation with the Secretary of Defense, determines to be appropriate;

“(C) a list and description of the workforce skills and capabilities that are essential to carrying out an underground nuclear test at the Nevada National Security Site;

“(D) a list and description of the infrastructure and physical plants that are essential to carrying out an underground nuclear test at the Nevada National Security Site; and

“(E) an assessment of the readiness status of the skills and capabilities described in subparagraph (C) and the infrastructure and physical plants described in subparagraph (D).

“(6) With respect to the program established under section 4207(b), a description of the progress made to the date of the report in achieving the purposes of such program.

“(7) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

“(e) NUCLEAR WEAPONS COUNCIL ASSESSMENT.—(1) For each detailed report on the plan submitted under subsection (b)(2), the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall conduct an assessment that includes the following:

“(A) An analysis of the plan, including—

“(i) whether the plan supports the requirements of the national security strategy of

the United States or the most recent quadrennial defense review, as applicable under subsection (d)(4)(A), and the Nuclear Posture Review; and

“(ii) whether the modernization and refurbishment measures described under subparagraph (A) of paragraph (4) and the schedule described under subparagraph (B) of such paragraph are adequate to support such requirements.

“(B) An analysis of whether the plan adequately addresses the requirements for infrastructure recapitalization of the facilities of the nuclear security enterprise.

“(C) If the Nuclear Weapons Council determines that the plan does not adequately support modernization and refurbishment requirements under subparagraph (A) or the nuclear security enterprise facilities infrastructure recapitalization requirements under subparagraph (B), a risk assessment with respect to—

“(i) supporting the annual certification of the nuclear weapons stockpile; and

“(ii) maintaining the long-term safety, security, and reliability of the nuclear weapons stockpile.

“(2) Not later than 180 days after the date on which the Administrator submits the plan under subsection (b)(2), the Nuclear Weapons Council shall submit to the congressional defense committees a report detailing the assessment required under paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.

“(2) The term ‘future-years nuclear security program’ means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

“(3) The term ‘nuclear security budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Administrator for the National Nuclear Security Administration in support of the budget for that fiscal year.

“(4) The term ‘quadrennial defense review’ means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of title 10, United States Code.

“(5) The term ‘weapons activities’ means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.

“(6) The term ‘weapons-related activities’ means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—

“(A) nuclear nonproliferation;

“(B) nuclear forensics;

“(C) nuclear intelligence;

“(D) nuclear safety; and

“(E) nuclear incident response.”.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4203 and inserting the following new item:

“Sec. 4203. Nuclear weapons stockpile stewardship, management, and infrastructure plan.”.

(b) REPEAL OF REQUIREMENT FOR BIENNIAL REPORT ON STOCKPILE STEWARDSHIP CRITERIA.—

(1) IN GENERAL.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended by striking subsections (c) and (d).

(2) TECHNICAL AMENDMENT.—The heading of such section is amended to read as follows: “stockpile stewardship criteria”.

(3) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act

is amended by striking the item relating to section 4202 and inserting the following new item:

“Sec. 4202. Stockpile stewardship criteria.”.

(c) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN ON MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.—Section 4203A of the Atomic Energy Defense Act (50 U.S.C. 2523A) is repealed.

(d) REPEAL OF REQUIREMENT FOR ANNUAL UPDATE TO STOCKPILE MANAGEMENT PROGRAM PLAN.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(1) by striking subsections (c) and (d); and
(2) by redesignating subsection (e) as subsection (c).

(e) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended by striking subsection (e).

(f) REPEAL OF REQUIREMENT FOR REPORTS ON NUCLEAR TEST READINESS.—

(1) AEDA.—

(A) IN GENERAL.—Section 4208 of the Atomic Energy Defense Act (50 U.S.C. 2528) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4208.

(2) NDAA FISCAL YEAR 1996.—Section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 110 Stat. 623) is repealed.

SEC. 3135. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) GAO ENVIRONMENTAL MANAGEMENT REPORTS.—Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2713) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “The Comptroller” and all that follows through “(2),” and inserting “Beginning on the date on which the report under subsection (b)(2) is submitted, the Comptroller General shall conduct a review”;

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as so redesignated, by striking “the end of the period described in paragraph (2)” and inserting “August 30, 2012”; and

(2) in subsection (d)—

(A) in paragraph (1), by striking “subsection (c)(3)” and inserting “subsection (c)(2)”; and

(B) in paragraph (2), by striking “90 days” and all that follows through “(c)(3)” and inserting “April 30, 2016, or the date that is 210 days after the date on which all American Recovery and Reinvestment Act funds have been obligated or expended (or are no longer available to be obligated or expended), whichever is earlier”.

(b) WORKFORCE RESTRUCTURING PLAN UPDATES.—

(1) IN GENERAL.—Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704), as amended by section 3131(q)(1), is amended—

(A) in subsection (b)(1), by striking “and any updates of the plan under subsection (e)”;
(B) by striking subsection (e);
(C) in subsection (f)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3), as added by such section 3131(q)(1), as paragraph (2); and
(D) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(2) CONFORMING AMENDMENT.—Section 4643(d)(1) of the Atomic Energy Defense Act (50 U.S.C. 2733(d)(1)) is amended by striking “section 4604(g)” and inserting “section 4604(f)”.

(c) UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION QUARTERLY REPORT.—Section 148 of the Atomic Energy Act of 1954 (42 U.S.C. 2168) is amended by striking subsection e.

Subtitle D—Reports

SEC. 3141. NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.

(a) NOTIFICATION.—

(1) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by adding after section 4645, as added by section 3151, the following new section:

“**SEC. 4646. NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.**

“(a) NOTIFICATION.—The Secretary of Energy and the Administrator, as the case may be, shall submit to the appropriate congressional committees a notification of a nuclear criticality incident resulting from a covered program that results in an injury or fatality or results in the shut-down, or partial shut-down, of a covered facility by not later than 15 days after the date of such incident.

“(b) ELEMENTS OF NOTIFICATION.—Each notification submitted under subsection (a) shall include the following:

“(1) A description of the incident, including the cause of the incident.

“(2) In the case of a criticality incident, whether the incident caused a facility, or part of a facility, to be shut-down.

“(3) The affect, if any, on the mission of the Administration or the Office of Environmental Management of the Department of Energy.

“(4) Any corrective action taken in response to the incident.

“(c) DATABASE.—(1) The Secretary and the Administrator shall each maintain a record of incidents described in paragraph (2).

“(2) An incident described in this paragraph is any of the following incidents resulting from a covered program:

“(A) A nuclear criticality incident that results in an injury or fatality or results in the shut-down, or partial shut-down, of a covered facility.

“(B) A non-nuclear incident that results in serious bodily injury or fatality at a covered facility.

“(d) COOPERATION.—In carrying out this section, the Secretary and the Administrator shall ensure that each management and operating contractor of a covered facility cooperates in a timely manner.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘covered facility’ means—

“(A) a facility of the nuclear security enterprise; and

“(B) a facility conducting activities for the defense environmental cleanup program of the Office of Environmental Management of the Department of Energy.

“(3) The term ‘covered program’ means—

“(A) programs of the Administration; and
“(B) defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy.”.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4645 the following new item:

“Sec. 4646. Notification of nuclear criticality and non-nuclear incidents.”.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security shall each submit to the appropriate congressional committees a report detailing any incidents described in paragraph (2) that occurred during the 10-year period before the date of the report.

(2) INCIDENTS DESCRIBED.—An incident described in this paragraph is any of the following incidents that occurred as a result of programs of the National Nuclear Security Administration or defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy:

(A) A nuclear criticality incident that resulted in an injury or fatality or resulted in the shut-down, or partial shut-down, of a facility of the nuclear security enterprise or a facility conducting activities for such defense environmental cleanup programs.

(B) A non-nuclear incident that results in serious bodily injury or fatality at such a facility.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 3142. REPORTS ON LIFETIME EXTENSION PROGRAMS.

(a) PROTOTYPES.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4214 the following new section:

“**SEC. 4215. REPORTS ON LIFETIME EXTENSION PROGRAMS.**

“(a) REPORTS REQUIRED.—Before proceeding beyond phase 6.2 activities with respect to any lifetime extension program, the director of the national security laboratory responsible for such program shall submit to the congressional defense committees a report on the lifetime extension option selected for such program, including—

“(1) whether such option selected is refurbishment, reuse, or replacement; and

“(2) why such option was selected, including an assessment of the advantages and disadvantages of the two options not selected.

“(b) PHASE 6.2 ACTIVITIES DEFINED.—In this section, the term ‘phase 6.2 activities’ means, with respect to a lifetime extension program, the phase 6.2 feasibility study and option down-select.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4214 the following new item:

“Sec. 4215. Reports on lifetime extension programs.”.

SEC. 3143. NATIONAL ACADEMY OF SCIENCES STUDY ON PEER REVIEW AND DESIGN COMPETITION RELATED TO NUCLEAR WEAPONS.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences to conduct a study of peer review and design competition related to nuclear weapons.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of—

(1) the quality and effectiveness of peer review of designs, development plans, engineering and scientific activities, and priorities related to both nuclear and non-nuclear aspects of nuclear weapons;

(2) incentives for effective peer review;

(3) the potential effectiveness, efficiency, and cost of alternative methods of conducting peer review and design competition related to both nuclear and non-nuclear aspects of nuclear weapons, as compared to current methods;

(4) the known instances where current peer reviewed practices and design competition succeeded or failed to find problems or potential problems; and

(5) such other matters related to peer review and design competition related to nuclear weapons as the Administrator considers appropriate.

(c) COOPERATION AND ACCESS TO INFORMATION AND PERSONNEL.—The Administrator shall ensure that the National Academy of Sciences receives full and timely cooperation, including full access to information and personnel, from the National Nuclear Security Administration and the management and operating contractors of the Administration for the purposes of conducting the study under subsection (a).

(d) REPORT.—

(1) IN GENERAL.—The National Academy of Sciences shall submit to the Administrator a report containing the results of the study conducted under subsection (a) and any recommendations resulting from the study.

(2) SUBMITTAL TO CONGRESS.—Not later than December 15, 2014, the Administrator shall submit to the Committees on Armed Services of the House of Representatives and Senate the report submitted under paragraph (1) and any comments or recommendations of the Administrator with respect to the report.

(3) FORM.—The report submitted under paragraph (1) shall be in unclassified form, but may include a classified annex.

SEC. 3144. REPORT ON DEFENSE NUCLEAR NON-PROLIFERATION PROGRAMS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year from 2013 through 2015, the Administrator for Nuclear Security shall submit to the appropriate congressional committees a report on the budget, objectives, and metrics of the defense nuclear nonproliferation programs of the National Nuclear Security Administration.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An identification and explanation of uncommitted balances that are more than the acceptable carryover thresholds, as determined by the Secretary of Energy, on a program-by-program basis.

(B) An identification of foreign countries that are sharing the cost of implementing defense nuclear nonproliferation programs, including an explanation of such cost sharing.

(C) A description of objectives and measurements for each defense nuclear nonproliferation program.

(D) A description of the proliferation of nuclear weapons threat and how each defense nuclear nonproliferation program activity counters the threat.

(E) A description and assessment of nonproliferation activities coordinated with the Department of Defense to maximize efficiency and avoid redundancies.

(F) A description of how the defense nuclear nonproliferation programs are prioritized to meet the most urgent nonproliferation requirements.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(c) FORM.—The report required by subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 3145. STUDY ON REUSE OF PLUTONIUM PITS.

(a) STUDY.—Not later than 120 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a study of plutonium pits, including—

(1) the availability of plutonium pits—

(A) as of the date of the report; and

(B) after such date as a result of the dismantlement of nuclear weapons; and

(2) an assessment of the potential for reusing plutonium pits in future life extension programs.

(b) MATTERS INCLUDED.—The study submitted under subsection (a) shall include the following:

(1) The feasibility and practicability of potential full or partial reuse options with respect to plutonium pits.

(2) The benefits and risks of reusing plutonium pits.

(3) The potential costs and cost savings of such reuse.

(4) The effects of such reuse on the requirements for plutonium pit manufacturing.

SEC. 3146. STUDY ON A MULTI-AGENCY GOVERNANCE MODEL FOR NATIONAL SECURITY LABORATORIES.

(a) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The Administrator for Nuclear Security shall commission an independent assessment regarding the transition of the national security laboratories to multi-agency federally funded research and development centers with direct sustainment and sponsorship by multiple national security agencies. The assessment shall be conducted by an independent, non-governmental institute which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security science and engineering laboratories and with ready access to policy experts throughout the United States.

(2) BACKGROUND MATERIAL.—The assessment shall leverage previous studies, including—

(A) the report published in 2009 by the Stimson Center titled “Leveraging Science for Security: A Strategy for the Nuclear Weapons Laboratories in the 21st Century”; and

(B) the Phase 1 report published in 2012 by the National Academy of Sciences titled “Managing for High-Quality Science and Engineering at the NNSA National Security laboratories”.

(3) ELEMENTS.—The assessment conducted pursuant to paragraph (1) shall include the following elements:

(A) An assessment of a new governance structure that—

(i) gives multiple national security agencies, including the Department of Defense, the Department of Homeland Security, the Department of Energy, and the intelligence community, direct sponsorship of the national security laboratories as federally funded research and development centers so that such agencies have more direct and rapid access to the assets available at the laboratories and the responsibility to provide sustainable support for the science and technology needs of the agencies at the laboratories;

(ii) reduces costs to the Federal Government for the use of the resources of the laboratories, while enhancing the stewardship of these national resources and maximizing their service to the nation;

(iii) enhances the overall quality of the scientific research and engineering capability

of the laboratories, including their ability to recruit and retain top scientists and engineers; and

(iv) maintains as paramount the capabilities required to support the nuclear stockpile stewardship and related nuclear missions.

(B) A recommendation as to which, if any, other laboratories associated with any national security agency should be included in the new governance structure.

(C) Options for implementing the new governance structure that minimize disruption of performance and costs to the government while rapidly achieving anticipated gains.

(D) Legislative changes and executive actions that would need to be made in order to implement the new governance structure.

(b) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2014, the designated private entity shall submit to the Administrator and the congressional defense committees a report that contains the findings of the assessment.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITION.—In this section, the term “national security laboratory” has the meaning given that term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

Subtitle E—Other Matters

SEC. 3151. USE OF PROBABILISTIC RISK ASSESSMENT TO ENSURE NUCLEAR SAFETY.

(a) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by adding after section 4644 the following new section:

“SEC. 4645. USE OF PROBABILISTIC RISK ASSESSMENT TO ENSURE NUCLEAR SAFETY OF FACILITIES OF THE ADMINISTRATION AND THE OFFICE OF ENVIRONMENTAL MANAGEMENT.

“(a) NUCLEAR SAFETY AT NNSA AND DOE FACILITIES.—The Administrator and the Secretary of Energy shall ensure that the methods for assessing, certifying, and overseeing nuclear safety at the facilities specified in subsection (b) use national and international standards and nuclear industry best practices, including probabilistic or quantitative risk assessment if sufficient data exists.

“(b) FACILITIES SPECIFIED.—Subsection (a) shall apply—

“(1) to the Administrator with respect to the national security laboratories and the nuclear weapons production facilities; and

“(2) to the Secretary of Energy with respect to defense nuclear facilities of the Office of Environmental Management of the Department of Energy.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4644 the following new item:

“Sec. 4645. Use of probabilistic risk assessment to ensure nuclear safety of facilities of the Administration and the Office of Environmental Management.”.

SEC. 3152. ADVICE TO PRESIDENT AND CONGRESS REGARDING SAFETY, SECURITY, AND RELIABILITY OF UNITED STATES NUCLEAR WEAPONS STOCKPILE AND NUCLEAR FORCES.

(a) IN GENERAL.—Section 1305 of the National Defense Authorization Act for Fiscal Year 1998 (42 U.S.C. 7274p) is—

(1) transferred to the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.);

(2) inserted after section 4215 of such Act, as added by section 3142(a);

(3) redesignated as section 4216; and

(4) amended—

(A) by amending subsection (f) to read as follows:

“(f) **EXPRESSION OF INDIVIDUAL VIEWS.**—No individual, including representatives of the President, may take any action against, or otherwise constrain, a director of a national security laboratory or a nuclear weapons production facility, a member of the Joint Nuclear Weapons Council, or the Commander of United States Strategic Command from presenting the professional views of the individual to the President, the National Security Council, or Congress regarding—

“(1) the safety, security, reliability, or credibility of the nuclear weapons stockpile and nuclear forces; or

“(2) the status of, and plans for, the capabilities and infrastructure that support and sustain the nuclear weapons stockpile and nuclear forces.”; and

(B) by redesignating subsection (g) as subsection (h); and

(C) by inserting after subsection (f) the following new subsection (g):

“(g) **DELIVERY OF CLASSIFIED INFORMATION TO CONGRESS.**—(1) The directors of the national security laboratories, the directors of the nuclear weapons production facilities, the members of the Joint Nuclear Weapons Council, and the Commander of the United States Strategic Command are each authorized to provide directly to Congress classified information with respect to matters described by paragraph (1) or (2) of subsection (f).

“(2) The Administrator and Secretary of Defense shall ensure that direct classified mail channels are established between the national security laboratories, nuclear weapons production facilities, members of the Joint Nuclear Weapons Council, the United States Strategic Command, and the congressional defense committees to carry out this subsection.”.

(b) **CONFORMING AMENDMENT.**—Section 4215 of the Atomic Energy Defense Act, as added by subsection (a), is amended—

(1) by striking “nuclear weapons laboratories” each place it appears and inserting “national security laboratories”;

(2) by striking “nuclear weapons laboratory” each place it appears and inserting “national security laboratory”;

(3) by striking “nuclear weapons production plants” each place it appears and inserting “nuclear weapons production facilities”;

(4) by striking “nuclear weapons production plant” each place it appears and inserting “nuclear weapons production facility”;

and

(5) by amending subsection (h), as redesignated by subsection (a)(4)(B), to read as follows:

“(h) **REPRESENTATIVE OF THE PRESIDENT DEFINED.**—In this section, the term ‘representative of the President’ means the following:

“(1) Any official of the Department of Defense or the Department of Energy who is appointed by the President and confirmed by the Senate.

“(2) Any member or official of the National Security Council.

“(3) Any member or official of the Joint Chiefs of Staff.

“(4) Any official of the Office of Management and Budget.”.

(c) **CLERICAL AMENDMENT.**—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4215 the following new item:

“Sec. 4216. Advice to President and Congress regarding safety, security, and reliability of United States nuclear weapons stockpile.”.

SEC. 3153. CLASSIFICATION OF CERTAIN RESTRICTED DATA.

Section 142 of the Atomic Energy Act of 1954 (42 U.S.C. 2162) is amended—

(1) in subsection d.—

(A) by inserting “(1)” before “The Commission”; and

(B) by adding at the end the following:

“(2) The Commission may restore to the Restricted Data category information related to the design of nuclear weapons (in this subsection referred to as ‘design information’) removed under paragraph (1) if the Commission and the Department of Defense jointly determines that—

“(A) the programmatic requirements that caused the design information to be removed from the Restricted Data category are no longer applicable or have diminished;

“(B) the design information would be more appropriately protected as Restricted Data; and

“(C) restoring the design information to the Restricted Data category is in the interest of national security.

“(3) In carrying out paragraph (2), design information shall be restored to the Restricted Data category in accordance with regulations implemented pursuant to this section.”; and

(2) in subsection e.—

(A) by inserting “(1)” before “The Commission”;

(B) by striking “Central” and inserting “National”; and

(C) by adding at the end the following:

“(2) The Commission may restore to the Restricted Data category information related to foreign nuclear programs (in this subsection referred to as ‘foreign nuclear information’) removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

“(A) the programmatic requirements that caused the foreign nuclear information to be removed from the Restricted Data category are no longer applicable or have diminished;

“(B) the foreign nuclear information would be more appropriately protected as Restricted Data; and

“(C) restoring the foreign nuclear information to the Restricted Data category is in the interest of national security.

“(3) In carrying out paragraph (2), foreign nuclear information shall be restored to the Restricted Data category in accordance with regulations implemented pursuant to this section.”.

SEC. 3154. INDEPENDENT COST ASSESSMENTS FOR LIFE EXTENSION PROGRAMS, NEW NUCLEAR FACILITIES, AND OTHER MATTERS.

(a) **COST ASSESSMENT.**—To inform the decisions made by the Nuclear Weapons Council established by section 179 of title 10, United States Code, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation and in coordination with the Administrator for Nuclear Security, shall assess the cost of options and alternatives for—

(1) new nuclear weapon life extension programs; and

(2) new nuclear facilities within the nuclear security enterprise that are estimated to cost more than \$500,000,000.

(b) **REPORT.**—Not later than 30 days after the date on which each assessment conducted under subsection (a) is completed, the Administrator for Nuclear Security and the Secretary of Defense shall jointly submit to the congressional defense committees a report containing the results of such assessment.

(c) **FORM.**—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) **AUTHORITY FOR FURTHER ASSESSMENTS.**—Upon the request of the Administrator for Nuclear Security, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation and in consultation with the Administrator, may

conduct a cost assessment of any initiative of the National Nuclear Security Administration that is estimated to cost more than \$500,000,000.

SEC. 3155. ASSESSMENT OF NUCLEAR WEAPON PIT PRODUCTION REQUIREMENT.

(a) **ASSESSMENT.**—The Secretary of Defense and the Secretary of Energy, in coordination with the Commander of the United States Strategic Command, shall jointly assess the annual plutonium pit production requirement needed to sustain a safe, secure, and reliable nuclear weapon arsenal.

(b) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the congressional defense committees a report regarding the assessment conducted under section (a), including—

(A) an explanation of the rationale and assumptions that led to the current 50 to 80 plutonium pit production requirement, including the factors considered in determining such requirement;

(B) an analysis of whether there are any changes to the current 50 to 80 plutonium pit production requirement, including the reasons for any such changes;

(C) the implications for national security, for maintaining the nuclear weapons stockpile (including the impact on options available for life extension programs), and for costs of having pit production capacity at—

(i) 10 to 20 pits per year;

(ii) 20 to 30 pits per year;

(iii) 30 to 50 pits per year; and

(iv) 50 to 80 pits per year; and

(D) the implications of various pit production capacities on the requirements for the nuclear weapon hedge or reserve forces of the United States.

(2) **UPDATE.**—If the report under paragraph (1) does not incorporate the results of the Nuclear Posture Review Implementation Study, the Secretary of Defense and the Secretary of Energy, in coordination with the Commander of the United States Strategic Command, shall jointly submit to the congressional defense committees an update to the report under paragraph (1) that incorporates the results of such study by not later than 90 days after the date on which such committees receive such study.

(c) **FORM.**—The reports under paragraphs (1) and (2) of subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 3156. INTELLECTUAL PROPERTY RELATED TO URANIUM ENRICHMENT.

(a) **IN GENERAL.**—Subject to subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for defense nuclear non-proliferation, the Secretary of Energy may make available not more than \$150,000,000 for the development and demonstration of domestic national-security-related enrichment technologies as provided in subsection (c).

(b) **CERTIFICATION.**—Not later than 30 days before the date on which the Secretary makes an amount available under subsection (a), the Secretary shall submit to the congressional defense committees—

(1) written certification that such amount is needed for national security purposes; and

(2) a description of such purposes.

(c) **ADMINISTRATION.**—An amount made available by the Secretary under subsection (a) shall be used to provide, directly or indirectly, Federal funds, resources, or other assistance for the research, development, or deployment of domestic national-security-related enrichment technology, subject to the following requirements:

(1) The Secretary shall provide such assistance using merit selection procedures.

(2) The Secretary may provide such assistance only if the Secretary executes an agreement with the recipient (or any affiliate, successor, or assignee) of such funds, resources, or other assistance (in this section referred to as the "recipient") that requires—

(A) the achievement of specific technical criteria by the recipient by specific dates not later than June 30, 2014;

(B) that the recipient—

(i) immediately upon execution of the agreement, grant to the United States for use by or on behalf of the United States, through the Secretary, a royalty-free, non-exclusive license in all enrichment-related intellectual property and associated technical data owned, licensed, or otherwise controlled by the recipient as of the date of the enactment of this Act, or thereafter developed or acquired to meet the requirements of the agreement;

(ii) amend any existing agreement between the Secretary and the recipient to permit the Secretary to use or permit third parties on behalf of the Secretary to use intellectual property and associated technical data related to the award of funds, resources, or other assistance royalty-free for Government purposes, including completing or operating enrichment technologies and using them for national defense purposes, including providing nuclear material to operate commercial nuclear power reactors for tritium production; and

(iii) as soon as practicable, deliver to the Secretary all technical information and other documentation in its possession or control necessary to permit the Secretary to use all intellectual property related to domestic enrichment technologies described in this subparagraph; and

(C) any other condition or restriction the Secretary determines necessary to protect the interests of the United States.

(d) CONTROL OF PROPERTY.—If the Secretary determines that a recipient has not achieved the technical criteria required under an agreement under subsection (c)(2) by the date specified pursuant to subparagraph (A) of such subsection, the recipient shall, as soon as practicable, surrender custody, possession, and control, or return, as appropriate, any real or personal property owned or leased by the recipient, to the Secretary in connection with the deployment of enrichment technology, along with all capital improvements, equipment, fixtures, appurtenances, and other improvements thereto, and any further obligation by the Secretary under any such lease shall terminate.

(e) APPLICATION OF REQUIREMENTS.—The limitations and requirements in this section shall apply to funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the development and demonstration of domestic national security-related enrichment technology.

(f) EXCEPTION.—Subsections (c) and (d) shall not apply with respect to the issuance of any loan guarantee pursuant to section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).

SEC. 3157. SENSE OF CONGRESS ON COMPETITION AND FEES RELATED TO THE MANAGEMENT AND OPERATING CONTRACTS OF THE NUCLEAR SECURITY ENTERPRISE.

It is the sense of Congress that—

(1) in the past decade, competition of the management and operating contracts for the national security laboratories has resulted in significant increases in fees paid to the contractors—funding that otherwise could be used to support program and mission activities of the National Nuclear Security Administration;

(2) competition of the management and operating contracts of the nuclear security en-

terprise is an important mechanism to help realize cost savings, seek efficiencies, improve performance, and hold contractors accountable;

(3) when the Administrator for Nuclear Security considers it appropriate to achieve these goals, the Administrator should conduct competition of these contracts while recognizing the unique nature of federally funded research and development centers; and

(4) the Administrator should ensure that fixed fees and performance-based fees contained in management and operating contracts are as low as possible to maintain a focus on national service while attracting high-quality contractors and achieving the goals of the competition.

SEC. 3158. PILOT PROGRAM ON TECHNOLOGY COMMERCIALIZATION.

(a) PILOT PROGRAM.—The Secretary of Energy, in consultation with the Technology Transfer Coordinator appointed under section 1001(a) of the Energy Policy Act of 2005 (42 U.S.C. 16391(a)), may carry out a competitively awarded pilot program involving one non-profit entity and a national laboratory within the National Nuclear Security Administration for the purpose of accelerating technology transfer from national laboratories to the marketplace.

(b) SELECTION OF ENTITY AND NATIONAL LABORATORY.—In carrying out a pilot program under subsection (a), the Secretary of Energy and the Technology Transfer Coordinator shall jointly select a non-profit entity and a national laboratory for the purpose of carrying out the pilot program under this section. In making such selections, the Secretary and Coordinator shall consider each of the following:

(1) A commitment to participate made by a national laboratory within the National Nuclear Security Administration being considered for selection.

(2) The availability of technologies, licenses, intellectual property, and other matters at a national laboratory being considered for selection.

(c) PROGRAM ELEMENTS.—The pilot program shall be carried out as follows:

(1) Under the pilot program, the Secretary and the Coordinator shall evaluate and validate the performance of technology transfer activities at the selected laboratory.

(2) The pilot program shall involve collaboration with other offices and agencies within the Department of Energy and the National Nuclear Security Administration.

(3) Under the pilot program, the non-profit entity selected to carry out the pilot program shall work to create business startups and increase the number of cooperative research and development agreements and sponsored research projects at the selected laboratory. The non-profit entity shall work with interested businesses in identifying appropriate technologies at the national laboratory and facilitating the commercialization process.

(4) The Secretary of Energy and the Coordinator shall use the results of the pilot program as the basis for informing key performance parameters and strategies that could be implemented in various national laboratories across the country.

(d) DURATION.—A pilot program carried out under subsection (a) shall be not more than two years in duration.

(e) REPORTS.—

(1) INITIAL REPORTS.—Not later than one year after the date on which a pilot program under subsection (a) begins, the Secretary of Energy shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Science and Technology in the House of Representatives, and the Committee on Commerce,

Science and Transportation in the Senate, a report that provides an update on the implementation of the pilot program under this section, including an identification of the selected non-profit entity and national laboratory.

(2) FINAL REPORT.—Not later than 90 days after the completion of the pilot program, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Committee on Science and Technology in the House of Representatives, and the Committee on Commerce, Science and Transportation of the Senate a report on the pilot program, including any findings and recommendations of the Secretary. The non-profit entity shall submit a report detailing its experiences working with the laboratory and submit recommendations for improvement of technology commercialization.

(f) DEFINITIONS.—In this section, the term "national laboratory" means—

(1) a national laboratory (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)); or

(2) a national security laboratory (as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There is authorized to be appropriated for fiscal year 2013 \$31,415,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. IMPROVEMENTS TO THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) ESTABLISHMENT.—Section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking "Energy or any contractor of the Department of Energy" and inserting "Energy, the National Nuclear Security Administration, or any contractor of the Department or Administration"; and

(B) by striking paragraph (4);

(2) in subsection (c)—

(A) in the heading, by striking "AND VICE CHAIRMAN" and inserting ", VICE CHAIRMAN, AND MEMBERS";

(B) in paragraph (2), by striking "The Chairman" and inserting "In accordance with paragraphs (5) and (6), the Chairman"; and

(C) by adding at the end the following new paragraphs:

"(5) Each member of the Board, including the Chairman and Vice Chairman, shall—

"(A) have equal responsibility and authority in establishing decisions and determining actions of the Board regarding recommendations, budgets, senior staff, hearings and witnesses, investigations, subpoenas, and setting policies and regulations governing operations of the Board;

"(B) have full, simultaneous access to all information relating to the performance of the Board's functions, powers, and mission; and

"(C) have one vote.

"(6) Any member of the Board may propose an individual to be appointed to a senior staff position of the Board and require a determination by the Board under paragraph (5)(A) on whether such individual shall be appointed."

(3) in subsection (d)—

(A) in paragraph (1), by striking "Except as provided under paragraph (2), the" and inserting "The";

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2); and

(4) by amending subsection (e) to read as follows:

“(e) QUORUM.—(1) Three members of the Board shall constitute a quorum.

“(2) A quorum shall be required to take the actions of the Board described in subsection (c)(5)(A).”

(b) MISSION AND FUNCTIONS.—

(1) IN GENERAL.—Section 312 of the Atomic Energy Act of 1954 (42 U.S.C. 2286a) is amended—

(A) in the heading, by inserting “mission and” before “functions”;

(B) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively;

(C) by inserting before subsection (b), as so redesignated, the following new subsection (a):

“(a) MISSION.—The mission of the Board shall be to provide independent analysis, advice, and recommendations to the Secretary of Energy to ensure the adequate protection of public health and safety at defense nuclear facilities of the Department of Energy. Such analysis, advice, and recommendations shall be based upon risk whenever sufficient data exists.”;

(D) in subsection (b), as so redesignated—

(i) in the heading, by striking “IN GENERAL” and inserting “FUNCTIONS”; and

(ii) in paragraph (5)—

(I) by inserting “, and specifically assess risk (whenever sufficient data exists),” after “shall consider”; and

(II) by inserting “, the costs and benefits, and the practicability” after “economic feasibility”.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Act of 1954 is amended by striking the item relating to section 312 and inserting the following new item:

“Sec. 312. Mission and functions of the board.”

(c) POWERS.—Section 313 of the Atomic Energy Act of 1954 (42 U.S.C. 2286b) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “or a member authorized by the Board”; and

(B) in paragraph (2)(A), by striking the first sentence and inserting the following: “Subpoenas may be issued only with the approval of a majority of the members of the Board and shall be served by any person designated by the Chairman, any member, or any person as otherwise provided by law.”; and

(2) in subsection (b), by adding at the end the following new paragraph:

“(3) Of the funds appropriated to the Board to carry out this chapter, each member of the Board, other than the Chairman, may employ at least one technical advisor to serve in the immediate office of the member to provide assistance to the member in carrying out the responsibilities of the member under this chapter. If employed in the immediate office of a member, such advisor shall report to such member and, notwithstanding section 311(c)(2)(A), may not be subject to the appointment, direction, or supervision of the Chairman.”; and

(3) in subsection (j)(2), by striking “section 312(1)” and inserting “section 312(b)(1)”.

(d) BOARD RECOMMENDATIONS.—Section 315 of the Atomic Energy Act of 1954 (42 U.S.C. 2286d) is amended to read as follows:

“SEC. 315. BOARD RECOMMENDATIONS.

“(a) DRAFTS AND SUBMISSION OF RECOMMENDATIONS.—(1) Subject to subsections (f) and (g), the Board shall submit to the Secretary of Energy a draft of any recommendations under section 312 and any related findings, supporting data, and analyses before the date on which such recommendations are finalized.

“(2) The Secretary may provide to the Board comments on the recommendations not later than 45 days after the date on which the Secretary receives the draft submission of the Board under paragraph (1). The Board may grant, upon request by the Secretary, not more than an additional 30 days for the Secretary to submit comments to the Board.

“(3) After the period of time in which the Secretary may provide recommendations under paragraph (2) elapses, the Board may publish in the Federal Register either the original or a revised version of the recommendations based on the comments of the Secretary, together with a request for the submission to the Board of public comments on such recommendations. Interested persons shall have 30 days after the date of publication in which to submit comments, data, views, or arguments to the Board concerning the recommendations. The Board shall furnish the Secretary with copies of all comments, data, views, and arguments submitted to it under this paragraph.

“(b) DISPOSITION OF RECOMMENDATIONS.—(1) Not later than 60 days after publication of the recommendations under subsection (a)(3), the Secretary of Energy shall publish in the Federal Register and transmit to the Board, in writing, a statement of the final decision of the Secretary with respect to whether the Secretary accepts or rejects, in whole or in part, such recommendations, including a description of any actions to be taken in response to the recommendations, any expected schedule, cost, technical, or program impacts of such recommendations, and the views of the Secretary regarding such recommendations. The Board may grant, upon request by the Secretary, not more than an additional 30 days for the Secretary to transmit such statement to the Board.

“(2) The Board may hold hearings for the purpose of obtaining public comments on its recommendations and the disposition of such recommendations by the Secretary of Energy.

“(c) REJECTION OF RECOMMENDATIONS.—If the Secretary of Energy, in a statement under subsection (b)(1), rejects (in whole or part) any recommendation made by the Board under subsection (a), the Board may transmit to the Secretary and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a letter describing the views and perspectives of the Board regarding the Secretary's disposition of the Board's recommendations.

“(d) IMPLEMENTATION PLAN.—The Secretary of Energy shall prepare a plan for the implementation of each Board recommendation, or part of a recommendation, that is accepted by the Secretary in the statement under subsection (b)(1). Not later than 120 days after the date on which such statement is published, the Secretary shall transmit to the Board such implementation plan. The Secretary may implement any such recommendation (or part of any such recommendation) before, on, or after the date on which the Secretary transmits the implementation plan to the Board under this subsection.

“(e) IMPLEMENTATION.—(1) Subject to paragraph (2), not later than one year after the date on which the Secretary of Energy transmits an implementation plan with respect to a recommendation (or part thereof) under subsection (d), the Secretary shall carry out and complete the implementation plan. If complete implementation of the plan takes more than one year, the Secretary of Energy shall submit a report to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives setting forth the reasons for the delay and when implementation will be completed.

“(2) If the Secretary of Energy determines that the implementation of a Board recommendation (or part thereof) is impracticable because of budgetary considerations, or that the implementation would affect the Secretary's ability to meet the annual nuclear weapons stockpile requirements established pursuant to section 91 of this Act, the Secretary shall submit to the President and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a report containing the recommendation and the Secretary's determination.

“(f) IMMINENT OR SEVERE THREAT.—(1) In any case in which the Board determines that a recommendation submitted to the Secretary of Energy under section 312 relates to an imminent or severe threat to public health and safety, the Board and the Secretary of Energy shall proceed under this subsection in lieu of subsections (a) and (b).

“(2) The Board shall transmit to the President, the Secretary of Defense, and the Secretary of Energy a recommendation relating to an imminent or severe threat to public health and safety. Not later than 15 days after the date on which such recommendation is received, the Secretary of Energy shall submit the comments and views of the Secretary to the President. The President shall review such comments and views and shall make the decision concerning the acceptance or rejection of the Board's recommendation.

“(3) After receipt by the President of the recommendation from the Board under this subsection, the Board shall promptly make such recommendation available to the public and shall submit such recommendation to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives. The President shall promptly notify such committees of the decision made by the President under paragraph (2) and the reasons for that decision.

“(g) LIMITATION.—Notwithstanding any other provision of this section, the requirements to make information available to the public under this section—

“(1) shall not apply in the case of information that is classified; and

“(2) shall be subject to the orders and regulations issued by the Secretary of Energy under sections 147 and 148 of this Act to prohibit dissemination of certain information.”.

(e) REPORTS.—Section 316 of the Atomic Energy Act of 1954 (42 U.S.C. 2286e) is amended by striking “to the Speaker of” each place it appears.

(f) INFORMATION TO CONGRESS.—Section 320 of the Atomic Energy Act of 1954 (42 U.S.C. 2286h-1) is amended by striking “the Congress” and inserting “Committees on Armed Services and Appropriations of the Senate and the House of Representatives”.

(g) INSPECTOR GENERAL.—Chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.) is amended by adding at the end the following new section:

“SEC. 322. INSPECTOR GENERAL.

“The Board shall enter into an agreement with an agency of the Federal Government to procure the services of the Inspector General of such agency for the Board.”.

(h) SAFETY STANDARDS.—Nothing in this section nor in the amendments made by this section shall be construed to cause a reduction in nuclear safety standards.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy \$14,909,000 for fiscal year 2013 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION
SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2013.

Funds are hereby authorized to be appropriated for fiscal year 2013, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$77,253,000, of which—

(A) \$67,253,000 shall remain available until expended for Academy operations; and

(B) \$10,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$16,045,000, of which—

(A) \$2,400,000 shall remain available until expended for student incentive payments;

(B) \$2,545,000 shall remain available until expended for direct payments to such academies; and

(C) \$11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$12,717,000, to remain available until expended.

(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$186,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 6661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$3,750,000, all of which shall remain available until expended for administrative expenses of the program.

SEC. 3502. APPLICATION OF THE FEDERAL ACQUISITION REGULATION.

Section 3502(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106-398 (114 Stat. 1645A-490), is amended by striking “the enactment of this Act” and inserting “contract award”.

SEC. 3503. LIMITATION OF NATIONAL DEFENSE RESERVE FLEET VESSELS TO THOSE OVER 1,500 GROSS TONS.

Section 57101(a) of title 46, United States Code, is amended by inserting “of 1,500 gross tons or more or such other vessels as the Secretary of Transportation shall determine are appropriate” after “Administration”.

SEC. 3504. DONATION OF EXCESS FUEL TO MARITIME ACADEMIES.

Section 51103(b)(1) of title 46, United States Code, is amended by striking so much as precedes paragraph (2) and inserting the following:

“(b) PROPERTY FOR INSTRUCTIONAL PURPOSES.—

“(1) IN GENERAL.—The Secretary of Transportation may cooperate with and assist the institutions named in paragraph (2) by making vessels, fuel, shipboard equipment, and other marine equipment, owned by the United States Government and determined by the entity having custody and control of such property to be excess or surplus, available to those institutions for instructional purposes, by gift, loan, sale, lease, or charter on terms and conditions the Secretary considers appropriate. The consent of the Sec-

retary of Navy shall be obtained with respect to any property from National Defense Reserve Fleet vessels, 50 U.S.C. App. 1744, where such vessels are either Ready Reserve Force vessels or other National Defense Reserve Fleet vessels determined to be of sufficient value to the Navy to warrant their further preservation and retention.”.

SEC. 3505. CLARIFICATION OF HEADING.

(a) IN GENERAL.—The heading of section 57103 of title 46, United States Code, is amended to read as follows:

“**§57103. Donation of nonretention vessels in the national defense reserve fleet**”.

(b) CONFORMING AMENDMENT.—The item relating to section 57103 in the analysis of chapter 571 of such title is amended to read as follows:

“57103. Donation of nonretention vessels in the national defense reserve fleet.”.

SEC. 3506. TRANSFER OF VESSELS TO THE NATIONAL DEFENSE RESERVE FLEET.

Section 57101 of title 46, United States Code, is amended by adding at the end the following:

“(c) AUTHORITY OF FEDERAL ENTITIES TO TRANSFER VESSELS.—All Federal entities are authorized to transfer vessels to the National Defense Reserve Fleet without reimbursement subject to the approval of the Secretary of Transportation and the Secretary of the Navy with respect to Ready Reserve Force vessels and the Secretary of Transportation with respect to all other vessels.”.

SEC. 3507. AMENDMENTS RELATING TO THE NATIONAL DEFENSE RESERVE FLEET.

Subparagraphs (B), (C), and (D) of sections 11(c)(1) of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744(c)(1)) are amended to read as follows:

“(B) activate and conduct sea trials on each vessel at a frequency that is deemed necessary;

“(C) maintain and adequately crew, as necessary, in an enhanced readiness status those vessels that are scheduled to be activated in 5 or less days;

“(D) locate those vessels that are scheduled to be activated near embarkation ports specified for those vessels; and”.

SEC. 3508. EXTENSION OF MARITIME SECURITY FLEET PROGRAM.

(a) Section 53101 of title 46, United States Code, is amended—

(1) by amending paragraph (4) to read as follows:

“(4) FOREIGN COMMERCE.—The term foreign commerce means—

“(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; and

“(B) commerce or trade between foreign countries.”;

(2) by striking paragraph (5);

(3) by redesignating paragraphs (6) through (13) as paragraphs (5) through (12), respectively; and

(4) by amending paragraph (5), as so redesignated, to read as follows:

“(5) PARTICIPATING FLEET VESSEL.—The term participating fleet vessel means any vessel that—

“(A) on October 1, 2015—

“(i) meets the requirements of paragraph (1), (2), (3), or (4) of section 53102(c); and

“(ii) is less than 20 years of age if the vessel is a tank vessel, or is less than 25 years of age for all other vessel types; and

“(B) on December 31, 2014, is covered by an operating agreement under this chapter.”.

(b) Section 53102(b) of such title is amended to read as follows:

“(b) VESSEL ELIGIBILITY.—A vessel is eligible to be included in the Fleet if—

“(1) the vessel meets the requirements of paragraph (1), (2), (3), or (4) of subsection (c);

“(2) the vessel is operated (or in the case of a vessel to be constructed, will be operated) in providing transportation in foreign commerce;

“(3) the vessel is self-propelled and—

“(A) is a tank vessel that is 10 years of age or less on the date the vessel is included in the Fleet; or

“(B) is any other type of vessel that is 15 years of age or less on the date the vessel is included in the Fleet;

“(4) the vessel—

“(A) is suitable for use by the United States for national defense or military purposes in time of war or national emergency, as determined by the Secretary of Defense; and

“(B) is commercially viable, as determined by the Secretary; and

“(5) the vessel—

“(A) is a United States-documented vessel; or

“(B) is not a United States-documented vessel, but—

“(i) the owner of the vessel has demonstrated an intent to have the vessel documented under chapter 121 of this title if it is included in the Fleet; and

“(ii) at the time an operating agreement for the vessel is entered into under this chapter, the vessel is eligible for documentation under chapter 121 of this title.”.

(c) Section 53103 of such title is amended—

(1) by amending subsection (b) to read as follows:

“(b) EXTENSION OF EXISTING OPERATING AGREEMENTS.—

“(1) OFFER TO EXTEND.—Not later than 60 days after the date of enactment of this paragraph, the Secretary shall offer, to an existing contractor, to extend, through September 30, 2025, an operating agreement that is in existence on the date of enactment of this paragraph. The terms and conditions of the extended operating agreement shall include terms and conditions authorized under this chapter, as amended from time to time.

“(2) TIME LIMIT.—An existing contractor shall have not later than 120 days after the date the Secretary offers to extend an operating agreement to agree to the extended operating agreement.

“(3) SUBSEQUENT AWARD.—The Secretary may award an operating agreement to an applicant that is eligible to enter into an operating agreement for fiscal years 2016 through 2025 if the existing contractor does not agree to the extended operating agreement under paragraph (2).”; and

(2) by amending subsection (c) to read as follows:

“(c) PROCEDURE FOR AWARDED NEW OPERATING AGREEMENTS.—The Secretary may enter into a new operating agreement with an applicant that meets the requirements of section 53102(c) (for vessels that meet the qualifications of section 53102(b)) on the basis of priority for vessel type established by military requirements of the Secretary of Defense. The Secretary shall allow an applicant at least 30 days to submit an application for a new operating agreement. After consideration of military requirements, priority shall be given to an applicant that is a United States citizen under section 50501 of this title. The Secretary may not approve an application without the consent of the Secretary of Defense. The Secretary shall enter into an operating agreement with the applicant or provide a written reason for denying the application.”.

(d) Section 53104 of such title is amended—

(1) in subsection (c), by striking paragraph (3); and

(2) in subsection (e), by striking “an operating agreement under this chapter is terminated under subsection (c)(3), or if”.

(e) Section 53105 of such title is amended—
 (1) by amending subsection (e) to read as follows:

“(e) **TRANSFER OF OPERATING AGREEMENTS.**—A contractor under an operating agreement may transfer the agreement (including all rights and obligations under the operating agreement) to any person that is eligible to enter into the operating agreement under this chapter if the Secretary and the Secretary of Defense determine that the transfer is in the best interests of the United States. A transaction shall not be considered a transfer of an operating agreement if the same legal entity with the same vessels remains the contracting party under the operating agreement.”; and

(2) by amending subsection (f) to read as follows:

“(f) **REPLACEMENT VESSELS.**—A contractor may replace a vessel under an operating agreement with another vessel that is eligible to be included in the Fleet under section 53102(b), if the Secretary, in conjunction with the Secretary of Defense, approves the replacement of the vessel.”.

(f) Section 53106 of such title is amended—
 (1) in subsection (a)(1), by striking “and (C) \$3,100,000 for each of fiscal years 2012 through 2025.” and inserting the following:

“(C) \$3,100,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;

“(D) \$3,500,000 for each of fiscal years 2019, 2020, and 2021; and

“(E) \$3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025.”;

(2) in subsection (c)(3)(C), by striking “a LASH vessel.” and inserting “a lighter aboard ship vessel.”; and

(3) by striking subsection (f).

(g) Section 53107(b)(1) is amended to read as follows:

“(1) **IN GENERAL.**—An Emergency Preparedness Agreement under this section shall require that a contractor for a vessel covered by an operating agreement under this chapter shall make commercial transportation resources (including services) available, upon request by the Secretary of Defense during a time of war or national emergency, or whenever the Secretary of Defense determines that it is necessary for national security or contingency operation (as that term is defined in section 101 of title 10, United States Code).”.

(h) Section 53109 is repealed.

(i) Section 53111 is amended—

(1) by striking “and” at the end of paragraph (2); and

(2) by amending paragraph (3) to read as follows:

“(3) \$186,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;

“(4) \$210,000,000 for each of fiscal years 2019, 2020, and 2021; and

“(5) \$222,000,000 for each fiscal year thereafter through fiscal year 2025.”.

(j) **EFFECTIVE DATE OF AMENDMENTS.**—The amendments made by—

(1) paragraphs (2), (3), and (4) of section 3308(a) of this Act take effect on December 31, 2014; and

(2) section 3308(f)(2) of this Act take effect on December 31, 2014.

SEC. 3509. IDENTIFICATION OF ACTIONS TO ENABLE QUALIFIED UNITED STATES FLAG CAPACITY TO MEET NATIONAL DEFENSE REQUIREMENTS.

(a) **IDENTIFICATION OF ACTIONS.**—Section 501(b) of title 46, United States Code, is amended—

(1) by inserting “(1)” before “When the head”; and

(2) by adding at the end the following:

“(2) The Administrator of the Maritime Administration shall—

“(A) in each determination referred to in paragraph (1), identify any actions that could be taken to enable qualified United

States flag capacity to meet national defense requirements;

“(B) provide each such determination to the Secretary of Transportation and the head of the agency referred to in paragraph (1) for which the determination is made; and

“(C) publish each such determination on the Internet site of the Department of Transportation within 48 hours after it is provided to the Secretary of Transportation.

“(3)(A) The Secretary of Transportation, in consultation with the Secretary of Homeland Security, shall notify the Committees on Appropriations, Transportation and Infrastructure, and Armed Services of the House of Representatives and the Committees on Appropriations, Commerce, Science, and Transportation, and Armed Services of the Senate—

“(i) of any request for a waiver of the navigation or vessel-inspection laws under this section not later than 48 hours after receiving the request; and

“(ii) of the issuance of any waiver of compliance of such a law not later than 48 hours after such issuance.

“(B) The Secretary shall include in each notification under subparagraph (A)(ii) an explanation of—

“(i) the reasons the waiver is necessary; and

“(ii) the reasons actions referred to in subparagraph (A) are not feasible.”.

SEC. 3510. DEPARTMENT OF DEFENSE NATIONAL STRATEGIC PORTS STUDY AND COMPTROLLER GENERAL STUDIES AND REPORTS ON STRATEGIC PORTS.

(a) **SENSE OF CONGRESS ON COMPLETION OF DOD REPORT.**—It is the sense of Congress that the Secretary of Defense should expedite completion of the study of strategic ports in the United States called for in the conference report to accompany the National Defense Authorization Act for Fiscal Year 2012 (Conference Report 112-329) so that it can be submitted to Congress before September 30, 2012.

(b) **SUBMISSION OF REPORT TO COMPTROLLER GENERAL.**—In addition to submitting the report referred to in subsection (a) to Congress, the Secretary of Defense shall submit the report to the Comptroller General of the United States for consideration under subsection (c).

(c) **COMPTROLLER GENERAL STUDIES AND REPORTS ON STRATEGIC PORTS.**—

(1) **COMPTROLLER GENERAL REVIEW.**—Not later than 90 days after receipt of the report referred to in subsection (a), the Comptroller General shall conduct an assessment of the report and submit to the congressional defense committees a report of such assessment.

(2) **COMPTROLLER GENERAL STUDY AND REPORT.**—Not later than 270 days after the enactment of this Act, the Comptroller General of the United States shall conduct a study of the Department of Defense’s programs and efforts related to the state of strategic ports with respect to the Department’s operational and readiness requirements, and report to the congressional defense committees on the findings of such study. The report should include an assessment of—

(A) the extent to which the facilities at strategic ports meet the Department of Defense’s requirements;

(B) the extent to which the Department has identified gaps in the ability of existing strategic ports to meet its needs and identified and undertaken efforts to address any gaps; and

(C) the Department’s ability to oversee, coordinate, and provide security for military deployments through strategic ports.

(d) **STRATEGIC SEAPORT DEFINED.**—In this section, the term “strategic port” means a United States port designated by the Sec-

retary of Defense as a significant transportation hub important to the readiness and cargo throughput capacity of the Department of Defense.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) **IN GENERAL.**—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) **MERIT-BASED DECISIONS.**—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) **RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.**—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This section applies to any classified annex that accompanies this Act.

(e) **ORAL AND WRITTEN COMMUNICATIONS.**—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
01	UTILITY F/W AIRCRAFT	18,639	18,639
03	MQ-1 UAV	518,088	518,088
04	RQ-11 (RAVEN)	25,798	25,798
ROTARY			
06	HELICOPTER, LIGHT UTILITY (LUH).	271,983	271,983
07	AH-64 APACHE BLOCK IIIA REMAN.	577,115	577,115
08	ADVANCE PROCUREMENT (CY).	107,707	107,707
09	AH-64 APACHE BLOCK IIIB NEW BUILD.	153,993	153,993
10	ADVANCE PROCUREMENT (CY).	146,121	146,121
13	UH-60 BLACKHAWK M MODEL (MYP).	1,107,087	1,107,087
14	ADVANCE PROCUREMENT (CY).	115,113	115,113
15	CH-47 HELICOPTER	1,076,036	1,076,036
16	ADVANCE PROCUREMENT (CY).	83,346	83,346
MODIFICATION OF AIRCRAFT			
18	MQ-1 PAYLOAD—UAS	231,508	231,508
20	GUARDRAIL MODS (MIP)	16,272	16,272
21	MULTI SENSOR ABN RECON (MIP).	4,294	4,294
22	AH-64 MODS	178,805	178,805

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized
23	CH-47 CARGO HELICOPTER MODS (MYP).	39,135	39,135		MODIFICATION OF TRACKED COMBAT VEHICLES				PROCUREMENT OF AMMUNITION, ARMY SMALL/MEDIUM CAL AMMUNITION		
24	UTILITY/CARGO AIRPLANE MODS.	24,842	24,842	03	STRYKER (MOD)	60,881	60,881	01	CTG, 5.56MM, ALL TYPES	158,313	123,513
26	UTILITY HELICOPTER MODS.	73,804	73,804	04	FIST VEHICLE (MOD)	57,257	57,257		Unit cost savings ..		[-34,800]
27	KIOWA WARRIOR MODS ...	192,484	192,484	05	BRADLEY PROGRAM (MOD).	148,193	288,193	02	CTG, 7.62MM, ALL TYPES	91,438	91,438
29	NETWORK AND MISSION PLAN.	190,789	190,789		Program increase ...		[140,000]	03	CTG, HANDGUN, ALL TYPES.	8,954	8,954
30	COMMS, NAV SURVEILLANCE.	133,191	133,191	06	HOWITZER, MED SP FT 155MM M109AG (MOD).	10,341	10,341	04	CTG, .50 CAL, ALL TYPES	109,604	109,604
31	GATM ROLLUP	87,280	87,280	07	PALADIN PIM MOD IN SERVICE.	206,101	206,101	05	CTG, 20MM, ALL TYPES ..	4,041	4,041
32	RQ-7 UAV MODS	104,339	104,339	08	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES).	107,909	169,909	06	CTG, 25MM, ALL TYPES ..	12,654	12,654
	GROUND SUPPORT AVIONICS				Program increase ...		[62,000]	07	CTG, 30MM, ALL TYPES ..	72,154	54,154
34	AIRCRAFT SURVIVABILITY EQUIPMENT.	34,037	34,037	09	ASSAULT BREACHER VEHICLE.	50,039	50,039		Pricing adjustments for target practice round and light-weight dual-purpose round.		[-18,000]
36	CMWS	127,751	127,751	10	M88 FOV MODS	29,930	29,930	08	CTG, 40MM, ALL TYPES ..	60,138	60,138
	OTHER SUPPORT			11	M1 ABRAMS TANK (MOD)	129,090	129,090		MORTAR AMMUNITION		
37	AVIONICS SUPPORT EQUIPMENT.	4,886	4,886	12	ABRAMS UPGRADE PROGRAM.	74,433	255,433	09	60MM MORTAR, ALL TYPES.	44,375	44,375
38	COMMON GROUND EQUIPMENT.	82,511	82,511		Program increase ...		[181,000]	10	81MM MORTAR, ALL TYPES.	27,471	27,471
39	AIRCREW INTEGRATED SYSTEMS.	77,381	77,381	13	SUPPORT EQUIPMENT & FACILITIES	1,145	1,145	11	120MM MORTAR, ALL TYPES.	87,811	87,811
40	AIR TRAFFIC CONTROL	47,235	47,235		WEAPONS & OTHER COMBAT VEHICLES			12	TANK AMMUNITION		
41	INDUSTRIAL FACILITIES ...	1,643	1,643	14	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY.	506	0		CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES.	112,380	112,380
42	LAUNCHER, 2.75 ROCKET	516	516		XM25 funding ahead of need.		[-506]	13	ARTILLERY AMMUNITION		
	TOTAL, AIRCRAFT PROCUREMENT, ARMY.	5,853,729	5,853,729	17	LIGHTWEIGHT .50 CALIBER MACHINE GUN.	25,183	25,183	14	ARTILLERY PROJECTILE, 155MM, ALL TYPES.	26,227	26,227
	MISSILE PROCUREMENT, ARMY			19	MORTAR SYSTEMS	8,104	8,104	15	PROJ 155MM EXTENDED RANGE XM982.	110,329	55,329
01	PATRIOT SYSTEM SUMMARY.	646,590	696,590	21	XM320 GRENADE LAUNCHER MODULE (GLM).	14,096	14,096		Excalibur I-b round schedule delay.		[-55,000]
	Additional PAC-3 missiles.		[50,000]	24	CARBINE	21,272	21,272	16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL.	43,924	43,924
02	MSE MISSILE	12,850	12,850	25	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS).	6,598	6,598	17	MINES		
	AIR-TO-SURFACE MISSILE SYSTEM			26	COMMON REMOTELY OPERATED WEAPONS STATION.	56,725	56,725	17	MINES & CLEARING CHARGES, ALL TYPES.	3,775	3,775
04	HELLFIRE SYS SUMMARY	1,401	11,401	27	HOWITZER LT WT 155MM (T).	13,827	13,827	18	NETWORKED MUNITIONS		
	Program increase ...		[10,000]		MOD OF WEAPONS AND OTHER COMBAT VEH			19	SHOULDER LAUNCHED MUNITIONS, ALL TYPES.	1,005	1,005
	ANTI-TANK/ASSAULT MISSILE SYS			29	M777 MODS	26,843	26,843	20	ROCKET, HYDRA 70, ALL TYPES.	123,433	123,433
05	JAVELIN (AAWS-M) SYSTEM SUMMARY.	81,121	81,121	30	M4 CARBINE MODS	27,243	27,243	21	OTHER AMMUNITION		
06	TOW 2 SYSTEM SUMMARY.	64,712	64,712	31	M2 50 CAL MACHINE GUN MODS.	39,974	39,974	21	DEMOLITION MUNITIONS, ALL TYPES.	35,189	35,189
07	ADVANCE PROCUREMENT (CY).	19,931	19,931	32	M249 SAW MACHINE GUN MODS.	4,996	4,996	22	GRENADES, ALL TYPES ...	33,477	33,477
08	GUIDED MLRS ROCKET (GMLRS).	218,679	218,679	33	M240 MEDIUM MACHINE GUN MODS.	6,806	6,806	23	SIGNALS, ALL TYPES	9,991	9,991
09	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR).	18,767	18,767	34	SNIPER RIFLES MODIFICATIONS.	14,113	14,113	24	SIMULATORS, ALL TYPES	10,388	10,388
10	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.	12,051	12,051	35	M119 MODIFICATIONS	20,727	20,727	25	MISCELLANEOUS		
	MODIFICATIONS			36	M16 RIFLE MODS	3,306	3,306	25	AMMO COMPONENTS, ALL TYPES.	19,383	19,383
11	PATRIOT MODS	199,565	199,565	37	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV).	3,072	3,072	26	NON-LETHAL AMMUNITION, ALL TYPES.	7,336	7,336
13	MLRS MODS	2,466	2,466		SUPPORT EQUIPMENT & FACILITIES			27	CAD/PAD ALL TYPES	6,641	6,641
14	HIMARS MODIFICATIONS	6,068	6,068	38	ITEMS LESS THAN \$5 MILLION (WOCV-WTCV).	2,026	2,026	28	ITEMS LESS THAN \$5 MILLION.	15,092	15,092
	SPARES AND REPAIR PARTS			39	PRODUCTION BASE SUPPORT (WOCV-WTCV).	10,115	10,115	29	AMMUNITION PECULIAR EQUIPMENT.	15,692	15,692
16	SPARES AND REPAIR PARTS.	7,864	7,864	40	INDUSTRIAL PREPAREDNESS.	442	442	30	FIRST DESTINATION TRANSPORTATION (AMMO).	14,107	14,107
	SUPPORT EQUIPMENT & FACILITIES			41	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG).	2,378	2,378	31	CLOSEOUT LIABILITIES	106	106
17	AIR DEFENSE TARGETS ...	3,864	3,864		SPARES				PRODUCTION BASE SUPPORT		
18	ITEMS LESS THAN \$5 MILLION (MISSILES).	1,560	1,560	42	SPARES AND REPAIR PARTS (WTCV).	31,217	31,217	32	PROVISION OF INDUSTRIAL FACILITIES.	220,171	220,171
19	PRODUCTION BASE SUPPORT.	5,200	5,200		TOTAL, PROCUREMENT OF W&TCV, ARMY	1,501,706	1,884,200	33	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL.	182,461	182,461
	TOTAL, MISSILE PROCUREMENT, ARMY.	1,302,689	1,362,689					34	ARMS INITIATIVE	3,377	3,377
	PROCUREMENT OF W&TCV, ARMY TRACKED COMBAT VEHICLES										
01	STRYKER VEHICLE	286,818	286,818								

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY.	1,739,706	1,631,906	41	TRACTOR DESK	7,779	7,779	92	MOD OF IN-SVC EQUIP (FIREFINDER RADARS).	3,075	3,075
	OTHER PROCUREMENT, ARMY			43	SPIDER APLA REMOTE CONTROL UNIT. Program delay	34,365	19,365	94	JOINT BATTLE COMMAND—PLATFORM (JBC-P).	141,385	141,385
	TACTICAL VEHICLES			44	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS.	1,833	1,833	96	MOD OF IN-SVC EQUIP (LLDR).	22,403	22,403
01	SEMITRAILERS, FLATBED:	7,097	7,097	45	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM.	12,984	12,984	98	MORTAR FIRE CONTROL SYSTEM.	29,505	29,505
02	FAMILY OF MEDIUM TACTICAL VEH (FMTV).	346,115	346,115	47	GUNSHOT DETECTION SYSTEM (GDS).	2,332	2,332	99	COUNTERFIRE RADARS ...	244,409	244,409
03	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP.	19,292	19,292	48	RADIO, IMPROVED HF (COTS) FAMILY.	1,132	1,132	100	ENHANCED SENSOR & MONITORING SYSTEM (WMD).	2,426	2,426
04	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV).	52,933	52,933	49	MEDICAL COMM FOR CBT CASUALTY CARE (MC4).	22,899	22,899		ELECT EQUIP—TACTICAL C2 SYSTEMS		
05	PLS ESP	18,035	18,035		COMM—INTELLIGENCE COMM			101	TACTICAL OPERATIONS CENTERS.	30,196	30,196
09	TRUCK, TRACTOR, LINE HAUL, M915/M916.	3,619	3,619	51	CI AUTOMATION ARCHITECTURE.	1,564	1,564	102	FIRE SUPPORT C2 FAMILY	58,903	58,903
10	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV.	26,859	26,859	52	RESERVE CA/MISO GPF EQUIPMENT.	28,781	28,781	103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM.	8,111	8,111
12	TACTICAL WHEELED VEHICLE PROTECTION KITS.	69,163	69,163	53	INFORMATION SECURITY			104	FAAD C2	5,031	5,031
13	MODIFICATION OF IN SVC EQUIP.	91,754	91,754	54	TSEC—ARMY KEY MGT SYS (AKMS).	23,432	23,432	105	AIR & MSL DEFENSE PLANNING & CONTROL SYS.	64,144	64,144
18	NON-TACTICAL VEHICLES			54	INFORMATION SYSTEM SECURITY PROGRAM-ISSP.	43,897	43,897	106	KNIGHT FAMILY	11,999	11,999
19	PASSENGER CARRYING VEHICLES.	2,548	2,548	56	COMM—LONG HAUL COMMUNICATIONS			107	LIFE CYCLE SOFTWARE SUPPORT (LCSS).	1,853	1,853
	NON-TACTICAL VEHICLES, OTHER.			57	TERRESTRIAL TRANSMISSION.	2,891	2,891	108	AUTOMATIC IDENTIFICATION TECHNOLOGY.	14,377	14,377
	COMM—JOINT COMMUNICATIONS			57	BASE SUPPORT COMMUNICATIONS.	13,872	13,872	111	NETWORK MANAGEMENT INITIALIZATION AND SERVICE.	59,821	59,821
20	JOINT COMBAT IDENTIFICATION MARKING SYSTEM.	10,061	10,061	58	WW TECH CON IMP PROG (WWTCP).	9,595	9,595	112	MANEUVER CONTROL SYSTEM (MCS).	51,228	51,228
21	WIN-T—GROUND FORCES TACTICAL NETWORK. Program adjustment.	892,635	872,635	58	COMM—BASE COMMUNICATIONS			113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE).	176,901	176,901
22	SIGNAL MODERNIZATION PROGRAM.	45,626	45,626	59	INFORMATION SYSTEMS ..	142,133	142,133	114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET.	15,209	15,209
23	JCSE EQUIPMENT (USREDCOM).	5,143	5,143	61	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.	57,727	57,727		ELECT EQUIP—AUTOMATION		
	COMM—SATELLITE COMMUNICATIONS			62	PENTAGON INFORMATION MGT AND TELECOM.	5,000	5,000	115	ARMY TRAINING MODERNIZATION.	8,866	8,866
24	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS.	151,636	151,636		ELECT EQUIP—TACT INT REL ACT (TIARA)			116	AUTOMATED DATA PROCESSING EQUIP.	129,438	129,438
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.	6,822	6,822	65	JTT/CIBS-M	1,641	1,641	117	GENERAL FUND ENTERPRISE BUSINESS SYS FAM.	9,184	9,184
26	SHF TERM	9,108	9,108	66	PROPHET GROUND	48,797	48,797	118	CSS COMMUNICATIONS ...	20,639	20,639
28	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE).	27,353	27,353	69	DCGS-A (MIP)	184,007	184,007	119	RESERVE COMPONENT AUTOMATION SYS (RCAS).	35,493	35,493
29	SMART-T (SPACE)	98,656	98,656	70	JOINT TACTICAL GROUND STATION (JTGS).	2,680	2,680		ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
31	GLOBAL BRDCST SVC—GBS.	47,131	47,131	71	TROJAN (MIP)	21,483	21,483	120	ITEMS LESS THAN \$5 MILLION (A/V).	8,467	8,467
32	MOD OF IN-SVC EQUIP (TAC SAT).	23,281	23,281	72	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP).	2,412	2,412	121	ITEMS LESS THAN \$5 MILLION.	5,309	5,309
	COMM—C3 SYSTEM			73	CI HUMINT AUTO RE-PRINTING AND COLLECTION.	7,077	7,077		ELECT EQUIP—SUPPORT		
34	ARMY GLOBAL CMD & CONTROL SYS (AGCCS).	10,848	10,848		ELECT EQUIP—ELECTRONIC WARFARE (EW)			122	PRODUCTION BASE SUPPORT (C-E).	586	586
	COMM—COMBAT COMMUNICATIONS			75	LIGHTWEIGHT COUNTER MORTAR RADAR.	72,594	72,594		CLASSIFIED PROGRAMS		
35	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO).	979	979	76	CREW	15,446	15,446	124A	CLASSIFIED PROGRAMS ..	3,435	3,435
36	JOINT TACTICAL RADIO SYSTEM. Program adjustment.	556,250	521,250	78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES.	1,470	1,470		CHEMICAL DEFENSIVE EQUIPMENT		
37	MID-TIER NETWORKING VEHICULAR RADIO (MNV.R). Program adjustment.	86,219	76,219	79	CI MODERNIZATION	1,368	1,368	126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE).	3,960	3,960
38	RADIO TERMINAL SET, MIDS LVT(2).	7,798	7,798		ELECT EQUIP—TACTICAL SURV. (TAC SURV)			127	BASE DEFENSE SYSTEMS (BDS).	4,374	4,374
39	SINGGARS FAMILY	9,001	9,001	80	FAAD GBS	7,980	7,980	128	CBRN SOLDIER PROTECTION.	9,259	9,259
40	AMC CRITICAL ITEMS—OPA2.	24,601	24,601	81	SENTINEL MODS	33,444	33,444		BRIDGING EQUIPMENT		
				82	SENSE THROUGH THE WALL (STTW).	6,212	6,212	130	TACTICAL BRIDGING	35,499	35,499
				83	NIGHT VISION DEVICES ...	166,516	166,516	131	TACTICAL BRIDGE, FLOAT-RIBBON.	32,893	32,893
				85	NIGHT VISION, THERMAL WPN SIGHT.	82,162	82,162		ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
				86	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF.	20,717	20,717	134	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS).	29,106	29,106
				89	GREEN LASER INTERDICTION SYSTEM (GLIS).	1,014	1,014	135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).	25,459	25,459
				90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS.	29,881	29,881				
				91	PROFILER	12,482	12,482				

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
136	REMOTE DEMOLITION SYSTEMS.	8,044	8,044
137	< \$5M. COUNTERMINE EQUIPMENT.	3,698	3,698
	COMBAT SERVICE SUPPORT EQUIPMENT		
138	HEATERS AND ECU'S	12,210	12,210
139	SOLDIER ENHANCEMENT	6,522	6,522
140	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS).	11,222	11,222
141	GROUND SOLDIER SYSTEM.	103,317	103,317
144	FIELD FEEDING EQUIPMENT.	27,417	27,417
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.	52,065	52,065
146	MORTUARY AFFAIRS SYSTEMS.	2,358	2,358
147	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS.	31,573	31,573
148	ITEMS LESS THAN \$5 MILLION.	14,093	14,093
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER.	36,266	36,266
	MEDICAL EQUIPMENT		
150	COMBAT SUPPORT MEDICAL.	34,101	34,101
151	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP).	20,540	20,540
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS.	2,495	2,495
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE).	2,028	2,028
156	SCRAPERS, EARTHMOVING.	6,146	6,146
157	MISSION MODULES—ENGINEERING.	31,200	31,200
161	TRACTOR, FULL TRACKED	20,867	20,867
162	ALL TERRAIN CRANES	4,003	4,003
163	PLANT, ASPHALT MIXING	3,679	3,679
164	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE).	30,042	30,042
165	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA.	13,725	13,725
166	CONST EQUIP ESP	13,351	13,351
167	ITEMS LESS THAN \$5 MILLION (CONST EQUIP).	9,134	9,134
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
170	ITEMS LESS THAN \$5 MILLION (FLOAT/RAIL).	10,552	10,552
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIP.	60,302	60,302
	MATERIAL HANDLING EQUIPMENT		
173	FAMILY OF FORKLIFTS	5,895	5,895
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT.	104,649	104,649
176	TRAINING DEVICES, NON-SYSTEM.	125,251	125,251
177	CLOSE COMBAT TACTICAL TRAINER.	19,984	19,984
178	AVIATION COMBINED ARMS TACTICAL TRAINER.	10,977	10,977
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.	4,056	4,056
	TEST MEASURE AND DIG EQUIPMENT (TMD)		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
180	CALIBRATION SETS EQUIPMENT.	10,494	10,494
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE).	45,508	45,508
182	TEST EQUIPMENT MODERNIZATION (TEMOD).	24,334	24,334
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.	5,078	5,078
184	PHYSICAL SECURITY SYSTEMS (OPA3).	46,301	46,301
185	BASE LEVEL COMMON EQUIPMENT.	1,373	1,373
186	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3).	59,141	59,141
187	PRODUCTION BASE SUPPORT (OTH).	2,446	2,446
188	SPECIAL EQUIPMENT FOR USER TESTING.	12,920	12,920
189	AMC CRITICAL ITEMS OPA3.	19,180	19,180
190	TRACTOR YARD	7,368	7,368
191	UNMANNED GROUND VEHICLE.	83,937	83,937
	OPA2		
193	INITIAL SPARES—C&E	64,507	64,507
	TOTAL, OTHER PROCUREMENT, ARMY.	6,326,245	6,246,245
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND STAFF AND INFRASTRUCTURE		
04	OPERATIONS	227,414	0
	Transfer of funds to title 15.		[-227,414]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.	227,414	0
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
01	EA-18G	1,027,443	997,443
	Cost growth-CFE electronics, non-recurring costs.		[-30,000]
02	ADVANCE PROCUREMENT (CY).		45,000
	Program increase ...		[45,000]
03	F/A-18E/F (FIGHTER) HORNET.	2,035,131	1,989,131
	Cost growth-CFE electronics, support costs.		[-46,000]
04	ADVANCE PROCUREMENT (CY).	30,296	30,296
05	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632
06	ADVANCE PROCUREMENT (CY).	65,180	65,180
07	JSF STOVL	1,404,737	1,404,737
08	ADVANCE PROCUREMENT (CY).	106,199	106,199
09	V-22 (MEDIUM LIFT)	1,303,120	1,303,120
10	ADVANCE PROCUREMENT (CY).	154,202	154,202
11	H-1 UPGRADES (UH-1Y/AH-1Z).	720,933	720,933
12	ADVANCE PROCUREMENT (CY).	69,658	69,658
13	MH-60S (MYP)	384,792	384,792
14	ADVANCE PROCUREMENT (CY).	69,277	69,277
15	MH-60R (MYP)	656,866	826,866
	Cruiser Retention—Restore 5 helicopters.		[170,000]
16	ADVANCE PROCUREMENT (CY).	185,896	185,896

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
17	P-8A POSEIDON	2,420,755	2,420,755
18	ADVANCE PROCUREMENT (CY).	325,679	325,679
19	E-2D ADV HAWKEYE	861,498	861,498
20	ADVANCE PROCUREMENT (CY).	123,179	123,179
	TRAINER AIRCRAFT		
22	JPATS	278,884	278,884
	OTHER AIRCRAFT		
23	KC-130J	3,000	3,000
24	ADVANCE PROCUREMENT (CY).	22,995	22,995
25	ADVANCE PROCUREMENT (CY).	51,124	51,124
26	MQ-8 UAV	124,573	124,573
27	STUASLO UAV	9,593	9,593
	MODIFICATION OF AIRCRAFT		
28	EA-6 SERIES	30,062	30,062
29	AEA SYSTEMS	49,999	49,999
30	AV-8 SERIES	38,703	38,703
31	ADVERSARY	4,289	4,289
32	F-18 SERIES	647,306	647,306
33	H-46 SERIES	2,343	2,343
34	AH-1W SERIES	8,721	8,721
35	H-53 SERIES	45,567	45,567
36	SH-60 SERIES	83,527	83,527
37	H-1 SERIES	6,508	6,508
38	EP-3 SERIES	66,374	66,374
39	P-3 SERIES	148,405	148,405
40	E-2 SERIES	16,322	16,322
41	TRAINER A/C SERIES	34,284	34,284
42	C-2A	4,743	4,743
43	C-130 SERIES	60,302	60,302
44	FEWSG	670	670
45	CARGO/TRANSPORT A/C SERIES.	26,311	26,311
46	E-6 SERIES	158,332	158,332
47	EXECUTIVE HELICOPTERS SERIES.	58,163	58,163
48	SPECIAL PROJECT AIRCRAFT.	12,421	12,421
49	T-45 SERIES	64,488	64,488
50	POWER PLANT CHANGES	21,569	21,569
51	JPATS SERIES	1,552	1,552
52	AVIATION LIFE SUPPORT MODS.	2,473	2,473
53	COMMON ECM EQUIPMENT.	114,690	114,690
54	COMMON AVIONICS CHANGES.	96,183	96,183
56	ID SYSTEMS	39,846	39,846
57	P-8 SERIES	5,302	5,302
58	MAGTF EW FOR AVIATION	34,127	34,127
59	RQ-7 SERIES	49,324	49,324
60	V-22 (TILT/ROTOR ACFT) OSPREY.	95,856	95,856
	AIRCRAFT SPARES AND REPAIR PARTS		
61	SPARES AND REPAIR PARTS.	1,166,430	1,126,430
	Spares cost growth—F-35C, F-35B, E-2D.		[-40,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
62	COMMON GROUND EQUIPMENT.	387,195	387,195
63	AIRCRAFT INDUSTRIAL FACILITIES.	23,469	23,469
64	WAR CONSUMABLES	43,383	43,383
65	OTHER PRODUCTION CHARGES.	3,399	3,399
66	SPECIAL SUPPORT EQUIPMENT.	32,274	32,274
67	FIRST DESTINATION TRANSPORTATION.	1,742	1,742
	TOTAL, AIRCRAFT PROCUREMENT, NAVY.	17,129,296	17,228,296
	WEAPONS PROCUREMENT, NAVY		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	
	MODIFICATION OF MIS-SILES				Advance procure-ment.		[778,000]		TOTAL, PRO-CUREMENT OF	759,539	746,992	
01	TRIDENT II MODS	1,224,683	1,224,683	05	CVN REFUELING OVER-HAULS.	1,613,392	1,613,392		AMMO, NAVY & MC.			
	SUPPORT EQUIPMENT & FACILITIES			06	ADVANCE PROCURE-MENT (CY).	70,010	70,010		OTHER PROCUREMENT, NAVY			
02	MISSILE INDUSTRIAL FA-CILITIES.	5,553	5,553	08	DDG 1000	669,222	669,222		SHIP PROPULSION EQUIPMENT			
	STRATEGIC MISSILES			09	DDG-51	3,048,658	3,048,658		01	LM-2500 GAS TURBINE ..	10,658	10,658
03	TOMAHAWK	308,970	308,970	10	ADVANCE PROCURE-MENT (CY).	466,283	581,283		02	ALLISON 501K GAS TUR-BINE.	8,469	8,469
	TACTICAL MISSILES				Advance procure-ment.		[115,000]		NAVIGATION EQUIPMENT			
04	AMRAAM	102,683	112,683	11	LITTORAL COMBAT SHIP ..	1,784,959	1,784,959		03	OTHER NAVIGATION EQUIPMENT.	23,392	23,392
	Program increase ...		[10,000]		AMPHIBIOUS SHIPS				PERISCOPES			
05	SIDEWINDER	80,226	80,226	15	JOINT HIGH SPEED VES-SEL.	189,196	189,196		04	SUB PERISCOPES & IM-AGING EQUIP.	53,809	53,809
06	JSOW	127,609	137,809		AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST				OTHER SHIPBOARD EQUIPMENT			
	Program increase ...		[10,200]	17	ADVANCE PROCURE-MENT (CY).	307,300	307,300		05	DDG MOD	452,371	452,371
07	STANDARD MISSILE	399,482	399,482	18	OUTFITTING	309,648	309,648		06	FIREFIGHTING EQUIPMENT	16,958	16,958
08	RAM	66,769	66,769	20	LCAC SLEP	47,930	47,930		07	COMMAND AND CONTROL SWITCHBOARD.	2,492	2,492
09	HELLFIRE	74,501	91,901	21	COMPLETION OF PY SHIP-BUILDING PROGRAMS.	372,573	372,573		08	POLLUTION CONTROL EQUIPMENT.	20,707	20,707
	Program increase ...		[17,400]		TOTAL, SHIP-BUILDING & CONVERSION, NAVY.	13,579,845	14,472,845		09	SUBMARINE SUPPORT EQUIPMENT.	12,046	12,046
11	AERIAL TARGETS	61,518	61,518		PROCUREMENT OF				10	VIRGINIA CLASS SUPPORT EQUIPMENT.	79,870	79,870
12	OTHER MISSILE SUPPORT	3,585	3,585		AMMO, NAVY & MC				11	LCS CLASS SUPPORT EQUIPMENT.	19,865	19,865
	MODIFICATION OF MIS-SILES				NAVY AMMUNITION				12	SUBMARINE BATTERIES ..	41,522	41,522
13	ESSM	58,194	58,194	01	GENERAL PURPOSE	27,024	27,024		13	LPD CLASS SUPPORT EQUIPMENT.	30,543	30,543
14	HARM MODS	86,721	86,721	02	BOMBS.				14	STRATEGIC PLATFORM SUPPORT EQUIP.	16,257	16,257
	SUPPORT EQUIPMENT & FACILITIES			03	AIRBORNE ROCKETS, ALL TYPES.	21,266	21,266		15	DSSP EQUIPMENT	3,630	3,630
16	WEAPONS INDUSTRIAL FACILITIES.	2,014	2,014	04	MACHINE GUN AMMUNI-TION.	56,575	56,575		16	CG MODERNIZATION	101,000	184,972
17	FLEET SATELLITE COMM FOLLOW-ON.	21,454	21,454	05	PRACTICE BOMBS	34,319	34,319			Cruiser retention		[83,972]
	ORDNANCE SUPPORT EQUIPMENT			06	CARTRIDGES & CART AC-TUATED DEVICES.	53,755	53,755		17	LCAC	16,645	16,645
18	ORDNANCE SUPPORT EQUIPMENT.	54,945	54,945	07	AIR EXPENDABLE COUN-TERMESURES.	61,693	61,693		18	UNDERWATER EOD PRO-GRAMS.	35,446	35,446
	TORPEDOES AND RE-LATED EQUIP			08	JATOS	2,776	2,776		19	ITEMS LESS THAN \$5 MILLION.	65,998	65,998
19	SSTD	2,700	2,700	09	LRLAP 6" LONG RANGE ATTACK PROJECTILE.	7,102	7,102		20	CHEMICAL WARFARE DE-TECTORS.	4,359	4,359
20	ASW TARGETS	10,385	10,385	10	5 INCH/54 GUN AMMUNI-TION.	48,320	48,320		21	SUBMARINE LIFE SUP-PORT SYSTEM.	10,218	10,218
	MOD OF TORPEDOES AND RELATED EQUIP			11	INTERMEDIATE CALIBER GUN AMMUNITION.	25,544	25,544		REACTOR PLANT EQUIP-MENT			
21	MK-54 TORPEDO MODS ..	74,487	74,487	12	OTHER SHIP GUN AMMU-NITION.	41,624	41,624		22	REACTOR POWER UNITS	286,859	286,859
22	MK-48 TORPEDO ADCAP MODS.	54,281	54,281	13	SMALL ARMS & LANDING PARTY AMMO.	65,893	65,893		23	REACTOR COMPONENTS ..	278,503	278,503
23	QUICKSTRIKE MINE	6,852	6,852	14	PYROTECHNIC AND DEM-OLITION.	11,176	11,176		OCEAN ENGINEERING			
	SUPPORT EQUIPMENT			15	AMMUNITION LESS THAN \$5 MILLION.	4,116	4,116		24	DIVING AND SALVAGE EQUIPMENT.	8,998	8,998
24	TORPEDO SUPPORT EQUIPMENT.	46,402	46,402		MARINE CORPS AMMUNI-TION				SMALL BOATS			
25	ASW RANGE SUPPORT	11,927	11,927	16	SMALL ARMS AMMUNI-TION.	83,733	83,733		25	STANDARD BOATS	30,131	30,131
	DESTINATION TRANSPOR-TATION			17	LINEAR CHARGES, ALL TYPES.	24,645	24,645		TRAINING EQUIPMENT			
26	FIRST DESTINATION TRANSPORTATION.	3,614	3,614	18	40MM, ALL TYPES	16,201	16,201		26	OTHER SHIPS TRAINING EQUIPMENT.	29,772	29,772
	GUNS AND GUN MOUNTS			19	81MM, ALL TYPES	13,711	3,711		PRODUCTION FACILITIES EQUIPMENT			
27	SMALL ARMS AND WEAP-ONS.	12,594	12,594		Excess to need		[-10,000]		27	OPERATING FORCES IPE	64,346	64,346
	MODIFICATION OF GUNS AND GUN MOUNTS			20	120MM, ALL TYPES	12,557	12,557		OTHER SHIP SUPPORT			
28	CIWS MODS	59,303	59,303	21	GRENADES, ALL TYPES ...	7,634	7,134		28	NUCLEAR ALTERATIONS ..	154,652	154,652
29	COAST GUARD WEAPONS	19,072	19,072		Excess to need		[-500]		29	LCS COMMON MISSION MODULES EQUIPMENT.	31,319	31,319
30	GUN MOUNT MODS	54,706	54,706	23	ROCKETS, ALL TYPES	27,528	27,528		30	LCS MCM MISSION MOD-ULES.	38,392	38,392
31	CRUISER MODERNIZATION WEAPONS.	1,591	19,622	24	ARTILLERY, ALL TYPES ...	93,065	93,065		31	LCS SUW MISSION MOD-ULES.	32,897	32,897
	Cruiser retention—5'62 Upgrade.		[18,031]	25	DEMOLITION MUNITIONS, ALL TYPES.	2,047	0		LOGISTIC SUPPORT			
32	AIRBORNE MINE NEU-TRALIZATION SYSTEMS.	20,607	20,607	26	Excess to need		[-2,047]		32	LSD MIDLIFE	49,758	49,758
	SPARES AND REPAIR PARTS			27	FUZE, ALL TYPES	5,297	5,297		SHIP SONARS			
34	SPARES AND REPAIR PARTS.	60,150	60,150	28	NON LETHALS	1,362	1,362		34	SPQ-9B RADAR	19,777	19,777
	TOTAL, WEAPONS PROCURE-MENT, NAVY.	3,117,578	3,173,209	29	AMMO MODERNIZATION ..	4,566	4,566		35	AN/SQQ-89 SURF ASW COMBAT SYSTEM.	89,201	89,201
	SHIPBUILDING & CON-VERSION, NAVY				ITEMS LESS THAN \$5 MILLION.	6,010	6,010		36	SSN ACOUSTICS	190,874	190,874
	OTHER WARSHIPS								37	UNDERSEA WARFARE SUPPORT EQUIPMENT.	17,035	17,035
01	CARRIER REPLACEMENT PROGRAM.	608,195	608,195						38	SONAR SWITCHES AND TRANSDUCERS.	13,410	13,410
03	VIRGINIA CLASS SUB-MARINE.	3,217,601	3,217,601									
04	ADVANCE PROCURE-MENT (CY).	874,878	1,652,878									

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	ASW ELECTRONIC EQUIPMENT		
40	SUBMARINE ACOUSTIC WARFARE SYSTEM.	21,489	21,489
41	SSTD	10,716	10,716
42	FIXED SURVEILLANCE SYSTEM.	98,896	98,896
43	SURTASS	2,774	2,774
44	MARITIME PATROL AND RECONNAISSANCE FORCE.	18,428	18,428
	ELECTRONIC WARFARE EQUIPMENT		
45	AV/SLQ-32	92,270	92,270
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT .. Cruiser Retention ...	107,060	108,185 (1,125)
47	AUTOMATED IDENTIFICATION SYSTEM (AIS).	914	914
	SUBMARINE SURVEILLANCE EQUIPMENT		
48	SUBMARINE SUPPORT EQUIPMENT PROG.	34,050	34,050
	OTHER SHIP ELECTRONIC EQUIPMENT		
49	COOPERATIVE ENGAGEMENT CAPABILITY.	27,881	27,881
50	TRUSTED INFORMATION SYSTEM (TIS).	448	448
51	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS).	35,732	35,732
53	NAVY COMMAND AND CONTROL SYSTEM (NCCS).	9,533	9,533
54	MINESWEEPING SYSTEM REPLACEMENT.	60,111	60,111
55	SHALLOW WATER MCM ...	6,950	6,950
56	NAVSTAR GPS RECEIVERS (SPACE).	9,089	9,089
57	AMERICAN FORCES RADIO AND TV SERVICE.	7,768	7,768
58	STRATEGIC PLATFORM SUPPORT EQUIP.	3,614	3,614
	TRAINING EQUIPMENT		
59	OTHER TRAINING EQUIPMENT.	42,911	42,911
	AVIATION ELECTRONIC EQUIPMENT		
60	MATCALs	5,861	5,861
61	SHIPBOARD AIR TRAFFIC CONTROL.	8,362	8,362
62	AUTOMATIC CARRIER LANDING SYSTEM.	15,685	15,685
63	NATIONAL AIR SPACE SYSTEM.	16,919	16,919
64	FLEET AIR TRAFFIC CONTROL SYSTEMS.	6,828	6,828
65	LANDING SYSTEMS	7,646	7,646
66	ID SYSTEMS	35,474	35,474
67	NAVAL MISSION PLANNING SYSTEMS.	9,958	9,958
	OTHER SHORE ELECTRONIC EQUIPMENT		
68	DEPLOYABLE JOINT COMMAND AND CONT.	9,064	9,064
69	MARITIME INTEGRATED BROADCAST SYSTEM.	16,026	16,026
70	TACTICAL/MOBILE C4I SYSTEMS.	11,886	11,886
71	DCGS-N	11,887	11,887
72	CANES	341,398	344,848 (3,450)
	Cruiser Retention ...		
73	RADIAC	8,083	8,083
74	CANES-INTELL	79,427	79,427
75	GPETE	6,083	6,083
76	INTEG COMBAT SYSTEM TEST FACILITY.	4,495	4,495
77	EMI CONTROL INSTRUMENTATION.	4,767	4,767
78	ITEMS LESS THAN \$5 MILLION.	81,755	81,755

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	SHIPBOARD COMMUNICATIONS		
80	SHIP COMMUNICATIONS AUTOMATION.	56,870	58,023
	Cruiser Retention ...		(1,153)
81	MARITIME DOMAIN AWARENESS (MDA).	1,063	1,063
82	COMMUNICATIONS ITEMS UNDER \$5M.	28,522	28,522
	SUBMARINE COMMUNICATIONS		
83	SUBMARINE BROADCAST SUPPORT.	4,183	4,183
84	SUBMARINE COMMUNICATION EQUIPMENT.	69,025	69,025
	SATELLITE COMMUNICATIONS		
85	SATELLITE COMMUNICATIONS SYSTEMS.	49,294	49,294
86	NAVY MULTIBAND TERMINAL (NMT).	184,825	186,540
	Cruiser Retention ...		(1,715)
	SHORE COMMUNICATIONS		
87	JCS COMMUNICATIONS EQUIPMENT.	2,180	2,180
88	ELECTRICAL POWER SYSTEMS.	1,354	1,354
	CRYPTOGRAPHIC EQUIPMENT		
90	INFO SYSTEMS SECURITY PROGRAM (ISSP).	144,104	144,104
	CRYPTOLOGIC EQUIPMENT		
91	CRYPTOLOGIC COMMUNICATIONS EQUIP.	12,604	12,604
	OTHER ELECTRONIC SUPPORT		
92	COAST GUARD EQUIPMENT.	6,680	6,680
	SONOBUOYS		
95	SONOBUOYS—ALL TYPES	104,677	104,677
	AIRCRAFT SUPPORT EQUIPMENT		
96	WEAPONS RANGE SUPPORT EQUIPMENT.	70,753	70,753
97	EXPEDITIONARY AIRFIELDS.	8,678	8,678
98	AIRCRAFT REARMING EQUIPMENT.	11,349	11,349
99	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT.	82,618	82,618
100	METEOROLOGICAL EQUIPMENT.	18,339	18,339
101	DCRS/DPL	1,414	1,414
102	AVIATION LIFE SUPPORT	40,475	40,475
103	AIRBORNE MINE COUNTERMEASURES.	61,552	61,552
104	LAMPS MK III SHIPBOARD EQUIPMENT.	18,771	18,771
105	PORTABLE ELECTRONIC MAINTENANCE AIDS.	7,954	7,954
106	OTHER AVIATION SUPPORT EQUIPMENT.	10,023	10,023
107	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS).	3,826	3,826
	SHIP GUN SYSTEM EQUIPMENT		
108	NAVAL FIRES CONTROL SYSTEM.	3,472	3,472
109	GUN FIRE CONTROL EQUIPMENT.	4,528	4,528
	SHIP MISSILE SYSTEMS EQUIPMENT		
110	NATO SEASPARROW	8,960	8,960
111	RAM GMLS	1,185	1,185
112	SHIP SELF DEFENSE SYSTEM.	55,371	55,371
113	AGIS SUPPORT EQUIPMENT.	81,614	81,614
114	TOMAHAWK SUPPORT EQUIPMENT.	77,767	77,767

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
115	VERTICAL LAUNCH SYSTEMS.	754	754
116	MARITIME INTEGRATED PLANNING SYSTEMS.	4,965	4,965
	FBM SUPPORT EQUIPMENT		
117	STRATEGIC MISSILE SYSTEMS EQUIP.	181,049	181,049
	ASW SUPPORT EQUIPMENT		
118	SSN COMBAT CONTROL SYSTEMS.	71,316	71,316
119	SUBMARINE ASW SUPPORT EQUIPMENT.	4,018	4,018
120	SURFACE ASW SUPPORT EQUIPMENT.	6,465	6,465
121	ASW RANGE SUPPORT EQUIPMENT.	47,930	47,930
	OTHER ORDNANCE SUPPORT EQUIPMENT		
122	EXPLOSIVE ORDNANCE DISPOSAL EQUIP.	3,579	3,579
123	ITEMS LESS THAN \$5 MILLION.	3,125	3,125
	OTHER EXPENDABLE ORDNANCE		
124	ANTI-SHIP MISSILE DECOY SYSTEM.	31,743	42,981
	Cruiser Retention ...		(1,238)
	Program increase for NULKA decoys.		(10,000)
125	SURFACE TRAINING DEVICE MODS.	34,174	34,174
126	SUBMARINE TRAINING DEVICE MODS.	23,450	23,450
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
127	PASSENGER CARRYING VEHICLES.	7,158	7,158
128	GENERAL PURPOSE TRUCKS.	3,325	3,325
129	CONSTRUCTION & MAINTENANCE EQUIP.	8,692	8,692
130	FIRE FIGHTING EQUIPMENT.	14,533	14,533
131	TACTICAL VEHICLES	15,330	15,330
132	AMPHIBIOUS EQUIPMENT	10,803	10,803
133	POLLUTION CONTROL EQUIPMENT.	7,265	7,265
134	ITEMS UNDER \$5 MILLION.	15,252	15,252
135	PHYSICAL SECURITY VEHICLES.	1,161	1,161
	SUPPLY SUPPORT EQUIPMENT		
136	MATERIALS HANDLING EQUIPMENT.	15,204	15,204
137	OTHER SUPPLY SUPPORT EQUIPMENT.	6,330	6,330
138	FIRST DESTINATION TRANSPORTATION.	6,539	6,539
139	SPECIAL PURPOSE SUPPLY SYSTEMS.	34,804	34,804
	TRAINING DEVICES		
140	TRAINING SUPPORT EQUIPMENT.	25,444	25,444
	COMMAND SUPPORT EQUIPMENT		
141	COMMAND SUPPORT EQUIPMENT.	43,165	43,165
142	EDUCATION SUPPORT EQUIPMENT.	2,251	2,251
143	MEDICAL SUPPORT EQUIPMENT.	3,148	3,148
146	NAVAL MIP SUPPORT EQUIPMENT.	3,502	3,502
148	OPERATING FORCES SUPPORT EQUIPMENT.	15,696	15,696
149	C4ISR EQUIPMENT	4,344	4,344
150	ENVIRONMENTAL SUPPORT EQUIPMENT.	19,492	19,492
151	PHYSICAL SECURITY EQUIPMENT.	177,149	177,149

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized
152	ENTERPRISE INFORMATION TECHNOLOGY.	183,995	183,995	34	COMM & ELEC INFRA-STRUCTURE SUPPORT.	42,625	42,625	18	ADVANCE PROCUREMENT (CY).	15,000	15,000
152A	CLASSIFIED PROGRAMS	13,063	13,063	035A	CLASSIFIED PROGRAMS	2,290	2,290		MISSION SUPPORT AIRCRAFT		
	SPARES AND REPAIR PARTS				ADMINISTRATIVE VEHICLES			19	CIVIL AIR PATROL A/C	2,498	2,498
153	SPARES AND REPAIR PARTS.	250,718	250,718	35	COMMERCIAL PASSENGER VEHICLES.	2,877	2,877	24	OTHER AIRCRAFT		
	TOTAL, OTHER PROCUREMENT, NAVY.	6,169,378	6,272,031	36	COMMERCIAL CARGO VEHICLES.	13,960	13,960	26	TARGET DRONES	129,866	129,866
	PROCUREMENT, MARINE CORPS				TACTICAL VEHICLES				RQ-4	75,000	180,200
	TRACKED COMBAT VEHICLES			37	5/4T TRUCK HMMVV (MYP).	8,052	8,052		Sustain current force structure.		[105,200]
01	AAV7A1 PIP	16,089	16,089	38	MOTOR TRANSPORT MODIFICATIONS.	50,269	50,269	28	AC-130J	163,970	163,970
02	LAV PIP	186,216	45,316	40	LOGISTICS VEHICLE SYSTEM REP.	37,262	37,262	30	MQ-9	553,530	712,430
	Budget adjustment per USMC.		[-140,900]	41	FAMILY OF TACTICAL TRAILERS.	48,160	48,160		Additional aircraft		[158,900]
	ARTILLERY AND OTHER WEAPONS			43	OTHER SUPPORT ITEMS LESS THAN \$5 MILLION.	6,705	6,705	31	RQ-4 BLOCK 40 PROC	11,654	11,654
03	EXPEDITIONARY FIRE SUPPORT SYSTEM.	2,502	2,502	44	ENGINEER AND OTHER EQUIPMENT				STRATEGIC AIRCRAFT		
04	155MM LIGHTWEIGHT TOWED HOWITZER.	17,913	17,913	45	ENVIRONMENTAL CONTROL EQUIP ASSORT.	13,576	13,576	32	B-2A	82,296	82,296
05	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.	47,999	47,999	46	BULK LIQUID EQUIPMENT	16,869	16,869	33	B-1B	149,756	149,756
06	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION.	17,706	17,706	47	TACTICAL FUEL SYSTEMS	19,108	19,108	34	B-52	9,781	9,781
	OTHER SUPPORT			48	POWER EQUIPMENT ASSORTED.	56,253	56,253	35	LARGE AIRCRAFT INFRA-RED COUNTER-MEASURES.	28,800	28,800
07	MODIFICATION KITS	48,040	48,040	49	AMPHIBIOUS SUPPORT EQUIPMENT.	13,089	13,089		TACTICAL AIRCRAFT		
08	WEAPONS ENHANCEMENT PROGRAM.	4,537	4,537	50	EOD SYSTEMS	73,699	73,699	36	A-10	89,919	89,919
	GUIDED MISSILES			51	MATERIALS HANDLING EQUIPMENT			37	F-15	148,378	148,378
09	GROUND BASED AIR DEFENSE.	11,054	11,054	52	PHYSICAL SECURITY EQUIPMENT.	3,510	3,510	38	F-16	6,896	6,896
11	FOLLOW ON TO SMAW	19,650	19,650	53	FIRST DESTINATION TRANSPORTATION.	132	132	39	F-22A	283,871	283,871
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H).	20,708	20,708	54	GENERAL PROPERTY FIELD MEDICAL EQUIPMENT.	31,068	31,068	40	F-35 MODIFICATIONS	147,995	147,995
	COMMAND AND CONTROL SYSTEMS			55	TRAINING DEVICES	45,895	45,895		AIRLIFT AIRCRAFT		
14	UNIT OPERATIONS CENTER.	1,420	1,420	56	CONTAINER FAMILY	5,801	5,801	41	C-5	6,967	6,967
	REPAIR AND TEST EQUIPMENT			57	FAMILY OF CONSTRUCTION EQUIPMENT.	23,939	23,939	43	C-5M	944,819	944,819
15	REPAIR AND TEST EQUIPMENT.	25,127	25,127	60	RAPID DEPLOYABLE KITCHEN.	8,365	8,365	44	ADVANCE PROCUREMENT (CY).	175,800	175,800
	OTHER SUPPORT (TEL)			61	OTHER SUPPORT			46	C-17A	205,079	205,079
16	COMBAT SUPPORT SYSTEM.	25,822	25,822	62	ITEMS LESS THAN \$5 MILLION.	7,077	7,077	47	C-21	199	199
17	MODIFICATION KITS	2,831	2,831	63	SPARES AND REPAIR PARTS			48	C-32A	1,750	1,750
	COMMAND AND CONTROL SYSTEM (NON-TEL)			64	SPARES AND REPAIR PARTS.	3,190	3,190	49	C-37A	445	445
18	ITEMS UNDER \$5 MILLION (COMM & ELEC).	5,498	5,498		TOTAL, PROCUREMENT, MARINE CORPS.	1,622,955	1,482,055		TRAINER AIRCRAFT		
19	AIR OPERATIONS C2 SYSTEMS.	11,290	11,290	65	TRAINING DEVICES	45,895	45,895	51	GLIDER MODS	126	126
	RADAR + EQUIPMENT (NON-TEL)			66	CONTAINER FAMILY	5,801	5,801	52	T-6	15,494	15,494
20	RADAR SYSTEMS	128,079	128,079	67	FAMILY OF CONSTRUCTION EQUIPMENT.	23,939	23,939	53	T-1	272	272
21	RQ-21 UAS	27,619	27,619	68	RAPID DEPLOYABLE KITCHEN.	8,365	8,365	54	T-38	20,455	20,455
	INTELL/COMM EQUIPMENT (NON-TEL)			69	OTHER SUPPORT				OTHER AIRCRAFT		
22	FIRE SUPPORT SYSTEM	7,319	7,319	70	ITEMS LESS THAN \$5 MILLION.	7,077	7,077	56	U-2 MODS	44,477	44,477
23	INTELLIGENCE SUPPORT EQUIPMENT.	7,466	7,466	71	SPARES AND REPAIR PARTS			57	KC-10A (ATCA)	46,921	46,921
25	RQ-11 UAV	2,318	2,318	72	SPARES AND REPAIR PARTS.	3,190	3,190	58	C-12	1,876	1,876
26	DCGS-MC	18,291	18,291	73	TOTAL, PROCUREMENT, MARINE CORPS.	1,622,955	1,482,055	59	MC-12W	17,054	17,054
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)			74	SPARES AND REPAIR PARTS.	3,190	3,190	60	C-20 MODS	243	243
29	NIGHT VISION EQUIPMENT	48,084	48,084	75	TOTAL, PROCUREMENT, MARINE CORPS.	1,622,955	1,482,055	61	VC-25A MOD	11,185	11,185
	OTHER SUPPORT (NON-TEL)			76	OTHER AIRCRAFT			62	C-40	243	243
30	COMMON COMPUTER RESOURCES.	206,708	206,708	77	OTHER AIRCRAFT			63	C-130	67,853	67,853
31	COMMAND POST SYSTEMS.	35,190	35,190	78	OTHER AIRCRAFT			64	C-130J MODS	70,555	70,555
32	RADIO SYSTEMS	89,059	89,059	79	OTHER AIRCRAFT			65	C-135	46,707	46,707
33	COMM SWITCHING & CONTROL SYSTEMS.	22,500	22,500	80	OTHER AIRCRAFT			66	COMPASS CALL MODS	50,024	50,024
				81	OTHER AIRCRAFT			67	RC-135	165,237	165,237
				82	OTHER AIRCRAFT			68	E-3	193,099	193,099
				83	OTHER AIRCRAFT			69	E-4	47,616	47,616
								70	E-8	59,320	59,320
								71	H-1	5,449	5,449
								72	H-60	26,227	26,227
								73	RQ-4 MODS	9,257	9,257
								74	HC/MC-130 MODIFICATIONS.	22,326	22,326
								75	OTHER AIRCRAFT	18,832	18,832
								76	MQ-1 MODS	30,861	30,861
								77	MQ-9 MODS	238,360	238,360
								78	MQ-9 UAS PAYLOADS	93,461	93,461
								79	CV-22 MODS	23,881	23,881
								80	AIRCRAFT SPARES AND REPAIR PARTS		
								81	INITIAL SPARES/REPAIR PARTS.	729,691	728,291
									Premature request for deployment spares packages for F-35.		[-23,000]
									Support additional MQ-9 aircraft.		[21,600]
									COMMON SUPPORT EQUIPMENT		
								82	AIRCRAFT REPLACEMENT SUPPORT EQUIP.	56,542	56,542
									POST PRODUCTION SUPPORT		
								83	A-10	5,100	5,100

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized
84	B-1	965	965	14	INITIAL SPARES/REPAIR PARTS.	74,373	74,373	22	WEATHER OBSERVATION FORECAST.	17,864	17,864
86	B-2A	47,580	47,580		SPACE PROGRAMS			23	STRATEGIC COMMAND AND CONTROL.	53,995	53,995
88	KC-10A (ATCA)	13,100	13,100	15	ADVANCED EHF	557,205	557,205	24	CHEYENNE MOUNTAIN COMPLEX.	14,578	14,578
89	C-17A	181,703	181,703	17	WIDEBAND GAPPILLER SATELLITES(SPACE).	36,835	36,835	25	TAC SIGINT SPT	208	208
90	C-130	31,830	31,830	19	GPS III SPACE SEGMENT	410,294	410,294		SPCL COMM-ELEC-TRONICS PROJECTS		
91	C-135	13,434	13,434	20	ADVANCE PROCUREMENT (CY).	82,616	82,616	27	GENERAL INFORMATION TECHNOLOGY.	69,743	69,743
92	F-15	2,363	2,363	21	SPACEBORNE EQUIP (COMSEC).	10,554	10,554	28	AF GLOBAL COMMAND & CONTROL SYS.	15,829	15,829
93	F-16	8,506	8,506	22	GLOBAL POSITIONING (SPACE).	58,147	58,147	29	MOBILITY COMMAND AND CONTROL.	11,023	11,023
96	OTHER AIRCRAFT	9,522	9,522	23	DEF METEOROLOGICAL SAT PROG(SPACE).	89,022	89,022	30	AIR FORCE PHYSICAL SECURITY SYSTEM.	64,521	64,521
	INDUSTRIAL PREPAREDNESS			24	EVOLVED EXPENDABLE LAUNCH VEH(SPACE).	1,679,856	1,679,856	31	COMBAT TRAINING RANGES.	18,217	18,217
97	INDUSTRIAL RESPONSIVENESS.	20,731	20,731	25	SBIR HIGH (SPACE)	454,251	454,251	32	C3 COUNTERMEASURES ..	11,899	11,899
	WAR CONSUMABLES			30	SPECIAL PROGRAMS			33	GCSS-AF FOS	13,920	13,920
98	WAR CONSUMABLES	89,727	89,727		SPECIAL UPDATE PROGRAMS.	138,904	138,904	34	THEATER BATTLE MGT C2 SYSTEM.	9,365	9,365
	OTHER PRODUCTION CHARGES			300A	CLASSIFIED PROGRAMS			35	AIR & SPACE OPERATIONS CTR-WPN SYS.	33,907	33,907
99	OTHER PRODUCTION CHARGES.	842,392	842,392		CLASSIFIED PROGRAMS ..	1,097,483	1,097,483		AIR FORCE COMMUNICATIONS		
	CLASSIFIED PROGRAMS				TOTAL, MISSILE PROCUREMENT, AIR FORCE.	5,491,846	5,506,846	36	INFORMATION TRANSPORT SYSTEMS.	52,464	52,464
103A	CLASSIFIED PROGRAMS ..	20,164	20,164		OTHER PROCUREMENT, AIR FORCE			38	AFNET	125,788	125,788
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.	11,002,999	11,316,699	01	PASSENGER CARRYING VEHICLES			39	VOICE SYSTEMS	16,811	16,811
	PROCUREMENT OF AMMUNITION, AIR FORCE				PASSENGER CARRYING VEHICLES.	1,905	1,905	40	USCENTCOM	32,138	32,138
	ROCKETS				CARGO AND UTILITY VEHICLES			41	DISA PROGRAMS		
01	ROCKETS	8,927	8,927	02	MEDIUM TACTICAL VEHICLE.	18,547	18,547	42	SPACE BASED IR SENSOR PGM SPACE.	47,135	47,135
	CARTRIDGES			03	CAP VEHICLES	932	932	43	NAVSTAR GPS SPACE	2,031	2,031
02	CARTRIDGES	118,075	118,075	04	ITEMS LESS THAN \$5 MILLION.	1,699	1,699	44	NUDET DETECTION SYS SPACE.	5,564	5,564
	BOMBS				SPECIAL PURPOSE VEHICLES			45	AF SATELLITE CONTROL NETWORK SPACE.	44,219	44,219
03	PRACTICE BOMBS	32,393	32,393	05	SECURITY AND TACTICAL VEHICLES.	10,850	10,850	46	SPACELIFT RANGE SYSTEM SPACE.	109,545	109,545
04	GENERAL PURPOSE BOMBS.	163,467	163,467	06	ITEMS LESS THAN \$5 MILLION.	9,246	9,246	47	MLSATCOM SPACE	47,592	47,592
05	JOINT DIRECT ATTACK MUNITION.	101,921	101,921	07	FIRE FIGHTING EQUIPMENT			48	SPACE MODS SPACE	47,121	47,121
	FLARE, IR MU-7B			08	FIRE FIGHTING/CRASH RESCUE VEHICLES.	23,148	23,148	49	COUNTERSPACE SYSTEM ORGANIZATION AND BASE	20,961	20,961
06	CAD/PAD	43,829	43,829		MATERIALS HANDLING EQUIPMENT			50	TACTICAL C-E EQUIPMENT.	126,131	126,131
07	EXPLOSIVE ORDNANCE DISPOSAL (EOD).	7,515	7,515	09	ITEMS LESS THAN \$5 MILLION.	18,323	18,323	51	COMBAT SURVIVOR EVADER LOCATER.	23,707	23,707
08	SPARES AND REPAIR PARTS.	1,003	1,003	10	BASE MAINTENANCE SUPPORT			52	RADIO EQUIPMENT	12,757	12,757
09	MODIFICATIONS	5,321	5,321		RUNWAY SNOW REMOV AND CLEANING EQU.	1,685	1,685	53	CCTV/AUDIOVISUAL EQUIPMENT.	10,716	10,716
10	ITEMS LESS THAN \$5 MILLION.	5,066	5,066	12	ITEMS LESS THAN \$5 MILLION.	17,014	17,014	54	BASE COMM INFRASTRUCTURE.	74,528	74,528
	FUZES			13	COMM SECURITY EQUIPMENT(COMSEC)				MODIFICATIONS		
11	FLARES	46,010	46,010		COMSEC EQUIPMENT	166,559	166,559	55	COMM ELECT MODS	43,507	43,507
12	FUZES	36,444	36,444		MODIFICATIONS (COMSEC).	1,133	1,133	56	PERSONAL SAFETY & RESCUE EQUIP		
	SMALL ARMS				INTELLIGENCE PROGRAMS			57	NIGHT VISION GOGGLES ..	22,693	22,693
13	SMALL ARMS	29,223	29,223	14	INTELLIGENCE TRAINING EQUIPMENT.	2,749	2,749	58	ITEMS LESS THAN \$5 MILLION.	30,887	30,887
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.	599,194	599,194	15	INTELLIGENCE COMM EQUIPMENT.	32,876	32,876		DEPOT PLANT+MTRLS HANDLING EQ		
	MISSILE PROCUREMENT, AIR FORCE			16	ADVANCE TECH SENSORS MISSION PLANNING SYSTEMS.	877	877	59	MECHANIZED MATERIAL HANDLING EQUIP.	2,850	2,850
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC			17	ELECTRONICS PROGRAMS			60	BASE SUPPORT EQUIPMENT		
01	MISSILE REPLACEMENT EQ-BALLISTIC.	56,906	56,906		AIR TRAFFIC CONTROL & LANDING SYS.	21,984	21,984	61	CONTINGENCY OPERATIONS.	10,358	10,358
	TACTICAL				NATIONAL AIRSPACE SYSTEM.	30,698	30,698	62	PRODUCTIVITY CAPITAL INVESTMENT.	3,473	3,473
02	JASSM	240,399	240,399	18	BATTLE CONTROL SYSTEM—FIXED.	17,368	17,368	63	MOBILITY EQUIPMENT	14,471	14,471
03	SIDEWINDER (AIM-9X)	88,020	88,020	19	THEATER AIR CONTROL SYS IMPROVEMENTS.	23,483	23,483	64	ITEMS LESS THAN \$5 MILLION.	1,894	1,894
04	AMRAAM	229,637	244,637						SPECIAL SUPPORT PROJECTS		
	Program increase ...		(15,000)					65	DARP RC135	24,176	24,176
05	PREDATOR HELLFIRE MISSILE.	47,675	47,675					66	DCGS-AF	142,928	142,928
06	SMALL DIAMETER BOMB	42,000	42,000					68	SPECIAL UPDATE PROGRAM.	479,446	479,446
	INDUSTRIAL FACILITIES										
07	INDUSTRIAL PREPAREDNS/POL PREVENTION.	744	744								
	CLASS IV										
09	MM III MODIFICATIONS	54,794	54,794								
10	AGM-65D MAVERICK	271	271								
11	AGM-88A HARM	23,240	23,240								
12	AIR LAUNCH CRUISE MISSILE (ALCM).	13,620	13,620								
13	SMALL DIAMETER BOMB	5,000	5,000								
	MISSILE SPARES AND REPAIR PARTS										

SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)				SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized
69	DEFENSE SPACE RECON- NAISSANCE PROG.	39,155	39,155	23	MAJOR EQUIPMENT	15,179	15,179	93	CBDP		
069A	CLASSIFIED PROGRAMS			045A	CLASSIFIED PROGRAMS ..	555,787	555,787		INSTALLATION FORCE	24,025	24,025
	CLASSIFIED PROGRAMS ..	14,331,312	14,331,312	46	AVIATION PROGRAMS			94	PROTECTION.		
	SPARES AND REPAIR			48	ROTARY WING UPGRADES	74,832	74,832	95	INDIVIDUAL PROTECTION	73,720	73,720
	PARTS			48	AND SUSTAINMENT.			96	DECONTAMINATION	506	506
71	SPARES AND REPAIR	14,663	14,663	48	MH-60 MODERNIZATION	126,780	126,780	96	JOINT BIO DEFENSE PRO-	32,597	32,597
	PARTS.			49	PROGRAM.			97	GRAM (MEDICAL).		
	TOTAL, OTHER	16,720,848	16,720,848	49	NON-STANDARD AVIATION	99,776	36,976	98	COLLECTIVE PROTECTION	3,144	3,144
	PROCURE-				Transfer to Line		[-62,800]		CONTAMINATION AVOID-	164,886	164,886
	MENT, AIR				051—Mission				ANCE.		
	FORCE.			51	Shift.				TOTAL, PRO-	4,187,935	4,624,135
	PROCUREMENT, DE-				U-28	7,530	116,930		UREMENT,		
	FENSE-WIDE				Program increase ...		[46,600]		DEFENSE-		
	MAJOR EQUIPMENT, OSD				Transfer from Line		[62,800]		WIDE.		
42	MAJOR EQUIPMENT, OSD	45,938	45,938		049—Mission				JOINT URGENT OPER-		
43	MAJOR EQUIPMENT, IN-	17,582	17,582	52	Shift.				ATIONAL NEEDS FUND		
	TELLIGENCE.			53	MH-47 CHINOOK	134,785	134,785		JOINT URGENT OPER-		
	MAJOR EQUIPMENT, NSA			54	RQ-11 UNMANNED AER-	2,062	2,062		ATIONAL NEEDS FUND		
41	INFORMATION SYSTEMS	6,770	6,770	54	IAL VEHICLE.			01	JOINT URGENT OPER-	99,477	0
	SECURITY PROGRAM			55	CV-22 MODIFICATION	139,147	139,147		ATIONAL NEEDS FUND.		
	(ISSP).			55	MQ-1 UNMANNED AERIAL	3,963	26,963		Program reduction		[-99,477]
	MAJOR EQUIPMENT, WHS				VEHICLE.				TOTAL, JOINT	99,477	0
45	MAJOR EQUIPMENT, WHS	26,550	26,550		Program increase ...		[23,000]		URGENT		
	MAJOR EQUIPMENT, DISA			56	MQ-9 UNMANNED AERIAL	3,952	39,352		OPERATIONAL		
12	INFORMATION SYSTEMS	12,708	12,708		VEHICLE.				NEEDS FUND.		
	SECURITY.			58	Program increase ...		[35,400]		TOTAL PROCUREMENT-	97,432,379	99,121,919
14	GLOBAL COMBAT SUP-	3,002	3,002	59	STUASLO	12,945	12,945		MENT.		
	PORT SYSTEM.			59	PRECISION STRIKE PACK-	73,013	73,013				
15	TELEPORT PROGRAM	46,992	46,992	60	AGE.						
16	ITEMS LESS THAN \$5	108,462	108,462	62	AC/MC-130J	51,484	51,484				
	MILLION.			62	C-130 MODIFICATIONS ...	25,248	25,248				
17	NET CENTRIC ENTER-	2,865	2,865	63	AIRCRAFT SUPPORT	5,314	5,314				
	PRISE SERVICES				SHIPBUILDING						
	(NCES).			64	UNDERWATER SYSTEMS ..	23,037	23,037				
18	DEFENSE INFORMATION	116,906	116,906	66	AMMUNITION PROGRAMS						
	SYSTEM NETWORK.			66	ORDNANCE REPLENISH-	113,183	113,183				
19	PUBLIC KEY INFRA-	1,827	1,827	67	MENT.						
	STRUCTURE.			67	ORDNANCE ACQUISITION	36,981	36,981				
21	CYBER SECURITY INITIA-	10,319	10,319		OTHER PROCUREMENT						
	TIVE.				PROGRAMS						
	MAJOR EQUIPMENT, DLA			68	COMMUNICATIONS EQUIP-	99,838	103,738				
22	MAJOR EQUIPMENT	9,575	9,575		MENT AND ELEC-						
	MAJOR EQUIPMENT, DSS				TRONICS.						
26	MAJOR EQUIPMENT	2,522	2,522		Program increase ...		[3,900]				
	MAJOR EQUIPMENT,			69	INTELLIGENCE SYSTEMS	71,428	71,428				
	DCAA			70	SMALL ARMS AND WEAP-	27,108	27,108				
02	ITEMS LESS THAN \$5	1,486	1,486	71	ONS.						
	MILLION.			71	DISTRIBUTED COMMON	12,767	12,767				
	MAJOR EQUIPMENT, TJS				GROUND/SURFACE						
44	MAJOR EQUIPMENT, TJS ..	21,878	21,878	74	SYSTEMS.						
	MAJOR EQUIPMENT, MIS-			74	COMBATANT CRAFT SYS-	42,348	42,348				
	SILE DEFENSE AGEN-			75	TEMS.						
	NCY			75	SPARES AND REPAIR	600	600				
30	THAAD	460,728	587,728	77	PARTS.						
	Procure 12 addi-		[127,000]	77	TACTICAL VEHICLES	37,421	37,421				
	tional intercep-			78	MISSION TRAINING AND	36,949	41,949				
	tors.				PREPARATION SYS-						
31	AEGIS BMD	389,626	389,626		TEMS.						
	Program increase ...				Program increase ...		[5,000]				
32	BMDS AN/TPY-2 RADARS	217,244	387,244	79	COMBAT MISSION RE-	20,255	20,255				
	Procure additional		[170,000]		QUIREMENTS.						
	AN/TPY-2 radar.			80	MILCON COLLATERAL	17,590	17,590				
33	RADAR SPARES	10,177	10,177		EQUIPMENT.						
	MAJOR EQUIPMENT,			82	AUTOMATION SYSTEMS ...	66,573	66,573				
	DHRA			83	GLOBAL VIDEO SURVEIL-	6,549	6,549				
05	PERSONNEL ADMINISTRA-	6,147	6,147		LANCE ACTIVITIES.						
	TION.			84	OPERATIONAL ENHANCE-	32,335	32,335				
	MAJOR EQUIPMENT, DE-				MENTS INTELLIGENCE.						
	FENSE THREAT RE-			85	SOLDIER PROTECTION	15,153	15,153				
	DUCTION AGENCY				AND SURVIVAL SYS-						
27	VEHICLES	50	50		TEMS.						
28	OTHER MAJOR EQUIP-	13,096	13,096	86	VISUAL AUGMENTATION	33,920	33,920				
	MENT.				LASERS AND SENSOR						
	MAJOR EQUIPMENT,			87	SYSTEMS.						
	DODEA				TACTICAL RADIO SYS-	75,132	75,132				
24	AUTOMATION/EDU-	1,458	1,458		TEMS.						
	CATIONAL SUPPORT &			90	MISCELLANEOUS EQUIP-	6,667	6,667				
	LOGISTICS.				MENT.						
	MAJOR EQUIPMENT,			91	OPERATIONAL ENHANCE-	217,972	243,272				
	DCMA				MENTS.						
03	MAJOR EQUIPMENT	2,129	2,129		Program increase ...		[25,300]				
	MAJOR EQUIPMENT,			92	MILITARY INFORMATION	27,417	27,417				
	DMACT				SUPPORT OPERATIONS.						

SEC. 4102. PROCUREMENT FOR OVERSEAS CON-
TINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	AIRCRAFT PROCURE-		
	MENT, ARMY		
	ROTARY		
9	AH-64 APACHE BLOCK	71,000	71,000
	IIB NEW BUILD.		
12	KIOWA WARRIOR (OH-	183,900	183,900
	58F) WRA.		
15	CH-47 HELICOPTER	231,300	231,300
	TOTAL, AIRCRAFT	486,200	486,200
	PROCURE-		
	MENT, ARMY.		
	MISSILE PROCUREMENT,		
	ARMY		
	AIR-TO-SURFACE MIS-		
	SILE SYSTEM		
4	HELLFIRE SYS SUMMARY	29,100	29,100
	ANTI-TANK/ASSAULT MIS-		
	SILE SYS		
8	GUIDED MLRS ROCKET	20,553	20,553
	(GMLRS).		
	TOTAL, MISSILE	49,653	49,653
	PROCURE-		
	MENT, ARMY.		
	PROCUREMENT OF		
	W&TCV, ARMY		
	MOD OF WEAPONS AND		
	OTHER COMBAT VEH		
36	M16 RIFLE MODS	15,422	15,422
	TOTAL, PRO-	15,422	15,422
	UREMENT OF		
	W&TCV, ARMY.		
	PROCUREMENT OF AM-		
	MUNITION, ARMY		
	SMALL/MEDIUM CAL AM-		
	MUNITION		
3	CTG, HANDGUN, ALL	1,500	1,500
	TYPES.		
4	CTG, .50 CAL, ALL TYPES	10,000	10,000
7	CTG, 30MM, ALL TYPES ..	80,000	61,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	Pricing adjustments for target practice round and light-weight dual purpose round.		[−19,000]
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES.	14,000	14,000
10	81MM MORTAR, ALL TYPES.	6,000	6,000
11	120MM MORTAR, ALL TYPES.	56,000	56,000
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP.	29,956	29,956
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES.	37,044	37,044
15	PROJ 155MM EXTENDED RANGE XM982.	12,300	12,300
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL.	17,000	17,000
	MINES		
17	MINES & CLEARING CHARGES, ALL TYPES.	12,000	12,000
	ROCKETS		
20	ROCKET, HYDRA 70, ALL TYPES.	63,635	63,635
	OTHER AMMUNITION		
23	SIGNALS, ALL TYPES	16,858	16,858
	MISCELLANEOUS		
28	ITEMS LESS THAN \$5 MILLION.	1,200	1,200
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY.	357,493	338,493
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
2	FAMILY OF MEDIUM TACTICAL VEH (FMTV).	28,247	28,247
4	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV).	2,050	2,050
11	HMMWV RECAPITALIZATION PROGRAM.	271,000	271,000
14	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS.	927,400	927,400
	COMM—INTELLIGENCE COMM		
52	RESERVE CA/MISO GPF EQUIPMENT.	8,000	8,000
	COMM—BASE COMMUNICATIONS		
61	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM.	25,000	25,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
69	DGGS-A (MIP)	90,355	90,355
73	CI HUMINT AUTO REPRINTING AND COLLECTION.	6,516	6,516
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR.	27,646	27,646
77	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES.	52,000	52,000
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES.	205,209	205,209
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
92	MOD OF IN-SVC EQUIP (FIREFINDER RADARS).	14,600	14,600
99	COUNTERFIRE RADARS ...	54,585	54,585

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
102	FIRE SUPPORT C2 FAMILY	22,430	22,430
103	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM.	2,400	2,400
112	MANEUVER CONTROL SYSTEM (MCS).	6,400	6,400
113	SINGLE ARMY LOGISTICS ENTERPRISE (SALE).	5,160	5,160
	CHEMICAL DEFENSIVE EQUIPMENT		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE).	15,000	15,000
127	BASE DEFENSE SYSTEMS (BDS).	66,100	66,100
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
135	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT).	3,565	3,565
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	FORCE PROVIDER	39,700	39,700
145	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM.	650	650
	PETROLEUM EQUIPMENT		
149	DISTRIBUTION SYSTEMS, PETROLEUM & WATER.	2,119	2,119
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS.	428	428
153	ITEMS LESS THAN \$5 MILLION (MAINT EQ).	30	30
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT.	7,000	7,000
176	TRAINING DEVICES, NON-SYSTEM.	27,250	27,250
178	AVIATION COMBINED ARMS TACTICAL TRAINER.	1,000	1,000
179	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING.	5,900	5,900
	OTHER SUPPORT EQUIPMENT		
183	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.	98,167	60,167
	Rapid equipping force delayed execution rates.		[−38,000]
	TOTAL, OTHER PROCUREMENT, ARMY.	2,015,907	1,977,907
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
1	ATTACK THE NETWORK	950,500	950,500
2	JIEDDO DEVICE DEFEAT DEFEAT THE DEVICE	400,000	400,000
3	FORCE TRAINING TRAIN THE FORCE	149,500	149,500
	STAFF AND INFRASTRUCTURE		
4	OPERATIONS	175,400	402,800
	Transfer from title 1.		[227,400]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.	1,675,400	1,902,800
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
11	H-1 UPGRADES (UH-1Y/AH-1Z).	29,800	29,800

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	MODIFICATION OF AIRCRAFT		
30	AV-8 SERIES	42,238	42,238
32	F-18 SERIES	41,243	41,243
35	H-53 SERIES	15,870	15,870
38	EP-3 SERIES	13,030	13,030
43	C-130 SERIES	16,737	16,737
48	SPECIAL PROJECT AIRCRAFT.	2,714	2,714
54	COMMON AVIONICS CHANGES.	570	570
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
62	COMMON GROUND EQUIPMENT.	2,380	2,380
	TOTAL, AIRCRAFT PROCUREMENT, NAVY.	164,582	164,582
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
9	HELLFIRE	17,000	17,000
10	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM).	6,500	6,500
	TOTAL, WEAPONS PROCUREMENT, NAVY.	23,500	23,500
	PROCUREMENT OF AMMO, NAVY & MC NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS.	18,000	18,000
2	AIRBORNE ROCKETS, ALL TYPES.	80,200	80,200
3	MACHINE GUN AMMUNITION.	21,500	21,500
6	AIR EXPENDABLE COUNTERMEASURES.	20,303	20,303
11	OTHER SHIP GUN AMMUNITION.	532	532
12	SMALL ARMS & LANDING PARTY AMMO.	2,643	2,643
13	PYROTECHNIC AND DEMOLITION.	2,322	2,322
14	AMMUNITION LESS THAN \$5 MILLION.	6,308	6,308
	MARINE CORPS AMMUNITION		
15	SMALL ARMS AMMUNITION.	10,948	10,948
16	LINEAR CHARGES, ALL TYPES.	9,940	9,940
17	40 MM, ALL TYPES	5,963	5,963
20	120MM, ALL TYPES	11,605	11,605
21	CTG 25MM, ALL TYPES ...	2,831	2,831
22	GRENADES, ALL TYPES ...	2,359	2,359
23	ROCKETS, ALL TYPES	3,051	3,051
24	ARTILLERY, ALL TYPES	54,886	54,886
25	DEMOLITION MUNITIONS, ALL TYPES.	1,391	1,391
26	FUZE, ALL TYPES	30,945	30,945
27	NON LETHALS	8	8
29	ITEMS LESS THAN \$5 MILLION.	12	12
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC.	285,747	285,747
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
70	TACTICAL/MOBILE C4I SYSTEMS.	3,603	3,603
	AIRCRAFT SUPPORT EQUIPMENT		
97	EXPEDITIONARY AIRFIELDS.	58,200	58,200
	CIVIL ENGINEERING SUPPORT EQUIPMENT		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
127	PASSENGER CARRYING VEHICLES.	3,901	3,901
128	GENERAL PURPOSE TRUCKS.	852	852
129	CONSTRUCTION & MAINTENANCE EQUIP.	2,436	2,436
130	FIRE FIGHTING EQUIPMENT.	3,798	3,798
131	TACTICAL VEHICLES	13,394	13,394
134	ITEMS UNDER \$5 MILLION.	375	375
	COMMAND SUPPORT EQUIPMENT		
149	CAISR EQUIPMENT	3,000	3,000
151	PHYSICAL SECURITY EQUIPMENT.	9,323	9,323
	TOTAL, OTHER PROCUREMENT, NAVY.	98,882	98,882
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
2	LAV PIP	10,000	10,000
	ARTILLERY AND OTHER WEAPONS		
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM.	108,860	108,860
	GUIDED MISSILES		
10	JAVELIN	29,158	29,158
	OTHER SUPPORT		
13	MODIFICATION KITS	41,602	41,602
	REPAIR AND TEST EQUIPMENT		
15	REPAIR AND TEST EQUIPMENT.	13,632	13,632
	OTHER SUPPORT (TEL)		
17	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
19	AIR OPERATIONS C2 SYSTEMS.	15,575	15,575
	RADAR + EQUIPMENT (NON-TEL)		
20	RADAR SYSTEMS	8,015	8,015
	INTELL/COMM EQUIPMENT (NON-TEL)		
23	INTELLIGENCE SUPPORT EQUIPMENT.	35,310	35,310
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
29	NIGHT VISION EQUIPMENT	652	652
	OTHER SUPPORT (NON-TEL)		
30	COMMON COMPUTER RESOURCES.	19,807	19,807
32	RADIO SYSTEMS	36,482	36,482
33	COMM SWITCHING & CONTROL SYSTEMS.	41,295	41,295
	TACTICAL VEHICLES		
39	MEDIUM TACTICAL VEHICLE REPLACEMENT.	10,466	10,466
41	FAMILY OF TACTICAL TRAILERS.	7,642	7,642
	ENGINEER AND OTHER EQUIPMENT		
45	BULK LIQUID EQUIPMENT	18,239	18,239
46	TACTICAL FUEL SYSTEMS	51,359	51,359
47	POWER EQUIPMENT ASSORTED.	20,247	20,247
49	EOD SYSTEMS	362,658	362,658
	MATERIALS HANDLING EQUIPMENT		
50	PHYSICAL SECURITY EQUIPMENT.	55,500	55,500
52	MATERIAL HANDLING EQUIP.	19,100	19,100
	GENERAL PROPERTY		
54	FIELD MEDICAL EQUIPMENT.	15,751	15,751
55	TRAINING DEVICES	3,602	3,602
57	FAMILY OF CONSTRUCTION EQUIPMENT.	15,900	15,900

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	TOTAL, PROCUREMENT, MARINE CORPS.	943,683	943,683
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
35	LARGE AIRCRAFT INFRA-RED COUNTER-MEASURES.	139,800	139,800
	OTHER AIRCRAFT		
55	U-2 MODS	46,800	46,800
63	C-130	11,400	11,400
67	COMPASS CALL MODS	14,000	14,000
68	RC-135	8,000	8,000
75	HC/MC-130 MODIFICATIONS.	4,700	4,700
	AIRCRAFT SPARES AND REPAIR PARTS		
81	INITIAL SPARES/REPAIR PARTS.	21,900	21,900
	OTHER PRODUCTION CHARGES		
99	OTHER PRODUCTION CHARGES.	59,000	59,000
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE.	305,600	305,600
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
2	CARTRIDGES	13,592	13,592
	BOMBS		
4	GENERAL PURPOSE BOMBS.	23,211	23,211
5	JOINT DIRECT ATTACK MUNITION.	53,923	53,923
	FLARE, IR MJU-7B		
6	CAD/PAD	2,638	2,638
10	ITEMS LESS THAN \$5 MILLION.	2,600	2,600
	FUZES		
11	FLARES	11,726	11,726
12	FUZES	8,513	8,513
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE.	116,203	116,203
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
5	PREDATOR HELLFIRE MISSILE.	34,350	34,350
	TOTAL, MISSILE PROCUREMENT, AIR FORCE.	34,350	34,350
	OTHER PROCUREMENT, AIR FORCE		
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE.	2,010	2,010
4	ITEMS LESS THAN \$5 MILLION.	2,675	2,675
	SPECIAL PURPOSE VEHICLES		
6	ITEMS LESS THAN \$5 MILLION.	2,557	2,557
	MATERIALS HANDLING EQUIPMENT		
8	ITEMS LESS THAN \$5 MILLION.	4,329	4,329
	BASE MAINTENANCE SUPPORT		
9	RUNWAY SNOW REMOV AND CLEANING EQU.	984	984
10	ITEMS LESS THAN \$5 MILLION.	9,120	9,120

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
22	ELECTRONICS PROGRAMS WEATHER OBSERVATION FORECAST.	5,600	5,600
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY.	11,157	11,157
	ORGANIZATION AND BASE		
49	TACTICAL C-E EQUIPMENT.	7,000	7,000
53	BASE COMM INFRASTRUCTURE.	10,654	10,654
	MODIFICATIONS		
54	COMM ELECT MODS	8,000	8,000
	PERSONAL SAFETY & RESCUE EQUIP		
55	NIGHT VISION GOGGLES ..	902	902
	BASE SUPPORT EQUIPMENT		
59	CONTINGENCY OPERATIONS.	60,090	60,090
62	MOBILITY EQUIPMENT	9,400	9,400
63	ITEMS LESS THAN \$5 MILLION.	9,175	9,175
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS ..	2,672,317	2,672,317
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS.	2,300	2,300
	TOTAL, OTHER PROCUREMENT, AIR FORCE.	2,818,270	2,818,270
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
15	TELEPORT PROGRAM	5,260	5,260
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS ..	126,201	126,201
	AVIATION PROGRAMS		
61	MQ-8 UAV	16,500	16,500
	OTHER PROCUREMENT PROGRAMS		
68	COMMUNICATIONS EQUIPMENT AND ELECTRONICS.	151	151
69	INTELLIGENCE SYSTEMS	30,528	30,528
77	TACTICAL VEHICLES	1,843	1,843
82	AUTOMATION SYSTEMS ...	1,000	1,000
86	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS.	108	108
91	OPERATIONAL ENHANCEMENTS.	14,758	14,758
	TOTAL, PROCUREMENT, DEFENSE-WIDE.	196,349	196,349
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND. Program reduction	100,000	50,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND.	100,000	50,000
	NATIONAL GUARD & RESERVE EQUIPMENT UNDISTRIBUTED		
999	MISCELLANEOUS EQUIPMENT. Program increase ...		500,000
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT.		500,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	TOTAL PROCURE- MENT.	9,687,241	10,307,641

TITLE XLII—RESEARCH, DEVELOPMENT,
TEST AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND
EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,860	20,860
2	0601102A	DEFENSE RESEARCH SCIENCES	219,180	219,180
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,986	80,986
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	123,045
		SUBTOTAL, BASIC RESEARCH	444,071	444,071
APPLIED RESEARCH				
5	0602105A	MATERIALS TECHNOLOGY	29,041	39,291
		Advanced coating technologies for corrosion mitigation		[10,250]
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	45,260	45,260
7	0602122A	TRACTOR HIP	22,439	22,439
8	0602211A	AVIATION TECHNOLOGY	51,607	51,607
9	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,068	15,068
10	0602303A	MISSILE TECHNOLOGY	49,383	49,383
11	0602307A	ADVANCED WEAPONS TECHNOLOGY	25,999	25,999
12	0602308A	ADVANCED CONCEPTS AND SIMULATION	23,507	23,507
13	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	69,062	69,062
14	0602618A	BALLISTICS TECHNOLOGY	60,823	60,823
15	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,465	4,465
16	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,169	7,169
17	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	35,218	35,218
18	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	60,300	60,300
19	0602709A	NIGHT VISION TECHNOLOGY	53,244	53,244
20	0602712A	COUNTERMINE SYSTEMS	18,850	18,850
21	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	19,872	19,872
22	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,095	20,095
23	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	28,852	28,852
24	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	9,830	9,830
25	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,693	70,693
26	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,781	17,781
27	0602786A	WARFIGHTER TECHNOLOGY	28,281	28,281
28	0602787A	MEDICAL TECHNOLOGY	107,891	107,891
		SUBTOTAL, APPLIED RESEARCH	874,730	884,980
ADVANCED TECHNOLOGY DEVELOPMENT				
29	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,359	39,359
30	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,580	69,580
31	0603003A	AVIATION ADVANCED TECHNOLOGY	64,215	64,215
32	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	67,613	67,613
33	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	104,359	104,359
34	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	4,157	4,157
35	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	9,856	9,856
36	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,661	50,661
37	0603009A	TRACTOR HIKE	9,126	9,126
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,257	17,257
39	0603020A	TRACTOR ROSE	9,925	9,925
40	0603105A	MILITARY HIV RESEARCH	6,984	6,984
41	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	9,716	9,716
42	0603130A	TRACTOR NAIL	3,487	3,487
43	0603131A	TRACTOR EGGS	2,323	2,323
44	0603270A	ELECTRONIC WARFARE TECHNOLOGY	21,683	21,683
45	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	71,111
46	0603322A	TRACTOR CAGE	10,902	10,902
47	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,582	180,582
48	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	27,204	27,204
49	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	6,095	6,095
50	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	37,217	37,217
51	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	13,626	13,626
52	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	28,458	28,458
53	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	25,226	25,226
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	890,722	890,722
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
54	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,505	14,505
55	0603308A	ARMY SPACE SYSTEMS INTEGRATION	9,876	9,876
56	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	5,054	5,054
57	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV	2,725	2,725
58	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,560	30,560
59	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	14,347	14,347
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,073	10,073
61	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	8,660	8,660
62	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,715	10,715
63	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	4,631	4,631

SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
64	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL	278,018	278,018
65	0603790A	NATO RESEARCH AND DEVELOPMENT	4,961	4,961
66	0603801A	AVIATION—ADV DEV	8,602	8,602
67	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	14,605	14,605
68	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	5,054	5,054
69	0603807A	MEDICAL SYSTEMS—ADV DEV	24,384	24,384
70	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	32,050	32,050
71	0603850A	INTEGRATED BROADCAST SERVICE	96	96
72	0604115A	TECHNOLOGY MATURATION INITIATIVES	24,868	24,868
73	0604131A	TRACTOR JUTE	59	59
75	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	76,039	76,039
77	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,043	4,043
78	0305205A	ENDURANCE UAVS	26,196	26,196
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	610,121	610,121
		SYSTEM DEVELOPMENT & DEMONSTRATION		
79	0604201A	AIRCRAFT AVIONICS	78,538	78,538
80	0604220A	ARMED, DEPLOYABLE HELOS	90,494	90,494
81	0604270A	ELECTRONIC WARFARE DEVELOPMENT	181,347	176,347
		Program adjustment		[-5,000]
83	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVr)	12,636	12,636
84	0604321A	ALL SOURCE ANALYSIS SYSTEM	5,694	5,694
85	0604328A	TRACTOR CAGE	32,095	32,095
86	0604601A	INFANTRY SUPPORT WEAPONS	96,478	93,078
		XM25 funding ahead of need		[-3,400]
87	0604604A	MEDIUM TACTICAL VEHICLES	3,006	3,006
89	0604611A	JAVELIN	5,040	5,040
90	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	3,077	3,077
91	0604633A	AIR TRAFFIC CONTROL	9,769	9,769
92	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	13,141	13,141
99	0604710A	NIGHT VISION SYSTEMS—ENG DEV	32,621	32,621
100	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,132	2,132
101	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	44,787	44,787
102	0604716A	TERRAIN INFORMATION—ENG DEV	1,008	1,008
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	73,333	73,333
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,937	28,937
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	10,815	10,815
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	13,926	13,926
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	17,797	17,797
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	214,270	214,270
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	14,581	14,581
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	43,706	43,706
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,776	20,776
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	43,395	43,395
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	104,983	104,983
114	0604814A	ARTILLERY MUNITIONS—EMD	4,346	4,346
116	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	77,223	77,223
117	0604820A	RADAR DEVELOPMENT	3,486	3,486
118	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	9,963	9,963
119	0604823A	FIREFINDER	20,517	20,517
120	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	51,851	51,851
121	0604854A	ARTILLERY SYSTEMS—EMD	167,797	167,797
122	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	400,861	0
		Prohibition of funds for MEADS		[-400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
124	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	51,463	51,463
125	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	158,646	158,646
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	10,000	10,000
128	0605456A	PAC-3/MSE MISSILE	69,029	69,029
129	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	277,374	277,374
130	0605625A	MANNED GROUND VEHICLE	639,874	639,874
131	0605626A	AERIAL COMMON SENSOR	47,426	47,426
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (LTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	72,295	72,295
133	0303032A	TROJAN—RH12	4,232	4,232
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,942	13,942
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	3,286,629	2,877,368
		RD&E MANAGEMENT SUPPORT		
135	0604256A	THREAT SIMULATOR DEVELOPMENT	18,090	18,090
136	0604258A	TARGET SYSTEMS DEVELOPMENT	14,034	14,034
137	0604759A	MAJOR T&E INVESTMENT	37,394	37,394
138	0605103A	RAND ARROYO CENTER	21,026	21,026
139	0605301A	ARMY KWAJALEIN ATOLL	176,816	176,816
140	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	27,902	27,902
142	0605601A	ARMY TEST RANGES AND FACILITIES	369,900	369,900
143	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	69,183	69,183
144	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	44,753	44,753
146	0605606A	AIRCRAFT CERTIFICATION	5,762	5,762
147	0605702A	METEOROLOGICAL SUPPORT TO RD&E ACTIVITIES	7,402	7,402
148	0605706A	MATERIEL SYSTEMS ANALYSIS	19,954	19,954
149	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,535	5,535
150	0605712A	SUPPORT OF OPERATIONAL TESTING	67,789	67,789
151	0605716A	ARMY EVALUATION CENTER	62,765	62,765
152	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,545	1,545

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Line	Program Element	Item	FY 2013 Request	House Authorized
153	0605801A	PROGRAMWIDE ACTIVITIES	83,422	83,422
154	0605803A	TECHNICAL INFORMATION ACTIVITIES	50,820	50,820
155	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	46,763	46,763
156	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,601	4,601
157	0605898A	MANAGEMENT HQ—R&D	18,524	18,524
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	1,153,980	1,153,980
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	143,005
161	0607865A	PATRIOT PRODUCT IMPROVEMENT	109,978	109,978
162	0102419A	AEROSTAT JOINT PROJECT OFFICE	190,422	171,422
		Program adjustment		[-19,000]
164	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	32,556	32,556
165	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	253,959	253,959
166	0203740A	MANEUVER CONTROL SYSTEM	68,325	68,325
167	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	280,247	226,147
		Ahead of need		[-54,100]
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	898	898
169	0203758A	DIGITIZATION	35,180	35,180
171	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	20,733	20,733
172	0203808A	TRACTOR CARD	63,243	63,243
173	0208053A	JOINT TACTICAL GROUND SYSTEM	31,738	31,738
174	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	35	35
176	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,591	7,591
177	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,961	15,961
178	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	120,927	120,927
179	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,756	15,756
180	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,443	14,443
182	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	31,303	31,303
183	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	40,876	40,876
184	0305219A	MQ-1 SKY WARRIOR A UAV	74,618	74,618
185	0305232A	RQ-11 UAV	4,039	4,039
186	0305233A	RQ-7 UAV	31,158	31,158
187	0305235A	VERTICAL UAS	2,387	2,387
188	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,248	15,248
189	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,908	59,908
189A	9999999999	CLASSIFIED PROGRAMS	4,628	4,628
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,669,162	1,596,062
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	8,929,415	8,457,304
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,690	123,690
		Increase Defense University Research Instrumentation Program		[10,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,261	18,261
3	0601153N	DEFENSE RESEARCH SCIENCES	473,070	473,070
003A	0601XXN	SCIENCE AND TECHNOLOGY		3,450
		Transfer from PE 0205658N		[3,450]
		SUBTOTAL, BASIC RESEARCH	605,021	618,471
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	89,189	89,189
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	143,301	143,301
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	46,528	46,528
7	0602235N	COMMON PICTURE APPLIED RESEARCH	41,696	41,696
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	44,127	44,127
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	78,228	78,228
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	49,635
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,973	5,973
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	96,814	96,814
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	162,417	162,417
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,394	32,394
		SUBTOTAL, APPLIED RESEARCH	790,302	790,302
		ADVANCED TECHNOLOGY DEVELOPMENT		
15	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	56,543	56,543
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	18,616	18,616
19	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	54,858
20	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	130,598	130,598
21	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,706	11,706
22	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	256,382	256,382
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	3,880
25	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,819	51,819
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	584,402	584,402
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	34,085	34,085
29	0603216N	AVIATION SURVIVABILITY	8,783	8,783
30	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,773	3,773
31	0603251N	AIRCRAFT SYSTEMS	24,512	24,512
32	0603254N	ASW SYSTEMS DEVELOPMENT	8,090	8,090
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,301	5,301
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,506	1,506

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Line	Program Element	Item	FY 2013 Request	House Authorized
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	190,622
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	93,346	93,346
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	108,871	108,871
39	0603525N	PILOT FISH	101,169	101,169
40	0603527N	RETRACT LARCH	74,312	74,312
41	0603536N	RETRACT JUNIPER	90,730	90,730
42	0603542N	RADIOLOGICAL CONTROL	777	777
43	0603553N	SURFACE ASW	6,704	6,704
44	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	929,523
		Program increase		[374,400]
45	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,368	9,368
46	0603563N	SHIP CONCEPT ADVANCED DESIGN	24,609	24,609
47	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	13,710
48	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
49	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
50	0603576N	CHALK EAGLE	509,988	509,988
51	0603581N	LITTORAL COMBAT SHIP (LCS)	429,420	429,420
52	0603582N	COMBAT SYSTEM INTEGRATION	56,551	56,551
53	0603609N	CONVENTIONAL MUNITIONS	7,342	7,342
54	0603611M	MARINE CORPS ASSAULT VEHICLES	95,182	95,182
55	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496
56	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	52,331
57	0603658N	COOPERATIVE ENGAGEMENT	56,512	56,512
58	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
59	0603721N	ENVIRONMENTAL PROTECTION	21,080	21,080
60	0603724N	NAVY ENERGY PROGRAM	55,324	55,324
61	0603725N	FACILITIES IMPROVEMENT	3,401	3,401
62	0603734N	CHALK CORAL	45,966	45,966
63	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
64	0603746N	RETRACT MAPLE	341,305	341,305
65	0603748N	LINK PLUMERIA	181,220	181,220
66	0603751N	RETRACT ELM	174,014	174,014
68	0603764N	LINK EVERGREEN	68,654	68,654
69	0603787N	SPECIAL PROCESSES	44,487	44,487
70	0603790N	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
71	0603795N	LAND ATTACK TECHNOLOGY	16,132	16,132
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING	44,994	44,994
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	137,369	137,369
76	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	73,934	73,934
77	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
78	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	71,300	71,300
79	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
80	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	31,549	31,549
82	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	86,801	86,801
83	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	44,500	44,500
84	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	13,172	13,172
86	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	643	643
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,335,297	4,709,697
		SYSTEM DEVELOPMENT & DEMONSTRATION		
87	0604212N	OTHER HELO DEVELOPMENT	33,978	33,978
88	0604214N	AV-8B AIRCRAFT—ENG DEV	32,789	32,789
89	0604215N	STANDARDS DEVELOPMENT	84,988	84,988
90	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	6,866	6,866
91	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,060	4,060
92	0604221N	P-3 MODERNIZATION PROGRAM	3,451	3,451
93	0604230N	WARFARE SUPPORT SYSTEM	13,071	13,071
94	0604231N	TACTICAL COMMAND SYSTEM	71,645	71,645
95	0604234N	ADVANCED HAWKEYE	119,065	119,065
96	0604245N	H-1 UPGRADES	31,105	31,105
97	0604261N	ACOUSTIC SEARCH SENSORS	34,299	34,299
98	0604262N	V-22A	54,412	54,412
99	0604264N	AIR CREW SYSTEMS DEVELOPMENT	2,717	2,717
100	0604269N	EA-18	13,009	13,009
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT	51,304	51,304
102	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	61,163	61,163
103	0604274N	NEXT GENERATION JAMMER (NGJ)	187,024	187,024
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	337,480	337,480
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	260,616	510,616
		Cruiser Retention		[250,000]
106	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	824	824
107	0604329N	SMALL DIAMETER BOMB (SDB)	31,064	31,064
108	0604366N	STANDARD MISSILE IMPROVEMENTS	63,891	63,891
109	0604373N	AIRBORNE MCM	73,246	73,246
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION	10,568	10,568
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	39,974	39,974
112	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM	122,481	47,481
		Transfer from RDN 112 to RDN 167		[–75,000]
113	0604501N	ADVANCED ABOVE WATER SENSORS	255,516	255,516
114	0604503N	SSN-688 AND TRIDENT MODERNIZATION	82,620	82,620
115	0604504N	AIR CONTROL	5,633	5,633
116	0604512N	SHIPBOARD AVIATION SYSTEMS	55,826	55,826
117	0604518N	COMBAT INFORMATION CENTER CONVERSION	918	918
118	0604558N	NEW DESIGN SSN	165,230	165,230

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119	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,141	49,141
120	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	196,737	196,737
121	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,889	3,889
122	0604601N	MINE DEVELOPMENT	8,335	8,335
123	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	49,818	49,818
124	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,099	10,099
125	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,348	7,348
126	0604727N	JOINT STANDOFF WEAPON SYSTEMS	5,518	5,518
127	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	87,662	87,662
128	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	64,079	64,079
129	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	151,489	152,614
		Cruiser Retention		[1,125]
131	0604771N	MEDICAL DEVELOPMENT	12,707	12,707
132	0604777N	NAVIGATION/ID SYSTEM	47,764	47,764
133	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	737,149	737,149
134	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	743,926	743,926
135	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	12,143	12,143
136	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	72,209	72,209
138	0605212N	CH-53K RDTE	606,204	606,204
140	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	421,102	421,102
141	0204202N	DDG-1000	124,655	124,655
142	0304231N	TACTICAL COMMAND SYSTEM—MIP	1,170	1,170
144	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	23,255	23,255
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	5,747,232	5,923,357
		RD&E MANAGEMENT SUPPORT		
146	0604256N	THREAT SIMULATOR DEVELOPMENT	30,790	30,790
147	0604258N	TARGET SYSTEMS DEVELOPMENT	59,221	59,221
148	0604759N	MAJOR T&E INVESTMENT	35,894	35,894
149	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	7,573	7,573
150	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	20,963	20,963
151	0605154N	CENTER FOR NAVAL ANALYSES	46,856	46,856
153	0605804N	TECHNICAL INFORMATION SERVICES	796	796
154	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	32,782	32,782
155	0605856N	STRATEGIC TECHNICAL SUPPORT	3,306	3,306
156	0605861N	RD&E SCIENCE AND TECHNOLOGY MANAGEMENT	70,302	70,302
157	0605863N	RD&E SHIP AND AIRCRAFT SUPPORT	144,033	144,033
158	0605864N	TEST AND EVALUATION SUPPORT	342,298	342,298
159	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,399	16,399
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,579	4,579
161	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,000	8,000
162	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	18,490	18,490
163	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	2,795	2,795
		SUBTOTAL, RD&E MANAGEMENT SUPPORT	845,077	845,077
		OPERATIONAL SYSTEMS DEVELOPMENT		
167	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	142,282	217,282
		Transfer from RDN 112 to RDN 167		[75,000]
170	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	105,892	105,892
171	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	34,729	34,729
172	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,434	1,434
173	0101402N	NAVY STRATEGIC COMMUNICATIONS	19,208	19,208
174	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	25,566	25,566
175	0204136N	F/A-18 SQUADRONS	188,299	188,299
176	0204152N	E-2 SQUADRONS	8,610	8,610
177	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	15,695	15,695
178	0204228N	SURFACE SUPPORT	4,171	4,171
179	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	11,265	11,265
180	0204311N	INTEGRATED SURVEILLANCE SYSTEM	45,922	45,922
181	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	8,435	8,435
182	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	75,088	75,088
183	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	20,229	20,229
184	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,756	1,756
185	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,843	19,843
186	0205601N	HARM IMPROVEMENT	11,477	11,477
187	0205604N	TACTICAL DATA LINKS	118,818	118,818
188	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	27,342	27,342
189	0205632N	MK-48 ADCAP	28,717	28,717
190	0205633N	AVIATION IMPROVEMENTS	89,157	89,157
191	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	3,450	0
		Transfer to Science and Technology (RDN 003A)		[-3,450]
192	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	86,435	86,435
193	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	219,054	219,054
194	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	181,693	181,693
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	58,393	58,393
196	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	22,966	22,966
197	0207161N	TACTICAL AIM MISSILES	21,107	21,107
198	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,857	2,857
199	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	1,932	1,932
204	0303109N	SATELLITE COMMUNICATIONS (SPACE)	188,482	188,482
205	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	16,749	16,749
206	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	26,307	26,307
207	0303150M	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	500	500
210	0305149N	COBRA JUDY	17,091	17,091

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211	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	810	810
212	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,617	8,617
213	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,066	9,066
215	0305207N	MANNED RECONNAISSANCE SYSTEMS	30,654	30,654
216	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,917	25,917
217	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,676	14,676
218	0305220N	RQ-4 UAV	657,483	657,483
219	0305231N	MQ-8 UAV	99,600	99,600
220	0305232M	RQ-11 UAV	495	495
221	0305233N	RQ-7 UAV	863	863
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	9,734	9,734
225	0305239M	RQ-21A	22,343	22,343
226	0308601N	MODELING AND SIMULATION SUPPORT	5,908	5,908
227	0702207N	DEPOT MAINTENANCE (NON-IF)	27,391	27,391
229	0708011N	INDUSTRIAL PREPAREDNESS	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
230A	9999999999	CLASSIFIED PROGRAMS	1,151,159	1,351,159
		Program increase		[200,000]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	3,975,546	4,247,096
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	16,882,877	17,718,402
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	361,787	361,787
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,153	141,153
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,094	13,094
		SUBTOTAL, BASIC RESEARCH	516,034	516,034
		APPLIED RESEARCH		
4	0602102F	MATERIALS	114,166	114,166
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	120,719	120,719
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,319	89,319
7	0602203F	AEROSPACE PROPULSION	232,547	232,547
8	0602204F	AEROSPACE SENSORS	127,637	127,637
9	0602601F	SPACE TECHNOLOGY	98,375	98,375
10	0602602F	CONVENTIONAL MUNITIONS	77,175	77,175
11	0602605F	DIRECTED ENERGY TECHNOLOGY	106,196	106,196
12	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	104,362	104,362
13	0602890F	HIGH ENERGY LASER RESEARCH	38,557	38,557
		SUBTOTAL, APPLIED RESEARCH	1,109,053	1,109,053
		ADVANCED TECHNOLOGY DEVELOPMENT		
14	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	57,890
		Increase Materials Affordability Initiative program		[10,000]
15	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
16	0603203F	ADVANCED AEROSPACE SENSORS	37,657	37,657
17	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
18	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	151,152
19	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,941	32,941
20	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
21	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
22	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523
23	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
24	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004
25	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	37,045	37,045
26	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	31,419	31,419
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	596,737	606,737
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
28	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,866	3,866
29	0603287F	PHYSICAL SECURITY EQUIPMENT	3,704	3,704
30	0603430F	ADVANCED EHF MILSATCOM (SPACE)	229,171	227,671
		Project decrease		[-1,500]
31	0603432F	POLAR MILSATCOM (SPACE)	120,676	120,676
32	0603438F	SPACE CONTROL TECHNOLOGY	25,144	23,144
		Project decrease		[-2,000]
33	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	32,243	32,243
34	0603790F	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
35	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
36	0603830F	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
37	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL	19,938	19,938
38	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	71,181	71,181
39	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,027	12,027
40	0603859F	POLLUTION PREVENTION—DEM/VAL	2,054	2,054
41	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	57,975	57,975
42	0604015F	LONG RANGE STRIKE	291,742	291,742
43	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	114,417
44	0604317F	TECHNOLOGY TRANSFER	2,576	2,576
45	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	16,711	16,711
47	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
48	0604422F	WEATHER SATELLITE FOLLOW-ON	2,000	2,000
50	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423
54	0604857F	OPERATIONALLY RESPONSIVE SPACE		25,000

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55	0604858F	Operationally Responsive Space		(25,000)
		TECH TRANSITION PROGRAM	37,558	34,558
		Project decrease		[-3,000]
56	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	96,840
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,181,177	1,199,677
		SYSTEM DEVELOPMENT & DEMONSTRATION		
58	0603840F	GLOBAL BROADCAST SERVICE (GBS)	14,652	14,652
59	0604222F	NUCLEAR WEAPONS SUPPORT	25,713	25,713
60	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	6,583
61	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,975	1,975
62	0604280F	JOINT TACTICAL RADIO	2,594	2,594
63	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	24,534	24,534
64	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
65	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	143,000	143,000
66	0604421F	COUNTERSPACE SYSTEMS	28,797	28,797
67	0604425F	SPACE SITUATION AWARENESS SYSTEMS	267,252	267,252
68	0604429F	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
69	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	446,594
		Project decrease		[-2,000]
70	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951
71	0604604F	SUBMUNITIONS	2,567	2,567
72	0604617F	AGILE COMBAT SUPPORT	13,059	13,059
73	0604706F	LIFE SUPPORT SYSTEMS	9,720	9,720
74	0604735F	COMBAT TRAINING RANGES	9,222	9,222
76	0604750F	INTELLIGENCE EQUIPMENT	803	803
77	0604800F	F-35—EMD	1,210,306	1,210,306
78	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	135,437	135,437
79	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	7,980	7,980
80	0604932F	LONG RANGE STANDOFF WEAPON	2,004	2,004
81	0604933F	ICBM FUZE MODERNIZATION	73,512	73,512
82	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
83	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,815,588
84	0605229F	CSAR HH-60 RECAPITALIZATION	123,210	123,210
85	0605278F	HC/MC-130 RECAP RDT&E	19,039	19,039
86	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056
87	0101125F	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
89	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
90	0207701F	FULL COMBAT MISSION TRAINING	14,861	14,861
91	0305230F	MC-12	19,949	19,949
92	0401138F	C-27J AIRLIFT SQUADRONS		25,000
		Joint Cargo Aircraft		(25,000)
93	0401318F	CV-22	28,027	28,027
94	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	4,966,724	4,989,724
		RDT&E MANAGEMENT SUPPORT		
95	0604256F	THREAT SIMULATOR DEVELOPMENT	22,812	22,812
96	0604759F	MAJOR T&E INVESTMENT	42,236	42,236
97	0605101F	RAND PROJECT AIR FORCE	25,579	25,579
99	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	16,197	16,197
100	0605807F	TEST AND EVALUATION SUPPORT	722,071	722,071
101	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	16,200	16,200
102	0605864F	SPACE TEST PROGRAM (STP)	10,051	45,001
		Program increase		(34,950)
103	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	42,597	42,597
104	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,301	27,301
105	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,964	13,964
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	203,766	203,766
107	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	42,430	42,430
108	0804731F	GENERAL SKILL TRAINING	1,294	1,294
111	1001004F	INTERNATIONAL ACTIVITIES	3,851	3,851
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	1,190,349	1,225,299
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	371,595	370,095
		Project decrease		[-1,500]
114	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	91,697	91,697
115	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	17,037	17,037
117	0101113F	B-52 SQUADRONS	53,208	53,208
118	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	431	431
119	0101126F	B-1B SQUADRONS	16,265	16,265
120	0101127F	B-2 SQUADRONS	35,970	35,970
121	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	30,889	30,889
122	0101314F	NIGHT FIST—USSTRATCOM	10	10
124	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,609	5,609
126	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	15,098	15,098
127	0205219F	MQ-9 UAV	147,971	147,971
128	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	49,848	49,848
129	0207131F	A-10 SQUADRONS	13,538	13,538
130	0207133F	F-16 SQUADRONS	190,257	190,257
131	0207134F	F-15E SQUADRONS	192,677	192,677
132	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,683	13,683
133	0207138F	F-22A SQUADRONS	371,667	371,667

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134	0207142F	F-35 SQUADRONS	8,117	8,117
135	0207161F	TACTICAL AIM MISSILES	8,234	8,234
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	87,041	87,041
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,472	1,472
138	0207224F	COMBAT RESCUE AND RECOVERY	2,095	2,095
139	0207227F	COMBAT RESCUE—PARARESCUE	1,119	1,119
140	0207247F	AF TENCAP	63,853	63,853
141	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,063	1,063
142	0207253F	COMPASS CALL	12,094	12,094
143	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	187,984	187,984
145	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	7,950	7,950
146	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	76,315	76,315
147	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,653	8,653
148	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	65,200	65,200
149	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	5,767	5,767
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD	16,226	16,226
156	0207448F	C2ISR TACTICAL DATA LINK	1,633	1,633
157	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,086	18,086
158	0207452F	DCAPES	15,690	15,690
159	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTAR)	24,241	24,241
160	0207590F	SEEK EAGLE	22,654	22,654
161	0207601F	USAF MODELING AND SIMULATION	15,501	15,501
162	0207605F	WARGAMING AND SIMULATION CENTERS	5,699	5,699
163	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,425	4,425
164	0208006F	MISSION PLANNING SYSTEMS	69,377	69,377
165	0208021F	INFORMATION WARFARE SUPPORT	7,159	7,159
166	0208059F	CYBER COMMAND ACTIVITIES	66,888	66,888
174	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,056	12,056
175	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	4,159	4,159
176	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,124	20,124
177	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	69,133	69,133
178	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	6,512	6,512
179	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	4,316	4,316
180	0303601F	MILSATCOM TERMINALS	107,237	107,237
182	0304260F	AIRBORNE SIGINT ENTERPRISE	129,106	129,106
185	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,461	4,461
186	0305103F	CYBER SECURITY INITIATIVE	2,055	2,055
187	0305105F	DOD CYBER CRIME CENTER	285	285
188	0305110F	SATELLITE CONTROL NETWORK (SPACE)	33,773	33,773
189	0305111F	WEATHER SERVICE	29,048	29,048
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	43,187	43,187
191	0305116F	AERIAL TARGETS	50,496	50,496
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	354	354
195	0305145F	ARMS CONTROL IMPLEMENTATION	4,000	4,000
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	342	342
198	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	29,621	29,621
199	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	14,335	14,335
201	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,680	3,680
202	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,430	2,430
203	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,760
205	0305202F	DRAGON U-2	23,644	23,644
206	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	21,000	21,000
207	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	96,735	96,735
208	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,316	13,316
209	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	63,501	63,501
210	0305219F	MQ-1 PREDATOR A UAV	9,122	9,122
211	0305220F	RQ-4 UAV	236,265	236,265
212	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,367	7,367
213	0305236F	COMMON DATA LINK (CDL)	38,094	38,094
214	0305238F	NATO AGS	210,109	210,109
215	0305240F	SUPPORT TO DCGS ENTERPRISE	24,500	24,500
216	0305265F	GPS III SPACE SEGMENT	318,992	318,992
217	0305614F	JSPOC MISSION SYSTEM	54,645	54,645
218	0305881F	RAPID CYBER ACQUISITION	4,007	4,007
219	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	13,357	13,357
220	0305913F	NUDET DETECTION SYSTEM (SPACE)	64,965	64,965
221	0305940F	SPACE SITUATION AWARENESS OPERATIONS	19,586	19,586
223	0308699F	SHARED EARLY WARNING (SEW)	1,175	1,175
224	0401115F	C-130 AIRLIFT SQUADRON	5,000	5,000
225	0401119F	C-5 AIRLIFT SQUADRONS (IF)	35,115	35,115
226	0401130F	C-17 AIRCRAFT (IF)	99,225	99,225
227	0401132F	C-130J PROGRAM	30,652	30,652
228	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCIM)	7,758	7,758
229	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	100	100
231	0401219F	KC-10S	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	7,471	7,471
234	0408011F	SPECIAL TACTICS/COMBAT CONTROL	4,984	4,984
235	0702207F	DEPOT MAINTENANCE (NON-IF)	1,588	1,588
236	0708012F	LOGISTICS SUPPORT ACTIVITIES	577	577
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	119,327	119,327
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	15,873	15,873
240	0804743F	OTHER FLIGHT TRAINING	349	349
242	0808716F	OTHER PERSONNEL ACTIVITIES	117	117

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243	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,018	2,018
244	0901218F	CIVILIAN COMPENSATION PROGRAM	1,561	1,561
245	0901220F	PERSONNEL ADMINISTRATION	7,634	7,634
246	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,175	1,175
247	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	3,491	3,491
248	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	100,160	100,160
249A	9999999999	CLASSIFIED PROGRAMS	11,172,183	11,172,183
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	15,867,972	15,866,472
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	25,428,046	25,512,996
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,071	45,071
2	0601101E	DEFENSE RESEARCH SCIENCES	309,051	309,051
3	0601110D8Z	BASIC RESEARCH INITIATIVES	19,405	19,405
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	39,676	39,676
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	87,979	87,979
6	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	50,566	50,566
		SUBTOTAL, BASIC RESEARCH	551,748	551,748
		APPLIED RESEARCH		
7	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,615	20,615
8	0602115E	BIOMEDICAL TECHNOLOGY	110,900	110,900
9	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE		10,000
		Program increase		[10,000]
10	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	36,826	36,826
11	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	7,898	7,898
12	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	392,421	392,421
13	0602304E	COGNITIVE COMPUTING SYSTEMS	30,424	30,424
15	0602383E	BIOLOGICAL WARFARE DEFENSE	19,236	19,236
16	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	223,269	223,269
17	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	13,753	13,753
18	0602668D8Z	CYBER SECURITY RESEARCH	18,985	18,985
19	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	6,771	6,771
20	0602702E	TACTICAL TECHNOLOGY	233,209	233,209
21	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,067	166,067
22	0602716E	ELECTRONICS TECHNOLOGY	222,416	222,416
23	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	172,352	172,352
24	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	28,739	28,739
		SUBTOTAL, APPLIED RESEARCH	1,703,881	1,713,881
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		
25	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,612	25,612
26	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	26,324	26,324
27	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	77,144
28	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	275,022	275,022
29	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	79,975	79,975
31	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,032	20,032
32	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	3,892	3,892
33	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	36,685	36,685
34	0603286E	ADVANCED AEROSPACE SYSTEMS	174,316	149,316
		Program decrease		[-25,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY	159,704	159,704
36	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	234,280	234,280
37	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	6,983	6,983
38	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	158,263	158,263
39	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	25,393	25,393
40	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	13,754	13,754
42	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,935	19,935
43	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	8,235	8,235
44	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	21,966	21,966
45	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	24,662	24,662
47	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	24,605	24,605
48	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,678	30,678
49	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,282	65,282
50	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	82,234
		Program increase		[10,000]
51	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,403	8,403
52	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,008	111,008
54	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	212,859
		Program reduction		[-25,000]
55	0603765E	CLASSIFIED DARPA PROGRAMS	3,000	3,000
56	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	236,883
57	0603767E	SENSOR TECHNOLOGY	299,438	299,438
58	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,195	12,195
59	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,036	30,036
60	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	107,002	107,002
62	0603828J	JOINT EXPERIMENTATION	21,230	21,230
63	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	47,433
64	0603901C	DIRECTED ENERGY RESEARCH	46,944	76,944
		Program increase		[30,000]
65	0603902C	NEXT GENERATION AEGIS MISSILE	224,077	224,077
66	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,602	92,602

SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
68	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	26,244	26,244
69	0303310D8Z	CWMD SYSTEMS	53,946	53,946
70	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	45,317	45,317
71	1160422BB	AVIATION ENGINEERING ANALYSIS	861	861
72	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,959	4,959
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	3,194,413	3,184,413
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
73	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	33,234	33,234
74	0603527D8Z	RETRACT LARCH	21,023	21,023
75	0603600D8Z	WALKOFF	94,624	94,624
77	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	16,958	16,958
78	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
79	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	316,929	316,929
80	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	1,363,172
		East Coast site planning and development, and EIS work		[103,000]
		Program increase		[357,000]
81	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	179,023	179,023
82	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	347,012	347,012
84	0603890C	BMD ENABLING PROGRAMS	362,711	362,711
85	0603891C	SPECIAL PROGRAMS—MDA	272,387	272,387
86	0603892C	AEGIS BMD	992,407	992,407
87	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	51,313	51,313
88	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	6,912	6,912
89	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION	366,552	366,552
90	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	55,550	55,550
91	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	63,043	63,043
92	0603906C	REGARDING TRENCH	11,371	11,371
93	0603907C	SEA BASED X-BAND RADAR (SBX)	9,730	9,730
94	0603913C	ISRAELI COOPERATIVE PROGRAMS	99,836	267,836
		Increase to DSWS, ASIP, Arrow-3 cooperative programs		[168,000]
95	0603914C	BALLISTIC MISSILE DEFENSE TEST	454,400	454,400
96	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	435,747	435,747
97	0603920D8Z	HUMANITARIAN DEMINING	13,231	13,231
98	0603923D8Z	COALITION WARFARE	11,398	11,398
99	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	3,283
100	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	12,368	12,368
101	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING	5,131	5,131
104	0604787J	JOINT SYSTEMS INTEGRATION	3,273	3,273
106	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	7,364	7,364
107	0604880C	LAND-BASED SM-3 (LBSM3)	276,338	276,338
108	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	420,630	420,630
109	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	297,375	50,000
		Project decrease to support technology development		[-247,375]
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	58,742
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,158	3,158
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	6,282,166	6,662,791
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)		
115	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	6,817	6,817
116	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	110,383	110,383
117	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	311,071	311,071
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	25,787	25,787
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,688	20,688
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,749	5,749
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,699	12,699
125	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	387	387
126	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,859	1,859
127	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	7,010	7,010
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	133,104	133,104
129	0605075D8Z	DCMO POLICY AND INTEGRATION	25,269	25,269
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	10,238	10,238
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,670	19,670
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,556	3,556
		SUBTOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)	694,287	694,287
		RDT&E MANAGEMENT SUPPORT		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,383	6,383
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,845	3,845
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	144,109	144,109
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,419	2,419
139	0604943D8Z	THERMAL VICAR	8,214	8,214
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMTC)	19,380	19,380
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	32,266	32,266
142	0605110D8Z	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT	840	840
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	56,012	56,012
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	55,508	55,508
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	18,174	18,174
147	0605142D8Z	SYSTEMS ENGINEERING	43,195	43,195
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,457	6,457
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	4,901	4,901
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,307	6,307
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,601	6,601
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,849	92,849

SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S	1,857	1,857
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	12,056	12,056
162	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	55,454	55,454
163	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	16,364	16,364
164	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,110	15,110
166	0605898E	MANAGEMENT HQ—R&D	69,767	69,767
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,637	2,637
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238
176	0305103E	CYBER SECURITY INITIATIVE	1,801	1,801
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	77,475	77,475
182	0901598C	MANAGEMENT HQ—MDA	34,855	34,855
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS	104	104
184A	9999999999	CLASSIFIED PROGRAMS	64,255	64,255
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	887,928	887,928
		OPERATIONAL SYSTEMS DEVELOPMENT		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	8,866	8,866
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MGMT	3,238	3,238
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAISIS)	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	14,745	14,745
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	5,013	5,013
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,922	3,922
192	0208045K	C4I INTEROPERABILITY	72,574	72,574
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,214	6,214
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	499	499
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	14,498	14,498
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	26,164	26,164
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	12,931	12,931
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,296	6,296
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	30,948	30,948
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,780	11,780
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	191,452	241,452
		Program increase		[50,000]
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	36,575	46,575
		Program increase		[10,000]
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	24,278	24,278
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	2,924	2,924
214	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,294	1,294
215	0303610K	TELEPORT PROGRAM	6,050	6,050
217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,058	17,058
222	0305103K	CYBER SECURITY INITIATIVE	4,189	4,189
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	10,462	10,462
227	0305186D8Z	POLICY R&D PROGRAMS	6,360	6,360
229	0305199D8Z	NET CENTRICITY	21,190	21,190
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,114
		Program increase		[600]
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,247	3,247
237	0305219BB	MQ-1 PREDATOR A UAV	1,355	1,355
240	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,303	2,303
241	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	1,478	1,478
249	0708011S	INDUSTRIAL PREPAREDNESS	27,044	27,044
250	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,711	4,711
251	0902298J	MANAGEMENT HQ—OJCS	4,100	4,100
253	1105219BB	MQ-9 UAV	3,002	3,002
257	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	97,267	97,267
258	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	821	821
259	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	25,935	25,935
260	1160408BB	SOF OPERATIONAL ENHANCEMENTS	51,700	51,700
261	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT	1,822	1,822
262	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	10,131	10,131
263	1160429BB	AC/MC-130J	19,647	19,647
264	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	2,225	2,225
265	1160476BB	SOF TACTICAL RADIO SYSTEMS	3,036	3,036
266	1160477BB	SOF WEAPONS SYSTEMS	1,511	1,511
267	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	4,263	4,263
268	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	4,448	4,448
269	1160480BB	SOF TACTICAL VEHICLES	11,325	11,325
270	1160481BB	SOF MUNITIONS	1,515	1,515
271	1160482BB	SOF ROTARY WING AVIATION	24,430	24,430
272	1160483BB	SOF UNDERWATER SYSTEMS	26,405	61,405
		Program increase		[35,000]
273	1160484BB	SOF SURFACE CRAFT	8,573	8,573
275	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,620	7,620
276	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,386	16,386
276A	9999999999	CLASSIFIED PROGRAMS	3,754,516	3,774,416
		Program increases		[10,000]
		Program increases		[9,900]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	4,667,738	4,783,238
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW	17,982,161	18,478,286

OPERATIONAL TEST & EVAL, DEFENSE

SEC. 4201. RESEARCH, DEVELOPMENT, TEST AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
RD&E MANAGEMENT SUPPORT				
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	72,501	107,501
		Program increase for DOT&E cyber—range operations		(25,000)
		Program increase for DOT&E cyber—threat development and assessment		(10,000)
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	49,201	49,201
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	63,566	63,566
		SUBTOTAL, RD&E MANAGEMENT SUPPORT	185,268	220,268
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	185,268	220,268
		TOTAL RD&E	69,407,767	70,387,256

SEC. 4202. RESEARCH, DEVELOPMENT, TEST AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	House Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
60	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	19,860	19,860
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	19,860	19,860
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	19,860	19,860
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
56	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	4,600	4,600
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,600	4,600
SYSTEM DEVELOPMENT & DEMONSTRATION				
131	0604771N	MEDICAL DEVELOPMENT	2,173	2,173
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	2,173	2,173
RD&E MANAGEMENT SUPPORT				
160	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,200	5,200
		SUBTOTAL, RD&E MANAGEMENT SUPPORT	5,200	5,200
OPERATIONAL SYSTEMS DEVELOPMENT				
195	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	6,762	6,762
221	0305233N	RQ-7 UAV	7,600	7,600
230A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	48,146	48,146
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	60,119	60,119
RESEARCH, DEVELOPMENT, TEST & EVAL, AF				
OPERATIONAL SYSTEMS DEVELOPMENT				
249A	9999999999	CLASSIFIED PROGRAMS	53,150	53,150
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	53,150	53,150
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	53,150	53,150
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
APPLIED RESEARCH				
9	0602228DZ	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE		10,000
		Program increase		(10,000)
		SUBTOTAL, APPLIED RESEARCH		10,000
ADVANCED TECHNOLOGY DEVELOPMENT (ATD)				
27	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT		25,000
		Program increase		(25,000)
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		25,000
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
94	0603913C	ISRAELI COOPERATIVE PROGRAMS		680,000
		Iron Dome		(680,000)
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		200,000
		Program increase		(200,000)
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		880,000
OPERATIONAL SYSTEMS DEVELOPMENT				
239	0305231BB	MQ-8 UAV	5,000	5,000
276A	9999999999	CLASSIFIED PROGRAMS	107,387	107,387
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	112,387	112,387
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW	112,387	1,027,387
		TOTAL RD&E	245,516	1,160,516

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
OPERATION & MAINTENANCE, ARMY			
OPERATING FORCES			
10	MANEUVER UNITS	1,223,087	1,223,087
20	MODULAR SUPPORT BRIGADES	80,574	80,574
30	ECHELONS ABOVE BRIGADE	723,039	723,039
40	THEATER LEVEL ASSETS	706,974	706,974
50	LAND FORCES OPERATIONS SUPPORT	1,226,650	1,226,650
60	AVIATION ASSETS	1,319,832	1,319,832
70	FORCE READINESS OPERATIONS SUPPORT	3,447,174	3,447,174
80	LAND FORCES SYSTEMS READINESS	454,774	454,774
90	LAND FORCES DEPOT MAINTENANCE	1,762,757	1,762,757
100	BASE OPERATIONS SUPPORT	7,401,613	7,401,613
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,041,074	3,234,674
	Realignment to Cemeterial Expenses, Army		[-25,000]
	Restoration and Modernization of Facilities		[218,600]
120	MANAGEMENT AND OPERATIONAL HQ'S	410,171	410,171
130	COMBATANT COMMANDERS CORE OPERATIONS	177,819	177,819
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333
	SUBTOTAL, OPERATING FORCES	22,436,871	22,630,471
MOBILIZATION			
180	STRATEGIC MOBILITY	405,496	405,496
190	ARMY PREPOSITIONING STOCKS	195,349	195,349
200	INDUSTRIAL PREPAREDNESS	6,379	6,379
	SUBTOTAL, MOBILIZATION	607,224	607,224
TRAINING AND RECRUITING			
210	OFFICER ACQUISITION	112,866	112,866
220	RECRUIT TRAINING	73,265	73,265
230	ONE STATION UNIT TRAINING	51,227	51,227
240	SENIOR RESERVE OFFICERS TRAINING CORPS	443,306	443,306
250	SPECIALIZED SKILL TRAINING	1,099,556	1,099,556
260	FLIGHT TRAINING	1,130,627	1,130,627
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,683	191,683
280	TRAINING SUPPORT	652,095	652,095
290	RECRUITING AND ADVERTISING	507,510	507,510
300	EXAMINING	156,964	156,964
310	OFF-DUTY AND VOLUNTARY EDUCATION	244,343	244,343
320	CIVILIAN EDUCATION AND TRAINING	212,477	212,477
330	JUNIOR ROTC	182,691	182,691
	SUBTOTAL, TRAINING AND RECRUITING	5,058,610	5,058,610
ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEWIDE TRANSPORTATION	601,331	601,331
360	CENTRAL SUPPLY ACTIVITIES	741,324	741,324
370	LOGISTIC SUPPORT ACTIVITIES	610,136	610,136
380	AMMUNITION MANAGEMENT	478,707	478,707
390	ADMINISTRATION	556,307	556,307
400	SERVICEWIDE COMMUNICATIONS	1,547,925	1,547,925
410	MANPOWER MANAGEMENT	362,205	362,205
420	OTHER PERSONNEL SUPPORT	220,754	220,754
430	OTHER SERVICE SUPPORT	1,153,556	1,150,509
	Army Museum Funding (Early to need)		[-3,047]
440	ARMY CLAIMS ACTIVITIES	250,970	250,970
450	REAL ESTATE MANAGEMENT	222,351	222,351
460	BASE OPERATIONS SUPPORT	222,379	222,379
470	SUPPORT OF NATO OPERATIONS	459,710	459,710
480	MISC. SUPPORT OF OTHER NATIONS	25,637	25,637
490	CLASSIFIED PROGRAMS	1,052,595	1,052,595
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	8,505,887	8,502,840
UNDISTRIBUTED ADJUSTMENTS			
500	UNDISTRIBUTED ADJUSTMENTS		-350,700
	Army Medical Evacuation Paramedic Certification Training		[5,000]
	Historical unobligated balances		[-289,200]
	Overestimate of Foreign Currency Fluctuation Costs		[-66,500]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-350,700
	TOTAL, OPERATION & MAINTENANCE, ARMY	36,608,592	36,448,445
OPERATION & MAINTENANCE, NAVY			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
OPERATING FORCES			
10	MISSION AND OTHER FLIGHT OPERATIONS	4,918,144	4,927,144
	Cruiser Retention		[9,000]
20	FLEET AIR TRAINING	1,886,825	1,886,825
30	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	44,032	44,032
40	AIR OPERATIONS AND SAFETY SUPPORT	101,565	101,565
50	AIR SYSTEMS SUPPORT	374,827	374,827
60	AIRCRAFT DEPOT MAINTENANCE	960,802	960,802
70	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,545	37,545
80	AVIATION LOGISTICS	328,805	328,805
90	MISSION AND OTHER SHIP OPERATIONS	4,686,535	4,711,185
	Cruiser Retention		[24,650]
100	SHIP OPERATIONS SUPPORT & TRAINING	769,204	769,204
110	SHIP DEPOT MAINTENANCE	5,089,981	5,157,944
	Cruiser Retention		[67,963]
120	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,329,237
	Cruiser Retention		[13,871]
130	COMBAT COMMUNICATIONS	619,909	619,909
140	ELECTRONIC WARFARE	92,364	92,364
150	SPACE SYSTEMS AND SURVEILLANCE	174,437	174,437
160	WARFARE TACTICS	441,035	441,035
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	333,554	333,554
180	COMBAT SUPPORT FORCES	910,087	910,087
190	EQUIPMENT MAINTENANCE	167,158	167,158
200	DEPOT OPERATIONS SUPPORT	4,183	4,183
210	COMBATANT COMMANDERS CORE OPERATIONS	95,528	95,528
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	204,569	204,569
230	CRUISE MISSILE	111,884	111,884
240	FLEET BALLISTIC MISSILE	1,181,038	1,181,038
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	87,606	87,606
260	WEAPONS MAINTENANCE	519,583	519,583
270	OTHER WEAPON SYSTEMS SUPPORT	300,435	300,435
280	ENTERPRISE INFORMATION	1,077,924	1,077,924
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,101,279	2,155,879
	Restoration and Modernization of Facilities		[54,600]
300	BASE OPERATING SUPPORT	4,822,093	4,822,093
	SUBTOTAL, OPERATING FORCES	33,758,297	33,928,381
MOBILIZATION			
310	SHIP PREPOSITIONING AND SURGE	334,659	334,659
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,562	6,562
330	SHIP ACTIVATIONS/INACTIVATIONS	1,066,329	587,329
	Cruiser Retention		[-9,000]
	Fiscal year 2013 portion of USS ENTERPRISE Inactivation Costs		[-470,000]
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	83,901	83,901
350	INDUSTRIAL READINESS	2,695	2,695
360	COAST GUARD SUPPORT	23,502	23,502
	SUBTOTAL, MOBILIZATION	1,517,648	1,038,648
TRAINING AND RECRUITING			
370	OFFICER ACQUISITION	147,807	147,807
380	RECRUIT TRAINING	10,473	10,473
390	RESERVE OFFICERS TRAINING CORPS	139,220	139,220
400	SPECIALIZED SKILL TRAINING	582,177	582,177
410	FLIGHT TRAINING	5,456	5,456
420	PROFESSIONAL DEVELOPMENT EDUCATION	170,746	170,746
430	TRAINING SUPPORT	153,403	153,403
440	RECRUITING AND ADVERTISING	241,329	242,267
	Naval Sea Cadet Corps		[938]
450	OFF-DUTY AND VOLUNTARY EDUCATION	108,226	108,226
460	CIVILIAN EDUCATION AND TRAINING	105,776	105,776
470	JUNIOR ROTC	51,817	51,817
	SUBTOTAL, TRAINING AND RECRUITING	1,716,430	1,717,368
ADMIN & SRVWD ACTIVITIES			
480	ADMINISTRATION	797,177	797,177
490	EXTERNAL RELATIONS	12,872	12,872
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,181	120,181
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	235,753	235,753
520	OTHER PERSONNEL SUPPORT	263,060	263,060
530	SERVICEMAN COMMUNICATIONS	363,213	363,213
550	SERVICEMAN TRANSPORTATION	182,343	182,343
570	PLANNING, ENGINEERING AND DESIGN	282,464	282,464
580	ACQUISITION AND PROGRAM MANAGEMENT	1,092,123	1,092,123

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	53,560	53,560
600	COMBAT/WEAPONS SYSTEMS	25,299	25,299
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	64,418	64,418
620	NAVAL INVESTIGATIVE SERVICE	580,042	580,042
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,984	4,984
710	CLASSIFIED PROGRAMS	537,079	537,079
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	4,614,568	4,614,568
	UNDISTRIBUTED ADJUSTMENTS		
720	UNDISTRIBUTED ADJUSTMENTS		-166,400
	Historical unobligated balances		[-166,400]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-166,400
	TOTAL, OPERATION & MAINTENANCE, NAVY	41,606,943	41,132,565
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
10	OPERATIONAL FORCES	788,055	788,055
20	FIELD LOGISTICS	762,614	762,614
30	DEPOT MAINTENANCE	168,447	168,447
40	MARITIME PREPOSITIONING	100,374	100,374
50	SUSTAINMENT, RESTORATION & MODERNIZATION	825,039	847,839
	Restoration and Modernization of Facilities		[22,800]
60	BASE OPERATING SUPPORT	2,188,883	2,188,883
	SUBTOTAL, OPERATING FORCES	4,833,412	4,856,212
	TRAINING AND RECRUITING		
70	RECRUIT TRAINING	18,251	18,251
80	OFFICER ACQUISITION	869	869
90	SPECIALIZED SKILL TRAINING	80,914	80,914
100	PROFESSIONAL DEVELOPMENT EDUCATION	42,744	42,744
110	TRAINING SUPPORT	292,150	292,150
120	RECRUITING AND ADVERTISING	168,609	178,609
	Recruiting and advertising		[10,000]
130	OFF-DUTY AND VOLUNTARY EDUCATION	56,865	56,865
140	JUNIOR ROTC	19,912	19,912
	SUBTOTAL, TRAINING AND RECRUITING	680,314	690,314
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	39,962	39,962
170	ACQUISITION AND PROGRAM MANAGEMENT	83,404	83,404
190	CLASSIFIED PROGRAMS	346,071	346,071
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	469,437	469,437
	UNDISTRIBUTED ADJUSTMENTS		
200	UNDISTRIBUTED ADJUSTMENTS		-23,900
	Historical unobligated balances		[-23,900]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-23,900
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	5,983,163	5,992,063
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
10	PRIMARY COMBAT FORCES	2,973,141	2,973,141
20	COMBAT ENHANCEMENT FORCES	1,611,032	1,744,032
	Global Hawk Block 30		[133,000]
30	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,472,806	1,472,806
40	DEPOT MAINTENANCE	5,545,470	5,545,470
50	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,353,987	1,569,487
	Restoration and Modernization of Facilities		[215,500]
60	BASE SUPPORT	2,595,032	2,595,032
70	GLOBAL C3I AND EARLY WARNING	957,040	957,040
80	OTHER COMBAT OPS SPT PROGRAMS	916,200	916,200
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	733,716	733,716
110	LAUNCH FACILITIES	314,490	314,490
120	SPACE CONTROL SYSTEMS	488,762	488,762
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	862,979	862,979
140	COMBATANT COMMANDERS CORE OPERATIONS	222,429	222,429
	SUBTOTAL, OPERATING FORCES	20,047,084	20,395,584
	MOBILIZATION		
150	AIRLIFT OPERATIONS	1,785,379	1,785,379
160	MOBILIZATION PREPAREDNESS	154,049	154,049
170	DEPOT MAINTENANCE	1,477,396	1,477,396

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	309,699	309,699
190	BASE SUPPORT	707,574	707,574
	SUBTOTAL, MOBILIZATION	4,434,097	4,434,097
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	115,427	115,427
210	RECRUIT TRAINING	17,619	17,619
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	92,949	92,949
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	336,433	336,433
240	BASE SUPPORT	842,441	842,441
250	SPECIALIZED SKILL TRAINING	482,634	482,634
260	FLIGHT TRAINING	750,609	750,609
270	PROFESSIONAL DEVELOPMENT EDUCATION	235,114	235,114
280	TRAINING SUPPORT	101,231	101,231
290	DEPOT MAINTENANCE	233,330	233,330
310	RECRUITING AND ADVERTISING	130,217	130,217
320	EXAMINING	2,738	2,738
330	OFF-DUTY AND VOLUNTARY EDUCATION	155,170	155,170
340	CIVILIAN EDUCATION AND TRAINING	175,147	175,147
350	JUNIOR ROTC	74,809	74,809
	SUBTOTAL, TRAINING AND RECRUITING	3,745,868	3,745,868
	ADMIN & SRVWD ACTIVITIES		
360	LOGISTICS OPERATIONS	1,029,734	1,029,734
370	TECHNICAL SUPPORT ACTIVITIES	913,843	913,843
390	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	303,610	303,610
400	BASE SUPPORT	1,266,800	1,266,800
410	ADMINISTRATION	587,654	587,654
420	SERVICEMAN COMMUNICATIONS	667,910	667,910
430	OTHER SERVICEMAN ACTIVITIES	1,094,509	1,094,509
440	CIVIL AIR PATROL	23,904	23,904
470	INTERNATIONAL SUPPORT	81,307	81,307
480	CLASSIFIED PROGRAMS	1,239,040	1,239,040
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	7,208,311	7,208,311
	UNDISTRIBUTED ADJUSTMENTS		
490	UNDISTRIBUTED ADJUSTMENTS		-43,700
	Historical unobligated balances		[-141,700]
	Overestimate of Foreign Currency Fluctuation Costs		[-32,000]
	Retain Air Force Force Structure		[130,000]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-43,700
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	35,435,360	35,740,160
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
10	JOINT CHIEFS OF STAFF	485,708	485,708
20	SPECIAL OPERATIONS COMMAND		5,091,001
	Transfer from line 025		[5,091,001]
25	CLASSIFIED PROGRAMS	5,091,001	0
	Transfer to Line 020		[-5,091,001]
	SUBTOTAL, OPERATING FORCES	5,576,709	5,576,709
	TRAINING AND RECRUITING		
30	DEFENSE ACQUISITION UNIVERSITY	147,210	144,710
	Program decrease		[-2,500]
40	NATIONAL DEFENSE UNIVERSITY	84,999	82,499
	Program decrease		[-2,500]
	SUBTOTAL, TRAINING AND RECRUITING	232,209	227,209
	ADMIN & SRVWD ACTIVITIES		
50	CIVIL MILITARY PROGRAMS	161,294	161,294
80	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973
90	DEFENSE CONTRACT MANAGEMENT AGENCY	1,293,196	1,293,196
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	17,513	17,513
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,186	676,186
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,346,847	1,346,847
140	DEFENSE LEGAL SERVICES AGENCY	35,137	35,137
150	DEFENSE LOGISTICS AGENCY	431,893	431,893
160	DEFENSE MEDIA ACTIVITY	224,013	224,013
170	DEFENSE POW/MIA OFFICE	21,964	21,964
180	DEFENSE SECURITY COOPERATION AGENCY	557,917	557,917
190	DEFENSE SECURITY SERVICE		506,662
	Transfer from Line 280		[506,662]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,319	35,319
210	DEFENSE THREAT REDUCTION AGENCY		443,382
	Transfer from Line 280		[443,382]
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,744,971	2,744,971
230	MISSILE DEFENSE AGENCY	259,975	259,975
250	OFFICE OF ECONOMIC ADJUSTMENT	253,437	253,437
260	OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,135,362
	Advancing Diversity and EO		[5,000]
	Office of Net Assessment		[10,000]
	Readiness Environmental Protection Initiative		[25,000]
270	WASHINGTON HEADQUARTERS SERVICE	521,297	521,297
280	CLASSIFIED PROGRAMS	14,933,801	14,045,757
	Program increase		[62,000]
	Transfer to Line 190		[-506,662]
	Transfer to Line 210		[-443,382]
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	26,184,095	26,286,095
UNDISTRIBUTED ADJUSTMENTS			
290	UNDISTRIBUTED ADJUSTMENTS		-107,700
	DOD Impact Aid		[30,000]
	Historical unobligated balances		[-128,000]
	Overestimate of Foreign Currency Fluctuation Costs		[-9,700]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-107,700
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	31,993,013	31,982,313
OPERATION & MAINTENANCE, ARMY RES			
OPERATING FORCES			
10	MANEUVER UNITS	1,391	1,391
20	MODULAR SUPPORT BRIGADES	20,889	20,889
30	ECHELONS ABOVE BRIGADE	592,724	592,724
40	THEATER LEVEL ASSETS	114,983	114,983
50	LAND FORCES OPERATIONS SUPPORT	633,091	633,091
60	AVIATION ASSETS	76,823	76,823
70	FORCE READINESS OPERATIONS SUPPORT	481,997	481,997
80	LAND FORCES SYSTEMS READINESS	70,118	70,118
90	LAND FORCES DEPOT MAINTENANCE	141,205	141,205
100	BASE OPERATIONS SUPPORT	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	287,399	308,099
	Restoration and Modernization of Facilities		[20,700]
120	MANAGEMENT AND OPERATIONAL HQ'S	52,431	52,431
	SUBTOTAL, OPERATING FORCES	3,034,929	3,055,629
ADMIN & SRVWD ACTIVITIES			
140	SERVICEWIDE TRANSPORTATION	12,995	12,995
150	ADMINISTRATION	32,432	32,432
160	SERVICEWIDE COMMUNICATIONS	4,895	4,895
170	MANPOWER MANAGEMENT	16,074	16,074
180	RECRUITING AND ADVERTISING	60,683	60,683
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	127,079	127,079
UNDISTRIBUTED ADJUSTMENTS			
190	UNDISTRIBUTED ADJUSTMENTS		1,100
	Army Medical Evacuation Paramedic Certification Training		[5,000]
	Deny request of increase for technicians		[-3,900]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		1,100
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	3,162,008	3,183,808
OPERATION & MAINTENANCE, NAVY RES			
OPERATING FORCES			
10	MISSION AND OTHER FLIGHT OPERATIONS	616,776	616,776
20	INTERMEDIATE MAINTENANCE	15,076	15,076
30	AIR OPERATIONS AND SAFETY SUPPORT	1,479	1,479
40	AIRCRAFT DEPOT MAINTENANCE	107,251	107,251
50	AIRCRAFT DEPOT OPERATIONS SUPPORT	355	355
60	MISSION AND OTHER SHIP OPERATIONS	82,186	82,186
70	SHIP OPERATIONS SUPPORT & TRAINING	589	589
80	SHIP DEPOT MAINTENANCE	48,593	48,593
90	COMBAT COMMUNICATIONS	15,274	15,274
100	COMBAT SUPPORT FORCES	124,917	124,917
110	WEAPONS MAINTENANCE	1,978	1,978
120	ENTERPRISE INFORMATION	43,699	43,699
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	60,646	60,646

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
140	BASE OPERATING SUPPORT	105,227	105,227
	SUBTOTAL, OPERATING FORCES	1,224,046	1,224,046
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	3,117	3,117
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,337	14,337
170	SERVICEWIDE COMMUNICATIONS	2,392	2,392
180	ACQUISITION AND PROGRAM MANAGEMENT	3,090	3,090
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	22,936	22,936
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	1,246,982	1,246,982
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
10	OPERATING FORCES	89,690	89,690
20	DEPOT MAINTENANCE	16,735	16,735
30	SUSTAINMENT, RESTORATION AND MODERNIZATION	37,913	37,913
40	BASE OPERATING SUPPORT	103,746	103,746
	SUBTOTAL, OPERATING FORCES	248,084	248,084
	ADMIN & SRVWD ACTIVITIES		
50	SERVICEWIDE TRANSPORTATION	873	873
60	ADMINISTRATION	14,330	14,330
70	RECRUITING AND ADVERTISING	8,998	8,998
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	24,201	24,201
	TOTAL, OPERATION & MAINTENANCE, MC RESERVE	272,285	272,285
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
10	PRIMARY COMBAT FORCES	2,089,326	2,089,326
20	MISSION SUPPORT OPERATIONS	112,992	112,992
30	DEPOT MAINTENANCE	406,101	406,101
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	71,564	78,264
	Restoration and Modernization of Facilities		[6,700]
50	BASE SUPPORT	364,862	364,862
	SUBTOTAL, OPERATING FORCES	3,044,845	3,051,545
	ADMIN & SRVWD ACTIVITIES		
60	ADMINISTRATION	78,824	78,824
70	RECRUITING AND ADVERTISING	16,020	16,020
80	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,496	19,496
90	OTHER PERS SUPPORT (DISABILITY COMP)	6,489	6,489
100	AUDIOVISUAL	808	808
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	121,637	121,637
	UNDISTRIBUTED ADJUSTMENTS		
110	UNDISTRIBUTED ADJUSTMENTS		161,617
	Retain Air Force Reserve Force Structure		[161,617]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		161,617
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	3,166,482	3,334,799
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
10	MANEUVER UNITS	680,206	680,206
20	MODULAR SUPPORT BRIGADES	186,408	186,408
30	ECHELONS ABOVE BRIGADE	865,628	865,628
40	THEATER LEVEL ASSETS	112,651	112,651
50	LAND FORCES OPERATIONS SUPPORT	36,091	36,091
60	AVIATION ASSETS	907,011	907,011
70	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606
80	LAND FORCES SYSTEMS READINESS	60,043	60,043
90	LAND FORCES DEPOT MAINTENANCE	411,940	411,940
100	BASE OPERATIONS SUPPORT	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	737,589
	Restoration and Modernization of Facilities		[49,400]
120	MANAGEMENT AND OPERATIONAL HQ'S	953,716	953,716
	SUBTOTAL, OPERATING FORCES	6,648,912	6,698,312
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	11,806	11,806
140	REAL ESTATE MANAGEMENT	1,656	1,656
150	ADMINISTRATION	89,358	89,358

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
160	SERVICEWIDE COMMUNICATIONS	39,513	39,513
170	MANPOWER MANAGEMENT	7,224	7,224
180	RECRUITING AND ADVERTISING	310,143	310,143
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	459,700	459,700
	UNDISTRIBUTED ADJUSTMENTS		
190	UNDISTRIBUTED ADJUSTMENTS		-79,700
	Army Medical Evacuation Paramedic Certification Training		[5,000]
	Deny request of increase for technicians		[-95,000]
	Retain Army National Guard Force Structure		[10,300]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-79,700
	TOTAL, OPERATION & MAINTENANCE, ARNG	7,108,612	7,078,312
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
10	AIRCRAFT OPERATIONS	3,559,824	3,563,329
	Aerospace Control Alert		[3,505]
20	MISSION SUPPORT OPERATIONS	721,225	721,225
30	DEPOT MAINTENANCE	774,875	774,875
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	270,709	295,409
	Restoration and Modernization of Facilities		[24,700]
50	BASE SUPPORT	624,443	624,443
	SUBTOTAL, OPERATING FORCES	5,951,076	5,979,281
	ADMIN & SRVWD ACTIVITIES		
60	ADMINISTRATION	32,358	32,358
70	RECRUITING AND ADVERTISING	32,021	32,021
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	64,379	64,379
	UNDISTRIBUTED ADJUSTMENTS		
80	UNDISTRIBUTED ADJUSTMENTS		286,800
	Retain Air National Guard Force Structure		[286,800]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		286,800
	TOTAL, OPERATION & MAINTENANCE, ANG	6,015,455	6,330,460
	MISCELLANEOUS APPROPRIATIONS		
	MISCELLANEOUS APPROPRIATIONS		
20	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,759	108,759
30	COOPERATIVE THREAT REDUCTION	519,111	519,111
40	ACQ WORKFORCE DEV FD	274,198	274,198
50	ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921
	SUBTOTAL, MISCELLANEOUS APPROPRIATIONS	1,237,989	1,237,989
	MISCELLANEOUS APPROPRIATIONS		
60	ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594
	SUBTOTAL, MISCELLANEOUS APPROPRIATIONS	310,594	310,594
	MISCELLANEOUS APPROPRIATIONS		
70	ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263
	SUBTOTAL, MISCELLANEOUS APPROPRIATIONS	529,263	529,263
	MISCELLANEOUS APPROPRIATIONS		
10	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,516	13,516
80	ENVIRONMENTAL RESTORATION, DEFENSE	11,133	11,133
	SUBTOTAL, MISCELLANEOUS APPROPRIATIONS	24,649	24,649
	MISCELLANEOUS APPROPRIATIONS		
90	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,543	237,543
	SUBTOTAL, MISCELLANEOUS APPROPRIATIONS	237,543	237,543
	TOTAL, MISCELLANEOUS APPROPRIATIONS	2,340,038	2,340,038
	TOTAL, OPERATION & MAINTENANCE	174,938,933	175,082,230

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
OPERATION & MAINTENANCE, ARMY OPERATING FORCES			
40	THEATER LEVEL ASSETS ...	2,758,162	2,758,162
50	LAND FORCES OPERATIONS SUPPORT	991,396	991,396
60	AVIATION ASSETS	40,300	40,300
70	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,755,445
80	LAND FORCES SYSTEMS READINESS	307,244	307,244
100	BASE OPERATIONS SUPPORT	393,165	393,165
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	250,000	250,000
140	ADDITIONAL ACTIVITIES	12,524,137	12,395,137
	Reduction to Task Force for Business and Stability Operations		[-129,000]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	Historical under-execution		[-200,000]
160	RESET	3,687,973	3,437,973
	Unexecutable depot-level maintenance		[-250,000]
	SUBTOTAL, OPERATING FORCES	23,107,822	22,528,822
ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEWIDE TRANSPORTATION	3,238,310	3,238,310
360	CENTRAL SUPPLY ACTIVITIES	129,000	129,000
380	AMMUNITION MANAGEMENT	78,022	78,022
420	OTHER PERSONNEL SUPPORT	137,277	137,277
430	OTHER SERVICE SUPPORT	72,293	72,293
490	CLASSIFIED PROGRAMS	1,828,717	1,828,717
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	5,483,619	5,483,619
UNDISTRIBUTED ADJUSTMENTS			
500	UNDISTRIBUTED ADJUSTMENTS		-179,700
	Historical unobligated balances ...		[-179,700]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-179,700
	TOTAL, OPERATION & MAINTENANCE, ARMY	28,591,441	27,832,741
OPERATION & MAINTENANCE, NAVY OPERATING FORCES			
10	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
30	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,000	1,000
40	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794
50	AIR SYSTEMS SUPPORT	19,013	19,013
60	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912
70	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000
80	AVIATION LOGISTICS	44,150	44,150
90	MISSION AND OTHER SHIP OPERATIONS	463,738	463,738
100	SHIP OPERATIONS SUPPORT & TRAINING	24,774	24,774
110	SHIP DEPOT MAINTENANCE	1,310,010	1,310,010
130	COMBAT COMMUNICATIONS	42,965	42,965
160	WARFARE TACTICS	25,970	25,970
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	19,226	19,226
180	COMBAT SUPPORT FORCES	1,668,359	1,668,359
190	EQUIPMENT MAINTENANCE	7,954	7,954
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	94,655	94,655
260	WEAPONS MAINTENANCE ..	303,087	303,087
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,218	3,218
300	BASE OPERATING SUPPORT	143,442	143,442
	SUBTOTAL, OPERATING FORCES	5,329,365	5,329,365
MOBILIZATION			
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	31,395	31,395
360	COAST GUARD SUPPORT ...	254,461	254,461
	SUBTOTAL, MOBILIZATION	285,856	285,856
TRAINING AND RECRUITING			
400	SPECIALIZED SKILL TRAINING	50,903	50,903
	SUBTOTAL, TRAINING AND RECRUITING	50,903	50,903
ADMIN & SRVWIDE ACTIVITIES			
480	ADMINISTRATION	1,377	1,377
490	EXTERNAL RELATIONS	487	487
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,022	6,022
520	OTHER PERSONNEL SUPPORT	3,514	3,514
550	SERVICEWIDE TRANSPORTATION	184,864	184,864
580	ACQUISITION AND PROGRAM MANAGEMENT	2,026	2,026
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
710	CLASSIFIED PROGRAMS	14,556	14,556
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	214,271	214,271
UNDISTRIBUTED ADJUSTMENTS			
720	UNDISTRIBUTED ADJUSTMENTS		-22,100

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	House Authorized
	Historical unobligated balances ...		[-22,100]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-22,100
	TOTAL, OPERATION & MAINTENANCE, NAVY	5,880,395	5,858,295
OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES			
10	OPERATIONAL FORCES	1,921,258	1,921,258
20	FIELD LOGISTICS	1,094,028	1,094,028
30	DEPOT MAINTENANCE	222,824	222,824
60	BASE OPERATING SUPPORT	88,690	88,690
	SUBTOTAL, OPERATING FORCES	3,326,800	3,326,800
TRAINING AND RECRUITING			
110	TRAINING SUPPORT	215,212	215,212
	SUBTOTAL, TRAINING AND RECRUITING	215,212	215,212
ADMIN & SRVWIDE ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	512,627	512,627
190	CLASSIFIED PROGRAMS	11,701	11,701
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	524,328	524,328
UNDISTRIBUTED ADJUSTMENTS			
200	UNDISTRIBUTED ADJUSTMENTS		-15,600
	Historical unobligated balances ...		[-15,600]
	SUBTOTAL, UNDISTRIBUTED ADJUSTMENTS		-15,600
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS ...	4,066,340	4,050,740
OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES			
10	PRIMARY COMBAT FORCES	1,494,144	1,494,144
20	COMBAT ENHANCEMENT FORCES	809,531	809,531
30	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	13,095	13,095
40	DEPOT MAINTENANCE	1,403,238	1,403,238
50	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	155,954	155,954
60	BASE SUPPORT	342,226	342,226
70	GLOBAL C3I AND EARLY WARNING	15,108	15,108
80	OTHER COMBAT OPS SPT PROGRAMS	271,390	271,390
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	25,400	25,400
120	SPACE CONTROL SYSTEMS	5,110	5,110

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
130	COMBATANT COM- MANDERS DIRECT MIS- SION SUPPORT	52,173	52,173
	SUBTOTAL, OPER- ATING FORCES	4,587,369	4,587,369
	MOBILIZATION		
150	AIRLIFT OPERATIONS	3,187,211	3,187,211
160	MOBILIZATION PREPARED- NESS	43,509	43,509
170	DEPOT MAINTENANCE	554,943	554,943
180	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	4,431	4,431
190	BASE SUPPORT	9,256	9,256
	SUBTOTAL, MOBILI- ZATION	3,799,350	3,799,350
	TRAINING AND RECRUIT- ING		
230	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	424	424
240	BASE SUPPORT	1,036	1,036
250	SPECIALIZED SKILL TRAIN- ING	10,923	10,923
260	FLIGHT TRAINING	72	72
270	PROFESSIONAL DEVELOP- MENT EDUCATION	323	323
280	TRAINING SUPPORT	352	352
	SUBTOTAL, TRAINING AND RECRUITING	13,130	13,130
	ADMIN & SRVWD ACTIVI- TIES		
360	LOGISTICS OPERATIONS	100,429	100,429
390	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	47,200	47,200
400	BASE SUPPORT	7,242	7,242
410	ADMINISTRATION	1,552	1,552
420	SERVICEMEN COMMUNICA- TIONS	82,094	82,094
430	OTHER SERVICEMEN AC- TIVITIES	582,977	582,977
480	CLASSIFIED PROGRAMS	20,270	20,270
	SUBTOTAL, ADMIN & SRVWD ACTIVI- TIES	841,764	841,764
	UNDISTRIBUTED ADJUST- MENTS		
490	UNDISTRIBUTED ADJUST- MENTS		-34,700
	Historical unobli- gated balances ...		[-34,700]
	SUBTOTAL, UNDIS- TRIBUTED AD- JUSTMENTS		-34,700
	TOTAL, OPER- ATION & MAINTENANCE, AIR FORCE	9,241,613	9,206,913
	OPERATION & MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
10	JOINT CHIEFS OF STAFF	2,000	2,000
20	SPECIAL OPERATIONS COMMAND	2,503,060	2,503,060
	SUBTOTAL, OPER- ATING FORCES	2,505,060	2,505,060

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
	ADMIN & SRVWD ACTIVI- TIES		
80	DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
90	DEFENSE CONTRACT MAN- AGEMENT AGENCY	69,803	69,803
110	DEFENSE HUMAN RE- SOURCE ACTIVITY	3,334	3,334
120	DEFENSE INFORMATION SYSTEMS AGENCY	152,925	152,925
140	DEFENSE LEGAL SERVICES AGENCY	102,322	102,322
160	DEFENSE MEDIA ACTIVITY	10,823	10,823
180	DEFENSE SECURITY CO- OPERATION AGENCY	2,200,000	1,550,000
	Program Decrease— Coalition Support Funds		[-650,000]
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	139,830	139,830
260	OFFICE OF THE SEC- RETARY OF DEFENSE ...	87,805	87,805
280	CLASSIFIED PROGRAMS	2,522,003	2,522,003
	SUBTOTAL, ADMIN & SRVWD ACTIVI- TIES	5,319,519	4,669,519
	UNDISTRIBUTED ADJUST- MENTS		
290	UNDISTRIBUTED ADJUST- MENTS		-29,300
	Historical unobli- gated balances ...		[-29,300]
	SUBTOTAL, UNDIS- TRIBUTED AD- JUSTMENTS		-29,300
	TOTAL, OPER- ATION & MAINTENANCE, DE- FENSE-WIDE ...	7,824,579	7,145,279
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
30	ECHELONS ABOVE BRI- GADE	78,600	78,600
50	LAND FORCES OPER- ATIONS SUPPORT	20,811	20,811
70	FORCE READINESS OPER- ATIONS SUPPORT	20,726	20,726
100	BASE OPERATIONS SUP- PORT	34,400	34,400
	SUBTOTAL, OPER- ATING FORCES	154,537	154,537
	TOTAL, OPER- ATION & MAINTENANCE, ARMY RES	154,537	154,537
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
10	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
20	INTERMEDIATE MAINTENANCE	300	300
40	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
60	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
80	SHIP DEPOT MAINTENANCE	929	929
100	COMBAT SUPPORT FORCES	8,244	8,244

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized
140	BASE OPERATING SUP- PORT	40	40
	SUBTOTAL, OPER- ATING FORCES	55,924	55,924
	TOTAL, OPER- ATION & MAINTENANCE, NAVY RES	55,924	55,924
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
10	OPERATING FORCES	22,657	22,657
40	BASE OPERATING SUP- PORT	2,820	2,820
	SUBTOTAL, OPER- ATING FORCES	25,477	25,477
	TOTAL, OPER- ATION & MAINTENANCE, MC RESERVE	25,477	25,477
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
10	PRIMARY COMBAT FORCES	7,600	7,600
30	DEPOT MAINTENANCE	106,768	106,768
50	BASE SUPPORT	6,250	6,250
	SUBTOTAL, OPER- ATING FORCES	120,618	120,618
	TOTAL, OPER- ATION & MAINTENANCE, AF RESERVE	120,618	120,618
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
10	MANEUVER UNITS	38,485	38,485
20	MODULAR SUPPORT BRI- GADES	1,959	1,959
30	ECHELONS ABOVE BRI- GADE	20,076	20,076
40	THEATER LEVEL ASSETS ...	2,028	2,028
60	AVIATION ASSETS	183,811	183,811
70	FORCE READINESS OPER- ATIONS SUPPORT	43,780	43,780
100	BASE OPERATIONS SUP- PORT	70,237	70,237
120	MANAGEMENT AND OPER- ATIONAL HQ'S	20,072	20,072
	SUBTOTAL, OPER- ATING FORCES	380,448	380,448
	ADMIN & SRVWD ACTIVI- TIES		
160	SERVICEMEN COMMUNICA- TIONS	2,000	2,000
	SUBTOTAL, ADMIN & SRVWD ACTIVI- TIES	2,000	2,000
	TOTAL, OPER- ATION & MAINTENANCE, ARNG	382,448	382,448
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized	Line	Item	FY 2013 Request	House Authorized
20	MISSION SUPPORT OPERATIONS	19,975	19,975	50	SUSTAINMENT	1,305,950	1,305,950				
	SUBTOTAL, OPERATING FORCES	19,975	19,975	60	INFRASTRUCTURE	50,000	50,000		AFGHANISTAN INFRA-STRUCTURE FUND		
	TOTAL, OPERATION & MAINTENANCE, ANG	19,975	19,975	70	EQUIPMENT AND TRANSPORTATION	84,859	84,859		AFGHANISTAN INFRA-STRUCTURE FUND		
				80	TRAINING AND OPERATIONS	569,868	569,868	10	POWER	400,000	375,000
					SUBTOTAL, MINISTRY OF INTERIOR	2,010,677	2,010,677		Program Decrease ...		[-25,000]
									SUBTOTAL, AFGHANISTAN INFRA-STRUCTURE FUND	400,000	375,000
	AFGHANISTAN SECURITY FORCES FUND				RELATED ACTIVITIES				TOTAL, AFGHANISTAN INFRA-STRUCTURE FUND	400,000	375,000
	MINISTRY OF DEFENSE			90	SUSTAINMENT	18,325	18,325				
10	SUSTAINMENT	2,523,825	2,523,825	100	INFRASTRUCTURE	1,200	1,200				
20	INFRASTRUCTURE	190,000	190,000	110	EQUIPMENT & TRANSPORTATION	1,239	1,239				
30	EQUIPMENT AND TRANSPORTATION	241,521	241,521	120	TRAINING AND OPERATIONS	4,000	4,000				
40	TRAINING AND OPERATIONS	758,380	758,380		SUBTOTAL, RELATED ACTIVITIES	24,764	24,764		TOTAL, OPERATION & MAINTENANCE	62,512,514	60,977,114
	SUBTOTAL, MINISTRY OF DEFENSE	3,713,726	3,713,726		TOTAL, AFGHANISTAN SECURITY FORCES FUND	5,749,167	5,749,167		TITLE XLIV—MILITARY PERSONNEL		
	MINISTRY OF INTERIOR								SEC. 4401. MILITARY PERSONNEL.		

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
MILITARY PERSONNEL	135,111,799	135,726,855
Army medical evacuation paramedic certification training		[2,000]
Basic allowance for housing for members of the National Guard (Section 603)		[6,000]
Non-medical attendant travel (Section 621)		[2,000]
Reserve Components administrative absence (Section 604)		[2,000]
Restore accrual payments to the Medicare eligible health care trust fund		[672,000]
Retain 128 Air National Guard AGRs for two air sovereignty alert locations		[8,300]
Retain Air Force Force Structure		[30,000]
Retain Air Force Reserve Force Structure		[20,000]
Retain Air National Guard Force Structure		[70,826]
Retain Global Hawk		[22,200]
Unobligated balances		[-352,000]
USMC military personnel in lieu of LAV funding		[131,730]

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	House Authorized
MILITARY PERSONNEL	14,060,094	14,060,094

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2013 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	60,037	60,037
TOTAL, WORKING CAPITAL FUND, ARMY	60,037	60,037
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	45,452	45,452
TOTAL, WORKING CAPITAL FUND, AIR FORCE	45,452	45,452

WORKING CAPITAL FUND, DEFENSE-WIDE

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2013 Request	House Authorized
DEFENSE LOGISTICS AGENCY (DLA)	39,135	39,135
TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	39,135	39,135
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
TOTAL, WORKING CAPITAL FUND, DECA	1,371,560	1,371,560
NATIONAL DEFENSE SEALIFT FUND		
MPF MLP	38,000	38,000
POST DELIVERY AND OUTFITTING	39,386	39,386
LG MED SPD RO/RO MAINTENANCE	128,819	128,819
DOD MOBILIZATION ALTERATIONS	26,598	26,598
TAH MAINTENANCE	29,199	29,199
RESEARCH AND DEVELOPMENT	42,811	42,811
READY RESERVE FORCE	303,323	303,323
TOTAL, NATIONAL DEFENSE SEALIFT FUND	608,136	608,136
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	8,625,507	8,625,507
PRIVATE SECTOR CARE	16,148,263	16,148,263
CONSOLIDATED HEALTH SUPPORT	2,309,185	2,309,185
INFORMATION MANAGEMENT	1,465,328	1,465,328
MANAGEMENT ACTIVITIES	332,121	332,121
EDUCATION AND TRAINING	722,081	722,081
BASE OPERATIONS/COMMUNICATIONS	1,746,794	1,746,794
UNDISTRIBUTED, OPERATION & MAINTENANCE		281,900
Foreign currency fluctuation		[-5,100]
Overfunding in electronic health record		[-30,000]
Restore estimated savings in TRICARE Prime and Standard enrollment fees and deductibles for TRICARE Standard		[273,000]
Restore pharmacy co-pay estimated savings		[179,000]
TRICARE rate adjustments		[90,000]
Unobligated balances		[-225,000]
RDT&E	672,977	672,977
PROCUREMENT	506,462	454,462
Overfunding in electronic health record		[-52,000]
TOTAL, DEFENSE HEALTH PROGRAM	32,528,718	32,758,618
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	635,843	635,843
RDT&E	647,351	647,351
PROCUREMENT	18,592	18,592
TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION	1,301,786	1,301,786
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	889,545	889,545
DRUG DEMAND REDUCTION PROGRAM	109,818	109,818
TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	999,363	999,363
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	272,821	272,821
PROCUREMENT	1,000	1,000
TOTAL, OFFICE OF THE INSPECTOR GENERAL	273,821	273,821
CEMETERIAL EXPENSES, ARMY		
OPERATION & MAINTENANCE	41,000	41,000
CONSTRUCTION	4,800	4,800
FACILITIES MAINTENANCE		25,000
Realignment from Operation and Maintenance, Army		[25,000]
TOTAL, CEMETERIAL EXPENSES, ARMY	45,800	70,800
TOTAL OTHER AUTHORIZATIONS	37,273,808	37,528,708

SEC. 4502. OTHER AUTHORIZATIONS FOR OVER-
SEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2013 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	42,600	42,600
TOTAL, WORKING CAPITAL FUND, ARMY	42,600	42,600
WORKING CAPITAL FUND, AIR FORCE		
C-17 CLS ENGINE REPAIR	230,400	230,400
TRANSPORTATION FALLEN HEROES	10,000	10,000
TOTAL, WORKING CAPITAL FUND, AIR FORCE	240,400	240,400
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	220,364	220,364
TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	220,364	220,364
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	483,326	483,326
PRIVATE SECTOR CARE	376,982	376,982
CONSOLIDATED HEALTH SUPPORT	111,675	111,675
INFORMATION MANAGEMENT	4,773	4,773
MANAGEMENT ACTIVITIES	660	660
EDUCATION AND TRAINING	15,370	15,370
BASE OPERATIONS/COMMUNICATIONS	1,112	1,112
TOTAL, DEFENSE HEALTH PROGRAM	993,898	993,898
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	469,025	469,025
TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	469,025	469,025
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	10,766	10,766
TOTAL, OFFICE OF THE INSPECTOR GENERAL	10,766	10,766
TOTAL OTHER AUTHORIZATIONS	1,977,053	1,977,053

TITLE XLVI—MILITARY CONSTRUCTION
SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
Army	Alaska			
Army	Fort Wainwright	Modified Record Fire Range	10,400	10,400
Army	Joint Base Elmendorf-Richardson	Modified Record Fire Range	7,900	7,900
Army	California			
Army	Concord	Lightning Protection System	5,800	5,800
Army	Concord	Engineering/Housing Maintenance Shop	3,100	3,100
Army	Colorado			
Army	Fort Carson, Colorado	Digital Multipurpose Training Range	18,000	18,000
Army	Fort Carson	Central Energy Plant	0	0
Army	District of Columbia			
Army	Fort McNair	Vehicle Storage Building, Installation	7,200	7,200
Army	Georgia			
Army	Fort Gordon	Modified Record Fire Range	4,000	4,000
Army	Fort Stewart, Georgia	Unmanned Aerial Vehicle Complex	24,000	24,000
Army	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse	3,650	3,650
Army	Fort Stewart, Georgia	Digital Multipurpose Training Range	22,000	22,000
Army	Fort Gordon	Multipurpose Machine Gun Range	7,100	7,100
Army	Fort Benning	Ground Source Heat Transfer System	16,000	16,000
Army	Fort Gordon	Ground Source Heat Transfer System	12,200	12,200
Army	Hawaii			
Army	Schofield Barracks	Barracks	55,000	55,000
Army	Pohakuloa Training Area	Automated Infantry Platoon Battle Course	29,000	29,000
Army	Schofield Barracks	Barracks	41,000	41,000
Army	Wheeler Army Air Field	Combat Aviation Brigade Barracks	85,000	85,000
Army	Italy			
Army	Vicenza	Simulations Center	32,000	32,000
Army	Camp Ederle	Barracks	36,000	36,000
Army	Japan			
Army	Sagami	Vehicle Maintenance Shop	18,000	18,000
Army	Okinawa	Satellite Communications Facility	78,000	78,000
Army	Kansas			
Army	Fort Riley, Kansas	Unmanned Aerial Vehicle Complex	12,200	12,200
Army	Kentucky			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
Army	Fort Campbell, Kentucky	Battalion Headquarters Complex	55,000	55,000
Army	Fort Knox	Automated Infantry Squad Battle Course	6,000	6,000
Army	Fort Campbell, Kentucky	Live Fire Exercise Shoothouse	3,800	3,800
Army	Fort Campbell, Kentucky	Unmanned Aerial Vehicle Complex	23,000	23,000
	Korea			
Army	Camp Humphreys	Battalion Headquarters Complex	45,000	45,000
	Kwajalein Atoll			
Army	Kwajalein Atoll	Pier	0	0
	Missouri			
Army	Fort Leonard Wood	Battalion Complex Facilities	26,000	26,000
Army	Fort Leonard Wood	Vehicle Maintenance Shop	39,000	39,000
Army	Fort Leonard Wood	Trainee Barracks Complex 3, Ph 2	58,000	58,000
	New Jersey			
Army	Joint Base McGuire-Dix-Lakehurst	Flight Equipment Complex	47,000	47,000
Army	Picatinny Arsenal	Ballistic Evaluation Center	10,200	10,200
	New York			
Army	U.S. Military Academy	Cadet Barracks	192,000	192,000
Army	Fort Drum, New York	Aircraft Maintenance Hangar	95,000	95,000
	North Carolina			
Army	Fort Bragg	Aerial Gunnery Range	42,000	42,000
Army	Fort Bragg	Infrastructure	30,000	30,000
Army	Fort Bragg	Unmanned Aerial Vehicle Complex	26,000	26,000
	Oklahoma			
Army	Fort Sill	Modified Record Fire Range	4,900	4,900
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 2, Ph 2	24,000	24,000
	Texas			
Army	Fort Hood, Texas	Modified Record Fire Range	4,200	4,200
Army	Corpus Christi	Aircraft Component Maintenance Shop	13,200	13,200
Army	Joint Base San Antonio	Barracks	21,000	21,000
Army	Fort Bliss	Multipurpose Machine Gun Range	7,200	7,200
Army	Fort Hood, Texas	Unmanned Aerial Vehicle Complex	22,000	22,000
Army	Fort Hood, Texas	Training Aids Center	25,000	25,000
Army	Corpus Christi	Aircraft Paint Shop	24,000	24,000
	Virginia			
Army	Fort Belvoir	Secure Admin/Operations Facility	94,000	94,000
Army	Fort Lee	Adv Individual Training Barracks Cplx, Ph2	81,000	81,000
Army	Arlington	Cemetery Expansion Millennium Site	84,000	84,000
	Washington			
Army	Joint Base Lewis-McChord	Battalion Complex	73,000	73,000
Army	Joint Base Lewis-McChord	Waste Water Treatment Plant	91,000	91,000
Army	Yakima	Convoy Live Fire Range	5,100	5,100
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Minor Construction FY 13	25,000	25,000
Army	Unspecified Worldwide Locations	Host Nation Support FY 13	34,000	34,000
Army	Unspecified Worldwide Locations	Planning and Design FY13	65,173	65,173
	Total Military Construction, Army		1,923,323	1,923,323
	Arizona			
Navy	Yuma	Combat Aircraft Loading Apron	15,985	15,985
Navy	Yuma	Security Operations Complex	13,300	13,300
	Bahrain Island			
Navy	SW Asia	Transient Quarters	41,529	0
Navy	SW Asia	Combined Dining Facility	9,819	0
	California			
Navy	Miramar	Hangar 5 Renovations & Addition	27,897	27,897
Navy	Camp Pendleton, California	Comm. Information Systems Ops Complex	78,897	78,897
Navy	Point Mugu	Bams Maintenance Training Facility	0	12,790
Navy	Camp Pendleton, California	San Jacinto Road Extension	5,074	5,074
Navy	Coronado	H-60s Simulator Training Facility	2,478	2,478
Navy	Lemoore	Bams Maintenance Training Facility	14,843	0
Navy	Camp Pendleton, California	MV22 Aviation Simulator Building	4,139	4,139
Navy	Coronado	Bachelor Quarters	76,063	76,063
Navy	Twentynine Palms, California	Land Expansion Phase 2	47,270	47,270
Navy	Seal Beach	Strategic Systems Weapons Eval. Test Lab	30,594	30,594
Navy	San Diego	LCS Training Facility	59,436	59,436
Navy	San Diego	Entry Control Point (Gate Five)	11,752	11,752
	Diego Garcia			
Navy	Diego Garcia	Communications Infrastructure	1,691	1,691
	Djibouti			
Navy	Camp Lemonier, Djibouti	Fitness Center	26,960	0
Navy	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility	42,730	0
Navy	Camp Lemonier, Djibouti	Galley Addition and Warehouse	22,220	0
Navy	Camp Lemonier, Djibouti	Containerized Living and Work Units	7,510	0
	Florida			
Navy	Jacksonville	Bams Mission Control Complex	21,980	21,980
	Greece			
Navy	Souda Bay	Intermodal Access Road	4,630	4,630
Navy	Souda Bay	Aircraft Parking Apron Expansion	20,493	20,493
	Guam			
Navy	Joint Region Marianas	North Ramp Parking (Andersen AFB)—Inc 2	25,904	25,904
	Hawaii			
Navy	Kaneohe Bay	Aircraft Staging Area	14,680	14,680
Navy	Kaneohe Bay	MV-22 Hangar and Infrastructure	82,630	82,630

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
	Japan			
Navy	Iwakuni	Vertical Take-Off and Landing Pad North	7,416	7,416
Navy	Iwakuni	Maintenance Hangar Improvements	5,722	5,722
Navy	Okinawa	Bachelor Quarters	8,206	8,206
	Mississippi			
Navy	Meridian	Dining Facility	10,926	10,926
	New Jersey			
Navy	Earle	Combat System Engineering Building Addition	33,498	33,498
	North Carolina			
Navy	Camp Lejeune, North Carolina	Base Access and Road—Phase 3	40,904	40,904
Navy	New River	Personnel Administration Center	8,525	8,525
Navy	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound	34,310	34,310
Navy	Camp Lejeune, North Carolina	Staff NCO Academy Facilities	28,986	28,986
Navy	Cherry Point Marine Corps Air Station	Armory	11,581	11,581
	Romania			
Navy	Deveselu, Romania	Aegis Ashore Missile Defense Complex	45,205	45,205
	South Carolina			
Navy	Beaufort	Simulated Lhd Flight Deck	12,887	12,887
Navy	Beaufort	Ground Support Equipment Shop	9,465	9,465
Navy	Beaufort	Aircraft Maintenance Hangar	42,010	42,010
Navy	Beaufort	Airfield Security Upgrades	13,675	13,675
Navy	Parris Island	Front Gate Atfp Improvements	10,135	10,135
Navy	Beaufort	Recycling/Hazardous Waste Facility	3,743	3,743
	Spain			
Navy	Rota	General Purpose Warehouse	3,378	3,378
Navy	Rota	High Explosive Magazine	13,837	13,837
	Virginia			
Navy	Quantico	Weapons Training Battalion Mess Hall	12,876	12,876
Navy	Dahlgren	Cruiser/Destroyer Upgrade Training Facility	16,494	16,494
Navy	Yorktown	Supply Warehouse Facility	8,939	8,939
Navy	Yorktown	Motor Transportation Facility	6,188	6,188
Navy	Yorktown	Bachelor Enlisted Quarters	18,422	18,422
Navy	Yorktown	Armory	4,259	4,259
Navy	Yorktown	Regimental Headquarters	11,015	11,015
Navy	Quantico	Infrastructure—Widen Russell Road	14,826	14,826
Navy	Quantico	The Basic School Student Quarters—Phase 7	31,012	31,012
Navy	Portsmouth	Drydock 8 Electrical Distribution Upgrade	32,706	32,706
Navy	Dahlgren	Physical Fitness Center	11,734	11,734
Navy	Oceana Naval Air Station	A School Barracks	39,086	39,086
	Washington			
Navy	Kitsap	Explosives Handling Wharf #2 (Inc)	280,041	280,041
Navy	Whidbey Island	EA-18G Flight Simulator Facility	6,272	6,272
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	MCON Design Funds	102,619	102,619
Navy	Various Worldwide Locations	BAMS Operational Facilities	34,048	34,048
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	16,535	16,535
Total Military Construction, Navy			1,701,985	1,549,164
	Arkansas			
AF	Little Rock AFB	C-130J Fuel Systems Maintenance Hangar	26,000	26,000
AF	Little Rock AFB	C-130J Flight Simulator Addition	4,178	4,178
	Florida			
AF	Tyndall AFB	F-22 Adal Hangar for Low Observable/Composite	14,750	14,750
	Georgia			
AF	Fort Stewart, Georgia	Air Support Operations Center (ASOC)	7,250	7,250
AF	Moody AFB	HC-130J Simulator Facility	8,500	8,500
	Greenland			
AF	Thule AB	Dormitory (48 Pn)	24,500	24,500
AF	Thule AB	Consolidated Engineer Shop and Supply Facility	0	0
	Guam			
AF	Andersen AFB	Fuel Systems Hangar	0	0
	Italy			
AF	Aviano AB	F-16 Mission Training Center	9,400	9,400
	Nebraska			
AF	Offutt AFB	US STRATCOM Replacement Facility, Incr 2	161,000	161,000
	New Mexico			
AF	Holloman AFB	MQ-9 Maintenance Hangar	25,000	25,000
	North Dakota			
AF	Minot AFB	B-52 Add/Alter Munitions Age Facility	4,600	4,600
	Texas			
AF	Joint Base San Antonio	Dormitory (144 Rm)	18,000	18,000
	Utah			
AF	Hill AFB	F-35 Modular Storage Magazines	2,280	2,280
AF	Hill AFB	F-35 Adal Building 118 for Flight Simulator	4,000	4,000
AF	Hill AFB	F-35 Adal Hangar 45w/AMU	7,250	7,250
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Transient Aircraft Hangars	15,032	15,032
AF	Unspecified Worldwide Locations	Transient Contingency Dormitory—100 Rm	17,625	17,625
AF	Unspecified Worldwide Locations	Planning and Design	18,635	18,635
AF	Various Worldwide Locations	Unspecified Minor Construction	18,200	18,200
AF	Unspecified Worldwide Locations	Sanitary Sewer Lift/Pump Station	2,000	2,000
Total Military Construction, Air Force			388,200	388,200

Arizona

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
Def-Wide	Yuma	Truck Unload Facility	1,300	1,300
Def-Wide	Belgium			
Def-Wide	Brussels	NATO Headquarters Facility	26,969	26,969
Def-Wide	California			
Def-Wide	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac	13,969	13,969
Def-Wide	Coronado	SOF Mobile Comm Detachment Support Facility	10,120	10,120
Def-Wide	Coronado	SOF Indoor Dynamic Shooting Facility	31,170	31,170
Def-Wide	Edwards Air Force Base	Replace Fuel Storage	27,500	27,500
Def-Wide	Twentynine Palms, California	Medical Clinic Replacement	27,400	27,400
Def-Wide	Def Fuel Support Point—San Diego	Replace Fuel Pier	91,563	91,563
Def-Wide	Colorado			
Def-Wide	Fort Carson, Colorado	SOF Battalion Operations Complex	56,673	56,673
Def-Wide	Buckley Air Force Base	Denver Power House	30,000	30,000
Def-Wide	Pikes Peak	High Altitude Medical Research Lab	3,600	3,600
Def-Wide	Conus Classified			
Def-Wide	Classified Location	SOF Parachute Training Facility	6,477	6,477
Def-Wide	Delaware			
Def-Wide	Dover AFB	Replace Truck Off-Load Facility	2,000	2,000
Def-Wide	Florida			
Def-Wide	Hurlburt Field	Construct Fuel Storage Facility	16,000	16,000
Def-Wide	Eglin AFB	SOF Avfid Ops and Maintenance Facilities	41,695	41,695
Def-Wide	MacDill AFB	SOF Joint Special Ops University Fac (JSOU)	34,409	34,409
Def-Wide	Germany			
Def-Wide	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,413	2,413
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 2	127,000	127,000
Def-Wide	Weisbaden	Weisbaden High School Addition	52,178	52,178
Def-Wide	Vogelweh	Replace Vogelweh Elementary School	61,415	61,415
Def-Wide	Guam			
Def-Wide	Andersen AFB	Upgrade Fuel Pipeline	67,500	67,500
Def-Wide	Guantanamo Bay, Cuba			
Def-Wide	Guantanamo Bay	Replace Truck Load Facility	2,600	2,600
Def-Wide	Guantanamo Bay	Replace Fuel Pier	37,600	37,600
Def-Wide	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	SOF SDVT-1 Waterfront Operations Facility	24,289	24,289
Def-Wide	Illinois			
Def-Wide	Great Lakes	Drug Laboratory Replacement	28,700	28,700
Def-Wide	Scott AFB	DISA Facility Upgrades	84,111	84,111
Def-Wide	Scott AFB	Medical Logistics Warehouse	2,600	2,600
Def-Wide	Indiana			
Def-Wide	Grissom ARB	Replace Hydrant Fuel System	26,800	26,800
Def-Wide	Japan			
Def-Wide	Kadena AB	Replace Elementary School	71,772	71,772
Def-Wide	Zukeran	Replace Zukeran Elementary School	79,036	79,036
Def-Wide	Sasebo	Replace Sasebo Elementary School	35,733	35,733
Def-Wide	Camp Zama	Renovate Zama High School	13,273	13,273
Def-Wide	Kadena AB	Replace Stearley Heights Elementary School	71,773	71,773
Def-Wide	Kentucky			
Def-Wide	Fort Campbell, Kentucky	SOF Landgraf Hangar Extension	3,559	3,559
Def-Wide	Fort Campbell, Kentucky	Replace Barkley Elementary School	41,767	41,767
Def-Wide	Fort Campbell, Kentucky	SOF Ground Support Battalion	26,313	26,313
Def-Wide	Korea			
Def-Wide	Osan AFB	Hospital Addition/Alteration	34,600	34,600
Def-Wide	Kunsan Air Base	Medical/Dental Clinic Addition	13,000	13,000
Def-Wide	Osan AFB	Replace Osan Elementary School	42,692	42,692
Def-Wide	Louisiana			
Def-Wide	Barksdale AFB	Upgrade Pumhouse	11,700	11,700
Def-Wide	Maryland			
Def-Wide	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 1	25,000	25,000
Def-Wide	Fort Detrick	USAMRIID Stage I, Incr 7	19,000	19,000
Def-Wide	Fort Meade	High Performance Computing Center Inc 2	300,521	300,521
Def-Wide	Bethesda Naval Hospital	Base Installation Access./Appearance Plan	7,000	7,000
Def-Wide	Bethesda Naval Hospital	Temporary Medical Facilities	26,600	26,600
Def-Wide	Annapolis	Health Clinic Replacement	66,500	66,500
Def-Wide	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers	35,600	35,600
Def-Wide	Missouri			
Def-Wide	Fort Leonard Wood	Dental Clinic	18,100	18,100
Def-Wide	New Mexico			
Def-Wide	Cannon AFB	Medical/Dental Clinic Replacement	71,023	71,023
Def-Wide	Cannon AFB	SOF AC-130J Combat Parking Apron	22,062	22,062
Def-Wide	New York			
Def-Wide	Fort Drum, New York	Soldier Specialty Care Clinic	17,300	17,300
Def-Wide	Fort Drum, New York	Idt Complex	25,900	25,900
Def-Wide	North Carolina			
Def-Wide	Seymour Johnson AFB	Replace Pipeline	1,850	1,850
Def-Wide	Camp Lejeune, North Carolina	Medical Clinic Replacement	21,200	21,200
Def-Wide	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	53,399	53,399
Def-Wide	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac	5,465	5,465
Def-Wide	Fort Bragg	SOF Support Addition	3,875	3,875
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	40,481	40,481
Def-Wide	Fort Bragg	SOF Civil Affairs Battalion Complex	31,373	31,373
Def-Wide	Seymour Johnson AFB	Medical Clinic Replacement	53,600	53,600
Def-Wide	Fort Bragg	SOF Sustainment Brigade Complex	24,693	24,693
Def-Wide	Pennsylvania			
Def-Wide	Def Distribution Depot New Cumberland	Replace Sewage Treatment Plant	6,300	6,300

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
Def-Wide	Def Distribution Depot New Cumberland	Replace Communications Building	6,800	6,800
Def-Wide	Def Distribution Depot New Cumberland	Replace Reservoir	4,300	4,300
	Romania			
Def-Wide	Deveselu, Romania	Aegis Ashore Missile Defense System Complex	157,900	82,900
	South Carolina			
Def-Wide	Shaw AFB	Medical Clinic Replacement	57,200	57,200
	Texas			
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 3 Incr	80,700	80,700
Def-Wide	Red River Army Depot	DFAS Facility	16,715	16,715
Def-Wide	Fort Bliss	Hospital Replacement Incr 4	207,400	207,400
	United Kingdom			
Def-Wide	Raf Feltwell	Feltwell Elementary School Addition	30,811	30,811
Def-Wide	Raf Mildenhall	SOF CV-22 Simulator Facility	6,490	6,490
Def-Wide	Menwith Hill Station	Mhs Utilities and Roads	3,795	3,795
Def-Wide	Menwith Hill Station	Replace Menwith Hill Elementary/High School	46,488	46,488
	Utah			
Def-Wide	Camp Williams	IC CNCI Data Center 1 Inc 4	191,414	191,414
	Virginia			
Def-Wide	Dam Neck	SOF Magazines	0	0
Def-Wide	Norfolk	Veterinary Facility Replacement	8,500	8,500
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Combat Services Support Facility—East	11,132	11,132
	Washington			
Def-Wide	Fort Lewis	SOF Battalion Operations Facility	46,553	46,553
Def-Wide	Fort Lewis	SOF Military Working Dog Kennel	3,967	3,967
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Planning and Design	27,620	27,620
Def-Wide	Unspecified Worldwide Locations	Planning and Design	8,300	8,300
Def-Wide	Unspecified Worldwide Locations	Planning and Design	4,548	4,548
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	4,091	4,091
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Milcon	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	2,919	2,919
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	6,440	6,440
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Const	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	47,978	47,978
Def-Wide	Unspecified Worldwide Locations	Planning and Design	105,569	105,569
Def-Wide	Unspecified Worldwide Locations	Planning and Design	7,928	7,928
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	7,254	7,254
Def-Wide	Unspecified Worldwide Locations	Planning & Design	5,000	5,000
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	105,700	105,700
Def-Wide	Unspecified Worldwide Locations	SOF Operations and Skills Training Complex	0	0
Def-Wide	Unspecified Worldwide Locations	Minor Construction	5,000	5,000
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	0
	Total Military Construction, Defense-Wide		3,654,623	3,569,623
	Colorado			
Chem Demil	Pueblo Depot	Ammunition Demilitarization Facility, Ph XIV	36,000	36,000
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph XIII	115,000	115,000
	Total Chemical Demilitarization Construction, Defense		151,000	151,000
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	254,163	254,163
	Total NATO Security Investment Program		254,163	254,163
	Alabama			
Army NG	Fort McClellan	Live Fire Shoot House	5,400	5,400
	Arkansas			
Army NG	Searcy	Field Maintenance Shop	6,800	6,800
	California			
Army NG	Fort Irwin	Maneuver Area Training & Equipment Site Ph3	25,000	25,000
	Connecticut			
Army NG	Camp Hartell	Combined Support Maintenance Shop	32,000	32,000
	Delaware			
Army NG	Bethany Beach	Regional Training Institute Ph1	5,500	5,500
	Florida			
Army NG	Miramar	Readiness Center	20,000	20,000
Army NG	Camp Blanding	Combined Arms Collective Training Fac	9,000	9,000
	Guam			
Army NG	Barrigada	JFHQ Ph4	8,500	8,500
	Hawaii			
Army NG	Kapolei	Army Aviation Support Facility Ph1	28,000	28,000
	Idaho			
Army NG	Orchard Trainig Area	ORTC(Barracks)Ph2	40,000	40,000
	Indiana			
Army NG	Terre Haute	Field Maintenance Shop	9,000	9,000
Army NG	South Bend	Armed Forces Reserve Center Add/Alt	21,000	21,000
	Iowa			
Army NG	Camp Dodge	Urban Assault Course	3,000	3,000
	Kansas			
Army NG	Topeka	Taxiway, Ramp & Hangar Alterations	9,500	9,500
	Kentucky			
Army NG	Frankfort	Army Aviation Support Facility	32,000	32,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
	Massachusetts			
Army NG	Camp Edwards	Ground Water Extraction, Treatment, and Recharge System	0	0
Army NG	Camp Edwards	Unit Training Equipment Site	22,000	22,000
	Michigan			
Army NG	Camp Grayling	Operational Readiness Training Complex (ORTC) Barracks	0	0
	Minnesota			
Army NG	Camp Ripley	Scout Reconnaissance Range	17,000	17,000
Army NG	St Paul	Readiness Center	17,000	17,000
	Missouri			
Army NG	Fort Leonard Wood	Regional Training Institute	18,000	18,000
Army NG	Kansas City	Readiness Center Add/Alt	1,900	1,900
Army NG	Perryville	Readiness Center Add/Alt	700	700
Army NG	Monett	Readiness Center Add/Alt	820	820
	Montana			
Army NG	Miles City	Readiness Center	11,000	11,000
	New Jersey			
Army NG	Sea Girt	Regional Training Institute	34,000	34,000
	New York			
Army NG	Stormville	Combined Support Maint Shop Ph1	24,000	24,000
	Ohio			
Army NG	Delaware	Readiness Center	12,000	12,000
Army NG	Chillicothe	Field Maintenance Shop Add/Alt	3,100	3,100
	Oklahoma			
Army NG	Camp Gruber	Operations Readiness Training Complex	25,000	25,000
	Puerto Rico			
Army NG	Guaynabo	Readiness Center (JFHQ)	15,000	15,000
Army NG	Gurabo	Readiness Center	14,700	14,700
Army NG	Ceiba	Refill Station Building	2,200	2,200
Army NG	Camp Santiago	Readiness Center	3,800	3,800
	Utah			
Army NG	Camp Williams	Regional Training Institute Ph2	21,000	21,000
Army NG	Camp Williams	BEQ Facility (Regional Training Institute)	15,000	15,000
	Vermont			
Army NG	North Hyde Park	Field Maintenance Shop	0	0
	Washington			
Army NG	Fort Lewis	Readiness Center	35,000	35,000
	West Virginia			
Army NG	Logan	Readiness Center	14,200	14,200
	Wisconsin			
Army NG	Wausau	Field Maintenance Shop	10,000	10,000
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	26,622	26,622
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,057	15,057
Total Military Construction, Army National Guard			613,799	613,799
	California			
Army Res	Fort Hunter Liggett	UPH Barracks	4,300	4,300
Army Res	Tustin	Army Reserve Center	27,000	27,000
Army Res	Fort Hunter Liggett	Access Control Point	0	0
Army Res	Fort Hunter Liggett	ORTC	64,000	64,000
	Illinois			
Army Res	Fort Sheridan	Army Reserve Center	28,000	28,000
	Maryland			
Army Res	Baltimore	Add/Alt Army Reserve Center	10,000	10,000
Army Res	Aberdeen Proving Ground	Army Reserve Center	21,000	21,000
	Massachusetts			
Army Res	Devens Reserve Forces Training Area	Automatic Record Fire Range	4,800	4,800
Army Res	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification	3,700	3,700
	Nevada			
Army Res	Las Vegas	Army Reserve Center/AMSA	21,000	21,000
	New Jersey			
Army Res	Joint Base McGuire-Dix-Lakehurst	Automated Infantry Squad Battle Course	7,400	7,400
	Pennsylvania			
Army Res	Conneaut Lake	Defense Access Road	0	0
	Washington			
Army Res	Joint Base Lewis-McChord	Army Reserve Center	40,000	40,000
	Wisconsin			
Army Res	Fort McCoy	ECS Tactical Equip. Maint. Facility (TEMF)	27,000	27,000
Army Res	Fort McCoy	Central Issue Facility	12,200	12,200
Army Res	Fort McCoy	Dining Facility	8,600	8,600
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	15,951	15,951
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	10,895	10,895
Total Military Construction, Army Reserve			305,846	305,846
	Arizona			
N/MC Res	Yuma	Reserve Training Facility—Yuma AZ	5,379	5,379
	Iowa			
N/MC Res	Fort Des Moines	Joint Reserve Center—Des Moines IA	19,162	19,162
	Louisiana			
N/MC Res	New Orleans	Transient Quarters	7,187	7,187
	New York			
N/MC Res	Brooklyn	Vehicle Maint. Fac.—Brooklyn NY	4,430	4,430
	Texas			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
N/MC Res	Fort Worth	Commercial Vehicle Inspection Site	11,256	11,256
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Planning and Design	2,118	2,118
Total Military Construction, Naval Reserve			49,532	49,532
	California			
Air NG	Fresno Yosemite IAP ANG	F-15 Conversion	11,000	11,000
	Hawaii			
Air NG	Joint Base Pearl Harbor-Hickam	TFI—F-22 Combat Apron Addition	6,500	6,500
	New Mexico			
Air NG	Kirtland AFB	Alter Target Intelligence Facility	8,500	8,500
	Tennessee			
Air NG	Mcghee-Tyson Airport	Dormitory Classroom Facility	0	0
	Worldwide Unspecified			
Air NG	Various Worldwide Locations	Unspecified Minor Construction	5,900	5,900
Air NG	Various Worldwide Locations	Planning and Design	4,000	4,000
	Wyoming			
Air NG	Cheyenne Map	C-130 Flight Simulator Training Facility	6,486	6,486
Total Military Construction, Air National Guard			42,386	42,386
	California			
AF Res	March Air Reserve Base	Joint Regional Deployment Processing Center	0	0
	New York			
AF Res	Niagara Falls IAP	Flight Simulator Facility	6,100	6,100
	Worldwide Unspecified			
AF Res	Various Worldwide Locations	Planning and Design	2,879	2,879
AF Res	Various Worldwide Locations	Unspecified Minor Construction	2,000	2,000
Total Military Construction, Air Force Reserve			10,979	10,979
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P&D	4,641	4,641
Total Family Housing Construction, Army			4,641	4,641
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property	109,534	109,534
FH Ops Army	Unspecified Worldwide Locations	Leasing	203,533	203,533
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous Account	620	620
FH Ops Army	Unspecified Worldwide Locations	Furnishings Account	31,785	31,785
FH Ops Army	Unspecified Worldwide Locations	Services Account	13,487	13,487
FH Ops Army	Unspecified Worldwide Locations	Utilities Account	88,112	88,112
FH Ops Army	Unspecified Worldwide Locations	Management Account	56,970	56,970
FH Ops Army	Unspecified Worldwide Locations	Privatization Support Costs	26,010	26,010
Total Family Housing Operation And Maintenance, Army			530,051	530,051
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Improvements	79,571	79,571
FH Con AF	Unspecified Worldwide Locations	Planning and Design	4,253	4,253
Total Family Housing Construction, Air Force			83,824	83,824
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Leasing	62,730	62,730
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	46,127	46,127
FH Ops AF	Unspecified Worldwide Locations	Maintenance (RPMA RPMC)	201,937	201,937
FH Ops AF	Unspecified Worldwide Locations	Services Account	16,550	16,550
FH Ops AF	Unspecified Worldwide Locations	Furnishings Account	37,878	37,878
FH Ops AF	Unspecified Worldwide Locations	Utilities Account	75,662	75,662
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous Account	1,943	1,943
FH Ops AF	Unspecified Worldwide Locations	Management Account	55,002	55,002
Total Family Housing Operation And Maintenance, Air Force			497,829	497,829
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Improvements	97,655	97,655
FH Con Navy	Unspecified Worldwide Locations	Design	4,527	4,527
Total Family Housing Construction, Navy And Marine Corps			102,182	102,182
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Privatization Support Costs	27,798	27,798
FH Ops Navy	Unspecified Worldwide Locations	Utilities Account	80,860	80,860
FH Ops Navy	Unspecified Worldwide Locations	Furnishings Account	17,697	17,697
FH Ops Navy	Unspecified Worldwide Locations	Management Account	62,741	62,741
FH Ops Navy	Unspecified Worldwide Locations	Leasing	83,774	83,774
FH Ops Navy	Unspecified Worldwide Locations	Maintenance of Real Property	85,254	85,254
FH Ops Navy	Unspecified Worldwide Locations	Services Account	19,615	19,615
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous Account	491	491
Total Family Housing Operation And Maintenance, Navy And Marine Corps			378,230	378,230
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	567	567
FH Ops DW	Unspecified Worldwide Locations	Leasing	10,822	10,822
FH Ops DW	Unspecified Worldwide Locations	Leasing	35,333	35,333
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	73	73
FH Ops DW	Unspecified Worldwide Locations	Management Account	371	371
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	283	283
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	12	12

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	House Agreement
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	4,660	4,660
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	66	66
FH Ops DW	Unspecified Worldwide Locations	Services Account	31	31
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	20	20
Total Family Housing Operation And Maintenance, Defense-Wide			52,238	52,238
Worldwide Unspecified				
FHIF	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,786	1,786
Total DOD Family Housing Improvement Fund			1,786	1,786
Worldwide Unspecified				
BRAC 05	Unspecified Worldwide Locations	Program Management Various Locations	605	605
BRAC 05	Unspecified Worldwide Locations	USA-223: Fort Monmouth, NJ	9,989	9,989
BRAC 05	Unspecified Worldwide Locations	USA-36: Red River Army Depot	1,385	1,385
BRAC 05	Unspecified Worldwide Locations	USA-242: RC Transformation in NY	172	172
BRAC 05	Unspecified Worldwide Locations	USA-212: USAR Cmd & Cntrl—New England	222	222
BRAC 05	Unspecified Worldwide Locations	USA-167: USAR Command and Control—NE	175	175
BRAC 05	Unspecified Worldwide Locations	DON-84: JRB Willow Grove & Cambria Reg Ap	189	189
BRAC 05	Unspecified Worldwide Locations	USA-253: RC Transformation in PA	100	100
BRAC 05	Unspecified Worldwide Locations	USA-113: Fort Monroe, VA	12,184	12,184
BRAC 05	Unspecified Worldwide Locations	MED-57: Brooks City Base, TX	326	326
BRAC 05	Unspecified Worldwide Locations	DON-168: NS Newport, RI	1,742	1,742
BRAC 05	Unspecified Worldwide Locations	DON-100: Planning, Design and Management	5,038	5,038
BRAC 05	Unspecified Worldwide Locations	Comm Add 3: Galena Fol, AK	1,337	1,337
BRAC 05	Unspecified Worldwide Locations	IND-112: River Bank Army Ammo Plant, CA	22,431	22,431
BRAC 05	Unspecified Worldwide Locations	DON-172: NWS Seal Beach, Concord, CA	2,129	2,129
BRAC 05	Unspecified Worldwide Locations	USA-236: RC Transformation in CT	557	557
BRAC 05	Unspecified Worldwide Locations	DON-157: MCSA Kansas City, MO	39	39
BRAC 05	Unspecified Worldwide Locations	USA-222: Fort McPherson, GA	6,772	6,772
BRAC 05	Unspecified Worldwide Locations	USA-121: Fort Gillem, GA	4,976	4,976
BRAC 05	Unspecified Worldwide Locations	DON-138: NAS Brunswick, ME	4,897	4,897
BRAC 05	Unspecified Worldwide Locations	MED-2: Walter Reed NMMC, Bethesda, MD	7,787	7,787
BRAC 05	Unspecified Worldwide Locations	DON-101: Various Locations	4,176	4,176
BRAC 05	Unspecified Worldwide Locations	IND-110: Mississippi Army Ammo Plant, MS	160	160
BRAC 05	Unspecified Worldwide Locations	Program Management Various Locations	20,453	20,453
BRAC 05	Unspecified Worldwide Locations	IND-119: Newport Chemical Depot, IN	197	197
BRAC 05	Unspecified Worldwide Locations	IND-106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC 05	Unspecified Worldwide Locations	IND-122: Lone Star Army Ammo Plant, TX	11,379	11,379
Total Base Realignment and Closure Account 2005			126,697	126,697
Worldwide Unspecified				
BRAC IV	Base Realignment & Closure, Navy	Base Realignment & Closure	146,951	146,951
BRAC IV	Base Realignment & Closure, Air Force	Base Realignment & Closure	122,552	122,552
BRAC IV	Base Realignment & Closure, Army	Base Realignment & Closure	79,893	79,893
Total Base Realignment and Closure Account 1990			349,396	349,396
Worldwide Unspecified				
PYS	Unspecified Worldwide Locations	BRAC 2005	0	-126,697
PYS	Unspecified Worldwide Locations	Contingency Construction	0	-20,000
Total Prior Year Savings			0	-146,697
Total Military Construction			11,222,710	10,838,192

SEC. 4602. OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2013 Request	Agreement
Bahrain Island				
Navy	SW Asia	Transient Quarters	0	41,529
Navy	SW Asia	Combined Dining Facility	0	9,819
Djibouti				
Navy	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility	0	42,730
Navy	Camp Lemonier, Djibouti	Galley Addition and Warehouse	0	22,220
Navy	Camp Lemonier, Djibouti	Fitness Center	0	26,960
Navy	Camp Lemonier, Djibouti	Containerized Living and Work Units	0	7,510
Total Military Construction, Navy			0	150,768
Worldwide Unspecified				
PYS	Unspecified Worldwide Locations	112-10 and Title IV of Division H P.L. 112-74	0	-150,768
Total Prior Year Savings			0	-150,768
Total Military Construction			0	0

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY2013 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,000	6,000
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,577,341	7,900,979
Defense nuclear nonproliferation	2,458,631	2,485,631
Naval reactors	1,088,635	1,187,635
Office of the administrator	411,279	363,279
Total, National nuclear security administration	11,535,886	11,937,524
Environmental and other defense activities:		
Defense environmental cleanup	5,472,001	5,482,001
Other defense activities	735,702	685,702
Total, Environmental & other defense activities	6,207,703	6,167,703
Total, Atomic Energy Defense Activities	17,743,589	18,105,227
Total, Discretionary Funding	17,749,589	18,111,227
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,000	6,000
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	369,000	435,000
W76 Life extension program	174,931	255,931
Total, Life extension programs	543,931	690,931
Stockpile systems		
B61 Stockpile systems	72,364	72,364
W76 Stockpile systems	65,445	65,445
W78 Stockpile systems	139,207	151,207
W80 Stockpile systems	46,540	46,540
B83 Stockpile systems	57,947	57,947
W87 Stockpile systems	85,689	85,689
W88 Stockpile systems	123,217	128,217
Total, Stockpile systems	590,409	607,409
Weapons dismantlement and disposition		
Operations and maintenance	51,265	51,265
Stockpile services		
Production support	365,405	371,405
Research and development support	28,103	32,103
R&D certification and safety	191,632	218,632
Management, technology, and production	175,844	184,844
Plutonium sustainment	141,685	150,685
Total, Stockpile services	902,669	957,669
Total, Directed stockpile work	2,088,274	2,307,274
Campaigns:		
Science campaign		
Advanced certification	44,104	73,604
Primary assessment technologies	94,000	101,000
Dynamic materials properties	97,000	106,000
Advanced radiography	30,000	30,000
Secondary assessment technologies	85,000	85,000
Total, Science campaign	350,104	395,604
Engineering campaign		
Enhanced surety	46,421	54,921
Weapon systems engineering assessment technology	18,983	18,983
Nuclear survivability	21,788	21,788
Enhanced surveillance	63,379	71,379
Total, Engineering campaign	150,571	167,071
Inertial confinement fusion ignition and high yield campaign		
Diagnostics, cryogenics and experimental support	81,942	81,942
Ignition	84,172	54,172
Support of other stockpile programs	14,817	34,817

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY2013 Request	House Authorized
Pulsed power inertial confinement fusion	6,044	6,044
Joint program in high energy density laboratory plasmas	8,334	8,334
Facility operations and target production	264,691	264,691
Total, Inertial confinement fusion and high yield campaign	460,000	450,000
Advanced simulation and computing campaign	600,000	570,000
Readiness Campaign		
Nonnuclear readiness	64,681	64,681
Tritium readiness	65,414	65,414
Total, Readiness campaign	130,095	130,095
Total, Campaigns	1,690,770	1,712,770
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	163,602	163,602
Lawrence Livermore National Laboratory	89,048	89,048
Los Alamos National Laboratory	335,978	335,978
Nevada National Security Site	115,697	115,697
Pantex	172,020	172,020
Sandia National Laboratory	167,384	167,384
Savannah River Site	120,577	120,577
Y-12 National security complex	255,097	255,097
Total, Operations of facilities	1,419,403	1,419,403
Science, technology and engineering capability support	166,945	166,945
Nuclear operations capability support	203,346	203,346
Subtotal, Readiness in technical base and facilities	1,789,694	1,789,694
Construction:		
13-D-301 Electrical infrastructure upgrades, LANL/LLNL	23,000	23,000
12-D-301 TRU waste facilities, LANL	24,204	24,204
11-D-801 TA-55 Reinvestment project, LANL	8,889	8,889
10-D-501 Nuclear facilities risk reduction Y-12 National security complex	17,909	17,909
09-D-404 Test capabilities revitalization II, Sandia National Laboratories,	11,332	11,332
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX	24,800	24,800
06-D-141 PED/Construction, UPF Y-12, Oak Ridge, TN	340,000	340,000
04-D-125 Chemistry and metallurgy facility replacement project, Los Ala	0	100,000
Total, Construction	450,134	550,134
Total, Readiness in technical base and facilities	2,239,828	2,339,828
Secure transportation asset		
Operations and equipment	114,965	114,965
Program direction	104,396	104,396
Total, Secure transportation asset	219,361	219,361
Nuclear counterterrorism incident response	247,552	247,552
Site stewardship		
Operations and maintenance	90,001	72,639
Total, Site stewardship	90,001	72,639
Defense nuclear security		
Operations and maintenance	643,285	643,285
NNSA CIO activities	155,022	155,022
Legacy contractor pensions	185,000	185,000
National security applications	18,248	18,248
Subtotal, Weapons activities	7,577,341	7,900,979
Total, Weapons Activities	7,577,341	7,900,979
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	548,186	548,186
Nonproliferation and international security	150,119	150,119
International nuclear materials protection and cooperation	311,000	311,000
Fissile materials disposition		
U.S. surplus fissile materials disposition		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY2013 Request	House Authorized
Operations and maintenance		
U.S. plutonium disposition	498,979	498,979
U.S. uranium disposition	29,736	29,736
Total, Operations and maintenance	528,715	528,715
Construction:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	388,802	388,802
Total, Construction	388,802	388,802
Total, U.S. surplus fissile materials disposition	917,517	917,517
Russian surplus fissile materials disposition	3,788	3,788
Total, Fissile materials disposition	921,305	921,305
Global threat reduction initiative	466,021	493,021
Legacy contractor pensions	62,000	62,000
Total, Defense Nuclear Nonproliferation	2,458,631	2,485,631
Naval Reactors		
Naval reactors development	418,072	418,072
Ohio replacement reactor systems development	89,700	186,700
S8G Prototype refueling	121,100	121,100
Naval reactors operations and infrastructure	366,961	366,961
Construction:		
13-D-905 Remote-handled low-level waste facility, INL	8,890	8,890
13-D-904 KS Radiological work and storage building, KSO	2,000	2,000
13-D-903, KS Prototype Staff Building, KSO	14,000	14,000
10-D-903, Security upgrades, KAPL	19,000	19,000
08-D-190 Expanded Core Facility M-290 recovering discharge station, Nav	5,700	5,700
Total, Construction	49,590	49,590
Program direction	43,212	45,212
Subtotal, Naval Reactors	1,088,635	1,187,635
Adjustments:		
Rescission of prior year balances	0	0
Total, Naval Reactors	1,088,635	1,187,635
Office Of The Administrator		
Office of the administrator	411,279	363,279
Total, Office Of The Administrator	411,279	363,279
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	1,990	1,990
Hanford site:		
River corridor and other cleanup operations	389,347	389,347
Central plateau remediation	558,820	558,820
Richland community and regulatory support	15,156	15,156
Total, Hanford site	963,323	963,323
Idaho National Laboratory:		
Idaho cleanup and waste disposition	396,607	396,607
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	399,607	399,607
NNSA sites		
Lawrence Livermore National Laboratory	1,484	1,484
Nuclear facility D & D Separations Process Research Unit	24,000	24,000
Nevada	64,641	64,641
Sandia National Laboratories	5,000	5,000
Los Alamos National Laboratory	239,143	239,143
Total, NNSA sites and Nevada off-sites	334,268	334,268
Oak Ridge Reservation:		
Building 3019	67,525	67,525
OR cleanup and disposition	109,470	109,470
OR reservation community and regulatory support	4,500	4,500
Total, Oak Ridge Reservation	181,495	181,495
Office of River Protection:		
Waste treatment and immobilization plant		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY2013 Request	House Authorized
01-D-416 A-E/ORP-0060 / Major construction	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	482,113	482,113
Total, Office of River protection	1,172,113	1,172,113
Savannah River sites:		
Savannah River risk management operations	444,089	444,089
SR community and regulatory support	16,584	16,584
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	698,294	698,294
Construction:		
05-D-405 Salt waste processing facility, Savannah River	22,549	22,549
Total, Radioactive liquid tank waste	720,843	720,843
Total, Savannah River site	1,181,516	1,181,516
Waste Isolation Pilot Plant		
Waste isolation pilot plant	198,010	198,010
Total, Waste Isolation Pilot Plant	198,010	198,010
Program direction	323,504	323,504
Program support	18,279	18,279
Safeguards and Security:		
Oak Ridge Reservation	18,817	18,817
Paducah	8,909	8,909
Portsmouth	8,578	8,578
Richland/Hanford Site	71,746	71,746
Savannah River Site	121,977	121,977
Waste Isolation Pilot Project	4,977	4,977
West Valley	2,015	2,015
Total, Safeguards and Security	237,019	237,019
Technology development	20,000	30,000
Uranium enrichment D&D fund contribution	463,000	463,000
Subtotal, Defense environmental cleanup	5,494,124	5,504,124
Adjustments		
Use of prior year balances	-12,123	-12,123
Use of unobligated balances	-10,000	-10,000
Total, Adjustments	-22,123	-22,123
Total, Defense Environmental Cleanup	5,472,001	5,482,001
Other Defense Activities		
Health, safety and security		
Health, safety and security	139,325	139,325
Program direction	106,175	106,175
Undistributed adjustment		-50,000
Total, Health, safety and security	245,500	195,500
Specialized security activities	188,619	188,619
Office of Legacy Management		
Legacy management	164,477	164,477
Program direction	13,469	13,469
Total, Office of Legacy Management	177,946	177,946
Defense-related activities		
Defense related administrative support	118,836	118,836
Office of hearings and appeals	4,801	4,801
Subtotal, Other defense activities	735,702	685,702
Total, Other Defense Activities	735,702	685,702

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. GARAMENDI moved to recommit the bill to the Committee on Armed Services with instructions to report the bill back to the House forthwith with the following amendments:

Strike section 343.

At the end of subtitle C of title X, add the following new section:

SEC. 1023. REPAIRING U.S. SHIPS IN AMERICAN PORTS TO CREATE JOBS.

Section 7310 of title 10, United States Code, is amended to read as follows:

“§ 7310 Overhaul, repair, etc. of vessels in foreign shipyards: restrictions

“(a) DOMESTIC SHIPYARDS.—Except as provided in subsection (b), each naval vessel and each United States-flagged vessel that is providing services to the Federal Government may not be overhauled, repaired, or maintained in a shipyard outside the United

States or Guam, other than in the case of voyage repairs.

“(b) WAIVER.—The Secretary of Defense may waive the requirement in subsection (a) if the Secretary—

“(1) determines that such waiver—

“(A) is necessary for purposes of national security; or

“(B) is in response to urgent repair; and

“(2) notifies the congressional defense committees of such waiver by not later than two days after issuing such waiver.”.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mrs. BIGGERT, announced that the nays had it.

Mr. GARAMENDI demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 182
negative } Nays 236

¶64.44 [Roll No. 290]

AYES—182

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

Viscosky
Waltz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Welch

Wilson (FL)
Woolsey
Yarmuth

NOES—236

Adams	Gohmert
Aderholt	Goodlatte
Akin	Growdy
Alexander	Granger
Amash	Graves (GA)
Austria	Graves (MO)
Bachmann	Griffin (AR)
Bachus	Griffith (VA)
Barletta	Grimm
Bartlett	Guinta
Barton (TX)	Guthrie
Bass (NH)	Hall
Benishek	Hanna
Berg	Harper
Biggert	Harris
Bilbray	Hartzler
Bilirakis	Hastings (WA)
Bishop (UT)	Hayworth
Black	Heck
Blackburn	Hensarling
Bonner	Herger
Bono Mack	Herrera Beutler
Boustany	Huelskamp
Brady (TX)	Huizenga (MI)
Brooks	Hultgren
Broun (GA)	Hunter
Buchanan	Hurt
Bucshon	Issa
Buerkle	Jenkins
Burgess	Johnson (IL)
Burton (IN)	Johnson (OH)
Calvert	Johnson, Sam
Camp	Jordan
Campbell	Kelly
Canseco	King (IA)
Cantor	King (NY)
Capito	Kingston
Carter	Kinzinger (IL)
Cassidy	Kline
Chabot	Labrador
Chaffetz	Lamborn
Coble	Lance
Coffman (CO)	Landry
Cole	Lankford
Conaway	Latham
Cravaack	LaTourette
Crawford	Latta
Crenshaw	Lewis (CA)
Culberson	LoBiondo
Davis (KY)	Long
Denham	Lucas
Dent	Luetkemeyer
DesJarlais	Lummis
Diaz-Balart	Lungren, Daniel
Dold	E.
Dreier	Mack
Duffy	Manzullo
Duncan (SC)	Marchant
Duncan (TN)	Marino
Elmiers	McCarthy (CA)
Emerson	McCaul
Farenthold	McClintock
Fincher	McCotter
Fitzpatrick	McHenry
Flake	McKeon
Fleischmann	McKinley
Fleming	McMorris
Flores	Rodgers
Forbes	Meehan
Fortenberry	Mica
Fox	Miller (FL)
Fox	Miller (MI)
Franks (AZ)	Miller, Gary
Frelinghuysen	Mulvaney
Gallely	Murphy (PA)
Gardner	Myrick
Garrett	Neugebauer
Gerlach	Noem
Gibbs	Noes
Gibson	Nunnelee
Gingrey (GA)	Olson

NOT VOTING—13

Amodei	Filner	Slaughter
Braley (IA)	Gosar	Speier
Cardoza	Pascarell	Sullivan
Costello	Ryan (OH)	
Farr	Sanchez, Loretta	

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mr. SMITH of Washington, demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 299
affirmative } Nays 120

¶64.45 [Roll No. 291]

AYES—299

Ackerman	Dreier	Langevin
Adams	Duffy	Lankford
Aderholt	Duncan (SC)	Larson (CT)
Akin	Elmiers	Latham
Alexander	Emerson	LaTourette
Altmire	Engel	Latta
Andrews	Farenthold	Levin
Austria	Fincher	Lewis (CA)
Baca	Fitzpatrick	Lipinski
Bachmann	Flake	LoBiondo
Bachus	Fleischmann	Loeb sack
Barletta	Fleming	Long
Barrow	Flores	Lucas
Bartlett	Forbes	Luetkemeyer
Barton (TX)	Fortenberry	Lummis
Bass (NH)	Fox	Lungren, Daniel
Benishek	Franks (AZ)	E.
Berg	Frelinghuysen	Mack
Berkley	Gallely	Manzullo
Berman	Gardner	Marchant
Biggert	Garrett	Marino
Bilbray	Gerlach	Matheson
Bilirakis	Gibbs	McCarthy (CA)
Bishop (GA)	Gingrey (GA)	McCarthy (NY)
Bishop (NY)	Gohmert	McCaul
Bishop (UT)	Gonzalez	McCotter
Black	Goodlatte	McHenry
Blackburn	Gowdy	McIntyre
Bonner	Granger	McKeon
Bono Mack	Graves (GA)	McKinley
Boren	Graves (MO)	McMorris
Boswell	Green, Al	Rodgers
Boustany	Green, Gene	McNerney
Brady (PA)	Griffin (AR)	Meehan
Brady (TX)	Grimm	Meeks
Brooks	Guinta	Mica
Brooks	Guthrie	Miller (FL)
Broun (GA)	Hall	Miller (MI)
Brown (FL)	Hanabusa	Miller, Gary
Buchanan	Hanna	Mulvaney
Bucshon	Harper	Murphy (PA)
Buerkle	Harris	Myrick
Burton (IN)	Hartzer	Neugebauer
Calvert	Hastings (WA)	Noem
Camp	Hayworth	Nunes
Canseco	Heck	Nunnelee
Cantor	Heinrich	Olson
Capito	Hensarling	Owens
Carnahan	Herger	Palazzo
Carney	Herrera Beutler	Pastor (AZ)
Carter	Higgins	Paulsen
Cassidy	Hinojosa	Pearce
Chabot	Hirono	Pence
Chaffetz	Hochul	Perlmutter
Chandler	Holden	Peterson
Chu	Hoyer	Petri
Coble	Huizenga (MI)	Pitts
Coffman (CO)	Hultgren	Platts
Cole	Hunter	Poe (TX)
Conaway	Hurt	Pompeo
Connolly (VA)	Israel	Posey
Cooper	Issa	Price (GA)
Costa	Jackson Lee	Quayle
Courtney	(TX)	Reed
Crowley	Jenkins	Rehberg
Crawford	Johnson (OH)	Reichert
Crenshaw	Johnson, E. B.	Renacci
Critz	Johnson, Sam	Reyes
Cuellar	Jordan	Ribble
Culberson	Kaptur	Richardson
Cummings	Kelly	Rigell
Davis (CA)	Kildee	Rivera
Davis (KY)	King (IA)	Roby
Denham	King (NY)	Rogers (AL)
Dent	Kingston	Rogers (KY)
DesJarlais	Kinzinger (IL)	Rogers (MI)
Diaz-Balart	Kissell	Rohrabacher
Dicks	Kline	Rokita
Dingell	Lamborn	Rooney
Doggett	Lance	Ros-Lehtinen
Dold	Landry	Roskam
Donnelly (IN)		

Ross (AR) Simpson
 Ross (FL) Sires
 Runyan Smith (NE)
 Ruppertsberger Smith (NJ)
 Ryan (WI) Smith (TX)
 Scalise Smith (WA)
 Schiff Southerland
 Schilling Stearns
 Schmidt Stivers
 Schock Stutzman
 Scott (SC) Sutton
 Scott, Austin Terry
 Scott, David Thompson (PA)
 Sensenbrenner Thornberry
 Sessions Tiberi
 Sewell Tipton
 Sherman Towns
 Shimkus Tsongas
 Shuler Turner (NY)
 Shuster Turner (OH)

NOES—120

Amash Hahn
 Baldwin Hastings (FL)
 Bass (CA) Himes
 Becerra Hinchey
 Blumenauer Holt
 Bonamici Honda
 Burgess Huelskamp
 Butterfield Jackson (IL)
 Campbell Johnson (GA)
 Capps Johnson (IL)
 Capuano Jones
 Carson (IN) Keating
 Castor (FL) Kind
 Cicilline Kucinich
 Clarke (MI) Labrador
 Clarke (NY) Larsen (WA)
 Clay Lee (CA)
 Cleaver Lewis (GA)
 Clyburn Lofgren, Zoe
 Cohen Lowey
 Conyers Lujan
 Crowley Lynch
 Davis (IL) Maloney
 DeFazio Markey
 DeGette Matsui
 DeLauro McClintock
 Deutch McCollum
 Doyle McDermott
 Duncan (TN) McGovern
 Edwards Michaud
 Ellison Miller (NC)
 Eshoo Miller, George
 Farr Moore
 Fattah Moran
 Frank (MA) Murphy (CT)
 Fudge Nadler
 Garamendi Napolitano
 Gibson Neal
 Griffith (VA) Nugent
 Grijalva Olver
 Gutierrez Pallone

NOT VOTING—12

Amodei Filner
 Braley (IA) Gosar
 Cardoza Pascrell
 Costello Ryan (OH)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: "An Act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes."

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶64.46 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. BARROW, to instruct the managers on the part of the House at the conference on the disagreeing votes of the

two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on title II of the House bill, regarding approval of the Keystone XL Pipeline.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 261 Nays 152

¶64.47

[Roll No. 292]

YEAS—261

Adams Fleischmann
 Aderholt Fleming
 Akin Flores
 Alexander Forbes
 Altmire Fortenberry
 Amash Poxx
 Austria Franks (AZ)
 Baca Frelinghuysen
 Bachmann Gallegly
 Bachus Gardner
 Barletta Garrett
 Barrow Gerlach
 Bartlett Gibbs
 Barton (TX) Gibson
 Benishek Gingrey (GA)
 Berg Gohmert
 Biggert Goodlatte
 Bilbray Gowdy
 Bilirakis Granger
 Bishop (GA) Graves (GA)
 Black Graves (MO)
 Blackburn Griffin (AR)
 Bonner Griffith (VA)
 Bono Mack Grimm
 Boren Guinta
 Boswell Guthrie
 Boustany Hall
 Brady (TX) Hanna
 Brooks Harper
 Broun (GA) Harris
 Buchanan Hartzler
 Bucshon Hastings (WA)
 Buerkle Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Camp Hochul
 Campbell Huelskamp
 Canseco Cantor
 Capito Hultgren
 Carter Hunter
 Cassidy Hurt
 Chabot Issa
 Chaffetz Jenkins
 Chandler Johnson (IL)
 Coble Johnson (OH)
 Coffman (CO) Johnson, Sam
 Cole Jones
 Conaway Jordan
 Cooper Kelly
 Cravaack King (IA)
 Crawford King (NY)
 Crenshaw Kingston
 Cuellar Kinzinger (IL)
 Culberson Kissell
 Davis (KY) Kline
 Denham Labrador
 Dent Lamborn
 DesJarlais Lance
 Diaz-Balart Lankford
 Dingell Latham
 Dold LaTourette
 Donnelly (IN) Latta
 Dreier Lewis (CA)
 Duffy Lipinski
 Duncan (SC) LoBiondo
 Duncan (TN) Loebsack
 Eilmers Long
 Emerson Lucas
 Farenthold Luetkemeyer
 Fincher Lummis
 Fitzpatrick Lungren, Daniel
 Flake E.

Scott (SC) Stivers
 Scott, Austin Stutzman
 Sensenbrenner Terry
 Sessions Thompson (PA)
 Shimkus Thornberry
 Shuler Tiberi
 Shuster Tipton
 Simpson Turner (NY)
 Sires Turner (OH)
 Smith (NE) Upton
 Smith (NJ) Walberg
 Smith (TX) Walden
 Southerland Walsh (IL)
 Stearns Walz (MN)

NAYS—152

Ackerman Green, Gene
 Andrews Grijalva
 Baldwin Gutierrez
 Bass (CA) Hahn
 Bass (NH) Hanabusa
 Becerra Hastings (FL)
 Berkley Heinrich
 Berman Higgins
 Bishop (NY) Himes
 Blumenauer Hinchey
 Bonamici Hinojosa
 Brady (PA) Hirono
 Brown (FL) Holden
 Butterfield Holt
 Capps Honda
 Carnahan Hoyer
 Carney Israel
 Carson (IN) Jackson (IL)
 Castor (FL) Jackson Lee
 Chu (TX)
 Cicilline Johnson (GA)
 Clarke (MI) Johnson, E. B.
 Clarke (NY) Keating
 Clay Kildee
 Cleaver Kind
 Clyburn Kucinich
 Cohen Langevin
 Connolly (VA) Larsen (WA)
 Conyers Larson (CT)
 Courtney Lee (CA)
 Critz Levin
 Crowley Lewis (GA)
 Davis (CA) Lofgren, Zoe
 Davis (IL) Lowey
 DeFazio Lujan
 DeGette Maloney
 DeLauro Markey
 Deutch Matsui
 Dicks McCarthy (NY)
 Doggett McCollum
 Doyle McDermott
 Edwards McGovern
 Ellison McNerney
 Engel Meeke
 Eshoo Michaud
 Farr Miller (NC)
 Fattah Miller, George
 Frank (MA) Moore
 Fudge Moran
 Garamendi Murphy (CT)
 Gonzalez Nadler
 Green, Al Napolitano

NOT VOTING—18

Amodei Costello
 Bishop (UT) Cummings
 Braley (IA) Filner
 Capuano Gosar
 Cardoza Kaptur
 Costa Landry

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶64.48 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on the motion, by Mr. RAHALL, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to

provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to agree to sections 1528, 20017 (to the extent that such section amends section 5323 of title 49, United States Code, to provide subsection (k) relating to Buy America), 33007, 33008, and 35210 of the amendment of the Senate.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 245
affirmative } Nays 169

¶64.49 [Roll No. 293]
YEAS—245

- | | | |
|---------------|-----------------|----------------|
| Ackerman | Duffy | Lynch |
| Adams | Duncan (TN) | Maloney |
| Aderholt | Edwards | Markey |
| Altmire | Ellison | Matsui |
| Andrews | Emerson | McCarthy (NY) |
| Baca | Engel | McCollum |
| Bachus | Eshoo | McDermott |
| Baldwin | Farr | McGovern |
| Barrow | Fattah | McHenry |
| Barton (TX) | Fitzpatrick | McIntyre |
| Bass (CA) | Fortenberry | McKinley |
| Becerra | Frank (MA) | McMorris |
| Berkley | Fudge | Rodgers |
| Berman | Garamendi | McNerney |
| Bilbray | Gerlach | Meehan |
| Bilirakis | Gibson | Meeks |
| Bishop (GA) | Gonzalez | Mica |
| Bishop (NY) | Goodlatte | Michaud |
| Bishop (UT) | Green, Al | Miller (MI) |
| Blumenauer | Green, Gene | Miller (NC) |
| Bonamici | Griffith (VA) | Miller, George |
| Boren | Grijalva | Moore |
| Boswell | Guthrie | Moran |
| Brady (PA) | Gutierrez | Murphy (CT) |
| Brooks | Hahn | Murphy (PA) |
| Brown (FL) | Hall | Myrick |
| Burgess | Hanabusa | Nadler |
| Butterfield | Hastings (FL) | Napolitano |
| Capito | Heinrich | Neal |
| Capps | Herrera Beutler | Olver |
| Capuano | Higgins | Pallone |
| Carnahan | Himes | Pastor (AZ) |
| Carney | Hinchey | Pelosi |
| Carson (IN) | Hinojosa | Perlmutter |
| Castor (FL) | Hirono | Peters |
| Chabot | Hochul | Peterson |
| Chandler | Holden | Petri |
| Chu | Holt | Pingree (ME) |
| Cicilline | Honda | Pitts |
| Clarke (MI) | Hoyer | Platts |
| Clarke (NY) | Hunter | Poe (TX) |
| Clay | Hurt | Price (NC) |
| Cleaver | Israel | Rahall |
| Clyburn | Jackson (IL) | Rangel |
| Coble | Jackson Lee | Renaacci |
| Cohen | (TX) | Reyes |
| Connolly (VA) | Johnson (GA) | Richardson |
| Conyers | Johnson (OH) | Richmond |
| Cooper | Johnson, E. B. | Rivera |
| Costa | Jones | Rogers (KY) |
| Courtney | Kaptur | Rooney |
| Cravaack | Keating | Ros-Lehtinen |
| Critz | Kildee | Ross (AR) |
| Crowley | Kind | Rothman (NJ) |
| Cuellar | Kinzinger (IL) | Roybal-Allard |
| Culberson | Kissell | Runyan |
| Davis (CA) | Kucinich | Ruppersberger |
| Davis (IL) | Langevin | Rush |
| DeFazio | Larsen (WA) | Ryan (OH) |
| DeGette | Larson (CT) | Sánchez, Linda |
| DeLauro | Latham | T. |
| Denham | LaTourette | Sarbanes |
| Dent | Latta | Schakowsky |
| DesJarlais | Lee (CA) | Schiff |
| Deutch | Levin | Schmidt |
| Diaz-Balart | Lewis (GA) | Schrader |
| Dicks | Lipinski | Schwartz |
| Dingell | LoBiondo | Scott (VA) |
| Doggett | Loebsack | Scott, David |
| Dold | Lofgren, Zoe | Serrano |
| Donnelly (IN) | Lowey | Sewell |
| Doyle | Luján | Sherman |

- | | | |
|---------------|------------|-------------|
| Shuler | Tierney | Watt |
| Shuster | Tonko | Waxman |
| Simpson | Towns | Welch |
| Sires | Upton | Whitfield |
| Smith (NJ) | Van Hollen | Wilson (FL) |
| Smith (WA) | Velázquez | Wittman |
| Stark | Visclosky | Wolf |
| Stearns | Walz (MN) | Woolsey |
| Sutton | Wasserman | Yarmuth |
| Thompson (CA) | Schultz | Yoder |
| Thompson (MS) | Waters | Young (FL) |

NAYS—169

- | | | |
|---------------|-----------------|---------------|
| Akin | Graves (MO) | Paul |
| Alexander | Griffin (AR) | Paulsen |
| Amash | Grimm | Pearce |
| Austria | Guinta | Pence |
| Bachmann | Hanna | Polis |
| Barletta | Harper | Pompeo |
| Bartlett | Harris | Posey |
| Bass (NH) | Hartzler | Price (GA) |
| Benishek | Hastings (WA) | Quayle |
| Berg | Hayworth | Reed |
| Biggart | Heck | Rehberg |
| Black | Hensarling | Reichert |
| Blackburn | Herger | Ribble |
| Bonner | Huelskamp | Rigell |
| Bono Mack | Huizenga (MI) | Roby |
| Boustany | Hultgren | Roe (TN) |
| Brady (TX) | Issa | Rogers (AL) |
| Broun (GA) | Jenkins | Rogers (MD) |
| Buchanan | Johnson, Sam | Rohrabacher |
| Bucshon | Jordan | Rokita |
| Buerkle | Kelly | Roskam |
| Burton (IN) | King (IA) | Ross (FL) |
| Calvert | King (NY) | Royce |
| Camp | Kingston | Ryan (WI) |
| Campbell | Kline | Scalise |
| Canseco | Labrador | Schilling |
| Cantor | Lamborn | Schock |
| Carter | Lance | Schweikert |
| Cassidy | Lankford | Scott (SC) |
| Chaffetz | Lewis (CA) | Scott, Austin |
| Chaffin (CO) | Long | Sensenbrenner |
| Cole | Lucas | Sessions |
| Conaway | Luetkemeyer | Shimkus |
| Crawford | Lummis | Smith (NE) |
| Crenshaw | Lungren, Daniel | Smith (TX) |
| Davis (KY) | E. | Southerland |
| Dreier | Mack | Stivers |
| Duncan (SC) | Manullo | Stutzman |
| Ellmers | Marchant | Terry |
| Farenthold | Marino | Thompson (PA) |
| Fincher | Matheson | Thornberry |
| Flake | McCarthy (CA) | Tiberi |
| Fleischmann | McCaul | Tipton |
| Fleming | McClintock | Turner (NY) |
| Forbes | McCotter | Turner (OH) |
| Foxx | McKeon | Walberg |
| Franks (AZ) | Miller (FL) | Walden |
| Frelinghuysen | Miller, Gary | Walsh (IL) |
| Galleghy | Mulvaney | Webster |
| Gardner | Neugebauer | West |
| Noem | Noem | Westmoreland |
| Nugent | Nugent | Wilson (SC) |
| Nunes | Nunes | Womack |
| Nunnelee | Nunnelee | Woodall |
| Olson | Olson | Young (AK) |
| Owens | Owens | Young (IN) |
| Palazzo | Palazzo | |

NOT VOTING—17

- | | | |
|--------------|--------------|------------------|
| Amodio | Gohmert | Sanchez, Loretta |
| Bralley (IA) | Gosar | Slaughter |
| Cardoza | Johnson (IL) | Speier |
| Costello | Landry | Sullivan |
| Cummings | Pascrell | Tsongas |
| Filner | Quigley | |

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶64.50 CLERK TO CORRECT

ENGROSSMENT—H.R. 4310

On motion of Mr. MCKEON, by unanimous consent,

Ordered, That in the engrossment of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military per-

sonnel strengths for fiscal year 2013, and for other purposes, the Clerk be authorized to correct section numbers, punctuation, cross references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

¶64.51 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶64.52 AMENDMENT OF THE SENATE TO H.R. 4849

On motion of Mr. BISHOP of Utah, by unanimous consent, the bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sequoia and King Canyon National Parks Backcountry Access Act".

SEC. 2. COMMERCIAL SERVICES AUTHORIZATIONS IN WILDERNESS WITHIN THE SEQUOIA AND KINGS CANYON NATIONAL PARKS.

(a) CONTINUATION OF AUTHORITY.—*Until the date on which the Secretary of the Interior (referred to in this Act as the "Secretary") completes any analysis and determination required under the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary shall continue to issue authorizations to provide commercial services for commercial stock operations (including commercial use authorizations and concession contracts) within any area designated as wilderness in the Sequoia and Kings Canyon National Parks (referred to in this section as the "Parks") at use levels determined by the Secretary to be appropriate and subject to any terms and conditions that the Secretary determines to be appropriate.*

(b) WILDERNESS STEWARDSHIP PLAN.—*Not later than 3 years after the date of enactment of this Act, the Secretary shall complete a wilderness stewardship plan with respect to the Parks.*

(c) TERMINATION OF AUTHORITY.—*The authority of the Secretary to issue authorizations under subsection (a) shall terminate on the earlier of—*

(1) *the date on which the Secretary begins to issue authorizations to provide commercial services for commercial stock operations within any areas designated as wilderness in the Parks, as provided in a record of decision issued in accordance with a wilderness stewardship plan completed under subsection (b); or*

(2) *the date that is 4 years after the date of enactment of this Act.*

On motion of Mr. BISHOP of Utah, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶64.53 ADJOURNMENT OVER

On motion of Mr. BISHOP of Utah, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, May 22, 2012; and further, when the House adjourns on Tuesday, May 22, 2012, it adjourn to meet at 10 a.m. on Friday, May 25, 2012; and further, when the House adjourns on Friday, May 25, 2012, it adjourn to meet at 2 p.m. on Tuesday, May 29, 2012; and further, when the House adjourns on Tuesday, May 29, 2012, it adjourn to meet at 2 p.m. on Wednesday, May 30, 2012.

¶64.54 BRITISH-AMERICAN
INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. FARENTHOLD, pursuant to 22 United States Code 276l, and the order of the House of January 5, 2011, announced that the Speaker appointed the following Members of the House to the British-American Interparliamentary Group: Messrs. PETRI, CRENSHAW, LATTA, and ADERHOLT.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶64.55 PUBLIC INTEREST
DECLASSIFICATION BOARD

The SPEAKER pro tempore, Mr. FARENTHOLD, pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 United States Code 435 note), and the order of the House of January 5, 2011, announced that the Speaker appointed the following members on the part of the House to the Public Interest Declassification Board for a term of three years: Admiral William O. Stedeman, Great Falls, Virginia.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶64.56 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO IRAQ

The SPEAKER pro tempore, Mr. FARENTHOLD, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication continuing the national emergency with respect to the stabilization of Iraq. This notice states that the national emergency with respect to the stabilization of Iraq declared in Executive Order 13303 of May 22, 2003, as modified in scope and relied upon for additional steps taken in Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004,

Executive Order 13364 of November 29, 2004, and Executive Order 13438 of July 17, 2007, is to continue in effect beyond May 22, 2012.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to this threat and maintain in force the measures taken to deal with that national emergency.

Recognizing positive developments in Iraq, my Administration will continue to evaluate Iraq's progress in resolving outstanding debts and claims arising from actions of the previous regime, so that I may determine whether to further continue the prohibitions contained in Executive Order 13303 of May 22, 2003, as amended by Executive Order 13364 of November 29, 2004, on any attachment, judgment, decree, lien, execution, garnishment, or other judicial process with respect to the Development Fund for Iraq, the accounts, assets, and property held by the Central Bank of Iraq, and Iraqi petroleum-related products, which are in addition to the sovereign immunity accorded Iraq under otherwise applicable law.

BARACK OBAMA.

THE WHITE HOUSE, May 18, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-111).

¶64.57 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4045. An Act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

And then,

¶64.58 ADJOURNMENT

On motion of Mr. WOODALL, pursuant to the previous order of the House, at 3 o'clock and 21 minutes p.m., the House adjourned until 10 a.m. on Tuesday, May 22, 2012.

¶64.59 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4114. A bill to in-

crease, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes (Rept. 112-486). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3670. A bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act (Rept. 112-487, Pt. 1). Ordered to be printed.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4201. A bill to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces (Rept. 112-488). Referred to the Committee of the Whole House on the state of the Union.

¶64.60 TIME LIMITATION OF REFERRED
BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than June 29, 2012.

¶64.61 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Ms. EDWARDS):

H.R. 5826. A bill to implement a National Water Research and Development Initiative to ensure clean and reliable water for future generations, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Ms. EDWARDS):

H.R. 5827. A bill to ensure consideration of water intensity in the Department of Energy's energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources; to the Committee on Science, Space, and Technology.

By Mrs. MALONEY (for herself, Mr. GONZALEZ, and Mr. HONDA):

H.R. 5828. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to permit an absentee ballot application submitted by an absent uniformed services voter or overseas voter with respect to an election for Federal office to serve as an absentee ballot application for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office; to the Committee on House Administration.

By Mrs. LUMMIS (for herself and Ms. TSONGAS):

H.R. 5829. A bill to amend the Small Business Act to permit agencies to count certain contracts toward contracting goals; to the Committee on Small Business.

By Mr. REICHERT (for himself and Mr. WALZ of Minnesota):

H.R. 5830. A bill to amend title 38, United States Code, to enable certain non-profit organizations that serve homeless veterans to participate in the Grants and Per Diem Program of the Department of Veterans Affairs to provide transitional housing or other facilities for homeless veterans; to the Committee on Veterans' Affairs.

By Ms. MATSUI (for herself, Mr. GARAMENDI, Mr. GEORGE MILLER of

California, Mrs. NAPOLITANO, Mr. DANIEL E. LUNGREN of California, Mr. GARY G. MILLER of California, Mr. CALVERT, Ms. ZOE LOFGREN of California, Ms. SPEIER, Mrs. CAPPS, Mr. THOMPSON of California, Mr. WAXMAN, Mr. HONDA, Ms. ESHOO, Ms. HAHN, Ms. CHU, Ms. WOOLSEY, Mr. MCNERNEY, Mr. BACA, Ms. LINDA T. SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. CARDOZA, Mr. COSTA, Ms. LEE of California, Mr. BERMAN, Mr. FARR, Mr. SCHIFF, Ms. BASS of California, Mr. STARK, Mrs. DAVIS of California, and Ms. LORETTA SANCHEZ of California):

H.R. 5831. A bill to direct the Secretary of the Army to undertake a comprehensive review of the Corps of Engineers policy guidelines on vegetation management for levees, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BACA:

H.R. 5832. A bill to facilitate the transfer or sale of the LA/Ontario International Airport from the city of Los Angeles, California, back to the city of Ontario, California; to the Committee on Transportation and Infrastructure.

By Ms. BERKLEY:

H.R. 5833. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOSWELL:

H.R. 5834. A bill to require each State receiving assistance under the Higher Education Act of 1965 to charge in-State tuition rates at public institutions of higher education in the State to the dependent children of individuals who have served on active duty for at least 15 years and whose domicile is in the State; to the Committee on Education and the Workforce.

By Mr. BOSWELL:

H.R. 5835. A bill to amend the Small Business Act and the Small Business Investment Act of 1958 to provide for additional loan programs for veteran-owned small businesses, and for other purposes; to the Committee on Small Business.

By Mr. BOSWELL:

H.R. 5836. A bill to prohibit institutions of higher education that have a cohort default rate of 30 percent or more from receiving veterans' education benefits, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BUERKLE (for herself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. CROWLEY, Mr. TURNER of New York, Mr. TOWNS, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mr. GRIMM, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Ms. HAYWORTH, Mr. GIBSON, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Mr. HANNA, Ms. HOCHUL, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H.R. 5837. A bill to designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinville, New York, as the "Corporal Kyle Schneider Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. CONYERS:

H.R. 5838. A bill to prohibit anti-competitive activities and to provide that health insurance issuers and medical malpractice insurance issuers are subject to the antitrust laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Kentucky (for himself and Mr. DIAZ-BALART):

H.R. 5839. A bill to amend the Internal Revenue Code of 1986 to provide a business tax credit for resilient construction; to the Committee on Ways and Means.

By Mr. DUNCAN of Tennessee (for himself and Ms. KAPTUR):

H.R. 5840. A bill to provide for the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Financial Services.

By Ms. FUDGE (for herself, Mrs. CHRISTENSEN, Ms. HANABUSA, Ms. LEE of California, Ms. WILSON of Florida, Mr. RANGEL, and Ms. NORTON):

H.R. 5841. A bill to implement demonstration projects at federally qualified community health centers to promote universal access to family centered, evidence-based behavioral health interventions that prevent child maltreatment and promote family well-being by addressing parenting practices and skills for families from diverse socioeconomic, cultural, racial, ethnic, and other backgrounds, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JENKINS (for herself, Mr. PAULSEN, and Mr. REICHERT):

H.R. 5842. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California:

H.R. 5843. A bill to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility; to the Committee on Homeland Security.

By Mr. MEEHAN (for himself, Mr. CARNEY, Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. ISSA, and Mr. PLATTS):

H.R. 5844. A bill to amend the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to provide further clarity for institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. POE of Texas (for himself, Mr. CARNAHAN, and Ms. BUERKLE):

H.R. 5845. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity tax credit for veterans and to allow an exemption from an employer's employment taxes in an amount equivalent to the value of such credit; to the Committee on Ways and Means.

By Mr. QUAYLE (for himself and Mr. REHBERG):

H.R. 5846. A bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens; to the Committee on Foreign Affairs.

By Ms. RICHARDSON:

H.R. 5847. A bill to establish an inter-agency working group to improve coordination of grants authorized under sections 2002 and 2003 of the Homeland Security Act of 2002 and other Federal preparedness grants, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN of New Jersey:

H.R. 5848. A bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on

account of sexual orientation or gender identity; to the Committee on the Judiciary.

By Mr. SCHILLING:

H.R. 5849. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for charity care provided by physicians; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself, Mr. POE of Texas, Ms. ROS-LEHTINEN, Mr. TOWNS, Mr. RANGEL, Mr. ENGEL, Mr. ROTHMAN of New Jersey, Mr. PASCRELL, Ms. BERKLEY, Mr. SCHOCK, Ms. HIRONO, Mr. HOLT, Mr. GRIMM, and Mr. DOLD):

H.R. 5850. A bill to provide for the inclusion of Israel in the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. TIERNEY (for himself, Mr. CARNAHAN, Mr. CICILLINE, Mr. DOGGETT, Mr. LARSEN of Washington, Mr. MARKEY, Mr. MCGOVERN, Ms. NORTON, Mr. OLVER, Mr. RANGEL, Mr. SARBANES, Ms. SCHAKOWSKY, and Mr. TONKO):

H.R. 5851. A bill to increase small business lending, and for other purposes; to the Committee on Small Business.

By Mr. TOWNS:

H.R. 5852. A bill to amend title 5, United States Code, to provide that spouses and widows or widowers of certain veterans and members of the armed forces receive preference with respect to employment in the competitive service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CROWLEY (for himself and Mr. KING of New York):

H.J. Res. 109. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; to the Committee on Ways and Means.

By Mr. LARSEN of Washington (for himself and Mr. MCDERMOTT):

H. Con. Res. 125. Concurrent resolution celebrating the centennial of the birth of Senator Henry M. "Scoop" Jackson; to the Committee on House Administration.

By Ms. RICHARDSON (for herself, Ms. BORDALLO, Mr. AUSTRIA, Mr. FALCOMAVAEGA, Ms. HANABUSA, Mr. AL GREEN of Texas, Ms. JACKSON LEE of Texas, Ms. SPEIER, Mr. FILNER, Mr. FARR, and Mr. SHERMAN):

H. Res. 665. A resolution honoring the 114th anniversary of the independence of the Philippines; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL:

H. Res. 666. A resolution expressing the sense of the House of Representatives that, as part of any agreement on Medicare reform, Medicare should not be changed for any citizens of the United States over the age of 55; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶64.62 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. LOBIONDO.

H.R. 139: Ms. BASS of California.

H.R. 178: Mr. YOUNG of Alaska and Mr. GARY G. MILLER of California.

H.R. 300: Mr. PETERS.
 H.R. 321: Mr. HOLT.
 H.R. 436: Mr. OWENS and Mr. WITTMAN.
 H.R. 459: Mr. JOHNSON of Ohio.
 H.R. 531: Ms. MCCOLLUM, Mr. HOLDEN, and Mrs. MCCARTHY of New York.
 H.R. 631: Ms. DELAURO, Ms. SCHAKOWSKY, and Mrs. NAPOLITANO.
 H.R. 769: Mr. BERMAN.
 H.R. 860: Mr. BOSWELL.
 H.R. 890: Mr. CARTER.
 H.R. 1206: Mr. HASTINGS of Washington, Mr. BRADY of Texas, and Mr. SIMPSON.
 H.R. 1265: Mr. DAVIS of Illinois, Mr. POMPEO, and Mr. GUINTA.
 H.R. 1327: Mr. MEEHAN, Mrs. MALONEY, Mr. DAVIS of Illinois, and Mr. MILLER of North Carolina.
 H.R. 1370: Mr. KISSELL.
 H.R. 1418: Mr. THOMPSON of Mississippi and Mr. DINGELL.
 H.R. 1449: Mr. COSTELLO.
 H.R. 1489: Mr. MARKEY and Ms. BASS of California.
 H.R. 1543: Mr. CLARKE of Michigan.
 H.R. 1561: Mr. PASCRELL.
 H.R. 1589: Mr. ANDREWS.
 H.R. 1639: Mrs. LUMMIS.
 H.R. 1666: Mr. BISHOP of New York and Mr. DAVIS of Illinois.
 H.R. 1672: Mrs. CAPITO, Mr. CULBERSON, Mrs. NAPOLITANO, Mr. OLVER, and Mr. MCGOVERN.
 H.R. 1675: Mr. SESSIONS and Mr. JOHNSON of Ohio.
 H.R. 1711: Mr. CLAY.
 H.R. 1789: Mr. JONES.
 H.R. 1802: Mr. BOUSTANY.
 H.R. 1936: Mr. LUETKEMEYER.
 H.R. 1955: Mr. DAVID SCOTT of Georgia.
 H.R. 1956: Mr. REED.
 H.R. 1996: Mr. WESTMORELAND.
 H.R. 2077: Mr. SESSIONS.
 H.R. 2088: Mrs. CAPPES.
 H.R. 2108: Mr. GUINTA and Mr. CRENSHAW.
 H.R. 2139: Mr. HARRIS and Mr. REHBERG.
 H.R. 2168: Mr. POLIS and Ms. CHU.
 H.R. 2245: Mr. LARSEN of Washington.
 H.R. 2256: Mr. GERLACH and Mr. GUTIERREZ.
 H.R. 2335: Mr. LABRADOR.
 H.R. 2353: Mr. MCINTYRE.
 H.R. 2469: Mr. CARNAHAN.
 H.R. 2637: Ms. LEE of California.
 H.R. 2697: Mr. CAMPBELL.
 H.R. 2962: Mr. CAPUANO and Mr. SCHILLING.
 H.R. 2966: Mr. COOPER.
 H.R. 3057: Mr. JONES and Mr. RANGEL.
 H.R. 3062: Mr. LUJÁN.
 H.R. 3145: Mr. COURTNEY.
 H.R. 3173: Mr. SCHRADER.
 H.R. 3242: Mr. KUCINICH.
 H.R. 3266: Mr. ROTHMAN of New Jersey, Mr. MCDERMOTT, Mrs. MALONEY, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. CARNAHAN, Mr. RANGEL, Ms. SPEIER, Mr. CICILLINE, Mr. FILLNER, Mr. RYAN of Ohio, and Mr. LANCE.
 H.R. 3395: Mr. HARPER.
 H.R. 3405: Ms. ROYBAL-ALLARD.
 H.R. 3444: Mr. GRAVES of Georgia.
 H.R. 3481: Mr. LANDRY.
 H.R. 3506: Mr. RYAN of Ohio.
 H.R. 3522: Ms. TSONGAS, Mrs. LOWEY, Mrs. MALONEY, and Mr. NADLER.
 H.R. 3526: Mr. CONYERS and Mr. CARNAHAN.
 H.R. 3591: Mr. LARSEN of Washington, Mr. BISHOP of New York, and Mr. SERRANO.
 H.R. 3618: Mr. PASCRELL.
 H.R. 3658: Mr. SCHIFF.
 H.R. 3661: Mr. LOEBACK and Mr. WATT.
 H.R. 3665: Mr. TOWNS, Ms. SPEIER, and Mr. DEUTCH.
 H.R. 3728: Mr. SESSIONS.
 H.R. 3773: Mr. MATHESON.
 H.R. 3798: Mr. CARDOZA.
 H.R. 3803: Mr. GARY G. MILLER of California, Mr. YOUNG of Alaska, and Mr. REHBERG.
 H.R. 3993: Mr. GRIJALVA.
 H.R. 4066: Mr. PETRI and Mr. HEINRICH.

H.R. 4070: Mr. WILSON of South Carolina and Mr. PASCRELL.
 H.R. 4091: Mr. SIMPSON.
 H.R. 4120: Ms. WOOLSEY, Ms. MCCOLLUM, and Mr. CONNOLLY of Virginia.
 H.R. 4154: Mr. MCHENRY.
 H.R. 4174: Mr. GRIMM.
 H.R. 4202: Ms. JACKSON LEE of Texas, Mr. COURTNEY, Ms. ESHOO, and Mr. MCGOVERN.
 H.R. 4235: Mr. GIBSON.
 H.R. 4256: Mr. STIVERS.
 H.R. 4259: Mr. FORTENBERRY.
 H.R. 4273: Mr. GINGREY of Georgia.
 H.R. 4278: Mr. COSTA and Mr. GARY G. MILLER of California.
 H.R. 4330: Mr. ROONEY.
 H.R. 4345: Mr. WILSON of South Carolina, Mr. JONES, and Mr. COLE.
 H.R. 4366: Mr. CARNAHAN, Mr. TOWNS, and Mr. HOLT.
 H.R. 4367: Mr. ROSS of Arkansas, Mrs. ELLMERS, Mr. OWENS, Mr. WEBSTER, and Mr. GOODLATTE.
 H.R. 4378: Mr. NEAL, Ms. LINDA T. SÁNCHEZ of California, Mr. LARSON of Connecticut, Mr. HINCHEY, Mr. RUPPERSBERGER, Mr. HARPER, Mr. POSEY, and Mr. NUNES.
 H.R. 4385: Mr. LAMBORN, Mr. CANSECO, Mr. FLEISCHMANN, Mr. CALVERT, Mr. HARPER, and Mr. NUGENT.
 H.R. 4388: Mr. AMODEI.
 H.R. 4405: Mr. CALVERT.
 H.R. 4454: Mr. GRIMM.
 H.R. 4470: Mr. ELLISON, Mr. COHEN, Ms. JACKSON LEE of Texas, Mr. CONYERS, Mr. KUCINICH, Mr. CICILLINE, Mr. CLAY, Mr. SCHIFF, and Mr. CARNAHAN.
 H.R. 4471: Mrs. BLACKBURN, Mr. UPTON, Mr. MURPHY of Pennsylvania, Mr. WALDEN, Mr. BARTON of Texas, and Mr. SCALISE.
 H.R. 4965: Mr. COLE, Mr. HECK, Mr. STEARNS, Mr. WOMACK, Mr. HASTINGS of Washington, and Mrs. MILLER of Michigan.
 H.R. 4972: Ms. PINGREE of Maine.
 H.R. 5186: Ms. SPEIER.
 H.R. 5647: Mr. STARK and Mr. MCNERNEY.
 H.R. 5684: Mr. JACKSON of Illinois and Ms. LORETTA SANCHEZ of California.
 H.R. 5731: Mr. CRAVAACK, Mr. CALVERT, Mr. SCHILLING, Mr. LATTA, Mr. HALL, Mr. GINGREY of Georgia, Mr. FORTENBERRY, and Mr. FORBES.
 H.R. 5738: Mr. AMASH.
 H.R. 5741: Mr. GRIMM.
 H.R. 5746: Mr. MCDERMOTT.
 H.R. 5789: Mr. ENGEL, Mr. MORAN, Mr. RANGEL, and Ms. WOOLSEY.
 H.R. 5799: Mr. ACKERMAN, Mr. POLIS, Mrs. LOWEY, Mr. THOMPSON of California, and Mr. YARMUTH.
 H.R. 5823: Mr. GALLEGLY.
 H.J. Res. 104: Mr. JONES and Mr. COBLE.
 H. Con. Res. 116: Mr. MARCHANT.
 H. Res. 608: Mr. HANNA.
 H. Res. 647: Mr. ROTHMAN of New Jersey, Mr. COHEN, Ms. SCHWARTZ, and Mr. MCDERMOTT.
 H. Res. 660: Mr. TOWNS.
 H. Res. 663: Mr. DEUTCH and Ms. BERKLEY.

¶64.63 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3308: Mr. CULBERSON

TUESDAY, MAY 22, 2012 (65)

¶65.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BARTLETT, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 May 22, 2012.

I hereby appoint the Honorable ROSCOE G. BARTLETT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶65.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BARTLETT, announced he had examined and approved the Journal of the proceedings of Friday, May 18, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶65.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6084. A letter from the Acting Under Secretary of Defense, Department of Defense, transmitting authorization of Colonels Roger L. Cloutier and Kristin K. French, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

6085. A letter from the Acting Branch Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting the Department's final "Major" rule — Certification of Compliance With Meal Requirements for the National School Lunch Program Under the Healthy, Hunger-Free Kids Act of 2010 [FNS-2011-0025] (RIN: 0548-AE15) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6086. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States [Docket No.: 111027661-1743-01] (RIN: 0694-AF43) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6087. A letter from the Associate General Counsel, Department of Agriculture, transmitting three reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6088. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Oklahoma Regulatory Program [STATS No.: OK-033-FOR; Docket No. OSM-2011-0001] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6089. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Iowa Regulatory Program [STATS No.: IA-016-FOR; Docket No. OSM-2011-0014] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6090. A letter from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [PA-155-FOR; Docket ID: OSM-2010-0003] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6091. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Service's final rule — Endangered and Threatened Species; Range Extension for En-

dangered Central California Coast Coho Salmon [Docket No.: 100323162-2182-03] (RIN: 0648-XV30) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6092. A letter from the Rules Administrator, Department of Justice, transmitting the Department's final rule — Inmate Communication With News Media: Removal of Byline Regulations [BOP-1149-F] (RIN: 1120-AB49) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6093. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — West Oahu Offshore Security Zone [Docket No.: USCG-2011-1048] (RIN: 1625-AA87) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6094. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sausalito Yacht Club's Annual Lighted Boat Parade and Fireworks Display, Sausalito, CA [Docket No.: USCG-2011-0970] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6095. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA [Docket No.: USCG-2011-1125] (RIN: 1625-AA11) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6096. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to Cuba Airport List: Addition of Recently Approved Airports (CBP Dec. 12-08) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6097. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Disclosure of Cochineal Extract and Carmine in the Labeling of Wines, Distilled Spirits, and Malt Beverages [Docket No.: TTB-2010-0008; T.D. TTB-103; Ref. Notice No. 111] (RIN: 1513-AB79) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6098. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance under Section 267(f); Deferral of Loss on Transactions Between Members of a Controlled Group [TD 9583] (RIN: 1545-BI92) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6099. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Under Sections 642 and 643 (Income Ordering Rules) [TD 9582] (RIN: 1545-BH66) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6100. A letter from the Commissioner, Social Security Administration, transmitting a consolidated report of the Administration's processing of continuing disability reviews for FY 2010; to the Committee on Ways and Means.

6101. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2009"; jointly to the Committees on Ways and Means and Energy and Commerce.

6102. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare and Medicaid Programs; Reform of Hospital and Critical Access Hospital Conditions of Participation [CMS-3244-F] (RIN: 0938-AQ89) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

And then,

¶65.4 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. BARTLETT, by unanimous consent, and pursuant to the special order of the House agreed to on May 18, 2012, at 10 o'clock and 5 minutes a.m., declared the House adjourned until 10 a.m. on Friday, May 25, 2012.

¶65.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee on Appropriations. Revised Suballocation of Budget Allocations for Fiscal Year 2013 (Rept. 112-489). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. H.R. 5743. A bill to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 112-490). Referred to the Committee of the Whole House on the state of the Union.

¶65.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. CUMMINGS introduced a bill (H.R. 5853) to prohibit wholesalers from purchasing prescription drugs from pharmacies, and to enhance information and transparency regarding drug wholesalers engaged in interstate commerce; which was referred to the Committee on Energy and Commerce.

¶65.7 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

219. The SPEAKER presented a memorial of the House of Representatives of the State of Idaho, relative to House Joint Memorial No. 7 urging the President to award Retired Sergeant Chris Tschida the Medal of Honor; to the Committee on Armed Services.

220. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 1822 urging the Congress to repeal the Sarbanes-Oxley Act of 2002; to the Committee on Financial Services.

221. Also, a memorial of the House of Representatives of the State of Idaho, relative to House Joint Resolution No. 8 urging the Congress to repeal the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

222. Also, a memorial of the House of Representatives of the State of Idaho, relative to House Joint Memorial No. 14 recognizing and commending the ETA's statement of a definitive cessation of its armed activity and end to terrorism; to the Committee on Foreign Affairs.

223. Also, a memorial of the House of Representatives of the State of Idaho, relative to

House Joint Memorial No. 13 urging the President, Executive Agencies and the Congress to work together to see that the Beyond the Border Action Plan on Regulatory Cooperation are carried out; to the Committee on Foreign Affairs.

224. Also, a memorial of the House of Representatives of the State of Florida, relative to House Memorial 611 urging the Congress to direct the Fish and Wildlife Service to reconsider the proposed rule to designate Kings Bay as a manatee refuge; to the Committee on Natural Resources.

225. Also, a memorial of the House of Representatives of the State of Florida, relative to House Memorial 83 petitioning the Congress to propose to the states an amendment to the Constitution of the United States to limit the number of consecutive terms which a person may serve in the Senate or the House of Representatives; to the Committee on the Judiciary.

226. Also, a memorial of the House of Representatives of the State of Idaho, relative to House Joint Memorial No. 4 urging the Congress to authorize an additional United State District Court Judge and commensurate staff for the District of Idaho; to the Committee on the Judiciary.

227. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 57 memorializing the Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions; to the Committee on Ways and Means.

228. Also, a memorial of the House of Representatives of the State of Maine, relative to Joint House Resolution urging the President and the Congress to improve the process by which the United States trade agreements are developed and implemented; to the Committee on Ways and Means.

229. Also, a memorial of the Senate of the State of Maine, relative to Joint Senate Resolution urging the President and the Congress to support the continued and increased development and delivery of oil derived from North American oil reserves to American refineries; jointly to the Committees on Transportation and Infrastructure, Foreign Affairs, Energy and Commerce, and Natural Resources.

¶65.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 210: Ms. SUTTON, Ms. DEGETTE, and Mr. LEVIN.

H.R. 1244: Mr. LEWIS of Georgia and Mr. LATHAM.

H.R. 1873: Mr. HINCHEY.

H.R. 2499: Mr. WOLF and Ms. PINGREE of Maine.

H.R. 2569: Mr. HENSARLING.

H.R. 2730: Mrs. CAPPs.

H.R. 3015: Mr. CONNOLLY of Virginia.

H.R. 3040: Mr. HINOJOSA and Mr. BISHOP of New York.

H.R. 3096: Ms. CHU.

H.R. 3307: Mr. LANGEVIN.

H.R. 3435: Ms. MCCOLLUM.

H.R. 3444: Mr. FITZPATRICK.

H.R. 3895: Mrs. LUMMIS.

H.R. 4082: Mr. SMITH of Washington.

H.R. 4296: Mr. SCOTT of Virginia, Mr. WEST-MORELAND, and Mr. DOLD.

H.R. 4971: Mr. POMPEO, Mr. MANZULLO, Mr. COSTELLO, Mr. ROE of Tennessee, Mr. LATTA, Mr. NUNNELEE, and Mr. LONG.

H.J. Res. 103: Mr. FLORES.

H. Con. Res. 125: Mr. REICHERT, Mrs. MCMORRIS RODGERS, and Mr. SMITH of Washington.

H. Res. 220: Ms. LORETTA SANCHEZ of California.

H. Res. 659: Mr. CALVERT, Mr. LUETKEMEYER, Mr. MCNERNEY, and Ms. WATERS.

FRIDAY, MAY 25, 2012 (66)

¶66.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
May 25, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶66.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Tuesday, May 22, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶66.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6103. A letter from the Acting Director — National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Hispanic-Serving Agricultural Colleges and Universities (HSACU) Certification Process (RIN: 0524-AA39) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6104. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations (EAR): Export Control Classification Number 0Y521 Series, Items Not Elsewhere Listed on the Commerce Control List (CCL) [Docket No.: 110310188-2058-03] (RIN: 0694-AF17) received April 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6105. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Memorial Bridge Construction Piscataqua River, Portsmouth, NH [Docket No.: USCG-2011-1097] (RIN: 1625-AA11) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6106. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Cruise Ships, San Pedro Bay, California [Docket No.: USCG-2011-0101] (RIN: 1625-AA87) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6107. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Beaufort's Tricentennial New Year's Eve Fireworks Display, Beaufort River, Beaufort, SC [Docket No.: USCG-2011-1112] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6108. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations and Safety Zones; Recur-

ring Events in Captain of the Port Boston Zone [Docket No.: USCG-2011-0109] (RIN: 1625-AA08; AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6109. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Boca Raton Holiday Boat Parade, Intracoastal Waterway, Boca Raton, FL [Docket No.: USCG-2011-1078] (RIN: 1625-AA8) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6110. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Submarine Cable Installation Project; Chicago River South Branch, Chicago, IL [Docket No.: USCG-2011-1122] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6111. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Atlantic City, NJ [Docket No.: USCG-2011-0689] (RIN: 1625-AA09) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6112. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Arthur Kill, NY and NJ [Docket No.: USCG-2011-0727] [RIN: 1625-AA11] received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6113. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port New York Zone [Docket No.: USCG-2010-1011] (RIN: 1625-AA00; 1625-AA08) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6114. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Eisenhower Expressway Bridge Rehabilitation Project; Chicago River South Branch, Chicago, IL [Docket No.: USCG-2011-1123] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6115. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River, Mile 389.4 to 403.1 [Docket No.: USCG-2011-1087] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6116. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Power Line Replacement, West Bay, Panama City, FL [Docket No.: USCG-2011-0983] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6117. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Alternate Tonnage Threshold for Oil Spill Response Vessels [Docket No.: USCG-2011-0966] (RIN: 1625-AB82) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6118. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; New Year's Eve Fireworks Displays

within the Captain of the Port Miami Zone, FL [Docket No.: USCG-2011-1091] (RIN: 1625-AA00) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6119. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; On the Waters in Kailua Bay, Oahu, HI [Docket No.: USCG-2011-1142] (RIN: 1625-AA87) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6120. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Passenger Vessel SAFARI EXPLORER Arrival/Departure, Kaunakakai Harbor, Molokai, Hawaii [Docket No.: USCG-2011-1159] (RIN: 1625-AA87) received April 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6121. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0565; Directorate Identifier 2010-NM-280-AD; Amendment 39-16977; AD 2012-05-05] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6122. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes [Docket No.: FAA-2012-0191; Directorate Identifier 2012-NM-035-AD; Amendment 39-16980; AD 2012-05-08] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6123. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Burl A. Rogers (Type Certificate Previously Held by William Brad Mitchell and Aeronca, Inc.) Airplanes [Docket No.: FAA-2011-0318; Directorate Identifier 2010-CE-033-AD; Amendment 39-16966; AD 2012-04-10] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6124. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes; [Docket No.: FAA-2011-1087; Directorate Identifier 2011-NM-032-AD; Amendment 39-16967; AD 2012-04-11] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6125. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-0992; Directorate Identifier 2011-NM-126-AD; Amendment 39-16968; AD 2012-04-12] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6126. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robinson Helicopter Company Helicopters [Docket No.: FAA-2011-0588; Directorate Identifier 2010-SW-074-AD; Amendment 39-16717; AD 2011-12-10] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6127. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; General Electric Company (GE) Turbofan Engines [Docket No.: FAA-2011-0928; Directorate Identifier 2011-NE-09-AD; Amendment 39-16954; AD 2012-03-12] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6128. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-0030; Directorate Identifier 2009-NM-135-AD; Amendment 39-16940; AD 2012-02-17] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6129. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-1311; Directorate Identifier 2009-NM-229-AD; Amendment 39-16938; AD 2012-02-15] (RIN: 2120-AA64) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6130. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Application, Review, and Reporting Process for Waivers for State Innovation [CMS-9987-F] (RIN: 0938-AQ75) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6131. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Guidance on Reporting Interest Paid to Non-resident Aliens [TD 9584] (RIN: 1545-BJ01) received April 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6132. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application of the Normal Retirement Age Requirements to Governmental Plans [Notice 2012-29] received April 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶66.4 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 23, 2012 at 9:38 a.m.:

Appointments: Congressional Award Board.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶66.5 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2012 at 10:06 a.m.:

That the Senate passed without amendment H.R. 4097.

That the Senate passed S. 2367.

Appointments: United States Commission on International Religious Freedom.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶66.6 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2012 at 5:01 p.m.:

That the Senate passed with an amendment H.R. 1905.

That the Senate passed with an amendment H.R. 5740.

That the Senate passed S. 3187.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶66.7 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2367. An Act to strike the word "lunatic" from Federal law, and for other purposes; to the Committee on the Judiciary. In addition, to the Committee on Financial Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

And then,

¶66.8 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, and pursuant to the special order of the House agreed to on May 18, 2012, at 10 o'clock and 4 minutes a.m., declared the House adjourned until 2 p.m. on Tuesday, May 29, 2012.

¶66.9 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House of May 16, 2012, the following reports were filed on May 23, 2012]

Mr. CULBERSON: Committee on Appropriations. H.R. 5854. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes. (Rept. 112-491). Referred to the Committee of the Whole House on the state of the Union.

Mr. ADERHOLT: Committee on Appropriations. H.R. 5855. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes. (Rept. 112-492). Referred to the Committee of the Whole House on the state of the Union.

[Pursuant to the order of the House on May 16, 2012, the following reports were filed on May 25, 2012]

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 5856. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes. (Rept. 112-493). Referred to the Committee of the Whole House on the state of the Union.

Ms. GRANGER: Committee on Appropriations. H.R. 5857. A bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2013, and for other purposes. (Rept. 112-494). Referred to the Committee of the Whole House on the state of the Union.

[Filed May 25, 2012]

Mr. UPTON: Committee on Energy and Commerce. H.R. 5651. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes. (Rept. 112-495). Referred to the Committee of the Whole House on the state of the Union.

¶66.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. SCHWEIKERT introduced a concurrent resolution (H. Con. Res. 126) expressing the sense of Congress that a commemorative postage stamp should be issued honoring Bill Keane; which was referred to the Committee on Oversight and Government Reform.

¶66.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 312: Mr. JONES.
H.R. 529: Mr. HINCHEY.
H.R. 1063: Ms. BUERKLE.
H.R. 1146: Mr. DUNCAN of Tennessee.
H.R. 1386: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCHIFF, Mr. POLIS, Ms. HOCHUL, Mr. HONDA, and Ms. DEGETTE.
H.R. 1418: Mr. WAXMAN.
H.R. 1489: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1639: Mr. WALDEN and Mr. MCKEON.
H.R. 2245: Mr. CRENSHAW and Mr. MCDERMOTT.
H.R. 2514: Mr. CHABOT.
H.R. 2741: Mr. BONNER.
H.R. 2866: Mr. VAN HOLLEN.
H.R. 3066: Mr. WALDEN.
H.R. 3364: Mr. SCHRADER, Ms. BONAMICI, Mr. JOHNSON of Georgia, and Mr. KIND.
H.R. 3444: Mr. KING of Iowa.
H.R. 3831: Ms. PINGREE of Maine.
H.R. 3839: Mr. LARSEN of Washington.
H.R. 4091: Ms. CASTOR of Florida, Mr. LEWIS of Georgia, and Mr. BOREN.
H.R. 4228: Mr. POE of Texas.
H.R. 4381: Mr. GOSAR.

H.R. 4480: Mr. REHBERG.

H.R. 4965: Mr. PRICE of Georgia, Mr. COSTELLO, Mr. GRAVES of Georgia, Mr. AUSTIN SCOTT of Georgia, Mr. BOREN, Mr. TERRY, and Mr. CHANDLER.

H.R. 5684: Mr. GONZALEZ and Mrs. DAVIS of California.

H.R. 5707: Mr. OLVER, Mr. FATTAH, and Mr. WELCH.

H. Con. Res. 122: Mr. TOWNS.

H. Res. 351: Mr. CICILLINE, Mr. DUNCAN of Tennessee, and Mr. GEORGE MILLER of California.

H. Res. 663: Ms. ROS-LEHTINEN, Mr. BERMAN, Mr. ISRAEL, and Mr. HANNA.

TUESDAY, MAY 29, 2012 (67)

¶67.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
May 29, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶67.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced he had examined and approved the Journal of the proceedings of Friday, May 25, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶67.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6133. A letter from the Manager, BioPreferred Program, Department of Agriculture, transmitting the Department's final rule — Designation of Product Categories for Federal Procurement (RIN: 0599-AA14) received April 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6134. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Dried Prunes Produced in California; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0068; FV11-993-1 FIR] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6135. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Revision of Cotton Classification Procedures for Determining Cotton Leaf Grade [Doc. #: AMS-CN-11-0066] (RIN: 0581-AD19) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6136. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Upland Cotton Base Quality (RIN: 0560-AI16) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6137. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Mango Promotion, Research, and Information Order; Assessment Increase [Document No.: AMS-FV-11-0021] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6138. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) Spearmint Oil for the 2011-2012 Marketing Year [Doc. No.: AMS-FV-10-0094; FV11-985-1B IR] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6139. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0077; FV11-983-2 FIR] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6140. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Assessment Rate Decrease for Fresh Pears [Doc. No.: AMS-FV-11-0060; FV11-927-2 FIR] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6141. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears [Doc. No.: AMS-FV-11-0070 FV11-927-3 FIR] received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6142. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other Than Power Reactors Regulatory Guide 4.20 received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6143. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List [Docket No.: 120314191-2216-01] (RIN: 0694-AF61) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6144. A letter from the Assistant Secretary for Export Administration, Department of Homeland Security, transmitting the Department's final rule — Addition of Certain Persons to the Entity List; and Implementation of Entity List Annual Review Changes [Docket No.: 120416415-2415-01] (RIN: 0694-AF57) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6145. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-354, "Fiscal Year 2012 Revised Budget Request Adjustment Temporary Act of 2012"; to the Committee on Oversight and Government Reform.

6146. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-355, "Vendor Sales Tax Collection and Remittance Act of 2012"; to the Committee on Oversight and Government Reform.

6147. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-356, "Combined Condominium Real Property Tax Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6148. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-357, "Caver 2000 Low-Income and Senior Housing Project Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6149. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-358, "Senior HIV/AIDS Education and Outreach Program Establishment Act of 2012"; to the Committee on Oversight and Government Reform.

6150. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-359, "King Towers Residential Housing Real Property Tax Exemption Clarification Act of 2012"; to the Committee on Oversight and Government Reform.

6151. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-360, "Adolf Cluss Court Alley Designation Act of 2012"; to the Committee on Oversight and Government Reform.

6152. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-361, "People First Respectful Language Modernization Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6153. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-362, "Real Property Tax Appeals Commission Establishment Act of 2012"; to the Committee on Oversight and Government Reform.

6154. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-363, "HIV/AIDS Continuing Education Requirements Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6155. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-364, "Advisory Neighborhood Commissions Boundaries Act of 2012"; to the Committee on Oversight and Government Reform.

6156. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-365, "Jubilee Housing Residential Rental Project Real Property Tax Exemption Clarification Act of 2012"; to the Committee on Oversight and Government Reform.

6157. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-366, "Firearms Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6158. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-367, "Elizabeth P. Thomas Way Designation Act of 2012"; to the Committee on Oversight and Government Reform.

6159. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-368, "Where Lincoln's Legacy Lives Designation Act of 2012"; to the Committee on Oversight and Government Reform.

6160. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-369, "Capitol Riverfront BID Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6161. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-372, "Foster Care Youth Employment Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6162. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-373, "Hilda H.M. Mason Way Designation Act of 2012"; to the Committee on Oversight and Government Reform.

6163. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-374, "Child Abuse Preservation and Treatment Amendment

Act of 2012"; to the Committee on Oversight and Government Reform.

6164. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-375, "Age-in-Place and Equitable Senior Citizen Real Property Act of 2012"; to the Committee on Oversight and Government Reform.

6165. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-376, "Technical Amendments Act of 2012"; to the Committee on Oversight and Government Reform.

6166. A letter from the Chief, Trade and Commercial Regulations Branch, Department of the Treasury, transmitting the Department's final rule — Disclosure of Information for Certain Intellectual Property Rights Enforced at the Border [USCBP-2012-0011] (RIN: 1515-AD87) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6167. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Gain Recognized With Respect to Stock in Certain Foreign Corporations Upon Distributions [TD 9585] (RIN: 1546-BI41) received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6168. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates May 2012 (Rev. Rul. 2012-13) received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6169. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Implementation of Nonresident Alien Deposit Interest Regulations (Rev. Proc. 2012-24) received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6170. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Purchase Price Safe Harbors for Sections 143 and 25 (Rev. Proc. 2012-25) received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6171. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Department's final rule — Removal of Regulations Requiring 3% Withholding by Government Entities [TD 9586] (RIN: 1545-BK83) received April 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6172. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's final rule — Transportation Security Administration Postal Zip Code Change; Technical Amendment [Amendment No.: 1572-9] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

6173. A letter from the Senior Advisor, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Removal of Regulations on Black Lung Benefits [Docket No.: SSA-2012-0012] (RIN: 0960-AH48) received April 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Education and the Workforce and Ways and Means.

¶67.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 25, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 25, 2012 at 1:47 p.m.:

That the Senate passed without amendment H.R. 2947.

That the Senate passed without amendment H.R. 3992.

That the Senate passed S. 414.

That the Senate passed S. 739.

That the Senate agreed to S. Res. 475.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶67.5 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2415. An Act to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the "Trooper Joshua D. Miller Post Office Building".

H.R. 3220. An Act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the "Master Sergeant Daniel L. Fedder Post Office".

H.R. 3413. An Act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

H.R. 4119. An Act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

H.R. 4849. An Act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

¶67.6 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 414. An Act to protect girls in developing countries through the prevention of child marriage, and for other purposes; to the Committee on Foreign Affairs.

And then,

¶67.7 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. HARRIS, by unanimous consent, and pursuant to the special order of the House agreed to on May 18, 2012, at 2 o'clock and 4 minutes p.m., declared the House adjourned until 2 p.m. on Wednesday, May 30, 2012.

¶67.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 3541. A bill to prohibit discrimi-

nation against the unborn on the basis of sex or race, and for other purposes; with an amendment (Rept. 112-496). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 5512. A bill to amend title 28, United States Code, to realign divisions within two judicial districts (Rept. 112-497). Referred to the Committee of the Whole House on the state of the Union.

¶67.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. HERGER introduced a bill (H.R. 5858) to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; which was referred to the Committee on Ways and Means.

¶67.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 178: Mrs. EMERSON.

H.R. 1145: Mr. RENACCI.

H.R. 1150: Ms. CASTOR of Florida.

H.R. 2077: Mr. PENCE.

H.R. 2315: Mr. LOEBACK.

H.R. 2437: Mr. DOLD.

H.R. 3067: Mr. SCHRADER, Mr. BOREN, Ms. BONAMICI, Mr. GALLEGLY, Mr. GARY G. MILLER of California, Mr. AL GREEN of Texas, Mr. REICHERT, Mr. GRIFFIN of Arkansas, Mr. RICHMOND, Mr. ANDREWS, Ms. LINDA T. SANCHEZ of California, Mr. CARDOZA, Mr. REYES, Mr. LATTA and Mr. GIBBS.

H.R. 3086: Ms. MOORE, Mr. HASTINGS of Florida and Mr. RUSH.

H.R. 3443: Mr. COFFMAN of Colorado.

H.R. 3737: Mr. BARLETTA.

H.R. 3797: Mr. RUNYAN.

H.R. 4066: Mr. TIERNEY.

H.R. 4132: Mr. BARLETTA.

H.R. 4403: Mr. HARPER and Mr. FRANKS of Arizona.

H.R. 4818: Mr. SIMPSON.

H.R. 5744: Mr. SHULER, Mr. COFFMAN of Colorado and Mrs. NOEM.

H.R. 5789: Mr. STARK and Mr. KUCINICH.

H. Res. 298: Mr. PASTOR of Arizona and Mr. LEVIN.

H. Res. 490: Mr. SULLIVAN and Mr. MCCLINTOCK.

H. Res. 665: Mr. BERMAN.

WEDNESDAY, MAY 30, 2012 (68)

The House was called to order by the SPEAKER.

¶68.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, May 29, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶68.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6174. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No: FEMA-2012-0003] [Internal Agency Docket No. FEMA-8223] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6175. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID:

FEMA-2012-0003] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6176. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — World Trade Center Health Program Requirements for the Addition of New WTC-Related Health Conditions (RIN: 0920-AA45) received April 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6177. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2011-0577; FRL-9343-4] (RIN: 2070-AB27) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6178. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Underground Storage Tank Program: Approved State Program for the State of Oregon [EPA-R10-UST-2011-0097; FRL-9615-4] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6179. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2012-0182; FRL-9345-4] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6180. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems [Docket No.: EPA-HQ-OW-2009-0090; FRL-9660-4] (RIN: 2040-AF10) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6181. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Hawaii State Implementation Plan [EPA-R09-OAR-2012-0082; FRL-9634-1] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6182. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Eastern Kern and Santa Barbara County Air Pollution Control Districts [EPA-R09-OAR-2011-0643; FRL-9652-4] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6183. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Tris Carbamoyl Triazine; Technical Amendment [EPA-HQ-OPPT-2011-0118; FRL-9344-7] (RIN: 2070-AB27) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6184. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2012-0266; FRL-9665-5], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6185. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Direct Final Approval of

Hospital/Medical/Infectious Waste Incinerators State Plan for Designated Facilities and Pollutants: Indiana [EPA-R05-OAR-2012-0086; FRL-9663-2] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6186. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arizona; Update to Stage II Gasoline Vapor Recovery Program; Change in the Definition of "Gasoline" to Exclude "E85" [EPA-R09-OAR-2010-0717; FRL-9661-3] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6187. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Approval of Substitution for Transportation Control Measures [EPA-R04-OAR-2012-0136-201162; FRL-9662-8] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6188. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Missouri and Illinois; St. Louis; Determination of Attainment by Applicable Attainment Date for the 1997 Ozone National Ambient Air Quality Standard (NAAQS) [EPA-R07-OAR-2012-0053; FRL-9666-2] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6189. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts Determination of Attainment of the One-hour Ozone Standard for the Springfield Area [EPA-R01-OAR-2012-0008; A-1-FRL-9664-8] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6190. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of the 1980 Consent Order for the Maryland Slag Company [EPA-R03-OAR-2012-0271; FRL-9664-2] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6191. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Director Final Approval of Hospital/Medical/Infectious Waste Incinerators State Plan for Designated Facilities and Pollutants: Illinois [EPA-R05-OAR-2012-0087; FRL-9663-4] received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6192. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Hebda Cup Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI [Docket No.: USCG-2012-0340] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6193. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA [Docket No.: USCG-2012-0280] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6194. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Amendment of Class E Airspace; Hastings, NE [Docket No.: FAA-2011-0499; Airspace Docket No. 11-ACE-10] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6195. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-5801 and R-5803; Chambersburg, PA [Docket No.: FAA-2012-0174; Airspace Docket No. 11-AEA-3] (RIN: 2120-AA66) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6196. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lamar, CO [Docket No.: FAA-2011-1262; Airspace Docket No. 11-ANM-25] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6197. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Piseco, NY [Docket No.: FAA-2011-0726; Airspace Docket No. 11-AEA-18] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6198. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Marion, AL [Docket No.: FAA-2011-0590; Airspace Docket No. 11-ASO-25] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6199. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Bonye City, MI [Docket No.: FAA-2011-0828; Airspace Docket No. 11-AGL-16] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6200. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Wilcox, AZ, and Revocation of Class E Airspace; Cochise, AZ [Docket No.: FAA-2011-1314; Airspace Docket No. 11-AWP-18] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6201. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, CO [Docket No.: FAA-2011-1247; Airspace Docket No. 11-ANM-24] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6202. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Tobe, CO [Docket No.: FAA-2011-1338; Airspace Docket No. 11-ANM-27] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6203. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Southport, NC, and Establishment of Class E Airspace; Oak Island, NC [Docket No.: FAA-2011-1148; Airspace Docket No. 11-ASO-37] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6204. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2011-0409; Directorate Identifier 2011-SW-055-AD; Amendment 39-17020; AD 2011-18-52] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

6205. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2011-1115; Directorate Identifier 2010-SW-011-AD; Amendment 39-17017; AD 2012-08-01] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6206. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshift Engines [Docket No.: FAA-2009-0330; Directorate Identifier 2008-NE-43-AD; Amendment 39-17015; AD 2012-07-09] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6207. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0644; Directorate Identifier 2010-NM-265-AD; Amendment 39-17026; AD 2012-08-09] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6208. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Inc. Airplanes [Docket No.: FAA-2011-1258; Directorate Identifier 2011-NM-184-AD; Amendment 39-17033; AD 2012-08-16] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6209. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1223; Directorate Identifier 2011-NM-173-AD; Amendment 39-17027; AD 2012-08-10] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6210. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Inc. [Docket No.: FAA-2011-1069; Directorate Identifier 2011-NM-025-AD; Amendment 39-17025; AD 2012-08-08] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6211. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes [Docket No.: FAA-2011-1325; Directorate Identifier 2010-NM-250-AD; Amendment 39-17014; AD 2012-07-08] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6212. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshift Engines [Docket No.: FAA-2012-0010; Directorate Identifier 2012-NE-03-AD; Amendment 39-17035; AD 2012-08-18] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6213. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0033; Directorate Identifier 2011-NM-086-AD; Amendment 39-17029; AD 2012-08-12] (RIN: 2120-AA64) received May 15, 2012,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6214. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0110; Directorate Identifier 2011-NM-148-AD; Amendment 39-17034; AD 2012-08-17] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6215. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures [EPA-HQ-OW-2010-0192; FRL-9664-6] (RIN: 2040-AF09) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶68.3 RECESS—2:10 P.M.

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 10 minutes p.m., until approximately 3:30 p.m.

¶68.4 AFTER RECESS—3:32 P.M.

The SPEAKER pro tempore, Mr. BISHOP of Utah, called the House to order.

¶68.5 PRENATAL NONDISCRIMINATION

Mr. FRANKS of Arizona, moved to suspend the rules and pass the bill (H.R. 3541) to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BISHOP of Utah, recognized Mr. FRANKS of Arizona, and Mr. CONYERS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BISHOP of Utah, announced that two-thirds of the Members present had voted in the affirmative.

Mr. FRANKS of Arizona, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, May 31, 2012.

¶68.6 DIVISIONAL REALIGNMENT

Mr. COBLE moved to suspend the rules and pass the bill (H.R. 5512) to amend title 28, United States Code, to realign divisions within two judicial districts; as amended.

The SPEAKER pro tempore, Mr. BISHOP of Utah, recognized Mr. COBLE and Mr. JOHNSON of Georgia, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BISHOP of Utah, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.7 FOOD AND DRUG ADMINISTRATION REFORM

Mr. UPTON moved to suspend the rules and pass the bill (H.R. 5651) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BISHOP of Utah, recognized Mr. UPTON and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. PITTS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶68.8 FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING

Mr. SCALISE moved to suspend the rules and pass the bill (H.R. 3310) to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. SCALISE and Ms. MATSUI, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was,

by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.9 SERVICEMEMBER FAMILY PROTECTION

Mr. STEARNS moved to suspend the rules and pass the bill (H.R. 4201) to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. STEARNS and Ms. BROWN of Florida, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. STEARNS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶68.10 SECURE BORDER

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 1299) to achieve operational control of and improve security at the international land borders of the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.11 TRANSPORTATION SECURITY ADMINISTRATION EMPLOYMENT

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 3670) to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.12 WMD INTELLIGENCE AND INFORMATION SHARING

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 2764) to amend the Homeland Security Act of 2002 to establish weapons of mass destruction intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.13 JAIME ZAPATA BORDER ENFORCEMENT SECURITY TASK FORCE

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 915) to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from transnational crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMPSON of Mississippi, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶68.14 MASS TRANSIT INTELLIGENCE PRIORITIZATION

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 3140) to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to prioritize the assignment of officers and analysts to certain State and urban area fusion centers to enhance the security of mass transit systems.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.15 PROVIDING FOR CONSIDERATION OF H.R. 5743, H.R. 5854, H.R. 5855, AND H.R. 5325

Mr. NUGENT, by direction of the Committee on Rules, reported (Rept. No. 112-504) the resolution (H. Res. 667) providing for consideration of the bill (H.R. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; providing for consideration of the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; providing for consideration of the bill (H.R. 5855) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for

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

When said resolution and report were referred to the House Calendar and ordered printed.

¶68.16 H.R. 5651—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5651) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 387 Nays 5

¶68.17 [Roll No. 294]

YEAS—387

- Ackerman Carnahan Emerson Adams Carney Engel Aderholt Carson (IN) Eshoo Akin Carter Farenthold Alexander Cassidy Farr Altmire Castor (FL) Fattah Amodei Chabot Fincher Andrews Chaffetz Fitzpatrick Austria Chandler Flake Baca Chu Fleischmann Bachus Cicilline Fleming Baldwin Clarke (MI) Flores Barletta Clarke (NY) Forbes Barrow Clay Foxx Bartlett Cleaver Franks (AZ) Barton (TX) Clyburn Frelinghuysen Bass (CA) Coble Fudge Bass (NH) Coffman (CO) Cohen Becerra Cohen Garamendi Benishek Cole Gardner Berg Conaway Garrett Berkley Connolly (VA) Gerlach Berman Conyers Gibbs Biggert Cooper Gibson Bilbray Costello Gingrey (GA) Bilirakis Courtney Gohmert Bishop (GA) Cravaack Gonzalez Bishop (NY) Crawford Goodlatte Bishop (UT) Crenshaw Gosar Black Critz Gowdy Blackburn Crowley Granger Blumenauer Cuellar Graves (GA) Bonamici Culberson Graves (MO) Bonner Cummings Green, Al Bono Mack Davis (CA) Green, Gene Boren Davis (IL) Griffin (AR) Boswell Davis (KY) Griffith (VA) Boustany DeFazio Grijalva Brady (PA) DeGette Grimm Braley (IA) DeLauro Guthrie Brooks Denham Hall Brown (GA) Dent Hanabusa Brown (FL) DesJarlais Hanna Buchanan Deutch Harper Bucshon Diaz-Balart Harris Buerkle Dicks Hartzler Burgess Dingell Hastings (FL) Butterfield Doggett Hastings (WA) Calvert Dold Hayworth Camp Donnelly (IN) Heck Campbell Dreier Hensarling Canseco Duffy Heger Cantor Duncan (SC) Herrera Beutler Caputo Duncan (TN) Higgins Capps Edwards Himes Capuano Ellison Hochul Cardoza Ellmers Holden

- Holt Michaud Miller (FL) Miller (MI) Miller (NC) Miller, Gary Miller, George Moore Moran Mulvaney Issa Murphy (CT) Jackson (IL) Murphy (PA) Jackson Lee Myrick (TX) Nadler Jenkins Napolitano Johnson (GA) Neal Johnson (IL) Noem Johnson (OH) Nugent Johnson, E. B. Nunes Jones Nunnelee Kaptur Olson Keating Olver Kelly Owens Kildee Pallone Kind Pastor (AZ) King (IA) Paulsen King (NY) Pearce Kingston Kinzinger (IL) Pelosi Pence Kissell Perlmutter Kline Peters Kucinich Peterson Lamborn Petri Lance Pingree (ME) Lankford Pitts Larsen (WA) Platts Larson (CT) Poe (TX) Latham Polis LaTourette Pompeo Latta Posey Lee (CA) Price (GA) Levin Price (NC) Lewis (GA) Quayle Lipinski Quigley LoBiondo Rahall Rangel Reed Long Rehberg Lowey Reichert Lucas Renacci Reyes Ribble Richardson Lungren, Daniel E. Richmond Lynch Rigell Manzanillo Rivera Marino Roe (TN) Markey Rogers (AL) Matheson Rogers (KY) Matsui Rogers (MI) McCarthy (NY) Rokita Rooney McCaul Ros-Lehtinen McCollum Roskam McCotter Roskam McDermott Ross (AR) McGovern Ross (FL) McHenry Roybal-Allard McIntyre Royce McKeon Runyan McKinley Ruppberger Ryan (OH) Ryan (WI) Rodgers Ryan (WI) McNeerney Sanchez, Linda Meehan T. Mica Sanchez, Loretta Amash Labrador Paul Hinchey McClintock

NAYS—5

NOT VOTING—39

- Bachmann Hirono Palazzo Brady (TX) Johnson, Sam Pascrell Burton (IN) Jordan Roby Costa Landry Rohrabacher Langevin Rothman (NJ) Lewis (CA) Rush Lujan Sires Mack Slaughter Guinta Smith (WA) Gutierrez Marchant Towns Hahn McCarthy (CA) Turner (NY) Heinrich Meeks Velázquez Hinojosa Neugebauer Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.18 H.R. 4201—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4201) to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces.

The question being put, Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 390 Nays 2

¶68.19 [Roll No. 295]

YEAS—390

- Ackerman Chaffetz Frank (MA) Adams Chandler Franks (AZ) Aderholt Chu Frelinghuysen Akin Cicilline Fudge Alexander Clarke (MI) Gallegly Altmire Tipton Garamendi Amodei Clay Gardner Andrews Cleaver Garrett Austria Clyburn Gerlach Baca Coble Gibbs Bachus Coffman (CO) Gibson Baldwin Cohen Gingrey (GA) Barletta Cole Gohmert Barrow Conaway Gonzalez Bartlett Connolly (VA) Goodlatte Barton (TX) Conyers Gosar Bass (CA) Cooper Gowdy Bass (NH) Costello Granger Becerra Courtney Graves (GA) Benishek Cravaack Graves (MO) Berg Crawford Green, Al Berkley Crenshaw Green, Gene Berman Critz Griffin (AR) Biggert Crowley Griffith (VA) Bilbray Cuellar Grijalva Bilirakis Culberson Grimm Bishop (GA) Cummings Guthrie Bishop (NY) Davis (CA) Hall Bishop (UT) Davis (IL) Hanabusa Black Davis (KY) Hanna Blackburn DeFazio Harper Blumenauer DeGette Harris Bonamici DeLauro Hartzler Bonner Denham Hastings (FL) Bono Mack Dent Hastings (WA) Boren DesJarlais Hayworth Boswell Deutch Heck Boustany Diaz-Balart Hensarling Brady (PA) Dicks Herger Braley (IA) Dingell Herrera Beutler Brooks Doggett Higgins Brown (FL) Dold Himes Buchanan Dreier Hinchey Bucshon Duffy Hochul Buerkle Duncan (SC) Holden Burgess Duncan (TN) Holt Butterfield Edwards Honda Calvert Ellison Huelskamp Camp Ellmers Hultgren Campbell Emerson Hunter Canseco Engel Israel Cantor Eshoo Hurt Caputo Farenthold Israel Capps Farr Issa Capuano Fattah Jackson (IL) Cardoza Fincher Jackson Lee Carnahan Fitzpatrick (TX) Carson (IN) Flake Jenkins Carter Fleming Johnson (GA) Cassidy Flores Johnson (IL) Castor (FL) Forbes Johnson (OH) Chabot Foxx Jones

Kaptur	Murphy (PA)	Schock
Keating	Myrick	Schrader
Kelly	Nadler	Schwartz
Kildee	Napolitano	Schweikert
Kind	Neal	Scott (SC)
King (IA)	Noem	Scott (VA)
King (NY)	Nugent	Scott, Austin
Kingston	Nunes	Scott, David
Kinzinger (IL)	Nunnelee	Sensenbrenner
Kissell	Olson	Serrano
Kline	Oliver	Sessions
Kucinich	Owens	Sewell
Labrador	Pallone	Sherman
Lamborn	Pastor (AZ)	Shimkus
Lance	Paulsen	Shuler
Lankford	Pearce	Shuster
Larsen (WA)	Pelosi	Simpson
Larson (CT)	Pence	Smith (NE)
Latham	Perlmutter	Smith (TX)
LaTourette	Peters	Southerland
Latta	Peterson	Speier
Lee (CA)	Petri	Stark
Levin	Pingree (ME)	Stearns
Lewis (GA)	Pitts	Stivers
Lipinski	Platts	Stutzman
LoBiondo	Poe (TX)	Sullivan
Loeb sack	Polis	Sutton
Lofgren, Zoe	Pompeo	Terry
Long	Posey	Thompson (CA)
Lowe y	Price (GA)	Thompson (MS)
Lucas	Price (NC)	Thompson (PA)
Luetkemeyer	Quayle	Thornberry
Lujan	Quigley	Tiberi
Lummis	Rahall	Tierney
Lungren, Daniel E.	Rangel	Tipton
	Reed	Tonko
	Rehberg	Tsongas
	Reichert	Turner (OH)
	Renacci	Upton
	Reyes	Van Hollen
	Ribble	Visclosky
	Richardson	Walberg
	Richmond	Walden
	McCaul	Rigell
	Rivera	Walsh (IL)
	Roe (TN)	Walsh (MN)
	Rogers (AL)	Wasserman
	Rogers (KY)	Schultz
	Rogers (MI)	Waters
	Rokita	Watt
	Rooney	Waxman
	Ros-Lehtinen	Webster
	Roskam	Welch
	Ross (AR)	West
	Ross (FL)	Westmoreland
	Royal-Allard	Whitfield
	Royce	Wilson (FL)
	Runyan	Wilson (SC)
	Ruppersberger	Wittman
	Ryan (OH)	Wolf
	Ryan (WI)	Womack
	Sanchez, Loretta	Woodall
	Sarbanes	Woolsey
	Scalise	Yarmuth
	Schakowsky	Yoder
	Schiff	Young (AK)
	Schilling	Young (IN)
	Schmidt	

NAYS—2

Amash

NOT VOTING—39

Bachmann	Jordan	Rothman (NJ)
Brady (TX)	Landry	Rush
Burton (IN)	Langevin	Sánchez, Linda
Costa	Lewis (CA)	T.
Doyle	Mack	Sires
Filner	Maloney	Slaughter
Fortenberry	Marchant	Smith (NJ)
Guinta	McCarthy (CA)	Smith (WA)
Gutierrez	Meeks	Towns
Hahn	Neugebauer	Turner (NY)
Heinrich	Palazzo	Velázquez
Hinojosa	Pascrell	Young (FL)
Hirono	Roby	
Johnson, Sam	Rohrabacher	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.20 H.R. 915—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 915) to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from transnational crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 391 affirmative } Nays 2

¶68.21 [Roll No. 296]

YEAS—391

Ackerman	Castor (FL)	Fleischmann
Adams	Chabot	Fleming
Aderholt	Chaffetz	Flores
Akin	Chandler	Forbes
Alexander	Chu	Fox
Altmire	Ciilline	Frank (MA)
Amodei	Clarke (MI)	Franks (AZ)
Andrews	Clarke (NY)	Frelinghuysen
Austria	Clay	Fudge
Baca	Cleaver	Gallely
Bachus	Clyburn	Garamendi
Baldwin	Coble	Gardner
Barletta	Coffman (CO)	Garrett
Barrow	Cohen	Gerlach
Bartlett	Cole	Gibbs
Barton (TX)	Conaway	Gibson
Bass (CA)	Connolly (VA)	Gingrey (GA)
Bass (NH)	Cohners	Gohmert
Becerra	Cooper	Gonzalez
Berg	Costello	Goodlatte
Berkley	Courtney	Gosar
Berman	Cravaack	Gowdy
Biggert	Crawford	Granger
Blibray	Crenshaw	Graves (GA)
Bilirakis	Critz	Graves (MO)
Bishop (GA)	Crowley	Green, Al
Bishop (NY)	Cuellar	Green, Gene
Bishop (UT)	Culberson	Griffin (AR)
Black	Cummings	Griffith (VA)
Blackburn	Davis (CA)	Grijalva
Blumenauer	Davis (IL)	Grimm
Bonamici	Davis (KY)	Guthrie
Bonner	DeFazio	Hall
Bono Mack	DeGette	Hanabusa
Boren	DeLauro	Hanna
Boswell	Denham	Harper
Boustany	Dent	Harris
Brady (PA)	DesJarlais	Hartzler
Braley (IA)	Deutch	Hastings (FL)
Brooks	Diaz-Balart	Hastings (WA)
Broun (GA)	Dicks	Hayworth
Brown (FL)	Dingell	Heck
Buchanan	Doggett	Hensarling
Bucshon	Dold	Herger
Buerkle	Donnelly (IN)	Herrera Beutler
Burgess	Dreier	Higgins
Butterfield	Duffy	Himes
Calvert	Duncan (SC)	Hinche y
Camp	Duncan (TN)	Hochul
Campbell	Edwards	Holden
Canseco	Ellison	Holt
Cantor	Ellmers	Honda
Capito	Emerson	Hoyer
Capps	Engel	Huelskamp
Capuano	Eshoo	Huizenga (MI)
Cardoza	Farenthold	Hultgren
Carnahan	Farr	Hunter
Carney	Fattah	Hurt
Carson (IN)	Fincher	Israel
Carter	Fitzpatrick	Issa
Cassidy	Flake	Jackson (IL)

Jackson Lee (TX)	Miller, Gary	Schakowsky
Jenkins	Miller, George	Schiff
Johnson (GA)	Moran	Schilling
Johnson (IL)	Mulvaney	Schmidt
Johnson (OH)	Murphy (CT)	Schock
Johnson, E. B.	Murphy (PA)	Schrader
Jones	Myrick	Schwartz
Kaptur	Nadler	Schweikert
Keating	Napolitano	Scott (SC)
Kelly	Neal	Scott (VA)
Kildee	Noem	Scott, Austin
Kind	Nugent	Scott, David
King (IA)	Nunes	Sensenbrenner
King (NY)	Nunnelee	Serrano
Kingston	Olson	Sessions
Kinzinger (IL)	Oliver	Sewell
Kissell	Owens	Sherman
Kline	Pallone	Shimkus
Kucinich	Pastor (AZ)	Shuler
Labrador	Paulsen	Shuster
Lamborn	Pearce	Simpson
Lance	Pelosi	Smith (NE)
Langevin	Pence	Smith (NJ)
Lankford	Perlmutter	Smith (TX)
Larsen (WA)	Peters	Southerland
Larson (CT)	Peterson	Speier
Latham	Petri	Stark
LaTourette	Pingree (ME)	Stearns
Latta	Pitts	Stivers
Lee (CA)	Platts	Stutzman
Levin	Poe (TX)	Sullivan
Lewis (GA)	Polis	Sutton
Lipinski	Pompeo	Terry
LoBiondo	Posey	Thompson (CA)
Loeb sack	Price (GA)	Thompson (MS)
Lofgren, Zoe	Price (NC)	Thompson (PA)
Long	Quayle	Thornberry
Lowe y	Quigley	Tiberi
Lucas	Rahall	Tierney
Luetkemeyer	Rangel	Tipton
Lujan	Reed	Tonko
Lummis	Rehberg	Tsongas
Lungren, Daniel E.	Reichert	Turner (OH)
	Renacci	Upton
	Reyes	Van Hollen
	Ribble	Visclosky
	Richardson	Walberg
	Richmond	Walden
	Markey	Walsh (IL)
	Matheson	Rivera
	Matsui	Roe (TN)
	McCarthy (NY)	Rogers (AL)
	McCaul	Rogers (KY)
	McClintock	Rogers (MI)
	McCollum	Rokita
	McCotter	Rooney
	McDermott	Ros-Lehtinen
	McGovern	Roskam
	McHenry	Ross (AR)
	McIntyre	Ross (FL)
	McKeon	Royal-Allard
	McKinley	Royce
	McMorris	Runyan
	Rodgers	Ruppersberger
	McNerney	Ryan (OH)
	Meehan	Ryan (WI)
	Mica	Sanchez, Linda
	Michaud	T.
	Miller (FL)	Sanchez, Loretta
	Miller (MI)	Sarbanes
	Miller (NC)	Scalise

NAYS—2

Amash

NOT VOTING—38

Bachmann	Hirono	Pascrell
Benishek	Johnson, Sam	Roby
Brady (TX)	Jordan	Rohrabacher
Burton (IN)	Landry	Rothman (NJ)
Costa	Lewis (CA)	Rush
Doyle	Mack	Sires
Filner	Maloney	Slaughter
Fortenberry	Marchant	Smith (WA)
Guinta	McCarthy (CA)	Towns
Gutierrez	Meeks	Turner (NY)
Hahn	Moore	Velázquez
Heinrich	Neugebauer	Young (FL)
Hinojosa	Palazzo	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was,

by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.22 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. BROUN of Georgia, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on provisions that limit funding out of the Highway Trust Fund (including the Mass Transit Account) for Federal-aid and highway transit programs to amounts that do not exceed the following levels: (1) \$37,900,000,000 for fiscal year 2012, (2) \$37,500,000,000 for fiscal year 2013.

¶68.23 AMENDMENT OF THE SENATE TO H.R. 5740

Mrs. BIGGERT moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 5740) to extend the National Flood Insurance Program, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF THE NATIONAL FLOOD INSURANCE PROGRAM.

(a) *PROGRAM EXTENSION.*—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012” and inserting “July 31, 2012”.

(b) *FINANCING.*—Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking “the earlier of the date of the enactment into law of an Act that specifically amends the date specified in this section or May 31, 2012” and inserting “July 31, 2012”.

SEC. 2. EXCLUSION OF VACATION HOMES AND SECOND HOMES FROM RECEIVING SUBSIDIZED PREMIUM RATES.

(a) *IN GENERAL.*—Section 1307(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(2)) is amended by inserting before “; and” the following: “, except that the Administrator shall not estimate rates under this paragraph for any residential property which is not the primary residence of an individual”.

(b) *PHASE-OUT OF SUBSIDIZED PREMIUM RATES.*—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended—

(1) by striking “under this title for any properties within any single” and inserting the following: “under this title for—

“(1) any properties within any single”; and

(2) by striking the period at the end and inserting the following: “; and

“(2) any residential properties which are not the primary residence of an individual, as described in section 1307(a)(2), shall be increased by 25 percent each year, until the average risk premium rate for such properties is equal to the average of the risk premium rates for properties described under paragraph (1).”.

(c) *EFFECTIVE DATE.*—The first increase in chargeable risk premium rates for residential properties which are not the primary residence of an individual under section 1308(e)(2) of the National Flood Insurance Act of 1968, as added by this Act, shall take effect on July 1, 2012, and the chargeable risk premium rates for such properties shall be increased by 25 percent each year thereafter, as provided in such section 1308(e)(2).

SEC. 3. COMPLIANCE WITH PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore, Mr. TIPPON, recognized Mrs. BIGGERT and Mr. David SCOTT of Georgia, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. TIPPON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶68.24 EXPORT PROMOTION REFORM

Mr. MANZULLO moved to suspend the rules and pass the bill (H.R. 4041) to amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. TIPPON, recognized Mr. MANZULLO and Mr. BERMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TIPPON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶68.25 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title,

which was thereupon signed by the Speaker:

H.R. 5740. An Act to extend the National Flood Insurance Program, and for other purposes.

¶68.26 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 18, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 4045. An Act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

H.R. 4967. An Act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

¶68.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BURTON of Indiana, for today and balance of the week;

To Mr. FORTENBERRY, for today and balance of the week;

To Mr. HEINRICH, for today;

To Ms. VELAZQUEZ, for today; and

To Mr. YOUNG of Florida, for today. And then,

¶68.28 ADJOURNMENT

On motion of Mr. JONES, at 9 o'clock and 6 minutes p.m., the House adjourned.

¶68.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 3857. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes; with an amendment (Rept. 112-498). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 4005. A bill to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them; with an amendment (Rept. 112-499). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1237. A bill to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes (Rept. 112-500). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1272. A bill to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al, by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for other purposes; with an amendment (Rept. 112-501). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 363. An act to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes (Rept. 112-502). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 460. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project; with an amendment (Rept. 112-503, Part 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 667. Resolution providing for consideration of the bill (H.R. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the community management account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; providing for consideration of the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; providing for consideration of the bill (H.R. 5855) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-504). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1818. A bill to designate Mt. Andrea Lawrence, and for other purposes (Rept. 112-505). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 925. An act to designate Mt. Andrea Lawrence (Rept. 112-506). Referred to the House Calendar.

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. H.R. 1280. A bill to amend the Atomic Energy Act of 1954 to require congressional approval of agreements for peaceful nuclear cooperation with foreign countries, and for other purposes; with an amendment (Rept. 112-507, Part 1). Ordered to be printed.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 3289. A bill to amend title 5, United States Code, to provide clarification relating to disclosures of information protected from prohibited personnel practices; to require a statement in non-disclosure policies, forms, and agreements that such policies, forms, and agreements are in conformance with certain protections; to provide certain additional authorities to the Office of Special Counsel; and for other purposes; with amendments (Rept. 112-508, Part 1). Ordered to be printed.

¶68.30 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

H.R. 1280. Referral to the Committees on Rules and Energy and Commerce extended for a period ending not later than October 1, 2012.

H.R. 1838. Referral to the Committee on Agriculture extended for a period ending not later than July 16, 2012.

H.R. 3283. Referral to the Committee on Agriculture extended for a period ending not later than July 16, 2012.

H.R. 3289. Referral to the Committees on Intelligence (Permanent Select) and Homeland Security extended for a period ending not later than October 1, 2012.

¶68.31 REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. H.R. 1280. A bill to amend the Atomic Energy Act of 1954 to require congressional approval of agreements for peaceful nuclear cooperation with foreign countries, and for other purposes, with an amendment; referred to the Committee on Energy and Commerce for a period ending not later than October 1, 2012.

¶68.32 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 460 referred to the Committee of the Whole House on the state of the Union.

¶68.33 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HARPER (for himself and Mr. OWENS):

H.R. 5859. A bill to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting; to the Committee on Energy and Commerce.

By Mr. FRANK of Massachusetts (for himself, Mr. WAXMAN, and Mr. PETERSON):

H.R. 5860. A bill to prohibit individuals from insuring against possible losses from having to repay illegally-received compensation or from having to pay civil penalties, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 5861. A bill to direct the Secretary of Veterans Affairs and the Secretary of Housing and Urban Development to establish a grant pilot program to provide housing to elderly homeless veterans; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLE (for himself and Mr. BOREN):

H.R. 5862. A bill relating to members of the Quapaw Tribe of Oklahoma (O-Gah-Pah); to the Committee on Natural Resources.

By Mr. BURGESS:

H.R. 5863. A bill to clarify section 1702 of the Energy Policy Act of 2005 to include penalties for violations of title XVII of that Act; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speak-

er, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. RANGEL, Mr. ROGERS of Michigan, Mr. KUCINICH, Ms. BORDALLO, Mr. HINCHAY, Mr. FARR, Mrs. MALONEY, Mr. KILDEE, and Mr. GRIJALVA):

H.R. 5864. A bill to establish an improved regulatory process for injurious wildlife to prevent the introduction and establishment in the United States of nonnative wildlife and wild animal pathogens and parasites that are likely to cause harm; to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI (for himself and Mr. KINZINGER of Illinois):

H.R. 5865. A bill to promote the growth and competitiveness of American manufacturing; to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 5866. A bill to enhance Food and Drug Administration oversight of medical device recalls, to provide for the conditional clearance of certain medical devices, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CHRISTENSEN:

H.R. 5867. A bill to designate the facility of the United States Postal Service located at 4605 Tutu Park Mall in St. Thomas, United States Virgin Islands, as the "Kenneth Leslie Hermon Post Office"; to the Committee on Oversight and Government Reform.

By Mr. LEWIS of Georgia:

H.R. 5868. A bill to provide children in foster care with school stability and equal access to educational opportunities; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIVERA:

H.R. 5869. A bill to authorize the cancellation of removal and adjustment of status of certain aliens who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF:

H.R. 5870. A bill to revise the regulations regarding estimated cost of the assistance and localized impacts factors used by the Administrator of the Federal Emergency Management Agency, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. BONO MACK (for herself, Mr. UPTON, Mr. WAXMAN, Mr. WALDEN, and Ms. ESHOO):

H. Con. Res. 127. Concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multi-stakeholder governance model under which the Internet has thrived; to the Committee on Energy and Commerce.

By Ms. BROWN of Florida (for herself, Mr. BACHUS, Mr. BISHOP of Georgia,

Mr. JONES, Mr. CRENSHAW, and Mr. WEST):

H. Con. Res. 128. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the Montford Point Marines; to the Committee on House Administration.

By Mr. COLE (for himself and Mr. BOREN):

H. Res. 668. A resolution to refer H.R. 5862, a bill making congressional reference to the United States Court of Federal Claims pursuant to sections 1492 and 2509 of title 28, United States Code, the Indian trust-related claims of the Quapaw Tribe of Oklahoma (O-Gah-Pah) as well as its individual members; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. POMPEO, Mrs. ELLMERS, and Mr. THOMPSON of Pennsylvania):

H. Res. 669. A resolution commending the Patriot Guard Riders for their mission to show sincere respect for fallen members of the Armed Forces by attending the funeral services of a fallen member as invited guests of the family of the member; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H. Res. 670. A resolution expressing support for designating August 22, 2012, as national "Chuck Brown Day" and honoring Chuck Brown's contributions to music and to the District of Columbia; to the Committee on Oversight and Government Reform.

¶68.34 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. CRAVAACK.
 H.R. 87: Mr. SAM JOHNSON of Texas.
 H.R. 139: Mrs. DAVIS of California, Ms. BERKLEY, and Mr. MEEKS.
 H.R. 157: Mr. WALDEN, Mr. WILSON of South Carolina, and Mr. GRIMM.
 H.R. 191: Ms. KAPTUR.
 H.R. 324: Mr. CLARKE of Michigan.
 H.R. 345: Mr. RANGEL.
 H.R. 436: Mr. BOREN.
 H.R. 451: Mr. CRENSHAW, Mrs. NAPOLITANO, and Mr. ROSS of Florida.
 H.R. 458: Ms. KAPTUR.
 H.R. 459: Mr. PENCE, Mr. ROGERS of Kentucky, and Mr. TONKO.
 H.R. 466: Ms. KAPTUR.
 H.R. 530: Ms. NORTON.
 H.R. 605: Mr. HECK.
 H.R. 645: Mr. LOBIONDO.
 H.R. 718: Ms. HIRONO and Mrs. BACHMANN.
 H.R. 719: Mr. SCHILLING and Mr. ENGEL.
 H.R. 805: Mr. MILLER of North Carolina.
 H.R. 811: Mr. MICHAUD.
 H.R. 812: Ms. KAPTUR.
 H.R. 816: Mr. HARRIS and Mr. ROHR-ABACHER.
 H.R. 860: Mr. PALAZZO and Mr. TURNER of New York.
 H.R. 930: Mr. NADLER and Ms. LORETTA SANCHEZ of California.
 H.R. 938: Mr. LANCE and Mr. MCKINLEY.
 H.R. 941: Ms. MCCOLLUM.
 H.R. 942: Mr. WILSON of South Carolina, Mr. HARPER, Mr. SCHILLING, Mr. WAXMAN, Mr. PETERS, and Ms. LINDA T. SANCHEZ of California.
 H.R. 965: Mrs. CAPPS, Mr. FATTAH, and Mrs. DAVIS of California.
 H.R. 997: Mr. ROGERS of Kentucky.
 H.R. 1057: Ms. KAPTUR.
 H.R. 1063: Mr. KILDEE and Mr. CLEAVER.
 H.R. 1177: Mr. HINOJOSA.
 H.R. 1195: Ms. BONAMICI.

H.R. 1206: Mrs. BACHMANN, Mr. BUCHANAN, and Mrs. NOEM.

H.R. 1244: Mr. OLSON.
 H.R. 1285: Mr. RIGELL.
 H.R. 1332: Mr. GRIMM and Mr. STIVERS.
 H.R. 1340: Mr. REED.
 H.R. 1366: Mr. CARNAHAN and Mr. GRIJALVA.
 H.R. 1370: Mr. YOUNG of Florida, Mr. AUSTRIA, and Mrs. MYRICK.
 H.R. 1394: Mr. COBLE, Mr. LEWIS of Georgia, Ms. BROWN of Florida, and Mrs. DAVIS of California.
 H.R. 1416: Mr. NUNNELEE.
 H.R. 1418: Mr. RANGEL and Mr. HANNA.
 H.R. 1547: Mr. CONNOLLY of Virginia.
 H.R. 1639: Mr. PENCE and Mr. YOUNG of Florida.
 H.R. 1653: Mr. THOMPSON of Mississippi and Mr. BUCSHON.
 H.R. 1681: Ms. FUDGE.
 H.R. 1687: Mr. HIMES.
 H.R. 1735: Mr. PETERS.
 H.R. 1736: Mr. RENACCI.
 H.R. 1792: Mr. CHANDLER.
 H.R. 1860: Mr. SCALISE, Mr. DEUTCH and Mr. HOLDEN.
 H.R. 1897: Mr. PETRI, Mr. GARY G. MILLER of California and Mr. CICILLINE.
 H.R. 1936: Mr. BOREN.
 H.R. 1956: Mr. WOLF, Mr. LATTA, Mr. WHITFIELD, Mr. ROYCE, Mr. HUIZENGA of Michigan, Mr. ROE of Tennessee, Mr. STIVERS and Mr. UPTON.
 H.R. 1971: Mr. BOREN and Mr. BISHOP of New York.
 H.R. 2051: Mr. WITTMAN.
 H.R. 2082: Mr. BOUSTANY and Ms. JENKINS.
 H.R. 2139: Mr. GENE GREEN of Texas, Mr. GRIMM, Mr. HOYER, Mr. ROYCE, Mr. NADLER, Mr. SCOTT of Virginia, Mr. CROWLEY and Ms. VELAZQUEZ.
 H.R. 2140: Mr. BECERRA.
 H.R. 2194: Mrs. CAPPS.
 H.R. 2245: Ms. KAPTUR and Mr. KEATING.
 H.R. 2272: Ms. BONAMICI.
 H.R. 2284: Mr. YOUNG of Alaska.
 H.R. 2288: Mr. WITTMAN.
 H.R. 2353: Mr. RICHMOND.
 H.R. 2505: Mr. BACA.
 H.R. 2541: Mr. GIBBS.
 H.R. 2569: Mr. QUAYLE.
 H.R. 2697: Mr. CHABOT.
 H.R. 2705: Mr. ANDREWS.
 H.R. 2721: Mrs. DAVIS of California, Ms. CLARKE of New York, Mr. LOEBSACK, Mr. WATT, Mr. PLATTS and Mr. CARSON of Indiana.
 H.R. 2741: Mrs. CAPPS.
 H.R. 2775: Mr. KILDEE, Mr. KUCINICH, Mr. CLAY and Mr. SERRANO.
 H.R. 2827: Ms. HIRONO.
 H.R. 2959: Mr. LANKFORD and Mr. LEWIS of Georgia.
 H.R. 2989: Mr. PAULSEN and Mr. RANGEL.
 H.R. 3023: Mr. QUIGLEY.
 H.R. 3036: Mr. RICHMOND.
 H.R. 3053: Mr. HOLT.
 H.R. 3057: Mr. DOYLE and Ms. KAPTUR.
 H.R. 3073: Mr. MCCAUL.
 H.R. 3091: Mr. ROSS of Arkansas and Mr. ROE of Tennessee.
 H.R. 3187: Mr. PETRI, Mr. BARROW, Mr. BLUMENAUER, Mr. GUINTA, Mr. GEORGE MILLER of California, Ms. DELAURIO, Mr. DUFFY, Mr. MARINO, Mr. BISHOP of New York, Mr. WILSON of South Carolina, Mr. COSTA, Mr. COFFMAN of Colorado and Mr. PIERLUISI.
 H.R. 3242: Mr. OLVER.
 H.R. 3300: Mr. BRADY of Pennsylvania.
 H.R. 3307: Mr. GIBSON.
 H.R. 3352: Mr. RANGEL.
 H.R. 3368: Ms. FUDGE.
 H.R. 3395: Mr. CARNAHAN.
 H.R. 3423: Mr. ROSS of Arkansas.
 H.R. 3429: Mr. BONNER.
 H.R. 3485: Mr. ENGEL, Mr. MURPHY of Connecticut, Ms. KAPTUR and Mr. ISRAEL.
 H.R. 3497: Mr. CRENSHAW, Mr. TIBERI, Mr. LUJAN, Mr. WOLF, Mr. PALAZZO, Mr. SESSIONS, Mr. PASCRELL and Mr. FILNER.

H.R. 3528: Mr. RAHALL and Ms. FUDGE.
 H.R. 3612: Mr. BACA.
 H.R. 3613: Mr. NADLER.
 H.R. 3618: Mr. POLIS, Mr. VAN HOLLEN, Mr. CLAY, Mr. BUTTERFIELD, Mr. HASTINGS of Florida and Mr. CARSON of Indiana.
 H.R. 3619: Mr. MILLER of North Carolina, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Ms. JACKSON LEE of Texas, Ms. ROYBAL-ALLARD, Mr. HINOJOSA, Mr. WATT and Mr. NEAL.
 H.R. 3624: Ms. NORTON.
 H.R. 3627: Mr. WALDEN, Ms. ZOE LOFGREN of California, Mr. BOSWELL, Mr. BARROW, Mr. QUIGLEY and Mr. BILBRAY.
 H.R. 3643: Mr. REHBERG.
 H.R. 3665: Mr. SCOTT of Virginia.
 H.R. 3667: Mrs. NOEM and Mr. COSTELLO.
 H.R. 3724: Mr. YODER.
 H.R. 3769: Mr. BRADY of Texas.
 H.R. 3770: Mr. KINZINGER of Illinois.
 H.R. 3776: Mr. ANDREWS.
 H.R. 3790: Mr. CONNOLLY of Virginia and Mr. PIERLUISI.
 H.R. 3811: Mr. DANIEL E. LUNGREN of California.
 H.R. 3848: Mr. SCALISE, Mr. SAM JOHNSON of Texas and Mr. PALAZZO.
 H.R. 3863: Mr. CONYERS.
 H.R. 3973: Mr. BERG.
 H.R. 4054: Mr. CICILLINE.
 H.R. 4057: Mr. SHERMAN, Mr. FILNER, and Mrs. MCCARTHY of New York.
 H.R. 4066: Mr. ROHRABACHER.
 H.R. 4077: Mr. REICHERT and Mr. TONKO.
 H.R. 4091: Mr. DEUTCH.
 H.R. 4115: Mr. GRIFFIN of Arkansas.
 H.R. 4151: Mr. CRENSHAW.
 H.R. 4155: Mr. GARY G. MILLER of California, Ms. BORDALLO, and Mr. CARTER.
 H.R. 4169: Mr. MURPHY of Pennsylvania, Ms. KAPTUR, and Mr. VAN HOLLEN.
 H.R. 4208: Mr. CICILLINE.
 H.R. 4215: Mr. BOREN and Mr. BISHOP of New York.
 H.R. 4221: Mr. MANZULLO.
 H.R. 4227: Mr. KUCINICH and Mr. LANGEVIN.
 H.R. 4231: Ms. SLAGHTER and Ms. SCHAKOWSKY.
 H.R. 4232: Mr. STIVERS.
 H.R. 4243: Mr. COHEN.
 H.R. 4249: Mr. RANGEL.
 H.R. 4269: Mr. KINZINGER of Illinois.
 H.R. 4277: Mr. CLAY.
 H.R. 4287: Mr. MCDERMOTT, Mr. DAVIS of Illinois, Mr. LEVIN, Ms. MOORE, Ms. CLARKE of New York, Mr. KUCINICH, Mr. CLARKE of Michigan, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Mr. BARTLETT, Mr. RYAN of Ohio, Ms. NORTON, Mr. LUJAN, and Mr. JACKSON of Illinois.
 H.R. 4318: Mr. ROTHMAN of New Jersey and Mr. FILNER.
 H.R. 4345: Mr. POE of Texas, Mr. MATHESON, and Mr. COFFMAN of Colorado.
 H.R. 4350: Mr. SIRES, Mr. MILLER of North Carolina, Mr. LOEBSACK, and Mr. TIERNEY.
 H.R. 4367: Mr. WOMACK, Mr. GRAVES of Georgia, Ms. WATERS, Mr. LARSEN of Washington, Mr. ROONEY, Mr. GRAVES of Missouri, Mr. HINOJOSA, Mr. FILNER, Mr. CARSON of Indiana, Mr. HASTINGS of Washington, Mrs. MCCARTHY of New York, and Mr. GUTIERREZ.
 H.R. 4402: Mr. TIPTON, Mr. COBLE, Mr. LABRADOR, Mr. FRANKS of Arizona, and Mr. YOUNG of Alaska.
 H.R. 4406: Ms. SUTTON, Mr. KUCINICH, Ms. FUDGE, Mr. CLARKE of Michigan, and Mrs. MILLER of Michigan.
 H.R. 4454: Mrs. BLACKBURN and Mr. STEARNS.
 H.R. 4816: Mr. WAXMAN.
 H.R. 4972: Ms. SCHAKOWSKY and Mr. FILNER.
 H.R. 5050: Mr. BLUMENAUER and Mr. GENE GREEN of Texas.
 H.R. 5186: Ms. SCHAKOWSKY.
 H.R. 5187: Mr. CARNEY.
 H.R. 5188: Mr. SABLAN.
 H.R. 5638: Mr. SABLAN.

H.R. 5713: Mr. MILLER of North Carolina.
 H.R. 5716: Mr. FARR.
 H.R. 5741: Ms. HANABUSA, Ms. HIRONO, and Mr. NORTON.
 H.R. 5749: Ms. CLARKE of New York.
 H.R. 5826: Mr. LIPINSKI, Ms. WOOLSEY, and Mr. TONKO.
 H.R. 5827: Mr. MILLER of North Carolina, Mr. LIPINSKI, Mr. COSTELLO, Mr. MCNERNEY, Ms. WOOLSEY, and Mr. TONKO.
 H.R. 5842: Mrs. BLACK, Mrs. BLACKBURN, Mr. JONES, and Mr. PAUL.
 H.R. 5850: Mr. CHABOT, Mr. MANZULLO, Ms. BUERKLE, Mr. HULTGREN, and Mrs. SCHMIDT.
 H.R. 5851: Ms. DELAURO, Mr. LOEBBACH, and Ms. HIRONO.
 H.R. 5858: Mrs. BLACK.
 H.J. Res. 13: Ms. BORDALLO.
 H.J. Res. 28: Mr. HINCHEY, Ms. SLAUGHTER, and Mr. MCGOVERN.
 H.J. Res. 104: Mrs. ELLMERS and Mr. KISSELL.
 H. Con. Res. 40: Mr. BACA.
 H. Con. Res. 116: Mr. LEWIS of Georgia.
 H. Res. 134: Mr. TURNER of New York and Mr. CHABOT.
 H. Res. 177: Mr. MURPHY of Connecticut.
 H. Res. 283: Mr. VAN HOLLEN.
 H. Res. 583: Mr. REICHERT and Mr. HONDA.
 H. Res. 616: Mr. KING of Iowa.
 H. Res. 618: Mr. LEWIS of Georgia, Mr. SESSIONS, Mr. ISRAEL, Mr. ROONEY, Mr. HINCHEY, Mr. MARKEY, Mr. GRIMM, Mr. WILSON of South Carolina, Mr. HULTGREN, Mr. MCDERMOTT, Mr. THOMPSON of Pennsylvania, Ms. SPEIER, Mr. BLUMENAUER, Ms. CLARKE of New York, and Mr. COURTNEY.
 H. Res. 662: Mr. WOODALL.
 H. Res. 663: Mr. PETERS, Mr. HECK, Ms. BONAMICI, and Mrs. SCHMIDT.

¶68.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1513: Mr. GINGREY of Georgia.

THURSDAY, MAY 31, 2012 (69)

¶69.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 May 31, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶69.2 RECESS—11:14 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 14 minutes a.m., until noon.

¶69.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶69.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of

the proceedings of Wednesday, May 30, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶69.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6216. A letter from the Secretary, Navy, Department of Defense, transmitting notification that increases in both the Program Acquisition Unit Cost (PAUC) and the Procurement Unit Cost (PUC) for the AIM-9X program has exceeded the baseline estimate by at least 50 percent, pursuant to 10 U.S.C. 2439(e)(1); to the Committee on Armed Services.

6217. A letter from the Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2011, pursuant to Public Law 104-201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

6218. A letter from the Under Secretary, Department of Defense, transmitting the Department's quarterly report entitled, "Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account", for the period ending March 31, 2012; to the Committee on Armed Services.

6219. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 5 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

6220. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6221. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6222. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's report that no exceptions to the prohibition against favored treatment of a government securities broker or government securities dealer were granted by the Secretary during the period January 1, 2011, through December 31, 2011; to the Committee on Financial Services.

6223. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting notice of 41 competitive and non-competitive bidding violations; to the Committee on Financial Services.

6224. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting during the period of January 1, 2011 through December 31, 2011, there were no significant modifications to the auction process; to the Committee on Financial Services.

6225. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6226. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Requirements for Fingerprint-Based Criminal History Records Checks for Individuals Seeking Unescorted Access to

Non-power Reactors (Research or Test Reactors) [NRC-2008-0619] (RIN: 3150-AI25) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6227. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Secretary's determination that six countries are not cooperating fully with U.S. antiterrorism efforts: Cuba, Eritrea, Iran, North Korea (DPRK), Syria, and Venezuela; to the Committee on Foreign Affairs.

6228. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the fifteenth quarterly report on the Afghanistan reconstruction; to the Committee on Foreign Affairs.

6229. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the System's Semiannual Report to Congress for the six-month period ending March 31, 2012, as required by the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

6230. A letter from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting the Department's Fiscal Year 2011 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

6231. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report on the activities of the Office of Inspector General of the Farm Credit Administration for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6232. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XB116) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6233. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC001) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6234. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XC002) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6235. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Shrimp Fisheries of the Gulf of Mexico and South Atlantic; Revisions of Bycatch Reduction Device Testing Protocols [Docket No.: 111104664-2106-02] (RIN: 0648-BB61) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6236. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the

Northeastern United States; Atlantic Bluefish Fishery; 2012 Atlantic Bluefish Specifications [Docket No.: 120201086-2418-02] (RIN: 0648-XA904) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6237. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB176) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6238. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BC02) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6239. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB119) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6240. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2012 Management Measures [Docket No.: 120424023-1023-01] (RIN: 0648-XA921) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6241. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Lowcountry Splash Open Water Swim, Wando River and Cooper River, Mount Pleasant, SC [Docket No.: USCG-2012-0252] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6242. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; TriMet Bridge Project, Willamette River, Portland, OR [Docket No.: USCG-2011-1173] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6243. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Galveston Bay, Kemah, TX [Docket No.: USCG-2012-0170] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6244. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Magothy River, Sillery Bay, MD [Docket No.: USCG-2012-0001] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6245. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Special Local Regulations for Marine Events; Potomac River, Charles County, MD [Docket No.: USCG-2011-1176] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6246. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Tuscaloosa Dragon Boat Race; Black Warrior River; Tuscaloosa, AL [Docket No.: USCG-2012-0218] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6247. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Technical Revisions to Update Reference to the Required Assessment Tool for State Nursing Homes Receiving Per Diem Payments from VA (RIN: 2900-AO02) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6248. A letter from the Special Inspector General For Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) April 2012 Quarterly Report; jointly to the Committees on Foreign Affairs and Appropriations.

6249. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2011"; jointly to the Committees on Ways and Means and Energy and Commerce.

¶69.6 ORDER OF BUSINESS—H. RES. 667

On motion of Mr. NUGENT, by unanimous consent,

Ordered, That, upon adoption of House Resolution 667, amendments numbered 4 and 6, printed in House Report 112-504, be modified to include amendatory instructions placed at the desk.

¶69.7 PROVIDING FOR CONSIDERATION OF H.R. 5743, H.R. 5854, H.R. 5855, AND H.R. 5325

Mr. NUGENT, by direction of the Committee on Rules, called up the following resolution (H. Res. 667):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the na-

ture of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

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

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

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

When said resolution was considered. After debate,

Mr. NUGENT moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 233 Nays 180

¶69.8 [Roll No. 297]

YEAS—233

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

- Wolf Woodall Young (AK)
Womack Yoder Young (IN)
NAYS—180
Ackerman Filner Nadler
Altmire Frank (MA) Napolitano
Andrews Fudge Neal
Baca Garamendi Olver
Baldwin Gonzalez Owens
Barrow Green, Al Pallone
Bass (CA) Green, Gene Pastor (AZ)
Becerra Grijalva Pelosi
Berkley Gutierrez Perlmutter
Berman Hahn Peters
Bishop (GA) Hanabusa Peterson
Bishop (NY) Hastings (FL) Pingree (ME)
Blumenauer Higgins Polis
Bonamici Himes Price (NC)
Boren Hinchey Quigley
Boswell Hinojosa Rahall
Brady (PA) Hiroo Reyes
Braley (IA) Hochul Richardson
Brown (FL) Holden Richmond
Butterfield Holt Ross (AR)
Capps Honda Rothman (NJ)
Capuano Hoyer Roybal-Allard
Carney Israel Ruppertsberger
Carson (IN) Jackson (IL) Rush
Castor (FL) Jackson Lee Ryan (OH)
Chandler Johnson (GA) Sanchez, Linda
Chu Johnson, E. B. T.
Cicilline Kaptur Sanchez, Loretta
Clarke (MI) Keating Sarbanes
Clarke (NY) Kildee Schakowsky
Clay Kind Schiff
Cleaver Kissell Schwartz
Clyburn Kucinich Scott (VA)
Cohen Langevin Scott, David
Connolly (VA) Larsen (WA) Serrano
Conyers Lee (CA) Sewell
Cooper Levin Sherman
Costa Lipinski Sires
Costello Loeb sack Smith (WA)
Courtney Lofgren, Zoe Speier
Critz Lowey Stark
Crowley Lujan Sutton
Cuellar Lynch Thompson (CA)
Cummings Maloney Thompson (MS)
Davis (CA) Markey Tierney
Davis (IL) Matsui Tonko
DeFazio McCarthy (NY) Towns
DeGette McCollum Tsongas
DeLauro McDermott Van Hollen
Deutch McGovern Visclosky
Dicks McIntyre Walz (MN)
Dingell McNeerney Wasserman
Doggett Meeks Schultz
Donnelly (IN) Michaud Waters
Edwards Miller (NC) Watt
Engel Miller, George Waxman
Eshoo Moore Welch
Farr Moran Wilson (FL)
Fattah Murphy (CT) Woolsey
Young (FL)

NOT VOTING—18

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

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. GINGREY of Georgia, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 246 Nays 166

¶69.9 [Roll No. 298]

AYES—246

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

NOES—166

- Ackerman Berkley Braley (IA)
Altmire Berman Brown (FL)
Andrews Bishop (GA) Butterfield
Baca Bishop (NY) Capps
Baldwin Blumenauer Capuano
Barrow Bonamici Cardoza
Bass (CA) Boswell Carnahan
Becerra Brady (PA) Carson (IN)

Castor (FL)	Holden	Price (NC)	Brady (TX)	Hastings (WA)	Pitts	Higgins	McCollum	Sanchez, Loretta
Chu	Holt	Quigley	Brooks	Heck	Platts	Himes	McDermott	Sarbanes
Cicilline	Honda	Rahall	Broun (GA)	Hensarling	Poe (TX)	Hinchey	McGovern	Schakowsky
Clarke (MI)	Hoyer	Reyes	Buchanan	Herger	Pompeo	Hinojosa	McNerney	Schiff
Clarke (NY)	Israel	Richardson	Bucshon	Herrera Beutler	Posey	Hirono	Meeks	Schrader
Clay	Jackson (IL)	Richmond	Buerkle	Holden	Price (GA)	Hochul	Michaud	Schwartz
Cleaver	Jackson Lee	Rothman (NJ)	Burgess	Huelskamp	Quayle	Holt	Miller (NC)	Scott (VA)
Clyburn	(TX)	Roybal-Allard	Calvert	Huizenga (MI)	Rahall	Honda	Miller, George	Scott, David
Cohen	Johnson, E. B.	Ruppersberger	Camp	Hultgren	Reed	Hoyer	Moore	Serrano
Connolly (VA)	Kaptur	Rush	Campbell	Hunter	Rehberg	Israel	Moran	Sewell
Conyers	Keating	Ryan (OH)	Canseco	Hurt	Reichert	Jackson (IL)	Murphy (CT)	Sherman
Cooper	Kildee	Sánchez, Linda	Cantor	Issa	Renacci	Jackson Lee	Nadler	Sires
Costa	Kind	T.	Capito	Jenkins	Reyes	(TX)	Neal	Smith (WA)
Costello	Kucinich	Sanchez, Loretta	Carter	Johnson (IL)	Ribble	Johnson (GA)	Olver	Speier
Courtney	Langevin	Sarbanes	Cassidy	Johnson (OH)	Rigell	Johnson, E. B.	Owens	Stark
Critz	Larsen (WA)	Schakowsky	Chabot	Johnson, Sam	Rivera	Kaptur	Pallone	Sutton
Crowley	Larson (CT)	Schiff	Chaffetz	Jones	Roe (TN)	Keating	Pastor (AZ)	Thompson (CA)
Cummings	Lee (CA)	Coble	Coffman (CO)	Jordan	Rogers (AL)	Kildee	Paul	Thompson (MS)
Davis (CA)	Levin	Schrader	Cole	Kelly	Rogers (KY)	Kind	Pelosi	Tierney
Davis (IL)	Lipinski	Schwartz	Conaway	King (IA)	Rogers (MI)	Kucinich	Perlmutter	Tonko
DeFazio	Loebsack	Scott (VA)	Cooper	King (NY)	Rohrabacher	Langevin	Peters	Towns
DeGette	Lofgren, Zoe	Scott, David	Costello	Kingston	Rokita	Larsen (WA)	Pingree (ME)	Tsongas
DeLauro	Lowe	Serrano	Cravaack	Kinzinger (IL)	Rooney	Larson (CT)	Polis	Van Hollen
Deutch	Luján	Sewell	Crawford	Kissell	Ros-Lehtinen	Lee (CA)	Price (NC)	Viscosky
Dicks	Lynch	Sherman	Crenshaw	Kline	Roskam	Levin	Quigley	Walz (MN)
Dingell	Maloney	Sires	Critz	Labrador	Ross (AR)	Lewis (GA)	Richardson	Wasserman
Doggett	Markey	Smith (WA)	Cuellar	Lamborn	Ross (FL)	Loebsack	Richmond	Schultz
Edwards	Matsui	Speier	Culberson	Lance	Royce	Lofgren, Zoe	Rothman (NJ)	Waters
Engel	McCarthy (NY)	Stark	Landry	Landry	Runyan	Lowe	Roybal-Allard	Watt
Eshoo	McCollum	Sutton	Lankford	Davis (KY)	Ryan (WI)	Luján	Ruppersberger	Waxman
Farr	McDermott	Thompson (CA)	Denham	Latham	Scalise	Maloney	Rush	Welch
Fattah	McGovern	Thompson (MS)	Dent	LaTourrette	Schilling	Markey	Ryan (OH)	Wilson (FL)
Filner	McIntyre	Tierney	DesJarlais	Latta	Schmidt	Matsui	Sánchez, Linda	Woolsey
Frank (MA)	McNerney	Tonko	Diaz-Balart	Lipinski	Schock	McCarthy (NY)	T.	Yarmuth
Fudge	Meeks	Towns	Donnelly (IN)	LoBiondo	Schweikert			
Garamendi	Michaud	Dreier	Duffy	Long	Scott (SC)			
Gonzalez	Miller (NC)	Duncan (SC)	Viscosky	Lucas	Scott, Austin			
Green, Al	Miller, George	Duncan (TN)	Walz (MN)	Luetkemeyer	Sensenbrenner			
Green, Gene	Moore	Ellmers	Wasserman	Lummis	Sessions			
Grijalva	Nadler	Emerson	Schultz	Lungren, Daniel	Shimkus			
Grijalva	Napolitano	Farenthold	Watt	E.	Shuler			
Gutierrez	Neal	Fincher	Watt	Lynch	Shuster			
Hahn	Oliver	Fitzpatrick	Waxman	Manzullo	Simpson			
Hanabusa	Pallone	Flake	Welch	Marchant	Smith (NE)			
Hastings (FL)	Pastor (AZ)	Fleischmann	Wilson (FL)	Marino	Smith (NJ)			
Higgins	Peters	Fleming	Woolsey	McCaul	Smith (TX)			
Hinchey	Peterson	Flores	Yarmuth	McClintock	Southerland			
Hinojosa	Pingree (ME)	Forbes		McCotter	Stearns			
Hirono	Polis	Fox		McHenry	Stivers			
Hochul		Franks (AZ)		McIntyre	Stutzman			
		Frelinghuysen		McKeon	Sullivan			
		Galleghy		McKinley	Terry			
		Garamendi		McMorris	Thompson (PA)			
		Gardner		Rodgers	Thornberry			
		Garrett		Meehan	Tiberi			
		Gerlach		Mica	Tipton			
		Gibbs		Miller (FL)	Turner (NY)			
		Gibson		Miller (MI)	Turner (OH)			
		Gingrey (GA)		Miller, Gary	Upton			
		Gohmert		Mulvaney	Walberg			
		Goodlatte		Murphy (PA)	Walden			
		Gosar		Myrick	Walsh (IL)			
		Gowdy		Neugebauer	Webster			
		Granger		Noem	West			
		Graves (GA)		Nugent	Westmoreland			
		Graves (MO)		Nunes	Whitfield			
		Griffin (AR)		Nunnelee	Wilson (SC)			
		Griffith (VA)		Olson	Wittman			
		Grimm		Palazzo	Wolf			
		Guthrie		Paulsen	Womack			
		Hall		Pearce	Woodall			
		Harper		Pence	Yoder			
		Harris		Peterson	Young (AK)			
		Hartzler		Petri	Young (IN)			

NOT VOTING—19

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

So the resolution was agreed to.
 A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶69.10 H.R. 3541—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. GINGREY of Georgia, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3541) to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; as amended.

The question being put,
 Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 246
 negative } Nays 168

¶69.11 [Roll No. 299]

YEAS—246

Adams	Bachus	Bilbray
Aderholt	Barletta	Bilirakis
Akin	Barrow	Bishop (UT)
Alexander	Bartlett	Black
Altmire	Barton (TX)	Blackburn
Amodei	Benishek	Bonner
Austria	Berg	Boren
Bachmann	Biggert	Boustany

NAYS—168

Ackerman	Carnahan	Deutch
Amash	Carney	Dicks
Andrews	Carson (IN)	Dingell
Baca	Castor (FL)	Doggett
Baldwin	Chu	Dold
Bass (CA)	Cicilline	Edwards
Bass (NH)	Clarke (MI)	Engel
Becerra	Clarke (NY)	Eshoo
Berkley	Clay	Farr
Berman	Cleaver	Fattah
Bishop (GA)	Clyburn	Filner
Bishop (NY)	Cohen	Frank (MA)
Blumenauer	Connolly (VA)	Fudge
Bonamici	Conyers	Gonzalez
Bono Mack	Costa	Green, Al
Boswell	Courtney	Green, Gene
Brady (PA)	Crowley	Grijalva
Braley (IA)	Cummings	Gutierrez
Brown (FL)	Davis (CA)	Hahn
Butterfield	Davis (IL)	Hanabusa
Capps	DeFazio	Hanna
Capuano	DeGette	Hastings (FL)
Cardoza	DeLauro	Hayworth

NOT VOTING—17

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

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶69.12 INTELLIGENCE AUTHORIZATION FY 2013

The SPEAKER pro tempore, Mr. GINGREY of Georgia, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The SPEAKER pro tempore, Mr. GINGREY of Georgia, by unanimous consent, designated Mr. YODER as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. YODER, assumed the Chair.

When Mr. PLATTS, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 667, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

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

TITLE I—INTELLIGENCE ACTIVITIES

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence activities.
- Sec. 303. Non-reimbursable details.
- Sec. 304. Strategy for security clearance reciprocity.
- Sec. 305. Repeal or modification of certain reporting requirements.
- Sec. 306. Subcontractor notification process.
- Sec. 307. Report on consequences of military strike against Iran.
- Sec. 308. Sense of Congress on the consideration of foreign languages and cultures in the development of cyber tools by the intelligence community.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

- Sec. 401. Authorities of the Inspector General for the Central Intelligence Agency.
- Sec. 402. Intelligence community assistance to counter drug trafficking organizations using public lands.
- Sec. 403. Intelligence sharing with Mexico and Canada.
- Sec. 404. Civil liberties protection officer review of cybersecurity policies, programs, and activities.
- Sec. 405. Sense of Congress on hiring of minority employees by the Central Intelligence Agency.

TITLE V—OTHER MATTERS

- Sec. 501. Extension of National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.
- Sec. 502. Sense of Congress on the need for the intelligence community to protect civil liberties of religious and ethnic minorities.
- Sec. 503. Protecting the information technology supply chain of the United States.
- Sec. 504. Technical amendment to title 5, United States Code.
- Sec. 505. Technical amendment to the National Security Act of 1947.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” means—

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

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

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

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the conduct of

the intelligence and intelligence-related activities of the following elements of the United States Government:

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

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

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

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

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

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

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

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

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

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

(1) IN GENERAL.—In addition to the authority in subsection (a) and subject to paragraph (2), if the head of an element of the intelligence community makes a determination that activities currently being performed by contract personnel should be performed by employees of such element, the Director of National Intelligence, in order to

reduce a comparable number of contract personnel, may authorize for that purpose employment of additional full-time equivalent personnel in such element equal to the number of full-time equivalent contract personnel performing such activities.

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

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

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

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

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

(c) CLASSIFIED AUTHORIZATIONS.—

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

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

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

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

TITLE III—GENERAL PROVISIONS

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

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

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

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

SEC. 303. NON-REIMBURSABLE DETAILS.

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

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

(2) by striking the second sentence; and

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

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

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

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

SEC. 304. STRATEGY FOR SECURITY CLEARANCE RECIPROCIITY.

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

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

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

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

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

(a) REPEAL OF REPORTING REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

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

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

(A) by striking section 603; and

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

(b) MODIFICATION OF REPORTING REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

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

(c) CONFORMING AMENDMENTS.—

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

(A) in subsection (a)—

(i) by striking “(1) The date” and inserting “The date”;

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

(iii) by striking paragraph (2);

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

(v) in subparagraph (G), by striking “114(c)” and inserting “114”; and

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

(B) in subsection (c)(1)—

(i) by striking “(A) Except as provided” and inserting “Except as provided”; and

(ii) by striking subparagraph (B).

(2) TABLE OF CONTENTS OF THE NATIONAL SECURITY ACT OF 1947.—The table of contents in

the first section of the National Security Act of 1947 is amended—

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

“Sec. 114. Annual report on hiring and retention of minority employees.”; and

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

“Sec. 603. Extraterritorial jurisdiction.

“Sec. 604. Providing information to Congress.

“Sec. 605. Definitions.”.

SEC. 306. SUBCONTRACTOR NOTIFICATION PROCESS.

Not later than October 1, 2013, the Director of National Intelligence shall submit to the congressional intelligence committees a report assessing the method by which contractors at any tier under a contract entered into with an element of the intelligence community are granted security clearances and notified of classified contracting opportunities within the Federal Government and recommendations for the improvement of such method. Such report shall include—

(1) an assessment of the current method by which contractors at any tier under a contract entered into with an element of the intelligence community are notified of classified contracting opportunities;

(2) an assessment of any problems that may reduce the overall effectiveness of the ability of the intelligence community to identify appropriate contractors at any tier under such a contract;

(3) an assessment of the role the existing security clearance process has in enhancing or hindering the ability of the intelligence community to notify such contractors of contracting opportunities;

(4) an assessment of the role the current security clearance process in enhancing or hindering the ability of contractors at any tier under a contract entered into with an element of the intelligence community to execute classified contracts;

(5) a description of the method used by the Director of National Intelligence for assessing the effectiveness of the notification process of the intelligence community to produce a talented pool of subcontractors;

(6) a description of appropriate goals, schedules, milestones, or metrics used to measure the effectiveness of such notification process; and

(7) recommendations for improving such notification process.

SEC. 307. REPORT ON CONSEQUENCES OF MILITARY STRIKE AGAINST IRAN.

Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an assessment of the consequences of a military strike against Iran.

SEC. 308. SENSE OF CONGRESS ON THE CONSIDERATION OF FOREIGN LANGUAGES AND CULTURES IN THE DEVELOPMENT OF CYBER TOOLS BY THE INTELLIGENCE COMMUNITY.

It is the sense of Congress that the head of each element of the intelligence community should take into consideration foreign languages and cultures during the development by such element of the intelligence community of training, tools, and methodologies to protect the networks of the United States against cyber attacks and intrusions from foreign entities.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SEC. 401. AUTHORITIES OF THE INSPECTOR GENERAL FOR THE CENTRAL INTELLIGENCE AGENCY.

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

(1) by striking “Subject to applicable law” and inserting “(A) Subject to applicable law”; and

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

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

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

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

SEC. 402. INTELLIGENCE COMMUNITY ASSISTANCE TO COUNTER DRUG TRAFFICKING ORGANIZATIONS USING PUBLIC LANDS.

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

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

(2) by striking “submit to” and inserting “inform”;

(3) by striking “a report on the results” and inserting “of the results”; and

(4) by striking “Such report” and inserting “Information provided under this subsection”.

SEC. 403. INTELLIGENCE SHARING WITH MEXICO AND CANADA.

(a) AUTHORIZATION.—The Director of National Intelligence may—

(1) if the Director determines that the sharing of intelligence information with Mexico and Canada for purposes of reducing drug trafficking would not threaten national security, allow the sharing of such intelligence information with Mexico and Canada; and

(2) make use of intelligence information from Mexico and Canada for such purposes.

(b) TYPE OF INFORMATION.—Information shared or used under subsection (a) may include the movements of drug cartels and other criminal behavior.

SEC. 404. CIVIL LIBERTIES PROTECTION OFFICER REVIEW OF CYBERSECURITY POLICIES, PROGRAMS, AND ACTIVITIES.

Section 103D(b) of the National Security Act of 1947 (50 U.S.C. 403-3d(b)) is amended—

(1) in paragraph (6), by striking “and” at the end;

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph:

“(7) ensure that any coordination and training between an element of the intelligence community and a law enforcement agency does not violate the Constitutional rights of racial or ethnic minorities; and”.

SEC. 405. SENSE OF CONGRESS ON HIRING OF MINORITY EMPLOYEES BY THE CENTRAL INTELLIGENCE AGENCY.

It is the sense of Congress that the Director of the Central Intelligence Agency should take such actions as the Director considers necessary to increase the recruitment and training of ethnic minorities as officers and employees of the Central Intelligence Agency.

TITLE V—OTHER MATTERS

SEC. 501. EXTENSION OF NATIONAL COMMISSION FOR THE REVIEW OF THE RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY.

Section 1007 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 50 U.S.C. 401 note) is amended by striking “Not later than one year after the date on which all members of the Commission are appointed pursuant to section 701(a)(3) of the Intelligence Authorization Act for Fiscal Year 2010” and inserting “Not later than March 31, 2013”.

SEC. 502. SENSE OF CONGRESS ON THE NEED FOR THE INTELLIGENCE COMMUNITY TO PROTECT CIVIL LIBERTIES OF RELIGIOUS AND ETHNIC MINORITIES.

It is the sense of Congress that the intelligence community should take all appropriate actions necessary to protect the civil liberties of religious and ethnic minorities.

SEC. 503. PROTECTING THE INFORMATION TECHNOLOGY SUPPLY CHAIN OF THE UNITED STATES.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that—

(1) identifies foreign suppliers of information technology (including equipment, software, and services) that are linked directly or indirectly to a foreign government, including—

(A) by ties to the military forces of a foreign government;

(B) by ties to the intelligence services of a foreign government; or

(C) by being the beneficiaries of significant low interest or no interest loans, loan forgiveness, or other support by a foreign government;

(2) assesses the vulnerability to malicious activity, including cyber crime or espionage, of the telecommunications networks of the United States due to the presence of technology produced by suppliers identified under paragraph (1).

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) TELECOMMUNICATIONS NETWORKS OF THE UNITED STATES DEFINED.—In this section, the term “telecommunications networks of the United States” includes—

(1) telephone systems;

(2) Internet systems;

(3) fiber optic lines, including cable landings;

(4) computer networks; and

(5) smart grid technology under development by the Department of Energy.

SEC. 504. TECHNICAL AMENDMENT TO TITLE 5, UNITED STATES CODE.

Section 3132(a)(1)(B) of title 5, United States Code, is amended by inserting “, the Office of the Director of National Intelligence” after “the Central Intelligence Agency”.

SEC. 505. TECHNICAL AMENDMENT TO THE NATIONAL SECURITY ACT OF 1947.

Section 605 of the National Security Act of 1947 (50 U.S.C. 426) (as redesignated by section 305 of this Act) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking “intelligence agency” each place it appears and in-

serting “element of the intelligence community”;

(B) in subparagraph (B)(i), by striking “intelligence agency” and inserting “element of the intelligence community”; and

(C) in subparagraph (C), by striking “intelligence agency” and inserting “element of the intelligence community”;

(2) by striking paragraph (5);

(3) by redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively; and

(4) in paragraph (5) (as so redesignated), by striking “intelligence agency” and inserting “element of the intelligence community”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CRITZ moved to recommit the bill to the Permanent Select Committee on Intelligence with instructions to report the bill back to the House forthwith with the following amendment:

After section 501 (page 21, after line 14), insert the following new section:

SEC. 502. PROTECTING UNITED STATES MILITARY STRENGTH, TECHNOLOGICAL PROGRESS, AND AMERICAN JOBS.

(a) IN GENERAL.—In obligating and expending funds authorized to be appropriated by this Act, the head of each element of the intelligence community shall take all steps necessary to protect and ensure that—

(1) the intelligence and military capability of the United States is not improperly transferred to or stolen by a foreign nation or a state sponsor of terrorism;

(2) the intelligence and military capability of the United States and sensitive information pertaining to economic, financial, and consumer information is protected from cybersecurity attacks, including cybersecurity attacks from Iran and China; and

(3) contracts and work performed for such element of the intelligence community is first provided to United States companies and workers and not outsourced to foreign-owned companies, unless the Director of National Intelligence determines that it is in the interests of national security.

(b) STATE SPONSOR OF TERRORISM DEFINED.—In this section, the term “state sponsor of terrorism” means any country the government of which the Secretary of State determines has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or any other provision of law.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the nays had it.

Mr. CRITZ demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 180
negative } Nays 235

¶69.13

[Roll No. 300]

YEAS—180

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

NAYS—235

Adams	Burgess	Duncan (TN)
Aderholt	Calvert	Ellmers
Akin	Camp	Emerson
Alexander	Campbell	Farenthold
Amash	Canseco	Fincher
Amodei	Cantor	Fitzpatrick
Austria	Capito	Flake
Bachmann	Carter	Fleischmann
Bachus	Cassidy	Fleming
Barletta	Chabot	Flores
Bartlett	Chaffetz	Forbes
Barton (TX)	Coble	Foxx
Bass (NH)	Coffman (CO)	Franks (AZ)
Benishek	Cole	Frelinghuysen
Berg	Conaway	Gallely
Biggert	Conyers	Gardner
Billbray	Costa	Garrett
Billirakis	Cravaack	Gerlach
Bishop (UT)	Crawford	Gibbs
Black	Crenshaw	Gibson
Blackburn	Culberson	Gingrey (GA)
Bonner	Davis (KY)	Gohmert
Bono Mack	Denham	Goodlatte
Boustany	Dent	Gosar
Brady (TX)	DesJarlais	Gowdy
Brooks	Diaz-Balart	Graves (GA)
Broun (GA)	Dold	Graves (MO)
Buchanan	Dreier	Griffin (AR)
Bucshon	Duffy	Griffith (VA)
Buerkle	Duncan (SC)	Grimm

Guthrie	McClintock	Roskam
Hall	McCotter	Ross (FL)
Hanna	McHenry	Royce
Harper	McKeon	Runyan
Harris	McKinley	Ryan (WI)
Hartzler	McMorris	Scalise
Hastings (WA)	Rodgers	Schilling
Hayworth	Meehan	Schmidt
Heck	Mica	Schock
Hensarling	Miller (FL)	Schweikert
Herger	Miller (MI)	Scott (SC)
Herrera Beutler	Miller, Gary	Scott, Austin
Huelskamp	Mulvaney	Sensenbrenner
Huizenga (MI)	Murphy (PA)	Sessions
Hultgren	Myrick	Shimkus
Hunter	Neugebauer	Shuler
Hurt	Noem	Shuster
Issa	Nugent	Simpson
Jenkins	Nunes	Smith (NE)
Johnson (IL)	Nunnelee	Smith (NJ)
Johnson (OH)	Olson	Smith (TX)
Johnson, Sam	Palazzo	Southerland
Jordan	Paul	Stearns
Kelly	Paulsen	Stivers
King (IA)	Pearce	Stutzman
King (NY)	Pence	Sullivan
Kingston	Petri	Terry
Kinzinger (IL)	Pitts	Thompson (PA)
Kline	Platts	Thornberry
Labrador	Poe (TX)	Tiberi
Lamborn	Pompeo	Tipton
Lance	Posey	Turner (NY)
Landry	Price (GA)	Turner (OH)
Lankford	Quayle	Upton
Latham	Reed	Walberg
LaTourette	Rehberg	Walden
Latta	Reichert	Walsh (IL)
LoBiondo	Renacci	Webster
Long	Ribble	West
Lucas	Rigell	Westmoreland
Luetkemeyer	Rivera	Whitfield
Lummis	Roe (TN)	Wilson (SC)
Lungren, Daniel	Rogers (AL)	Wittman
E.	Rogers (KY)	Wolf
Sewell	Rogers (MI)	Womack
Sherman	Rohrabacher	Woodall
Sires	Rokita	Yoder
Smith (WA)	Marino	Young (AK)
Speier	McCarthy (NY)	Young (IN)
Stark	McCaul	

NOT VOTING—16

Burton (IN)	Guinta	Roby
Clay	Lewis (CA)	Slaughter
Doyle	Mack	Velázquez
Ellison	Maloney	Young (FL)
Fortenberry	McCarthy (CA)	
Granger	Rangel	

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Mr. ROGERS of Michigan, demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 386
affirmative } Nays 28

¶69.14

[Roll No. 301]

AYES—386

Ackerman	Bass (NH)	Boswell
Adams	Becerra	Boustany
Aderholt	Benishek	Brady (PA)
Akin	Berg	Brady (TX)
Alexander	Berkley	Braley (IA)
Altmire	Berman	Brooks
Amodei	Biggert	Broun (GA)
Andrews	Bilbray	Brown (FL)
Austria	Billirakis	Buchanan
Baca	Bishop (GA)	Bucshon
Bachmann	Bishop (NY)	Buerkle
Bachus	Bishop (UT)	Burgess
Baldwin	Black	Butterfield
Barletta	Blackburn	Calvert
Barrow	Bonamici	Camp
Bartlett	Bonner	Campbell
Barton (TX)	Bono Mack	Canseco
Bass (CA)	Boren	Cantor

Capito	Harper	Nadler
Capps	Harris	Napolitano
Cardoza	Hartzler	Neal
Carnahan	Hastings (FL)	Neugebauer
Carney	Hastings (WA)	Noem
Carson (IN)	Hayworth	Nugent
Carter	Heck	Nunes
Cassidy	Heinrich	Nunnelee
Castor (FL)	Hensarling	Olson
Chabot	Herger	Owens
Chaffetz	Herrera Beutler	Palazzo
Chandler	Higgins	Pallone
Chu	Himes	Pascrell
Cicilline	Hinchev	Pastor (AZ)
Clarke (MI)	Hinojosa	Paulsen
Clarke (NY)	Hirono	Pearce
Cleaver	Hochul	Pelosi
Clyburn	Holden	Pence
Cohen	Honda	Perlmutter
Connolly (VA)	Hoyer	Peters
Cooper	Huelskamp	Peterson
Costello	Huizenga (MI)	Petri
Courtney	Hultgren	Pingree (ME)
Cravaack	Hunter	Pitts
Crawford	Hurt	Platts
Crenshaw	Israel	Poe (TX)
Critz	Issa	Pompeo
Crowley	Jackson Lee	Posey
Cuellar	(TX)	Price (CA)
Culberson	Jenkins	Price (NC)
Cummings	Johnson (GA)	Quayle
Davis (CA)	Johnson (OH)	Quigley
Davis (IL)	Johnson, E. B.	Rahall
Davis (KY)	Johnson, Sam	Reed
DeFazio	Jordan	Rehberg
DeGette	Kaptur	Reichert
DeLauro	Keating	Renacci
Deutch	Kelly	Reyes
Dicks	Kildee	Ribble
Dingell	King (IA)	Richardson
Doggett	King (NY)	Richmond
Edwards	Kingston	Rigell
Donnelly (IN)	Kinzinger (IL)	Rivera
Engel	Kissell	Roe (TN)
Eshoo	Kline	Rogers (AL)
Farenthold	Labrador	Rogers (KY)
Farr	Lamborn	Rogers (MI)
Fattah	Lance	Rohrabacher
Fincher	Landry	Rokita
Fitzpatrick	Langevin	Rooney
Flake	Lankford	Ros-Lehtinen
Fleischmann	Larsen (WA)	Roskam
Fleming	Larson (CT)	Ross (AR)
Flores	Latham	Ross (FL)
Forbes	Latta	Rothman (NJ)
Foxx	Levin	Roybal-Allard
Franks (AZ)	Lipinski	Royce
Frelinghuysen	LoBiondo	Runyan
Fudge	Loebsack	Ruppersberger
Gallely	Long	Ryan (OH)
Garamendi	Lowe	Ryan (WI)
Gardner	Lucas	Sánchez, Linda
Garrett	Luetkemeyer	T.
Gerlach	Luján	Sanchez, Loretta
Gibbs	Lummis	Sarbanes
Gingrey (GA)	Lungren, Daniel	Scalise
Gohmert	E.	Schakowsky
Gonzalez	Lynch	Schiff
Goodlatte	Maloney	Schilling
Gosar	Manzullo	Schmidt
Gowdy	Marchant	Schock
Granger	Marino	Schrader
Graves (GA)	Matheson	Schwartz
Graves (MO)	Matsui	Schweikert
Green, Al	McCarthy (NY)	Scott (SC)
Green, Gene	Gardner	Scott (VA)
Griffin (AR)	Garrett	Scott, Austin
Griffith (VA)	Gerlach	Scott, David
Grijalva	Gibbs	Scott, Justin
Grimm	McCotter	Sensenbrenner
	McHenry	Serrano
	McIntyre	Sessions
	McKeon	Sewell
	McKinley	Sherman
	McMorris	Shimkus
	Rodgers	Shuler
	McNerney	Shuster
	Meehan	Simpson
	Meeks	Sires
	Mica	Smith (NE)
	Michaud	Smith (NJ)
	Miller (FL)	Smith (TX)
	Miller (MI)	Smith (WA)
	Miller (NC)	Southerland
	Miller, Gary	Speier
	Moore	Stearns
	Moran	Stivers
	Mulvaney	Stutzman
	Murphy (CT)	Sullivan
	Murphy (PA)	Sutton
	Myrick	Terry

Thompson (CA)	Visclosky	Westmoreland
Thompson (MS)	Walberg	Whitfield
Thompson (PA)	Walden	Wilson (FL)
Thornberry	Walsh (IL)	Wilson (SC)
Tierney	Walz (MN)	Wittman
Tipton	Wasserman	Wolf
Tonko	Schultz	Womack
Towns	Waters	Woodall
Tsongas	Watt	Yarmuth
Turner (NY)	Waxman	Yoder
Turner (OH)	Webster	Young (IN)
Upton	Welch	
Van Hollen	West	

NOES—28

Amash	Johnson (IL)	Miller, George
Blumenauer	Jones	Olver
Capuano	Kind	Paul
Clarke (NY)	Kucinich	Polis
Duncan (TN)	Lee (CA)	Rush
Filner	Lewis (GA)	Stark
Frank (MA)	Lofgren, Zoe	Woolsey
Gibson	Markey	Young (AK)
Holt	McDermott	
Jackson (IL)	McGovern	

NOT VOTING—17

Burton (IN)	Guinta	Roby
Clay	LaTourette	Slaughter
Cleaver	Lewis (CA)	Tiberi
Doyle	Mack	Velázquez
Ellison	McCarthy (CA)	Young (FL)
Fortenberry	Rangel	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶69.15 CLERK TO CORRECT ENGROSSMENT—H.R. 5743

On motion of Mr. ROGERS of Michigan, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

¶69.16 MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. WOODALL, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore, Mr. WOODALL, by unanimous consent, designated Mrs. MILLER of Michigan, as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. BASS of New Hampshire, assumed the Chair.

When Mr. WOODALL, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶69.17 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. BASS of New Hampshire, laid before the House the following communication from Ms. FOXX:

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES, Washington, DC, May 30, 2012.

Hon. JOHN A. BOEHNER, Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Superior Court for the State of North Carolina, Surry County in connection with a criminal prosecution currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not "material and relevant," compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

VIRGINIA FOXX, Member of Congress.

¶69.18 ENERGY AND WATER APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. BASS of New Hampshire, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore, Mr. BASS of New Hampshire, by unanimous consent, designated Mr. WOODALL as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. WEST, assumed the Chair.

When Mr. WOODALL, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶69.19 MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. WEST, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. WOODALL, Acting Chairman, assumed the chair; and after some time spent therein,

¶69.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GRIMM:

Page 65, beginning on line 17, strike section 517.

It was decided in the affirmative { Yeas 218 Nays 198

¶69.21 [Roll No. 302]

AYES—218

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

NOES—198

Adams	Bishop (UT)	Cantor
Aderholt	Black	Carter
Akin	Blackburn	Cassidy
Alexander	Bonner	Chabot
Amash	Bono Mack	Chaffetz
Amodei	Boren	Coble
Austria	Boustany	Coffman (CO)
Bachmann	Brady (TX)	Cole
Bachus	Brooks	Conaway
Barletta	Broun (GA)	Crawford
Bartlett	Bucshon	Crenshaw
Barton (TX)	Buerkle	Culberson
Bass (NH)	Burgess	Davis (KY)
Benishek	Calvert	Denham
Berg	Camp	Dent
Bilbray	Campbell	DesJarlais
Bilirakis	Canseco	Dreier

Duffy	Jordan	Rehberg	Duncan (SC)	Jordan	Posey	Pascrell	Rush	Stivers
Duncan (SC)	Kelly	Ribble	Duncan (TN)	King (IA)	Price (GA)	Pastor (AZ)	Ryan (OH)	Sutton
Duncan (TN)	King (IA)	Rigell	Elmiers	Kingston	Quayle	Pelosi	Ryan (WI)	Thompson (CA)
Elmiers	Kingston	Rivera	Farenthold	Kline	Reed	Perlmutter	Sánchez, Linda	Thompson (MS)
Farenthold	Kline	Roby	Fincher	Labrador	Renacci	Peters	T.	Tiberi
Fincher	Labrador	Roe (TN)	Flake	Lamborn	Ribble	Peterson	Sanchez, Loretta	Tierney
Fitzpatrick	Lamborn	Rogers (AL)	Fleischmann	Landry	Rigell	Petri	Sarbanes	Tonko
Flake	Landry	Rogers (KY)	Fleming	Lankford	Roby	Pingree (ME)	Schakowsky	Towns
Fleischmann	Lankford	Rogers (MI)	Flores	Latham	Rogers (AL)	Polis	Schiff	Tsongas
Fleming	Latham	Forbes	Forbes	Latta	Rogers (KY)	Price (NC)	Schilling	Turner (OH)
Flores	Latta	Foxx	Foxx	Long	Rogers (MI)	Quigley	Schmidt	Upton
Forbes	Long	Franks (AZ)	Franks (AZ)	Lucas	Rohrabacher	Rahall	Schock	Van Hollen
Foxx	Lucas	Frelinghuysen	Frelinghuysen	Luetkemeyer	Rokita	Rangel	Schrader	Visclosky
Franks (AZ)	Luetkemeyer	Gallegly	Lummis	Lummis	Rooney	Rehberg	Schwartz	Walden
Frelinghuysen	Lummis	Gardner	Lungren, Daniel	Lungren, Daniel	Ross (FL)	Reichert	Scott (VA)	Walsh (IL)
Gallegly	Lungren, Daniel	Garrett	E.	E.	Royce	Reyes	Scott, David	Walz (MN)
Gardner	E.	Gibbs	Manzullo	Manzullo	Royce	Richardson	Serrano	Wasserman
Garrett	Manzullo	Gingrey (GA)	Marchant	Marchant	Scalise	Richmond	Sewell	Schultz
Gerlach	Marchant	Gohmert	Marino	Marino	Schweikert	Rivera	Sherman	Waters
Gibbs	Marino	Goodlatte	McCauley	McCauley	Scott (SC)	Roe (TN)	Shimkus	Watt
Gingrey (GA)	McCauley	Gosar	McClintock	McClintock	Scott, Austin	Ros-Lehtinen	Shuler	Waxman
Gohmert	McClintock	McHenry	McHenry	McHenry	Sensenbrenner	Roskam	Shuster	Welch
Goodlatte	McHenry	Granger	McKeon	McKeon	Sessions	Ross (AR)	Sires	Whitfield
Gosar	McKeon	Graves (GA)	McMorris	McMorris	Simpson	Rothman (NJ)	Smith (NJ)	Wilson (FL)
Gowdy	McMorris	Graves (MO)	Rodgers	Rodgers	Smith (NE)	Roybal-Allard	Smith (WA)	Woolsey
Granger	Rodgers	Griffin (AR)	Mica	Mica	Smith (TX)	Runyan	Speier	Yarmuth
Graves (GA)	Mica	Griffith (VA)	Miller (FL)	Miller (FL)	Southerland	Ruppersberger	Stark	Young (AK)
Graves (MO)	Miller (FL)	Guthrie	Miller, Gary	Miller, Gary	Stearns			
Griffin (AR)	Miller (MI)	Hall	Mulvaney	Mulvaney	Sullivan			
Griffith (VA)	Miller, Gary	Harper	Myrick	Myrick	Terry			
Guthrie	Mulvaney	Harris	Neugebauer	Neugebauer	Thompson (PA)	Burton (IN)	Guinta	Slaughter
Hall	Myrick	Hartzler	Noem	Noem	Thornberry	Clay	Hurt	Stutzman
Hanna	Neugebauer	Hastings (WA)	Nugent	Nugent	Tipton	Doyle	Lewis (CA)	Velázquez
Harper	Noem	Hayworth	Nunes	Nunes	Turner (NY)	Ellison	Mack	Young (FL)
Harris	Nugent	Hensarling	Nunnelee	Nunnelee	Walberg	Fortenberry	McCarthy (CA)	
Hartzler	Nunes	Herger	Olson	Olson	Webster			
Hastings (WA)	Nunnelee	Herrera Beutler	Palazzo	Palazzo	West			
Hayworth	Palazzo	Huelskamp	Paul	Paul	Westmoreland			
Heck	Paul	Huizenga (MI)	Paulsen	Paulsen	Wilson (SC)			
Hensarling	Paulsen	Hunter	Pearce	Pearce	Wittman			
Herger	Pearce	Issa	Pence	Pence	Wolf			
Herrera Beutler	Pence	Jenkins	Pitts	Pitts	Womack			
Huizenga (MI)	Pitts	Johnson (OH)	Platts	Platts	Woodall			
Hultgren	Platts	Johnson, Sam	Poe (TX)	Poe (TX)	Yoder			
Hunter	Poe (TX)	Jones	Pompeo	Pompeo	Young (IN)			
Issa	Pompeo							
Jenkins	Posey							
Johnson (OH)	Price (GA)							
Johnson, Sam	Quayle							
Jones	Reed							

NOT VOTING—15

Burton (IN)	Guinta	Olson
Clay	Hurt	Slaughter
Doyle	Lewis (CA)	Stutzman
Ellison	Mack	Velázquez
Fortenberry	McCarthy (CA)	Young (FL)

So the amendment was agreed to.

69.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 8, submitted by Mr. FRANKS of Arizona:

Page 66, after line 10, add the following new section:

SEC. 519. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

It was decided in the { Yeas 180
negative } Nays 237

69.23 [Roll No. 303]

AYES—180

Adams	Black	Carter
Aderholt	Blackburn	Cassidy
Akin	Bonner	Chabot
Amash	Boustany	Chaffetz
Amodei	Brady (TX)	Coble
Austria	Brooks	Coffman (CO)
Bachmann	Brown (GA)	Cole
Bachus	Buchanan	Conaway
Bartlett	Bucshon	Crawford
Barton (TX)	Buerkle	Crenshaw
Bass (NH)	Burgess	Culberson
Benishek	Calvert	Davis (KY)
Berg	Camp	Denham
Bilbray	Campbell	Dent
Bilirakis	Canseco	DesJarlais
Bishop (UT)	Cantor	Dreier

NOES—237

Ackerman	DeFazio	Johnson, E. B.
Alexander	DeGette	Kaptur
Altmore	DeLauro	Keating
Andrews	Deutch	Kelly
Baca	Diaz-Balart	Kildee
Baldwin	Dicks	Kind
Barletta	Dingell	King (NY)
Barrow	Doggett	Kinzinger (IL)
Bass (CA)	Dold	Kissell
Becerra	Donnelly (IN)	Kucinich
Berkley	Duffy	Lance
Berman	Edwards	Langevin
Biggart	Emerson	Larsen (WA)
Bishop (GA)	Engel	Larson (CT)
Bishop (NY)	Eshoo	LaTourette
Blumenauer	Farr	Lee (CA)
Bonamici	Fattah	Levin
Bono Mack	Filner	Lewis (GA)
Boren	Fitzpatrick	Lipinski
Boswell	Frank (MA)	LoBiondo
Brady (PA)	Fudge	Loeb
Braley (IA)	Garamendi	Lofgren, Zoe
Brown (FL)	Gerlach	Lowey
Butterfield	Gibson	Luján
Capito	Gonzalez	Lynch
Capps	Green, Al	Maloney
Capuano	Green, Gene	Markey
Cardoza	Grijalva	Matheson
Carnahan	Grimm	Matsui
Carney	Gutierrez	McCarthy (NY)
Carson (IN)	Hahn	McCollum
Castor (FL)	Hanabusa	McCotter
Chandler	Hanna	McDermott
Chu	Hastings (FL)	McGovern
Cicilline	Heck	McIntyre
Clarke (MI)	Heinrich	McKinley
Clarke (NY)	Higgins	McNerney
Cleaver	Himes	Meehan
Clyburn	Hinche	Meeks
Cohen	Hinojosa	Michaud
Connolly (VA)	Hirono	Miller (MI)
Conyers	Hochul	Miller (NC)
Cooper	Holden	Miller, George
Costa	Holt	Moore
Costello	Honda	Moran
Courtney	Hoyer	Murphy (CT)
Cravaack	Hultgren	Murphy (PA)
Critz	Israel	Nadler
Crowley	Jackson (IL)	Napolitano
Cuellar	Jackson Lee	Neal
Cummings	(TX)	Oliver
Davis (CA)	Johnson (GA)	Owens
Davis (IL)	Johnson (IL)	Pallone

NOT VOTING—14

Burton (IN)	Guinta	Slaughter
Clay	Hurt	Stutzman
Doyle	Lewis (CA)	Velázquez
Ellison	Mack	Young (FL)
Fortenberry	McCarthy (CA)	

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. BASS of New Hampshire, assumed the Chair.

When Mr. WEBSTER, Acting Chairman, reported that the Committee, having had under consideration said bill, had directed him to report the same back to the House with sundry amendments adopted by the Committee, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Pursuant to House Resolution 667, the previous question was ordered on the amendments and the bill.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 4, line 14, insert after the dollar amount the following: “(reduced by \$10,000,000)(increased by \$10,000,000)”.

Page 4, line 23, insert after the dollar amount the following: “(increased by \$10,000,000)”.

Page 25, line 14, after the dollar amount, insert “(reduced by \$1) (increased by \$1)”.

Page 28, line 23, insert after the dollar amount the following: “(reduced by \$16,000,000) (increased by \$16,000,000)”.

Page 31, line 5, after the dollar amount, insert “(reduced by \$35,000,000) (increased by \$35,000,000)”.

Page 34, line 2, insert before the period at the end the following:

Provided further, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department’s energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)).

Page 37, line 15, after the first dollar amount, insert “(reduced by \$1) (increased by \$1)”.

Page 65, beginning on line 17, strike section 517.

Page 66, after line 10, insert the following new section:

SEC. 519. None of the funds made available by this Act may be used to modify, maintain, or manage a structure, building, or bar-

racks for a person, unit, or mission of the Armed Forces or Department of Defense outside of the normal tour or duty restationing or authorized base closure and realignment process.

At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term is defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to hire a new director of a national cemetery who is not a veteran.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to prohibit a veterans service organization that is participating in the funeral or memorial service of a veteran from reciting any words as part of such service or memorial.

At the end of the bill (before the short title), add the following new section:

SEC. 519. None of the funds made available by this Act shall be available to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110 140; 42 U.S.C. 17142).

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for the salary or compensation of a Director of Construction and Facilities Management of the Department of Veterans Affairs (or an individual acting as such Director) who does not meet the qualifications for such position required under section 312A(b) of title 38, United States Code.

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to pay a performance award under section 5384 of title 5, United States Code.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BARROW moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendments:

Page 11, line 17, insert after the dollar amount the following: "(reduced by \$56,652,000)".

Page 31, line 5, insert after the dollar amount the following: "(increased by \$28,326,000)".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the nays had it.

Mr. BARROW demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 188 negative } Nays 230

¶69.24 [Roll No. 304]

AYES—188

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

NOES—230

- Adams, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold

- Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Foy, Franks (AZ), Frelinghuysen, E., Gallegly, Gardner, Garrett, Marino, Gerlach, McCaul, Gibbs, McClintock, Gibson, McCotter, Gingrey (GA), McHenry, Gohmert, Goodlatte, Gosar, Gowdy, Rodgers, Granger, Meehan, Graves (GA), Mica, Miller (FL), Miller (MI), Miller (TX), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Herrera Beutler, Petri, Pitts, Platts, Poe (TX), Pompe, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Kingston, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, LaTourette, Latta, LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Manullo, Marchant, Schmitt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, McKeon, McKinley, McMorris, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Souterland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (IN)

NOT VOTING—13

- Aderholt, Burton (IN), Clay, Doyle, Ellison, Fortenberry, Guinta, Lewis (CA), Mack, McCarthy (CA), Slaughter, Velázquez, Young (FL)

So the motion to recommit with instructions was not agreed to.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 407 affirmative } Nays 12

¶69.25 [Roll No. 305]

YEAS—407

- Ackerman, Adams, Aderholt, Akin, Alexander, Altmire, Amodei, Andrews, Austria, Baca, Bachmann, Bachus, Baldwin, Barletta, Barrow, Bartlett, Barton (TX), Bass (CA), Bass (NH), Becerra, Benishek, Berg, Berkeley, Berman, Biggert, Bilbray, Bilirakis, Bishop (GA), Bishop (NY), Bishop (UT), Black, Blackburn, Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Boustany, Brady (PA), Brady (TX), Braley (IA)

Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Critz Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (GA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul

McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff

Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland

Amash
Campbell
Capuano
Duncan (TN)
Burton (IN)
Clay
Doyle
Ellison

NAYS—12

So the bill was passed.
A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶69.26 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2947. An Act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

H.R. 3992. An Act to allow otherwise eligible Israeli nationals to receive E 2 non-immigrant visas if similarly situated United States nationals are eligible for similar non-immigrant status in Israel.

H.R. 4097. An Act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

¶69.27 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 21, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 2072. An Act to reauthorize the Export-Import Bank of the United States, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on May 29, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 4849. An Act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

H.R. 2415. An Act to designate the facility of the United States Postal Service located

Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

Paul
Sensenbrenner
Stark
Wolf

McCarthy (CA)
Slaughter
Velázquez
Young (FL)

at 11 Dock Street in Pittston, Pennsylvania, as the "Trooper Joshua D. Miller Post Office Building".

H.R. 3220. An Act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the "Master Sergeant Daniel L. Fedder Post Office".

H.R. 3413. An Act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

H.R. 4119. An Act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

¶69.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GUINTA, for today and balance of the week;

To Ms. VELAZQUEZ, for today and June 1; and

To Mr. YOUNG of Florida, for today. And then,

¶69.29 ADJOURNMENT

On motion of Mr. CAMPBELL, at 10 o'clock and 7 minutes p.m., the House adjourned.

¶69.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4027. A bill to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes" (Rept. 112-509). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4222. A bill to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes; with an amendment (Rept. 112-510). Referred to the Committee of the Whole House on the state of the Union.

¶69.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BASS of California (for herself, Mr. MARINO, Mrs. BACHMANN, Mr. MCDERMOTT, Mr. HASTINGS of Florida, Ms. CLARKE of New York, Mr. STARK, Mr. CICILLINE, and Mr. LANGEVIN):

H.R. 5871. A bill to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act; to the Committee on Education and the Workforce.

By Mr. HENSARLING (for himself, Mr. RYAN of Wisconsin, Mr. CHAFFETZ, Mr. SMITH of Texas, Mr. YOUNG of Indiana, Mr. CRAVAACK, Mr. HUIZENGA of Michigan, Mr. RIGELL, Mrs. BLACK, Mr. AKIN, Mr. QUAYLE, Mr. PRICE of Georgia, Mr. MILLER of Florida, Mr. COLE, Mr. WALSH of Illinois, Mr. CALVERT, Mrs. ADAMS, Mr. LANKFORD, Mr. MCKEON, Mr. FARENTHOLD, Mr. WEST, Mr. ROSS of Florida, Mr. KING of Iowa, Mr. LOBIONDO, Mr. TURNER

of Ohio, Mr. THORBERRY, Mr. OLSON, Mr. CANSECO, Mr. LATTA, Mrs. HARTZLER, Mrs. MYRICK, Mr. BRADY of Texas, Mr. ROKITA, Mr. CASSIDY, Mr. CONAWAY, Mr. RIBBLE, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. BROOKS, and Mr. GRIFFIN of Arkansas);

H.R. 5872. A bill to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013; to the Committee on the Budget.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. SCHRADER, Mr. MCINTYRE, Mr. GOODLATTE, Mr. MICHAUD, Mr. OWENS, Mr. FLEMING, Mr. GRAVES of Georgia, Mr. RIBBLE, Mr. BONNER, Mr. JONES, Mr. DUFFY, Ms. KAPTUR, Mr. TIPTON, Mr. WELCH, Mr. WOMACK, Mr. NUNNELEE, Mr. KISSELL, Mr. ROSS of Arkansas, Mr. SOUTHERLAND, Ms. PINGREE of Maine, Mr. BENISHEK, Mrs. EMERSON, Ms. SEWELL, Mrs. LUMMIS, Mr. BISHOP of Georgia, and Mrs. ELLMERS):

H.R. 5873. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product"; to the Committee on Agriculture.

By Mr. POLIS:

H.R. 5874. A bill to facilitate foreign investment by permanently reauthorizing the EB-5 regional center program, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H.R. 5875. A bill to establish a visa waiver program for the United States Virgin Islands; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself and Ms. BASS of California):

H.R. 5876. A bill to amend the Elementary and Secondary Education Act of 1965 to provide educational stability for children in foster care, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 5877. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Education and the Workforce.

By Mrs. LOWEY:

H.R. 5878. A bill to amend the Internal Revenue Code of 1986 to expand deductions allowed for education-related expenses and to extend the American Opportunity Tax Credit; to the Committee on Ways and Means.

By Mrs. NOEM (for herself and Mr. WALZ of Minnesota):

H.R. 5879. A bill to amend the Federal Crop Insurance Act to modify the ineligibility requirements for producers that produce an annual crop on native sod, and for other purposes; to the Committee on Agriculture.

By Mr. RUNYAN:

H.R. 5880. A bill to extend the authority of the Secretary of Veterans Affairs to enter into contracts with private physicians to conduct medical disability examinations; to the Committee on Veterans' Affairs.

By Mr. RUNYAN (for himself and Mr. WALZ of Minnesota):

H.R. 5881. A bill to amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of local governmental agencies with access to case-tracking information of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CASSIDY:

H. Res. 671. A resolution expressing the sense of the House of Representatives con-

cerning the need for a comprehensive public alert and warning system for the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MORAN:

H. Res. 672. A resolution expressing the sense of the House of Representatives that the energy, environmental, and foreign policies of the United States should reflect appropriate understanding and sensitivity concerning issues related to climate change, as documented by credible scientific findings and as evidenced by the extreme weather events of recent years; to the Committee on Energy and Commerce.

¶69.32 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

230. The SPEAKER presented a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 55 memorializing the Congress to support the 259th Air Traffic Control Squadron Louisiana National Guard; to the Committee on Armed Services.

231. Also, a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Senate Resolution No. 2641 requesting the Congress and the Board of Governors of the Federal Reserve to review and amend the Expedited Funds Availability Act; to the Committee on Financial Services.

232. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2007 urging the Congress to send a balanced budget amendment to the Constitution to the States for ratification; to the Committee on the Judiciary.

233. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 12-1006 recognizing the bravery and sacrifice of the crew of the U.S.S. Pueblo; jointly to the Committees on Armed Services and Foreign Affairs.

¶69.33 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 436: Mr. GRIFFITH of Virginia.
 H.R. 507: Mr. GRIMM.
 H.R. 529: Mr. MATHESON.
 H.R. 777: Ms. HIRONO.
 H.R. 904: Mrs. ADAMS.
 H.R. 942: Ms. GRANGER, Mr. JOHNSON of Ohio, Mr. NUNNELEE, Mr. KINZINGER of Illinois, and Mr. WITTMAN.
 H.R. 973: Ms. JENKINS.
 H.R. 1054: Ms. NORTON.
 H.R. 1084: Mr. WELCH.
 H.R. 1145: Mr. CASSIDY.
 H.R. 1190: Mr. CHANDLER.
 H.R. 1219: Mrs. CAPPS.
 H.R. 1331: Mr. REED.
 H.R. 1370: Mr. BRADY of Texas, Mr. MACK, and Mr. YOUNG of Indiana.
 H.R. 1394: Mr. MATHESON, Mr. RUPPERSBERGER, and Mr. BILBRAY.
 H.R. 1428: Ms. SCHWARTZ.
 H.R. 1479: Mr. CARSON of Indiana.
 H.R. 1489: Mr. GENE GREEN of Texas.
 H.R. 1519: Mr. DICKS, Mr. CUELLAR, Ms. BONAMICI, Mr. RUPPERSBERGER, Mr. DEUTCH, Mr. PIERLUISI, and Mr. BISHOP of Georgia.
 H.R. 1546: Mr. GRAVES of Missouri.
 H.R. 1616: Mr. ANDREWS.
 H.R. 1648: Ms. BASS of California, Mr. LOEBACK, Mr. GRIMM, and Mr. DEFAZIO.
 H.R. 1675: Mr. KING of Iowa, Mr. POLIS, Mr. WILSON of South Carolina, Mr. BONNER, Mr. BOREN, Mr. PENCE, Mr. LAMBORN, and Mr. SIRES.

H.R. 1700: Mr. BROUN of Georgia.
 H.R. 1781: Ms. ROYBAL-ALLARD.
 H.R. 1802: Mr. MCKINLEY.
 H.R. 1860: Mr. ROSKAM.
 H.R. 1866: Mr. OLVER.
 H.R. 1876: Ms. KAPTUR.
 H.R. 1919: Mr. CONNOLLY of Virginia.
 H.R. 1946: Mr. BISHOP of New York and Mr. PALAZZO.

H.R. 1956: Mrs. NOEM, Mr. ROHRABACHER, Mr. SMITH of Nebraska, Mr. ROSKAM, and Mr. CASSIDY.

H.R. 1994: Mr. CICILLINE.
 H.R. 2052: Mr. KINGSTON.
 H.R. 2077: Mr. ROHRABACHER.
 H.R. 2086: Mr. CARSON of Indiana.
 H.R. 2140: Mr. ROGERS of Kentucky.
 H.R. 2198: Mr. KINZINGER of Illinois.
 H.R. 2245: Mr. HECK and Mr. HIMES.
 H.R. 2268: Mr. HUIZENGA of Michigan.
 H.R. 2315: Mr. SIRES.
 H.R. 2342: Mr. WATT.
 H.R. 2353: Mr. CASSIDY.
 H.R. 2364: Ms. DEGETTE.
 H.R. 2492: Mr. WALSH of Illinois.
 H.R. 2529: Mr. WALDEN.
 H.R. 2557: Mr. TONKO and Mr. HURT.
 H.R. 2564: Mr. OWENS.
 H.R. 2595: Ms. ROYBAL-ALLARD, Mr. WALDEN, and Mr. JOHNSON of Georgia.
 H.R. 2697: Ms. ESHOO.
 H.R. 2721: Mr. POLIS.
 H.R. 2746: Mr. MARKEY, Ms. LEE of California, Mr. FILNER, Mr. FARR, and Ms. MOORE.

H.R. 2900: Mr. REHBERG.
 H.R. 2969: Mr. CRENSHAW, Mr. GRIJALVA, and Mr. CARSON of Indiana.

H.R. 3066: Mrs. BLACK.
 H.R. 3098: Mr. WALSH of Illinois.
 H.R. 3187: Mr. KINZINGER of Illinois, Mr. LUETKEMEYER, Mr. ROE of Tennessee, Mr. BOUSTANY, Mr. ROKITA, Mr. MCINTYRE, Mr. LARSEN of Washington, and Mr. GOSAR.

H.R. 3337: Mr. RUNYAN, Mr. DEFAZIO, Mr. GUTIERREZ, Mr. HULTGREN, Mr. MARINO, and Ms. NORTON.

H.R. 3353: Mr. BACA.
 H.R. 3423: Mr. TONKO and Mr. KEATING.
 H.R. 3489: Mr. HIMES and Mr. COURTNEY.
 H.R. 3586: Mr. GOSAR.
 H.R. 3609: Mr. PALAZZO.
 H.R. 3612: Mr. ALEXANDER.
 H.R. 3618: Mr. NADLER.
 H.R. 3624: Mr. MCGOVERN.
 H.R. 3665: Mr. MCGOVERN and Ms. NORTON.
 H.R. 3668: Mr. BARROW.
 H.R. 3729: Mr. WELCH.
 H.R. 3761: Mr. POLIS.
 H.R. 3769: Mr. BRADY of Pennsylvania.
 H.R. 3790: Mr. LOEBACK.
 H.R. 3798: Mr. LAGEVIN.
 H.R. 3839: Mr. HECK and Mr. FINCHER.
 H.R. 3849: Mr. QUAYLE.
 H.R. 3993: Mr. CAMP.
 H.R. 4018: Mr. GIBSON and Mr. COLE.
 H.R. 4055: Mr. RUSH, Mr. HINCHEY, Ms. HIRONO, Ms. CHU, Mr. COURTNEY and Ms. ESHOO.

H.R. 4057: Ms. BORDALLO.
 H.R. 4070: Mr. POE of Texas.
 H.R. 4096: Mr. MICHAUD.
 H.R. 4115: Mr. PAULSEN, Mr. TURNER of Ohio and Mr. MURPHY of Pennsylvania.
 H.R. 4122: Mr. UPTON, Mr. PETERS and Ms. PINGREE of Maine.
 H.R. 4134: Mr. DAVIS of Illinois and Mr. YARMUTH.

H.R. 4160: Mr. POE of Texas.
 H.R. 4165: Mr. CRENSHAW.
 H.R. 4174: Mr. AUSTIN SCOTT of Georgia.
 H.R. 4202: Mr. QUIGLEY, Mr. BRALEY of Iowa, Mr. WAXMAN, Mr. BOREN, Ms. PINGREE of Maine, Mr. MICHAUD and Mr. JOHNSON of Georgia.

H.R. 4232: Mr. CAMP.
 H.R. 4235: Mr. CROWLEY, Mr. DIAZ-BALART, Ms. CASTOR of Florida, Ms. WASSERMAN SCHULTZ and Mr. HASTINGS of Florida.

H.R. 4238: Mrs. CAPPS.
 H.R. 4256: Mr. SCHOCK and Mr. LOBIONDO.
 H.R. 4259: Mr. WOLF.
 H.R. 4287: Ms. SEWELL, Mr. POLIS, Mr. REYES and Mr. BENISHEK.
 H.R. 4296: Mr. MARKEY and Mr. DINGELL.
 H.R. 4306: Mr. ROTHMAN of New Jersey.
 H.R. 4345: Mr. POMPEO.
 H.R. 4362: Mr. CARNEY and Ms. NORTON.
 H.R. 4367: Mr. SCHRADER, Mr. GOSAR, Mr. ROSS of Florida, Ms. PINGREE of Maine, Mr. BILBRAY, Mr. LEVIN, Mr. KILDEE and Mr. WOODALL.
 H.R. 4454: Mr. CASSIDY.
 H.R. 4965: Mr. KISSELL, Mr. MATHESON, Mrs. CAPITO, Mr. BERG and Mr. PEARCE.
 H.R. 5044: Mr. GARY G. MILLER of California and Mr. GRIFFIN of Arkansas.
 H.R. 5188: Mr. ELLISON and Mr. BACA.
 H.R. 5331: Mr. FILNER.
 H.R. 5381: Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. GOSAR and Mr. BUCHSON.
 H.R. 5646: Mr. HALL, Mr. PAUL, Mr. SCALISE, Mr. SCHILLING, Mrs. BACHMANN, and Mr. PEARCE.
 H.R. 5647: Ms. KAPTUR.
 H.R. 5653: Mr. RANGEL.
 H.R. 5684: Mr. HIMES.
 H.R. 5717: Mr. SMITH of Nebraska.
 H.R. 5719: Mr. NADLER, Ms. JACKSON LEE of Texas and Ms. BASS of California.
 H.R. 5727: Mr. CONYERS and Ms. NORTON.
 H.R. 5738: Mr. MCCOTTER and Mr. ROGERS of Michigan.
 H.R. 5742: Mr. RUNYAN and Ms. NORTON.
 H.R. 5842: Mr. WALDEN.
 H.R. 5843: Mr. BILIRAKIS and Mr. MARINO.
 H.R. 5848: Ms. NORTON.
 H.R. 5850: Mr. FRANKS of Arizona and Mr. MCGOVERN.
 H.R. 5859: Mr. KELLY.
 H.R. 5864: Mr. ELLISON.
 H.J. Res. 106: Mr. QUAYLE.
 H. Con. Res. 101: Mr. FLEISCHMANN.
 H. Con. Res. 114: Mr. CHAFFETZ.
 H. Con. Res. 127: Mr. BASS of New Hampshire, Mr. LATTA, Mr. TERRY, Mr. STEARNS, Mrs. BLACKBURN, Mr. DINGELL, Ms. MATSUI, Mr. BILBRAY, Mr. SHIMKUS, Mr. MARKEY, Mr. ROGERS of Michigan, Mrs. CHRISTENSEN and Mr. KINZINGER of Illinois.
 H. Res. 111: Mr. SCHILLING and Ms. SUTTON.
 H. Res. 577: Mr. AUSTRIA.
 H. Res. 618: Mr. GRIJALVA and Mr. KING of New York.
 H. Res. 630: Mr. GRIMM, Mr. WILSON of South Carolina, Mr. WESTMORELAND, Mr. LAMBORN, Ms. BUERKLE, Mr. WEST and Mr. PEARCE.
 H. Res. 646: Mr. POE of Texas.
 H. Res. 662: Mr. BURTON of Indiana and Mr. NUNNELEE.
 H. Res. 669: Mr. KISSELL and Mr. HUELSKAMP.

¶69.34 PETITIONS

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

46. The SPEAKER presented a petition of State Lands Commission, California, relative to Resolution requesting that the federal government prohibit new offshore oil and gas leasing off the coast of California; to the Committee on Natural Resources.

47. Also, a petition of State Lands Commission, California, relative to Resolution opposing H.R. 1837; to the Committee on Natural Resources.

48. Also, a petition of State Lands Commission, California, relative to Resolution supporting H.R. 104; jointly to the Committees on Transportation and Infrastructure and Rules.

FRIDAY, JUNE 1, 2012 (70)

The House was called to order by the SPEAKER.

¶70.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, May 31, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶70.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6250. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, United States Special Operations Command case number 09-02; to the Committee on Appropriations.

6251. A letter from the Acting Under Secretary, Department of Defense, transmitting the Accreditation Report for the Armed Force Retirement Home (AFRHS) for Fiscal Year 2011; to the Committee on Armed Services.

6252. A letter from the Surgeon General, Army, Department of Defense, transmitting a report on incentives for recruitment and retention of Army healthcare professionals; to the Committee on Armed Services.

6253. A letter from the Acting Under Secretary, Department of Defense, transmitting a report entitled, "Future Capability of DoD Maintenance Depots"; to the Committee on Armed Services.

6254. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement with Columbia (DFARS Case 2012-D032) (RIN: 0750-AH72) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6255. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Contingency Contract Closeout (DFARS Case 2012-D014) (RIN: 0750-AH71) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6256. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Utilization of Domestic Photovoltaic Devices (DFARS Case 2011-D046) (RIN: 0750-AH43) received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6257. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on Head Start Monitoring for Fiscal Year 2009"; to the Committee on Education and the Workforce.

6258. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Enhancement of Electricity Market Surveillance and Analysis through Ongoing Electronic Delivery of Data from Regional Transmission Organizations and Independent System Operators [Docket No.: RM11-17-000; Order No. 760] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6259. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-15, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6260. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-16, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6261. A letter from the Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for August 26, 2011 — February 25, 2012; to the Committee on Foreign Affairs.

6262. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: International Import Certificate BIS-645P/ATF-4522/DSP-53 and Administrative Changes (RIN: 1400-AC85) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6263. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Exemption for Temporary Export of Chemical Agent Protective Gear (RIN: 1400-AC71) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6264. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Foreign Affairs.

6265. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Foreign Affairs.

6266. A letter from the Special Inspector General For Iraq Reconstruction, transmitting seventh lessons learned report entitled "Iraq Reconstruction: Lessons in Criminal Investigations of U.S.-funded Stabilization and Reconstruction Projects"; to the Committee on Foreign Affairs.

6267. A letter from the Secretary, Department of Education, transmitting the Department's fiscal year 2011 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6268. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6269. A letter from the Secretary, Smithsonian Institution, transmitting a copy of the Institution's audited financial statement for fiscal year 2011, pursuant to 20 U.S.C. 57; to the Committee on Oversight and Government Reform.

6270. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to appeal the decision of the district court in the case of the United States v. Zhen Zhou Wu, et al., No.

08:10386-PBS, 2011 West Law 31345 (D. Mass. Jan 4, 2011); to the Committee on the Judiciary.

6271. A letter from the Clerk of the Court, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Second Circuit United States of America v. Sergey Aleynikov, docket no. 11-1126-cr; to the Committee on the Judiciary.

6272. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Pacific Sound Resources and Lockheed Shipyard EPA Superfund Cleanup Sites, Elliott Bay, Seattle, WA [Docket No.: USCG-2010-1145] (RIN: 1625-AA11) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6273. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — MARPOL Annex V Special Areas: Wider Caribbean Region [Docket No.: USCG-2011-0187] (RIN: 1625-AB76) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6274. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone [Docket No.: USCG-2012-0045] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6275. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Volvo Ocean Racing Youth Regatta, Biscayne Bay, Miami, FL [Docket No.: USCG-2012-0178] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6276. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; East River, Brooklyn Bridge Scaffolding Repair, Brooklyn, NY [Docket No.: USCG-2012-0263] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6277. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sunken Vessel, Puget Sound, Everett, WA [Docket No.: USCG-2012-0282] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6278. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Saginaw River, Bay City, MI [Docket No.: USCG-2011-1013] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6279. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; North Atlantic Treaty Organization (NATO) Summit, Chicago, Illinois [Docket No.: USCG-2012-0052] (RIN: 1625-AA87) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6280. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations: Subpart A — Special Anchorage Regulations, Newport Bay Harbor, CA [Docket No.: USCG-2010-0929] (RIN: 1625-AA01) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

70.3 LEGISLATIVE BRANCH APPROPRIATIONS FY 2013

Mr. CRENSHAW submitted a privileged report (Rept. No. 112-511) on the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

70.4 ENERGY AND WATER APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. DENHAM, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. POE of Texas, Acting Chairman, assumed the chair; and after some time spent therein,

70.5 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SCALISE:

Page 3, line 16, after the dollar amount, insert "(increased by \$10,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

It was decided in the { Yeas 216 affirmative } Nays 177

70.6 [Roll No. 306] AYES—216

- Adams Courtney
Akin Cravaack
Alexander Crawford
Altmire Critz
Amash Cuellar
Amodei Culberson
Bachmann Cummings
Barletta Davis (IL)
Barrow DeFazio
Barton (TX) DeGette
Bass (CA) Denham
Becerra Deutch
Benishek Dingell
Bilbray Duncan (SC)
Bilirakis Duncan (TN)
Bishop (GA) Edwards
Bishop (UT) Ellmers
Boren Farenthold
Boustany Fitzpatrick
Brady (TX) Flake
Brown (FL) Fleming
Buchanan Forbes
Buerkle Franks (AZ)
Burgess Fudge
Butterfield Gardner
Campbell Garrett
Canseco Gibbs
Cantor Gibson
Carney Gingrey (GA)
Carson (IN) Gohmert
Cassidy Gonzalez
Chabot Goodlatte
Chaffetz Gosar
Cicilline Gowdy
Clarke (MI) Graves (GA)
Clarke (NY) Graves (MO)
Cleaver Green, Al
Coffman (CO) Griffin (AR)
Cohen Griffith (VA)
Cole Grimm
Conaway Hall
Conyers Hanabusa

- Hanna
Harper
Hastings (FL)
Hayworth
Heck
Hensarling
Herrera Beutler
Hinojosa
Hochul
Holden
Huelskamp
Hultgren
Hurt
Israel
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
King (IA)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Landry
Langevin
Larson (CT)
Lee (CA)
Lewis (GA)
Lowey
Lucas
Luettkemeyer
Lujan

- Lummis
Lungren, Daniel E.
Manzullo
Marchant
Markey
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Mulvaney
Nugent
Nunnelee
Olson
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peters
Petri
Pingree (ME)
Pitts
Platts
Polis
Posey
Price (GA)
Quayle
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Roe (TN)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Ross (FL)
Royce
Runyan
Scalise
Schakowsky
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Smith (TX)
Smith (WA)
Southernland
Stearns
Sullivan
Sutton
Thompson (MS)
Thornberry
Tipton
Tonko
Towns
Turner (NY)
Upton
Walberg
Wasserman
Schultz
Watt
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Woodall
Yarmuth
Young (AK)

NOES—177

- Ackerman
Aderholt
Andrews
Austria
Bachus
Baldwin
Bartlett
Bass (NH)
Berg
Berkley
Berman
Biggart
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Bucshon
Camp
Capito
Capps
Capuano
Carnahan
Carter
Castor (FL)
Chandler
Chu
Connolly (VA)
Cooper
Costello
Crenshaw
Crownley
Davis (CA)
Davis (KY)
DeLauro
Dent
DesJarlais
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fincher
Fleischmann
Flores
Fox
Frank (MA)
Frelinghuysen
Garamendi
Gerlach
Granger
Green, Gene
Grijalva
Guthrie
Gutierrez
Hahn
Harris
Hartzler
Hastings (WA)
Higgins
Himes
Hinche
Hirono
Holt
Honda
Hoyer
Huizenga (MI)
Hunter
Issa
Johnson (GA)
Kaptur
King (NY)
Kingston
Labrador
Lance
Lankford
Larsen (WA)
Latham
Latta
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lynch
Maloney
Marino
Matheson
Matsui
McDermott
McGovern
McIntyre
McKinley
McNerney
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Noem
Nunes
Olver
Owens
Palazzo
Pallone
Perlmutter
Peterson
Poe (TX)
Pompeo
Price (NC)
Quigley
Rehberg
Reichert
Ribble
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Ross (AR)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Schwartz
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Speier
Stark
Stivers
Stutzman
Terry
Thompson (CA)
Thompson (PA)
Tiberi
Tierney
Turner (OH)
Van Hollen
Visclosky
Walden
Waxman
Webster
Wolf
Womack
Woolsey
Yoder
Young (IN)
Clay
Clyburn
Coble
Costa
Doyle
Ellisberry
Fortenberry
Gallegly

NOT VOTING—38

Guinta	McKeon	Shuler
Heinrich	Miller, Gary	Slaughter
Herger	Moore	Tsongas
Kind	Neal	Velázquez
LaTourette	Pascrell	Walsh (IL)
Lewis (CA)	Paul	Walz (MN)
Mack	Rothman (NJ)	Waters
McCarthy (CA)	Schilling	Young (FL)
McCollum	Scott, David	

NOES—185

Ackerman	Garamendi	Nadler
Altmire	Gardner	Napolitano
Andrews	Gibson	Olver
Baldwin	Gonzalez	Pallone
Barrow	Green, Al	Pastor (AZ)
Bass (NH)	Green, Gene	Pelosi
Becerra	Griffin (AR)	Perlmutter
Berkley	Grijalva	Peters
Berman	Grimm	Pingree (ME)
Biggett	Gutierrez	Polis
Bilbray	Hahn	Price (NC)
Bishop (GA)	Hanabusa	Quigley
Bishop (NY)	Hanna	Rangel
Blumenauer	Hastings (FL)	Reyes
Bonamici	Hastings (WA)	Richardson
Bono Mack	Himes	Richmond
Boren	Hinchev	Ross (AR)
Brady (PA)	Hirono	Roybal-Allard
Brown (FL)	Holden	Ruppersberger
Butterfield	Holt	Rush
Capps	Honda	Ryan (OH)
Capuano	Hoyer	Sánchez, Linda
Carnahan	Israel	T.
Carmey	Jackson (IL)	Sanchez, Loretta
Carson (IN)	Jackson Lee	Sarbanes
Castor (FL)	(TX)	Schakowsky
Chandler	Johnson (GA)	Schiff
Cicilline	Johnson, E. B.	Schrader
Clarke (MI)	Jones	Schwartz
Clarke (NY)	Kaptur	Scott (VA)
Cleaver	Keating	Sensenbrenner
Cohen	Kildee	Serrano
Connolly (VA)	Kucinich	Sewell
Conyers	Langevin	Sherman
Cooper	Larsen (WA)	Shuster
Costello	Larson (CT)	Simpson
Courtney	Latta	Sires
Crawford	Lee (CA)	Smith (WA)
Crenshaw	Levin	Speier
Critz	Lewis (GA)	Stark
Crowley	LoBiondo	Stivers
Cuellar	Lofgren, Zoe	Sutton
Cummings	Long	Thompson (CA)
Davis (CA)	Lowey	Thompson (MS)
Davis (IL)	Luján	Tiberi
DeFazio	Lynch	Tierney
DeGette	Maloney	Tipton
DeLauro	Markey	Tonko
Dent	Matheson	Towns
Deutch	Matsui	Upton
Dicks	McCarthy (NY)	Walden
Dingell	McCotter	Wasserman
Doggett	McDermott	Schultz
Donnelly (IN)	McGovern	Watt
Edwards	McKinley	Waxman
Engel	McNerney	Welch
Eshoo	Meehan	West
Farr	Meeks	Whitfield
Fattah	Miller (NC)	Wilson (FL)
Filner	Miller, George	Womack
Foxx	Moran	Woolsey
Frank (MA)	Murphy (CT)	Yarmuth
Fudge	Murphy (PA)	

It was decided in the { Yeas 152
negative } Nays 237

70.10 [Roll No. 308]

AYES—152

Ackerman	Green, Al	Olver
Andrews	Green, Gene	Pallone
Baldwin	Grijalva	Pastor (AZ)
Bass (CA)	Gutierrez	Pelosi
Bass (NH)	Hahn	Perlmutter
Becerra	Hanabusa	Peters
Berkley	Hastings (FL)	Pingree (ME)
Berman	Hayworth	Platts
Bishop (NY)	Higgins	Polis
Blumenauer	Himes	Price (NC)
Bonamici	Hinchev	Quigley
Brady (PA)	Hinojosa	Rangel
Braley (IA)	Hirono	Reyes
Brown (FL)	Holt	Richardson
Butterfield	Honda	Roybal-Allard
Capps	Hoyer	Richmond
Capuano	Israel	Ruppersberger
Carnahan	Jackson (IL)	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sánchez, Linda
Chu	Johnson (GA)	T.
Cicilline	Johnson, E. B.	Sanchez, Loretta
Clarke (MI)	Kaptur	Sarbanes
Clarke (NY)	Keating	Schakowsky
Cleaver	Kildee	Schiff
Cohen	Kucinich	Schwartz
Connolly (VA)	Langevin	Scott (VA)
Conyers	Larsen (WA)	Schwartz
Cooper	Larson (CT)	Scott (VA)
Courtney	Latta	Serrano
Crowley	Lee (CA)	Sewell
Cummings	Levin	Sherman
Davis (CA)	Lewis (GA)	Shuster
Davis (IL)	Lipinski	Simpson
DeFazio	Lofgren, Zoe	Sires
DeGette	Luján	Smith (WA)
DeLauro	Lynch	Speier
Dent	Maloney	Stark
Deutch	Markey	Sutton
Dicks	Matheson	Thompson (CA)
Dingell	Matsui	Thompson (MS)
Doggett	McCarthy (NY)	Tierney
Dold	McCotter	Tipton
Edwards	McDermott	Tonko
Engel	McGovern	Towns
Eshoo	McKinley	Upton
Farr	McNerney	Walden
Fattah	Meehan	Wasserman
Filner	Meeks	Schultz
Fitzpatrick	Miller (NC)	Watt
Frank (MA)	Miller, George	Waxman
Fudge	Moran	Welch
Gonzalez	Murphy (CT)	Wilson (FL)
	Nadler	Wittman
	Napolitano	Woolsey
		Yarmuth

NOES—237

Adams	Carter	Garrett
Aderholt	Cassidy	Gerlach
Akin	Castor (FL)	Gibbs
Altmire	Chabot	Gibson
Amash	Chaffetz	Gingrey (GA)
Amodei	Chandler	Gohmert
Austria	Coffman (CO)	Goodlatte
Bachmann	Cole	Gosar
Bachus	Conaway	Gowdy
Barletta	Costello	Granger
Barrow	Cravaack	Graves (GA)
Bartlett	Crawford	Graves (MO)
Barton (TX)	Crenshaw	Griffin (AR)
Benishek	Critz	Griffith (VA)
Berg	Cuellar	Grimm
Berkley	Culberson	Guthrie
Biggett	Davis (KY)	Hall
Bilbray	Denham	Hanna
Bilirakis	Dent	Harper
Bishop (GA)	DesJarlais	Harris
Bishop (UT)	Diaz-Balart	Hartzler
Black	Donnelly (IN)	Hastings (WA)
Blackburn	Dreier	Heck
Bonner	Duffy	Hensarling
Boswell	Duncan (SC)	Herrera Beutler
Boustany	Duncan (TN)	Hochul
Brady (TX)	Ellmers	Holden
Brooks	Farenthold	Huelskamp
Broun (GA)	Fincher	Hultgren
Buchanan	Flake	Hunter
Bucshon	Fleming	Hurt
Buerkle	Fleischmann	Issa
Burgess	Flores	Jenkins
Camp	Forbes	Johnson (IL)
Campbell	Foxx	Johnson (OH)
Canseco	Franks (AZ)	Johnson, Sam
Cantor	Frelinghuysen	Jones
Capito	Gardner	Jordan
		Kelly

So the amendment was agreed to.

70.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KING of Iowa:

Page 3, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 5, line 1, after the dollar amount, insert "(increased by \$571,429)".

It was decided in the { Yeas 203
affirmative } Nays 185

70.8 [Roll No. 307]

AYES—203

Adams	Goodlatte	Owens
Aderholt	Gosar	Palazzo
Akin	Gowdy	Paulsen
Amash	Granger	Pearce
Amodei	Graves (GA)	Pence
Austria	Graves (MO)	Peterson
Bachmann	Griffith (VA)	Petri
Bachus	Guthrie	Pitts
Barletta	Hall	Platts
Bartlett	Harper	Poe (TX)
Barton (TX)	Harris	Pompeo
Benishek	Hartzler	Posey
Berg	Hayworth	Price (GA)
Bilirakis	Heck	Quayle
Bishop (UT)	Hensarling	Rahall
Black	Herrera Beutler	Reed
Blackburn	Higgins	Rehberg
Bonner	Hinojosa	Reichert
Boswell	Hochul	Renacci
Boustany	Huelskamp	Ribble
Brady (TX)	Hultgren	Rigell
Braley (IA)	Hunter	Rivera
Brooks	Hurt	Roby
Broun (GA)	Issa	Roe (TN)
Buchanan	Jenkins	Rogers (AL)
Bucshon	Johnson (IL)	Rogers (KY)
Buerkle	Johnson (OH)	Rogers (MI)
Burgess	Johnson, Sam	Rohrabacher
Camp	Jordan	Rokita
Campbell	Kelly	Rooney
Canseco	King (IA)	Ros-Lehtinen
Cantor	King (NY)	Roskam
Capito	Kingson	Ross (FL)
Carter	Kinzinger (IL)	Royce
Cassidy	Kissell	Runyan
Chabot	Kline	Ryan (WI)
Chaffetz	Labrador	Scalise
Chu	Lamborn	Schmidt
Coffman (CO)	Lance	Schock
Cole	Lankford	Schweikert
Conaway	Latham	Scott (SC)
Cravaack	Lipinski	Scott, Austin
Culberson	Loeb sack	Sessions
Davis (KY)	Lucas	Shimkus
Denham	Luetkemeyer	Smith (NE)
DesJarlais	Lummis	Smith (NJ)
Diaz-Balart	Lungren, Daniel	Smith (TX)
Dold	E.	Southerland
Dreier	Manzullo	Stearns
Duffy	Marchant	Stutzman
Duncan (SC)	Marino	Sullivan
Duncan (TN)	McCaul	Terry
Ellmers	McClintock	Thompson (PA)
Emerson	McHenry	Thornberry
Farenthold	McIntyre	Turner (NY)
Fincher	McMorris	Turner (OH)
Fitzpatrick	Rodgers	Visclosky
Flake	Mica	Walberg
Fleischmann	Michaud	Webster
Fleming	Miller (FL)	Westmoreland
Flores	Miller (MI)	Wilson (SC)
Forbes	Mulvaney	Wittman
Franks (AZ)	Myrick	Wolf
Frelinghuysen	Neugebauer	Woodall
Garrett	Noem	Yoder
Gerlach	Nugent	Young (AK)
Gibbs	Nunes	Young (IN)
Gingrey (GA)	Nunnelee	
Gohmert	Olson	

Ackerman	Garamendi	Nadler
Altmire	Gardner	Napolitano
Andrews	Gibson	Olver
Baldwin	Gonzalez	Pallone
Barrow	Green, Al	Pastor (AZ)
Bass (NH)	Green, Gene	Pelosi
Becerra	Griffin (AR)	Perlmutter
Berkley	Grijalva	Peters
Berman	Grimm	Pingree (ME)
Biggett	Gutierrez	Polis
Bilbray	Hahn	Price (NC)
Bishop (GA)	Hanabusa	Quigley
Bishop (NY)	Hanna	Rangel
Blumenauer	Hastings (FL)	Reyes
Bonamici	Hastings (WA)	Richardson
Bono Mack	Himes	Richmond
Boren	Hinchev	Ross (AR)
Brady (PA)	Hirono	Roybal-Allard
Brown (FL)	Holden	Ruppersberger
Butterfield	Holt	Rush
Capps	Honda	Ryan (OH)
Capuano	Hoyer	Sánchez, Linda
Carnahan	Israel	T.
Carmey	Jackson (IL)	Sanchez, Loretta
Carson (IN)	Jackson Lee	Sarbanes
Castor (FL)	(TX)	Schakowsky
Chandler	Johnson (GA)	Schiff
Cicilline	Johnson, E. B.	Schrader
Clarke (MI)	Jones	Schwartz
Clarke (NY)	Kaptur	Scott (VA)
Cleaver	Keating	Sensenbrenner
Cohen	Kildee	Serrano
Connolly (VA)	Kucinich	Sewell
Conyers	Langevin	Sherman
Cooper	Larsen (WA)	Shuster
Costello	Larson (CT)	Simpson
Courtney	Latta	Sires
Crawford	Lee (CA)	Smith (WA)
Crenshaw	Levin	Speier
Critz	Lewis (GA)	Stark
Crowley	LoBiondo	Stivers
Cuellar	Lofgren, Zoe	Sutton
Cummings	Long	Thompson (CA)
Davis (CA)	Lowey	Thompson (MS)
Davis (IL)	Luján	Tiberi
DeFazio	Lynch	Tierney
DeGette	Maloney	Tipton
DeLauro	Markey	Tonko
Dent	Matheson	Towns
Deutch	Matsui	Upton
Dicks	McCarthy (NY)	Walden
Dingell	McCotter	Wasserman
Doggett	McDermott	Schultz
Donnelly (IN)	McGovern	Watt
Edwards	McKinley	Waxman
Engel	McNerney	Welch
Eshoo	Meehan	West
Farr	Meeks	Whitfield
Fattah	Miller (NC)	Wilson (FL)
Filner	Miller, George	Womack
Foxx	Moran	Woolsey
Frank (MA)	Murphy (CT)	Yarmuth
Fudge	Murphy (PA)	

NOT VOTING—43

Alexander	Heinrich	Paul
Baca	Herger	Rothman (NJ)
Bass (CA)	Huizenga (MI)	Schilling
Burton (IN)	Kind	Scott, David
Calvert	Landry	Shuler
Cardoza	LaTourette	Slaughter
Clay	Lewis (CA)	Tsongas
Clyburn	Mack	Van Hollen
Coble	McCarthy (CA)	Velázquez
Costa	McCollum	Walsh (IL)
Doyle	McKeon	Walz (MN)
Ellison	Miller, Gary	Waters
Fortenberry	Moore	Young (FL)
Gallegly	Neal	
Guinta	Pascrell	

So the amendment was agreed to.

70.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MORAN:

Page 12, beginning on line 6, strike section 110.

King (IA) Noem Scalise Landry Pence Schweikert Speier Tipton Waxman
King (NY) Nugent Schmidt Lofgren, Zoe Petri Scott (SC) Stark Tonko
Kingston Nunes Schmitt Luetkemeyer Poe (TX) Scott, Austin Stivers Towns Welch
Kinzinger (IL) Nunnelee Schrader Lummis Pompeo Sessions Sullivan Turner (OH) Whitfield
Kissell Olson Schweikert Lungren, Daniel E. Price (GA) Shimkus Smith (NE) Thompson (CA) Upton Wilson (FL)
Kline Owens Scott (SC) Manzullo Marchant Ribble Smith (TX) Thompson (MS) Van Hollen Wolf
Labrador Palazzo Scott, Austin Matheson McClintock Ross (FL) Royce Young (AK) Tiberi Walden Womack
Lamborn Paulsen Sensenbrenner Matheson Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
Lance Pearce Sessions Matheson Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
Landry Pence Sessions Matheson Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
Lankford Peterson Shimkus Shuster McCotter McHenry McKinley Miller (FL) Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
Latham Petri Simpson McHenry McKinley Miller (FL) Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
Latta Pitts Smith (NE) Miller (FL) Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
LoBiondo Poe (TX) Smith (NJ) Miller (FL) Mulvaney Myrick Neugebauer Tipton Wasserman Yarmuth
Loeb sack Pompeo Smith (TX) Southernland Stearns Stutzman Sullivan Terry Thompson (PA) Thornberry Tiberi Tipton
Long Posey Southernland Stearns Stutzman Sullivan Terry Thompson (PA) Thornberry Tiberi Tipton
Lucas Price (GA) Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Manzullo Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Marchant Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Marino Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Matheson Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McCaul Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McClintock Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McCotter Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McHenry Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McIntyre Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McKinley Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
McMorris Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Rodgers Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Meehan Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Mica Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Miller (FL) Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Miller (MI) Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Mulvaney Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Murphy (PA) Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Myrick Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)
Neugebauer Quayle Rahall Reed Rehberg Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Royce Runyan Ryan (WI)

NOT VOTING—42

Alexander Guinta Pascrell Baca Heinrich Paul Burton (IN) Herger Huizenga (MI) Calvert Cardoza Kind LaTourette Clay Lewis (CA) Coble Mack McCarthy (CA) Doyle McCollum Ellison McKeon Emerson Miller, Gary Fortenberry Moore Gallegly Neal

So the amendment was not agreed to.

70.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HULTGREN:

Page 20, line 15, after the dollar amount, insert "(reduced by \$30,000,000)".

Page 26, line 2, after the dollar amount, insert "(increased by \$15,000,000)".

It was decided in the Yeas 130 negative Nays 256

70.12 [Roll No. 309]

AYES—130

Adams Cassidy Gosar Aderholt Chabot Gowdy Akin Conaway Graves (MO) Amash Costello Griffith (VA) Amodei Cravaack Grimm Bachmann Dent Hall Hartzler Bachus DesJarlais Hartsler Duffy Hensarling Berg Duncan (SC) Hinojosa Biggert Duncan (TN) Hochul Ellmers Hultgren Black Farenthold Hunter Blackburn Fincher Flake Hunter Brady (TX) Fleming Jenkins Brooks Broun (GA) Flores Johnson (IL) Buchanan Forbes Jordan Buerkle Franks (AZ) Kelly Burgess Garrett Kinzinger (IL) Campbell Gingrey (GA) Kline Goodell Gohmert Labrador Goodlatte Goodlatte Lamborn

Landry Lofgren, Zoe Luetkemeyer Poe (TX) Pompeo Posey Price (GA) Quayle Ribble Rigell Southernland Stearns Stutzman Sullivan Terry Thompson (PA) Thornberry Tiberi Tipton

NOES—256

Altmire Andrews Austria Baldwin Barletta Barrow Bartlett Barton (TX) Bass (CA) Bass (NH) Becerra Berkley Berman Bilbray Bishop (GA) Bishop (NY) Bishop (UT) Blumenauer Bonamici Bonner Bono Mack Boren Boswell Boustany Brady (PA) Bradley (IA) Brown (FL) Butterfield Camp Caputo Capps Capuano Carnahan Carney Carson (IN) Carter Castor (FL) Chaffetz Chandler Chu Cicilline Clarke (MI) Clarke (NY) Cleaver Coffman (CO) Cohen Cole Johnson (GA) Connolly (VA) Conyers Cooper Courtney Crawford Crenshaw Critz Crowley Cuellar Culberson Cummings Davis (CA) Davis (IL) Davis (KY) DeFazio DeGette DeLauro Denham Deutch Diaz-Balart Dicks Dingell Doggett Dold Donnelly (IN) Dreier Edwards Emerson Engel

Pence Petri Scott (TX) Pompeo Posey Price (GA) Quayle Ribble Rigell Southernland Stearns Stutzman Sullivan Terry Thompson (PA) Thornberry Tiberi Tipton

Eshoo Farr Fattah Filner Fitzpatrick Fleischmann Foxx Frank (MA) Frelinghuysen Fudge Garamendi Gardner Gerlach Gibbs Gibson Gonzalez Granger Green, Al Green, Gene Griffin (AR) Grijalva Guthrie Gutierrez Hahn Hanabusa Hanna Harper Harris Hastings (FL) Hastings (WA) Hayworth Heck Herrera Beutler Higgins Himes Hinchey Hirono Holden Holt Honda Hoyer Israel Issa Jackson (IL) Jackson Lee (TX) Johnson (GA) Johnson (OH) Johnson, E. B. Jones Kaptur Keating Kildee King (IA) King (NY) Kingston Kissell Kucinich Lance Langevin Lankford Larsen (WA) Larson (CT) Latham Latta Lee (CA) Levin Lewis (GA) Lipinski LoBiondo Loeb sack Long Lowey Lucas Lujan Lynch

Schweikert Scott (SC) Scott, Austin Sensenbrenner Sessions Stivers Sullivan Sutton Tarron Thompson (CA) Thompson (MS) Thompson (PA) Tiberi Tierney

NOT VOTING—45

Ackerman Graves (GA) Moore Alexander Guinta Neal Baca Heinrich Pascrell Bucshon Herger Paul Burton (IN) Huizenga (MI) Rothman (NJ) Calvert Johnson, Sam Schilling Cardoza Kind Scott, David Clay LaTourette Shuler Clyburn Lewis (CA) Slaughter Coble Mack Tsongas Costa McCarthy (CA) Velázquez Doyle McCaul Walsh (IL) Ellison McCollum Walz (MN) Fortenberry McKeon Waters Gallegly Miller, Gary Young (FL)

So the amendment was not agreed to.

70.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CHAFFETZ:

Page 20, line 15, after the dollar amount insert "(reduced by \$74,000,000)".

Page 56, line 24, after the dollar amount insert "(increased by \$74,000,000)".

It was decided in the Yeas 140 negative Nays 245

70.14 [Roll No. 310]

AYES—140

Adams Gowdy Paulsen Akin Graves (GA) Pearce Amash Graves (MO) Pence Amodei Guthrie Petri Bachmann Hall Pitts Bachus Harris Poe (TX) Barton (TX) Hayworth Pompeo Benishek Hensarling Posney Bilirakis Huelskamp Price (GA) Bishop (UT) Hultgren Quayle Black Hunter Ribble Blackburn Hurt Rigell Bono Mack Issa Roe (TN) Boustany Jenkins Johnson (IL) Johnson (OH) Johnson (OH) Jones Ross (FL) Buchanan Jordan Royce Bucshon King (IA) Ryan (WI) Buerkle Kline Scalise Burgess Labrador Lamborn Camp Lamborn Schmitt Campbell Lance Schock Canseco Landry Schweikert Cantor Lankford Scott (SC) Cassidy Latta Scott, Austin Chabot Long Sensenbrenner Chaffetz Luetkemeyer Sessions Conaway Lummis Smith (NE) Cravaack Lungren, Daniel Smith (TX) DesJarlais E. Southernland Duffy Manzullo Stearns Terry Farenthold Marchant Matheson Turner (NY) Fincher McClintock Upton Flake McMorris Walberg Fleming Rodgers Walden Flores Mica West Forbes Miller (FL) West Fox Miller (MI) West Franks (AZ) Mulvaney Westmoreland Garrett Myrick Wilson (SC) Neugebauer Wolf Woodall Nugent Yoder Nunes Young (AK) Nunnelee Young (IN) Olson

NOES—245

Aderholt
Altmire
Andrews
Austria
Baldwin
Barietta
Barrow
Bartlett
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Bralley (IA)
Brown (FL)
Butterfield
Capito
Capps
Hochul
Holden
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chiu
Cicilline
Clarke (MI)
Clarke (NY)
Clever
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Edwards
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fleischmann
Frank (MA)
Frelinghuysen
Fudge

Garamendi
Gardner
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
Chu (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Serrano
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lujan
Lynch
Maloney
Marino
Markley
Matsui
McCarthy (NY)
McCotter
McDermott
McGovern
McHenry
McIntyre
McKinley
McNerney
Meehan
Michaud
Miller (NC)
Miller, George
Moran
Murphy (PA)
Nadler
Napolitano

Noem
Oliver
Owens
Palazzo
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Robby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Speier
Serrano
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Turner (OH)
Wasserman
Schultz
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Woolsey
Yarmuth

NOT VOTING—46

Ackerman
Alexander
Baca
Bass (CA)
Burton (IN)
Calvert
Cardoza
Clay
Clyburn
Coble
Costa
Crowley
Doyle
Ellison

Fortenberry
Gallegly
Guinta
Heinrich
Herger
Huizenga (MI)
Johnson, Sam
Kind
LaTourette
Lewis (CA)
Mack
McCarthy (CA)
McCollum
McKeon

Miller, Gary
Moore
Murphy (CT)
Neal
Pascarell
Paul
Rothman (NJ)
Schilling
Scott, David
Shuler
Slaughter
Stutzman

Tsongas
Velazquez

Walsh (IL)
Walz (MN)

Waters
Young (FL)

So the amendment was not agreed to.

70.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 6, submitted by Mr. McCLINTOCK:

Page 20, line 15, after the dollar amount, insert "(reduced by \$1,450,960,000)".

Page 20, line 16, after the dollar amount, insert "(reduced by \$115,000,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$1,450,960,000)".

It was decided in the { Yeas 113 negative } Nays 275

70.16 [Roll No. 311]

AYES—113

Adams
Aderholt
Akin
Amash
Amodei
Bachmann
Bachus
Benishke
Bilirakis
Bishop (UT)
Blackburn
Boustany
Brady (TX)
Brooks
Brown (GA)
Buerkle
Burgess
Campbell
Cantor
Cassidy
Chabot
Chaffetz
Conaway
Culberson
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleming
Flores
Foxy
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert

Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Harris
Hartzler
Hensarling
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Jones
Jordan
Kiene
Labrador
Landry
Long
Lummis
Mazzullo
Marchant
McClintock
McHenry
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Paulsen

Pearce
Pence
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Ribble
Roe (TN)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Thornberry
Turner (NY)
Upton
Walberg
West
Westmoreland
Whitfield
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (IN)

NOES—275

Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clever
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio

Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Labrador
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe

Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Marino
Markley
Matheson
Matsui
McCarthy (NY)
McCaul
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Noem
Oliver
Owens
Palazzo
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)

Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Turner (OH)
Van Hollen
Visclosky
Walden
Wasserman
Schultz
Watt
Waxman
Webster
Welch
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth

NOT VOTING—43

Ackerman
Alexander
Baca
Burton (IN)
Calvert
Cardoza
Clay
Clyburn
Coble
Costa
Doyle
Ellison
Fortenberry
Gallegly
Guinta

Heinrich
Herger
Huizenga (MI)
Johnson, Sam
Kind
Lamborn
LaTourette
Lewis (CA)
Mack
McCarthy (CA)
McCollum
McKeon
Miller, Gary
Moore
Neal

Pascarell
Paul
Rothman (NJ)
Schilling
Scott, David
Shuler
Slaughter
Tsongas
Velazquez
Walsh (IL)
Walz (MN)
Waters
Young (FL)

So the amendment was not agreed to.

70.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. KAPTUR:

Page 20, line 15, after the dollar amount, insert "(increased by \$10,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

It was decided in the { Yeas 183 negative } Nays 200

70.18 [Roll No. 312]

AYES—183

Andrews
Baldwin

Barrow
Bartlett

Bass (CA)
Bass (NH)

Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Bono Mack, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Cleaver, Coffman (CO), Cohen, Conyers, Cooper, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeGette, DeLauro, Dent, Deutch, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Edwards, Engel, Farr, Fattah, Filner, Fitzpatrick, Frank (MA), Fudge, Garamendi, Gardner, Gerlach, Gibson, Gingrey (GA), Gonzalez, Goodlatte, Green, Al, Green, Gene, Griffith (VA), Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Carnahan, Holt, Honda, Israel, Jackson (IL), Jackson Lee, Johnson (TX), Johnson (GA), Johnson, E. B., Jones, Kaptur, Keating, Kildee, King (IA), Kucinich, Lance, Langevin, Larson (WA), Larson (CT), Latham, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loebsack, Lowey, Lujan, Lynch, Maloney, Markey, Matsui, McCarthy (NY), McCarth, McDermott, McGovern, McIntyre, McNeerney, Meeks, Mica, Michaud, Miller (NC), Miller, George, Murphy (CT), Nadler, Napolitano

NOES—200

Adams, Aderholt, Altmire, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Barton (TX), Benishek, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Camp, Campbell, Canseco, Cantor, Capito, Cassidy, Chabot, Cole, Conaway, Connolly (VA), Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Barton (TX), Benishek, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Camp, Campbell, Canseco, Cantor, Capito, Cassidy, Chabot, Cole, Conaway, Connolly (VA), Cravaack, Crawford

McCaul, McClintock, McCotter, McHenry, McKinley, McMorris, Rodgers, Meehan, Miller (FL), Miller (MI), Moran, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Petri, Pitts, Poe (TX), Pompeo, Posey, Price (GA), Ackerman, Akin, Alexander, Baca, Burgess, Burton (IN), Calvert, Cardoza, Carter, Chaffetz, Clay, Clyburn, Coble, Costa, DeFazio, Doyle, Ellison, Eshoo, Fortenberry, Gallegly, Guinta, Heinrich, Herger, Huizenga (MI), Johnson, Sam, Kind, LaTourette, Lewis (CA), Mack, McCarthy (CA), McColium, McKeon

NOT VOTING—48

Miller, Gary, Moore, Neal, Pascrell, Paul, Rothman (NJ), Schilling, Scott, David, Shuler, Slaughter, Tsongas, Velazquez, Walsh (LL), Walz (MN), Waters, Young (FL)

So the amendment was not agreed to.

70.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TONKO:

Page 20, line 15, after the dollar amount insert "(increased by \$180,440,000)".

Page 30, line 5, after the dollar amount insert "(reduced by \$180,440,000)".

It was decided in the { Yeas 148 negative } Nays 236

70.20 [Roll No. 313]

AYES—148

Baldwin, Bass (CA), Bass (NH), Becerra, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chu, Cicilline, Clarke (MI), Clarke (NY), Cleaver, Cohen, Connolly (VA), Conyers, Cooper, Costello, Courtney, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dingell, Doggett, Edwards, Engel, Eshoo, Farr, Fattah, Filner, Fitzpatrick, Frank (MA), Fudge, Garamendi, Gibson, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hanna, Hastings (FL), Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Israel, Jackson (IL), Jackson Lee, Johnson (GA), Johnson (IL), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kucinich, Langevin, Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Lujan, Lummis, Lungren, Daniel, E, Manullo, Marchant, Marino, Matheson, McCaul, McClintock, McCotter, McHenry, McIntyre, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Flores, Forbes, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Israel, Jackson (IL), Jackson Lee, Johnson (GA), Johnson (IL), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kucinich, Langevin, Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Lujan, Lummis, Lungren, Daniel, E, Manullo, Marchant, Marino, Matheson, McCaul, McClintock, McCotter, McHenry, McIntyre, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Flores, Forbes, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes

Smith (TX), Southernland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (MS), Thompson (PA), Thornberry, Tiberi, Turner (NY), Turner (OH), Upton, Walberg, Walden, Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (IN), McDermott, McGovern, McNeerney, Meeks, Michaud, Miller (NC), Miller, George, Moran, Murphy (CT), Nadler, Napolitano, Oliver, Pallone, Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Price (NC), Adams, Aderholt, Akin, Altmire, Amash, Amodei, Andrews, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Benishek, Berg, Berkley, Berman, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Camp, Campbell, Canseco, Cantor, Capito, Cassidy, Chabot, Chandler, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Critz, Cuellar, Culberson, Davis (KY), Denham, DesJarlais, Diaz-Balart, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Flake, Fleischmann, Fleming, Flores, Forbes, Fudge, Garamendi, Gardner, Gerlach, Gibson, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hanna, Hastings (FL), Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Israel, Jackson (IL), Jackson Lee, Johnson (GA), Johnson (IL), Johnson, E. B., Jones, Kaptur, Keating, Kildee, Kucinich, Langevin, Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Lujan, Lummis, Lungren, Daniel, E, Manullo, Marchant, Marino, Matheson, McCaul, McClintock, McCotter, McHenry, McIntyre, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Flores, Forbes, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes

NOES—236

Gibbs, Gingrey (GA), Gohmert, Gonzalez, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guthrie, Hall, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herrera Beutler, Huelskamp, Hunter, Hurt, Issa, Jenkins, Johnson (OH), Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Larsen (WA), Latham, Latta, LoBiondo, Lofgren, Zoe, Long, Lucas, Luetkemeyer, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Smith (WA), Southernland, Stivers, Stutzman, Sullivan, Terry, Thompson (CA), Thompson (PA), Thornberry, Tiberi, Tipton, Turner (OH), Upton, Vislosky, Walberg, Walden, Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Sires, Speier, Stark, Sutton, Thompson (MS), Tierney, Tonko, Towns, Turner (NY), Van Hollen, Wasserman, Schultz, Watt, Waxman, Welch, Wilson (FL), Woolsey, Yarmuth

Wolf	Woodall	Young (AK)
Womack	Yoder	Young (IN)
NOT VOTING—47		
Ackerman	Gallegly	Neal
Alexander	Guinta	Pascarell
Baca	Heinrich	Paul
Burgess	Herger	Rothman (NJ)
Burton (IN)	Honda	Schilling
Calvert	Huizenga (MI)	Scott, David
Cardoza	Johnson, Sam	Shuler
Carter	Kind	Slaughter
Chaffetz	LaTourette	Stearns
Clay	Lewis (CA)	Tsongas
Clyburn	Mack	Velázquez
Coble	McCarthy (CA)	Walsh (IL)
Costa	McCollum	Walz (MN)
Doyle	McKeon	Waters
Ellison	Miller, Gary	Young (FL)
Fortenberry	Moore	

So the amendment was not agreed to.

¶70.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. HAHN:

Page 20, line 15, after the dollar amount insert “(increased by \$50,000,000)”.

Page 22, line 23, after the dollar amount insert “(reduced by \$100,000,000)”.

It was decided in the { Yeas 139
negative } Nays 245

¶70.22 [Roll No. 314]
AYES—139

Amash	Filner	Miller (NC)
Andrews	Frank (MA)	Miller, George
Baldwin	Garamendi	Moran
Bass (CA)	Gibson	Nadler
Bass (NH)	Grijalva	Napolitano
Becerra	Gutierrez	Olver
Berkley	Hahn	Palone
Berman	Hanabusa	Pastor (AZ)
Bilbray	Hastings (FL)	Pelosi
Bishop (GA)	Higgins	Perlmutter
Bishop (NY)	Himes	Peters
Blumenauer	Hinchey	Pingree (ME)
Bonamici	Hinojosa	Polis
Boswell	Hirono	Price (NC)
Brady (PA)	Hochul	Quigley
Braley (IA)	Holt	Rangel
Brown (FL)	Honda	Reyes
Butterfield	Hoyer	Roybal-Allard
Capps	Israel	Ruppersberger
Capuano	Jackson (IL)	Rush
Carnahan	Johnson (GA)	Sánchez, Linda
Carney	Johnson (IL)	T.
Carson (IN)	Johnson, E. B.	Sanchez, Loretta
Castor (FL)	Jones	Sarbanes
Chu	Kaptur	Schakowsky
Ciilline	Keating	Schiff
Clarke (MI)	Kildee	Schrader
Clarke (NY)	Kissell	Schwartz
Cleaver	Kucinich	Scott (VA)
Cohen	Langevin	Serrano
Connolly (VA)	Lee (CA)	Sherman
Conyers	Levin	Sires
Cooper	Lewis (GA)	Smith (WA)
Crowley	Lipinski	Speier
Cummings	Loeb	Stark
Davis (CA)	Lofgren, Zoe	Thompson (CA)
Davis (IL)	Lowe	Tierney
DeFazio	Lujan	Tonko
DeGette	Lynch	Van Hollen
Deutch	Maloney	Wasserman
Dicks	Markey	Schultz
Dingell	Matsui	Watt
Doggett	McDermott	Waxman
Edwards	McGovern	Welch
Eshoo	McNerney	Wilson (FL)
Farr	Meeks	Woolsey
Fattah	Michaud	Yarmuth

NOES—245

Adams	Bartlett	Bono Mack
Aderholt	Barton (TX)	Boren
Akin	Benishek	Boustany
Altmire	Berg	Brady (TX)
Amodei	Biggert	Brooks
Austria	Bilirakis	Broun (GA)
Bachmann	Bishop (UT)	Buchanan
Bachus	Black	Bucshon
Barletta	Blackburn	Buerkle
Barrow	Bonner	Camp

Campbell	Huelskamp	Rahall
Cantese	Hultgren	Reed
Cantor	Hunter	Rehberg
Capito	Hurt	Reichert
Cassidy	Issa	Renacci
Chabot	Jackson Lee	Ribble
Chandler	(TX)	Richardson
Choffman (CO)	Jenkins	Richmond
Cole	Johnson (OH)	Rigell
Conaway	Jordan	Rivera
Costello	Kelly	Roby
Courtney	King (IA)	Roe (TN)
Cravaack	King (NY)	Rogers (AL)
Crawford	Kingston	Rogers (KY)
Crenshaw	Kinzinger (IL)	Rogers (MI)
Critz	Kline	Rohrabacher
Cuellar	Labrador	Rokita
Culberson	Lamborn	Rooney
Davis (KY)	Lance	Ros-Lehtinen
DeLauro	Landry	Roskam
Denham	Lankford	Ross (AR)
Dent	Larsen (WA)	Ross (FL)
DesJarlais	Larson (CT)	Royce
Diaz-Balart	Latham	Runyan
Dold	Latta	Ryan (OH)
Donnelly (IN)	LoBiondo	Ryan (WI)
Dreier	Long	Scalise
Duffy	Lucas	Schmidt
Duncan (SC)	Luetkemeyer	Schock
Ellmers	Lummis	Schweikert
Emerson	Lungren, Daniel	Scott (SC)
Engel	E.	Scott, Austin
Farenthold	Manullo	Sensenbrenner
Fincher	Marchant	Sessions
Fitzpatrick	Marino	Sewell
Flake	Matheson	Shimkus
Fleischmann	McCarthy (NY)	Shuster
Fleming	McCauley	Simpson
Flores	McClintock	Smith (NE)
Forbes	McCotter	Smith (NJ)
Fox	McHenry	Smith (TX)
Franks (AZ)	McIntyre	Southerland
Frelinghuysen	McKinley	Stearns
Fudge	McMorris	Stivers
Gardner	Rodgers	Stutzman
Garrett	Meehan	Sullivan
Gerlach	Mica	Sutton
Gibbs	Miller (FL)	Terry
Gingrey (GA)	Miller (MI)	Thompson (MS)
Gohmert	Mulvaney	Thompson (PA)
Gonzalez	Murphy (CT)	Thornberry
Goodlatte	Murphy (PA)	Tiberi
Gosar	Myrick	Tipton
Govdy	Neugebauer	Towns
Graves (GA)	Noem	Turner (NY)
Graves (MO)	Nugent	Turner (OH)
Green, Al	Nunes	Upton
Green, Gene	Nunnelee	Visclosky
Griffin (AR)	Olson	Walberg
Griffith (VA)	Owens	Walden
Grimm	Palazzo	Webster
Guthrie	Paulsen	West
Hall	Pearce	Westmoreland
Hanna	Pence	Whitfield
Harper	Peterson	Wilson (SC)
Harris	Petri	Wittman
Hartzler	Pitts	Wolf
Hastings (WA)	Platts	Womack
Hayworth	Poe (TX)	Woodall
Heck	Pompeo	Yoder
Hensarling	Posey	Young (AK)
Herrera Beutler	Price (GA)	Young (IN)
Holden	Quayle	

NOT VOTING—47

Ackerman	Fortenberry	Moore
Alexander	Gallegly	Neal
Baca	Granger	Pascarell
Burgess	Guinta	Paul
Burton (IN)	Heinrich	Rothman (NJ)
Calvert	Herger	Schilling
Cardoza	Huizenga (MI)	Scott, David
Carter	Johnson, Sam	Shuler
Chaffetz	Kind	Slaughter
Clay	LaTourette	Tsongas
Clyburn	Lewis (CA)	Velázquez
Coble	Mack	Walsh (IL)
Costa	McCarthy (CA)	Walz (MN)
Doyle	McCollum	Waters
Duncan (TN)	McKeon	Young (FL)
Ellison	Miller, Gary	

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. TURNER of New York, assumed the Chair.

When Mrs. CAPITO, Acting Chairman, reported that the Committee,

having had under consideration said bill, had come to no resolution thereon.

¶70.23 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Tuesday, June 5, 2012, for morning-hour debate and 2 p.m. for legislative business.

¶70.24 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

- To Mr. CLYBURN, for today;
 - To Ms. MCCOLLUM, for today;
 - To Mr. SCHILLING, for today; and
 - To Mr. YOUNG of Florida, for today.
- And then,

¶70.25 ADJOURNMENT

On motion of Mr. KING of Iowa, pursuant to the previous order of the House, at 2 o'clock and 35 minutes p.m., the House adjourned until noon on Tuesday, June 5, 2012.

¶70.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CRENSHAW: Committee on Appropriations. H.R. 5882. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-511). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee Natural Resources. H.R. 2512. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; with an amendment (Rept. 112-512). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4607. A bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes (Rept. 112-513, Part 1). Referred to the Committee of the Whole House on the state of the Union.

¶70.27 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 4607 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶70.28 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COLE:

H.R. 5883. A bill to make a technical correction in Public Law 112-108; to the Committee on Oversight and Government Reform.

By Ms. BASS of California (for herself, Mr. DOLD, and Mr. GUTIERREZ):

H.R. 5884. A bill to establish a 1-year pilot program to reduce up-front premiums on

FHA mortgage insurance for first-time homebuyers who complete a homeownership counseling program and thereby help to reduce default rates on residential mortgages; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself and Mr. ISRAEL):

H.R. 5885. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add New York to the New England Fishery Management Council, and for other purposes; to the Committee on Natural Resources.

By Mr. ISRAEL (for himself and Mr. RYAN of Ohio):

H.R. 5886. A bill to amend the Internal Revenue Code of 1986 to improve the dependent care credit by repealing the phasedown of the credit percentage and making permanent the increased dollar limitations; to the Committee on Ways and Means.

By Mr. LoBIONDO (for himself and Mr. LARSEN of Washington):

H.R. 5887. A bill to authorize appropriations for the Coast Guard for fiscal years 2013 through 2015, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SARBANES:

H.R. 5888. A bill to establish a demonstration program to facilitate physician reentry into clinical practice to provide required primary health services; to the Committee on Energy and Commerce.

By Mr. BARROW:

H. Res. 673. A resolution expressing support for designation of May 2012 as "National Mobility Awareness Month"; to the Committee on Oversight and Government Reform.

¶70.29 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. MICHAUD, Mr. COHEN and Ms. DEGETTE.

H.R. 100: Mr. QUAYLE.

H.R. 140: Mr. QUAYLE.

H.R. 273: Mr. HERGER, Mr. SCHOCK, and Mr. CRAWFORD.

H.R. 458: Mr. CROWLEY.

H.R. 692: Mr. QUAYLE.

H.R. 718: Ms. BERKLEY.

H.R. 904: Mr. TERRY.

H.R. 1066: Mr. CLARKE of Michigan.

H.R. 1112: Mr. MATHESON and Mr. GRIFFIN of Arkansas.

H.R. 1116: Ms. WILSON of Florida and Mr. DINGELL.

H.R. 1206: Mr. CLAY.

H.R. 1317: Ms. DeLAURO.

H.R. 1327: Ms. SCHAKOWSKY.

H.R. 1375: Mr. LIPINSKI, Mr. COURTNEY, and Mr. CAPUANO.

H.R. 1381: Ms. BONAMICI.

H.R. 1519: Mr. SHULER, Mr. ROSS of Arkansas, and Mr. LARSEN of Washington.

H.R. 1562: Mr. RAHALL, Ms. MOORE, Mr. PETERSON, and Mr. BOREN.

H.R. 1596: Mr. PASCARELL.

H.R. 1639: Mr. PEARCE, Mr. HALL, Mr. GOHMERT, Mr. McCLINTOCK, Mr. GINGREY of Georgia, Mrs. SCHMIDT, and Mr. RUPPERSBERGER.

H.R. 1672: Mr. CLEAVER.

H.R. 1821: Mrs. CHRISTENSEN.

H.R. 1867: Mrs. LOWEY and Mr. MILLER of North Carolina.

H.R. 1956: Mr. PRICE of Georgia, Mr. BILIRAKIS, and Mr. WALBERG.

H.R. 1960: Mr. CONYERS and Mr. MICHAUD.

H.R. 2000: Mr. HUNTER.

H.R. 2012: Mr. ANDREWS.

H.R. 2057: Mr. NUGENT.

H.R. 2077: Mr. PAULSEN.

H.R. 2086: Mr. WELCH.

H.R. 2139: Mr. LANKFORD.

H.R. 2140: Mr. PLATTS.

H.R. 2267: Ms. ROYBAL-ALLARD, Mr. PETRI, Ms. MOORE, and Mr. CARNEY.

H.R. 2494: Mr. CAPUANO.

H.R. 2528: Mr. LONG.

H.R. 2529: Mr. BRADY of Texas.

H.R. 2569: Mr. GIBSON.

H.R. 2678: Ms. JACKSON LEE of Texas and Mr. HINOJOSA.

H.R. 2962: Mr. CRENSHAW and Mr. BROUN of Georgia.

H.R. 2969: Mr. LOEBSACK.

H.R. 3042: Ms. CHU and Ms. HAHN.

H.R. 3067: Mr. POSEY, Ms. ZOE LOFGREN of California, Ms. SUTTON, Mr. AUSTRIA, Mr. GEORGE MILLER of California, Mrs. DAVIS of California, Mrs. CAPPs, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3086: Mr. CUMMINGS and Mr. McDERMOTT.

H.R. 3158: Mrs. MILLER of Michigan.

H.R. 3173: Mr. McDERMOTT.

H.R. 3269: Mr. OLVER, Mr. SCHIFF, and Mr. LEWIS of Georgia.

H.R. 3341: Mrs. NAPOLITANO.

H.R. 3352: Mrs. MCCARTHY of New York and Ms. CLARKE of New York.

H.R. 3395: Mr. KELLY and Mr. CLAY.

H.R. 3399: Mr. RANGEL.

H.R. 3423: Ms. BALDWIN.

H.R. 3482: Mr. HINCHEY.

H.R. 3511: Mr. GINGREY of Georgia, Mr. WALBERG, Mr. CHABOT, Mr. FLEMING, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. FRANKS of Arizona, and Mr. HUIZENGA of Michigan.

H.R. 3612: Mr. CALVERT.

H.R. 3668: Mr. CARSON of Indiana.

H.R. 3720: Mr. CULBERSON.

H.R. 3762: Ms. MCCOLLUM.

H.R. 3803: Mr. TURNER of New York.

H.R. 4066: Mr. BURGESS.

H.R. 4091: Mr. JOHNSON of Ohio.

H.R. 4096: Mr. KING of New York.

H.R. 4134: Mr. RIGELL.

H.R. 4164: Mr. BASS of New Hampshire.

H.R. 4259: Mrs. BACHMANN.

H.R. 4269: Mr. LONG.

H.R. 4282: Mr. NEAL.

H.R. 4323: Mr. CAMPBELL and Mr. PETERS.

H.R. 4336: Mr. DUFFY and Mr. GIBSON.

H.R. 4367: Mr. ROSKAM, Mr. SMITH of Texas, Mr. LONG, Ms. MOORE, and Mr. BOREN.

H.R. 4403: Mr. SCHWEIKERT and Mr. CRAWFORD.

H.R. 4405: Mr. MARINO.

H.R. 4406: Mr. PETERS and Mr. HUIZENGA of Michigan.

H.R. 4454: Mr. NUNNELEE.

H.R. 4470: Mr. BUTTERFIELD, Ms. MOORE, Mr. NADLER, and Mr. ACKERMAN.

H.R. 5188: Mrs. MCCARTHY of New York and Ms. CHU.

H.R. 5195: Mr. CARNAHAN, Mr. DEUTCH, and Mr. BURTON of Indiana.

H.R. 5646: Mr. KELLY.

H.R. 5705: Mr. KIND, Mr. LARSON of Connecticut, and Ms. MOORE.

H.R. 5714: Mr. CAPUANO and Mr. SHERMAN.

H.R. 5736: Mr. ROHRBACHER.

H.R. 5745: Ms. LEE of California and Mr. CONYERS.

H.R. 5796: Mr. BURTON of Indiana, Mr. NADLER, Mr. YOUNG of Indiana, Mr. TURNER of New York, Mr. SMITH of Nebraska, Mr. WILSON of South Carolina, Mr. JOHNSON of Illinois, and Mr. MICHAUD.

H.R. 5823: Mr. SCHIFF.

H.R. 5842: Mr. BRADY of Texas, Mr. ROSS of Florida, Mr. BENISHEK, Mr. HECK, Mrs. McMORRIS RODGERS, Mr. LUTKEMEYER, Mr. MILLER of Florida, Mr. BERG, Mr. POMPEO, Mrs. ELLMERS, Mr. BURTON of Indiana, Mr. GOSAR, and Mr. POSEY.

H.R. 5846: Mr. AKIN, Mr. CONAWAY, and Mr. BROOKS.

H.R. 5848: Mrs. DAVIS of California.

H.R. 5864: Mr. DINGELL.

H.R. 5873: Mr. WALDEN and Mr. GIBBS.

H. Res. 187: Ms. SLAUGHTER and Mr. SABLAN.

H. Res. 397: Mr. DUNCAN of Tennessee and Mr. YOUNG of Alaska.

H. Res. 484: Ms. HIRONO, Mr. BACA, Mr. HONDA, Mr. SCHIFF, and Ms. CHU.

H. Res. 490: Mr. DUNCAN of Tennessee.

H. Res. 506: Mr. SHERMAN.

H. Res. 616: Mrs. HARTZLER.

H. Res. 618: Mr. CUMMINGS, Ms. BROWN of Florida, and Ms. LORETTA SANCHEZ of California.

H. Res. 624: Mr. GRIFFIN of Arkansas.

H. Res. 646: Mr. KELLY and Mr. PALAZZO.

TUESDAY, JUNE 5, 2012 (71)

¶71.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. SMITH of Nebraska, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

June 5, 2012.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶71.2 RECESS—12:07 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 7 minutes p.m., until 2 p.m.

¶71.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. SMITH of Nebraska, called the House to order.

¶71.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SMITH of Nebraska, announced he had examined and approved the Journal of the proceedings of Friday, June 1, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶71.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6281. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's "Major" final rule — Further Definition of "Swap Dealer", "Security-Based Swap Dealer", "Major Swap Participant", "Major Security-Based Swap Participant" and "Eligible Contract Participant" [Release No.: 34-66868; File No. S7-39-10] (RIN: 3235-AK65) received May 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6282. A letter from the Secretary, Department of Defense, transmitting Annual Report on the Activities of the Western Hemisphere Institute for Security Cooperation (WHINSEC) for 2011; to the Committee on Armed Services.

6283. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6284. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6285. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Singapore pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6286. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Philippines pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6287. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6288. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Republic of Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6289. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to South Africa pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6290. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6291. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "Report to Congress on the Head Start Fiscal Monitoring Assessment"; to the Committee on Education and the Workforce.

6292. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting biweekly Iraq Status Reports for the December 26, 2011 to February 25, 2012 period; to the Committee on Foreign Affairs.

6293. A letter from the Secretary, Department of the Treasury, transmitting as required by section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

6294. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6295. A letter from the First Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the 2011 management report and statement of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6296. A letter from the National Chairman, Naval Sea Cadet Corps, transmitting the 2011 Annual Audit and the 2011 Annual Report of the Naval Sea Cadet Corps (NSCC), pursuant to 36 U.S.C. 1101(39) and 1103; to the Committee on the Judiciary.

6297. A letter from the Chair, Sentencing Commission, transmitting amendments to

the federal sentencing guidelines; to the Committee on the Judiciary.

6298. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes; [Docket No.: FAA-2011-1225; Directorate Identifier 2010-NM-269-AD; Amendment 39-17019; AD 2012-08-03] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6299. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes; [Docket No.: FAA-2012-0273; Directorate Identifier 2011-NM-149-AD; Amendment 39-16988; AD 2012-06-07] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6300. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines [Docket No.: FAA-2012-0288; Directorate Identifier 2012-NE-10-AD; Amendment 39-16998; AD 2012-06-17] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6301. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1228; Directorate Identifier 2011-NM-176-AD; Amendment 39-17022; AD 2012-08-05] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6302. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1224; Directorate Identifier 2011-NM-175-AD; Amendment 39-17021; AD 2012-08-04] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6303. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2012-0355; Directorate Identifier 2011-SW-013-AD; Amendment 39-17007; AD 2012-07-01] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6304. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Sailplanes [Docket No.: FAA-2011-1342; Directorate Identifier 2011-CE-038-AD; Amendment 39-16996; AD 2012-06-15] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6305. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2011-1194; Directorate Identifier 2011-NE-36-AD; Amendment 39-16999; AD 2012-06-18] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6306. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney (PW) Turbofan Engines [Docket No.: FAA-2011-1176; Directorate Identifier 2011-NE-35-AD; Amendment 39-16995; AD 2012-06-14] (RIN: 2120-AA64) re-

ceived May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6307. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1090; Directorate Identifier 2011-NM-138-AD; Amendment 39-16986; AD 2012-06-05] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6308. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2011-1414; Directorate Identifier 2011-NM-227-AD; Amendment 39-16982; AD 2012-06-01] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6309. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2007-27223; Directorate Identifier 2006-NM-224-AD; Amendment 39-16976; AD 2012-05-04] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6310. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes; [Docket No.: FAA-2012-1324; Directorate Identifier 2011-NM-104-AD; Amendment 39-16983; AD 2012-06-02] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6311. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2011-0913; Directorate Identifier 2011-NM-031-AD; Amendment 39-17010; AD 2012-07-04] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6312. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2011-1113; Directorate Identifier 2009-SW-53-AD; Amendment 39-17005; AD 2012-06-24] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6313. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0025; Directorate Identifier 2010-NM-208-AD; Amendment 39-17012; AD 2012-07-06] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6314. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2007-0109; Directorate Identifier 2007-NM-235-AD; Amendment 39-16990; AD 2012-06-09] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6315. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes Model BD-100-1A10 (Challenger 300) Airplanes

[Docket No.: FAA-2011-1064; Directorate Identifier 2011-NM-075-AD; Amendment 39-16984; AD 2012-06-03] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6316. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2009-0908; Directorate Identifier 2009-NM-067-AD; Amendment 39-16987; AD 2012-06-06] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6317. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Memorandum of Understanding between the United States and the Government of the Hellenic Republic concerning the imposition of import restrictions on Archaeological and Byzantine Ecclesiastical Ethnological Material through the 15th Century A.D., pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

6318. A letter from the Acting Deputy Undersecretary, Department of Labor, transmitting the Department's second biennial report prepared in accordance with section 403(a) of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) Implementation Act; to the Committee on Ways and Means.

6319. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations, pursuant to Public Law 101-162, section 609(b); jointly to the Committees on Natural Resources and Appropriations.

6320. A letter from the Assistant Attorney General, Department of Justice, transmitting a report required by the Foreign Intelligence Surveillance Act of 1978, pursuant to 50 U.S.C. 1807; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

¶71.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. SMITH of Nebraska, laid before the House the following communication from Karrie Pardieck, Constituent Services Director, office of the Honorable Mike Pence:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena ad testificandum issued by the State of Indiana's Delaware County Circuit Court No. 4.

After consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

KARRIE PARDIECK,
Constituent Services Director,
Congressman Mike Pence.

¶71.7 ENERGY AND WATER APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. MCKINLEY, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the

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

Mr. SMITH of Nebraska, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. WOMACK, assumed the Chair.

When Mr. THORNBERRY, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶71.8 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 5325

On motion of Mr. FRELINGHUYSEN, by unanimous consent,

Ordered, That during the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, in the Committee of the Whole House on the state of the Union, pursuant to House Resolution 667, no further amendment to the bill may be offered except: pro forma amendments offered at any point in the reading by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate; amendments printed in the CONGRESSIONAL RECORD and numbered 1, 10, 17, and 18; an amendment by Mrs. BLACKBURN regarding an across-the-board reduction; an amendment by Mrs. BLACKBURN regarding section 1705 of the Energy Policy Act of 2005; an amendment by Mr. BROUN of Georgia, limiting funds for the Advanced Research Projects Agency-Energy; an amendment by Mr. BROUN of Georgia, regarding Advanced Research Projects Agency-Energy awards with expected Technology Readiness Levels; an amendment by Mr. CHABOT regarding funding levels in title IV of the bill; an amendment by Mr. CLEAVER limiting funds relating to the Missouri River Ecosystem Restoration Plan; an amendment by Mr. CRAVAACK regarding the Harbor Maintenance Trust Fund; an amendment by Mr. DEFAZIO regarding section 9.104(d) of title 48, Code of Federal Regulations, which shall be debatable for 20 minutes; an amendment by Mr. DENHAM regarding section 10011(b) of Public Law 111-11; an amendment by Mr. ENGEL limiting funds for new light duty vehicles, which shall be debatable for 20 minutes; an amendment by Mr. FLAKE regarding an across-the-board reduction; an amendment by Mr. FLAKE limiting funds for the Wind Powering America initiative; an amendment by Mr. FLAKE limiting funds for the Batteries and Electric Drive Technology program; an amendment by Mr. FLORES limiting funds to enforce section 526 of the Energy Independence and Security Act of 2007; an amendment by Mr. FORTENBERRY regarding funding levels for Defense Nuclear Nonproliferation; an

amendment by Mr. FORTENBERRY limiting funds for the proposed rule "Energy Conservation Program: Energy Conservation Standards for Battery Chargers and External Power Supplies"; an amendment by Mr. FRELINGHUYSEN regarding funding levels; amendments en bloc by Mr. FRELINGHUYSEN consisting of amendments specified in this order not earlier disposed of; an amendment by Mr. GARDNER regarding energy management requirements under the National Energy Conservation Policy Act; an amendment by Mr. GOHMERT regarding Department of Energy construction, purchase, or lease in the District of Columbia; an amendment by Ms. JACKSON LEE of Texas, regarding funding for Corps of Engineers Operation and maintenance; two amendments by Ms. JACKSON LEE of Texas, regarding funding levels for Energy Efficiency and Renewable Energy; an amendment by Ms. JACKSON LEE of Texas, regarding funding levels for Corps of Engineers Construction; an amendment by Ms. JACKSON LEE of Texas, limiting funds for "Department of Energy; Energy Programs; Science"; an amendment by Mr. JORDAN limiting funds for title 17 loan guarantees; an amendment by Mr. KING of Iowa, regarding subchapter IV of chapter 31 of title 40, United States Code; an amendment by Mr. KUCINICH regarding section 1703 of the Energy Policy Act of 2005; an amendment by Mr. LANDRY limiting funds relating to mitigation methodology, referred to as the "Modified Charleston Method"; an amendment by Mr. LANDRY regarding section 801 of the Energy Independence and Security Act of 2007; an amendment by Mr. LUETKEMEYER limiting funds for the study conducted pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007; an amendment by Mr. LUETKEMEYER limiting funds for the study authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009; an amendment by Mr. LUJAN regarding funding levels for Defense Environmental Cleanup; an amendment by Mrs. LUMMIS regarding uranium; an amendment by Mr. MCINTYRE limiting funds to plan for termination of periodic nourishment for water resource development projects; an amendment by Mr. MULVANEY regarding an across-the-board reduction; an amendment by Mr. PEARCE regarding funding levels for Defense Environmental Cleanup; an amendment by Mr. POLIS regarding funding levels for Weapons Activities, which shall be debatable for 20 minutes; an amendment by Mr. REED regarding funding levels for Non-Defense Environmental Cleanup; an amendment by Mr. ROHR-ABACHER limiting funds for the United States-China Clean Energy Research Center; an amendment by Ms. Loretta SANCHEZ of California, regarding funding levels for Defense Nuclear Nonproliferation, which shall be debatable for 20 minutes; an amendment by Mr. SCHOCK regarding a prohibition on the planting of row crops; an amendment

by Mr. SCHWEIKERT regarding title 10, Code of Federal Regulations; an amendment by Mr. STEARNS regarding funding levels for Advanced Research Projects Agency-Energy; an amendment by Mr. STEARNS limiting funds to subordinate interest in any loan guarantee; an amendment by Mr. STEARNS limiting funds for purchase of light duty vehicles; and an amendment by Mr. TIPTON limiting funds to conduct surveys.

Ordered further, That each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the CONGRESSIONAL RECORD or a designee, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole on the state of the Union, and shall not be subject to amendment except that the chair and ranking minority member of the Committee on Appropriations (or their respective designees) each may offer one pro forma amendment for the purpose of debate.

Ordered further, That except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent; and further that an amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

¶71.9 ENERGY AND WATER
APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. WOMACK, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. THORNBERRY, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. LATOURETTE, assumed the Chair.

When Mr. FORTENBERRY, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶71.10 CENTRAL OREGON JOBS AND
WATER SECURITY

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 2060) to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.11 THREE KIDS MINE PROJECT

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 2512) to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.12 LAKE THUNDERBIRD EFFICIENT
USE

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 3263) to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.13 LOS PADRES NATIONAL FOREST

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 241) to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.14 SALMON LAKE LAND

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill of the Senate (S. 292) to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Washington, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 6, 2012.

The point of no quorum was considered as withdrawn.

¶71.15 NOAA PROPERTY CONVEYANCE TO
PASCAGOULA, MISSISSIPPI

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill of the Senate (S. 363) to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to

the City of Pascagoula, Mississippi, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Washington, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 6, 2012.

The point of no quorum was considered as withdrawn.

¶71.16 ILLABOT CREEK

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 1740) to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.17 YORK RIVER

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 2336) to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.18 TUCSON UNIFIED SCHOOL DISTRICT AND PASCUA YAQUI TRIBE

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 4222) to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.19 RECESS—6:08 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12(a) of rule I, declared the House in recess at 6 o'clock and 8 minutes p.m., subject to the call of the Chair.

¶71.20 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶71.21 TECHNICAL CORRECTION IN PUBLIC LAW 112-122

On motion of Mr. DOLD, by unanimous consent, the Committee on Financial Services was discharged from further consideration of the bill (H.R. 5890) to correct a technical error in Public Law 112-122.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.22 TECHNICAL CORRECTION IN PUBLIC LAW 112-108

On motion of Mr. COLE, by unanimous consent, the Committee on Over-

sight and Government Reform was discharged from further consideration of the bill (H.R. 5883) to make a technical correction in Public Law 112-108.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.23 MONTFORD POINT MARINES CONGRESSIONAL GOLD MEDAL

On motion of Mr. Daniel E. LUNGREN of California, by unanimous consent, the Committee on House Administration was discharged from further consideration of the following concurrent resolution (H. Con. Res. 128):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO AWARD THE CONGRESSIONAL GOLD MEDAL TO THE MONTFORD POINT MARINES.

(a) IN GENERAL.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on June 27, 2012, for an event to award the Congressional Gold Medal, collectively, to the Montford Point Marines.

(b) IMPLEMENTATION.—Physical preparations for the conduct of the event shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶71.24 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. FLAKE, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to recede from disagreement with the provision contained in the matter proposed to be inserted as section 104(c)(1)(B) of title 23, United States Code, by section 1105 of the amendment of the Senate that reads as follows: "for each State, the amount of combined apportionments for the programs as shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available".

71.25 ENERGY AND WATER APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. KING of Iowa, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. POE of Texas, Acting Chairman, assumed the chair; and after some time spent therein,

71.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, submitted by Mr. McCLINTOCK:

Page 22, line 3, after the dollar amount, insert "(reduced by \$514,391,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$514,391,000)".

It was decided in the Yeas 106 negative Nays 281

71.27 [Roll No. 315] AYES—106

- Adams Garrett Pompeo
Amash Gohmert Posey
Amodei Gosar Price (GA)
Bachmann Graves (GA) Quayle
Benishek Gutierrez Ribble
Berkley Harris Rigell
Bilirakis Heck Rohrabacher
Bishop (UT) Hensarling Rokita
Black Herger Ross (FL)
Blackburn Herrera Beutler Royce
Boustany Huelskamp Rush
Brady (TX) Huizenga (MI) Ryan (WI)
Brooks Hultgren Scalise
Buchanan Jenkins Schakowsky
Burgess Jones Schweikert
Burton (IN) Jordan Scott, Austin
Campbell Kucinich Labrador Sensenbrenner
Canseco Serrano Lamborn
Carson (IN) Lamborn Lance
Chabot Landry Sessions
Chaffetz Landry Smith (NJ)
Coble Long Southerland
Cohen Lummis Stearns
Conaway Marchant Stutzman
Conyers Markey Sullivan
Culberson McClintock Tierney
Doggett McGovern Tipton
Duffy McHenry Velázquez
Duncan (TN) Miller (FL) Walden
Ellmers Miller (MI) Walsh (IL)
Farenthold Mulvaney West
Flake Nadler Neugebauer
Fleming Pence Westmoreland
Foxy Pence Woodall
Franks (AZ) Petri Yoder
Gardner Poe (TX) Young (IN)

NOES—281

- Ackerman Bonamici Cassidy
Aderholt Bonner Castor (FL)
Akin Bono Mack Chandler
Alexander Boren Cicilline
Altmire Boswell Clarke (MI)
Andrews Brady (PA) Clarke (NY)
Austria Braley (IA) Clay
Bachus Brown (FL) Clyburn
Baldwin Buschon Coffman (CO)
Barletta Butterfield Cole
Barrow Calvert Connolly (VA)
Bartlett Camp Cooper
Barton (TX) Cantor Costa
Bass (NH) Capito Costello
Berg Capps Courtney
Biggert Capuano Cravaack
Bilbray Cardoza Crawford
Bishop (GA) Carnahan Crenshaw
Bishop (NY) Carney Critz
Blumenauer Carter Crowley

- Cuellar Johnson (OH) Quigley
Cummings Johnson, E. B. Rahall
Davis (CA) Johnson, Sam Rangel
Davis (IL) Kaptur Reed
Davis (KY) Keating Rehberg
DeFazio Kelly Reichert
DeGette Kildee Renacci
DeLauro Kind Reyes
Dent King (IA) Richmond
DesJarlais King (NY) Rivera
Deutch Kingston Roby
Diaz-Balart Kinzinger (IL) Roe (TN)
Dicks Kissell Rogers (AL)
Dingell Kline Rogers (KY)
Dold Langevin Rogers (MI)
Doyle Lankford Rooney
Dreier Larsen (WA) Ros-Lehtinen
Duncan (SC) Latham Roskam
Edwards LaTourette Ross (AR)
Ellison Latta Roybal-Allard
Emerson Lee (CA) Runyan
Engel Levin Ruppertsberger
Eshoo Lewis (GA) Ryan (OH)
Farr Lipinski Sanchez, Loretta
Fattah LoBiondo Sarbanes
Fincher LoBiondo Schiff
Fitzpatrick Lofgren, Zoe Schilling
Fleischmann Lucas Schmidt
Flores Luetkemeyer Schock
Forbes Luján Schrader
Fortenberry Lungren, Daniel E. Schwartz
Frank (MA) Lynch Scott (SC)
Frelinghuysen Manullo Scott (VA)
Fudge Gallegly Matheson Scott, David
Gallegly Matsui Sewell
Gerlach Gibbs McCarthy (CA) Shimkus
Gibson Gibbs McCarthy (NY) Simpson
Gingrey (GA) McCaul Smith (TX)
Gonzalez McCollum Smith (WA)
Goodlatte McDermott Speier
Gowdy McKinley Stark
Graves (MO) McMorris Stivers
Green, Al Rodgers Sutton
Green, Gene McNeermy Terry
Griffin (AR) Meehan Thompson (CA)
Griffith (VA) Meeks Thompson (MS)
Grijalva Mica Thompson (PA)
Grimm Michaud Thornberry
Guinta Miller (NC) Tiberi
Guthrie Miller, George Tonko
Hanabusa Moran Towns
Harper Murphy (CT) Tsongas
Hartzler Murphy (PA) Turner (NY)
Hastings (FL) Neal Turner (OH)
Hastings (WA) Noem Upton
Hayworth Nugent Van Hollen
Higgins Nunes Visclosky
Himes Nunnelee Walberg
Hinchev Olson Walz (MN)
Hinojosa Owens Wasserman
Hirono Palazzo Schultz
Hochul Pallone Waxman
Holden Pastor (AZ) Webster
Holt Paulsen Welch
Honda Pearce Whitfield
Hoyer Pelosi Wilson (FL)
Hurt Perlmutter Wilson (SC)
Israel Peters Wittman
Issa Peterson Wolf
Jackson (IL) Pingree (ME) Womack
Jackson Lee Pitts Woolsey
(TX) Platts Yarmuth
Johnson (GA) Polis Young (AK)
Johnson (IL) Price (NC) Young (FL)

NOT VOTING—44

- Baca Napolitano
Bass (CA) Heinrich Olver
Becerra Hunter Pascrell
Berman Larson (CT) Paul
Broun (GA) Lewis (CA) Richardson
Buerkle Loeb sack Rothman (NJ)
Chu Mack Sánchez, Linda
Cleaver Maloney T.
Denham Marino Sherman
Donnelly (IN) McCotter Shuler
Filner McIntyre Shuster
Garamendi McKeon Sires
Granger Miller, Gary Slaughter
Hahn Moore Waters
Hall Myrick Watt

So the amendment was not agreed to.

71.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment submitted by Ms. HIRONO:

Page 22, line 23, after the dollar amount, insert "(reduced by \$133,400,000)".

Page 26, line 16, after the dollar amount, insert "(increased by \$133,400,000)".

It was decided in the Yeas 131 negative Nays 257

71.29 [Roll No. 316] AYES—131

- Ackerman Gibson Nadler
Andrews Grijalva Neal
Baldwin Gutierrez Owens
Bass (NH) Hanabusa Pallone
Berkley Hastings (FL) Pastor (AZ)
Bishop (NY) Higgins Pelosi
Blumenauer Himes Peters
Bonamici Hinchev Pingree (ME)
Boswell Hirono Polis
Brady (PA) Hochul Price (NC)
Braley (IA) Holt Quigley
Butterfield Honda Rangel
Capps Hoyer Reyes
Capuano Israel Richmond
Carnahan Jackson (IL) Roybal-Allard
Carney Johnson (GA) Ruppertsberger
Castor (FL) Johnson (IL) Rush
Cicilline Johnson, E. B. Sanchez, Loretta
Clarke (MI) Jones Sarbanes
Clarke (NY) Keating Schakowsky
Clay Kildee Schiff
Clyburn Kind Schrader
Cohen Kucinich Schwartz
Connolly (VA) Langevin Scott (VA)
Conyers Lee (CA) Scott, David
Cooper Levin Serrano
Crowley Lewis (GA) Smith (WA)
Cummings Lippinski Speier
Davis (CA) Lofgren, Zoe Stark
Davis (IL) Lowey Thompson (CA)
DeFazio Luján Thompson (MS)
DeGette Lynch Tierney
Dent Markey Tonko
Deutch Matsui Towns
Dingell McCarty (NY) Tsongas
Doggett McCollum Van Hollen
Edwards McDermott Velázquez
Ellison McGovern Wasserman
Engel McNeermy Schultz
Eshoo Meeks Waxman
Farr Michaud Welch
Fattah Miller (NC) Wilson (FL)
Frank (MA) Miller, George Woolsey
Fudge Moran Yarmuth

NOES—257

- Adams Cardoza Forbes
Aderholt Carson (IN) Fortenberry
Akin Carter Foxx
Alexander Cassidy Franks (AZ)
Altmire Chabot Frelinghuysen
Amash Chaffetz Gallegly
Amodei Chandler Gardner
Austria Coble Garrett
Bachmann Coffman (CO) Gerlach
Bachus Cole Gibbs
Conaway Conaway Gohmert
Costa Costa Gonzalez
Costello Courtney Goodlatte
Crawford Cravaack Gosar
Crenshaw Berg Gowdy
Critz Crenshaw Graves (GA)
Cuellar Critz Graves (MO)
Culberson Cuellar Green, Al
Davis (KY) Culberson Green, Gene
DeLauro Davis (KY) Griffin (AR)
DesJarlais DeLauro Griffith (VA)
Diaz-Balart Diaz-Balart Grimm
Dicks Dicks Guinta
Dold Dold Guthrie
Doyle Doyle Harper
Dreier Dreier Harris
Duffy Duffy Hartzler
Duncan (SC) Duncan (SC) Hastings (WA)
Duncan (TN) Duncan (TN) Hayworth
Ellmers Ellmers Heck
Emerson Emerson Hensarling
Farenthold Farenthold Herger
Fincher Fincher Herrera Beutler
Fitzpatrick Fitzpatrick Hinojosa
Flake Flake Holden
Fleischmann Fleischmann Huelskamp
Fleming Fleming Huizenga (MI)
Flores Flores Hultgren
Hurt

Table with 3 columns of names: Issa, Jackson Lee, Jenkins, Johnson (OH), Johnson, Sam, Jordan, Kaptur, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Larsen (WA), Latham, LaTourette, Latta, LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Manzullo, Marchant, Matheson, McCarthy (CA), McCaul, McClintock, McHenry, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Mulvaney, Murphy (CT), Murphy (PA), Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Perlmutter, Peterson, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Rahall, Reed, Rehberg, Reichert, RoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Marchant, Matheson, McCarthy (CA), McCaul, McClintock, McHenry, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Mulvaney, Murphy (CT)

NOT VOTING—43

Table with 3 columns of names: Baca, Bass (CA), Becerra, Berman, Broun (GA), Buerkle, Chu, Cleaver, Denham, Donnelly (IN), Filner, Garamendi, Granger, Hahn, Hall, Hanna, Heinrich, Hunter, Larson (CT), Lewis (CA), Loebbeck, Mack, Maloney, Marino, McCotter, McIntyre, McKeon, Miller, Gary, Moore, Myrick, Napolitano, Olver, Pascarell, Paul, Richardson, Rothman (NJ), Sánchez, Linda T., Sherman, Shuler, Sires, Slaughter, Waters, Watt

So the amendment was not agreed to.

71.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, submitted by Mr. McCLINTOCK:

Page 22, line 23, after the dollar amount, insert "(reduced by \$554,000,000)".

Page 22, line 24, after the dollar amount, insert "(reduced by \$115,753,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$554,000,000)".

It was decided in the Yeas 138 negative 249

71.31 [Roll No. 317]

AYES—138

Table with 3 columns of names: Adams, Akin, Amash, Amodei, Andrews, Bachmann, Baldwin, Benishek, Berkley, Bilirakis, Bishop (UT), Black, Blackburn, Blumenauer, Brady (TX), Brooks, Buchanan, Burgess, Burton (IN), Campbell, Canseco, Capps, Carnahan, Carney, Chabot, Chaffetz, Clay, Coble, Coffman (CO), Cohen, Conaway, Conyers, Culberson

Table with 3 columns of names: DeFazio, Duncan (SC), Duncan (TN), Ellmers, Eshoo, Farenthold, Fincher, Flake, Fleming, Flores, Foxx, Franks (AZ), Gardner, Garrett, Gingrey (GA), Gohmert, Gosar, Gowdy, Graves (GA), Guthrie, Gutierrez, Heck, Hensarling, Herger, Herrera Beutler, Honda, Huelskamp, Huizenga (MI), Hultgren, Issa, Jackson (IL), Jenkins, Johnson (IL), Jones, Jordan, Keating, King (IA), Kucinich, Labrador, Lamborn, Lance, Landry, Lofgren, Zoe, Long, Lummis, Markey, McClintock, McDermott, McGovern, McHenry, McMorris, Rodgers, Miller (FL), Miller (MI), Miller, George, Mulvaney, Nadler, Neugebauer, Nunes, Pence, Peters, Petri, Pingree (ME), Poe (TX), Polis, Pompeo, Posey, Price (GA), Quayle, Quigley, Ribble, Jordan, Keating

NOES—249

Table with 3 columns of names: Ackerman, Aderholt, Alexander, Dicks, Dingell, Doggett, Dold, Doyle, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Berg, Biggart, Bilbray, Bishop (GA), Bishop (NY), Bonamici, Bonner, Bono Mack, Boren, Boswell, Boustany, Brady (PA), Braley (IA), Brown (FL), Busch, Butterfield, Calvert, Camp, Cantor, Caputo, Capuano, Cardoza, Carson (IN), Carter, Cassidy, Castor (FL), Chandler, Cicilline, Clarke (MI), Clarke (NY), Clyburn, Cole, Connolly (VA), Cooper, Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), Davis (KY), DeGette, DeLauro, Dent, DesJarlais, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Dold, Doyle, Dreier, Edwards, Ellison, Emerson, Engel, Farr, Fattah, Fitzpatrick, Fleischmann, Forbes, Fortenberry, Frank (MA), Frelinghuysen, Fudge, Gallegly, Gerlach, Gibbs, Braley (IA), Gibson, Gonzalez, Goodlatte, Graves (MO), Green, Al, Green, Gene, Griffin (AR), Griffith (VA), Grijalva, Grimm, Guinta, Hanabusa, Harper, Harris, Hartzler, Hastings (FL), Hastings (WA), Hayworth, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Hurt, Israel, Jackson Lee (TX), Johnson (GA), Johnson (OH), Johnson, E. B., Johnson, Sam, Kaptur, Kelly, Kildee, Kind, King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Langevin, Lankford, Larsen (WA), Latham, LaTourette, Latta, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Lowey, Lucas, Luetkemeyer, Lujan, Lungren, Daniel E., Lynch, Manzullo, Marchant, Matheson, Matsui, McCarthy (CA), McCarthy (NY), Blumenauer, Bonamici, Boren, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chaffetz, Chandler, Cicilline, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Conyers, Costa, Costello, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), Johnson, E. B., Jones, Kaptur, Kelly, Kildee

Table with 3 columns of names: Rohrabacher, Rokita, Rooney, Ross (FL), Royce, Rush, Ryan (WI), Scalise, Schakowsky, Schilling, Schweikert, Scott (SC), Sensenbrenner, Serrano, Smith (NE), Southerland, Stark, Stearns, Stutzman, Sullivan, Thompson (CA), Tiberi, Tierney, Tipton, Tsongas, Velázquez, Walden, Walsh (IL), West, Westmoreland, Wilson (SC), Woodall, Woolsey, Yoder, Rehberg, Reichert, Renacci, Reyes, Richmond, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Ros-Lehtinen, Roskam, Ross (AR), Roybal-Allard, Runyan, Ruppersberger, Ryan (OH), Sanchez, Loretta, Sarbanes, Schiff, Schmidt, Schock, Schrader, Schwartz, Scott (VA), Scott, Austin, Scott, David, Sessions, Sewell, Shimkus, Shuster, Simpson, Smith (NJ), Smith (TX), Smith (WA), Speier, Stivers, Sutton, Terry, Thompson (MS), Thompson (PA), Thornberry, Tonko, Towns, Turner (NY), Turner (OH), Upton, Van Hollen, Visclosky, Walberg, Walz (MN), Wasserman, Schultz, Waxman, Webster, Welch, Whitfield, Wilson (FL), Wittman, Wolf, Womack, Yarmuth, Young (AK), Young (FL), Young (IN)

NOT VOTING—44

Table with 3 columns of names: Baca, Bass (CA), Becerra, Berman, Broun (GA), Buerkle, Chu, Cleaver, Denham, Donnelly (IN), Duffy, Filner, Garamendi, Granger, Hahn, Hall, Hanna, Heinrich, Hunter, Larson (CT), Lewis (CA), Loebbeck, Mack, Maloney, Marino, McCotter, McIntyre, McKeon, Miller, Gary, Moore, Myrick, Napolitano, Olver, Pascarell, Paul, Richardson, Rothman (NJ), Sánchez, Linda T., Sherman, Shuler, Sires, Slaughter, Waters, Watt

So the amendment was not agreed to.

71.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MATHESON:

Page 25, line 5, after the dollar amount, insert "(increased by \$9,600,000)".

Page 30, line 5, after the dollar amount, insert "(reduced by \$9,600,000)".

It was decided in the Yeas 152 negative 235

71.33 [Roll No. 318]

AYES—152

Table with 3 columns of names: Ackerman, Altmire, Amash, Baldwin, Barrow, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chaffetz, Chandler, Cicilline, Hinojosa, Hirono, Hochul, Holden, Holt, Hoyer, Conyers, Costa, Costello, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), Johnson, E. B., Jones, Kaptur, Kelly, Kildee, DeLauro, Deutch, Kind, Kissell, Kucinich, Langevin, Lee (CA), Levin, Lewis (GA), Lipinski, Lowey, Marchant, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McMorris, Meeks, Michaud, Miller (NC), Miller, George, Moran, Murphy (CT), Nadler, Neal, Pallone, Pastor (AZ), Pelosi, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rangel, Reyes, Richmond, Ross (AR), Roybal-Allard

Ruppersberger	Sewell	Velázquez
Rush	Smith (WA)	Visclosky
Ryan (OH)	Speier	Walz (MN)
Sanchez, Loretta	Stark	Wasserman
Sarbanes	Sutton	Schultz
Schakowsky	Thompson (CA)	Waxman
Schiff	Thompson (MS)	Welch
Schrader	Tierney	Wilson (FL)
Schwartz	Tonko	Woolsey
Scott (VA)	Towns	Yarmuth
Scott, David	Tsongas	
Serrano	Van Hollen	

NOES—235

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

NOT VOTING—44

Baca	Buerkle	Filner
Bass (CA)	Chu	Garamendi
Becerra	Cleaver	Granger
Berman	Denham	Hahn
Broun (GA)	Donnelly (IN)	Hall

Hanna	McIntyre	Rothman (NJ)
Heinrich	McKeon	Sánchez, Linda
Hunter	Miller, Gary	T.
Larson (CT)	Moore	Sherman
Lewis (CA)	Myrick	Shuler
Loebach	Napolitano	Shuster
Mack	Olver	Sires
Maloney	Pascarell	Slaughter
Marino	Paul	Waters
McCotter	Richardson	Watt

So the amendment was not agreed to.

The SPEAKER pro tempore, Mr. BISHOP of Utah, assumed the Chair.

When Mr. POE of Texas, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶71.34 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. DOGGETT, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to recede from disagreement with the provisions contained in section 100201 of the amendment of the Senate (relating to stop tax haven abuse-authorizing special measures against foreign jurisdictions, financial institutions, and others that significantly impede United States tax enforcement).

¶71.35 INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT

Mr. BERG moved to suspend the rules and pass the bill (H.R. 4282) to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. BERG and Mr. DOGGETT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶71.36 ENERGY AND WATER APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. BERG, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. POE of Texas, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. WOMACK, assumed the Chair.

When Ms. FOXX, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶71.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACA, for today;

To Mr. BERMAN, for today;

To Mr. HEINRICH, for today; and

To Mrs. NAPOLITANO, for today and June 6.

And then,

¶71.38 ADJOURNMENT

On motion of Mr. FRELINGHUYSEN, at 11 o'clock and 4 minutes p.m., the House adjourned.

¶71.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CAMP: Committee on Ways and Means. H.R. 436. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; with an amendment (Rept. 112-514). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 1004. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; with an amendment (Rept. 112-515). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 5842. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; with an amendment (Rept. 112-516). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 5858. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; with an amendment (Rept. 112-517). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 5858. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; with an amendment (Rept. 112-517). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 5858. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; with an amendment (Rept. 112-517). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 5858. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; with an amendment (Rept. 112-517). Referred to the Committee of the Whole House on the state of the Union.

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Mr. CAMP: Committee on Ways and Means. H.R. 5

By Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. SENSENBRENNER, and Mr. SCOTT of Virginia):

H.R. 5889. A bill to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLD:

H.R. 5890. A bill to correct a technical error in Public Law 112-122; to the Committee on Financial Services. considered and passed.

By Mr. CUMMINGS:

H.R. 5891. A bill to amend the Defense Base Act to require the provision of insurance under that Act under a Government self-insurance program, and to require an implementation strategy for such self-insurance program; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCMORRIS RODGERS (for herself, Ms. DEGETTE, Mr. SMITH of Texas, Mr. MATHESON, Mr. DINGELL, Mr. LATTI, Mr. TERRY, and Mr. MARKEY):

H.R. 5892. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIMM (for himself, Ms. LORETTA SANCHEZ of California, Mr. YODER, Mr. DOLD, Mr. NUNES, Mr. CARNAHAN, and Mr. POLIS):

H.R. 5893. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Science, Space, and Technology, Appropriations, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE:

H.R. 5894. A bill to repeal section 4004 of the Patient Protection and Affordable Care Act (authorizing an education and outreach campaign); to the Committee on Energy and Commerce, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS of California (for herself, Mr. HINOJOSA, Mr. MCDERMOTT, Mr. TOWNS, Ms. DELAURO, Mr. THOMPSON of Mississippi, Mr. CICILLINE, Mr. CONYERS, Mr. CLARKE of Michigan, Mr. JACKSON of Illinois, Ms. BORDALLO, Mr. LEWIS of Georgia, Mr. KUCINICH, Mr. JOHNSON of Georgia, Mr. HINCHEY, Mr. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. SABLAN, Mr. RANGEL, Mr. HONDA, Ms. RICHARDSON, Ms. SEWELL, Mr. OLVER, Ms. NORTON, Ms. HAHN, Mr. NADLER, Ms. LEE of California, Mr. REYES, and Mr. TONKO):

H.R. 5895. A bill to provide interest-free deferment on unsubsidized student loans during periods of unemployment, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GIBSON (for himself and Mr. HANNA):

H.R. 5896. A bill to [amend the Rural Electrification Act of 1936, and for other purposes]; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall with-

in the jurisdiction of the committee concerned.

By Mr. SABLAN (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, Mr. PIERLUISI, and Mr. FALEOMAVAEGA):

H.R. 5897. A bill to amend the National and Community Service Act of 1990 to make certain United States territories eligible for nonprofit capacity building grants under that Act; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska:

H.R. 5898. A bill to amend the Whaling Convention Act to require the Secretary of Commerce to authorize aboriginal subsistence whaling as permitted by the regulations of the International Whaling Commission and to set aboriginal subsistence catch limits for bowhead whales in the event the Commission fails to adopt such limits, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRANKS of Arizona (for himself, Mr. OLSON, Mr. COFFMAN of Colorado, Mr. MANZULLO, Mr. BISHOP of Utah, Mr. JONES, Mr. HUNTER, Mr. MURPHY of Pennsylvania, Mr. WOLF, Mrs. MYRICK, Mr. HARRIS, Mr. FORTENBERRY, Mr. LANDRY, Mr. UPTON, Mr. TIBERI, Mr. LATHAM, Mr. HULTGREN, Mr. JORDAN, Mr. HUIZENGA of Michigan, Mr. PLATTS, Mr. NUGENT, Mr. MCCLINTOCK, Mr. CANSECO, Mr. DUNCAN of South Carolina, Mr. WESTMORELAND, Mr. BONNER, Mr. ROSS of Florida, Mr. PITTS, Mr. LAMBORN, Mr. HARPER, Mr. NUNNELEE, Mr. FLEMING, and Mr. PALAZZO):

H.J. Res. 110. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. MARKEY (for himself and Mr. GINGREY of Georgia):

H. Res. 674. A resolution expressing support for designation of June 2012 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia; to the Committee on Energy and Commerce.

By Mr. RIGELL:

H. Res. 675. A resolution expressing the sense of the House of Representatives that, as part of any agreement on Medicare reform, Medicare should not be changed for any citizens of the United States over the age of 55 and any agreement should provide a detailed plan to end waste, fraud, and abuse in the program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mr. BLIRAKIS):

H. Res. 676. A resolution to expose and halt the Republic of Turkey's illegal colonization of the Republic of Cyprus with non-Cypriot populations, to support Cyprus in its efforts to control all of its territory, to end Turkey's illegal occupation of northern Cyprus, and to exploit its energy resources without illegal interference by Turkey; to the Committee on Foreign Affairs.

By Mr. LAMBORN:

H. Res. 677. A resolution expressing the sense of the Congress regarding the anniversary of the United States Supreme Court decision in the case of District of Columbia v. Heller; to the Committee on the Judiciary.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. GARY G. MILLER of California, Mr. BURTON of Indiana, Mr. HANNA, Mr. RIVERA, and Mr. BRADY of Texas):

H. Res. 678. A resolution congratulating the United States Chamber of Commerce on

its 100th anniversary; to the Committee on Energy and Commerce.

¶71.41 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. BUERKLE introduced a bill (H.R. 5899) for the relief of Zenon Kolenda and Orsysa Bilyanska Kolenda; which was referred to the Committee on the Judiciary.

¶71.42 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 32: Mr. CLARKE of Michigan.
- H.R. 85: Mr. HINOJOSA.
- H.R. 139: Mr. KIND.
- H.R. 459: Mr. FLEISCHMANN, Mrs. EMERSON, Mr. HARPER, Mrs. CAPITO and Mr. KING of Iowa.
- H.R. 530: Mr. SERRANO.
- H.R. 816: Mr. MCCAUL.
- H.R. 860: Ms. HIRONO, Ms. WASSERMAN SCHULTZ and Mr. KLINE.
- H.R. 905: Mr. PASCRELL.
- H.R. 997: Mr. LABRADOR.
- H.R. 1006: Mr. DENT.
- H.R. 1041: Mr. CHANDLER.
- H.R. 1063: Mr. THOMPSON of California.
- H.R. 1327: Mr. PENCE and Mr. BRADY of Pennsylvania.
- H.R. 1348: Mr. MCINTYRE.
- H.R. 1370: Mr. CANSECO and Mr. BARTON of Texas.
- H.R. 1426: Mr. GOODLATTE and Mrs. MCMORRIS RODGERS.
- H.R. 1448: Mr. MILLER of North Carolina and Mrs. LOWEY.
- H.R. 1489: Ms. CHU.
- H.R. 1543: Mr. WELCH.
- H.R. 1653: Mr. NUNNELEE.
- H.R. 1675: Ms. JACKSON LEE of Texas.
- H.R. 1681: Mr. VAN HOLLEN.
- H.R. 1733: Mr. MEEHAN, Mr. GEORGE MILLER of California, Ms. LEE of California and Ms. HIRONO.
- H.R. 1735: Mr. RANGEL.
- H.R. 1878: Ms. LORETTA SANCHEZ of California.
- H.R. 1912: Mr. YARMUTH.
- H.R. 1940: Mrs. HARTZLER.
- H.R. 1956: Mr. ROKITA.
- H.R. 1964: Ms. HOCHUL.
- H.R. 2077: Mr. BONNER and Mr. CONAWAY.
- H.R. 2104: Mrs. CAPPS and Mr. TERRY.
- H.R. 2315: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. PERLMUTTER.
- H.R. 2327: Mr. AMODEI.
- H.R. 2382: Mr. KEATING, Mr. QUIGLEY, and Mr. POLIS.
- H.R. 2524: Mr. CARNAHAN.
- H.R. 2569: Mr. LUETKEMEYER and Mr. GRIF-FITH of Virginia.
- H.R. 2637: Ms. BASS of California.
- H.R. 2705: Mr. MURPHY of Connecticut.
- H.R. 2721: Mr. CLEAVER, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. BISHOP of Georgia, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD and Ms. BROWN of Florida.
- H.R. 2866: Mr. TURNER of Ohio.
- H.R. 2962: Mr. HOLDEN and Mr. WALBERG.
- H.R. 2966: Mr. CHANDLER.
- H.R. 2970: Mrs. LOWEY.
- H.R. 2982: Mr. SCHOCK.
- H.R. 3015: Mr. CLAY and Mr. NADLER.
- H.R. 3032: Mr. REHBERG and Mr. JONES.
- H.R. 3187: Mr. AUSTIN SCOTT of Georgia, Mr. RUPPERSBERGER, Ms. SCHWARTZ, Mr. NEAL, Mr. HARPER and Mr. HOLT.
- H.R. 3242: Mr. CAPUANO and Ms. CHU.
- H.R. 3275: Mr. MCINTYRE.
- H.R. 3395: Mr. JOHNSON of Ohio.
- H.R. 3444: Mrs. ELLMERS.
- H.R. 3485: Mr. CLARKE of Michigan, Mr. CONNOLLY of Virginia and Mr. LOEBACK.
- H.R. 3513: Ms. CHU.
- H.R. 3596: Ms. WASSERMAN SCHULTZ and Mrs. MCCARTHY of New York.

H.R. 3618: Mr. MORAN.
 H.R. 3627: Mr. JACKSON of Illinois.
 H.R. 3660: Mr. JOHNSON of Georgia.
 H.R. 3662: Mr. DAVIS of Kentucky and Mr. FLORES.
 H.R. 3668: Mr. COURTNEY and Mrs. DAVIS of California.
 H.R. 3797: Mr. GARRETT.
 H.R. 3798: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 3803: Mr. THORNBERRY.
 H.R. 3809: Mr. GARRETT.
 H.R. 3839: Mr. YODER and Ms. ZOE LOFGREN of California.
 H.R. 3867: Mr. CAMPBELL.
 H.R. 3903: Mr. BRALEY of Iowa.
 H.R. 4017: Mr. MEEHAN and Mr. CARNEY.
 H.R. 4018: Mr. CONYERS.
 H.R. 4055: Mr. PETERS and Mr. ISRAEL.
 H.R. 4057: Mr. RYAN of Ohio.
 H.R. 4066: Mr. MCGOVERN.
 H.R. 4078: Mr. DUNCAN of South Carolina.
 H.R. 4103: Mrs. LOWEY and Mr. COBLE.
 H.R. 4122: Ms. ESHOO, Mr. CLARKE of Michigan and Mr. CAMPBELL.
 H.R. 4169: Mr. GRIJALVA.
 H.R. 4170: Mr. NADLER and Mr. DAVIS of Illinois.
 H.R. 4192: Mr. TIERNEY.
 H.R. 4209: Mr. CICILLINE.
 H.R. 4227: Mr. CICILLINE, Ms. FUDGE, Mr. FILNER, Ms. BASS of California, Mr. FATTAH, Mrs. MCCARTHY of New York, Mr. DINGELL and Mr. LYNCH.
 H.R. 4235: Mr. PERLMUTTER.
 H.R. 4277: Mr. SERRANO, Mr. MCGOVERN and Mr. THOMPSON of Mississippi.
 H.R. 4282: Mr. TIBERI, Mr. BRADY of Texas and Ms. NORTON.
 H.R. 4305: Mrs. EMERSON and Mr. BOREN.
 H.R. 4323: Mr. LOEBSACK.
 H.R. 4330: Mr. RIBBLE.
 H.R. 4336: Mr. PRICE of Georgia and Mr. HUIZENGA of Michigan.
 H.R. 4350: Mr. PRICE of North Carolina.
 H.R. 4381: Mrs. BLACK, Mr. DUNCAN of South Carolina, Mr. LAMBORN, Mr. COFFMAN of Colorado, Ms. FOXX and Mr. NUNNELEE.
 H.R. 4382: Mrs. BLACK, Mr. JOHNSON of Ohio, Mr. GRIFFIN of Arkansas, Mr. DUNCAN of South Carolina, Mr. TIPTON, Mr. LAMBORN, Mr. DENHAM and Ms. FOXX.
 H.R. 4383: Mrs. BLACK, Mr. JOHNSON of Ohio, Mr. GRIFFIN of Arkansas, Mr. DUNCAN of South Carolina, Mr. COFFMAN of Colorado, Mr. TIPTON and Mr. DENHAM.
 H.R. 4386: Mr. MCCLINTOCK.
 H.R. 4402: Mr. GARDNER, Mr. REHBERG, Mrs. LUMMIS and Mr. PEARCE.
 H.R. 4405: Mr. DEUTCH, Mr. HINCHEY, Mr. LEWIS of Georgia, Mr. TURNER of New York and Mr. KEATING.
 H.R. 4471: Mr. REHBERG, Mr. JOHNSON of Ohio, Mr. BERG and Mr. GRIFFIN of Arkansas.
 H.R. 4480: Mr. GRIFFIN of Arkansas, Mr. DUNCAN of South Carolina, Ms. FOXX, Mr. NUNNELEE and Mr. LATHAM.
 H.R. 4481: Mr. AMODEI.
 H.R. 4965: Mr. FINCHER, Mr. BRADY of Texas and Mr. ALTMIRE.
 H.R. 4972: Mr. STARK.
 H.R. 5381: Mrs. LUMMIS, Mr. COLE and Mr. MCCLINTOCK.
 H.R. 5546: Mr. RANGEL.
 H.R. 5707: Mr. BRADY of Pennsylvania and Mr. MCGOVERN.
 H.R. 5738: Mr. LEVIN.
 H.R. 5741: Mr. PETERS.
 H.R. 5748: Ms. MOORE, Ms. ROYBAL-ALLARD and Ms. SPEIER.
 H.R. 5749: Ms. PINGREE of Maine, Mr. HONDA, Mr. OLVER, Ms. SLAUGHTER and Mr. BLUMENAUER.
 H.R. 5791: Mr. GOSAR, Mr. FRANKS of Arizona, Mr. SCHWEIKERT and Mr. MCCLINTOCK.
 H.R. 5796: Mr. POE of Texas and Mr. CHABOT.
 H.R. 5842: Mr. DAVIS of Kentucky and Mr. BILBRAY.

H.R. 5844: Mr. POE of Texas.
 H.R. 5859: Mr. OLSON and Mr. SCHRADER.
 H.R. 5870: Ms. CHU.
 H.R. 5872: Mr. SCHILLING, Mr. HARRIS, Mr. COFFMAN of Colorado, Mrs. ROBY, Mr. LAMBORN and Mr. NUNNELEE.
 H.J. Res. 47: Mr. CLARKE of Michigan and Mr. RUPPERSBERGER.
 H. Con. Res. 21: Mr. HALL.
 H. Con. Res. 127: Mr. OLSON, Mr. BUTTERFIELD, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. RUSH, Ms. SPEIER, Mr. GUTHRIE, Mr. TOWNS, Mr. SCALISE, Mr. POMPEO, Mrs. CAPP, Mr. BARTON of Texas, Mr. WHITFIELD, Mr. ENGEL, Ms. DEGETTE, Mr. DOYLE, Mr. GINGREY of Georgia, Mr. JONES, Mr. PITTS, Mr. MURPHY of Pennsylvania, Mr. HARPER and Mr. GARDNER.
 H. Res. 134: Mr. MURPHY of Connecticut.
 H. Res. 282: Mr. JACKSON of Illinois and Mr. CLAY.
 H. Res. 298: Mr. LYNCH and Mr. CASSIDY.
 H. Res. 506: Mr. JONES and Mr. WEST.
 H. Res. 532: Mr. SAM JOHNSON of Texas.
 H. Res. 583: Mr. MCNERNEY.
 H. Res. 618: Ms. HIRONO, Mr. WEST and Mr. LARSON of Connecticut.
 H. Res. 652: Mr. MCGOVERN.
 H. Res. 655: Mr. BRADY of Pennsylvania, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. RICHARDSON and Mr. GRIJALVA.
 H. Res. 663: Mr. ROTHMAN of New Jersey, Mr. CHABOT, Mr. CARNAHAN, Mr. SIRE, Mr. CONNOLLY of Virginia, Mr. SCHIFF, Mr. CROWLEY, Mr. HOLT, Ms. WASSERMAN SCHULTZ, Mrs. MALONEY, Mr. SHERMAN, Mr. ACKERMAN, Mr. MEEKS, Ms. RICHARDSON, Mr. BURTON of Indiana, Mr. NADLER and Mr. GENE GREEN of Texas.
 H. Res. 669: Mr. MURPHY of Pennsylvania and Mr. JOHNSON of Ohio.

WEDNESDAY, JUNE 6, 2012 (72)

¶72.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. MCCLINTOCK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 June 6, 2012.

I hereby appoint the Honorable TOM MCCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶72.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill and agreed to a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 2061. An Act to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority.

S. Con. Res. 5. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the Montford Point Marines.

¶72.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. MCCLINTOCK, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶72.4 RECESS—10:36 A.M.

The SPEAKER pro tempore, Mr. MCCLINTOCK, pursuant to clause 12(a)

of rule I, declared the House in recess at 10 o'clock and 36 minutes a.m., until noon.

¶72.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶72.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, June 5, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶72.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6321. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Commodity Options (RIN: 3038-AD62) received April 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6322. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Community Facility Loans (RIN: 0575-AC78) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6323. A letter from the Deputy Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — Specification for 15 kV and 25 kV Primary Underground Power Cable received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6324. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acequinocyl; Pesticide Tolerances [EPA-HQ-OPP-2011-0449; FRL-9346-4] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6325. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiamethoxam; Pesticide Tolerances; Technical Correction [EPA-HQ-OPP-2010-1079; FRL-9344-9] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6326. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluoxastrobin; Pesticide Tolerances [EPA-HQ-OPP-2009-0677; FRL-9345-3] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6327. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dimethomorph; Pesticide Tolerances [EPA-HQ-OPP-2011-0388; FRL-9346-6] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6328. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Metconazole; Pesticide Tolerances [EPA-HQ-OPP-2011-0179; FRL-9345-6] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6329. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Carfentrazone-ethyl; Pes-

ticide Tolerances [EPA-HQ-OPP-2011-0428; FRL-9346-5] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6330. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — General Provisions; Operating and Strategic Business Planning (RIN: 3052-AC66) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6331. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: United States-Korea Free Trade Agreement (DFARS Case 2012-D025) (RIN: 0750-AH69) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6332. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Defense Trade Cooperation Treaty with the United Kingdom (DFARS 2012-D034) (RIN: 0750-AH70) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6333. A letter from the Principal Deputy General Counsel, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Supplemental Standards of Ethical Conduct for Employees of the Bureau of Consumer Financial Protection [Docket No.: CFPB-2012-0016] (RIN: 3209-AA15) received April 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6334. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Township of Alexandria, Hunterdon County, New Jersey, et al.) [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8227] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6335. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — State Community Development Block Grant Program: Administrative Rule Changes [Docket No.: FR-5181-F-02] (RIN: 2506-AC22) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6336. A letter from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting the Authority's final rule — Unfair Labor Practice Proceedings; Negotiability Proceedings; Review of Arbitration Awards; Miscellaneous and General Requirements received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6337. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina; Charlotte; Ozone 2002 Base Year Emissions Inventory [EPA-R04-OAR-2012-0355(b); FRL-9666-7] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6338. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitation Guidelines and New Source Performance Standards for the Airport Deicing Category [EPA-HQ-OW-2004-0038; FRL-9667-6] (RIN: 2040-AE69) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6339. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Approval of 2011 Consent Decree to Control Emissions from the GenOn Chalk Point Generating Station; Removal of 1978 and 1979 Consent Orders [EPA-R03-OAR-2011-0889; FRL-9666-3] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6340. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Final Response to Petition From New Jersey Regarding SO2 Emissions From the Portland Generating Station [EPA-HQ-OAR-2011-0081; FRL-9660-5] (RIN: 2060-AR42) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6341. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No.: RM12-5-000] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6342. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category XIII (RIN: 1400-AD13) received May 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6343. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Implementation of the Defense Trade Cooperation Treaty between the United States and the United Kingdom (RIN: 1400-AD95) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6344. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1060; Directorate Identifier 2011-NM-015-AD; Amendment 39-16945; AD 2012-03-04] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6345. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-0585; Directorate Identifier 2010-NM-183-AD; Amendment 39-16974; AD 2012-05-02] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6346. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2011-0723; Directorate Identifier 2010-NM-080-AD; Amendment 39-16978; AD 2012-05-06] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6347. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0296; Directorate Identifier 2010-NM-106-AD; Amendment 39-17000; AD 2012-06-19] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6348. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0331; Directorate Identifier 2011-NM-119-AD; Amendment 39-17008; AD 2012-07-02] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6349. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0303; Directorate Identifier 2010-NM-214-AD; Amendment 39-16939; AD 2012-02-16] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6350. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0272; Directorate Identifier 2011-NM-042-AD; Amendment 39-16989; AD 2012-06-08] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6351. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2011-0959; Directorate Identifier 2011-NE-25-AD; Amendment 39-16970; AD 2012-04-14] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6352. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Mooney Aviation Company, Inc. (Mooney) Airplanes [Docket No.: FAA-2012-0275; Directorate Identifier 2012-CE-009-AD; Amendment 39-16981; AD 2012-05-09] (RIN: 2120-AA64) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6353. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Columbia, SC, and Establishment of Class E Airspace; Pelion, SC [Docket No.: FAA-2011-1196; Airspace Docket No. 11-ASO-38] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6354. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Cocoa Beach, FL [Docket No.: FAA-2012-0099; Airspace Docket No. 12-ASO-11] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6355. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation (RNAV) Routes; Seattle, WA [Docket No.: FAA-2011-1358; Airspace Docket No. 11-ANM-19] (RIN: 2120-AA66) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6356. A letter from the Chief, Publication and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual Price Inflation Adjustments for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223 of the Internal Revenue Code (Rev. Proc. 2012-26) received May 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6357. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Request for Comments on the Requirement to Report on Health Insurance Coverage [Notice

2012-32] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6358. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Request for Comments on Reporting by Applicable Large Employers on Health Insurance Coverage Under Employer-Sponsored Plans[Notice 2012-33] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6359. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2012 Calendar Year Resident Population Figures [Notice 2012-22] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6360. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Minimum Value of an Employer-Sponsored Health Plan [Notice 2012-31] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6361. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary [TD 9575] (RIN: 1545-BJ94) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶72.8 ENERGY AND WATER APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. GRAVES of Georgia, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Ms. ROS-LEHTINEN, Acting Chairman, assumed the chair; and after some time spent therein,

¶72.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ROHRBACHER:

At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available under this Act may be used for the U.S. China Clean Energy Research Center.

It was decided in the { Yeas 181
negative } Nays 229

¶72.10 [Roll No. 319]

AYES—181

Adams	Buchon	Dent
Aderholt	Buerkle	DesJarlais
Akin	Burgess	Diaz-Balart
Amash	Burton (IN)	Donnelly (IN)
Amodei	Campbell	Duffy
Bachmann	Canseco	Duncan (SC)
Barrow	Cantor	Duncan (TN)
Barton (TX)	Carter	Ellmers
Benishek	Cassidy	Farenthold
Bilbray	Chabot	Fincher
Black	Chaffetz	Fitzpatrick
Blackburn	Coffman (CO)	Flake
Boren	Conaway	Fleming
Boswell	Costello	Flores
Boustany	Cravaack	Forbes
Brady (TX)	Crawford	Fortenberry
Brooks	Cuellar	Fox
Broun (GA)	Culberson	Franks (AZ)
Buchanan	DeFazio	Gardner

Garrett	Lungren, Daniel
Gerlach	E.
Gibbs	Mack
Gingrey (GA)	Manzullo
Gohmert	Marchant
Gosar	Matheson
Govdy	McCarthy (CA)
Graves (GA)	McCauley
Graves (MO)	McClintock
Griffin (AR)	McCotter
Harris	McHenry
Hartzler	McIntyre
Heck	McMorris
Hensarling	Rodgers
Hergler	Meehan
Herrera Beutler	Meeke
Hochul	Mica
Huelskamp	Michaud
Huizenga (MI)	Miller (FL)
Hultgren	Miller (MI)
Hunter	Mulvaney
Hurt	Murphy (PA)
Issa	Myrick
Jenkins	Neugebauer
Johnson (OH)	Noem
Johnson, Sam	Nugent
Jones	Nunes
Jordan	Olson
King (IA)	Palazzo
King (NY)	Paulsen
Kissell	Pearce
Kline	Pence
Kucinich	Peterson
Labrador	Petri
Lamborn	Poe (TX)
Lance	Pompeo
Landry	Posey
Latham	Price (GA)
Latta	Quayle
LoBiondo	Reed
Long	Ribble
Luetkemeyer	Rigell

NOES—229

Ackerman	Davis (KY)
Alexander	DeGette
Altmire	DeLauro
Andrews	Denham
Austria	Deutch
Bachus	Dicks
Baldwin	Dingell
Barletta	Doggett
Bartlett	Dold
Bass (CA)	Doyle
Bass (NH)	Dreier
Becerra	Edwards
Berg	Ellison
Berkley	Emerson
Biggert	Eshoo
Bilirakis	Farr
Bishop (GA)	Fattah
Bishop (NY)	Fleischmann
Bishop (UT)	Frank (MA)
Blumenauer	Frelinghuysen
Bonamici	Fudge
Bonner	Gallely
Bono Mack	Garamendi
Brady (PA)	Gibson
Braley (IA)	Gonzalez
Brown (FL)	Goodlatte
Butterfield	Granger
Calvert	Green, Al
Camp	Green, Gene
Capito	Griffith (VA)
Capps	Grijalva
Capuano	Grimm
Cardoza	Guinta
Carnahan	Guthrie
Carney	Gutierrez
Carson (IN)	Hall
Chandler	Hanabusa
Cicilline	Harper
Clarke (MI)	Hastings (FL)
Clarke (NY)	Hastings (WA)
Clay	Hayworth
Cleaver	Heinrich
Clyburn	Higgins
Cohen	Himes
Cole	Hinchey
Connolly (VA)	Hinojosa
Conyers	Hirono
Cooper	Holden
Costa	Holt
Courtney	Honda
Crenshaw	Hoyer
Critz	Israel
Crowley	Jackson (IL)
Cummings	Jackson Lee
Davis (CA)	(TX)
Davis (IL)	Johnson (GA)

Rivera	Rohrabacher
Roe (TN)	Rohrabacher
Rogers (MI)	Rohrabacher
Ross (AR)	Rohrabacher
Ross (FL)	Rohrabacher
Royce	Rohrabacher
Ryan (WI)	Rohrabacher
Scalise	Rohrabacher
Schilling	Rohrabacher
Schmidt	Rohrabacher
Schweikert	Rohrabacher
Scott (SC)	Rohrabacher
Scott, Austin	Rohrabacher
Sensenbrenner	Rohrabacher
Sessions	Rohrabacher
Sherman	Rohrabacher
Smith (NE)	Rohrabacher
Smith (NJ)	Rohrabacher
Smith (TX)	Rohrabacher
Southerland	Rohrabacher
Stearns	Rohrabacher
Stutzman	Rohrabacher
Sullivan	Rohrabacher
Sutton	Rohrabacher
Thornberry	Rohrabacher
Upton	Rohrabacher
Visclosky	Rohrabacher
Walberg	Rohrabacher
Walsh (IL)	Rohrabacher
Webster	Rohrabacher
West	Rohrabacher
Westmoreland	Rohrabacher
Wilson (SC)	Rohrabacher
Wittman	Rohrabacher
Wolf	Rohrabacher
Woodall	Rohrabacher
Yoder	Rohrabacher
Young (FL)	Rohrabacher
Young (IN)	Rohrabacher

Rehberg	Schrader	Towns
Reichert	Schwartz	Tsongas
Renacci	Scott (VA)	Turner (NY)
Reyes	Scott, David	Turner (OH)
Richmond	Serrano	Van Hollen
Roby	Sewell	Velázquez
Rogers (AL)	Shimkus	Walden
Rogers (KY)	Shuster	Walz (MN)
Ros-Lehtinen	Simpson	Wasserman
Roskam	Sires	Schultz
Roybal-Allard	Smith (WA)	Waters
Runyan	Speier	Watt
Ruppersberger	Stark	Waxman
Rush	Stivers	Welch
Ryan (OH)	Terry	Whitfield
Sánchez, Linda	Thompson (CA)	Wilson (FL)
T.	Thompson (MS)	Womack
Sánchez, Loretta	Thompson (PA)	Woolsey
Sarbanes	Tiberi	Yarmuth
Schakowsky	Tierney	Young (AK)
Schiff	Tipton	
Schock	Tonko	

NOT VOTING—21

Baca	Hahn	Pascrell
Berman	Hanna	Paul
Castor (FL)	Lewis (CA)	Platts
Chu	McKeon	Richardson
Coble	Miller, Gary	Rothman (NJ)
Engel	Moore	Shuler
Filner	Napolitano	Slaughter

So the amendment was not agreed to.

¶72.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. STEARNS:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Department of Energy to subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) or to subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10 of the Code of Federal Regulations.

It was decided in the { Yeas 348
affirmative } Nays 60

¶72.12 [Roll No. 320]

AYES—348

Ackerman	Brown (FL)	DeFazio
Adams	Buchanan	Denham
Aderholt	Buchon	Dent
Akin	Buerkle	DesJarlais
Alexander	Burgess	Diaz-Balart
Altmire	Burton (IN)	Dicks
Amash	Butterfield	Doggett
Amodei	Calvert	Dold
Austria	Camp	Donnelly (IN)
Bachmann	Campbell	Doyle
Bachus	Canseco	Dreier
Baldwin	Cantor	Duffy
Barletta	Capito	Duncan (SC)
Barrow	Capps	Duncan (TN)
Bartlett	Capuano	Ellmers
Barton (TX)	Cardoza	Emerson
Bass (NH)	Carney	Eshoo
Becerra	Carter	Farenthold
Benishek	Cassidy	Farr
Berg	Chabot	Fattah
Biggert	Chaffetz	Fincher
Bilbray	Chandler	Fitzpatrick
Bilirakis	Cicilline	Flake
Bishop (GA)	Coffman (CO)	Fleischmann
Bishop (NY)	Cohen	Fleming
Bishop (UT)	Cole	Flores
Black	Conaway	Forbes
Blackburn	Connolly (VA)	Fortenberry
Blumenauer	Cooper	Fox
Bonamici	Costa	Franks (AZ)
Bonner	Costello	Frelinghuysen
Bono Mack	Cravaack	Gallely
Boren	Crawford	Gardner
Boswell	Crenshaw	Garrett
Boustany	Critz	Gerlach
Brady (PA)	Cuellar	Gibbs
Brady (TX)	Culberson	Gibson
Braley (IA)	Cummings	Gingrey (GA)
Brooks	Davis (CA)	Gohmert
Broun (GA)	Davis (KY)	Gonzalez

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkinson
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan

Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Marky
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mulvaney
Murphy (CT)
Murphy (PA)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)

Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walsh (IL)
Waters
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—60

Andrews
Bass (CA)
Berkley
Carnahan
Carson (IN)
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Conyers
Courtney
Crowley
Davis (IL)
DeGette
DeLauro
Deutch
Dingell
Edwards

Ellison
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hastings (FL)
Himes
Hinchev
Honda
Conyers
Courtney
Crowley
Davis (IL)
DeGette
DeLauro
Deutch
Dingell
Edwards

Perlmutter
Peters
Rangel
Richmond
Ruppersberger
Rush
Ryan (OH)
Scott (VA)
Scott, David
Serrano
Sires
Smith (WA)
Stark
Thompson (CA)
Thompson (MS)
Towns
Velázquez

Walz (MN)
Wasserman
Schultz
Baca
Berman
Castor (FL)
Chu
Coble
Engel
Filner
Hahn

Watt
Wilson (FL)
Woolsey
Hanna
Johnson (GA)
Lewis (CA)
McKeon
Miller, Gary
Moore
Moran
Napolitano

NOT VOTING—23

Pascrell
Paul
Platts
Richardson
Rothman (NJ)
Shuler
Slaughter

McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (CA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci

Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Simpson
Sires
Smith (NE)
Smith (TX)

Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—81

Ackerman
Amodei
Bass (CA)
Becerra
Berkley
Brown (FL)
Capps
Capuano
Carnahan
Carson (IN)
Chaffetz
Duffy
Cicilline
Clarke (MI)
Clarke (NY)
Johnson, E. B.
Kissell
Crowley
Cummings
Davis (CA)
Davis (IL)
DeLauro
Doggett
Edwards
Ellison
Fattah
Frank (MA)
Fudge
Garamendi
Grijalva

Gutierrez
Hastings (FL)
Heck
Hinchev
Pastor (AZ)
Pelosi
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (IL)
Johnson, E. B.
Kissell
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lujan
Maloney
Marky
Matheson
Matsui
McCotter
McDermott

McGovern
Nadler
Oliver
Pallone
Pastor (AZ)
Pelosi
Perlmutter
Pingree (ME)
Polis
Rangel
Richmond
Roybal-Allard
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Schakowsky
Serrano
Stark
Thompson (MS)
Tsongas
Velázquez
Wasserman
Schultz
Waters
Watt
Waxman
Woolsey

NOT VOTING—24

Baca
Berman
Castor (FL)
Chu
Coble
Engel
Farr
Filner

Hahn
Hanna
Johnson (GA)
Lewis (CA)
McKeon
Miller, Gary
Moore
Napolitano

Pascrell
Paul
Platts
Richardson
Rothman (NJ)
Shuler
Slaughter
Smith (NJ)

So the amendment was agreed to.

72.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TIPTON:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to conduct a survey in which money is included or provided for the benefit of the responder.

72.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SHIMKUS:

Page 28, line 16, after the dollar amount insert "(reduced by \$10,000,000)".

Page 49, line 25, after the second dollar amount insert "(increased by \$10,000,000)".

It was decided in the { Yeas 326
affirmative } Nays 81

72.14 [Roll No. 321]

AYES—326

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardeza
Carney
Carter
Cassidy
Chabot
Chandler
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa

Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
DeGette
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Harris

Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKinley

It was decided in the affirmative { Yeas 355 Nays 51

¶72.16

[Roll No. 322]

AYES—355

Adams Duffy LaTourette Aderholt Duncan (SC) Latta Akin Duncan (TN) Levin Alexander Ellmers Lewis (GA) Altmiere Emerson Lipinski Amash Eshoo LoBiondo Amodei Farenthold Loeback Andrews Fincher Lofgren, Zoe Austria Fitzpatrick Long Bachmann Flake Lowey Bachus Fleischmann Lucas Baldwin Fleming Luetkemeyer Barletta Flores Lujan Barrow Forbes Lummis Bartlett Fortenberry Lungren, Daniel Barton (TX) Foss E. Bass (CA) Frank (MA) Lynch Bass (NH) Franks (AZ) Mack Becerra Frelinghuysen Maloney Benishek Gallegly Manzullo Berg Gardner Marchant Berkley Garrett Marino Biggert Gerlach Markey Bilbray Gibbs Matheson Bilirakis Gibson Matsui Bishop (GA) Gingrey (GA) McCarthy (CA) Bishop (NY) Gonzalez McCarthy (NY) Bishop (UT) Goodlatte McCaul Gosar McClintock Clay Blackburn Gowdy McCotter Conyers Bonamici Granger McGovern Costa Bonner McHenry Graves (GA) Crowley Cummings Bono Mack Graves (MO) Davis (IL) Edwards Green, Al McKinley Edwards Ellisson Green, Gene Griffin (AR) Rodgers Farr Griffin (VA) McInerney Miller (NC) Grimm Grimms Meehan Fattah Moran Braley (IA) Guinta Mica Nadler Brooks Guthrie Michaud Broun (GA) Hall Miller (FL) Brown (FL) Hanabusa Miller (MI) Buchanan Harper Miller, George Bucshon Harris Mulvaney Buerkle Hartzler Murphy (CT) Burgess Hastings (FL) Murphy (PA) Burton (IN) Hastings (WA) Myrick Butterfield Hayworth Neal Neugebauer Calvert Heck Neugebauer Camp Heinrich Noem Campbell Hensarling Nugent Canseco Herger Nunes Cantor Herrera Beutler Nunnelee Capito Higgins Olson Capps Himes Owens Capuano Hinojosa Palazzo Carney Hirono Pallone Carter Hochul Pascarell Cassidy Holden Paulsen Chabot Hoyer Pearce Chaffetz Huelskamp Pelosi Chandler Huizenga (MI) Pence Cicilline Hultgren Perlmutter Clarke (MI) Hunter Peters Coffman (CO) Hurt Peterson Cole Israel Petri Conaway Issa Pingree (ME) Connolly (VA) Jenkins Pitts Cooper Johnson (GA) Poe (TX) Costello Johnson (IL) Polis Courtney Johnson (OH) Pompeo Cravaack Johnson, E. B. Posey Crawford Johnson, Sam Price (GA) Crenshaw Jones Price (NC) Critz Jordan Quayle Cuellar Kaptur Rahall Culberson Keating Rangel Davis (CA) Kelly Reed Davis (KY) Kildee Rehberg DeFazio Kind Reichert DeGette King (IA) Renacci DeLauro King (NY) Reyes Ribble Denham Kingston Ribble Dent Kinzinger (IL) Rigell DesJarlais Kissell Rivera Diaz-Balart Kline Labrador Lamborn Dicks Lamborn Lance Dingell Latham Doggett Landry Rogers (AL) Dold Langevin Rohrabacher Donnelly (IN) Lankford Rokita Doyle Larson (CT) Rooney Dreier Latham Ros-Lehtinen

Roskam Sewell Van Hollen Ross (AR) Sherman Visclosky Ross (FL) Shimkus Walberg Roybal-Allard Shuster Walden Royce Simpson Smith (NE) Runyan Smith (NJ) Ruppertsberger Ryan (OH) Ryan (WI) Ryan (WI) Sanchez, Linda T. Southernland Stearns Stivers Stutzman Sarbanes Sutton Westmoreland Scalise Terry Whitfield Schiff Thompson (CA) Wilson (FL) Schilling Thompson (PA) Wilson (SC) Thompson (PA) Thornberry Wittman Schick Thornberry Schrader Tiberi Wolf Fleming Tierney Womack Woodall Tipton Yarmuth Woodall Yoder Yoder Young (AK) Young (FL) Young (IN)

Culberson Johnson, Sam Reichert Davis (KY) Jones Renacci Denham Jordan Ribble Dent Kelly Rigell DesJarlais King (IA) Rivera Diaz-Balart King (NY) Roby Kingston Kinzinger (IL) Roe (TN) Donnelly (IN) Kinzinger (IL) Rogers (AL) Dreier Kline Rogers (KY) Duffy Labrador Rogers (MI) Lamborn Rohrabacher Lance Rokita Ellmers Landry Rooney Emerson Lankford Ros-Lehtinen Farenthold Latham Roskam Fincher Fitzpatrick LaTourette Ross (AR) Flake Latta Ross (FL) Fleischmann Lipinski Royce Fleming LoBiondo Runyan Flores Loeback Ryan (WI) Long Lucas Scalise Forbes Luetkemeyer Schilling Foss Lummis Schmidt Franks (AZ) Frelinghuysen Schock Gallegly E. Schweikert Gardner Mack Scott (SC) Garrett Marino Scott, Austin Gerlach Matheson Sensenbrenner Sessions

NOES—51

Ackerman Garamendi Olver Blumenauer Grijalva Pastor (AZ) Cardoza Gutierrez Quigley Carmahan Hinchey Richmond Quigley Holt Honda Schakowsky Jackson (IL) Scott (VA) Jackson Lee Serrano (TX) Sires Kucinich Speier Larsen (WA) Stark Lee (CA) Thompson (MS) McCollum Towns Edwards McDermott Velazquez Meeks Velazquez Farr Miller (NC) Warr Moran Woolsey Nadler

Oliver Gerlach Matheson Gibbs McCarthy (CA) McCaul Shimkus McClintock Shuster Goodlatte McCotter Simpson Gosar McHenry Smith (NE) Gowdy McIntyre Smith (NJ) Granger McKinley Smith (TX) Graves (GA) McMorrison Southernland Graves (MO) Rodgers Stearns Griffin (AR) Meehan Stutzman Griffith (VA) Mica Sullivan Grimm Miller (FL) Terry Guinta Miller (MI) Thompson (PA) Guthrie Mulvaney Thornberry Hall Murphy (PA) Tiberi Harper Myrick Hartzler Neugebauer Tipton Hastings (WA) Nugent Turner (NY) Hayworth Nunes Turner (OH) Heck Nunnelee Upton Hensarling Olson Walberg Herger Owens Walden Herrera Beutler Palazzo Walsh (IL) Himes Paulsen Webster Hochul Pearce West Holden Pence Westmoreland Huelskamp Peterson Whitfield Huizenga (MI) Petri Wilson (SC) Hultgren Pitts Wittman Hunter Poe (TX) Wolf Hurt Pompeo Womack Issa Posey Woodall Jenkins Price (GA) Yoder Johnson (IL) Quayle Young (AK) Johnson (OH) Reed Young (IN)

NOT VOTING—25

Baca Gohmert Platts Berman Hahn Richardsons Carson (IN) Hanna Rothman (NJ) Castor (FL) Lewis (CA) Shuler Chu McKeon Slaughter Cleaver Miller, Gary Sullivan Coble Moore Sullivan Napolitano Moore Paul Waters

So the amendment was agreed to.

¶72.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LUETKEMEYER:

At the end of the bill (before the short title), insert the following:

SEC. ____ None the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

It was decided in the affirmative { Yeas 242 Nays 168

¶72.18

[Roll No. 323]

AYES—242

Adams Bishop (UT) Camp Aderholt Black Campbell Akin Blackburn Canseco Alexander Bonner Cantor Altmiere Bono Mack Capito Amash Boswell Carter Amodei Boustany Cassidy Austria Brady (TX) Chabot Bachmann Braley (IA) Chaffetz Bachus Broun (GA) Coffman (CO) Barletta Burchan Cole Boren Buchanan Conaway Burtchon Bucshon Courtney Buerkle Cravaack Biggert Burdon (IN) Bilbray Burton (IN) Bilirakis Calvert

Ackerman Cooper Higgins Andrews Costa Hinchey Baldwin Critz Hinojosa Barrow Crowley Hirono Bass (CA) Cuellar Holt Bass (NH) Cummings Honda Becerra Davis (CA) Hoyer Berg Davis (IL) Israel Berkley DeFazio Jackson (IL) Bishop (GA) DeGette Jackson Lee Bishop (NY) DeLauro (TX) Blumenauer Deutch Johnson (GA) Bonamici Dicks Johnson, E. B. Boren Dingell Kaptur Brady (PA) Doggett Keating Brown (FL) Doyle Kildee Butterfield Edwards Kind Capps Ellison Kissell Capuano Eshoo Kucinich Cardoza Farr Langevin Carmahan Fattah Larsen (WA) Carney Fortenberry Larson (CT) Carson (IN) Frank (MA) Lee (CA) Chandler Fudge Levin Chaffetz Garamendi Lewis (GA) Cicilline Clarke (MI) Gonzalez Lofgren, Zoe Clarke (NY) Green, Al Lowey Clay Green, Gene Lujan Cleaver Grijalva Lynch Cobyburn Gutierrez Maloney Cohen Hanabusa Manzullo Connolly (VA) Hastings (FL) Markey Conyers Heinrich Matsui

NOES—168

McCarthy (NY) Quigley
 McCollum Rahall
 McDermott Rangel
 McGovern Rehberg
 McNeerney Reyes
 Meeks Richmond
 Miller (NC) Roybal-Allard
 Miller, George Ruppertsberger
 Moore Rush
 Moran Ryan (OH)
 Murphy (CT) Sánchez, Linda
 Nadler T.
 Neal Sanchez, Loretta
 Noem Sarbanes
 Olver Schakowsky
 Pallone Schiff
 Pascrell Schrader
 Pastor (AZ) Schwartz
 Pelosi Scott (VA)
 Perlmutter Scott, David
 Peters Serrano
 Pingree (ME) Sewell
 Polis Sherman
 Price (NC) Sires

Smith (WA) Speier
 Stark
 Sutton
 Thompson (CA) Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth
 Young (FL)

Rangel
 Richmond
 Roybal-Allard
 Ruppertsberger
 Rush
 Ryan (OH)
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Tonko
 Towns
 Tsongas

Serrano
 Sewell
 Sherman
 Sires
 Smith (WA)
 Speier
 Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas

Van Hollen
 Velázquez
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth

Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)

Young (FL)
 Young (IN)
 Napolitano
 Paul
 Platts
 Richardson
 Rothman (NJ)
 Shuler
 Slaughter

NOT VOTING—21

NOT VOTING—21

Baca Gohmert
 Berman Hahn
 Castor (FL) Hanna
 Chu Lewis (CA)
 Coble Marchant
 Engel McKeon
 Filner Miller, Gary

Napolitano
 Paul
 Platts
 Richardson
 Rothman (NJ)
 Shuler
 Slaughter

So the amendment was agreed to.

¶72.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. JACKSON LEE of Texas:

At the end of the bill (before the short title), insert the following:

SEC. ____ . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities", and increasing the amount made available for "Corps of Engineers—Civil—Department of the Army—Construction", by \$10,000,000.

It was decided in the { Yeas 150
 negative } Nays 260

¶72.20 [Roll No. 324]

AYES—150

Ackerman Dingell
 Baldwin Doggett
 Bass (CA) Doyle
 Becerra Duncan (TN)
 Bilbray Edwards
 Bishop (GA) Ellison
 Bishop (NY) Engel
 Blumenauer Eshoo
 Bonamici Farr
 Boswell Frank (MA)
 Brady (PA) Fudge
 Braley (IA) Garamendi
 Brown (FL) Gibson
 Butterfield Green, Al
 Capps Green, Gene
 Capuano Grijalva
 Carnahan Hanabusa
 Carney Hastings (FL)
 Carson (IN) Higgins
 Clarke (MI) Himes
 Clarke (NY) Hinchey
 Clay Hinojosa
 Cleaver Hirono
 Clyburn Hochul
 Cohen Holden
 Conyers Holt
 Cooper Honda
 Courtney Hoyer
 Critz Israel
 Crowley Jackson (IL)
 Cuellar Jackson Lee
 Cummings (TX)
 Davis (CA) Johnson (GA)
 Davis (IL) Johnson (IL)
 DeFazio Johnson, E. B.
 DeGette Jones
 DeLauro Kaptur
 Deutch Keating

Kildee
 Kind
 Kucinich
 Larson (CT)
 Latham
 Lee (CA)
 Levin
 Lewis (GA)
 Loeb sack
 Lowey
 Lynch
 Markey
 Matheson
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 Michaud
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Nadler
 Holt
 Nugent
 Olver
 Pallone
 Pascrell
 Pelosi
 Perlmutter
 Peters
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall

NOES—260

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

Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Pastor (AZ)
 Paulsen
 Pearce
 Pence
 Peterson
 Petri
 Pitts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Sánchez, Linda
 T.
 Scalise
 Schilling
 Schmidt
 Schock
 Schwartz
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stark
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Visclosky
 Walberg
 Walden
 Walsh (LL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. NUGENT, assumed the Chair.

When Ms. ROS-LEHTINEN, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶72.21 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. BROUN of Georgia, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on provisions that limit funding out of the Highway Trust Fund (including the Mass Transit Account) for Federal-aid highway and transit programs to amounts that do not exceed \$37,500,000,000 for fiscal year 2013.

¶72.22 HOMELAND SECURITY APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. NUGENT, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5855) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore, Mr. NUGENT, by unanimous consent, designated Ms. ROS-LEHTINEN as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. CARTER, assumed the Chair.

When Mr. FORTENBERRY, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶72.23 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. FLAKE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other

programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to recede from disagreement with the provision contained in the matter proposed to be inserted as section 104(c)(1)(B) of title 23, United States Code, by section 1105 of the amendment of the Senate that reads as follows: "for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available".

After debate,
By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,
Will the House agree to said motion?
The SPEAKER pro tempore, Mr. FORTENBERRY, announced that the nays had it.

Mr. FLAKE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. FORTENBERRY, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶72.24 MOTION TO INSTRUCT
CONFEREES—H.R. 4348

Mr. DOGGETT submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to recede from disagreement with the provisions contained in section 100201 of the amendment of the Senate (relating to stop tax haven abuse - authorizing special measures against foreign jurisdictions, financial institutions, and others that significantly impede United States tax enforcement).

After debate,
By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,
Will the House agree to said motion?
The SPEAKER pro tempore, Mr. FORTENBERRY, announced that the yeas had it.

Mr. DOGGETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. FORTENBERRY, pursuant to clause 8

of rule XX, announced that further proceedings on the question were postponed.

¶72.25 ENERGY AND WATER
APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. FORTENBERRY, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. GRIMM, Acting Chairman, assumed the chair; and after some time spent therein,

¶72.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FORTENBERRY:

Page 30, line 25, after the dollar amount, insert "(reduced by \$17,319,000) (increased by \$17,319,000)".

It was decided in the { Yeas 328
affirmative } Nays 89

¶72.27 [Roll No. 325]
AYES—328

- | | | |
|--------------|---------------|-----------------|
| Adams | Cohen | Graves (GA) |
| Aderholt | Cole | Graves (MO) |
| Akin | Connolly (VA) | Green, Gene |
| Amash | Conyers | Griffin (AR) |
| Amodei | Cooper | Grijalva |
| Andrews | Costa | Grimm |
| Austria | Costello | Guthrie |
| Bachmann | Courtney | Gutierrez |
| Baldwin | Cravaack | Hall |
| Barietta | Crawford | Hanabusa |
| Bartlett | Crenshaw | Hanna |
| Barton (TX) | Davis (CA) | Harper |
| Bass (CA) | Davis (KY) | Harris |
| Becerra | DeFazio | Hartzler |
| Benishek | DeGette | Hastings (FL) |
| Berkley | DeLauro | Hastings (WA) |
| Bilbray | Denham | Heinrich |
| Bilirakis | Dent | Hensarling |
| Bishop (GA) | DesJarlais | Herger |
| Bishop (UT) | Deutch | Herrera Beutler |
| Black | Diaz-Balart | Higgins |
| Blumenauer | Dicks | Himes |
| Bonamici | Dingell | Hinojosa |
| Bonner | Doggett | Hirono |
| Bono Mack | Dold | Hochul |
| Boswell | Donnelly (IN) | Holt |
| Brady (PA) | Dreier | Honda |
| Brady (TX) | Duffy | Hoyer |
| Brooks | Duncan (TN) | Huelskamp |
| Broun (GA) | Ellison | Huizenga (MI) |
| Brown (FL) | Ellmers | Hultgren |
| Buchanan | Emerson | Issa |
| Bucshon | Eshoo | Jenkins |
| Buerkle | Farenthold | Johnson (GA) |
| Burgess | Farr | Johnson (IL) |
| Burton (IN) | Fattah | Johnson (OH) |
| Butterfield | Fincher | Johnson, Sam |
| Calvert | Fitzpatrick | Jordan |
| Camp | Flores | Flake |
| Campbell | Forbes | Keating |
| Cantor | Fortenberry | Kelly |
| Capito | Frank (MA) | Kildee |
| Capps | Franks (AZ) | Kind |
| Capuano | Frelinghuysen | King (IA) |
| Cardoza | Galleghy | King (NY) |
| Carnahan | Garamendi | Kinzinger (IL) |
| Carney | Gardner | Kucinich |
| Carson (IN) | Garrett | Labrador |
| Carter | Gerlach | Lance |
| Castor (FL) | Gibbs | Landry |
| Chabot | Gibson | Langevin |
| Chaffetz | Gingrey (GA) | Lankford |
| Chandler | Gohmert | Larsen (WA) |
| Cicilline | Gonzalez | Latham |
| Clarke (MI) | Granger | LaTourette |
| Coffman (CO) | | Latta |

- | | | |
|--------------------|-------------------|---------------|
| Lee (CA) | Pallone | Serrano |
| Levin | Pascrell | Sessions |
| Lewis (GA) | Pastor (AZ) | Sewell |
| Lipinski | Paulsen | Sherman |
| LoBiondo | Pearce | Shimkus |
| Loeb | Pelosi | Shuster |
| Lofgren, Zoe | Pence | Smith (NE) |
| Lowey | Petri | Smith (NJ) |
| Luetkemeyer | Pingree (ME) | Smith (TX) |
| Lummis | Pitts | Smith (WA) |
| Lungren, Daniel E. | Platts | Southerland |
| | Poe (TX) | Speier |
| Lynch | Polis | Stark |
| Mack | Pompeo | Stearns |
| Maloney | Posey | Stivers |
| Manzullo | Price (GA) | Stutzman |
| Marchant | Price (NC) | Sullivan |
| Marino | Quayle | Sutton |
| Markey | Rahall | Terry |
| Matheson | Reed | Thompson (CA) |
| Matsui | Reichert | Thompson (PA) |
| McCarthy (CA) | Renacci | Tiberi |
| McCarthy (NY) | Ribble | Tierney |
| McCaul | Rigell | Tipton |
| McClintock | Rivera | Tonko |
| McCotter | Roby | Tsongas |
| McDermott | Roe (TN) | Turner (NY) |
| McGovern | Rogers (AL) | Upton |
| McHenry | Rogers (KY) | Van Hollen |
| McIntyre | Rogers (MI) | Velázquez |
| McKinley | Rohrabacher | Visclosky |
| McMorris | Rokita | Walberg |
| Rodgers | Ros-Lehtinen | Walden |
| McNerney | Roskam | Walsh (IL) |
| Meehan | Ross (AR) | Walz (MN) |
| Mica | Roybal-Allard | Wasserman |
| Michaud | Royce | Schultz |
| Miller (FL) | Rush | Waters |
| Miller (MI) | Ryan (OH) | Waxman |
| Miller (NC) | Ryan (WI) | Webster |
| Miller, George | Sánchez, Linda T. | Welch |
| Moore | Sanchez, Loretta | West |
| Moran | Sarbanes | Westmoreland |
| Myrick | Scalise | Wilson (FL) |
| Nadler | Schakowsky | Wittman |
| Neal | Schiff | Wolf |
| Neugebauer | Schilling | Womack |
| Noem | Schmidt | Woodall |
| Nugent | Schrader | Woolsey |
| Nunes | Schwartz | Yarmuth |
| Nunnelee | Schweikert | Yoder |
| Olson | Scott (VA) | Young (AK) |
| Oliver | Sensenbrenner | Young (FL) |
| Owens | | Young (IN) |
| Palazzo | | |

NOES—89

- | | | |
|-------------|----------------|---------------|
| Ackerman | Fleischmann | McCollum |
| Alexander | Fleming | Meeks |
| Altmire | Foxx | Mulvaney |
| Bachus | Fudge | Murphy (CT) |
| Barrow | Goodlatte | Murphy (PA) |
| Bass (NH) | Gosar | Perlmutter |
| Berg | Gowdy | Peters |
| Biggart | Green, Al | Peterson |
| Bishop (NY) | Griffith (VA) | Rangel |
| Blackburn | Guinta | Rehberg |
| Boren | Hayworth | Reyes |
| Boustano | Heck | Richardson |
| Canseco | Hinchey | Richmond |
| Cassidy | Holden | Rooney |
| Chu | Hunter | Ross (FL) |
| Clarke (NY) | Hurt | Ryunan |
| Clay | Israel | Ruppersberger |
| Cleaver | Jackson (IL) | Schock |
| Clyburn | Jackson Lee | Scott (SC) |
| Conaway | (TX) | Scott, Austin |
| Critz | Johnson, E. B. | Scott, David |
| Crowley | Jones | Simpson |
| Cuellar | Kingston | Sires |
| Culberson | Kissell | Thompson (MS) |
| Cummings | Kline | Thornberry |
| Davis (IL) | Lamborn | Towns |
| Doyle | Larson (CT) | Turner (OH) |
| Duncan (SC) | Long | Watt |
| Edwards | Lucas | Wilfield |
| Engel | Lujan | Wilson (SC) |

NOT VOTING—14

- | | | |
|-------------|--------------|--------------|
| Baca | Hahn | Paul |
| Berman | Lewis (CA) | Rothman (NJ) |
| Braley (IA) | McKeon | Shuler |
| Coble | Miller, Gary | Slaughter |
| Filner | Napolitano | |

So the amendment was agreed to.

¶72.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment submitted by Ms. JACKSON LEE of Texas:

At the end of the bill (before the short title), insert the following:

SEC. ____ For an additional amount for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy", as authorized by sections 131(c)(4), 131(d)(4), 135(j), 207(c), 229(d), 244(f), 246(d), 321(g)(2), 422(f), 439(e), 452(f)(1)(E), 495(d), 625(e), 641(p), 652(d), 655(k), 656(j), 703(b), 705(b)(4), 803(c), 805(e)(6), 807(c)(2), and 1303(c) of the Energy Independence and Security Act of 2007, sections 712(c) and 1008(f)(7)(A) of the Energy Policy Act of 2005, and section 399A(i) of the Energy Policy and Conservation Act, there is appropriated, and the amount otherwise made available for "Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities" is hereby reduced by, \$10,000,000.

It was decided in the Yeas 157 negative Nays 260

72.29 [Roll No. 326]

AYES—157

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

NOES—260

- Adams, Aderholt, Akin, Alexander, Altmire, Amash, Amodei, Andrews, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Billirakis, Bishop (GA), Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan

- Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Cardoza, Carter, Cassidy, Chabot, Chaffetz, Chandler, Coffman (CO), Cole, Conaway, Costa, Costello, Cravaack, Crawford, Crenshaw, Critz, Cuellar, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Donnelly (IN), Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foy, Fox, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Greengard, Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Paulsen, Hastings (WA), Hayworth, Heck, Heinrich, Hensarling, Herger, Herrera Beutler, Holden, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Larsen (WA), LaTourette, Latta, LoBiondo, Lofgren, Zoe, Long, Lucas, Luetkemeyer, Lujan, Lummis, Lungren, Daniel E., Lynch, Mack, Manzullo, Marchant, Marino, Matheson, McCarthy (CA), McCarthy (NY), McClintock, McCotter, McHenry, McIntyre, McKinley, McMorris, Rodgers, McNeerney, Meehan, Mica, Miller (FL), Miller (MI), Miller (NC), Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Owens, Palazzo, Pastor (AZ), Paulsen, Pearce, Pence, Peterson, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (AR), Ross (FL), Royce, Runyan, Ruppberger, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN), Rothman (NJ), Shuler, Slaughter, Stutzman

NOT VOTING—14

- Baca, Berman, Coble, Finer, Hahn, Lewis (CA), McKeon, Miller, Gary, Napolitano, Paul

So the amendment was not agreed to.

72.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KUCINICH:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available under this Act may be used to provide new loan guarantees under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), and

the amount otherwise appropriated by this Act "Title 17 Innovative Technology Loan Guarantee Program" is hereby reduced by \$33,000,000.

It was decided in the Yeas 136 negative Nays 282

72.31 [Roll No. 328]

AYES—136

- Adams, Amash, Bachmann, Bartlett, Benishek, Berkeley, Black, Boustany, Brady (TX), Brooks, Broun (GA), Burgess, Burton (IN), Camp, Campbell, Canseco, Carnahan, Chaffetz, Coffman (CO), Conaway, Conyers, Culberson, DeFazio, DesJarlais, Doggett, Duffy, Duncan (SC), Duncan (TN), Edwards, Farenthold, Fincher, Fitzpatrick, Flake, Fleming, Franks (AZ), Gardner, Garrett, Greengard, Gohmert, Gosar, Gowdy, Graves (GA), Griffin (AR), Guinta, Guthrie, Gutierrez, Hall, Harris, Hartzler, Hayworth, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Hunter, Jackson (IL), Jenkins, Johnson (GA), Johnson, E. B., Jones, Jordan, King (IA), Kline, Kucinich, Labrador, Lamborn, Lance, Landry, Lankford, LoBiondo, Mack, Manzullo, Markey, Matheson, McClintock, McHenry, Michaud, Miller (FL), Miller (MI), Mulvaney, Myrick, Nadler, Neugebauer, Noem, Nunnelee, Olson, Paulsen, Pearce, Pence, Petri, Pingree (ME), Poe (TX), Polis, Pompeo, Posey, Price (GA), Quayle, Quigley, Rangel, Reed, Ribble, Rigell, Rohrabacher, Rokita, Rooney, Ross (FL), Royce, Ryan (WI), Scalise, Schakowsky, Schweikert, Scott (SC), Scott, David, Sensenbrenner, Sherman, Smith (TX), Smith (WA), Southerland, Speier, Stark, Stutzman, Sullivan, Thornberry, Tonko, Walberg, Walden, Walsh (IL), West, Westmoreland, Wilson (FL), Yoder, Young (AK), Young (FL), Young (IN)

NOES—282

- Ackerman, Aderholt, Akin, Alexander, Altmire, Amodei, Andrews, Austria, Bachus, Baldwin, Barletta, Barrow, Barton (TX), Bass (CA), Bass (NH), Becerra, Berg, Biggert, Bilbray, Billirakis, Bishop (GA), Bishop (NY), Bishop (UT), Blackburn, Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Buchanan, Bucshon, Buerkle, Butterfield, Cantor, Capito, Capps, Capuano, Cardoza, Carney, Carson (IN), Carter, Cassidy, Castor (FL), Chabot, Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Cole, Connolly (VA), Cooper, Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), Davis (KY), DeGette, DeLauro, Hanna, Harper, Hastings (FL), Hastings (WA), Heck, Heinrich, Higgins, Dold, Donnelly (IN), Doyle, Dreier, Ellison, Ellmers, Emerson, Engel, Eshoo, Farr, Fattah, Fleischmann, Flores, Forbes, Fortenberry, Foy, Frank (MA), Frelinghuysen, Fudge, Gallegly, Garamendi, Gerlach, Gibbs, Gibson, Gonzalez, Goodlatte, Granger, Graves (MO), Green, Al, Green, Gene, Griffith (VA), Grijalva, Grimm, Hanabusa, Hanabusa, Hanna, Harper, Hastings (FL), Hastings (WA), Heck, Heinrich, Higgins

Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hurt
Israel
Issa
Jackson Lee
Johnson (IL)
Johnson (OH)
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Langevin
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Long
Lowe y
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marchant
Marino
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McColum

NOT VOTING—13

Baca
Berman
Coble
Filner
Hahn
Lewis (CA)
McKeon
Miller, Gary
Napolitano
Paul
Rothman (NJ)
Shuler
Slaughter

So the amendment was not agreed to.

72.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 9, submitted by Mr. BURGESS:
Page 30, line 25, after the dollar amount, insert "(reduced by \$100,000,000)".
Page 56, line 24, after the dollar amount, insert "(increased by \$100,000,000)".
It was decided in the Yeas 168 negative Nays 249

72.33 [Roll No. 329] AYES—168

Ackerman
Amash
Andrews
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley
Bishop (UT)
Blumenauer
Bonamici
Brady (PA)
Broun (GA)
Buchanan
Burgess
Campbell
Canseco
Capps
Capuano
Carson (IN)
Cassidy
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (NY)
Cohen
Conaway
Connolly (VA)
Conyers
Costello
Courtney
Cuellar
Culberson
Cummings
Davis (CA)
DeFazio
DeGette
Deutch
Dicks
Dingell
Doggett
Duncan (TN)
Edwards
Ellison
Eshoo
Farenthold
Farr

Flake
Frank (MA)
Franks (AZ)
Garamendi
Gardner
Garrett
Gohmert
Gosar
Graves (GA)
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Heinrich
Hensarling
Hergert
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson (IL)
Jones
Keating
Kildee
Kucinich
Labrador
Lance
Lankford
Larsen (WA)
Levin
Lewis (GA)
Long
Lowe y
Lujan
Lummis
Lynch
Maloney
Marchant
Markey
Matsui
McCarthy (CA)
McClintock
McDermott
McGovern
McMorris
Rodgers
McNerney
Mica
Michaud
Miller, George
Moore
Mulvaney
Nadler
Neal
Neugebauer
Pallone
Paulsen
Pearce
Pelosi
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Richardson
Rohrabacher
Rokita
Ross (FL)
Roybal-Allard
Royce
Rush
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stark
Stearns
Stutzman
Thompson (CA)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walberg
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Webster
Welch
Woodall
Woolsey
Young (FL)

NOES—249

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Capito
Cardoza
Carnahan
Carney
Carter
Chabot
Chandler
Clarke (MI)
Clay
Clever
Clyburn
Coffman (CO)
Cole
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Crowley
Davis (IL)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frelinghuysen
Fudge
Gallegly
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gowdy
Granger
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Herrera Beutler
Hochul
Holden
Hoyer
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Kelly
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Landry
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marino
Matheson
McCarthy (NY)
McCaul
McColum
McCotter
McHenry
McIntyre
McKinley
Meehan
Meeks
Miller (FL)
Miller (MI)
Miller (NC)
Moran
Murphy (CT)
Murphy (PA)
Myrick
Noem
Nugent
Nunes
Nunnelee
Olson

Oliver
Owens
Palazzo
Pascrell
Pastor (AZ)
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Linda T.
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sewell
Shuster
Simpson
Sires
Smith (TX)
Southernland
Stivers
Sullivan
Sutton
Terry
Thompson (MS)
Thornberry
Tiberi
Peters
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walden
Waters
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Young (AK)
Young (IN)

NOT VOTING—14

Baca
Berman
Coble
Filner
Hahn
King (IA)
Lewis (CA)
McKeon
Miller, Gary
Napolitano
Paul
Rothman (NJ)
Shuler
Slaughter

So the amendment was not agreed to.

72.34 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. REED:
Page 25, line 5, after the dollar amount insert "(increased by \$36,000,000)".
Page 28, line 16, after the dollar amount insert "(reduced by \$18,000,000)".
Page 31, line 23, after the second dollar amount insert "(reduced by \$18,000,000)".
It was decided in the Yeas 223 affirmative Nays 195

72.35 [Roll No. 330] AYES—223

Ackerman
Adams
Bachmann
Baldwin
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blumenauer
Bonamici
Bibbs
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Bucshon
Buerkle
Burgess
Butterfield
Camp
Canseco
Capps
Capito
Capps
Capuano
Carnahan
Carney
Chabot
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Courtney
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hunter
Hurt
Israel
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kinzinger (IL)
Kucinich
Lance
Landry
Langevin
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lowe y
Lujan
Lynch
Maloney
Manzullo
Marchant
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McColum

McDermott Price (NC)
 McGovern Quigley
 McHenry Rangel
 McIntyre Reed
 McMorris Reichert
 Rodgers Ribble
 Meehan Richardson
 Meeks Roe (TN)
 Michaud Rooney
 Nadler Roskam
 Miller (MI) Ross (AR)
 Miller, George Ross (FL)
 Moore Tsongas
 Mulvaney Roybal-Allard
 Murphy (CT) Royce
 Nadler Ruppersberger
 Neal Ryan (WI)
 Nugent Sanchez, Loretta
 Oliver Sarbanes
 Owens Schakowsky
 Pallone Schiff
 Pascrell Schilling
 Paulsen Schmidt
 Pearce Schock
 Pelosi Schrader
 Peters Schwartz
 Petri Schweikert
 Pingree (ME) Scott (SC)
 Pitts Scott (VA)
 Platts Scott, David
 Polis Sensenbrenner
 Posey Serrano
 Price (GA) Sherman

Smith (WA) Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sutton
 Thompson (CA)
 Tierney
 Tipton
 Tonko
 Tsongas
 Turner (NY)
 Upton
 Van Hollen
 Velázquez
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Wilson (SC)
 Woolsey
 Yarmuth
 Yoder
 Young (IN)

NOT VOTING—13

Blackburn
 Bonner
 Bono Mack
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coffman (CO)
 Cole
 Conaway
 Costa
 Cravaack
 Crawford
 Crenshaw
 Culberson
 Lance
 Davis (IL)
 Davis (KY)
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dold
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gingrey (GA)
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna

NOT VOTING—12

Baca
 Berman
 Coble
 Filner

So the amendment was not agreed to.

72.38 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. POLIS:

Page 30, line 5, after the dollar amount, insert “(reduced by \$298,221,000)”.

Page 56, line 24, after the dollar amount, insert “(increased by \$298,221,000)”.

So the amendment was agreed to.

72.36 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. Loretta SANCHEZ of California:

Page 28, line 16, after the dollar amount, insert “(reduced by \$16,000,000)”.

Page 30, line 25, after the dollar amount, insert “(increased by \$16,000,000)”.

It was decided in the { Yeas 182
 negative Nays 237

72.37 [Roll No. 331]

AYES—182

Ackerman
 Andrews
 Baldwin
 Barrow
 Bass (CA)
 Becerra
 Berkeley
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Granger
 Boren
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costello
 Courtney
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 DeFazio
 DeGette
 DeLauro
 Deutch
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Edwards
 Ellison
 Engel
 Eshoo
 Farr
 Fattah
 Fitzpatrick
 Frank (MA)
 Fudge
 Garamendi

NOES—237

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Amodei
 Gibson
 Gohmert
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hiroo
 Hochul
 Richmond
 Holden
 Holt
 Honda
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson (IL)
 Jones
 Kaptur
 Keating
 Kildee
 Kind
 Kissell
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 Loebbeck
 Lofgren, Zoe
 Lowey
 Luján
 Lungren, Daniel
 E.
 Lynch
 Maloney
 Markey
 Matheson
 Matsui
 McCarthy (NY)
 McDermott
 McGovern
 McNerney
 Meeke
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Murphy (CT)
 Nadler
 Neal

NOES—195

Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Amodei
 Andrews
 Austria
 Bachus
 Barletta
 Bartlett
 Berg
 Berkeley
 Biggert
 Bilbray
 Bilirakis
 Blackburn
 Bonner
 Bono Mack
 Boustany
 Brooks
 Broun (GA)
 Buchanan
 Burton (IN)
 Calvert
 Campbell
 Cantor
 Cardoza
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chandler
 Cole
 Conaway
 Cooper
 Costa
 Costello
 Cravaack
 Crawford
 Crenshaw
 Culberson
 Cummings
 Davis (CA)
 Davis (KY)
 DesJarlais
 Diaz-Balart
 Dicks
 Donnelly (IN)
 Duncan (TN)
 Ellmers
 Emerson
 Engel
 Farenthold
 Fattah
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly

Garamendi
 Garrett
 Gibbs
 Gingrey (GA)
 Gonzalez
 Granger
 Graves (GA)
 Graves (MO)
 Green, Gene
 Griffin (AR)
 Grimm
 Guinta
 Gutierrez
 Hall
 Harper
 Harris
 Bilirakis
 Hartzler
 Heck
 Hensarling
 Herger
 Hirono
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson, E. B.
 Kaptur
 Keating
 Kelly
 Kildee
 King (IA)
 King (NY)
 Kingston
 Kissell
 Kline
 Labrador
 Lamborn
 Lankford
 Larsen (WA)
 Latham
 LaTourette
 Latta
 Lee (CA)
 LoBiondo
 Lofgren, Zoe
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Marino
 Markey
 McCaul
 McCotter
 McKinley
 McNerney
 Mica
 Miller (FL)
 Miller (NC)

Olver
 Owens
 Pallone
 Pascrell
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reyes
 Richardson
 Richmond
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Sensenbrenner
 Serrano
 Sewell
 Sherman
 Sires
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Visclosky
 Walz (MN)
 Wasserman
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth

It was decided in the { Yeas 138
negative } Nays 281

72.39

[Roll No. 332]

AYES—138

Ackerman Grijalva Nadler
Amash Gutierrez Neal
Andrews Hanabusa Olver
Baldwin Hastings (FL) Pallone
Bass (CA) Higgins Pelosi
Becerra Himes Perlmutter
Bishop (NY) Hinchey Peters
Blumenauer Hinojosa Pingree (ME)
Bonamici Hirono Polis
Boswell Hochul Price (NC)
Brady (PA) Holt Quigley
Braley (IA) Honda Rahall
Butterfield Hoyer Reyes
Capps Jackson (IL) Ribble
Capuano Jackson Lee Richardson
Carnahan (TX) Richmond
Castor (FL) Johnson (GA) Rothman (NJ)
Chu Johnson (IL) Roybal-Allard
Cicilline Johnson, E. B. Rush
Clarke (MI) Jones Sánchez, Linda
Clarke (NY) Kaptur T.
Clay Keating Sanchez, Loretta
Cleave Kildee Schakowsky
Cohen Kind Schiff
Conyers Kucinich Schrader
Cooper Lance Scott (VA)
Crowley Larsen (WA) Scott, David
Cummings Larson (CT) Serrano
Davis (CA) Lee (CA) Sherman
Davis (IL) Levin Speier
DeFazio Lewis (GA) Stark
DeGette Loeb sack Thompson (CA)
DeLauro Long Tierney
Deutch Lowey Tonko
Dingell Lynch Towns
Doggett Maloney Tsongas
Doyle Markey Van Hollen
Duncan (TN) Matsui Velázquez
Edwards McColium Walz (MN)
Ellison McDermott Wasserman
Eshoo McGovern Schultz
Farr Meeks Watt
Frank (MA) Michaud Waxman
Fudge Miller, George Welch
Gibson Moore Wilson (FL)
Green, Al Moran Woolsey
Green, Gene Murphy (CT) Yarmuth

NOES—281

Adams Carney Fortenberry
Aderholt Carson (IN) Foxx
Akin Carter Franks (AZ)
Alexander Cassidy Frelinghuysen
Altmire Chabot Gallegly
Amodei Chaffetz Garamendi
Austria Chandler Gardner
Bachmann Clyburn Garrett
Bachus Coffman (CO) Gerlach
Barletta Cole Gibbs
Barrow Conaway Gingrey (GA)
Bartlett Connolly (VA) Gohmert
Barton (TX) Costa Gonzalez
Bass (NH) Costello Goodlatte
Benishek Courtney Gosar
Berg Cravaack Gowdy
Berkley Crawford Granger
Biggert Crenshaw Graves (GA)
Billbray Critz Graves (MO)
Bilirakis Cuellar Griffin (AR)
Bishop (GA) Culberson Griffith (VA)
Bishop (UT) Davis (KY) Grimm
Black Denham Guinta
Blackburn Dent Guthrie
Bonner DesJarlais Hall
Bono Mack Diaz-Balart Hanna
Boren Dicks Harper
Boustany Dold Harris
Brady (TX) Donnelly (IN) Hartzler
Brooks Dreier Hastings (WA)
Broun (GA) Duffy Hayworth
Brown (FL) Duncan (SC) Heck
Buchanan Ellmers Heinrich
Bucshon Emerson Hensarling
Buerkle Engel Herger
Burgess Farenthold Herrera Beutler
Burton (IN) Fattah Burton (IN)
Calvert Fincher Huelskamp
Camp Fitzpatrick Huizenga (MI)
Campbell Flake Hultgren
Canseco Fleischmann Hunter
Cantor Fleming Hurt
Capito Flores Israel
Cardoza Forbes Issa

Jenkins Myrick Schock
Johnson (OH) Neugebauer Schwartz
Johnson, Sam Noem Schweikert
Jordan Nugent Scott (SC)
Kelly Nunes Scott, Austin
King (IA) Nunnelee Sensenbrenner
King (NY) Olson Sessions
Kingston Owens Sewell
Kinzinger (IL) Palazzo Shimkus
Kissell Pascrell Shuster
Kline Pastor (AZ) Simpson
Labrador Paulsen Sires
Lamborn Pearce Smith (NE)
Landry Pence Smith (NJ)
Langevin Peterson Smith (TX)
Lankford Petri Smith (WA)
Latham Pitts Southerland
LaTourette Platts Stearns
Latta Poe (TX) Stivers
Lipinski Pompeo Stutzman
LoBiondo Posey Sullivan
Lofgren, Zoe Price (GA) Quayle
Lucas Rangel Terry
Luetkemeyer Reed Thompson (MS)
Lujan Rehberg Thompson (PA)
Lummis Reichert Thornberry
Lungren, Daniel Renacci Tiberi
E. Rigell Tipton
Mack Rivera Turner (NY)
Manzullo Marchant Turner (OH)
Marchant Marino Upton
Matheson Rogers (AL) Visclosky
McCarthy (CA) Rogers (KY) Walberg
McCarthy (NY) Rogers (MI) Walden
McCaul Rohrabacher Walsh (IL)
McClintock Rokita Waters
McCotter Rooney Webster
McHenry Ros-Lehtinen West
McIntyre Roskam Westmoreland
McKinley Ross (AR) Whitfield
McMorris Ross (FL) Whitfield
Rodgers Wilson (SC)
McNerney Royce Wittman
Meehan Runyan Wolf
Mica Ryan (OH) Womack
Miller (FL) Ryan (WI) Woodall
Miller (MI) Sarbanes Yoder
Miller (NC) Scalise Young (AK)
Mulvaney Schilling Young (FL)
Murphy (PA) Schmidt Young (IN)

NOT VOTING—12

Baca Hahn Napolitano
Berman Lewis (CA) Paul
Coble McKeon Shuler
Filner Miller, Gary Slaughter

So the amendment was not agreed to.

72.40 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LUJAN:

Page 31, line 23, after the dollar amount, insert "(reduced by \$21,899,000)".

Page 32, line 14, after the dollar amount, insert "(increased by \$21,899,000)".

It was decided in the { Yeas 174
negative } Nays 244

72.41

[Roll No. 333]

AYES—174

Ackerman Carney Doggett
Akin Chu Doyle
Cicilline Edwards
Clarke (MI) Ellison
Clarke (NY) Engel
Clay Eshoo
Clever Fincher
Clyburn Fitzpatrick
Cohen Flake
Connolly (VA) Frank (MA)
Conyers Conyers Fudge
Courtney Courtney Gardner
Critz Gibson
Crowley Gohmert
Cuellar Green, Al
Cummings Green, Gene
Davis (IL) Grijalva
DeFazio Gutierrez
DeGette Hanabusa
DeLauro Hastings (FL)
Deutch Deutch
Dingell Heinrich

Herrera Beutler McDermott
Higgins McGovern
Himes McIntyre
Hinchey McNerney
Hinojosa Meeks
Hirono Michaud
Holt Miller (NC)
Honda Miller, George
Hoyer Moore
Hunter Moran
Israel Murphy (CT)
Jackson (IL) Nadler
Jackson Lee Neal
(TX) Olver
Johnson (GA) Pallone
Jones Pascrell
Kaptur Pearce
Keating Pelosi
Kildee Peters
Kind Petri
Kissell Pingree (ME)
Kucinich Kucinich
Larson (CT) Larson (CT)
Lee (CA) Lee (CA)
Levin Rangel
Lewis (GA) Lewis (GA)
Lipinski Lipinski
Loeb sack Loeb sack
Lowey Lowey
Lujan Lujan
Maloney Maloney
Markey Markey
Matheson Matheson
Matsui Matsui
McCarthy (NY) McCarthy (NY)
McClintock McClintock
McCollum McCollum
T. T.

NOES—244

Adams Dicks King (IA)
Aderholt Dold King (NY)
Alexander Donnelly (IN) Kingston
Altmire Dreier Kingzinger (IL)
Amash Duffy Kline
Amodei Duncan (SC) Labrador
Andrews Duncan (TN) Lamborn
Austria Ellmers Lance
Bachmann Emerson Landry
Bachus Farenthold Langevin
Barletta Farr Lankford
Bartlett Fattah Larsen (WA)
Barton (TX) Fleischmann Latham
Bass (NH) Fleming LaTourette
Benishek Flores Latta
Berg Forbes LoBiondo
Berkley Fortenberry Lofgren, Zoe
Biggert Foss Long
Billbray Franks (AZ) Lucas
Bilirakis Frelinghuysen Luetkemeyer
Black Gallegly Lummis
Blackburn Garamendi Lungren, Daniel
Bonner Garrett E.
Bono Mack Gerlach Lynch
Boustany Gibbs Mack
Brady (TX) Gingrey (GA) Manzullo
Brooks Gonzalez Marchant
Broun (GA) Goodlatte Marino
Buchanan Gosar McCarthy (CA)
Bucshon Gowdy McCaul
Buerkle Granger McCotter
Burgess Graves (GA) McHenry
Burton (IN) Graves (MO) McKinley
Calvert Griffin (AR) McMorris
Camp Griffith (VA) Rodgers
Canseco Grimm Meehan
Cantor Guinta Mica
Capito Guthrie Miller (FL)
Carson (IN) Hall Miller (MI)
Carter Hanna Mulvaney
Cassidy Harper Murphy (PA)
Castor (FL) Harris Myrick
Chabot Hartzler Neugebauer
Chaffetz Hayworth Noem
Chandler Heck Nugent
Coffman (CO) Hensarling Nunes
Cole Herger Nunnelee
Conaway Hochul Olson
Cooper Holden Owens
Costa Huelskamp Palazzo
Costello Huizenga (MI) Pastor (AZ)
Cravaack Hultgren Paulsen
Crawford Hurt Pence
Crenshaw Issa Perlmutter
Culberson Jenkins Peterson
Davis (CA) Johnson (IL) Pitts
Davis (KY) Johnson (OH) Platts
Denham Johnson, E. B. Poe (TX)
Dent Johnson, Sam Pompeo
Jordan Jordan Posey
Kelly Kelly Price (GA)

Price (NC) Ryan (WI) Thompson (PA) Stearns Upton Wilson (SC) Wilson (FL) Womack Yarmuth
Quayle Scalise Thornberry Stutzman Walberg Wittman Wolf Woolsey Young (AK)
Reed Schilling Tiberi Sullivan Walden Woodall
Rehberg Schmidt Turner (NY) Terry Webster Yoder
Renacci Schock Turner (OH) Thornberry
Ribble Schweikert Upton
Rigell Scott (SC) Visclosky
Rivera Scott, Austin Walberg
Roby Sessions Walsh (IL)
Roe (TN) Sewell Waters
Rogers (AL) Shimkus Webster
Rogers (KY) Shuster Westmoreland
Rogers (MI) Simpson Whitfield
Rohrabacher Smith (NE) Wilson (SC)
Rokita Smith (NJ) Wittman
Rooney Smith (TX) Wolf
Ros-Lehtinen Southerland Womack
Roskam Stivers Woodall
Ross (FL) Stutzman Yoder
Runyan Sullivan Young (AK)
Ryan (OH) Terry Young (FL)

NOT VOTING—13

Baca Lewis (CA) Shuler
Berman McKeon Slaughter
Coble Miller, Gary Young (IN)
Filner Napolitano
Hahn Paul

So the amendment was not agreed to.

72.42 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CHABOT:

Page 47, line 22, after the dollar amount, insert "(reduced by \$75,317,000)".

Page 48, line 14, after the dollar amount, insert "(reduced by \$11,677,000)".

Page 48, line 20, after the dollar amount, insert "(reduced by \$10,679,000)".

Page 49, line 9, after the dollar amount, insert "(reduced by \$1,425,000)".

Page 49, line 17, after the dollar amount, insert "(reduced by \$250,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$99,348,000)".

It was decided in the Yeas 141
negative Nays 276

72.43 [Roll No. 334]

AYES—141

Adams Gohmert McCaul
Akin Gosar McClintock
Amash Gowdy McMorris
Amodei Graves (GA) Rodgers
Andrews Graves (MO) Miller (FL)
Bachmann Green, Gene Miller (MI)
Barton (TX) Hall Mulvaney
Benishek Harris Myrick
Biggart Hartzler Neugebauer
Bilbray Heck Noem
Bilirakis Heinrich Nugent
Bishop (UT) Hensarling Olson
Black Herger Paulsen
Brady (TX) Huelskamp Pearce
Broun (GA) Huizenga (MI) Pence
Buchanan Hultgren Perlmutter
Buchson Hunter Petri
Buerkle Hurt Pitts
Burgess Issa Poe (TX)
Burton (IN) Jenkins Pompeo
Camp Johnson, Sam Posey
Campbell Jones Price (GA)
Canseco Jordan Quayle
Chabot King (IA) Renacci
Chaffetz Kingston Ribble
Coffman (CO) Kinzinger (IL) Rigell
Conaway Kline Rohrabacher
Culberson Labrador Rokita
Doggett Lamborn Rooney
Duffy Lance Roskam
Duncan (SC) Landry Ross (FL)
Farenthold Lankford Royce
Flake Long Ryan (WI)
Fleming Luetkemeyer Scalise
Flores Lummis Schilling
Forbes Lungren, Daniel Schweikert
Foxy E. Scott (SC)
Franks (AZ) Mack Sensenbrenner
Gallegly Manullo Sessions
Gardner Marchant Smith (NE)
Garrett Matheson Smith (TX)
Gingrey (GA) McCarthy (CA) Southerland

Stearns Upton Wilson (SC) Wilson (FL) Womack Yarmuth
Stutzman Walberg Wittman Wolf Woolsey Young (AK)
Tiberi Sullivan Walden Woodall
Turner (NY) Terry Webster Yoder
Turner (OH) Thornberry
Upton Westmoreland

NOES—276

Ackerman Fleischmann Murphy (PA)
Aderholt Fortenberry Nadler
Alexander Frank (MA) Neal
Altmire Frelinghuysen Nunes
Austria Fudge Nunnelee
Bachus Garamendi Olver
Baldwin Gerlach Owens
Barletta Gibbs Palazzo
Barrow Gibson Pallone
Bartlett Gonzalez Pascrell
Bass (CA) Goodlatte Pastor (AZ)
Bass (NH) Granger Pelosi
Becerra Green, Al Griffin (AR) Peters
Berg Griffith (VA) Peterson
Berkley Grijalva Pingree (ME)
Bishop (GA) Bishop (NY) Platts
Bishop (NY) Grimm Platts
Blackburn Guinta Polis
Blumenauer Guthrie Price (NC)
Bonamici Gutierrez Quigley
Bonner Hanabusa Rahall
Bono Mack Hanna Rangel
Boren Harper Reed
Boswell Hastings (FL) Rehberg
Boustany Reichert Reichenberg
Brady (PA) Hayworth Reyes
Braley (IA) Herrera Beutler Richardson
Brooks Higgins Richmond
Brown (FL) Himes Rivera
Butterfield Hinchey Roby
Calvert Hinojosa Roe (TN)
Cantor Hiron Rogers (AL)
Capito Hochul Rogers (KY)
Capps Holden Rogers (MI)
Capuano Holt Ros-Lehtinen
Cardoza Honda Ross (AR)
Carnahan Hoyer Rothman (NJ)
Carney Israel Roybal-Allard
Carson (IN) Jackson (IL) Runyan
Carter Jackson Lee Ruppertsberger
Cassidy (TX) Rush
Castor (FL) Johnson (GA) Ryan (OH)
Chandler Johnson (IL) Sanchez, Linda
Chu Johnson (OH) T.
Cicilline Johnson, E. B. Sanchez, Loretta
Clarke (MI) Kaptur Sarbanes
Clarke (NY) Keating Schakowsky
Clay Kelly Schiff
Cleaver Kildee Schiff
Clyburn Kind Schmidt
Cohen King (NY) Schock
Cole Kissell Schrader
Connolly (VA) Kucinich Schwartz
Conyers Langevin Scott (VA)
Cooper Larsen (WA) Scott, Austin
Costa Larson (CT) Scott, David
Costello Latham Serrano
Courtney LaTourette Sewell
Cravaack Latta Sherman
Crawford Lee (CA) Shermans
Crenshaw Levin Shimkus
Critz Lewis (GA) Shuster
Crowley Lipinski Simpson
Cuellar LoBiondo Sires
Cummings Loeb sack Smith (NJ)
Davis (CA) Lofgren, Zoe Smith (WA)
Davis (IL) Lowey Speier
Davis (KY) Lucas Stark
DeFazio Lujan Stivers
DeGette Lynch Sutton
DeLauro Maloney Thompson (CA)
Denham Marino Thompson (MS)
Dent Markey Thompson (PA)
DesJarlais Matsui Tiberi
Deutch McCarthy (NY) Tierney
Diaz-Balart McCollum Tonko
Dicks McCotter Towns
Dingell McDermott Tsongas
Dold McGovern Turner (NY)
Donnelly (IN) McHenry Turner (OH)
Doyle McIntyre Van Hollen
Dreier McKinley Velazquez
Duncan (TN) McNerney Visclosky
Edwards Meehan Walz (MN)
Ellison Meeks Wasserman
Elmerson Mica Schultz
Emerson Michaud Waters
Engel Miller (NC) Watt
Eshoo Miller, George Waxman
Farr Moore Welch
Fincher Moran West
Fitzpatrick Murphy (CT) Whitfield

Wilson (FL) Womack Yarmuth
Wolf Woolsey Young (AK)
NOT VOTING—14
Baca Hahn Paul
Berman Lewis (CA) Shuler
Coble McKeon Slaughter
Fattah Miller, Gary Young (IN)
Filner Napolitano

So the amendment was not agreed to.

72.44 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACKBURN:

At the end of the bill (before the short title), insert the following:

SEC. ____ . Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

It was decided in the Yeas 157
negative Nays 261

72.45 [Roll No. 335]

AYES—157

Adams Graves (MO) Neugebauer
Akin Griffin (AR) Nugent
Amash Griffith (VA) Nunnelee
Amodei Guinta Olson
Bachmann Guthrie Paulsen
Bartlett Hall Pearce
Barton (TX) Harris Pence
Biggart Hartzler Petri
Bilirakis Hensarling Pitts
Black Herger
Blackburn Hochul Platts
Bono Mack Huelskamp Poe (TX)
Brady (TX) Huizenga (MI) Pompeo
Brooks Hultgren Price (GA)
Broun (GA) Hunter Quayle
Buchanan Hurt Reed
Buerkle Buerkle Issa Ribble
Burgess Jenkins Rigell
Burton (IN) Johnson (IL) Roe (TN)
Camp Johnson (OH) Rogers (MI)
Campbell Johnson, Sam Rohrabacher
Canseco Jones Rokita
Cantor Jordan Rooney
Chabot King (IA) Ross (FL)
Chaffetz Kinzinger (IL) Royce
Conaway Kline Ryan (WI)
Cooper Labrador Scalise
Cuellar Lamborn Schilling
Davis (KY) Lance Schmidt
Denham Lankford Schweikert
DesJarlais Latta Scott (SC)
Duffy Long Scott, Austin
Duncan (SC) Luetkemeyer Sensenbrenner
Duncan (TN) Lummis Shuster
Farenthold Lynch Smith (NE)
Fincher Mack Southerland
Fitzpatrick Manullo Stearns
Flake Marchant Stutzman
Fleming Matheson Sullivan
Flores McCarthy (CA) Terry
Forbes McCaul Thornberry
Fortenberry McClintock Tipton
Foxy McCotter Upton
Franks (AZ) McHenry Walberg
Gardner McMorris Walden
Garrett Rodgers Walsh (IL)
Gingrey (GA) Mica Wilson (SC)
Gohmert Miller (FL) Wittman
Goodlatte Miller (MI) Woodall
Gosar Mulvaney Yoder
Gowdy Murphy (PA) Young (FL)
Graves (GA) Myrick Young (IN)

NOES—261

Ackerman Benishek Brady (PA)
Aderholt Berg Braley (IA)
Alexander Berkley Brown (FL)
Altmire Bilbray Buchson
Andrews Bishop (GA) Butterfield
Austria Bishop (NY) Calvert
Bachus Bishop (UT) Capito
Baldwin Blumenauer Capps
Barletta Bonamici Capuano
Barrow Bonner Cardoza
Bass (CA) Boren Carnahan
Bass (NH) Boswell Carney
Becerra Boustany Carson (IN)

Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Fleischmann
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchev

Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
Klyburn
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowe y
Lucas
Lujan
Lungren, Daniel
E.
Maloney
Marino
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Noem
Nunes
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Posey
Price (NC)
Quigley

NOT VOTING—13

Baca
Berman
Coble
Filner
Hahn

Lewis (CA)
McKeon
Miller, Gary
Napolitano
Paul

Ruppersberger
Shuler
Slaughter

So the amendment was not agreed to.

72.46 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MULVANEY:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 24 percent.

- (b) The reduction in subsection (a) shall not apply to the following accounts:
- (1) "Corps of Engineers—Civil—Department of the Army".
- (2) "Department of Energy—Energy Programs—Nuclear Energy".
- (3) "Department of Energy—Energy Programs—Non-Defense Environmental Cleanup".
- (4) "Department of Energy—Energy Programs—Nuclear Waste Disposal".
- (5) "Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities".
- (6) "Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation".
- (7) "Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Natal Reactors".
- (8) "Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Office of the Administrator".
- (9) "Department of Energy—Environmental and Other Defense Activities—Defense Environmental Cleanup".
- (10) "Department of Energy—Environmental and Other Defense Activities—Other Defense Activities".
- (11) "Independent Agencies—Defense Nuclear Facilities Safety Board".
- (12) "Independent Agencies—Nuclear Regulatory Commission—Salaries and Expenses".
- (13) "Independent Agencies—Nuclear Regulatory Commission—Office of the Inspector General".
- (14) "Independent Agencies—Nuclear Waste Technical Review Board".

It was decided in the { Yeas 125 negative } Nays 293

72.47 [Roll No. 336]

AYES—125

Adams
Akin
Amash
Amodei
Bachmann
Benishke
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Chabot
Chaffetz
Conaway
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)

Griffith (VA)
Guinta
Guthrie
Harris
Hartzer
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan
King (IA)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCaul
McClintock
McCotter
McHenry
McMorris
Rodgers
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer

Olson
Pence
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Edwards
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (FL)
Young (IN)

NOES—293

Ackerman
Aderholt

Alexander
Altmire

Andrews
Austria

Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Berg
Berkley
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleischmann
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi

Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hall
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee
Carter (TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowe y
Lucas
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Neal
Noem
Nugent
Nunes
Nunnelee

Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Tonko
Towns
Turner (NY)
Turner (OH)
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Viscosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

NOT VOTING—13

Table with 3 columns: Name, Name, Name. Includes Baca, Bass (NH), Berman, Coble, Filner, Hahn, Lewis (CA), McKeon, Miller, Gary, Napolitano, Paul, Shuler, Slaughter.

So the amendment was not agreed to.

72.48 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 0.27260690084897576 percent.

It was decided in the { Yeas 144 negative } Nays 274

72.49 [Roll No. 337]

AYES—144

Table with 3 columns: Name, Name, Name. Includes Akin, Amash, Amodei, Bachmann, Bartlett, Barton (TX), Benishek, Biggert, Bilirakis, Bishop (UT), Black, Blackburn, Bono Mack, Brady (TX), Brooks, Broun (GA), Buchanan, Buerkle, Burgess, Camp, Campbell, Canseco, Cantor, Cassidy, Chabot, Chaffetz, Conaway, Cooper, Davis (KY), DesJarlais, Duffy, Duncan (SC), Duncan (TN), Farenthold, Fincher, Flake, Fleming, Flores, Fortenberry, Foxx, Franks (AZ), Gallegly, Gardner, Garrett, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Guinta, Guthrie, Harris, Hartzler, Hastings (FL), Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jones, Jordan, Kind, King (IA), Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Latta, Long, Luetkemeyer, Lummis, Mack, Manullo, Marchant, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McMorris, Rodgers, Miller (FL), Miller (MI), Mulvaney, Murphy (PA), Myrick, Neugebauer, Nunes, Olson, Paulsen, Pearce, Pence, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Roe (TN), Rohrabacher, Rooney, Roskam, Ross (FL), Royce, Ryan (WI), Scalise, Schilling, Schmidt, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Smith (NE), Southerland, Stearns, Stutzman, Sullivan, Terry, Upton, Walberg, Walden, Walsh (IL), Wilson (SC), Wittman, Woodall, Yoder, Young (FL), Young (IN).

NOES—274

Table with 3 columns: Name, Name, Name. Includes Ackerman, Adams, Aderholt, Alexander, Altmire, Andrews, Austria, Bachus, Baldwin, Barletta, Barrow, Bass (CA), Bass (NH), Becerra, Berg, Berkley, Bilbray, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Bonner, Boren, Boswell, Boustany, Brady (PA), Braley (IA), Brown (FL), Bucshon, Burrow, Burton (IN), Butterfield, Calvert, Capito, Capps, Capuano, Cardoza, Carnahan, Carson (IN), Carter, Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clarke (NY), Clay, Cleaver, Clyburn, Coffman (CO), Cohen, Cole, Connolly (VA), Conyers, Costello, Courtney, Courtney, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Duffy, Edwards, Ellison, Emerson, Engel, Eshoo, Fattah, Fudge, Garamendi, Gerlach, Gibson, Gonzalez, Green, Al, Green, Gene, Grijalva, Grimm, Gutierrez, Hanabusa, Hanna, Hastings (FL), Heck, Herger, Huelskamp, Huizenga (MI), Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jones, Jordan, Kind, King (IA), Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Latta, Long, Luetkemeyer, Lummis, Mack, Manullo, Marchant, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McMorris, Rodgers, Miller (FL), Miller (MI), Mulvaney, Murphy (PA), Myrick, Neugebauer, Nunes, Olson, Paulsen, Pearce, Pence, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Roe (TN), Rohrabacher, Rooney, Roskam, Ross (FL), Royce, Ryan (WI), Scalise, Schilling, Schmidt, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Smith (NE), Southerland, Stearns, Stutzman, Sullivan, Terry, Upton, Walberg, Walden, Walsh (IL), Wilson (SC), Wittman, Woodall, Yoder, Young (FL), Young (IN).

Table with 3 columns: Name, Name, Name. Includes Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Culberson, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Denham, Dent, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Dreier, Edwards, Ellison, Ellmers, Emerson, Engel, Eshoo, Farr, Fattah, Fitzpatrick, Fleischmann, Forbes, Frank (MA), Frelinghuysen, Fudge, Garamendi, Gerlach, Gibbs, Gibson, Gonzalez, Granger, Green, Al, Green, Gene, Grijalva, Grimm, Gutierrez, Hall, Hanabusa, Hanna, Harper, Hastings (WA), Hayworth, Heck, Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Honda, Hoyer, Hultgren, Israel, Jackson (IL), Jackson Lee, Johnson (GA), Johnson (IL), Johnson, E. B., Kaptur, Keating, Kelly, Kildee, King (NY), Kingston, Kissell, Kucinich, Langevin, Lankford, Larsen (WA), Larson (CT), Latham, LaTourette, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loebsack, Lofgren, Zoe, Lowey, Lucas, Lujan, Lungren, Daniel, E., Lynch, Maloney, Marino, Markey, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McIntyre, McKinley, McNeerney, Meehan, Meeks, Mica, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Neal, Noem, Nugent, Nunnelee, Oliver, Owens, Palazzo, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Peterson, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reed, Rehberg, Reichert, Renacci, Reyes, Richardson, Richmond, Rigell, Rivera, Roby, Rogers (AL), Rogers (KY), Rogers (MI), Ros-Lehtinen, Ross (AR), Rothman (NJ), Roybal-Allard, Runyan, Ruppertsberger, Rush, Ryan (OH), Sanchez, Linda, T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schock, Schrader, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Shimkus, Shuster, Simpson, Sires, Smith (NJ), Smith (TX), Smith (WA), Speier, Stark, Stivers, Sutton, Thompson (CA), Thompson (MS), Thompson (PA), Thornberry, Tiberi, Tierney, Tipton, Tonko, Towns, Tsongas, Turner (NY), Turner (OH), Van Hollen, Velazquez, Visclosky, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Webster, Welch, West, Westmoreland, Whitfield, Wilson (FL), Wolf, Womack, Woolsey, Yarmuth, Young (AK).

NOT VOTING—13

Table with 3 columns: Name, Name, Name. Includes Baca, Berman, Coble, Filner, Hahn, Lewis (CA), McKeon, Miller, Gary, Napolitano, Paul, Petri, Shuler, Slaughter.

So the amendment was not agreed to.

72.50 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

SEC. 519. None of the funds made available by this Act may be used to implement, administer, or enforce the requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

It was decided in the { Yeas 184 negative } Nays 235

72.51 [Roll No. 338]

AYES—184

Table with 3 columns: Name, Name, Name. Includes Adams, Aderholt, Akin, Amash, Amodei, Austria, Bachmann, Bachus, Bartlett, Barton (TX), Benishek, Berg, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Carter, Cassidy, Chabot, Chaffetz, Coffman (CO), Cole, Conaway, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Dreier, Duncan (SC), Duncan (TN), E, Ellmers, Farenthold, Fincher, Flake, Fleischmann, Fleming, Flores, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gibbs, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Guinta, Guthrie, Hall, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jones, Jordan, King (IA), Kingston, Kline, Labrador, Lamborn, Landry, Lankford, Latham, Latta, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E., Mack, Manullo, Marchant, Marino, McCarthy (CA), McCaul, McClintock, McHenry, McMorris, Rodgers, Miller (FL), Mulvaney, Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Renacci, Ribble, Rigell, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ross (FL), Royce, Scalise, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Simpson, Smith (NE), Smith (TX), Southerland, Stearns, Stutzman, Sullivan, Thompson (PA), Thornberry, Tipton, Turner (NY), Walberg, Webster, West, Westmoreland, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (FL), Young (IN).

NOES—235

Table with 3 columns: Name, Name, Name. Includes Ackerman, Alexander, Altmire, Andrews, Baldwin, Barletta, Barrow, Bass (CA), Bass (NH), Becerra, Berkley, Biggert, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capito, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Cravaack, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Duffy, Edwards, Ellison, Emerson, Engel, Eshoo, Fattah, Fitzpatrick, Frank (MA), Fudge, Garamendi, Gerlach, Gibson, Gonzalez, Green, Al, Green, Gene, Grijalva, Grimm, Gutierrez, Hanabusa, Hanna, Hastings (FL), Heck, Herger, Huelskamp, Huizenga (MI), Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jones, Jordan, Kind, King (IA), Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Latta, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E., Mack, Manullo, Marchant, Marino, McCarthy (CA), McCaul, McClintock, McHenry, McMorris, Rodgers, Miller (FL), Miller (FL), Mulvaney, Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pearce, Pence, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Renacci, Ribble, Rigell, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ross (FL), Royce, Scalise, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Simpson, Smith (NE), Smith (TX), Southerland, Stearns, Stutzman, Sullivan, Thompson (PA), Thornberry, Tipton, Turner (NY), Walberg, Webster, West, Westmoreland, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (FL), Young (IN).

Heinrich
Higgins
Himes
Hincey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott

McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta

Sarbanes
Schakowsky
Schiff
McKinley
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuster
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Upton
Van Hollen
Velazquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—12

Baca
Berman
Coble
Filner

Hahn
Lewis (CA)
McKeon
Miller, Gary

Napolitano
Paul
Shuler
Slaughter

So the amendment was not agreed to.

72.52 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. LUMMIS:

At the end of the bill (before the short title) insert the following:

SEC. . . . None of the funds made available under this Act may be used to plan or undertake sales or any other transfers of natural or low enriched uranium from the Department of Energy that combined exceed 1,917 metric tons of uranium as uranium hexafluoride equivalent in fiscal year 2013.

It was decided in the { Yeas 114 negative } Nays 302

72.53 [Roll No. 339]

AYES—114

Amodei
Bachmann
Barton (TX)
Benishke
Berkley
Bishop (UT)
Brooks
Buchanan
Burgess
Campbell
Cansaco
Carnahan
Cassidy
Chaffetz
Chu
Clay

Coffman (CO)
Costello
Crowley
Cuellar
DeFazio
Denham
Deutch
Dingell
Farenthold
Flake
Fleming
Frank (MA)
Franks (AZ)
Gallegly
Gardner
Garrett

Gohmert
Gosar
Green, Al
Green, Gene
Grijalva
Harris
Heck
Heinrich
Hensarling
Herger
Hinojosa
Honda
Huelskamp
Gallegra (MI)
Hultgren

Jackson Lee
(TX)
Johnson (IL)
Kaptur
King (IA)
Kline
Kucinich
Lance
Landry
Lankford
Lewis (GA)
Lofgren, Zoe
Lujan
Lummis
Lynch
Maloney
Manzullo
Marchant
Markey
Matheson
McCarthy (CA)
McCauley
McClintock

McDermott
McGovern
McHenry
McMorris
Rodgers
Michaud
Miller (NC)
Miller, George
Nadler
Neugebauer
Nunes
Olson
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Poe (TX)
Polis
Posey
Price (GA)
Quayle

NOES—302

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Biggert
Bilbray
Billirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Buchson
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)

Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock

Schwartz
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Scott, Brener
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shuster
Simpson
Smith (NJ)
Southerland
Speier
Stark
Stearns
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko

Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velazquez
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (FL)
Young (IN)

NOT VOTING—15

Baca
Berman
Brady (TX)
Coble
Filner

Hahn
Lamborn
Lewis (CA)
McKeon
Miller, Gary

Napolitano
Paul
Shuler
Slaughter
Towns

So the amendment was not agreed to.

72.54 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CONNOLLY of Virginia:

Page 22, line 23, after the dollar amount, insert "(reduced by \$25,000,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$25,000,000)".

It was decided in the { affirmative } Yeas 208 Nays 207 present 1

72.55 [Roll No. 340]

AYES—208

Ackerman
Amash
Amodei
Andrews
Bass (CA)
Becerra
Benishke
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Burgess
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conaway
Connolly (VA)
Cory
Costello
Courtney
Crowley

Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Eshoo
Farenthold
Farr
Fattah
Fincher
Flake
Fleming
Frank (MA)
Franks (AZ)
Garamendi
Garrett
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Graves (GA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler

Higgins
Himes
Hincey
Hinojosa
Hirono
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kildee
Kind
Kucinich
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney

Meeks	Ribble	Sires
Michaud	Richardson	Smith (WA)
Miller (FL)	Richmond	Southerland
Miller (MI)	Rigell	Speier
Miller (NC)	Rohrabacher	Stark
Miller, George	Rokita	Stearns
Moore	Rothman (NJ)	Stutzman
Moran	Roybal-Allard	Sutton
Mulvaney	Royce	Thompson (CA)
Murphy (CT)	Ruppersberger	Thierney
Nadler	Rush	Tonko
Neal	Ryan (WI)	Towns
Neugebauer	Sánchez, Linda	Tsongas
Oliver	T.	Van Hollen
Pallone	Sanchez, Loretta	Velázquez
Pascrell	Sarbanes	Visclosky
Pelosi	Scalise	Walsh (IL)
Perlmutter	Schakowsky	Walz (MN)
Peters	Schiff	Wasserman
Petri	Schrader	Schultz
Pingree (ME)	Schwartz	Waters
Polis	Schweikert	Watt
Pompeo	Scott (SC)	Waxman
Posey	Scott (VA)	Welch
Price (NC)	Scott, David	Wilson (FL)
Quayle	Sensenbrenner	Woodall
Quigley	Serrano	Woolsey
Rangel	Sewell	Yarmuth
Reyes	Sherman	Yoder

NOES—207

Adams	Gallegly	Mica
Aderholt	Gardner	Murphy (PA)
Akin	Gerlach	Myrick
Alexander	Gibbs	Noem
Altmire	Gosar	Nugent
Austria	Gowdy	Nunes
Bachus	Granger	Nunnelee
Baldwin	Graves (MO)	Olson
Barletta	Green, Al	Owens
Barrow	Green, Gene	Palazzo
Bartlett	Griffin (AR)	Pastor (AZ)
Barton (TX)	Griffith (VA)	Paulsen
Bass (NH)	Grimm	Pearce
Berg	Guinta	Pence
Biggert	Guthrie	Peterson
Bilbray	Hall	Pitts
Bilirakis	Hanna	Platts
Bishop (UT)	Harper	Poe (TX)
Black	Harris	Price (GA)
Blackburn	Hartzler	Rahall
Bonner	Hastings (WA)	Reed
Bono Mack	Hochul	Rehberg
Boren	Holden	Reichert
Boswell	Hultgren	Renacci
Boustany	Hunter	Rivera
Bucshon	Hurt	Roby
Buerkle	Issa	Roe (TN)
Burton (IN)	Jackson Lee	Rogers (AL)
Calvert	(TX)	Rogers (KY)
Camp	Jenkins	Rogers (MI)
Canseco	Johnson (OH)	Rooney
Cantor	Kaptur	Ros-Lehtinen
Capito	Kelly	Roskam
Cardoza	King (IA)	Ross (AR)
Carson (IN)	King (NY)	Ross (FL)
Carter	Kingston	Runyan
Cassidy	Kinzinger (IL)	Ryan (OH)
Chabot	Kissell	Schilling
Chandler	Kline	Schmidt
Coffman (CO)	Labrador	Schock
Cole	Lamborn	Scott, Austin
Cooper	Landry	Sessions
Costa	Lankford	Shimkus
Cravaack	Larsen (WA)	Shuster
Crawford	Latham	Simpson
Crenshaw	LaTourette	Smith (NE)
Critz	Latta	Smith (NJ)
Cuellar	Lipinski	Smith (TX)
Davis (KY)	LoBiondo	Stivers
Denham	Loeb sack	Sullivan
Dent	Lucas	Terry
DesJarlais	Luetkemeyer	Thompson (MS)
Diaz-Balart	Lummis	Thompson (PA)
Dingell	Lungren, Daniel	Thornberry
Dold	E.	Tiberi
Donnelly (IN)	Mack	Tipton
Dreier	Manzullo	Turner (NY)
Duncan (SC)	Marchant	Turner (OH)
Ellmers	Marino	Upton
Emerson	Matheson	Walberg
Engel	McCarthy (CA)	Walden
Fitzpatrick	McCaul	Webster
Fleischmann	McCotter	West
Flores	McHenry	Westmoreland
Forbes	McIntyre	Whitfield
Fortenberry	McKinley	Wilson (SC)
Fox	McMorris	
Frelinghuysen	Rodgers	
Fudge	Meehan	

Wittman	Womack	Young (FL)
Wolf	Young (AK)	Young (IN)

ANSWERED "PRESENT"—1

Johnson (IL)

NOT VOTING—15

Baca	Filner	Miller, Gary
Bachmann	Goodlatte	Napolitano
Berman	Hahn	Paul
Brady (TX)	Lewis (CA)	Shuler
Coble	McKeon	Slaughter

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. WOODALL, assumed the Chair.

When Mr. PRICE of Georgia, Acting Chairman, reported that the Committee, having had under consideration said bill, had directed him to report the same back to the House with sundry amendments adopted by the Committee, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Pursuant to House Resolution 667, the previous question was ordered on the amendments and the bill.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 3, line 16, after the dollar amount, insert "(increased by \$2,000,000)".

Page 3, line 16, after the dollar amount, insert "(increased by \$10,000,000)".

Page 3, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 5, line 1, after the dollar amount, insert "(increased by \$571,429)".

Page 6, line 18, after the dollar amount, insert "(increased by \$3,000,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$2,000,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 22, line 23, after the dollar amount, insert "(reduced by \$25,000,000)".

Page 25, line 5, after the dollar amount insert "(increased by \$36,000,000)".

Page 28, line 16, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 28, line 16, after the dollar amount insert "(reduced by \$18,000,000)".

Page 28, line 16, after the dollar amount insert "(reduced by \$10,000,000)".

Page 29, line 10, insert before the period at the end the following:

Provided further, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Energy to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)).

Page 30, line 25, after the dollar amount, insert "(reduced by \$17,319,000) (increased by \$17,319,000)".

Page 31, line 23, after the second dollar amount insert "(reduced by \$18,000,000)".

Page 49, line 25, after the second dollar amount insert "(increased by \$10,000,000)".

Page 56, line 24, after the dollar amount, insert "(increased by \$25,000,000)".

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available under this Act may be used to plan for the termination of periodic nourishment for any water resource development project described in section 156 of the Water Resources Development Act of 1976 (Public Law 94-587), as amended by the Water Resources Development Act of 1986 (Public Law 99-662).

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111-11.

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to provide new loan guarantees or loan guarantee commitments under section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16515).

Page 56, after line 24, insert the following new section:

SEC. 510. None of the funds made available by this Act for "Department of Energy; Energy Programs; Science" may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Energy to require grant recipients to replace any lighting that does not meet or exceed the energy efficiency standard set forth in section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295).

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to develop or submit a proposal to expand the authorized uses of the Harbor Maintenance Trust Fund described in section 9505(c) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)).

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to fund any portion of the International program activities at the Office of Energy Efficiency and Renewable Energy of the Department of Energy with the exception of the activities authorized in section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337).

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

SEC. _____. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Energy or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act for the Title 17 Innovative Technology Loan Guarantee Program may be used by the Department of Energy to issue or administer new loan guarantees for renewable energy systems, electric power transmission systems, or leading edge biofuel projects as defined by section 1705 of the Energy Policy Act of 2005.

At the end of the bill (before the short title), insert the following:

SEC. _____. Of the funds appropriated in title I of this Act, not more than \$50,000,000 may be used for the Missouri River Recovery Program.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used within the borders of the State of Louisiana by the Mississippi Valley Division or the Southwestern Division of the Army Corps of Engineers or any district of the Corps within such divisions to implement or enforce the mitigation methodology, referred to as the "Modified Charleston Method".

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to carry out section 801 of Energy Independence and Security Act of 2007 (42 U.S.C. 17281).

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act for the Advanced Research Projects Agency—Energy may be used for unallowable costs related to advertising or promoting the sale of products or services in contravention of the requirements of section 31.205 1, or for unallowable expenditures related to raising capital in contravention of the requirements of 31.205 27, of title 48 of the Code of Federal Regulations.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to enforce part 429 or 430 of title 10, Code of Federal Regulations, with respect to showerheads (as that term is defined in section 430.2 of such title).

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to finalize, implement, or enforce the proposed rule entitled "Energy Conservation Program: Energy Conservation Standards for Battery Chargers and External Power Supplies" (77 Fed. Reg. 18478 (March 27, 2012)) with respect to product class 7 (as described in such proposed rule).

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act may be used by the Department of Energy to fund the Wind Powering America Initiative.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Energy to subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) or to subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10 of the Code of Federal Regulations.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to conduct a survey in which money is included or provided for the benefit of the responder.

At the end of the bill (before the short title), insert the following:

SEC. _____. None the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BOSWELL moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment:

Page 6, line 18, after the dollar amount, insert "(increased by \$31,600,000)".

Page 7, line 4, after the dollar amount, insert "(reduced by \$31,600,000)".

Page 20, line 15, after the dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

Page 20, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WOODALL, announced that the nays had it.

Mr. BOSWELL demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 185
negative } Nays 233

¶72.56 [Roll No. 341]

AYES—185

Ackerman	Dingell	Lipinski
Altmire	Doggett	Loebsack
Andrews	Donnelly (IN)	Lofgren, Zoe
Baldwin	Doyle	Lowey
Barrow	Edwards	Lujan
Bass (CA)	Ellison	Lynch
Becerra	Engel	Maloney
Berkley	Eshoo	Markey
Bishop (GA)	Farr	Matheson
Bishop (NY)	Fattah	Matsui
Blumenauer	Frank (MA)	McCarthy (NY)
Bonamici	Fudge	McCollum
Boren	Garamendi	McDermott
Boswell	Gonzalez	McGovern
Brady (PA)	Green, Al	McIntyre
Braley (IA)	Green, Gene	McNerney
Brown (FL)	Grijalva	Meeks
Butterfield	Gutierrez	Michaud
Capps	Hanabusa	Miller (NC)
Capuano	Hastings (FL)	Miller, George
Cardoza	Heinrich	Moore
Carman	Higgins	Moran
Carney	Himes	Murphy (CT)
Carson (IN)	Hinchey	Nadler
Castor (FL)	Hinojosa	Neal
Chandler	Hirono	Olver
Chu	Hochul	Owens
Cicilline	Holden	Pallone
Clarke (MI)	Holt	Pascarella
Clarke (NY)	Honda	Pastor (AZ)
Clay	Hoyer	Pelosi
Cleaver	Israel	Perlmutter
Clyburn	Jackson (IL)	Peters
Cohen	Jackson Lee	Peterson
Connolly (VA)	(TX)	Pingree (ME)
Conyers	Johnson (GA)	Polis
Cooper	Johnson, E. B.	Price (NC)
Costa	Kaptur	Quigley
Costello	Keating	Rahall
Courtney	Kildee	Rangel
Critz	Kind	Reyes
Crowley	King (IA)	Richardson
Cuellar	Kissell	Richmond
Cummings	Kucinich	Ross (AR)
Davis (CA)	Langevin	Rothman (NJ)
Davis (IL)	Larsen (WA)	Roybal-Allard
DeFazio	Larson (CT)	Ruppersberger
DeGette	Latham	Rush
DeLauro	Lee (CA)	Ryan (OH)
Deutch	Levin	Sanchez, Linda
Dicks	Lewis (GA)	T.

Sanchez, Loretta	Smith (WA)	Visclosky
Sarbanes	Speier	Walz (MN)
Schakowsky	Stark	Wasserman
Schiff	Sutton	Schultz
Schrader	Thompson (CA)	Waters
Schwartz	Thompson (MS)	Watt
Scott (VA)	Tierney	Waxman
Scott, David	Tonko	Welch
Serrano	Towns	Wilson (FL)
Sewell	Tsongas	Woolsey
Sherman	Van Hollen	Yarmuth
Sires	Velázquez	

NOES—233

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

NOT VOTING—13

Baca	Lewis (CA)	Shuler
Berman	McKeon	Slaughter
Coble	Miller, Gary	Southerland
Filner	Napolitano	
Hahn	Paul	

So the motion to recommit with instructions was not agreed to.

The question being put, Will the House pass said bill?

The SPEAKER pro tempore, Mr. WOODALL, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 255 affirmative Nays 165

¶72.57 [Roll No. 342] YEAS—255

- Adams Gerlach Meehan
Aderholt Gibbs Mica
Akin Gingrey (GA) Miller (FL)
Alexander Gonzalez Miller (MI)
Altmire Gosar Murphy (PA)
Austria Gowdy Myrick
Bachus Granger Neugebauer
Barletta Graves (GA) Noem
Barrow Graves (MO) Nugent
Bartlett Green, Al Nunes
Barton (TX) Green, Gene Nunnelee
Bass (NH) Griffin (AR) Olson
Benishek Grimm Owens
Berg Guinta Palazzo
Biggett Guthrie Pastor (AZ)
Bilbray Hall Paulsen
Bilirakis Hanna Pearce
Bishop (GA) Harper Pence
Bishop (UT) Harris Peterson
Black Hartzler Petri
Blackburn Hastings (WA) Pitts
Bonner Hayworth Platts
Bono Mack Heinrich Pompeo
Boren Hensarling Posey
Boswell Henger Price (GA)
Brady (PA) Herrera Beutler Quayle
Brady (TX) Himes Rahall
Brown (FL) Hinojosa Reed
Buchanan Holden Rehberg
Bucshon Huelskamp Reichert
Burton (IN) Hultgren Renacci
Calvert Hunter Reyes
Camp Hurt Ribble
Canseco Issa Rigell
Cantor Jackson Lee Rivera
Capito (TX) Jenkins Roby
Cardoza Johnson (OH) Roe (TN)
Carter Johnson, Sam Rogers (AL)
Castor (FL) Johnson, Sam Rogers (KY)
Chabot Jordan Rogers (MI)
Chaffetz Kaptur Rokita
Chandler Kelly Rooney
Coffman (CO) King (IA) Ros-Lehtinen
Cole King (NY) Roskam
Conaway Kingston Ross (AR)
Costa Kinzinger (IL) Ross (FL)
Costello Kissell Runyan
Cravaack Kline Ruppertsberger
Crawford Labrador Ryan (WI)
Crenshaw Lamborn Sanchez, Loretta
Critz Lance Scalise
Cuellar Landry Schilling
Culberson Lankford Schmidt
Davis (KY) Larsen (WA) Schock
Denham Latham Scott (SC)
Dent LaTourette Scott (VA)
DesJarlais Latta Scott, Austin
Diaz-Balart Lipinski Sessions
Dicks LoBiondo Shimkus
Dold Loeb sack Shuster
Donnelly (IN) Lofgren, Zoe Simpson
Dreier Long Smith (NE)
Duffy Lucas Smith (NJ)
Duncan (SC) Luetkemeyer Smith (TX)
Eilmlers Lujan Southerland
Emerson Lungren, Daniel Speier
Farenthold E. Stearns
Fattah Mack Stivers
Fincher Manzullo Stutzman
Fitzpatrick Marchant Sullivan
Fleischmann Marino Terry
Fleming Matsui Thompson (PA)
Flores McCarthy (CA) Thornberry
Forbes McCaul Tiberi
Fortenberry McCollum Tipton
Foxy McCotter Turner (NY)
Franks (AZ) McHenry Turner (OH)
Frelinghuysen McIntyre Upton
Gallegly McKinley Vislosky
Garamendi McMorris Walberg
Gardner Rodgers Walden
Garrett McNerney Webster

- West
Westmoreland
Whitfield
Wilson (SC)

- Wittman
Wolf
Womack
Woodall

- Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—165

- Ackerman
Amash
Amodei
Andrews
Baca
Bachmann
Baldwin
Bass (CA)
Becerra
Berkley
Bishop (NY)
Blumenauer
Bonamici
Boustany
Braley (IA)
Brooks
Broun (GA)
Buerkle
Holt
Honda
Hoyer
Burgess
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Flake
Frank (MA)
Fudge
Gibson
Gohmert
Goodlatte
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck
Higgins
Hinchev
Hirono
Hochul
Holt
Honda
Hoyer
Huizenga (MI)
Israel
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lowe
Lummis
Lynch
Maloney
Markey
Matheson
McCarthy (NY)
McClintock
McDemott
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Neal
Oliver
Pallone
Pascarell
Pelosi
Perlmutter
Peters
Pingree (ME)
Poe (TX)
Polis
Price (NC)
Quigley
Rangel
Richardson
Richmond
Rohrabacher
Rothman (NJ)
Roybal-Allard
Royce
Rush
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Schweikert
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—11

- Berman
Coble
Filner
Hahn
Lewis (CA)
McKeon
Miller, Gary
Napolitano
Paul
Shuler
Slaughter

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶72.58 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. FLAKE, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put, Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 259 affirmative Nays 154

¶72.59 [Roll No. 343] YEAS—259

- Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Hunter
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Campbell
Canseco
Cantor
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Eilmlers
Emerson
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Frelinghuysen
Olson
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Poe (TX)
Pompeo
Posey
Price (GA)
Graves (MO)
Price (NC)
Quayle
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppertsberger
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schiff
Schilling
Schmidt
Schock
Kline
Schweikert
Scott (SC)
Scott (VA)
Sensenbrenner
Sessions
Sherman
Shimkus
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thornberry
Tiberi
Tipton
Turner (OH)
Upton
Vislosky
Walberg
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (FL)
Young (IN)

NAYS—154

Table listing names and states for the NAYS group, including Ackerman (WA), Altmire (NY), Baldwin (PA), Barletta (CA), Bass (CA), Berg (NY), Bishop (NY), Blumenauer (OR), Bonamici (PA), Brady (PA), Brown (FL), Camp (CA), Capito (WV), Capuano (MA), Carnahan (MO), Carney (VA), Castor (FL), Chandler (AZ), Cicilline (RI), Clarke (MI), Clarke (NY), Clay (GA), Cleaver (MO), Clyburn (SC), Costello (CA), Courtney (VA), Critz (VA), Crowley (VA), Davis (KY), DeFazio (OR), DeGette (VA), DeLauro (CT), Dent (PA), Deutch (NY), Doyle (PA), Edwards (VA), Ellison (VA), Emerson (VA), Engel (VA), Fattah (PA), Fitzpatrick (VA), Gerlach (VA), Gibson (VA), Gingrey (GA), Gonzalez (TX), Grimm (VA), Guthrie (VA), Gutierrez (VA), Hall (VA), Hanabusa (VA), Hanna (VA), Hastings (FL)

NOT VOTING—18

Table listing names and states for the NOT VOTING group, including Bachus (VA), Berman (VA), Coble (VA), Conyers (VA), Davis (IL), Dicks (VA)

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

72.60 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on the motion, by Mr. DOGGETT, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put, Will the House agree to said motion? The vote was taken by electronic device.

It was decided in the { Yeas 192 negative } Nays 226

72.61 [Roll No. 344]

YEAS—192

Table listing names and states for the YEAS group, including Altmire (PA), Andrews (PA), Baca (CO), Baldwin (PA), Barrow (VA), Bass (CA), Bass (NH), Becerra (CA), Berkeley (CA), Bilbray (CA), Bishop (GA), Blumenauer (OR), Bonamici (VA), Boswell (VA), Brady (PA), Braley (IA), Brown (FL), Butterfield (VA), Capps (VA), Capuano (MA), Cardoza (CA), Carnahan (MO), Carney (VA), Carson (IN), Castor (FL), Chandler (AZ), Chu (VA), Cicilline (RI), Clarke (MI), Clarke (NY), Clay (VA), Cleaver (MO), Clyburn (SC), Coffman (CO), Cohen (VA), Connolly (VA), Conyers (VA), Cooper (VA), Costa (CA), Costello (VA), Courtney (VA), Critz (VA), Crowley (VA), Cuellar (VA), Cummings (VA), Davis (CA), Davis (IL), DeFazio (OR), DeGette (VA), DeLauro (CT), Deutch (NY), Dingell (MI), Doggett (VA), Donnelly (IN), Doyle (VA), Duncan (TN), Edwards (VA), Ellison (VA), Engel (VA), Eshoo (CA), Farr (VA), Fattah (PA), Fortenberry (VA), Fudge (VA), Garamendi (CA)

NAYS—226

Table listing names and states for the NAYS group, including Ackerman (VA), Adams (VA), Aderholt (VA), Akin (VA), Alexander (VA), Amash (VA), Amodei (NV), Austria (VA), Bachmann (VA), Bachus (VA), Barletta (VA), Bartlett (VA), Barton (TX), Benishek (VA), Berg (VA), Biggart (VA), Bilirakis (VA), Bishop (NY), Bishop (UT), Black (VA), Blackburn (VA), Bonner (VA), Bono Mack (VA), Boren (VA), Boustany (LA), Brady (TX), Brooks (VA), Broun (GA), Buchanan (VA), Bucshon (VA), Buerkle (VA), Burgess (VA), Burton (IN), Calvert (VA), Camp (VA), Campbell (VA), Canseco (VA), Cantor (VA), Capito (VA), Carter (VA), Cassidy (VA), Chabot (VA), Chaffetz (VA), Cole (VA), Conaway (VA), Cravaack (VA), Crawford (VA), Crenshaw (VA), Culberson (VA), Davis (KY), Denham (VA), Dent (VA), DesJarlais (VA), Diaz-Balart (VA), Dold (VA), Dreier (VA), Duffy (VA), Duncan (SC), Ellmers (VA), Emerson (VA), Farenthold (VA), Fincher (VA), Fitzpatrick (VA), Flake (VA), Fleischmann (VA), Fleming (VA), Flores (VA), Forbes (VA), Foxx (VA), Franks (AZ), Frelinghuysen (VA), Gallegly (VA), Garrett (VA), Gerlach (VA), Gibbs (VA), Gibson (VA), Gingrey (GA), Gohmert (VA)

Table listing names and states for the NAYS group, including Goodlatte (VA), Gosar (VA), Gowdy (VA), Granger (VA), Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm (VA), Guinta (VA), Guthrie (VA), Hall (VA), Hanna (VA), Harper (VA), Harris (VA), Hartzler (VA), Hastings (VA), Hayworth (VA), Heck (VA), Hensarling (VA), Herger (VA), Herrera Beutler (VA), Huelskamp (VA), Huizenga (MI), Hultgren (VA), Hunter (VA), Hurt (VA), Issa (VA), Jenkins (VA), Johnson (IL), Johnson, Sam (VA), Jordan (VA), Kelly (VA), King (IA), King (NY), Kingston (VA), Kinzinger (IL), Kline (VA), Labrador (VA), Lamborn (VA), Lance (VA), Landry (VA), Lankford (VA), LaTourette (VA), Latta (VA), LoBiondo (VA), Long (VA), Lucas (VA), Luetkemeyer (VA), Lummis (VA), Lungren, Daniel (VA), E. Mack (VA), Manullo (VA), Marchant (VA), Marino (VA), Matheson (VA), McCarthy (CA), McCaul (VA), McClintock (VA), McCotter (VA), McHenry (VA), McKinley (VA), McMorris (VA), Rodgers (VA), Meehan (VA), Mica (VA), Miller (FL), Miller (MI), Mulvaney (VA), Murphy (PA), Myrick (VA), Neugebauer (VA), Noem (VA), Nugent (VA), Nunes (VA), Nunnelee (VA), Olson (VA), Palazzo (VA), Paulsen (VA), Pearce (VA), Pence (VA), Pitts (VA), Platts (VA), Poe (TX), Pompeo (VA), Posey (VA), Price (GA), Quayle (VA), Reed (VA), Rehberg (VA), Reichert (VA), Renacci (VA), Ribble (VA), Rivera (VA), Roby (VA), Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rokita (VA), Rooney (VA), Ros-Lehtinen (VA), Roskam (VA), Ross (FL), Runyan (VA), Ryan (WI), Scalise (VA), Schilling (VA), Schmidt (VA), Schock (VA), Schweikert (VA), Scott (SC), Scott, Austin (VA), Sessions (VA), Shimkus (VA), Shuster (VA), Simpson (VA), Smith (NE), Smith (NJ), Smith (TX), Souterland (VA), Stearns (VA), Stivers (VA), Stutzman (VA), Sullivan (VA), Terry (VA), Thompson (PA), Thornberry (VA), Tiberi (VA), Tipton (VA), Turner (NY), Turner (OH), Upton (VA), Walberg (VA), Walden (VA), Walsh (IL), Webster (VA), West (VA), Westmoreland (VA), Whitfield (VA), Wilson (SC), Wittman (VA), Wolf (VA), Womack (VA), Woodall (VA), Yoder (VA), Young (AK), Young (FL), Young (IN)

NOT VOTING—13

Table listing names and states for the NOT VOTING group, including Berman (VA), Coble (VA), Dicks (VA), Filner (VA), Frank (MA), Lewis (CA), McKeon (VA), Miller, Gary (VA), Napolitano (VA), Paul (VA), Scott, David (VA), Shuler (VA), Slaughter (VA)

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

72.62 PROVIDING FOR CONSIDERATION OF H.R. 436 AND H.R. 5882

Mr. SCOTT of South Carolina, by direction of the Committee on Rules, reported (Rept. No. 112-518) the resolution (H. Res. 679) providing for consideration of the bill (H.R. 436) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

72.63 HOMELAND SECURITY APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. WOODALL, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of

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

Mr. WEST, Acting Chairman, assumed the chair; and after some time spent therein,

72.64 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. MOORE:

Page 2, line 17, after the dollar amount, insert "(increased by \$3,000,000)".

Page 9, line 7, after the dollar amount, insert "(reduced by \$4,800,000)".

It was decided in the Yeas 154 negative Nays 260

72.65 [Roll No. 345]

AYES—154

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

NOES—260

- Adams Biggert Buerkle
Aderholt Bilbray Burgess
Akin Billirakis Burton (IN)
Alexander Bishop (NY) Calvert
Altmire Bishop (UT) Camp
Amash Black Campbell
Amodei Blackburn Canseco
Austria Bonner Cantor
Bachmann Bono Mack Capito
Bachus Boren Carter
Barletta Boswell Cassidy
Barrow Chabot Chabot
Bartlett Brady (TX) Chaffetz
Barton (TX) Brooks Chandler
Bass (NH) Broun (GA) Conaway
Benishek Buchanan Cole
Berg Bucshon Conaway

- Cravaack Johnson, Sam
Crawford Jones
Crenshaw Jordan
Critz Kelly
Cuellar King (IA)
Davis (KY) King (NY)
Dent Kingston
DesJarlais Kinzinger (IL)
Diaz-Balart Kissell
Dold Kline
Donnelly (IN) Labrador
Dreier Lamborn
Duffy Lance
Duncan (SC) Landry
Duncan (TN) Lankford
Ellmers Latham
Emerson LaTourette
Farenthold Latta
Fincher LoBiondo
Fitzpatrick Loebbeck
Flake Long
Fleischmann Lucas
Fleming Luetkemeyer
Flores Lummis
Forbes Lungren, Daniel
Fortenberry E.
Fox Mack
Franks (AZ) Manzullo
Frelinghuysen Marchant
Gallegly Marino
Gardner Matheson
Garrett McCarthy (CA)
Gerlach McCarthy (NY)
Gibbs McCaul
Gibson McClintock
Gingrey (GA) McCotter
Gohmert McHenry
Goodlatte McIntyre
Gosar McKeon
Gowdy McKinley
Granger McMorris
Graves (GA) Rodgers
Graves (MO) Meehan
Green, Gene Mica
Griffin (AR) Miller (FL)
Griffith (VA) Miller (MI)
Grimm Miller, Gary
Guinta Mulvaney
Guthrie Murphy (PA)
Hall Neugebauer
Hanna Noem
Harper Nugent
Harris Nunes
Hartzler Nunnelee
Hastings (WA) Olson
Hayworth Owens
Hecck Palazzo
Hensarling Paulsen
Herger Pearce
Herrera Beutler Pence
Hochul Perlmutter
Huelskamp Peterson
Huizenga (MI) Petri
Hultgren Pitts
Hunter Platts
Hurt Poe (TX)
Israel Pompeo
Issa Posey
Jenkins Price (GA)
Johnson (IL) Quayle
Johnson (OH) Rahall

NOT VOTING—17

- Bass (CA) Filner Paul
Cardoza Holden Scott, David
Coble Lewis (CA) Shuler
Conyers Myrick Slaughter
Culberson Napolitano Stark
Denham Oliver

So the amendment was not agreed to.

72.66 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 2, line 17, after the dollar amount, insert "(reduced by \$3,655,500)".

Page 3, line 23, after the dollar amount, insert "(reduced by \$6,393,840)".

Page 5, line 7, after the dollar amount, insert "(reduced by \$1,492,290)".

Page 5, lines 22 and 23, after each dollar amount, insert "(reduced by \$7,246,290)".

Page 6, line 8, after the first dollar amount, insert "(reduced by \$9,522,000)".

Page 6, line 15, after the dollar amount, insert "(reduced by \$3,277,920)".

Page 11, line 21, after the dollar amount, insert "(reduced by \$157,089,930)".

Page 15, line 23, after the dollar amount, insert "(reduced by \$151,236,900)".

Page 19, line 4, after the dollar amount, insert "(reduced by \$3,792,540)".

Page 19, line 11, after the dollar amount, insert "(reduced by \$5,772,720)".

Page 19, line 18, after the dollar amount, insert "(reduced by \$27,859,890)".

Page 20, line 6, after the dollar amount, insert "(reduced by \$26,388,000)".

Page 29, line 14, after the first dollar amount, insert "(reduced by \$46,681,650)".

Page 32, line 9, after the first dollar amount, insert "(reduced by \$1,359,630)".

Page 33, line 8, after the dollar amount, insert "(reduced by \$5,741,400)".

Page 35, line 10, after each dollar amount, insert "(reduced by \$3,960,090)".

Page 36, line 4, after the dollar amount, insert "(reduced by \$21,376,950)".

Page 51, line 16, after the dollar amount, insert "(reduced by \$3,357,720)".

Page 52, line 20, after the first dollar amount, insert "(reduced by \$6,854,010)".

Page 54, line 17, after the dollar amount, insert "(reduced by \$3,900,000)".

Page 55, line 19, after the first dollar amount, insert "(reduced by \$1,140,000)".

Page 99, line 17, after the dollar amount, insert "(increased by \$498,099,270)".

It was decided in the Yeas 140 negative Nays 273

72.67 [Roll No. 346]

AYES—140

- Adams Gowdy Nugent
Akin Graves (GA) Nunnelee
Amash Graves (MO) Olson
Bachmann Griffin (AR) Paulsen
Bartlett Griffith (VA) Pence
Barton (TX) Guthrie Petri
Benishek Hall Pitts
Bishop (UT) Harris Poe (TX)
Black Hartzler Polis
Blackburn Hensarling Pompeo
Brady (TX) Herger Posey
Brooks Herrera Beutler Price (GA)
Broun (GA) Huelskamp Quayle
Buchanan Huizenga (MI) Ribble
Buerkle Hultgren Roe (TN)
Burgess Hunter Rogers (MI)
Burton (IN) Hurt Rohrabacher
Camp Jenkins Rokita
Campbell Johnson, Sam Rooney
Canseco Jordan Ross (FL)
Cantor King (IA) Royce
Cassidy Kline Rush
Chabot Labrador Ryan (WI)
Chaffetz Lamborn Scalise
Conaway Lance Schmidt
Cravaack Landry Schweikert
DesJarlais Lankford Scott (SC)
Duffy Latta Scott, Austin
Duncan (SC) Lofgren, Zoe Sensenbrenner
Duncan (TN) Long Sessions
Engel Luetkemeyer Shimkus
Eshoo Lummis Smith (NE)
Farenthold Mack Southerland
Fincher Manzullo Stearns
Fitzpatrick Marchant Stutzman
Flake McCaul Sullivan
Fleischmann McClintock Terry
Fleming McCotter Thornberry
Flores McHenry Tipton
Fortenberry McKeon Upton
Franks (AZ) McMorris Walberg
Gardner Rodgers Walden
Garrett Mica Walsh (IL)
Gingrey (GA) Miller (FL) Wilson (SC)
Gohmert Miller (MI) Woodall
Goodlatte Mulvaney Yoder
Gosar Neugebauer Young (FL)
Young (IN)

NOES—273

- Ackerman Andrews Barletta
Aderholt Austria Barrow
Alexander Baca Bass (NH)
Altmire Bachus Becerra
Amodei Baldwin Berg

Berkley
 Berman
 Biggert
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Bucshon
 Butterfield
 Calvert
 Capito
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Carter
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coffman (CO)
 Cohen
 Cole
 Connolly (VA)
 Cooper
 Costa
 Costello
 Courtney
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent
 Deutch
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Edwards
 Ellison
 Ellmers
 Emerson
 Farr
 Fattah
 Forbes
 Foxx
 Frank (MA)
 Frelinghuysen
 Fudge
 Gallegly
 Garamendi
 Gerlach
 Gibbs
 Gibson
 Gonzalez
 Granger
 Green, Al
 Green, Gene
 Grimm

NOT VOTING—18

Bass (CA)
 Cardoza
 Coble
 Conyers
 Culberson
 Filner

Grijalva
 Holden
 Honda
 Lewis (CA)
 Myrick
 Napolitano

So the amendment was not agreed to.

Guinta
 Gutierrez
 Hahn
 Hanabusa
 Hanna
 Harper
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Brown (FL)
 Hochul
 Holt
 Hoyer
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kucinich
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lowey
 Lucas
 Lujan
 Lungren, Daniel
 E.
 Lynch
 Maloney
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 Van Hollen
 McIntyre
 McKinley
 McNerney
 Meehan
 Meeks
 Michaud
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Nadler
 Neal
 Noem
 Nunes
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)

72.68 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HOLT:

Page 2, line 17, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 6, line 8, after the first dollar amount, insert "(reduced by \$25,000,000)".

Page 15, line 23, after the dollar amount, insert "(reduced by \$15,000,000)".

Page 16, line 6, after the dollar amount, insert "(reduced by \$15,000,000)".

Page 37, line 18, after the dollar amount, insert "(increased by \$50,000,000)".

It was decided in the	{	Yeas	173
negative	{	Nays	240

72.69 [Roll No. 347]

AYES—173

Ackerman
 Andrews
 Baca
 Baldwin
 Barletta
 Bass (NH)
 Becerra
 Berkeley
 Berman
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Boswell
 Boustany
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Buchanan
 Burgess
 Butterfield
 Capps
 Capuano
 Carnahan
 Carney
 Carson (IN)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Cooper
 Courtney
 Crowley
 Cummings
 Davis (CA)
 Davis (IL)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent
 Deutch
 Dingell
 Doggett
 Doyle
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Engel
 Eshoo
 Farr
 Fattah
 Fitzpatrick
 Frank (MA)

NOES—240

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Amodei
 Austria
 Bachmann
 Bachus
 Barrow
 Bartlett
 Barton (TX)
 Benishek

Cole
 Conaway
 Costa
 Costello
 Cravaack
 Crawford
 Crenshaw
 Critz
 Cuellar
 Davis (KY)
 Dent
 DesJarlais
 Dicks
 Dold
 Donnelly (IN)
 Dreier
 Duffy
 Duncan (SC)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gingrey (GA)
 Gohmert
 Hall
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Gene
 Griffin (AR)
 Guinta
 Guthrie
 Hall
 Harner
 Harris
 Hartzler
 Hastings (WA)
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Hochul
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins

NOT VOTING—18

Bass (CA)
 Cardoza
 Coble
 Conyers
 Culberson
 Diaz-Balart

Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Lance
 Lankford
 Larsen (WA)
 Latham
 LaTourette
 Latta
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNerney
 Meehan
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Pastor (AZ)
 Paulsen
 Pearce
 Peterson
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Reed
 Rehberg

NOT VOTING—18

Filner
 Grijalva
 Hirono
 Holden
 Lewis (CA)
 Myrick

So the amendment was not agreed to.

72.70 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CLARKE of Michigan:

Page 11, line 21, after the dollar amount insert "(reduced by \$10,000,000)".

Page 12, line 7, after the dollar amount insert "(reduced by \$10,000,000)".

Page 37, line 18, after the dollar amount insert "(increased by \$10,000,000)".

It was decided in the affirmative { Yeas 211 Nays 202

72.71 [Roll No. 348]

AYES—211

- Ackerman, Aderholt, Andrews, Baca, Bachmann, Baldwin, Barletta, Barrow, Bass (NH), Benishek, Berkeley, Berman, Biggett, Bilirakis, Bishop (NY), Blumenauer, Bonamici, Boren, Boswell, Brady (PA), Braley (IA), Brown (FL), Buchanan, Buerkle, Butterfield, Camp, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chabot, Chandler, Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Cooper, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Denham, Deutch, Diaz-Balart, Dingell, Doggett, Donnelly (IN), Doyle, Edwards, Ellison, Emerson, Eshoo, Farr, Fattah, Fitzpatrick, Fudge, Garamendi, Gibson, Gonzalez, Goodlatte, Graves (MO), Green, Al, Green, Gene, Griffith (VA), Grijalva, Grijalva, Guthrie, Gutierrez, Hahn, Hanabusa, Hastings (FL), Hayworth, Heinrich, Higgins, Hinojosa, Hirono, Hirono, Hochul, Holt, Honda, Huizenga (MI), Hunter, Israel, Jackson (IL), Jackson Lee, Capuano (TX), Johnson (GA), Johnson, E. B., Jordan, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Landry, Larsen (WA), Larson (CT), Latham, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loeb sack, Lofgren, Zoe, Lowey, Luetkemeyer, Lujan, Maloney, Marino, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McCotter, McDermott, McGovern, McIntyre, McNerney, Meehan, Meeks, Michaud, Miller (MI), Miller (NC), Miller, George, Moore, Mulvaney

NOES—202

- Adams, Akin, Alexander, Altmire, Amash, Amodei, Austria, Bachus, Bartlett, Barton (TX), Becerra, Berg, Bilbray, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boustany, Brady (TX), Brooks, Broun (GA), Bucshon, Burgess, Burton (IN), Calvert, Campbell, Canseco, Carter, Cassidy, Chaffetz, Coffman (CO), Crawford, Crenshaw, Cuellar, Ellison, Emerson, Eshoo, Farr, Fattah, Fitzpatrick, Fudge, Garamendi, Gibson, Gonzalez, Goodlatte, Graves (MO), Green, Al, Green, Gene, Griffith (VA), Grijalva, Grijalva, Guthrie, Gutierrez, Hahn, Hanabusa, Hastings (FL), Hayworth, Heinrich, Higgins, Hirono, Hirono, Hochul, Holt, Honda, Huizenga (MI), Hunter, Israel, Jackson (IL), Jackson Lee, Capuano (TX), Johnson (GA), Johnson, E. B., Jordan, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Landry, Larsen (WA), Larson (CT), Latham, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loeb sack, Lofgren, Zoe, Lowey, Luetkemeyer, Lujan, Maloney, Marino, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McCotter, McDermott, McGovern, McIntyre, McNerney, Meehan, Meeks, Michaud, Miller (MI), Miller (NC), Miller, George, Moore, Mulvaney

- Forbes, Fortenberry, Fox, Frank (MA), Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gingrey (GA), Gohmert, Gosar, Gowdy, Granger, Graves (GA), Griffin (AR), Grimm, Guinta, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Heck, Hensarling, Herger, Herrera Beutler, Hoyer, Huelskamp, Hultgren, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Renacci, Ribble, Roby, Langevin, Lankford, LaTourette, Latta, Long, Lucas, Lummis, Lungren, Daniel E., Lynch, Mack, Manzullo, Marchant, McCarthy (CA), McCaul, McClintock, McHenry, McKeon, McKinley, McMorris, Rodgers, Miller (FL), Miller, Gary, Moran, Murphy (PA), Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Pastor (AZ), Paulsen, Pearce, Pence, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Price (NC), Quayle, Reed, Rehberg, Renacci, Ribble, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rohrabacher, Rokita, Roskam, Ross (FL), Royce, Ruppersberger, Ryan (WI), Schilling, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (TX), Smith (WA), Stearns, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Velazquez, Visclosky, Walberg, Walden, Walsh (IL), Waxman, Webster, Westmoreland, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN)

NOT VOTING—18

- Bass (CA), Bishop (GA), Cardoza, Coble, Conyers, Culberson, Filner, Holden, Lewis (CA), Myrick, Napolitano, Oliver, Paul, Ryan (OH), Shuler, Slaughter, Stark, Waters

So the amendment was agreed to.

72.72 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CLARKE of Michigan:

Page 3, line 23, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 37, line 18, after the dollar amount, insert "(increased by \$10,000,000)".

It was decided in the negative { Yeas 159 Nays 254

72.73 [Roll No. 349]

AYES—159

- Ackerman, Andrews, Baldwin, Bass (NH), Becerra, Berkeley, Berman, Bishop (NY), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chu, Cicilline, Clarke (MI), Clay, Cleaver, Clyburn, Cohen, Conyers, Bishop (NY), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chu, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Frank (MA), Fudge, Garamendi, Gibson, Gonzalez, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Hayworth, Heinrich, Higgins, Hirono, Hirono, Hochul, Holt, Honda, Huizenga (MI), Hunter, Israel, Jackson (IL), Jackson Lee, Capuano (TX), Johnson (GA), Johnson, E. B., Jordan, Kaptur, Keating, Kildee, Kind, Kissell, Kucinich, Landry, Larsen (WA), Larson (CT), Latham, Lee (CA), Levin, Lewis (GA), Lipinski, LoBiondo, Loeb sack, Lofgren, Zoe, Lowey, Luetkemeyer, Lujan, Maloney, Marino, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McCotter, McDermott, McGovern, McIntyre, McNerney, Meehan, Meeks, Michaud, Miller (MI), Miller (NC), Miller, George, Moore, Mulvaney

- Himes, Hinchey, Hinojosa, Hirono, Hochul, Holt, Honda, Hoyer, Israel, Jackson (IL), Jackson Lee, Johnson (GA), Johnson, E. B., Kaptur, Keating, Kildee, Kind, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Loeb sack, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Manzullo, Markey, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Neal, Pallone, Pascrell, Pastor (AZ), Pelosi, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reyes, Richardson, Richmond, Rothman (NJ), Roybal-Allard, Rush, Ryan (OH), Sanchez, Linda T., Sanchez, Loretta

NOES—254

- Adams, Aderholt, Akin, Alexander, Altmire, Amodei, Austria, Baca, Bachmann, Bachus, Barletta, Barrow, Bartlett, Benishek, Berg, Biggett, Bilbray, Bilirakis, Bishop (GA), Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Carter, Cassidy, Chabot, Chaffetz, Chandler, Coffman (CO), Cole, Conaway, Connolly (VA), Cooper, Costa, Cravaack, Crawford, Crenshaw, Cuellar, Davis (KY), DeFazio, Denham, Dent, DesJarlais, Diaz-Balart, Dold, Donnelly (IN), Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foss, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Pence, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, Lipinski, LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel E., Mack, Marchant, Marino, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McIntyre, McKeon, McKinley, McMorris, Rodgers, McNerney, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Neugebauer, Noem, Nunes, Nunnelee, Olson, Owens, Palazzo, Paulsen, Pearce, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Renacci

Ribble Schock
Rigell Schrader
Rivera Schweikert
Roby Scott (SC)
Roe (TN) Scott, Austin
Rogers (AL) Sensenbrenner
Rogers (KY) Sessions
Rogers (MI) Shimkus
Rohrabacher Shuster
Rokita Simpson
Rooney Smith (NE)
Ros-Lehtinen Smith (NJ)
Roskam Smith (TX)
Ross (AR) Southerland
Ross (FL) Stearns
Royce Stivers
Runyan Stutzman
Ruppersberger Sullivan
Ryan (WI) Terry
Scalise Thompson (PA)
Schilling Thornberry
Schmidt Tiberi

Tipton Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Akin
Alexander
Wilton (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Sewell Sherman
Sires
Speier
Sutton
Thompson (MS)

Adams
Aderholt
Akin
Alexander
Amodei
Andrews
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs

Tierney Tonko
Towns
Tsongas
Van Hollen
Velázquez

Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Wolf
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo

Wasserman Schultz
Waxman
Wilson (FL)
Woolsey
Yarmuth

Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Capps
Capuano
Carnahan
Ryan (WI)
Sarbanes
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Walberg
Walden
Walsh (IL)
Walz (MN)
Waters
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Bachmann
Buchanan
Bucshon
Bartletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn

Lewis (CA)
Myrick
Napolitano

Olver
Paul
Shuler

So the amendment was not agreed to.

Slaughter
Stark

So the amendment was not agreed to.

NOT VOTING—18
Barton (TX) Culberson
Bass (CA) Filner
Butterfield Holden
Cardoza Lewis (CA)
Clarke (NY) Myrick
Coble Napolitano

So the amendment was not agreed to.

72.74 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. HAHN:

Page 7, line 13, after the first dollar amount, insert "(increased by \$10,000,000)".

Page 55, line 2, after the dollar amount, insert "(reduced by \$24,250,000)".

Page 55, line 4, after the dollar amount, insert "(reduced by \$24,250,000)".

It was decided in the { Yeas 156
negative } Nays 261

72.75 [Roll No. 350]

AYES—156
Ackerman Ellison
Altmire Engel
Amash Fattah
Baca Frank (MA)
Baldwin Fudge
Barrow Gallegly
Becerra Gohmert
Berkley Gonzalez
Berman Green, Al
Bishop (GA) Green, Gene
Bishop (NY) Grijalva
Blumenauer Grijalva
Bonamici Gutierrez
Brady (PA) Hahn
Brady (PA) Hanabusa
Braley (IA) Hastings (FL)
Brown (FL) Heinrich
Butterfield Higgins
Capps Himes
Capuano Hinchey
Carnahan Hinojosa
Carney Hirono
Carson (IN) Hochul
Castor (FL) Holt
Chandler Honda
Chu Hoyer
Cicilline Israel
Clarke (MI) Jackson (IL)
Clarke (NY) Jackson Lee
Clay (TX)
Cohen Johnson (GA)
Connolly (VA) Kaptur
Conyers Keating
Courtney Kildee
Crowley Kind
Cuellar Kucinich
Cummings Langevin
Davis (CA) Larsen (WA)
Davis (IL) Larson (CT)
DeFazio Lee (CA)
DeGette Levin
DeLauro Lewis (GA)
Deutch Lowey
Dicks Lujan
Dingell Lynch
Doggett Maloney
Donnelly (IN) Markey
Doyle Matheson

Matsui
McCarthy (NY)
McClintock
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rohrabacher
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano

Bass (CA)
Cardoza

72.76 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. HAHN:

Page 37, line 18, after the dollar amount insert "(increased by \$75,000,000)".

Page 55, line 2, after the dollar amount insert "(reduced by \$75,000,000)".

Page 55, line 4, after the dollar amount insert "(reduced by \$75,000,000)".

It was decided in the { Yeas 144
negative } Nays 273

72.77 [Roll No. 351]

AYES—144
Altmire Green, Gene
Baca Grijalva
Baldwin Gutierrez
Barrow Hahn
Becerra Hanabusa
Berkley Hastings (FL)
Berman Higgins
Bishop (GA) Himes
Bishop (NY) Hinchey
Blumenauer Hinojosa
Hurt Hirono
Ros-Lehtinen Brady (PA)
Roskam Braley (IA)
Ross (AR) Butterfield
Ross (FL) Holt
Rothman (NJ) Honda
Capps Hoyer
Capuano Israel
Carnahan Jackson Lee
Ryan (WI) (TX)
Sarbanes Johnson (GA)
Scalise Carson (IN)
Schilling Castor (FL)
Schmidt Chu
Schock Kind
Schweikert Kucinich
Scott (SC) Lance
Scott, Austin Langevin
Sensenbrenner Connolly (VA)
Sessions Larson (CT)
Shuster Conyers
Simpson Courtney
Smith (NE) Lewis (GA)
Smith (NJ) Cummings
Smith (TX) Davis (CA)
Smith (WA) Lowey
Southerland Davis (IL)
Stearns DeFazio
Stivers DeGette
Stutzman Matheson
Sullivan Thompson (MS)
Terry Dent
Thompson (CA) McCauly
Thompson (PA) McDermott
Thornberry Deutch
Tiberi Dicks
Walberg Dingell
Walden Doggett
Walsh (IL) Donnelly (IN)
Walz (MN) Doyle
Waters Ellison
Watt Fattah
Webster Fitzpatrick
Welch Frank (MA)
West Frelinghuysen
Westmoreland Gonzalez
Whitfield Green, Al

NOES—273

Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Bartletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Chaffetz
Chandler
Clarke (NY)
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy

NOT VOTING—14

Coble
Culberson
Filner
Holden

Table with 3 columns of names: Duncan (SC), Kinzinger (IL), Renacci, Barletta, Graves (MO), Palazzo, Ackerman, Frelinghuysen, Neal, etc.

Table with 3 columns of names: Barletta, Barrow, Green, Al, Paulsen, Pearce, Pence, Perlmutter, Peters, Peterson, Petri, etc.

Table with 3 columns of names: Palazzo, Ackerman, Frelinghuysen, Neal, Pallone, Pastor (AZ), Pelosi, etc.

Table with 3 columns of names: Bass (CA), Holden, Paul, Cardoza, Lewis (CA), Shuler, etc.

So the amendment was not agreed to.

72.78 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. POE of Texas:

Page 3, line 23, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 9, line 14, after the dollar amount, insert "(increased by \$10,000,000)".

It was decided in the Yeas 302 affirmative Nays 113

72.79 [Roll No. 352] AYES—302

Table with 3 columns of names: Adams, Altmire, Bachmann, Akin, Amodei, Bachus, Alexander, Austria, Baldwin, etc.

Table with 3 columns of names: Duncan (SC), Kinzinger (IL), Renacci, Barletta, Graves (MO), Palazzo, Ackerman, Frelinghuysen, Neal, etc.

Table with 3 columns of names: Adams, Burton (IN), Edwards, Aderholt, Calvert, Ellmers, Akin, Camp, Emerson, etc.

Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre

NOES—186

Ackerman
Andrews
Baca
Baldwin
Barletta
Barton (TX)
Bass (NH)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Buchanan
Burgess
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Davis (IL)
DeFazio
DeGette
DeLauro
DesJarlais
Deutch
Dicks

Dingell
Doggett
Doyle
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Hultgren
Hunter
Israel
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)

Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Scott (VA)
Scott, Austin
Serrano

Sevell
Sherman
Sires
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas

NOT VOTING—15

Bass (CA)
Cardoza
Coble
Culberson
Filner

So the amendment was agreed to.

72.82 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. Loretta SANCHEZ of California:

Page 11, line 21, after the dollar amount, insert “(reduced by \$40,000,000) (increased by \$40,000,000)”.

Page 13, line 24, after the dollar amount, insert “(reduced by \$40,000,000)”.

It was decided in the { Yeas 167
negative } Nays 249

72.83 [Roll No. 354]

AYES—167

Ackerman
Andrews
Baca
Baldwin
Becerra
Berkley
Berman
Biggart
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebbeck
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matsui
McCarthy (NY)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Richardson
Engel
Eshoo
Farr
Fattah
Frank (MA)

Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—249

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
E.
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)

NOT VOTING—15

Holden
Larsen (WA)
Lewis (CA)
Myrick
Napolitano

So the amendment was not agreed to.

72.84 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment

submitted by Ms. JACKSON LEE of Texas:

Page 15, line 23, after the dollar amount, insert "(reduced by \$61,000,000)".

Page 20, line 6, after the dollar amount, insert "(increased by \$50,000,000)".

It was decided in the { Yeas 60 negative } Nays 355

72.85

[Roll No. 355]

AYES—60

- Ackerman, Amash, Baldwin, Bishop (GA), Braley (IA), Carson (IN), Castor (FL), Clarke (NY), Fitzpatrick, Fudge, Garrett, Green, Al, Griffith (VA), Grijalva, Harris, Hastings (FL), Heinrich, Hinchey, Hirono, Holt, Honda, Jackson (IL), Jackson Lee, Cleaver (TX), Conyers, Davis (CA), Davis (IL), Ellison, Engel, Fitzpatrick, Fudge, Garrett, Green, Al, Griffith (VA), Grijalva, Mulvaney, Nadler, Polis, Price (GA), Quayle, Quigley, Rangel, Richmond, Sanchez, Linda T., Schweikert, Scott (VA), Southerland, Stutzman, Sutton, Thompson (MS), Towns, Walsh (IL), Welch, Young (FL)

NOES—355

- Adams, Aderholt, Akin, Alexander, Altmire, Amodei, Andrews, Austria, Baca, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Becerra, Benishek, Berg, Berkeley, Berman, Biggert, Bilbray, Bilirakis, Bishop (NY), Bishop (UT), Black, Blackburn, Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Boustany, Brady (PA), Brady (TX), Brooks, Broun (GA), Brown (FL), Buchanan, Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Butterfield, Calvert, Camp, Campbell, Canseco, Cantor, Capito, Capps, Capuano, Carnahan, Carney, Carter, Cassidy, Chabot, Chaffetz, Chandler, Chu, Cicilline, Clarke (MI), Clyburn, Coffman (CO), Cohen, Cole, Conaway, Connolly (VA), Cooper, Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Crowley, Cuellar, Davis (KY), DeFazio, DeGette, DeLauro, Denham, Dent, DesJarlais, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Bonamici, Donnelly (IN), Doyle, Dreier, Duffy, Duncan (SC), Duncan (TN), Edwards, Ellmers, Emerson, Eshoo, Farenthold, Farr, Fattah, Fincher, Fleming, Flores, Forbes, Fortenberry, Foy, Frank (MA), Franks (AZ), Frelinghuysen, Gallegly, Garamendi, Gardner, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Gonzalez, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Gene, Griffin (AR), Grimm, Guinta, Guthrie, Gutierrez, Hahn, Hahn, Hartzler, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Higgins, Himes, Hinojosa, Hochul, Hoyer, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Israel, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, E. B., Johnson, Sam, Jones, Kaptur, Keating, Kelly, Kildee, Kind, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Langevin, Lankford, Larson (CT), Latham, LaTourette, Latta, Miller (FL), Miller, Gary, Moran, Mulvaney, Nadler, Polis, Price (GA), Quayle, Quigley, Rangel, Richmond, Sanchez, Linda T., Schweikert, Scott (VA), Southerland, Stutzman, Sutton, Thompson (MS), Towns, Walsh (IL), Welch, Young (FL)

- Lewis (GA), Lipinski, LoBiondo, Loeb, Lofgren, Zoe, Long, Lowey, Lucas, Luetkemeyer, Lujan, Lummis, Lungren, Daniel E., Lynch, Mack, Manzullo, Marchant, Marino, Matheson, Matsui, McCarthy (CA), McCarthy (NY), McCaul, McClintock, McCollum, McCotter, McDermott, McGovern, McHenry, McIntyre, McKeon, McKinley, McMorris, Rodgers, McNeerney, Meehan, Miller (FL), Miller (MI), Miller, Gary, Miller, George, Moore, Moran, Murphy (CT), Murphy (PA), Neal, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Owens, Palazzo, Pallone, Pascrell, Pastor (AZ), Paulsen, Pearce, Pelosi, Pence, Perlmutter, Peters, Peterson, Petri, Pingree (ME), Pitts, Platts, Poe (TX), Pompeo, Posey, Price (NC), Raball, Reed, Rehberg, Reichert, Renacci, Reyes, Ribble, Richardson, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Rodgers, Ross (AR), Ross (FL), Rothman (NJ), Roybal-Allard, Royce, Runyan, Ruppberger, Rush, Ryan (OH), Ryan (WI), Sanchez, Loretta, Sarbanes, Scalise, Schakowsky, Schiff, Schilling, Schmidt, Schock, Schrader, Schwartz, Scott (SC), Scott, Austin, Scott, David, Sensenbrenner, Serrano, Sessions, Sewell, Sherman, Shimkus, Shuster, Simpson, Sires, Smith (NE), Smith (NJ), Smith (TX), Smith (WA), Speier, Stearns, Stivers, Sullivan, Terry, Thompson (CA), Thompson (PA), Thornberry, Tiberi, Tierney, Tipton, Tonko, Tsongas, Turner (NY), Turner (OH), Upton, Van Hollen, Velazquez, Visclosky, Walberg, Walden, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Webster, West, Westmoreland, Whitfield, Wilson (FL), Wilson (SC), Wittman, Wolf, Womack, Woodall, Woolsey, Yarmuth, Yoder, Young (AK), Young (IN)

NOT VOTING—16

- Bass (CA), Cardoza, Coble, Culberson, Cummings, Filner, Holden, Larsen (WA), Lewis (CA), Myrick, Napolitano, Oliver, Paul, Shuler, Slaughter, Stark

So the amendment was not agreed to.

72.86 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HIGGINS:

Page 37, line 18, after the dollar amount insert "(increased by \$58,000,000)".

Page 55, line 2, after the dollar amount insert "(reduced by \$58,000,000)".

Page 55, line 4, after the dollar amount insert "(reduced by \$58,000,000)".

It was decided in the { Yeas 150 negative } Nays 266

72.87

[Roll No. 356]

AYES—150

- Ackerman, Altmire, Andrews, Baca, Baldwin, Barrow, Bass (NH), Becerra, Berkeley, Berman, Bishop (GA), Bishop (NY), Blackburn, Bonamici, Brady (PA), Braley (IA), Brown (FL), Capps, Capuano, Carnahan, Carson (IN), Castor (FL), Chu, Cicilline, Clarke (MI), Clarke (NY), Clay, Cleaver, Cohen, Connolly (VA), Conyers, Cooper, Courtney, Cravaack, Criz, Cuellar, DesJarlais, Diaz-Balart, Dicks, Dreier, Duffy, Duncan (SC), Duncan (TN), Edwards, Ellmers, Emerson, Eshoo, Farenthold, Farr, Fattah, Fincher, Fleming, Flores, Forbes, Fortenberry, Foy, Frank (MA), Franks (AZ), Frelinghuysen, Gallegly, Garamendi, Gardner, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Gonzalez, Goodlatte, Gosar, Gowdy, Granger, Canseco, Cantor, Capito, Carter, Carney, Cassidy, Chabot, Chaffetz, Chandler, Clyburn, Coffman (CO), Cole, Conaway, Costa, Costello, Crawford, Crenshaw, Crowley, Davis (CA), Davis (KY), Denham, Dent, Hultgren, Hunter, Hurt, Israel, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, E. B., Johnson, Sam, Jones, Kaptur, Keating, Kelly, Kildee, Kind, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Langevin, Lankford, Larson (CT), Latham, LaTourette, Latta, Miller (FL), Miller, Gary, Moran, Mulvaney

- Cummings, Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dingell, Doggett, Donnelly (IN), Doyle, Ellison, Engel, Farr, Fincher, Fitzpatrick, Frank (MA), Graves (MO), Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hanna, Hastings (FL), Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Honda, Jackson (IL), Jackson Lee, Johnson (GA), Kaptur, Keating, Kildee, Kind, Kline, Kucinich, Langevin, Larson (CT), Levin, Lewis (GA), Lowey, Lynch, Maloney, Manzullo, Markey, Matheson, Matsui, McCaul, McCollum, McGovern, McIntyre, Meeks, Michaud, Miller (MI), Miller (NC), Moore, Murphy (CT), Nadler, Neal, Owens, Pallone, Pascrell, Pastor (AZ), Paulsen, Pelosi, Perlmutter, Peters, Pingree (ME), Quigley, Rahall, Reed, Reichert, Richardson, Richmond, Rigell, Rothman (NJ), Ruppberger, Rush, Ryan (OH), Sanchez, Linda T., Sanchez, Loretta, Sarbanes, Schakowsky, Schrader, Scott, David, Sensenbrenner, Serrano, Sewell, Sherman, Speier, Stivers, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Upton, Velazquez, Visclosky, Walz (MN), Wasserman, Waters, Watt, Welch, Wilson (FL), Yarmuth

NOES—266

- Adams, Aderholt, Akin, Alexander, Amash, Amodei, Andrews, Austria, Baca, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Becerra, Benishek, Berg, Berkeley, Berman, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Butterfield, Calvert, Camp, Campbell, Canseco, Cantor, Capito, Capps, Capuano, Carnahan, Carney, Carter, Cassidy, Chabot, Chaffetz, Chandler, Clyburn, Coffman (CO), Cole, Conaway, Costa, Costello, Crawford, Crenshaw, Crowley, Davis (CA), Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dicks, Israel, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, E. B., Johnson, Sam, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, Lee (CA), Lipinski, LoBiondo, Loeb, Lofgren, Zoe, Long, Lucas, Luetkemeyer, Lujan, Lummis, Lungren, Daniel E., Mack, Marchant, Marino, McCarthy (CA), McCarthy (NY), McClintock, McCotter, McDermott, McHenry, McKeon, McKinley, McMorris, Rodgers, McNeerney, Meehan, Herger, Miller (FL), Miller, Gary, Miller, George, Moran, Mulvaney

Murphy (PA)	Rogers (MI)	Stearns	Pelosi	Sanchez, Loretta	Thompson (MS)	Womack	Yoder	Young (FL)
Neugebauer	Rohrabacher	Stutzman	Peters	Sarbanes	Tierney	Woodall	Young (AK)	Young (IN)
Noem	Rokita	Sullivan	Pingree (ME)	Schakowsky	Tonko			
Nugent	Rooney	Terry	Polis	Schiff	Towns		NOT VOTING—20	
Nunes	Ros-Lehtinen	Thompson (PA)	Price (NC)	Schrader	Tsongas	Bass (CA)	Holden	Olver
Nunnelee	Roskam	Thornberry	Quigley	Schwartz	Turner (NY)	Cardoza	Kaptur	Paul
Olson	Ross (AR)	Tiberi	Rahall	Scott (VA)	Van Hollen	Carter	Larsen (WA)	Shuler
Palazzo	Ross (FL)	Tipton	Rangel	Scott, David	Velázquez	Coble	Lewis (CA)	Slaughter
Pearce	Roybal-Allard	Turner (NY)	Reyes	Serrano	Visclosky	Costa	Miller (FL)	Stark
Pence	Royce	Turner (OH)	Richmond	Sewell	Wasserman	Culberson	Myrick	Waters
Peterson	Runyan	Van Hollen	Rothman (NJ)	Sherman	Schultz	Filner	Napolitano	
Petri	Ryan (WI)	Walberg	Roybal-Allard	Shimkus				
Pitts	Scalise	Walden	Ruppersberger	Rush	Waxman			
Platts	Schiff	Walsh (IL)	Rush	Smith (WA)	Wilson (FL)			
Poe (TX)	Schilling	Waxman	Ryan (OH)	Speier	Woolsey			
Polis	Schmidt	Webster	Sánchez, Linda	Sutton	Yarmuth			
Pompeo	Schock	West	T.	Thompson (CA)				
Posey	Schwartz	Westmoreland						
Price (GA)	Schweikert	Whitfield						
Price (NC)	Scott (SC)	Wilson (SC)						
Quayle	Scott (VA)	Wittman	Adams	Garrett	Nunes			
Rangel	Scott, Austin	Wolf	Aderholt	Aderholt	Nunnelee			
Rehberg	Sessions	Womack	Akin	Gibbs	Olson			
Renacci	Shimkus	Woodall	Alexander	Gibson	Palazzo			
Reyes	Shuster	Woolsey	Altmire	Gingrey (GA)	Paulsen			
Ribble	Simpson	Yoder	Amash	Gohmert	Pearce			
Rivera	Smith (NE)	Young (AK)	Austria	Goodlatte	Pence			
Roby	Smith (NJ)	Young (FL)	Bachmann	Gosar	Perlmutter			
Roe (TN)	Smith (TX)	Young (IN)	Bachus	Gowdy	Peterson			
Rogers (AL)	Smith (WA)		Barletta	Granger	Petri			
Rogers (KY)	Southerland		Bartlett	Graves (GA)	Pitts			

NOT VOTING—15

Bass (CA)	Holden	Olver
Cardoza	Larsen (WA)	Paul
Coble	Lewis (CA)	Shuler
Culberson	Myrick	Slaughter
Filner	Napolitano	Stark

So the amendment was not agreed to.

¶72.88 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BISHOP of New York:

Page 55, line 3, after the dollar amount insert “(increased by \$75,000,000)”.

Page 55, line 4, after the dollar amount insert “(reduced by \$75,000,000)”.

It was decided in the { Yeas 166
negative } Nays 245

¶72.89 [Roll No. 357]

AYES—166

Ackerman	DeLauro	Johnson, E. B.
Amodei	Deutch	Jones
Andrews	Dicks	Keating
Baca	Dingell	Kildee
Baldwin	Doggett	Kind
Barrow	Donnelly (IN)	King (NY)
Becerra	Doyle	Kucinich
Berkley	Edwards	Langevin
Berman	Ellison	Larson (CT)
Bishop (GA)	Engel	Lee (CA)
Bishop (NY)	Eshoo	Levin
Blumenauer	Fattah	Lewis (GA)
Bonamici	Foxx	Lipinski
Brady (PA)	Frank (MA)	Lofgren, Zoe
Bralley (IA)	Fudge	Lowey
Brown (FL)	Gonzalez	Luján
Butterfield	Green, Al	Lynch
Capps	Green, Gene	Maloney
Capuano	Grijalva	Manzullo
Carnahan	Grimm	Markey
Carney	Gutierrez	Matheson
Castor (FL)	Hahn	Matsui
Chu	Hanabusa	McCarthy (NY)
Ciilline	Hanna	McDermott
Clarke (MI)	Hastings (FL)	McGovern
Clarke (NY)	Heinrich	McIntyre
Clyburn	Higgins	McNerney
Cohen	Himes	Meeks
Connolly (VA)	Hinchey	Michaud
Conyers	Hinojosa	Miller (NC)
Costello	Hirono	Miller, George
Courtney	Hochul	Moore
Critz	Holt	Moran
Crowley	Honda	Murphy (CT)
Cuellar	Hoyer	Nadler
Cummings	Israel	Neal
Davis (CA)	Jackson (IL)	Owens
Davis (IL)	Jackson Lee	Pallone
DeFazio	(TX)	Pascrell
DeGette	Johnson (GA)	Pastor (AZ)

NOES—245

Adams	Garrett	Nunes
Aderholt	Gerlach	Nunnelee
Akin	Gibbs	Olson
Alexander	Gibson	Palazzo
Altmire	Gingrey (GA)	Paulsen
Amash	Gohmert	Pearce
Austria	Goodlatte	Pence
Bachmann	Gosar	Perlmutter
Bachus	Gowdy	Peterson
Barletta	Granger	Petri
Bartlett	Graves (GA)	Pitts
Barton (TX)	Graves (MO)	Platts
Bass (NH)	Griffin (AR)	Poe (TX)
Benishek	Griffith (VA)	Pompeo
Berg	Guinta	Posey
Biggett	Guthrie	Price (GA)
Bilbray	Hall	Quayle
Bilirakis	Harper	Reed
Bishop (UT)	Harris	Rehberg
Black	Hartzler	Reichert
Blackburn	Hastings (WA)	Renacci
Bonner	Hayworth	Ribble
Bono Mack	Heck	Richardson
Boren	Hensarling	Rigell
Boswell	Herger	Riviera
Boustany	Herrera Beutler	Roby
Brady (TX)	Huelskamp	Roe (TN)
Brooks	Huizenga (MI)	Rogers (AL)
Broun (GA)	Hultgren	Rogers (KY)
Buchanan	Hunter	Rogers (MI)
Bucshon	Hurt	Rohrabacher
Buerkle	Issa	Rokita
Burgess	Jenkins	Rooney
Burton (IN)	Johnson (IL)	Ros-Lehtinen
Calvert	Johnson (OH)	Roskam
Camp	Johnson, Sam	Ross (AR)
Campbell	Jordan	Ross (FL)
Canseco	Kelly	Royce
Cantor	King (IA)	Runyan
Capito	Kingston	Ryan (WI)
Carson (IN)	Kinzinger (IL)	Scalise
Cassidy	Kissell	Schilling
Chabot	Kline	Schmidt
Chaffetz	Labrador	Schock
Chandler	Lamborn	Schweikert
Clay	Lance	Scott (SC)
Cleaver	Landry	Scott, Austin
Coffman (CO)	Lankford	Sensenbrenner
Cole	Latham	Sessions
Conaway	LaTourette	Shuster
Cooper	Latta	Simpson
Cravaack	LoBiondo	Smith (NE)
Crawford	Loeb sack	Smith (NJ)
Crenshaw	Long	Smith (TX)
Davis (KY)	Lucas	Southerland
Denham	Luetkemeyer	Stearns
Dent	Lummis	Stivers
DesJarlais	Lungren, Daniel	Stutzman
Diaz-Balart	E.	Sullivan
Dold	Mack	Terry
Dreier	Marchant	Thompson (PA)
Duffy	Marino	Thornberry
Duncan (SC)	McCarthy (CA)	Tiberi
Duncan (TN)	McCauly	Tipton
Ellmers	McClintock	Turner (OH)
Emerson	McCollum	Upton
Farenthold	McCotter	Walberg
Farr	McHenry	Walden
Fincher	McKeon	Walsh (IL)
Fitzpatrick	McKinley	Walz (MN)
Flake	McMorris	Watt
Fleischmann	Rodgers	Webster
Fleming	Meehan	Welch
Flores	Mica	West
Forbes	Miller (MI)	Westmoreland
Fortenberry	Miller, Gary	Whitfield
Franks (AZ)	Mulvaney	Wilson (SC)
Frelinghuysen	Murphy (PA)	Wittman
Galleghy	Neugebauer	Wolf
Garamendi	Noem	
Gardner	Nugent	

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. WESTMORELAND, assumed the Chair. When Mr. BASS of New Hampshire, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶72.90 S. 363—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WESTMORELAND, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 363) to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WESTMORELAND, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶72.91 S. 292—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WESTMORELAND, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 292) to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WESTMORELAND, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶72.92 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2061. An Act to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on the Judiciary.

¶72.93 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. COBLE, for today and balance of the week; and

To Mr. CULBERSON, for today after 10 p.m.

And then,

¶72.94 ADJOURNMENT

On motion of Mr. SCHOCK, at 11 o'clock and 48 minutes p.m., the House adjourned.

¶72.95 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SCOTT of South Carolina: Committee on Rules. House Resolution 679. Resolution providing for consideration of the bill (H.R. 436) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-518). Referred to the House Calendar.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4471. A bill to require analyses of the cumulative impacts of certain rules and actions of the Environmental Protection Agency that impact gasoline, diesel fuel, and natural gas prices, jobs, and the economy, and for other purposes (Rept. 112-519). Referred to the Committee of the Whole House on the state of the Union.

¶72.96 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LANKFORD:

H.R. 5900. A bill to modify the training requirements for certain fire departments applying for Federal grants; to the Committee on Science, Space, and Technology.

By Mr. JACKSON of Illinois (for himself, Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. LEWIS of Georgia, Ms. NORTON, Mr. CONYERS, Mr. HONDA, Ms. BASS of California, Ms. LEE of California, Mr. HASTINGS of Florida, Mr. RUSH, Ms. SCHAKOWSKY, Ms. WATERS, Ms. MOORE, Ms. FUDGE, Ms. JACKSON LEE of Texas, Mr. CLEAVER, and Ms. EDWARDS):

H.R. 5901. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage and to index future increases to such wage to increases in the consumer price index; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 5902. A bill to establish a Congressional Advisory Commission on the Implementation of United States Policy under the Taiwan Relations Act; to the Committee on Foreign Affairs.

By Mr. SAM JOHNSON of Texas:

H.R. 5903. A bill to amend the Internal Revenue Code of 1986 to treat recipients of the Korea Defense Service Medal as war veterans for purposes of determining whether contributions to posts and organizations of war veterans are charitable contributions; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. NADLER):

H.R. 5904. A bill to deter terrorism, provide justice for victims, and for other purposes; to the Committee on the Judiciary.

¶72.97 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 36: Mr. DOLD.
H.R. 104: Mr. YOUNG of Indiana.
H.R. 420: Mr. LANCE.
H.R. 456: Mr. CLEAVER.
H.R. 459: Mr. BOSWELL, Mr. DENT and Mr. CHANDLER.

H.R. 694: Mr. ISRAEL, Ms. BORDALLO, Ms. NORTON, Mr. MCGOVERN and Mr. DOLD.

H.R. 733: Mr. MATHESON.
H.R. 831: Mr. CHANDLER.
H.R. 860: Ms. HOCHUL and Mr. CRITZ.
H.R. 885: Mr. CHANDLER and Mr. CLARKE of Michigan.

H.R. 890: Mrs. LOWEY and Mrs. CHRISTENSEN.

H.R. 904: Mr. HUIZENGA of Michigan, Mr. CRITZ, Mrs. MILLER of Michigan, and Mr. DONNELLY of Indiana.

H.R. 942: Ms. JENKINS, Mr. HULTGREN, Mr. YOUNG of Alaska and Mr. SCHRADER.

H.R. 1001: Mr. CLEAVER.
H.R. 1006: Mr. TURNER of New York.

H.R. 1057: Mr. RUPPERSBERGER and Mr. DOLD.

H.R. 1161: Mr. LANDRY.
H.R. 1259: Mr. UPTON, Mr. DENHAM and Mr. MATHESON.

H.R. 1265: Mr. HEINRICH, Mr. ROKITA and Mr. SCHWEIKERT.

H.R. 1321: Mr. POE of Texas and Mrs. MYRICK.

H.R. 1340: Mr. CARDOZA.
H.R. 1356: Mr. CHANDLER.

H.R. 1418: Mr. REYES.
H.R. 1488: Mr. CARNAHAN.

H.R. 1498: Mr. GRIFFIN of Arkansas, Mr. JOHNSON of Georgia, Mr. HINCHEY, Mr. WAXMAN, Mr. CRENSHAW, Mr. MCGOVERN, Mr. DAVIS of Illinois, Mr. MICHAUD and Mr. PETERSON.

H.R. 1511: Mr. PERLMUTTER.
H.R. 1639: Mr. MANZULLO.

H.R. 1681: Mr. CARNAHAN.
H.R. 1700: Mr. POE of Texas.

H.R. 1704: Mrs. BACHMANN.
H.R. 1774: Ms. CASTOR of Florida and Mr. CARNAHAN.

H.R. 1789: Mr. MCINTYRE.
H.R. 1860: Mr. MARINO.

H.R. 1956: Mr. REICHERT.
H.R. 1960: Mr. BILBRAY.

H.R. 1964: Mr. PALAZZO.
H.R. 2077: Mrs. HARTZLER and Mr. GIBBS.

H.R. 2088: Ms. KAPTUR.
H.R. 2194: Mr. STARK and Mr. DOGGETT.

H.R. 2198: Ms. JENKINS, Mr. CRAWFORD, Mr. ROGERS of Michigan, Mr. KLINE, and Mr. ALTMIRE.

H.R. 2268: Mr. FARR.
H.R. 2466: Mr. FARENTHOLD.

H.R. 2499: Mr. JOHNSON of Georgia and Mr. RYAN of Ohio.

H.R. 2655: Mr. YOUNG of Alaska and Mr. OLVER.

H.R. 2700: Mr. KINZINGER of Illinois.

H.R. 2721: Mr. ANDREWS, Mr. FATTAH and Mr. ELLISON.

H.R. 2746: Ms. ZOE LOFGREN of California and Mr. ENGEL.

H.R. 2751: Mr. POE of Texas.

H.R. 2770: Mr. PERLMUTTER.

H.R. 2774: Mr. MILLER of Florida.

H.R. 2775: Mr. ELLISON.

H.R. 2787: Mr. CHANDLER.

H.R. 2810: Mr. AKIN.

H.R. 2866: Mr. PRICE of North Carolina.

H.R. 2962: Mr. ALTMIRE and Mr. POE of Texas.

H.R. 2970: Mr. CHANDLER.

H.R. 2978: Mr. GIBBS.

H.R. 3059: Mr. MCDERMOTT.

H.R. 3106: Mr. OLVER.

H.R. 3173: Mr. RIGELL and Mr. PALAZZO.

H.R. 3187: Mr. MEEHAN and Mr. MARKEY.

H.R. 3279: Mr. MICHAUD.

H.R. 3300: Mr. HASTINGS of Florida.

H.R. 3341: Mrs. BONO MACK and Mr. BUTTERFIELD.

H.R. 3352: Mr. POE of Texas.

H.R. 3506: Mr. ROSKAM.

H.R. 3614: Ms. BONAMICI.

H.R. 3620: Mrs. CHRISTENSEN.

H.R. 3624: Ms. SLAUGHTER.

H.R. 3627: Mr. NUNNELEE, Mr. CAPUANO, Mr. CASSIDY and Mr. VISCLOSKEY.

H.R. 3643: Mr. CARNEY and Mr. BISHOP of New York.

H.R. 3656: Mr. LATHAM.

H.R. 3849: Mr. LATHAM.

H.R. 3860: Ms. SLAUGHTER.

H.R. 3891: Mr. HONDA and Mr. ROTHMAN of New Jersey.

H.R. 4070: Mr. CICILLINE and Mrs. NAPOLITANO.

H.R. 4076: Mr. LONG.

H.R. 4100: Mrs. CAPPs.

H.R. 4134: Mr. PALLONE.

H.R. 4169: Mr. CROWLEY.

H.R. 4171: Mrs. SCHMIDT, Mr. POSEY, Mr. YOUNG of Alaska, Mr. MCCLINTOCK, Mr. PRICE of Georgia, Mr. BISHOP of Utah and Mr. PEARCE.

H.R. 4173: Mr. CLAY.

H.R. 4223: Mr. PENCE.

H.R. 4227: Mr. ALTMIRE and Mrs. DAVIS of California.

H.R. 4251: Ms. RICHARDSON.

H.R. 4255: Mr. SHIMKUS.

H.R. 4259: Mr. CLARKE of Michigan.

H.R. 4269: Mr. MICHAUD.

H.R. 4277: Ms. CLARKE of New York.

H.R. 4336: Mr. PAUL.

H.R. 4345: Mr. PALAZZO.

H.R. 4367: Mr. CLARKE of Michigan, Ms. BUERKLE, Mr. SHULER, Mr. HANNA, Mrs. MILLER of Michigan, Mr. DINGELL, Mr. REYES, Mr. TURNER of Ohio and Mr. UPTON.

H.R. 4377: Mrs. ADAMS.

H.R. 4381: Mr. LATHAM, Mr. CONAWAY, Mr. REED and Mr. GRIFFIN of Arkansas.

H.R. 4382: Mr. NUNNELEE, Mr. LATHAM and Mr. REED.

H.R. 4383: Mr. NUNNELEE, Ms. FOXX and Mr. LATHAM.

H.R. 4405: Mr. SIREs and Mr. HARRIS.

H.R. 4408: Mr. RUPPERSBERGER.

H.R. 4471: Mr. CONAWAY, Mr. REED, Mr. LATHAM, Mr. NUNNELEE, Ms. FOXX and Mr. DUNCAN of South Carolina.

H.R. 4480: Mr. REED, Mrs. CAPITO and Ms. JENKINS.

H.R. 4484: Mr. LABRADOR.

H.R. 4965: Mr. KLINE.

H.R. 5050: Mr. ELLISON.

H.R. 5186: Mr. GRJALVA.

H.R. 5630: Mr. KLINE.

H.R. 5707: Mr. CARNEY.

H.R. 5738: Mr. UPTON.

H.R. 5741: Mr. AMODEI.

H.R. 5781: Mr. CLAY.

H.R. 5839: Mr. WEST.

H.R. 5872: Mr. KLINE and Mr. SHUSTER.

H.J. Res. 103: Mr. ADERHOLT.

H. J. Res. 110: Mr. WITTMAN.
 H. Con. Res. 114: Mr. GRIFFITH of Virginia.
 H. Con. Res. 116: Ms. JENKINS.
 H. Con. Res. 122: Mr. SESSIONS.
 H. Con. Res. 127: Mr. CASSIDY, Mr. MATHE-
 SON, Mr. LANCE and Mrs. MYRICK.
 H. Res. 134: Mr. WITTMAN.
 H. Res. 289: Ms. NORTON, Mr. SIREN and Mr.
 ENGEL.

H. Res. 397: Ms. LORETTA SANCHEZ of Cali-
 fornia.

H. Res. 506: Mr. GARRETT.

H. Res. 609: Mr. ROTHMAN of New Jersey
 and Mr. LANKFORD.

H. Res. 613: Mrs. LOWEY, Mr. VISCLOSKEY,
 Ms. KAPTUR, Mr. HONDA, Mr. PASTOR of Ari-
 zona, Mr. FARR, Mr. OLVER, Ms. ROYBAL-
 ALLARD, Mr. SERRANO, Mr. SCHIFF, Ms.
 MCCOLLUM, Ms. LEE of California, Mr. CUL-
 BERSON, Mr. LATOURETTE, Mr. SIMPSON and
 Mr. DICKS.

H. Res. 618: Mr. CICILLINE, Mr. POMPEO, Mr.
 TURNER of Ohio, Mr. HASTINGS of Florida,
 Mr. REYES, Mr. CARNAHAN and Mr. CRITZ.

H. Res. 651: Ms. LEE of California and Mr.
 HASTINGS of Florida.

H. Res. 660: Mr. STARK and Mr. GRIJALVA.

H. Res. 662: Mrs. ELLMERS and Mr.
 CANSECO.

H. Res. 663: Mr. McCAUL, Mr. SCHOCK, Mr.
 HEINRICH and Mr. FRANK of Massachusetts.

THURSDAY, JUNE 7, 2012 (73)

¶73.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10
 a.m. by the SPEAKER pro tempore,
 Mr. BARTON of Texas, who laid before
 the House the following communica-
 tion:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 June 7, 2012.

I hereby appoint the Honorable JOE BAR-
 TON to act as Speaker pro tempore on this
 day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of
 the House of January 17, 2012, Members
 were recognized for morning-hour de-
 bate.

¶73.2 RECESS—10:37 A.M.

The SPEAKER pro tempore, Mr.
 BARTON of Texas, pursuant to clause
 12(a) of rule I, declared the House in re-
 cess at 10 o'clock and 37 minutes a.m.,
 until noon.

¶73.3 AFTER RECESS—NOON

The SPEAKER called the House to
 order.

¶73.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had ex-
 amined and approved the Journal of
 the proceedings of Wednesday, June 6,
 2012.

Pursuant to clause 1 of rule I, the
 Journal was approved.

¶73.5 COMMUNICATIONS

Executive and other communica-
 tions, pursuant to clause 8 of rule XII,
 were referred as follows:

6362. A letter from the Assistant General
 Counsel for Legislation, Regulation and En-
 ergy Efficiency, Department of Energy,
 transmitting the Department's final rule —
 Energy Conservation Program: Test Proce-

dures for Electric Motors and Small Electric
 Motors [Docket No.: EERE-2008-BT-TP-0008]
 (RIN: 1904-AC05) received May 7, 2012, pursu-
 ant to 5 U.S.C. 801(a)(1)(A); to the Committee
 on Energy and Commerce.

6363. A letter from the Chief, Policy and
 Rules, OET, Federal Communications Com-
 mission, transmitting the Commission's
 final rule — Unlicensed Operation in the TV
 Broadcast Bands; Additional Spectrum for
 Unlicensed Devices Below 900 MHz and in the
 3 GHz Band [ET Docket No. 04-186; ET Dock-
 et No. 02-380] received May 9, 2012, pursu-
 ant to 5 U.S.C. 801(a)(1)(A); to the Committee
 on Energy and Commerce.

6364. A letter from the General Counsel,
 Federal Energy Regulatory Commission,
 transmitting the Commission's final rule —
 Transmission Planning Reliability Stand-
 ards [Docket No.: RM11-18-000; Order No. 762]
 received May 15, 2012, pursuant to 5 U.S.C.
 801(a)(1)(A); to the Committee on Energy and
 Commerce.

6365. A letter from the Director, Office of
 Congressional Affairs, Nuclear Regulatory
 Commission, transmitting the Commission's
 final rule — Access Authorization Fees
 [NRC-2011-0161] (RIN: 3150-AJ00) received
 May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A);
 to the Committee on Energy and Commerce.

6366. A letter from the Director, Office of
 Congressional Affairs, Nuclear Regulatory
 Commission, transmitting the Commission's
 final rule — Aging Management of Stainless
 Steel Structures and Components in Treated
 Borated Water [LR-ISG-2011-01] received May
 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A);
 to the Committee on Energy and Commerce.

6367. A letter from the Director, Office of
 Congressional Affairs, Nuclear Regulatory
 Commission, transmitting the Commission's
 final rule — Filing a Renewed License Appli-
 cation [Docket No.: PRM-54-6; NRC-2010-0291]
 received May 16, 2012, pursuant to 5 U.S.C.
 801(a)(1)(A); to the Committee on Energy and
 Commerce.

6368. A letter from the General Counsel,
 Federal Retirement Thrift Investment
 Board, transmitting the Board's final rule —
 Roth Feature to the Thrift Savings Plan and
 Miscellaneous Uniformed Services Account
 Amendments received May 1, 2012, pursuant
 to 5 U.S.C. 801(a)(1)(A); to the Committee on
 Oversight and Government Reform.

6369. A letter from the Senior Procurement
 Executive/Deputy Chief Acquisition Officer,
 General Services Administration, transmit-
 ting the Administration's final rule — Fed-
 eral Acquisition Regulation; Prohibition on
 Contracting with Inverted Domestic Cor-
 porations [FAC 2005-59; FAR Case 2012-013;
 Item I; Docket 2012-0013, Sequence 1] (RIN:
 9000-AM22) received May 16, 2012, pursuant
 to 5 U.S.C. 801(a)(1)(A); to the Committee on
 Oversight and Government Reform.

6370. A letter from the Senior Procurement
 Executive/Deputy Chief Acquisition Officer,
 General Services Administration, transmit-
 ting the Administration's final rule — Fed-
 eral Acquisition Regulation; Revision of Cost
 Accounting Standards Threshold [FAC 2005-
 59; FAR Case 2012-003; Item III; Docket 2012-
 0003, Sequence 1] (RIN: 9000-AM25) received
 May 16, 2012, pursuant to 5 U.S.C.
 801(a)(1)(A); to the Committee on Oversight
 and Government Reform.

6371. A letter from the Senior Procurement
 Executive/Deputy Chief Acquisition Officer,
 General Services Administration, transmit-
 ting the Administration's final rule — Fed-
 eral Acquisition Regulation; Free Trade
 Agreement-Columbia [FAC 2005-9; FAR Case
 2012-012; Item II Docket 2012-0012, Sequence 1]
 (RIN: 9000-AM24) received May 16, 2012, pur-
 suant to 5 U.S.C. 801(a)(1)(A); to the Com-
 mittee on Oversight and Government Re-
 form.

6372. A letter from the Senior Procurement
 Executive/Deputy Chief Acquisition Officer,

General Services Administration, transmit-
 ting the Administration's final rule — Fed-
 eral Acquisition Regulation; Federal Acqui-
 sition Circular 2005-59; Introduction [Docket
 FAR 2012-0080, Sequence 4] received May 4,
 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the
 Committee on Oversight and Government
 Reform.

6373. A letter from the Attorney-Advisor,
 Department of Homeland Security, transmit-
 ting the Department's final rule — Special
 Local Regulation for Marine Events; Tem-
 porary Change of Dates for Recurring Marine
 Events in the Fifth Coast Guard District,
 Ocean City Maryland Offshore Grand Prix,
 Ocean City, MD [Docket No.: USCG-2012-0046]
 (RIN: 1625-AA08) received May 14, 2012, pur-
 suant to 5 U.S.C. 801(a)(1)(A); to the Committee
 on Transportation and Infrastructure.

6374. A letter from the Attorney-Advisor,
 Department of Homeland Security, transmit-
 ting the Department's final rule — Special
 Local Regulation; Wy-Hi Rowing Regatta,
 Trenton Channel; Detroit River, Wyandotte,
 MI [Docket No.: USCG-2012-0342] (RIN: 1625-
 AA08) received May 14, 2012, pursuant to 5
 U.S.C. 801(a)(1)(A); to the Committee on
 Transportation and Infrastructure.

6375. A letter from the Attorney, Depart-
 ment of Homeland Security, transmitting
 the Department's final rule — Safety Zone;
 Crowley Barge 750-2; Bayou Casotte;
 Pascagoula, MS [Docket No.: USCG-2012-0190]
 (RIN: 1625-AA00) received May 14, 2012, pur-
 suant to 5 U.S.C. 801(a)(1)(A); to the Committee
 on Transportation and Infrastructure.

6376. A letter from the Attorney-Advisor,
 Department of Homeland Security, transmit-
 ting the Department's final rule — Special
 Local Regulation; Smokin the Lake; Gulf-
 port Lake; Gulfport, MS [Docket No.: USCG-
 2012-0168] (RIN: 1625-AA08) received May 14,
 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the
 Committee on Transportation and Infra-
 structure.

6377. A letter from the Senior Program An-
 alyst, Department of Transportation, trans-
 mitting the Department's final rule — Re-
 moval of Category IIIa, IIIb, and IIIc Defini-
 tions; Delay of Effective Date and Reopening
 of Comment Period [Docket No.: FAA-2012-
 0019; Amdt. No. 1-67] (RIN: 2120-AK03) re-
 ceived May 15, 2012, pursuant to 5 U.S.C.
 801(a)(1)(A); to the Committee on Transpor-
 tation and Infrastructure.

6378. A letter from the Regulatory Ombuds-
 man, Department of Transportation, trans-
 mitting the Department's final rule —
 Amendment to Agency Rules of Practice
 [Docket No.: FMCSA-2011-0259] (RIN: 2126-
 AB38) received May 1, 2012, pursuant to 5
 U.S.C. 801(a)(1)(A); to the Committee on
 Transportation and Infrastructure.

6379. A letter from the Director of Regula-
 tion Policy and Management, Office of Gen-
 eral Counsel, Department of Veterans Af-
 fairs, transmitting the Department's final
 rule — Copayments for Medications in 2012
 (RIN: 2900-AO28) May 9, 2012, pursuant to 5
 U.S.C. 801(a)(1)(A); to the Committee on Vet-
 erans' Affairs.

6380. A letter from the Chief, Publications
 and Regulations, Internal Revenue Service,
 transmitting the Service's final rule — Sec-
 tion 42 Qualified Contract Provisions [TD
 9587] (RIN: 1545-BD20) received May 4, 2012,
 pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
 mittee on Ways and Means.

¶73.6 PROVIDING FOR CONSIDERATION OF H.R. 436 AND H.R. 5882

Mr. SCOTT of South Carolina, by di-
 rection of the Committee on Rules,
 called up the following resolution (H.
 Res. 679):

Resolved, That upon the adoption of this
 resolution it shall be in order to consider in

the House the bill (H.R. 436) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-23, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) 90 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and except pro forma amendments offered at any time by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Mr. SCOTT of South Carolina, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mr. GARDNER, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 240 affirmative } Nays 179

¶73.7 [Roll No. 358] YEAS—240

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

NAYS—179

- Ackerman Blumenauer Carney
Altmire Bonamici Carson (IN)
Andrews Boswell Castor (FL)
Baca Brady (PA) Chandler
Barrow Braley (IA) Chu
Becerra Brown (FL) Cicilline
Berkley Butterfield Clarke (MI)
Berman Capps Clarke (NY)
Bishop (GA) Capuano Clay
Bishop (NY) Carnahan Cleaver

- Clyburn Israel Price (NC)
Cohen Jackson (IL) Quigley
Connolly (VA) Jackson Lee Rahall
Conyers (TX) Rangel
Cooper Johnson (GA) Reyes
Costa Johnson, E. B. Richardson
Costello Kaptur Richmond
Courtney Keating Ross (AR)
Critz Kildee Rothman (NJ)
Crowley Kind Roybal-Allard
Cuellar King (IA) Ruppertsberger
Cummings Langevin Rush
Davis (CA) Larsen (WA) Ryan (OH)
Davis (IL) Larson (CT) Sánchez, Linda
DeFazio Lee (CA) T.
DeGette Levin Sanchez, Loretta
Pitts Lewis (GA) Sarbanes
DeLauro Deutch Lipinski Sarbanes
Deutch Loebsack Schakowsky
Dicks Lofgren, Zoe Schiff
Dingell Lowey Schrader
Doggett Lowey Schwartz
Donnelly (IN) Luján Scott (VA)
Doyle Lynch Scott, David
Edwards Maloney Serrano
Ellison Markey Sewell
Engel Matsui Sherman
Eshoo McCarthy (NY) Sires
Farr McCollum Smith (WA)
Fattah McDermott Speier
Frank (MA) McGovern Stark
Fudge McNerney Sutton
Garamendi Meeks Thompson (CA)
Gonzalez Michaud Thompson (MS)
Green, Al Miller (NC) Tierney
Green, Gene Miller, George Tonko
Grijalva Moore Towns
Gutierrez Moran Tsongas
Hahn Murphy (CT) Van Hollen
Hanabusa Nadler Velázquez
Hastings (FL) Napolitano Visclosky
Heinrich Neal Walz (MN)
Higgins Oliver Wasserman
Himes Owens Pallone Schultz
Hincheay Pallone Waters
Hinojosa Pascrell Watt
Hirono Pastor (AZ) Waxman
Hochul Pelosi Welch
Holden Perlmutter Wilson (FL)
Holt Peters Womsey
Honda Pingree (ME) Yarmuth
Hoyer Polis

NOT VOTING—12

- Baldwin Coble Marino
Bass (CA) Filner Paul
Bilirakis Kucinich Shuler
Cardoza Lewis (CA) Slaughter

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. GARDNER, announced that the yeas had it.

Mr. POLIS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 241 affirmative } Nays 173

¶73.8 [Roll No. 359] AYES—241

- Adams Black Canseco
Aderholt Blackburn Cantor
Alexander Bonner Capito
Amash Bono Mack Carter
Amodei Boren Cassidy
Austria Boustany Chabot
Bachmann Brady (TX) Chaffetz
Bachus Brooks Coffman (CO)
Barletta Broun (GA) Cole
Bartlett Buchanan Conaway
Bass (NH) Bucshon Cravaack
Benishek Buerkle Crawford
Berg Burgess Crenshaw
Biggart Burton (IN) Culberson
Bilbray Bilbray Davis (KY)
Bishop (GA) Camp Denham
Bishop (UT) Campbell Dent

DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huiuzenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly

King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landrud
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg

Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—173

Ackerman
Altmire
Andrews
Baca
Barrow
Becerra
Berkley
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa

Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich

Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeback
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey

Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)

Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell

Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Akin
Baldwin
Barton (TX)
Bass (CA)
Berman
Bilirakis

Cardoza
Coble
Duncan (SC)
Filner
Kucinich
Lewis (CA)

Marino
Paul
Shuler
Slaughter
Waters

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶73.9 PROTECT MEDICAL INNOVATION

Mr. CAMP, pursuant to House Resolution 679, called up for consideration the bill (H.R. 436) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

Pending consideration of said bill,

Pursuant to House Resolution 679, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, the following amendment in the nature of a substitute, consisting of the text of Rules Committee Print 112-23, was considered as agreed to:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Health Care Cost Reduction Act of 2012”.

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

- Sec. 1. Short title; table of contents.
Sec. 2. Repeal of medical device excise tax.
Sec. 3. Repeal of disqualification of expenses for over-the-counter drugs under certain accounts and arrangements.
Sec. 4. Taxable distributions of unused balances under health flexible spending arrangements.
Sec. 5. Recapture of overpayments resulting from certain federally-subsidized health insurance.

SEC. 2. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of such Code is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E.

SEC. 3. REPEAL OF DISQUALIFICATION OF EXPENSES FOR OVER-THE-COUNTER DRUGS UNDER CERTAIN ACCOUNTS AND ARRANGEMENTS.

(a) HSAs.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) ARCHER MSAs.—Subparagraph (A) of section 220(d)(2) of such Code is amended by striking the last sentence.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of such Code is amended by striking subsection (f).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses incurred after December 31, 2012.

SEC. 4. TAXABLE DISTRIBUTIONS OF UNUSED BALANCES UNDER HEALTH FLEXIBLE SPENDING ARRANGEMENTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by redesignating subsections (k) and (l) as subsections (l) and (m), respectively, and by inserting after subsection (j) the following new subsection:

“(k) TAXABLE DISTRIBUTIONS OF UNUSED BALANCES UNDER HEALTH FLEXIBLE SPENDING ARRANGEMENTS.—

“(1) IN GENERAL.—For purposes of this section and sections 105(b) and 106, a plan or other arrangement which (but for any qualified distribution) would be a health flexible spending arrangement shall not fail to be treated as a cafeteria plan or health flexible spending arrangement (and shall not fail to be treated as an accident or health plan) merely because such arrangement provides for qualified distributions.

“(2) QUALIFIED DISTRIBUTIONS.—For purposes of this subsection, the term ‘qualified distribution’ means any distribution to an individual under the arrangement referred to in paragraph (1) with respect to any plan year if—

“(A) such distribution is made after the last date on which requests for reimbursement under such arrangement for such plan year may be made and not later than the end of the 7th month following the close of such plan year, and

“(B) such distribution does not exceed the lesser of—

- “(i) \$500, or
“(ii) the excess of—

“(I) the salary reduction contributions made under such arrangement for such plan year, over

“(II) the reimbursements for expenses incurred for medical care made under such arrangement for such plan year.

“(3) TAX TREATMENT OF QUALIFIED DISTRIBUTIONS.—Qualified distributions shall be includable in the gross income of the employee in the taxable year in which distributed and shall be taken into account as wages or compensation under the applicable provisions of subtitle C when so distributed.

“(4) COORDINATION WITH QUALIFIED RESERVIST DISTRIBUTIONS.—A qualified reservist distribution (as defined in subsection (h)(2)) shall not be treated as a qualified distribution and shall not be taken into account in applying the limitation of paragraph (2)(B)(i).”.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 409A(d) of such Code is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, and”, and by adding at the end the following new subparagraph:

“(C) a health flexible spending arrangement to which subsection (h) or (k) of section 125 applies.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2012.

SEC. 5. RECAPTURE OF OVERPAYMENTS RESULTING FROM CERTAIN FEDERALLY-SUBSIDIZED HEALTH INSURANCE.

(a) IN GENERAL.—Paragraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) CONFORMING AMENDMENT.—So much of paragraph (2) of section 36B(f) of such Code, as amended by subsection (a), as precedes "advance payments" is amended to read as follows:

"(2) EXCESS ADVANCE PAYMENTS.—If the".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2013.

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 679, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill were postponed.

73.10 RECESS—4:07 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 7 minutes p.m., for a period of less than 15 minutes.

73.11 AFTER RECESS—4:21 P.M.

The SPEAKER pro tempore, Mr. BASS of New Hampshire, called the House to order.

73.12 PROTECT MEDICAL INNOVATION

The SPEAKER pro tempore, Mr. BASS of New Hampshire, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 436) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

Mr. BISHOP of New York, moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Page 1, after line 8, insert the following:

(b) PROHIBITING TAX BENEFITS FOR COMPANIES THAT OUTSOURCE AMERICAN JOBS.—

(1) IN GENERAL.—The amendment made by subsection (a) shall not apply to any sale of a taxable medical device by the manufacturer, producer, or importer which outsourced American jobs during the testing period with respect to such sale.

(2) DETERMINATION OF OUTSOURCED AMERICAN JOBS.—For purposes of paragraph (1), American jobs are outsourced by a manufacturer, producer, or importer, as the case may be, during a testing period if the manufacturer, producer, or importer has fewer full-time equivalent employees in the United States on the last day of the testing period as compared to the first day of the testing period and has an increase in the full-time equivalent employees outside the United States on the last day of the testing period as compared to the first day of the testing period.

(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

(A) TESTING PERIOD.—The testing period with respect to a sale is the calendar year in which the date of sale occurs.

(B) EMPLOYEES OUTSIDE THE UNITED STATES.—An employee shall be treated as

employed by the employer outside the United States whether employed directly or indirectly through a controlled foreign corporation (as defined in section 957) or a pass-through entity in which the taxpayer holds at least 50 percent of the capital or profits interest.

(C) EXCEPTION FOR EMPLOYEES SEPARATED VOLUNTARILY OR FOR CAUSE.—The number of full-time equivalent employees shall be determined without regard to any employee separated from employment voluntarily or for cause.

(4) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out this subsection, including regulations or guidance on employer aggregation, mergers and acquisitions, and dispositions of an employer and rules regarding the payment date for taxes owed if the offshoring occurs after the date of a sale.

Page 1, line 9, strike "(b)" and insert "(c)".

Page 2, line 1, strike "(c)" and insert "(d)".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the nays had it.

Mr. BISHOP of New York, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 179 negative } Nays 239

73.13 [Roll No. 360]

YEAS—179

- Ackerman DeGette Kildee
Altmire DeLauro Kind
Andrews Deutch Kissell
Baca Dicks Langevin
Becerra Dingell Larsen (WA)
Berkley Doggett Larson (CT)
Berman Doyle Lee (CA)
Bishop (GA) Duncan (TN) Levin
Bishop (NY) Edwards Lewis (GA)
Blumenauer Ellison Lipinski
Bonamici Engel Loeb sack
Boswell Eshoo Lofgren, Zoe
Brady (PA) Farr Lowey
Braley (IA) Fattah Lujan
Brown (FL) Frank (MA) Lynch
Butterfield Fudge Maloney
Capps Garamendi Markey
Capuano Gonzalez Matsui
Cardoza Green, Al McCarthy (NY)
Carnahan Green, Gene McCollum
Carney Grijalva McDermott
Carson (IN) Gutierrez McGovern
Castor (FL) Hahn McIntyre
Chandler Hanabusa McNerney
Chu Heinrich Meeks
Cicilline Higgins Michaud
Clarke (MI) Himes Miller (NC)
Clarke (NY) Hinchey Miller, George
Clay Hinojosa Moore
Cleaver Hirono Moran
Clyburn Hochul Murphy (CT)
Cohen Holden Nadler
Connolly (VA) Holt Napolitano
Conyers Honda Neal
Costa Hoyer Oliver
Costello Israel Owens
Courtney Jackson (IL) Pallone
Critz Jackson Lee Pascrell
Crowley (TX) Pastor (AZ)
Cuellar Johnson (GA) Pelosi
Cummings Johnson, E. B. Perlmutter
Davis (CA) Jones Peters
Davis (IL) Kaptur Peterson
DeFazio Keating Pingree (ME)

- Polis Schakowsky Tonko
Price (NC) Schiff Towns
Quigley Schrader Tsongas
Rahall Schwartz Van Hollen
Rangel Scott (VA) Velázquez
Reyes Scott, David Visclosky
Richardson Serrano Walz (MN)
Richmond Sewell Wasserman
Rothman (NJ) Sherman Schultz
Roybal-Allard Sires Waters
Ruppersberger Smith (WA) Watt
Rush Speier Waxman
Ryan (OH) Stark Welch
Sanchez, Linda Sutton Wilson (FL)
T. Thompson (CA) Woolsey
Sanchez, Loretta Thompson (MS) Yarmuth
Sarbanes Tierney

NAYS—239

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

NOT VOTING—13

Akin	Filner	Paul
Baldwin	Hastings (FL)	Shuler
Bass (CA)	Kucinich	Slaughter
Bilirakis	Lewis (CA)	
Coble	Marino	

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the yeas had it.

Mr. LEVIN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the	{	Yeas	270
affirmative	{	Nays	146

¶73.14 [Roll No. 361]

YEAS—270

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

Renacci	Scott (SC)
Ribble	Scott, Austin
Rigell	Sensenbrenner
Rivera	Sessions
Robby	Sewell
Roe (TN)	Shimkus
Rogers (AL)	Shuster
Rogers (KY)	Simpson
Rogers (MI)	Smith (NE)
Rohrabacher	Smith (NJ)
Rokita	Smith (TX)
Rooney	Southerland
Ros-Lehtinen	Speier
Roskam	Stearns
Ross (AR)	Stivers
Ross (FL)	Stutzman
Royce	Sullivan
Runyan	Sutton
Ryan (WI)	Terry
Scalise	Thompson (PA)
Schilling	Thornberry
Schock	Tiberi
Schweikert	Tipton

NAYS—146

Ackerman	Green, Al
Andrews	Green, Gene
Baca	Grijalva
Becerra	Gutierrez
Berkley	Hahn
Berman	Hanabusa
Blumenauer	Heinrich
Bonamici	Himes
Brady (PA)	Hinche
Braley (IA)	Hinojosa
Brown (FL)	Hirono
Butterfield	Holt
Capps	Honda
Capuano	Hoyer
Carnahan	Israel
Carney	Jackson (IL)
Carson (IN)	Jackson Lee
Castor (FL)	(TX)
Chu	Johnson (GA)
Cicilline	Johnson, E. B.
Clarke (MI)	Kaptur
Clarke (NY)	Kildee
Clay	Langevin
Cleaver	Larsen (WA)
Clyburn	Larson (CT)
Cohen	Lee (CA)
Connolly (VA)	Levin
Conyers	Lewis (GA)
Cooper	Lofgren, Zoe
Costello	Lowey
Courtney	Lujan
Crowley	Lynch
Cummings	Maloney
Davis (IL)	Markey
DeGette	Matsui
DeLauro	McDermott
Deutch	McGovern
Dicks	Meeks
Dingell	Michaud
Doggett	Miller (NC)
Doyle	Miller, George
Edwards	Moore
Engel	Moran
Eshoo	Murphy (CT)
Farr	Nadler
Fattah	Napolitano
Frank (MA)	Neal
Fudge	Olver
Garamendi	Pallone
Gonzalez	Pascrell

NOT VOTING—15

Akin	Filner	Marino
Baldwin	Gohmert	Paul
Bass (CA)	Hastings (FL)	Schmidt
Bilirakis	Kucinich	Shuler
Coble	Lewis (CA)	Slaughter

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶73.15 ORDER OF BUSINESS—FURTHER CONSIDERATION OF H.R. 5855

On motion of Mr. ADERHOLT, by unanimous consent,

Ordered, That during the further consideration of the bill (H.R. 5855) making appropriations for the Department

of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes, in the Committee of the Whole House on the state of the Union, pursuant to House Resolution 667, no further amendment to the bill may be offered except: (1) pro forma amendments offered at any point in the reading by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate; and (2) further amendments, if offered on this legislative day, as follows: an amendment by Mr. ADERHOLT regarding funding levels; an amendment en bloc by Mr. ADERHOLT consisting of amendments specified in this order not earlier disposed of; an amendment by Ms. BALDWIN limiting funds regarding Coast Guard Offshore Patrol Cutter class of ships; an amendment by Mr. BARLETTA regarding section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; an amendment by Mrs. BLACK limiting funds for the position of Public Advocate within United States Immigration and Customs Enforcement; an amendment by Mrs. BLACKBURN regarding Transportation Security Administration employee training; an amendment by Mrs. BLACKBURN regarding Transportation Security Administration teams used in any operation; an amendment by Mr. BROOKS regarding section 133.21(b)(1) of title 19, Code of Federal Regulations; an amendment by Mr. BROUN of Georgia, limiting funds for Behavior Detection Officers or the SPOT program; an amendment by Mr. BROUN of Georgia, regarding the Screening Partnership Program; an amendment by Ms. BROWN of Florida, regarding funding levels for United States Customs and Border Protection; an amendment by Mr. CRAVAACK limiting funds for security screening personnel; an amendment by Mr. CRAVAACK limiting funds to pay rent for storage of screening equipment; an amendment by Mr. CRAVAACK regarding section 236(c) of the Immigration and Nationality Act; an amendment by Mr. CROWLEY regarding India; an amendment by Mr. CULBERSON regarding the Immigration and Nationality Act; an amendment by Mr. DAVIS of Illinois, regarding cybersecurity; an amendment by Mr. ELLISON regarding the Civil Rights Act of 1964; an amendment by Mr. ENGEL regarding light duty vehicles; an amendment by Mr. FLORES regarding section 526 of the Energy Independence and Security Act of 2007; an amendment by Mr. FORTENBERRY limiting funds to restrict airline passengers from recording; an amendment by Mr. GARRETT limiting funds for VIPR teams; an amendment by Mr. GRAVES of Missouri, regarding the rule entitled "Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives"; an amendment by Ms. HOCHUL regarding unclaimed clothing; an amendment by Mr. HOLT limiting funds for aerial vehicles; an amendment by Mr. HOLT regarding scanning systems; an amend-

ment by Mr. KING of Iowa, regarding Department of Homeland Security policy documents; an amendment by Mr. KING of Iowa, regarding Executive Order 13166; an amendment by Mr. LANDRY regarding aerial vehicles; an amendment by Mr. LOEBSACK limiting funds to deny assistance obligated by FEMA; an amendment by Mr. MEEHAN regarding Boko Haram; an amendment by Ms. MOORE regarding a pending application for status under the Immigration and Nationality Act; an amendment by Mr. MURPHY of Pennsylvania, regarding a Federal Air Marshal Service office; an amendment by Mr. PIERLUSI regarding section 1301(a) of title 31, United States Code; an amendment by Mr. POLIS regarding an across-the-board reduction; an amendment by Mr. PRICE of Georgia, regarding immigration laws; an amendment by Mr. RYAN of Ohio, regarding visas; an amendment by Mr. SCHWEIKERT regarding the Secure Communities program; an amendment by Mr. SULLIVAN regarding section 287(g) of the Immigration and Nationality Act; an amendment by Mr. THOMPSON of California, regarding deportation of certain aliens; an amendment by Mr. TURNER of New York, regarding surface transportation security inspectors; and an amendment by Mr. WALSH of Illinois, regarding software licenses.

Ordered further, That each such further amendment may be offered only by the Member named in this request or a designee, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole House on the state of the Union, and shall not be subject to amendment except that the chair and ranking minority member of the Committee on Appropriations (or their respective designees) each may offer one pro forma amendment for the purpose of debate.

Ordered further, That each further amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

¶73.16 HOMELAND SECURITY APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. YODER, pursuant to House Resolution 667 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5855) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes.

Mr. BASS of New Hampshire, Acting Chairman, assumed the chair; and after some time spent therein,

¶73.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to enforce Executive

Order 13166 (August 16, 2000; 65 Fed. Reg. 50121).

It was decided in the affirmative { Yeas 224 Nays 189

¶73.18 [Roll No. 362]

AYES—224

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

NOES—189

- Ackerman Boswell Chu
Amodei Brady (IA) Cicilline
Andrews Braley (IA) Clarke (MI)
Baca Brown (FL) Clarke (NY)
Becerra Butterfield Clay
Berkley Capps Cleaver
Berman Capuano Clyburn
Biggart Cardoza Cohen
Bishop (GA) Carnahan Connolly (VA)
Bishop (NY) Carney Cooper
Blumenauer Carson (IN) Costa
Bonamici Castor (FL) Costello
Bono Mack Chandler Courtney

- Critz Johnson (GA) Richmond
Crowley Johnson, E. B. Rivera
Cuellar Kaptur Ros-Lehtinen
Cummings Keating Ross (AR)
Davis (CA) Kildee Rothman (NJ)
Davis (IL) Kind Roybal-Allard
DeFazio Langevin Royce
DeGette Larsen (WA) Ruppertsberger
DeLauro Larson (CT) Rush
Deutch Lee (CA) Ryan (OH)
Diaz-Balart Levin Sanchez, Linda
Dicks Lewis (GA) T.
Dingell Loeb sack
Doggett Lofgren, Zoe Sanchez, Loretta
Dold Lowey Sarbanes
Donnelly (IN) Lujan Schakowsky
Doyle Lynch Schiff
Edwards Maloney Schrader
Ellison Markey Schwartz
Engel Matheson Scott (VA)
Eshoo Matsui Scott, David
Farr McCarthy (NY) Serrano
Fattah McCollum Sewell
Flake McDermott Sherman
Frank (MA) McGovern Sires
Frelinghuysen Mc Nerney Smith (WA)
Fudge Meeks Speier
Garamendi Michaud Stark
Gonzalez Miller (NC) Sutton
Green, Al Miller, George Thompson (CA)
Green, Gene Moore Thompson (MS)
Grijalva Moran Tierney
Gutierrez Murphy (CT) Tipton
Hahn Nadler Tonko
Hanabusa Napolitano Tsongas
Hastings (FL) Olver Van Hollen
Heck Owens Velazquez
Heinrich Pallone Visclosky
Higgins Pascrell Walz (MN)
Himes Pastor (AZ) Wasserman
Hinche y Pelosi Schultz
Hinojosa Perlmutter Waters
Hirono Peters Pingree (ME) Watt
Hochul Pingree (ME) Waxman
Holden Polis Welch
Holt Price (NC) Wilson (FL)
Honda Quigley Woodall
Hoyer Rahall Rangel
Israel Rangel Woolsey
Jackson (IL) Reichert Yarmuth
Jackson Lee Reyes Young (IN)
(TX) Richardson

NOT VOTING—18

- Akin Filner Neal
Baldwin Griffin (AR) Paul
Bass (CA) Kucinich Runyan
Bilirakis Lewis (CA) Shuler
Coble Marino Slaughter
Conyers Myrick Towns

So the amendment was agreed to.

¶73.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) None of the funds made available in this Act may be used to finalize, implement, administer, or enforce the "Morton Memos" described in subsection (b).

(b) For purposes of this section, the term "Morton Memos" refers to the following documents:

- (1) Policy Number 10072.1, published on March 2, 2011.
(2) Policy Number 10075.1, published on June 17, 2011.
(3) Policy Number 10076.1, published on June 17, 2011.

It was decided in the affirmative { Yeas 238 Nays 175

¶73.20 [Roll No. 363]

AYES—238

- Adams Bachmann Bass (NH)
Aderholt Bachus Benishek
Alexander Barletta Berg
Altmire Barletta Biggart
Amodei Bartlett Bilbray
Austria Barton (TX) Bishop (UT)

Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Crawaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie

NOES—175

Ackerman
Amash
Andrews
Baca
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu

Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks

Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmitt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Hinchey
Hinojosa
Hirono
Hiroo
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott

NOT VOTING—18

Akin
Baldwin
Bass (CA)
Bilirakis
Coble
Conyers

McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rivera
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

NOT VOTING—18

Filner
Kucinich
LaTourette
Lewis (CA)
Marino
Myrick

Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Viscosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—18

Neal
Paul
Runyan
Shuler
Slaughter
Towns

Mulvaney
Neugebauer
Nugent
Nunnelee
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg

NOES—282

Ackerman
Aderholt
Altmire
Andrews
Austria
Baca
Barletta
Barrow
Bartlett
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Bucshon
Buerkle
Butterfield
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle

Reichert
Rigell
Roby
Rokita
Rooney
Roskam
Ross (FL)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus

NOES—282

Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Noem
Grijalva
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herger
Higgins
Himes
Hinche y
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
King (NY)
Kingston
Kissell
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Markey
Matheson

Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Terry
Tipton
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)

NOES—282

Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Nunes
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Ribble
Richardson
Richmond
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)

So the amendment was agreed to.

73.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACKBURN:

At the end of the bill (before the short title) insert the following:

SEC. ____ . None of the funds made available by this Act may be used to provide to a Transportation Security Officer, Behavior Detection Officer, or other employee of the Transportation Security Administration

(1) a badge or shield; or (2) a uniform with epaulets or a badge tab.

It was decided in the Yeas 131 negative Nays 282

73.22 [Roll No. 364]

AYES—131

Adams
Alexander
Amash
Amodei
Bachmann
Bachus
Barton (TX)
Benishke
Bilbray
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Buchanan
Burgess
Burton (IN)
Camp
Campbell
Canseco
Chabot
Crawaack
Harper
Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)

Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Harper
Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)

Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Long
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller, Gary

Smith (WA) Turner (NY) Waxman
 Speier Turner (OH) Welch
 Stark West
 Stivers Van Hollen
 Sutton Velázquez
 Thompson (CA) Visclosky
 Thompson (MS) Walberg
 Thompson (PA) Walden
 Thornberry Walz (MN)
 Tiberi Wasserman
 Tierney Schultz
 Tonko Waters
 Tsongas Watt

NOT VOTING—18

Akin Filner Neal
 Baldwin King (IA) Paul
 Bass (CA) Kucinich Runyan
 Bilirakis Lewis (CA) Shuler
 Coble Marino Slaughter
 Conyers Myrick Towns

So the amendment was not agreed to.

¶73.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACKBURN:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available by this Act may be used for Transportation Security Administration Transportation Security Officers or Behavior Detection Officers outside an airport.

It was decided in the { Yeas 204
 negative } Nays 210

¶73.24 [Roll No. 365]

AYES—204

Adams Fleischmann Lankford
 Aderholt Fleming Latham
 Alexander Flores Latta
 Amash Forbes Loeb
 Amodei Fortenberry Long
 Austria Foye Lucas
 Bachmann Franks (AZ) Luetkemeyer
 Bachus Frelinghuysen Lummis
 Barletta Gallegly Mack
 Bartlett Gardner Manzullo
 Barton (TX) Garrett Marchant
 Benishek Gibbs McCarthy (CA)
 Berg Gibson McCaul
 Biggert Gingrey (GA) McClintock
 Black Gohmert McDermott
 Blackburn Goodlatte McHenry
 Bonner Gosar McKeon
 Bono Mack Gowdy McKinley
 Boustany Graves (GA) McMorris
 Braley (IA) Graves (MO) Rodgers
 Brooks Griffith (VA) Mica
 Broun (GA) Guinta Miller (FL)
 Buchanan Guthrie Miller (MI)
 Bucshon Hanna Miller, Gary
 Burgess Harper Miller, George
 Burton (IN) Harris Mulvaney
 Calvert Hartzler Murphy (PA)
 Camp Hastings (WA) Neugebauer
 Campbell Heck Noem
 Canseco Heinrich Nugent
 Cantor Hensarling Nunes
 Capito Herger Nunnelee
 Cassidy Herrera Beutler Olson
 Chabot Himes Palazzo
 Coffman (CO) Holt Paulsen
 Conaway Huelskamp Pearce
 Cravaack Huizenga (MI) Pelosi
 Crawford Hultgren Pence
 Culberson Hunter Petri
 Davis (CA) Hurt Pitts
 Davis (KY) Issa Poe (TX)
 DeFazio Jenkins Polis
 DesJarlais Johnson (IL) Pompeo
 Duffy Johnson, Sam Posey
 Duncan (SC) Jordan Price (GA)
 Duncan (TN) Kelly Quayle
 Eilmers King (IA) Rehberg
 Emerson Kingston Ribble
 Eshoo Kinzinger (IL) Rigell
 Farenthold Kline Roby
 Farr Labrador Roe (TN)
 Fincher Lamborn Rogers (AL)
 Fitzpatrick Lance Rogers (MI)
 Flake Landry Rohrabacher

Rokita Sessions
 Rooney Shimkus
 Ross (FL) Smith (NE)
 Royce Smith (TX)
 Ryan (WI) Southerland
 Sanchez, Loretta Speier
 Scalise Stearns
 Schilling Stivers
 Schmidt Stutzman
 Schock Sullivan
 Schrader Terry
 Schweikert Tiberi
 Scott (SC) Turner (NY)
 Scott, Austin Upton
 Sensenbrenner Walberg

NOES—210

Ackerman Gerlach
 Altmore Gonzalez
 Andrews Granger
 Baca Green, Al
 Barrow Green, Gene
 Bass (NH) Griffin (AR)
 Becerra Grijalva
 Berkeley Grimm
 Berman Gutierrez
 Bilbray Hahn
 Bishop (GA) Hall
 Bishop (NY) Hanabusa
 Bishop (UT) Hastings (FL)
 Blumenauer Hayworth
 Bonamici Higgins
 Boren Hinchey
 Boswell Hinojosa
 Brady (PA) Hiroo
 Brady (TX) Hochul
 Brown (FL) Holden
 Buerkle Honda
 Butterfield Hoyer
 Capps Israel
 Capuano Jackson (IL)
 Cardoza Jackson Lee
 Carnahan (TX)
 Carney Johnson (GA)
 Carson (IN) Johnson (OH)
 Carter Johnson, E. B.
 Castor (FL) Jones
 Chaffetz Kaptur
 Chandler Keating
 Chu Kildee
 Cicilline Kind
 Clarke (MI) King (NY)
 Clarke (NY) Kissell
 Clay Langevin
 Cleaver Larsen (WA)
 Clyburn Larson (CT)
 Cohen LaTourette
 Cole Lee (CA)
 Connolly (VA) Levin
 Cooper Lewis (GA)
 Costa Lipinski
 Costello LoBiondo
 Courtney Lofgren, Zoe
 Crenshaw Lowey
 Critz Lujan
 Crowley Lungren, Daniel
 Cuellar E.
 Cummings Lynch
 Davis (IL) Maloney
 DeGette Markey
 DeLauro Matheson
 Denham Matsui
 Dent McCarthy (NY)
 Deutch McCollum
 Diaz-Balart McGotter
 Dicks McCovern
 Dingell McIntyre
 Doggett McInerney
 Dold Meehan
 Donnelly (IN) Meeke
 Doyle Michaud
 Dreier Miller (NC)
 Edwards Moore
 Ellison Moran
 Engel Murphy (CT)
 Fattah Nadler
 Frank (MA) Napolitano
 Fudge Olver
 Garamendi Owens

NOT VOTING—17

Akin Filner Paul
 Baldwin Kucinich Runyan
 Bass (CA) Lewis (CA) Shuler
 Bilirakis Marino Slaughter
 Coble Myrick Towns
 Conyers Neal

So the amendment was not agreed to.

¶73.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SULLIVAN:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to terminate an agreement governing a delegation of authority under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) that is in existence on the date of the enactment of this Act.

It was decided in the { Yeas 250
 affirmative } Nays 164

¶73.26 [Roll No. 366]

AYES—250

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

Sutton
Terry
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)

Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

It was decided in the { Yeas 101
negative } Nays 314

¶73.28 [Roll No. 367]

AYES—101

NOES—164

Ackerman
Andrews
Baca
Becerra
Berkeley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Costa
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al

Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Oliver
Owens

Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Akin
Baldwin
Bass (CA)
Bilirakis
Coble
Conyers

Filner
Kucinich
Lewis (CA)
Marino
Myrick
Neal

Paul
Runyan
Shuler
Slaughter
Towns

So the amendment was agreed to.

¶73.27 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TURNER of New York:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) Except as provided in subsection (b), of the amounts made available by this Act, not more than \$20,000,000 may be made available for surface transportation security inspectors.

(b) The limitation described in subsection (a) shall not apply to the National Explosives Detection Canine Training Program and Visible Intermodal Prevention and Response Teams.

Adams
Amash
Bachmann
Barletta
Barton (TX)
Benishek
Bishop (UT)
Blackburn
Brady (TX)
Broun (GA)
Buchanan
Burgess
Burton (IN)
Campbell
Cantor
Cassidy
Chabot
Chaffetz
Rothman (NJ)
Cravaack
Roybal-Allard
DeFazio
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleming
Sarbanes
Flores
Fox
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar

Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guinta
Harris
Hartzler
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Issa
Johnson (IL)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Labrador
Lamborn
Lankford
Latta
Long
Luetkemeyer
Lummis
Mack
Marchant
McClintock
McHenry
McKinley
Meehan
Mica

Miller (FL)
Mulvaney
Neugebauer
Nunnelee
Pence
Pitts
Poe (TX)
Posey
Price (GA)
Quayle
Ribble
Rohrabacher
Royce
Ruppersberger
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Southerland
Stearns
Stutzman
Turner (NY)
Walberg
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall
Young (AK)

NOES—314

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Barrow
Bartlett
Bass (NH)
Becerra
Berg
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Bucshon
Buerkle
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen

Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Holden
Holt
Diaz-Balart
Dicks
Dingell
Hoyer
Hunter
Hurt
Israel
Jackson (IL)
Jackson Lee
(TX)
Duffy
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Eshoo
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Lance
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
Gerlach
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo

Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Hurt
Israel
Jackson (IL)
Jackson Lee
(TX)
Duffy
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Eshoo
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Lance
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
Gerlach
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo

Loebsack
Lofgren, Zoe
Lowey
Lucas
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMorris
Rodgers
McNerney
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Noem
Nugent
Nunes
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi

Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Pompeo
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Scott (VA)
Scott, David

Serrano
Sewell
Sherman
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (OH)
Upton
Van Hollen
Velazquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Baldwin
Bass (CA)
Bilirakis
Coble
Filner

Kucinich
Lewis (CA)
Marino
Myrick
Neal
Paul

Runyan
Shuler
Slaughter
Towns

So the amendment was not agreed to.

¶73.29 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. POLIS:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 2 percent.

(b) The reduction in subsection (a) shall not apply to amounts made available for—

- (1) "Analysis and Operations";
- (2) "United States Secret Service—Salaries and Expenses";
- (3) accounts in title III; and
- (4) accounts of the Domestic Nuclear Detection Office.

It was decided in the { Yeas 99
negative } Nays 316

¶73.30 [Roll No. 368]

AYES—99

Adams
Amash
Barton (TX)
Becerra
Benishek
Black
Blackburn
Brooks
Broun (GA)
Buerkle

Burgess
Burton (IN)
Camp
Campbell
Chabot
Chaffetz
Cooper
Deutch
Duffy
Duncan (SC)

Duncan (TN)
Eshoo
Fincher
Flake
Flores
Fores
Franks (AZ)
Garrett
Goodlatte
Gosar

Gowdy
Graves (GA)
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hartzler
Hastings (FL)
Hensarling
Hergert
Huelskamp
Huiuzenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (IL)
Jordan
Kind
King (IA)
Labrador
Lance
Lankford

Larsen (WA)
Lee (CA)
Lofgren, Zoe
Lummis
Lynch
Mack
Manzullo
Marchant
McClintock
Miller (MI)
Moran
Mulvaney
Napolitano
Neugebauer
Nunnelee
Pastor (AZ)
Pence
Petri
Pitts
Poe (TX)
Polis
Pompeo
Price (GA)

Quayle
Ribble
Rigell
Rohrabacher
Royce
Ryan (WI)
Schilling
Schweikert
Scott (SC)
Scott, Austin
Serrano
Sessions
Speier
Stearns
Stutzman
Tiberi
Upton
Velázquez
Walberg
Walden
Walsh (IL)
Wilson (SC)
Woodall

NOES—316

Ackerman
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)

Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Calvert
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)

Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Landry
Langevin
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb
Loeb
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Maloney
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moore
Murphy (CT)
Murphy (PA)
Nadler
Noem
Nugent
Nunes
Olson
Oliver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter

Peters
Peterson
Pingree (ME)
Platts
Posey
Price (NC)
Raahley
Ragland
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush

Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Shock
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)

Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Baldwin
Bass (CA)
Bilirakis
Coble
Filner

Kucinich
Lewis (CA)
Marino
Myrick
Neal
Paul

Runyan
Shuler
Slaughter
Towns

So the amendment was not agreed to. After more further time, The SPEAKER pro tempore, Mr. REED, assumed the Chair.

When Mr. GINGREY of Georgia, Acting Chairman, reported that the Committee, having had under consideration said bill, had directed him to report the same back to the House with sundry amendments adopted by the Committee, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Pursuant to House Resolution 667, the previous question was ordered on the amendments and the bill.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 2, line 17, after the dollar amount, insert “(reduced by \$50,000)”.

Page 3, line 23, after the dollar amount, insert “(reduced by \$7,667,000)”.

Page 3, line 23, after the dollar amount, insert “(reduced by \$5,000,000)”.

Page 3, line 23, after the dollar amount, insert “(reduced by \$10,000,000)”.

Page 7, line 13, after the first dollar amount, insert “(increased by \$43,000)”.

Page 9, line 14, after the dollar amount, insert “(reduced by \$3,000,000)”.

Page 9, line 14, after the dollar amount, insert “(increased by \$10,000,000)”.

Page 10, line 5, after the dollar amount, insert “(increased by \$624,000)”.

Page 11, line 21, after the dollar amount insert “(reduced by \$10,000,000)”.

Page 11, line 21, after the dollar amount, insert “(reduced by \$20,000,000) (increased by \$20,000,000)”.

Page 12, line 7, after the dollar amount insert “(reduced by \$10,000,000)”.

Page 15, line 23, after the dollar amount insert “(increased by \$10,000,000) (reduced by \$10,000,000)”.

Page 21, line 1, after the first dollar amount, insert “(increased by \$5,200,000)”.

Page 21, line 24, insert before the period at the end the following:

Provided further, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Homeland Security to comply with the Coast Guard’s energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)).

Page 22, line 14, after the dollar amount, insert “(reduced by \$5,200,000)”.

Page 36, line 4, after the dollar amount, insert “(increased by \$7,667,000)”.

Page 37, line 3, after the dollar amount, insert “(increased by \$7,667,000)”.

Page 37, line 18, after the dollar amount insert “(increased by \$10,000,000)”.

Page 41, line 22, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 41, line 23, after the dollar amount, insert “(increased by \$2,500,000)”.

Page 41, line 25, after the dollar amount, insert “(increased by \$2,500,000)”.

At the end of the bill (before the short title), insert the following:
SEC. ____ None of the funds made available in this Act may be used in contravention of any of the following:

(1) The Fifth and Fourteenth Amendments to the Constitution of the United States.

(2) Title VI of the Civil Rights Act of 1964 (relating to nondiscrimination in federally assisted programs).

(3) Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (relating to prohibition of discrimination).

(4) Section 210401(a) of the Violent Crime and Law Enforcement Act of 1994 (relating to unlawful police practice).

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to finalize, implement, administer, or enforce the rule entitled “Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives” published by the Department of Homeland Security on April 2, 2012 (77 Fed. Reg. 19902).

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to provide funding for the position of Public Advocate within U.S. Immigration and Customs Enforcement.

At the end of the bill (before the short title), add the following new section:

SEC. ____ None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110 140; 42 U.S.C. 17142).

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to implement, administer, or enforce section 1301(a) of title 31, United States Code (31 U.S.C. 1301(a)), with respect to the use of amounts made available by this Act for “Customs and Border Protection—Salaries and Expenses” for the expenses authorized to be paid in section 9 of the Jones Act (48 U.S.C. 795) and for the collection of duties and taxes authorized to be levied, collected, and paid in Puerto Rico, as authorized in section 4 of the Foraker Act (48 U.S.C. 740), in addition to the more specific amounts available for such purposes in the Puerto Rico Trust Fund pursuant to such provisions of law.

At the end of the bill (before the short title) insert the following:

SEC. ____ None of the funds made available by this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used by the Department

of Homeland Security any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. _____. None of the funds made available under this Act may be used in contravention of immigration laws (as defined in session 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. _____. None of the funds made available by this Act may be used for the purchase, operation, or maintenance of armed unmanned aerial vehicles.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)).

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to enforce Executive Order 13166 (August 16, 2000; 65 Fed. Reg. 50121).

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) None of the funds made available in this Act may be used to finalize, implement, administer, or enforce the "Morton Memos" described in subsection (b).

(b) For purposes of this section, the term "Morton Memos" refers to the following documents:

- (1) Policy Number 10072.1, published on March 2, 2011.
(2) Policy Number 10075.1, published on June 17, 2011.
(3) Policy Number 10076.1, published on June 17, 2011.

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to terminate an agreement governing a delegation of authority under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) that is in existence on the date of the enactment of this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. TIERNEY moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment:

Page 19, line 18, after the dollar amount insert "(reduced by \$16,630,000)".

Page 32, line 16, after the dollar amount, insert "(increased by \$16,630,000)".

Page 39, line 20, strike "\$150,000,000" and insert "\$490,300,000".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. REED, announced that the nays had it.

Mr. TIERNEY demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 165
negative } Nays 251

73.31 [Roll No. 369]

AYES—165

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

NOES—251

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

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

NOT VOTING—15

- Akin Kucinich Paul
Baldwin Lewis (CA) Runyan
Bilirakis Marino Shuler
Coble Myrick Slaughter
Filner Neal Towns

So the motion to recommit with instructions was not agreed to.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. REED, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 234
affirmative } Nays 182

73.32 [Roll No. 370]

YEAS—234

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

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

NAYS—182

Ackerman	Davis (IL)	Johnson (GA)
Amash	DeFazio	Johnson (IL)
Andrews	DeGette	Johnson, E. B.
Baca	DeLauro	Jones
Bass (CA)	Deutch	Kaptur
Becerra	Dicks	Kildee
Berman	Dingell	Kind
Bishop (GA)	Doggett	Langevin
Bishop (NY)	Doyle	Larsen (WA)
Blumenauer	Duncan (TN)	Larson (CT)
Bonamici	Edwards	Lee (CA)
Brady (PA)	Ellison	Levin
Braley (IA)	Engel	Lewis (GA)
Brown (FL)	Eshoo	Lipinski
Burgess	Farr	Loebsack
Butterfield	Fattah	Loftgren, Zoe
Campbell	Flake	Lowe
Capps	Frank (MA)	Luján
Capuano	Fudge	Lummis
Cardoza	Garamendi	Lynch
Carnahan	Gonzalez	Maloney
Carney	Green, Al	Markey
Carson (IN)	Green, Gene	Matsui
Castor (FL)	Grijalva	McClintock
Chu	Gutierrez	McCollum
Ciçilline	Hahn	McDermott
Clarke (MI)	Hanabusa	McGovern
Clarke (NY)	Hastings (FL)	McNerney
Clay	Higgins	Meeks
Cleaver	Himes	Michaud
Clyburn	Hinche	Miller (NC)
Cohen	Hinojosa	Miller, George
Connolly (VA)	Hirono	Moore
Conyers	Hochul	Moran
Cooper	Holden	Mulvaney
Costa	Holt	Murphy (CT)
Costello	Honda	Nadler
Courtney	Hoyer	Napolitano
Critz	Huelskamp	Olver
Crowley	Israel	Pallone
Cuellar	Jackson (IL)	Pascarell
Cummings	Jackson Lee	Pastor (AZ)
Davis (CA)	(TX)	Pelosi

Perlmutter	Sanchez, Loretta	Thompson (MS)
Peters	Sarbanes	Tierney
Pingree (ME)	Schakowsky	Tonko
Polis	Schiff	Tsongas
Price (NC)	Schrader	Van Hollen
Quigley	Schwartz	Velázquez
Rangel	Scott (VA)	Visclosky
Reyes	Scott, David	Walsh (IL)
Richardson	Sensenbrenner	Walz (MN)
Richmond	Serrano	Wasserman
Rothman (NJ)	Sewell	Schultz
Roybal-Allard	Sherman	Waters
Royce	Sires	Watt
Ruppersberger	Smith (WA)	Waxman
Rush	Speier	Welch
Ryan (OH)	Stark	Wilson (FL)
Ryan (WI)	Stearns	Woolsey
Sanchez, Linda	Sutton	Yarmuth
T.	Thompson (CA)	

NOT VOTING—15

Akin	Kucinich	Paul
Baldwin	Lewis (CA)	Runyan
Billirakis	Marino	Shuler
Coble	Myrick	Slaughter
Finler	Neal	Towns

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate in said bill.

¶73.33 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

THE SPEAKER pro tempore, Mr. REED, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permissions granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 7, 2012 at 6:08 p.m.:

That the Senate passed S. 3261.
That the Senate passed without amendment H.R. 5883.

That the Senate passed without amendment H.R. 5890.
With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶73.34 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. BROUN of Georgia, submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on provisions that limit funding out of the Highway Trust Fund (including the Mass Transit Account) for Federal-aid highway and transit programs to amounts that do not exceed \$37,500,000 for fiscal year 2013.

After debate,
By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce, Will the House agree to said motion? The SPEAKER pro tempore, Mr. REED, announced that the yeas had it. Mr. DEFAZIO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. REED, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Friday, June 8, 2012.

¶73.35 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3261. An Act to allow the Chief of the Forest Service to award certain contracts for large air tankers; to the Committee on Agriculture.

¶73.36 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 292. An Act to resolve the claims of the Bering Straits Native Corporation and the State of the Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

S. 363. An Act to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

¶73.37 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 31, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 5740. An Act to extend the National Flood Insurance Program, and for other purposes.

H.R. 3992. An Act to allow otherwise eligible Israeli nationals to receive E 2 non-immigrant visas if similarly situated United States nationals are eligible for similar non-immigrant status in Israel.

H.R. 2947. An Act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

H.R. 4097. An Act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

¶73.38 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BILLIRAKIS, for today; and
To Mr. MARINO, for today.
And then,

¶73.39 ADJOURNMENT

On motion of Mr. BROUN of Georgia, at 11 o'clock and 35 minutes p.m., the House adjourned.

173.40 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SCHAKOWSKY (for herself, Mrs. LOWEY, Mr. BERMAN, Mr. ACKERMAN, Ms. BASS of California, Ms. BORDALLO, Mrs. CAPPS, Mr. CARNAHAN, Ms. CLARKE of New York, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. HINCHEY, Ms. JACKSON LEE of Texas, Mr. LARSON of Connecticut, Ms. LEE of California, Mrs. MALONEY, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mrs. NAPOLITANO, Ms. NORTON, Mr. RANGEL, Ms. RICHARDSON, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. STARK, Ms. WASSERMAN SCHULTZ, Ms. WOOLSEY, Mr. LEWIS of Georgia, Ms. EDWARDS, Mr. LARSEN of Washington, Mr. CICILLINE, Ms. HIRONO, Mr. OLVER, Ms. DEGETTE, and Mr. WELCH):

H.R. 5905. A bill to combat international violence against women and girls; to the Committee on Foreign Affairs.

By Mr. POLIS (for himself, Ms. MCCOLLUM, Mr. OWENS, Mr. ROSS of Arkansas, Mr. CAPUANO, Mrs. DAVIS of California, Mr. SHERMAN, and Mr. KIND):

H.R. 5906. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 5907. A bill to modify the boundary of Yosemite National Park, and for other purposes; to the Committee on Natural Resources.

By Ms. BALDWIN:

H.R. 5908. A bill to require the Federal Government to buy paper and paper products from American sources; to the Committee on Oversight and Government Reform.

By Mr. CUMMINGS:

H.R. 5909. A bill to improve access to oral health care for vulnerable and underserved populations; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, the Judiciary, Natural Resources, Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOLD (for himself, Mr. PETERS, Mr. ROSKAM, Mr. BARROW, Mr. HULTGREN, Mr. HANNA, Mr. SCHOCK, and Mr. RENACCI):

H.R. 5910. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to produce a report on enhancing the competitiveness of the United States in attracting foreign direct investment, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SULLIVAN (for himself, Mr. MURPHY of Pennsylvania, Mr. LONG, Mrs. NOEM, Mr. SCHOCK, Mr. BOREN, Mr. LUCAS, Mr. COLE, Mr. LANKFORD, and Mr. BOSWELL):

H.R. 5911. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Energy and Commerce.

By Mr. COLE (for himself, Mr. FITZPATRICK, Mr. CAMPBELL, Mr. PAUL, Mr. BARTLETT, Mr. FLEMING, Mr. LANDRY, Mr. YODER, Mr. KINGSTON, Mr. WEBSTER, Mr. LAMBORN, Mr. SOUTHERLAND, Mr. JORDAN, Mr.

GOHMERT, Mr. BROUN of Georgia, Mrs. SCHMIDT, Mr. PITTS, Mr. PAULSEN, Mrs. LUMMIS, Mr. CHABOT, Mr. ISSA, Mr. FLEISCHMANN, Mr. QUAYLE, Mrs. NOEM, Mr. MCCLINTOCK, Mr. CANSECO, and Mr. GRIFFIN of Arkansas):

H.R. 5912. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction; to the Committee on House Administration.

By Mr. McCAUL (for himself, Mr. KEATING, and Mr. LONG):

H.R. 5913. A bill to create an independent advisory panel to comprehensively assess the management structure and capabilities related to the Department of Homeland Security and make recommendations to improve the efficiency and effectiveness of the management of the Department; to the Committee on Homeland Security.

By Mr. ROE of Tennessee:

H.R. 5914. A bill to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Natural Resources.

By Mr. KELLY:

H.R. 5915. A bill to amend the Fair Labor Standards Act to exempt marketing research participants and mystery shoppers from certain provisions of that Act; to the Committee on Education and the Workforce.

By Mr. CARNAHAN (for himself, Mr. HOLT, Mr. MORAN, Mr. LIPINSKI, Mr. ENGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MILLER of North Carolina, Ms. ROS-LEHTINEN, Mr. CICILLINE, Ms. NORTON, and Mrs. BIGGERT):

H.R. 5916. A bill to provide for the establishment of a body to identify and coordinate international science and technology cooperation that can strengthen the domestic science and technology enterprise and support United States foreign policy goals; to the Committee on Science, Space, and Technology.

By Mr. CLYBURN:

H.R. 5917. A bill to suspend temporarily the duty on 4,4'-Diamino-2,2'-stilbenedisulfonic acid; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 5918. A bill to extend the temporary suspension of duty on Grilamid TR 90; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 5919. A bill to extend the temporary suspension of duty on Grilbond IL 6-50°F; to the Committee on Ways and Means.

By Mr. CLARKE of Michigan (for himself and Mr. STIVERS):

H.R. 5920. A bill to create jobs and promote fair trade by increasing duties on certain foreign goods imported into the United States; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 5921. A bill to extend the temporary suspension of duty on Primid QM-1260; to the Committee on Ways and Means.

By Mr. CLYBURN:

H.R. 5922. A bill to extend the temporary suspension of duty on Primid XL-552; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida:

H.R. 5923. A bill to direct the Secretary of the Interior to establish a grant program to eradicate non-native constrictor snakes from ecosystems in which they exist in sustainable populations, and for other purposes; to the Committee on Natural Resources.

By Mr. MACK:

H.R. 5924. A bill to provide that no United States assistance may be provided to Pakistan until Dr. Shakil Afridi is freed; to the Committee on Foreign Affairs.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 5925. A bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes; to the Committee on the Judiciary.

By Mr. STIVERS:

H.R. 5926. A bill to authorize and request the President to award the Medal of Honor posthumously to Major Dominic S. Gentile of the United States Army Air Forces for acts of valor during World War II; to the Committee on Armed Services.

By Mr. TONKO:

H.R. 5927. A bill to authorize the Secretary of Interior to carry out projects and conduct research on water resources in the Hudson-Mohawk River Basin, to establish a Hudson-Mohawk River Basin Commission, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 5928. A bill to designate a peak in the State of Alaska as "Mount Chosin Few"; to the Committee on Natural Resources.

By Mr. RIGELL:

H. Res. 680. A resolution expressing the sense of the House of Representatives that, as part of any agreement on Medicare reform, Medicare should not be changed for any citizens of the United States over the age of 55 and any agreement should provide a detailed plan to reduce waste, fraud, and abuse in the program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOYLE:

H. Res. 681. A resolution expressing support for designation of the Thursday before Thanksgiving as Children's Grief Awareness Day; to the Committee on Education and the Workforce.

By Ms. NORTON:

H. Res. 682. A resolution expressing the sense of the House of Representatives supporting the Federal workforce; to the Committee on Oversight and Government Reform.

173.41 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. BISHOP of Utah.
H.R. 451: Mr. CALVERT and Mr. MCCOTTER.
H.R. 459: Mr. DIAZ-BALART, Mr. FLEMING, and Mr. JORDAN.

H.R. 640: Mr. SCHIFF and Mr. RYAN of Ohio.
H.R. 653: Mr. PRICE of North Carolina.
H.R. 719: Mr. GIBSON and Mr. HASTINGS of Washington.

H.R. 890: Mr. MICA.
H.R. 891: Mr. SCOTT of Virginia.
H.R. 965: Mr. MEEKS.
H.R. 997: Mrs. ELLMERS.
H.R. 1063: Ms. HERRERA BEUTLER.
H.R. 1236: Mr. WEST.
H.R. 1244: Ms. PINGREE of Maine.
H.R. 1283: Mr. BISHOP of Utah.
H.R. 1464: Mr. BURTON of Indiana and Ms. BORDALLO.

H.R. 1489: Mr. TONKO and Mr. MCGOVERN.
H.R. 1533: Mr. GIBBS.
H.R. 1581: Mr. STIVERS.
H.R. 1639: Mr. KING of New York and Mr. LANGEVIN.
H.R. 1675: Mr. LATTA, Mr. HUNTER, and Ms. DEGETTE.

H.R. 1755: Mr. CLAY and Mr. ISRAEL.
 H.R. 1802: Mr. KING of Iowa.
 H.R. 1878: Mr. AL GREEN of Texas.
 H.R. 1955: Ms. CASTOR of Florida.
 H.R. 1956: Mr. THORNBERRY.
 H.R. 1971: Mr. DAVID SCOTT of Georgia.
 H.R. 2012: Ms. JACKSON LEE of Texas.
 H.R. 2022: Ms. JACKSON LEE of Texas.
 H.R. 2108: Mr. PRICE of Georgia.
 H.R. 2123: Mr. ROSS of Arkansas.
 H.R. 2140: Mr. HOLT.
 H.R. 2268: Mr. CONYERS, Ms. BORDALLO, and Mr. RIVERA.
 H.R. 2599: Mr. MORAN.
 H.R. 2655: Mr. HONDA.
 H.R. 2705: Mr. COURTNEY.
 H.R. 2751: Ms. CHU.
 H.R. 2774: Mr. CARTER.
 H.R. 2861: Ms. NORTON, Mr. RANGEL, and Mrs. MALONEY.
 H.R. 2913: Mr. CICCILLINE.
 H.R. 2962: Mr. COURTNEY, Mr. LOBIONDO, and Mr. BLUMENAUER.
 H.R. 2969: Mr. GRIMM.
 H.R. 2978: Mr. DENHAM.
 H.R. 3015: Mrs. MALONEY, Mr. MARKEY, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Mr. BOSWELL, and Mr. LEWIS of Georgia.
 H.R. 3036: Mr. OWENS and Mr. MCGOVERN.
 H.R. 3086: Mr. PERLMUTTER and Mr. GUINTA.
 H.R. 3109: Mr. THOMPSON of California.
 H.R. 3187: Mr. JOHNSON of Ohio, Ms. WILSON of Florida, Mr. HEINRICH and Mr. CLEAVER.
 H.R. 3238: Mr. HASTINGS of Florida, Ms. CHU and Mr. RYAN of Ohio.
 H.R. 3264: Mr. FLAKE.
 H.R. 3307: Mr. HASTINGS of Florida.
 H.R. 3337: Mr. RANGEL, Mr. BACA, Mr. LUETKEMEYER and Ms. LEE of California.
 H.R. 3352: Mr. LATOURETTE.
 H.R. 3356: Mr. PAUL.
 H.R. 3364: Mr. WALBERG.
 H.R. 3399: Mr. STEARNS.
 H.R. 3423: Mr. JOHNSON of Ohio.
 H.R. 3429: Mr. HARPER.
 H.R. 3461: Mr. LABRADOR, Mr. COOPER, Mr. POE of Texas, Mr. KINZINGER of Illinois, Mr. YOUNG of Alaska, Mr. AUSTRIA, Mr. REYES and Mr. SMITH of Texas.
 H.R. 3474: Mr. ROSKAM.
 H.R. 3486: Mr. AL GREEN of Texas.
 H.R. 3510: Mr. THOMPSON of California and Mr. NUGENT.
 H.R. 3591: Mr. ROSS of Arkansas, Mr. DOYLE, Mr. VISCLOSKEY and Mr. ALTMIRE.
 H.R. 3618: Mr. LARSEN of Washington and Mr. MEEKS.
 H.R. 3619: Mr. MCGOVERN and Ms. WATERS.
 H.R. 3643: Mr. FLAKE.
 H.R. 3661: Mr. PAULSEN, Ms. LEE of California, Mr. LATOURETTE, Mr. DOLD, Mr. TURNER of Ohio, Mr. CLAY and Mr. WALZ of Minnesota.
 H.R. 3679: Ms. HERRERA BEUTLER.
 H.R. 3803: Mr. SHUSTER.
 H.R. 3860: Ms. NORTON and Mr. CONYERS.
 H.R. 3862: Mr. MILLER of Florida.
 H.R. 3993: Mr. HEINRICH.
 H.R. 4004: Mr. SCHRADER and Mr. ANDREWS.
 H.R. 4078: Mr. MILLER of Florida.
 H.R. 4115: Mrs. EMERSON.
 H.R. 4152: Ms. RICHARDSON.
 H.R. 4155: Mr. COURTNEY and Ms. CHU.
 H.R. 4209: Mr. MORAN.
 H.R. 4215: Mr. DAVID SCOTT of Georgia.
 H.R. 4269: Mr. HUNTER and Mr. ROKITA.
 H.R. 4287: Ms. LORETTA SANCHEZ of California, Mr. KIND, Mr. GARAMENDI, Ms. SUTTON, Mr. LEWIS of Georgia, Ms. BONAMICI, Mr. CARNAHAN, Ms. BASS of California, Mr. JOHNSON of Georgia, Mr. MICHAUD, Mr. WAXMAN, Mr. COURTNEY, Mr. AL GREEN of Texas, Ms. CHU and Mr. SCHILLING.
 H.R. 4306: Mr. CLARKE of Michigan.
 H.R. 4313: Mr. KING of Iowa, Mr. MCKINLEY and Mr. BOREN.
 H.R. 4323: Ms. BASS of California.

H.R. 4325: Ms. CHU.
 H.R. 4350: Mr. MCKINLEY and Mr. CUMMINGS.
 H.R. 4362: Mr. COHEN, Mrs. LOWEY and Mr. COFFMAN of Colorado.
 H.R. 4367: Mr. WALDEN, Mr. GARAMENDI, Mr. DONNELLY of Indiana, Mr. DENHAM, Mr. WATT, Mr. GINGREY of Georgia and Mr. BARROW.
 H.R. 4381: Mr. MILLER of Florida and Mrs. CAPITO.
 H.R. 4382: Mrs. CAPITO and Mr. CONAWAY.
 H.R. 4402: Mr. SOUTHERLAND, Mr. LAMBORN, Mr. FLAKE and Mr. LUETKEMEYER.
 H.R. 4470: Mr. ENGEL.
 H.R. 4971: Mr. POE of Texas.
 H.R. 4972: Mr. MCGOVERN and Mrs. MALONEY.
 H.R. 5157: Mr. MILLER of North Carolina and Mr. DANIEL E. LUNGREN of California.
 H.R. 5186: Mr. TIERNEY.
 H.R. 5188: Mr. KUCINICH and Mr. SERRANO.
 H.R. 5331: Ms. BASS of California.
 H.R. 5542: Mr. HONDA.
 H.R. 5646: Mrs. BLACK and Mr. LUETKEMEYER.
 H.R. 5731: Mrs. ROBY, Mr. NUNNELEE and Mr. KLINE.
 H.R. 5746: Mr. REED, Mr. SMITH of Nebraska and Mr. MARCHANT.
 H.R. 5747: Mr. BUTTERFIELD and Mr. WALZ of Minnesota.
 H.R. 5789: Mr. MCGOVERN.
 H.R. 5796: Mr. COURTNEY and Mr. TOWNS.
 H.R. 5822: Mrs. MYRICK.
 H.R. 5825: Mr. MCGOVERN.
 H.R. 5839: Mr. RIVERA.
 H.R. 5864: Mr. LATOURETTE, Mr. HASTINGS of Florida and Mrs. CAPPs.
 H.R. 5871: Mr. ANDREWS.
 H.R. 5873: Mr. AUSTIN SCOTT of Georgia, Mr. HANNA, Mrs. ROBY, Mr. DEFAZIO, Mr. REHBERG and Mrs. HARTZLER.
 H.J. Res. 110: Mr. ROKITA.
 H. Con. Res. 119: Ms. HAHN, Mr. STARK and Mr. DAVIS of Illinois.
 H. Res. 177: Ms. WILSON of Florida and Mr. ACKERMAN.
 H. Res. 220: Mr. CRITZ.
 H. Res. 289: Mrs. MALONEY and Ms. WOOLSEY.
 H. Res. 298: Mr. LONG, Mr. ROKITA and Mr. BOSWELL.
 H. Res. 506: Mr. ENGEL and Ms. ESHOO.
 H. Res. 609: Mr. CAPUANO.
 H. Res. 618: Mr. MCGOVERN, Mr. LARSEN of Washington, Ms. FUDGE and Ms. CHU.
 H. Res. 623: Mr. BOREN, Mr. BARROW, Mr. COSTA, Mr. MICHAUD, Mr. PETERSON, and Mr. SCHRADER.
 H. Res. 640: Ms. BORDALLO and Ms. LEE of California.
 H. Res. 650: Mr. FRELINGHUYSEN.
 H. Res. 651: Mr. CARSON of Indiana.
 H. Res. 665: Ms. HIRONO.

FRIDAY, JUNE 8, 2012 (74)

The House was called to order by the SPEAKER.

74.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 7, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

74.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6381. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Acetone; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0039; FRL-3944-2] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6382. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluxapyroxad; Pesticide Tolerances [EPA-HQ-OPP-2010-0421; FRL-9346-7] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6383. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Penflufen; Pesticide Tolerances [EPA-HQ-OPP-2010-0425; FRL-9341-8] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6384. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propylene oxide; Tolerance Actions [EPA-HQ-OPP-2005-0253; FRL-9346-8] (RIN: 2070-ZA16) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6385. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Amendments to Sterility Test Requirements for Biological Products [Docket No.: FDA-2011-N-0080] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6386. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Withdrawal of Revocation of TSCA Section 4 Testing Requirements for One High Production Volume Chemical Substance [EPA-HQ-OPPT-2005-0033; FRL-9350-2] (RIN: 2070-AD16) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6387. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 Annual Fine Particulate Standard for the Philadelphia-Wilmington, PA-NJ-DE Nonattainment Area [EPA-R03-OAR-2011-0714; FRL-9670-3] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6388. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Control of Nitrogen Oxides Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries [EPA-R03-OAR-2011-0642; FRL-9671-9] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6389. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Permit to Construct Exemptions [EPA-R03-OAR-2012-0292; FRL-9671-7] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6390. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma; Incorporation by Reference of Approved State Hazardous Waste Management Program [EPA-R06-2011-0484; FRL-9652-9a] received May 11, 2012, pur-

suant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6391. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality: Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver [EPA-HQ-OAR-2010-1076; FRL-9671-3] received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6392. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone [EPA-HQ-OAR-2009-0491; FRL-9671-4] (RIN: 2060-AR35) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6393. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Implementation of the 2008 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 197 Ozone Standards for Transportation [EPA-HQ-OAR-2010-0885; FRL-9667-9] (RIN: 2060-AR32) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6394. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations; Extension of the Filing Requirement For Children's Television Programming Report (FCC Form 398) [MM Docket No. 00-168; MM Docket No. 00-44] received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6395. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Version 4 Critical Infrastructure Protection Reliability Standards [Docket No.: RM11-11-000; Order No. 761] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6396. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Patriot Challenge Kayak Race, Ashley River, Charleston, SC [Docket No.: USCG-2011-1095] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6397. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Non-Compliant Vessel Pursuit Training Course, Wando River, Charleston, SC [Docket No.: USCG-2012-0138] (RIN: 1625-AA00) received May 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6398. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-36] received May 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6399. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Basis Reporting by Securities Brokers and Basis Determination for Debt Instruments and Options [Notice 2012-34] received May 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

174.3 LEGISLATIVE BRANCH APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, pursuant to House Resolution 679 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5882) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, by unanimous consent, designated Mr. BASS of New Hampshire, as Chairman of the Committee of the Whole; and after some time spent therein,

174.4 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in House Report 112-518, submitted by Mr. GOSAR:

Page 18, line 7, after the dollar amount, insert "(reduced by \$1,235,000)".

Page 36, line 10, after the dollar amount, insert "(increased by \$1,235,000)".

It was decided in the Yeas 213 affirmative Nays 193

174.5 [Roll No. 371] AYES—213

- Adams Fincher Kline
Amash Fitzpatrick Lamborn
Amodei Flake Landry
Austria Fleischmann Lankford
Bachmann Fleming Latta
Barletta Flores LoBiondo
Barrow Forbes Loeb sack
Bartlett Foxx Long
Barton (TX) Franks (AZ) Luetkemeyer
Benishek Gallegly Lummis
Berg Gardner Manzullo
Biggart Garrett Marchant
Bilbray Gibbs Marino
Bishop (NY) Gibson Matheson
Bishop (UT) Gingrey (GA) McCarthy (CA)
Black Goodlatte McCarthy (NY)
Blackburn Gosar McCaul
Bono Mack Gowdy McClintock
Boren Graves (GA) McCotter
Boustany Graves (MO) McHenry
Brady (TX) Griffin (AR) McIntyre
Brady (IA) Griffith (VA) McKeon
Brooks Guinta McKinley
Brown (GA) Guthrie McMorris
Buchanan Hall Rodgers
Bucshon Hanna Mica
Buerkle Harris Miller (MI)
Burgess Hartzler Miller, Gary
Burton (IN) Hastings (WA) Mulvaney
Camp Heck Murphy (PA)
Campbell Hensarling Myrick
Canseco Herger Neugebauer
Cantor Herrera Beutler Noem
Carney Himes Nugent
Cassidy Hochul Nunes
Chabot Huelskamp Nunnelee
Chaffetz Huizenga (MI) Olson
Chandler Hultgren Owens
Coffman (CO) Hunter Palazzo
Conaway Hurt Paulsen
Connolly (VA) Israel Pearce
Cooper Issa Pence
Costa Jenkins Petri
Cravaack Johnson (IL) Pitts
Critz Johnson (OH) Poe (TX)
Davis (KY) Johnson, Sam Polis
DeFazio Jones Pompeo
Dent Jordan Posey
DesJarlais Keating Price (GA)
Donnelly (IN) Kelly Quayle
Duffy Kind Reed
Duncan (SC) King (IA) Rehberg
Duncan (TN) Kingston Reichert
Ellmers Kinzinger (IL) Renacci
Farenthold Kissell Ribble

- Rigell
Rivera
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

NOES—193

- Ackerman
Aderholt
Alexander
Altmire
Baca
Bachus
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Blumenauer
Bonamici
Bonner
Boswell
Brady (PA)
Brown (FL)
Butterfield
Calvert
Capito
Capps
Capuano
Carnahan
Carson (IN)
Carter
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conyers
Costello
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gonzalez
Granger
Green, Al
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Harper
Hastings (FL)
Hayworth
Heinrich
Higgins
Hinchev
Hinojosa
Holt
Honda
Hoyer
Jackson (IL)
Jackson Lee
Carson (IN)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
King (NY)
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loftgren, Zoe
Lowe
Lucas
Lujan
Lungren, Daniel E.
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Oliver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (AL)
Rogers (KY)
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Simpson
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Viscosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Woodsey
Yarmuth
Young (AK)

NOT VOTING—25

- Akin
Andrews
Baldwin
Bass (CA)
Bilirakis
Cardoza
Coble
Denham
Filner
Gohmert
Green, Gene
Hirono
Holden
Kucinich
Labrador
Lewis (CA)
Mack
Meehan
Miller (FL)
Neal
Paul
Platts
Shuler
Slaughter
Towns

So the amendment was agreed to.

74.6 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-518, submitted by Mr. BROUN of Georgia:

Page 22, line 9, after the dollar amount, insert "(reduced by \$878,000)".

Page 36, line 10, after the dollar amount, insert "(increased by \$878,000)".

It was decided in the { Yeas 214 affirmative } Nays 189

74.7 [Roll No. 372]

AYES—214

- Adams, Alexander, Amash, Austria, Bachmann, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bishop (UT), Black, Blackburn, Bono Mack, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coffman (CO), Cole, Conaway, Costa, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gibbs, Gibson, Gingrey (GA), Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Guinta, Guthrie, Hall, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Huelskamp, Huizenga (MI), Hultgren, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, King (IA), Kingston, Kinzinger (IL), Kissell, Kline, Lamborn, Lance, Landry, Latham, Lipinski, LoBiondo, Long, Luetkemeyer, Lummis, Manzullo, Marchant, Marino, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McIntyre, McKeon, McKinley, McMorris, Rodgers, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paulsen, Pence, Peterson, Petri, Pitts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Reichert, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ross (FL), Royce, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schrader, Schweikert, Scott (SC), Scott, Austin, Sessions, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wolf, Womack, Woodall, Yoder, Young (FL), Young (IN)

NOES—189

- Ackerman, Aderholt, Altmire, Amodei, Baca, Bachus, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Bonner, Boren

- Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Camp, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chandler, Chu, Clarke (MI), Clarke (NY), Clay, Cohen, Connolly (VA), Conyers, Cooper, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Dicks, Dingell, Doggett, Donnelly (IN), Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Forbes, Frank (MA), Fudge, Garamendi, Gerlach, Gonzalez, Green, Al, Grijalva, Grimm, Gutierrez, Hahn, Hanabusa, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hochul, Holt, Honda, Hoyer, Hunter, Jackson (IL), Jackson Lee (TX), Johnson (GA), Johnson, E. B., Kaptur, Keating, Kildee, Kind, King (NY), Langevin, Lankford, Larsen (WA), Larson (CT), LaTourette, Latta, Lee (CA), Levin, Lewis (GA), Loeb, Loebsack, Lofgren, Zoe, Lowey, Lucas, Lujan, Lungren, Daniel E., Lynch, Maloney, Markey, Matheson, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McNerney, Meeke, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napolitano, Oliver, Owens, Pallone, Pascrell, Pastor (AZ), Pearce, Pelosi, Perlmutter, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Renacci, Reyes, Richmond, Ros-Lehtinen, Ross (AR), Rothman (NJ), Roybal-Allard, Ruyyan, Ruppertsberger, Rush, Ryan (OH), Sanchez, Linda T., Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Shuster, Simpson, Sires, Smith (NJ), Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Tsongas, Van Hollen, Velazquez, Visclosky, Walden, Walz (MN), Wasserman, Schultz, Waters, Watt, Waxman, Welch, Wilson (FL), Wittman, Woolsey, Yarmuth, Young (AK)

NOT VOTING—28

- Akin, Andrews, Baldwin, Bass (CA), Bilirakis, Cardoza, Cicilline, Cleaver, Clyburn, Coble, Deutch, Filner, Gohmert, Green, Gene, Hirono, Holden, Kucinich, Labrador, Lewis (CA), Mack, Meehan, Neal, Paul, Platts, Richardson, Shuler, Slaughter, Towns

So the amendment was agreed to.

74.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 4, printed in House Report 112-518, submitted by Mr. SCALISE:

Page 29, line 21, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 36, line 10, after the dollar amount, insert "(increased by \$1,000,000)".

It was decided in the { Yeas 204 affirmative } Nays 203

74.9 [Roll No. 373]

AYES—204

- Adams, Alexander, Amodei, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Bilbray, Bishop (UT), Black, Blackburn, Bonner, Bono Mack

- Boswell, Boustany, Brady (TX), Hunter, Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Camp, Campbell, Canseco, Cantor, Cassidy, Chabot, Chaffetz, Coffman (CO), Conaway, Costa, Cravaack, Crawford, Culberson, DeFazio, Denham, DesJarlais, Duffy, Duncan (SC), Duncan (TN), Ellmers, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Gallegly, Gardner, Garrett, Gibbs, Ginty, Hahn, Harris, Hartzler, Hastings (WA), Hensarling, Herger, Herrera Beutler, Hochul, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, Kind, King (IA), Kingston, Kinzinger (IL), Kissell, Kline, Lamborn, Lance, Landry, Lankford, Latham, Latta, Lipinski, LoBiondo, Loebsack, Long, Luetkemeyer, Lummis, Manzullo, Marchant, Marino, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McIntyre, McKinley, McMorris, Rodgers, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Owens, Palazzo, Pastor (AZ), Paulsen, Pearce, Peterson, Petri

NOES—203

- Ackerman, Aderholt, Altmire, Amash, Andrews, Baca, Becerra, Berg, Berkley, Berman, Biggert, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boren, Brady (PA), Braley (IA), Brown (FL), Butterfield, Calvert, Capito, Capps, Capuano, Carnahan, Carney, Carson (IN), Carter, Castor (FL), Chandler, Chu, Clarke (MI), Clarke (NY), Clay, Cleaver, Clyburn, Cohen, Cole, Connolly (VA), Conyers, Cooper, Costello, Courtney, Crenshaw, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (KY), DeGette, Boren, DeLauro, Dent, Deutch, Diaz-Balart, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Dreier, Edwards, Ellison, Emerson, Engel, Eshoo, Farenthold, Farr, Fattah, Frank (MA), Frelinghuysen, Fudge, Garamendi, Gerlach, Gibson, Gonzalez, Gosar, Granger, Green, Al, Grijalva, Grimm, Gutierrez, Hahn, Hanabusa, Harper, Hastings (FL), Hayworth, Heck, Heinrich, Higgins, Himes, Hinchey, Hinojosa, Holt, Honda, Hoyer, Israel, Jackson (IL), Jackson Lee (TX), Johnson (GA), Johnson, E. B., Kaptur, Keating

Kildee
King (NY)
Langevin
Larsen (WA)
Larsen (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowe
Lucas
Lujan
Lungren, Daniel E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKeon
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler

Napolitano
Olver
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (KY)
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Shoock
Schradler
Schwartz

Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velazquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

Kildee
Kind
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano

Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)

Scott, David
Serrano
Sewell
Sherman
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velazquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
Young (AK)
Young (FL)

Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan

Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)

Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

NOT VOTING—24

Akin
Baldwin
Bass (CA)
Bilirakis
Cardoza
Cicilline
Coble
Filner

Gallegly
Gingrey (GA)
Gohmert
Green, Gene
Hirono
Kucinich
Labrador
Lewis (CA)

Mack
Meehan
Neal
Paul
Platts
Shuler
Slaughter
Towns

So the amendment was not agreed to.

¶74.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in House Report 112-518, submitted by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act for Members' Representational Allowances, the salaries and expenses of House Leadership Offices, or the salaries and expenses of Committee Employees may be used to purchase paid advertisements on any Internet site other than an official site of the Member, leadership office, or committee involved.

It was decided in the { Yeas 148
negative } Nays 261

¶74.13 [Roll No. 375]

AYES—148

Ackerman
Adams
Altmire
Austria
Bachus
Bartlett
Bass (NH)
Benishek
Berkley
Bishop (NY)
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canceco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Eilmlers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake

Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landy
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo

Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rogers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner

Guinta
Guthrie
Hall
Harris
Hartzler
Higgins
Hochul
Israel
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kaptur
Kildee
Kind
King (IA)
Kissell
Kline
Lamborn
Latham
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Luetkemeyer
Lummis
Marchant
Markey
Matsui
McCarthy (NY)
McCaul
McClintock
Duncan (TN)
Emerson
Eshoo
Flake
Frank (MA)
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gowdy
Graves (MO)
Griffin (AR)
Griffith (VA)

Pascrell
Pastor (AZ)
Pence
Perlmutter
Peters
Peterson
Petri
Polis
Posey
Quayle
Quigley
Rehberg
Reichert
Ribble
Roe (TN)
Rohrabacher
Rooney
Ross (AR)
Ross (FL)
Royce
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Sessions
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stutzman
Sullivan
Tiberi
Tipton
Thompson (CA)
Thompson (PA)
Tipton
Upton

NOT VOTING—24

Akin
Baldwin
Bass (CA)
Bilirakis
Cardoza
Cicilline
Coble
Davis (IL)

Filner
Gohmert
Green, Gene
Hirono
Holden
Kucinich
Labrador
Lewis (CA)

Mack
Meehan
Neal
Paul
Platts
Shuler
Slaughter
Towns

So the amendment was agreed to.

¶74.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 112-518, submitted by Mr. MORAN:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR POLYSTYRENE PRODUCTS

SEC. ____ . None of the funds made available in this Act may be used to obtain polystyrene products for use in food service facilities of the House of Representatives.

It was decided in the { Yeas 178
negative } Nays 229

¶74.11 [Roll No. 374]

AYES—178

Ackerman
Altmire
Baca
Bass (NH)
Becerra
Benishek
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver

Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge

Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating

Van Hollen
Walsh (IL)

Walz (MN)
Wilson (SC)

Womack
Young (FL)

Meehan
Neal
Paul

Platts
Shuler
Slaughter

Towns

Engel
Eshoo
Farr
Fattah
Garamendi
Gonzalez
Green, Al
Hahn
Hanabusa
Hastings (FL)
Higgins
Hinojosa
Hochul
Holden
Israel
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Loeb sack

Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Murphy (CT)
Nadler
Napolitano
Owens
Pallone
Pelosi
Perlmutter
Peters
Peterson

Pingree (ME)
Polis
Quigley
Rahall
Rangel
Schiff
Schrader
Schwartz
Sherman
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Walz (MN)
Waxman
Wilson (FL)
Yarmuth

NOES—261

Aderholt
Alexander
Amash
Amodei
Andrews
Baca
Bachmann
Barletta
Barrow
Barton (TX)
Becerra
Berg
Berman
Biggert
Bilbray
Bishop (GA)
Black
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brooks
Broun (GA)
Brown (FL)
Bucshon
Buerkle
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carson (IN)
Carter
Cassidy
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dold
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Engel
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes

Fortenberry
Fox
Frelinghuysen
Fudge
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Granger
Graves (GA)
Green, Al
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinchev
Hinojosa
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Keating
Kelly
King (NY)
Kingston
Kinzinger (IL)
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lowey
Lucas
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marino
Matheson
McCarthy (CA)
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meeks
Miller (MI)
Miller (NC)
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler

Napolitano
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Olver
Pallone
Paulsen
Pearce
Pelosi
Pingree (ME)
Pitts
Poe (TX)
Pompeo
Price (GA)
Price (NC)
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schwartz
Scott (SC)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Stark
Stivers
Thompson (MS)
Thornberry
Tierney
Tonko
Tsongas
Turner (OH)
Velázquez
Visclosky
Walberg
Walden
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

So the amendment was not agreed to.
After some further time,
The SPEAKER pro tempore, Mrs.
BIGGERT, assumed the Chair.

When Mr. BASS of New Hampshire,
Chairman, reported the bill back to the
House with sundry amendments adopt-
ed by the Committee.

The previous question having been
ordered by said resolution.

The following sundry amendments,
reported from the Committee of the
Whole House on the state of the Union,
were agreed to:

Page 18, line 7, after the dollar amount, in-
sert "(reduced by \$1,235,000)".

Page 22, line 9, after the dollar amount, in-
sert "(reduced by \$878,000)".

Page 24, line 13, after the dollar amount,
insert "(reduced by \$218,379) (increased by
\$218,379)".

Page 29, line 21, after the dollar amount,
insert "(reduced by \$1,000,000)".

Page 36, line 10, after the dollar amount,
insert "(increased by \$1,235,000)".

Page 36, line 10, after the dollar amount,
insert "(increased by \$878,000)".

Page 36, line 10, after the dollar amount,
insert "(increased by \$1,000,000)".

At the end of the bill (before the short
title), insert the following:

SEC. ____ . None of the funds made available
by this Act may be used to provide an aggre-
gate number of more than 50 printed copies
of any edition of the United States Code to
all offices of the House of Representatives.

The bill, as amended, was ordered to
be engrossed and read a third time, was
read a third time by title.

Ms. PINGREE of Maine, moved to re-
commit the bill to the Committee on
Appropriations with instructions to re-
port the bill back to the House forth-
with with the following amendment:

Page 3, line 11, after the dollar amount, in-
sert "(reduced by \$3,099,244)".

Page 4, line 9, after the dollar amount, in-
sert "(reduced by \$3,099,244)".

After debate,
By unanimous consent, the previous
question was ordered on the motion to
recommit with instructions.

The question being put, viva voce,
Will the House recommit said bill
with instructions?

The SPEAKER pro tempore, Mrs.
BIGGERT, announced that the nays
had it.

Ms. PINGREE of Maine, demanded a
recorded vote on agreeing to said mo-
tion, which demand was supported by
one-fifth of a quorum, so a recorded
vote was ordered.

The vote was taken by electronic de-
vice.

It was decided in the { Yeas 101
negative } Nays 309

74.14 [Roll No. 376]

AYES—101

Ackerman
Altmire
Andrews
Baca
Bass (CA)
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici

Boswell
Brady (PA)
Capps
Carney
Castor (FL)
Chandler
Clarke (MI)
Clyburn
Cohen
Conyers

Cooper
Costa
Costello
Critz
Cuellar
Davis (CA)
DeFazio
Doggett
Donnelly (IN)

NOT VOTING—22

Akin
Baldwin
Bass (CA)
Bilirakis
Cardoza

Cicilline
Coble
Filner
Gohmert
Green, Gene

Hirono
Kucinich
Labrador
Lewis (CA)
Mack

Cassidy	Holt	Pitts
Castor (FL)	Honda	Platts
Chandler	Hoyer	Polis
Chu	Hultgren	Price (NC)
Clarke (MI)	Hunter	Quigley
Clarke (NY)	Israel	Rahall
Clay	Jackson (IL)	Rangel
Cleaver	Jackson Lee	Reed
Clyburn	(TX)	Rehberg
Coffman (CO)	Johnson (GA)	Reichert
Cohen	Johnson (IL)	Renacci
Cole	Johnson (OH)	Reyes
Connolly (VA)	Johnson, E. B.	Ribble
Conyers	Kaptur	Richardson
Cooper	Keating	Richmond
Costa	Kelly	Rigell
Costello	Kildee	Rivera
Courtney	Kind	Roby
Cravaack	King (NY)	Roe (TN)
Crawford	Kinzinger (IL)	Rogers (AL)
Crenshaw	Kissell	Rogers (KY)
Critz	Kline	Rogers (MI)
Crowley	Lance	Ros-Lehtinen
Cuellar	Landry	Roskam
Cummings	Langevin	Ross (AR)
Davis (CA)	Lankford	Rothman (NJ)
Davis (IL)	Larsen (WA)	Runyan
Davis (KY)	Larson (CT)	Ruppersberger
DeFazio	Latham	Rush
DeGette	LaTourette	Ryan (OH)
DeLauro	Lee (CA)	Sanchez, Linda
Denham	Levin	T.
Dent	Lewis (GA)	Sanchez, Loretta
DesJarlais	Lipinski	Sarbanes
Deutch	LoBiondo	Schakowsky
Diaz-Balart	Loeb	Schiff
Dicks	Loeb, Zoe	Schilling
Dingell	Long	Schmidt
Doggett	Lowe	Schock
Dold	Lucas	Schrader
Donnelly (IN)	Luetkemeyer	Schwartz
Doyle	Lujan	Scott (VA)
Dreier	Lummis	Scott, David
Duffy	Lungren, Daniel	E.
Duncan (TN)	E.	Serrano
Edwards	Lynch	Sessions
Ellison	Maloney	Sewell
Ellmers	Marino	Sherman
Emerson	Markey	Shimkus
Engel	Matheson	Shuster
Eshoo	Matsui	Simpson
Farenthold	McCarthy (CA)	Sires
Farr	McCarthy (NY)	Smith (NE)
Fattah	McCollum	Smith (NJ)
Fleischmann	McCotter	Smith (WA)
Forbes	McDermott	Southerland
Fortenberry	McGovern	Speier
Frank (MA)	McIntyre	Stark
Frelinghuysen	McKeon	Stearns
Fudge	McKinley	Stivers
Gallely	McMorris	Sutton
Garamendi	Rodgers	Terry
Gardner	McNerney	Thompson (CA)
Gerlach	Meeke	Thompson (MS)
Gibbs	Mica	Tierney
Gibson	Michaud	Tipton
Gonzalez	Miller (MI)	Tonko
Gosar	Miller (NC)	Tsongas
Green, Al	Miller, Gary	Turner (NY)
Griffin (AR)	Miller, George	Turner (OH)
Griffith (VA)	Moore	Upton
Grijalva	Moran	Van Hollen
Grimm	Murphy (CT)	Velázquez
Guinta	Murphy (PA)	Visclosky
Guthrie	Nadler	Walberg
Gutierrez	Napolitano	Walden
Hahn	Noem	Walz (MN)
Hall	Nugent	Wasserman
Hanabusa	Nunes	Schultz
Hanna	Nunnelee	Waters
Harper	Olver	Watt
Harris	Owens	Waxman
Hartzler	Palazzo	Webster
Hastings (FL)	Pallone	Welch
Hayworth	Pascrell	Wilson (FL)
Heinrich	Pastor (AZ)	Wittman
Heger	Paulsen	Wolf
Herrera Beutler	Pearce	Womack
Higgins	Pelosi	Woolsey
Himes	Perlmutter	Yarmuth
Hinchee	Peters	Young (AK)
Hinojosa	Peterson	Young (FL)
Hochul	Petri	Young (IN)
Holden	Pingree (ME)	

Johnson, Sam	Meehan	Slaughter
Kucinich	Neal	Tiberi
Labrador	Paul	Towns
Lewis (CA)	Roybal-Allard	Whitfield
Mack	Shuler	

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶74.18 LARGE AIR TANKERS

On motion of Mr. THOMPSON of Pennsylvania, by unanimous consent, the Committee on Agriculture was discharged from further consideration of the bill of the Senate (S. 3261) to allow the Chief of the Forest Service to award certain contracts for large air tankers.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶74.19 ADJOURNMENT OVER

On motion of Mr. THOMPSON of Pennsylvania, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, June 12, 2012; and further, when the House adjourns on Tuesday, June 12, 2012, it adjourn to meet at 10 a.m. on Friday, June 15, 2012; and further, when the House adjourns on Friday, June 15, 2012, it adjourn to meet at 2 p.m. on Monday, June 18, 2012.

¶74.20 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5883. An Act to make a technical correction in Public Law 112-108.

H.R. 5890. An Act to correct a technical error in Public Law 112-122.

¶74.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CICILLINE, for today after 11 a.m.

And then,

¶74.22 ADJOURNMENT

On motion of Mr. GARAMENDI, pursuant to the previous order of the House, at 1 o'clock and 9 minutes p.m., the House adjourned until 10 a.m. on Tuesday, June 12, 2012.

¶74.23 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 4480. A bill to provide for

the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve; with an amendment (Rept. 112-520, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶74.24 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 901 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Pursuant to clause 2 of rule XIII, the Committees on Natural Resources, Agriculture, and Armed Services discharged from further consideration. H.R. 4480 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

¶74.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. VELÁZQUEZ (for herself and Mr. GRIMM):

H.R. 5929. A bill to amend the Investment Company Act of 1940 to change the asset coverage ratio and treatment of preferred stock for business development companies, to allow business development companies to purchase, otherwise acquire, or hold certain securities, and to direct the Securities and Exchange Commission to revise rules under the Securities Act of 1933 relating to business development companies; to the Committee on Financial Services.

By Mr. MCKINLEY (for himself, Mr. GRIMM, Mr. CARSON of Indiana, and Mr. KILDEE):

H.R. 5930. A bill to amend the Internal Revenue Code of 1986 to increase the rehabilitation credit for commercial buildings and to provide a rehabilitation credit for principal residences; to the Committee on Ways and Means.

By Mr. CRAWFORD:

H.R. 5931. A bill to ensure the continuation of successful fisheries mitigation programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BUERKLE (for herself, Mr. PAUL, and Mr. KELLY):

H.R. 5932. A bill to amend the Internal Revenue Code of 1986 to allow 529 tuition programs with respect to elementary and secondary education expenses; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 5933. A bill to amend section 1120A of the Elementary and Secondary Education Act of 1965 to modify the comparability of services requirements; to the Committee on Education and the Workforce.

By Mr. FALCONE (for himself, Mr. SABLON, and Ms. BORDALLO):

H.R. 5934. A bill to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco; to the Committee on the Judiciary.

By Mr. FORTENBERRY:

H.R. 5935. A bill to prohibit the Secretary of Energy from enforcing regulations per-

NOT VOTING—26

Akin	Cardoza	Fitzpatrick
Baldwin	Cicilline	Gohmert
Bilirakis	Coble	Green, Gene
Bishop (UT)	Filner	Hirono

taining to certain battery chargers; to the Committee on Energy and Commerce.

By Mr. GARAMENDI (for himself, Mr. SMITH of Washington, Mr. AMASH, and Mr. PERLMUTTER):

H.R. 5936. A bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide for the trial of covered persons detained in the United States pursuant to the Authorization for Use of Military Force or the National Defense Authorization Act for Fiscal Year 2012 and to repeal the requirement for military custody; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself, Mrs. CHRISTENSEN, Ms. ROS-LEHTINEN, Mrs. BLACKBURN, Mr. CONNOLLY of Virginia, Mr. MORAN, Mr. CLARKE of Michigan, Mr. LEWIS of Georgia, Ms. LEE of California, Ms. NORTON, Ms. MOORE, Mr. RANGEL, and Mr. HONDA):

H.R. 5937. A bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery regarding, the availability and coverage of breast reconstruction, prostheses, and other options; to the Committee on Energy and Commerce.

By Mr. MURPHY of Connecticut (for himself and Ms. DELAURO):

H.R. 5938. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. PASTOR of Arizona:

H.R. 5939. A bill to designate the facility of the United States Postal Service located at 100 North Taylor Lane in Patagonia, Arizona, as the "Jim Kolbe Post Office"; to the Committee on Oversight and Government Reform.

By Mr. PETERS (for himself, Mr. CAMPBELL, and Mr. ELLISON):

H.R. 5940. A bill to establish pilot programs to encourage the use of shared appreciation mortgage modifications, and for other purposes; to the Committee on Financial Services.

By Mr. PLATTS (for himself, Mr. TOWNS, and Mr. CONNOLLY of Virginia):

H.R. 5941. A bill to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. KIND, and Mr. ROSS of Arkansas):

H.R. 5942. A bill to repeal certain changes to contracts with Medicare Quality Improvement Organizations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself and Mr. WELCH):

H.R. 5943. A bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program, and for other purposes; to the Committee on Ways and Means.

By Mr. RICHMOND:

H.R. 5944. A bill to strengthen entrepreneurial education, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. RAHALL, Mr. WALZ of Minnesota, and Mr. HUNTER):

H. Con. Res. 129. Concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces; to the Committee on Armed Services.

By Ms. CHU (for herself, Mr. SMITH of Texas, Mr. HONDA, Mr. ISSA, Mr. BURTON of Indiana, Mr. CLAY, Ms. LEE of California, Mr. GRIJALVA, Mr. SCHIFF, and Mr. JACKSON of Illinois):

H. Res. 683. A resolution expressing the regret of the House of Representatives for the passage of laws that adversely affected the Chinese in the United States, including the Chinese Exclusion Act; to the Committee on the Judiciary.

By Mr. GRIMM:

H. Res. 684. A resolution expressing support for designation of March 29 as Vietnam Veterans Day; to the Committee on Oversight and Government Reform.

By Ms. HOCHUL (for herself, Ms. SLAUGHTER, and Mr. HIGGINS):

H. Res. 685. A resolution recognizing the 200th anniversary of the War of 1812 and the ensuing 200 years of peace and cooperation between the United States and Canada; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶74.26 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HUIZENGA of Michigan introduced a bill (H.R. 5945) for the relief of Jing Roberts; which was referred to the Committee on the Judiciary.

¶74.27 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. COLE.
 H.R. 733: Mr. HEINRICH.
 H.R. 777: Mr. TURNER of New York and Mr. SCHRADER.
 H.R. 860: Mr. DENHAM and Mr. BUTTERFIELD.
 H.R. 876: Mr. CICILLINE.
 H.R. 905: Mr. WEBSTER.
 H.R. 942: Mr. SENSENBRENNER and Mr. CRAWFORD.
 H.R. 1112: Mr. KLINE.
 H.R. 1116: Mr. CARNAHAN and Ms. KAPTUR.
 H.R. 1236: Mrs. NAPOLITANO.
 H.R. 1240: Ms. BONAMICI.
 H.R. 1259: Mr. SCHILLING.
 H.R. 1265: Mr. ROSS of Arkansas.
 H.R. 1474: Mr. FARENTHOLD.
 H.R. 1475: Ms. NORTON.
 H.R. 1489: Ms. HIRONO.
 H.R. 1537: Mr. CARNAHAN.
 H.R. 1639: Mr. STUTZMAN and Mr. AMODEI.
 H.R. 1672: Ms. SCHAKOWSKY, Mr. SIREN, and Mr. FILNER.
 H.R. 1733: Mr. HONDA.
 H.R. 1956: Mr. HENSARLING and Mr. MCCAUL.
 H.R. 2028: Mr. QUIGLEY and Mr. ELLISON.
 H.R. 2077: Mr. POMPEO.

H.R. 2168: Ms. TSONGAS.
 H.R. 2180: Ms. SLAUGHTER.
 H.R. 2327: Mr. MILLER of Florida.
 H.R. 2355: Ms. CHU.
 H.R. 2925: Mr. BURGESS.
 H.R. 3057: Ms. SUTTON.
 H.R. 3179: Mr. GRIFFIN of Arkansas and Ms. SCHWARTZ.
 H.R. 3395: Mr. PETRI.
 H.R. 3496: Mr. POLIS.
 H.R. 3497: Mr. LOEBSACK.
 H.R. 3506: Mr. JOHNSON of Ohio.
 H.R. 3522: Mr. ENGEL and Mr. AL GREEN of Texas.
 H.R. 3627: Mr. GRIFFIN of Arkansas.
 H.R. 3667: Mr. LATTI.
 H.R. 3767: Mr. SMITH of Washington.
 H.R. 3798: Mr. FRANK of Massachusetts and Mr. MCNERNEY.
 H.R. 3873: Mr. WELCH.
 H.R. 4066: Mr. FRANK of Massachusetts, Mr. YOUNG of Alaska, and Mr. BUCHSON.
 H.R. 4122: Mr. ISRAEL.
 H.R. 4132: Ms. HOCHUL.
 H.R. 4171: Mr. PITTS.
 H.R. 4186: Mr. GRIMM, Mr. WEBSTER, Mr. ROSS of Florida, and Mr. REICHERT.
 H.R. 4202: Mr. CARSON of Indiana and Mr. MCNERNEY.
 H.R. 4273: Mr. MURPHY of Pennsylvania.
 H.R. 4278: Mr. MICHAUD.
 H.R. 4286: Mr. FILNER, Ms. JACKSON LEE of Texas, Mr. RUSH, Mr. LEWIS of Georgia and Ms. MOORE.
 H.R. 4287: Ms. WOOLSEY and Mr. ELLISON.
 H.R. 4341: Ms. CHU.
 H.R. 4362: Ms. VELÁZQUEZ.
 H.R. 4383: Mr. CONAWAY, Ms. JENKINS, Mrs. CAPITO and Mr. REED.
 H.R. 4385: Mr. COBLE, Mr. NUNNELEE, Mrs. NOEM, Mr. ALEXANDER, Mr. YOUNG of Indiana, Mr. FLAKE and Mr. SMITH of Texas.
 H.R. 4965: Mr. BONNER, Mr. AMODEI, Mr. SCHOCK and Mr. MCCLINTOCK.
 H.R. 5186: Mr. HOLT.
 H.R. 5195: Mr. MCKINLEY.
 H.R. 5381: Mr. QUAYLE.
 H.R. 5647: Mr. COURTNEY and Mr. LEVIN.
 H.R. 5799: Ms. SLAUGHTER.
 H.R. 5840: Mr. ROE of Tennessee, Mr. GRIJALVA, Mr. STARK, Mr. HOLT and Ms. CHU.
 H.R. 5870: Mr. STARK.
 H.R. 5872: Mr. WOODALL, Mrs. MILLER of Michigan, Mr. HANNA and Mr. SAM JOHNSON of Texas.
 H.R. 5892: Mr. WALDEN and Mr. GARDNER.
 H.R. 5893: Ms. LINDA T. SÁNCHEZ of California and Ms. CHU.
 H.R. 5901: Mr. ELLISON, Mr. GUTIERREZ and Mr. GENE GREEN of Texas.
 H.R. 5906: Mr. PERLMUTTER.
 H.R. 5911: Mr. LOEBSACK and Mr. WEST-MORELAND.
 H.R. 5912: Mr. NUNNELEE, Mr. LOEBSACK, Mr. BISHOP of Utah and Mr. GARDNER.
 H. Con. Res. 127: Mr. GRIFFITH of Virginia and Mr. SULLIVAN.
 H. Res. 506: Mr. KEATING.
 H. Res. 618: Mr. MICHAUD.
 H. Res. 665: Mr. GRIMM.

¶74.28 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2942: Mrs. NOEM.

TUESDAY, JUNE 12, 2012 (75)

¶75.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. THORNBERRY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC.

June 12, 2012.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶75.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. THORNBERRY, announced he had examined and approved the Journal of the proceedings of Friday, June 8, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶75.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6400. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-100, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6401. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 09-087, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6402. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-004, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6403. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-053, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6404. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-005, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6405. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-044, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6406. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-015, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6407. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-018, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6408. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-019, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6409. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-143, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6410. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting Transmittal No. DDTC 12-056, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6411. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-033, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6412. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-010, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6413. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-006, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6414. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-009, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6415. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-022, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6416. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-029, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6417. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-028, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6418. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-075, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6419. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-014, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6420. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-025, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6421. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-024, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6422. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-021, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6423. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-042, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6424. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-062, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6425. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting Transmittal No. DDTC 11-112, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6426. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 12-032, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6427. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #1, #2, and #3 [Docket No.: 100223162-1268-01] (RIN: 0648-XB120) received May 14, 2012 received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6428. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the Trimester 1 Longfin Squid Fishery [Docket No.: 110707371-2136-02] (RIN: 0648-XB145) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6429. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/processors Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB174) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6430. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Final 2012 Summer Flounder, Scup, and Black Sea Bass Specifications [Docket No.: 120412408-2408-01] (RIN: 0648-XA795) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6431. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; 2012-2013 Northeast Skate Complex Fishery Specifications [Docket No.: 120208116-2416-03] (RIN: 0648-BB83) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6432. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30837; Amdt. No. 3474] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6433. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30836; Amdt. No. 3473] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6434. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30835; Amdt. No. 3472] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6435. A letter from the Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations: Released Rates of Motor Carriers of Household Goods [Docket No.: FMCSA-2012-0101] (RIN: 2126-AB51) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6436. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Positive Train Control Systems (RRR) [Docket No.: FRA-2011-0028, Notice No. 3] (RIN: 2130-AC27) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶75.4 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 3261. An Act to allow the Chief of the Forest Service to award certain contracts for large air tankers.

And then,

¶75.5 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. THORNBERRY, by unanimous consent, and pursuant to the special order of the House agreed to on June 8, 2012, at 10 o'clock and 5 minutes a.m., declared the House adjourned until 10 a.m. on Friday, June 15, 2012.

¶75.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 4251. A bill to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes; with an amendment (Rept. 112-521). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. Third Semiannual Report on Legislative and Oversight Activities of the Committee on Homeland Security (Rept. 112-552). Referred to the Committee of the Whole House on the state of the Union.

¶75.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY (for himself, Ms. TSONGAS, and Mr. ANDREWS):

H.R. 5946. A bill to direct the Undersecretary of Defense (Comptroller) to carry out a pilot program to develop innovative consumer financial products that encourage sav-

ings and wealth-creation among active-duty servicemembers; to the Committee on Armed Services.

By Ms. JACKSON LEE of Texas:

H.R. 5947. A bill to encourage States to prohibit "Stand Your Ground" laws and require Neighborhood Watch programs to register with local law enforcement agencies and the Department of Justice, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON of Ohio:

H.R. 5948. A bill to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey:

H. Res. 686. A resolution expressing the sense of the House of Representatives that the Republic of Argentina's membership in the G20 should be conditioned on its adherence to international norms of economic relations and commitment to the rule of law; to the Committee on Foreign Affairs.

¶75.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 178: Mr. COLE.
 H.R. 181: Mr. COLE.
 H.R. 459: Mr. DESJARLAIS and Mr. LONG.
 H.R. 687: Mr. COLE.
 H.R. 691: Mr. MICA.
 H.R. 694: Ms. WATERS.
 H.R. 860: Mr. ANDREWS and Ms. HAYWORTH.
 H.R. 1063: Mr. SCHILLING and Mr. LUJÁN.
 H.R. 1111: Mr. AKIN.
 H.R. 1259: Mr. CUELLAR.
 H.R. 1325: Mr. GUINTA.
 H.R. 1700: Mr. MACK.
 H.R. 1792: Mr. STARK.
 H.R. 2139: Mr. KINGSTON.
 H.R. 2236: Mr. THOMPSON of California and Mr. RANGEL.
 H.R. 2437: Mrs. MALONEY.
 H.R. 2569: Mr. WESTMORELAND and Mr. TERRY.
 H.R. 2637: Mr. GRIJALVA.
 H.R. 2655: Mr. PASTOR of Arizona.
 H.R. 2978: Mr. SAM JOHNSON of Texas.
 H.R. 3032: Mr. JOHNSON of Ohio.
 H.R. 3059: Mr. MCHENRY.
 H.R. 3091: Mr. NUNES.
 H.R. 3307: Ms. CASTOR of Florida and Mr. QUIGLEY.
 H.R. 3510: Mr. COFFMAN of Colorado.
 H.R. 3803: Mr. DENHAM, Mr. GRIMM, and Mr. WOLF.
 H.R. 4155: Ms. HAYWORTH.
 H.R. 4367: Mr. BACA, Mr. MEEHAN and Mr. JOHNSON of Ohio.
 H.R. 4403: Mr. LATTA and Mr. WESTMORELAND.
 H.R. 5303: Mr. JORDAN and Mr. FRANKS of Arizona.
 H.R. 5706: Mr. TONKO.
 H.R. 5707: Mr. HEINRICH and Mr. FARR.
 H.R. 5710: Mr. SESSIONS and Mr. LATHAM.
 H.R. 5796: Mr. LUETKEMEYER.
 H.R. 5914: Mr. PALAZZO.
 H.J. Res. 106: Mr. CALVERT.
 H.J. Res. 110: Mrs. HARTZLER, Mr. KELLY, and Mrs. LUMMIS.
 H. Res. 623: Mr. SCHULER.
 H. Res. 663: Mr. MCGOVERN, Mr. MURPHY of Connecticut, Mr. RIVERA, Mr. AUSTRIA, Mr. TURNER of New York, Mr. WEST, and Mr. HULTGREN.
 H. Res. 669: Mr. WESTMORELAND.
 H. Res. 672: Mr. STARK and Mr. ELLISON.
 H. Res. 683: Mr. DANIEL E. LUNGREN of California, Mrs. BIGGERT, and Ms. BONAMICI.

FRIDAY, JUNE 15, 2012 (76)

¶76.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 June 15, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶76.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Tuesday, June 12, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶76.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6437. A letter from the Assistant Secretary, Department of Defense, transmitting a draft of proposed legislation, titled the "Leadership, Education, Accountability and Discipline on Sexual Assault Prevention Act of 2012"; to the Committee on Armed Services.

6438. A letter from the Secretary, Department of Health and Human Services, transmitting the thirty-second annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and the Workforce.

6439. A letter from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting recommendations by the Council; to the Committee on Energy and Commerce.

6440. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Testing and Labeling Pertaining to Product Certification [CPSC Docket No.: CPSC-2010-0038] received May 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6441. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medical Loss Ratio Requirements under the Patient Protection and Affordable Care Act [CMS-9998-F] (RIN: 0938-AR41) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6442. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "National Plan to Address Alzheimer's Disease"; to the Committee on Energy and Commerce.

6443. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets [WT Docket No.: 07-250] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6444. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the

Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6445. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

6446. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Review of the Permanent Supportive Housing Program — Department of Human Services", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

6447. A letter from the Director, Office of Personnel Management, transmitting the Office's "Major" final — Excepted Service, Career and Career-Conditional Employment; and Pathways Programs (RIN: 3206-AM34) received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6448. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [Docket No.: USCG-2012-0144] (RIN: 1625-AA09) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6449. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Sellwood Bridge Project, Willamette River; Portland, OR [Docket No.: USCG-2011-1174] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6450. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Eighth Coast Guard District Annual Marine Events and Safety Zones [Docket No.: USCG-2011-0286] (RIN: 1625-AA00; 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6451. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30838; Amdt. No. 3475] received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6452. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Health Insurance Premium Tax Credit [TD 9590] (RIN: 1545-BJ82) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6453. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the second session of the 112th Congress; jointly to the Committees on Foreign Affairs, Armed Services, the Judiciary, and Oversight and Government Reform.

6454. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the 112th

Congress; jointly to the Committees on Foreign Affairs, Transportation and Infrastructure, Armed Services, and the Judiciary.

6455. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the second session of the 112th Congress; jointly to the Committees on Oversight and Government Reform, Armed Services, the Judiciary, Intelligence (Permanent Select), and Foreign Affairs.

And then,

¶76.4 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. LATOURETTE, by unanimous consent, and pursuant to the special order of the House agreed to on June 8, 2012, at 10 o'clock and 3 minutes a.m., declared the House adjourned until 2 p.m. on Monday, June 18, 2012.

¶76.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 3173. A bill to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; with an amendment (Rept. 112-523). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3685. A bill to amend the Herger-Feinstein Quincy Library Group Forest Recovery Act to extend and expand the scope of the pilot forest management project required by that Act; with an amendment (Rept. 112-524, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4039. A bill to convey certain Federal land to the city of Yerington, Nevada; with an amendment (Rept. 112-525). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4094. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes (Rept. 112-526, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. S. 997. An act to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District (Rept. 112-527). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4383. A bill to streamline the application for permits to drill process and increase funds for energy project permit processing, and for other purposes; with an amendment (Rept. 112-528, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3065. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target

ranges in certain States (Rept. 112-529, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4381. A bill to direct the Secretary of the Interior to establish goals for an all-of-the-above energy production plan strategy on a 4-year basis on all onshore Federal lands managed by the Department of the Interior and the Forest Service; with an amendment (Rept. 112-530). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4382. A bill to ensure Federal oil and natural gas lease sales occur, eliminate redundant leasing bureaucracy, and provide leasing certainty; with an amendment (Rept. 112-531). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2352. A bill to authorize the Secretary of the Interior to adjust the boundary of the Stephen Mather Wilderness and the North Cascades National Park in order to allow the rebuilding of a road outside of the floodplain while ensuring that there is no net loss of acreage to the Park or the Wilderness, and for other purposes (Rept. 112-532). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4234. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes; with an amendment (Rept. 112-533, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 538. A bill to require the establishment of customer service standards for Federal agencies; with an amendment (Rept. 112-534). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4363. A bill to amend title 5, United States Code, to allow Federal employees to continue their public service while partially retired; with an amendment (Rept. 112-535). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 2008. A bill to amend title 41, United States Code, to prohibit inserting politics into the Federal acquisition process by prohibiting the submission of political contribution information as a condition of receiving a Federal contract (Rept. 112-536). Referred to the Committee of the Whole House on the state of the Union.

¶76.6 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the following action was taken by the Speaker:

The Committee on the Judiciary discharged from further consideration. H.R. 3065 referred to the Committee of the Whole House on the state of the Union.

The Committee on Agriculture discharged from further consideration. H.R. 3685 referred to the Committee of the Whole House on the state of the Union.

The Committee on the Judiciary discharged from further consideration. H.R. 4094 referred to the Committee of the Whole House on the state of the Union.

The Committee on Agriculture discharged from further consideration. H.R. 4234 referred to the Committee of the Whole House on the state of the Union.

The Committee on the Judiciary discharged from further consideration. H.R. 4383

referred to the Committee of the Whole House on the state of the Union.

¶76.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. ROGERS of Michigan, Mr. RUPERSBERGER, Mr. SENSENBRENNER, and Mr. DANIEL E. LUNGREN of California):

H.R. 5949. A bill to extend the FISA Amendments Act of 2008 for five years; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 5950. A bill to amend the FAA Modernization and Reform Act of 2012 to establish prohibitions to prevent the use of unmanned aircraft systems as weapons while operating in the national airspace system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HECK:

H.R. 5951. A bill to amend title 5, United States Code, to restore to Members of the House of Representatives an election to decline coverage under the Federal Employees' Retirement System; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. COLE):

H. Res. 687. A resolution calling for Syrian President Bashar al-Assad to be tried before the International Criminal Court for committing crimes against humanity; to the Committee on Foreign Affairs.

¶76.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 178: Ms. DEGETTE.

H.R. 1464: Ms. FOXX, Mr. PITTS, Mr. BERMAN, and Mr. SCHIFF.

H.R. 2066: Mr. GINGREY of Georgia.

H.R. 2140: Mr. HIGGINS.

H.R. 2827: Mr. HANNA.

H.R. 2969: Ms. ROYBAL-ALLARD, Mr. REYES, Ms. RICHARDSON, and Ms. NORTON.

H.R. 3067: Mr. CANSECO, Mr.

FALEOMAVAEGA, Mr. JOHNSON of Ohio, Ms. SPEIER, Mrs. NAPOLITANO, Mr. MORAN, Mr. THOMPSON of California, Mr. CUMMINGS, and Mr. TOWNS.

H.R. 3187: Mr. BRADY of Pennsylvania, Mr. CULBERSON, Mr. LONG, Mr. AL GREEN of Texas, Mr. LANGEVIN, Mr. MCHENRY, Mr. HIMES, Ms. NORTON, and Mr. PLATTS.

H.R. 3324: Mr. RANGEL.

H.R. 3352: Mr. LOBIONDO.

H.R. 3399: Mr. MEEHAN.

H.R. 3596: Ms. JACKSON LEE of Texas.

H.R. 3797: Mr. LANCE.

H.R. 3839: Mr. YOUNG of Alaska.

H.R. 4160: Mrs. BLACKBURN and Mr. HENSARLING.

H.R. 4329: Ms. CHU.

H.R. 5707: Mr. PERLMUTTER.

H.R. 5850: Mr. GARRETT, Mr. RIVERA, and Mr. JOHNSON of Ohio.

H.R. 5895: Mr. FILNER, Ms. CASTOR of Florida, Mr. SCOTT of Virginia, and Ms. CLARKE of New York.

H.R. 5910: Mr. CHAFFETZ, Mr. JOHNSON of Illinois, Mr. BOREN, Mr. SIMPSON, and Mr. RANGEL.

H. Res. 134: Mr. RIBBLE, Mr. FRELINGHUYSEN, and Ms. SCHWARTZ.

H. Res. 289: Mr. BERMAN and Mr. MORAN.

H. Res. 397: Mr. HOLT and Mr. THOMPSON of Mississippi.

H. Res. 506: Mr. MICHAUD.

H. Res. 623: Mr. CULBERSON and Mr. ROGERS of Michigan.

H. Res. 672: Mr. CONYERS and Mr. MCGOVERN.

H. Res. 683: Mr. BERMAN, Ms. RICHARDSON, Mr. SHERMAN, Ms. SPEIER, and Mr. CLARKE of Michigan.

MONDAY, JUNE 18, 2012 (77)

¶77.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
June 18, 2012.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶77.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Friday, June 15, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶77.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6456. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2011, pursuant to Public Law 104-201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

6457. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards and Test Procedures for Commercial Heating, Air-Conditioning, and Water-Heating Equipment [Docket No.: EERE-2011-BT-STD-0029] (RIN: 1904-AC47) received May 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6458. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's "Major" final rule — Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers [Docket Number: EERE-2008-BT-STD-0019] (RIN: 1904-AB90) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6459. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing and Handling of Food [Docket No.: FDA-1999-F-0021; Formerly 1999F-2673] received May 17,

2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6460. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Labeling and Effectiveness Testing; Sunscreen Drug Products for Over-the-Counter Human Use; Delay of Compliance Dates [Docket No.: FDA-1978-N-0018] (Formerly Docket No.: 1978N-0038) (RIN: 0910-AF43) received May 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6461. A letter from the Deputy Director, Office of State, Local, and Tribal Affairs, Executive Office of The President, Office of National Drug Control Policy, transmitting reports on the National Youth Anti-Drug Media Campaign for Fiscal Year 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6462. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's annual report for 2011 on Voting Practices in the United Nations, pursuant to Public Law 101-246, section 406; to the Committee on Foreign Affairs.

6463. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000; to the Committee on Foreign Affairs.

6464. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Export and Import of Nuclear Equipment and Material; Export of International Atomic Energy Agency Safeguards Samples [NRC-2011-0213] (RIN: 3150-AJ04) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6465. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Sandia National Laboratories in Albuquerque, New Mexico to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

6466. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes in Requirements for Specimens and for Affidavits or Declarations of Continued Use or Excusable Nonuse in Trademark Cases [Docket No.: PTO-T-2010-0073] (RIN: 0651-AC49) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6467. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Clinton Engineer Works in Oak Ridge, Tennessee, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

6468. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Brookhaven National Laboratory in Upton, New York, to be added to the Special Expo-

sure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

6469. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Electro Metallurgical site in Niagara Falls, New York to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

6470. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from Hangar 481 on the premises of Kirtland Air Force Base, Albuquerque, New Mexico to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

6471. A letter from the Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's final rule — Amendment of Americans With Disabilities Act Title II and Title III Regulations To Extend Compliance Date for Certain Requirements Related to Existing Pools and Spas Provided by State and Local Governments and by Public Accommodations [CRT Docket No: 123; A.G. Order No. 3332-2012] (RIN: 1190-AA69) received May 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6472. A letter from the Director, Executive Office Of The President, Office of National Drug Control Policy, transmitting a report of the Use of High Intensity Drug Trafficking Areas Program Funds to Combat Methamphetamine Trafficking; to the Committee on the Judiciary.

6473. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Modifications to Definition of United States Property [TD 9589] (RIN: 1545-BK11) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6474. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — June 2012 (Rev. Rul. 2012-15) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6475. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Allocation of Mortgage Insurance Premiums [TD 9588] (RIN: 1545-BH84) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶77.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 15, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 15, 2012 at 10:20 a.m.:

That the Senate passed without amendment H. Con. Res. 128.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶77.5 RECESS—2:12 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 12 minutes p.m., until approximately 4 p.m.

¶77.6 AFTER RECESS—4:01 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, called the House to order.

¶77.7 OMNIBUS INDIAN ADVANCEMENT

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 1556) to amend the Omnibus Indian Advancement Act to allow certain land to be used to generate income to provide funding for academic programs, and for other purposes.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. LUJAN, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶77.8 UINTAH AND OURAY INDIAN RESERVATION

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill (H.R. 4027) to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes".

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. LUJAN, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶77.9 MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

¶77.10 LAND GRANT PATENT

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill of the Senate (S. 404) to modify a land grant patent issued by the Secretary of the Interior.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. LUJAN, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Washington, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶77.11 ALTA, UTAH LAND CONVEYANCE

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill of the Senate (S. 684) to provide for the conveyance of certain parcels of land to the town of Alta, Utah.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. LUJAN, each for 20 minutes.

After debate,
The question being put, *viva voce*,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Washington, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶77.12 EAST BENCH IRRIGATION DISTRICT WATER

Mr. HASTINGS of Washington, moved to suspend the rules and pass the bill of the Senate (S. 997) to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. HASTINGS of Washington, and Mr. LUJAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶77.13 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO NORTH KOREA

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13466 of June 26, 2008, expanded in scope in Executive Order 13551 of August 30, 2010, and addressed further in Executive Order 13570 of April 18, 2011, is to continue in effect beyond June 26, 2012.

The existence and risk of proliferation of weapons-usable fissile material on the Korean Peninsula, and the actions and policies of the Government of North Korea that destabilize the Korean Peninsula and imperil U.S. Armed Forces, allies, and trading partners in the region continue to constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency with respect to these threats and maintain in force the measures taken to deal with that national emergency.

BARACK OBAMA.

THE WHITE HOUSE, June 18, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-113).

¶77.14 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO RUSSIAN FEDERATION

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared in Executive Order 13159 of June 21, 2000, with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2012.

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, June 18, 2012.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 112-114).

¶77.15 CHINESE ADVERSELY AFFECTED

Mr. SMITH of Texas, moved to suspend the rules and agree to the following resolution (H. Res. 683):

Whereas many Chinese came to the United States in the 19th and 20th centuries, as did people from other countries, in search of the opportunity to create a better life;

Whereas the United States ratified the Burlingame Treaty on October 19, 1868, which permitted the free movement of the Chinese people to, from, and within the United States and made China a "most favored nation";

Whereas in 1878, the House of Representatives passed a resolution requesting that President Rutherford B. Hayes renegotiate the Burlingame Treaty so Congress could limit Chinese immigration to the United States;

Whereas, on February 22, 1879, the House of Representatives passed the Fifteen Passenger Bill, which only permitted 15 Chinese passengers on any ship coming to the United States;

Whereas, on March 1, 1879, President Hayes vetoed the Fifteen Passenger Bill as being incompatible with the Burlingame Treaty;

Whereas, on May 9, 1881, the United States ratified the Angell Treaty, which allowed the United States to suspend, but not prohibit, immigration of Chinese laborers, declared that "Chinese laborers who are now in the United States shall be allowed to go and come of their own free will," and reaffirmed that Chinese persons possessed "all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation";

Whereas the House of Representatives passed legislation that adversely affected Chinese persons in the United States and limited their civil rights, including—

(1) on March 23, 1882, the first Chinese Exclusion bill, which excluded for 20 years skilled and unskilled Chinese laborers and expressly denied Chinese persons alone the right to be naturalized as American citizens, and which was opposed by President Chester A. Arthur as incompatible with the terms and spirit of the Angell Treaty;

(2) on April 17, 1882, intending to address President Arthur's concerns, the House passed a new Chinese Exclusion bill, which prohibited Chinese workers from entering the United States for 10 years instead of 20, required certain Chinese laborers already legally present in the United States who later wished to reenter the United States to obtain "certificates of return," and prohibited courts from naturalizing Chinese individuals;

(3) on May 3, 1884, an expansion of the Chinese Exclusion Act, which applied it to all persons of Chinese descent, "whether subjects of China or any other foreign power";

(4) on September 3, 1888, the Scott Act, which prohibited legal Chinese laborers from reentering the United States and cancelled all previously issued "certificates of return," and which was later determined by the Supreme Court to have abrogated the Angell Treaty; and

(5) on April 4, 1892, the Geary Act, which reauthorized the Chinese Exclusion Act for another ten years, denied Chinese immigrants the right to be released on bail upon application for a writ of habeas corpus, and contrary to customary legal standards regarding the presumption of innocence, authorized the deportation of Chinese persons who could not produce a certificate of residence unless they could establish residence through the testimony of "at least one credible white witness";

Whereas in the 1894 Gresham-Yang Treaty, the Chinese government consented to a prohibition of Chinese immigration and the enforcement of the Geary Act in exchange for readmission to the United States of Chinese persons who were United States residents;

Whereas in 1898, the United States annexed Hawaii, took control of the Philippines, and excluded only the residents of Chinese ancestry of these territories from entering the United States mainland;

Whereas, on April 29, 1902, as the Geary Act was expiring, Congress indefinitely extended all laws regulating and restricting Chinese immigration and residence, to the extent consistent with Treaty commitments;

Whereas in 1904, after the Chinese government withdrew from the Gresham-Yang Treaty, Congress permanently extended, "without modification, limitation, or condition," the prohibition on Chinese naturalization and immigration;

Whereas these Federal statutes enshrined in law the exclusion of the Chinese from the democratic process and the promise of American freedom;

Whereas in an attempt to undermine the American-Chinese alliance during World War II, enemy forces used the Chinese exclusion legislation passed in Congress as evidence of anti-Chinese attitudes in the United States;

Whereas in 1943, in furtherance of American war objectives, at the urging of Presi-

dent Franklin D. Roosevelt, Congress repealed previously enacted legislation and permitted Chinese persons to become United States citizens;

Whereas Chinese-Americans continue to play a significant role in the success of the United States; and

Whereas the United States was founded on the principle that all persons are created equal: Now, therefore, be it

Resolved,

SECTION 1. ACKNOWLEDGEMENT.

That the House of Representatives regrets the passage of legislation that adversely affected people of Chinese origin in the United States because of their ethnicity.

SEC. 2. DISCLAIMER.

Nothing in this resolution may be construed or relied on to authorize or support any claim, including but not limited to constitutionally based claims, claims for monetary compensation or claims for equitable relief against the United States or any other party, or serve as a settlement of any claim against the United States.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. SMITH of Texas, and Ms. CHU, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶77.16 COUNTERFEIT DRUG PREVENTION

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 3668) to prevent trafficking in counterfeit drugs; as amended.

The SPEAKER pro tempore, Mr. LATOURETTE, recognized Mr. SMITH of Texas, and Ms. CHU, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶77.17 RECESS—5:10 P.M.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 10 minutes p.m., until approximately 6:30 p.m.

¶77.18 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Ms. FOXX, called the House to order.

¶77.19 S. 684—UNFINISHED BUSINESS

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 684) to provide for the conveyance of certain parcels of land to the town of Alta, Utah.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 383 affirmative } Nays 3

¶77.20 [Roll No. 379]

YEAS—383

- Adams Cole Green, Al
Aderholt Conaway Green, Gene
Akin Grijalva
Alexander Conyers
Altmire Cooper
Amash Costa
Amodei Costello
Andrews Courtney
Baca Cravaack
Bachmann Crawford
Bachus Crenshaw
Baldwin Critz
Barietta Crowley
Barrow Cuellar
Bartlett Culberson
Barton (TX) Cummings
Bass (CA) Davis (CA)
Bass (NH) Davis (IL)
Becerra DeFazio
Benishek DeGette
Berg DeLauro
Berman Denham
Biggett Dent
Bilbray DesJarlais
Bilirakis Deutch
Bishop (GA) Diaz-Balart
Bishop (NY) Dicks
Bishop (UT) Dingell
Black Doggett
Blackburn Dold
Bonamici Doyle
Bonner Dreier
Bono Mack Duffy
Boren Duncan (SC)
Boswell Duncan (TN)
Boustany Edwards
Brady (PA) Ellison
Brady (TX) Ellmers
Bralley (IA) Emerson
Broun (GA) Engel
Brown (FL) Eshoo
Buchanan Farenthold
Buchson Farr
Burgess Fattah
Burton (IN) Filner
Calvert Fincher
Camp Fitzpatrick
Canseco Flake
Cantor Fleischmann
Capito Fleming
Capps Forbes
Capuano Fortenberry
Cardoza Foxx
Carnahan Frank (MA)
Carney Franks (AZ)
Carson (IN) Frelinghuysen
Cassidy Gallegly
Castor (FL) Garamendi
Chabot Gardner
Chaffetz Garrett
Chandler Gerlach
Chu Gibbs
Cicilline Gibson
Clarke (MI) Gonzalez
Clarke (NY) Goodlatte
Clay Gosar
Cleaver Gowdy
Clyburn Granger
Coffman (CO) Graves (GA)
Cohen Graves (MO)

- Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Hastings (WA)
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Shock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin

NAYS—3

- Brooks
Griffith (VA)
Woodall

NOT VOTING—45

- Ackerman
Austria
Berkley
Blumenauer
Buerkle
Butterfield
Campbell
Carter
Coble
Davis (KY)
Donnelly (IN)
Flores
Fudge
Gingrey (GA)
Gohmert
Griffin (AR)
Gutierrez
Harper
Hartzler
Israel
Jackson (IL)
Johnson (IL)
Lewis (CA)
Lowey
Marchant
McCarthy (NY)
Miller (FL)
Murphy (CT)
Owens
Pelosi
Roe (TN)
Rohrabacher
Rokita
Ross (AR)
Rush
Sanchez, Linda T.
Schilling
Scott (VA)
Speier
Thompson (MS)
Tiberi
Tierney
Towns
Wasserman
Schultz
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶77.21 S. 404—UNFINISHED BUSINESS

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the

rules and pass the bill of the Senate (S. 404) to modify a land grant patent issued by the Secretary of the Interior.

The question being put,
Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 380
affirmative } Nays 0

¶77.22 [Roll No. 380]

YEAS—380

- | | | |
|---------------|-----------------|-----------------|
| Adams | Culberson | Honda |
| Aderholt | Cummings | Hoyer |
| Akin | Davis (CA) | Huelskamp |
| Alexander | Davis (IL) | Huizenga (MI) |
| Altmire | DeFazio | Hultgren |
| Amash | DeGette | Hunter |
| Amodei | DeLauro | Hurt |
| Andrews | Denham | Issa |
| Baca | Dent | Jackson Lee |
| Bachmann | DesJarlais | (TX) |
| Bachus | Deutch | Jenkins |
| Baldwin | Diaz-Balart | Johnson (GA) |
| Barletta | Dingell | Johnson (OH) |
| Barrow | Doggett | Johnson, E. B. |
| Bartlett | Dold | Johnson, Sam |
| Barton (TX) | Doyle | Jones |
| Bass (CA) | Dreier | Jordan |
| Bass (NH) | Duffy | Kaptur |
| Becerra | Duncan (SC) | Keating |
| Benishek | Duncan (TN) | Kelly |
| Berg | Edwards | Kildee |
| Berman | Ellison | Kind |
| Biggert | Ellmers | King (IA) |
| Bilbray | Emerson | King (NY) |
| Bilirakis | Engel | Kingston |
| Bishop (GA) | Eshoo | Kinzinger (IL) |
| Bishop (NY) | Farenthold | Kissell |
| Bishop (UT) | Farr | Kline |
| Black | Fattah | Kucinich |
| Blackburn | Finler | Labrador |
| Bonamici | Fincher | Lamborn |
| Bonner | Fitzpatrick | Lance |
| Bono Mack | Flake | Landry |
| Boren | Fleischmann | Langevin |
| Boswell | Fleming | Lankford |
| Boustany | Forbes | Larsen (WA) |
| Brady (PA) | Fox | Larson (CT) |
| Brady (TX) | Frank (MA) | Latham |
| Bralley (IA) | Franks (AZ) | LaTourette |
| Brooks | Frelinghuysen | Latta |
| Broun (GA) | Galleghy | Levin |
| Brown (FL) | Garamendi | Lewis (GA) |
| Buchanan | Gardner | Lipinski |
| Bucshon | Garrett | LoBiondo |
| Burgess | Gerlach | Loeb |
| Burton (IN) | Gibbs | Lofgren, Zoe |
| Calvert | Gibson | Long |
| Camp | Gonzalez | Luetkemeyer |
| Canseco | Goodlatte | Lujan |
| Cantor | Gosar | Lummis |
| Capito | Gowdy | Lungren, Daniel |
| Capps | Granger | E. |
| Capuano | Graves (GA) | Lynch |
| Cardoza | Graves (MO) | Mack |
| Carnahan | Green, Al | Maloney |
| Carney | Green, Gene | Manzullo |
| Carson (IN) | Griffith (VA) | Marino |
| Cassidy | Grijalva | Markey |
| Castor (FL) | Grimm | Matheson |
| Chabot | Guinta | Matsui |
| Chaffetz | Guthrie | McCarthy (CA) |
| Chu | Hahn | McCauley |
| Clarke (MI) | Hall | McClintock |
| Clarke (NY) | Hanabusa | McCollum |
| Clay | Hanna | McCotter |
| Cleaver | Harper | McDermott |
| Clyburn | Harris | McGovern |
| Coffman (CO) | Hastings (FL) | McHenry |
| Cohen | Hastings (WA) | McIntyre |
| Cole | Hayworth | McKeon |
| Conaway | Heck | McKinley |
| Connolly (VA) | Heinrich | McMorris |
| Conyers | Hensarling | Rodgers |
| Cooper | Hergert | McNerney |
| Costa | Herrera Beutler | Meehan |
| Costello | Higgins | Meeks |
| Courtney | Himes | Mica |
| Cravaack | Hinche | Michaud |
| Crawford | Hinojosa | Miller (MI) |
| Crenshaw | Hirono | Miller (NC) |
| Critz | Hochul | Miller, Gary |
| Crowley | Holden | Miller, George |
| Cuellar | Holt | Moore |

- | | | |
|--------------|------------------|---------------|
| Moran | Richardson | Smith (TX) |
| Mulvaney | Richmond | Smith (WA) |
| Murphy (PA) | Rigell | Southerland |
| Myrick | Rivera | Stark |
| Nadler | Roby | Stearns |
| Napolitano | Rogers (AL) | Stivers |
| Neal | Rogers (KY) | Stutzman |
| Neugebauer | Rogers (MI) | Sullivan |
| Noem | Rooney | Sutton |
| Nugent | Ros-Lehtinen | Terry |
| Nunes | Roskam | Thompson (CA) |
| Nunnelee | Ross (FL) | Thompson (PA) |
| Olson | Rothman (NJ) | Thornberry |
| Oliver | Roybal-Allard | Tipton |
| Palazzo | Royce | Tonko |
| Pallone | Runyan | Tsongas |
| Pascarella | Ruppersberger | Turner (NY) |
| Pastor (AZ) | Ryan (OH) | Upton |
| Paul | Ryan (WI) | Van Hollen |
| Paulsen | Sanchez, Loretta | Velázquez |
| Pearce | Sarbanes | Visclosky |
| Pence | Scalise | Walberg |
| Perlmutter | Schakowsky | Walden |
| Peters | Schiff | Walsh (IL) |
| Peterson | Schmidt | Walz (MN) |
| Petri | Schock | Waters |
| Pingree (ME) | Schrader | Watt |
| Pitts | Schwartz | Waxman |
| Platts | Schweikert | Webster |
| Poe (TX) | Scott (SC) | Welch |
| Polis | Scott, Austin | West |
| Pompeo | Scott, David | Westmoreland |
| Posey | Sensenbrenner | Serrano |
| Price (GA) | Sessions | Wilson (FL) |
| Price (NC) | Sewell | Wilson (SC) |
| Quayle | Sherman | Wittman |
| Quigley | Shimkus | Wolf |
| Rahall | Shuler | Womack |
| Rangel | Shuster | Woodall |
| Reed | Simpson | Woolsey |
| Rehberg | Sires | Yarmuth |
| Reichert | Slaughter | Yoder |
| Renacci | Smith (NE) | Young (AK) |
| Reyes | Smith (NJ) | Young (IN) |
| Ribble | | |

NOT VOTING—51

- | | | |
|---------------|---------------|----------------|
| Ackerman | Gohmert | Rohrabacher |
| Austria | Griffin (AR) | Rokita |
| Berkley | Gutierrez | Ross (AR) |
| Blumenauer | Hartzler | Rush |
| Buerkle | Israel | Sánchez, Linda |
| Butterfield | Jackson (IL) | T. |
| Campbell | Johnson (IL) | Schilling |
| Carter | Lee (CA) | Scott (VA) |
| Chandler | Lewis (CA) | Speier |
| Cicilline | Lowe | Thompson (MS) |
| Coble | Lucas | Tiberi |
| Davis (KY) | Marchant | Tierney |
| Dicks | McCarthy (NY) | Towns |
| Donnelly (IN) | Miller (FL) | Turner (OH) |
| Flores | Murphy (CT) | Wasserman |
| Fortenberry | Owens | Schultz |
| Fudge | Pelosi | Young (FL) |
| Gingrey (GA) | Roe (TN) | |

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶77.23 PROVIDING FOR CONSIDERATION OF H.R. 2578

Mr. BISHOP of Utah, by direction of the Committee on Rules, reported (Rept. No. 112-539) the resolution (H. Res. 688) providing for consideration of the bill (H.R. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶77.24 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. WALZ of Minnesota, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to resolve all issues and file a conference report not later than June 22, 2012.

¶77.25 MINNESOTA CHIPPEWA TRIBE JUDGMENT FUND

Mr. YOUNG of Alaska, moved to suspend the rules and pass the bill (H.R. 1272) to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al, by the United States Court of Federal Claims in Docket Numbers 19 and 188, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. AMASH, recognized Mr. YOUNG of Alaska, and Mr. LUJAN, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. AMASH, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶77.26 GILA BEND INDIAN RESERVATION

Mr. YOUNG of Alaska, moved to suspend the rules and pass the bill (H.R. 2938) to prohibit certain gaming activities on certain Indian lands in Arizona; as amended.

The SPEAKER pro tempore, Mr. AMASH, recognized Mr. YOUNG of Alaska, and Mr. LUJAN, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. AMASH, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GRIJALVA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. AMASH, pursuant to clause 8 of rule

XX, announced that further proceedings on the question were postponed until Tuesday, June 19, 2012.

¶77.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GRIFFIN of Arkansas, for today; and

To Mr. SCHILLING, for today.

And then,

¶77.28 ADJOURNMENT

On motion of Mr. JONES, at 8 o'clock and 15 minutes p.m., the House adjourned.

¶77.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 3668. A bill to prevent trafficking in counterfeit drugs; with an amendment (Rept. 112-537). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3100. A bill to authorize the Secretary of the Interior to expand the boundary of the San Antonio Missions National Historical Park, to conduct a study of potential land acquisitions, and for other purposes; with an amendment (Rept. 112-538). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 688. Resolution providing for consideration of the bill (H.R. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes (Rept. 112-539). Referred to the House Calendar.

¶77.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MANZULLO (for himself, Mr. MCINTYRE, Mr. BUCHSON, Mr. FINCHER, Mr. JOHNSON of Illinois, Mr. BOSWELL, and Mr. KISSELL):

H.R. 5952. A bill to require each Federal agency to submit and obtain approval from the Director of the Office of Science and Technology Policy of guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of scientific information relied upon by the agency; to the Committee on Oversight and Government Reform.

By Mr. QUAYLE (for himself, Mr. Ross of Florida, Mr. GRAVES of Georgia, Mr. RIBBLE, Mr. MULVANEY, Mr. BROOKS, and Mr. LONG):

H.R. 5953. A bill to prohibit the implementation of certain policies regarding the exercise of prosecutorial discretion by the Secretary of Homeland Security; to the Committee on the Judiciary.

By Mr. ALTMIRE (for himself and Mr. GERLACH):

H.R. 5954. A bill to designate the facility of the United States Postal Service located at 320 7th Street in Ellwood City, Pennsylvania, as the "Sergeant Leslie H. Sabo, Jr. Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR (for herself, Mr. KIND, Ms. PINGREE of Maine, Mr. HINCHEY, Mr. BRALEY of Iowa, Mr. BOSWELL, Mr. LUJÁN, Mr. BUTTERFIELD, Mr. RYAN of Ohio, Mrs. CHRISTENSEN, Mr. LOEBSACK, Ms. LEE of California, Ms. RICHARDSON, Mr. WALZ of Minnesota, Mr. MICHAUD, Mr. BLUMENAUER, and Ms. FUDGE):

H.R. 5955. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs; to the Committee on Agriculture, and in addition to the Committees on Oversight and Government Reform, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mr. PETRI, Mr. CONYERS, Ms. ZOE LOFGREN of California, Mr. FILNER, Mr. HINCHEY, and Mr. STARK):

H.R. 5956. A bill to provide safe, fair, and responsible procedures and standards for resolving claims of state secrets privilege; to the Committee on the Judiciary.

By Mr. SCHWEIKERT:

H.R. 5957. A bill to prohibit the Secretary of Homeland Security from granting deferred action or otherwise suspending the effectiveness or enforcement of the immigration laws; to the Committee on the Judiciary.

By Mr. TURNER of New York (for himself, Mr. KING of New York, and Mr. GRIMM):

H.R. 5958. A bill to name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley; to the Committee on Natural Resources.

By Mr. SCHIFF:

H.J. Res. 111. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns; to the Committee on the Judiciary.

By Mr. DESJARLAIS (for himself and Mr. ROE of Tennessee):

H.J. Res. 112. A joint resolution disapproving the rule submitted by the Internal Revenue Service relating to the health insurance premium tax credit; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Ms. KAPTUR, Mr. HIGGINS, Mr. CARDOZA, Mrs. CAPPS, Ms. MCCOLLUM, Mr. RANGEL, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. ROYBAL-ALLARD, and Ms. ESHOO):

H. Res. 689. A resolution honoring Catholic sisters for their contributions to the United States; to the Committee on Oversight and Government Reform.

¶77.31 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. BONNER.
H.R. 139: Mr. LEWIS of Georgia, Ms. HAHN, Mr. CAPUANO, and Ms. BROWN of Florida.
H.R. 140: Mrs. BLACK and Mr. MICA.
H.R. 191: Mr. MCGOVERN.
H.R. 266: Ms. CHU.
H.R. 267: Ms. CHU.
H.R. 459: Mrs. ELLMERS and Mr. WHITFIELD.
H.R. 529: Ms. EDWARDS.
H.R. 587: Ms. CHU.
H.R. 605: Mr. KINGSTON.
H.R. 694: Mr. SIRES, Mr. HONDA, Mr. RYAN of Ohio, Mr. LARSEN of Washington, Mrs. CAPPS, Mr. COHEN, Mr. DAVID SCOTT of Georgia, and Mr. LEWIS of Georgia.

H.R. 733: Mr. WAXMAN, Mrs. BLACKBURN, Mr. LATOURETTE, and Ms. BONAMICI.

H.R. 791: Ms. CHU.

H.R. 812: Mr. COHEN.

H.R. 816: Mr. THORNBERRY.

H.R. 835: Ms. SEWELL.

H.R. 860: Ms. VELÁZQUEZ.

H.R. 905: Mr. PRICE of Georgia.

H.R. 1170: Mr. JONES.

H.R. 1236: Mr. REED, Ms. HANABUSA, and Mrs. ELLMERS.

H.R. 1265: Mr. MACK.

H.R. 1327: Mr. BUTTERFIELD, Mr. CAMPBELL, Mr. SCOTT of Virginia, and Mr. COSTA.

H.R. 1344: Mr. RYAN of Ohio.

H.R. 1385: Mr. CHABOT.

H.R. 1409: Mr. PALAZZO.

H.R. 1513: Ms. SEWELL and Mr. KEATING.

H.R. 1653: Mr. HANNA.

H.R. 1704: Mr. GRIMM.

H.R. 1746: Mr. MICHAUD and Ms. KAPTUR.

H.R. 1755: Mr. BONNER, Mr. GRAVES of Georgia, Mr. AKIN, Mr. KINGSTON, and Mr. COHEN.

H.R. 1802: Mr. ANDREWS.

H.R. 1878: Ms. LEE of California.

H.R. 1910: Mr. TURNER of Ohio.

H.R. 1916: Mrs. LOWEY and Ms. EDWARDS.

H.R. 1936: Mr. KISSELL.

H.R. 1956: Mr. ADERHOLT.

H.R. 2010: Mr. KINGSTON.

H.R. 2030: Mr. LUJÁN, Mr. HINCHEY, and Mr. ISRAEL.

H.R. 2104: Mr. BACA and Mr. KING of New York.

H.R. 2123: Mrs. MCCARTHY of New York.

H.R. 2151: Mr. CONYERS.

H.R. 2194: Mrs. DAVIS of California.

H.R. 2267: Mr. PERLMUTTER, Ms. HIRONO, Mr. OLVER, Mr. RUSH, Mr. McDERMOTT, Mr. BARTLETT, and Mr. ROONEY.

H.R. 2327: Mr. ROSS of Florida.

H.R. 2499: Mr. LEWIS of Georgia, Mr. ROSS of Arkansas, and Ms. KAPTUR.

H.R. 2514: Mr. MICA and Mr. HARRIS.

H.R. 2634: Mr. COHEN.

H.R. 2671: Mr. WELCH.

H.R. 2866: Ms. SEWELL and Mr. DIAZ-BALART.

H.R. 3145: Mr. CAPUANO.

H.R. 3187: Mr. GUTHRIE.

H.R. 3307: Mr. LATOURETTE.

H.R. 3458: Mr. ROSS of Florida.

H.R. 3481: Mr. NUNNELEE.

H.R. 3485: Ms. BASS of California and Mr. CARNAHAN.

H.R. 3506: Mr. YOUNG of Alaska.

H.R. 3510: Mr. CROWLEY and Mr. PAULSEN.

H.R. 3596: Mr. CICILLINE.

H.R. 3612: Mr. JOHNSON of Georgia, Mrs. LOWEY, Mr. TIERNEY, and Mr. GERLACH.

H.R. 3618: Mr. DOGGETT.

H.R. 3627: Mr. KELLY and Ms. EDWARDS.

H.R. 3656: Mr. BRALEY of Iowa.

H.R. 3668: Mr. LUJÁN and Mr. CROWLEY.

H.R. 3798: Mr. CONNOLLY of Virginia, Mrs. DAVIS of California, Mr. CICILLINE, Mr. SARBANES, Ms. SEWELL, Mr. ISRAEL, Mr. BUCHANAN, Mr. REYES, Mr. LYNCH, Mr. NADLER, and Mr. KEATING.

H.R. 3849: Mr. KISSELL, Mr. WILSON of South Carolina, Mr. FLEISCHMANN, and Mr. MARINO.

H.R. 3860: Mr. FRANK of Massachusetts and Ms. RICHARDSON.

H.R. 3895: Mrs. EMERSON.

H.R. 3905: Mr. CLARKE of Michigan.

H.R. 4052: Mr. SHERMAN, Mrs. MCCARTHY of New York, Mr. CARSON of Indiana, and Mr. LIPINSKI.

H.R. 4070: Mr. HULTGREN and Ms. HOCHUL.

H.R. 4104: Mr. SENSENBRENNER, Mr. BISHOP of Utah, Mr. REICHERT, Mr. WOLF, Mr. YODER, Mr. REBERG, Mr. SCHWEIKERT, Mr. WOODALL, Mr. GARY G. MILLER of California, Mr. GRAVES of Georgia, Mr. SMITH of Nebraska, Mr. MARINO, Mr. ROGERS of Kentucky, Mr. ROYCE, Mr. CARSON of Indiana, Mr. HIGGINS, Ms. CASTOR of Florida, Ms. SCHWARTZ, Ms. TSONGAS, Mr. TIERNEY, Ms.

SCHAKOWSKY, Mr. GEORGE MILLER of California, Mr. MCNERNEY, Ms. CHU, Mr. SHERMAN, Mr. KEATING, Mr. YARMUTH, Mr. BRALEY of Iowa, Mr. HEINRICH, Mr. PETRI, Mr. MCKINLEY, Mr. CLAY, Ms. HANABUSA, Mrs. NOEM, Mr. NUNES, Mr. ALEXANDER, Mr. DUNCAN of Tennessee, Mr. PENCE, Mr. GOODLATTE, Ms. ROS-LEHTINEN, Mr. WALSH of Illinois, Mr. WALBERG, Mr. PLATTS, Mr. HERGER, Mr. LANCE, Mr. JONES, Mrs. BACHMANN, Mr. HULTGREN, Mr. SMITH of Texas, Mr. ROSS of Florida, Mr. THORNBERRY, Mr. TERRY, Mr. CLARKE of Michigan, Mr. CAPUANO, Mr. ELLISON, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. ACKERMAN, Ms. HOCHUL, Mr. SCHRADER, Mr. MEEKS, Ms. CLARKE of New York, Mr. GALLEGLY, Mr. GUINTA, Mr. CASSIDY, Mr. BROUN of Georgia, Mr. KING of Iowa, Mr. WHITFIELD, Mr. GUTHRIE, Mr. CRENSHAW, Mr. CALVERT, Mr. MCCLINTOCK, Mr. FRANKS of Arizona, Ms. MOORE, Mr. JOHNSON of Illinois, Mr. LIPINSKI, Mr. LYNCH, Mr. BLUMENAUER, and Mr. BURTON of Indiana.

H.R. 4122: Mr. LYNCH.
 H.R. 4238: Mr. MORAN.
 H.R. 4256: Mr. SESSIONS.
 H.R. 4285: Mr. GONZALEZ.
 H.R. 4286: Mr. MICHAUD, Ms. SEWELL, Mr. LARSEN of Washington, and Mr. PETERS.
 H.R. 4287: Mr. HASTINGS of Florida, Ms. EDWARDS, Ms. SCHAKOWSKY, Mr. RUSH, Mr. FILNER, Mr. MURPHY of Connecticut, Mr. OLVER, Mr. GRIFFIN of Arkansas, Mr. BARLETTA, and Mr. CARSON of Indiana.
 H.R. 4318: Ms. SCHAKOWSKY.
 H.R. 4323: Mr. ROE of Tennessee.
 H.R. 4335: Mr. MARINO.
 H.R. 4342: Mr. ROSKAM and Mr. HOLDEN.
 H.R. 4367: Mr. HONDA, Mr. AMASH, Mr. RUPERSBERGER, Mr. WALZ of Minnesota, Mr. WILSON of South Carolina, Mr. LYNCH, Mr. LUJÁN, and Ms. HAHN.
 H.R. 4965: Mr. ROSS, Mr. POSEY, Mr. PALAZZO, and Mr. MARINO.
 H.R. 5186: Ms. SLAUGHTER, Ms. BORDALLO, Mr. OLVER, Ms. LEE of California, Ms. KAPTUR, Ms. BROWN of Florida, and Mr. KUCINICH.
 H.R. 5542: Ms. SUTTON and Mr. CONYERS.
 H.R. 5593: Mr. RUSH.
 H.R. 5646: Mr. HARRIS.
 H.R. 5683: Mr. PERLMUTTER.
 H.R. 5684: Mr. COURTNEY.
 H.R. 5744: Mr. LABRADOR.
 H.R. 5796: Mr. RIGELL, Mr. RIVERA, Mr. WELCH, Mr. DANIEL E. LUNGREN of California, and Mr. WOLF.
 H.R. 5822: Mr. POMPEO.
 H.R. 5823: Ms. LEE of California.
 H.R. 5850: Mr. AMODEI.
 H.R. 5859: Mr. KINZINGER of Illinois.
 H.R. 5860: Mr. CONYERS.
 H.R. 5893: Mr. CONNOLLY of Virginia.
 H.R. 5901: Mr. FATTAH, Mr. RANGEL, and Mr. JOHNSON of Georgia.
 H.R. 5910: Mr. GRIMM and Mr. PAULSEN.
 H.R. 5911: Mr. PETRI, Mr. ROSS of Arkansas, and Mr. LANDRY.
 H.R. 5942: Mr. ENGEL.
 H.R. 5943: Mr. THORNBERRY, Mr. BOSWELL, Mr. HANNA, Mr. COURTNEY, and Mr. BISHOP of New York.
 H.R. 5948: Mr. MILLER of Florida and Mr. ROE of Tennessee.
 H.J. Res. 78: Mr. CAPUANO.
 H. Con. Res. 116: Mr. BERG.
 H. Con. Res. 127: Mr. CRITZ, Ms. BONAMICI, Mr. BUCHANAN, Mr. NUNNELEE, Mr. FARR, Mr. GEORGE MILLER of California, Mr. BURGESS, Mr. POLIS, and Ms. ZOE LOFGREN of California.
 H. Con. Res. 129: Mr. CAMP.
 H. Res. 20: Mr. MEEKS.
 H. Res. 21: Mr. RANGEL.
 H. Res. 29: Mr. SHERMAN.
 H. Res. 608: Mr. ELLISON and Mr. CLARKE of Michigan.
 H. Res. 616: Mr. CARTER.
 H. Res. 623: Mr. NUGENT, Mr. PLATTS, and Mr. LANCE.

H. Res. 654: Ms. BROWN of Florida.
 H. Res. 662: Mr. JOHNSON of Ohio and Mr. CRAVAACK.
 H. Res. 678: Mr. CALVERT and Mr. GOSAR.
 H. Res. 683: Mr. FALEOMAVAEGA, Ms. PELOSI, and Mr. STARK.

TUESDAY, JUNE 19, 2012 (78)

¶78.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBSTER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

June 19, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶78.2 RECESS—11:02 A.M.

The SPEAKER pro tempore, Mr. WEBSTER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 2 minutes a.m., until noon.

¶78.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶78.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, June 18, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶78.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6476. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule — Guidelines for the Transfer of Excess Computers or Other Technical Equipment Pursuant to Section 14220 of the 2008 Farm Bill (RIN: 0599-ZA13) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
 6477. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Naphthaleneacetic acid; Pesticide Tolerances [EPA-HQ-OPP-2004-0144; FRL-9346-9] (RIN: 2070-ZA16) received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
 6478. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — a-(p-Nonylphenol)-w-hydroxypoly(oxyethylene) Sulfate and Phosphate Esters; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0526; FRL-9340-2] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.
 6479. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — a-[p-(1,1,3,3-Tetramethylbutyl)phenyl]-w-hydroxypoly(oxyethylene) Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0525; FRL-9340-1] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6480. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ametoctradin; Pesticide Tolerances [EPA-HQ-OPP-2010-0261; FRL-9339-7] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6481. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's 2012 Report to Congress on Sustainable Ranges; to the Committee on Armed Services.

6482. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the twenty-second annual report on the Profitability of Credit Card Operations of Depository Institutions; to the Committee on Financial Services.

6483. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6484. A letter from the Senior Counsel for Regulatory Affairs, Financial Stability Oversight Council, transmitting the Council's final rule — Implementation of the Freedom of Information Act (RIN: 4030-AA02) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6485. A letter from the Senior Counsel for Regulatory Affairs, Financial Stability Oversight Council, transmitting the Council's final rule — Authority To Require Supervision and Regulation of Certain Nonbank Financial Companies (RIN: 4030-AA00) received May 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6486. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Loan Guarantees for Projects That Employ Innovative Technologies (RIN: 1901-AB32) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6487. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Rules [EPA-R03-OAR-2011-0925; FRL-9669-3] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; California; Western Mojave Desert Ozone Nonattainment Area; Reclassification to Severe [EPA-R09-OAR-2012-0249; FRL-9669-7] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6489. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final Rule to Implement the 1997 8-Hour Ozone National Ambient Air Quality Standard: Classification of Areas That Were Initially Classified Under Subpart I; Revision of the Anti-Backsliding Provisions to Address 1-Hour Contingency Measure Requirements; Deletion of Obsolete 1-Hour Ozone Standard Provision [EPA-HQ-

OAR-2007-0956; FRL-9668-4] (RIN: 2060-AO96) received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 54 [EPA-HQ-SFUND-2011-0644, 0645 and 0654; FRL-9668-1] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Regional Haze State Implementation Plan; Correction [EPA-R04-OAR-2009-0783; FRL-9669-2] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6492. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ohio; Determination of Clean Data for the 2006 24-Hour Fine Particulate Standard for the Steubenville-Weirton Area [EPA-R03-OAR-2011-0556; FRL-9669-5] received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6493. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards [EPA-HQ-OAR-2008-0476; FRL-9668-2] (RIN: 2060-AP37) received May 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6494. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Model Safety Evaluation for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-432, Revision 1, "Change in Technical Specifications End States (WCAP-16294)" Using the Consolidated Line Item Improvement Process [Project No.: 753; NRC-2012-0019] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6495. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Low-Level Radioactive Waste Management and Volume Reduction [NRC-2011-0183] received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6496. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-21, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6497. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

6498. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

6499. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification; to the Committee on Foreign Affairs.

6500. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report pursuant to section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

6501. A letter from the Chair, Federal Election Commission, transmitting five legislative recommendations from the Commission; to the Committee on House Administration.

6502. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Virginia Regulatory Program [VA-126-FOR; OSM-2008-0012] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6503. A letter from the Assistant Attorney General, Department of Justice, transmitting information on Defense of Marriage Act litigation; to the Committee on the Judiciary.

6504. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Choptank River and Cambridge Channel, Cambridge, MD [Docket No.: USCG-2011-1164] (RIN: 1625-AA87) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6505. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Anacostia River, Washington, DC [Docket No.: USCG-2011-0591] (RIN: 1625-AA09) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Safety and Security Zones; Recurring Events in Captain of the Port Long Island Sound Zone [Docket No.: USCG-2008-0384] (RIN: 1625-AA00; 1625-AA08; 1625-AA87) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Seagoing Barges [Docket No.: USCG-2011-0363] (RIN: 1625-AB71) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6508. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures, and Damage Tolerance and Fatigue Evaluation for Metallic Structures; Correction [Docket No.: FAA-2009-0660; Amdt. Nos. 27-47A, 29-54A; and Docket No. FAA-2009-0413; Amdt. No. 29-55A] (RIN: 2120-AJ52, 2120-AJ51) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6509. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Standards: Transportation and Warehousing (RIN: 3245-AG08) received May 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6510. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Disaster Assistance Loan Program; Maximum Term for Disaster Loans to Small Businesses With Credit Available Elsewhere (RIN: 3245-AG42) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

6511. A letter from the Secretary, Department of Health and Human Services, transmitting the ninth annual report on the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

6512. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the second session of the 112th Congress; jointly to the Committees on Armed Services and Foreign Affairs.

6513. A letter from the Secretary, Department of Energy, transmitting the Department's report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility being constructed at the Department's Savannah River Site near Aiken, South Carolina, pursuant to 50 U.S.C. 4306(a)(3); jointly to the Committees on Armed Services and Energy and Commerce.

6514. A letter from the Assistant Attorney General, Department of Justice, transmitting second quarterly report of FY 2012 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

¶78.6 PROVIDING FOR CONSIDERATION OF H.R. 2578

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 688):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-25. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Mr. BISHOP of Utah, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mrs. MILLER of Michigan, announced that the yeas had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 238 affirmative } { Nays 178

¶78.7 [Roll No. 381]

YEAS—238

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

NAYS—178

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

With best wishes, I am Sincerely,

KAREN L. HAAS, Clerk of the House.

Enclosure.

KEN BENNETT, SECRETARY OF STATE,

STATE OF ARIZONA, Phoenix, AZ, June 13, 2012.

Hon. KAREN L. HAAS, Clerk, U.S. House of Representatives, The Capitol, Washington, DC.

DEAR Ms. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 12, 2012, for Representative in Congress from the Eighth Congressional District of Arizona, show that Ron Barber received 101,559 or 52.02 percent of the total number of votes cast for that office.

It would appear from these unofficial results that Ron Barber was elected as Representative in Congress from the Eighth Congressional District of Arizona.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all counties involved and the election has been officially canvassed, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

AMY B. CHAN, State Election Director.

¶78.9 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. PASTOR of Arizona, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Ron Barber, 8th District of the State of Arizona, has not been received by the Clerk of the House of Representatives, Mr. BARBER be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. BARBER then presented himself at the bar of the House and took the oath of office prescribed by law.

¶78.10 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the administration of the oath to Representative BARBER, the whole number of the House is adjusted to 433.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER announced that the yeas had it.

Mr. HASTINGS of Florida, demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 240 affirmative } { Nays 175

¶78.11 [Roll No. 382]

AYES—240

- Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Berg, Biggert, Bilbray, Billirakis, Bartlett, Barton (TX), Bishop (UT), Amash, Bass (NH), Black, Benishek, Blackburn

NOT VOTING—15

- Bachus, Cardoza, Carson (IN), Crowley, Griffin (AR), Holden, Huizenga (MI), Jackson (IL), Lewis (CA), Lewis (GA), Miller (FL), Nugent, Sánchez, Linda T., Towns, Young (FL)

So the previous question on the resolution was ordered.

¶78.8 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK, U.S. HOUSE OF REPRESENTATIVES, Washington, DC, June 13, 2012.

Hon. JOHN BOEHNER, Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Ms. Amy B. Chan, State Election Director, Office of the Secretary of State, State of Arizona, indicating that, according to the unofficial returns of the Special Election held June 12, 2012, the Honorable Ron Barber was elected Representative to Congress for the Eighth Congressional District, State of Arizona.

Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna

Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri

Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Higgins
Himes
Hinchey
Hinojosa
Hirono
Hoehl
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
King (IA)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)

McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger

Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (AL)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

¶78.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in House Report 112-539, submitted by Mr. DEFAZIO:

Page 47, after line 16, insert the following new subsection:

(k) CONDITION ON SEALASKA EXPORT OF UN-PROCESSED TIMBER.—The conveyance to Sealaska of Federal land under this title shall be subject to an additional covenant that Sealaska comply with the export restrictions on unprocessed timber contained in the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620 et seq.) regarding any timber removed from the conveyed land notwithstanding the geographical limitation on the applicability of such Act only to timber originating from lands west of the 100th meridian in the contiguous 48 States.

It was decided in the { Yeas 184
negative } Nays 236

¶78.15 [Roll No. 383]

AYES—184

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

NOES—236

Adams	Akin	Amash
Aderholt	Alexander	Amodei

NOT VOTING—17

Andrews	Huizenga (MI)	Sánchez, Linda T.
Cardoza	Jackson (IL)	Sanchez, Loretta
Crowley	Kaptur	Towns
Frank (MA)	Lewis (CA)	Velázquez
Griffin (AR)	Miller (FL)	Pingree (ME)
Holden		

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶78.12 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. MCKINLEY, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on the provisions contained in title V of the House bill (relating to coal combustion residuals).

¶78.13 LOWER MERCED RIVER

The SPEAKER pro tempore, Mr. AMODEI, pursuant to House Resolution 688 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2578) to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes.

The SPEAKER pro tempore, Mr. AMODEI, by unanimous consent, designated Mr. BASS of New Hampshire, as Chairman of the Committee of the Whole; and after some time spent therein,

NOES—175

Ackerman	Carson (IN)	DeLauro
Altmire	Castor (FL)	Deutch
Baca	Chandler	Dicks
Baldwin	Chu	Dingell
Barber	Cicilline	Doggett
Barrow	Clarke (MI)	Doyle
Bass (CA)	Clarke (NY)	Edwards
Becerra	Clay	Ellison
Berkley	Cleaver	Engel
Berman	Clyburn	Eshoo
Bishop (GA)	Cohen	Farr
Bishop (NY)	Connolly (VA)	Fattah
Blumenauer	Conyers	Filner
Bonamici	Cooper	Fudge
Boren	Costa	Garamendi
Boswell	Costello	Gonzalez
Brady (PA)	Courtney	Green, Al
Bralley (IA)	Critz	Green, Gene
Brown (FL)	Cuellar	Grijalva
Butterfield	Cummings	Gutierrez
Capps	Davis (CA)	Hahn
Capuano	Davis (IL)	Hanabusa
Carnahan	DeFazio	Hastings (FL)
Carney	DeGette	Heinrich

Austria
Baca
Bachmann
Bachus
Barletta
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

NOT VOTING—12

Altmire
Davis (KY)
Dingell
Hayworth
Huizenga (MI)

So the amendment was not agreed to.

178.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 3, printed in House Report 112-539, submitted by Mr. MARKEY:

Page 83, after line 21, insert the following new section:

SEC. 1104. GRAZING FEE PILOT PROGRAM.

(a) IN GENERAL.—The Secretary is authorized to conduct a pilot program in fiscal years 2013 through 2016 to collect an administrative fee to offset the increased cost of administering the livestock grazing program on public lands managed by the Bureau of Land Management.

(b) FEE AMOUNT AND COLLECTION.—

(1) AMOUNT.—The fee authorized by this section shall be in the amount of \$1 per Animal Unit Month, and shall be billed, collected, and subject to the penalties using the same process as the annual grazing fee under section 4130.8 1 of title 43, Code of Federal Regulations.

(2) DEPOSIT OF PENALTIES.—Penalties assessed under this subsection shall be deposited in the general fund of the Treasury.

(3) APPLICABILITY.—Nothing in this section affects the calculation, collection, distribution, or use of the grazing fee under 43 U.S.C. 315 et seq., section 205(b) of Public Law 94 579 (43 U.S.C. 1751(b)), section 6(a) of Public Law 95 514 (43 U.S.C. 1905), Executive Order 12548, or any administrative regulation.

It was decided in the { Yeas 156 negative Nays 268

178.17 [Roll No. 384]

AYES—156

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamicci
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
Dicks
McCollum
McDermott
Doyle
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver

NOES—268

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Benishke
Berg
Berkley
Biggert

Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall

NOT VOTING—8

Altmire
Dingell
Huizenga (MI)

So the amendment was not agreed to.

178.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 5, printed in House Report 112-539, submitted by Mr. GRIJALVA:

Strike title XIV.

It was decided in the { Yeas 177
negative } Nays 247

¶78.19 [Roll No. 385]

AYES—177

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

NOES—247

Adams	Buchanan	Duffy
Aderholt	Bucshon	Duncan (SC)
Akin	Buerkle	Duncan (TN)
Alexander	Burgess	Elmers
Amash	Burton (IN)	Emerson
Amodei	Calvert	Farenthold
Austria	Camp	Fincher
Bachmann	Campbell	Flake
Bachus	Canseco	Fleischmann
Barber	Cantor	Fleming
Barletta	Capito	Flores
Barrow	Carter	Forbes
Bartlett	Cassidy	Fortenberry
Barton (TX)	Chabot	Foxx
Benishek	Chaffetz	Franks (AZ)
Berg	Chandler	Frelinghuysen
Biggert	Coble	Galleghy
Bilbray	Coffman (CO)	Gardner
Bilirakis	Cole	Garrett
Bishop (GA)	Conaway	Gerlach
Bishop (UT)	Cravaack	Gibbs
Black	Crawford	Gibson
Blackburn	Crenshaw	Gingrey (GA)
Bonner	Culberson	Gohmert
Bono Mack	Davis (KY)	Goodlatte
Boren	Denham	Gosar
Boswell	Dent	Gowdy
Boustany	DesJarlais	Granger
Brady (TX)	Diaz-Balart	Graves (GA)
Brooks	Donnelly (IN)	Graves (MO)
Broun (GA)	Dreier	Griffin (AR)

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

NOT VOTING—8

Altmire	Jackson (IL)	Sánchez, Linda
Dingell	Lewis (CA)	T.
Huizenga (MI)	Miller (FL)	Young (FL)

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. YODER, assumed the Chair.

When Mr. WOODALL, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Conservation and Economic Growth Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—LOWER MERCED RIVER

Sec. 101. Lower Merced River.

TITLE II—BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

Sec. 201. Short title.

Sec. 202. Diamond Fork System defined.

Sec. 203. Cost allocations.

Sec. 204. No purchase or market obligation; no costs assigned to power.

Sec. 205. Prohibition on tax-exempt financing.

Sec. 206. Reporting requirement.

Sec. 207. PayGo.

Sec. 208. Limitation on the use of funds.

TITLE III—SOUTHEAST ALASKA NATIVE LAND ENTITLEMENT FINALIZATION AND JOBS PROTECTION ACT

Sec. 301. Short title.

Sec. 302. Definitions.

Sec. 303. Findings; purpose.

Sec. 304. Selections in southeast Alaska.

Sec. 305. Conveyances to Sealaska.

Sec. 306. Miscellaneous.

Sec. 307. Maps.

TITLE IV—SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK BOUNDARY EXPANSION ACT

Sec. 401. Short title.

Sec. 402. Findings.

Sec. 403. Boundary expansion.

TITLE V—WACO MAMMOTH NATIONAL MONUMENT ESTABLISHMENT ACT OF 2012

Sec. 501. Short title.

Sec. 502. Findings.

Sec. 503. Definitions.

Sec. 504. Waco Mammoth National Monument, Texas.

Sec. 505. Administration of monument.

Sec. 506. No buffer zones.

TITLE VI—NORTH CASCADES NATIONAL PARK ACCESS

Sec. 601. Findings.

Sec. 602. Authorization for boundary adjustments.

TITLE VII—ENDANGERED SALMON AND FISHERIES PREDATION PREVENTION ACT

Sec. 701. Short title.

Sec. 702. Findings.

Sec. 703. Taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species.

Sec. 704. Sense of Congress.

Sec. 705. Treaty rights of federally recognized Indian tribes.

TITLE VIII—REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT

Sec. 801. Reauthorization of Herger-Feinstein Quincy Library Group Forest Recovery Act.

TITLE IX—YERINGTON LAND CONVEYANCE AND SUSTAINABLE DEVELOPMENT ACT

Sec. 901. Short title.

Sec. 902. Findings.

Sec. 903. Definitions.

Sec. 904. Conveyances of land to City of Yerington, Nevada.

Sec. 905. Release of the United States.

TITLE X—PRESERVING ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA ACT

Sec. 1001. Short title.

Sec. 1002. Reinstatement of Interim Management Strategy.

Sec. 1003. Additional restrictions on access to Cape Hatteras National Seashore Recreational Area for species protection.

Sec. 1004. Inapplicability of final rule and consent degree.

TITLE XI—GRAZING IMPROVEMENT ACT OF 2012

Sec. 1101. Short title.

Sec. 1102. Terms of grazing permits and leases.

Sec. 1103. Renewal, transfer, and reissuance of grazing permits and leases.

TITLE XII—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT ACT

Sec. 1201. Short title.

Sec. 1202. Findings; purpose.
 Sec. 1203. Definition of public target range.
 Sec. 1204. Amendments to Pittman-Robertson Wildlife Restoration Act.
 Sec. 1205. Limits on liability.
 Sec. 1206. Sense of Congress regarding cooperation.

TITLE XIII—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2012

Sec. 1301. Short title.
 Sec. 1302. Chesapeake Bay Crosscut Budget.
 Sec. 1303. Adaptive Management Plan.
 Sec. 1304. Independent Evaluator for the Chesapeake Bay Program.
 Sec. 1305. Definitions.

TITLE XIV—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION ACT

Sec. 1401. Waiver of Federal laws with respect to border security actions on Department of the Interior and Department of Agriculture lands.

TITLE I—LOWER MERCED RIVER

SEC. 101. LOWER MERCED RIVER.

(a) WILD AND SCENIC RIVERS ACT.—Section 3(a)(62)(B)(i) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(62)) is amended—

(1) by striking “the normal maximum” the first place that it appears and all that follows through “April, 1990.” and inserting the following: “the boundary of FERC Project No. 2179 as it existed on July 18, 2011, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River, consisting of approximately 7.4 miles.”; and

(2) by striking “the normal maximum operating pool water surface level of Lake McClure” the second time that it occurs and inserting “the boundary of FERC Project No. 2179 as it existed on July 18, 2011, consisting of a point approximately 2,480 feet downstream of the confluence with the North Fork of the Merced River”.

(b) EXCHEQUER PROJECT.—Section 3 of Public Law 102-432 is amended by striking “Act:” and all that follows through the period and inserting “Act.”.

TITLE II—BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “Bonneville Unit Clean Hydropower Facilitation Act”.

SEC. 202. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this title, the term “Diamond Fork System” means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 203. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102-575), and shall be subject to the same terms and conditions.

SEC. 204. NO PURCHASE OR MARKET OBLIGATION; NO COSTS ASSIGNED TO POWER.

Nothing in this title shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be

assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 205. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 206. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this title, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 207. PAYGO.

The budgetary effects of this title, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this title, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 208. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98-381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this title.

TITLE III—SOUTHEAST ALASKA NATIVE LAND ENTITLEMENT FINALIZATION AND JOBS PROTECTION ACT

SEC. 301. SHORT TITLE.

This title may be cited as the “Southeast Alaska Native Land Entitlement Finalization and Jobs Protection Act”.

SEC. 302. DEFINITIONS.

In this title:

(1) CONSERVATION SYSTEM UNIT.—The term “conservation system unit” has the meaning given the term in section 102 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102).

(2) SEALASKA.—The term “Sealaska” means the Sealaska Corporation, a Regional Native Corporation created under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 303. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1)(A) in 1971, Congress enacted the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to recognize and settle the aboriginal claims of Alaska Natives to land historically used by Alaska Natives for traditional, cultural, and spiritual purposes; and

(B) that Act declared that the land settlement “should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives”;

(2) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)—

(A) authorized the distribution of approximately \$1,000,000,000 and 44,000,000 acres of land to Alaska Natives; and

(B) provided for the establishment of Native Corporations to receive and manage the funds and that land to meet the cultural, social, and economic needs of Native shareholders;

(3) under section 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611), each Regional Corporation, other than Sealaska (the Regional Corporation for southeast Alaska), was authorized to receive a share of land based on the proportion that the number of Alaska Native shareholders residing in the region of the Regional Corporation bore to the total number of Alaska Native shareholders, or the relative size of the area to which the Regional Corporation had an aboriginal land claim bore to the size of the area to which all Regional Corporations had aboriginal land claims;

(4)(A) Sealaska, the Regional Corporation for southeast Alaska, 1 of the Regional Corporations with the largest number of Alaska Native shareholders, with more than 21 percent of all original Alaska Native shareholders, received less than 1 percent of the lands set aside for Alaska Natives, and received no land under section 12 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611);

(B) the Tlingit and Haida Indian Tribes of Alaska was 1 of the entities representing the Alaska Natives of southeast Alaska before the date of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

(C) Sealaska did not receive land in proportion to the number of Alaska Native shareholders, or in proportion to the size of the area to which Sealaska had an aboriginal land claim, in part because of a United States Court of Claims cash settlement to the Tlingit and Haida Indian Tribes of Alaska in 1968 for land previously taken to create the Tongass National Forest and Glacier Bay National Monument;

(5) the 1968 Court of Claims cash settlement of \$7,500,000 did not—

(A) adequately compensate the Alaska Natives of southeast Alaska for the significant quantity of land and resources lost as a result of the creation of the Tongass National Forest and Glacier Bay National Monument or other losses of land and resources; or

(B) justify the significant disparate treatment of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1611 in 1971);

(6)(A) while each other Regional Corporation received a significant quantity of land under sections 12 and 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1611, 1613), Sealaska only received land under section 14(h) of that Act (43 U.S.C. 1613(h));

(B) section 14(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)) authorized the Secretary to withdraw and convey 2,000,000-acres of “unreserved and unappropriated” public lands in Alaska from which Alaska Native selections could be made for historic sites, cemetery sites, Urban Corporation land, Native group land, and Native Allotments;

(C) under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), after selections are made under paragraphs (1) through (7) of that section, the land remaining in the 2,000,000-acre land pool is allocated based on the proportion that the original Alaska Native shareholder population of a Regional Corporation bore to the original Alaska Native shareholder population of all Regional Corporations;

(D) the only Native land entitlement of Sealaska derives from a proportion of leftover land remaining from the 2,000,000-acre land pool, estimated as of the date of enactment of this Act at approximately 1,700,000 acres;

(E) because at the time of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) all public land in the Tongass National Forest had been reserved for purposes of creating the national forest, the Secretary was not able to withdraw any

public land in the Tongass National Forest for selection by and conveyance to Sealaska;

(F) at the time of enactment of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) other public lands in southeast Alaska not located in the Tongass National Forest were not suitable for selection by and conveyance to Sealaska because such lands were located in Glacier Bay National Monument, were included in a withdrawal effected pursuant to section 17(d)(2) of that Act (43 U.S.C. 1616(d)(2)) and slated to become part of the Wrangell-St. Elias National Park, or essentially consisted of mountain tops;

(G) Sealaska in 1975 requested that Congress amend the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to permit the Regional Corporation to select lands inside of the withdrawal areas established for southeast Alaska Native villages under section 16 of that Act (43 U.S.C. 1615); and

(H) in 1976, Congress amended section 16 of the Alaska Native Claims Settlement Act (43 U.S.C. 1615) to allow Sealaska to select lands under section 14(h)(8) of that Act (43 U.S.C. 1613(h)(8)) from land located inside, rather than outside, the withdrawal areas established for southeast Alaska Native villages;

(7) the 10 Alaska Native village withdrawal areas in southeast Alaska surround the Alaska Native communities of Yakutat, Hoonah, Angoon, Kake, Kasaan, Klawock, Craig, Hyدابurg, Klukwan, and Saxman;

(8)(A) the existing conveyance requirements of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) for southeast Alaska limit the land eligible for conveyance to Sealaska to the original withdrawal areas surrounding 10 Alaska Native villages in southeast Alaska, which precludes Sealaska from selecting land located—

(i) in any withdrawal area established for the Urban Corporations for Sitka and Juneau, Alaska; or

(ii) outside the 10 Alaska Native village withdrawal areas; and

(B) unlike other Regional Corporations, Sealaska is not authorized to request land located outside the withdrawal areas described in subparagraph (A) if the withdrawal areas are insufficient to complete the land entitlement of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(9)(A) the deadline for applications for selection of cemetery sites and historic places on land outside withdrawal areas established under section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) was July 1, 1976;

(B)(i) as of that date, the Bureau of Land Management notified Sealaska that the total entitlement of Sealaska would be approximately 200,000 acres; and

(ii) Sealaska made entitlement allocation decisions for cultural sites and economic development sites based on that original estimate; and

(C) as a result of the Alaska Land Transfer Acceleration Act (Public Law 108-452; 118 Stat. 3575) and subsequent related determinations and actions of the Bureau of Land Management, it became clear within the last decade that Sealaska will receive significantly more than 200,000 acres pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(10) in light of the revised Bureau of Land Management estimate of the total number of acres that Sealaska will receive pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), and in consultation with Members of Alaska's congressional delegation, Sealaska and its shareholders believe that it is appropriate to allocate more of the entitlement of Sealaska to—

(A) the acquisition of places of sacred, cultural, traditional, and historical significance;

(B) the acquisition of sites with traditional and recreational use value and sites suitable for renewable energy development; and

(C) the acquisition of lands that are not within the watersheds of Native and non-Native communities and are suitable economically and environmentally for natural resource development;

(11)(A) pursuant to section 11(a)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1610(a)(1)), Sealaska was not authorized to select under section 14(h)(1) of that Act (43 U.S.C. 1613(h)(1)) any site within Glacier Bay National Park, despite the abundance of cultural sites within that Park;

(B) Sealaska seeks cooperative agreements to ensure that cultural sites within Glacier Bay National Park are subject to cooperative management by Sealaska, Village and Urban Corporations, and federally recognized tribes with ties to the cultural sites and history of the Park; and

(C) Congress recognizes that there is an existing Memorandum of Understanding (MOU) between the Park Service and the Hoonah Indian Association, and does not intend to circumvent the MOU; rather the intent is to ensure that this and similar mechanisms for cooperative management in Glacier Bay are required by law;

(12)(A) the cemetery sites and historic places conveyed to Sealaska pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) are subject to a restrictive covenant not required by the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that hinders the ability of Sealaska to use the sites for cultural, educational, or research purposes for Alaska Natives and others;

(B) historic sites managed by the Forest Service are not subject to the limitations referred to in subparagraph (A); and

(C) Alaska Natives of southeast Alaska should be permitted to use cemetery sites and historic places in a manner that is—

(i) consistent with the sacred, cultural, traditional, or historic nature of the site; and

(ii) not inconsistent with the management plans for adjacent public land;

(13) 44 percent (820,000 acres) of the 10 Alaska Native village withdrawal areas established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) described in paragraphs (7) and (8) are composed of salt water and not available for selection;

(14) of land subject to the selection rights of Sealaska, 110,000 acres are encumbered by gubernatorial consent requirements under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(15) in each withdrawal area, there exist factors that limit the ability of Sealaska to select sufficient land, and, in particular, economically viable land, to fulfill the land entitlement of Sealaska, including factors such as—

(A) with respect to the Yakutat withdrawal area—

(i) 46 percent of the area is salt water;

(ii) 10 sections (6,400 acres) around the Situk Lake were restricted from selection, with no consideration provided for the restriction; and

(iii)(I) 70,000 acres are subject to a gubernatorial consent requirement before selection; and

(II) Sealaska received no consideration with respect to the consent restriction;

(B) with respect to the Hoonah withdrawal area, 51 percent of the area is salt water;

(C) with respect to the Angoon withdrawal area—

(i) 120,000 acres of the area is salt water;

(ii) Sealaska received no consideration regarding the prohibition on selecting land from the 80,000 acres located within the Admiralty Island National Monument; and

(iii)(I) the Village Corporation for Angoon was allowed to select land located outside the withdrawal area on Prince of Wales Island, subject to the condition that the Village Corporation shall not select land located on Admiralty Island; but

(II) no alternative land adjacent to the out-of-withdrawal land of the Village Corporation was made available for selection by Sealaska;

(D) with respect to the Kake withdrawal area—

(i) 64 percent of the area is salt water; and

(ii) extensive timber harvesting by the Forest Service occurred in the area before 1971 that significantly reduced the value of land available for selection by, and conveyance to, Sealaska;

(E) with respect to the Kasaan withdrawal area—

(i) 54 percent of the area is salt water; and

(ii) the Forest Service previously harvested in the area;

(F) with respect to the Klawock withdrawal area—

(i) the area consists of only 5 townships, as compared to the usual withdrawal area of 9 townships, because of the proximity of the Klawock withdrawal area to the Village of Craig, which reduces the selection area by 92,160 acres; and

(ii) the Klawock and Craig withdrawal areas are 35 percent salt water;

(G) with respect to the Craig withdrawal area, the withdrawal area consists of only 6 townships, as compared to the usual withdrawal area of 9 townships, because of the proximity of the Craig withdrawal area to the Village of Klawock, which reduces the selection area by 69,120 acres;

(H) with respect to the Hyدابurg withdrawal area—

(i) 36 percent of the area is salt water; and

(ii) Sealaska received no consideration under the Haida Land Exchange Act of 1986 (Public Law No. 99-664; 100 Stat. 4303) for relinquishing selection rights to land within the withdrawal area that the Haida Corporation exchanged to the Forest Service;

(I) with respect to the Klukwan withdrawal area—

(i) 27 percent of the area is salt water; and

(ii) the withdrawal area is only 70,000 acres, as compared to the usual withdrawal area of 207,360 acres, which reduces the selection area by 137,360 acres; and

(J) with respect to the Saxman withdrawal area—

(i) 29 percent of the area is salt water;

(ii) Sealaska received no consideration for the 50,576 acres within the withdrawal area adjacent to the first-class city of Ketchikan that were excluded from selection;

(iii) Sealaska received no consideration with respect to the 1977 amendment to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) requiring gubernatorial consent for selection of 58,000 acres in that area; and

(iv) 23,888 acres are located within the Annette Island Indian Reservation for the Metlakatla Indian Tribe and are not available for selection;

(16) the selection limitations and guidelines applicable to Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)—

(A) are inequitable and inconsistent with the purposes of that Act because there is insufficient land remaining in the withdrawal areas to meet the traditional, cultural, and socioeconomic needs of the shareholders of Sealaska; and

(B) make it difficult for Sealaska to select—

(i) places of sacred, cultural, traditional, and historical significance;

(ii) sites with traditional and recreation use value and sites suitable for renewable energy development; and

(iii) lands that meet the real economic needs of the shareholders of Sealaska;

(17) unless Sealaska is allowed to select land outside designated withdrawal areas in southeast Alaska, Sealaska will not be able to—

(A) complete the land entitlement selections of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) in a manner that meets the cultural, social, and economic needs of Native shareholders;

(B) avoid land selections in watersheds that are the exclusive drinking water supply for regional communities, support world class salmon streams, have been identified as important habitat, or would otherwise be managed by the Forest Service as roadless and old growth forest reserves;

(C) secure ownership of places of sacred, cultural, traditional, and historical importance to the Alaska Natives of southeast Alaska; and

(D) continue to support forestry jobs and economic opportunities for Alaska Natives and other residents of rural southeast Alaska;

(18)(A) the rate of unemployment in southeast Alaska exceeds the statewide rate of unemployment on a non-seasonally adjusted basis;

(B) in January 2011, the Alaska Department of Labor and Workforce Development reported the unemployment rate for the Prince of Wales—Outer Ketchikan census area at approximately 16.2 percent;

(C) in October 2007, the Alaska Department of Labor and Workforce Development projected population losses between 1996 and 2030 for the Prince of Wales—Outer Ketchikan census area at 56.6 percent;

(D) official unemployment rates severely underreport the actual level of regional unemployment, particularly in Native villages; and

(E) additional job losses will exacerbate outmigration from Native and non-Native communities in southeast Alaska;

(19) Sealaska has played, and is expected to continue to play, a significant role in the health of the southeast Alaska economy;

(20) despite the small land base of Sealaska as compared to other Regional Corporations (less than 1 percent of the total quantity of land allocated pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), Sealaska has—

(A) provided considerable benefits to Alaska Native shareholders;

(B) supported hundreds of jobs for Alaska Native shareholders and non-shareholders in southeast Alaska for more than 30 years; and

(C) been a significant economic force in southeast Alaska;

(21) pursuant to the revenue sharing provisions of section 7(i) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)), Sealaska has distributed more than \$300,000,000 during the period beginning on January 1, 1971, and ending on December 31, 2005, to Native Corporations throughout the State of Alaska from the development of natural resources, which accounts for 42 percent of the total revenues shared under that section during that period;

(22) resource development operations maintained by Sealaska—

(A) support hundreds of jobs in the southeast Alaska region;

(B) make timber available to local and domestic sawmills and other wood products businesses such as guitar manufacturers;

(C) support firewood programs for local communities;

(D) support maintenance of roads utilized by local communities for subsistence and recreation uses;

(E) support development of new biomass energy opportunities in southeast Alaska, reducing dependence on high-cost diesel fuel for the generation of energy;

(F) provide start-up capital for innovative business models in southeast Alaska that create new opportunities for non-timber economic development in the region, including support for renewable biomass initiatives, Alaska Native artisans, and rural mariculture farming; and

(G) support Native education and cultural and language preservation activities;

(23) if the resource development operations of Sealaska cease on land appropriate for those operations, there will be a significant negative impact on—

(A) southeast Alaska Native shareholders;

(B) the cultural preservation activities of Sealaska;

(C) the economy of southeast Alaska; and

(D) the Alaska Native community that benefits from the revenue-sharing requirements under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(24) it is critical that the remaining land entitlement conveyances to Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) are fulfilled to continue to meet the economic, social, and cultural needs of the Alaska Native shareholders of southeast Alaska and the Alaska Native community throughout Alaska;

(25) in order to realize cultural preservation goals while also diversifying economic opportunities, Sealaska should be authorized to select and receive conveyance of—

(A) sacred, cultural, traditional, and historic sites and other places of traditional cultural significance, including traditional and customary trade and migration routes, to facilitate the perpetuation and preservation of Alaska Native culture and history;

(B) other sites with traditional and recreation use value and sites suitable for renewable energy development to facilitate appropriate tourism and outdoor recreation enterprises and renewable energy development for rural southeast Alaska communities; and

(C) lands that are suitable economically and environmentally for natural resource development;

(26) on completion of the conveyances of land of Sealaska to fulfill the full land entitlement of Sealaska under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the encumbrances on 327,000 acres of Federal land created by the withdrawal of land for selection by Native Corporations in southeast Alaska should be removed, which will facilitate thorough and complete planning and efficient management relating to national forest land in southeast Alaska by the Forest Service;

(27) although the Tribal Forest Protection Act (25 U.S.C. 3101 note; Public Law 108-278) defines the term “Indian tribe” to include Indian tribes under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), a term which includes “any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act * * *”, the Tribal Forest Protection Act does not define the term “Indian forest land or rangeland” to include lands owned by Alaska Native Corporations, including Sealaska, which are the primary Indian forest land owners in Alaska, and therefore, the Tribal Forest Protection Act should be amended in a manner that will—

(A) permit Native Corporations, including Sealaska, as Indian forest land owners in Alaska, to work with the Secretary of Agriculture under the Tribal Forest Protection Act to address forest fire and insect infesta-

tion issues, including the spread of the spruce bark beetle in southeast and southcentral Alaska, which threaten the health of the Native forestlands; and

(B) ensure that Native Corporations, including Sealaska, can participate in programs administered by the Secretary of Agriculture under the Tribal Forest Protection Act without including Native Corporations under the definition in that Act of “Indian forest land or rangeland” or otherwise amending that Act in a manner that validates, invalidates, or otherwise affects any claim regarding the existence of Indian country in the State of Alaska; and

(28) the National Historic Preservation Act (16 U.S.C. 470 et seq.) defines the term “Indian tribe” to include any “Native village, Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act” but does not define the term “Tribal lands” to include lands owned by Alaska Native Corporations, thereby excluding from the National Historic Preservation Act cemetery sites and historical places transferred to Native Corporations, including Sealaska, pursuant to the Alaska Native Claims Settlement Act, and therefore, the National Historic Preservation Act should be amended in a manner that will—

(A) permit Native Corporations, including Sealaska, as owners of Indian cemetery sites and historical places in Alaska, to work with the Secretary of the Interior under the National Historic Preservation Act to secure grants and other support to manage their own historic sites and programs pursuant to that Act; and

(B) ensure that Native Corporations, including Sealaska, can participate in programs administered by the Secretary of the Interior under the National Historic Preservation Act without including Native Corporations under the definition in that Act of “Tribal lands” or otherwise amending that Act in a manner that validates, invalidates, or otherwise affects any claim regarding the existence of Indian country in the State of Alaska.

(b) PURPOSE.—The purpose of this title is to address the inequitable treatment of Sealaska by allowing Sealaska to select the remaining land entitlement of Sealaska under section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) from designated Federal land in southeast Alaska located outside the 10 southeast Alaska Native village withdrawal areas in a manner that meets the cultural, social, and economic needs of Native shareholders, including the need to maintain jobs supported by Sealaska in rural southeast Alaska communities.

SEC. 304. SELECTIONS IN SOUTHEAST ALASKA.

(a) SELECTION BY SEALASKA.—

(1) IN GENERAL.—Notwithstanding section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), Sealaska is authorized to select and receive conveyance of the remaining land entitlement of Sealaska under that Act (43 U.S.C. 1601 et seq.) from Federal land located in southeast Alaska from each category described in subsections (b) and (c).

(2) TREATMENT OF LAND CONVEYED.—Land conveyed pursuant to this title are to be treated as land conveyed pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) subject to, but not limited to—

(A) reservation of public easements across land pursuant to section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b));

(B) valid existing rights pursuant to section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)); and

(C) the land bank protections of section 907(d) of the Alaska National Interest and Lands Conservation Act (43 U.S.C. 1636(d)).

(b) WITHDRAWAL OF LAND.—The following public land is withdrawn, subject to valid existing rights, from all forms of appropriation under public land laws, including the mining and mineral leasing laws, and from selection under the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85-508), and shall be available for selection by and conveyance to Sealaska to complete the remaining land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)):

(1) Land identified on the maps dated February 1, 2011, and labeled “Attachment A (Maps 1 through 8)”.

(2) Sites with traditional, recreational, and renewable energy use value, as identified on the map entitled “Sites with Traditional, Recreational, and Renewable Energy Use Value”, dated February 1, 2011, and labeled “Attachment D”, subject to the condition that not more than 5,000 acres shall be selected for those purposes.

(3) Sites identified on the map entitled “Traditional and Customary Trade and Migration Routes”, dated February 1, 2011, and labeled “Attachment C”, which includes an identification of—

(A) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus and at 8 locations along the route, with the route, location, and boundaries of the conveyance described on the map inset entitled “Yakutat to Dry Bay Trade and Migration Route” on the map entitled “Traditional and Customary Trade and Migration Routes”, dated February 1, 2011, and labeled “Attachment C”;

(B) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus, with the route, location, and boundaries of the conveyance described on the map inset entitled “Bay of Pillars to Port Camden Trade and Migration Route” on the map entitled “Traditional and Customary Trade and Migration Routes”, dated February 1, 2011, and labeled “Attachment C”; and

(C) a conveyance of land 25 feet in width, together with 1-acre sites at each terminus, with the route, location, and boundaries of the conveyance described on the map inset entitled “Portage Bay to Duncan Canal Trade and Migration Route” on the map entitled “Traditional and Customary Trade and Migration Routes”, dated February 1, 2011, and labeled “Attachment C”.

(c) SITES WITH SACRED, CULTURAL, TRADITIONAL, OR HISTORIC SIGNIFICANCE.—Subject to the criteria and procedures applicable to land selected pursuant to section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) and set forth in the regulations promulgated at section 2653.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act), except as otherwise provided in this title—

(1) Sealaska shall have a right to identify up to 3,600 acres of sites with sacred, cultural, traditional, or historic significance, including archeological sites, cultural landscapes, and natural features having cultural significance; and

(2) on identification of the land by Sealaska under paragraph (1), the identified land shall be—

(A) withdrawn, subject to valid existing rights, from all forms of appropriation under public land laws, including the mining and mineral leasing laws, and from selection under the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85-508); and

(B) available for selection by and conveyance to Sealaska to complete the remaining land entitlement of Sealaska under section

14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) subject to the conditions that—

(i) no sites with sacred, cultural, traditional, or historic significance may be selected from within a unit of the National Park System; and

(ii) beginning on the date that is 15 years after the date of enactment of this Act, Sealaska shall be limited to identifying not more than 360 acres of sites with sacred, cultural, traditional, or historic significance under this subsection.

(d) FOREST DEVELOPMENT ROADS.—Sealaska shall receive from the United States, subject to all necessary State and Federal permits, nonexclusive easements to Sealaska to allow—

(1) access on the forest development road and use of the log transfer site identified in paragraphs (3)(b), (3)(c) and (3)(d) of the patent numbered 50-85-0112 and dated January 4, 1985;

(2) access on the forest development road identified in paragraphs (2)(a) and (2)(b) of the patent numbered 50-92-0203 and dated February 24, 1992;

(3) access on the forest development road identified in paragraph (2)(a) of the patent numbered 50-94-0046 and dated December 17, 1993;

(4) access on the forest development roads and use of the log transfer facilities identified on the maps dated February 1, 2011, and labeled “Attachment A (Maps 1 through 8)”;

(5) a reservation of a right to construct a new road to connect to existing forest development roads as generally identified on the maps identified in paragraph (4); and

(6) access to and reservation of a right to construct a new log transfer facility and log storage area at the location identified on the maps identified in paragraph (4).

SEC. 305. CONVEYANCES TO SEALASKA.

(a) TIMELINE FOR CONVEYANCE.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), the Secretary shall work with Sealaska to develop a mutually agreeable schedule to complete the conveyance of land to Sealaska under this title.

(2) FINAL PRIORITIES.—Consistent with the provisions of section 403 of the Alaska Land Transfer Acceleration Act (43 U.S.C. 1611 note; Public Law 108-452), not later than 18 months after the date of enactment of this Act, Sealaska shall submit to the Secretary the final, irrevocable priorities for selection of land withdrawn under section 304(b)(1).

(3) SUBSTANTIAL COMPLETION REQUIRED.—Not later than two years after the date of selection by Sealaska of land withdrawn under section 304(b)(1), the Secretary shall substantially complete the conveyance of the land to Sealaska under this title.

(4) EFFECT.—Nothing in this title shall interfere with or cause any delay in the duty of the Secretary to convey land to the State of Alaska under section 6 of the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85-508).

(b) EXPIRATION OF WITHDRAWALS.—On completion of the selection by Sealaska and the conveyances to Sealaska of land under subsection (a) in a manner that is sufficient to fulfill the land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8))—

(1) the right of Sealaska to receive any land under that Act from within a withdrawal area established under subsections (a) and (d) of section 16 of that Act shall be terminated;

(2) the withdrawal areas set aside for selection by Native Corporations in southeast Alaska under subsections (a) and (d) of section 16 of that Act shall be rescinded; and

(3) land located within a withdrawal area that is not conveyed to Sealaska or to a

southeast Alaska Village Corporation or Urban Corporation shall be returned to the unencumbered management of the Forest Service as part of the Tongass National Forest.

(c) LIMITATION.—Sealaska shall not select or receive under this title any conveyance of land pursuant to paragraph (1) or (2) of section 304(b) located within any conservation system unit.

(d) APPLICABLE EASEMENTS AND PUBLIC ACCESS.—

(1) IN GENERAL.—In addition to the reservation of public easements under section 304(a)(2)(A), the conveyance to Sealaska of land withdrawn pursuant to paragraphs (1) and (3) of section 304(b) that are located outside a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) a reservation for easements for public access on the public roads depicted on the maps dated February 1, 2011, and labeled “Attachment A (Maps 1 through 8)”;

(B) a reservation for easements for public access on the temporary roads designated by the Forest Service as of the date of the enactment of this Act for the public access trails depicted on the maps described in subparagraph (A); and

(C) the right of noncommercial public access for subsistence uses, consistent with title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), and recreational access, without liability to Sealaska, subject to—

(i) the right of Sealaska to regulate access to ensure public safety, to protect cultural or scientific resources, and to provide environmental protection; and

(ii) the condition that Sealaska shall post on any applicable property, in accordance with State law, notices of the conditions on use.

(2) SACRED, CULTURAL, TRADITIONAL AND HISTORIC SITES.—The conveyance to Sealaska of land withdrawn pursuant to section 304(c) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) the right of public access across the conveyances where no reasonable alternative access around the land is available without liability to Sealaska; and

(B) the right of Sealaska to regulate access across the conveyances to ensure public safety, to protect cultural or scientific resources, to provide environmental protection, or to prohibit activities incompatible with the use and enjoyment of the land by Sealaska, subject to the condition that Sealaska shall post on any applicable property, in accordance with State law, notices of any such condition.

(3) TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—The conveyance to Sealaska of land withdrawn pursuant to section 304(b)(3) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to a requirement that Sealaska provide public access across such linear conveyances if an adjacent landowner or the public has a legal right to use the adjacent private or public land.

(4) SITES WITH TRADITIONAL, RECREATIONAL, AND RENEWABLE ENERGY USE VALUE.—The conveyance to Sealaska of land withdrawn pursuant to section 304(b)(2) that is located outside of a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall be subject to—

(A) the right of public access across the land without liability to Sealaska; and

(B) the condition that public access across the land would not be unreasonably restricted or impaired.

(5) EFFECT.—No right of access provided to any individual or entity (other than Sealaska) by this subsection—

(A) creates any interest, other than an interest retained by the United States, of such an individual or entity in the land conveyed to Sealaska in excess of that right of access; or

(B) provides standing in any review of, or challenge to, any determination by Sealaska with respect to the management or development of the applicable land.

(e) CONDITIONS ON SACRED, CULTURAL, AND HISTORIC SITES AND TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—The conveyance to Sealaska of land withdrawn pursuant to sections 304(b)(3) and 304(c)—

(1) shall be subject to a covenant prohibiting any commercial timber harvest or mineral development on the land;

(2) shall allow use of the land as described in subsection (f); and

(3) shall not be subject to any additional restrictive covenant based on cultural or historic values, or any other restriction, encumbrance, or easement, except as provided in sections 14(g) and 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g) and 1616(b)).

(f) USES OF SACRED, CULTURAL, TRADITIONAL, AND HISTORIC SITES AND TRADITIONAL AND CUSTOMARY TRADE AND MIGRATION ROUTES.—Any land conveyed to Sealaska from land withdrawn pursuant to sections 304(b)(3) and 304(c) may be used for—

(1) preservation of cultural knowledge and traditions associated with the site;

(2) historical, cultural, and scientific research and education;

(3) public interpretation and education regarding the cultural significance of the site to Alaska Natives;

(4) protection and management of the site to preserve the natural and cultural features of the site, including cultural traditions, values, songs, stories, names, crests, and clan usage, for the benefit of future generations; and

(5) site improvement activities for any purpose described in paragraphs (1) through (4), subject to the condition that the activities—

(A) are consistent with the sacred, cultural, traditional, or historic nature of the site; and

(B) are not inconsistent with the management plans for adjacent public land.

(g) TERMINATION OF RESTRICTIVE COVENANTS.—

(1) IN GENERAL.—Each restrictive covenant regarding cultural or historical values with respect to any interim conveyance or patent for a historic or cemetery site issued to Sealaska pursuant to the Federal regulations contained in sections 2653.5(a) and 2653.11 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this Act), in accordance with section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)), terminates as a matter of law on the date of enactment of this Act.

(2) REMAINING CONDITIONS.—Land subject to a covenant described in paragraph (1) on the day before the date of enactment of this Act shall be subject to the conditions described in subsection (e).

(3) RECORDS.—Sealaska shall be responsible for recording with the land title recorders of office of the State of Alaska any modification to an existing conveyance of land under section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)) as a result of this title.

(h) CONDITIONS ON SITES WITH TRADITIONAL, RECREATIONAL, AND RENEWABLE ENERGY USE VALUE.—Each conveyance of land to

Sealaska from land withdrawn pursuant to section 304(b)(2) shall be subject to a covenant prohibiting any commercial timber harvest or mineral development.

(i) ESCROW FUNDS FOR WITHDRAWN LAND.—On the withdrawal by this title of land identified for selection by Sealaska, the escrow requirements of section 2 of Public Law 94-204 (43 U.S.C. 1613 note), shall thereafter apply to the withdrawn land.

(j) GUIDING AND OUTFITTING SPECIAL USE PERMITS OR AUTHORIZATIONS.—

(1) IN GENERAL.—Consistent with the provisions of section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), except as modified herein, on land conveyed to Sealaska from land withdrawn pursuant to sections 304(b)(1) and 304(b)(2), an existing holder of a guiding or outfitting special use permit or authorization issued by the Forest Service shall be entitled to its rights and privileges on the land for the remaining term of the permit, as of the date of conveyance to Sealaska, and for 1 subsequent 10-year renewal of the permit, subject to the condition that the rights shall be considered a valid existing right reserved pursuant to section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), and shall be managed accordingly.

(2) NOTICE OF COMMERCIAL ACTIVITIES.—Sealaska, with respect to the holder of a guiding or outfitting special use permit or authorization under this subsection, and a permit holder referenced in this subsection, with respect to Sealaska, shall have an obligation to inform the other party of their respective commercial activities before engaging in the activities on land, which has been conveyed to Sealaska under this title, subject to the permit or authorization.

(3) NEGOTIATION OF NEW TERMS.—Nothing in this subsection precludes Sealaska and a permit holder under this subsection from negotiating new mutually agreeable permit terms that supersede the requirements of—

(A) this subsection;

(B) section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)); or

(C) any deed covenant.

(4) LIABILITY.—Sealaska shall bear no liability regarding use and occupancy pursuant to special use permits or authorizations on land selected or conveyed pursuant to this title.

SEC. 306. MISCELLANEOUS.

(a) STATUS OF CONVEYED LAND.—Each conveyance of Federal land to Sealaska pursuant to this title, and each Federal action carried out to achieve the purpose of this title, shall be considered to be conveyed or acted on, as applicable, pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(b) ENVIRONMENTAL MITIGATION AND INCENTIVES.—Notwithstanding subsection (e) and (h) of section 305, all land conveyed to Sealaska pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) and this title shall be considered to be qualified to receive or participate in, as applicable—

(1) any federally authorized carbon sequestration program, ecological services program, or environmental mitigation credit; and

(2) any other federally authorized environmental incentive credit or program.

(c) NO MATERIAL EFFECT ON FOREST PLAN.—

(1) IN GENERAL.—Except as required by paragraph (2), implementation of this title, including the conveyance of land to Sealaska, alone or in combination with any other factor, shall not require an amendment of, or revision to, the Tongass National Forest Land and Resources Management Plan before the first revision of that Plan sched-

uled to occur after the date of enactment of this Act.

(2) BOUNDARY ADJUSTMENTS.—The Secretary of Agriculture shall implement any land ownership boundary adjustments to the Tongass National Forest Land and Resources Management Plan resulting from the implementation of this title through a technical amendment to that Plan.

(d) TECHNICAL CORRECTIONS.—

(1) TRIBAL FOREST PROTECTION.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended by adding at the end a new subsection (h):

“(h)(1) Land owned by an Alaska Native Corporation pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is forest land or formerly had a forest cover or vegetative cover that is capable of restoration shall be eligible for agreements and contracts authorized under this Act and administered by the Secretary.

“(2) Nothing in this subsection validates, invalidates, or otherwise affects any claim regarding the existence of Indian country (as defined in section 1151 of title 18, United States Code) in the State of Alaska.”.

(2) NATIONAL HISTORIC PRESERVATION.—Section 101(d) of the National Historic Preservation Act (16 U.S.C. 470a(d)), is amended by adding at the end a new paragraph (7):

“(7)(A) Notwithstanding any other provision of law, an Alaska Native tribe, band, nation or other organized group or community, including a Native village, Regional Corporation, or Village Corporation, shall be eligible to participate in all programs administered by the Secretary under this Act on behalf of Indian tribes, including, but not limited to, securing grants and other support to manage their own historic preservation sites and programs on lands held by the Alaska Native tribe, band, nation or other organized group or community, including a Native village, Regional Corporation, or Village Corporation.

“(B) Nothing in this paragraph validates, invalidates, or otherwise affects any claim regarding the existence of Indian country (as defined in section 1151 of title 18, United States Code) in the State of Alaska.”.

(e) EFFECT ON ENTITLEMENT.—Nothing in this title shall have any effect upon the entitlement due to any Native Corporation, other than Sealaska, under—

(1) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); or

(2) the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

SEC. 307. MAPS.

(a) AVAILABILITY.—Each map referred to in this title shall be maintained on file in—

(1) the office of the Chief of the Forest Service; and

(2) the office of the Secretary.

(b) CORRECTIONS.—The Secretary or the Chief of the Forest Service may make any necessary correction to a clerical or typographical error in a map referred to in this title.

(c) TREATMENT.—No map referred to in this title shall be considered to be an attempt by the Federal Government to convey any State or private land.

TITLE IV—SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK BOUNDARY EXPANSION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the “San Antonio Missions National Historical Park Boundary Expansion Act”.

SEC. 402. FINDINGS.

Congress finds that—

(1) the San Antonio Missions National Historical Park is important to understanding the history and development of the City of San Antonio, Bexar County, the State of Texas, and the United States;

(2) understanding the connection between the San Antonio River and the San Antonio Missions is critical to understanding mission life in colonial Texas; and

(3) the San Antonio Missions National Historical Park enjoys the strong support of the City of San Antonio, Bexar County, and their citizens and businesses.

SEC. 403. BOUNDARY EXPANSION.

Section 201(a) of Public Law 95-629 (16 U.S.C. 410ee(a)) is amended—

(1) by striking “In order” and inserting “(1) In order”;

(2) by striking “The park shall also” and inserting “(2) The park shall also”;

(3) by striking “After advising the” and inserting “(5) After advising the”;

(4) by inserting after paragraph (2) (as so designated by paragraph (2) above) the following:

“(3) The boundary of the park is further modified to include approximately 137 acres, as depicted on the map titled ‘San Antonio Missions National Historical Park Proposed Boundary Addition’, numbered 472/113,006A, and dated June 2012. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.

“(4) The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the park. The Secretary is authorized to acquire land and interests in land that are within the boundaries of the park pursuant to paragraph (3) by donation or exchange only (and in the case of an exchange, no payment may be made by the Secretary to any landowner). No private property or non-Federal public property shall be included within the boundaries of the park without the written consent of the owner of such property. Nothing in this Act, the establishment of park, or the management plan of the park shall be construed to create buffer zones outside of the park. That an activity or use can be seen or heard from within the park shall not preclude the conduct of that activity or use outside the park.”

TITLE V—WACO MAMMOTH NATIONAL MONUMENT ESTABLISHMENT ACT OF 2012

SEC. 501. SHORT TITLE.

This title may be cited as the “Waco Mammoth National Monument Establishment Act of 2012”.

SEC. 502. FINDINGS.

Congress finds that—

(1) the Waco Mammoth Site area is located near the confluence of the Brazos River and the Bosque River in central Texas, near the city of Waco;

(2) after the discovery of bones emerging from eroding creek banks leading to the uncovering of portions of 5 mammoths, Baylor University began investigating the site in 1978;

(3) several additional mammoth remains have been uncovered making the site the largest known concentration of mammoths dying from the same event;

(4) the mammoth discoveries have received international attention; and

(5) Baylor University and the city of Waco, Texas, have been working together—

(A) to protect the site; and

(B) to develop further research and educational opportunities at the site.

SEC. 503. DEFINITIONS.

In this title:

(1) **CITY.**—The term “City” means the city of Waco, Texas.

(2) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Monument prepared under section 505(c)(1).

(3) **MAP.**—The term “map” means the map entitled “Proposed Boundary Waco-Mam-

moth National Monument”, numbered T21/80,000, and dated April 2009.

(4) **MONUMENT.**—The term “Monument” means the Waco Mammoth National Monument established by section 504(a).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(6) **STATE.**—The term “State” means the State of Texas.

(7) **UNIVERSITY.**—The term “University” means Baylor University in the State.

SEC. 504. WACO MAMMOTH NATIONAL MONUMENT, TEXAS.

(a) **ESTABLISHMENT.**—There is established in the State, as a unit of the National Park System, the Waco Mammoth National Monument, as generally depicted on the map.

(b) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 505. ADMINISTRATION OF MONUMENT.

(a) **IN GENERAL.**—The Secretary shall administer the Monument in accordance with—

(1) this title; and

(2) any cooperative agreements entered into under subsection (b)(1).

(b) **AUTHORITIES OF SECRETARY.**—

(1) **COOPERATIVE AGREEMENTS.**—The Secretary may enter into cooperative management agreements with the University and the City, in accordance with section 3(1) of Public Law 91-383 (16 U.S.C. 1a-2(1)).

(2) **ACQUISITION OF LAND.**—The Secretary may acquire by donation only from the City any land or interest in land owned by the City within the proposed boundary of the Monument.

(c) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the University and the City, shall complete a general management plan for the Monument.

(2) **INCLUSIONS.**—The management plan shall include, at a minimum—

(A) measures for the preservation of the resources of the Monument;

(B) requirements for the type and extent of development and use of the Monument;

(C) identification of the capacity of the Monument for accommodating visitors; and

(D) opportunities for involvement by the University, City, State, and other local and national entities in—

(i) developing educational programs for the Monument; and

(ii) developing and supporting the Monument.

(d) **PROHIBITION OF USE OF FEDERAL FUNDS.**—No Federal funds may be used to pay the costs of—

(1) carrying out a cooperative agreement under subsection (b)(1);

(2) acquiring land for inclusion in the Monument under subsection (b)(2);

(3) developing a visitor center for the Monument;

(4) operating or maintaining the Monument;

(5) constructing exhibits for the Monument; or

(6) developing the general management plan under subsection (c).

(e) **USE OF NON-FEDERAL FUNDS.**—Non-Federal funds may be used to pay any costs that may be incurred by the Secretary or the National Park Service in carrying out this section.

(f) **EFFECT ON ELIGIBILITY FOR FINANCIAL ASSISTANCE.**—Nothing in this title affects the eligibility of the Monument for Federal grants or other forms of financial assistance that the Monument would have been eligible to apply for had National Park System status not been conferred to the Monument under this title.

(g) **TERMINATION OF NATIONAL PARK SYSTEM STATUS.**—

(1) **IN GENERAL.**—Designation of the Monument as a unit of the National Park System shall terminate if the Secretary determines that Federal funds are required to operate and maintain the Monument.

(2) **REVERSION.**—If the designation of the Monument as a unit of the National Park System is terminated under paragraph (1), any land acquired by the Secretary from the City under subsection (b)(2) shall revert to the City.

(h) **PRIVATE PROPERTY PROTECTION.**—No private property may be made part of the Monument without the written consent of the owner of that private property.

SEC. 506. NO BUFFER ZONES.

Nothing in this title, the establishment of national monument, or the management plan shall be construed create buffer zones outside of the national monument. That an activity or use can be seen or heard from within the Monument shall not preclude the conduct of that activity or use outside the Monument.

TITLE VI—NORTH CASCADES NATIONAL PARK ACCESS

SEC. 601. FINDINGS.

Congress finds as follows:

(1) In 1988, 93 percent of the North Cascades National Park Complex was designated the Stephen Mather Wilderness.

(2) A road corridor was deliberately excluded from the wilderness designation to provide for the continued use and maintenance of the upper Stehekin Valley Road.

(3) The upper Stehekin Valley Road provides access to Stephen Mather Wilderness trailheads and North Cascades National Park from the Lake Chelan National Recreation Area.

(4) Record flooding in 1995 and again in 2003 caused severe damage to the upper Stehekin Valley Road and led to the closure of a 9.9-mile section of the road between Car Wash Falls and Cottonwood Camp.

(5) The National Park Service currently does not have the flexibility to rebuild the upper Stehekin Valley Road away from the Stehekin River due to the current location of the non-wilderness road corridor provided by Congress in 1988.

(6) It is a high priority that the people of the United States, including families, the disabled, and the elderly, have reasonable access to the National Parks system and their public lands.

(7) The 1995 Lake Chelan National Recreation Area General Management Plan calls for retaining vehicle access to Cottonwood Camp.

(8) Tourism associated with the North Cascades National Park Complex is an important part of the economy for rural communities in the area.

(9) Additional management flexibility would allow the National Park Service to consider retention of the upper Stehekin Valley Road in a manner that provides for no net loss of wilderness.

SEC. 602. AUTHORIZATION FOR BOUNDARY ADJUSTMENTS.

The Washington Park Wilderness Act of 1988 (Public Law 100-668) is amended by inserting after section 206 the following:

“SEC. 207. BOUNDARY ADJUSTMENTS FOR ROAD.

“(a) **IN GENERAL.**—The Secretary may adjust the boundaries of the North Cascades National Park and the Stephen Mather Wilderness in order to provide a corridor of not more than 100 feet in width along which the Stehekin Valley Road may be rebuilt—

“(1) outside of the floodplain between milepost 12.9 and milepost 22.8;

“(2) within one mile of the route, on the date of the enactment of this section, of the Stehekin Valley Road;

“(3) within the boundaries of the North Cascades National Park; and

“(4) outside of the boundaries of the Stephen Mather Wilderness.

“(b) NO NET LOSS OF LANDS.—

“(1) IN GENERAL.—The boundary adjustments made under this section shall be such that equal amounts of federally owned acreage are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.

“(2) STEHEKIN VALLEY ROAD LANDS.—The newly designated wilderness shall include the lands along the route of the Stehekin Valley Road that are replaced by the reconstruction.

“(3) EQUALIZATION OF LAND.—If the lands described in paragraph (2) contain fewer acres than the corridor described in subsection (a), the Secretary may designate additional Federal lands in the North Cascades National Park as wilderness, but such designation may not exceed the amount needed to equalize the exchange and these additional lands must be selected from lands that qualify as wilderness under section 2(c) of the Wilderness Act (16 U.S.C. 1131(c)).

“(c) NO SALE OR ACQUISITION AUTHORIZED.—Nothing in this title authorizes the sale or acquisition of any land or interest in land.

“(d) NO PRIORITY REQUIRED.—Nothing in this title shall be construed as requiring the Secretary to give this project precedence over the construction or repair of other similarly damaged roads in units of the National Park System.”.

TITLE VII—ENDANGERED SALMON AND FISHERIES PREDATION PREVENTION ACT
SEC. 701. SHORT TITLE.

This title may be cited as the “Endangered Salmon and Fisheries Predation Prevention Act”.

SEC. 702. FINDINGS.

The Congress finds the following:

(1) There are 13 groups of salmon and steelhead that are listed as threatened species or endangered species under the Endangered Species Act of 1973 that migrate through the lower Columbia River.

(2) The people of the Northwest United States are united in their desire to restore healthy salmon and steelhead runs, as they are integral to the region’s culture and economy.

(3) The Columbia River treaty tribes retain important rights with respect to salmon and steelhead.

(4) Federal, State, and tribal governments have spent billions of dollars to assist the recovery of Columbia River salmon and steelhead populations.

(5) One of the factors impacting salmonid populations is increased predation by marine mammals, including California sea lions.

(6) The population of California sea lions has increased 6-fold over the last 3 decades, and is currently greater than 250,000 animals.

(7) In recent years, more than 1,000 California sea lions have been foraging in the lower 145 miles of the Columbia River up to Bonneville Dam during the peak spring salmonid run before returning to the California coast to mate.

(8) The percentage of the spring salmonid run that has been eaten or killed by California sea lions at Bonneville Dam has increased 7-fold since 2002.

(9) In recent years, California sea lions have with greater frequency congregated near Bonneville Dam and have entered the fish ladders.

(10) These California sea lions have not been responsive to extensive hazing methods employed near Bonneville Dam to discourage this behavior.

(11) The process established under the 1994 amendment to the Marine Mammal Protec-

tion Act of 1972 to address aggressive sea lion behavior is protracted and will not work in a timely enough manner to protect threatened and endangered salmonids in the near term.

(12) In the interest of protecting Columbia River threatened and endangered salmonids, a temporary expedited procedure is urgently needed to allow removal of the minimum number of California sea lions as is necessary to protect the passage of threatened and endangered salmonids in the Columbia River and its tributaries.

(13) On December 21, 2010, the independent Pinniped-Fishery Interaction Task Force recommended lethally removing more of the California sea lions in 2011.

(14) On August 18, 2011, the States of Washington, Oregon, and Idaho applied to the National Marine Fisheries Service, under section 120(b)(1)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389(b)(1)(A)), for the lethal removal of sea lions that the States determined are having a “significant negative impact” on the recovery of Columbia River and Snake River salmon and steelhead.

(15) On September 12, 2011, the National Marine Fisheries Service announced it was accepting the States’ application for lethal removal of sea lions and that it would reconvene the Pinniped-Fishery Interaction Task Force to consider the States’ application. This title will ensure the necessary authority for permits under the Marine Mammal Protection Act of 1972 to be issued in a timely fashion.

(16) During a June 14, 2011, hearing, the Committee on Natural Resources of the House of Representatives received testimony from State and tribal witnesses expressing concern that significant pinniped predation of important Northwest fish resources other than salmonids is severely impacting fish stocks determined by both Federal and State fishery management agencies to be at low levels of abundance, and that this cannot be addressed by section 120 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389), which is in effect before the enactment of this Act restricted control of predatory pinnipeds’ impact only with respect to endangered salmonids.

SEC. 703. TAKING OF SEA LIONS ON THE COLUMBIA RIVER AND ITS TRIBUTARIES TO PROTECT ENDANGERED AND THREATENED SPECIES OF SALMON AND OTHER NONLISTED FISH SPECIES.

Section 120 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389) is amended by striking subsection (f) and inserting the following:

“(f) TEMPORARY MARINE MAMMAL REMOVAL AUTHORITY ON THE WATERS OF THE COLUMBIA RIVER OR ITS TRIBUTARIES.—

“(1) REMOVAL AUTHORITY.—Notwithstanding any other provision of this Act, the Secretary may issue a permit to an eligible entity authorizing the intentional lethal taking on the waters of the Columbia River and its tributaries of sea lions that are part of a healthy population that is not listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), to protect endangered and threatened species of salmon and other nonlisted fish species.

“(2) PERMIT PROCESS.—

“(A) IN GENERAL.—An eligible entity may apply to the Secretary for a permit under this subsection.

“(B) DEADLINE FOR CONSIDERATION OF APPLICATION.—The Secretary shall approve or deny an application for a permit under this subsection by not later than 30 days after receiving the application.

“(C) DURATION OF PERMIT.—A permit under this subsection shall be effective for no more

than one year after the date it is issued, but may be renewed by the Secretary.

“(3) LIMITATIONS.—

“(A) LIMITATION ON PERMIT AUTHORITY.—Subject to subparagraph (B), a permit issued under this subsection shall not authorize the lethal taking of more than 10 sea lions during the duration of the permit.

“(B) LIMITATION ON ANNUAL TAKINGS.—The cumulative number of sea lions authorized to be taken each year under all permits in effect under this subsection shall not exceed one percent of the annual potential biological removal level.

“(4) DELEGATION OF PERMIT AUTHORITY.—Any eligible entity may delegate to any other eligible entity the authority to administer its permit authority under this subsection.

“(5) NEPA.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to this subsection and the issuance of any permit under this subsection during the 5-year period beginning on the date of the enactment of this subsection.

“(6) SUSPENSION OF PERMITTING AUTHORITY.—If, 5 years after enactment, the Secretary, after consulting with State and tribal fishery managers, determines that lethal removal authority is no longer necessary to protect salmonid and other fish species from sea lion predation, may suspend the issuance of permits under this subsection.

“(7) ELIGIBLE ENTITY DEFINED.—In this subsection, the term ‘eligible entity’ means each of the State of Washington, the State of Oregon, the State of Idaho, the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Columbia River Inter-Tribal Fish Commission.”.

SEC. 704. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) preventing predation by sea lions, recovery of listed salmonid stocks, and preventing future listings of fish stocks in the Columbia River is a vital priority;

(2) permit holders exercising lethal removal authority pursuant to the amendment made by this title should be trained in wildlife management; and

(3) the Federal Government should continue to fund lethal and nonlethal removal measures for preventing such predation.

SEC. 705. TREATY RIGHTS OF FEDERALLY RECOGNIZED INDIAN TRIBES.

Nothing in this title or the amendment made by this title shall be construed to affect or modify any treaty or other right of any federally recognized Indian tribe.

TITLE VIII—REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT

SEC. 801. REAUTHORIZATION OF HERGER-FEINSTEIN QUINCY LIBRARY GROUP FOREST RECOVERY ACT.

(a) EXTENSION.—Subsection (g) of the Herger-Feinstein Quincy Library Group Forest Recovery Act (title IV of the Department of the Interior and Related Agencies Appropriations Act, 1999, as contained in section 101(e) of division A of Public Law 105-277; 16 U.S.C. 2104 note) is amended to read as follows:

“(g) TERM OF PILOT PROJECT.—

“(1) IN GENERAL.—The Secretary shall conduct the pilot project until the earlier of the following:

“(A) September 30, 2019.

“(B) The date on which the Secretary completes amendment or revision of the land and resource management plans for the National Forest System lands included in the pilot project area.

“(2) FOREST PLAN AMENDMENTS.—When the Regional Forester for Region 5 initiates the

process to amend or revise the land and resource management plans for the pilot project area, the process shall include preparation of at least one alternative that incorporates the pilot project and area designations under subsection (b), the resource management activities described in subsection (d), and other aspects of the Quincy Library Group Community Stability Proposal.”

(b) EXPANSION OF PILOT PROJECT AREA.—Subsection (b) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by adding at the end the following new paragraph:

“(3) EXPANSION OF PILOT PROJECT AREA.—The Secretary may expand the pilot project area to include all National Forest System lands within California or Nevada that lie within the Sierra Nevada and Cascade Province, Lake Tahoe Basin Management Unit, Humboldt-Toiyabe National Forest, and Inyo National Forest. These lands may be managed using the same strategy, guidelines and resource management activities outlined in this section or developed to meet local forest and community needs and conditions.”

(c) ROADLESS AREA PROTECTION.—Subsection (c)(4) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by adding at the end the following new sentence: “However, those areas designated as ‘Deferred’ on the map, but located in Tehama County, south and west of Lassen Peak, are deemed to be designated as ‘Available for Group Selection’ and shall be managed accordingly under subsection (d).”

(d) GROUP SELECTION REQUIREMENT.—Subparagraph (A) of subsection (d)(2) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended to read as follows:

“(A) GROUP SELECTION.—After September 30, 2012, group selection on an average acreage of .57 percent of the pilot project area land shall occur each year of the pilot project.”

(e) FUNDING.—Subsection (f) of the Herger-Feinstein Quincy Library Group Forest Recovery Act is amended by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

TITLE IX—YERINGTON LAND CONVEYANCE AND SUSTAINABLE DEVELOPMENT ACT

SEC. 901. SHORT TITLE.

This title may be cited as the “Yerington Land Conveyance and Sustainable Development Act”.

SEC. 902. FINDINGS.

Congress finds that—

(1) the city of Yerington, Nevada, which has an unemployment rate of 16 percent, has the highest unemployment rate in the State of Nevada;

(2) for over 4 years, the city of Yerington and Lyon County, Nevada, have been working with private business partners to develop a sustainable development plan that would enable all parties to benefit from the use of private land adjacent to the city of Yerington for potential commercial and industrial development, mining activities, recreation opportunities, and the expansion of community and cultural events;

(3) the sustainable development plan referred to in paragraph (2) requires the conveyance of certain Federal land administered by the Bureau of Land Management to the City for consideration in an amount equal to the fair market value of the Federal land;

(4) the Federal land to be conveyed to the City under the sustainable development plan has very few environmental, historical, wildlife, or cultural resources of value to the public, but is appropriate for responsible development;

(5) the Federal land that would be conveyed to the City under the sustainable development plan—

(A) is adjacent to the boundaries of the City; and

(B) would be used—

(i) to enhance recreational, cultural, commercial, and industrial development opportunities in the City;

(ii) for future economic development, regional use, and as an open space buffer to the City; and

(iii) to allow the City to provide critical infrastructure services;

(6) commercial and industrial development of the Federal land would enable the community to benefit from the transportation, power, and water infrastructure that would be put in place with the concurrent development of commercial and industrial operations;

(7) the conveyance of the Federal land would—

(A) help the City and County to grow; and
(B) provide additional tax revenue to the City and County;

(8) industrial and commercial development of the Federal land would create thousands of long-term, high-paying jobs for the City and County; and

(9) the Lyon County Commission and the City unanimously approved resolutions in support of the conveyance of the Federal land because the conveyance would facilitate a sustainable model for long-term economic and industrial development.

SEC. 903. DEFINITIONS.

In this title:

(1) CITY.—The term “City” means the city of Yerington, Nevada.

(2) FEDERAL LAND.—The term “Federal land” means the land located in Lyon County and Mineral County, Nevada, that is identified on the map as “City of Yerington Sustainable Development Conveyance Lands”.

(3) MAP.—The term “map” means the map entitled “Yerington Land Conveyance and Sustainable Development Act” and dated May 31, 2012.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 904. CONVEYANCES OF LAND TO CITY OF YERINGTON, NEVADA.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this title, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the City, subject to the City’s agreement and in exchange for consideration in an amount equal to the fair market value of the Federal land, all right, title, and interest of the United States in and to the Federal land identified on the map.

(b) APPRAISAL TO DETERMINE OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the Federal land to be conveyed—

(1) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisition; and
(B) the Uniform Standards of Professional Appraisal Practice.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) APPLICABLE LAW.—Beginning on the date on which the Federal land is conveyed to the City, the development of and conduct of activities on the Federal land shall be subject to all applicable Federal laws (including regulations).

(e) ADMINISTRATIVE COSTS.—The City shall be responsible for all survey, appraisal, and

other administrative costs associated with the conveyance of the Federal land to the City under this title.

SEC. 905. RELEASE OF THE UNITED STATES.

Upon making the conveyance under section 904, notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal Land in existence on or before the date of the conveyance.

TITLE X—PRESERVING ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA ACT

SEC. 1001. SHORT TITLE.

This title may be cited as the “Preserving Access to Cape Hatteras National Seashore Recreational Area Act”.

SEC. 1002. REINSTATEMENT OF INTERIM MANAGEMENT STRATEGY.

(a) MANAGEMENT.—After the date of the enactment of this title, Cape Hatteras National Seashore Recreational Area shall be managed in accordance with the Interim Protected Species Management Strategy/Environmental Assessment issued by the National Park Service on June 13, 2007, for the Cape Hatteras National Seashore Recreational Area, North Carolina, unless the Secretary of the Interior (hereafter in this title referred to as the “Secretary”) issues a new final rule that meets the requirements set forth in section 1003.

(b) RESTRICTIONS.—The Secretary shall not impose any additional restrictions on pedestrian or motorized vehicular access to any portion of Cape Hatteras National Seashore Recreational Area for species protection beyond those in the Interim Management Strategy, other than as specifically authorized pursuant to section 1003 of this title.

SEC. 1003. ADDITIONAL RESTRICTIONS ON ACCESS TO CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA FOR SPECIES PROTECTION.

(a) IN GENERAL.—If, based on peer-reviewed science and after public comment, the Secretary determines that additional restrictions on access to a portion of the Cape Hatteras National Seashore Recreational Area are necessary to protect species listed as endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretary may only restrict, by limitation, closure, buffer, or otherwise, pedestrian and motorized vehicular access for recreational activities for the shortest possible time and on the smallest possible portions of the Cape Hatteras National Seashore Recreational Area.

(b) LIMITATION ON RESTRICTIONS.—Restrictions imposed under this section for protection of species listed as endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be greater than the restrictions in effect for that species at any other National Seashore.

(c) CORRIDORS AROUND CLOSURES.—To the maximum extent possible, the Secretary shall designate pedestrian and vehicular corridors of minimal distance on the beach or intertidal area around closures implemented under this section to allow access to areas not closed.

SEC. 1004. INAPPLICABILITY OF FINAL RULE AND CONSENT DEGREE.

(a) FINAL RULE.—The final rule titled “Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore—Off-Road Vehicle Management” (77 Fed. Reg. 3123-3144) shall have no force or ef-

fect after the date of the enactment of this title.

(b) CONSENT DECREE.—The April 30, 2008, consent decree filed in the United States District Court for the Eastern District of North Carolina regarding off-road vehicle use at Cape Hatteras National Seashore in North Carolina shall not apply after the date of the enactment of this title.

TITLE XI—GRAZING IMPROVEMENT ACT OF 2012

SEC. 1101. SHORT TITLE.

This title may be cited as the “Grazing Improvement Act of 2012”.

SEC. 1102. TERMS OF GRAZING PERMITS AND LEASES.

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) by striking “ten years” each place it appears and inserting “20 years”; and

(2) in subsection (b)—

(A) by striking “or” at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.”.

SEC. 1103. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

“SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

“(a) DEFINITIONS.—In this section:

“(1) CURRENT GRAZING MANAGEMENT.—The term ‘current grazing management’ means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

“(2) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary of Agriculture, with respect to National Forest System land; and

“(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

“(b) RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING.—A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate—

“(1) section 402;

“(2) section 19 of the Act of April 24, 1950 (commonly known as the ‘Granger-Thye Act’; 16 U.S.C. 5801);

“(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

“(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–50).

“(c) TERMS; CONDITIONS.—The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

“(d) CANCELLATION; SUSPENSION; MODIFICATION.—Notwithstanding subsection (c), a per-

mit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

“(e) RENEWAL TRANSFER REISSUANCE AFTER PROCESSING.—When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned may renew or reissue the permit or lease for a term of 20 years after completion of processing.

“(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned may, at their sole discretion, be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if—

“(1) the decision to renew, reissue, or transfer continues the current grazing management of the allotment;

“(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the land use and resource management plan of the allotment, as determined by the Secretary concerned; or

“(3) the decision is consistent with the policy of the Department of the Interior or the Department of Agriculture, as appropriate, regarding extraordinary circumstances.

“(g) PRIORITY AND TIMING FOR COMPLETING ENVIRONMENTAL ANALYSES.—The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis regarding any grazing allotment, permit, or lease based on the environmental significance of the allotment, permit, or lease and available funding for that purpose.

“(h) NEPA EXEMPTIONS.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the following:

“(1) Crossing and trailing authorizations of domestic livestock.

“(2) Transfer of grazing preference.”.

TITLE XII—TARGET PRACTICE AND MARKSMANSHIP TRAINING SUPPORT ACT

SEC. 1201. SHORT TITLE.

This title may be cited as the “Target Practice and Marksmanship Training Support Act”.

SEC. 1202. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the use of firearms and archery equipment for target practice and marksmanship training activities on Federal land is allowed, except to the extent specific portions of that land have been closed to those activities;

(2) in recent years preceding the date of enactment of this title, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(3) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(4) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(5) Federal law in effect on the date of enactment of this title, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States amounts that may be used for construction,

operation, and maintenance of public target ranges; and

(6) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this title is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 1203. DEFINITION OF PUBLIC TARGET RANGE.

In this title, the term “public target range” means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 1204. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) the term ‘public target range’ means a specific location that—

“(A) is identified by a governmental agency for recreational shooting;

“(B) is open to the public;

“(C) may be supervised; and

“(D) may accommodate archery or rifle, pistol, or shotgun shooting.”.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking “(b) Each State” and inserting the following:

“(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), each State”;

(2) in paragraph (1) (as so designated), by striking “construction, operation,” and inserting “operation”;

(3) in the second sentence, by striking “The non-Federal share” and inserting the following:

“(3) NON-FEDERAL SHARE.—The non-Federal share”;

(4) in the third sentence, by striking “The Secretary” and inserting the following:

“(4) REGULATIONS.—The Secretary”; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

“(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may pay up to 90 percent of the funds apportioned to it under section 669c(c) of this title to acquire land for, expand, or construct a public target range.”.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(1) in subsection (a), by adding at the end the following:

“(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.”;

(2) by striking subsection (b) and inserting the following:

“(b) COST SHARING.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost

of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

“(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.”; and

(3) in subsection (c)(1)—

(A) by striking “Amounts made” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made”; and

(B) by adding at the end the following:

“(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.”.

SEC. 1205. LIMITS ON LIABILITY.

(a) DISCRETIONARY FUNCTION.—For purposes of chapter 171 of title 28, United States Code (commonly referred to as the “Federal Tort Claims Act”), any action by an agent or employee of the United States to manage or allow the use of Federal land for purposes of target practice or marksmanship training by a member of the public shall be considered to be the exercise or performance of a discretionary function.

(b) CIVIL ACTION OR CLAIMS.—Except to the extent provided in chapter 171 of title 28, United States Code, the United States shall not be subject to any civil action or claim for money damages for any injury to or loss of property, personal injury, or death caused by an activity occurring at a public target range that is—

(1) funded in whole or in part by the Federal Government pursuant to the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.); or

(2) located on Federal land.

SEC. 1206. SENSE OF CONGRESS REGARDING COOPERATION.

It is the sense of Congress that, consistent with applicable laws and regulations, the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to carry out waste removal and other activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

TITLE XIII—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY ACT OF 2012

SEC. 1301. SHORT TITLE.

This title may be cited as the “Chesapeake Bay Accountability and Recovery Act of 2012”.

SEC. 1302. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost-sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to \$100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to \$50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this title for which the President submits a budget to Congress.

SEC. 1303. ADAPTIVE MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator, in consultation with other Federal and State agencies, shall develop an adaptive management plan for restoration activities in the Chesapeake Bay watershed that includes—

(1) definition of specific and measurable objectives to improve water quality, habitat, and fisheries;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation practices;

(4) a process for modification of restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(5) a process for prioritizing restoration activities and programs to which adaptive management shall be applied.

(b) IMPLEMENTATION.—The Administrator shall implement the adaptive management plan developed under subsection (a).

(c) UPDATES.—The Administrator shall update the adaptive management plan developed under subsection (a) every 2 years.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the adaptive management plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including programmatic and project level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this title.

(e) INCLUSION OF PLAN IN ANNUAL ACTION PLAN AND ANNUAL PROGRESS REPORT.—The Administrator shall ensure that the Annual Action Plan and Annual Progress Report required by section 205 of Executive Order No. 13508 includes the adaptive management plan outlined in subsection (a).

SEC. 1304. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 2 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section, the term “Chesapeake Executive Council” has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567; 15 U.S.C. 1511d).

SEC. 1305. DEFINITIONS.

In this title, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term “adaptive management” means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term “Chesapeake Bay State” or “State” means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term “Chesapeake Bay watershed” means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term “chief executive” means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(7) RESTORATION ACTIVITIES.—The term “restoration activities” means any Federal or State programs or projects that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

- (A) Physical restoration.
- (B) Planning.
- (C) Feasibility studies.
- (D) Scientific research.
- (E) Monitoring.
- (F) Education.
- (G) Infrastructure Development.

TITLE XIV—NATIONAL SECURITY AND FEDERAL LANDS PROTECTION ACT

SEC. 1401. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) SHORT TITLE.—This section may be cited as the “National Security and Federal Lands Protection Act”.

(b) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border, that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(c) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have access to Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that assist in securing the international land borders of the United States:

- (1) Construction and maintenance of roads.
- (2) Construction and maintenance of fences.
- (3) Use of vehicles to patrol.
- (4) Installation, maintenance, and operation of surveillance equipment and sensors.
- (5) Use of aircraft.
- (6) Deployment of temporary tactical infrastructure, including forward operating bases.

(d) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public

Law 104-208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86-523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the “Antiquities Act of 1906”; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91-383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95-625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101-628).

(e) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

- (1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture;
- (2) any additional authority to restrict legal access to such land; or
- (3) any additional authority or access to private or State land.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes.

(g) SUNSET.—This section shall have no force or effect after the end of the 5-year period beginning on the date of enactment of this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. PERLMUTTER moved to recommit the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, insert the following:

TITLE XV—REDUCING THE RISK OF WILDFIRE; PROTECTING TRIBAL SOVEREIGNTY; MAKE IT IN AMERICA

SEC. 1501. REDUCING THE RISK OF WILDFIRE.

The Secretaries of Agriculture and Interior are authorized to enter into contracts or agreements with a State to permit the State to treat insect-infected trees and remove hazardous fuels on Federal land located in the State, in order to reduce the risk of wildfire. Priority shall be given to the protection of homes, schools, and healthcare, nursing, and assisted living facilities.

SEC. 1502. PROTECTING TRIBAL SOVEREIGNTY.

Nothing in this Act shall override Tribal sovereignty, including with respect to Native American burial or other sacred sites.

SEC. 1503. MAKE IT IN AMERICA.

The Secretary of the Interior shall ensure that all items offered for sale in any gift shop or visitor center located within a unit of the National Park System are produced in the United States.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. YODER, announced that the nays had it.

Mr. PERLMUTTER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 188
negative } Nays 234

¶78.20 [Roll No. 386]

AYES—188

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

NOES—234

Table listing names of members and their affiliations under the NOES—234 section.

NOT VOTING—10

Table listing names of members who did not vote under the NOT VOTING—10 section.

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. MARKEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-

fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 232 Nays 188

¶78.21 [Roll No. 387]

YEAS—232

Table listing names of members and their affiliations under the YEAS—232 section.

NAYS—188

Table listing names of members and their affiliations under the NAYS—188 section.

Table listing names of members and their affiliations in the right-hand column.

NOT VOTING—12

Table listing names of members who did not vote under the NOT VOTING—12 section.

So the bill was passed. A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.22 H.R. 2938—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2938) to prohibit certain gaming activities on certain Indian lands in Arizona; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 343 Nays 78 Answered present 2

¶78.23 [Roll No. 388]

YEAS—343

Table listing names of members and their affiliations under the YEAS—343 section.

Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishak
Berg
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Buchshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (IL)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake

Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinchev
Hinojosa
Holden
Huelskamp
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larson (CT)
Latham
Latta
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Mack
Maloney
Manzullo
Marchant
Marino

Matheson
McCarthy (CA)
McCaul
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster

Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry

Amash
Barber
Bass (CA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Castor (FL)
Cicilline
Costello
Critz
Davis (CA)
DeFazio
DeGette
Deutch
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Filner
Frank (MA)
Grijalva
Higgins
Hochul

ANSWERED "PRESENT"—2

Chu
LaTourette

NOT VOTING—9

Altmire
Dingell
Hirono
Huizenga (MI)

Jackson (IL)
Lewis (CA)
Miller (FL)
Sánchez, Linda
T.
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶78.24 PROVIDING FOR CONSIDERATION OF H.R. 4480

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112-540) the resolution (H. Res. 691) providing for consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve.

When said resolution and report were referred to the House Calendar and ordered printed.

¶78.25 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. WALZ of Minnesota, submitted the privileged motion to instruct the managers on the part of the House at

West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (IN)

NAYS—78

Holt
Honda
Hoyer
Johnson (GA)
Johnson, E. B.
Keating
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lummis
Lynch
Markey
Matsui
McCarthy (NY)
McClintock
McDermott
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Owens

Paul
Pingree (ME)
Polis
Price (NC)
Ryan (OH)
Sarbanes
Schakowsky
Scott (VA)
Serrano
Sewell
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Waters
Waxman
Welch
Yarmuth

the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to resolve all issues and file a conference report not later than June 22, 2012.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. CULBERSON, announced that the yeas had it.

Mr. WALZ of Minnesota, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 20, 2012.

¶78.26 BILLS APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

January 31, 2012:

H.R. 3800. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

February 1, 2012:

H.R. 3237. An Act to amend the SOAR Act by clarifying the scope of coverage of the Act.

February 10, 2012:

H.R. 3801. An Act to amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

February 14, 2012:

H.R. 588. An Act to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge.

H.R. 658. An Act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

February 22, 2012:

H.R. 3630. An Act to provide incentives for the creation of jobs, and for other purposes.

February 27, 2012:

H.R. 1162. An Act to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

March 8, 2012:

H.R. 347. An Act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

March 13, 2012:

H.R. 4105. An Act to apply the counter-vailing duty provisions of the Tariff Act of

1930 to nonmarket economy countries, and for other purposes.

March 30, 2012:

H.R. 4281. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

April 2, 2012:

H.R. 473. An Act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

H.R. 886. An Act to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

April 5, 2012:

H.R. 3606. An Act to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies.

May 15, 2012:

H.R. 298. An Act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. An Act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

H.R. 2079. An Act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. An Act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Inks, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244. An Act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. An Act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2668. An Act to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the "Brian A. Terry Border Patrol Station".

H.R. 2767. An Act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trent Post Office Building".

H.R. 3004. An Act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246. An Act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247. An Act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248. An Act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

May 25, 2012:

H.R. 4045. An Act to modify the Department of Defense Program Guidance relating

to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on, or after that date, from the changes to the program guidance that took effect on that date.

H.R. 4967. An Act to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts.

May 30, 2012:

H.R. 2072. An Act to reauthorize the Export-Import Bank of the United States, and for other purposes.

May 31, 2012:

H.R. 5740. An Act to extend the National Flood Insurance Program, and for other purposes.

June 5, 2012:

H.R. 2415. An Act to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the "Trooper Joshua D. Miller Post Office Building".

H.R. 3220. An Act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the "Master Sergeant Daniel L. Fedder Post Office".

H.R. 3413. An Act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

H.R. 4119. An Act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

H.R. 4849. An Act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

June 8, 2012:

H.R. 2947. An Act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

H.R. 3992. An Act to allow otherwise eligible Israeli nationals to receive E 2 non-immigrant visas if similarly situated United States nationals are eligible for similar non-immigrant status in Israel.

H.R. 4097. An Act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

¶78.27 SENATE BILLS APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

March 14, 2012:

S. 1134. An Act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

S. 1710. An Act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

April 4, 2012:

S. 2038. An Act to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

May 15, 2012:

S. 1302. An Act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

June 13, 2012:

S. 3261. An Act to allow the Chief of the Forest Service to award certain contracts for large air tankers.

¶78.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MILLER of Florida, for June 18 and balance of the week.

And then,

¶78.29 ADJOURNMENT

On motion of Mr. WOODALL, at 8 o'clock and 20 minutes p.m., the House adjourned.

¶78.30 OATH OF OFFICE/MEMBERS, RESIDENT COMMISSIONERS & DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 112th Congress, pursuant to the provisions of 2 U.S.C. 25:

RON BARBER, Arizona Eighth.

¶78.31 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Rules. House Resolution 691. Resolution providing for consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve (Rept. 112-540). Referred to the House Calendar.

¶78.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KUCINICH (for himself, Ms. SLAUGHTER, Ms. WOOLSEY, Ms. CHU, Mr. YARMUTH, Mr. HONDA, Mr. MORAN, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. CONYERS, Mr. HINCHEY, Mr. ELLISON, and Ms. EDWARDS):

H.R. 5959. A bill to place a moratorium on permitting for mountaintop removal coal mining until health studies are conducted by

the Department of Health and Human Services, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. GRIJALVA, and Mr. LUJÁN):

H.R. 5960. A bill to amend the Healthy Forests Restoration Act of 2003 to improve the response to insect infestations and related diseases and to change the funding source for the Healthy Forests Reserve Program, to codify the stewardship end result contracting and good neighbor authorities, and to amend the emergency watershed protection program to improve post fire rehabilitation, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPITO (for herself, Mr. AKIN, Mr. ROSS of Florida, Mr. HARRIS, Mr. SMITH of Nebraska, Mr. JOHNSON of Ohio, Mr. HOLDEN, Mr. GRIFFITH of Virginia, Mr. GOODLATTE, Mr. THOMPSON of Pennsylvania, Mr. TERRY, and Mrs. NOEM):

H.R. 5961. A bill to provide reasonable limits, control, and oversight over the Environmental Protection Agency's use of aerial surveillance of America's farmers; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. HANNA, Mr. FARR, and Mr. DEFAZIO):

H.R. 5962. A bill to amend the Organic Foods Production Act of 1990 to require recordkeeping and authorize investigations and enforcement actions for violations of such Act, and for other purposes; to the Committee on Agriculture.

By Mr. COLE:

H.R. 5963. A bill to amend the Internal Revenue Code of 1986 to extend for 1 year the deduction for expenses of elementary and secondary school teachers and to allow such deduction with respect to home school expenses; to the Committee on Ways and Means.

By Mr. CUELLAR (for himself and Mr. MCCAUL):

H.R. 5964. A bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY:

H.R. 5965. A bill to require the Chief of the Forest Service to make the Forest Service First and Second Generation Modular Airborne Firefighting System (MAFFS) units available to units of the Air National Guard and Air Force Reserve that have the aircraft capability and pilot and crew member training adequate for utilizing such firefighting systems to help alleviate the shortage of air tankers to fight wildfires; to the Committee on Agriculture.

By Mr. KING of New York (for himself and Mr. MEEKS):

H.R. 5966. A bill to establish a United States Boxing Commission to administer the Professional Boxing Safety Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to

the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself and Mr. WELCH):

H.R. 5967. A bill to amend title VI of the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity and energy efficiency standard for certain electric utilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POSEY (for himself and Mr. BUCHANAN):

H.R. 5968. A bill to amend the Consolidated Omnibus Budget Reconciliation Act of 1985 to authorize the Commissioner of U.S. Customs and Border Protection to enter into reimbursable fee agreements for the provision of additional services at Customs ports of entry, and for other purposes; to the Committee on Ways and Means.

By Mr. WALBERG (for himself, Mr. TERRY, Mr. GOODLATTE, Mr. ROKITA, Mr. GOWDY, and Mrs. SCHMIDT):

H.R. 5969. A bill to preserve the companionship services exemption for minimum wage and overtime pay under the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. WALBERG (for himself, Mr. TERRY, Mr. GOODLATTE, Mr. ROKITA, Mr. GOWDY, and Mrs. SCHMIDT):

H.R. 5970. A bill to prohibit the Secretary of Labor from finalizing a proposed rule relating to the application of the Fair Labor Standards Act of 1938 to domestic service employees; to the Committee on Education and the Workforce.

By Mr. WALSH of Illinois:

H.R. 5971. A bill to amend the Help America Vote Act of 2002 to require each individual who desires to vote in an election for Federal office to provide the appropriate election official with a government-issued photo identification, and for other purposes; to the Committee on House Administration.

By Ms. ZOE LOFGREN of California (for herself, Mr. CONYERS, Mr. PETERS, and Mr. DIAZ-BALART):

H. Res. 690. A resolution recognizing the Proclamation of the Refugee Congress; to the Committee on Foreign Affairs.

By Mr. LAMBORN:

H. Res. 692. A resolution recognizing the 30th Anniversary of the United States Air Force Space Command headquartered at Peterson Air Force Base, Colorado; to the Committee on Armed Services.

By Ms. MOORE (for herself, Ms. BASS of California, Mr. CONYERS, Ms. RICHARDSON, Mr. CLARKE of Michigan, Mr. GRIJALVA, Ms. LEE of California, Mr. RANGEL, Mr. STARK, Ms. WILSON of Florida, Ms. NORTON, and Ms. WOOLSEY):

H. Res. 693. A resolution expressing support for designation of June as "National Family Reunification Month"; to the Committee on Ways and Means.

¶178.33 MEMORIALS

Under clause 4 of rule XXII,

234. The SPEAKER presented a memorial of the House of Representatives of the State of Arizona, relative to House Memorial 2002 urging the Congress to pass House Joint Resolution 106; to the Committee on the Judiciary.

¶178.34 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 329: Ms. HIRONO.

H.R. 458: Mr. BACA and Mr. CICILLINE.
H.R. 640: Mr. COURTNEY.
H.R. 687: Mr. RUSH, Ms. HIRONO, Mr. ALTMIRE, and Mr. ROONEY.

H.R. 692: Mrs. ADAMS.
H.R. 733: Mr. CARNEY.
H.R. 831: Mr. YOUNG of Florida, Mr. RUSH, and Mr. BISHOP of New York.

H.R. 890: Ms. NORTON.
H.R. 891: Mr. MILLER of North Carolina.
H.R. 904: Mr. MEEHAN and Mr. DEFAZIO.
H.R. 905: Mr. MARCHANT.

H.R. 930: Mr. JONES.
H.R. 931: Mr. ROKITA.
H.R. 987: Mr. CLARKE of Michigan.
H.R. 1063: Mr. PETERS.
H.R. 1084: Mr. SCHIFF.

H.R. 1116: Mr. LUJÁN and Ms. BROWN of Florida.

H.R. 1167: Mr. MICA.
H.R. 1172: Mr. BISHOP of Georgia.
H.R. 1236: Mr. KING of New York and Mr. ANDREWS.

H.R. 1277: Mr. PLATTS.
H.R. 1283: Mr. ROONEY.
H.R. 1285: Mr. GRIFFITH of Virginia.
H.R. 1307: Mr. KLINE.

H.R. 1394: Mr. CAPUANO and Mr. HIGGINS.
H.R. 1523: Mr. STARK.
H.R. 1533: Mr. DONNELLY of Indiana.
H.R. 1537: Mr. CARNEY.

H.R. 1546: Mr. GARDNER, Mr. SCOTT of South Carolina, and Mr. BISHOP of Georgia.
H.R. 1588: Mr. RIGELL.

H.R. 1614: Mr. TIBERI and Mr. AMODEI.
H.R. 1620: Mr. HEINRICH.
H.R. 1639: Mr. HECK and Mr. CUELLAR.
H.R. 1648: Ms. EDWARDS, Mr. FALEOMAVAEGA, Mr. HEINRICH, and Mr. PERLMUTER.

H.R. 1700: Mr. AMODEI and Mr. WOMACK.
H.R. 1718: Ms. HIRONO.
H.R. 1755: Mrs. MYRICK.

H.R. 1842: Mr. CUMMINGS, Ms. MCCOLLUM, and Mr. CARNAHAN.
H.R. 1860: Mr. AMODEI.
H.R. 1919: Mr. COURTNEY.

H.R. 1946: Mr. MICHAUD.
H.R. 1983: Ms. LEE of California.
H.R. 2030: Mr. ELLISON.
H.R. 2032: Mr. THOMPSON of Pennsylvania and Mr. WOMACK.

H.R. 2077: Mr. GOODLATTE.
H.R. 2104: Mr. WOMACK and Mrs. MCCARTHY of New York.

H.R. 2123: Mr. WOLF.
H.R. 2139: Mr. CHABOT, Mr. BARROW, Mr. LEWIS of Georgia, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2194: Mr. MURPHY of Connecticut.
H.R. 2267: Mr. HASTINGS of Washington.
H.R. 2492: Mr. ENGEL and Mr. WALZ of Minnesota.

H.R. 2497: Mrs. HARTZLER, Mr. WESTMORELAND, Mr. WOODALL, Mr. GRAVES of Missouri, Mr. MICA, and Mrs. BLACK.

H.R. 2637: Mr. STARK.
H.R. 2655: Mr. CONYERS and Ms. JACKSON LEE of Texas.

H.R. 2705: Mrs. DAVIS of California.
H.R. 2746: Ms. BONAMICI, Ms. DELAURO, Mr. NADLER, Mr. LEWIS of Georgia, and Mr. DEUTCH.

H.R. 2918: Mr. CALVERT.
H.R. 2962: Mr. LATHAM and Mr. KLINE.
H.R. 2967: Mr. CLEAVER and Ms. CASTOR of Florida.

H.R. 3158: Mr. BOSWELL, Mr. MCINTYRE, and Mr. KISSELL.
H.R. 3187: Mr. COURTNEY, Mr. MILLER of North Carolina, Mr. SHERMAN, and Mr. KILDEE.

H.R. 3192: Ms. NORTON.
H.R. 3252: Mr. ISRAEL and Mr. REED.
H.R. 3264: Mr. QUAYLE.

H.R. 3357: Ms. CASTOR of Florida.
H.R. 3423: Mr. JONES, Ms. ROS-LEHTINEN, and Mr. CLARKE of Michigan.
H.R. 3435: Mr. MICHAUD.

H.R. 3496: Mr. SCHIFF and Ms. ZOE LOFGREN of California.
 H.R. 3555: Mr. FILNER.
 H.R. 3563: Mr. CASSIDY.
 H.R. 3634: Mr. LOBIONDO.
 H.R. 3643: Mr. SCOTT of South Carolina and Mr. GOSAR.
 H.R. 3661: Mr. GUTHRIE, Mr. SMITH of Washington, Ms. MCCOLLUM, Ms. JACKSON LEE of Texas, and Mr. COURTNEY.
 H.R. 3767: Mr. JOHNSON of Georgia and Mr. BARTLETT.
 H.R. 3798: Ms. SLAUGHTER, Ms. WILSON of Florida, and Mr. RUPPERSBERGER.
 H.R. 3831: Mr. ANDREWS and Mr. YOUNG of Alaska.
 H.R. 3984: Mr. LEWIS of Georgia.
 H.R. 3987: Mr. COBLE.
 H.R. 4055: Mr. FARR.
 H.R. 4057: Mr. RUSH.
 H.R. 4066: Mr. GOODLATTE and Mr. KEATING.
 H.R. 4077: Mr. PASTOR of Arizona.
 H.R. 4091: Mr. CLARKE of Michigan, Mr. MICHAUD, and Ms. PINGREE of Maine.
 H.R. 4122: Mr. KILDEE.
 H.R. 4160: Mr. MCHENRY.
 H.R. 4165: Mr. MILLER of North Carolina and Mr. GALLEGLY.
 H.R. 4169: Mr. PASTOR of Arizona and Ms. HIRONO.
 H.R. 4195: Ms. MOORE.
 H.R. 4202: Ms. NORTON and Mr. CONYERS.
 H.R. 4215: Mr. KISSELL and Mr. TERRY.
 H.R. 4235: Mr. LUTKEMEYER.
 H.R. 4264: Mr. BISHOP of Georgia, Mrs. CAPITO, Mr. JONES, Mr. RENACCI, Mr. SCHWEIKERT, Mr. STIVERS, Mr. DUFFY, Mr. ROYCE, Mr. DOLD, and Mr. MANZULLO.
 H.R. 4277: Ms. CHU.
 H.R. 4287: Mr. WOMACK, Ms. MCCOLLUM, Mr. SMITH of Washington, and Mrs. CAPPS.
 H.R. 4296: Mr. BACA, Ms. MATSUI, Mr. FARR, and Mrs. NAPOLITANO.
 H.R. 4353: Mr. DANIEL E. LUNGREN of California.
 H.R. 4367: Mr. AUSTIN SCOTT of Georgia, Mr. HIMES, and Mr. PAUL.
 H.R. 4373: Mr. VAN HOLLEN.
 H.R. 4405: Ms. DELAURO and Ms. SCHWARTZ.
 H.R. 4609: Mr. BISHOP of New York and Mr. PERLMUTTER.
 H.R. 4643: Mr. CANSECO.
 H.R. 4972: Mr. HINCHEY and Mrs. NAPOLITANO.
 H.R. 5186: Mr. STARK.
 H.R. 5331: Mr. TOWNS.
 H.R. 5542: Mr. HIGGINS and Mr. PERLMUTTER.
 H.R. 5647: Ms. WASSERMAN SCHULTZ, Mr. DINGELL, Mr. CICILLINE, Mr. MILLER of North Carolina, and Mr. CLAY.
 H.R. 5691: Mr. KUCINICH.
 H.R. 5707: Mr. CONNOLLY of Virginia and Ms. HIRONO.
 H.R. 5710: Mr. LATTA.
 H.R. 5741: Mr. MEEKS.
 H.R. 5746: Mr. DAVIS of Illinois, Mr. VAN HOLLEN, and Mr. BOUSTANY.
 H.R. 5796: Mr. BISHOP of Georgia.
 H.R. 5846: Mr. KLINE.
 H.R. 5850: Ms. HAHN.
 H.R. 5864: Mr. OWENS, Mr. RYAN of Ohio, and Mr. HIGGINS.
 H.R. 5865: Mr. MANZULLO, Mr. DINGELL, Mr. SCHILLING, Mr. DOYLE, Mr. LANCE, Mr. LYNCH, Mr. HULTGREN, Mr. GENE GREEN of Texas, Mr. GUTHRIE, and Mr. DUNCAN of Tennessee.
 H.R. 5873: Mr. YOUNG of Alaska, Mr. BOREN, Mr. ADERHOLT, Mr. ROGERS of Alabama, Mr. LABRADOR, and Mrs. MCMORRIS RODGERS.
 H.R. 5907: Mr. THOMPSON of California, Mr. DANIEL E. LUNGREN of California, and Mr. DENHAM.
 H.R. 5911: Mr. KLINE and Mr. SMITH of Nebraska.
 H.R. 5912: Mr. KLINE and Mr. LANKFORD.
 H.R. 5914: Mr. CULBERSON and Mr. PERLMUTTER.

H.R. 5942: Mr. BURGESS.
 H.R. 5943: Mr. HOLDEN and Mr. LARSON of Connecticut.
 H.R. 5948: Mr. FLORES.
 H.R. 5949: Mr. REYES.
 H.R. 5953: Mr. ROONEY, Mr. JONES, Mr. MARCHANT, Mrs. ADAMS, Mr. GOWDY, and Mrs. BLACK.
 H.R. 5957: Mr. PALAZZO, Mr. MCKINLEY, Mr. AKIN, and Mrs. MYRICK.
 H.R. 5958: Mr. REED.
 H.J. Res. 81: Mrs. LUMMIS.
 H.J. Res. 88: Mr. CAPUANO.
 H.J. Res. 90: Mr. CAPUANO.
 H.J. Res. 110: Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. BARTLETT, Mr. DAVIS of Kentucky, Mr. BROUN of Georgia, Mr. NEUGEBAUER, Mr. GINGREY of Georgia, Mrs. MCMORRIS RODGERS, Mr. BACHUS, Mr. GOSAR, Mr. LATTA, Mrs. MILLER of Michigan, Mr. FINCHER, and Mr. KLINE.
 H. Con. Res. 63: Mr. CICILLINE.
 H. Con. Res. 87: Mr. COHEN.
 H. Con. Res. 114: Mr. ADERHOLT.
 H. Con. Res. 119: Ms. ROYBAL-ALLARD.
 H. Con. Res. 122: Mr. LANCE.
 H. Con. Res. 127: Mr. ROYCE, Mr. PALLONE, Mrs. BLACK, and Mr. MACK.
 H. Con. Res. 129: Mr. ROGERS of Michigan, Mr. WALBERG, Mr. HUIZENGA of Michigan, Mrs. NAPOLITANO, Mr. BISHOP of Georgia, Mr. WILSON of South Carolina, Mr. BOSWELL, Mr. GOSAR, Mr. BARTLETT, Mr. ROTHMAN of New Jersey, Mr. LOBIONDO, and Ms. BORDALLO.
 H. Res. 20: Ms. BONAMICI.
 H. Res. 111: Mr. WATT and Mr. RYAN of Wisconsin.
 H. Res. 298: Mr. PALAZZO, Mr. MARCHANT, Mr. CLAY, and Mrs. HARTZLER.
 H. Res. 387: Mr. BILIRAKIS.
 H. Res. 613: Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. DOYLE, and Mr. BOSWELL.
 H. Res. 618: Ms. MOORE, Mr. ROE of Tennessee, Ms. BASS of California, Ms. LINDA T. SANCHEZ of California, Mr. ROGERS of Michigan, and Mr. FRANK of Massachusetts.
 H. Res. 630: Mr. ROSS of Florida, Mr. MICA, Mr. PALAZZO, Mr. CANSECO, Mr. BROUN of Georgia, Mr. TURNER of New York, Mr. LANCE, Mr. FARENTHOLD, Mr. LONG, and Mr. COFFMAN of Colorado.
 H. Res. 632: Mr. WHITFIELD.
 H. Res. 663: Mr. YODER and Mr. KING of New York.
 H. Res. 676: Mrs. MALONEY and Mr. SIRES.

¶78.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. WILSON of South Carolina.
 H.R. 3238: Mr. BERG and Mr. ROGERS of Kentucky.

WEDNESDAY, JUNE 20, 2012 (79)

¶79.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. McCLINTOCK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 June 20, 2012.

I hereby appoint the Honorable TOM McCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶79.2 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced

that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 3314. An Act to specifically authorize certain funds for an intelligence or intelligence-related activity and for other purposes.

¶79.3 TRANSPORTATION, HOUSING, AND URBAN DEVELOPMENT APPROPRIATIONS FY 2013

Mr. LATHAM submitted a privileged report (Rept. No. 112-541) on the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶79.4 AGRICULTURE APPROPRIATIONS FY 2013

Mr. LATHAM submitted a privileged report (Rept. No. 112-542) on the bill (H.R. 5973) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶79.5 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶79.6 RECESS—10:12 A.M.

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 12 minutes a.m., until noon.

¶79.7 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶79.8 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, June 19, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶79.9 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6515. A letter from the Acting Under Secretary, Department of Defense, transmitting Report to Congress on Corrosion Policy and Oversight Budget Materials for FY 2013; to the Committee on Armed Services.

6516. A letter from the Acting Under Secretary, Department of Defense, transmitting a review of the Joint Land Attack Cruise Missile Defense Elevated Netted Sensor Sys-

tem (JLENS) program; to the Committee on Armed Services.

6517. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Ronald L. Burgess, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6518. A letter from the Assistant Secretary, Department of Defense, transmitting a copy of the Department of Defense (DoD) Chemical and Biological Defense Program (CBDP) Annual Report to Congress for 2012; to the Committee on Armed Services.

6519. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Contracting with the Canadian Commercial Corporation (DFARS Case 2011-D049) (RIN: 0750-AH42) received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6520. A letter from the Acting Under Secretary, Department of Defense, transmitting a report on the Defense Production Act (DPA) Title III fund for Fiscal Year 2011; to the Committee on Financial Services.

6521. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Innovation in the Broadcast Television Bands: Allocations, Channel Sharing and Improvements to VHF [ET Docket No.: 10-235] received May 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6522. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-27, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6523. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-06, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6524. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-09, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6525. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6526. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Implementation of the Defense Trade Cooperation Treaty between the United States and the United Kingdom (RIN: 1400-AC95) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6527. A letter from the Assistant Secretary for Civil Rights, Department of Agriculture, transmitting the Department's fiscal year 2011 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6528. A letter from the Secretary, Department of Agriculture, transmitting the Department's semiannual report from the of-

fice of the Inspector General for the period ending March 31, 2012; to the Committee on Oversight and Government Reform.

6529. A letter from the Deputy Secretary, Department of the Interior, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6530. A letter from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting the Department's annual report for Fiscal Year 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6531. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting six reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6532. A letter from the Chairman, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period of October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6533. A letter from the Clerk of Court, Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit, Soppet, et al v. Enhanced Recovery Company, LLC, No. 11-3819; to the Committee on the Judiciary.

6534. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report providing an estimate of the dollar amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of free clinic health professionals will be paid for in 2013, pursuant to 42 U.S.C. 233(o); to the Committee on the Judiciary.

6535. A letter from the Assistant Attorney General, Department of Justice, transmitting Activities of the Review Panel on Prison Rape in Calendar year 2011; to the Committee on the Judiciary.

6536. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [Docket No.: USCG-2011-1132] (RIN: 1625-AA09) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6537. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Matlacha Bridge Construction, Matlacha Pass, Matlacha, FL [Docket No.: USCG-2011-1115] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6538. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Emerald Coast Super Goat Grand Prix; Saint Andrew Bay; Panama City, FL [Docket No.: USCG-2012-0085] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6539. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2012 Mavericks Invitational, Half Moon Bay, CA [Docket No.: USCG-2011-1146] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6540. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0566; Directorate Identifier 2010-NM-271-AD; Amendment 39-16975; AD 2012-05-03] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6541. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Turbofan Engines [Docket No.: FAA-2007-27023; Directorate Identifier 98-ANE-47-AD; Amendment 39-16971; AD 2012-04-15] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6542. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH Airplanes [Docket No.: FAA-2011-1318; Directorate Identifier 2010-NM-274-AD; Amendment 39-17009; AD 2012-07-01] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6543. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Model [Docket No.: FAA-2011-1226; Directorate Identifier 2011-NM-006-AD; Amendment 39-17001; AD 2012-06-20] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6544. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2010-0821; Directorate Identifier 2010-NE-30-AD; Amendment 39-17004; AD 2012-06-23] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6545. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Gliders [Docket No.: FAA-2012-0017; Directorate Identifier 2011-CE-039-AD; Amendment 39-16994; AD 2012-06-13] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6546. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes [Docket No.: FAA-2012-0018; Directorate Identifier 2011-CE-042-AD; Amendment 39-16997; AD 2012-06-16] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6547. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0294; Directorate Identifier 2011-NM-047-AD; Amendment 39-16992; AD 2012-06-11] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6548. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0295; Directorate Identifier 2011-NM-057-AD; Amendment 39-16993; AD 2012-06-12] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6549. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Airplanes [Docket No.: FAA-2011-1164; Directorate Identifier 2011-NM-084-AD; Amendment 39-17002; AD 2012-06-21] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6550. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0297; Directorate Identifier 2011-NM-093-AD; Amendment 39-17003; AD 2012-06-22] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6551. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1088; Directorate Identifier 2011-NM-099-AD; Amendment 39-16985; AD 2012-06-04] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6552. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Goodrich Evacuation Systems Approved Under Technical Standard Order (TSO) TSO-C69b and Installed on Airbus Airplanes [Docket No.: FAA-2011-0223; Directorate Identifier 2010-NM-161-AD; Amendment 39-17006; AD 2012-06-25] (RIN: 2120-AA64) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6553. A letter from the Commissioner, Social Security Administration, transmitting the Administration's sixteenth 2012 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

6554. A letter from the General Counsel, Office of Compliance, transmitting the Office's biennial report entitled "Safety and Health in the Congressional Workplace — Report on the 111th Congress Biennial Occupational Safety and Health Inspections"; jointly to the Committees on House Administration and Education and the Workforce.

¶79.10 PROVIDING FOR CONSIDERATION OF H.R. 4480

Mr. BISHOP of Utah, by direction of the Committee on Rules, called up the following resolution (H. Res. 691):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed two hours equally divided among and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and the chair and ranking minority member of the Committee on Natural Resources.

After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-24. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Mr. BISHOP of Utah, moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Ms. ROS-LEHTINEN, announced that the yeas had it.

Mr. POLIS demanded a recorded vote on ordering the previous question, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 242 affirmative } Nays 183

¶79.11 [Roll No. 389] AYES—242

- Adams Bono Mack Chandler
Aderholt Boren Coble
Akin Boustany Coffman (CO)
Alexander Brady (TX) Cole
Amash Brooks Conaway
Amodei Broun (GA) Cravaack
Austria Buchanan Crawford
Bachmann Bucshon Crenshaw
Barletta Buerkle Culberson
Bartlett Burgess Davis (KY)
Barton (TX) Burton (IN) Denham
Bass (NH) Calvert Dent
Benishek Camp DesJarlais
Berg Campbell Diaz-Balart
Biggart Canseco Dold
Bilbray Cantor Dreier
Bilirakis Capito Duffy
Bishop (UT) Carter Duncan (SC)
Black Cassidy Duncan (TN)
Blackburn Chabot Ellmers
Bonner Chaffetz Emerson

- Farenthold Labrador
Fincher Lamborn
Fitzpatrick Lance
Flake Landry
Fleischmann Lankford
Fleming Latham
Flores LaTourrette
Forbes Latta
Fortenberry LoBiondo
Foxy Long
Franks (AZ) Lucas
Frelinghuysen Luetkemeyer
Gallegly Lummis
Gardner Lungren, Daniel
Garrett E.
Gerlach Mack
Gibbs Manzullo
Gibson Marchant
Gingrey (GA) Marino
Gohmert Matheson
Goodlatte McCarthy (CA)
Gosar McCaul
Gowdy McClintock
Granger McCotter
Graves (GA) McHenry
Graves (MO) McIntyre
Green, Gene McKeon
Griffin (AR) McKinley
Griffith (VA) McMorris
Grimm Rodgers
Guinta Meehan
Guthrie Mica
Hall Miller (MI)
Hanna Mulvaney
Harper Murphy (PA)
Harris Myrick
Hartzler Neugebauer
Hastings (WA) Noem
Hayworth Nugent
Heck Nunes
Hensarling Nunnelee
Herger Olson
Herrera Beutler Palazzo
Huelskamp Paul
Huizenga (MI) Paulsen
Hultgren Pearce
Hunter Pence
Hurt Petri
Issa Pitts
Jenkins Platts
Johnson (IL) Poe (TX)
Johnson (OH) Pompeo
Johnson, Sam Posey
Jones Price (GA)
Jordan Quayle
Kelly Rehberg
King (IA) Reichert
King (NY) Renacci
Kingston Ribble
Kinzinger (IL) Rigell
Kline Rivera

NOES—183

- Ackerman Cooper
Altmire Costa
Andrews Costello
Baca Courtney
Baldwin Critz
Barber Crowley
Barrow Cuellar
Bass (CA) Cummings
Becerra Davis (CA)
Berkley Davis (IL)
Berman DeFazio
Bishop (GA) DeGette
Bishop (NY) DeLauro
Blumenauer Deutch
Bonamici Dicks
Boswell Dingell
Brady (PA) Doggett
Braley (IA) Donnelly (IN)
Brown (FL) Doyle
Butterfield Edwards
Capps Ellison
Capuano Engel
Cardoza Eshoo
Carnahan Farr
Carney Fattah
Carson (IN) Finer
Castor (FL) Frank (MA)
Chu Fudge
Cicilline Garamendi
Clarke (MI) Gonzalez
Clarke (NY) Green, Al
Clay Grijalva
Cleaver Gutierrez
Clyburn Hahn
Cohen Hanabusa
Connolly (VA) Hastings (FL)
Conyers Heinrich

- Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souterland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

McCollum Price (NC) Slaughter
 McDermott Quigley Smith (WA)
 McGovern Rahall Speier
 McNeerney Rangel Stark
 Meeks Reyes Sutton
 Michaud Richardson Thompson (CA)
 Miller (NC) Richmond Thompson (MS)
 Miller, George Ross (AR)
 Moore Rothman (NJ)
 Moran Roybal-Allard Tonko
 Murphy (CT) Ruppertsberger Towns
 Nadler Rush Tsongas
 Napolitano Ryan (OH) Van Hollen
 Neal Sanchez, Loretta Velázquez
 Oliver Sarbanes Visclosky
 Owens Schakowsky Walz (MN)
 Pallone Schiff Wasserman
 Pascrell Schrader Schultz
 Pastor (AZ) Schwartz Waters
 Pelosi Scott (VA) Watt
 Perlmutter Scott, David Waxman
 Peters Serrano Welch
 Peterson Sewell Wilson (FL)
 Pingree (ME) Sherman Woolsey
 Polis Sires Yarmuth

NOT VOTING—7

Bachus Miller (FL) Sánchez, Linda
 Jackson (IL) Miller, Gary T.
 Lewis (CA) Reed

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the yeas had it.

Mr. POLIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the	Yeas	245
affirmative	Nays	178

¶79.12 [Roll No. 390]
 YEAS—245

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

Latta Pearce Sessions
 LoBiondo Pence Shimkus
 Long Petri Shuler
 Lucas Pitts Shuster
 Luetkemeyer Platts Simpson
 Lummis Poe (TX) Smith (NE)
 Lungren, Daniel Pompeo Smith (NJ)
 E. Posey Smith (TX)
 Mack Price (GA)
 Mazonullo Quayle Southerland
 Marchant Rehberg Stearns
 Marino Reichert Stivers
 Matheson Renacci Stutzman
 McCarthy (CA) Ribble Sullivan
 McCaul Rigell Terry
 McClintock Rivera Thompson (PA)
 McCotter Roby Thornberry
 McHenry Roe (TN) Tiberi
 McIntyre Rogers (AL) Tipton
 McKeon Rogers (KY) Turner (NY)
 McKinley Rogers (MI) Turner (OH)
 McMorris Rohrabacher Upton
 Rodgers Rokita Walberg
 Meehan Rooney Walden
 Mica Ros-Lehtinen Walsh (IL)
 Miller (MI) Roskam Webber
 Mulvaney Ross (AR) Webster
 Murphy (PA) Ross (FL) West
 Myrick Royce Westmoreland
 Neugebauer Runyan Whitfield
 Noem Ryan (WI) Wilson (SC)
 Nugent Scalise Wittman
 Nunes Schilling Wolf
 Nunnelee Schmidt Womack
 Olson Schock Woodall
 Owens Schweikert Yoder
 Palazzo Scott (SC) Young (AK)
 Paul Scott, Austin Young (FL)
 Paulsen Sensenbrenner Young (IN)

NAYS—178

Ackerman Fattah Murphy (CT)
 Altmire Filner Nadler
 Andrews Frank (MA) Napolitano
 Baca Fudge Neal
 Baldwin Garamendi Oliver
 Barber Gonzalez Pallone
 Barrow Green, Al Pascrell
 Bass (CA) Green, Gene Pastor (AZ)
 Berkley Grijalva Pelosi
 Berman Gutierrez Perlmutter
 Bishop (GA) Hahn Peters
 Bishop (NY) Hanabusa Peterson
 Blumenauer Hastings (FL) Pingree (ME)
 Bonamici Heinrich Poliss
 Boswell Higgins Price (NC)
 Brady (PA) Himes Quigley
 Braley (IA) Hincey Rahall
 Brown (FL) Hinojosa Rangel
 Butterfield Hirono Rangel
 Capps Holden Reyes
 Capuano Holt Richardson
 Cardoza Honda Richmond
 Carnahan Hoyer Rothman (NJ)
 Carney Israel Roybal-Allard
 Carson (IN) Jackson Lee Ruppertsberger
 Castor (FL) (TX)
 Chu Johnson (GA) Rush
 Cicilline Johnson, E. B. Ryan (OH)
 Kaptur Sanchez, Loretta
 Keating Sarbanes
 Kildee Schakowsky
 Kind Schiff
 Kucinich Schrader
 Langevin Schwartz
 Larsen (WA) Scott (VA)
 Larson (CT) Scott, David
 Lee (CA) Serrano
 Levin Sewell
 Lewis (GA) Sherman
 Lipinski Sires
 Loebsack Slaughter
 Lofgren, Zoe Smith (WA)
 Lowey Speier
 Luján Stark
 Lynch Sutton
 Maloney Thompson (CA)
 Markey Thompson (MS)
 Matsui Tierney
 McCarthy (NY) Tonko
 McCollum Towns
 McDermott Tsongas
 McGovern Van Hollen
 McNeerney Velázquez
 Meeks Visclosky
 Michaud Walz (MN)
 Miller (NC) Wasserman
 Miller, George Schultz
 Moore Waters
 Moran

Watt Welch
 Waxman Wilson (FL)
 NOT VOTING—9
 Bachus Lewis (CA) Sánchez, Linda
 Becerra Miller (FL) T.
 Dreier Miller, Gary
 Jackson (IL) Reed

So the resolution was agreed to. A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶79.13 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. WALZ of Minnesota, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put, Will the House agree to said motion? The vote was taken by electronic device.

It was decided in the affirmative	Yeas	386		
			Nays	34

¶79.14 [Roll No. 391]
 YEAS—386

Ackerman Calvert Deutch
 Adams Cantor Diaz-Balart
 Aderholt Capito Dicks
 Akin Capps Dingell
 Alexander Capuano Doggett
 Altmire Cardoza Dold
 Amodei Carnahan Donnelly (IN)
 Andrews Carney Doyle
 Austria Carson (IN) Duffy
 Baca Cassidy Duncan (SC)
 Bachmann Castor (FL) Duncan (TN)
 Baldwin Chabot Edwards
 Barber Chaffetz Ellison
 Barletta Chandler Ellmers
 Barrow Chu Emerson
 Bartlett Cicilline Engel
 Barton (TX) Clarke (MI) Eshoo
 Bass (NH) Clarke (NY) Farenthold
 Becerra Clay Farr
 Benishek Cleaver Fattah
 Berg Clyburn Filner
 Berkley Coble Fitzpatrick
 Berman Coffman (CO) Flake
 Biggert Cohen Fleischmann
 Bilbray Cole Fleming
 Bilirakis Connolly (VA) Forbes
 Bishop (GA) Conyers Fortenberry
 Bishop (NY) Cooper Frank (MA)
 Black Costa Franks (AZ)
 Blackburn Costello Frelinghuysen
 Blumenauer Courtney Fudge
 Bonamici Cravaack Gallegly
 Bonner Crawford Garamendi
 Bono Mack Crenshaw Gardner
 Boren Critz Gerlach
 Boswell Crowley Gibbs
 Boustany Cuellar Gibson
 Brady (PA) Cummings Gonzalez
 Braley (IA) Davis (CA) Goodlatte
 Brooks Davis (IL) Gosar
 Brown (FL) Davis (KY) Gowdy
 Buchanan DeFazio Graves (GA)
 Bucshon DeGette Graves (MO)
 Buerkle DeLauro Green, Al
 Burgess Denham Green, Gene
 Burton (IN) Dent Griffin (AR)
 Butterfield DesJarlais Griffith (VA)

Grijalva	Lynch	Roskam
Grimm	Mack	Ross (AR)
Guinta	Maloney	Ross (FL)
Guthrie	Manzullo	Rothman (NJ)
Gutierrez	Marchant	Roybal-Allard
Hahn	Marino	Royce
Hall	Markey	Runyan
Hanabusa	Matheson	Ruppersberger
Hanna	Matsui	Rush
Harper	McCarthy (CA)	Ryan (OH)
Harris	McCarthy (NY)	Ryan (WI)
Hartzler	McCaul	Sanchez, Loretta
Hastings (FL)	McCollum	Sarbanes
Hastings (WA)	McCotter	Scalise
Hayworth	McDermott	Schakowsky
Heck	McGovern	Schiff
Heinrich	McHenry	Schilling
Hensarling	McIntyre	Schmidt
Hergert	McKeon	Schrader
Herrera Beutler	McKinley	Schwartz
Higgins	McMorris	Schweikert
Himes	Rodgers	Scott (SC)
Hinchee	McNerney	Scott (VA)
Hinojosa	Meehan	Scott, Austin
Hirono	Meeke	Scott, David
Hochul	Mica	Sensenbrenner
Holden	Michaud	Serrano
Holt	Miller (MI)	Sewell
Honda	Miller (NC)	Sherman
Hoyer	Miller, George	Shimkus
Huelskamp	Moore	Shuler
Hultgren	Moran	Shuster
Hunter	Mulvaney	Simpson
Hurt	Murphy (CT)	Sires
Israel	Murphy (PA)	Slaughter
Issa	Myrick	Smith (NE)
Jackson Lee	Nadler	Smith (NJ)
(TX)	Napolitano	Smith (TX)
Jenkins	Neal	Smith (WA)
Johnson (GA)	Noem	Southerland
Johnson (IL)	Nugent	Speier
Johnson (OH)	Nunes	Stark
Johnson, E. B.	Nunnelee	Stivers
Johnson, Sam	Olson	Stutzman
Jones	Olver	Sullivan
Jordan	Owens	Sutton
Kaptur	Palazzo	Terry
Keating	Pallone	Thompson (CA)
Kelly	Pascrell	Thompson (MS)
Kildee	Pastor (AZ)	Tiberi
Kind	Paul	Tierney
King (IA)	Paulsen	Tipton
King (NY)	Pelosi	Tonko
Kingston	Pence	Towns
Kinzinger (IL)	Perlmutter	Tsongas
Kissell	Peters	Turner (NY)
Kline	Peterson	Turner (OH)
Kucinich	Petri	Upton
Labrador	Pingree (ME)	Van Hollen
Lamborn	Pitts	Velázquez
Lance	Platts	Visclosky
Landry	Polis	Walberg
Langevin	Price (GA)	Walden
Lankford	Price (NC)	Walz (MN)
Larsen (WA)	Quigley	Wasserman
Larson (CT)	Rahall	Schultz
Latham	Rangel	Waters
LaTourette	Rehberg	Watt
Latta	Reichert	Waxman
Lee (CA)	Renacci	Welch
Levin	Reyes	West
Lewis (GA)	Richardson	Whitfield
Lipinski	Richmond	Wilson (FL)
LoBiondo	Rigell	Wilson (SC)
Loeb	Rivera	Wittman
Loeb	Roby	Wolf
Lofgren, Zoe	Roe (TN)	Womack
Lowey	Rogers (AL)	Woodall
Lucas	Rogers (KY)	Woolsey
Luetkemeyer	Rogers (MI)	Yarmuth
Lujan	Rohrabacher	Yoder
Lummis	Rokita	Young (FL)
Lungren, Daniel	Ros-Lehtinen	Young (IN)
E.		

NAYS—34

Amash	Foxx	Posey
Bishop (UT)	Garrett	Quayle
Brady (TX)	Gingrey (GA)	Rooney
Broun (GA)	Gohmert	Sessions
Camp	Granger	Stearns
Campbell	Huizenga (MI)	Thompson (PA)
Canseco	Long	Thornberry
Carter	McClintock	Webster
Conaway	Neugebauer	Westmoreland
Culberson	Pearce	Young (AK)
Fincher	Poe (TX)	
Flores	Pompeo	

ANSWERED "PRESENT"—1

Ribble

NOT VOTING—11

Bachus	Lewis (CA)	Sánchez, Linda
Bass (CA)	Miller (FL)	T.
Dreier	Miller, Gary	Schock
Jackson (IL)	Reed	Walsh (IL)

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶79.15 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. HOYER, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to recede from disagreement to the amendment of the Senate.

¶79.16 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mrs. BLACK, pursuant to clause 7(c)(1) of rule XXII, announced her intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to reject section 31108 of the amendment of the Senate (relating to distracted driving grants), other than the matter proposed to be inserted as section 411(g) of title 23, United States Code (relating to a distracted driving study).

¶79.17 GENERIC DRUG AND BIOSIMILAR USER FEE

Mr. UPTON moved to suspend the rules and pass the bill of the Senate (S. 3187) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WESTMORELAND, recognized Mr. UPTON and Mr. WAXMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Daniel E. LUNGREN of California, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶79.18 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. MCKINLEY submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to insist on the provisions contained in title V of the House bill (relating to coal combustion residuals).

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion? The SPEAKER pro tempore, Mr. WOMACK, announced that the yeas had it.

Mr. MCKINLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, June 21, 2012.

¶79.19 STRATEGIC ENERGY PRODUCTION

The SPEAKER pro tempore, Mr. GARDNER, pursuant to House Resolution 691 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve.

The SPEAKER pro tempore, Mr. GARDNER, by unanimous consent, designated Mr. WOMACK as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. GARDNER, assumed the Chair.

When Mr. CRAWFORD, Acting Chairman, reported that the Committee,

having had under consideration said bill, had come to no resolution thereon.

¶79.20 HOUR OF MEETING

On motion of Mr. HASTINGS of Washington, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, June 21, 2012.

¶79.21 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 404. An Act to modify a land grant patent issued by the Secretary of the Interior.

S. 684. An Act to provide for the conveyance of certain parcels of land to the town of Alta, Utah.

S. 997. An Act to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District.

¶79.22 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BACHUS, for today.

And then,

¶79.23 ADJOURNMENT

On motion of Mr. HASTINGS of Washington, pursuant to the previous order of the House, at 9 o'clock and 25 minutes p.m., the House adjourned until 9 a.m. on Thursday, June 21, 2012.

¶79.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and references to the proper calendar, as follows:

Mr. LATHAM: Committee on Appropriations. H.R. 5972. A bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-541). Referred to the Committee of the Whole House on the state of the Union.

Mr. KINGSTON: Committee on Appropriations. H.R. 5973. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-542). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. Activities and Summary Report of the Committee on the Budget Third Quarter 112th Congress (Rept. 112-543). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 4264. A bill to help ensure the Fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes (Rept. 112-544). Referred to the Committee of the Whole House on the state of the Union.

¶79.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEVIN (for himself, Mr. RANGEL, Mr. STARK, Mr. McDERMOTT, Mr.

LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, Mr. CROWLEY, and Mr. VAN HOLLEN):

H.R. 5974. A bill to amend the Internal Revenue Code of 1986 to extend bonus depreciation, and for other purposes; to the Committee on Ways and Means.

By Ms. BONAMICI:

H.R. 5975. A bill to amend the Workforce Investment Act of 1998 to provide for the establishment of the Small Business Liaison Pilot Program; to the Committee on Education and the Workforce.

By Ms. WATERS (for herself, Ms. RICHARDSON, Ms. BASS of California, Ms. HAHN, Ms. ROYBAL-ALLARD, Ms. LEE of California, Mr. HINCHEY, Mr. FILNER, Mr. CARNAHAN, Mr. CONYERS, Ms. FUDGE, Mr. CLARKE of Michigan, Mr. HASTINGS of Florida, Mr. RUSH, Mr. CLAY, Mr. LEWIS of Georgia, Mr. RYAN of Ohio, Mr. CICILLINE, Mr. KUCINICH, Ms. JACKSON LEE of Texas, Ms. PINGREE of Maine, Mr. RANGEL, Mr. McDERMOTT, Mr. ELLISON, Ms. SCHAKOWSKY, Ms. ZOE LOFGREN of California, Mr. TOWNS, Mr. CLEAVER, Ms. SEWELL, Ms. CLARKE of New York, Ms. SLAUGHTER, Ms. EDWARDS, Mr. DOYLE, Mr. BACA, Ms. WILSON of Florida, Ms. MCCOLLUM, Mr. BUTTERFIELD, Mr. MICHAUD, Mr. SCOTT of Virginia, Mr. JOHNSON of Georgia, and Ms. MATSUI):

H.R. 5976. A bill making supplemental appropriations for fiscal year 2012 for the TIGER Discretionary Grant program, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself and Mr. UPTON):

H.R. 5977. A bill to amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Ms. CHU, Mr. COHEN, Mr. CONYERS, Ms. DEGETTE, Mr. ELLISON, Mr. FARR, Mr. FILNER, Mr. HINCHEY, Ms. HIRONO, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. LEE of California, Mrs. LOWEY, Mrs. MALONEY, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. NADLER, Ms. NORTON, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. STARK, Ms. WATERS, Ms. WOOLSEY, Ms. ZOE LOFGREN of California, Ms. ESHOO, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Mr. DEUTCH, Mr. LARSEN of Washington, Mr. SERRANO, and Ms. JACKSON LEE of Texas):

H.R. 5978. A bill to restore the effective use of group actions for claims arising under title VII of the Civil Rights Act of 1964, title I of the Americans with Disabilities Act of 1990, title V of the Rehabilitation Act of 1973, section 1977 of the Revised Statutes, and the Genetic Information Nondiscrimination Act of 2008, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY:

H.R. 5979. A bill to amend title XIX of the Social Security Act to reform payment to States under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. PETERSON:

H.R. 5980. A bill to amend the National Trails System Act to revise the route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. PETRI (for himself and Mr. ANDREWS):

H.R. 5981. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to provide for a guarantee by the Pension Benefit Guaranty Corporation for qualified preretirement survivor annuities under insolvent or terminated multiemployer pension plans; to the Committee on Education and the Workforce.

By Mr. SHULER:

H.R. 5982. A bill to amend the Internal Revenue Code of 1986 to provide that the value of certain historic property shall be determined using an income approach in determining the taxable estate of a decedent; to the Committee on Ways and Means.

By Mr. STIVERS:

H.R. 5983. A bill to designate the facility of the United States Postal Service located at 2539 Dartmoor Road in Grove City, Ohio, as the "Master Sergeant Shawn T. Hannon and Veterans Memorial Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. STIVERS:

H.R. 5984. A bill to designate the facility of the United States Postal Service located at 25 South Oak Street in London, Ohio, as the "Lance Corporal Joshua B. McDaniels and Veterans Memorial Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. STIVERS:

H.R. 5985. A bill to designate the facility of the United States Postal Service located at 3700 Riverside Drive in Columbus, Ohio, as the "Master Sergeant Jeffery J. Rieck and Veterans Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mrs. MALONEY (for herself, Ms. FUDGE, Ms. MOORE, Ms. NORTON, Ms. LEE of California, Ms. WILSON of Florida, Ms. MCCOLLUM, Ms. RICHARDSON, Mr. TOWNS, Mr. CARNAHAN, Ms. WOOLSEY, Mr. McDERMOTT, and Mr. MCGOVERN):

H. Res. 694. A resolution recognizing the 40th anniversary of title IX, the Federal law that prohibits sex discrimination in education, including high school and college sports and other activities; to the Committee on Education and the Workforce.

By Mr. QUAYLE (for himself and Mr. GOWDY):

H. Res. 695. A resolution expressing the sense of the House of Representatives on the appointment by the Attorney General of an outside special counsel to investigate certain recent leaks of apparently classified and highly sensitive information on United States military and intelligence plans, programs, and operations; to the Committee on the Judiciary.

By Mr. SMITH of Washington (for himself and Mr. McKEON):

H. Res. 696. A resolution recognizing the 70th anniversary of the Guadalcanal campaign during World War II; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶79.26 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 192: Mr. MORAN.
 H.R. 459: Mr. HUNTER and Mr. MCHENRY.
 H.R. 687: Mr. TONKO.
 H.R. 831: Ms. WILSON of Florida and Mr. ELLISON.
 H.R. 904: Mr. GIBSON.
 H.R. 930: Mr. HIMES.
 H.R. 1044: Ms. SPEIER.
 H.R. 1054: Ms. ESHOO.
 H.R. 1093: Mr. KIND.
 H.R. 1192: Ms. BONAMICI.
 H.R. 1307: Mr. ROKITA.
 H.R. 1322: Ms. PINGREE of Maine.
 H.R. 1370: Ms. HERRERA BEUTLER, Mr. KELLY, Mr. NUGENT, and Mr. HASTINGS of Washington.
 H.R. 1375: Mr. NEAL, Mr. CLAY, Mr. CARNEY, and Mr. CICILLINE.
 H.R. 1381: Ms. BALDWIN.
 H.R. 1386: Mr. MILLER of North Carolina and Mr. DANIEL E. LUNGREN of California.
 H.R. 1426: Mr. BISHOP of Georgia.
 H.R. 1653: Mr. RUNYAN.
 H.R. 1681: Ms. EDWARDS and Mr. KUCINICH.
 H.R. 1733: Mr. KILDEE.
 H.R. 1802: Mr. CLAY.
 H.R. 1842: Mr. VAN HOLLEN, Ms. RICHARDSON, Mr. MILLER of North Carolina, and Mr. FALCOMA VAEGA.
 H.R. 1867: Mr. TIERNEY, Mr. NADLER, and Mr. CONYERS.
 H.R. 1878: Mr. KILDEE.
 H.R. 1912: Mr. TOWNS and Mr. CLAY.
 H.R. 2141: Mr. FARR.
 H.R. 2464: Mr. WELCH.
 H.R. 2493: Ms. BASS of California.
 H.R. 2794: Ms. ZOE LOFGREN of California, Mr. SRES, Ms. LEE of California, Mr. KUCINICH, and Ms. NORTON.
 H.R. 2885: Mr. HARRIS.
 H.R. 2978: Mr. COLE.
 H.R. 3044: Mr. HUIZENGA of Michigan and Mr. MANZULLO.
 H.R. 3059: Mr. COOPER.
 H.R. 3125: Mr. BILBRAY and Mr. MCNERNEY.
 H.R. 3187: Ms. HERRERA BEUTLER, Mr. BUTTERFIELD, Mr. HARRIS, and Mr. SULLIVAN.
 H.R. 3192: Mr. RICHMOND and Mr. MCNERNEY.
 H.R. 3307: Mr. MILLER of North Carolina.
 H.R. 3338: Mr. HOLT.
 H.R. 3352: Mr. OLVER and Mr. HINCHEY.
 H.R. 3359: Mr. KEATING, Ms. ROYBAL-ALLARD, and Mr. KILDEE.
 H.R. 3432: Mr. HONDA.
 H.R. 3481: Mr. WALSH of Illinois.
 H.R. 3506: Mr. KING of Iowa.
 H.R. 3619: Mr. FRANK of Massachusetts and Mr. BUTTERFIELD.
 H.R. 3767: Mr. COHEN and Mr. BRALEY of Iowa.
 H.R. 3790: Mr. RYAN of Ohio.
 H.R. 3798: Mr. TONKO.
 H.R. 3816: Mr. HARRIS, Ms. JENKINS, and Mr. HULTGREN.
 H.R. 3993: Mr. POLIS.
 H.R. 4021: Mr. HONDA, Ms. BORDALLO, Ms. LEE of California, and Mr. SABLAN.
 H.R. 4066: Mr. BUCHANAN.
 H.R. 4070: Mr. OWENS.
 H.R. 4112: Mr. DANIEL E. LUNGREN of California.
 H.R. 4134: Mr. WATT.
 H.R. 4160: Mr. BRADY of Texas and Mr. SCALISE.
 H.R. 4164: Mr. CRITZ and Mr. SMITH of New Jersey.
 H.R. 4202: Ms. ZOE LOFGREN of California and Ms. HOCHUL.
 H.R. 4227: Mr. CRITZ, Mr. HINCHEY, and Ms. CHU.
 H.R. 4269: Mr. GRIFFIN of Arkansas and Mr. HURT.
 H.R. 4271: Mr. LOEBSSACK.

H.R. 4296: Mr. WEBSTER.
 H.R. 4342: Mr. HULTGREN.
 H.R. 4362: Mr. PIERLUISI.
 H.R. 4367: Mr. YODER, Mr. CAPUANO, Mr. CARNEY, Mr. LATHAM, Mr. DUFFY, Mr. NUGENT, and Mr. GALLEGLY.
 H.R. 4378: Mr. POLIS, Mr. LANGEVIN, Ms. SLAUGHTER, Mr. HASTINGS of Washington, Mr. LEWIS of Georgia, and Mr. DEUTCH.
 H.R. 4406: Mr. KILDEE.
 H.R. 4816: Mr. HASTINGS of Florida.
 H.R. 4965: Mr. CASSIDY, Mr. HUELSKAMP, and Mr. GRIFFIN of Arkansas.
 H.R. 4972: Mr. CROWLEY.
 H.R. 5381: Mr. LANKFORD and Mr. CAMPBELL.
 H.R. 5542: Mr. HOLT and Mr. BISHOP of Georgia.
 H.R. 5646: Mr. LAMBORN.
 H.R. 5707: Mr. TONKO.
 H.R. 5872: Mr. MCCLINTOCK, Mr. WALBERG, and Mr. WESTMORELAND.
 H.R. 5894: Mr. ROSS of Florida and Mr. WESTMORELAND.
 H.R. 5910: Mr. WALSH of Illinois and Mr. BACHUS.
 H.R. 5912: Mr. ROKITA.
 H.R. 5925: Mr. ROONEY, Mr. ROSS of Florida, and Mr. NUGENT.
 H.R. 5943: Mr. TONKO.
 H.R. 5953: Mr. CRAVAACK, Mr. WESTMORELAND, Mr. SCALISE, Mr. WILSON of South Carolina, Mr. AUSTIN SCOTT of Georgia, Mr. SCHWEIKERT, Mr. STUTZMAN, Mr. ROE of Tennessee, Mr. FRANKS of Arizona, Mr. FLEMING, Mr. DUNCAN of South Carolina, Mrs. ELLMERS, Mr. HARRIS, Mr. CAMPBELL, Mr. GRIFFIN of Arkansas, and Mr. GINGREY of Georgia.
 H.R. 5957: Mrs. BLACK, Mr. GINGREY of Georgia, Mr. CRAVAACK, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. CHABOT, Mr. GARRETT, Mr. ROE of Tennessee, Mr. FRANKS of Arizona, Mr. HUELSKAMP, Mr. FLEMING, Mr. DUNCAN of South Carolina, Mr. BROOKS, Mr. BILBRAY, Mr. MARCHANT, and Mr. MULVANEY.
 H.R. 5961: Mr. REHBERG.
 H.J. Res. 72: Mr. SMITH of Washington.
 H. Con. Res. 63: Mr. ELLISON.
 H. Con. Res. 110: Mr. BENISHEK.
 H. Con. Res. 114: Mr. BENISHEK.
 H. Con. Res. 129: Mr. BENISHEK, Mr. UPTON, Mr. TONKO, Mr. DINGELL, and Mr. AMODEI.
 H. Res. 25: Ms. HOCHUL.
 H. Res. 134: Mr. WILSON of South Carolina.
 H. Res. 298: Mr. KILDEE.
 H. Res. 351: Mr. JOHNSON of Georgia.
 H. Res. 397: Mr. SHULER, Mr. BISHOP of Georgia, Mr. COSTA, and Mr. PETERSON.
 H. Res. 613: Mr. COLE.
 H. Res. 618: Mr. BOSWELL.
 H. Res. 623: Mr. ALTMIRE, Mr. GARDNER, Mr. CANSECO, Mr. ROSS of Florida, Mr. STEARNS, and Mr. RIVERA.
 H. Res. 662: Mr. COLE.

THURSDAY, JUNE 21, 2012 (80)

¶80.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. POE of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 June 21, 2012.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

¶80.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. POE of Texas, announced he had examined

and approved the Journal of the proceedings of Wednesday, June 20, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶80.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6555. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Acibenzolar-S-methyl; Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2011-0674; FRL-9349-3] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6556. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Promulgation of Implementation Plans: Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standard [EPA-R10-OAR-2012-0112; FRL-9674-2] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6557. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Fees for Permits and Administrative Actions [EPA-R06-OAR-2007-0154; FRL-9672-7] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6558. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Small Container Exemption from VOC Coating Rules [EPA-R05-OAR-2012-0073; FRL-9677-3] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6559. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts and New Hampshire; Determination of Attainment of the One-hour and 1997 Eight-hour Ozone Standards for Eastern Massachusetts [EPA-R01-OAR-2011-0879; EPA-R01-OAR-2012-0076; FRL-9675-9] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6560. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the South Coast Air Quality Management District Portion of the California State Implementation Plan, South Coast Rule 1315 [EPA-R09-OAR-2012-0140; FRL-9669-8] received May 22, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6561. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2012 Memorial Day Tribute Fireworks, Lake Charlevoix, Boyne City, Michigan [Docket No.: USCG-2012-0337] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6562. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Changes to Standard Numbering System, Vessel Identification System, and Boating Accident Report Database [Docket No.: USCG-2003-14963] (RIN: 1625-AB45) received May 14, 2012, pursu-

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6563. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for Margate Bridge, Intracoastal Waterway; Margate, NJ [Docket No.: USCG-2012-0069] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6564. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation: Intracoastal Waterway, Chesapeake, VA [Docket No.: USCG-2012-0330] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6565. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; James River, Hopewell, VA [Docket No.: USCG-2012-0292] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6566. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Manchester Harbor, Manchester, MA [Docket No.: USCG-2012-0344] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6567. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Niantic River, Niantic, CT [Docket No.: USCG-2012-0305] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6568. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD [Docket No.: USCG-2012-0101] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6569. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; St. Croix River, Stillwater, MN [Docket No.: USCG-2012-0226] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6570. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Wells, ME [Docket No.: USCG-2011-0231] (RIN: 1625-AA01) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6571. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA [Docket No.: USCG-2012-0362] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6572. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Spa Creek and Annapolis Harbor, Annapolis, MD [Docket No.: USCG-2011-1120] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6573. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coast Guard Exercise, hood Canal,

Washington [Docket No.: USCG-2012-0283] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6574. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area, Zidell Waterfront Property, Willamette River, OR [Docket No.: USCGF-2011-0254] (RIN: 1625-AA11) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

¶80.4 STRATEGIC ENERGY PRODUCTION

The SPEAKER pro tempore, Mr. ROE of Tennessee, pursuant to House Resolution 691 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve.

Mr. POE of Texas, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. BISHOP of Utah, assumed the Chair.

When Mr. WESTMORELAND, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶80.5 RECESS—10:34 A.M.

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 34 minutes a.m., subject to the call of the Chair.

¶80.6 AFTER RECESS—10:59 A.M.

The SPEAKER pro tempore, Mr. GARDNER, called the House to order.

¶80.7 STRATEGIC ENERGY PRODUCTION

The SPEAKER pro tempore, Mr. GARDNER, pursuant to House Resolution 691 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4480) to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in response to a drawdown of petroleum reserves from the Strategic Petroleum Reserve.

Mrs. EMERSON, Acting Chairman, assumed the chair; and after some time spent therein,

¶80.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment

numbered 1, printed in House Report 112-540, submitted by Mr. HASTINGS of Washington:

Page 3, line 1, insert "OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION" after "DOMESTIC".

Page 5, after line 19, insert the following (and redesignate the subsequent quoted paragraphs accordingly):

"(4) CONCURRENCE.—The plan required by paragraph (1) shall not take effect without the concurrence of each of the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Defense with respect to elements of the plan within the jurisdiction, respectively, of the Department of Agriculture, the Department of the Interior, and the Department of Defense.

Page 31, strike lines 1 through 3 and insert the following:

(g) DEFINITION.—For purposes of this section the term "energy projects" means oil, natural gas and renewable energy projects.

At the end of section 605 (page 39, after line 4) add the following:

(d) ADDITIONAL INFRASTRUCTURE.—Within 180 days after the date of enactment of this Act, the Secretary of the Interior shall approve, after consultation with the State of Alaska and public comment, right-of-way corridors for the construction of 2 separate additional bridges and pipeline rights-of-way to help facilitate timely oil and gas development of the Reserve.

At the end of title VI (page 39, after line 22), insert the following:

SEC. . COLVILLE RIVER DESIGNATION.

The designation by the Environmental Protection Agency of the Colville River Delta as an Aquatic Resource of National Importance shall have no force or effect.

It was decided in the { Yeas 253 affirmative } Nays 163

¶80.9 [Roll No. 392] AYES—253

Table with 3 columns: Name, Name, Name. Lists names of representatives who voted 'AYES'.

Landry Paulsen Scott (SC) Jackson (IL) Lewis (GA) Murphy (PA) Amodei Gosar Olson
Lankford Pearce Scott, Austin Jackson Lee Mack Sanchez, Linda Austria Gowdy Palazzo
Latham Pence Senzenbrenner Moll Miller (FL) T. Bachmann Granger Paul
LaTourette Peterson Sessions Barbus Barletta Graves (GA) Paulsen
Latta Petri Shimkus Barrow Barletta Graves (MO) Pearce
LoBiondo Pitts Shuster Bartlett Barrow Green, Gene Pence
Long Platts Simpson Bartlett Barton (TX) Griffin (AR) Peterson
Lucas Poe (TX) Smith (NE) Bass (NH) Grimm Petri
Luetkemeyer Pompeo Smith (TX) Besishek Guinta Platts
Lummis Posey Smith (NJ) Berg Guthrie Pompeo
Lungren, Daniel Price (GA) Southernland Stearns Hall Posey
E. Quayle Stearns Stivers Stutzman Stutzman Price (GA)
Manzullo Reed Thornberry Tiberi Tipton Tipton
Marchant Rehberg Stutzman Tipton Tipton
Marino Reichert Sullivan Terry Thompson (PA)
Matheson Renacci Terry Thompson (PA)
McCarthy (CA) Ribble Thornberry
McCaul Rigell Tiberi
McClintock Rivera Tipton
McCotter Roby Turner (NY)
McHenry Roe (TN) Turner (OH)
McKeon Rogers (AL) Upton
McKinley Rogers (KY) Upton
McMorris Rogers (MI) Walberg
Rodgers Rohrabacher Walden
Meehan Rokita Walsh (IL)
Mica Rooney Webster
Miller (MI) Ros-Lehtinen West
Mulvaney Roskam Westmoreland
Myrick Ross (AR) Whitfield
Neugebauer Ross (FL) Wilson (SC)
Noem Royce Wittman
Nugent Runyan Wolf
Nunes Ryan (WI) Womack
Nunnelee Scalise Woodall
Olson Schilling Yoder
Owens Schmidt Young (AK)
Palazzo Schock Young (FL)
Paul Schweikert Young (IN)

Jackson (IL) Lewis (GA) Murphy (PA) Amodei Gosar Olson
Jackson Lee Mack Sanchez, Linda Austria Gowdy Palazzo
(TX) Miller (FL) T. Bachmann Granger Paul
Lewis (CA) Miller, Gary Velázquez Barbus Barletta Graves (GA) Paulsen

So the amendment was agreed to.

80.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 7, printed in House Report 112-540, submitted by Mr. WAXMAN:

Page 14, after line 9, at the end of title II, add the following new section:

SEC. 207. PROTECTION AGAINST ASTHMA AND OTHER HEALTH EFFECTS OF AIR POLLUTION.

Notwithstanding any other provision of this title, the Administrator of the Environmental Protection Agency shall not delay finalization of any of the rules described in section 205(a) to establish standards for clean air and to reduce air pollution, if the pollution that would be controlled by the finalized rule is contributing to asthma attacks, acute and chronic bronchitis, heart attacks, cancer, birth defects, neurological damage, premature death, or other serious harms to human health.

It was decided in the { Yeas 164 negative Nays 249

80.11 [Roll No. 393]

AYES—164

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

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

NOT VOTING—16

Bishop (NY) Clarke (NY) Gallegly Adams Akin Altmire
Burton (IN) Filner Heinrich Aderholt Alexander Amash

NOES—249

Adams Akin Altmire
Aderholt Alexander Amash

112-540, submitted by Mr. CONNOLLY of Virginia:

On page 14, after line 9, insert the following:

SEC. 207. CORPORATIONS ARE NOT PEOPLE.

Section 302 of the Clean Air Act (42 U.S.C. 7602) is amended by adding at the end the following:

“(aa) PUBLIC HEALTH.—The term ‘public health’—

“(A) refers to the health of members of the species homo sapiens; and

“(B) does not refer to the health of corporations or any other non-living entities.”.

It was decided in the { Yeas 177 negative } Nays 242

80.13 [Roll No. 394]

AYES—177

- Ackerman, Fudge, Neal, Andrews, Garamendi, Olver, Baca, Gibson, Pallone, Baldwin, Gonzalez, Pascrell, Barber, Green, Al, Pastor (AZ), Barrow, Green, Gene, Pelosi, Bass (CA), Grijalva, Perlmutter, Becerra, Gutierrez, Hahn, Berkeley, Hahn, Pingree (ME), Berman, Hanabusa, Bishop (GA), Hastings (FL), Blumenauer, Heinrich, Bonamici, Higgins, Boswell, Himes, Brady (PA), Hinchey, Hirono, Braley (IA), Hirono, Brown (FL), Hochul, Butterfield, Holden, Capps, Holt, Capuano, Cardoza, Carnahan, Hoyer, Israel, Carney, Johnson (GA), Castor (FL), Johnson (IL), Chandler, Johnson, E. B., Chu, Kaptur, Cicilline, Keating, Clarke (MI), Kildee, Clay, Kind, Cleaver, Kucinich, Clyburn, Langevin, Cohen, Larsen (WA), Connolly (VA), Larson (CT), Conyers, Lee (CA), Cooper, Levin, Costa, Lewis (GA), Courtney, Lipinski, Critz, Loebbeck, Crowley, Lofgren, Zoe, Cuellar, Lowey, Cummings, Lujan, Davis (CA), Lynch, Davis (IL), Maloney, DeFazio, Markey, DeGette, Matsui, DeLauro, McCarty (NY), Dent, McCollum, Deutch, McGovern, Dicks, McGovern, Doggett, McNerney, Doyle, Meeks, Edwards, Michaud, Ellison, Miller (NC), Engel, Miller, George, Eshoo, Moore, Farr, Moran, Fattah, Murphy (CT), Fitzpatrick, Nadler, Frank (MA), Napolitano

NOES—242

- Adams, Benishek, Broun (GA), Aderholt, Berg, Buchanan, Akin, Biggert, Bucshon, Alexander, Bilbray, Buerkle, Altmire, Billirakis, Burgess, Amash, Bishop (UT), Amodei, Black, Austria, Blackburn, Bachmann, Bonner, Bachus, Bono Mack, Barletta, Boren, Boustany, Bartlett, Boustany, Barton (TX), Brady (TX), Bass (NH), Brooks

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

NOT VOTING—13

- Bishop (NY), Jackson (IL), Miller (FL), Burton (IN), Jackson Lee, Miller, Gary, Clarke (NY), (TX), Sánchez, Linda, Filner, Lewis (CA), T., Gallegly, Mack, Velázquez

So the amendment was not agreed to.

80.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 9, printed in House Report 112-540, submitted by Mr. Gene GREEN of Texas:

Page 14, lines 1 through 9, strike section 206 (relating to consideration of feasibility and cost in revising or supplementing national ambient air quality standards for ozone).

It was decided in the { Yeas 174 negative } Nays 244

80.15 [Roll No. 395]

AYES—174

- Ackerman, Garamendi, Olver, Baca, Gonzalez, Pallone, Baldwin, Green, Al, Pascrell, Barber, Green, Gene, Pastor (AZ), Barrow, Grijalva, Pelosi, Bass (CA), Gutierrez, Perlmutter, Becerra, Hahn, Peters, Berkeley, Hanabusa, Hastings (FL), Pingree (ME), Berman, Hayworth, Polis, Bishop (GA), Heinrich, Price (NC), Blumenauer, Higgins, Quigley, Bonamici, Himes, Rangel, Boswell, Hinchey, Reichert, Brady (PA), Hirono, Reyes, Braley (IA), Hirono, Richardson, Butterfield, Holden, Richmond, Capps, Holt, Ross (AR), Capuano, Honda, Rothman (NJ), Cardoza, Hoyer, Roybal-Allard, Carnahan, Israel, Ruppersberger, Carney, Johnson (GA), Rush, Carson (IN), Johnson (IL), Ryan (OH), Castor (FL), Kaptur, Sanchez, Loretta, Chandler, Keating, Sarbanes, Chu, Kildee, Schakowsky, Cicilline, Kind, Schiff, Clarke (MI), Kissell, Schrader, Clay, Kucinich, Schwartz, Cleaver, Langevin, Scott (VA), Cohen, Larsen (WA), Scott, David, Connolly (VA), Larson (CT), Serrano, Conyers, Lee (CA), Sewell, Cooper, Levin, Sherman, Costa, Lewis (GA), Shuler, Courtney, Lipinski, Sires, Critz, Loebbeck, Slaughter, Crowley, Lofgren, Zoe, Smith (WA), Cuellar, Lowey, Speier, Cummings, Lujan, Stark, Davis (CA), Lynch, Sutton, Davis (IL), Maloney, Thompson (CA), DeFazio, Markey, Tierney, DeGette, Matsui, Tonko, DeLauro, McCarthy (NY), Towns, Deutch, McGovern, Dicks, McGovern, Van Hollen, Dingell, Visclosky, Dold, McGovern, Doyle, McNerney, Wasserman, Edwards, Meeks, Schultz, Ellison, Michaud, Waters, Engel, Miller (NC), Watt, Eshoo, Moore, Waxman, Farr, Moran, Welch, Fattah, Murphy (CT), Wilson (FL), Fitzpatrick, Nadler, Woolsey, Frank (MA), Napolitano, Yarmuth

NOES—244

- Adams, Buerkle, Duncan (TN), Aderholt, Burgess, Ellmers, Akin, Burton (IN), Emerson, Alexander, Calvert, Farenthold, Altmire, Camp, Fincher, Amash, Campbell, Fitzpatrick, Amodei, Canseco, Flake, Andrews, Cantor, Fleischmann, Austria, Capito, Fleming, Bachmann, Carter, Flores, Bachus, Cassidy, Forbes, Barletta, Chabot, Fortenberry, Bartlett, Chaffetz, Fox, Barton (TX), Clyburn, Franks (AZ), Benishek, Coble, Gardner, Berg, Coffman (CO), Garrett, Biggert, Cole, Gerlach, Bilbray, Conaway, Gibb, Billirakis, Costello, Gibson, Bishop (UT), Cravaack, Gingrey (GA), Black, Crawford, Gohmert, Blackburn, Crenshaw, Goodlatte, Bonner, Culberson, Gosar, Bono Mack, Davis (KY), Gowdy, Boren, Denham, Granger, Boustany, Dent, Graves (GA), Brady (TX), DesJarlais, Graves (MO), Brooks, Diaz-Balart, Griffin (AR), Broun (GA), Donnelly (IN), Brown (FL), Dreier, Griffith (VA), Buchanan, Duffy, Grimm, Bucshon, Duncan (SC), Guthrie

Hall
McCotter
Hanna
McHenry
Harper
McIntyre
Harris
McKeon
Hartzler
McKinley
Hastings (WA)
McMorris
Heck
Rodgers
Hensarling
Meehan
Herger
Mica
Herrera Beutler
Miller (MI)
Hochul
Mulvaney
Huelskamp
Murphy (PA)
Huizenga (MI)
Myrick
Hultgren
Neugebauer
Hunter
Noem
Hurt
Nugent
Issa
Nunes
Jenkins
Nunnelee
Johnson (OH)
Olson
Johnson, E. B.
Owens
Johnson, Sam
Palazzo
Jones
Paul
Jordan
Paulsen
Kelly
Pearce
King (IA)
Pence
King (NY)
Peterson
Kingston
Petri
Kinzinger (IL)
Pitts
Kline
Platts
Labrador
Poe (TX)
Lamborn
Pompeo
Lance
Posey
Landry
Price (GA)
Lankford
Quayle
Latham
Rahall
LaTourette
Reed
Latta
Rehberg
LoBiondo
Renacci
Long
Ribble
Lucas
Rigell
Luetkemeyer
Rivera
Lummis
Robby
Lungren, Daniel
E.
Rogers (AL)
Manzullo
Rogers (KY)
Marchant
Rogers (MI)
Marino
Rohrabacher
McCarthy (CA)
Rokita
McCaul
Rooney
McClintock
Ros-Lehtinen

NOT VOTING—14

Bishop (NY)
Clarke (NY)
Doggett
Filner
Gallegly
Jackson (IL)
Jackson Lee
(TX)
Lewis (CA)
Mack
Miller (FL)
Miller, Gary
Moore
Sánchez, Linda
T.
Velázquez

So the amendment was not agreed to.

80.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 11, printed in House Report 112-540, submitted by Mr. RUSH:

Page 14, after line 9, at the end of title II, add the following new section:

SEC. 207. IMPACT ON GASOLINE PRICES AND JOBS IN THE UNITED STATES.

(a) DETERMINATION OF IMPACT.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Energy Information Administration shall make a determination as to whether implementation of this title is projected to lower gasoline prices or create jobs in the United States within 10 years.

(b) SUNSET IF IMPLEMENTATION NOT PROJECTED TO LOWER GASOLINE PRICES OR CREATE JOBS.—Sections 205 and 206 shall cease to be effective if the Administrator of the Energy Information Administration, pursuant to subsection (a), determines that implementation of this title is not projected to lower gasoline prices and create jobs in the United States within 10 years.

It was decided in the { Yeas 164
negative } Nays 255

80.17 [Roll No. 396]

AYES—164

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

NOES—255

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

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

NOT VOTING—13

Bachus
Bishop (NY)
Clarke (NY)
Filner
Gallegly
Jackson (IL)
Jackson Lee
(TX)
Lewis (CA)
Mack
Miller (FL)
Miller, Gary
Sánchez, Linda
T.
Velázquez

So the amendment was not agreed to.

80.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 12, printed in House Report 112-540, submitted by Mr. HOLT:

Page 17, after line 17, insert the following:
“(6) The Strategy under this subsection should seek to ensure that the percentage of onshore Federal oil and gas leases under which production is not occurring is reduced during the next 4-year period.

It was decided in the { Yeas 164
negative } Nays 256

80.19 [Roll No. 397]

AYES—164

Ackerman
Andrews
Baca
Baldwin
Barber
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Grijalva

Gutierrez	Matsui	Rush	Perlmutter	Ross (AR)	Sullivan	McDermott	Price (NC)	Slaughter
Hahn	McCarthy (NY)	Ryan (OH)	Peterson	Ross (FL)	Terry	McGovern	Quigley	Smith (WA)
Hanabusa	McCollum	Sanchez, Loretta	Petri	Royce	Thompson (PA)	McIntyre	Rahall	Speier
Hastings (FL)	McDermott	Sarbanes	Pitts	Runyan	Thornberry	McNerney	Rangel	Stark
Heinrich	McGovern	Schakowsky	Poe (TX)	Ryan (WI)	Tiberi	Meeks	Reyes	Sutton
Higgins	McNerney	Schiff	Pompeo	Scalise	Tipton	Michaud	Richardson	Terry
Himes	Meeks	Schwartz	Posey	Schilling	Turner (NY)	Miller (NC)	Richmond	Thompson (CA)
Hinchey	Michaud	Scott (VA)	Price (GA)	Schmidt	Turner (OH)	Miller, George	Rothman (NJ)	Thompson (MS)
Hirono	Miller (NC)	Scott, David	Quayle	Schock	Upton	Moore	Royal-Allard	Tierney
Hohul	Miller, George	Serrano	Reed	Schrader	Walberg	Moran	Ruppersberger	Tonko
Holt	Moore	Sewell	Rehberg	Schweikert	Walden	Murphy (CT)	Rush	Towns
Honda	Moran	Sherman	Renacci	Scott (SC)	Walsh (IL)	Nadler	Ryan (OH)	Tsongas
Hoyer	Murphy (CT)	Sires	Ribble	Scott, Austin	Webster	Napolitano	Sanchez, Loretta	Van Hollen
Israel	Nadler	Slaughter	Rigell	Sensenbrenner	West	Neal	Sarbanes	Visclosky
Johnson (GA)	Napolitano	Smith (NJ)	Rivera	Sessions	Westmoreland	Olver	Schakowsky	Walz (MN)
Johnson, E. B.	Neal	Smith (WA)	Roby	Shimkus	Whitfield	Owens	Schiff	Wasserman
Jones	Olver	Speier	Roe (TN)	Shuler	Wilson (SC)	Pallone	Schrader	Schultz
Kaptur	Owens	Stark	Rogers (AL)	Shuster	Wittman	Pascrell	Schwartz	Waters
Keating	Pallone	Sutton	Rogers (KY)	Simpson	Wolf	Pastor (AZ)	Scott (VA)	Watt
Kildee	Pascrell	Thompson (CA)	Rogers (MI)	Smith (NE)	Womack	Pelosi	Scott, David	Waxman
Kind	Pastor (AZ)	Thompson (MS)	Rohrabacher	Smith (TX)	Woodall	Perlmutter	Serrano	Welch
Kucinich	Pelosi	Tierney	Rokita	Southerland	Yoder	Peters	Sewell	Wilson (FL)
Langevin	Peters	Tonko	Rooney	Stearns	Young (AK)	Peterson	Sherman	Woolsey
Larsen (WA)	Pingree (ME)	Towns	Ros-Lehtinen	Stivers	Young (FL)	Pingree (ME)	Shuler	Yarmuth
Larson (CT)	Platts	Tsongas	Roskam	Stutzman	Young (IN)	Polis	Sires	

NOT VOTING—12

Bishop (NY)	Jackson Lee	Miller, Gary
Clarke (NY)	(TX)	Sánchez, Linda
Filner	Lewis (CA)	T.
Gallegly	Mack	Velázquez
Jackson (IL)	Miller (FL)	

So the amendment was not agreed to.

80.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 13, printed in House Report 112-540, submitted by Mr. CONNOLLY of Virginia:

Page 27, line 17, strike the closing quotation marks and the following period, and after line 17 insert the following:

“(C) RIGHT TO PETITION PRESERVED.—This paragraph shall not be construed to abridge the right of the people to petition for the redress of grievances, in violation of the first article of amendment to the Constitution of the United States.”.

It was decided in the { Yeas 190
negative } Nays 230

80.21 [Roll No. 398]

AYES—190

Adams	Davis (KY)	Hultgren	Ackerman	Costa	Higgins
Aderholt	Denham	Hunter	Altmire	Costello	Himes
Akin	Dent	Hurt	Andrews	Courtney	Hinchey
Alexander	DesJarlais	Issa	Baca	Critz	Hinojosa
Altmire	Diaz-Balart	Jenkins	Baldwin	Crowley	Hirono
Amash	Doggett	Johnson (IL)	Barber	Cuellar	Hohul
Amodei	Dold	Johnson (OH)	Barrow	Cummings	Holden
Austria	Donnelly (IN)	Johnson, Sam	Bass (CA)	Davis (CA)	Holt
Bachmann	Dreier	Jordan	Becerra	Davis (IL)	Honda
Bachus	Duffy	Kelly	Berkley	DeFazio	Hoyer
Barletta	Duncan (SC)	King (IA)	Berman	DeGette	Israel
Barrow	Duncan (TN)	King (NY)	Biggett	DeLauro	Johnson (GA)
Bartlett	Ellmers	Kingston	Bishop (GA)	Deutch	Johnson (IL)
Barton (TX)	Emerson	Kinzinger (IL)	Blumenauer	Dicks	Johnson, E. B.
Benishek	Farenthold	Kissell	Bonamici	Dingell	Kaptur
Berg	Fincher	Kline	Boswell	Doggett	Keating
Biggett	Flake	Labrador	Brady (PA)	Dold	Kildee
Bilbray	Fleischmann	Lamborn	Brady (IA)	Donnelly (IN)	Kind
Bilirakis	Fleming	Lance	Brown (FL)	Doyle	Kissell
Bishop (GA)	Flores	Landry	Burgess	Edwards	Kucinich
Bishop (UT)	Forbes	Lankford	Butterfield	Ellison	Lance
Black	Fortenberry	Latham	Capps	Engel	Langevin
Blackburn	Fox	LaTourette	Capuano	Eshoo	Larsen (WA)
Bonner	Franks (AZ)	Latta	Cardoza	Farr	Larson (CT)
Bono Mack	Frelinghuysen	Long	Carman	Fattah	Lee (CA)
Boren	Gardner	Lucas	Carney	Frank (MA)	Levin
Boswell	Garrett	Luetkemeyer	Carson (IN)	Fudge	Lewis (GA)
Boustany	Gerlach	Lummis	Castor (FL)	Garamendi	Lipinski
Brady (TX)	Gibbs	Lungren, Daniel	Chandler	Gibson	Loeback
Brooks	Gibson	E.	Chu	Gonzalez	Loftgren, Zoe
Broun (GA)	Gingrey (GA)	Manzullo	Cicilline	Green, Al	Lowey
Buchanan	Gohmert	Marchant	Clarke (MI)	Green, Gene	Lujan
Bucshon	Gonzalez	Marino	Clay	Grijalva	Lynch
Buerkle	Goodlatte	Matheson	Cleaver	Gutierrez	Maloney
Burgess	Gosar	McCarthy (CA)	Clyburn	Hahn	Markey
Burton (IN)	Gowdy	McCaul	Cohen	Hanabusa	Matheson
Calvert	Granger	McClintock	Connolly (VA)	Hanna	Matsui
Camp	Graves (GA)	McCotter	Coopers	Hastings (FL)	McCarthy (NY)
Campbell	Graves (MO)	McHenry	Cooper	Heinrich	McCollum
Canseco	Green, Al	McIntyre			
Cantor	Green, Gene	McKeon			
Capito	Griffin (AR)	McKinley			
Cardoza	Griffith (VA)	McMorris			
Carney	Grimm	Rodgers			
Carter	Guinta	Meehan			
Cassidy	Guthrie	Mica			
Chabot	Hall	Miller (MI)			
Chaffetz	Hanna	Mulvaney			
Chandler	Harper	Murphy (PA)			
Coble	Harris	Myrick			
Coffman (CO)	Hartzler	Neugebauer			
Cole	Hastings (WA)	Noem			
Conaway	Hayworth	Nugent			
Cooper	Heck	Nunes			
Costa	Hensarling	Nunnelee			
Cravaack	Herger	Olson			
Crawford	Herrera Beutler	Palazzo			
Crenshaw	Hinojosa	Paul			
Critz	Holden	Paulsen			
Cuellar	Huelskamp	Pearce			
Culberson	Huizenga (MI)	Pence			
Adams	Garrett	Murphy (PA)			
Aderholt	Gerlach	Myrick			
Akin	Gibbs	Neugebauer			
Alexander	Gingrey (GA)	Noem			
Amash	Gohmert	Nugent			
Amodei	Goodlatte	Nunes			
Austria	Goodlatte	Nunnelee			
Bachmann	Gosar	Olson			
Bachus	Gowdy	Palazzo			
Barletta	Granger	Paul			
Bartlett	Graves (GA)	Paulsen			
Barton (TX)	Graves (MO)	Pearce			
Bass (NH)	Griffin (AR)	Pence			
Benishek	Griffith (VA)				
Berg	Grimm				
Bilbray	Guinta				
Bilirakis	Guthrie				
Bishop (UT)	Hall				
Black	Harper				
Blackburn	Harris				
Bonner	Hartzler				
Bono Mack	Hastings (WA)				
Boren	Hayworth				
Boustany	Heck				
Brady (TX)	Hensarling				
Brooks	Herger				
Broun (GA)	Herrera Beutler				
Buchanan	Hinojosa				
Bucshon	Holden				
Buerkle	Huelskamp				
Burgess	Huizenga (MI)				
Burton (IN)					
Calvert					
Camp					
Campbell					
Canseco					
Cantor					
Capito					
Cardoza					
Carney					
Carter					
Cassidy					
Chabot					
Chaffetz					
Chandler					
Coble					
Coffman (CO)					
Cole					
Conaway					
Cooper					
Costa					
Cravaack					
Crawford					
Crenshaw					
Critz					
Cuellar					
Culberson					

Table with 3 columns: Name, State, Name. Includes Webster, Wittman, Young (AK), West, Wolf, Young (FL), Westmoreland, Womack, Young (IN), Whitfield, Woodall, Wilson (SC), Yoder.

NOT VOTING—12

Table with 3 columns: Name, State, Name. Includes Bishop (NY), Jackson Lee, Miller, Gary, Clarke (NY), (TX), Sánchez, Linda, Filner, Lewis (CA), T., Gallegly, Mack, Velázquez, Jackson (IL), Miller (FL).

So the amendment was not agreed to.

80.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 14, printed in House Report 112-540, submitted by Mr. AMODEI:

Add at the end the following:

TITLE — MISCELLANEOUS PROVISIONS
SEC. . . . LIMITATION ON TRANSFER OF FUNCTIONS UNDER THE MINING LAW PROGRAM OR THE SOLID MINERALS LEASING PROGRAM.

The Secretary of the Interior may not transfer to the Office of Surface Mining Reclamation and Enforcement any responsibility or authority to perform any function performed immediately before the enactment of this Act under the Solid Minerals Program of the Department of the Interior, including—

- (1) any such function under—
(A) the laws popularly known as the Mining Law of 1872 (30 U.S.C. 22 note);
(B) the Act of July 31, 1947 (chapter 406; 30 U.S.C. 601 et seq.), popularly known as the Materials Act of 1947;
(C) the Minerals Leasing Act (30 U.S.C. 181 et seq.); or
(D) the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.); and
(2) any such function relating to management of mineral development on Federal lands and acquired lands under section 302 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732); and
(3) any function performed under the Mining Law Program.

It was decided in the Yeas 257 affirmative Nays 162

80.23 [Roll No. 399]
AYES—257

Table with 3 columns: Name, State, Name. Includes Adams, Calvert, Ellmers, Aderholt, Camp, Emerson, Akin, Campbell, Farenthold, Alexander, Canseco, Fincher, Altmire, Cantor, Fitzpatrick, Amash, Capito, Flake, Amodei, Capuano, Fleischmann, Austria, Carson (IN), Fleming, Bachmann, Carter, Flores, Bachus, Cassidy, Forbes, Barletta, Chabot, Fortenberry, Barrow, Chaffetz, Foxx, Bartlett, Chandler, Franks (AZ), Barton (TX), Coble, Frelinghuysen, Bass (NH), Coffman (CO), Gardner, Benishek, Cole, Garrett, Berg, Conaway, Gerlach, Berkeley, Costello, Gibbs, Biggert, Cravaack, Gibson, Bilbray, Crawford, Gingrey (GA), Bilirakis, Crenshaw, Gohmert, Bishop (UT), Critz, Goodlatte, Black, Cuellar, Gosar, Blackburn, Culberson, Gowdy, Bonner, Davis (KY), Granger, Bono Mack, Denham, Graves (GA), Boren, Dent, Graves (MO), Boustany, DesJarlais, Griffin (AR), Brady (TX), Diaz-Balart, Griffith (VA), Brooks, Dold, Grimm, Broun (GA), Donnelly (IN), Guinta, Buchanan, Dreier, Guthrie, Bucshon, Duffy, Gutierrez, Buerkle, Duncan (SC), Hall, Burgess, Duncan (TN), Hanna

Table with 3 columns: Name, State, Name. Includes Harper, McIntyre, Ross (FL), Harris, McKeon, Royce, Hastings (WA), McKinley, Runyan, Hayworth, McMorris, Ryan (WI), Heck, Rodgers, Scalise, Meehan, Schilling, Sessions, Mica, Miller (MI), Schumer, Mulvaney, Schmitt, Huelaskamp, Murphy (PA), Huizenga (MI), Myrick, Neugebauer, Neal, Noem, Issa, Nugent, Jenkins, Nunes, Johnson (OH), Nunnelee, Johnson, Sam, Owens, Jones, Palazzo, Kelly, Paul, King (IA), Paulsen, King (NY), Pearce, Kingston, Pence, Kinzinger (IL), Peterson, Kissell, Petri, Kline, Pitts, Labrador, Platts, Lamborn, Poe (TX), Lance, Pompeo, Landry, Posey, Lankford, Price (GA), Latham, Quayle, LaTourette, Rahall, Reed, Rehberg, Lipinski, Reichert, LoBiondo, Renacci, Long, Ribble, Lucas, Rigell, Luetkemeyer, Rivera, Lummis, Lungren, Daniel E., Roe (TN), Manzullo, Rogers (AL), Marchant, Rogers (KY), Marino, Rogers (MI), Matheson, Rohrabacher, McCarthy (CA), Rokita, McCaul, Rooney, McClintock, Ros-Lehtinen, McCotter, Roskam, McHenry, Ross (AR)

NOES—162

Table with 3 columns: Name, State, Name. Includes Ackerman, Ellison, Maloney, Andrews, Engel, Markey, Baca, Eshoo, Matsui, Baldwin, Farr, McCarthy (NY), Barber, Fattah, McCollum, Bass (CA), Frank (MA), McDermott, Becerra, Fudge, McGovern, Berman, Garamendi, McNerney, Bishop (GA), Gonzalez, Meeks, Blumenauer, Green, Al, Michaud, Green, Gene, Miller (NC), Grijalva, Grijalva, Miller, George, Moore, Hahn, Hahn, Moran, Hanabusa, Braley (IA), Moran, Brown (FL), Hartzler, Murphy (CT), Butterfield, Hastings (FL), Nadler, Capps, Heinrich, Napolitano, Cardoza, Herrera Beutler, Olver, Carnahan, Higgins, Pallone, Berkeley, Himes, Pascrell, Berman, Hinchey, Pastor (AZ), Capps, Hinojosa, Pelosi, Capuano, Michaud, Miller (NC), Cardoza, Miller, George, Moore, Carnahan, Jones, Kaptur, Carson (IN), Keating, Castor (FL), Kildee, Chandler, Kind, Sarbanes, Chu, Kissell, Schiff, Olver, Kucinich, Schrader, Cicilline, Langevin, Clarke (MI), Langevin, Schwart, Clay, Larson (CT), Scott (VA), Cleaver, Lee (CA), Scott, David, Clyburn, Levin, Serrano, Cohen, Lewis (GA), Sewell, Connolly (VA), Lipinski, Sherman, Conyers, LoBiondo, Sires, Costa, Loeb sack, Slaughter, Courtney, Lofgren, Zoe, Smith (NJ), Crowley, Lowey, Smith (WA), Cummings, Lynch, Speier, Davis (CA), Maloney, Stark, Davis (IL), Markey, Sutton, DeFazio, Matsui, Thompson (CA), DeGette, McCarthy (NY), Tierney, DeLauro, McCollum, Tonko, Dent, McDermott, Towns, Deutch, McGovern, Tsongas, Dicks, McIntyre, Van Hollen, Doggett, McNerney, Walz (MN), Edwards, Meeks, Wasserman, Ellison, Michaud, Schultz, Engel, Miller (NC), Waters, Eshoo, Miller, George, Waxman, Farr, Moore, Welch, Fattah, Moran, Wilson (FL), Fitzpatrick, Murphy (CT), Woolsey, Fortenberry, Nadler, Yarmuth

Table with 3 columns: Name, State, Name. Includes Sewell, Thompson (CA), Wasserman, Sherman, Thompson (MS), Schultz, Sires, Tierney, Waters, Slaughter, Tonko, Watt, Smith (NJ), Towns, Waxman, Smith (WA), Tsongas, Wilson (FL), Speier, Van Hollen, Woolsey, Stark, Visclosky, Yarmuth, Sutton

NOT VOTING—13

Table with 3 columns: Name, State, Name. Includes Bishop (NY), Jackson (IL), Miller (FL), Burton (IN), Jackson Lee, Miller, Gary, Clarke (NY), (TX), Sánchez, Linda, Filner, Lewis (CA), T., Gallegly, Mack, Velázquez

So the amendment was agreed to.

80.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 15, printed in House Report 112-540, submitted by Mr. MARKEY:

Add at the end the following:

TITLE—MISCELLANEOUS PROVISIONS
SEC. . . . 1. REQUIREMENT TO OFFER FOR SALE ONLY IN THE UNITED STATES.

The Secretary of the Interior shall require that all oil and gas produced under a lease issued under this Act, the amendments made by this Act, or any plan, strategy, or program under this Act shall be offered for sale only in the United States.

It was decided in the Yeas 161 negative Nays 256

80.25 [Roll No. 400]
AYES—161

Table with 3 columns: Name, State, Name. Includes Ackerman, Fudge, Napolitano, Altmire, Garamendi, Neal, Andrews, Gerlach, Olver, Baca, Gibson, Owens, Baldwin, Grijalva, Pallone, Barber, Gutierrez, Pascrell, Barrow, Hahn, Pastor (AZ), Bass (CA), Hanabusa, Pelosi, Becerra, Hastings (FL), Peters, Berkley, Higgins, Pingree (ME), Berman, Hinchey, Platts, Blumenauer, Hinojosa, Price (NC), Bonamici, Hirono, Quigley, Boswell, Hochul, Rahall, Brady (PA), Holt, Rangel, Braley (IA), Honda, Reyes, Capps, Hoyer, Richardson, Capuano, Israel, Rothman (NJ), Cardoza, Johnson (GA), Roybal-Allard, Carnahan, Jones, Ruppersberger, Carney, Kaptur, Rush, Carson (IN), Keating, Sanchez, Loretta, Castor (FL), Kildee, Sarbanes, Chandler, Kind, Schakowsky, Chu, Kissell, Schiff, Olver, Kucinich, Schrader, Cicilline, Langevin, Schwart, Clarke (MI), Langevin, Schwart, Clay, Larson (CT), Scott (VA), Cleaver, Lee (CA), Scott, David, Clyburn, Levin, Serrano, Cohen, Lewis (GA), Sewell, Connolly (VA), Lipinski, Sherman, Conyers, LoBiondo, Sires, Costa, Loeb sack, Slaughter, Courtney, Lofgren, Zoe, Smith (NJ), Crowley, Lowey, Smith (WA), Cummings, Lynch, Speier, Davis (CA), Maloney, Stark, Davis (IL), Markey, Sutton, DeFazio, Matsui, Thompson (CA), DeGette, McCarthy (NY), Tierney, DeLauro, McCollum, Tonko, Dent, McDermott, Towns, Deutch, McGovern, Tsongas, Dicks, McIntyre, Van Hollen, Doggett, McNerney, Walz (MN), Edwards, Meeks, Wasserman, Ellison, Michaud, Schultz, Engel, Miller (NC), Waters, Eshoo, Miller, George, Waxman, Farr, Moore, Welch, Fattah, Moran, Wilson (FL), Fitzpatrick, Murphy (CT), Woolsey, Fortenberry, Nadler, Yarmuth

NOES—256

Adams Gohmert Olson
Aderholt Gonzalez Palazzolo
Akin Goodlatte Paul
Alexander Gosar Paulsen
Amash Gowdy Pearce
Arange Granger Pence
Austria Graves (GA) Perlmutter
Bachmann Graves (MO) Peterson
Bachus Green, Al Petri
Barletta Green, Gene Pitts
Bartlett Griffin (AR) Poe (TX)
Barton (TX) Griffith (VA) Polis
Bass (NH) Grimm Pompeo
Benishek Guinta Posey
Berg Guthrie Price (GA)
Bigert Hall Quayle
Bilbray Hanna Reed
Bilirakis Harper Rehberg
Bishop (GA) Harris Reichert
Bishop (UT) Hartzler Renacci
Black Hastings (WA) Ribble
Blackburn Hayworth Richmond
Bonner Heck Rigell
Bono Mack Heinrich Rivera
Boren Hensarling Roby
Boustany Herger Roe (TN)
Brady (TX) Himes Rogers (AL)
Brooks Holden Rogers (KY)
Broun (GA) Huelskamp Rogers (MI)
Brown (FL) Huizenga (MI) Rohrabacher
Buchanan Hultgren Rokita
Bucshon Hunter Rooney
Buerkle Hurt Ros-Lehtinen
Burgess Issa Roskam
Butterfield Jenkins Ross (AR)
Calvert Johnson (IL) Ross (FL)
Camp Johnson (OH) Royce
Campbell Johnson, E. B. Runyan
Canseco Johnson, Sam Ryan (OH)
Cantor Jordan Ryan (WI)
Capito Kelly Scalise
Carter King (IA) Schilling
Cassidy King (NY) Schmidt
Chabot Kingston Schock
Chaffetz Kinzinger (IL) Schweikert
Coble Kline Scott (SC)
Coffman (CO) Labrador Scott, Austin
Cole Lamborn Sensenbrenner
Conaway Lance Sessions
Cooper Landry Shirkus
Costello Lankford Shuler
Cravaack Larsen (WA) Shuster
Crawford Latham Simpson
Crenshaw LaTourette Smith (NE)
Critz Latta Smith (TX)
Cuellar Long Sutherland
Culberson Lucas Stearns
Davis (KY) Luetkemeyer Stivers
Denham Lujan Stutzman
DesJarlais Lummis Sullivan
Diaz-Balart Lungren, Daniel Terry
Dingell E. Thompson (MS)
Dold Manzullo Thompson (PA)
Donnelly (IN) Marchant Thornberry
Doyle Marino Tiberi
Dreier Matheson Tipton
Duffy McCarthy (CA) Turner (NY)
Duncan (SC) McCaul Turner (OH)
Duncan (TN) McClintock Upton
Ellmers McCotter Visclosky
Emerson McHenry Walberg
Farenthold McKeon Walden
Fincher McKinley Walsh (IL)
Flake McMorris Webster
Fleischmann Rodgers West
Fleming Meehan Westmoreland
Flores Mica Whitfield
Forbes Miller (MI) Wilson (SC)
Foxy Mulvaney Wittman
Frank (MA) Murphy (PA) Wolf
Franks (AZ) Myrick Womack
Frelinghuysen Neugebauer Woodall
Gardner Noem Yoder
Garrett Nugent Young (AK)
Gibbs Nunes Young (FL)
Gingrey (GA) Nunnelee Young (IN)

NOT VOTING—15

Bishop (NY) Jackson (IL) Miller, Gary
Burton (IN) Jackson Lee Sanchez, Linda
Clarke (NY) (TX) T.
Filner Lewis (CA) Velazquez
Gallegly Mack Watt
Herrera Beutler Miller (FL)

So the amendment was not agreed to.

80.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 16, printed in House Report 112-540, submitted by Mr. LANDRY:

Add at the end the following:

TITLE—MISCELLANEOUS PROVISIONS

SEC. 1. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; (43 U.S.C. 1331 note)) is amended by striking "2055" and inserting "2022, and shall not exceed \$750,000,000 for each of fiscal years 2023 through 2055".

It was decided in the { Yeas 244 affirmative } Nays 173

80.27 [Roll No. 401]

AYES—244

Adams Flores Marchant
Aderholt Forbes Marino
Akin Fortenberry Matheson
Alexander Poxx McCarthy (CA)
Altmire Franks (AZ) McCaul
Amash Frelinghuysen McCotter
Arange Gardner McHenry
Austria Garrett McIntyre
Bachmann Gerlach McKeon
Barletta Gibbs McKinley
Bartlett Gingrey (GA) McMorris
Barton (TX) Gohmert Rodgers
Benishek Gonzalez Meehan
Berg Goodlatte Mica
Bilbray Gosar Miller (MI)
Bilirakis Gowdy Mulvaney
Bishop (UT) Granger Murphy (PA)
Black Graves (GA) Myrick
Blackburn Graves (MO) Neugebauer
Bonner Green, Al Noem
Bono Mack Green, Gene Nugent
Boren Griffin (AR) Nunes
Boustany Griffith (VA) Nunnelee
Brooks Grimm Olson
Brown (GA) Guinta Palazzo
Broun (FL) Guthrie Paulsen
Buchanan Hall Pearce
Bucshon Hanabusa Pence
Buerkle Harper Petri
Burgess Harris Pitts
Calvert Hartzler Platts
Cantor Hastings (WA) Poe (TX)
Canseco Hayworth Pompeo
Cantor Heck Posey
Capito Hensarling Price (GA)
Carter Herger Quayle
Cassidy Herrera Beutler Reed
Chabot Hinojosa Rehberg
Chaffetz Huelskamp Reichert
Chaffetz Huizenga (MI) Renacci
Clyburn Hultgren Ribble
Coble Hunter Richmond
Coffman (CO) Hurt Rigell
Cole Issa Rivera
Conaway Jenkins Roby
Cravaack Johnson (IL) Roe (TN)
Crawford Johnson (OH) Rogers (AL)
Crenshaw Johnson, E. B. Rogers (KY)
Cuellar Johnson, Sam Rogers (MI)
Culberson Jones Rohrabacher
Duffy Jordan Rokita
Duncan (SC) Lankford (CT) Kelly
Duncan (TN) Latham King (IA)
Ellmers LaTourette King (NY)
Emerson Latta Kingston
Farenthold Lucas Ross (AR)
Fincher Luetkemeyer Ross (FL)
Flake Lummis Ryan (WI)
Fleischmann Mack Scalise
Fleming Miller (FL) T. Schmidt
Flores Mica Whitfield
Forbes Miller (MI) Wilson (SC) Schock
Foxy Mulvaney Wittman Schweikert
Frank (MA) Murphy (PA) Wolf Scott (SC)
Franks (AZ) Myrick Womack Scott, Austin
Frelinghuysen Neugebauer Woodall Sensenbrenner
Gardner Noem Yoder Sessions
Garrett Nugent Young (AK) Sewell
Gibbs Nunes Young (FL) Shuster
Gingrey (GA) Nunnelee Young (IN) Simpson
Smith (NE)
Smith (TX)

Southerland Tipton Westmoreland
Stearns Turner (NY) Whitfield
Stivers Turner (OH) Wilson (SC)
Stutzman Upton Wittman
Sullivan Walberg Wolf
Terry Walden Womack
Thompson (MS) Walsh (IL) Woodall
Thompson (PA) Walz (MN) Yoder
Thornberry Webster Young (AK)
Tiberi West Young (FL)

NOES—173

Ackerman Garamendi Owens
Andrews Gibson Pallone
Baca Grijalva Pascrell
Baldwin Gutierrez Pastor (AZ)
Barber Hahn Paul
Barrow Hanna Pelosi
Bass (CA) Hastings (FL) Perlmutter
Bass (NH) Heinrich Peters
Becerra Higgins Peterson
Berkley Himes Pingree (ME)
Berman Hinchey Polis
Bigert Hirono Price (NC)
Bishop (GA) Hochul Quigley
Blumenauer Holden Rahall
Bonamici Holt Reyes
Boswell Honda Richardson
Brady (PA) Hoyer Rothman (NJ)
Braley (IA) Israel Roybal-Allard
Butterfield Johnson (GA) Royce
Campbell Kaptur Ruppertsberger
Capps Keating Rush
Capuano Kildee Ryan (OH)
Cardoza Kind Sanchez, Loretta
Carnahan Kissell Sarbanes
Carney Kucinich Schakowsky
Carson (IN) Langevin Schiff
Castor (FL) Larsen (WA) Schilling
Chandler Lee (CA) Schrader
Chu Levin Schwartz
Cicilline Lewis (GA) Scott (VA)
Clarke (MI) Lipinski Scott, David
Clay LoBiondo Serrano
Cleaver Loeb sack Sherman
Cohen Lofgren, Zoe Shuler
Connolly (VA) Long Sires
Conyers Lowey Slaughter
Cooper Lujan Smith (NJ)
Costa Lynch Smith (WA)
Costello Maloney Speier
Courtney Markey Stark
Critz Matsui Sutton
Crowley McCarthy (NY) Thompson (CA)
Davis (CA) McClintock Tierney
DeFazio McCollum Tonko
DeGette McDermott Towns
DeLauro McGovern Tsongas
Deutch McNerney Van Hollen
Dicks Meeks Visclosky
Donnelly (IN) Michaud Wasserman
Doyle Miller (NC) Schultz
Edwards Miller, George Waters
Ellison Moore Watt
Engel Moran Waxman
Eshoo Murphy (CT) Welch
Farr Nadler Wilson (FL)
Fattah Napolitano Woolsey
Frank (MA) Neal Yarmuth
Fudge Oliver Young (IN)

NOT VOTING—15

Bachus Jackson (IL) Miller, Gary
Bishop (NY) Jackson Lee Rangel
Burton (IN) (TX) Sanchez, Linda
Clarke (NY) Lewis (CA) T.
Filner Mack Velazquez
Gallegly Miller (FL)

So the amendment was agreed to.

80.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 17, printed in House Report 112-540, submitted by Mr. RIGELL:

Add at the end the following:

TITLE—MISCELLANEOUS PROVISIONS

SEC. 01. LEASE SALE 220 AND OTHER LEASE SALES OFF THE COAST OF VIRGINIA.

(a) INCLUSION IN LEASING PROGRAMS.—The Secretary of the Interior shall—

(1) upon enactment of this Act, revise the proposed Outer Continental Shelf oil and gas leasing program for the 2012 2017 period to in-

clude in such program Lease Sale 220 off the coast of Virginia; and

(2) include the Outer Continental Shelf off the coast of Virginia in the leasing program for each 5-year period after the 2012 2017 period.

(b) CONDUCT OF LEASE SALE.—As soon as practicable, but not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall carry out under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) Lease Sale 220.

(c) BALANCING MILITARY AND ENERGY PRODUCTION GOALS.—

(1) JOINT GOALS.—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the following common goals:

(A) Preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf.

(B) Allowing effective exploration, development, and production of our Nation's oil, gas, and renewable energy resources.

(2) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—No person may engage in any exploration, development, or production of oil or natural gas off the coast of Virginia that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

(3) NATIONAL DEFENSE AREAS.—The United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

It was decided in the { Yeas 263 affirmative } Nays 146

180.29 [Roll No. 402] AYES—263

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

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

NOES—146

- Ackerman
Andrews
Baca
Baldwin
Barber
Berkley
Berman
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggert
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Hinchev
Hirono
Holt
Honda
Hoyer
Israel
Johnson (GA)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz

- Scott (VA)
Scott, David
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—23

- Bass (CA)
Becerra
Bilbray
Bishop (NY)
Burton (IN)
Clarke (NY)
Dicks
Filner
Gallely
Jackson (IL)
Jackson Lee
(TX)
Lewis (CA)
Lujan
Lummis
Mack
Miller (FL)
Miller, Gary
Rangel
Sánchez, Linda T.
Serrano
Simpson
Turner (NY)
Velázquez

So the amendment was agreed to.

180.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 18, printed in House Report 112-540, submitted by Mr. HOLT:

Add at the end the following:

TITLE — MISCELLANEOUS PROVISIONS
SEC. 1. ELIGIBILITY FOR NEW LEASES AND THE TRANSFER OF LEASES.

(a) ISSUANCE OF NEW LEASES.—

(1) IN GENERAL.—The Secretary of the Interior shall not offer new leases under a plan required by subsection (k) of section 161 of the Energy Policy and Conservation Act, as amended by section 102 of this Act, to a person described in paragraph (2) unless the person has renegotiated each covered lease with respect to which the person is a lessee, to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) PERSONS DESCRIBED.—A person referred to in paragraph (1) is a person that—

- (A) is a lessee that—
(i) holds a covered lease on the date on which the Secretary considers the issuance of the new lease; or
(ii) was issued a covered lease before the date of enactment of this Act, but transferred the covered lease to another person or entity (including a subsidiary or affiliate of the lessee) after the date of enactment of this Act; or
(B) any other person that has any direct or indirect interest in, or that derives any benefit from, a covered lease.

(b) DEFINITIONS.—In this section:

(1) COVERED LEASE.—The term "covered lease" means a lease for oil or gas production in the Gulf of Mexico that is—

(A) in existence on the date of enactment of this Act;

(B) issued by the Department of the Interior under section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104-58); and
(C) not subject to limitations on royalty relief based on market price that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

(2) LESSEE.—The term "lessee" includes any person or other entity that controls, is controlled by, or is in or under common control with, a lessee.

(3) NEW LEASE.—The term "new lease" means a lease issued in a lease sale under this Act, the amendments made by this Act, or any plan, strategy, or program under this Act.

It was decided in the { Yeas 168
negative } Nays 250

80.31 [Roll No. 403]

AYES—168

Ackerman Garamendi Pallone
Andrews Grijalva Pascrell
Baca Gutierrez Pastor (AZ)
Baldwin Hahn Pelosi
Barber Hanabusa Perlmutter
Bass (CA) Hastings (FL) Peters
Becerra Heinrich Pingree (ME)
Berkley Higgins Platts
Berman Himes Polis
Blumenauer Hinchey Price (NC)
Bonamici Hirono Quigley
Boswell Hochul Rahall
Brady (PA) Holden Reyes
Braley (IA) Holt Richmond
Brown (FL) Honda Rothman (NJ)
Buchanan Hoyer Roybal-Allard
Butterfield Israel Ruppertsberger
Capps Johnson (GA) Rush
Capuano Johnson, E. B. Ryan (OH)
Carnahan Jones Sanchez, Loretta
Carney Kaptur Sarbanes
Carson (IN) Keating Schakowsky
Castor (FL) Kildee Schiff
Chu Kind Schrader
Cicilline Kucinich Langevin
Clarke (MI) Langevin Larson (CT)
Clay Lee (CA) Scott, David
Cleaver Clyburn Levin Serrano
Cohen Lewis (GA) Sewell
Connolly (VA) Lipinski Sherman
Conyers LoBiondo Sires
Cooper Loeb sack Slaughte
Costello Lofgren, Zoe Smith (WA)
Courtney Lowey Speier
Crowley Lujan Stark
Cummings Lynch Sutton
Davis (CA) Maloney Thompson (CA)
Davis (IL) Markey Thompson (MS)
DeFazio Matsui Tierney
DeGette McCarthy (NY) Tonko
DeLauro McCollum Towns
Deutch McDermott Tsongas
Dicks McGovern Van Hollen
Dingell McNerney Visclosky
Doggett Meeks Walz (MN)
Doyle Michaud Wasserman
Edwards Miller (NC) Schult
Ellison Miller, George Waters
Engel Moore Watt
Eshoo Moran Waxman
Farr Murphy (CT) Welch
Fattah Nadler Wilson (FL)
Fitzpatrick Napolitano Woolsey
Fortenberry Neal Yarmuth
Frank (MA) Olver Young (FL)
Fudge Owens

NOES—250

Adams Calvert Ellmers
Aderholt Camp Emerson
Akin Campbell Farenthold
Alexander Canseco Fincher
Altmire Cantor Flake
Amash Capito Fleischmann
Amodei Cardoza Fleming
Austria Carter Flores
Bachmann Cassidy Forbes
Bachus Chabot Foxx
Barletta Chaffetz Franks (AZ)
Barrow Chandler Frelinghuysen
Bartlett Coble Gardner
Barton (TX) Coffman (CO) Garrett
Bass (NH) Cole Gerlach
Benishek Conaway Gibbs
Berg Costa Gibson
Biggert Cravaack Gingrey (GA)
Bilbray Crawford Gohmert
Bilirakis Crenshaw Gonzalez
Bishop (GA) Critz Goodlatte
Bishop (UT) Cuellar Gosar
Black Culberson Gowdy
Blackburn Davis (KY) Granger
Bonner Denham Graves (GA)
Bono Mack Dent Graves (MO)
Boren DesJarlais Green, Al
Boustany Diaz-Balart Green, Gene
Brady (TX) Dold Griffin (AR)
Brooks Donnelly (IN) Griffith (VA)
Broun (GA) Dreier Grimm
Bucshon Duffy Guinta
Buerkle Duncan (SC) Guthrie
Burgess Duncan (TN) Hall

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

NOT VOTING—14

Bishop (NY) Jackson Lee Rangel
Burton (IN) (TX) Sanchez, Linda
Clarke (NY) Lewis (CA) T.
Finler Mack Velazquez
Gallegly Miller (FL)
Jackson (IL) Miller, Gary

So the amendment was not agreed to.

80.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 19, printed in House Report 112-540, submitted by Mr. WITTMAN:

Add at the end the following:

TITLE —ADVANCING OFFSHORE WIND PRODUCTION

SEC. 1. SHORT TITLE.

This title may be cited at the "Advancing Offshore Wind Production Act".

SEC. 2. OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECTS.

(a) DEFINITION OF AN OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECT.—In this section, the term "offshore meteorological site testing and monitoring project" means a project carried out on or in the waters of the Outer Continental Shelf administered by the Department of the Interior to test or monitor weather (including wind, tidal, current, and solar energy) using towers, buoys, or other temporary ocean infrastructure, that—

(1) causes—

(A) less than 1 acre of surface or seafloor disruption at the location of each meteorological tower or other device; and

(B) not more than 5 acres of surface or seafloor disruption within the proposed area affected by for the project (including hazards to navigation);

(2) is decommissioned not more than 5 years after the date of commencement of the project, including—

(A) removal of towers, buoys, or other temporary ocean infrastructure from the project site; and

(B) restoration of the project site to approximately the original condition of the site; and

(3) provides meteorological information obtained by the project to the Secretary of the Interior.

(b) OFFSHORE METEOROLOGICAL PROJECT PERMITTING.—

(1) IN GENERAL.—The Secretary of the Interior shall by regulation require that any applicant seeking to conduct an offshore meteorological site testing and monitoring project on the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.)) must obtain a permit and right of way for the project in accordance with this subsection.

(2) PERMIT AND RIGHT OF WAY TIMELINE AND CONDITIONS.—

(A) DEADLINE FOR APPROVAL.—The Secretary shall decide whether to issue a permit and right of way for an offshore meteorological site testing and monitoring project within 30 days after receiving an application.

(B) PUBLIC COMMENT AND CONSULTATION.—During the period referred to in subparagraph (A), the Secretary shall—

(i) provide an opportunity for submission of comments by the public; and

(ii) consult with the Secretary of Defense, the Commandant of the Coast Guard, and the heads of other Federal, State, and local agencies that would be affected by issuance of the permit and right of way.

(C) DENIAL OF PERMIT; OPPORTUNITY TO REMEDY DEFICIENCIES.—If the application is denied, the Secretary shall provide the applicant—

(i) in writing, clear and comprehensive reasons why the application was not approved and detailed information concerning any deficiencies in the application; and

(ii) an opportunity to remedy such deficiencies.

(c) NEPA EXCLUSION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to an offshore meteorological site testing and monitoring project.

(d) PROTECTION OF INFORMATION.—The information provided to the Secretary of the Interior pursuant to subsection (a)(3) shall be treated by the Secretary as proprietary information and protected against disclosure.

It was decided in the { Yeas 256
affirmative } Nays 161

80.33 [Roll No. 404]

AYES—256

Adams Bonner Chandler
Aderholt Bono Mack Cleaver
Akin Boren Coble
Alexander Boswell Coffman (CO)
Altmire Boustany Cole
Amash Brady (TX) Conaway
Amodei Brooks Costa
Austria Broun (GA) Costello
Bachmann Buchanan Cravaack
Bachus Buechson Crawford
Barletta Buerkle Crenshaw
Barrow Burgess Critz
Bartlett Burton (IN) Cuellar
Barton (TX) Calvert Culberson
Bass (NH) Camp Davis (KY)
Benishek Campbell Denham
Berg Canseco Dent
Biggert Cantor DesJarlais
Bilbray Capito Diaz-Balart
Bilirakis Cardoza Dold
Bishop (GA) Carter Dreier
Bishop (UT) Cassidy Duffy
Black Chabot Duncan (SC)
Blackburn Chaffetz Duncan (TN)

Table with 3 columns of names: Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Foxx, Franks (AZ), Frelinghuysen, Garamendi, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Green, Gene, Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Hinojosa, Holden, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL)

NOES—161

Table with 3 columns of names: Ackerman, Andrews, Baca, Baldwin, Barber, Bass (CA), Becerra, Berkley, Berman, Blumenauer, Bonamici, Brady (PA), Brown (FL), Butterfield, Capps, Capuano, Carnahan, Carney, Carson (IN), Castor (FL), Chu, Cicilline, Clarke (MI), Clay, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Courtney, Crowley, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette

Table with 3 columns of names: Pascrell, Pastor (AZ), Pelosi, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reichert, Reyes, Richardson, Roskam, Rothman (NJ), Roybal-Allard, Ruppersberger, Rush, Ryan (OH)

NOT VOTING—15

Table with 3 columns of names: Bishop (NY), Braley (IA), Clarke (NY), Dicks, Filner, Gallegly, Jackson (IL), Jackson Lee (TX), Lewis (CA), Mack, Miller (FL)

So the amendment was agreed to.

80.34 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 21, printed in House Report 112-540, submitted by Ms. BASS of California:

Page 8, line 10, strike "The Committee" and insert the following:

(1) IN GENERAL.—The Committee Page 8, after line 13, insert the following:

(2) ADDITIONAL ANALYSIS.—The Committee shall conduct an analysis of how to shield American consumers and the United States economy from gasoline price fluctuations and supply disruptions in the oil market by reducing the dependence of the United States on oil.

Page 8, line 15, strike "analysis conducted under this section" and insert "analysis conducted under subsection (a)(1)".

It was decided in the { Yeas 186 negative } { Nays 233

80.35 [Roll No. 405]

AYES—186

Table with 3 columns of names: Ackerman, Altmire, Andrews, Baca, Baldwin, Barber, Bartlett, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Blumenauer, Bonamici, Boswell, Brady (PA), Braley (IA), Brown (FL), Butterfield, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Castor (FL), Chabot, Chandler, Chu, Cicilline, Clarke (MI), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Conyers, Cooper, Costa, Costello, Courtney, Critz, Crowley, Cuellar, Cummings, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Dicks, Dingell, Doggett, Donnelly (IN), Doyle, Edwards, Ellison, Engel, Eshoo, Farr, Fattah, Fitzpatrick, Fortenberry, Frank (MA), Fudge, Garamendi, Gibson, Gonzalez, Green, Al, Green, Gene, Grijalva, Gutierrez, Hahn, Hanabusa, Hastings (FL), Heinrich, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holden, Holt, Honda, Hoyer, Israel, Johnson (GA), Johnson, E. B., Kaptur, Keating, Kildee, Kissell, Kucinich, Langevin, Larsen (WA), Larson (CT), Lee (CA), Levin, Lewis (GA), Lipinski, Loeb sack, Lofgren, Zoe, Lowey, Lujan, Lynch, Maloney, Markey, Markey, Matsui, McCarthy (NY), McCollum, McDermott, McGovern, McGovern, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Neal, Oliver, Owens, Pallone

Table with 3 columns of names: McNeerney, Meeks, Michaud, Miller (NC), Miller, George, Moore, Moran, Murphy (CT), Nadler, Napolitano, Neal, Oliver, Owens, Pallone, Pascrell, Pastor (AZ), Pelosi, Perlmutter, Peters, Pingree (ME), Polis, Price (NC), Quigley, Rahall, Rangel, Reichert, Reyes, Richardson, Richmond, Rothman (NJ), Roybal-Allard, Ruppersberger, Rush, Ryan (OH), Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schrader, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Sires, Slaughter, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Towns, Tsongas, Van Hollen, Visclosky, Walz (MN), Wasserman, Waters, Watt, Waxman, Welch, Whitfield, Wilson (FL), Woolsey, Yarmuth

NOES—233

Table with 3 columns of names: Adams, Aderholt, Akin, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Barton (TX), Bass (NH), Benishak, Berg, Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Long, Diaz-Balart, Dold, Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Flake, Fleischmann, Fleming, Flores, Forbes, Foxx, Franks (AZ), Frelinghuysen, Gardner, Garrett, Gerlach, Gibbs, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Herrera Beutler, Brooks, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordana, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, LoBiondo, Lynch, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E., Manzullo, Marchant, Marino, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, McMorris, Meehan, Mica, Miller (MI), Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paul, Paulsen, Pearce, Pence, Peterson, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Reed, Rehberg, Renacci, Ribble, Rigell, Rivera, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (AR), Ross (FL), Royce, Runyan, Ryan (WI), Scalise, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuler, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Stutzman, Sullivan, Terry, Thornberry, Tiberi, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden

Walsh (IL) Wilson (SC) Young (AK)
 Webster Wittman Young (FL)
 West Wolf Young (IN)
 Westmoreland Womack
 Whitfield Yoder

Smith (WA) Towns
 Speler Tsongas
 Stark Van Hollen
 Sutton Visclosky
 Thompson (CA) Walz (MN)
 Thompson (MS) Wasserman
 Tierney Schultz
 Tonko Watz

Watt Jackson Lee
 Waxman (TX) Meeks
 Welch Lewis (CA) Miller (FL)
 Wilson (FL) Mack Miller, Gary
 Woolsey Napolitano
 Yarmuth

Rangel
 Sánchez, Linda
 T.
 Velázquez

So the amendment was not agreed to.

NOT VOTING—13

Bishop (NY) Jackson Lee Miller, Gary
 Clarke (NY) (TX) Sánchez, Linda
 Filner Lewis (CA) T.
 Gallegly Mack Velázquez
 Jackson (IL) Miller (FL) Watt

So the amendment was not agreed to.

80.36 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 23, printed in House Report 112-540, submitted by Mrs. CAPPS:

Page 14, after line 9, at the end of title II, add the following new section:

SEC. 207. ENSURING FEASIBLE ANALYSES.

(a) DETERMINATION OF FEASIBILITY OF ANALYSES.—Notwithstanding any other provision of this title, if the Secretary of Energy determines that the analyses required under section 203 are infeasible to conduct, require data that does not exist, or would generate results subject to such large estimates of uncertainty that the results would be neither reliable nor useful, the requirements under section 203(a) shall cease to be effective.

(b) NO REPORT OR DELAY OF FINAL ACTION ON CERTAIN RULES IF ANALYSES ARE INFEASIBLE.—If, pursuant to subsection (a), the requirements under section 203(a) cease to be effective, then the requirements under sections 204 and 205 shall cease to be effective.

It was decided in the { Yeas 162
 negative } Nays 254

80.37 [Roll No. 406]

AYES—162

Ackerman Engel McCarthy (NY)
 Andrews Eshoo McCollum
 Baca Farr McDermott
 Baldwin Fattah McGovern
 Barber Frank (MA) McNeerney
 Bass (CA) Fudge Michaud
 Becerra Garamendi Miller (NC)
 Berkley Gonzalez Miller, George
 Berman Green, Al Moore
 Blumenauer Grijalva Moran
 Bonamici Gutierrez Murphy (CT)
 Boswell Hahn Nadler
 Brady (PA) Hanabusa Neal
 Braley (IA) Hastings (FL) Olver
 Brown (FL) Heinrich Pallone
 Butterfield Higgins Pascrell
 Capps Himes Pastor (AZ)
 Capuano Hinchey Pelosi
 Carnahan Hinojosa Perlmutter
 Carney Hirono Peters
 Carson (IN) Holt Pingree (ME)
 Castor (FL) Honda Polis
 Chu Hoyer Price (NC)
 Cicilline Israel Quigley
 Clarke (MI) Johnson (GA) Rahall
 Clay Johnson (IL) Reyes
 Cleaver Johnson, E. B. Richardson
 Clyburn Kaptur Richmond
 Cohen Keating Rothman (NJ)
 Connolly (VA) Kildee Roybal-Allard Emerson
 Conyers Kind Ruppertsberger
 Cooper Kucinich Rush
 Courtney Langevin Ryan (OH)
 Crowley Larsen (WA) Sanchez, Loretta
 Cummings Larson (CT) Sarbanes
 Davis (CA) Lee (CA) Schakowsky
 Davis (IL) Levin Schiff
 DeFazio Lewis (GA) Schrader
 DeGette Lipinski Schwartz
 DeLauro Loeb sack Scott (VA)
 Deutch Lofgren, Zoe Scott, David
 Dicks Lowey Serrano
 Dingell Lujan Sewell
 Doggett Lynch Sherman
 Doyle Maloney Shuler
 Edwards Markey Sires
 Ellison Matsui Slaughter

NOES—254

Adams Garrett
 Aderholt Gerlach
 Akin Gibbs
 Alexander Gibson
 Altmire Gingrey (GA)
 Amash Gohmert
 Amodei Goodlatte
 Austria Gosar
 Bachmann Gowdy
 Bachus Granger
 Barletta Graves (GA)
 Barrow Graves (MO)
 Bartlett Green, Gene
 Barton (TX) Griffin (AR)
 Bass (NH) Griffith (VA)
 Benishek Grimm
 Berg Guinta
 Biggert Guthrie
 Bilbray Hall
 Bilirakis Hanna
 Bishop (GA) Harper
 Bishop (UT) Harris
 Black Hartzler
 Blackburn Hastings (WA)
 Bonner Hayworth
 Bono Mack Heck
 Boren Hensarling
 Boustany Herrera Beutler
 Brady (TX) Hochul
 Brooks Holden
 Broun (GA) Huelskamp
 Buchanan Huizenga (MI)
 Bucshon Hultgren
 Buerkle Hunter
 Burgess Hurt
 Burton (IN) Issa
 Calvert Jenkins
 Camp Johnson (OH)
 Campbell Johnson, Sam
 Canseco Jones
 Cantor Jordan
 Capito Kelly
 Cardoza King (IA)
 Carter King (NY)
 Cassidy Kingston
 Chabot Kinzinger (IL)
 Chaffetz Kissell
 Chandler Kline
 Coble Labrador
 Coffman (CO) Lamborn
 Cole Lance
 Conaway Landry
 Costa Lankford
 Costello Latham
 Cravaack LaTourette
 Crawford Latta
 Crenshaw LoBiondo
 Critz Long
 Cuellar Lucas
 Culberson Luetkemeyer
 Davis (KY) Lummis
 Denham Lungren, Daniel
 Dent E.
 DesJarlais Manzuillo
 Diaz-Balart Marchant
 Dold Marino
 Donnelly (IN) Matheson
 Dreier McCarthy (CA)
 Duffy McCaul
 Duncan (SC) McClintock
 Duncan (TN) McCotter
 Ellmers McHenry
 Emerson McIntyre
 Farenthold McKeon
 Fincher McKinley
 Fitzpatrick McMorris
 Flake Rodgers
 Fleischmann Meehan
 Fleming Mica
 Flores Miller (MI)
 Forbes Mulvaney
 Fortenberry Murphy (PA)
 Foxx Myrick
 Franks (AZ) Neugebauer
 Frelinghuysen Neom
 Gardner Nugent

Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Paul
 Paulsen
 Pearce
 Pence
 Peterson
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Souterland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

80.38 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 25, printed in House Report 112-540, submitted by Ms. SPEIER:

Page 22, strike lines 3 through 5.

It was decided in the { Yeas 162
 negative } Nays 255

80.39 [Roll No. 407]

AYES—162

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

NOES—255

Adams Bishop (GA) Canseco
 Aderholt Bishop (UT) Cantor
 Akin Black Capito
 Alexander Blackburn Cardoza
 West Bonner Carter
 Westmoreland Bono Mack Cassidy
 Whitfield Boren Chabot
 Wilson (SC) Austria Chaffetz
 Wittman Bachmann Cleaver
 Wolf Brady (TX) Coble
 Womack Brooks Coffman (CO)
 Woodall Broun (GA) Cole
 Yoder Buchanan Conaway
 Young (AK) Bucshon Costa
 Young (FL) Buerkle Cravaack
 Young (IN) Burgess Crawford
 Berg Burton (IN) Crenshaw
 Biggert Calvert Critz
 Bilbray Camp Cuellar
 Bilirakis Campbell Culberson

NOT VOTING—16

Filner Heger
 Gallegly Jackson (IL)

Davis (KY) Jordan Reichert
Denham Kelly Renacci
Dent King (IA) Ribble
DesJarlais King (NY) Rigell
Diaz-Balart Kingston Rivera
Dold Kinzinger (IL) Roby
Donnelly (IN) Kline Roe (TN)
Dreier Labrador Rogers (AL)
Duffy Lamborn Rogers (KY)
Duncan (SC) Lance Rogers (MI)
Duncan (TN) Landry Rohrabacher
Ellmers Lankford Rokita
Emerson Latham Ross (AR)
Farenthold LaTourette Ross (FL)
Fincher Latta Royce
Fitzpatrick LoBiondo Runyan
Flake Long Roskam
Fleischmann Lucas Schwikert
Fleming Luetkemeyer Scott (SC)
Flores Lummis Scott, Austin
Forbes Lungren, Daniel
Fortenberry E.
Foxy Manzullo
Franks (AZ) Marchant
Frelinghuysen Marino
Gardner Matheson
Garrett McCarthy (CA)
Gerlach McCaul
Gibbs McClintock
Gibson McCotter
Gingrey (GA) McHenry
Gohmert McIntyre
Goodlatte McKeon
Gosar McKinley
Gowdy McMorris
Granger Rodgers
Graves (GA) Meehan
Graves (MO) Mica
Green, Gene Miller (MI)
Griffin (AR) Mulvaney
Griffith (VA) Murphy (PA)
Grimm Myrick
Guinta Neugebauer
Guthrie Noem
Hall Nugent
Hanna Nunes
Harper Nunnelee
Harris Olson
Hartzler Owens
Hastings (WA) Palazzo
Hayworth Paul
Heck Paulsen
Hensarling Pearce
Herrera Beutler Pence
Hochul Peterson
Holden Petri
Huelskamp Pitts
Huizenga (MI) Platts
Hultgren Poe (TX)
Hunter Pompeo
Hurt Posey
Issa Price (GA)
Jenkins Quayle
Johnson (OH) Rahall
Johnson, Sam Reed
Jones Rehberg

(b) DEPOSIT INTO ACCOUNT OF CERTAIN REVENUES GENERATED BY THIS ACT.—The Secretary shall deposit into the account established under subsection (a) the first \$128,000,000 of the total of the amounts received by the United States under leases issued under this Act, the amendments made by this Act, or any plan, strategy, or program under this Act.

(c) AVAILABILITY AND USE OF FUNDS.— (1) IN GENERAL.—Subject to paragraph (2), the amounts in the account established under subsection (a) shall be made available to the Commodity Futures Trading Commission to use its existing authorities to limit excessive speculation in energy markets.

(2) SUBJECT TO APPROPRIATIONS.—The authority provided in paragraph (1) may be exercised only to such extent, and with respect to such amounts, as are provided in advance in appropriations Acts.

It was decided in the Yeas 180 negative Nays 235

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

NOT VOTING—15

Bishop (NY) Jackson Lee
Clarke (NY) (TX) Miller, Gary
Filner Lewis (CA) Sanchez, Linda
Gallegly Mack T.
Herger Meeks Velázquez
Jackson (IL) Miller (FL)

So the amendment was not agreed to.

80.40 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 26, printed in House Report 112-540, submitted by Ms. DELAURO:

At the end of the bill, add the following:

TITLE —MISCELLANEOUS PROVISIONS

SEC. . CERTAIN REVENUES GENERATED BY THIS ACT TO BE MADE AVAILABLE TO THE COMMODITY FUTURES TRADING COMMISSION TO LIMIT EXCESSIVE SPECULATION IN ENERGY MARKETS.

(a) ESTABLISHMENT OF TREASURY ACCOUNT.—The Secretary of the Treasury (in this section referred to as the "Secretary") shall establish an account in the Treasury of the United States.

80.41 [Roll No. 408]

AYES—180

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

NOES—235

Adams Austria Bass (NH)
Aderholt Bachmann Benishek
Akin Bachus Berg
Alexander Barletta Biggert
Amash Bartlett Bilbray
Amodei Barton (TX) Bilirakis

NOT VOTING—17

Bishop (NY) Jackson Lee Miller, George
Clarke (NY) (TX) Rangel
Filner Lewis (CA) Sanchez, Linda
Gallegly Mack T.
Hanna Meeks Velázquez
Herger Miller (FL)
Jackson (IL) Miller, Gary

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. MCCARTHY of California, assumed the Chair.

When Mrs. EMERSON, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole

House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Domestic Energy and Jobs Act”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—INCREASING DOMESTIC OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN RESPONSE TO STRATEGIC PETROLEUM RESERVE DRAWDOWNS

Sec. 101. Short title.

Sec. 102. Plan for increasing domestic oil and gas exploration, development, and production from Federal lands in response to Strategic Petroleum Reserve draw-down.

TITLE II—IMPACTS OF EPA RULES AND ACTIONS ON ENERGY PRICES

Sec. 201. Short title.

Sec. 202. Transportation Fuels Regulatory Committee.

Sec. 203. Analyses.

Sec. 204. Reports; public comment.

Sec. 205. No final action on certain rules.

Sec. 206. Consideration of feasibility and cost in revising or supplementing national ambient air quality standards for ozone.

Sec. 207. Fuel requirements waiver and study.

TITLE III—QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY

Sec. 301. Short title.

Sec. 302. Onshore domestic energy production strategic plan.

Sec. 303. Definitions.

TITLE IV—ONSHORE OIL AND GAS LEASING CERTAINTY

Sec. 401. Short title.

Sec. 402. Minimum acreage requirement for onshore lease sales.

Sec. 403. Leasing certainty.

Sec. 404. Leasing consistency.

Sec. 405. Reduce redundant policies.

TITLE V—STREAMLINED ENERGY PERMITTING

Sec. 501. Short title.

Subtitle A—Application for Permits to Drill Process Reform

Sec. 511. Permit to drill application timeline.

Sec. 512. Solar and wind right-of-way rental reform.

Subtitle B—Administrative Protest Documentation Reform

Sec. 521. Administrative protest documentation reform.

Subtitle C—Permit Streamlining

Sec. 531. Improve Federal energy permit coordination.

Sec. 532. Administration of current law.

Sec. 533. Policies regarding buying, building, and working for America.

Subtitle D—Judicial Review

Sec. 541. Definitions.

Sec. 542. Exclusive venue for certain civil actions relating to covered energy projects.

Sec. 543. Timely filing.

Sec. 544. Expedition in hearing and determining the action.

Sec. 545. Standard of review.

Sec. 546. Limitation on injunction and prospective relief.

Sec. 547. Limitation on attorneys’ fees.

Sec. 548. Legal standing.

TITLE VI—EXPEDITIOUS PROGRAM OF OIL AND GAS LEASING IN THE NATIONAL PETROLEUM RESERVE IN ALASKA

Sec. 601. Short title.

Sec. 602. Sense of Congress and reaffirming national policy for the National Petroleum Reserve in Alaska.

Sec. 603. National Petroleum Reserve in Alaska: lease sales.

Sec. 604. National Petroleum Reserve in Alaska: planning and permitting pipeline and road construction.

Sec. 605. Departmental Accountability for Development.

Sec. 606. Updated resource assessment.

Sec. 607. Colville River designation.

TITLE VII—INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES

Sec. 701. Short title.

Sec. 702. Internet-based onshore oil and gas lease sales.

TITLE VIII—SERVICE OVER THE COUNTER, SELF-CONTAINED, MEDIUM TEMPERATURE COMMERCIAL REFRIGERATORS

Sec. 801. Service over the counter, self-contained, medium temperature commercial refrigerators.

TITLE IX—MISCELLANEOUS PROVISIONS

Sec. 901. Limitation on transfer of functions under the Mining Law Program or the Solid Minerals Leasing Program.

Sec. 902. Amount of distributed qualified Outer Continental Shelf revenues.

Sec. 903. Lease Sale 220 and other lease sales off the coast of Virginia.

TITLE X—ADVANCING OFFSHORE WIND PRODUCTION

Sec. 1001. Short title.

Sec. 1002. Offshore meteorological site testing and monitoring projects.

TITLE I—INCREASING DOMESTIC OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION IN RESPONSE TO STRATEGIC PETROLEUM RESERVE DRAWDOWNS

SEC. 101. SHORT TITLE.

This title may be cited as the “Strategic Energy Production Act of 2012”.

SEC. 102. PLAN FOR INCREASING DOMESTIC OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION FROM FEDERAL LANDS IN RESPONSE TO STRATEGIC PETROLEUM RESERVE DRAWDOWN.

Section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) is amended by adding at the end the following new subsection:

“(k) PLAN.—

“(1) CONTENTS.—

“(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary executes, in accordance with the provisions of this section, the first sale after the date of enactment of this subsection of petroleum products in the Reserve the Secretary shall develop a plan to increase the percentage of Federal lands (including submerged lands of the Outer Continental Shelf) under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense leased for oil and gas exploration, development, and production. The percentage of the total amount of the Federal lands described in the preceding sentence by which the plan developed under this paragraph will increase leas-

ing for oil and gas exploration, development, and production shall be the same as the percentage of petroleum in the Strategic Petroleum Reserve that was drawn down.

“(B) REQUIREMENTS.—The plan developed under this paragraph shall—

“(i) be consistent with a national energy policy to meet the present and future energy needs of the Nation consistent with economic goals; and

“(ii) promote the interests of consumers through the provision of an adequate and reliable supply of domestic transportation fuels at the lowest reasonable cost.

“(C) ENERGY INFORMATION.—The Secretary shall base the determination of the present and future energy needs of the Nation, for purposes of subparagraph (B)(i), on information from the Energy Information Administration.

“(2) LIMITATION.—The plan developed under paragraph (1) shall not provide for oil and gas exploration, development, and production leasing of a total of more than 10 percent of the Federal lands described in paragraph (1)(A).

“(3) CONSULTATION.—The Secretary shall develop the plan required by paragraph (1) in consultation with the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Defense. Additionally, in developing the plan, the Secretary shall consult with the American Association of Petroleum Geologists and other State, environmentalist, and oil and gas industry stakeholders to determine the most geologically promising lands for production of oil and natural gas liquids.

“(4) CONCURRENCE.—The plan required by paragraph (1) shall not take effect without the concurrence of each of the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Defense with respect to elements of the plan within the jurisdiction, respectively, of the Department of Agriculture, the Department of the Interior, and the Department of Defense.

“(5) COMPLIANCE WITH REQUIREMENTS.—Each Federal agency described in paragraph (1)(A) shall comply with any requirements established by the Secretary pursuant to the plan, except that no action shall be taken pursuant to the plan if in the view of the Secretary of Defense such action will adversely affect national security or military activities, including preparedness and training.

“(6) EXCLUSIONS.—The lands referred to in paragraph (1)(A) shall not include lands managed under the National Park System or the National Wilderness Preservation System.

“(7) SAVINGS CLAUSE.—Nothing in this subsection shall be construed to limit or affect the application of existing restrictions on offshore drilling or requirements for land management under Federal, State, or local law.”

TITLE II—IMPACTS OF EPA RULES AND ACTIONS ON ENERGY PRICES

SEC. 201. SHORT TITLE.

This title may be cited as the “Gasoline Regulations Act of 2012”.

SEC. 202. TRANSPORTATION FUELS REGULATORY COMMITTEE.

(a) ESTABLISHMENT.—The President shall establish a committee to be known as the Transportation Fuels Regulatory Committee (in this title referred to as the “Committee”) to analyze and report on the cumulative impacts of certain rules and actions of the Environmental Protection Agency on gasoline, diesel fuel, and natural gas prices, in accordance with sections 203 and 204.

(b) MEMBERS.—The Committee shall be composed of the following officials (or their designees):

(1) The Secretary of Energy, who shall serve as the Chair of the Committee.

(2) The Secretary of Transportation, acting through the Administrator of the National Highway Traffic Safety Administration.

(3) The Secretary of Commerce, acting through the Chief Economist and the Under Secretary for International Trade.

(4) The Secretary of Labor, acting through the Commissioner of the Bureau of Labor Statistics.

(5) The Secretary of the Treasury, acting through the Deputy Assistant Secretary for Environment and Energy of the Department of the Treasury.

(6) The Secretary of Agriculture, acting through the Chief Economist.

(7) The Administrator of the Environmental Protection Agency.

(8) The Chairman of the United States International Trade Commission, acting through the Director of the Office of Economics.

(9) The Administrator of the Energy Information Administration.

(c) CONSULTATION BY CHAIR.—In carrying out the functions of the Chair of the Committee, the Chair shall consult with the other members of the Committee.

(d) CONSULTATION BY COMMITTEE.—In carrying out this title, the Committee shall consult with the National Energy Technology Laboratory.

(e) TERMINATION.—The Committee shall terminate 60 days after submitting its final report pursuant to section 204(c).

SEC. 203. ANALYSES.

(a) SCOPE.—The Committee shall conduct analyses, for each of the calendar years 2016 and 2020, of the cumulative impact of all covered rules, in combination with covered actions.

(b) CONTENTS.—The Committee shall include in each analysis conducted under this section the following:

(1) Estimates of the cumulative impacts of the covered rules and covered actions with regard to—

(A) any resulting change in the national, State, or regional price of gasoline, diesel fuel, or natural gas;

(B) required capital investments and projected costs for operation and maintenance of new equipment required to be installed;

(C) global economic competitiveness of the United States and any loss of domestic refining capacity;

(D) other cumulative costs and cumulative benefits, including evaluation through a general equilibrium model approach;

(E) national, State, and regional employment, including impacts associated with changes in gasoline, diesel fuel, or natural gas prices and facility closures; and

(F) any other matters affecting the growth, stability, and sustainability of the Nation's oil and gas industries, particularly relative to that of other nations.

(2) Discussion of key uncertainties and assumptions associated with each estimate under paragraph (1).

(3) A sensitivity analysis reflecting alternative assumptions with respect to the aggregate demand for gasoline, diesel fuel, or natural gas.

(4) Discussion, and where feasible an assessment, of the cumulative impact of the covered rules and covered actions on—

- (A) consumers;
- (B) small businesses;
- (C) regional economies;
- (D) State, local, and tribal governments;
- (E) low-income communities;
- (F) public health; and
- (G) local and industry-specific labor markets,

as well as key uncertainties associated with each topic listed in subparagraphs (A) through (G).

(c) METHODS.—In conducting analyses under this section, the Committee shall use

the best available methods, consistent with guidance from the Office of Information and Regulatory Affairs and the Office of Management and Budget Circular A-4.

(d) DATA.—In conducting analyses under this section, the Committee is not required to create data or to use data that is not readily accessible.

(e) COVERED RULES.—In this section, the term “covered rule” means the following rules (and includes any successor or substantially similar rules):

(1) “Control of Air Pollution From New Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards”, as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060-AQ86.

(2) Any rule proposed after March 15, 2012, establishing or revising a standard of performance or emission standard under section 111 or 112 of the Clean Air Act (42 U.S.C. 7411, 7412) that is applicable to petroleum refineries.

(3) Any rule proposed after March 15, 2012, for implementation of the Renewable Fuel Program under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

(4) “National Ambient Air Quality Standards for Ozone”, published at 73 Federal Register 16436 (March 27, 2008); “Reconsideration of the 2008 Ozone Primary and Secondary National Ambient Air Quality Standards”, as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060-AP98; and any subsequent rule revising or supplementing the national ambient air quality standards for ozone under section 109 of the Clean Air Act (42 U.S.C. 7409).

(f) COVERED ACTIONS.—In this section, the term “covered action” means any action, to the extent such action affects facilities involved in the production, transportation, or distribution of gasoline, diesel fuel, or natural gas, taken on or after January 1, 2009, by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency as a result of the application of part C of title I (relating to prevention of significant deterioration of air quality), or title V (relating to permitting), of the Clean Air Act (42 U.S.C. 7401 et seq.), to an air pollutant that is identified as a greenhouse gas in the rule entitled “Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act” published at 74 Federal Register 66496 (December 15, 2009).

SEC. 204. REPORTS; PUBLIC COMMENT.

(a) PRELIMINARY REPORT.—Not later than 90 days after the date of enactment of this Act, the Committee shall make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a preliminary report containing the results of the analyses conducted under section 203.

(b) PUBLIC COMMENT PERIOD.—The Committee shall accept public comments regarding the preliminary report submitted under subsection (a) for a period of 60 days after such submission.

(c) FINAL REPORT.—Not later than 60 days after the close of the public comment period under subsection (b), the Committee shall submit to Congress a final report containing the analyses conducted under section 203, including any revisions to such analyses made as a result of public comments, and a response to such comments.

SEC. 205. NO FINAL ACTION ON CERTAIN RULES.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall not finalize any of the following rules until a date (to be determined by the Administrator) that is at least 6 months after the day on

which the Committee submits the final report under section 204(c):

(1) “Control of Air Pollution From New Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards”, as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060-AQ86, and any successor or substantially similar rule.

(2) Any rule proposed after March 15, 2012, establishing or revising a standard of performance or emission standard under section 111 or 112 of the Clean Air Act (42 U.S.C. 7411, 7412) that is applicable to petroleum refineries.

(3) Any rule revising or supplementing the national ambient air quality standards for ozone under section 109 of the Clean Air Act (42 U.S.C. 7409).

(b) OTHER RULES NOT AFFECTED.—Subsection (a) shall not affect the finalization of any rule other than the rules described in such subsection.

SEC. 206. CONSIDERATION OF FEASIBILITY AND COST IN REVISING OR SUPPLEMENTING NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE.

In revising or supplementing any national primary or secondary ambient air quality standards for ozone under section 109 of the Clean Air Act (42 U.S.C. 7409), the Administrator of the Environmental Protection Agency shall take into consideration feasibility and cost.

SEC. 207. FUEL REQUIREMENTS WAIVER AND STUDY.

(a) WAIVER OF FUEL REQUIREMENTS.—Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended—

(1) in clause (ii)(II), by inserting “a problem with distribution or delivery equipment necessary for the transportation or delivery of fuel or fuel additives,” after “equipment failure,”;

(2) in clause (iii)(II), by inserting before the semicolon at the end the following: “(except that the Administrator may extend the effectiveness of a waiver for more than 20 days if the Administrator determines that the conditions under clause (ii) supporting a waiver determination will exist for more than 20 days)”;

(3) by redesignating the second clause (v) (relating to the authority of the Administrator to approve certain State implementation plans) as clause (vi); and

(4) by adding at the end the following:

“(vii) PRESUMPTIVE APPROVAL.—Notwithstanding any other provision of this subparagraph, if the Administrator does not approve or deny a request for a waiver under this subparagraph within 3 days after receipt of the request, the request shall be deemed to be approved as received by the Administrator and the applicable fuel standards shall be deemed to be waived for the period of time requested.”.

(b) FUEL SYSTEM REQUIREMENTS HARMONIZATION STUDY.—Section 1509 of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 1083) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting “biofuels,” after “oxygenated fuel,”;

(B) in paragraph (2)—

(i) in subparagraph (B)—

(I) by redesignating clause (ii) as clause (iii);

(II) in clause (i), by striking “and” after the semicolon; and

(III) by inserting after clause (i) the following:

“(i) the renewable fuel standard; and”;

(IV) in subparagraph (G), by inserting “or Tier III” after “Tier II”; and

(2) in subsection (b)(1), by striking “2008” and inserting “2014”.

TITLE III—QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY

SEC. 301. SHORT TITLE.

This title may be cited as the “Planning for American Energy Act of 2012”.

SEC. 302. ONSHORE DOMESTIC ENERGY PRODUCTION STRATEGIC PLAN.

(a) IN GENERAL.—The Mineral Leasing Act (30 U.S.C. 181 et seq.) is amended by redesignating section 44 as section 45, and by inserting after section 43 the following:

“SEC. 44. QUADRENNIAL STRATEGIC FEDERAL ONSHORE ENERGY PRODUCTION STRATEGY.

“(a) IN GENERAL.—

“(1) The Secretary of the Interior (hereafter in this section referred to as ‘Secretary’), in consultation with the Secretary of Agriculture with regard to lands administered by the Forest Service, shall develop and publish every 4 years a Quadrennial Federal Onshore Energy Production Strategy. This Strategy shall direct Federal land energy development and department resource allocation in order to promote the energy security of the United States.

“(2) In developing this Strategy, the Secretary shall consult with the Administrator of the Energy Information Administration on the projected energy demands of the United States for the next 30-year period, and how energy derived from Federal onshore lands can put the United States on a trajectory to meet that demand during the next 4-year period. The Secretary shall consider how Federal lands will contribute to ensuring national energy security, with a goal for increasing energy independence and production, during the next 4-year period.

“(3) The Secretary shall determine a domestic strategic production objective for the development of energy resources from Federal onshore lands. Such objective shall be—

“(A) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil and natural gas from the Federal onshore mineral estate, with a focus on lands held by the Bureau of Land Management and the Forest Service;

“(B) the best estimate, based upon commercial and scientific data, of the expected increase in domestic coal production from Federal lands;

“(C) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of strategic and critical energy minerals from the Federal onshore mineral estate;

“(D) the best estimate, based upon commercial and scientific data, of the expected increase in megawatts for electricity production from each of the following sources: wind, solar, biomass, hydropower, and geothermal energy produced on Federal lands administered by the Bureau of Land Management and the Forest Service;

“(E) the best estimate, based upon commercial and scientific data, of the expected increase in unconventional energy production, such as oil shale;

“(F) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of oil, natural gas, coal, and other renewable sources from tribal lands for any federally recognized Indian tribe that elects to participate in facilitating energy production on its lands; and

“(G) the best estimate, based upon commercial and scientific data, of the expected increase in domestic production of geothermal, solar, wind, or other renewable energy sources on lands defined as ‘available lands’ by section 203 of the Hawaiian Homes Commission Act, 1920, and any other lands deemed by the Territory or State of Hawaii,

as the case may be, to be included within that definition.

“(4) The Secretary shall consult with the Administrator of the Energy Information Administration regarding the methodology used to arrive at its estimates for purposes of this section.

“(5) The Secretary has the authority to expand the energy development plan to include other energy production technology sources or advancements in energy on Federal lands.

“(b) TRIBAL OBJECTIVES.—It is the sense of Congress that federally recognized Indian tribes may elect to set their own production objectives as part of the Strategy under this section. The Secretary shall work in cooperation with any federally recognized Indian tribe that elects to participate in achieving its own strategic energy objectives designated under this subsection.

“(c) EXECUTION OF THE STRATEGY.—The relevant Secretary shall have all necessary authority to make determinations regarding which additional lands will be made available in order to meet the production objectives established by strategies under this section. The Secretary shall also take all necessary actions to achieve these production objectives unless the President determines that it is not in the national security and economic interests of the United States to increase Federal domestic energy production and to further decrease dependence upon foreign sources of energy. In administering this section, the relevant Secretary shall only consider leasing Federal lands available for leasing at the time the lease sale occurs.

“(d) STATE, FEDERALLY RECOGNIZED INDIAN TRIBES, LOCAL GOVERNMENT, AND PUBLIC INPUT.—In developing each strategy, the Secretary shall solicit the input of affected States, federally recognized Indian tribes, local governments, and the public.

“(e) REPORTING.—The Secretary shall report annually to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of meeting the production goals set forth in the strategy. The Secretary shall identify in the report projections for production and capacity installations and any problems with leasing, permitting, siting, or production that will prevent meeting the goal. In addition, the Secretary shall make suggestions to help meet any shortfalls in meeting the production goals.

“(f) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—Not later than 12 months after the date of enactment of this section, in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Secretary shall complete a programmatic environmental impact statement. This programmatic environmental impact statement will be deemed sufficient to comply with all requirements under that Act for all necessary resource management and land use plans associated with the implementation of the strategy.

“(g) CONGRESSIONAL REVIEW.—At least 60 days prior to publishing a proposed strategy under this section, the Secretary shall submit it to the President and the Congress, together with any comments received from States, federally recognized Indian tribes, and local governments. Such submission shall indicate why any specific recommendation of a State, federally recognized Indian tribe, or local government was not accepted.”.

(b) FIRST QUADRENNIAL STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress the first Quadrennial Federal Onshore Energy Production Strategy under the amendment made by subsection (a).

SEC. 303. DEFINITIONS.

For purposes of this title, the term “strategic and critical energy minerals” means those that are necessary for the Nation’s energy infrastructure including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production and those that are necessary to support domestic manufacturing, including but not limited to, materials used in energy generation, production, and transportation.

TITLE IV—ONSHORE OIL AND GAS LEASING CERTAINTY

SEC. 401. SHORT TITLE.

This title may be cited as the “Providing Leasing Certainty for American Energy Act of 2012”.

SEC. 402. MINIMUM ACREAGE REQUIREMENT FOR ONSHORE LEASE SALES.

In conducting lease sales as required by section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)), each year the Secretary of the Interior shall perform the following:

(1) The Secretary shall offer for sale no less than 25 percent of the annual nominated acreage not previously made available for lease. Acreage offered for lease pursuant to this paragraph shall not be subject to protest and shall be eligible for categorical exclusions under section 390 of the Energy Policy Act of 2005 (42 U.S.C. 15492), except that it shall not be subject to the test of extraordinary circumstances.

(2) In administering this section, the Secretary shall only consider leasing of Federal lands that are available for leasing at the time the lease sale occurs.

SEC. 403. LEASING CERTAINTY.

Section 17(a) of the Mineral Leasing Act (30 U.S.C. 226(a)) is amended by inserting “(1)” before “All lands”, and by adding at the end the following:

“(2)(A) The Secretary shall not withdraw any covered energy project issued under this Act without finding a violation of the terms of the lease by the lessee.

“(B) The Secretary shall not infringe upon lease rights under leases issued under this Act by indefinitely delaying issuance of project approvals, drilling and seismic permits, and rights of way for activities under such a lease.

“(C) No later than 18 months after an area is designated as open under the current land use plan the Secretary shall make available nominated areas for lease under the criteria in section 2.

“(D) Notwithstanding any other law, the Secretary shall issue all leases sold no later than 60 days after the last payment is made.

“(E) The Secretary shall not cancel or withdraw any lease parcel after a competitive lease sale has occurred and a winning bidder has submitted the last payment for the parcel.

“(F) Not later than 60 days after a lease sale held under this Act, the Secretary shall adjudicate any lease protests filed following a lease sale. If after 60 days any protest is left unsettled, said protest is automatically denied and appeal rights of the protestor begin.

“(G) No additional lease stipulations may be added after the parcel is sold without consultation and agreement of the lessee, unless the Secretary deems such stipulations as emergency actions to conserve the resources of the United States.”.

SEC. 404. LEASING CONSISTENCY.

Federal land managers must follow existing resource management plans and continue to actively lease in areas designated as open when resource management plans are being amended or revised, until such time as a new record of decision is signed.

SEC. 405. REDUCE REDUNDANT POLICIES.

Bureau of Land Management Instruction Memorandum 2010-117 shall have no force or effect.

TITLE V—STREAMLINED ENERGY PERMITTING

SEC. 501. SHORT TITLE.

This title may be cited as the “Streamlining Permitting of American Energy Act of 2012”.

Subtitle A—Application for Permits to Drill Process Reform

SEC. 511. PERMIT TO DRILL APPLICATION TIMELINE.

Section 17(p)(2) of the Mineral Leasing Act (30 U.S.C. 226(p)(2)) is amended to read as follows:

“(2) APPLICATIONS FOR PERMITS TO DRILL REFORM AND PROCESS.—

“(A) TIMELINE.—The Secretary shall decide whether to issue a permit to drill within 30 days after receiving an application for the permit. The Secretary may extend such period for up to 2 periods of 15 days each, if the Secretary has given written notice of the delay to the applicant. The notice shall be in the form of a letter from the Secretary or a designee of the Secretary, and shall include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

“(B) NOTICE OF REASONS FOR DENIAL.—If the application is denied, the Secretary shall provide the applicant—

“(i) in writing, clear and comprehensive reasons why the application was not accepted and detailed information concerning any deficiencies; and

“(ii) an opportunity to remedy any deficiencies.

“(C) APPLICATION DEEMED APPROVED.—If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is deemed approved, except in cases in which existing reviews under the National Environmental Policy Act of 1969 or Endangered Species Act of 1973 are incomplete.

“(D) DENIAL OF PERMIT.—If the Secretary decides not to issue a permit to drill in accordance with subparagraph (A), the Secretary shall—

“(i) provide to the applicant a description of the reasons for the denial of the permit;

“(ii) allow the applicant to resubmit an application for a permit to drill during the 10-day period beginning on the date the applicant receives the description of the denial from the Secretary; and

“(iii) issue or deny any resubmitted application not later than 10 days after the date the application is submitted to the Secretary.

“(E) FEE.—

“(i) IN GENERAL.—Notwithstanding any other law, the Secretary shall collect a single \$6,500 permit processing fee per application from each applicant at the time the final decision is made whether to issue a permit under subparagraph (A). This fee shall not apply to any resubmitted application.

“(ii) TREATMENT OF PERMIT PROCESSING FEE.—Of all fees collected under this paragraph, 50 percent shall be transferred to the field office where they are collected and used to process protests, leases, and permits under this Act subject to appropriation.”

SEC. 512. SOLAR AND WIND RIGHT-OF-WAY RENTAL REFORM.

Notwithstanding any other provision of law, each fiscal year, of fees collected as annual wind energy and solar energy right-of-way authorization fees required under section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)), 50 percent shall be retained by the Secretary of the Interior to be used, subject to appropriation, by the Bureau of Land Management to process permits, right-of-way applications, and other activities necessary for renewable

development, and, at the discretion of the Secretary, by the U.S. Fish and Wildlife Service or other Federal agencies involved in wind and solar permitting reviews to facilitate the processing of wind energy and solar energy permit applications on Bureau of Land Management lands.

Subtitle B—Administrative Protest Documentation Reform

SEC. 521. ADMINISTRATIVE PROTEST DOCUMENTATION REFORM.

Section 17(p) of the Mineral Leasing Act (30 U.S.C. 226(p)) is further amended by adding at the end the following:

“(4) PROTEST FEE.—

“(A) IN GENERAL.—The Secretary shall collect a \$5,000 documentation fee to accompany each protest for a lease, right of way, or application for permit to drill.

“(B) TREATMENT OF FEES.—Of all fees collected under this paragraph, 50 percent shall remain in the field office where they are collected and used to process protests subject to appropriation.”

Subtitle C—Permit Streamlining

SEC. 531. IMPROVE FEDERAL ENERGY PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary of the Interior (referred to in this section as the “Secretary”) shall establish a Federal Permit Streamlining Project (referred to in this section as the “Project”) in every Bureau of Land Management field office with responsibility for permitting energy projects on Federal land.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for purposes of this section with—

(A) the Secretary of Agriculture;

(B) the Administrator of the Environmental Protection Agency; and

(C) the Chief of the Army Corps of Engineers.

(2) STATE PARTICIPATION.—The Secretary may request that the Governor of any State with energy projects on Federal lands to be a signatory to the memorandum of understanding.

(c) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 30 days after the date of the signing of the memorandum of understanding under subsection (b), all Federal signatory parties shall, if appropriate, assign to each of the Bureau of Land Management field offices an employee who has expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(A) the consultations and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536);

(B) permits under section 404 of Federal Water Pollution Control Act (33 U.S.C. 1344);

(C) regulatory matters under the Clean Air Act (42 U.S.C. 7401 et seq.);

(D) planning under the National Forest Management Act of 1976 (16 U.S.C. 472a et seq.); and

(E) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) DUTIES.—Each employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to the Bureau of Land Management Field Managers in the office to which the employee is assigned;

(B) be responsible for all issues relating to the energy projects that arise under the authorities of the employee’s home agency; and

(C) participate as part of the team of personnel working on proposed energy projects, planning, and environmental analyses on Federal lands.

(d) ADDITIONAL PERSONNEL.—The Secretary shall assign to each Bureau of Land Management field office identified in subsection (a) any additional personnel that are necessary to ensure the effective approval and implementation of energy projects administered by the Bureau of Land Management field offices, including inspection and enforcement relating to energy development on Federal land, in accordance with the multiple use mandate of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(e) FUNDING.—Funding for the additional personnel shall come from the Department of the Interior reforms identified in sections 511, 512, and 521.

(f) SAVINGS PROVISION.—Nothing in this section affects—

(1) the operation of any Federal or State law; or

(2) any delegation of authority made by the head of a Federal agency whose employees are participating in the Project.

(g) DEFINITION.—For purposes of this section the term “energy projects” means oil, natural gas and renewable energy projects.

SEC. 532. ADMINISTRATION OF CURRENT LAW.

Notwithstanding any other law, the Secretary of the Interior shall not require a finding of extraordinary circumstances in administering section 390 of the Energy Policy Act of 2005.

SEC. 533. POLICIES REGARDING BUYING, BUILDING, AND WORKING FOR AMERICA.

(a) CONGRESSIONAL INTENT.—It is the intent of Congress that—

(1) this title will support a healthy and growing United States domestic energy sector that, in turn, helps to reinvigorate American manufacturing, transportation, and service sectors by employing the vast talents of United States workers to assist in the development of energy from domestic sources; and

(2) Congress will monitor the deployment of personnel and material onshore under this title to encourage the development of American technology and manufacturing to enable United States workers to benefit from this title through good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American energy resources.

(b) REQUIREMENT.—The Secretary of the Interior shall, when possible and practicable, encourage the use of United States workers and equipment manufactured in the United States in all construction related to mineral resource development under this title.

Subtitle D—Judicial Review

SEC. 541. DEFINITIONS.

In this title—

(1) the term “covered civil action” means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal lands of the United States; and

(2) the term “covered energy project” means the leasing of Federal lands of the United States for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy, and any action under such a lease, except that the term does not include any disputes between the parties to a lease regarding the obligations under such lease, including regarding any alleged breach of the lease.

SEC. 542. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the district court where the project or leases exist or are proposed.

SEC. 543. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action must be filed no later than the end of the 90-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 544. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

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

SEC. 545. STANDARD OF REVIEW.

In any judicial review of a covered civil action, administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct, and the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

SEC. 546. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation. In addition, courts shall limit the duration of preliminary injunctions to halt covered energy projects to no more than 60 days, unless the court finds clear reasons to extend the injunction. In such cases of extensions, such extensions shall only be in 30-day increments and shall require action by the court to renew the injunction.

SEC. 547. LIMITATION ON ATTORNEYS' FEES.

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

SEC. 548. LEGAL STANDING.

Challengers filing appeals with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as challengers before a United States district court.

TITLE VI—EXPEDITIOUS PROGRAM OF OIL AND GAS LEASING IN THE NATIONAL PETROLEUM RESERVE IN ALASKA**SEC. 601. SHORT TITLE.**

This title may be cited as the "National Petroleum Reserve Alaska Access Act".

SEC. 602. SENSE OF CONGRESS AND REAFFIRMING NATIONAL POLICY FOR THE NATIONAL PETROLEUM RESERVE IN ALASKA.

It is the sense of Congress that—

(1) the National Petroleum Reserve in Alaska remains explicitly designated, both in name and legal status, for purposes of providing oil and natural gas resources to the United States; and

(2) accordingly, the national policy is to actively advance oil and gas development within the Reserve by facilitating the expeditious exploration, production, and transportation of oil and natural gas from and through the Reserve.

SEC. 603. NATIONAL PETROLEUM RESERVE IN ALASKA: LEASE SALES.

Section 107(a) of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a(a)) is amended to read as follows:

"(a) IN GENERAL.—The Secretary shall conduct an expeditious program of competitive leasing of oil and gas in the reserve in accordance with this Act. Such program shall include at least one lease sale annually in those areas of the reserve most likely to produce commercial quantities of oil and natural gas each year in the period 2011 through 2021."

SEC. 604. NATIONAL PETROLEUM RESERVE IN ALASKA: PLANNING AND PERMITTING PIPELINE AND ROAD CONSTRUCTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior, in consultation with the Secretary of Transportation, shall facilitate and ensure permits, in an environmentally responsible manner, for all surface development activities, including for the construction of pipelines and roads, necessary to—

(1) develop and bring into production any areas within the National Petroleum Reserve in Alaska that are subject to oil and gas leases; and

(2) transport oil and gas from and through the National Petroleum Reserve in Alaska to existing transportation or processing infrastructure on the North Slope of Alaska.

(b) TIMELINE.—The Secretary shall ensure that any Federal permitting agency shall issue permits in accordance with the following timeline:

(1) Permits for such construction for transportation of oil and natural gas produced under existing Federal oil and gas leases with respect to which the Secretary has issued a permit to drill shall be approved within 60 days after the date of enactment of this Act.

(2) Permits for such construction for transportation of oil and natural gas produced under Federal oil and gas leases shall be approved within 6 months after the submission to the Secretary of a request for a permit to drill.

(c) PLAN.—To ensure timely future development of the Reserve, within 270 days after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a plan for approved rights-of-way for a plan for pipeline, road, and any other surface infrastructure that may be necessary infrastructure that will ensure that all leasable tracts in the Reserve are within 25 miles of an approved road and pipeline right-of-way that can serve future development of the Reserve.

SEC. 605. DEPARTMENTAL ACCOUNTABILITY FOR DEVELOPMENT.

(a) IN GENERAL.—The Secretary of the Interior shall issue regulations within 180 days after the date of enactment of this Act that establish clear requirements to ensure that the Department of the Interior is supporting development of oil and gas leases in the National Petroleum Reserve in Alaska.

(b) DEADLINES.—At a minimum, the regulations shall—

(1) require the Department to respond within 5 business days acknowledging receipt of any permit application for such development; and

(2) establish a timeline for the processing of each such application, that—

(A) specifies deadlines for decisions and actions on permit applications; and

(B) provide that the period for issuing each permit after submission of such an application shall not exceed 60 days without the concurrence of the applicant.

(c) ACTIONS REQUIRED FOR FAILURE TO COMPLY WITH DEADLINES.—If the Department fails to comply with any deadline under subsection (b) with respect to a permit application, the Secretary shall notify the applicant every 5 days with specific information regarding the reasons for the permit delay, the name of the specific Department office or offices responsible for issuing the permit and for monitoring the permit delay, and an estimate of the time that the permit will be issued.

(d) ADDITIONAL INFRASTRUCTURE.—Within 180 days after the date of enactment of this Act, the Secretary of the Interior shall approve, after consultation with the State of Alaska and public comment, right-of-way

corridors for the construction of 2 separate additional bridges and pipeline rights-of-way to help facilitate timely oil and gas development of the Reserve.

SEC. 606. UPDATED RESOURCE ASSESSMENT.

(a) IN GENERAL.—The Secretary of the Interior shall complete a comprehensive assessment of all technically recoverable fossil fuel resources within the National Petroleum Reserve in Alaska, including all conventional and unconventional oil and natural gas.

(b) COOPERATION AND CONSULTATION.—The resource assessment required by subsection (a) shall be carried out by the United States Geological Survey in cooperation and consultation with the State of Alaska and the American Association of Petroleum Geologists.

(c) TIMING.—The resource assessment required by subsection (a) shall be completed within 24 months after the date of the enactment of this Act.

(d) FUNDING.—The United States Geological Survey may, in carrying out the duties under this section, cooperatively use resources and funds provided by the State of Alaska.

SEC. 607. COLVILLE RIVER DESIGNATION.

The designation by the Environmental Protection Agency of the Colville River Delta as an Aquatic Resource of National Importance shall have no force or effect.

TITLE VII—INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES**SEC. 701. SHORT TITLE.**

This title may be cited as the "BLM Live Internet Auctions Act".

SEC. 702. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting ", except as provided in subparagraph (C)" after "by oral bidding"; and

(2) by adding at the end the following:

"(C) In order to diversify and expand the Nation's onshore leasing program to ensure the best return to the Federal taxpayer, reduce fraud, and secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods. Each individual Internet-based lease sale shall conclude within 7 days."

(b) REPORT.—Not later than 90 days after the tenth Internet-based lease sale conducted under the amendment made by subsection (a), the Secretary of the Interior shall analyze the first 10 such lease sales and report to Congress the findings of the analysis. The report shall include—

(1) estimates on increases or decreases in such lease sales, compared to sales conducted by oral bidding, in—

- (A) the number of bidders;
- (B) the average amount of bid;
- (C) the highest amount bid; and
- (D) the lowest bid;

(2) an estimate on the total cost or savings to the Department of the Interior as a result of such sales, compared to sales conducted by oral bidding; and

(3) an evaluation of the demonstrated or expected effectiveness of different structures for lease sales which may provide an opportunity to better maximize bidder participation, ensure the highest return to the Federal taxpayers, minimize opportunities for fraud or collusion, and ensure the security and integrity of the leasing process.

TITLE VIII—SERVICE OVER THE COUNTER, SELF-CONTAINED, MEDIUM TEMPERATURE COMMERCIAL REFRIGERATORS

SEC. 801. SERVICE OVER THE COUNTER, SELF-CONTAINED, MEDIUM TEMPERATURE COMMERCIAL REFRIGERATORS.

Section 342(c) of the Energy Policy and Conservation Act (42 U.S.C. 6313(c)) is amended—

(1) in paragraph (1)—
 (A) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E), respectively; and
 (B) by inserting after subparagraph (A) the following:

“(B) The term ‘(SOC-SC-M)’ means a medium temperature commercial refrigerator—

“(i) with a self-contained condensing unit and equipped with sliding or hinged doors in the back intended for use by sales personnel, and with glass or other transparent material in the front for displaying merchandise; and
 “(ii) that has a height not greater than 66 inches and is intended to serve as a counter for transactions between sales personnel and customers.

“(C) The term ‘TDA’ means the total display area (ft²) of the refrigerated case, as defined in Air-Conditioning, Heating, and Refrigeration Institute Standard 1200.”;

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and
 (3) by inserting after paragraph (3) the following:

“(4) Each SOC-SC-M manufactured on or after the date which is 6 months after the date of enactment of the Better Use of Refrigerator Regulations Act shall have a total daily energy consumption (in kilowatt hours per day) of not more than 0.6 x TDA + 1.0.”.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. LIMITATION ON TRANSFER OF FUNCTIONS UNDER THE MINING LAW PROGRAM OR THE SOLID MINERALS LEASING PROGRAM.

The Secretary of the Interior may not transfer to the Office of Surface Mining Reclamation and Enforcement any responsibility or authority to perform any function performed immediately before the enactment of this Act under the Solid Minerals Program of the Department of the Interior, including—

(1) any such function under—
 (A) the laws popularly known as the Mining Law of 1872 (30 U.S.C. 22 note);
 (B) the Act of July 31, 1947 (chapter 406; 30 U.S.C. 601 et seq.), popularly known as the Materials Act of 1947;
 (C) the Minerals Leasing Act (30 U.S.C. 181 et seq.); or
 (D) the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.);

(2) any such function relating to management of mineral development on Federal lands and acquired lands under section 302 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732); and
 (3) any function performed under the Mining Law Program.

SEC. 902. AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.

Section 105(f)(1) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; (43 U.S.C. 1331 note)) is amended by striking “2055” and inserting “2022, and shall not exceed \$750,000,000 for each of fiscal years 2023 through 2055”.

SEC. 903. LEASE SALE 220 AND OTHER LEASE SALES OFF THE COAST OF VIRGINIA.

(a) **INCLUSION IN LEASING PROGRAMS.**—The Secretary of the Interior shall—

(1) upon enactment of this Act, revise the proposed Outer Continental Shelf oil and gas leasing program for the 2012–2017 period to

include in such program Lease Sale 220 off the coast of Virginia; and

(2) include the Outer Continental Shelf off the coast of Virginia in the leasing program for each 5-year period after the 2012–2017 period.

(b) **CONDUCT OF LEASE SALE.**—As soon as practicable, but not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall carry out under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) Lease Sale 220.

(c) **BALANCING MILITARY AND ENERGY PRODUCTION GOALS.**—

(1) **JOINT GOALS.**—In recognition that the Outer Continental Shelf oil and gas leasing program and the domestic energy resources produced therefrom are integral to national security, the Secretary of the Interior and the Secretary of Defense shall work jointly in implementing this section in order to ensure achievement of the following common goals:

(A) Preserving the ability of the Armed Forces of the United States to maintain an optimum state of readiness through their continued use of the Outer Continental Shelf.

(B) Allowing effective exploration, development, and production of our Nation’s oil, gas, and renewable energy resources.

(2) **PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.**—No person may engage in any exploration, development, or production of oil or natural gas off the coast of Virginia that would conflict with any military operation, as determined in accordance with the Memorandum of Agreement between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date but before the date of issuance of the lease under which such exploration, development, or production is conducted.

(3) **NATIONAL DEFENSE AREAS.**—The United States reserves the right to designate by and through the Secretary of Defense, with the approval of the President, national defense areas on the Outer Continental Shelf pursuant to section 12(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(d)).

TITLE X—ADVANCING OFFSHORE WIND PRODUCTION

SEC. 1001. SHORT TITLE.

This title may be cited at the “Advancing Offshore Wind Production Act”.

SEC. 1002. OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECTS.

(a) **DEFINITION OF AN OFFSHORE METEOROLOGICAL SITE TESTING AND MONITORING PROJECT.**—In this section, the term “offshore meteorological site testing and monitoring project” means a project carried out on or in the waters of the Outer Continental Shelf administered by the Department of the Interior to test or monitor weather (including wind, tidal, current, and solar energy) using towers, buoys, or other temporary ocean infrastructure, that—

(1) causes—
 (A) less than 1 acre of surface or seafloor disruption at the location of each meteorological tower or other device; and
 (B) not more than 5 acres of surface or seafloor disruption within the proposed area affected by for the project (including hazards to navigation);

(2) is decommissioned not more than 5 years after the date of commencement of the project, including—

(A) removal of towers, buoys, or other temporary ocean infrastructure from the project site; and

(B) restoration of the project site to approximately the original condition of the site; and

(3) provides meteorological information obtained by the project to the Secretary of the Interior.

(b) **OFFSHORE METEOROLOGICAL PROJECT PERMITTING.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall by regulation require that any applicant seeking to conduct an offshore meteorological site testing and monitoring project on the outer Continental Shelf (as that term is defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.)) must obtain a permit and right of way for the project in accordance with this subsection.

(2) **PERMIT AND RIGHT OF WAY TIMELINE AND CONDITIONS.**—

(A) **DEADLINE FOR APPROVAL.**—The Secretary shall decide whether to issue a permit and right of way for an offshore meteorological site testing and monitoring project within 30 days after receiving an application.

(B) **PUBLIC COMMENT AND CONSULTATION.**—During the period referred to in subparagraph (A), the Secretary shall—

(i) provide an opportunity for submission of comments by the public; and

(ii) consult with the Secretary of Defense, the Commandant of the Coast Guard, and the heads of other Federal, State, and local agencies that would be affected by issuance of the permit and right of way.

(C) **DENIAL OF PERMIT; OPPORTUNITY TO REMEDY DEFICIENCIES.**—If the application is denied, the Secretary shall provide the applicant—

(i) in writing, clear and comprehensive reasons why the application was not approved and detailed information concerning any deficiencies in the application; and
 (ii) an opportunity to remedy such deficiencies.

(c) **NEPA EXCLUSION.**—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply with respect to an offshore meteorological site testing and monitoring project.

(d) **PROTECTION OF INFORMATION.**—The information provided to the Secretary of the Interior pursuant to subsection (a)(3) shall be treated by the Secretary as proprietary information and protected against disclosure.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Ms. SLAUGHTER moved to recommend the bill to the Committee on Natural Resources with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end the following:

TITLE —MISCELLANEOUS PROVISIONS

SEC. 1. PROHIBITING NEW LEASES FOR MAJOR OIL COMPANIES UNTIL THEY FOREGO TAX BREAKS AND BUY AMERICAN.

(a) **FORGOING TAX SUBSIDIES TO QUALIFY FOR NEW LEASES.**—A major integrated oil company (as defined in section 167(h)(5)(B) of the Internal Revenue Code of 1986) may obtain a lease made available under a plan required by subsection (k) of section 161 of the Energy Policy and Conservation Act, as amended by section 102 of this Act, only if that company agrees not to claim certain Federal tax benefits with respect to oil and gas exploration and production activities pursuant to that lease, including—

(1) percentage depletion allowances under sections 613 and 613A of the Internal Revenue Code of 1986; and

(2) the domestic production activities deduction under section 199 of the Internal Revenue Code of 1986.

(b) BUY AMERICAN REQUIREMENT.—A plan required by subsection (k) of section 161 of the Energy Policy and Conservation Act, as amended by section 102 of this Act, shall encourage each major integrated oil company (as defined in section 167(h)(5)(B) of the Internal Revenue Code of 1986) that obtains an oil and gas lease made available under such plan to use only materials made in the United States in drilling operations and avoid outsourcing American jobs.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. MCCARTHY of California, announced that the nays had it.

Ms. SLAUGHTER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 166 negative } Nays 243

80.42 [Roll No. 409]

YEAS—166

- Ackerman Garamendi Neal
Andrews Gonzalez Oliver
Baca Green, Al Owens
Baldwin Grijalva Pallone
Barber Gutierrez Pascarell
Bass (CA) Hahn Pastor (AZ)
Becerra Hanabusa Pelosi
Berkley Hastings (FL) Perlmutter
Berman Heinrich Peters
Bishop (GA) Higgins Pingree (ME)
Blumenauer Himes
Bonamici Hinchey
Boswell Hinojosa
Brady (PA) Hirono
Braley (IA) Hochul
Brown (FL) Holden
Butterfield Holt
Capps Honda
Capuano Israel
Carnahan Johnson (GA)
Carney Johnson, E. B.
Carson (IN) Jones
Castor (FL) Kaptur
Chandler Keating
Chu Kildee
Cicilline Kind
Clarke (MI) Kissell
Clay Kucinich
Cleaver Langevin
Clyburn Larsen (WA)
Cohen Larson (CT)
Connolly (VA) Lee (CA)
Conyers Levin
Cooper Lewis (GA)
Costello Lipinski
Courtney Loeb sack
Crowley Lofgren, Zoe
Cummings Lowey
Davis (CA) Lujan
Davis (IL) Lynch
DeFazio Maloney
DeGette Markey
DeLauro Matsui
Deutch McCarthy (NY)
Dicks McCollum
Dingell McDermott
Doggett McGovern
Doyle McIntyre
Edwards McNerney
Ellison Michaud
Engel Miller (NC)
Eshoo Moore
Farr Moran
Fattah Murphy (CT)
Frank (MA) Nadler
Fudge Napolitano

- Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Dold
Donnelly (IN)
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—243

- Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Bilbray
Bilirakis
Harper
Harris
Hartzer
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Cantore
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Marino
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett

NOT VOTING—23

- Bishop (NY)
Cardoza
Clarke (NY)
Filner
Flores
Gallegly
Hoyer
Jackson (IL)
Jackson Lee
Kingston
Lewis (CA)
Mack
Meeks
Miller (FL)
Miller, Gary
Miller, George

- Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Kline
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

The SPEAKER pro tempore, Mr. MCCARTHY of California, announced that the yeas had it.

Mr. MARKEY demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 248 affirmative } Nays 163

80.43 [Roll No. 410]

AYES—248

- Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Barton (TX)
Benishak
Berg
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzer
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landy
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

a multiyear law reauthorizing such programs, and for other purposes.

Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—163

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

The question being put,
Will the House agree to said motion?
The vote was taken by electronic device.

NAYS—138

Andrews
Bass (CA)
Becerra
Berkley
Berman
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Butterfield
Camp
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Denham
Deutch
Dingell
Doggett
Edwards
Ellison
Engel
Farr
Fattah
Frank (MA)
Garamendi
Gibson
Green, Al
Grijalva
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Himes
Hinchev
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sewell
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Stark
Thompson (CA)
Tonko
Towns
Tsongas
Van Hollen
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Yarmuth
Young (AK)

It was decided in the affirmative
Yeas 260
Nays 138

180.45 [Roll No. 411]

YEAS—260

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggett
Bilirakis
Bibray
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Brown (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Cantoco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Dent
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Eilmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
LaTourette
Latta
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Rosskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
West
Westmoreland
Whitfield
Wilson (SC)

NOT VOTING—21
Bishop (NY)
Cardoza
Clarke (NY)
Dingell
Filner
Gallegly
Jackson (IL)
Jackson Lee
Sanchez, Linda
T.
Sewell
Smith (NJ)
Speier
Sullivan
Miller, George

So the bill was passed.
A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

180.44 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. MCCARTHY of California, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. MCKINLEY, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of

NOT VOTING—34

Higgins
Hinojosa
Jackson (IL)
Jackson Lee
Latham
Lewis (CA)
Lofgren, Zoe
Mack
McCotter
Meeks
Miller (FL)
Miller, Gary
Miller, George
Moore
Rangel
Sanchez, Linda
T.
Sires
Speier
Tierney
Turner (NY)
Velazquez
Webster

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

180.46 PROVIDING FOR CONSIDERATION OF H.R. 5973 AND H.R. 5972

Ms. FOXX, by direction of the Committee on Rules, reported (Rept. No. 112-545) the resolution (H. Res. 697) providing for consideration of the bill (H.R. 5973) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶80.47 ADJOURNMENT OVER

On motion of Mr. CANTOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, June 25, 2012.

¶80.48 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. HOYER submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to recede from disagreement to the amendment of the Senate.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. NUNNELLEE, announced that the nays had it.

Mr. HOYER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. NUNNELLEE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, June 26, 2012.

¶80.49 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mrs. BLACK submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to reject section 31108 of the amendment of the Senate (relating to distracted driving grants), other than the matter proposed to be inserted as section 411(g) of title 23, United States Code (relating to a distracted driving study).

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. NUNNELLEE, announced that the yeas had it.

Mr. ALTMIRE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. NUNNELLEE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, June 26, 2012.

¶80.50 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BISHOP of New York, for today;

To Ms. CLARKE of New York, for today; and

To Ms. JACKSON LEE of Texas, for today.

And then,

¶80.51 ADJOURNMENT

On motion of Mr. PEARCE, pursuant to the previous order of the House, at 5 o'clock and 32 minutes p.m., the House adjourned until 2 p.m. on Monday, June 25, 2012.

¶80.52 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules. H. Res. 697. A resolution providing for consideration of the bill (H.R. 5973) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-545). Referred to the House Calendar.

¶80.53 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CAMP (for himself, Mr. RANGEL, Mr. BRADY of Texas, Mr. McDERMOTT, Mr. PAULSEN, Mr. BUCHANAN, Mr. MARCHANT, Ms. JENKINS, Mr. REICHERT, Mr. REED, Mr. DAVIS of Kentucky, Mr. KING of New York, Mr. ROYCE, Mr. LEVIN, Mr. CROWLEY, Mr. LEWIS of Georgia, Mr. PASCRELL, Ms. BASS of California, Mr. MEEKS, Mr. BOUSTANY, Mr. STARK, and Mr. KIND):

H.R. 5986. A bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington (for himself, Mr. FLEISCHMANN, and Mr. LUJÁN):

H.R. 5987. A bill to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. CUELLAR (for himself, Mr. GONZALEZ, and Mr. DOGGETT):

H.R. 5988. A bill to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Natural Resources.

By Ms. MATSUI (for herself and Mr. ENGL):

H.R. 5989. A bill to increase access to community behavioral health services for all Americans and to improve Medicaid reimbursement for community behavioral health services; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. YODER, Mr. GUTHRIE, and Mr. SCHILLING):

H.R. 5990. A bill to amend the Internal Revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income; to the Committee on Ways and Means.

By Mr. HECK (for himself and Mr. HEINRICH):

H.R. 5991. A bill to promote the development of renewable energy on public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Armed Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington:

H.R. 5992. A bill to direct the Secretary of the Interior to place certain lands in Skagit and San Juan Counties, Washington, into trust for the Samish Indian Nation, and for other purposes; to the Committee on Natural Resources.

By Mr. PAUL (for himself and Mr. CAMPBELL):

H.R. 5993. A bill to prohibit the use of funds available to the Department of Defense or an element of the intelligence community for the purpose or which would have the effect of supporting, directly or indirectly, military or paramilitary operations in Syria by any nation, group, organization, movement, or individual; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES:

H.R. 5994. A bill to provide a demonstration project under which Medicare and Medicaid beneficiaries are provided the choice of health benefits coverage and access to a debit style card for the purpose of purchasing qualified health benefits coverage and paying for other health care expenses; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DICKS:

H.R. 5995. A bill to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and sce-

nic rivers, and for other purposes; to the Committee on Natural Resources.

By Mr. ALTMIRE:

H.R. 5996. A bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, in coordination with the Secretary of Education, to carry out a 5-year demonstration program to fund mental health first aid training programs at 10 institutions of higher education to improve student mental health; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. CLARKE of Michigan, Mr. TURNER of New York, and Mr. ROGERS of Alabama):

H.R. 5997. A bill to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities; to the Committee on Homeland Security.

By Mrs. BLACKBURN (for herself, Mr. BARROW, Mrs. CHRISTENSEN, and Mr. TERRY):

H.R. 5998. A bill to amend title IX of the Public Health Service Act to revise the operations of the United States Preventive Services Task Force; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 5999. A bill to amend title 38, United States Code, to improve the authority of the Secretary of Veterans Affairs to provide specially adapted housing assistance to blind veterans; to the Committee on Veterans' Affairs.

By Mr. AKIN (for himself, Mr. BROUN of Georgia, Mr. GINGREY of Georgia, Mr. KINGSTON, Mr. KING of Iowa, Mr. SCHWEIKERT, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. JONES, Mr. BROOKS, Mr. HUELSKAMP, and Mr. HARPER):

H.R. 6000. A bill to require verification of the immigration status of recipients of Federal benefit programs, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BURGESS:

H.R. 6001. A bill to prohibit the Secretary of Homeland Security from granting a work authorization to an alien found to have been unlawfully present in the United States; to the Committee on the Judiciary.

By Mr. BURGESS:

H.R. 6002. A bill to amend the FAA Modernization and Reform Act of 2012 with respect to maintenance providers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. CLARKE of New York (for herself, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Ms. HAHN, Mr. RANGEL, and Mr. CLARKE of Michigan):

H.R. 6003. A bill to amend the Homeland Security Act of 2002 to prevent terrorism, including terrorism associated with home-grown violent extremism and domestic violent extremism, and for other purposes; to the Committee on Homeland Security.

By Mr. COHEN (for himself and Ms. WILSON of Florida):

H.R. 6004. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to give preference to local contractors, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COURTNEY:

H.R. 6005. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Mr. SCHIFF):

H.R. 6006. A bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV; to the Committee on Energy and Commerce.

By Mr. HALL (for himself, Mr. SESSIONS, and Mr. SAM JOHNSON of Texas):

H.R. 6007. A bill to exempt from the Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority; to the Committee on Natural Resources.

By Ms. HOCHUL:

H.R. 6008. A bill to amend title 38, United States Code, to ensure that a State participating in certain grant programs takes into consideration the training received by a veteran while on active duty when granting certain State certifications or licenses; to the Committee on Veterans' Affairs.

By Mr. LABRADOR (for himself, Mr. YOUNG of Alaska, and Mrs. MCMORRIS RODGERS):

H.R. 6009. A bill to establish a program that will generate dependable economic activity for counties and local governments containing National Forest System land through a management-focused approach, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 6010. A bill to amend the Internal Revenue Code of 1986 to increase the income limitations for the student loan interest deduction, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 6011. A bill to amend title XVIII of the Social Security Act to improve Medicare benefits for individuals with kidney disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. MCKEON, Mr. KEATING, Mr. JONES, Mr. BROOKS, Mr. CHAFFETZ, Mr. COFFMAN of Colorado, Ms. BONAMICI, Mr. LONG, Mr. HONDA, Mr. GALLEGLY, and Mr. HEINRICH):

H.R. 6012. A bill to authorize the Secretary of Homeland Security to provide to owners of certain intellectual property rights information on, and unredacted samples and images of, semiconductor chip products suspected of being imported in violation of the rights of the owner of a registered mark or the owner of a mask work; to the Committee on the Judiciary.

By Mr. MURPHY of Connecticut:

H.R. 6013. A bill to amend the Internal Revenue Code of 1986 to extend the time period for contributing military death gratuities to

Roth IRAs and Coverdell education savings accounts; to the Committee on Ways and Means.

By Mr. SCHIFF (for himself, Mr. TIPTON, Mr. REICHERT, Mr. LUJÁN, Mr. PEARCE, and Mr. HEINRICH):

H.R. 6014. A bill to authorize the Attorney General to award grants for States to implement minimum and enhanced DNA collection processes; to the Committee on the Judiciary.

By Ms. SCHWARTZ (for herself, Mr. CONNOLLY of Virginia, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. CRITZ, and Mr. HOLDEN):

H.R. 6015. A bill to amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY:

H.R. 6016. A bill to amend title 5, United States Code, to provide for administrative leave requirements with respect to Senior Executive Service employees, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. CHU (for herself, Mr. HONDA, Mr. FALEOMAVAEGA, Ms. LEE of California, Mr. CLARKE of Michigan, Mr. FILNER, Mr. SABLAN, Ms. HANABUSA, Mr. BECERRA, Ms. RICHARDSON, Mr. SCOTT of Virginia, Ms. MCCOLLUM, and Mr. CONYERS):

H. Res. 698. A resolution recognizing the significance of the 30th anniversary of Vincent Chin's death; to the Committee on the Judiciary.

By Mr. MCDERMOTT (for himself, Mr. LARSEN of Washington, Mrs. MCMORRIS RODGERS, Mr. DICKS, and Mr. SMITH of Washington):

H. Res. 699. A resolution congratulating the University of Washington Huskies Men's Crew Team on winning the 110th Intercollegiate Rowing Association Championships (IRAs); to the Committee on Education and the Workforce.

By Ms. SLAUGHTER:

H. Res. 700. A resolution recognizing the 40th anniversary of the enactment of Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in Federally funded education programs or activities; to the Committee on Education and the Workforce.

180.54 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 25: Mr. PEARCE.
- H.R. 139: Mr. JOHNSON of Illinois.
- H.R. 191: Mr. PRICE of North Carolina.
- H.R. 324: Mr. KING of New York.
- H.R. 371: Mr. GIBSON.
- H.R. 409: Mr. RUNYAN.
- H.R. 420: Mr. KIND.
- H.R. 451: Mr. MILLER of North Carolina.
- H.R. 458: Ms. CLARKE of New York and Mr. DOGGETT.
- H.R. 459: Mr. DENHAM, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. HANNA, Ms. ROSLEHTINEN, and Mr. HENSARLING.
- H.R. 687: Ms. BROWN of Florida, Mr. WILSON of South Carolina, Mr. AUSTRIA, and Ms. NORTON.
- H.R. 718: Mr. THOMPSON of California and Mr. AMODEI.
- H.R. 750: Mr. MICA.
- H.R. 860: Mr. CLAY and Mr. HALL.

H.R. 890: Mr. POSEY, Mr. BURTON of Indiana, and Mrs. ADAMS.
 H.R. 891: Mr. BISHOP of Georgia.
 H.R. 942: Mr. PAUL, Mr. WOMACK, and Ms. SCHWARTZ.
 H.R. 1050: Mr. GIBSON.
 H.R. 1111: Mr. SCHWEIKERT, Mr. BRADY of Texas, and Mr. PITTS.
 H.R. 1116: Mr. AL GREEN of Texas.
 H.R. 1182: Mr. MICA.
 H.R. 1259: Mr. BARTON of Texas.
 H.R. 1325: Mr. CARSON of Indiana.
 H.R. 1342: Mrs. CAPPS.
 H.R. 1370: Mr. FITZPATRICK, Mr. WOMACK, Mr. DENT, and Mr. LUCAS.
 H.R. 1416: Mr. GRAVES of Missouri.
 H.R. 1464: Ms. ROYBAL-ALLARD.
 H.R. 1475: Mr. KILDEE and Ms. RICHARDSON.
 H.R. 1489: Ms. EDWARDS.
 H.R. 1612: Mr. ROONEY.
 H.R. 1653: Mr. CRAWFORD.
 H.R. 1704: Mrs. DAVIS of California.
 H.R. 1755: Mr. AUSTIN SCOTT of Georgia.
 H.R. 1756: Mr. GIBSON.
 H.R. 1802: Mr. COFFMAN of Colorado, Mr. PETERS, and Mr. BARLETTA.
 H.R. 1860: Mr. ROKITA and Mr. BOSWELL.
 H.R. 1903: Mr. SABLAN and Ms. WILSON of Florida.
 H.R. 1956: Mr. POMPEO and Mr. DESJARLAIS.
 H.R. 2010: Mr. GIBSON.
 H.R. 2032: Mr. CONNOLLY of Virginia.
 H.R. 2040: Mr. WEST and Mr. WITTMAN.
 H.R. 2069: Mr. LOEBSACK.
 H.R. 2139: Mr. KILDEE, Mr. LARSEN of Washington, Mr. SCALISE, Mr. NEAL, Mr. SMITH of Texas, Mr. ROKITA, Ms. MOORE, and Mr. RUNYAN.
 H.R. 2140: Mr. BISHOP of Georgia.
 H.R. 2206: Mr. DESJARLAIS.
 H.R. 2236: Ms. HAHN.
 H.R. 2242: Mr. SMITH of Washington.
 H.R. 2325: Mr. SMITH of New Jersey.
 H.R. 2335: Mr. PAULSEN and Mr. HUNTER.
 H.R. 2479: Mr. HOLT.
 H.R. 2492: Mr. YODER and Mr. STIVERS.
 H.R. 2494: Mr. TURNER of New York.
 H.R. 2497: Mr. SULLIVAN.
 H.R. 2637: Ms. HIRONO.
 H.R. 2730: Mrs. MALONEY.
 H.R. 2741: Mr. LATHAM.
 H.R. 2746: Ms. WOOLSEY and Ms. PINGREE of Maine.
 H.R. 2794: Mr. TOWNS.
 H.R. 2969: Mr. GERLACH, Mr. WITTMAN, and Mr. HINCHEY.
 H.R. 2978: Mr. THORNBERRY.
 H.R. 2989: Mr. KING of New York.
 H.R. 3015: Mr. MURPHY of Connecticut, Mr. ISRAEL, and Mrs. DAVIS of California.
 H.R. 3040: Mr. LAMBORN.
 H.R. 3044: Mr. SHIMKUS.
 H.R. 3086: Mrs. CAPPS and Mr. CLYBURN.
 H.R. 3102: Ms. WASSERMAN SCHULTZ.
 H.R. 3179: Mr. DENT.
 H.R. 3187: Ms. TSONGAS, Mr. BERMAN, Mr. PASCRELL, Mr. RUNYAN, Mr. LEWIS of California, and Mr. HONDA.
 H.R. 3197: Mr. SMITH of Washington and Ms. HERRERA BEUTLER.
 H.R. 3269: Mr. DONNELLY of Indiana and Mr. ANDREWS.
 H.R. 3337: Ms. EDWARDS, Mr. KILDEE, Mr. SMITH of New Jersey, and Mr. WALDEN.
 H.R. 3423: Ms. EDWARDS.
 H.R. 3461: Mr. SHIMKUS and Mr. CLAY.
 H.R. 3496: Mr. MICHAUD.
 H.R. 3510: Ms. SLAUGHTER and Mr. CHANDLER.
 H.R. 3591: Mr. ANDREWS and Ms. HOCHUL.
 H.R. 3627: Mr. CUMMINGS and Mr. HALL.
 H.R. 3643: Mr. FLORES, Mr. DUNCAN of South Carolina, and Mr. QUAYLE.
 H.R. 3658: Mr. ROTHMAN of New Jersey, Mr. WAXMAN, Mr. LANCE, Mr. MANZULLO, Mr. SCHILLING, and Mr. HERGER.
 H.R. 3661: Mrs. MALONEY, Mr. AL GREEN of Texas, and Mr. HECK.
 H.R. 3679: Mr. RYAN of Ohio and Mr. REYES.

H.R. 3729: Mr. RANGEL.
 H.R. 3767: Ms. WASSERMAN SCHULTZ.
 H.R. 3798: Mr. STARK, Mr. LOBIONDO, Mr. MURPHY of Connecticut, Mr. HIMES, and Mr. HONDA.
 H.R. 3824: Mr. PERLMUTTER.
 H.R. 3826: Mr. AL GREEN of Texas.
 H.R. 3839: Mr. DAVID SCOTT of Georgia.
 H.R. 4070: Mr. HIMES and Ms. BALDWIN.
 H.R. 4085: Mr. MCGOVERN.
 H.R. 4104: Mr. MEEHAN, Mr. SARBANES, Ms. BASS of California, Mr. TOWNS, Mr. HOLDEN, and Mr. JACKSON of Illinois.
 H.R. 4115: Mr. GARAMENDI.
 H.R. 4156: Mr. WALDEN and Ms. ZOE LOFGREN of California.
 H.R. 4164: Mr. AMODEI.
 H.R. 4180: Mr. BONNER, Mr. SMITH of Texas, and Mr. LABRADOR.
 H.R. 4190: Mr. MORAN and Mr. RANGEL.
 H.R. 4215: Mr. BISHOP of Georgia, Mr. OWENS, and Mr. HASTINGS of Washington.
 H.R. 4235: Mr. NUGENT and Mr. WEBSTER.
 H.R. 4238: Mrs. NAPOLITANO and Mr. TONKO.
 H.R. 4259: Mr. WOMACK.
 H.R. 4269: Mr. HANNA.
 H.R. 4277: Mr. HINOJOSA.
 H.R. 4309: Mr. KING of New York.
 H.R. 4322: Mr. CANSECO.
 H.R. 4350: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. CONYERS.
 H.R. 4367: Mrs. HARTZLER, Mr. MILLER of North Carolina, Mr. SAM JOHNSON of Texas, and Mr. GRIJALVA.
 H.R. 4372: Mr. SCHOCK.
 H.R. 4385: Mr. MICA, Mr. ADERHOLT, Mr. BILBRAY, and Mr. STUTZMAN.
 H.R. 4402: Mr. HARRIS, Mr. MATHESON, and Mr. COFFMAN of Colorado.
 H.R. 5186: Mr. MICHAUD.
 H.R. 5284: Mr. TIBERI.
 H.R. 5542: Ms. BALDWIN.
 H.R. 5545: Mr. GEORGE MILLER of California.
 H.R. 5647: Mr. TONKO and Mr. DEUTCH.
 H.R. 5746: Mr. THOMPSON of California, Mr. BRADY of Texas, Mr. HERGER, and Mr. PASCRELL.
 H.R. 5749: Mr. GARAMENDI.
 H.R. 5781: Mr. RANGEL.
 H.R. 5796: Mr. KING of New York, Ms. LORRETTA SANCHEZ of California, and Mr. FORBES.
 H.R. 5822: Mr. FRANKS of Arizona.
 H.R. 5840: Mr. RIVERA, Mr. TONKO, Mr. LIPINSKI, Mr. HINCHEY, Ms. PINGREE of Maine, Mr. DINGELL, Mr. CLARKE of Michigan, Mr. NADLER, Ms. ROS-LEHTINEN, Mr. CARNAHAN, Mr. HASTINGS of Florida, Ms. BORDALLO, Mr. PAULSEN, Mr. OWENS, Mr. LEVIN, Ms. MCCOLLUM, and Mr. MCNERNEY.
 H.R. 5864: Mr. LEVIN.
 H.R. 5865: Mr. MICHAUD.
 H.R. 5871: Mr. RANGEL and Ms. WILSON of Florida.
 H.R. 5893: Mrs. ELLMERS, Ms. RICHARDSON, Mr. HOLT, Mr. TOWNS, and Mrs. BONO MACK.
 H.R. 5895: Mr. BUTTERFIELD, Ms. FUDGE, Mr. GUTIERREZ, Mr. STARK, Mr. BOSWELL, Mr. CLEAVER, and Mr. RICHMOND.
 H.R. 5905: Mr. GARAMENDI, Mr. KUCINICH, Mr. COURTNEY, Mr. FARR, Ms. CHU, Mr. BACA, and Mr. AL GREEN of Texas.
 H.R. 5910: Mr. LATOURETTE, Mr. ROSS of Arkansas, Mr. SHIMKUS, Mr. ROYCE, and Mr. AMODEI.
 H.R. 5912: Mr. WESTMORELAND.
 H.R. 5924: Ms. BUERKLE.
 H.R. 5925: Mr. JONES, Mr. GOHMERT, Mr. WESTMORELAND, Mr. BENISHEK, Mr. WILSON of South Carolina, Mr. DUNCAN of South Carolina, and Mr. ROKITA.
 H.R. 5943: Mr. MICHAUD.
 H.R. 5948: Mr. COHEN.
 H.R. 5953: Mr. NUGENT and Mr. CHAFFETZ.
 H.R. 5955: Ms. BALDWIN.
 H.R. 5976: Ms. CASTOR of Florida.
 H.R. 5983: Mr. CHABOT, Mrs. SCHMIDT, Mr. TURNER of Ohio, Mr. JORDAN, Mr. LATTA, Mr.

JOHNSON of Ohio, Mr. AUSTRIA, Ms. KAPTUR, Mr. KUCINICH, Ms. FUDGE, Mr. TIBERI, Ms. SUTTON, Mr. LATOURETTE, Mr. RENACCI, Mr. RYAN of Ohio, and Mr. GIBBS.
 H.R. 5984: Mr. CHABOT, Mrs. SCHMIDT, Mr. TURNER of Ohio, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. AUSTRIA, Ms. KAPTUR, Mr. KUCINICH, Ms. FUDGE, Mr. TIBERI, Ms. SUTTON, Mr. LATOURETTE, Mr. RENACCI, Mr. RYAN of Ohio, and Mr. GIBBS.
 H.R. 5985: Mr. CHABOT, Mrs. SCHMIDT, Mr. TURNER of Ohio, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. AUSTRIA, Ms. KAPTUR, Mr. KUCINICH, Ms. FUDGE, Mr. TIBERI, Ms. SUTTON, Mr. LATOURETTE, Mr. RENACCI, Mr. RYAN of Ohio, and Mr. GIBBS.
 H.J. Res. 86: Mr. LANGEVIN.
 H.J. Res. 111: Mr. MORAN and Ms. WILSON of Florida.
 H. Con. Res. 39: Mr. FORBES.
 H. Con. Res. 119: Mr. FILNER.
 H. Con. Res. 127: Mr. WESTMORELAND, Mr. SESSIONS, and Mr. MCNERNEY.
 H. Con. Res. 129: Mr. BURTON of Indiana, Mr. TURNER of New York, Mr. WESTMORELAND, Mr. COSTA, Mr. GRIFFIN of Arkansas, Mrs. NOEM, and Mr. MURPHY of Pennsylvania.
 H. Res. 134: Mr. PITTS.
 H. Res. 609: Mr. FRANKS of Arizona.
 H. Res. 618: Mr. MORAN, Mr. BACA, Mr. WALZ of Minnesota, and Mr. AUSTRIA.
 H. Res. 663: Mr. ROSKAM, Mr. MICA, and Mr. QUIGLEY.
 H. Res. 676: Mr. SARBANES.
 H. Res. 687: Mr. HOLDEN and Mr. TOWNS.
 H. Res. 689: Ms. HOCHUL, Mr. MORAN, Mr. NEAL, Mr. PASTOR of Arizona, Mr. LEVIN, Mr. DINGELL, Ms. HIRONO, Ms. HANABUSA, Mr. KUCINICH, Mr. COURTNEY, Ms. CASTOR of Florida, Mr. SCHIFF, Mr. COSTA, Mr. STARK, Mr. CARNAHAN, Ms. SPEIER, Ms. HAHN, Mr. BISHOP of New York, Mr. CLAY, Mr. SARBANES, Mr. CARSON of Indiana, Mr. BERMAN, Ms. MOORE, Mr. MCGOVERN, Mr. TONKO, Ms. SEWELL, Mr. POLIS, Mrs. MALONEY, Mr. HOLT, Mr. GUTIERREZ, Mr. ISRAEL, Mr. CAPUANO, Mr. BOSWELL, Mr. NADLER, Mr. HINCHEY, Mr. COSTELLO, Mr. CICILLINE, Mr. GEORGE MILLER of California, Mr. CLARKE of Michigan, Mrs. LOWEY, Mr. ROTHMAN of New Jersey, Mr. ANDREWS, Mr. DAVIS of Illinois, Mr. PASCRELL, Mr. FARR, Mr. CUELLAR, Ms. FUDGE, Mr. CLYBURN, Mr. PRICE of North Carolina, Mr. HINOJOSA, Ms. PINGREE of Maine, and Mr. HASTINGS of Florida.

MONDAY, JUNE 25, 2012 (81)

181.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 June 25, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
 Speaker.

181.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced he had examined and approved the Journal of the proceedings of Thursday, June 21, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

181.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6575. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Horse Protection Act; Requiring Horse Industry Organizations To Assess and Enforce Minimum Penalties for Violations [Docket No.: APHIS-2011-0030] (RIN: 0579-AD43) received June 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6576. A letter from the Acting Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Quarantined Areas in Massachusetts, Ohio, and New York [Docket No.: APHIS-2012-0003] received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6577. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenamidone; Pesticide Tolerance; Technical Amendment [EPA-HQ-OPP-2006-0848; FRL-9351-5] received June 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6578. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Title 41 Positive Law Codification-Further Implementation (DFARS Case 2012-D003) (RIN: 0750-AH55) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6579. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contractors Performing Private Security Functions (DFARS Case 2011-D023) (RIN: 0750-AH28) received July 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6580. A letter from the Director, Department of Defense, transmitting the Department's twenty-second annual report for the Pentagon Renovation and Construction Program Office (PENREN), pursuant to 10 U.S.C. 2674; to the Committee on Armed Services.

6581. A letter from the Under Secretary, Department of Defense, transmitting certification that the EP-3E Airborne Reconnaissance Integrated Electronic System and the Special Projects Aircraft platforms meet all current requirements; to the Committee on Armed Services.

6582. A letter from the Adjutant General, Veterans of Foreign Wars of the U.S., transmitting proceedings of the 112th National Convention of the Veterans of Foreign Wars of the United States, held in San Antonio, Texas, August 28 — September 1, 2011, pursuant to 36 U.S.C. 118 and 44 U.S.C. 1332; (H. Doc. No. 112—115); to the Committee on Veterans' Affairs and ordered to be printed.

6583. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Fremont County, Colorado et al.) [Docket ID: FEMA-2012-0003] received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6584. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Township of Anville, Lebanon County, Pennsylvania, et al.) [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-8231] received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6585. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Con-

sumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Portable Bed Rails: Final Rule [CPSC Docket No.: CPSC-2011-0019] received May 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6586. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Requirements for Consumer Registration of Durable Infant or Toddler Products received May 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6587. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Standard for All-Terrain Vehicles [CPSC Docket No.: CPSC-2011-0047] received May 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6588. A letter from the Secretaries, Department of Agriculture and Department of Health and Human Services, transmitting Report to Congress on Thefts, Losses, or Releases of Select Agents and Toxins For Calendar Year 2011; to the Committee on Energy and Commerce.

6589. A letter from the Secretary, Department of Energy, transmitting Management of Nuclear Construction Projects that Exceed \$1 Billion: Impact on Nuclear Safety Culture; to the Committee on Energy and Commerce.

6590. A letter from the Associate General Counsel for Legislation, and Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Residential Dishwashers [Docket Number: EERE-2011-BT-STD-0060] (RIN: 1940-AC64) received May 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6591. A letter from the Secretary, Department of Health and Human Services, transmitting the second progress report of the implementation of Section 3507 of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.

6592. A letter from the Secretary, Department of Health and Human Services, transmitting sixth quarterly report on Progress Toward Promulgating Final Regulations for the Menu and Vending Machine Labeling Provisions of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.

6593. A letter from the Secretary, Department of Health and Human Services, transmitting the annual financial report to Congress required by the Medical Device User Fee and Modernization Act of 2002 (MDUFMA), covering FY 2012; to the Committee on Energy and Commerce.

6594. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Amendments to Sterility Test Requirements for Biological Products; Correction [Docket No.: FDA-2011-N-0080] (RIN: 0910-AG16) received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6595. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Consumer Products and AIM Rules [EPA-R05-OAR-2010-0394; FRL-9663-1] received June 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6596. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Regional Haze: Revisions to Provisions Governing Alternatives to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals, and Federal Implementation Plans [EPA-HQ-OAR-2011-0729; FRL-9672-9] (RIN: 2060-AR05) received June 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6597. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2012-0236; FRL-9670-8] received June 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6598. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Monitoring the Effectiveness of Maintenance At Nuclear Power Plants Regulatory Guide 1.160 received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6599. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on November 9, 2011; to the Committee on Foreign Affairs.

6600. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2012 through March 31, 2012; to the Committee on Foreign Affairs.

6601. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to the Western Balkans is to continue in effect beyond June 26, 2012, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112—118); to the Committee on Foreign Affairs and ordered to be printed.

6602. A letter from the Administrator, Agency for International Development, transmitting the Agency's semiannual report from the office of the Inspector General for the period ending March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6603. A letter from the Presiding Governor, Broadcasting Board of Governors, transmitting the Board's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6604. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report on the activities of the Office of Inspector General for the period ending March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6605. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6606. A letter from the Chairman, Postal Service, transmitting the Semiannual Report of the Inspector General for the period of October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), sec-

tion 5(b); to the Committee on Oversight and Government Reform.

6607. A letter from the Sr. VP and Chief Financial Officer, Potomac Electric Power Company, transmitting the Balance Sheet of Potomac Electric Power Company as of December 31, 2011, pursuant to D.C. Code Ann. 34-1113 (2001); to the Committee on Oversight and Government Reform.

6608. A letter from the Deputy Assistant Secretary — Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Production Measurement Documents Incorporated by Reference; Correction [Docket ID: BSEE-2012-0003] (RIN: 1014-AA01) received May 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6609. A letter from the Clerk of the House of Representatives, transmitting annual compilation of financial disclosure statements of the members of the Office of Congressional Ethics, pursuant to Rule XXVI, clause 3, of the House Rules; (H. Doc. No. 112—116); to the Committee on Rules and ordered to be printed.

6610. A letter from the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives; (H. Doc. No. 112—117); to the Committee on Rules and ordered to be printed.

6611. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Servicemembers' Group Life Insurance Traumatic Injury Protection Program — Genitourinary Losses (RIN: 2900-AO20) received May 31, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6612. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restrictions Imposed on Archaeological and Ethnological Materials From Peru (RIN: 1515-AD89) received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6613. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning the extension of waiver authority for Turkmenistan, pursuant to Public Law 93-618, section 402(d)(1) and 409; to the Committee on Ways and Means.

6614. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Revenue Ruling: Discharge of Partnership Excess Nonrecourse Indebtedness (Rev. Rul. 2012-14) received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6615. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Extension of Interim Guidance on Modification of Section 833 Treatment of Certain Health Organizations [Notice 2012-37] received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6616. A letter from the Secretary, Department of Energy, transmitting Naval Petroleum Reserves Annual Report of Operations for Fiscal Year 2011; jointly to the Committees on Armed Services and Energy and Commerce.

¶81.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 21, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 21, 2012 at 5:46 p.m.:

That the Senate passed H.R. 33.
With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶81.5 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. HARRIS, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 22, 2012.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: I am writing to inform you that I am taking a leave of absence from the House Armed Services Committee, effective immediately.

Should you have any questions or concerns, please contact my Chief of Staff, Ms. Tara Oursler.

Sincerely,

C.A. DUTCH RUPPERSBERGER,
Member of Congress.

By unanimous consent, the resignation was accepted.

And then,

¶81.6 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. HARRIS, by unanimous consent, at 2 o'clock and 3 minutes p.m., declared the House adjourned.

¶81.7 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Following report was filed on June 22, 2012]

Mr. ISSA: Recommending that the House of Representatives find Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Government Reform (Rept. 112-546). Referred to the House Calendar.

[Submitted June 25, 2012]

Mr. MILLER of Florida: Committee on Veterans' Affairs. Third Quarter Report of the Activities of the Committee on Veterans' Affairs During the 112th Congress (Rept. 112-547). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4018. A bill to improve the Public Safety Officers' Benefits Program; with an amendment (Rept. 112-548). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4223. A bill to amend title 18, United States Code, to prohibit theft of medical products, and for other purposes; with an

amendment (Rept. 112-549). Referred to the Committee of the Whole House on the state of the Union.

¶81.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PEARCE (for himself, Mr. HEINRICH, and Mr. LUJÁN):

H.R. 6017. A bill to authorize the Administrator of the Federal Emergency Management Agency to waive the 30-day waiting period for flood insurance policies purchased for private properties affected by wildfire on Federal lands; to the Committee on Financial Services.

By Mr. CLEAVER (for himself, Mr. CLAY, Mr. CARNAHAN, Mrs. HARTZLER, and Mr. LUTKEMEYER):

H. Res. 701. A resolution recognizing the teams and players of the Negro Baseball Leagues for their achievements, dedication, sacrifices, and contributions to both baseball and the Nation; to the Committee on Natural Resources.

By Mr. CLEAVER (for himself, Mr. CLAY, Mr. CARNAHAN, Mrs. HARTZLER, and Mr. LUTKEMEYER):

H. Res. 702. A resolution recognizing Major League Baseball as an important part of the cultural history of American society, celebrating the 2012 Major League Baseball All-Star Game, and honoring Kansas City, Missouri, as the host city of the 83rd All-Star Game; to the Committee on Oversight and Government Reform.

¶81.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 178: Mr. GRIFFITH of Virginia, Mr. COOPER, and Mrs. BLACKBURN.

H.R. 181: Mr. ROONEY and Mr. TONKO.

H.R. 186: Mrs. EMERSON.

H.R. 1063: Mr. DENT and Mr. CROWLEY.

H.R. 1325: Mr. McDERMOTT.

H.R. 1332: Mrs. EMERSON.

H.R. 1489: Mr. FALEOMAVAEGA.

H.R. 2077: Mr. SENSENBRENNER and Mr. PETRI.

H.R. 2267: Mrs. McMORRIS RODGERS.

H.R. 2775: Mr. CLEAVER.

H.R. 2861: Ms. SCHAKOWSKY.

H.R. 2978: Mr. SCALISE.

H.R. 3352: Mr. LOEBSACK.

H.R. 3861: Mr. CAMP, Mr. CLARKE of Michigan, and Mr. HUIZENGA of Michigan.

H.R. 4018: Mr. HINCHEY.

H.R. 4066: Mr. WALDEN.

H.R. 4070: Mr. MICA.

H.R. 4124: Mr. HINCHEY.

H.R. 4367: Mr. McHENRY, Mr. SMITH of Nebraska, Mr. ROYCE, Mr. PETRI, Mr. SHIMKUS, Ms. CHU, and Mr. SENSENBRENNER.

H.R. 5707: Mr. BLUMENAUER.

H.R. 5738: Mr. KILDEE.

H.R. 5893: Mr. KING of New York.

H.R. 5942: Mrs. BLACKBURN.

H.R. 5953: Mr. GOSAR and Mr. ALEXANDER.

H. Res. 623: Mr. DOLD, Mr. SCOTT of South Carolina, and Mr. TIPTON.

H. Res. 693: Mr. KUCINICH and Ms. WASSERMAN SCHULTZ.

TUESDAY, JUNE 26, 2012 (82)

¶82.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Ms. FOXX, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
June 26, 2012.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

182.2 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Ms. FOXX, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 25, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 25, 2012 at 2:51 p.m.:

That the Senate passed S. 3240.
With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

182.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Ms. FOXX, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

182.4 RECESS—12:02 P.M.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 2 minutes p.m., until 2 p.m.

182.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, called the House to order.

182.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CULBERSON, announced he had examined and approved the Journal of the proceedings of Monday, June 25, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

182.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6617. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Duane D. Thiessen, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6618. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John M. Bird, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6619. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral James W. Houck, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6620. A letter from the Acting Under Secretary, Department of Defense, transmitting

a letter on the approved retirement of Lieutenant General Charles B. Green, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6621. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Gary L. North, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

6622. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Dennis J. Hejlik, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6623. A letter from the Acting Under Secretary, Department of Defense, transmitting a report on Special Compensation for Members for the Uniformed Services with Catastrophic Injuries or Illnesses Requiring Assistance in Everyday Living Fiscal Year 2012 Report to Congress; to the Committee on Armed Services.

6624. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-31, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6625. A letter from the Assistant Secretary, Department of Defense, transmitting a draft of proposed legislation; to the Committee on Foreign Affairs.

6626. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting determination related to Serbia under section 7072(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (Div. F, P.L. 112-74); to the Committee on Foreign Affairs.

6627. A letter from the Deputy Secretary, Department of Defense, transmitting the Department of Defense Inspector General Semi-annual Report, October 1, 2011 — March 31, 2012; to the Committee on Oversight and Government Reform.

6628. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6629. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2012 Annual Performance Plan, in accordance with the Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

6630. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting the 2011 management report and statements on system of internal controls of the Federal Home Loan Bank of Atlanta; to the Committee on Oversight and Government Reform.

6631. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting the 2011 management report and statements on system of internal controls of the Federal Home Loan Bank of Cincinnati, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

6632. A letter from the Acting Administrator, General Services Administration, transmitting the Administration's semi-annual report from the Office of the Inspector General during the 6-month period ending March 31, 2012, pursuant to 5 U.S.C. app.

(Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6633. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6634. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6635. A letter from the Staff Director, Sentencing Commission, transmitting the Commission's report entitled, "2011 Annual Report and Sourcebook of Federal Sentencing Statistics", pursuant to 28 U.S.C. 997; to the Committee on the Judiciary.

6636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1066; Directorate Identifier 2011-NM-050-AD; Amendment 39-16917; AD 2012-01-05] (RIN: 2120-AA64) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6637. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Airplanes [Docket No.: FAA-2012-0534; Directorate Identifier 2012-CE-015-AD; Amendment 39-17053; AD 2012-10-04] (RIN: 2120-AA64) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6638. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-0998; Directorate Identifier 2011-NM-046-AD; Amendment 39-17042; AD 2012-09-07] (RIN: 2120-AA64) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6639. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Model [Docket No.: FAA-2011-1169; Directorate Identifier 2010-NM-050-AD; Amendment 39-17040; AD 2012-09-05] (RIN: 2120-AA64) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6640. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0384; Directorate Identifier 2010-NM-058-AD; Amendment 39-17041; AD 2012-09-06] (RIN: 2120-AA64) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6641. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-0993; Directorate Identifier 2011-NM-018-AD; Amendment 39-17043; AD 2012-09-08] (RIN: 2120-AA64) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6642. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of VOR Federal Airways V-10, V-12, and V-508

in the Vicinity of Olathe, KS [Docket No.: FAA-2012-0055; Airspace Docket No. 11-ACE-12] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6643. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rock Springs, WY [Docket No.: FAA-2010-0131; Airspace Docket No. 12-ANM-2] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6644. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Freer, TX [Docket No.: FAA-2011-0904; Airspace Docket No. 11-ASW-12] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6645. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Red Cloud, NE [Docket No.: FAA-2011-0426; Airspace Docket No. 11-ACE-7] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6646. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Leesville, LA [Docket No.: FAA-2011-0608; Airspace Docket No. 11-ASW-6] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6647. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Houston, MO [Docket No.: FAA-2011-0903; Airspace Docket No. 11-ACE-20] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6648. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; New Philadelphia, OH [Docket No.: FAA-2011-0607; Airspace Docket No. 11-AGL-15] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6649. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Eldon, MO [Docket No.: FAA-2011-1104; Airspace Docket No. 11-ACE-21] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6650. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Branson West, MO [Docket No.: FAA-2011-0749; Airspace Docket No. 11-ACE-15] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6651. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Monahans, TX [Docket No.: FAA-2011-1400; Airspace Docket No. 11-ASW-15] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6652. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Pender, NE [Docket No.: FAA-2011-1103; Airspace Docket No. 11-ACE-14] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6653. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Maryville, MO [Docket No.:

FAA-2011-0434; Airspace Docket No. 11-ACE-9] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6654. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Baraboo, WI [Docket No.: FAA-2011-1403; Airspace Docket No. 11-AGL-29] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6655. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springhill, LA [Docket No.: FAA-2011-0847; Airspace Docket No. 11-ASW-11] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6656. A letter from the Secretary, Department of Energy, transmitting a report entitled, "Response to Findings and Recommendations of the Hydrogen and Fuel Cell Technical Advisory Committee (HTAC) during Fiscal Years 2010 and 2011"; jointly to the Committees on Energy and Commerce and Science, Space, and Technology.

6657. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104-45), a copy of Presidential Determination No. 2012-08 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from December 5, 2011 to the present, pursuant to Public Law 104-45, section 6 (109 Stat. 400); jointly to the Committees on Foreign Affairs and Appropriations.

§82.8 FINANCIAL SERVICES APPROPRIATIONS FY 2013

Mrs. EMERSON submitted a privileged report (Rept. No. 112-550) on the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

§82.9 RECESS—2:09 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 9 minutes p.m., until approximately 2:45 p.m.

§82.10 AFTER RECESS—2:48 P.M.

The SPEAKER pro tempore, Ms. FOXX, called the House to order.

§82.11 ENERGY EFFICIENCY GOALS

Mr. WHITFIELD moved to suspend the rules and pass the bill (H.R. 4850) to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. WHITFIELD and Ms. CASTOR of Florida, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of

the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§82.12 HYDROELECTRIC PROJECTS

Mr. WHITFIELD moved to suspend the rules and pass the bill (H.R. 5625) to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. WHITFIELD and Mr. MURPHY of Connecticut, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§82.13 MARITIME NAVIGATION AND NUCLEAR TERRORISM

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 5889) to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. JOHNSON of Georgia, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. JOHNSON of Georgia, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

§82.14 THEFT OF MEDICAL PRODUCTS

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 4223) to amend title 18, United States

Code, to prohibit theft of medical products, and for other purposes; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. JOHNSON of Georgia, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶82.15 PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 4018) to improve the Public Safety Officers' Benefits Program; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Mr. JOHNSON of Georgia, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. JOHNSON of Georgia, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.16 SERGEANT RICHARD FRANKLIN ABSHIRE POST OFFICE BUILDING

Mr. FARENTHOLD moved to suspend the rules and pass the bill (H.R. 3412) to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. FARENTHOLD and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CLAY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.17 SPC NICHOLAS SCOTT HARTGE POST OFFICE

Mr. FARENTHOLD moved to suspend the rules and pass the bill (H.R. 3501) to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. FARENTHOLD and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CLAY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.18 FIRST SERGEANT LANDRES CHEEKS POST OFFICE BUILDING

Mr. FARENTHOLD moved to suspend the rules and pass the bill (H.R. 3772) to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building".

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. FARENTHOLD and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CLAY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.19 REVEREND ABE BROWN POST OFFICE BUILDING

Mr. FARENTHOLD moved to suspend the rules and pass the bill (H.R. 3276) to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building".

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. FARENTHOLD and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CLAY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.20 AMENDMENT OF THE SENATE TO H.R. 2297

Mr. FARENTHOLD moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2297) to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes:

On page 5, after line 10, add the following:
SEC. 4. PROJECT FOR NAVIGATION, WASHINGTON CHANNEL, DISTRICT OF COLUMBIA.

(a) *IN GENERAL.*—The portion of the project for navigation of the Corps of Engineers at Potomac River, Washington Channel, District of Columbia, as authorized by the Act of August 30, 1935 (chapter 831; 49 Stat. 1028), and described in subsection (b), is deauthorized.

(b) *DESCRIPTION OF PROJECT.*—The deauthorized portion of the project for navigation is as follows: Beginning at Washington Harbor Channel Geometry Centerline of the 400-foot-wide main navigational ship channel, Centerline Station No. 103+73.12, coordinates North 441948.20, East 1303969.30, as stated and depicted on the Condition Survey Anacostia, Virginia, Washington and Magazine Bar Shoal Channels, Washington, D.C., Sheet 6 of 6, prepared by the United States Army Corps of Engineers, Baltimore district, July 2007; thence departing the aforementioned centerline traveling the following courses and distances: N. 40 degrees 10 minutes 45 seconds E., 200.00 feet to a point, on the outline of said 400-foot-wide channel thence binding on said outline the following 3 courses and distances: S. 49 degrees 49 minutes 15 seconds E., 1,507.86 feet to a point, thence; S. 29 degrees 44 minutes 42 seconds E., 2,083.17 feet to a point, thence; S. 11 degrees 27 minutes 04 seconds E., 363.00 feet to a point, thence; S. 78 degrees 32 minutes 56 seconds W., 200.00 feet to a point binding on the centerline of the 400-foot-wide main navigational channel at computed Centerline Station No. 65+54.31, coordinates North 438923.9874, East 1306159.9738, thence; continuing with the aforementioned centerline the following courses and distances: N. 11 degrees 27 minutes 04 seconds W., 330.80 feet to a point, Centerline Station No. 68+85.10, thence; N. 29 degrees 44 minutes 42 seconds W., 2,015.56 feet to a point, Centerline Station No. 89+00.67, thence; N. 49 degrees 49 minutes 15 seconds W., 1,472.26 feet to the point of beginning, the area in total containing a computed area of 777,284 square feet or 17.84399 acres of riparian water way.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. FARENTHOLD and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶82.21 PORT SECURITY

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 4251) to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMPSON of Mississippi, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.22 GAPS IN PORT SECURITY

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 4005) to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. FITZPATRICK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KING of New York, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 8 of rule XX, announced that further pro-

ceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.23 AVIATION SECURITY ADVISORY COMMITTEE

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 1447) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. FITZPATRICK, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. FITZPATRICK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KING of New York, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.24 NATIONAL LABORATORY OR RESEARCH FACILITY

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 5843) to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility.

The SPEAKER pro tempore, Mr. FITZPATRICK, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. FITZPATRICK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMPSON of Mississippi, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.25 TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL

Mr. Daniel E. LUNGREN of California, moved to suspend the rules and pass the bill (H.R. 3173) to direct the Secretary of Homeland Security to reform the process for the enrollment,

activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; as amended.

The SPEAKER pro tempore, Mr. FITZPATRICK, recognized Mr. Daniel E. LUNGREN of California, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. FITZPATRICK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. THOMPSON of Mississippi, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, June 27, 2012.

The point of no quorum was considered as withdrawn.

¶82.26 PROVIDING FOR CONSIDERATION OF H.R. 5973 AND H.R. 5972

Ms. FOXX, by direction of the Committee on Rules, called up the following resolution (H. Res. 697):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5973) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other pur-

poses. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for section 169C. The amendment specified in section 3 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for further amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill, as amended, back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. The amendment referred to in section 2 of this resolution is as follows: insert before section 418 the caption "Spending Reduction Account".

SEC. 4. It shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July.

When said resolution was considered. After debate,

Ms. FOXX moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

The SPEAKER pro tempore, Mr. FITZPATRICK, announced that the yeas had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 226 affirmative Nays 168

82.27 [Roll No. 412] YEAS—226

- Adams Broun (GA) DesJarlais
Aderholt Buchanan Dold
Alexander Bucshon Dreier
Amash Buerkle Duffy
Amodei Burgess Duncan (SC)
Austria Calvert Duncan (TN)
Bachmann Camp Ellmers
Bachus Canseco Emerson
Barietta Cantor Farenthold
Bartlett Capito Fincher
Barton (TX) Carter Fitzpatrick
Bass (NH) Cassidy Fleischmann
Benishek Chabot Fleming
Berg Chaffetz Flores
Biggart Coble Forbes
Bilbray Coffman (CO) Fortenberry
Bilirakis Cole Foxx
Bishop (UT) Conaway Franks (AZ)
Black Cravaack Frelinghuysen
Blackburn Crawford Gallegly
Bonner Crenshaw Gardner
Bono Mack Culberson Garrett
Boustany Davis (KY) Gerlach
Brady (TX) Denham Gibbs
Brooks Dent Gibson

- Gingrey (GA) Mack
Gohmert Manzullo
Goodlatte Marchant
Gosar Marino
Gowdy McCarthy (CA)
Granger McCaul
Graves (GA) McClintock
Graves (MO) McCotter
Griffin (AR) McHenry
Griffith (VA) McKeon
Grimm McKinley
Guinta McMorris
Guthrie Rodgers
Hall Meehan
Hanna Mica
Harper Miller (FL)
Harris Miller (MI)
Hartzler Miller, Gary
Hastings (WA) Mulvaney
Hayworth Murphy (PA)
Heck Myrick
Hensarling Neugebauer
Herger Noem
Herrera Beutler Nugent
Huelskamp Nunes
Hultgren Nunnelee
Hunter Olson
Hurt Palazzo
Issa Paul
Jenkins Paulsen
Johnson (OH) Pearce
Johnson, Sam Petri
Jones Pitts
Kelly Platts
King (IA) Poe (TX)
King (NY) Pompeo
Kingston Posey
Kinzinger (IL) Price (GA)
Kline Quayle
Labrador Reed
Lance Rehberg
Lankford Reichert
Latham Renacci
LaTourette Ribble
Latta Rigell
LoBiondo Rivera
Long Roby
Lucas Roe (TN)
Luetkemeyer Rogers (AL)
Lummis Rogers (KY)
Lungren, Daniel Rogers (MI)
E. Rohrabacher

NAYS—168

- Andrews DeLauro
Baca Deutch
Baldwin Dicks
Barber Dingell
Barrow Doggett
Bass (CA) Donnelly (IN)
Becerra Doyle
Berkley Edwards
Berman Ellison
Bishop (GA) Eshoo
Bishop (NY) Farr
Bonamici Fattah
Boren Filner
Boswell Frank (MA)
Brady (PA) Fudge
Braley (IA) Garamendi
Brown (FL) Gonzalez
Butterfield Green, Al
Capps Green, Gene
Capuano Grijalva
Cardoza Hahn
Carnahan Hanabusa
Carney Heinrich
Carson (IN) Higgins
Castor (FL) Himes
Chandler Hinchey
Chu Hinojosa
Cicilline Hirono
Clarke (MI) Hochul
Clay Holt
Clever Honda
Clyburn Hoyer
Cohen Israel
Connolly (VA) Jackson Lee
Conyers (TX)
Cooper Johnson (GA)
Costa Johnson, E. B.
Costello Kaptur
Courtney Keating
Critz Kildee
Cuellar Kind
Cummings Kissell
Davis (CA) Kucinich
Davis (IL) Langevin
DeFazio Larsen (WA)
DeGette Larson (CT)

- Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

- Sewell
Sherman
Sanchez, Loretta
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney

NOT VOTING—38

- Ackerman
Akin
Altmire
Blumenauer
Burton (IN)
Campbell
Clarke (NY)
Crowley
Diaz-Balart
Engel
Flake
Gutierrez
Hastings (FL)
Holden
Huizenga (MI)
Jackson (IL)
Johnson (IL)
Jordan
Lamborn
Landry
Lewis (CA)
Lewis (GA)
Loifgren, Zoe
Meeeks
Neal
Pence
Rangel
Sanchez, Linda
T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velazquez
Wasserman
Schultz
Wilson (FL)
Woolsey
Young (FL)

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FITZPATRICK, announced that the yeas had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 229 affirmative Nays 166

82.28 [Roll No. 413] AYES—229

- Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barietta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Dold
Herrera Beutler
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley

McMorris Rodgers Meehan Mica Miller (FL) Miller (MI) Miller, Gary Mulvaney Murphy (PA) Myrick Neugebauer Noem Nugent Nunes Nunnelee Olson Palazzo Paul Paulsen Pearce Petri Pitts Platts Poe (TX) Pompeo Posey Price (GA) Quayle Reed Rehberg Reichert

NOES—166

Andrews Baca Baldwin Barber Barrow Bass (CA) Becerra Berkley Berman Bishop (GA) Bishop (NY) Bonamici Boren Boswell Brady (PA) Braley (IA) Brown (FL) Butterfield Capps Capuano Cardoza Carnahan Carney Carson (IN) Castor (FL) Chu Cicilline Clarke (MI) Clay Cleaver Clyburn Cohen Connolly (VA) Conyers Cooper Costa Costello Courtney Critz Cuellar Cummings Davis (CA) Davis (IL) DeFazio DeGette DeLauro Deutch Dicks Dingell Doggett Doyle Edwards Ellison Eshoo Farr Fattah

NOT VOTING—37

Ackerman Akin Altmire Blumenauer Burton (IN) Campbell Clarke (NY) Crowley Diaz-Balart

Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (FL) Royce Runyan Ryan (WI) Scalise Schilling Schmidt Schock Schweikert Scott (SC) Scott, Austin Sensenbrenner Sessions Shimkus Shuler Shuster Simpson

Filner Frank (MA) Fudge Garamendi Gonzalez Green, Al Green, Gene Grijalva Hahn Hanabusa Hastings (FL) Heinrich Higgins Himes Hinchey Hinojosa Hirono Hochul Holt Johnson (GA) Johnson, E. B. Kaptur Keating Kildee Kind Kissell Kucinich Langevin Larsen (WA) Larson (CT) Lee (CA) Levin Lipinski Loeb sack Lowey Lujan Lynch Maloney Markey Matsui McCarthy (NY) McCollum McDermott McGovern McIntyre McNerney Michael Miller (NC) Miller, George Moore Moran

Engel Flake Gutierrez Herger Holden Huizenga (MI) Jackson (IL) Johnson (IL) Jordan

Smith (NE) Smith (NJ) Smith (TX) Southerland Stearns Stutzman Terry Thompson (PA) Thornberry Tiberi Tipton Turner (OH) Upton Walberg Walden Walsh (IL) Webster West Westmoreland Whitfield Wilson (SC) Wittman Wolf Womack Woodall Yoder Young (AK) Young (FL) Young (IN)

82.29 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the motion, by Mr. HOYER, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put, Will the House agree to said motion? The vote was taken by electronic device.

It was decided in the negative Yeas 172 Nays 225 Answered present 1

82.30 [Roll No. 414] YEAS—172

Altmire Andrews Baca Baldwin Barber Barrow Bass (CA) Bass (NH) Becerra Berkley Berman Biggert Bishop (GA) Bishop (NY) Bonamici Boren Boswell Brady (PA) Braley (IA) Brown (FL) Butterfield Capps Capuano Cardoza Carnahan Carney Castor (FL) Chandler Chu Cicilline Clarke (MI) Clay Cleaver Clyburn Cohen Connolly (VA) Conyers Cooper Costa Costello Courtney Critz Cuellar Cummings Davis (CA) Davis (IL) DeGette DeLauro Deutch Dicks Dingell Doggett Doyle Edwards Ellison Eshoo Farr Fattah

Sánchez, Linda T. Stivers Sullivan Towns Tsongas Turner (NY) Velázquez Wasserman Schultz Wilson (FL) Woolsey Sewell Sherman Shuler Sires Slaughter Smith (WA) Speier Stark Sutton Thompson (CA) Thompson (MS) Tierney Tonko Van Hollen

NAYS—225

Adams Aderholt Alexander Amash Amodei Austria Bachmann Bachus Barletta Bartlett Barton (TX) Benishek Berg Bilbray Bilirakis Bishop (UT) Black Blackburn Bonner Bono Mack Boustany Brady (TX) Brooks Broun (GA) Buchanan Bucshon Buerkle Burgess Calvert Camp Canseco Cantor Capito Carson (IN) Carter Cassidy Chabot Chaffetz Coble Coffman (CO) Cole Conaway Cravaack Crawford Crenshaw Culberson Davis (KY) Denham Dent DesJarlais Mack Donnelly (IN) Dreier Duffy Duncan (SC) Duncan (TN) Ellmers Emerson Farenthold Fincher Fitzpatrick Fleischmann Fleming Flores Forbes Fortenberry Fox Franks (AZ) Frelinghuysen Gallegly Gardner Goodlatte Gosar Gowdy Granger Graves (GA) Graves (MO) Griffin (AR) Griffith (VA) Grimm Guinta Guthrie Hall Hanna Harper Harris Hartzer Hastings (WA) Hayworth Heck Hensarling Herger Herrera Beutler Huelskamp Huizenga (MI) Hultgren Hunter Hurt Issa Jenkins Johnson (OH) Johnson, Sam Kelly King (IA) King (NY) Kingston Kinzinger (IL) Kline Labrador Lance Lankford Latham LaTourette Latta LoBiondo Long Lucas Luetkemeyer Lummis Lungren, Daniel E. Mack Manzullo Marchant Marino McCarthy (CA) McCaul McClintock McCotter McHenry McKeon McKinley McMorris Rodgers Meehan Mica Miller (FL) Miller (MI) Miller, Gary Mulvaney Murphay Myrick Neugebauer Noem Nugent Nunes Nunnelee Olson Palazzo Paul Paulsen Pearce Pence Petri Pitts Platts Poe (TX) Pompeo Posey Price (GA) Quayle Reed Rehberg Reichert

ANSWERED "PRESENT"—1

DeFazio

NOT VOTING—34

Ackerman Akin Altmire Blumenauer Burton (IN) Campbell Clarke (NY) Crowley Diaz-Balart Engel Flake Ackerman Akin Blumenauer Burton (IN) Campbell Clarke (NY) Crowley Diaz-Balart Engel Flake

Tsongas Wasserman Woolsey
Turner (NY) Schultz
Velázquez Wilson (FL)

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

82.31 MOTION TO INSTRUCT CONFEREES TO H.R. 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on the motion, by Mrs. BLACK, to instruct the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 201
affirmative } Nays 194

82.32 [Roll No. 415] YEAS—201

Adams	Fincher	Latta
Aderholt	Fleischmann	LoBiondo
Amash	Fleming	Long
Amodei	Flores	Lucas
Austria	Forbes	Luetkemeyer
Bachmann	Fortenberry	Lummis
Barletta	Fox	Lungren, Daniel
Bartlett	Franks (AZ)	E.
Barton (TX)	Frelinghuysen	Mack
Bass (NH)	Gallely	Manzullo
Benishek	Gardner	Marchant
Berg	Garrett	Marino
Biggart	Gibbs	McCarthy (CA)
Bilbray	Gingrey (GA)	McCaul
Bishop (UT)	Gohmert	McClintock
Black	Goodlatte	McCotter
Blackburn	Gosar	McHenry
Bonner	Gowdy	McKeon
Bono Mack	Granger	McKinley
Boustany	Graves (GA)	McMorris
Brady (TX)	Graves (MO)	Rodgers
Brooks	Griffin (AR)	Mica
Broun (GA)	Griffith (VA)	Miller (FL)
Buchanan	Grimm	Miller (MI)
Bucshon	Guinta	Miller, Gary
Buerkle	Guthrie	Mulvaney
Calvert	Hall	Murphy (PA)
Canseco	Harris	Myrick
Cantor	Hartzler	Neugebauer
Capito	Hastings (WA)	Nugent
Carter	Hayworth	Nunes
Cassidy	Heck	Nunnelee
Chabot	Hensarling	Olson
Chaffetz	Herger	Palazzo
Coble	Herrera Beutler	Paul
Coffman (CO)	Huelskamp	Paulsen
Cole	Huizenga (MI)	Pearce
Conaway	Hunter	Pence
Cravaack	Hurt	Petri
Crawford	Issa	Poe (TX)
Crenshaw	Jenkins	Pompeo
Culberson	Johnson (OH)	Posey
Davis (KY)	Johnson, Sam	Price (GA)
Denham	Kelly	Quayle
DesJarlais	King (IA)	Reed
Dreier	Kingston	Rehberg
Duffy	Kline	Reichert
Duncan (SC)	Labrador	Renacci
Ellmers	Lance	Ribble
Emerson	Lankford	Rigell
Farenthold	Latham	Rivera

Roby	Scott (SC)
Roe (TN)	Scott, Austin
Rogers (AL)	Sensenbrenner
Rogers (KY)	Sessions
Rogers (MI)	Shimkus
Rohrabacher	Shuster
Rokita	Simpson
Rooney	Smith (NE)
Ros-Lehtinen	Smith (TX)
Roskam	Southerland
Ross (FL)	Stearns
Royce	Stutzman
Ryan (WI)	Terry
Scalise	Thompson (PA)
Schilling	Thornberry
Schmidt	Tiberi
Schweikert	Tipton

Turner (OH)	Upton
Walberg	Walden
Walsh (IL)	Walsh (IL)
Webster	Webster
Westmoreland	Whitfield
Wilson (SC)	Wilson (SC)
Wittman	Wittman
Womack	Womack
Woodall	Woodall
Yoder	Yoder
Young (AK)	Young (AK)
Young (FL)	Young (FL)
Young (IN)	Young (IN)

NAYS—194

Altmire	Filner
Andrews	Fitzpatrick
Baca	Fudge
Baldwin	Garamendi
Barber	Gerlach
Barrow	Napolitano
Bass (CA)	Gibson
Becerra	Gonzalez
Berkley	Green, Al
Berman	Green, Gene
Bilirakis	Grijalva
Bishop (GA)	Hahn
Bishop (NY)	Hanabusa
Bonamici	Hanna
Boren	Harper
Boswell	Hastings (FL)
Brady (PA)	Heinrich
Bralley (IA)	Higgins
Brown (FL)	Himes
Burgess	Hinche
Butterfield	Hinojosa
Camp	Hirono
Capps	Hochul
Capuano	Holt
Cardoza	Honda
Carmahan	Hoyer
Carney	Hultgren
Carson (IN)	Israel
Castor (FL)	Jackson Lee
Chandler	(TX)
Chu	Johnson (GA)
Cicilline	Johnson, E. B.
Clarke (MI)	Jones
Clay	Kaptur
Cleaver	Keating
Clyburn	Kildee
Cohen	Kind
Connolly (VA)	King (NY)
Conyers	Kinzinger (IL)
Cooper	Kissell
Costa	Kucinich
Costello	Langevin
Courtney	Larsen (WA)
Critz	Larson (CT)
Cuellar	LaTourette
Cummings	Lee (CA)
Davis (CA)	Levin
Davis (IL)	Lipinski
DeFazio	Loeb
DeGette	Loeb
DeLauro	Lujan
Dent	Lynch
Deutch	Maloney
Dicks	Markey
Dingell	Matheson
Doggett	Matsui
Dold	McCarthy (NY)
Donnelly (IN)	McCollum
Doyle	McDermott
Duncan (TN)	McGovern
Edwards	McIntyre
Ellison	McNerney
Eshoo	Meehan
Farr	Michaud
Fattah	Miller (NC)
	Miller, George

Moore	Moran
Murphy (CT)	Murphy (CT)
Nadler	Nadler
Gerlach	Napolitano
Noem	Noem
Olver	Olver
Owens	Owens
Pallone	Pallone
Pascarella	Pascarella
Pastor (AZ)	Pastor (AZ)
Pelosi	Pelosi
Perlmutter	Perlmutter
Peters	Peters
Peterson	Peterson
Pingree (ME)	Pingree (ME)
Pitts	Pitts
Platts	Platts
Polis	Polis
Price (NC)	Price (NC)
Quigley	Quigley
Rahall	Rahall
Reyes	Reyes
Richardson	Richardson
Richmond	Richmond
Ross (AR)	Ross (AR)
Rothman (NJ)	Rothman (NJ)
Runyan	Runyan
Ruppersberger	Ruppersberger
Rush	Rush
Ryan (OH)	Ryan (OH)
Sanchez, Loretta	Sanchez, Loretta
Sarbanes	Sarbanes
Schakowsky	Schakowsky
Schiff	Schiff
Schock	Schock
Schrader	Schrader
Schwartz	Schwartz
Scott (VA)	Scott (VA)
Scott, David	Scott, David
Serrano	Serrano
Sewell	Sewell
Sherman	Sherman
Shuler	Shuler
Sires	Sires
Slaughter	Slaughter
Smith (NJ)	Smith (NJ)
Smith (WA)	Smith (WA)
Speier	Speier
Stark	Stark
Sutton	Sutton
Thompson (CA)	Thompson (CA)
Thompson (MS)	Thompson (MS)
Tierney	Tierney
Tonko	Tonko
Van Hollen	Van Hollen
Visclosky	Visclosky
Walz (MN)	Walz (MN)
Walters	Walters
Watt	Watt
Waxman	Waxman
Welch	Welch
West	West
Wolf	Wolf
Yarmuth	Yarmuth

NOT VOTING—37

Ackerman	Gutierrez
Akin	Holden
Alexander	Jackson (IL)
Bachus	Johnson (IL)
Blumenauer	Jordan
Burton (IN)	Lamborn
Campbell	Landry
Clarke (NY)	Lewis (CA)
Crowley	Lewis (GA)
Diaz-Balart	Lofgren, Zoe
Engel	Meeks
Flake	Neal
Frank (MA)	Rangel

Roybal-Allard	Roybal-Allard
Sánchez, Linda	Sánchez, Linda
T.	T.
Stivers	Stivers
Sullivan	Sullivan
Towns	Towns
Tsongas	Tsongas
Turner (NY)	Turner (NY)
Velázquez	Velázquez
Wasserman	Wasserman
Schultz	Schultz
Wilson (FL)	Wilson (FL)
Woolsey	Woolsey

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

82.33 COMMITTEE ELECTION—MINORITY

Mr. LARSON of Connecticut, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 707):

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. Barber.

(2) COMMITTEE ON HOMELAND SECURITY.—Mr. Barber.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

82.34 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Ms. HAHN, pursuant to clause 7(c)(1) of rule XXII, announced her intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to agree to the freight policy provisions in Sec. 1115, Sec. 33002, Sec. 33003, and Sec. 33005 of the amendment of the Senate.

82.35 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 4348

Mr. CRITZ, pursuant to clause 7(c)(1) of rule XXII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to resolve all issues and file a conference report not later than June 28, 2012.

82.36 TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. FITZPATRICK, pursuant to House Resolution 697 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development,

and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

The SPEAKER pro tempore, Mr. FITZPATRICK, by unanimous consent, designated Mr. HASTINGS of Washington, as Chairman of the Committee of the Whole; and after some time spent therein,

82.37 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CONNOLLY of Virginia:

Page 4, line 6, after the first dollar amount, insert "(reduced by \$5,000,000)".

Page 35, line 7, after the dollar amount, insert "(increased by \$5,000,000)".

It was decided in the Yeas 175 negative Nays 222

82.38 [Roll No. 416]

AYES—175

- Altmire, Andrews, Baca, Baldwin, Barber, Barrow, Bass (CA), Becerra, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Boswell, Butterfield, Brown (FL), Clyburn, Cohen, Connolly (VA), Cooper, Costa, Costello, Courtney, Cuellar, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Dent, Deutch, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Duncan (TN), Edwards, Ellison, Eshoo, Farr, Fattah, Filner, Fitzpatrick, Frank (MA), Fudge, Garamendi, Gerlach, Gibson, Gonzalez, Green, Al, Green, Gene, Grijalva, Hahn, Hanabusa, Hastings (FL), Heinrich, Herrera Beutler, Higgins, Himes, Hinchey, Hinojosa, Hirono, Hochul, Holt, Honda, Hoyer, Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clay, Cleaver, Clyburn, Cohen, Connolly (VA), Cooper, Costa, Costello, Courtney, Cuellar, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Dent, Deutch, Dicks, Dingell, Doggett, Dold, Donnelly (IN), Doyle, Duncan (TN), Edwards, Ellison, Eshoo, Farr, Fattah, Moran, Murphy (CT), Nadler, Napolitano, Neal, Olver, Owens, Pallone, Pascarell, Pastor (AZ), Perlmutter, Peters, Pingree (ME), Platts, Price (NC), Quigley, Rahall, Reyes, Richardson, Richmond, Ross (AR), Rothman (NJ), Roybal-Allard, Ruyyan, Ruppenger, Rush, Ryan (OH), Sanchez, Loretta, Sarbanes, Schakowsky, Schiff, Schwartz, Scott (VA), Scott, David, Serrano, Sewell, Sherman, Shuler, Sires, Slaughter, Smith (WA), Speier, Stark, Sutton, Thompson (CA), Thompson (MS), Tierney, Tonko, Van Hollen, Visclosky, Walz (MN), Waters, Watt, Waxman, Welch, Wilson (FL), Yarmuth

NOES—222

- Adams, Aderholt, Alexander, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bishop (UT), Black, Blackburn, Bonner, Bono Mack

- Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crenshaw, Critz, Culberson, Davis (KY), Denham, DesJarlais, Diaz-Balart, Dreier, Duffy, Duncan (SC), Ellmers, Emerson, Farenthold, Fincher, Flake, Fleischmann, Fleming, Forbes, Fortenberry, Fox, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gibbs, Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffin (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Hayworth, Heck, Hensarling, Herger, Huelskamp, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (OH), Johnson, Sam, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kline, Labrador, Lance, Landry, Lankford, Latham, LaTourette, Latta, LoBiondo, Long, Lucas, Luetkemeyer, Lummis, Lungren, Daniel, E, Mack, Manullo, Marchant, Marino, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Palazzo, Paul, Paulsen, Pearce, Pence, Petri

NOT VOTING—35

- Ackerman, Johnson (IL), Lamborn, Lewis (CA), Lewis (GA), Lofgren, Zoe, Markey, McCarthy (NY), Meeks, Myrick, Pelosi, Peterson, Rangel, Sanchez, Linda T, Stivers, Sullivan, Towns, Tsongas, Turner (NY), Velazquez, Wasserman, Schultz, Woolsey, Young (AK)

So the amendment was not agreed to.

82.39 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MCCLINTOCK:

Page 6, line 23, after the dollar amount, insert "(reduced to \$0)".

Page 150, line 9, after the dollar amount, insert "(increased by \$114,000,000)".

It was decided in the Yeas 164 negative Nays 238

82.40 [Roll No. 417]

AYES—164

- Adams, Amash, Austria, Bachmann, Bachus, Barber, Barrow, Barton (TX), Biggert, Bilbray, Bilirakis, Bishop (UT), Black, Blackburn, Boustany, Brady (TX), Roskam, Broun (GA), Buchanan, Bucshon, Buerkle, Burton (IN), Camp, Campbell, Canseco, Cantor, Jordan, Kingzinger (IL), Kline, Labrador, Chaffetz, Coble, Coffman (CO), Conaway, Connolly (VA), Culberson, Davis (KY), Denham, DesJarlais, Kingzinger (IL), Kline, Labrador, Schmitt, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stutzman, Terry, Thompson (PA), Duncan (SC), Duncan (TN), Fincher, Flake, Fleischmann, Fleming, Flores, Forbes, Fox, Frank (MA), Franks (AZ), Frelinghuysen, Gardner, Garrett, Gerlach, Gingrey (GA), Gohmert, Goodlatte, Gowdy, Graves (GA), Green, Gene, Griffith (VA), Grimm, Guinta, Hanna, Harris, Hastings (WA), Hensarling, Herger, Himes, Huizenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson, Sam, Jones, Jordan, Kingston, Kinzinger (IL), Kline, Labrador, Schmitt, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Smith (NJ), Smith (TX), Southerland, Stearns, Stutzman, Terry, Thornberry, Tiberi, Turner (OH), Upton, Walberg, Walden, Walsh (IL), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Woodall, Yoder, Young (IN)

NOES—238

- Aderholt, Alexander, Amodei, Andrews, Baca, Baldwin, Barletta, Bartlett, Bass (CA), Bass (NH), Cole, Benishek, Berg, Berkley, Berman, Bishop (GA), Bishop (NY), Blumenauer, Bonamici, Bonner, Bono Mack, Boren, Boswell, Brady (PA), Braley (IA), Brooks, Brown (FL), Butterfield, Calvert, Capito, Capps, Capuano, Cardoza, Carnahan, Carney, Carson (IN), Carter, Castor (FL), Chandler, Chu, Cicilline, Clarke (MI), Clay, Cleaver, Clyburn, Cohen, Cole, Conyers, Cooper, Costa, Costello, Courtney, Cravaack, Crawford, Crenshaw, Critz, Cuellar, Davis (CA), Davis (IL), DeFazio, DeGette, DeLauro, Deutch, Diaz-Balart, Dicks, Dingell, Donnelly (IN), Doyle, Duffy, Edwards, Ellison, Ellmers, Emerson, Eshoo, Farenthold, Farr, Fattah, Filner, Fitzpatrick, Fortenberry, Fudge, Gallegly, Garamendi, Gibbs, Gibson, Gonzalez, Gosar, Granger, Graves (MO), Green, Al, Griffin (AR), Grijalva, Guthrie, Hahn, Hall, Hanabusa, Harper, Hartzler, Hastings (FL), Hayworth, Heck, Heinrich, Herrera Beutler, Higgins, Hinchey, Hinojosa, Hirono

Hochul
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson Lee
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
Loeb sack
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lynch
Maloney
Marino
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKeon

NOT VOTING—30

Ackerman
Akin
Burgess
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sanchez, Linda
T.

So the amendment was not agreed to.

82.41 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GARRETT:

Page 50, line 18, after the dollar amount, insert "(reduced to \$0)".

Page 150, line 9, after the dollar amount, insert "(increased by \$150,000,000)".

It was decided in the Yeas 160
negative Nays 243

82.42 [Roll No. 418]
AYES—160

Adams
Alexander
Amash
Bachmann
Barletta
Barrow
Barton (TX)
Benishak
Biggett
Billbray
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Cansco
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Costa
Cravaack
Denham
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Foxy
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Guinta
Guthrie
Hall
Harris
Hartzler
Hensarling

Herger
Huelskamp
Huidzenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
Latta
LoBiondo
Long
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McIntyre
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Renacci
Ribble
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Shuler
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Tiberi
Upton
Walberg
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—243

Aderholt
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costello
Culler
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Ellmers
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Reichert
Reyes
Richardson
Richmond
Rigell
Rivera
Robby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Tonko
Van Hollen
Visclosky
Walz (MN)
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Womack
Yarmuth
Young (FL)

Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Turner (OH)
Van Hollen
Visclosky
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Young (FL)

NOT VOTING—29

Ackerman
Akin
Clarke (NY)
Crowley
Cummings
Engel
Gutierrez
Holden
Jackson (IL)
Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Markey
Meeks
Myrick
Peterson
Rangel
Sanchez, Linda
T.
Stivers
Sullivan
Towns
Tsongas
Turner (NY)
Velazquez
Wasserman
Schultz
Woolsey
Young (AK)

So the amendment was not agreed to.

82.43 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. CAPPs:

Page 71, line 19, after the dollar amount, insert "(reduced by \$10,000,000)".

Page 72, line 3, after the dollar amount, insert "(reduced by \$2,000,000)".

Page 72, line 8, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 72, line 20, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 102, line 2, after the first dollar amount, insert "(increased by \$10,000,000)".

It was decided in the Yeas 184
negative Nays 218

82.44 [Roll No. 419]
AYES—184

Andrews
Baca
Bachmann
Baldwin
Barber
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Biggett
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cravaack
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Costello
Courtney
Critz
Cuellar
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loeb sack
Lowey
Lujan
Lynch
Maloney
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, Gary
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Richardson
Richmond
Rigell
Rivera
Robby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Costa

Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rooney
Ross (AR)
Rothman (NJ)

Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter

Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Turner (OH)
Van Hollen
Visclosky
Walz (MN)
Walters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Johnson (IL)
Lamborn
Lewis (CA)
Lewis (GA)
Loftgren, Zoe
Markey
Meeks
Myrick

Peterson
Rangel
Sánchez, Linda
Stearns
Stivers
Sullivan
Towns

Tsongas
Turner (NY)
Velázquez
Wasserman
Schultz
Woolsey
Young (AK)

Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Petri
Pitts

Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

So the amendment was not agreed to.

82.45 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GOSAR:

Page 71, line 19, after the dollar amount, insert "(reduced by \$24,437,268)".

Page 71, line 20, after the dollar amount, insert "(reduced by \$168,491)".

Page 71, line 21, after the dollar amount, insert "(reduced by \$56,887)".

Page 71, line 23, after the dollar amount, insert "(reduced by \$80,708)".

Page 71, line 25, after the dollar amount, insert "(reduced by \$33,255)".

Page 72, line 2, after the dollar amount, insert "(reduced by \$2,246,566)".

Page 72, line 3, after the dollar amount, insert "(reduced by \$4,485,961)".

Page 72, line 5, after the dollar amount, insert "(reduced by \$113,208)".

Page 72, line 7, after the dollar amount, insert "(reduced by \$165,189)".

Page 72, line 8, after the dollar amount, insert "(reduced by \$11,676,226)".

Page 72, line 10, after the dollar amount, insert "(reduced by \$2,240,575)".

Page 72, line 11, after the dollar amount, insert "(reduced by \$781,277)".

Page 72, line 13, after the dollar amount, insert "(reduced by \$147,501)".

Page 72, line 15, after the dollar amount, insert "(reduced by \$66,227)".

Page 72, line 17, after the dollar amount, insert "(reduced by \$111,321)".

Page 72, line 18, after the dollar amount, insert "(reduced by \$230,378)".

Page 72, line 20, after the dollar amount, insert "(reduced by \$1,833,498)".

Page 150, line 9, after the dollar amount, insert "(increased by \$24,437,268)".

It was decided in the { Yeas 179
negative } Nays 224

NOES—218

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Kingston
Capito
Kinzinger (IL)
Carter
Kline
Cassidy
Labrador
Lance
Schmidt
Landry
Lankford
Latham
LaTourette
Latta
Crenshaw
Culberson
Davis (KY)
Lucas
Luetkemeyer
Lummis
Diaz-Balart
Dold
E.
Dreier
Mack
Duffy
Manzullo
Marchant
Duncan (SC)
Duncan (TN)
Ellmers
McCarthy (CA)
Emerson
Farenthold
McClintock
Fincher
Flake
Fleischmann
Fleming
McKeon
McKinley
Flores
McMorris
Rodgers
Forbes
Fortenberry
Meehan
Foxy
Mica
Franks (AZ)
Miller (FL)
Miller (MI)
Frelinghuysen
Gallegly
Miller, Gary
Gardner
Mulvaney
Garrett
Wolf
Gibbs
Murphy (PA)
Neugebauer
Gingrey (GA)
Noem
Gohmert
Nugent
Goodlatte
Nunes

Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Hastings (WA)
Hayworth
Rehberg
Reichert
Renacci
Ribble
Herrera Beutler
Huelskamp
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Nunnelee
Olson
Palazzo
Paul
Paulsen
Price (GA)
Quayle
Rehberg
Reichert
Renacci
Ribble
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—30

Ackerman
Akin
Clarke (NY)

Crowley
Cummings
Engel

Gutierrez
Holden
Jackson (IL)

82.46 [Roll No. 420]

AYES—179

Adams
Alexander
Amash
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Benishek
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Fortenberry
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Cardoza
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)

Conaway
Costa
Culberson
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Jones
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Hanna

Harper
Harris
Hartzler
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino

Aderholt
Altmire
Amodei
Andrews
Baca
Baldwin
Barber
Barletta
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggart
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Cole
Conolly (VA)
Conyers
Cooper
Costello
Courtney
Crawford
Crenshaw
Cueellar
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo

Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lipinski
LoBiondo
Loebbeck
Lowey
Lucas
Lujan
Lynch
Maloney
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McKeon
McKinley
McNerney
Meehan

Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Turner (OH)
Van Hollen
Visclosky
Walz (MN)

NOES—224

Waters Welch Wolf
Watt Whitfield Womack
Waxman Wilson (FL) Yarmuth

NOT VOTING—29

Ackerman Lewis (CA) Sullivan
Akin Lewis (GA) Towns
Clarke (NY) Lofgren, Zoe Tsongas
Crowley Markey Turner (NY)
Cummings Meeks Velázquez
Engel Myrick Wasserman
Gutierrez Peterson Schultz
Holden Rangel Woolsey
Jackson (IL) Sánchez, Linda Young (AK)
Johnson (IL) T.
Lamborn Stivers

So the amendment was not agreed to.

82.47 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 39, line 4, after the dollar amount, insert "(reduced by \$5,404,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$5,404,000)".

It was decided in the Yeas 173
negative Nays 230

82.48 [Roll No. 421]

AYES—173

Adams Goodlatte Nunnelee
Alexander Gosar Olson
Amash Gowdy Palazzo
Bachmann Graves (GA) Paul
Barrow Graves (MO) Paulsen
Bartlett Griffin (AR) Pence
Barton (TX) Griffith (VA) Petri
Bass (NH) Guinta
Benishek Guthrie Poe (TX)
Bilbray Hanna Pompeo
Bilirakis Hartzler Posey
Bishop (UT) Heck Price (GA)
Black Hensarling Quayle
Blackburn Herger Reichert
Bono Mack Herrera Beutler Renacci
Boustany Huelskamp Ribble
Brady (TX) Huizenga (MI) Rigell
Brooks Hultgren Roe (TN)
Broun (GA) Hunter Rogers (MI)
Buchanan Hurt Rohrabacher
Bucshon Issa Rokita
Buerkle Jenkins Rooney
Burgess Johnson (OH) Roskam
Burton (IN) Johnson, Sam Ross (FL)
Camp Jones Royce
Campbell Jordan Rush
Canseco King (IA) Ryan (WI)
Cassidy Kingston Scalise
Chabot Kline Schilling
Chaffetz Labrador Schmidt
Coble Lance Schweikert
Coffman (CO) Landry Scott (SC)
Conaway Lankford Scott, Austin
Cravaack Latta Sensenbrenner
Culberson LoBiondo Sessions
Denham Long Shimkus
DesJarlais Luetkemeyer Smith (NE)
Dreier Lummis Smith (NJ)
Duffy Mack Smith (TX)
Duncan (SC) Manzullo Southerland
Duncan (TN) Marchant Stearns
Ellmers Marino Stutzman
Emerson Matheson Thornberry
Farenthold McClintock
Fincher McCotter Tipton
Flake McHenry Upton
Fleischmann McMorris Walberg
Fleming Rodgers Walden
Flores Mica Walsh (IL)
Forbes Miller (FL) Webster
Fortenberry Miller (MI) West
Foxy Miller, Gary Westmoreland
Franks (AZ) Mulvaney Wittman
Gardner Murphy (PA) Woodall
Garrett Neugebauer Yoder
Gibbs Noem Young (FL)
Gingrey (GA) Nugent Young (IN)
Gohmert Nunes

NOES—230

Aderholt Andrews Bachus
Altmire Austria Baldwin
Amodei Baca Barber

Barletta Gerlach Napolitano
Bass (CA) Gibson Neal
Becerra Gonzalez Olver
Berg Granger Owens
Berkley Green, Al Pallone
Berman Green, Gene Pascrell
Biggert Grijalva Pastor (AZ)
Bishop (GA) Grimm Pearce
Bishop (NY) Hahn Pelosi
Blumenauer Hall Perlmutter
Bonamici Hanabusa Peters
Bonner Harper Pingree (ME)
Boren Harris Platts
Boswell Hastings (FL) Polis
Brady (PA) Hastings (WA) Price (NC)
Braley (IA) Hayworth Quigley
Brown (FL) Heinrich Rahall
Butterfield Higgins Reed
Calvert Himes Rehberg
Cantor Hinchei Reyes
Capito Hinojosa Richardson
Capps Hirono Richmond
Capuano Hochul Rivera
Cardoza Holt Roby
Carnahan Honda Rogers (AL)
Carney Hoyer Rogers (KY)
Carson (IN) Israel Ros-Lehtinen
Carter Jackson Lee Ross (AR)
Castor (FL) (TX) Rothman (NJ)
Chandler Johnson (GA) Roybal-Allard
Chu Johnson, E. B. Runyan
Cicilline Kaptur Ruppertsberger
Clarke (MI) Keating Ryan (OH)
Clay Kelly Sanchez, Loretta
Cleaver Kildee Sarbanes
Clyburn Kind Schakowsky
Cohen King (NY) Schiff
Cole Connolly (VA) Kucinich
Conyers Cooper Langevin
Costa Costa Larsen (WA)
Costello Larson (CT) Scott (VA)
Courtney Latham Scott, David
Crawford LaTourrette Serrano
Crenshaw Lee (CA) Sewell
Critz Levin Sherman
Cuellar Shuler Shuster
Davis (CA) Loebsack Simpson
Davis (IL) Lowey Sires
Davis (KY) Lucas Slaughter
DeFazio Luján Smith (WA)
DeGette DeLauro Speier
DeLauro Lungren, Daniel Stark
Dent E. Lynch Sutton
Deutsch Maloney Terry
Diaz-Balart Matsui Thompson (CA)
Dicks McCarthy (CA) Thompson (MS)
Dingell McCarthy (NY) Thompson (PA)
Doggett McCaul Tierney
Dold McCollum Tonko
Donnelly (IN) McDermott Turner (OH)
Doyle McGovern Van Hollen
Edwards McIntyre Visclosky
Ellison McKeon Walz (MN)
Eshoo McKinley Waters
Farr McNeerney Watt
Fattah Meehan Waxman
Filner Michaud Welch
Fitzpatrick Miller (NC) Whitfield
Frank (MA) Miller, George Wilson (FL)
Frelinghuysen Moore Wolf
Fudge Moran Womack
Gallegly Murphy (CT) Yarmuth
Garamendi Nadler

NOT VOTING—29

Ackerman Lewis (CA) Sullivan
Akin Lewis (GA) Towns
Clarke (NY) Lofgren, Zoe Tsongas
Crowley Markey Turner (NY)
Cummings Meeks Velázquez
Engel Myrick Wasserman
Gutierrez Peterson Schultz
Holden Rangel Woolsey
Jackson (IL) Sánchez, Linda Young (AK)
Johnson (IL) T.
Lamborn Stivers

So the amendment was not agreed to.

82.49 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 48, line 16, after the dollar amount, insert "(reduced by \$1,287,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$1,287,000)".

It was decided in the Yeas 188
negative Nays 215

82.50 [Roll No. 422]

AYES—188

Adams Gosar Nugent
Alexander Gowdy Nunes
Amash Graves (GA) Nunnelee
Bachmann Graves (MO) Olson
Bachus Griffin (AR) Palazzo
Barrow Griffith (VA) Paul
Bartlett Guinta Paulsen
Barton (TX) Guthrie Pearce
Bass (NH) Hall Pence
Benishek Hanna Petri
Berg Harper Pitts
Bilbray Harris Poe (TX)
Bilirakis Hartzler Polis
Bishop (UT) Heck Pompeo
Black Hensarling Posey
Blackburn Herger Price (GA)
Bonner Bono Mack Huelskamp Quayle
Boustany Huizenga (MI) Reichert
Brady (TX) Hultgren Renacci
Brooks Hunter Ribble
Broun (GA) Hurt Rigell
Buchanan Issa Roe (TN)
Bucshon Jenkins Rogers (MI)
Buerkle Johnson (OH) Rohrabacher
Burgess Johnson, Sam Rokita
Jones Jones Rooney
Jordan Jordan Roskam
King (IA) King (IA) Ross (FL)
Kingston Kingston Royce
Kinzinger (IL) Kinzinger (IL) Ryan (WI)
Kline Kline Scalise
Labrador Labrador Schilling
Lance Lance Schmidt
Coble Landry Schweikert
Coffman (CO) Lankford Scott (SC)
Conaway Latta Scott, Austin
Cravaack Cravaack LoBiondo
Culberson Long Sessions
Denham Long Luetkemeyer Shimkus
DesJarlais Luetkemeyer Smith (NE)
Dreier Lungren, Daniel Smith (NJ)
Duffy Mack Smith (TX)
Duncan (SC) Manzullo Southerland
Duncan (TN) Marchant Stearns
Ellmers Marino Stutzman
Emerson Matheson Terry
Farenthold McCarthy (CA) Thornberry
Fincher McClintock Tipton
Flake McCotter Upton
Fleischmann McHenry Walberg
Fleming McIntyre Walden
Flores Flores Walsh (IL)
Forbes Forbes Webber
Fortenberry Fortenberry West
Foxy Mica Westmoreland
Franks (AZ) Franks (AZ) Whitfield
Gardner Gardner Wilson (SC)
Garrett Garrett Wittman
Gibbs Gibbs Woodall
Gingrey (GA) Murphy (PA) Yoder
Gohmert Neugebauer Young (FL)
Goodlatte Noem Young (IN)

NOES—215

Aderholt Capito Critz
Altmire Capps Cuellar
Amodei Capuano Davis (CA)
Andrews Cardoza Davis (IL)
Austria Carnahan Davis (KY)
Baca Baca DeFazio
Baldwin Carson (IN) DeGette
Barber Carter DeLauro
Barletta Castor (FL) Dent
Bass (CA) Chandler Deutch
Becerra Chu Diaz-Balart
Berkley Cicilline Dicks
Berman Clarke (MI) Dingell
Biggert Clay Doggett
Bishop (GA) Cleaver Dold
Bishop (NY) Clyburn Donnelly (IN)
Blumenauer Cohen Doyle
Bonamici Bonamici Edwards
Boren Connolly (VA) Ellison
Boswell Conyers Eshoo
Brady (PA) Cooper Farr
Braley (IA) Costa Fattah
Brown (FL) Costello Filner
Butterfield Courtney Fitzpatrick
Calvert Crenshaw Frank (MA)

Frelinghuysen Lipinski Ros-Lehtinen Herrera Beutler McMorris Roskam Ros-Lehtinen Sherman Tonko
 Fudge Loebsock Ross (AR) Huelskamp Rodgers Ross (FL) Shimkus Turner (OH)
 Gallegly Lowey Rothman (NJ) Huijskamp Miller (FL) Shuler Rothman (NJ) Shuler Upton
 Garamendi Lucas Roybal-Allard Hultgren Miller (MI) Ryan (WI) Roybal-Allard Shuster Van Hollen
 Gerlach Lujan Runyan Hunter Mulvaney Scalise Runyan Simpson Visclosky
 Gibson Lynch Ruppertsberger Neugebauer Schilling Schilling Sires Ruppertsberger Sires Walz (MN)
 Gonzalez Maloney Rush Noem Schmidt Schmidt Ryan (OH) Slaughter Waters
 Granger Matsui Ryan (OH) Johnson (OH) Nugent Smith (NJ) Smith (NJ) Smith (NJ) Watt
 Green, Al McCarthy (NY) Sanchez, Loretta Johnson, Sam Nunes Scott (SC) Sanchez, Loretta Smith (WA) Smith (WA) Waxman
 Green, Gene McCaul Sarbanes Jones Nunnelee Scott, Austin Scott (SC) Sarbanes Speier Webster
 Grijalva McCollum Schakowsky Jordan Palazzo Scott, Austin Scott (SC) Schakowsky Stark Welch
 Grimm McDermott Schiff King (IA) Paul Sensenbrenner Sessions Stark West
 Hahn McGovern Schock Kingston Paul Sensesenbrenner Sessions Terry Whitfield
 Hanabusa McKeon Schrader Kline Paulsen Paulsen Pence Smith (NE) Schradler Thompson (CA) Wilson (FL)
 Hastings (FL) McKinley Schwartz Labrador Pence Smith (TX) Schwartz Thompson (MS) Wittman
 Hastings (WA) McNerney Scott (VA) Lance Southerland Scott (VA) Thompson (PA) Wolf
 Hayworth Meehan Scott, David Landry Pompeo Stearns Stutzman Scott, David Tiberi Womack
 Heinrich Miller (NC) Serrano Posey Stutzman Serrano Tierney Tierney Yarmuth
 Higgins Miller, George Sewell Price (GA) Thornberry Thornberry Young (FL)
 Himes Moore Sherman Latta Quayle Walberg Walberg Walden
 Hinochey Moran Shuler Luetkemeyer Renacci Ribble Walsh (IL) Ackerman Lewis (CA) Sullivan
 Hirono Murphy (CT) Lummis Ribble Walsh (IL) Akin Lewis (GA) Towns
 Hirono Nadler Simpson Mack Rigell Westmoreland Wilson (SC) Clarke (NY) Lofgren, Zoe Tsongas
 Hochul Napolitano Sires Manzullo Roe (TN) Wilson (SC) Clarke (NY) Lofgren, Zoe Tsongas
 Holt Neal Slaughter Rogers (MI) Rogers (MI) Crowley Markey Turner (NY)
 Honda Olver Smith (WA) McClintock Rohrabacher Cummings Meeks Velázquez
 Hoyer Owens Speier McCotter Rokita Yoder Engel Myrick Wasserman
 Israel Pallone Stark McCotter Rokita Yoder Engel Myrick Peterson Schultz
 Jackson Lee Pascrell Sutton McHenry Rooney Young (IN) Gutierrez Peterson Schultz
 (TX) Pastor (AZ) Thompson (CA) DeLauro Langevin Jackson (IL) Rangel Woolsey
 Johnson (GA) Pelosi Thompson (MS) Denham Larsen (WA) Johnson (IL) Sánchez, Linda Young (AK)
 Johnson, E. B. Perlmutter Thompson (PA) Dent Larson (CT) Lamborn T. Stivers
 Kaptur Peters Tiberi Aderholt DeLauro Langevin
 Keating Pingree (ME) Tierney Altmire Larson (CT) Larsen (WA)
 Kelly Platts Tonko Austria Amodei Deutch Diaz-Balart Latham
 Kildee Price (NC) Turner (OH) Dicks Diaz-Balart Lee (CA)
 Kind Quigley Van Hollen Dingell Doggett Levin
 King (NY) Rahall Visclosky Dold Donnelly (IN) Doyle Edwards
 Kissell Reed Walz (MN) Barber Donnelly (IN) Doyle Edwards
 Kucinich Rehberg Waters Watt Barletta Bass (CA) Eshoo
 Langevin Reyes Watt Waxman Bass (CA) Eshoo
 Larsen (WA) Richardson Welch Welch Edwards
 Larson (CT) Richmond Wilson (FL) Berg Berkeley
 Latham Rivera Wolf Berman Biggart
 LaTourette Roby Womack Bilbray
 Lee (CA) Rogers (AL) Yarmuth Bilirakis
 Levin Rogers (KY) Young (AK) Bilirakis
 Lewis (CA) Sullivan
 Lewis (GA) Towns
 Lofgren, Zoe Tsongas
 Markey Turner (NY)
 Meeks Velázquez
 Myrick Wasserman
 Peterson Schultz
 Rangel Woolsey
 Sánchez, Linda Young (AK)
 T.
 Stivers

NOT VOTING—29

Ackerman Lewis (CA) Sullivan
 Akin Lewis (GA) Towns
 Clarke (NY) Lofgren, Zoe Tsongas
 Crowley Markey Turner (NY)
 Cummings Meeks Velázquez
 Engel Myrick Wasserman
 Gutierrez Peterson Schultz
 Holden Rangel Woolsey
 Jackson (IL) Sánchez, Linda Young (AK)
 Johnson (IL) T.
 Lamborn Stivers

So the amendment was not agreed to.

82.51 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 60, line 25, after the first dollar amount, insert "(reduced by \$1,670,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$1,670,000)".

It was decided in the	{	Yeas	138
negative		Nays	265

82.52 [Roll No. 423]

AYES—138

Adams	Campbell	Foxx
Amash	Canseco	Franks (AZ)
Bachmann	Chabot	Garrett
Barrow	Chaffetz	Gibbs
Bartlett	Coble	Gingrey (GA)
Barton (TX)	Conaway	Gohmert
Bass (NH)	Crawford	Goodlatte
Benishek	Culberson	Gosar
Bishop (UT)	DesJarlais	Gowdy
Black	Duffy	Graves (GA)
Blackburn	Duncan (SC)	Graves (MO)
Bono Mack	Duncan (TN)	Griffin (AR)
Boustany	Ellmers	Griffith (VA)
Brady (TX)	Emerson	Hall
Brooks	Farenthold	Hanna
Broun (GA)	Fincher	Hartzler
Bucshon	Flake	Heck
Buerkle	Fleischmann	Hensarling
Burton (IN)	Fleming	Herger

McMorris Rodgers
 Miller (FL)
 Miller (MI)
 Mulvaney
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Palazzo
 Paul
 Paulsen
 Pence
 Petri
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Renacci
 Ribble
 Rigell
 Roe (TN)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney

NOES—265

Aderholt
 Alexander
 Altmire
 Amodei
 Andrews
 Austria
 Baca
 Bachus
 Baldwin
 Barber
 Barletta
 Bass (CA)
 Becerra
 Berg
 Berkeley
 Berman
 Biggart
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Bonamici
 Bonner
 Boren
 Boreen
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Buchanan
 Burgess
 Butterfield
 Calvert
 Camp
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clay
 Cleaver
 Clyburn
 Coffman (CO)
 Cohen
 Cole
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Cravaack
 Critz
 Cuellar
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette

Schakowsky
 Schiff
 Schock
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NJ)
 Smith (WA)
 Speier
 Stark
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Tiberi
 Tierney
 Tipton

NOT VOTING—29

Ackerman
 Akin
 Clarke (NY)
 Crowley
 Cummings
 Engel
 Gutierrez
 Holden
 Jackson (IL)
 Johnson (IL)
 Lamborn
 Lewis (CA)
 Lewis (GA)
 Lofgren, Zoe
 Markey
 Meeks
 Myrick
 Peterson
 Rangel
 Sánchez, Linda
 T.
 Stivers

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. WEST, assumed the Chair.

When Mrs. ROBY, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

82.53 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. CLARKE of New York, for today.

And then,

82.54 ADJOURNMENT

On motion of Mr. LATHAM, at 11 o'clock and 18 minutes p.m., the House adjourned.

82.55 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. EMERSON: Committee on Appropriations. H.R. 6020. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes (Rept. 112-550). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 5889. A bill to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes (Rept. 112-551). Referred to the Committee of the Whole House on the state of the Union.

82.56 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. ROS-LEHTINEN: H.R. 6018. A bill to authorize appropriations for the Department of State for fiscal year 2013, and for other purposes; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE of Texas (for herself, Mr. SMITH of Texas, Ms. NOR-TON, Mr. RANGEL, Ms. RICHARDSON,

Mr. LEWIS of Georgia, Ms. HAHN, and Ms. EDDIE BERNICE JOHNSON of Texas);

H.R. 6019. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 6021. A bill to amend part E of title IV of the Social Security Act to require States to follow certain procedures in placing a child who has been removed from the custody of his or her parents; to the Committee on Ways and Means.

By Mr. MCNERNEY (for himself, Mr. CARDOZA, and Mr. COSTA):

H.R. 6022. A bill to amend the Federal Crop Insurance Act to expand coverage under plans of insurance available under such Act to include losses to an insured commodity when, as a result of a federally-imposed quarantine, the commodity must be destroyed, and for other purposes; to the Committee on Agriculture.

By Mr. DEFAZIO:

H.R. 6023. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Financial Services.

By Mr. MARKEY (for himself and Mrs. NAPOLITANO):

H.R. 6024. A bill to authorize development of hydropower and efficiencies at existing Bureau of Reclamation facilities; to the Committee on Natural Resources.

By Mrs. MILLER of Michigan (for herself and Mr. FLAKE):

H.R. 6025. A bill to provide for annual reports on the status of operational control of the international land and maritime borders of the United States and unlawful entries, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND:

H.R. 6026. A bill to modify the project for navigation, Mississippi River Ship Channel, Gulf of Mexico to Baton Rouge, Louisiana, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SIRES (for himself, Ms. HAHN, and Mr. MANZULLO):

H.R. 6027. A bill to provide for universal intercountry adoption accreditation standards, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALSH of Illinois:

H.R. 6028. A bill to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes; to the Committee on Homeland Security.

By Ms. ROS-LEHTINEN (for herself, Mr. HASTINGS of Florida, Mr. DIAZ-BALART, Mr. RIVERA, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Mr. WEST, and Mr. DEUTCH):

H. Res. 703. A resolution congratulating the Miami Heat on their 2012 National Basketball Association Championship; to the Committee on Oversight and Government Reform.

By Mr. McDERMOTT (for himself, Ms. SCHAKOWSKY, Mr. RUSH, Mr. HINCHEY, Mr. GRIJALVA, Ms. NORTON, Ms. SPEIER, Ms. LEE of California, Ms. MCCOLLUM, Mr. FILNER, Mr. OLVER, Mr. BERMAN, Mr. MORAN, Ms. MOORE, Mr. COHEN, Mr. SCHOCK, Mr. JACKSON of Illinois, and Mr. MCGOVERN):

H. Res. 704. A resolution commending Rotary International and others for their efforts to prevent and eradicate polio; to the Committee on Foreign Affairs.

By Mr. BILBRAY (for himself, Mr. HUNTER, Mr. JONES, Mr. POSEY, Ms. JENKINS, Mr. FORTENBERRY, Mr. COBLE, Mr. FILNER, Mr. SCHILLING, Mr. MCCOTTER, Ms. KAPTUR, Mr. WOLF, Mr. RYAN of Ohio, and Mr. LOEBACK):

H. Res. 705. A resolution expressing support for the designation of a "Buy American Week"; to the Committee on Energy and Commerce.

By Mr. ISSA:

H. Res. 706. A resolution authorizing the Committee on Oversight and Government Reform to initiate or intervene in judicial proceedings to enforce certain subpoenas; to the Committee on Rules.

By Mr. LARSON of Connecticut:

H. Res. 707. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

182.57 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 23: Mr. CHANDLER.
- H.R. 24: Mr. CHANDLER.
- H.R. 139: Mr. DOGGETT.
- H.R. 300: Mr. CAPUANO.
- H.R. 324: Mr. STIVERS.
- H.R. 329: Mr. CHANDLER.
- H.R. 459: Mr. SESSIONS, Mr. ADERHOLT, Mr. RENACCI, and Mr. REYES.
- H.R. 561: Mr. HASTINGS of Florida.
- H.R. 640: Mr. HOLT.
- H.R. 679: Ms. SLAUGHTER.
- H.R. 687: Mr. RANGEL, Mr. SABLAN, and Mr. AKIN.
- H.R. 694: Mr. BOSWELL, Mr. COLE, and Ms. EDWARDS.
- H.R. 718: Ms. RICHARDSON.
- H.R. 719: Mr. GALLEGLY.
- H.R. 733: Mr. SHERMAN, Mr. NUNNELEE, Mr. BONNER, Mr. KELLY, and Mr. DAVID SCOTT of Georgia.
- H.R. 750: Mr. HENSARLING.
- H.R. 812: Ms. BONAMICI and Mr. CHANDLER.
- H.R. 860: Mr. FLORES, Mr. GUTHRIE, and Ms. WILSON of Florida.
- H.R. 881: Mr. STEARNS.
- H.R. 890: Mr. BILIRAKIS and Mr. WAXMAN.
- H.R. 941: Mr. COHEN.
- H.R. 965: Mr. RUSH.
- H.R. 1092: Mr. CHANDLER.
- H.R. 1167: Mr. HENSARLING.
- H.R. 1206: Mr. GOHMERT.
- H.R. 1351: Mrs. MILLER of Michigan.
- H.R. 1370: Mr. MCCAUL and Ms. BUERKLE.
- H.R. 1386: Ms. BONAMICI, Mr. HANNA, and Mr. LYNCH.
- H.R. 1404: Ms. SLAUGHTER, Mr. JOHNSON of Georgia, Mr. GUTIERREZ, and Ms. WILSON of Florida.
- H.R. 1464: Mr. BARTLETT.
- H.R. 1475: Mr. STARK.
- H.R. 1490: Mr. PEARCE.
- H.R. 1519: Mr. HOLDEN.
- H.R. 1585: Mr. MCCLINTOCK.
- H.R. 1588: Mr. BUTTERFIELD.
- H.R. 1681: Mr. CLAY.
- H.R. 1737: Mr. MCCLINTOCK.
- H.R. 1842: Ms. BORDALLO.
- H.R. 1860: Ms. JACKSON LEE of Texas and Mr. CHABOT.
- H.R. 2030: Mr. FARR.
- H.R. 2077: Mr. KINZINGER of Illinois and Mr. NUNNELEE.
- H.R. 2299: Mr. AUSTIN SCOTT of Georgia.
- H.R. 2312: Mr. LOBIONDO.
- H.R. 2353: Mr. CLAY.
- H.R. 2437: Mr. RUNYAN.
- H.R. 2499: Mr. CASSIDY, Ms. SLAUGHTER, and Ms. EDWARDS.

- H.R. 2579: Mrs. HARTZLER.
- H.R. 2649: Mrs. BLACKBURN and Mr. ROE of Tennessee.
- H.R. 2696: Mr. COHEN.
- H.R. 2697: Ms. SLAUGHTER.
- H.R. 2706: Mr. KISSELL.
- H.R. 2718: Mr. DOLD.
- H.R. 2722: Mr. HINCHEY, Mr. GRIJALVA, Ms. KAPTUR, Ms. WOOLSEY, Mr. COSTELLO, Ms. SUTTON, Mr. DEFAZIO, Mr. GARAMENDI, and Mr. CLARKE of Michigan.
- H.R. 2730: Mr. CHABOT, Mr. FILNER, and Ms. RICHARDSON.
- H.R. 2746: Mr. DAVID SCOTT of Georgia and Ms. SCHAKOWSKY.
- H.R. 2794: Mr. MEEKS, Mr. BERMAN, and Mr. DAVIS of Illinois.
- H.R. 2866: Mr. CARSON of Indiana.
- H.R. 2899: Mr. DIAZ-BALART.
- H.R. 2962: Mr. JOHNSON of Ohio, Mr. RYAN of Ohio, and Mr. ROE of Tennessee.
- H.R. 2969: Mr. JOHNSON of Ohio and Mrs. DAVIS of California.
- H.R. 2997: Mr. CUELLAR.
- H.R. 3036: Ms. MCCOLLUM.
- H.R. 3057: Mr. OWENS.
- H.R. 3187: Mrs. EMERSON, Ms. LINDA T. SANCHEZ of California, Mrs. MILLER of Michigan, Mr. COSTELLO, Mrs. SCHMIDT, Mr. FRANKS of Arizona, Mr. WALDEN, Mr. LATHAM, Mr. JONES, Mr. COBLE, Mr. BONNER, and Mr. LUCAS.
- H.R. 3197: Mr. DICKS, Mr. LARSEN of Washington, Mr. McDERMOTT, Mr. REICHERT, and Mr. HASTINGS of Washington.
- H.R. 3264: Mr. MCCLINTOCK and Mr. CASSIDY.
- H.R. 3341: Mr. HIMES.
- H.R. 3395: Mr. MCKINLEY and Mr. ROGERS of Alabama.
- H.R. 3429: Mr. KISSELL and Mr. NUNNELEE.
- H.R. 3444: Mr. FLAKE.
- H.R. 3485: Mr. HIGGINS.
- H.R. 3497: Mr. PENCE and Ms. SUTTON.
- H.R. 3510: Mr. STARK and Mr. CALVERT.
- H.R. 3594: Mr. BENISHEK.
- H.R. 3596: Ms. CASTOR of Florida.
- H.R. 3627: Mr. RYAN of Ohio and Mr. HINCHEY.
- H.R. 3643: Mrs. BLACKBURN, Mr. SCHWEIKERT, and Mr. NEUGEBAUER.
- H.R. 3658: Mr. RIBBLE, Mr. SENSENBRENNER, Mr. TERRY, Mr. SMITH of New Jersey, Mr. PETRI, Mr. ROHRBACHER, Mr. CLARKE of Michigan, Mr. DAVIS of Kentucky, and Mr. REYES.
- H.R. 3816: Mr. BOSWELL.
- H.R. 4010: Mr. WATT.
- H.R. 4066: Mrs. BONO MACK.
- H.R. 4103: Mr. PETERS.
- H.R. 4122: Mr. STARK.
- H.R. 4154: Ms. WOOLSEY, Mr. KEATING, and Mr. CLARKE of Michigan.
- H.R. 4160: Mr. GARRETT.
- H.R. 4169: Mr. DEUTCH.
- H.R. 4173: Ms. ZOE LOFGREN of California.
- H.R. 4180: Mr. WOODALL and Mr. JOHNSON of Ohio.
- H.R. 4215: Mr. WEST.
- H.R. 4235: Mr. KING of New York and Mr. OWENS.
- H.R. 4271: Mr. CLAY.
- H.R. 4279: Mr. COHEN.
- H.R. 4286: Mr. REYES.
- H.R. 4287: Mr. COHEN, Mrs. EMERSON, Ms. SLAUGHTER, and Mr. PETERS.
- H.R. 4296: Mr. KISSELL.
- H.R. 4304: Mrs. LUMMIS.
- H.R. 4317: Mr. ANDREWS.
- H.R. 4323: Mrs. BLACKBURN.
- H.R. 4367: Mr. BISHOP of Georgia, Mr. PERLMUTTER, and Ms. TSONGAS.
- H.R. 4390: Mr. RUSH.
- H.R. 4396: Mr. PEARCE.
- H.R. 4403: Mr. DUNCAN of South Carolina.
- H.R. 4405: Mr. DOGGETT.
- H.R. 4631: Mr. KELLY.
- H.R. 4816: Mr. BRADY of Pennsylvania.
- H.R. 4965: Mr. DUNCAN of South Carolina.

H.R. 5542: Ms. SCHWARTZ, Mr. KUCINICH, and Mr. RYAN of Ohio.

H.R. 5684: Mr. LEVIN.

H.R. 5749: Mr. MCDERMOTT.

H.R. 5796: Mr. CLYBURN, Mr. AKIN, and Mr. JOHNSON of Ohio.

H.R. 5817: Mr. GRAVES of Missouri.

H.R. 5822: Ms. BUERKLE.

H.R. 5837: Mr. MEEKS, Mr. NADLER, and Mrs. LOWEY.

H.R. 5843: Mr. KING of New York, Mr. LONG, Mr. TURNER of New York, Mr. LUJÁN, and Mr. STARK.

H.R. 5845: Ms. BERKLEY and Mr. JOHNSON of Ohio.

H.R. 5850: Mr. TURNER of New York.

H.R. 5865: Mr. SHERMAN and Mr. RYAN of Ohio.

H.R. 5892: Mr. PLATTS and Mr. LUJÁN.

H.R. 5910: Mr. CARNEY, Mr. COBLE, and Mr. NEUGEBAUER.

H.R. 5925: Mr. YODER, Mr. TIPTON, Mrs. HARTZLER, and Mr. SCHILLING.

H.R. 5932: Mrs. ELLMERS and Mr. HARRIS.

H.R. 5939: Mr. FRANKS of Arizona, Mr. GRIJALVA, Mr. SCHWEIKERT, Mr. BARBER, Mr. FLAKE, and Mr. QUAYLE.

H.R. 5943: Mr. HIGGINS, Mr. ROSS of Arkansas, Mr. GIBSON, and Mr. MURPHY of Connecticut.

H.R. 5960: Mrs. NAPOLITANO and Mr. COSTA.

H.R. 5962: Mr. NADLER, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. MORAN, Mr. KIND, Mr. MICHAUD, and Ms. SLAUGHTER.

H.R. 5976: Mr. PETERS, Ms. CHU, and Mr. BLUMENAUER.

H.R. 5978: Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. CLEAVER, and Mr. FRANK of Massachusetts.

H.R. 6003: Ms. CHU, Mr. DAVIS of Illinois, and Mr. CARSON of Indiana.

H.R. 6015: Mr. COHEN, Mr. FATTAH, and Ms. SLAUGHTER.

H.R. 6016: Mr. GUINTA, Mr. WALSH of Illinois, Ms. BUERKLE, Mr. GOSAR, Mr. GOWDY, Mr. LANKFORD, Mr. FARENTHOLD, Mr. MARINO, Mr. BARLETTA, Mr. THOMPSON of Pennsylvania, Mr. BENISHEK, and Mr. MCHENRY.

H.J. Res. 97: Mr. COHEN.

H.J. Res. 103: Mr. ROGERS of Alabama.

H. Con. Res. 115: Mr. AUSTIN SCOTT of Georgia.

H. Con. Res. 129: Mr. NUNNELEE, Mr. CARSON of Indiana, Ms. SLAUGHTER, Mr. GINGREY of Georgia, Mr. KING of Iowa, Mr. RYAN of Ohio, Mr. JONES, Mr. JORDAN, Mr. FILNER, Mr. RUSH, Mr. LATHAM, Ms. BROWN of Florida, Mr. BLUMENAUER, Mr. SCHILLING, Mr. LONG, Mrs. CHRISTENSEN, Mr. COURTNEY, and Mr. NUGENT.

H. Res. 51: Mr. CLAY.

H. Res. 134: Mr. CARDOZA.

H. Res. 153: Mr. CLAY.

H. Res. 193: Ms. BUERKLE.

H. Res. 334: Mr. CLAY.

H. Res. 397: Mr. PAUL and Ms. WILSON of Florida.

H. Res. 589: Mr. CLAY.

H. Res. 623: Mrs. BLACK.

H. Res. 663: Ms. SCHAKOWSKY.

H. Res. 669: Mr. WEST.

H. Res. 674: Mr. HINCHEY.

H. Res. 687: Mr. SCHOCK and Ms. SLAUGHTER.

H. Res. 701: Mrs. EMERSON.

H. Res. 702: Mrs. EMERSON.

WEDNESDAY, JUNE 27, 2012 (83)

¶83.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. NUGENT, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
June 27, 2012.

I hereby appoint the Honorable RICHARD B. NUGENT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

Whereupon, pursuant to the order of the House of January 17, 2012, Members were recognized for morning-hour debate.

¶83.2 RECESS—11:21 A.M.

The SPEAKER pro tempore, Mr. NUGENT, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 21 minutes a.m., until noon.

¶83.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶83.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, June 26, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶83.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6658. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Killed, nonviable *Streptomyces acidiscabies* strain RL-110T; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0078; FRL-9348-7] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6659. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Richard K. Gallagher, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6660. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirements of Rear Admiral (lower half) Craig S. Fallor and Captain Dwight D. Shepherd, United States Navy, to wear the insignia of the grade of rear admiral and rear admiral (lower half), respectively; to the Committee on Armed Services.

6661. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, "2010 Impact and Effectiveness of Administration for Native Americans (ANA) Projects Report"; to the Committee on Education and the Workforce.

6662. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act of 2008 for FY 2011; to the Committee on Energy and Commerce.

6663. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2011 Performance Report to Congress for the Animal Drug User Fee Act, as amended; to the Committee on Energy and Commerce.

6664. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone [EPA-HQ-OAR-2009-0491; FRL-9672-4] (RIN: 2060-AR35) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Regional Haze [EPA-R05-OAR-2011-0080; FRL-9638-3] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6666. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Permit to Construct Exemptions [EPA-R03-2010-0394; FRL-9684-9] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6667. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Regional Haze [EPA-R05-OAR-2010-0037; FRL-9683-5] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6668. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Regional Haze State Implementation Plan [EPA-R03-OAR-2011-0091, EPA-R03-OAR-2011-0584; FRL-9685-2] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6669. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Illinois; Redesignation of the Illinois Portion of the St. Louis, MO-IL Area to Attainment for the 1997 8-hour Ozone Standard [EPA-R05-OAR-2010-0523; FRL-9683-7] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arizona; Update to Stage II Gasoline Vapor Recovery Program; Change in the Definition of "Gasoline" to Exclude "E85" [EPA-R09-OAR-2010-0717; FRL-9661-3] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6671. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Minor New Source Review (NSR) Preconstruction Permitting Rule for Cotton Gins [EPA-R06-OAR-2005-NM-0008; FRL-9684-5] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6672. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plan; Arizona; Attainment Plan for 1997 8-hour Ozone Standard [EPA-R09-OAR-2012-0253; FRL-9682-5] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6673. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Control of Air Pollution From Aircraft and Aircraft Engines; Emission Standards and Test Procedures [EPA-HQ-OAR-2010-0687; FRL-9678-1] (RIN: 2060-A070) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6674. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Failure to Attain by 2005 and Determination of Current Attainment of the 1-Hour Ozone National Ambient Air Quality Standards in the Baltimore Nonattainment Area in Maryland [EPA-R03-OAR-2011-0680; FRL-9685-5] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6675. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Areas for Air Quality Planning Purposes; State of Arizona; Pinal County; PM10 [EPA-R09-OAR-2010-0491; FRL-9679-7] received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6676. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Direct Final Negative Declaration and Withdrawal of Large Municipal Waste Combustors State Plan for Designated Facilities and Pollutants: Illinois [EPA-R05-OAR-2012-0312; FRL-9679-6] received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6677. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Elemental Mercury Used in Barometers, Manometers, Hygrometers, and Psychrometers; Significant New Use Rule [EPA-HQ-OPPT-2010-0630; FRL-9345-9] (RIN: 2070-AJ71) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6678. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Heavy-Duty Highway Program: Revisions for Emergency Vehicles [EPA-HQ-OAR-2011-1032; FRL-9673-1] (RIN: A2060-AR54) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6679. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Alternative for the Motor Vehicle Air Conditioning Sector under the Significant New Alternatives Policy (SNAP) Program [EPA-HQ-OAR-2004-0488; FRL-9668-8] (RIN: 2060-AM54) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6680. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule on a Certain Chemical Substance; Withdrawal of Significant New Use Rule [EPA-HQ-OPPT-2011-0942; FRL-9350-3] (RIN: 2070-AB27) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6681. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Safety Evaluation for Topical Report WCAP-17236-NP, Revision 0, "Risk-Informed Extension of the Reactor Vessel Nozzle Inservice Inspection Interval" received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6682. A letter from the Director, Defense Security Cooperation Agency, transmitting

Transmittal No. 12-25, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6683. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-23, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6684. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 5 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

6685. A communication from the President of the United States, transmitting a declaration of a national emergency with respect to blocking the property of the Government of the Russian Federation, pursuant to 50 U.S.C. 1703(b); (H. Doc. No. 112—119); to the Committee on Foreign Affairs and ordered to be printed.

6686. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-380, "District Department of Transportation Grant Authority Temporary Amendment Act of 2012"; to the Committee on Oversight and Government Reform.

6687. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-384, "Youth Bullying Prevention Act of 2012"; to the Committee on Oversight and Government Reform.

6688. A letter from the Secretary, Department of Energy, transmitting the semi-annual report on the activities of the Office of Inspector General for the period October 1, 2011 to March 1, 2012; to the Committee on Oversight and Government Reform.

6689. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6690. A letter from the Secretary, Department of Labor, transmitting pursuant to Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR Act), the Department's annual report for FY 2011; to the Committee on Oversight and Government Reform.

6691. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2011, through March 31, 2012; to the Committee on Oversight and Government Reform.

6692. A letter from the General Counsel and Acting Executive Director, Election Assistance Commission, transmitting Semiannual Report of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6693. A letter from the Chairman, Federal Labor Relations Authority, transmitting the semiannual report of the Inspector General of the Federal Labor Relations Board for the period beginning October 1, 2011 and ending March 31, 2012; to the Committee on Oversight and Government Reform.

6694. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6695. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting the Commission's audited Seventy-First Financial Statement for the period of October 1, 2010 to September

30, 2011 pursuant to the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

6696. A letter from the Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6697. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Award Fee for Service and End-Item Contracts (RIN: 2700-AD70) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

183.6 H.R. 4018—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4018) to improve the Public Safety Officers' Benefits Program; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McCLINTOCK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

183.7 TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. McCLINTOCK, pursuant to House Resolution 697 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Ms. ROS-LEHTINEN, Acting Chairman, assumed the chair; and after some time spent therein,

183.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 74, line 6, after the dollar amount, insert "(reduced by \$6,500,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$6,500,000)".

It was decided in the { Yeas 168
negative } Nays 256

83.9 [Roll No. 424]

AYES—168

- Adams Graves (MO) Palazzo
Akin Griffin (AR) Paul
Amash Griffith (VA) Paulsen
Bachmann Grimm Pence
Barrow Guinta Petri
Bartlett Guthrie Pitts
Barton (TX) Hall Poe (TX)
Benishek Hanna Pompeo
Bilbray Harris Posey
Bilirakis Hartzler Price (GA)
Black Hensarling Quayle
Blackburn Herger Reichert
Boustany Herrera Beutler Renacci
Brady (TX) Huelskamp Ribble
Brooks Huizenga (MI) Rigell
Broun (GA) Hultgren Roe (TN)
Buchanan Hurt Rogers (MI)
Bucshon Issa Rohrabacher
Buerkle Jenkins Rokita
Burgess Johnson (IL) Rooney
Burton (IN) Johnson (OH) Roskam
Campbell Johnson, Sam Ross (FL)
Canseco Jones Royce
Cantor Jordan King (IA)
Cassidy King (IA) Kingston
Chabot Kline Schilling
Chaffetz Kline Schilling
Coble Labrador Schmidt
Conaway Lamborn Schweikert
Cravaack Lance Scott (SC)
Culberson Landry Scott, Austin
Denham Lankford Sensenbrenner
DesJarlais Latta Sessions
Dreier LoBiondo Shuster
Duffy Long Smith (NE)
Duncan (SC) Luetkemeyer Smith (NJ)
Duncan (TN) Lummis Smith (TX)
Ellmers Manzullo Southerland
Emerson Marchant Stearns
Farenthold Marino Stutzman
Fincher Matheson Sullivan
Flake McCarthy (CA) Terry
Fleischmann McCaul Thornberry
Fleming McClintock Tiberi
Flores McCotter Woodall
Forbes McHenry Yoder
Fortenberry McMorris Young (FL)
Foxy Rodgers Walsh (IL)
Franks (AZ) Mica Webster
Gardner Miller (FL) Westmoreland
Garrett Miller (MI) Whitfield
Gibbs Mulvaney Wilson (SC)
Gingrey (GA) Myrick Wittman
Goodlatte Neugebauer Woodall
Gosar Nugent Yoder
Gowdy Nunnelee Young (FL)
Graves (GA) Olson Young (IN)

NOES—256

- Ackerman Capito Davis (KY)
Aderholt Capps DeFazio
Alexander Capuano DeGette
Altmire Cardoza DeLauro
Amodei Carnahan Dent
Andrews Carney Deutch
Austria Carson (IN) Diaz-Balart
Baca Carter Dicks
Bachus Castor (FL) Dingell
Baldwin Chandler Doggett
Barber Chu Dold
Barletta Cicilline Donnelly (IN)
Bass (CA) Clarke (MI) Doyle
Bass (NH) Clarke (NY) Edwards
Becerra Clay Ellison
Berg Cleaver Eshoo
Berkley Clyburn Farr
Berman Coffman (CO) Fattah
Biggart Cohen Fitzpatrick
Bishop (GA) Cole Frank (MA)
Bishop (NY) Connolly (VA) Frelinghuysen
Bishop (UT) Conyers Gerlach
Blumenauer Cooper Fudge
Bonamici Costa Gallegly
Bonner Costello Garamendi
Bono Mack Courtney Gerlach
Boren Crawford Gibson
Boswell Crenshaw Gonzalez
Brady (PA) Critz Granger
Braley (IA) Crowley Green, Al
Brown (FL) Cuellar Green, Gene
Butterfield Cummings Grijalva
Calvert Davis (CA) Gutierrez
Camp Davis (IL) Hahn

- Hanabusa McDermott Rush
Harper McGovern Ryan (OH)
Hastings (FL) McIntyre Sanchez, Linda
Hastings (WA) McKeon T.
Hayworth McKinley Sanchez, Loretta
Heck McNeerney Sarbanes
Heinrich Meehan Schakowsky
Higgins Meeks Schiff
Himes Michaud Schock
Hinchev Miller (NC) Schrader
Hinojosa Miller, Gary Schwartz
Hirono Miller, George Scott (VA)
Hochul Moore Scott, David
Holden Moran Serrano
Holt Murphy (CT) Sewell
Honda Hoyer Murphy (PA) Sherman
Hoyer Nadler Shimkus
Hunter Napolitano Shuler
Israel Neal Simpson
Jackson Lee Noem Sires
(TX) Nunes Slaughter
Johnson (GA) Olver Smith (WA)
Kaptur Owens Speier
Keating Pallone Stark
Kelly Pascrell Sutton
Kildee Pastor (AZ) Thompson (CA)
Kind Pearce Thompson (PA)
King (NY) Pelosi Tierney
Kinzinger (IL) Perlmutter Tipton
Kissell Peters Tonko
Kucinich Peterson Towns
Langevin Pingree (ME) Tsongas
Larsen (WA) Platts Turner (NY)
Larson (CT) Polis Turner (OH)
Latham Price (NC) Van Hollen
LaTourette Quigley Velázquez
Lee (CA) Rahall Visclosky
Levin Rangel Walden
Lewis (GA) Reed Walz (MN)
Lipinski Rehberg Wasserman
Loeb sack Reyes Richardson
Lofgren, Zoe Richmond
Lowe y Rivera
Lummis Lucas Waxman
Lujan Roby Welch
Lungren, Daniel Rogers (AL) West
E. Rogers (KY) Wilson (FL)
Lynch Ros-Lehtinen Wolf
Maloney Ross (AR) Womack
Markey Rothman (NJ) Woolsey
Matsui Roybal-Allard Yarmuth
McCarthy (NY) Runyan Young (AK)
McCollum Ruppertsberger

NOT VOTING—8

- Engel Johnson, E. B. Stivers
Gohmert Lewis (CA) Thompson (MS)
Jackson (IL) Mack

So the amendment was not agreed to.

83.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 74, line 9, after the dollar amount, insert "(reduced by \$3,500,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$3,500,000)".

It was decided in the { Yeas 178
negative } Nays 240

83.11 [Roll No. 425]

AYES—178

- Adams Bucshon Emerson
Akin Buerkle Farenthold
Amash Burgess Fincher
Amodei Burton (IN) Fitzpatrick
Bachmann Camp Flake
Barrow Campbell Fleischmann
Bartlett Canseco Fleming
Barton (TX) Cassidy Flores
Benishek Chabot Forbes
Billray Chaffetz Fortenberry
Bilirakis Coble Fox
Bishop (UT) Coffman (CO) Franks (AZ)
Black Conaway Gardner
Blackburn Culberson Garrett
Bonner Denham Gibbs
Boustany Bono Mack DesJarlais
Dreier Duffey
Brady (TX) Duffey
Brooks Duncan (SC)
Broun (GA) Duncan (TN)
Buchanan Ellmers Graves (GA)

- Graves (MO) Manzano
Griffin (AR) Marchant
Griffith (VA) Marino
Grimm Matheson
Guinta McCarthy (CA)
Guthrie McCaul
Hall McClintock
Hanna McCotter
Harris McHenry
Hartzler McIntyre
Hensarling McMorris
Herger Rodgers
Herrera Beutler Mica
Huelskamp Miller (FL)
Huizenga (MI) Miller (MI)
Hultgren Mulvaney
Hunter Murphy (PA)
Hurt Myrick
Issa Neugebauer
Jenkins Noem
Johnson (IL) Nugent
Johnson (OH) Johnson (OH)
Johnson, Sam Olson
Jones Palazzo
Jordan Paul
King (IA) Paulsen
Kingston King (IA)
Kline Kingston
Kline Kline
Labrador Labrador
Lamborn Lamborn
Lance Lance
Landry Landry
Lankford Lankford
Latta Latta
LoBiondo LoBiondo
Long Long
Luetkemeyer Luetkemeyer
Lummis Lummis
Lungren, Daniel Lungren, Daniel
E. E.

NOES—240

- Ackerman Cummings Kelly
Aderholt Davis (CA) Kildee
Alexander Davis (IL) Kind
Altmire Davis (KY) King (NY)
Austria DeFazio Kinzinger (IL)
Baca DeGette Kissell
Bachus DeLauro Kucinich
Baldwin Dent Langevin
Barber Deutch Larsen (WA)
Barletta Diaz-Balart Larson (CT)
Bass (NH) Dicks Latham
Becerra Dingell LaTourette
Berg Doggett Lee (CA)
Berkley Dold Levin
Berman Donnelly (IN) Lewis (GA)
Biggart Doyle Lipinski
Bishop (GA) Edwards Loeb sack
Bishop (NY) Ellison Lofgren, Zoe
Blumenauer Eshoo Lowey
Bonamici Farr Lucas
Boren Fattah Lujan
Boswell Filner Lynch
Brady (PA) Frank (MA) Maloney
Braley (IA) Frelinghuysen Markey
Brown (FL) Fudge Matsui
Butterfield Gallegly McCarthy (NY)
Calvert Garamendi McCollum
Capito Gerlach McDermott
Capps Gonzalez McGovern
Capuano Granger McKeon
Cardoza Green, Al McKinley
Carnahan Green, Gene McNeerney
Carney Grijalva Meehan
Carson (IN) Gutierrez Meeks
Carter Hahn Michaud
Castor (FL) Hanabusa Miller (NC)
Chandler Harper Miller, Gary
Chu Hastings (FL) Moore
Cicilline Hastings (WA) Moran
Clarke (MI) Hayworth
Clarke (NY) Hecker
Clay Heinrich Nadler
Cleaver Higgins Napolitano
Clyburn Himes Neal
Cohen Hinchev Nunes
Cole Hinojosa Olver
Conolly (VA) Hirono Owens
Hochul Hochul Pallone
Cooper Holden Pascrell
Costa Holt Pastor (AZ)
Costello Honda Pearce
Crawford Hoyer Pelosi
Crenshaw Granger Perlmutter
Critz Israel Peters
Crowley Jackson Lee
Cuellar (TX) Peterson
Johnson (GA) Pingree (ME)
Kaptur Kaptur Platts
Keating Keating Polis

Price (NC) Sanchez, Loretta Tierney
Quigley Sarbanes Tipton
Rahall Schakowsky Tonko
Rangel Schiff Towns
Reed Schock Tsongas
Rehberg Schwartz Turner (NY)
Reyes Scott (VA) Turner (OH)
Richardson Scott, David Van Hollen
Richmond Serrano Velázquez
Rivera Sewell Visclosky
Roby Sherman Walz (MN)
Rogers (AL) Shimkus Wasserman
Rogers (KY) Shuler Schultz
Ros-Lehtinen Simpson Waters
Ross (AR) Sires Watt
Rothman (NJ) Slaughter Waxman
Roybal-Allard Smith (WA) Welch
Runyan Speier Wilson (FL)
Ruppersberger Stark Wolf
Rush Sutton Womack
Ryan (OH) Thompson (CA) Woolsey
Sanchez, Linda Thompson (PA) Yarmuth
T. Tiberi Young (AK)

NOT VOTING—14

Andrews Jackson (IL) Schrader
Bass (CA) Johnson, E. B. Stivers
Cantor Lewis (CA) Sullivan
Engel Mack Thompson (MS)
Gohmert Pence

So the amendment was not agreed to.

83.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 74, line 12, after the first dollar amount, insert "(reduced by \$5,000,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$5,000,000)".

It was decided in the Yeas 174
negative Nays 248

83.13 [Roll No. 426]

AYES—174

Adams Flores Manzullo
Akin Forbes Marchant
Amash Fortenberry Marino
Amodoi Foxx Matheson
Bachmann Franks (AZ) McCarthy (CA)
Barrow Gardner McCaul
Bartlett Garrett McClintock
Barton (TX) Gibbs McCotter
Benishek Gingrey (GA) McHenry
Bilbray Goodlatte McIntyre
Bilirakis Gosar McMorris
Bishop (UT) Gowdy Rodgers
Black Graves (GA) Mica
Blackburn Graves (MO) Miller (FL)
Bono Mack Griffin (AR) Miller (MI)
Boustany Griffith (VA) Mulvaney
Brady (TX) Grimm Murphy (PA)
Brooks Guinta Myrick
Broun (GA) Guthrie Neugebauer
Buchanan Hanna Noem
Bucshon Harris Nugent
Buerkle Hartzler Nunnelee
Burgess Hensarling Olson
Burton (IN) Herger Paul
Camp Huelskamp Paulsen
Campbell Huizenga (MI) Pence
Canseco Hultgren Hunter
Cantor Hunter
Cassidy Hurt
Chabot Issa Pitts
Chaffetz Jenkins Poe (TX)
Coble Johnson (IL) Pompeo
Coffman (CO) Johnson (OH) Posey
Conaway Johnson, Sam Price (GA)
Culberson Jones Quayle
Denham Jordan Reichert
DesJarlais King (IA) Ribble
Dreier Kingston Rigell
Duffy Kline Roe (TN)
Duncan (SC) Labrador Rogers (MI)
Duncan (TN) Lamborn Rohrabacher
Ellmers Lance Rokita
Emerson Landry Rooney
Farenthold Lankford Roskam
Fincher Latta Ross (FL)
Fitzpatrick LoBiondo Royce
Flake Long Ryan (WI)
Fleischmann Luetkemeyer Scalise
Fleming Lummis Schilling

Schmidt Stearns Westmoreland
Schweikert Stutzman Whitfield
Scott (SC) Terry Wilson (SC)
Scott, Austin Thornberry Wittman
Sensenbrenner Upton Woodall
Sessions Walberg Yoder
Shuster Walden Young (FL)
Smith (NE) Walsh (IL) Young (IN)
Smith (NJ) Webster
Smith (TX) West

NOES—248

Ackerman Fudge Owens
Aderholt Gallagly Pallone
Alexander Garamendi Pascrell
Altmire Gerlach Pastor (AZ)
Austria Gibson Pearce
Baca Gonzalez Pelosi
Bachus Granger Perlmutter
Baldwin Green, Al Peters
Barber Green, Gene Peterson
Barletta Grijalva Pingree (ME)
Bass (CA) Gutierrez Platts
Bass (NH) Hahn Polis
Becerra Hanabusa Price (NC)
Berg Harper Quigley
Berkley Hastings (FL) Rahall
Berman Hastings (WA) Rangel
Biggert Hayworth Reed
Bishop (GA) Heck Rehberg
Bishop (NY) Heinrich Reyes
Blumenauer Herrera Beutler Richardson
Bonamici Higgins Richmond
Bonner Himes Rivera
Boren Hinchey Roby
Boswell Hinojosa Rogers (AL)
Brady (PA) Hirono Rogers (KY)
Braley (IA) Hochul Ros-Lehtinen
Brown (FL) Holden Ross (AR)
Butterfield Holt Rothman (NJ)
Calvert Honda Roybal-Allard
Capito Hoyer Runyan
Capps Israel Ruppersberger
Capuano Jackson Lee Rush
Cardoza (TX) Ryan (OH)
Carnahan Johnson (GA) Sanchez, Linda
Carney Kaptur T.
Carson (IN) Keating Sanchez, Loretta
Carter Kelly Sarbanes
Castor (FL) Kildee Schakowsky
Chandler Kind Schiff
Chu King (NY) Schock
Cielline Kinzinger (IL) Schrader
Clarke (MI) Kissell Schwartz
Clarke (NY) Kucinich Scott (VA)
Clay Langevin Scott, David
Cleaver Larsen (WA) Serrano
Clyburn Larson (CT) Sewell
Cohen Latham Sherman
Cole LaTourrette Shimkus
Connolly (VA) Lee (CA) Shuler
Cooper Levin Simpson
Costa Lewis (GA) Sires
Costello Lipinski Slaughter
Courtney Loeb sack Smith (WA)
Crawford Lofgren, Zoe Southerland
Cryer Lowey Speier
Crenshaw Lucas Stark
Critz Luján Sullivan
Crowley Lungren, Daniel Sutton
Cuellar E. Thompson (CA)
Cummings Lynch Thompson (PA)
Davis (CA) Maloney Tiberi
Davis (IL) Markey Tierney
Davis (KY) Matsui Tipton
DeFazio McCarthy (NY) Tonko
DeGette McCollum Towns
DeLauro McDermott Tsongas
Dent McGovern Turner (NY)
Deutch McKeon Turner (OH)
Diaz-Balart McKinley Van Hollen
Dicks McNerney Velázquez
Dingell Meehan Visclosky
Doggett Meeks Walz (MN)
Dold Michaud Wasserman
Donnelly (IN) Miller (NC) Schultz
Doyle Miller, Gary Waters
Edwards Miller, George Watt
Ellison Moore Waxman
Engel Moran Welch
Eshoo Murphy (CT) Wilson (FL)
Farr Nadler Wolf
Fattah Napolitano Womack
Filner Neal Woolsey
Frank (MA) Nunes Yarmuth
Frelinghuysen Oliver Young (AK)

NOT VOTING—10

Andrews Jackson (IL) Stivers
Conyers Johnson, E. B. Thompson (MS)
Gohmert Lewis (CA)
Hall Mack

So the amendment was not agreed to.

83.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 74, line 16, after the dollar amount, insert "(reduced by \$115,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$115,000)".

It was decided in the Yeas 193
negative Nays 229

83.15 [Roll No. 427]

AYES—193

Adams Gosar Myrick
Akin Gowdy Neugebauer
Amash Graves (GA) Noem
Amodoi Graves (MO) Nugent
Bachmann Griffin (AR) Nunnelee
Barrow Griffith (VA) Olson
Bartlett Grimm Palazzo
Barton (TX) Guinta Paul
Benishek Guthrie Paulsen
Bilbray Hanna Pearce
Bilirakis Harris Pence
Bishop (UT) Hartzler Perlmutter
Black Hensarling Petri
Blackburn Herger Pitts
Bonner Herrera Beutler Poe (TX)
Bono Mack Huelskamp Polis
Boustany Huizenga (MI) Pompeo
Brady (TX) Hultgren Posey
Brooks Hunter Price (GA)
Broun (GA) Hurt Quayle
Buchanan Issa Reichert
Bucshon Jenkins Renacci
Buerkle Johnson (IL) Ribble
Burgess Johnson (OH) Rigell
Calvert Johnson, Sam Roe (TN)
Camp Jones Rogers (MI)
Campbell Jordan Rohrabacher
Canseco King (IA) Rokita
Cantor Kingston Rooney
Cassidy Kinzinger (IL) Roskam
Chabot Kissell Ross (FL)
Chaffetz Kline Royce
Coble Labrador Ryan (WI)
Coffman (CO) Lamborn Scalise
Cole Lamborn Schilling
Conaway Landry Schweikert
Cravaack Lankford Scott (SC)
Culberson Latta Scott, Austin
DeFazio LoBiondo Sensenbrenner
Denham Long Sessions
Dent Luetkemeyer Shimkus
DesJarlais Lummis Shuster
Dreier Lungren, Daniel Smith (NE)
Duffy E. Smith (NJ)
Duncan (SC) Lynch Smith (TX)
Duncan (TN) Manzullo Southerland
Ellmers Marchant Stearns
Emerson Marino Stutzman
Farenthold Matheson Sullivan
Fincher McCarthy (CA) Terry
Fitzpatrick McCaul Thornberry
Flake McClintock Upton
Fleischmann McCotter Walberg
Fleming McHenry Walden
Flores McIntyre Walsh (IL)
Forbes McMorris Webster
Fortenberry Rodgers West
Fox McNeerney Westmoreland
Franks (AZ) Meehan Whitfield
Gallegly Mica Wilson (SC)
Gardner Miller (FL) Wittman
Garrett Miller (MI) Woodall
Gibbs Miller, Gary Yoder
Gingrey (GA) Mulvaney Young (FL)
Goodlatte Murphy (PA) Young (IN)

NOES—229

Baca Bass (NH)
Bachus Becerra
Bachus Baldwin Berg
Baldwin Berkley
Barber Berman
Barletta Biggert
Bass (CA)

Bishop (GA) Hahn
 Bishop (NY) Hanabusa
 Blumenauer Harper
 Bonamici Hastings (FL)
 Boren Hastings (WA)
 Boswell Hayworth
 Brady (PA) Heck
 Braley (IA) Heinrich
 Brown (FL) Higgins
 Butterfield Himes
 Capito Hinchey
 Capps Hinojosa
 Capuano Hirono
 Cardoza Hochul
 Carnahan Holden
 Carney Holt
 Carson (IN) Honda
 Carter Hoyer
 Castor (FL) Israel
 Chandler Jackson Lee
 Chu (TX)
 Cicilline Johnson (GA)
 Clarke (MI) Kaptur
 Clarke (NY) Keating
 Clay Kelly
 Cleaver Kildee
 Clyburn Kind
 Cohen King (NY)
 Connolly (VA) Kucinich
 Conyers Langevin
 Cooper Larsen (WA)
 Costa Larson (CT)
 Costello Latham
 Courtney LaTourette
 Crawford Lee (CA)
 Crenshaw Levin
 Critz Lewis (GA)
 Crowley Lipinski
 Cuellar Loeb sack
 Cummings Lofgren, Zoe
 Davis (CA) Lowey
 Davis (IL) Lucas
 Davis (KY) Lujan
 DeGette Maloney
 DeLauro Markey
 Deutch Matsui
 Diaz-Balart McCarthy (NY)
 Dicks McCollum
 Dingell McDermott
 Doggett McGovern
 Dold McKeon
 Donnelly (IN) McKinley
 Doyle Meeks
 Edwards Michaud
 Ellison Miller (NC)
 Engel Miller, George
 Eshoo Moore
 Farr Moran
 Fattah Murphy (CT)
 Filner Nadler
 Frank (MA) Napolitano
 Frelinghuysen Neal
 Fudge Nunes
 Garamendi Oliver
 Gerlach Owens
 Gibson Pallone
 Gonzalez Pascrell
 Granger Pastor (AZ)
 Green, Al Pelosi
 Green, Gene Peters
 Grijalva Peterson
 Gutierrez Pingree (ME)

NOT VOTING—10

Burton (IN) Johnson, E. B.
 Gohmert Lewis (CA)
 Hall Mack
 Jackson (IL) Schmidt

So the amendment was not agreed to.

83.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 74, line 19, after the dollar amount, insert "(reduced by \$304,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$304,000)".

It was decided in the { Yeas 178
 negative } Nays 247

83.17 [Roll No. 428]

AYES—178

Adams Gowdy
 Akin Graves (GA)
 Amash Graves (MO)
 Amodei Griffin (AR)
 Bachmann Griffith (VA)
 Barrow Grimm
 Bartlett Guinta
 Barton (TX) Guthrie
 Benishek Hall
 Bilbray Hanna
 Bilirakis Harris
 Bishop (UT) Hartzler
 Black Hensarling
 Blackburn Herger
 Bonner Herrera Beutler
 Bono Mack Huelskamp
 Boustany Huizenga (MI)
 Brady (TX) Hultgren
 Brooks Hunter
 Broun (GA) Hurt
 Buchanan Issa
 Bucshon Jenkins
 Buerkle Johnson (IL)
 Burgess Johnson (OH)
 Burton (IN) Johnson, Sam
 Camp Jones
 Campbell Jordan
 Canseco King (IA)
 Cassidy Kingston
 Chabot Kinzinger (IL)
 Chaffetz Kline
 Coble Labrador
 Conaway Lamborn
 Cravaack Lance
 Culberson Landry
 Denham Lankford
 DesJarlais Latta
 Dreier LoBiondo
 Duffy Long
 Duncan (SC) Luetkemeyer
 Duncan (TN) Lummis
 Ellmers Manulillo
 Emerson Marchant
 Farenthold Marino
 Fincher Matheson
 Fitzpatrick McCarthy (CA)
 Flake McCaul
 Fleischmann McClintock
 Fleming McCotter
 Flores McHenry
 Forbes McIntyre
 Fortenberry McMorris
 Foyx Rodgers
 Franks (AZ) Mica
 Gardner Miller (FL)
 Garrett Miller (MI)
 Gibbs Mulvaney
 Gingrey (GA) Myrick
 Goodlatte Neugebauer
 Gosar Noem

NOES—247

Ackerman Capps
 Aderholt Capuano
 Alexander Cardoza
 Altmire Carnahan
 Andrews Carney
 Austria Carson (IN)
 Baca Carter
 Bachus Castor (FL)
 Baldwin Chandler
 Barber Chu
 Barletta Cicilline
 Bass (CA) Clarke (MI)
 Bass (NH) Clarke (NY)
 Becerra Clay
 Berg Cleaver
 Berkley Clyburn
 Berman Coffman (CO)
 Biggert Cohen
 Bishop (GA) Cole
 Bishop (NY) Connolly (VA)
 Blumenauer Conyers
 Bonamici Cooper
 Boren Costa
 Boswell Costello
 Brady (PA) Courtney
 Braley (IA) Crawford
 Brown (FL) Crenshaw
 Butterfield Critz
 Calvert Crowley
 Cantor Cuellar
 Capito Cummings

Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Harper
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Israel
 Jackson Lee
 Quayle
 Renacci
 Ribble
 Rigell
 Roe (TN)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Roskam
 Ross (FL)
 Royce
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shuster
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stutzman
 Sullivan
 Terry
 Thornberry
 Upton
 Walberg
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Woodall
 Yoder
 Young (FL)
 Young (IN)

Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McKeon
 McKinley
 McNeerney
 Meehan
 Meeks
 Michaud
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Nunes
 Oliver
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Platts
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reed
 Rehberg
 Reichert
 Reyes
 Richardson
 Richmond
 Rivera
 Roby
 Rogers (AL)
 Rogers (KY)
 Ros-Lehtinen
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Runyan
 Ruppertsberger
 Young (AK)

Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schock
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shimkus
 Shuler
 Simpson
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark
 Sutton
 Thompson (CA)
 Thompson (PA)
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Van Hollen
 Velázquez
 Vislosky
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Wolf
 Womack
 Woolsey
 Yarmuth
 Young (AK)

NOT VOTING—7

Gohmert Lewis (CA)
 Jackson (IL) Mack
 Johnson, E. B. Stivers

So the amendment was not agreed to.

83.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 84, line 19, after the dollar amount, insert "(reduced by \$110,000,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$110,000,000)".

It was decided in the { Yeas 169
 negative } Nays 250

83.19 [Roll No. 429]

AYES—169

Adams Bucshon
 Akin Buerkle
 Amash Burgess
 Amodei Burton (IN)
 Austria Camp
 Baca Campbell
 Bachmann Canseco
 Barrow Cantor
 Bartlett Barton (TX)
 Black Cassidy
 Blackburn Chabot
 Bono Mack Chaffetz
 Boustany Chaffetz
 Brady (TX) Coble
 Brooks Conaway
 Broun (GA) Cravaack
 Buchanan Culberson
 Duncan (SC) Denham
 Duncan (TN) DesJarlais
 Ellmers Emerson
 Farenthold
 Fincher
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Gardner
 Garrett
 Gibbs
 Gingrey (GA)
 Gosar
 Gowdy
 Graves (GA)
 Graves (MO)

Griffin (AR) Marchant
Griffith (VA) Marino
Grimm Matheson
Guinta McCarthy (CA)
Guthrie McCaul
Hall McClintock
Harris McCotter
Hartzler McHenry
Hensarling McMorris
Herger Rodgers
Huelskamp Mica
Huizenga (MI) Miller (FL)
Hultgren Miller (MI)
Hunter Mulvaney
Hurt Myrick
Issa Neugebauer
Jenkins Noem
Johnson (IL) Nugent
Johnson (OH) Nunnelee
Johnson, Sam Olson
Jones Palazzo
Jordan Paul
King (IA) Paulsen
Kingston Pearce
Kinzinger (IL) Pence
Kline Petri
Labrador Pitts
Lamborn Poe (TX)
Lance Pompeo
Landry Posey
Lankford Price (GA)
Latta Quayle
Long Reichert
Luetkemeyer Renacci
Lummis Ribble
Manzullo Rigell

NOES—250

Ackerman DeFazio
Aderholt DeGette
Alexander DeLauro
Altmire Dent
Andrews Deutch
Baca Diaz-Balart
Bachus Dicks
Baldwin Dingell
Barber Doggett
Barletta Dold
Bass (NH) Donnelly (IN)
Becerra Doyle
Berg Edwards
Berkley Ellison
Berman Engel
Biggart Eshoo
Bishop (GA) Farr
Bishop (NY) Fattah
Blumenaucr Filner
Bonamici Fitzpatrick
Bonner Frank (MA)
Boren Frelinghuysen
Boswell Fudge
Brady (PA) Gallegly
Braley (IA) Garamendi
Brown (FL) Gerlach
Butterfield McDermott
Calvert Gibson
Capito Granger
Capps Green, Al
Capuano Green, Gene
Cardoza Grijalva
Carmahan Gutierrez
Carney Hahn
Carson (IN) Hanabusa
Carter Hanna
Castor (FL) Harper
Chandler Hastings (FL)
Chu Hastings (WA)
Cicilline Hayworth
Clarke (MI) Heck
Clarke (NY) Heinrich
Clay Herrera Beutler
Cleaver Higgins
Clyburn Himes
Coffman (CO) Hinchey
Cohen Hinojosa
Cole Hirono
Connolly (VA) Hochul
Cooper Holt
Costa Honda
Costello Hoyer
Courtney Israel
Crenshaw Jackson Lee
Critz (TX)
Crowley Johnson (GA)
Cuellar Kaptur
Cummings Keating
Davis (CA) Kelly
Davis (IL) Kildee
Davis (KY) Kind
King (NY) King (NY)

Reyes Richard
Richardson Richmond
Rohrabacher Rivera
Rokita Roby
Rooney Rogers (AL)
Roskam Rogers (KY)
Ross (FL) Ros-Lehtinen
Royce Ross (AR)
Ryan (WI) Rothman (NJ)
Rogers Scalise
Schilling Roybal-Allard
Schmidt Runyan
Schweikert Ruppertsberger
Scott (SC) Rush
Scott, Austin Ryan (OH)
Sensenbrenner Sanchez, Linda
Sessions T.
Smith (NE) Sanchez, Loretta
Smith (TX) Sarbanes
Olson Schiff
Stearns Schock
Stutzman Schrader
Sullivan Schwartz
Terry Thornberry
Upton Walberg
Walberg West
Westmoreland Whitfield
Wilson (SC) Wittman
Woodall Yoder
Young (FL) Young (IN)

NOT VOTING—13

Bass (CA) Johnson, E. B.
Conyers Lewis (CA)
Gohmert Mack
Gonzalez Meeks
Jackson (IL) Schakowsky

So the amendment was not agreed to.

83.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 86, line 12, after the dollar amount, insert "(reduced by \$562,150,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$562,150,000)".

It was decided in the { Yeas 160
negative Nays 264

83.21 [Roll No. 430]

AYES—160

Adams Garrett
Akin Gingrey (GA)
Amash Goodlatte
Bachmann Gosar
Barrow Gowdy
Bartlett Graves (GA)
Barton (TX) Graves (MO)
Benishek Griffin (AR)
Bilbray Griffith (VA)
Bishop (UT) Grimm
Black Guinta
Blackburn Guthrie
Boustany Hall
Brady (TX) Hartzler
Brooks Hensarling
Broun (GA) Herger
Buchanan Huelskamp
Buerkle Huizenga (MI)
Burgess Hultgren
Burton (IN) Hunter
Camp Hurt
Campbell Issa
Canseco Jenkins
Cantor Johnson (IL)
Cassidy Johnson (OH)
Chabot Johnson, Sam
Chaffetz Jones
Coble Jordan
Conaway King (IA)
Culberson Kingston
Denham Kinzinger (IL)
DesJarlais Kline
Dreier Labrador
Duffy Lamborn
Duncan (SC) Lance
Duncan (TN) Landry
Eilmers Lankford
Emerson Latta
Farenthold Long
Fincher Luetkemeyer
Flake Lummis
Fleischmann Manzullo
Fleming Marchant
Flores Marino
Forbes McCaul
Fortenberry McClintock
Foxy McCotter
Franks (AZ) McHenry
Gardner McIntyre

Terry Thornberry
Tsongas Turner (NY)
Turner (OH) Turner (OH)
Van Hollen Van Hollen
Velázquez Velázquez
Visclosky Visclosky
Walden Walden
Walsh (IL) Walsh (IL)
Walz (MN) Walz (MN)
Wasserman Wasserman
Schultz Schultz
Watt Watt
Waxman Waxman
Webster Webster
Welch Welch
Wilson (FL) Wilson (FL)
Wolf Wolf
Womack Womack
Woolsey Woolsey
Yarmuth Yarmuth
Young (AK) Young (AK)

Ackerman Frank (MA)
Aderholt Frelinghuysen
Alexander Fudge
Altmire Gallegly
Amodei Garamendi
Andrews Gerlach
Austria Gibbs
Baca Gibson
Bachus Gonzalez
Baldwin Granger
Barber Green, Al
Barletta Green, Gene
Bass (CA) Grijalva
Bass (NH) Gutierrez
Becerra Hahn
Berg Hanabusa
Berkley Hanna
Berman Harper
Biggart Hastings (FL)
Bilirakis Hastings (WA)
Bishop (GA) Hayworth
Bishop (NY) Heck
Blumenaucr Heinrich
Bonamici Herrera Beutler
Bonner Higgins
Bono Mack Himes
Boren Hinchey
Boswell Hinojosa
Brady (PA) Hirono
Braley (IA) Hochul
Brown (FL) Holden
Bucshon Holt
Butterfield Honda
Calvert Hoyer
Capito Israel
Capps Jackson Lee
Capuano (TX)
Cardoza Johnson (GA)
Carmahan Kaptur
Carney Keating
Carson (IN) Kelly
Carter Kildee
Castor (FL) Kind
Chandler King (NY)
Chu Kissell
Cicilline Kucinich
Clarke (MI) Langevin
Clarke (NY) Larsen (WA)
Clay Larson (CT)
Cleaver Latham
Clyburn LaTourette
Coffman (CO) Lee (CA)
Cohen Levin
Cole Lewis (GA)
Connolly (VA) Lipinski
Conyers LoBiondo
Cooper Loeb sack
Costa Lofgren, Zoe
Costello Lowey
Courtney Lucas
Cravaack Luján
Crawford Lungren, Daniel
Crenshaw E.
Critz Lynch
Crowley Maloney
Cuellar Markey
Cummings Matheson
Davis (CA) Matsui
Davis (IL) McCarthy (CA)
Davis (KY) McCarthy (NY)
DeFazio McCollum
DeGette McDermott
DeLauro McGovern
Dent McKeon
Deutch McKinley
Diaz-Balart McNeerney
Dicks Meehan
Dingell Meeks
Doggett Michaud
Dold Miller (NC)
Donnelly (IN) Miller, Gary
Doyle Miller, George
Edwards Moore
Ellison Moran
Engel Murphy (CT)
Eshoo Murphy (PA)
Farr Nadler
Fattah Napolitano
Filner Neal
Grijalva Olvera
Guthrie Owens
Hall Pallone
Haltzman Pascarell
Hartzer Pastor (AZ)
Hensarling Pelosi
Herger Perlmutter
Huelskamp Petri
Huizenga (MI) Pitts
Hultgren Poe (TX)
Hunter Pompepo
Hurt Posey
Issa Price (GA)
Jenkins Quayle
Johnson (IL) Ribble
Johnson (OH) Rigell
Johnson, Sam Roe (TN)
Jones Rogers (MI)
Jordan Rohrabacher
King (IA) Rokita
Kingston Rooney
Kinzinger (IL) Roskam
Kline Ross (FL)
Labrador Royce
Lamborn Ryan (WI)
Lance Scalise
Landry Schilling
Lankford Schmidt
Latta Schweikert
Long Schwei kert
Luetkemeyer Scott (SC)
Lummis Scott, Austin
Manzullo Sensenbrenner
Marchant Sessions
Marino Smith (NE)
McCaul Smith (TX)
McClintock Stearns
McCotter Stutzman
McHenry Sullivan
McIntyre

NOES—264

Olver
Owens
Pallone
Pascarell
Pastor (AZ)
Pelosi
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppertsberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NJ)
Smith (WA)
Southerland
Speier
Stark
Sutton
Thompson (CA)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Watt
Waxman
Webster
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

NOT VOTING—8

Gohmert Johnson, E. B. Stivers
Harris Lewis (CA) Thompson (MS)
Jackson (IL) Mack

So the amendment was not agreed to.

83.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 135, line 9, after the dollar amount, insert "(reduced by \$900,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$900,000)".

It was decided in the Yeas 172
negative Nays 249

83.23 [Roll No. 431]

AYES—172

Adams Graves (GA) Neugebauer
Amash Graves (MO) Noem
Amodiei Griffin (AR) Nugent
Austria Griffith (VA) Nunnelee
Bachmann Grimm Olson
Barrow Guinta Palazzo
Barton (TX) Guthrie Paul
Benishek Hall Paulsen
Berg Hanna Pearce
Bilbray Hartzler Pence
Bilirakis Heck Petri
Bishop (UT) Hensarling Pitts
Black Herger Poe (TX)
Blackburn Herrera Beutler Polis
Bono Mack Huelskamp Pompeo
Boustany Huizenga (MI) Posey
Brady (TX) Hultgren Price (GA)
Brooks Hunter Quayle
Broun (GA) Hurt Reichert
Buchanan Issa Renacci
Bucshon Jenkins Ribble
Buerkle Johnson (IL) Roe (TN)
Burgess Johnson (OH) Rogers (MI)
Burton (IN) Johnson, Sam Rohrabacher
Camp Jones Rokita
Campbell Jordan Rooney
Caneco King (IA) Roskam
Cantor Kingston Ross (FL)
Cassidy Kline Royce
Chabot Labrador Ryan (WI)
Chaffetz Lamborn Scalise
Conaway Lance Schilling
Culberson Landry Schmidt
Denham Lankford Schweikert
DesJarlais LoBiondo Scott (SC)
Dreier Long Scott, Austin
Duffy Luetkemeyer Sensenbrenner
Duncan (SC) Lummis Sessions
Duncan (TN) Lungren, Daniel Smith (NE)
E. Smith (NJ)
Emerson Manzullo Smith (TX)
Farenthold Marchant Southerland
Fincher Marino Stearns
Fitzpatrick Matheson Stutzman
Flake McCarthy (CA) Sullivan
Fleischmann McCaul Thornberry
Fleming McClintock Upton
Flores McCotter Walberg
Fortenberry McHenry Walden
Foxy McIntyre Walsh (IL)
Franks (AZ) McMorris Webster
Gardner Rodgers Westmoreland
Garrett Meehan Whitfield
Gibbs Mica Wilson (SC)
Gingrey (GA) Miller (FL) Woodall
Goodlatte Miller (MI) Yoder
Gosar Mulvaney Young (FL)
Gowdy Myrick Young (IN)

NOES—249

Ackerman Berkley Calvert
Aderholt Berman Capito
Alexander Biggart Capps
Altmire Bishop (GA) Capuano
Andrews Bishop (NY) Cardoza
Baca Blumenauer Carnahan
Bachus Bonamici Carney
Baldwin Bonner Carter
Barber Boren Castor (FL)
Barletta Borell Chandler
Bartlett Brady (PA) Chu
Bass (CA) Braley (IA) Cicilline
Bass (NH) Brown (FL) Clarke (MI)
Becerra Butterfield Clarke (NY)

Clay Holt
Clever Honda
Clyburn Hoyer
Coble Israel
Coffman (CO) Jackson Lee
Cohen (TX)
Cole Johnson (GA)
Connolly (VA) Kaptur
Conyers Keating
Cooper Kelly
Costa Kildee
Costello Kind
Courtney King (NY)
Cravaack Kinzinger (IL)
Crawford Kissell
Crenshaw Kucinich
Critz Langevin
Crowley Larsen (WA)
Cuellar Larson (CT)
Cummings Latham
Davis (CA) LaTourette
Davis (IL) Latta
Davis (KY) Lee (CA)
DeGette Levin
DeLauro Lewis (GA)
Dent Lipinski
Deutsch Loebsack
Diaz-Balart Lofgren, Zoe
Dicks Lowey
Dingell Lucas
Doggett Lujan
Dold Lynch
Donnelly (IN) Maloney
Doyle Markey
Edwards Matsui
Ellison McColium
Engel McDermott
Eshoo McGovern
Farr McKeon
Fattah McKinley
Filner McNeerney
Forbes Meeks
Frank (MA) Michaud
Frelinghuysen Miller (NC)
Fudge Miller, Gary
Gallegly Miller, George
Garamendi Moore
Gerlach Moran
Gibson Murphy (CT)
Gonzalez Murphy (PA)
Granger Nadler
Green, Al Napolitano
Green, Gene Neal
Grijalva Nunes
Gutierrez Olver
Hahn Owens
Hanabusa Pallone
Harper Pascrell
Harris Pastor (AZ)
Hastings (FL) Pelosi
Hastings (WA) Perlmutter
Hayworth Peters
Heinrich Peterson
Higgins Pingree (ME)
Himes Platts
Hinojosa Price (NC)
Hirono Quigley
Hochul Rahall
Holden Rangel
Reed Yarmuth
Reed Young (AK)

NOT VOTING—11

Akin Jackson (IL)
Carson (IN) Johnson, E. B.
DeFazio Lewis (CA)
Gohmert Mack Thompson (MS)

So the amendment was not agreed to.

83.24 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BROUN of Georgia:

Page 137, line 13, after the dollar amount, insert "(reduced by \$12,300,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$12,300,000)".

It was decided in the Yeas 172
negative Nays 250

83.25 [Roll No. 432]

AYES—172

Adams Amodiei Barrow
Akin Austria Bartlett
Amash Bachmann Benishek

Bilbray Griffin (AR)
Bishop (UT) Griffith (VA)
Black Grimm
Blackburn Guinta
Bonner Guthrie
Bono Mack Hall
Boustany Harris
Brady (TX) Hartzler
Brooks Hensarling
Broun (GA) Herger
Buchanan Huelskamp
Bucshon Huizenga (MI)
Buerkle Hultgren
Burgess Hunter
Burton (IN) Hurt
Camp Issa
Campbell Jenkins
Caneco Johnson (OH)
Cantor Johnson, Sam
Capito Jones
Cassidy Jordan
Chabot King (IA)
Chaffetz Kingston
Coble Kinzinger (IL)
Coffman (CO) Kline
Conaway Labrador
Cravaack Lamborn
Culberson Lance
Denham Landry
DesJarlais Lankford
Dreier Latta
Duffy Long
Duncan (SC) Luetkemeyer
Duncan (TN) Lummis
Ellmers Manzullo
Emerson Marchant
Farenthold Marino
Fincher Matheson
Fitzpatrick McCarthy (CA)
Flake McCaul
Fleischmann McClintock
Fleming McCotter
Flores McHenry
Forbes McMorris
Foxy Rodgers
Franks (AZ) Mica
Gardner Miller (FL)
Garrett Miller (MI)
Gibbs Mulvaney
Gingrey (GA) Murphy (PA)
Goodlatte Myrick
Gosar Neugebauer
Gowdy Noem
Graves (GA) Nugent
Graves (MO) Nunnelee

NOES—250

Ackerman Cleaver Gerlach
Aderholt Clyburn Gibson
Alexander Cohen Gonzalez
Cole Granger
Connolly (VA) Green, Al
Conyers Green, Gene
Cooper Grijalva
Costa Gutierrez
Costello Hahn
Courtney Hanabusa
Crawford Hanna
Crenshaw Harper
Critz Hastings (FL)
Crowley Hastings (WA)
Cuellar Hayworth
Cummings Heck
Davis (CA) Heinrich
Davis (IL) Herrera Beutler
Davis (KY) Higgins
DeFazio Himes
DeGette Hinchey
DeLauro Hinojosa
Dent Hirono
Deutsch Hochul
Diaz-Balart Holden
Braley (IA) Dicks
Brown (FL) Dingell
Butterfield Doggett
Calvert Calvert
Capps Israel
Capuano Donnelly (IN)
Cardoza Doyle (TX)
Carnahan Edwards Johnson (GA)
Carney Ellison Kaptur
Carson (IN) Engel Keating
Carter Eshoo Kelly
Castor (FL) Farr Kildee
Chandler Fattah Kind
Chu Filner King (NY)
Cicilline Fortenberry Kissell
Clarke (MI) Frelinghuysen Kucinich
Clarke (NY) Fudge Langevin
Clay Gallely Larsen (WA)
Garamendi Larson (CT)

Latham Pascrell Serrano Landry Nunnelee Scalise Schwartz Sutton Walz (MN)
LaTourette Pastor (AZ) Sewell Olson Scott (VA) Terry Wasserman
Lee (CA) Pelosi Sherman Long Olson Schweikert Scott, David Thompson (CA) Terry Wasserman
Levin Perlmutter Shuler Paul Schweikeyert Scott, David Thompson (CA) Terry Wasserman
Lewis (GA) Peters Shuster Lummis Scott, Austin Sessions Scott, Austin Tipton Waters
Lipinski Peterson Simpson Lungren, Daniel Pence Sensenbrenner Sherman Tierney Waxman
LoBiondo Pingree (ME) Sires E. Manzullo Marchant Poe (TX) Smith (NE) Smith (TX) Tipton Waters
Loeb sack Platts Slaughter Marino Pompeo Smith (TX) Starns Slaughter Tierney Waxman
Lofgren, Zoe Polis Smith (WA) Speier Stark McCarty (CA) Stutzman Smith (NJ) Tipton Waters
Lowey Price (NC) Quigley Stark McCarty (CA) Stutzman Smith (NJ) Tipton Waters
Lucas Rahall Sutton Thompson (CA) Sullivan Smith (WA) Tipton Waters
Lujan Rangel Reed Thompson (PA) Thornberry Southernland Tipton Waters
Lungren, Daniel E. Rehberg Reichert Tierney Tiberi Tipton Waters
Lynch E. Rehberg Reichert Tierney Tiberi Tipton Waters
Maloney Reichert Reyes Tipton Tonko Towns West
Markey Reyes Richarderson Tipton Tonko Towns West
Matsui Richardson Tipton Tonko Towns West
McCarthy (NY) Richmond Riveria Towns West
McCollum Rivera Towns West
McDermott Roby Turner (NY) Myrick Neugebauer Nunes
McGovern Rogers (AL) Rogers (KY) Van Hollen
McIntyre Rogers (KY) Van Hollen
McKeon Ros-Lehtinen Ross (AR)
McKinley Ross (AR)
McNerney Rothman (NJ)
Meehan Roybal-Allard
Meeks Runyan
Michaud Ruppertsberger
Miller (NC) Rush
Miller, Gary Ryan (OH)
Miller, George Sanchez, Linda
Moore T.
Moran Sanchez, Loretta
Murphy (CT) Sarbanes
Nadler Schakowsky
Napolitano Schiff Wilson (FL)
Neal Schock
Nunes Schrader
Oliver Schwartz
Owens Scott (VA)
Pallone Scott, David

Wasserman Schultz Waters
Watt Waxman Webster
Welch West Whitfield
Wilson (FL) Wolf
Womack Woolsey
Young (AK) Young (FL)

Frank (MA) Johnson, E. B. Stivers
Gohmert Lewis (CA) Thompson (MS)
Jackson (IL) Mack

So the amendment was not agreed to.

83.28 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. McCLINTOCK:

- Page 89, line 13, after the dollar amount, insert "(reduced to \$0)".
Page 89, line 15, after the dollar amount, insert "(reduced to \$0)".
Page 89, line 24, after the dollar amount, insert "(reduced to \$60,000,000)".
Page 90, line 2, after the dollar amount, insert "(reduced to \$3,960,000)".
Page 150, line 9, after the dollar amount, insert "(increased by \$3,404,000,000)".

It was decided in the Yeas 80
negative Nays 342

83.29 [Roll No. 434]

AYES—80
Akin Gosar Olson
Amash Gowdy Paul
Bachmann Graves (GA) Pence
Bartlett Harris Petri
Black Hensarling Pompeo
Blackburn Herger Posey
Broun (GA) Huelskamp Price (GA)
Burgess Huizenga (MI) Quayle
Burton (IN) Hunter Rohrabacher
Campbell Issa Rokita
Cantor Jenkins Royce
Cassidy Johnson (IL) Scalise
Chabot Johnson, Sam Schweikert
Chaffetz Jordan Scott (SC)
Coble Labrador Scott, Austin
Conaway Lamborn Sensenbrenner
Culberson Landry Sessions
Denham Long Stearns
Duncan (SC) Lummis Stutzman
Duncan (TN) Manzullo Sullivan
Flake McCaul Walsh (IL)
Fleischmann McClintock Webster
Fleming McHenry Westmoreland
Flores Mulvaney Wilson (SC)
Foxy Neugebauer Woodall
Franks (AZ) Nunes Yoder
Garrett Nunnelee

NOES—342

Ackerman Biggert Calvert
Adams Bilbray Camp
Aderholt Bilirakis Canseco
Alexander Bishop (GA) Capito
Altmire Bishop (NY) Capps
Amodei Bishop (UT) Capuano
Andrews Blumenauer Cardoza
Austria Bonamici Carnahan
Baca Bonner Carney
Bachus Bono Mack Carson (IN)
Baldwin Boren Carter
Barber Boswell Castor (FL)
Barletta Boustany Chandler
Barrow Brady (PA) Chu
Barton (TX) Brady (TX) Cicilline
Bass (CA) Braley (IA) Clarke (MI)
Bass (NH) Brooks Clarke (NY)
Becerra Brown (FL) Clay
Benishek Buchanan Cleaver
Berg Bucshon Clyburn
Berkley Buerkle Coffman (CO)
Berman Butterfield Cohen

NOT VOTING—10

Bilirakis Johnson (IL) Stivers
Frank (MA) Johnson, E. B. Thompson (MS)
Gohmert Lewis (CA)
Jackson (IL) Mack

So the amendment was not agreed to.

83.26 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CHAFFETZ:

- Page 89, line 13, after the dollar amount, insert "(reduced by \$396,000,000)".
Page 89, line 15, after the dollar amount, insert "(reduced by \$396,000,000)".
Page 150, line 9, after the dollar amount, insert "(increased by \$396,000,000)".

It was decided in the Yeas 157
negative Nays 267

83.27 [Roll No. 433]

AYES—157
Adams Coble Graves (MO)
Akin Coffman (CO) Griffin (AR)
Amash Conaway Griffith (VA)
Amodei Culberson Grimm
Bachmann Denham Guinta
Bartlett Dreier Guthrie
Barton (TX) Duffy Hall
Benishek Duncan (SC) Harris
Bilbray Duncan (TN) Hartzler
Bishop (UT) Ellmers Hensarling
Black Emerson Herger
Blackburn Farenthold Huelskamp
Bono Mack Fincher Huizenga (MI)
Boustany Flake Hultgren
Brady (TX) Fleischmann Hunter
Brooks Fleming Hurt
Broun (GA) Flores Issa
Buchanan Forbes Jenkins
Bucshon Fortenberry Johnson (IL)
Buerkle Foxx Johnson (OH)
Burgess Franks (AZ) Johnson, Sam
Burton (IN) Gardner Jones
Camp Garrett Jordan
Campbell Gibbs King (IA)
Canseco Gingrey (GA) Kingston
Cantor Goodlatte Kline
Cassidy Gosar Labrador
Chabot Gowdy Lamborn
Chaffetz Graves (GA) Lance

NOES—267

Ackerman Dicks Lujan
Aderholt Dingell Lynch
Alexander Doggett Maloney
Altmire Dold Markey
Andrews Donnelly (IN) Matheson
Austria Doyle Matsui
Baca Edwards McCarthy (NY)
Bachus Ellison McCollum
Baldwin Engel McCotter
Barber Eshoo McDermott
Barletta Farr McGovern
Barrow Fattah McIntyre
Bass (CA) Filner McKeon
Bass (NH) Fitzpatrick McKinley
Becerra Frelinghuysen McNerney
Berg Fudge Meehan
Berkley Gallegly Meeks
Berman Garamendi Michaud
Biggert Gerlach Miller (NC)
Bilirakis Gibson Miller, Gary
Bishop (GA) Gonzalez Miller, George
Bishop (NY) Granger Moore
Blumenauer Green, Al Moran
Bonamici Green, Gene Murphy (CT)
Bonner Grijalva Nadler
Boren Gutierrez Napolitano
Boswell Hahn Neal
Brady (PA) Hanabusa Noem
Braley (IA) Hanna Nugent
Brown (FL) Harper Oliver
Butterfield Hastings (FL) Owens
Calvert Hastings (WA) Pallone
Capito Hayworth Pascrell
Capps Heck Pastor (AZ)
Capuano Heinrich Pearce
Caroza Herrera Beutler Pelosi
Carnahan Higgins Perlmutter
Carney Himes Peters
Carson (IN) Hinchey Peterson
Carter Hinojosa Pingree (ME)
Castor (FL) Hiron Platt
Chandler Hochul Price (NC)
Chu Holden Quigley
Cicilline Holt Rahall
Clarke (MI) Clarke (MI) Honda
Clarke (NY) Hoyer Rangel
Clay Israel Reed
Cleaver Jackson Lee Rehberg
Clyburn (TX) (TX) Reichert
Cohen Johnson (GA) Reyes
Cole Kaptur Richardson
Connolly (VA) Keating Richmond
Conyers Kelly Rivera
Cooper Kildee Roe (TN)
Costa Kind Rogers (AL)
Costello King (NY) Rogers (KY)
Courtney Kingzinger (IL) Ros-Lehtinen
Cravaack Kissell Roskam
Crawford Kucinich Ross (AR)
Crenshaw Langevin Rothman (NJ)
Critz Larsen (WA) Roybal-Allard
Crowley Larson (CT) Runyan
Cuellar Latham Ruppertsberger
Cummings LaTourette Rush
Davis (CA) Latta Ryan (OH)
Davis (IL) Lee (CA) Sanchez, Linda
Davis (KY) Levin T.
DeFazio Lewis (GA) Sanchez, Loretta
DeGette Lipinski Sarbanes
DeLauro LoBiondo Schakowsky
Dent Loeb sack Schiff
DesJarlais Lofgren, Zoe Schilling
Deutch Lowey Schock
Diaz-Balart Lucas Schrader

Cole Johnson (GA) Reed
 Connolly (VA) Johnson (OH) Rehberg
 Conyers Jones Reichert
 Cooper Kaptur Renacci
 Costa Keating Reyes
 Costello Kelly Ribble
 Courtney Kildee Richardson
 Cravaack Kind Richmond
 Crawford King (IA) Rigell
 Crenshaw King (NY) Rivera
 Critz Kingston Roby
 Crowley Kinzinger (IL) Roe (TN)
 Cuellar Kissell Rogers (AL)
 Cummings Kline Rogers (KY)
 Davis (CA) Kucinich Rogers (MI)
 Davis (IL) Lance Rooney
 Davis (KY) Langevin Ros-Lehtinen
 DeFazio Lankford Roskam
 DeGette Larsen (WA) Ross (AR)
 DeLauro Larson (CT) Ross (FL)
 Dent Latham Rothman (NJ)
 DesJarlais LaTourette Roybal-Allard
 Deutch Latta Runyan
 Diaz-Balart Lee (CA) Ruppertsberger
 Dicks Levin Ruppertsberger
 Dingell Lewis (GA) Ryan (OH)
 Doggett Lipinski Ryan (WI)
 Dold LoBiondo Sanchez, Linda
 Donnelly (IN) Loebsack T.
 Doyle Lofgren, Zoe Sanchez, Loretta
 Dreier Lowey Sarbanes
 Duffy Lucas Schakowsky
 Edwards Luetkemeyer Schiff
 Ellison Lujan Schilling
 Ellmers Lungren, Daniel Schmidt
 Emerson E. Schock
 Engel Lynch Schrader
 Eshoo Maloney Schwartz
 Farenthold Marchant Scott (VA)
 Farr Marino Scott, David
 Fattah Markey Serrano
 Filner Matheson Sewell
 Fincher Matsui Sherman
 Fitzpatrick McCarthy (CA) Shimkus
 Forbes McCarthy (NY) Shuler
 Fortenberry McCollum Shuster
 Frelinghuysen McCotter Simpson
 Fudge McDermott Sires
 Gallegly McGovern Slaughter
 Garamendi McIntyre Smith (NE)
 Gardner McKeon Smith (NJ)
 Gerlach McKinley Smith (TX)
 Gibbs McMorris Smith (WA)
 Gibson Rodgers Southerland
 Gingrey (GA) McNeerney Speier
 Gonzalez Meehan Stark
 Goodlatte Meeks Sutton
 Granger Mica Terry
 Graves (MO) Michaud Thompson (CA)
 Green, Al Miller (MI) Thompson (PA)
 Green, Gene Miller (NC) Thornberry
 Griffin (AR) Miller, Gary Tiberi
 Griffith (VA) Miller, George Tierney
 Grijalva Moore Tipton
 Grimm Moran Tonko
 Guinta Murphy (CT) Towns
 Guthrie Murphy (PA) Tsongas
 Hahn Myrick Turner (NY)
 Hall Nadler Turner (OH)
 Hanabusa Napolitano Upton
 Hanna Neal Van Hollen
 Harper Noem Velazquez
 Hartzler Nugent Visclosky
 Hastings (FL) Olver Walberg
 Hastings (WA) Owens Walden
 Hayworth Palazzo Walz (MN)
 Heck Pallone Wasserman
 Heinrich Pascrell Schultz
 Herrera Beutler Pastor (AZ)
 Higgins Paulsen Waters
 Himes Pearce Watt
 Hinchey Waxman Welch
 Hinojosa Perlmutter Welch
 Hirono Peters West
 Hochul Peterson Whitfield
 Holden Pingree (ME) Wilson (FL)
 Holt Pitts Wittman
 Honda Platts Wolf
 Hoyer Poe (TX) Womack
 Hultgren Polis Woolsey
 Hurt Price (NC) Yarmuth
 Israel Quigley Young (AK)
 Jackson Lee Rahall Young (FL)
 (TX) Rangel Young (IN)

NOT VOTING—10

Frank (MA) Johnson, E. B. Stivers
 Gohmert Lewis (CA) Thompson (MS)
 Gutierrez Mack
 Jackson (IL) Miller (FL)

So the amendment was not agreed to.

83.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 11, submitted by Mr. McCLINTOCK:

Page 90, line 15, after the dollar amount, insert “(reduced to \$0)”.

Page 150, line 9, after the dollar amount, insert “(increased by \$6,000,000)”.

It was decided in the { Yeas 123
 negative } Nays 300

83.31 [Roll No. 435]

AYES—123

Adams Gosar Nunes
 Akin Gowdy Nunnelee
 Amash Graves (GA) Olson
 Amodei Graves (MO) Paul
 Bachmann Hall Pence
 Bartlett Harris Petri
 Barton (TX) Hartzler Poe (TX)
 Benishek Hensarling Pompeo
 Bishop (UT) Herger Posey
 Black Huelskamp Price (GA)
 Blackburn Huizenga (MI) Quayle
 Bono Mack Hultgren Ribble
 Boustany Hunter Ribble
 Brooks Hurt Rigell
 Brown (GA) Issa Roby
 Buchanan Jenkins Roe (TN)
 Buerkle Johnson (IL) Rogers (MI)
 Burgess Johnson, Sam Rohrabacher
 Burton (IN) Jordan Rokita
 Campbell King (IA) Rooney
 Cantor Kingston Royce
 Cassidy Kline Ryan (WI)
 Chabot Labrador Scalise
 Chaffetz Lamborn Schweikert
 Coble Lance Scott (SC)
 Coffman (CO) Landry Scott, Austin
 Conaway Conaway Sensenbrenner
 Culberson Long Sessions
 Duncan (SC) Lummis Stearns
 Duncan (TN) Manually Stutzman
 Emerson Marchant Thornberry
 Fincher McCarthy (CA) Upton
 Flake McCaul Walberg
 Fleischmann McClintock Walden
 Fleming McHenry Walsh (IL)
 Flores McMorris Webster
 Foxx Rodgers Westmoreland
 Franks (AZ) Mica Wilson (SC)
 Gardner Miller (FL) Woodall
 Garrett Mulvaney Yoder
 Gingrey (GA) Murphy (PA) Young (IN)
 Goodlatte Neugebauer

NOES—300

Ackerman Camp Davis (CA)
 Aderholt Canseco Davis (IL)
 Alexander Capito Davis (KY)
 Altmire Capps DeFazio
 Andrews Capuano DeGette
 Austria Cardoza DeLauro
 Baca Carnahan Denham
 Bachus Carney Dent
 Baldwin Carson (IN) DesJarlais
 Barber Carter Deutch
 Barletta Castor (FL) Diaz-Balart
 Barrow Chandler Dicks
 Bass (NH) Chu Dingell
 Becerra Cicilline Doggett
 Berg Clarke (MI) Dold
 Berkley Clarke (NY) Donnelly (IN)
 Berman Clay Doyle
 Biggart Cleaver Dreier
 Bilbray Clyburn Duffy
 Bilirakis Cohen Edwards
 Bishop (GA) Cole Ellison
 Bishop (NY) Connolly (VA) Ellmers
 Blumenauer Conyers Engel
 Bonamici Cooper Eshoo
 Bonner Costa Farenthold
 Boren Costello Farr
 Boswell Courtney Fattah
 Brady (PA) Cravaack Filner
 Brady (TX) Crawford Fitzpatrick
 Braley (IA) Crenshaw Forbes
 Brown (FL) Critz Fortenberry
 Burchon Crowley Frelinghuysen
 Butterfield Cuellar Fudge
 Calvert Cummings Gallegly

Garamendi Lungren, Daniel Roybal-Allard
 Gerlach E. Runyan
 Gibbs Lynch Ruppertsberger
 Gibson Maloney Rush
 Gonzalez Marino Ryan (OH)
 Granger Markey Sanchez, Linda
 Green, Al Matheson T.
 Green, Gene Matsui Sanchez, Loretta
 Griffin (AR) McCarthy (NY) Sarbanes
 Griffith (VA) McCollum Schakowsky
 Grijalva McCotter Schiff
 Grimm McDermott Schilling
 Guinta McGovern Schmidt
 Guthrie McIntyre Schock
 Gutierrez McKeon Schrader
 Hahn McKinley Schwartz
 Hanabusa McNeerney Scott (VA)
 Hanna Meehan Scott, David
 Harper Meeks Serrano
 Hastings (FL) Michaud Sewell
 Hastings (WA) Miller (MI) Sherman
 Hayworth Miller (NC) Shimkus
 Heck Miller, Gary Shuler
 Heinrich Moore Shuster
 Herrera Beutler Moran Simpson
 Higgins Murphy (CT) Sires
 Himes Myrick Slaughter
 Hinchey Nadler Smith (NE)
 Hinojosa Nadler Smith (NJ)
 Hirono Napolitano Smith (TX)
 Hochul Neal Smith (WA)
 Holden Noem Southerland
 Holt Nugent Speier
 Honda Olver Stark
 Hoyer Owens Sullivan
 Israel Palazzo Sutton
 Jackson Lee Pallone Terry
 (TX) Pascrell Thompson (CA)
 Johnson (GA) Pastor (AZ) Thompson (PA)
 Johnson (OH) Paulsen Tiberi
 Jones Pearce Tierney
 Kaptur Pelosi Tipton
 Keating Perlmutter Tonko
 Kelly Peters Towns
 Kildee Peterson Tsongas
 Kind Pingree (ME) Turner (NY)
 King (NY) Pitts Turner (OH)
 Kinzinger (IL) Platts Van Hollen
 Kissell Price (NC) Velazquez
 Kucinich Quigley Visclosky
 Langevin Rahall Walz (MN)
 Larsen (WA) Rangel Wasserman
 Larson (CT) Reed Schultz
 Latham Rehberg Waters
 LaTourette Reichert Watt
 Latta Renacci Waxman
 Lee (CA) Reyes Welch
 Levin Richardson West
 Lewis (GA) Richmond Whitfield
 Lipinski Rivera Wilson (FL)
 LoBiondo Rogers (AL) Wittman
 Loeb sack Rogers (KY) Wolf
 Lofgren, Zoe Ros-Lehtinen Womack
 Lowey Roskam Woolsey
 Lucas Ross (AR) Yarmuth
 Luetkemeyer Ross (FL) Young (AK)
 Lujan Rothman (NJ) Young (FL)

NOT VOTING—9

Bass (CA) Jackson (IL) Mack
 Frank (MA) Johnson, E. B. Stivers
 Gohmert Lewis (CA) Thompson (MS)

So the amendment was not agreed to.

83.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FLAKE:

Page 91, line 7, after the dollar amount, insert “(reduced by \$200,000,000)”.

Page 150, line 9, after the dollar amount insert “(increased by \$200,000,000)”.

It was decided in the { Yeas 178
 negative } Nays 242

83.33 [Roll No. 436]

AYES—178

Adams Bartlett Black
 Akin Barton (TX) Blackburn
 Amash Benishek Bono Mack
 Amodei Bilbray Boustany
 Bachmann Bilirakis Brady (TX)
 Bachus Bishop (UT) Brooks

Broun (GA) Hartzler Owens
 Buchanan Hensarling Palazzo
 Buerkle Herger Paulsen
 Burgess Herrera Beutler Pearce
 Burton (IN) Hochul Pence
 Camp Huelskamp Petri
 Campbell Huizenga (MI) Pitts
 Canseco Hultgren Poe (TX)
 Cantor Hunter Pompeo
 Carter Hurt Posey
 Cassidy Issa Price (GA)
 Chabot Jenkins Quayle
 Chaffetz Johnson (IL) Reichert
 Coble Johnson (OH) Renacci
 Coffman (CO) Johnson, Sam Ribble
 Conaway Jones Rigell
 Cravaack Jordan Roby
 Culberson King (IA) Roe (TN)
 Denham Kingston Rogers (MI)
 DesJarlais Kline Rohrabacher
 Dreier Labrador Rokita
 Duffy Lamborn Rooney
 Duncan (SC) Lance Ross (FL)
 Duncan (TN) Landry Royce
 Ellmers Lankford Ryan (WI)
 Emerson Latta Scalise
 Farenthold Lipinski Schmidt
 Fincher Long Schweikert
 Fitzpatrick Luetkemeyer Scott (SC)
 Flake Lummis Scott, Austin
 Fleischmann Lungren, Daniel
 Fleming E. Sensenbrenner
 Flores Manullo Shimkus
 Forbes Marchant Simpson
 Fortenberry Marino Smith (NE)
 Foxx Matheson Smith (TX)
 Franks (AZ) McCarthy (CA) Southerland
 Gardner McCaul Stearns
 Garrett McClintock Stutzman
 Gibbs McHenry Terry
 Gingrey (GA) McMorris Thornberry
 Goodlatte Rodgers Upton
 Gosar Mica Walberg
 Gowdy Miller (FL) Walden
 Granger Miller (MI) Walsh (IL)
 Graves (GA) Mulvaney Webster
 Graves (MO) Murphy (PA) West
 Griffin (AR) Myrick Westmoreland
 Griffith (VA) Neugebauer Wilson (SC)
 Grimm Noem Wittman
 Guinta Nugent Woodall
 Guthrie Nunes Yoder
 Hall Nunnelee Young (FL)
 Harris Olson Young (IN)

NOES—242

Ackerman Clyburn Green, Al
 Aderholt Cohen Green, Gene
 Alexander Cole Grijalva
 Altmire Connolly (VA) Gutierrez
 Andrews Conyers Hahn
 Austria Cooper Hanabusa
 Baca Costa Hanna
 Baldwin Costello Harper
 Barber Courtney Hastings (FL)
 Barletta Crawford Hastings (WA)
 Barrow Crenshaw Hayworth
 Bass (CA) Critz Heck
 Bass (NH) Crowley Heinrich
 Becerra Cuellar Higgins
 Berkley Cummings Himes
 Berman Davis (CA) Hinchey
 Biggert Davis (IL) Hinojosa
 Bishop (GA) Davis (KY) Hirono
 Bishop (NY) DeFazio Holden
 Blumenauer DeGette Holt
 Bonamici DeLauro Honda
 Bonner Dent Hoyer
 Boren Deutch Israel
 Boswell Diaz-Balart Jackson Lee
 Brady (PA) Dicks (TX)
 Braley (IA) Dingell Johnson (GA)
 Brown (FL) Doggett Kaptur
 Butterfield Dold Keating
 Calvert Donnelly (IN) Kelly
 Capito Doyle Kildee
 Capps Edwards Kind
 Capuano Ellison King (NY)
 Cardoza Engel Kinzinger (IL)
 Carnahan Eshoo Kissell
 Carney Farr Kucinich
 Carson (IN) Fattah Langevin
 Castor (FL) Castor (FL) Filner Larsen (WA)
 Chandler Frelinghuysen Larson (CT)
 Chu Fudge Latham
 Cicilline Gallegly LaTourette
 Clarke (MI) Garamendi Lee (CA)
 Clarke (NY) Gerlach Levin
 Clay Gibson Lewis (GA)
 Cleaver Gonzalez LoBiondo

Loeb sack Pingree (ME) Shuler
 Lofgren, Zoe Platts Shuster
 Lowey Polis Sires
 Lucas Price (NC) Slaughter
 Lujan Quigley Smith (NJ)
 Lynch Rahall Smith (WA)
 Maloney Rangel Speier
 Markey Reed Stark
 Matsui Reyes Sullivan
 McCarthy (NY) Richardson Sutton
 McCollum Richmond Thompson (CA)
 McCotter Rivera Thompson (PA)
 McDermott Rogers (AL) Tiberi
 McGovern Rogers (KY) Tierney
 McIntyre Ros-Lehtinen Tipton
 McKeon Roskam Tonko
 McKinley Ross (AR) Towns
 McNeerney Rothman (NJ) Tsongas
 Meehan Roybal-Allard Turner (NY)
 Meeks Runyan Turner (OH)
 Michaud Ruppertsberger Van Hollen
 Miller (NC) Rush Velázquez
 Miller, Gary Ryan (OH) Visclosky
 Miller, George Sánchez, Linda
 Moore T. Walz (MN)
 Moran Sanchez, Loretta Wasserman
 Murphy (CT) Sarbanes Schultz
 Nadler Schakowsky Waters
 Napolitano Schiff Watt
 Neal Schilling Waxman
 Olver Schock Welch
 Pallone Sessions Whitfield
 Pascrell Schwartz Wilson (FL)
 Pastor (AZ) Scott (VA) Wolf
 Pelosi Scott, David Womack
 Perlmutter Serrano Woolsey
 Peters Sewell Yarmuth
 Peterson Sherman Young (AK)

NOT VOTING—12

Berg Jackson (IL) Paul
 Bucshon Johnson, E. B. Rehberg
 Frank (MA) Lewis (CA) Stivers
 Gohmert Mack Thompson (MS)

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. WOODALL, assumed the Chair. When Mr. BASS of New Hampshire, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

83.34 RECESS—5:24 P.M.

The SPEAKER pro tempore, Mr. WOODALL, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 24 minutes p.m., subject to the call of the Chair.

83.35 AFTER RECESS—8:15 P.M.

The SPEAKER pro tempore, Mr. WEST, called the House to order.

83.36 RELATING TO THE CONSIDERATION OF HOUSE REPORT 112-553 AND PROVIDING FOR CONSIDERATION OF H. RES. 706

Mr. NUGENT, by direction of the Committee on Rules, reported (Rept. No. 112-553) the resolution (H. Res. 708) relating to the consideration of House Report 112-546 and an accompanying resolution, and providing for consideration of the resolution (H. Res. 706) authorizing the Committee on Oversight and Government Reform to initiate or intervene in judicial proceedings to enforce certain subpoenas.

When said resolution and report were referred to the House Calendar and ordered printed.

83.37 TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mr. NUGENT, pursuant to House Resolu-

tion 697 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. WEST, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. DENHAM, assumed the Chair.

When Ms. FOXX, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

83.38 MOTION TO INSTRUCT CONFEREES—H.R. 4348

Ms. HAHN submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, to agree to the freight policy provisions in Sec. 1115, Sec. 33002, Sec. 33003, and Sec. 33005 of the amendment of the Senate.

After debate, By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce, Will the House agree to said motion?

The SPEAKER pro tempore, Ms. FOXX, announced that the nays had it.

Ms. HAHN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Ms. FOXX, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, June 28, 2012.

83.39 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 33. An Act to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act.

H.R. 2297. An Act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

83.40 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 3187. An Act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend

the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

183.41 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. Eddie Bernice JOHNSON of Texas, for today and balance of the week.

And then,

183.42 ADJOURNMENT

On motion of Mr. DENHAM, at 11 o'clock and 12 minutes p.m., the House adjourned.

183.43 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. Legislative Review and Oversight Activities of the Committee on Foreign Affairs During the 112th Congress (Rept. 112-552). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 708. Resolution relating to the consideration of House Report 112-546 and an accompanying resolution, and providing for consideration of the resolution (H. Res. 706) authorizing the Committee on Oversight and Government Reform to initiate or intervene in judicial proceedings to enforce certain subpoenas. (Rept. 112-553). Referred to the House Calendar.

183.44 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. CONYERS, Mr. GOODLATTE, Mr. WATT, Mr. COBLE, Mr. BERMAN, Mr. WOLF, Mr. SCHIFF, Mr. CHAFFETZ, Mr. DEUTCH, Mr. POE of Texas, and Mr. CHABOT):

H.R. 6029. A bill to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. RANGEL, Mr. STARK, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 6030. A bill to provide a temporary tax credit for increased payroll, to eliminate certain tax benefits for major integrated oil companies, and for other purposes; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 6031. A bill to amend the Internal Revenue Code of 1986 to extend the production and investment tax credits for wind facilities and to modify the foreign tax credit rules applicable to major integrated oil companies

which are dual capacity taxpayers; to the Committee on Ways and Means.

By Mrs. BLACKBURN:

H.R. 6032. A bill to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. CUMMINGS (for himself, Mr. BURTON of Indiana, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE of New York, Mr. CLAY, Mr. JACKSON of Illinois, and Mr. RANGEL):

H.R. 6033. A bill to provide for research and education to improve screening, detection and diagnosis of prostate cancer; to the Committee on Energy and Commerce.

By Mr. GARAMENDI (for himself, Mr. DANIEL E. LUNGREN of California, Ms. RICHARDSON, Mr. LOEBACK, Mr. STARK, and Mr. THOMPSON of California):

H.R. 6034. A bill to provide for the establishment of a task force to conduct a study to analyze the challenges faced by agricultural areas and rural communities designated as an area having special flood hazards for purposes of the National Flood Insurance Program; to the Committee on Financial Services.

By Ms. RICHARDSON (for herself and Mr. RANGEL):

H.R. 6035. A bill to promote permanent families for children, privacy and safety for unwed mothers, responsible fatherhood, and security for adoptive parents by establishing a National Responsible Father Registry and encouraging States to enter into agreements to contribute the information contained in the State's Responsible Father Registry to the National Responsible Father Registry, and for other purposes; to the Committee on Ways and Means.

By Mr. ROGERS of Michigan (for himself, Ms. ROS-LEHTINEN, and Mr. McKEON):

H.R. 6036. A bill to require a report by the Secretary of State on whether the Haqqani Network meets the criteria for designation as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary.

By Mr. COFFMAN of Colorado (for himself and Mr. PERLMUTTER):

H.R. 6037. A bill to include focusing on credit availability in the mission of each Federal banking regulator, to provide insured depository institutions with certain amortization authority and authority to include allowances for loan and lease losses when calculating the institution's capital, and for other purposes; to the Committee on Financial Services.

By Mr. FORTENBERRY (for himself, Mr. CARNAHAN, Mrs. BLACKBURN, Mr. CHANDLER, Mrs. BONO MACK, Ms. CHU, Mr. CRENSHAW, Mr. COHEN, Mr. GRIMM, Mr. DICKS, Mr. JOHNSON of Ohio, Mr. ELLISON, Mr. KINGSTON, Mr. ENGEL, Mr. MILLER of Florida, Mr. FARR, Mr. REICHERT, Ms. HIRONO, Mr. ROYCE, Mr. HOLT, Mr. WITTMAN, Mr. JOHNSON of Georgia, Mr. YOUNG of Alaska, Mr. KISSELL, Mrs. MALONEY, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Ms. SCHAKOWSKY, Mr. TIERNEY, Mr. VAN HOLLEN, and Ms. WOOLSEY):

H.R. 6038. A bill to strengthen the role of the United States in the international community of nations in conserving natural resources to further global prosperity and security; to the Committee on Foreign Affairs.

By Mr. LARSEN of Washington:

H.R. 6039. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie Na-

tional Forest; to the Committee on Natural Resources.

By Mr. MANZULLO (for himself, Mr. FALEOMAVAEGA, Mr. BURTON of Indiana, Mr. ROHRBACHER, Ms. BORDALLO, Mr. CHABOT, Mr. KELLY, Mr. SABLAN, Mr. JOHNSON of Ohio, Mr. WILSON of South Carolina, Mr. SERRANO, Mr. DIAZ-BALART, Mr. YOUNG of Alaska, Mrs. CHRISTENSEN, Mr. RIVERA, and Mr. PIERLUISI):

H.R. 6040. A bill to approve the Agreement providing terms for a continuation of the free association between the United States and Palau, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. HOLT, and Mr. TONKO):

H.R. 6041. A bill to provide that the Secretary of the Interior shall require the disclosure of political contributions as a condition of accepting bids for oil and gas leases of Federal onshore and offshore lands; to the Committee on Natural Resources.

By Mr. MORAN (for himself, Mr. CONNOLLY of Virginia, and Mr. VAN HOLLEN):

H.R. 6042. A bill to amend title 5, United States Code, to reform the Senior Executive Service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MURPHY of Pennsylvania (for himself, Mr. RYAN of Ohio, Mr. MARINO, Mr. SULLIVAN, Mrs. BLACKBURN, and Mr. TIBERI):

H.R. 6043. A bill to amend the Public Health Service Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.R. 6044. A bill to amend titles 10 and 38, United States Code, to authorize the Secretary of Defense and the Secretary of Veterans Affairs to accept voluntary services from veterans and veterans service organizations at national cemeteries; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself and Mr. CONYERS):

H.R. 6045. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the juvenile accountability block grants program through fiscal year 2015; to the Committee on the Judiciary.

By Mr. SMITH of Washington (for himself, Mr. FILNER, Mrs. DAVIS of California, Mr. BRADY of Pennsylvania, Mr. ANDREWS, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. TSONGAS, Ms. PINGREE of Maine, Mr. RYAN of Ohio, Mr. JOHNSON of Georgia, Ms. HANABUSA, and Ms. SPEIER):

H.R. 6046. A bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse; to the Committee on Armed Services, and in addition to the Committee

on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ZOE LOFGREN of California (for herself, Mr. SHERMAN, Mr. CONNOLLY of Virginia, Mr. HINCHEY, Ms. ESHOO, Ms. SPEIER, Ms. RICHARDSON, Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. HONDA, Mr. WOLF, Mr. PETERS, Mr. DENT, Ms. CHU, Mr. BERMAN, Mr. FRANKS of Arizona, Ms. JACKSON LEE of Texas, Ms. SCHWARTZ, Mr. BRALEY of Iowa, and Mr. MCGOVERN):

H. Res. 709. A resolution welcoming His Holiness, Hadhrat Mirza Masroor Ahmad, the worldwide spiritual and administrative head of the Ahmadiyya Muslim Community, to Washington, DC, and recognizing his commitment to world peace, justice, non-violence, human rights, religious freedom, and democracy; to the Committee on Foreign Affairs.

By Mr. MCDERMOTT:

H. Res. 710. A resolution congratulating Ichiro Suzuki, outfielder for the Seattle Mariners, for becoming the third fastest player in the history of Major League Baseball to amass 2,500 hits; to the Committee on Oversight and Government Reform.

83.45 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 32: Mr. PEARCE.
- H.R. 94: Mr. PITTS, Mr. WALBERG, Mr. WILSON of South Carolina, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. HUIZENGA of Michigan, Mr. FLEMING, Mr. GOHMEERT, and Mr. GARRETT.
- H.R. 192: Mr. MICHAUD.
- H.R. 265: Ms. CHU.
- H.R. 273: Mr. MICHAUD.
- H.R. 303: Mr. LANGEVIN.
- H.R. 345: Mr. CLAY.
- H.R. 350: Mr. CLAY.
- H.R. 459: Mr. DOGGETT, Ms. BUERKLE, Mr. BRALEY of Iowa, Mr. PITTS, Mr. OLSON, and Mr. SHERMAN.
- H.R. 547: Mr. SCALISE.
- H.R. 733: Ms. ROS-LEHTINEN, Ms. BUERKLE, and Mr. ANDREWS.
- H.R. 860: Mr. CASSIDY, Mrs. ELLMERS, and Mr. GENE GREEN of Texas.
- H.R. 890: Mr. BONNER, Mr. DANIEL E. LUNGREN of California, and Mr. MEEHAN.
- H.R. 894: Mr. PRICE of North Carolina.
- H.R. 904: Mr. ROKITA.
- H.R. 905: Mr. BILBRAY and Mr. BURGESS.
- H.R. 997: Mr. BOUSTANY and Mr. BISHOP of Utah.
- H.R. 1048: Mr. CARNAHAN.
- H.R. 1054: Ms. WASSERMAN SCHULTZ.
- H.R. 1111: Mr. HUIZENGA of Michigan.
- H.R. 1244: Mr. PETERSON.
- H.R. 1325: Mr. RIBBLE.
- H.R. 1394: Mr. GERLACH.
- H.R. 1404: Mr. GENE GREEN of Texas, Mr. SERRANO, and Mr. RUPPERSBERGER.
- H.R. 1416: Mr. CLAY.
- H.R. 1464: Mr. SCHWEIKERT, Ms. LEE of California, Mr. SMITH of Washington, and Mr. ROHRABACHER.
- H.R. 1475: Mr. RANGEL.
- H.R. 1519: Mr. COSTA, Mr. SCHRADER, and Mr. CARNEY.
- H.R. 1546: Mr. RIBBLE.
- H.R. 1621: Mr. RUSH.
- H.R. 1639: Mr. ROYCE.
- H.R. 1733: Mr. FARR.
- H.R. 1755: Mr. RICHMOND.
- H.R. 1792: Mr. TOWNS, Mr. HOLT, Mr. ELLISON, Mr. BUTTERFIELD, Mr. CICILLINE, and Ms. ROYBAL-ALLARD.
- H.R. 1860: Mr. SHMKUS.
- H.R. 1903: Ms. SLAUGHTER.

- H.R. 2032: Mr. BARTLETT.
- H.R. 2082: Mr. GERLACH.
- H.R. 2139: Mr. SABLAN, Mrs. MILLER of Michigan, and Mr. HEINRICH.
- H.R. 2194: Mr. MARKEY.
- H.R. 2198: Mr. PAUL and Mr. WOMACK.
- H.R. 2200: Mr. MORAN.
- H.R. 2299: Mr. HURT.
- H.R. 2304: Mr. KISSELL.
- H.R. 2418: Mr. SMITH of Nebraska.
- H.R. 2479: Mr. LOEBSACK.
- H.R. 2492: Mr. GUTIERREZ and Mr. RYAN of Ohio.
- H.R. 2505: Mr. YARMUTH.
- H.R. 2655: Mr. GUTHRIE and Ms. ROYBAL-ALLARD.
- H.R. 2672: Ms. LEE of California.
- H.R. 2758: Mr. CLAY.
- H.R. 2812: Mr. CLAY.
- H.R. 2861: Mrs. LOWEY and Ms. LEE of California.
- H.R. 2962: Mr. COSTELLO and Mr. CLAY.
- H.R. 2963: Mr. CLAY.
- H.R. 2980: Mr. RANGEL.
- H.R. 2997: Mr. GRIFFITH of Virginia.
- H.R. 3000: Mr. JOHNSON of Ohio.
- H.R. 3086: Mr. BISHOP of Georgia.
- H.R. 3187: Mr. CAPUANO, Mr. PRICE of Georgia, Mr. SCHILLING, Mr. GRAVES of Missouri, Mr. REED, Mr. DUNCAN of Tennessee, Mr. REHBERG, Mr. DAVIS of Illinois, Mr. WALSH of Illinois, and Mr. HULTGREN.
- H.R. 3192: Mr. HERGER.
- H.R. 3364: Mr. KILDEE.
- H.R. 3395: Mr. GERLACH and Mr. LIPINSKI.
- H.R. 3423: Mr. DENT.
- H.R. 3458: Ms. LORETTA SANCHEZ of California and Mr. BLUMENAUER.
- H.R. 3522: Mr. BASS of New Hampshire.
- H.R. 3586: Mr. GRIFFITH of Virginia.
- H.R. 3605: Mr. ROHRABACHER.
- H.R. 3612: Ms. NORTON.
- H.R. 3618: Mr. LUJÁN.
- H.R. 3619: Mr. CLAY.
- H.R. 3658: Mr. PAULSEN and Mr. WALSH of Illinois.
- H.R. 3682: Mrs. BIGGERT.
- H.R. 3762: Mr. CLAY.
- H.R. 3767: Mr. BOUSTANY and Mr. BENISHEK.
- H.R. 3798: Mrs. MCCARTHY of New York, Ms. BORDALLO, and Mr. LEWIS of Georgia.
- H.R. 3803: Ms. ROS-LEHTINEN and Mr. PLATTS.
- H.R. 3816: Mr. KINZINGER of Illinois.
- H.R. 3832: Mr. MATHESON.
- H.R. 3984: Ms. SCHAKOWSKY.
- H.R. 4004: Mr. LARSEN of Washington, Ms. SLAUGHTER, and Mr. HINCHEY.
- H.R. 4062: Ms. LORETTA SANCHEZ of California.
- H.R. 4066: Mr. SCALISE.
- H.R. 4155: Mr. LIPINSKI, Mr. WALSH of Illinois, and Mr. GRIFFIN of Arkansas.
- H.R. 4192: Mr. COHEN and Mr. STARK.
- H.R. 4236: Mr. LOEBSACK.
- H.R. 4238: Mr. ELLISON.
- H.R. 4296: Ms. PINGREE of Maine.
- H.R. 4306: Mr. FARR.
- H.R. 4318: Mr. DEFazio.
- H.R. 4321: Mr. PETERS.
- H.R. 4323: Mr. CARNEY.
- H.R. 4326: Mr. MICHAUD.
- H.R. 4342: Mr. JOHNSON of Ohio and Mr. ROE of Tennessee.
- H.R. 4345: Mr. GRIFFIN of Arkansas.
- H.R. 4367: Mr. KLINE, Mr. LIPINSKI, Mrs. BIGGERT, and Mr. AL GREEN of Texas.
- H.R. 4373: Mr. RANGEL and Mr. MCDERMOTT.
- H.R. 4405: Ms. RICHARDSON.
- H.R. 4470: Mr. DEUTCH.
- H.R. 4643: Mr. MILLER of Florida.
- H.R. 4740: Mr. JOHNSON of Ohio.
- H.R. 4972: Mr. DEFazio and Mr. BLUMENAUER.
- H.R. 5129: Ms. NORTON.
- H.R. 5542: Mr. RUPPERSBERGER and Mr. RAHALL.
- H.R. 5646: Mr. KLINE.

- H.R. 5684: Mr. LIPINSKI.
- H.R. 5707: Mr. RUPPERSBERGER.
- H.R. 5717: Mrs. HARTZLER.
- H.R. 5741: Mr. HANNA.
- H.R. 5796: Mr. CONNOLLY of Virginia and Mrs. MALONEY.
- H.R. 5799: Ms. LINDA T. SANCHEZ of California, Mr. HIMES, Mr. MCGOVERN, Mr. SARBANES, Mr. LOEBSACK, Mr. GARAMENDI, Mr. MORAN, Ms. BERKLEY, and Mr. DOGGETT.
- H.R. 5822: Mr. GOWDY.
- H.R. 5864: Mr. FILNER.
- H.R. 5873: Mr. GRIFFIN of Arkansas, Mr. GIBSON, and Mr. CRAWFORD.
- H.R. 5879: Mr. CRAWFORD.
- H.R. 5881: Mr. BENISHEK.
- H.R. 5893: Mr. LANCE, Mr. BILIRAKIS, Mr. DUFFY, and Mr. HASTINGS of Florida.
- H.R. 5910: Mr. OWENS and Mr. BROOKS.
- H.R. 5916: Ms. EDWARDS, Ms. HIRONO, and Mr. MICHAUD.
- H.R. 5924: Mr. DUNCAN of South Carolina.
- H.R. 5939: Mrs. LOWEY and Mr. GOSAR.
- H.R. 5942: Mr. PAULSEN.
- H.R. 5943: Mr. RIBBLE and Mr. GRIFFITH of Virginia.
- H.R. 5951: Mr. RIGELL, Mr. RIBBLE, and Mr. WALSH of Illinois.
- H.R. 5953: Mr. MILLER of Florida and Mr. BENISHEK.
- H.R. 5957: Mr. AUSTIN SCOTT of Georgia.
- H.R. 5959: Ms. DELAURO and Mr. HOLT.
- H.R. 5960: Mr. POLIS.
- H.R. 5976: Mr. QUIGLEY, Mr. WAXMAN, Ms. KAPTUR, Mr. MEEKS, Mr. DEUTCH, and Mr. STARK.
- H.R. 5978: Mr. TIERNEY.
- H.R. 5998: Mr. ROE of Tennessee, Mr. WALBERG, and Mr. WILSON of South Carolina.
- H.R. 6009: Mr. PEARCE.
- H.R. 6016: Mr. SCHILLING.
- H.R. 6019: Mr. REYES and Ms. CHU.
- H.R. 6028: Mr. ROGERS of Alabama.
- H.J. Res. 13: Mr. HUELSKAMP.
- H.J. Res. 69: Mr. CARNEY.
- H.J. Res. 90: Ms. WILSON of Florida and Mr. REYES.
- H.J. Res. 110: Mr. CASSIDY, Mr. CRAVAACK, Mr. BUCHANAN, Mrs. BLACKBURN, Mr. ROYCE, Mr. SCHWEIKERT, Mr. ALEXANDER, Mr. WILSON of South Carolina, Mr. BENISHEK, Mr. JOHNSON of Illinois, Mr. FORBES, Mr. GOODLATTE and Mr. AKIN.
- H. Con. Res. 110: Mr. TURNER of New York.
- H. Con. Res. 116: Mr. MCGOVERN.
- H. Con. Res. 129: Mr. MCCOTTER, Mr. CARNEY, Ms. ESHOO, Mr. KINZINGER of Illinois, Mr. COOPER, and Mr. OLSON.
- H. Res. 134: Mr. VAN HOLLEN and Mr. MILLER of Florida.
- H. Res. 298: Mr. REYES, Mr. FRANK of Massachusetts, Mr. GRAVES of Missouri, Ms. WILSON of Florida, Mr. AKIN, Mr. GUINTA, and Mrs. DAVIS of California.
- H. Res. 351: Mr. COHEN.
- H. Res. 397: Ms. BROWN of Florida.
- H. Res. 475: Mr. SCALISE.
- H. Res. 662: Mr. MCCOTTER.
- H. Res. 672: Mr. WELCH.
- H. Res. 689: Mr. CONNOLLY of Virginia, Mr. BECERRA, Ms. EDWARDS, Ms. TSONGAS, Mr. RUPPERSBERGER, Mr. COOPER, Mr. BACA, Mr. HIMES, Ms. WOOLSEY, Ms. DEGETTE, Ms. LEE of California, Ms. PELOSI, Mr. CONYERS, Mr. MICHAUD, Ms. WASSERMAN SCHULTZ, Mr. YARMUTH, Mr. TIERNEY, Mr. VISLOSKEY, Mr. MCNERNEY, Mr. LYNCH, Mr. DOGGETT, Mr. HOLDEN, Mr. MCDERMOTT, Mr. MATHESON, Ms. ZOE LOFGREN of California, Mr. GRIMALVA, Ms. BROWN of Florida, Mr. MEEKS, Mr. CUMMINGS, Mrs. CHRISTENSEN, Mr. BLUMENAUER, Mr. GONZALEZ, Mr. FATTAH, Mr. FRANK of Massachusetts, Mr. HOYER, Mr. BRALEY of Iowa, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOREN, Ms. LORETTA SANCHEZ of California, Ms. NORTON, Mr. MURPHY of Connecticut, Mr. AL GREEN of Texas, Mr. WATT, Mrs. MCCARTHY of New York, Mr. CARNEY, Mr. SCHRADER, Mr. BISHOP of Geor-

gia, Mr. WAXMAN, Mrs. NAPOLITANO, Mr. RICHMOND, Ms. WILSON of Florida, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, and Ms. JACKSON LEE of Texas.

H. Res. 694: Ms. CLARKE of New York, Ms. SCHAKOWSKY, Mr. ISRAEL, Ms. DELAURO, Ms. HAHN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. CAPPS.

H. Res. 701: Mr. GRAVES of Missouri.

H. Res. 702: Mr. GRAVES of Missouri.

¶83.46 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. LANDRY.

THURSDAY, JUNE 28, 2012 (84)

¶84.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. HARPER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
June 28, 2012.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker.

¶84.2 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARPER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 27, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 27, 2012 at 9:12 a.m.:

That the Senate concur in the House amendment to the bill S. 3187.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶84.3 MORNING-HOUR DEBATE

The SPEAKER pro tempore, Mr. HARPER, pursuant to the order of the House of January 17, 2012, recognized Members for morning-hour debate.

¶84.4 RECESS—10:12 A.M.

The SPEAKER pro tempore, Mr. HARPER, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 12 minutes a.m., until noon.

¶84.5 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶84.6 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 27, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶84.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6698. A letter from the Secretary, Air Force, Department of Defense, transmitting the 2011 Military Working Dog Disposition Report; to the Committee on Armed Services.

6699. A letter from the Acting Under Secretary, Department of Defense, transmitting a report identifying, for each of the Armed forces (other than the Coast Guard) and each Defense Agency, the percentage of funds that were expended during the preceding fiscal year for performance of depot-level maintenance and repair workloads by the public and private sectors; to the Committee on Armed Services.

6700. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Prudential Management and Operations Standards (RIN: 2590-AA13) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6701. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Idaho: Final Authorization of State Hazardous Waste Management Program; Revision [EPR-R10-RCRA-2011-0973; FRL-9684-6] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6702. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards for Several Counties in Illinois, Indiana, and Wisconsin; Corrections to Inadvertent Errors in Prior Designations [EPA-HQ-OAR-2008-0476; FRL-9682-2] (RIN: 2060-AR56) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6703. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Florida: New Source Review Prevention of Significant Deterioration: Nitrogen Oxides as a Precursor to Ozone [EPA-R04-OAR-2012-0166; FRL-9687-1] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6704. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Wisconsin; Disapproval of "Infrastructure" SIP with respect to Oxides of Nitrogen as a Precursor to Ozone Provisions and New Source Review Exemptions for Fuel Changes as Major Modifications for the 1997 8-hour Ozone and 24-hour PM2.5 NAAQS [EPA-R05-OAR-2007-1179; FRL-9685-7] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6705. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes [EPA-R02-OAR-2012-0032; FRL-9675-1] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6706. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of

State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6707. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Foreign Affairs.

6708. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Foreign Affairs.

6709. A letter from the Assistant Director for the Legislative Affairs, Consumer Financial Protection Bureau, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2011 to March 31, 2012; to the Committee on Oversight and Government Reform.

6710. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting in accordance with the provisions of section 17(a) of the Federal Deposit Insurance Act, the Chief Financial Officers Act of 1990, Pub. L. 101-576, and the Government Performance and Results Act of 1993, the Corporation's 2011 Annual Report; to the Committee on Oversight and Government Reform.

6711. A letter from the Chairman, National Endowment of the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6712. A letter from the Chairman, National Labor Relations Board, transmitting the Board's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6713. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Operations In Class D Airspace [Docket No.: FAA-2011-1396] (RIN: 2120-AK10) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6714. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30839; Amdt. No. 3476] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6715. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Area Navigation (RNAV) Route Q-130; UT [Docket No.: FAA-2012-0438; Airspace Docket No. 11-AWP-20] received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A);

to the Committee on Transportation and Infrastructure.

6716. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Area R-2101; An-niston Army Depot, AL [Docket No.: FAA-2012-0510; Airspace Docket No. 12-ASO-17] (RIN: 2120-AA66) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6717. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Customs Broker Recordkeeping Requirements Regarding Location and Method of Record Retention [USCBP-2009-0019] (RIN: 1515-AD66) (formerly RIN: 1505-AC12) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6718. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-43] received June 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6719. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Extension of Relief and Procedures Under Notice 2010-30 and Notice 2011-16 for Spouses of U.S. Servicemembers Who are Working In or Claiming Residence or Domicile in a U.S. Territory Under the Military Spouses Residency Relief Act [Notice 2012-4113] received June 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6720. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Substantial Business Activities [TD 9592] (RIN: 1545-BK86) received June 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6721. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Surrogate Foreign Corporations [TD 9591] (RIN: 1545-BF47) received June 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

84.8 RELATING TO THE CONSIDERATION OF HOUSE REPORT 112-546 AND PROVIDING FOR CONSIDERATION OF H. RES. 706

Mr. NUGENT, by direction of the Committee on Rules, called up the following resolution (H. Res. 708):

Resolved, That if House Report 112-546 is called up by direction of the Committee on Oversight and Government Reform: (a) all points of order against the report are waived and the report shall be considered as read; and

(b)(1) an accompanying resolution offered by direction of the Committee on Oversight and Government Reform shall be considered as read and shall not be subject to a point of order; and

(2) the previous question shall be considered as ordered on such resolution to adoption without intervening motion or demand for division of the question except: (i) 50 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform or their respective designees; (ii) after conclusion of debate one motion to refer if offered by Representative Dingell of Michigan or his designee which shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent; and (iii) one motion

to recommit with or without instructions. The Chair may reduce the minimum time for electronic voting on the question of adoption of the motion to recommit as though pursuant to clause 9 of rule XX.

SEC. 2. Upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 706) authorizing the Committee on Oversight and Government Reform to initiate or intervene in judicial proceedings to enforce certain subpoenas. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except: (1) 20 minutes of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees; and (2) one motion to recommit.

When said resolution was considered. After debate,

On motion of Mr. NUGENT, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. WOMACK, announced that the nays had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 254 affirmative } Nays 173

84.9 [Roll No. 437] YEAS—254

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

- Long Pence Sensenbrenner
Lucas Peterson Sessions
Luetkemeyer Petri Shimkus
Lummis Pitts Shuster
Lungren, Daniel Platts Simpson
E. Poe (TX) Smith (NE)
Mack Pompeo Smith (NJ)
Manzullo Posey Smith (TX)
Marchant Price (GA) Southerland
Marino Quayle Stearns
Matheson Rahall Stivers
McCarthy (CA) Reed Stutzman
McCaul Rehberg Sullivan
McClintock Reichert Terry
McCotter Renacci Thompson (PA)
McHenry Ribble Thornberry
McIntyre Rigell Tiberi
McKeon Rivera Tipton
McKinley Roby Turner (NY)
McMorris Roe (TN) Turner (OH)
Rodgers Rogers (AL) Upton
Meehan Rogers (KY) Walberg
Mica Rogers (MI) Walden
Miller (FL) Rohrabacher Walsh (IL)
Miller (MI) Rokita Walz (MN)
Miller, Gary Rooney Webster
Mulvaney Ros-Lehtinen West
Murphy (PA) Roskam Whitfield
Myrick Ross (AR) Wilson (SC)
Neugebauer Ross (FL) Wittman
Noem Royce Wolf
Nugent Runyan Womack
Nunes Ryan (WI) Woodall
Nunnelee Scalise Schmidt
Olson Schilling Yoder
Owens Schmidt Young (AK)
Palazzo Schock Young (FL)
Paul Schweikert Young (IN)
Paulsen Scott (SC)
Pearce Scott, Austin

NAYS—173

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

Watt	Welch	Woolsey
Waxman	Wilson (FL)	Yarmuth
NOT VOTING—5		
Cardoza	Jackson (IL)	Lewis (CA)
Forbes	Johnson, E. B.	

So the resolution was agreed to.
 A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶84.10 H.R. 4251—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4251) to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes; as amended.

The question being put, *viva voce*, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WOMACK, announced that two-thirds of those present had voted in the affirmative.

Mr. DENT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 402
 affirmative { Nays 21

¶84.11 [Roll No. 438]
 YEAS—402

Ackerman	Buerkle	Cummings
Adams	Burgess	Davis (CA)
Aderholt	Burton (IN)	Davis (IL)
Akin	Butterfield	Davis (KY)
Alexander	Calvert	DeFazio
Altmire	Camp	DeGette
Amodei	Campbell	DeLauro
Andrews	Canseco	Denham
Austria	Cantor	Dent
Baca	Capito	DesJarlais
Bachmann	Capps	Deutch
Bachus	Capuano	Diaz-Balart
Baldwin	Carnahan	Dicks
Barber	Carney	Dingell
Barletta	Carson (IN)	Doggett
Barrow	Carter	Dold
Bartlett	Cassidy	Donnelly (IN)
Barton (TX)	Castor (FL)	Doyle
Bass (CA)	Chabot	Dreier
Bass (NH)	Chaffetz	Duffy
Benishkek	Chandler	Edwards
Berg	Chu	Ellison
Berkley	Cicilline	Ellmers
Berman	Clarke (MI)	Engel
Biggart	Clarke (NY)	Eshoo
Bilbray	Clay	Farenthold
Bilirakis	Cleaver	Farr
Bishop (GA)	Clyburn	Fattah
Bishop (NY)	Coble	Finler
Bishop (UT)	Coffman (CO)	Fincher
Black	Cohen	Fitzpatrick
Blackburn	Cole	Fleming
Blumenauer	Conaway	Flores
Bonamici	Connolly (VA)	Forbes
Bonner	Conyers	Fortenberry
Bono Mack	Cooper	Foxx
Boren	Costa	Frank (MA)
Boswell	Costello	Franks (AZ)
Boustany	Courtney	Frelinghuysen
Brady (PA)	Cravaack	Fudge
Brady (TX)	Crawford	Gallely
Braley (IA)	Crenshaw	Garamendi
Brooks	Critz	Gardner
Brown (FL)	Crowley	Garrett
Buchanan	Cuellar	Gerlach
Bucshon	Culberson	Gibbs

Gibson	Lungren, Daniel
Gingrey (GA)	E.
Gohmert	Lynch
Gonzalez	Mack
Goodlatte	Maloney
Gosar	Marchant
Gowdy	Marino
Granger	Markey
Graves (GA)	Matheson
Graves (MO)	Matsui
Green, Al	McCarthy (CA)
Green, Gene	McCarthy (NY)
Griffin (AR)	McCaul
Griffith (VA)	McClintock
Grijalva	McCollum
Grimm	McCotter
Guinta	McDermott
Guthrie	McGovern
Gutierrez	McHenry
Hahn	McIntyre
Hall	McKeon
Hanabusa	McKinley
Hanna	McMorris
Harper	Rodgers
Harris	McNerney
Hartzer	Meehan
Hastings (FL)	Meeks
Hastings (WA)	Mica
Hayworth	Michaud
Heck	Miller (FL)
Heinrich	Miller (MI)
Hensarling	Miller (NC)
Herger	Miller, Gary
Herrera Beutler	Miller, George
Higgins	Moore
Himes	Moran
Hinchey	Mulvaney
Hinojosa	Murphy (CT)
Hirono	Murphy (PA)
Hochul	Nadler
Holden	Napolitano
Holt	Neal
Honda	Neugebauer
Hoyer	Noem
Huizenga (MI)	Nugent
Hultgren	Nunes
Hunter	Nunnelee
Hurt	Olson
Israel	Olver
Issa	Owens
Jackson Lee	Palazzo
(TX)	Pallone
Jenkins	Pascrell
Johnson (GA)	Pastor (AZ)
Johnson (IL)	Paulsen
Johnson (OH)	Pearce
Johnson, Sam	Pelosi
Jordan	Pence
Keating	Perlmutter
Kelly	Peters
Kildee	Peterson
Kind	Petri
King (IA)	Pingree (ME)
King (NY)	Pitts
Kinzinger (IL)	Platts
Kissell	Poe (TX)
Kline	Pompeo
Lamborn	Price (GA)
Lance	Price (NC)
Landry	Quayle
Langevin	Quigley
Lankford	Rahall
Larsen (WA)	Rangel
Larson (CT)	Reed
Latham	Rehberg
LaTourette	Reichert
Latta	Renacci
Lee (CA)	Reyes
Levin	Richardson
Lewis (GA)	Richardson
Lipinski	Rigell
LoBiondo	Rivera
Loeb	Robby
Loeb	Roe (TN)
Lofgren, Zoe	Rogers (AL)
Long	Rogers (KY)
Lowe	Rogers (MI)
Lucas	Rohrabacher
Luetkemeyer	Rokita
Lujan	

NAYS—21

Amash	Jones
Broun (GA)	Kingston
Duncan (SC)	Kucinich
Duncan (TN)	Labrador
Emerson	Lummis
Flake	Paul
Huelskamp	Polis

Rooney	Ros-Lehtinen
Roskam	Ross (AR)
Ross (FL)	Rothman (NJ)
Roybal-Allard	Royce
Royce	Runyan
Ruppersberger	Rush
Ryan (OH)	Ryan (WI)
Ryan (WI)	Sanchez, Linda
Sanchez, Linda	T.
Sanchez, Loretta	Sarbanes
Scalise	Schakowsky
Schiff	Schilling
Schmidt	Schock
Schrader	Schwartz
Schwartz	Schweikert
Scott (SC)	Scott (VA)
Scott (VA)	Scott, Austin
Scott, David	Sensenbrenner
Serrano	Sessions
Sewell	Sherman
Shuler	Shimkus
Shuster	Simpson
Sires	Slaughter
Slaughter	Smith (NE)
Smith (NE)	Smith (NJ)
Smith (NJ)	Smith (TX)
Smith (TX)	Smith (WA)
Smith (WA)	Southerland
Southerland	Speier
Speier	Stark
Stark	Stearns
Stearns	Stivers
Stivers	Stutzman
Stutzman	Sullivan
Sullivan	Sutton
Sutton	Terry
Terry	Thompson (CA)
Thompson (CA)	Thompson (MS)
Thompson (MS)	Thompson (PA)
Thompson (PA)	Thornberry
Thornberry	Tiberi
Tiberi	Tierney
Tierney	Tipton
Tipton	Tonko
Tonko	Towns
Towns	Tsongas
Tsongas	Turner (NY)
Turner (NY)	Turner (OH)
Turner (OH)	Upton
Upton	Van Hollen
Van Hollen	Velázquez
Velázquez	Visclosky
Visclosky	Walberg
Walberg	Walden
Walden	Walz (MN)
Walz (MN)	Wasserman
Wasserman	Schultz
Schultz	Waters
Waters	Watt
Watt	Waxman
Waxman	Webster
Webster	Whitfield
Whitfield	Wilson (FL)
Wilson (FL)	Wilson (SC)
Wilson (SC)	Wittman
Wittman	Wolf
Wolf	Wormack
Wormack	Yarmuth
Yarmuth	Yoder
Yoder	Young (AK)
Young (AK)	Young (FL)
Young (FL)	Young (IN)
Young (IN)	

NOT VOTING—9

Becerra	Jackson (IL)	Lewis (CA)
Cardoza	Johnson, E. B.	Manzullo
Fleischmann	Kaptur	Woolsey

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.12 H.R. 4005—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4005) to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them; as amended.

The question being put, *viva voce*, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WOMACK, announced that two-thirds of those present had voted in the affirmative.

Mr. GOSAR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 411
 affirmative { Nays 9

¶84.13 [Roll No. 439]
 YEAS—411

Ackerman	Brooks	Costa
Adams	Broun (GA)	Costello
Aderholt	Brown (FL)	Courtney
Akin	Buchanan	Cravaack
Alexander	Bucshon	Crawford
Altmire	Buerkle	Crenshaw
Amodei	Burgess	Critz
Andrews	Burton (IN)	Crowley
Austria	Butterfield	Cuellar
Baca	Calvert	Culberson
Bachmann	Camp	Cummings
Bachus	Campbell	Davis (CA)
Baldwin	Canseco	Davis (IL)
Barber	Cantor	Davis (KY)
Barletta	Capito	DeFazio
Barrow	Capps	DeGette
Bartlett	Capuano	DeLauro
Barton (TX)	Carnahan	Denham
Bass (CA)	Carney	Dent
Bass (NH)	Carson (IN)	DesJarlais
Becerra	Carter	Deutch
Benishkek	Cassidy	Diaz-Balart
Berg	Castor (FL)	Dicks
Berkley	Chabot	Dingell
Berman	Chaffetz	Doggett
Biggart	Chandler	Dold
Bilbray	Chu	Donnelly (IN)
Bilirakis	Cicilline	Doyle
Bishop (GA)	Clarke (MI)	Dreier
Bishop (NY)	Clarke (NY)	Duffy
Bishop (UT)	Clay	Duncan (SC)
Black	Cleaver	Duncan (TN)
Blumenauer	Clyburn	Edwards
Bonamici	Coble	Ellison
Bonner	Coffman (CO)	Ellmers
Bono Mack	Cohen	Emerson
Boren	Cole	Engel
Boswell	Conaway	Eshoo
Boustany	Connolly (VA)	Farenthold
Brady (PA)	Conyers	Farr
Brady (TX)	Cooper	Fattah
Braley (IA)		

Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta

Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebback
Lofgren, Zoe
Long
Lowe
Lucas
Luetkemeyer
Lungren, Daniel
E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeke
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—9

Amash
Blackburn
Flake
Kucinich
Lummis
Paul
Ribbe
Terry
Walsh (IL)
Brady (TX)
Cardoza
Frank (MA)
Jackson (IL)
Johnson, E. B.
Kaptur
LaTourette
Lewis (CA)
Luján
Manzullo
Rangel
Whitfield

NOT VOTING—12

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

84.14 NOTICE REQUIREMENT—
CONSIDERATION OF RESOLUTION—
QUESTION OF PRIVILEGES

Ms. JACKSON LEE of Texas, pursuant to clause 2(a)(1) of rule IX, announced her intention to call up the following resolution, as a question of the privileges of the House:

Whereas the chair of the Committee on Oversight and Government Reform has interfered with the work of an independent agency and pressured an administrative law judge of the National Labor Relations Board by compelling the production of documents related to an ongoing case, something independent experts said “could seriously undermine the authority of those charged with enforcing the nation’s labor laws” and which the House Ethics Manual discourages by noting that “Federal courts have nullified administrative decisions on grounds of due process and fairness towards all of the parties when congressional interference with ongoing administrative proceedings may have unduly influenced the outcome”;

Whereas the chair of the Committee on Oversight and Government Reform has politicized investigations by rolling back longstanding bipartisan precedents, including by authorizing subpoenas without the concurrence of the ranking member or a committee vote, by refusing to share documents and other information with the ranking member, and restricting the minority’s right to call witnesses at hearings;

Whereas the chair of the Committee on Oversight and Government Reform has jeopardized an ongoing criminal investigation by publicly releasing documents that his own staff has admitted were under court seal;

Whereas the chair of the Committee on Oversight and Government Reform has unilaterally subpoenaed a witness who was expected to testify at an upcoming Federal trial, despite longstanding precedent and objections from the Department of Justice that such a step could cause complications at a trial and potentially jeopardize a criminal conviction;

Whereas the chair of the Committee on Oversight and Government Reform has engaged in a witch hunt, through the use of repeated incorrect and uncorroborated statements in the committee’s “Fast and Furious” investigation; and

Whereas the chair of the Committee on Oversight and Government Reform has chosen to call the Attorney General of the United States a liar on national television without corroborating evidence and has exhibited unprofessional behavior which could result in jeopardizing an ongoing Committee investigation into Operation Fast and Furious: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of the chair for interfering with ongoing criminal investigations; insisting on a personal attack against the attorney general of the united states; and for calling the Attorney General of the United States a liar on national television without corroborating evidence thereby discredit to the integrity of the House.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, responded to the foregoing notice, and said:

“Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Chair within two legislative days after the resolution is properly noticed.

“Pending that designation, the form of the resolution noticed by the gentlewoman from Texas [Ms. JACKSON LEE] will appear in the Record at this point.

“The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.”

84.15 ERIC H. HOLDER, JR. CONTEMPT OF CONGRESS

Mr. ISSA, by direction of the Committee on Oversight and Government Reform, called up the following report (House Report 112-546) recommending that the House of Representatives find Eric H. Holder, Jr., Attorney General, United States Department of Justice, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Oversight and Government Reform:

The Committee on Oversight and Government Reform, having considered this Report, report favorably thereon and recommend that the Report be approved.

The form of the resolution that the Committee on Oversight and Government Reform would recommend to the House of Representatives for citing Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, for contempt of Congress pursuant to this report is as follows:

Resolved, That Eric H. Holder, Jr., Attorney General of the United States, shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

Resolved, That pursuant to 2 U.S.C. 192 and 194, the Speaker of the House of Representatives shall certify the report of the Committee on Oversight and Government Reform, detailing the refusal of Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, to produce documents to the Committee on Oversight and Government Reform as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Holder be proceeded against in the manner and form provided by law.

Resolved, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

I. EXECUTIVE SUMMARY

The Department of Justice has refused to comply with congressional subpoenas related to Operation Fast and Furious, an Administration initiative that allowed around two thousand firearms to fall into the hands of drug cartels and may have led to the death

of a U.S. Border Patrol Agent. The consequences of the lack of judgment that permitted such an operation to occur are tragic.

The Department's refusal to work with Congress to ensure that it has fully complied with the Committee's efforts to compel the production of documents and information related to this controversy is inexcusable and cannot stand. Those responsible for allowing Fast and Furious to proceed and those who are preventing the truth about the operation from coming out must be held accountable for their actions.

Having exhausted all available options in obtaining compliance, the Chairman of the Oversight and Government Reform Committee recommends that Congress find the Attorney General in contempt for his failure to comply with the subpoena issued to him.

II. AUTHORITY AND PURPOSE

An important corollary to the powers expressly granted to Congress by the Constitution is the implicit responsibility to perform rigorous oversight of the Executive Branch. The U.S. Supreme Court has recognized this Congressional power on numerous occasions. For example, in *McGrain v. Daugherty*, the Court held that "the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. . . . A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change, and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it."¹ Further, in *Watkins v. United States*, Chief Justice Warren wrote for the majority: "The power of Congress to conduct investigations is inherent in the legislative process. That power is broad."²

Both the Legislative Reorganization Act of 1946 (P.L. 79-601), which directed House and Senate Committees to "exercise continuous watchfulness" over Executive Branch programs under their jurisdiction, and the Legislative Reorganization Act of 1970 (P.L. 91-510), which authorized committees to "review and study, on a continuing basis, the application, administration and execution" of laws, codify the oversight powers of Congress.

The Committee on Oversight and Government Reform is a standing committee of the House of Representatives, duly established pursuant to the Rules of the House of Representatives, which are adopted pursuant to the Rulemaking Clause of the Constitution.³ House rule X grants to the Committee broad oversight jurisdiction, including authority to "conduct investigations of any matter without regard to clause 1, 2, 3, or this clause [of House rule X] conferring jurisdiction over the matter to another standing committee."⁴ The rules direct the Committee to make available "the findings and recommendations of the committee . . . to any other standing committee having jurisdiction over the matter involved."⁵

House rule XI specifically authorizes the Committee to "require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary."⁶ The rule further provides that the "power to authorize and issue subpoenas" may be delegated to the Committee chairman.⁷ The sub-

poenas discussed in this report were issued pursuant to this authority.

The Committee's investigation into actions by senior officials in the U.S. Department of Justice and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) in designing, implementing, and supervising the execution of Operation Fast and Furious, and subsequently providing false denials to Congress, is being undertaken pursuant to the authority delegated to the Committee under House Rule X as described above.

The oversight and legislative purposes of the investigations are (1) to examine and expose any possible malfeasance, abuse of authority, or violation of existing law on the part of the executive branch with regard to the conception and implementation of Operation Fast and Furious, and (2) based on the results of the investigation, to assess whether the conduct uncovered may warrant additions or modifications to federal law and to make appropriate legislative recommendations.

In particular, the Committee's investigation has highlighted the need to obtain information that will aid Congress in considering whether a revision of the statutory provisions governing the approval of federal wiretap applications may be necessary. The major breakdown in the process that occurred with respect to the Fast and Furious wiretap applications necessitates careful examination of the facts before proposing a legislative remedy. Procedural improvements may need to be codified in statute to mandate immediate action in the face of highly objectionable information relating to operational tactics and details contained in future applications.

The Committee's investigation has called into question the ability of ATF to carry out its statutory mission and the ability of the Department of Justice to adequately supervise it. The information sought is needed to consider legislative remedies to restructure ATF as needed.

III. BACKGROUND ON THE COMMITTEE'S INVESTIGATION

In February 2011, the Oversight and Government Reform Committee joined Senator Charles E. Grassley, Ranking Member of the Senate Committee on the Judiciary, in investigating Operation Fast and Furious, a program conducted by ATF. On March 16, 2011, Chairman Darrell Issa wrote to then-Acting ATF Director Kenneth E. Melson requesting documents and information regarding Fast and Furious. Responding for Melson and ATF, the Department of Justice did not provide any documents or information to the Committee by the March 30, 2011, deadline. The Committee issued a subpoena to Melson the next day. The Department produced zero pages of non-public documents pursuant to that subpoena until June 10, 2011, on the eve of the Committee's first Fast and Furious hearing.

On June 13, 2011, the Committee held a hearing entitled "Obstruction of Justice: Does the Justice Department Have to Respond to a Lawfully Issued and Valid Congressional Subpoena?" The Committee held a second hearing on June 15, 2011, entitled "Operation Fast and Furious: Reckless Decisions, Tragic Outcomes." The Committee held a third hearing on July 26, 2011, entitled "Operation Fast and Furious: The Other Side of the Border."

On October 11, 2011, the Justice Department informed the Committee its document production pursuant to the March 31, 2011, subpoena was complete. The next day, the Committee issued a detailed subpoena to Attorney General Eric Holder for additional documents related to Fast and Furious.

On February 2, 2012, the Committee held a hearing entitled "Fast and Furious: Manage-

ment Failures at the Department of Justice." The Attorney General testified at that hearing.

The Committee has issued two staff reports documenting its initial investigative findings. The first, *The Department of Justice's Operation Fast and Furious: Accounts of ATF Agents*, was released on June 14, 2011. The second, *The Department of Justice's Operation Fast and Furious: Fueling Cartel Violence*, was released on July 26, 2011.

Throughout the investigation, the Committee has made numerous attempts to accommodate the interests of the Department of Justice. Committee staff has conducted numerous meetings and phone conversations with Department lawyers to clarify and highlight priorities with respect to the subpoenas. Committee staff has been flexible in scheduling dates for transcribed interviews; agreed to review certain documents *in camera*; allowed extensions of production deadlines; agreed to postpone interviewing the Department's key Fast and Furious trial witness; and narrowed the scope of documents the Department must produce to be in compliance with the subpoena and to avoid contempt proceedings.

Despite the Committee's flexibility, the Department has refused to produce certain documents to the Committee. The Department has represented on numerous occasions that it will not produce broad categories of documents. The Department has not provided a privilege log delineating with particularity why certain documents are being withheld.

The Department's efforts at accommodation and ability to work with the Committee regarding its investigation into Fast and Furious have been wholly inadequate. The Committee requires the subpoenaed documents to meet its constitutionally mandated oversight and legislative duties.

IV. OPERATION FAST AND FURIOUS: BREAKDOWNS AT ALL LEVELS OF THE DEPARTMENT OF JUSTICE

The story of Operation Fast and Furious is one of widespread dysfunction across numerous components of the Department of Justice. This dysfunction allowed Fast and Furious to originate and grow at a local level before senior officials at Department of Justice headquarters ultimately approved and authorized it. The dysfunction within and among Department components continues to this day.

A. THE ATF PHOENIX FIELD DIVISION

In October 2009, the Office of the Deputy Attorney General (ODAG) in Washington, D.C. promulgated a new strategy to combat gun trafficking along the Southwest Border. This new strategy directed federal law enforcement to shift its focus away from seizing firearms from criminals as soon as possible, and to focus instead on identifying members of trafficking networks. The Office of the Deputy Attorney General shared this strategy with the heads of many Department components, including ATF.⁸

Members of the ATF Phoenix Field Division, led by Special Agent in Charge Bill Newell, became familiar with this new strategy and used it in creating Fast and Furious. In mid-November 2009, just weeks after the strategy was issued, Fast and Furious began. Its objective was to establish a nexus between straw purchasers of firearms in the United States and Mexican drug-trafficking organizations (DTOs) operating on both sides of the United States-Mexico border. Straw purchasers are individuals who are legally entitled to purchase firearms for themselves, but who unlawfully purchase weapons with

⁸ E-mail from [Dep't of Justice] on behalf of Deputy Att'y Gen. David Ogden to Kathryn Ruesmmler, et al. (Oct. 26, 2009).

¹ *McGrain v. Daugherty*, 273 U.S. 135, 174 (1927).

² *Watkins v. United States*, 354 U.S. 178, 187 (1957).

³ U.S. CONST., art. I, 5, clause 2.

⁴ House rule X, clause (4)(c)(2).

⁵ *Id.*

⁶ House rule XI, clause (2)(m)(1)(B).

⁷ House rule XI, clause (2)(m)(3)(A)(i).

the intent to transfer them to someone else, in this case DTOs or other criminals.

During Fast and Furious, ATF agents used an investigative technique known as “gunwalking”—that is, allowing illegally-purchased weapons to be transferred to third parties without attempting to disrupt or deter the illegal activity. ATF agents abandoned surveillance on known straw purchasers after they illegally purchased weapons that ATF agents knew were destined for Mexican drug cartels. Many of these transactions established probable cause for agents to interdict the weapons or arrest the possessors, something every agent was trained to do. Yet, Fast and Furious aimed instead to allow the transfer of these guns to third parties. In this manner, the guns fell into the hands of DTOs, and many would turn up at crime scenes. ATF then traced these guns to their original straw purchaser, in an attempt to establish a connection between that individual and the DTO.

Federal Firearms Licensees (FFLs), who cooperated with ATF, were an integral component of Fast and Furious. Although some FFLs were reluctant to continue selling weapons to suspicious straw purchasers, ATF encouraged them to do so, reassuring the FFLs that ATF was monitoring the buyers and that the weapons would not fall into the wrong hands.⁹ ATF worked with FFLs on or about the date of sale to obtain the unique serial number of each firearm sold. Agents entered these serial numbers into ATF’s Suspect Gun Database within days after the purchase. Once these firearms were recovered at crime scenes, the Suspect Gun Database allowed for expedited tracing of the firearms to their original purchasers.

By December 18, 2009, ATF agents assigned to Fast and Furious had already identified fifteen interconnected straw purchasers in the targeted gun trafficking ring. These straw purchasers had already purchased 500 firearms.¹⁰ In a biweekly update to Bill Newell, ATF Group Supervisor David Voth explained that 50 of the 500 firearms purchased by straw buyers had already been recovered in Mexico or near the Mexican border.¹¹ These guns had time-to-crimes of as little as one day, strongly indicating straw purchasing.¹²

Starting in late 2009, many line agents objected vociferously to some of the techniques used during Fast and Furious, including gunwalking. The investigation continued for another year, however, until shortly after December 15, 2010, when two weapons from Fast and Furious were recovered at the murder scene of U.S. Border Patrol Agent Brian Terry.

Pursuant to the Deputy Attorney General’s strategy, in late January 2010 the ATF Phoenix Field Division applied for Fast and Furious to become an Organized Crime Drug Enforcement Task Force (OCDETF) case. In preparation for the OCDETF application process, the ATF Phoenix Field Division prepared a briefing paper detailing the investigative strategy employed in Fast and Furious. This document was not initially produced by the Department pursuant to its subpoena, but rather was obtained by a confidential source. The briefing paper stated:

Currently our strategy is to allow the transfer of firearms to continue to take place, albeit at a much slower pace, in order to further the investigation and allow for the identification of additional co-conspirators who would continue to operate and illegally

⁹Transcribed Interview of Special Agent Peter Forcelli, at 53-54 (Apr. 28, 2011).

¹⁰E-mail from Kevin Simpson, Intelligence Officer, Phoenix FIG, ATF, to David Voth (Dec. 18, 2009).

¹¹*Id.*

¹²*Id.*

traffic firearms to Mexican DTOs which are perpetrating armed violence along the Southwest Border.¹³

Fast and Furious was approved as an OCDETF case, and this designation resulted in new operational funding. Additionally, Fast and Furious became a prosecutor-led OCDETF Strike Force case, meaning that ATF would join with the Federal Bureau of Investigation, Drug Enforcement Administration, Internal Revenue Service, and Immigrations and Customs Enforcement under the leadership of the U.S. Attorney’s Office for the District of Arizona.

B. THE UNITED STATES ATTORNEY’S OFFICE FOR THE DISTRICT OF ARIZONA

The U.S. Attorney’s Office for the District of Arizona led the Fast and Furious OCDETF Strike Force. Although ATF was the lead law enforcement agency for Fast and Furious, its agents took direction from prosecutors in the U.S. Attorney’s Office. The lead federal prosecutor for Fast and Furious was Assistant U.S. Attorney Emory Hurley, who played an integral role in the day-to-day, tactical management of the case.¹⁴

Many ATF agents working on Operation Fast and Furious came to believe that some of the most basic law enforcement techniques used to interdict weapons required the explicit approval of the U.S. Attorney’s Office, and specifically from Hurley. On numerous occasions, Hurley and other federal prosecutors withheld this approval, to the mounting frustration of ATF agents.¹⁵ The U.S. Attorney’s Office chose not to use other available investigative tools common in gun trafficking cases, such as civil forfeitures and seizure warrants, during the seminal periods of Fast and Furious.

The U.S. Attorney’s Office advised ATF that agents needed to meet unnecessarily strict evidentiary standards in order to speak with suspects, temporarily detain them, or interdict weapons. ATF’s reliance on this advice from the U.S. Attorney’s Office during Fast and Furious resulted in many lost opportunities to interdict weapons.

In addition to leading the Fast and Furious OCDETF task force, the U.S. Attorney’s Office was instrumental in preparing the wiretap applications that were submitted to the Justice Department’s Criminal Division. Federal prosecutors in Arizona filed at least six of these applications, each containing immense detail about operational tactics and specific information about straw purchasers, in federal court after Department headquarters authorized them.

C. ATF HEADQUARTERS

Fast and Furious first came to the attention of ATF Headquarters on December 8, 2009, just weeks after the case was officially opened in Phoenix. ATF’s Office of Strategic Information and Intelligence (OSII) briefed senior ATF personnel about the case on December 8, 2009, discussing in detail a large recovery of Fast and Furious weapons in Naco, Sonora, Mexico.¹⁶

The next day, December 9, 2009, the Acting ATF Director first learned about Fast and Furious and the large recovery of weapons that had already occurred.¹⁷ The following

¹³Phoenix Group VII, Phoenix Field Division, ATF, *Briefing Paper* (Jan. 8, 2010).

¹⁴Transcribed Interview of Special Agent in Charge William Newell, at 32-33 (June 8, 2011).

¹⁵Transcribed Interview of Special Agent Larry Alt, at 94 (Apr. 27, 2011).

¹⁶Interview with Lorren Leadmon, Intelligence Operations Analyst, Washington, D.C., July 5, 2011 [hereinafter Leadmon Interview].

¹⁷*Oversight of the U.S. Department of Justice: Hearing Before the S. Comm. on the Judiciary*, 112th Cong. (May 4, 2011) (Questions for the Record of Hon. Eric H. Holder, Jr., Att’y Gen. of the U.S.).

week, OSII briefed senior ATF officials about another large cache of Fast and Furious weapons that had been recovered in Mexico.¹⁸

On January 5, 2010, OSII presented senior ATF officials with a summary of all of the weapons that could be linked to known straw purchasers in Fast and Furious. In just two months, these straw purchasers bought a total of 685 guns. This number raised the ire of several individuals in the room, who expressed concerns about the growing operation.¹⁹

On March 5, 2010, ATF headquarters hosted a larger, more detailed briefing on Operation Fast and Furious. David Voth, the Group Supervisor overseeing Fast and Furious, traveled from Phoenix to give the presentation. He gave an extremely detailed synopsis of the status of the investigation, including the number of guns purchased, weapons seizures to date, money spent by straw purchasers, and organizational charts of the relationships among straw purchasers and to members of the Sinaloa drug cartel. At that point, the straw purchasers had bought 1,026 weapons, costing nearly \$650,000.²⁰

NATF’s Phoenix Field Division informed ATF headquarters of large weapons recoveries tracing back to Fast and Furious. The Phoenix Field Division had frequently forwarded these updates directly to Deputy ATF Director Billy Hoover and Acting ATF Director Ken Melson.²¹ When Hoover learned about how large Fast and Furious had grown in March 2010, he finally ordered the development of an exit strategy.²² This exit strategy, something Hoover had never before requested in any other case, was a timeline for ATF to wind down the case.²³

Though Hoover commissioned the exit strategy in March, he did not receive it until early May. The three-page document outlined a 30-, 60-, and 90-day strategy for winding down Fast and Furious and handing it over to the U.S. Attorney’s Office for prosecution.²⁴

In July 2010, Acting Director Melson expressed concern about the number of weapons flowing to Mexico,²⁵ and in October 2010 the Assistant Director for Field Operations, the number three official in ATF, expressed concern that ATF had not yet halted the straw purchasing activity in Fast and Furious.²⁶ Despite these concerns, however, the U.S. Attorney’s Office continued to delay the indictments, and no one at ATF headquarters ordered the Phoenix Field Division to simply arrest the straw purchasers in order to take them off the street. The members of the firearms trafficking ring were not arrested until two weapons from Fast and Furious were found at the murder scene of Border Patrol Agent Brian Terry.

D. THE CRIMINAL DIVISION

1. COORDINATION WITH ATF

In early September 2009, according to Department e-mails, ATF and the Department of Justice’s Criminal Division began discussions “to talk about ways CRM [Criminal Division] and ATF can coordinate on gun trafficking and gang-related initiatives.”²⁷

¹⁸Leadmon Interview, *supra* note 16.

¹⁹Transcribed Interview of Deputy Ass’t Dir. Steve Martin, ATF, at 36 (July 6, 2011) [hereinafter Martin Tr.].

²⁰*See generally* “Operation the Fast and the Furious” Presentation, Mar. 5, 2010.

²¹E-mail from Mark Chait to Kenneth Melson and William Hoover (Feb. 24, 2010) [HOCR 001426].

²²Transcribed Interview of William Hoover, ATF Deputy Director, at 9 (July 21, 2011).

²³*Id.* at 72.

²⁴E-mail from Douglas Palmer, Supervisor Group V, ATF, to William Newell, ATF (Apr. 27, 2010).

²⁵E-mail from Kenneth Melson to Mark Chait, et al., (July 14, 2010) [HOCR 002084].

²⁶E-mail from Mark Chait to William Newell (Oct. 29, 2010) [HOCR 001890].

²⁷E-mail from Jason Weinstein to Lanny Breuer (Sept. 10, 2009) [HOCR 003378].

Early on in these discussions, Lanny Breuer, Assistant Attorney General for the Criminal Division, sent an attorney to help the U.S. Attorney's Office in Arizona prosecute ATF cases. The first case chosen for prosecution was Operation Wide Receiver, a year-long ATF Phoenix Field Division investigation initiated in 2006, which involved several hundred guns being walked. The U.S. Attorney's Office in Arizona, objecting to the tactics used in Wide Receiver, had previously refused to prosecute the case.

According to James Trusty, a senior official in the Criminal Division's Gang Unit, in September 2009 Assistant Attorney General Breuer was "VERY interested in the Arizona gun trafficking case [Wide Receiver], and he is traveling out [to Arizona] around 9/21. Consequently, he asked us for a 'briefing' on that case before the 21st rolls around."²⁸ The next day, according to Trusty, Breuer's chief of staff "mentioned the case again, so there is clearly great attention/interest from the front office."²⁹

When the Criminal Division prosecutor arrived in Arizona, she gave Trusty her impressions of the case. Her e-mail stated:

Case involves 300 to 500 guns. . . . It is my understanding that a lot of these guns "walked". Whether some or all of that was intentional is not known.³⁰

Discussions between ATF and the Criminal Division regarding inter-departmental coordination continued over the next few months. On December 3, 2009, the Acting ATF Director e-mailed Breuer about this cooperation. He stated:

Lanny: We have decided to take a little different approach with regard to seizures of multiple weapons in Mexico. Assuming the guns are traced, instead of working each trace almost independently of the other traces from the seizure, I want to coordinate and monitor the work on all of them collectively as if the seizure was one case.³¹

Breuer responded:

We think this is a terrific idea and a great way to approach the investigations of these seizures. Our Gang Unit will be assigning an attorney to help you coordinate this effort.³²

Kevin Carwile, Chief of the Gang Unit, assigned an attorney, Joe Cooley, to assist ATF, and Operation Fast and Furious was selected as a recipient of this assistance. Shortly after his assignment, Cooley had to rearrange his holiday plans to attend a significant briefing on Fast and Furious.³³

Cooley was assigned to Fast and Furious for the next three months. He advised the lead federal prosecutor, Emory Hurley, and received detailed briefings on operational details. Cooley, though, was not the only Criminal Division attorney involved with Fast and Furious during this time period. The head of the division, Lanny Breuer, met with ATF officials about the case, including Deputy Director Billy Hoover and Assistant Director for Field Operations Mark Chait.³⁴

Given the initial involvement of the Criminal Division with Fast and Furious in the early stages of the investigation, senior offi-

cial in Criminal Division should have been greatly alarmed about what they learned about the case. These officials should have halted the program, especially given their prior knowledge of gunwalking in Wide Receiver, which was run by the same leadership in the same ATF field division.

On March 5, 2010, Cooley attended a briefing about Fast and Furious. The detailed briefing highlighted the large number of weapons the gun trafficking ring had purchased and discussed recoveries of those weapons in Mexico. According to Steve Martin, Deputy Assistant Director in ATF's Office of Strategic Intelligence and Information, everyone in the room knew the weapons from Fast and Furious were being linked to a Mexican cartel.³⁵ Two weeks later, in mid-March 2010, Carwile pulled Cooley off Fast and Furious, when the U.S. Attorney's Office informed him that it had the case under control.³⁶

2. WIRETAPS

At about the same time, senior lawyers in the Criminal Division authorized wiretap applications for Fast and Furious to be submitted to a federal judge. Fast and Furious involved the use of seven wiretaps between March and July of 2010.

In a letter to Chairman Issa, the Deputy Attorney General acknowledged that the Office of Enforcement Operations (OEO), part of the Justice Department's Criminal Division, is "primarily responsible for the Department's statutory wiretap authorizations."³⁷ According to the letter, lawyers in OEO review these wiretap packages to ensure that they "meet statutory requirements and DOJ policies."³⁸ When OEO completes its review of a wiretap package, federal law provides that the Attorney General or his designee—in practice, a Deputy Assistant Attorney General in the Criminal Division—reviews and authorizes it.³⁹ Each wiretap package includes an affidavit which details the factual basis upon which the authorization is sought. Each application for Fast and Furious included a memorandum from Assistant Attorney General Breuer to Paul O'Brien, Director of OEO, authorizing the interception application.⁴⁰

The Criminal Division's approval of the wiretap applications in Fast and Furious violated Department of Justice policy. The core mission of the Bureau of Alcohol, Tobacco, Firearms, and Explosives is to "protect[] our communities from . . . the illegal use and trafficking of firearms."⁴¹

The wiretap applications document the extensive involvement of the Criminal Division in Fast and Furious. These applications were constructed from raw data contained in hundreds of Reports of Investigation (ROI); the Department of Justice failed to produce any of these ROI in response to the Committee's subpoena. The Criminal Division authorized Fast and Furious wiretap applications on March 10, 2010; April 15, 2010; May 6, 2010; May 14, 2010; June 1, 2010; and July 1, 2010. Deputy Assistant Attorney General Jason Weinstein, Deputy Assistant Attorney General Kenneth Blanco, and Deputy Assistant Attorney General John Keeney signed these

applications on behalf of Assistant Attorney General Lanny Breuer.

E. THE OFFICE OF THE DEPUTY ATTORNEY GENERAL

The Office of the Deputy Attorney General (ODAG) maintained close involvement in Operation Fast and Furious. In the Justice Department, ATF reports to the Deputy Attorney General (DAG).⁴² In practice, an official in the Office of the Deputy Attorney General is responsible for managing the ATF portfolio. This official monitors the operations of ATF, and raises potential ATF issues to the attention of the DAG.⁴³ During the pendency of Fast and Furious, this official was Associate Deputy Attorney General Edward Siskel.

Officials in ODAG became familiar with Fast and Furious as early as March 2010. On March 12, 2010, Siskel and then-Acting DAG Gary Grindler received an extensive briefing on Fast and Furious during a monthly meeting with the ATF's Acting Director and Deputy Director. This briefing presented Grindler with overwhelming evidence of illegal straw purchasing during Fast and Furious. The presentation included a chart of the names of the straw purchasers, 31 in all, and the number of weapons they had acquired to date, 1,026.⁴⁴ Three of these straw purchasers had already purchased over 100 weapons each, with one straw purchaser having already acquired over 300 weapons. During this briefing, Grindler learned that buyers had paid cash for every single gun.⁴⁵

A map of Mexico detailed locations of recoveries of weapons purchased through Fast and Furious, including some at crime scenes.⁴⁶ The briefing also covered the use of stash houses where weapons bought during Fast and Furious were stored before being transported to Mexico. Grindler learned of some of the unique investigative techniques ATF was using during Fast and Furious.⁴⁷ Despite receiving all of this information, then-Deputy Attorney General Gary Grindler did not order Fast and Furious to be shut down, nor did he follow-up with ATF or his staff about the investigation.

Throughout the summer of 2010, ATF officials remained in close contact with their ODAG supervisors regarding Fast and Furious. Fast and Furious was a topic in each of the monthly meetings between ATF and the DAG. ATF apprised Ed Siskel of significant recoveries of Fast and Furious weapons, as well as of notable progress in the investigation, and Siskel indicated to ATF that he was monitoring it.⁴⁸ In mid-December 2010, after Fast and Furious had been ongoing for over a year, Grindler received more details about the program. On December 15, 2010, Border Patrol Agent Brian Terry was killed. Two Fast and Furious weapons were recovered at the scene of his murder. Two days later, Associate Deputy Attorney General Brad Smith sent Grindler and four ODAG officials an e-mail detailing the circumstances of Terry's murder and its connection to Fast and Furious.⁴⁹ Smith attached a four-page summary of the Fast and Furious investigation.

²⁸ E-mail from James Trusty to Laura Gwinn (Sept. 2, 2009) [HOCR 003375].

²⁹ E-mail from James Trusty to Laura Gwinn (Sept. 3, 2009) [HOCR 003376].

³⁰ E-mail from Laura Gwinn to James Trusty (Sept. 3, 2009) [HOCR 003377].

³¹ E-mail from Kenneth Melson to Lanny Breuer (Dec. 3, 2009) [HOCR 003403].

³² E-mail from Lanny Breuer to Kenneth Melson (Dec. 4, 2009) [HOCR 003403].

³³ E-mail from Kevin Carwile to Jason Weinstein (Mar. 16, 2010) [HOCR 002832].

³⁴ Meeting on "Weapons Seizures in Mexico w/ Lanny Breuer" at Robert F. Kennedy Building, Room 2107, Jan. 5, 2010, 10:00 AM [HOCR 001987].

³⁵ Martin Tr. at 100.

³⁶ E-mail from Kevin Carwile to Jason Weinstein (Mar. 16, 2010, 9:00 a.m.) [HOCR DOJ 2382].

³⁷ Letter from Dep Att'y Gen. James M. Cole Chairman Darrell Issa et al., at 6 (Jan. 27, 2012) [hereinafter Cole Letter].

³⁸ *Id.*

³⁹ See 18 U.S.C. § 2516(1).

⁴⁰ See, e.g., Memorandum from Lanny A. Breuer, Ass't Att'y Gen., Criminal Division to Paul M. O'Brien, Director, Office of Enforcement Operations, Criminal Division, Authorization for Interception Order Application, Mar. 10, 2010.

⁴¹ Bureau of Alcohol, Tobacco, Firearms, and Explosives, "ATF's Mission," <http://www.atf.gov/about/mission> (last visited May 1, 2012).

⁴² USDOJ: About Department of Justice Agencies, available at <http://www.justice.gov/agencies/index-org.html> (last visited May 1, 2012).

⁴³ Transcribed Interview of Acting Dir. Kenneth Melson, at 25 (July 4, 2011).

⁴⁴ "Operation the Fast and the Furious," March 12, 2010 [HOCR 002820—HOCR 002823].

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ E-mail from Edward N. Siskel to Mark R. Chait (July 14, 2010) [HOCR 002847].

⁴⁹ E-mail from Assoc. Deputy Att'y Gen. Brad Smith to Deputy Att'y Gen. Gary Grindler, et al. (Dec. 17, 2010) [HOCR 002875-002881].

V. THE COMMITTEE'S OCTOBER 12, 2011, SUBPOENA TO ATTORNEY GENERAL HOLDER

On October 12, 2011, the Committee issued a subpoena to Attorney General Eric Holder, demanding documents related to the Department of Justice's involvement with Operation Fast and Furious. The subpoena was issued following six months of constant refusals by the Justice Department to cooperate with the Committee's investigation into Operation Fast and Furious.

A. EVENTS LEADING UP TO THE SUBPOENA

On March 16, 2011, Chairman Issa sent a letter to then-ATF Acting Director Ken Melson asking for information and documents pertaining to Operation Fast and Furious.⁵⁰ Late in the afternoon of March 30, 2011, the Department, on behalf of ATF and Melson, informed the Committee that it would not provide any documents pursuant to the letter. The Committee informed the Department it planned to issue a subpoena. On March 31, 2011, the Committee issued a subpoena to Ken Melson for the documents.

On May 2, 2011, Committee staff reviewed documents the Department made available for in camera review at Department headquarters. Many of these documents contained partial or full redactions. Following this review, Chairman Issa wrote to the Department on May 5, 2011, asking the Department to produce all documents responsive to the Committee's subpoena forthwith.⁵¹ That same day, senior Department officials met with Committee staff and acknowledged "there's a there, there" regarding the legitimacy of the congressional inquiry into Fast and Furious.

In spite of Chairman Issa's May 5, 2011, letter, during the two months following the issuance of the subpoena, the Department produced zero pages of non-public documents. On June 8, 2011, the Committee again wrote to the Department requesting complete production of all documents by June 10, 2011.⁵² The Department responded on June 10, 2011, stating "complete production of all documents by June 10, 2011, . . . is not possible."⁵³ At 7:49 p.m. that evening, just three days before a scheduled Committee hearing on the obligation of the Department of Justice to cooperate with congressional oversight, the Department finally produced its first non-public documents to the Committee, totaling 69 pages.⁵⁴

Over the next six weeks, through July 21, 2011, the Department produced an additional 1,286 pages of documents. The Department produced no additional documents until September 1, 2011, when it produced 193 pages of documents.⁵⁵ On September 30, 2011, the Department produced 97 pages of documents.⁵⁶ On October 11, 2011, the Department produced 56 pages of documents.⁵⁷

Early in the investigation, the Committee received hundreds of pertinent documents from whistleblowers. Many of the documents the whistleblowers provided were not among the 2,050 pages that the Department had produced by October 11, 2011, demonstrating

⁵⁰ Letter from Chairman Darrell Issa to ATF Acting Dir. Kenneth Melson (Mar. 16, 2011) [hereinafter Mar. 16 Letter].

⁵¹ Letter from Chairman Darrell Issa to Att'y Gen. Eric Holder (May 5, 2011).

⁵² Letter from Chairman Darrell Issa to ATF Acting Dir. Kenneth Melson (June 8, 2011).

⁵³ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (June 10, 2011).

⁵⁴ *Id.*

⁵⁵ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Sep. 1, 2011).

⁵⁶ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa and Senator Charles Grassley (Sep. 30, 2011).

⁵⁷ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Oct. 11, 2011) [hereinafter Oct. 11 Letter].

that the Department was withholding materials responsive to the subpoena.

The Committee requested additional documents from the Department as the investigation proceeded during the summer of 2011. On July 11, 2011, Chairman Issa and Senator Grassley wrote to the Attorney General requesting documents from twelve people in Justice Department headquarters pertaining to Fast and Furious.⁵⁸ The Justice Department first responded to this letter on October 31, 2011, nearly four months later.⁵⁹

On July 11, 2011, Chairman Issa and Senator Grassley sent a letter to the FBI requesting documents relating to the FBI's role in the Fast and Furious OCEETF investigation.⁶⁰ The letter requested information and documents pertaining to paid FBI informants who were the target of the Fast and Furious investigation. The FBI never produced any of the documents requested in this letter.

On July 15, 2011, Chairman Issa and Senator Grassley sent a letter to the DEA requesting documents pertaining to another target of the Fast and Furious investigation.⁶¹ The DEA was aware of this target before Fast and Furious became an OCEETF case, a fact that raises serious questions about the lack of information-sharing among Department components. Though DEA responded to the letter on July 22, 2011, it, too, did not provide any of the requested documents.⁶²

On September 1, 2011, Chairman Issa and Senator Grassley wrote to the Acting U.S. Attorney in Arizona requesting documents and communications pertaining to Fast and Furious.⁶³ As the office responsible for leading Fast and Furious, the Arizona U.S. Attorney's Office possesses a large volume of documents relevant to the Committee's investigation. The Department of Justice, on behalf of the U.S. Attorney's Office for the District of Arizona, did not respond to this letter until December 6, 2011, the eve of the Attorney General's testimony before the House Judiciary Committee.⁶⁴

On September 27, 2011, Chairman Issa and Senator Grassley sent a letter to the Attorney General raising questions about information-sharing among Department components, the Department's cooperation with Congress, and FBI documents requested in the July 11, 2011, letter to FBI Director Mueller.⁶⁵ To date, the Department has not responded to this letter.

The Department wrote to Chairman Issa on October 11, 2011, stating it had "substantially concluded [its] efforts to respond to the Committee requests set forth in the subpoena and the letter of June 8th."⁶⁶ The letter further stated:

[O]ther documents have not been produced or made available for these same reasons be-

⁵⁸ Letter from Chairman Darrell Issa and Senator Charles Grassley to Att'y Gen. Eric Holder (July 11, 2011).

⁵⁹ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Oct. 31, 2011) [hereinafter Oct. 31 Letter].

⁶⁰ Letter from Chairman Darrell Issa and Senator Charles Grassley to FBI Dir. Robert Mueller (July 11, 2011) [hereinafter Mueller Letter].

⁶¹ Letter from Chairman Darrell Issa and Senator Charles Grassley to DEA Adm'r Michele Leonhart (July 15, 2011).

⁶² Letter from DEA Adm'r Michele Leonhart to Chairman Darrell Issa and Senator Charles Grassley (July 22, 2011).

⁶³ Letter from Chairman Darrell Issa and Senator Charles Grassley to Acting U.S. Att'y Ann Scheel (Sep. 1, 2011).

⁶⁴ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa and Senator Charles Grassley (Dec. 6, 2011) [hereinafter Dec. 6 Letter].

⁶⁵ Letter from Chairman Darrell Issa and Senator Charles Grassley to Att'y Gen. Eric Holder (Sep. 27, 2011).

⁶⁶ Oct. 11 Letter, *supra* note 57.

cause neither redacting them nor making them available for review (as opposed to production) was sufficient to address our concerns. Our disclosure of the vast majority of the withheld material is prohibited by statute. These records pertain to matters occurring before a grand jury, as well as investigative activities under seal or the disclosure of which is prohibited by law . . . we also have not disclosed certain confidential investigative and prosecutorial documents, the disclosure of which would, in our judgment, compromise the pending criminal investigations and prosecution. These include core investigative and prosecutorial material, such as Reports of Investigation and drafts of court filings.

Finally . . . we have also withheld internal communications that were generated in the course of the Department's effort to respond to congressional and media inquiries about Operation Fast and Furious. These records were created in 2011, well after the completion of the investigative portion of Operation Fast and Furious that the Committee has been reviewing and after the charging decisions reflected in the January 25, 2011, indictments. Thus, they were not part of the communications regarding the development and implementation of the strategy decisions that have not been the focus of the Committee's inquiry . . . Disclosure would have a chilling effect on agency officials' deliberations about how to respond to inquiries from Congress or the media. Such a chill on internal communications would interfere with our ability to respond as effectively and efficiently as possible to congressional oversight requests.⁶⁷

The following day, on October 12, 2011, after the Department announced its intention to cease producing documents responsive to the Committee's March 31, 2011, subpoena to Melson, the Committee issued a subpoena to Attorney General Eric Holder demanding documents relating to Fast and Furious.

B. SUBPOENA SCHEDULE REQUESTS

In the weeks following the issuance of the subpoena, Committee staff worked closely with Department lawyers to provide clarifications about subpoena categories, and to assist the Department in prioritizing documents for production. Committee and Department staff engaged in discussions spanning several weeks to enable the Department to better understand what the Committee was specifically seeking. During these conversations, the Committee clearly articulated its investigative priorities as reflected in the subpoena schedule. The Department memorialized these priorities with specificity in an October 31, 2011, e-mail from the Office of Legislative Affairs.⁶⁸

Despite the Department's acknowledgment that it understands what the Committee was seeking, it has yet to provide a single document for 11 out of the 22 categories contained in the subpoena schedule. The Department has not adequately complied with the Committee's subpoena, and it has unequivocally stated its refusal to comply with entire categories of the subpoena altogether. In a letter to Chairman Issa on May 15, 2012, the Department stated that it had delivered or made available for review documents responsive to 13 of the 22 categories of the subpoena.⁶⁹

A review of each of the 22 schedule categories in the subpoena reflects the Depart-

⁶⁷ *Id.*

⁶⁸ E-mail from Office of Leg. Affairs Staff, U.S. Dep't of Justice, to Investigations Staff, H. Comm. on Oversight and Gov't Reform (Oct. 31, 2011) [hereinafter OLA e-mail].

⁶⁹ Letter from Deputy Att'y Gen. James Cole to Chairman Darrell Issa (May 15, 2012), at 4 [hereinafter May 15 Cole Letter].

ment's clear understanding of the documents sought by the Committee for each category. Below is a listing of each category of the subpoena schedule, followed by what the Department has explained is its understanding of what the Committee is seeking for each category.

1. All communications referring or relating to Operation Fast and Furious, the Jacob Chambers case, or any Organized Crime Drug Enforcement Task Force (OCDETF) firearms trafficking case based in Phoenix, Arizona, to or from the following individuals:

- a. Eric Holder, Jr., Attorney General;
- b. David Ogden, Former Deputy Attorney General;
- c. Gary Grindler, Office of the Attorney General and former Acting Deputy Attorney General;
- d. James Cole, Deputy Attorney General;
- e. Lanny Breuer, Assistant Attorney General;
- f. Ronald Weich, Assistant Attorney General;
- g. Kenneth Blanco, Deputy Assistant Attorney General;
- h. Jason Weinstein, Deputy Assistant Attorney General;
- i. John Keeney, Deputy Assistant Attorney General;
- j. Bruce Swartz, Deputy Assistant Attorney General;
- k. Matt Axelrod, Associate Deputy Attorney General;
- l. Ed Siskel, former Associate Deputy Attorney General;
- m. Brad Smith, Office of the Deputy Attorney General;
- n. Kevin Carwile, Section Chief, Capital Case Unit, Criminal Division;
- o. Joseph Cooley, Criminal Fraud Section, Criminal Division; and,
- p. James Trusty, Acting Chief, Organized Crime and Gang Section.

Department Response: In late October 2011, the Department acknowledged that it had "already begun searches of some of the custodians listed here relating to Fast and Furious, such as in response to the Chairman's letter of 7/11/11."⁷⁰ Still, it has produced no documents since the issuance of the subpoena pursuant to subpoena categories 1(a), 1(b), 1(g), 1(i), and 1(k), only two documents pursuant to subpoena category 1(d), and very few documents pursuant to subpoena category 1(j) and 1(l).

2. All communications between and among Department of Justice (DOJ) employees and Executive Office of the President employees, including but not limited to Associate Communications Director Eric Schultz, referring or relating to Operation Fast and Furious or any other firearms trafficking cases.

Department Response: The Department acknowledged that the Committee identified several people likely to be custodians of these documents.⁷¹ Though the Department has stated it has produced documents pursuant to this subpoena category, the Committee has not found any documents produced by the Department responsive to this subpoena category.⁷²

3. All communications between DOJ employees and Executive Office of the President employees referring or relating to the President's March 22, 2011, interview with Jorge Ramos of Univision.

Department Response: The Department represented that it would "check on communications with WH Press Office in the time period preceding the President's 3/22/11 interview," and that it had identified the most likely custodians of those documents.⁷³ Nonetheless, it has produced no documents

responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

4. All documents and communications referring or relating to any instances prior to February 4, 2011, where the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) failed to interdict weapons that had been illegally purchased or transferred.

Department Response: The Department has produced some documents responsive to this subpoena category.

5. All documents and communications referring or relating to any instances prior to February 4, 2011, where ATF broke off surveillance of weapons and subsequently became aware that those weapons entered Mexico.

Department Response: The Department has produced documents responsive to this subpoena category.

Most of the responsive documents the Department has produced pursuant to the subpoena pertain to categories 4 and 5 and relate to earlier cases the Department has described as involving gunwalking. The Department produced these documents strategically, advancing its own narrative about why Fast and Furious was neither an isolated nor a unique program. It has attempted to accomplish this objective by simultaneously producing documents to the media and the Committee.

6. All documents and communications referring or relating to the murder of Immigrations and Customs Enforcement Agent Jaime Zapata, including, but not limited to, documents and communications regarding Zapata's mission when he was murdered, Form for Reporting Information That May Become Testimony (FD-302), photographs of the crime scene, and investigative reports prepared by the FBI.

Department Response: The Department "understand[s] that the Zapata family has complained that they've been 'kept in the dark' about this matter" which necessitated this subpoena category.⁷⁴ The Department "conferred with the U.S. Attorney's Office . . . which we hope will be helpful to them and perhaps address the concerns that are the basis of this item."⁷⁵ Though the Department has stated it has produced documents pursuant to this subpoena category, the Committee has not found any documents produced by the Department responsive to this subpoena category.⁷⁶

In late February 2012, press accounts revealed that prosecutors had recently sentenced a second individual in relation to the murder of Immigration and Customs Enforcement (ICE) Agent Jaime Zapata. One news article stated that "[n]obody was more astonished to learn of the case than Zapata's parents, who didn't know that [the defendant] had been arrested or linked to their son's murder."⁷⁷ Press accounts alleged that the defendant had been "under ATF surveillance for at least six months before a rifle he trafficked was used in Zapata's murder"—a situation similar to what took place during Fast and Furious.⁷⁸ Despite this revelation, the Department failed to produce any documents responsive to this subpoena category.

7. All communications to or from William Newell, former Special Agent-in-Charge of ATF's Phoenix Field Division, between:

- a. December 14, 2010 to January 25, 2011; and,

b. March 16, 2009 to March 19, 2009.

Department Response: The Department has not produced any documents responsive to subpoena category 7(b), despite its understanding that the Committee sought documents pertaining "to communications with [Executive Office of the President] staff regarding gun control policy" within a specific and narrow timeframe.⁷⁹ The Department has not informed the Committee that no documents exist responsive to this schedule number.

8. All Reports of Investigation (ROIs) related to Operation Fast and Furious or ATF Case Number 785115-10-0004.

Department Response: Department representatives contended that this subpoena category "presents some significant issues for" the Department due to current and potential future indictments.⁸⁰ The Department has not produced any documents responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

9. All communications between and among Matt Axelrod, Kenneth Melson, and William Hoover referring or relating to ROIs identified pursuant to Paragraph 8.

Department Response: The Department acknowledged its understanding that this request specifically pertained to "emails Ken sent to Matt and Billy, expressing concerns, perhaps in March 2011, [that] are core to [the Committee's] work, and we'll look at those."⁸¹ Still, it has produced no documents pursuant to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

10. All documents and communications between and among former U.S. Attorney Dennis Burke, Attorney General Eric Holder, Jr., former Acting Deputy Attorney General Gary Grindler, Deputy Attorney General James Cole, Assistant Attorney General Lanny Breuer, and Deputy Assistant Attorney General Jason Weinstein referring or relating to Operation Fast and Furious or any OCDETF case originating in Arizona.

Department Response: The Department has produced some documents responsive to this subpoena category.

A complete production of these documents is crucial to allow Congress to understand how senior Department officials came to know that the February 4, 2011, letter to Senator Grassley was false, why it took so long for the Department to withdraw the letter despite months of congressional pressure to do so, and why the Department obstructed the congressional investigation for nearly a year. These documents will show the reactions of top officials when confronted with evidence about gunwalking in Fast and Furious. The documents will also show whether these officials knew about, or were surprised to learn of, the gunwalking. Additionally, these documents will reveal the identities of Department officials who orchestrated various forms of retaliation against the whistleblowers.

11. All communications sent or received between:

- a. December 16, 2009 and December 18, 2009; and,
- b. March 9, 2011, and March 14, 2011, to or from the following individuals:
 - i. Emory Hurley, Assistant U.S. Attorney, Office of the U.S. Attorney for the District of Arizona;
 - ii. Michael Morrissey, Assistant U.S. Attorney, Office of the U.S. Attorney for the District of Arizona;

⁷⁰ OLA e-mail, *supra* note 68.

⁸⁰ *Id.*

⁸¹ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ May 15 Cole Letter, at 4.

⁷⁷ Sharyl Attkisson, *Second gun used in ICE agent murder linked to ATF undercover operation*, (Feb. 22, 2012, 5:29 P.M.), <http://www.cbsnews.com/8301-31727-162-57383089-10391695/second-gun-used-in-ice-agent-murder-linked-to-atf-undercover-operation/>.

⁷⁸ *Id.*

⁷⁰ OLA e-mail.

⁷¹ *Id.*

⁷² May 15 Cole Letter, at 4.

⁷³ *Id.*

iii. Patrick Cunningham, Chief, Criminal Division, Office of the U.S. Attorney for the District of Arizona;

iv. David Voth, Group Supervisor, ATF; and,

v. Hope MacAllister, Special Agent, ATF.

Department Response: The Department acknowledged that it “will first search these custodians for records re a) the Howard meeting in 12/09; and b) the ROI or memo that was written during this time period relating to the Howard mtng in 12/09.”⁸² Although the Department has produced documents that are purportedly responsive to this category, these documents do not pertain to the subject matter that the Department understands that the Committee is seeking.

12. All communications sent or received between December 15, 2010, and December 17, 2010, to or from the following individuals in the U.S. Attorney’s Office for the District of Arizona:

a. Dennis Burke, former United States Attorney;

b. Emory Hurley, Assistant United States Attorney;

c. Michael Morrissey, Assistant United States Attorney; and,

d. Patrick Cunningham, Chief of the Criminal Division.

Department Response: The Department understood that the Committee’s “primary interest here is in the communications during this time period that relate to the Terry death and, per our conversation, we will start with those.”⁸³ Although the Department has produced some documents responsive to this subpoena category, it has not represented that it has produced all responsive documents in this category.

13. All communications sent or received between August 7, 2009, and March 19, 2011, between and among former Ambassador to Mexico Carlos Pascual; Assistant Attorney General Lanny Breuer; and Deputy Assistant Attorney General Bruce Swartz.

Department Response: The Department acknowledged that it “understand[s] the Committee’s focus here is Firearms Trafficking issues along the SW Border, not limited to Fast & Furious.”⁸⁴ The Department has produced some documents responsive to this subpoena category.

14. All communications sent or received between August 7, 2009, and March 19, 2011, between and among former Ambassador to Mexico Carlos Pascual and any Department of Justice employee based in Mexico City referring or relating to firearms trafficking initiatives, Operation Fast and Furious or any firearms trafficking case based in Arizona, or any visits by Assistant Attorney General Lanny Breuer to Mexico.

Department Response: The Department has produced only a handful of pages responsive to this subpoena category, even though it “understand[s] that [the Committee] wants [the Department] to approach this effort with efficiency.”⁸⁵ Despite the Committee’s request for an efficient effort, the Department produced a key document regarding Attorney General Lanny Breuer three and a half months after the subpoena was issued, after several previous document productions, and long after Breuer testified before Congress and could be questioned about the document. Given the importance of the contents of the document and the request for an efficient effort on the part of the Department in this subpoena category, it is inconceivable that the Department did not discover this document months prior to its production. The Department’s actions suggest that it

kept this document hidden for strategic and public relations reasons.

15. Any FD-302 relating to targets, suspects, defendants, or their associates, bosses, or financiers in the Fast and Furious investigation, including but not limited to any FD-302s ATF Special Agent Hope MacAllister provided to ATF leadership during the calendar year 2011.

Department Response: The Department “understand[s] that [the Committee’s] primary focus here is the 5 FBI 302s that were provided to SA MacAllister, which she later gave to Messrs. Hoover and Melson.”⁸⁶ Despite the specificity of this document request, the Department has not produced any documents responsive to this schedule number. The Department has not informed the Committee that no documents exist responsive to this schedule number.

16. Any investigative reports prepared by the FBI or Drug Enforcement Administration (DEA) referring or relating to targets, suspects, or defendants in the Fast and Furious case.

Department Response: The Department was “uncertain about the volume here,” regarding the amount of documents, and pledged to “work[] on this [with] DEA and FBI.”⁸⁷ Despite this pledge, it has produced no documents responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

17. Any investigative reports prepared by the FBI or DEA relating to the individuals described to Committee staff at the October 5, 2011, briefing at Justice Department headquarters as Target Number 1 and Target Number 2.

Department Response: The Department acknowledged that it “think[s] we understand this item.”⁸⁸ Despite this understanding, it has produced no documents responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

18. All documents and communications in the possession, custody or control of the DEA referring or relating to Manuel Fabian Celis-Acosta.

Department Response: The Department agreed to “start with records regarding information that DEA shared with ATF about Acosta, which we understand to be the focus of your interest in this item.”⁸⁹ Despite this understanding, the Department has produced no documents responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

19. All documents and communications between and among FBI employees in Arizona and the FBI Laboratory, including but not limited to employees in the Firearms/Toolmark Unit, referring or relating to the firearms recovered during the course of the investigation of Brian Terry’s death.

Department Response: The Department’s understanding was that “[the Committee’s] focus here is how evidence was tagged at the scene of Agent Terry’s murder, how evidence was processed, how the FBI ballistics report was prepared and what it means.”⁹⁰ Despite this clear understanding, the Department has produced no documents responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

20. All agendas, meeting notes, meeting minutes, and follow-up reports for the Attor-

ney General’s Advisory Committee of U.S. Attorneys between March 1, 2009, and July 31, 2011, referring or relating to Operation Fast and Furious.

Department Response: This category asks for documents from the Attorney General’s Advisory Committee within a clearly specified date range. Despite the fact that the Department has acknowledged this category “is clear,” the Department has produced no documents responsive to this subpoena category.⁹¹ The Department has not informed the Committee that no documents exist responsive to this schedule number.

21. All weekly reports and memoranda for the Attorney General, either directly or through the Deputy Attorney General, from any employee in the Criminal Division, ATF, DEA, FBI, or the National Drug Intelligence Center created between November 1, 2009 and September 30, 2011.

Department Response: This category asks for weekly reports and memoranda to the Attorney General from five different Department components “regarding ATF cases re firearms trafficking.”⁹² The Department has produced some documents responsive to this subpoena category.

22. All surveillance tapes recorded by pole cameras inside the Lone Wolf Trading Co. store between 12:00 a.m. on October 3, 2010, and 12:00 a.m. on October 7, 2010.

Department Response: This category asks for all ATF surveillance tapes from Lone Wolf Trading Company between two specified dates in October 2010. Both the Committee and the Department “understand a break-in occurred” at that time.⁹³ The Department has produced no documents responsive to this subpoena category. The Department has not informed the Committee that no documents exist responsive to this schedule number.

C. ATTEMPTS OF ACCOMMODATION BY THE COMMITTEE, LACK OF COMPLIANCE BY THE JUSTICE DEPARTMENT

In public statements, the Department has maintained that it remains committed to “work[ing] to accommodate the Committee’s legitimate oversight needs.”⁹⁴ The Department, however, believes it is the sole arbiter of what is “legitimate.” In turn, the Committee has gone to great lengths to accommodate the Department’s interests as an Executive Branch agency. Unfortunately, the Department’s actions have not matched its rhetoric. Instead, it has chosen to prolong the investigation and impugn the motives of the Committee. A statement the Attorney General made at the February 2, 2012, hearing was emblematic of the Department’s posture with respect to the investigation:

But I also think that if we are going to really get ahead here, if we are really going to make some progress, we need to put aside the political gotcha games in an election year and focus on matters that are extremely serious.⁹⁵

This attitude with respect to a legitimate congressional inquiry has permeated the Department’s ranks. Had the Department demonstrated a willingness to cooperate with this investigation from the outset—instead of attempting to cover up its own internal mismanagement—this investigation likely would have concluded well before the election year even began. The Department has intentionally withheld documents for

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Fast and Furious: Management Failures at the Department of Justice: Hearing Before the H. Comm. on Oversight and Gov’t Reform*, 112th Cong. (Feb. 2, 2012) (Statement of Hon. Eric H. Holder, Jr., Att’y Gen. of the U.S.).

⁹⁵ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

months, only to release a selected few on the eve of the testimony of Department officials.⁹⁶ The Department has impeded the ability of a co-equal branch of government to perform its constitutional duty to conduct Executive Branch oversight. By any measure, it has obstructed and slowed the Committee's work.

The Committee has been unfailingly patient in working with Department representatives to obtain information the Committee requires to complete its investigation. The Department's progress has been unacceptably slow in responding to the October 12, 2011, subpoena issued to the Attorney General. Complying with the Committee's subpoena is not optional. Indeed, the failure to produce documents pursuant to a congressional subpoena is a violation of federal law.⁹⁷ Because the Department has not cited any legal authority as the basis for withholding documents pursuant to the subpoena its efforts to accommodate the Committee's constitutional obligation to conduct oversight of the Executive Branch are incomplete.

1. IN CAMERA REVIEWS

In an attempt to accommodate the Justice Department's interests, Committee staff has viewed documents responsive to the subpoena that the Department has identified as sensitive *in camera* at Department headquarters. Committee staff has visited the Department on April 12, May 4, June 17, October 12, and November 3, 2011, as well as on January 30 and February 27, 2012 to view these documents. Many of the documents made available for *in camera* review, however, have been repetitive in nature. Many other documents seemingly do not contain any sensitive parts that require them to be viewed *in camera*. Other documents are altogether non-responsive to the subpoena.

Committee staff has spent dozens of hours at Department headquarters reviewing these documents. In addition, the Department has identified hundreds of other sensitive documents responsive to the subpoena, which it refuses to make available even for *in camera* review, instead withholding them from the Committee altogether. The Committee has made these accommodations to the Department at the expense of not being able to make these documents available for review by Committee Members.

2. REDACTED DOCUMENTS

The Department has redacted varying portions of many of the documents it has produced. These redactions purportedly protect ongoing criminal investigations and prosecutions, as well as other sensitive data. The Department has so heavily redacted some documents produced to Congress that they are unintelligible. There appears to be no objective, consistent criteria delineating why some documents were redacted, only provided *in camera*, or withheld entirely.

On the evening of May 2, 2011, Department of Justice representatives notified the Committee that the Department was planning to

⁹⁶On Friday January 27, 2012, just days before the Attorney General testified before Congress, documents were delivered to the Senate Judiciary Committee so late in the evening that a disc of files had to be slipped under the door. This is not only an extreme inconvenience for congressional staff but also deprives staff of the ability to review the materials in a timely manner.

⁹⁷2 U.S.C. 192 states, in pertinent part:

Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before . . . any committee of either House of Congress, willfully makes default . . . shall be deemed guilty of a misdemeanor, punishable by a fine of not more than \$1,000 nor less than \$100 and imprisonment in a common jail for not less than one month nor more than twelve months.

make approximately 400 pages of documents available for an *in camera* review at its headquarters.⁹⁸ Committee staff went to review those documents on May 4, 2011, only to discover they were partially, or in some cases almost completely, redacted. Since these documents were only made available pursuant to Committee's first subpoena and only on an *in camera* basis, redactions were inappropriate and unnecessary.

On June 14, 2011, the Department produced 65 pages of documents to the Committee in a production labeled "Batch 4."⁹⁹ Of these 65 pages, every single one was at least partially redacted, 44 were completely redacted, and 61 had redactions covering more than half of the page.

On July 18, 2011, after more than a month of discussions between Committee and Department staff, the Department finally included a redaction code that identifies the reason for each redaction within a document.¹⁰⁰ While the Department has used this redaction code in subsequent document productions to the Committee, documents produced and redacted prior to July 18, 2011, do not have the benefit of associated redaction codes for each redaction.

The Department has over-redacted certain documents. The Committee has obtained many of these documents through whistleblowers and has compared some of them with those produced by the Department. In some instances, the Department redacted more text than necessary, making it unnecessarily difficult and sometimes impossible for the Committee, absent the documents provided by whistleblowers, to investigate decisions made by Department officials.

Further, any documents made available pursuant to the Committee's subpoenas must not have any redactions. To fully and properly investigate the decisions made by Department officials during Fast and Furious, the Committee requires access to documents in their entirety. The Department has not complied with this requirement.

The Committee does recognize the importance of privacy interests and other legitimate reasons the Department has for redacting portions of documents produced to the Committee. The Committee has attempted to accommodate the Department's stated concerns related to documents it believes are sensitive. The Committee intended to release 230 pages of documents in support of its July 26, 2011, report entitled *The Department of Justice's Operation Fast and Furious: Fueling Cartel Violence*, and gave the Department an opportunity to suggest its own redactions before the documents became public.¹⁰¹ These actions are consistent with the Committee's willingness to accommodate the Department's interests.

3. PRIVILEGE LOG

Mindful of the Justice Department's prerogatives as an Executive Branch agency, the Committee has offered the opportunity for the Department to prepare a privilege log of documents responsive to the subpoena but withheld from production. A privilege log would outline the documents withheld and the specific grounds for withholding. Such a log would serve as the basis for negotiation between the Committee and the Department about prioritizing the documents for potential production.

On January 31, 2012, Chairman Issa wrote to the Attorney General. He said:

⁹⁸Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (May 2, 2011).

⁹⁹Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (June 14, 2011).

¹⁰⁰Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (July 18, 2011).

¹⁰¹E-mail from Office of Leg. Affairs Staff, U.S. Dep't of Justice, to Staff, H. Comm. on Oversight and Gov't Reform (July 28, 2011).

Should you choose to continue to withhold documents pursuant to the subpoena, you must create a detailed privilege log explaining why the Department is refusing to produce each document. If the Department continues to obstruct the congressional inquiry by not providing documents and information, this Committee will have no alternative but to move forward with proceedings to hold you in contempt of Congress.¹⁰²

On February 14, 2012, Chairman Issa again wrote to the Attorney General. He said:

We cannot wait any longer for the Department's cooperation. As such please specify a date by which you expected the Department to produce *all* documents responsive to the subpoena. In addition, please specify a Department representative who will interface with the Committee for production purposes . . . This person's primary responsibility should be to identify for the Committee all documents the Department has determined to be responsive to the subpoena but is refusing to produce, and should provide a privilege log of the documents delineating why each one is being withheld from Congress. Please direct this individual to produce this log to the Committee without further delay.¹⁰³

On several occasions, Committee staff has asked the Department to provide such a privilege log, including a listing, category-by-category, of documents the Department has located pursuant to the subpoena and the reason the Department will not produce those documents. Despite these requests, however, the Department has neither produced a privilege log nor responded to this aspect of Chairman Issa's letters of January 31, 2012, and February 14, 2012.

The Department has not informed the Committee that it has been unable to locate certain documents. This suggests that the Department is not producing responsive documents in its possession. Since the Department will not produce a privilege log, it has failed to make a good faith effort to accommodate the Committee's legitimate oversight interests.

4. ASSERTIONS OF NON-COMPLIANCE

The Committee's investigation into Operation Fast and Furious is replete with instances in which the Justice Department has openly acknowledged it would not comply with the Committee's requests. These pronouncements began with the March 31, 2011, subpoena to the former Acting ATF Director, continued through the Committee's October 12, 2011, subpoena to the Attorney General, and persist to this day.

(a) March 31, 2011, Subpoena

On March 16, 2011, Chairman Issa sent a letter to the then-Acting ATF Director requesting documents about Fast and Furious.¹⁰⁴ As part of this request, Chairman Issa asked for a "list of individuals responsible for authorizing the decision to 'walk' guns to Mexico in order to follow them and capture a 'bigger fish.'" ¹⁰⁵ On the afternoon of March 30, 2011, the deadline given in Chairman Issa's letter, Department staff participated in a conference call with Committee staff. During that call, Department staff expressed a lack of understanding over the meaning of the word "list."¹⁰⁶ Department

¹⁰²Letter from Chairman Darrell Issa to Att'y Gen. Eric Holder (Jan. 31, 2012) [hereinafter Jan. 31 Letter].

¹⁰³Letter from Chairman Darrell Issa to Att'y Gen. Eric Holder (Feb. 14, 2012) (emphasis in original) [hereinafter Feb. 14 Letter].

¹⁰⁴Mar. 16 Letter, *supra* note 50.

¹⁰⁵*Id.*

¹⁰⁶Teleconference between Committee Staff and U.S. Dep't of Justice Office of Leg. Affairs Staff (Mar. 30, 2011).

officials further informed Committee staff that the Department would not produce documents by the deadline and were uncertain when they would produce documents in the future. Committee staff understood this response to mean the Department did not intend to cooperate with the Committee's investigation.

The next day Chairman Issa authorized a subpoena for the Acting ATF Director. The following day, the Department wrote to Chairman Issa. Assistant Attorney General Ronald Weich wrote:

As you know, the Department has been working with the Committee to provide documents responsive to its March 16 request to the Bureau of Alcohol, Tobacco, Firearms and Explosives. Yesterday, we informed Committee staff that we intended to produce a number of responsive documents within the next week. As we explained, there are some documents that we would be unable to provide without compromising the Department's ongoing criminal investigation into the death of Agent Brian Terry as well as other investigations and prosecutions, but we would seek to work productively with the Committee to find other ways to be responsive to its needs.¹⁰⁷

Despite the Department's stated intention to produce documents within the next week, it produced no documents for over two months, until June 10, 2011. In the interim, the Department made little effort to work with the Committee to define the scope of the documents required by the subpoena.

On April 8, 2011, the Department wrote to Chairman Issa to inform the Committee that it had located documents responsive to the subpoena. Assistant Attorney General Weich wrote that the Department did not plan to share many of these materials with the Committee. His letter stated:

To date, our search has located several law enforcement sensitive documents responsive to the requests in your letter and the subpoena. We have substantial confidentiality interests in these documents because they contain information about ATF strategies and procedures that could be used by individuals seeking to evade our law enforcement efforts. We are prepared to make these documents, with some redactions, available for review by Committee staff at the Department. They will bear redactions to protect information about ongoing criminal investigations, investigative targets, internal deliberations about law enforcement options, and communications with foreign government representatives. In addition, we notified Committee staff that we have identified certain publicly available documents that are responsive. While our efforts to identify responsive documents are continuing, many of your requests seek records relating to ongoing criminal investigations. Based upon the Department's longstanding policy regarding the confidentiality of ongoing criminal investigations, we are not in a position to disclose such documents, nor can we confirm or deny the existence of records in our ongoing investigative files. This policy is based on our strong need to protect the independence and effectiveness of our law enforcement efforts.¹⁰⁸

The letter cited prior Department policy in support of its position of non-compliance:

We are dedicated to holding Agent Terry's killer or killers responsible through the criminal justice process that is currently underway, but we are not in a position to pro-

vide additional information at this time regarding this active criminal investigation for the reasons set forth above. . . .¹⁰⁹

On June 14, 2011, after the Department had produced 194 pages of non-public documents pursuant to the subpoena, the Department informed the Committee that it was deliberately withholding certain documents:

As with previous oversight matters, we have not provided access to documents that contain detailed information about our investigative activities where their disclosure would harm our pending investigations and prosecutions. This includes information that would identify investigative subjects, sensitive techniques, anticipated actions, and other details that would assist individuals in evading our law enforcement efforts. Our judgments begin with the premise that we will disclose as much as possible that is responsive to the Committee's interests, consistent with our responsibilities to bring to justice those who are responsible for the death of Agent Terry and those who violate federal firearms laws.¹¹⁰

The June 14, 2011, letter arrived one day after the Committee held a hearing featuring constitutional experts discussing the legal obligations of the Department to comply with a congressional subpoena. The Department's letter did not address the views expressed at the hearing, instead reiterating its internal policy. The letter noted that the Department would not provide access to documents discussing its use of "sensitive techniques"—even though these techniques were central to the Committee's investigation.

On July 5, 2011, Chairman Issa and Senator Grassley wrote to the Department about serious issues involving the lack of information sharing among Department components, in particular, between the FBI and DEA.¹¹¹ These issues raised the possibility that the Department had been deliberately concealing information about Fast and Furious from the Committee, including the roles of its component agencies. The next day, the Department responded. It wrote:

Your letter raises concerns about the alleged role of other agencies in matters that you say touch on Operation Fast and Furious. Chairman Issa's staff previously raised this issue with representatives of the Department and it is my understanding that discussions about whether and how to provide any such sensitive law enforcement information have been ongoing. . . .¹¹²

On July 11, 2011, Chairman Issa and Senator Grassley wrote to the FBI requesting information on the issue of information sharing within the Department. The letter included a request for information relating to the murder of Immigrations and Customs Enforcement Agent Jaime Zapata.¹¹³ On August 12, 2011, the FBI responded. It wrote:

Your letter also asks for specific information related to the crime scene and events leading to the murder of ICE Agent Jaime Zapata in Mexico on February 15, 2011. As you know, crime scene evidence and the circumstances of a crime are generally not made public in an ongoing investigation. Furthermore, the investigative reports of an ongoing investigation are kept confidential during the investigation to preserve the in-

¹⁰⁹ *Id.*

¹¹⁰ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Apr. 8, 2011).

¹¹¹ Letter from Chairman Darrell Issa and Senator Charles Grassley to Att'y Gen. Eric Holder (July 5, 2011).

¹¹² Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa and Senator Charles Grassley (July 6, 2011).

¹¹³ Mueller Letter, *supra* note 60.

tegrity of the investigation and to ensure its successful conclusion. We regret that we cannot provide more details about the investigation at this time, but we need to ensure all appropriate steps are taken to protect the integrity of the investigation.¹¹⁴

The FBI did not provide any documents to the Committee regarding the information sharing issues raised, though it did offer to provide a briefing to staff. It delivered that briefing nearly two months later, on October 5, 2011.

On October 11, 2011, the Department wrote to Chairman Issa. The Department stated:

We believe that we have now substantially concluded our efforts to respond to the Committee requests set forth in the subpoena and the letter of June 8th.¹¹⁵

The Department was well aware that the Committee was struggling to understand how the Department created its February 4, 2011, letter to Senator Grassley, which the Committee believed to contain false information. To that end, the Department stated:

As we have previously explained to Committee staff, we have also withheld internal communications that were generated in the course of the Department's effort to respond to congressional and media inquiries about Operation Fast and Furious. These records were created in 2011, well after the completion of the investigative portion of Operation Fast and Furious that the Committee has been reviewing and after the charging decisions reflected in the January 25, 2011, indictments. Thus, they were not part of the communications regarding the development and implementation of the strategy decisions that have been the focus of the Committee's inquiry. It is longstanding Executive Branch practice not to disclose documents falling into this category because disclosure would implicate substantial Executive Branch confidentiality interests and separation of powers principles. Disclosure would have a chilling effect on agency officials' deliberations about how to respond to inquiries from Congress or the media. Such a chill on internal communications would interfere with our ability to respond as effectively and efficiently as possible to congressional oversight requests.¹¹⁶

The next day, the Committee issued a subpoena to Attorney General Holder.

(b) *October 12, 2011, Subpoena*

On October 31, 2011, the Department produced its first batch of documents pursuant to the Committee's October 12, 2011, subpoena.¹¹⁷ This production consisted of 652 pages. Of these 652 pages, 116 were about the Kingery case, a case that the Department wanted to highlight in an attempt to discredit some of the original Fast and Furious whistleblowers. Twenty-eight additional pages were about an operation from the prior administration, the Hernandez case, and 245 pages were about another operation from the prior administration, Operation Wide Receiver.

Although the subpoena covered documents from the Hernandez and Wide Receiver cases, their inclusion into the first production batch under the subpoena was indicative of the Department's strategy in responding to the subpoena. The Department briefed the press on these documents at the same time as it produced them to the Committee. The Department seemed more interested in spin control than in complying with the congress-

¹¹⁴ Letter from Stephen Kelley, Ass't Dir., FBI Office of Congressional Affairs, to Chairman Darrell Issa and Senator Charles Grassley (Aug. 12, 2011).

¹¹⁵ Oct. 11 Letter, *supra* note 57.

¹¹⁶ *Id.*

¹¹⁷ Oct. 31 Letter, *supra* note 59.

¹⁰⁷ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Apr. 1, 2011).

¹⁰⁸ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Apr. 8, 2011).

sional subpoena. Sixty percent of the documents in this first production were related to either Kingery, Hernandez, or Wide Receiver, and therefore, unrelated to the gravamen of the Committee's investigation into Fast and Furious.

On December 2, 2011, shortly before the Attorney General's testimony before the House Judiciary Committee, the Department produced 1,364 pages of documents pertaining to the creation of its February 4, 2011, letter.¹¹⁸ Despite its statements in the October 11, 2011, letter, the Department, through a letter from Deputy Attorney General James Cole, publicly admitted under pressure its obvious misstatements, formally acknowledging that the February 4, 2011, letter "contains inaccuracies."¹¹⁹

On December 13, 2011, on the eve of the Committee's interview with Gary Grindler, Chief of Staff to the Attorney General, the Department produced 19 pages of responsive documents.¹²⁰

On January 5, 2012, the Department produced 482 pages of documents responsive to the subpoena.¹²¹ Of these 482 pages, 304 of them, or 63 percent, were related to the Wide Receiver case. This production brought the total number of pages produced pursuant to Wide Receiver to 549, nearly 100 more than the Department had produced at that time regarding Fast and Furious in three document productions.

On January 27, 2012, the Department produced 486 pages of documents pursuant to the October 12, 2011, subpoena.¹²² In its cover letter, the Department stated, "[t]he majority of materials produced today are responsive to items 7, 11 and 12 of your October 11 subpoena." There are no documents in the production, however, responsive to items 7(b) or 11(b)(i-v). The Department wrote in its January 27 cover letter:

We are producing or making available for review materials that are responsive to these items, most of which pertain to the specific investigations that we have already identified to the Committee. We are not, however, providing materials pertaining to other matters, such as documents regarding ATF cases that do not appear to involve the inappropriate tactics under review by the Committee; non-ATF cases, except for certain information relating to the death of Customs and Border Protection Agent Brian Terry; administrative matters; and personal records.¹²³

The Department refused to produce documents pursuant to the subpoena regarding investigations that it had not previously specified to the Committee, or investigations that "do not appear" to involve inappropriate tactics. In doing so, the Department made itself the sole arbiter of the Committee's investigative interests, as well as of the use of "inappropriate" tactics. The Department has prevented Congress from executing its constitutionally mandated oversight function, preferring instead to self-regulate.

The October 12, 2011, subpoena, however, covers all investigations in which ATF failed to interdict weapons that had been illegally purchased or transferred—not just those cases previously identified by the Department. The subpoena does not give the Department the authority to define which tactics are inappropriate. Rather, the language

in sections 4 and 5 of the subpoena schedule is clear. The Department's refusal to cooperate on this front and only produce documents about investigations that it had previously identified—documents that support the Department's press strategy—is in violation of its obligation to cooperate with congressional oversight.

On January 31, 2012, Chairman Issa again wrote to the Attorney General, this time asking that the Department produce all documents pursuant to the subpoena by February 9, 2012.¹²⁴ The following day, the Department responded. It stated:

Your most recent letter asks that we complete the production process under the October 11, 2011, subpoena by February 9, 2012. The broad scope of the Committee's requests and the volume or material to be collected, processed and reviewed in response make it impossible to meet that deadline, despite our good faith efforts. We will continue in good faith to produce materials, but it simply will not be possible to finish the collection, processing and review of materials by the date sought in your most recent letter.¹²⁵

Yet, as discussed in Section V.B above, the Department was acutely aware in October 2011, approximately three months earlier, exactly what categories of documents the Committee was seeking. In response to the subpoena, the Department had, up to February 1, 2012, produced more documents relating to a single operation years before Fast and Furious even began than it had relating to Operation Fast and Furious itself.

On February 16, 2012, the Department produced 304 pages of documents pursuant to the subpoena.¹²⁶ The production included nearly 60 pages of publicly available and previously produced information, as well as other documents previously produced to the Committee.

On February 27, 2012, the Department produced eight pages pursuant to the subpoena.¹²⁷ These eight pages, given to the Committee by a whistleblower ten months earlier, were produced only because a transcribed interview with a former Associate Deputy Attorney General was to take place the next day.

On March 2, 2012, the Department produced 26 pages of documents pursuant to the October 12, 2011, subpoena.¹²⁸ Five of these documents were about the Kingery case. Fourteen documents—over half of the production—related to Wide Receiver. Seven pages were duplicate copies of a press release already produced to the Committee.

On March 16, 2012, the Department produced 357 pages of documents pursuant to the subpoena. Three hundred seven of these pages, or 86 percent, related to the Hernandez and Medrano cases from the prior Administration. Twenty other pages had been previously produced by the Department, and seven pages were publicly available on the Justice Department's website.

On April 3, 2012, the Department produced 116 pages of documents pursuant to the subpoena. Forty four of these pages, or 38 percent, related to cases other than Fast and Furious. On April 19, 2012, the Department produced 188 pages of documents pursuant to the subpoena.

On May 15, 2012, the Department produced 29 pages of documents pursuant to the sub-

poena. Ten of these pages, or 36 percent, related to cases other than Fast and Furious.

The Department has produced a total of 6,988 pages to the Committee to date.¹²⁹ Though the Department recently stated that it has "provided documents to the Committee at least twice every month since late last year," the Department has not produced any documents to the Committee in over 30 days.¹³⁰

(c) *Post-February 4, 2011, Documents*

Many of the documents the October 12, 2011, subpoena requires were created or produced after February 4, 2011. The Department first responded to Congress about Fast and Furious on this date. The Department has steadfastly refused to make any documents created after February 4, 2011, available to the Committee.

The Department's actions following the February 4, 2011, letter to Senator Grassley are crucial in determining how it responded to the serious allegations raised by the whistleblowers. The October 12, 2011, subpoena covers documents that would help Congress understand what the Department knew about Fast and Furious, including when and how it discovered its February 4 letter was false, and the Department's efforts to conceal that information from Congress and the public. Such documents would include those relating to actions the Department took to silence or retaliate against Fast and Furious whistleblowers and to find out what had happened, and how the Department assessed the culpability of those involved in the program.

The Attorney General first expressed the Department's position regarding documents created after February 4, 2011, in his testimony before the House Judiciary Committee on December 8, 2011. In no uncertain terms, he stated:

[W]ith regard to the Justice Department as a whole—and I'm certainly a member of the Justice Department—we will not provide memos after February the 4th . . . e-mails, memos—consistent with the way in which the Department of Justice has always conducted itself in its interactions.¹³¹

He again impressed this point upon Committee Members later in the hearing:

Well, with the regard to provision of e-mails, I thought I've made it clear that after February the 4th it is not our intention to provide e-mail information consistent with the way in which the Justice Department has always conducted itself.¹³²

The Department reiterated this position less than a week later in a December 14, 2011, transcribed interview of Gary Grindler, the Attorney General's Chief of Staff. Department counsel broadened the Department's position with respect to sharing documents created after February 4, 2011, in refusing to allow Grindler to answer any questions relating to conversations that he had with anyone in the Department regarding Fast and Furious after February 4, 2011. Grindler stated:

What I am saying is that the Attorney General made it clear at his testimony last week that we are not providing information to the committee subsequent to the February 4th letter.¹³³

¹²⁹ The most recent production by the Department, on May 15, 2012, ended with Bates number HOCR 006988.

¹³⁰ May 15 Cole Letter, *supra* note 69.

¹³¹ *Oversight Hearing on the United States Department of Justice: Hearing Before the H. Comm. on the Judiciary*, 112th Cong. (Dec. 8, 2011) (Test. of Hon. Eric H. Holder, Jr., Att'y Gen. of the U.S.).

¹³² *Id.*

¹³³ Transcribed Interview of Gary Grindler, Chief of Staff to the Att'y Gen., at 22 (Dec. 14, 2011) [hereinafter Grindler Tr.].

¹¹⁸ Letter from Deputy Att'y Gen. James Cole to Chairman Darrell Issa and Senator Charles Grassley (Dec. 2, 2011).

¹¹⁹ *Id.*

¹²⁰ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa and Senator Charles Grassley (Dec. 13, 2011).

¹²¹ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Jan. 5, 2012).

¹²² Cole Letter, *supra* note 37.

¹²³ *Id.*

¹²⁴ Jan. 31 Letter, *supra* note 102.

¹²⁵ Letter from Deputy Att'y Gen. James Cole to Chairman Darrell Issa (Feb. 1, 2012) [hereinafter Feb. 1 Letter].

¹²⁶ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Feb. 16, 2012) [hereinafter Feb. 16 Letter].

¹²⁷ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Feb. 27, 2012).

¹²⁸ Letter from Ass't Att'y Gen. Ronald Weich to Chairman Darrell Issa (Mar. 2, 2012).

Department counsel expanded the position the Attorney General articulated regarding documentary evidence at the House Judiciary Committee hearing to include testimonial evidence as well.¹³⁴ Given the initial response by the Department to the congressional inquiry into Fast and Furious, the comments by Department counsel created a barrier preventing Congress from obtaining vital information about Fast and Furious.

The Department has maintained this position during additional transcribed interviews. In an interview with Deputy Assistant Attorney General Jason Weinstein on January 10, 2012, Department counsel prohibited him from responding to an entire line of questioning about his interactions with the Arizona U.S. Attorney's Office because it "implicates the post-February 4th period."¹³⁵

Understanding the post-February 4th period is critical to the Committee's investigation. Furthermore, documents from this period are responsive to the October 12, 2011, subpoena. For example, following the February 4, 2011, letter, Jason Weinstein, at the behest of Assistant Attorney General Breuer, prepared an analytical review of Fast and Furious.¹³⁶ Weinstein interviewed Emory Hurley and Patrick Cunningham of the Arizona U.S. Attorney's office as part of this review.¹³⁷ The document that resulted from Weinstein's analysis specifically discussed issues relevant to the Committee's inquiry. To date, the Department has not produced documents related to Weinstein's review to the Committee.

Chairman Issa has sent several letters urging the Department to produce documents pertaining to the Fast and Furious from the post-indictment period, and raising the possibility of contempt if the Attorney General chose not to comply. Initially, the Department refused to produce any documents created after January 25, 2011, the date that the case was unsealed. On November 9, 2011, Chairman Issa wrote to the Department:

Over the past six months, Senator Grassley and I have asked for this information on many occasions, and each time we have been told it would not be produced. This information is covered by the subpoena served on the Attorney General on October 12, 2011, and I expect it to be produced no later than Wednesday, November 16, at 5:00 p.m. Failure to comply with this request will leave me with no other alternative than the use of compulsory process to obtain your testimony under oath.

* * * * *

Understanding the Department's actions after Congress started asking questions about Fast and Furious is crucial. As you know, substantial effort was expended to hide the actions of the Department from Congress . . . I expect nothing less than full compliance with all aspects of the subpoena, including complete production of documents created after the indictments were unsealed on January 25, 2011.¹³⁸

On December 2, 2011, the Department produced documents pertaining to its February 4, 2011, response to Senator Grassley. When the Attorney General testified before Congress on December 8, 2011, he created a new cutoff date of February 4, 2011, after which no documents would be produced to Congress, despite the fact that such documents

were covered by the October 12, 2011, subpoena. In support of this position regarding post-February 4, 2011, documents, in transcribed interviews, Department representatives have asserted a "separation of powers" privilege without further explanation or citation to legal authority.¹³⁹ The Department has not cited any legal authority to support this new, extremely broad assertion of privilege.

On January 31, 2012, Chairman Issa wrote to the Attorney General about this new, arbitrary date created by the Department, and raised the possibility of contempt:

In short, the Committee requires full compliance with all aspects of the subpoena, including complete production of documents created after the Department's February 4, 2011, letter. . . . If the Department continues to obstruct the congressional inquiry by not providing documents and information, this Committee will have no alternative but to move forward with proceedings to hold you in contempt of Congress.¹⁴⁰

The Department responded the following day. It said:

To the extent responsive materials exist that post-date congressional review of this matter and were not generated in that context or to respond to media inquiries, and likewise do not implicate other recognized Department interests in confidentiality (for example, matters occurring before a grand jury, investigative activities under seal or the disclosure of which is prohibited by law, core investigative information, or matters reflecting internal Department deliberations), we intend to provide them.¹⁴¹

The Department quoted from its October 11, 2011, letter, stating:

[A]s we have previously explained to Committee staff, we have also withheld internal communications that were generated in the course of the Department's effort to respond to congressional and media inquiries about Operation Fast and Furious. These records were created in 2011, well after the completion of the investigative portion of Operation Fast and Furious that the Committee has been reviewing and after the charging decisions reflected in the January 25, 2011, indictments. Thus, they were not part of the communications regarding the development and implementation of the strategy decisions that have been the focus of the Committee's inquiry. It is longstanding Executive Branch practice not to disclose documents falling into this category because disclosure would implicate substantial Executive Branch confidentiality interests and separation of powers principles. Disclosure would have a chilling effect on agency officials' deliberations about how to respond to inquiries from Congress or the media. Such a chill on internal communications would interfere with our ability to respond as effectively and efficiently as possible to congressional oversight requests.¹⁴²

On February 14, 2012, Chairman Issa again wrote to the Department regarding post-February 4, 2011, documents, and again raised the possibility of contempt:

Complying with the Committee's subpoena is not optional. Indeed, the failure to produce documents pursuant to a congressional subpoena is a violation of federal law. The Department's letter suggests that its failure to produce, among other things, "deliberative documents and other internal communications generated in response to

congressional oversight requests" is based on the premise that "disclosure would compromise substantial separation of powers principles and Executive Branch confidentiality interests." Your February 4, 2011, cutoff date of providing documents to the Committee is entirely arbitrary, and comes from a "separation of powers" privilege that does not actually exist.

You cite no legal authority to support your new, extremely broad assertion. To the contrary, as you know, Congress possesses the "power of inquiry." Furthermore, "the issuance of a subpoena pursuant to an authorized investigation is . . . an indispensable ingredient of lawmaking." Because the Department has not cited any legal authority as the basis for withholding documents, or provided the Committee with a privilege log with respect to documents withheld, its efforts to accommodate the Committee's constitutional obligation to conduct oversight of the Executive Branch are incomplete.¹⁴³

* * * * *

Please specify a date by which you expect the Department to produce all documents responsive to the subpoena. In addition, please specify a Department representative who will interface with the Committee for production purposes. This individual should also serve as the conduit for dealing with possible contempt proceedings, should the Department continue to ignore the Committee's subpoena.¹⁴⁴

On February 16, 2012, the Department responded. The response did not address the post-February 4, 2011, documents, nor did it address the possibility of contempt. The Department's letter stated:

We have produced documents to the Committee on a rolling basis; since late last year these productions have occurred approximately twice a month. It is our intent to adhere to this rolling production schedule until we have completed the process of producing all responsive documents to which the Committee is entitled, consistent with the longstanding policies of the Executive Branch across administrations of both parties. Moreover, we intend to send a letter soon memorializing our discussions with your staff about the status of our production of documents within the various categories of the subpoena.

Our efforts to cooperate with the Committee have been a significant undertaking, involving a great deal of hard work by a large number of Department employees. The Department has been committed to providing the documents and information necessary to allow the Committee to satisfy its core oversight interests regarding the use of inappropriate tactics in Fast and Furious.

The Department, however, has yet to produce any documents pursuant to the subpoena created after February 4, 2011. Despite warnings by Chairman Issa that the Committee would initiate contempt if the Department failed to comply with the subpoena, the Department has refused to produce documents.

(d) Interview Requests

In addition to the October 12, 2011, subpoena, the Committee has requested to interview key individuals in Operation Fast and Furious and related programs. The Committee accommodated the Department's request to delay an interview with Hope MacAllister, the lead case agent for Operation Fast and Furious, despite her vast knowledge of the program. The Committee

¹³⁴ *Id.*
¹³⁵ Transcribed Interview of Jason Weinstein, Deputy Ass't Att'y Gen. at 177 (Jan. 10, 2012).
¹³⁶ Transcribed Interview of Dennis K. Burke at 158-60 (Dec. 13, 2011).
¹³⁷ *Id.* at 158-59.
¹³⁸ Letter from Chairman Darrell Issa to Ass't Att'y Gen. Ronald Weich (Nov. 9, 2011).

¹³⁹ See, e.g., Grindler Tr. at 22.
¹⁴⁰ Jan. 31 Letter, *supra* note 102.
¹⁴¹ Feb. 1 Letter, *supra* note 125.
¹⁴² *Id.*

¹⁴³ Feb. 14 Letter, *supra* note 103.
¹⁴⁴ *Id.* (emphasis in original).

agreed to this accommodation due to the Department's expressed concern about interviewing a key witness prior to trial.

Throughout the investigation, the Department has had an evolving policy with regard to witnesses that excluded ever-broader categories of witnesses from participating in volunteer interviews. The Department first refused to allow line attorneys to testify in transcribed interviews, and then it prevented first-line supervisors from testifying. Next, the Department refused to make Senate-confirmed Department officials available for transcribed interviews. One such Senate-confirmed official, Assistant Attorney General Lanny Breuer, is a central focus in the Committee's investigation. On February 16, 2012, the Department retreated somewhat from its position, noting in a letter to the Committee that it was "prepared to work with [the Committee] to find a mutually agreeable date for [Breuer] to appear and answer the Committee's questions, whether or not that appearance is public."¹⁴⁵ The Department has urged the Committee to reconsider this interview request.

While the Department has facilitated a dozen interviews to avoid compulsory depositions, there have been several instances in which the Department has refused to cooperate with the Committee in scheduling interviews. The Department has stated that it would not make available certain individuals that the Committee has requested to interview. On December 6, 2011, the Department wrote:

We would like to defer any final decisions about the Committee's request for Mr. Swartz's interview until we have identified any responsive documents, some of which may implicate equities of another agency. The remaining employees you have asked to interview are all career employees who are either line prosecutors or first- or second-level supervisors. James Trusty and Michael Morrissey were first-level supervisors during the time period covered by the Fast and Furious investigation, and Kevin Carwile was a second-level supervisor. The remaining three employees you have asked to interview—Emory Hurley, Serra Tsethlikai, and Joseph Cooley—are line prosecutors. We are not prepared to make any of these attorneys available for interviews.¹⁴⁶

The Department did, however, make Patrick Cunningham, Chief of the Criminal Division for the U.S. Attorney's Office in Arizona, available for an interview. The Committee had been requesting to interview Cunningham since summer 2011. The Department finally allowed access to Cunningham for an interview in December 2011. Cunningham chose to retain private counsel instead of Department counsel. On January 17, 2012, Cunningham canceled his interview scheduled for the Committee on January 19, 2012.

Chairman Issa issued a subpoena to Cunningham to appear for a deposition on January 24, 2012. In a letter dated January 19, 2012, Cunningham's counsel informed the Committee that Cunningham would "assert his constitutional privilege not to be compelled to be a witness against himself."¹⁴⁷ On January 24, 2012, Chairman Issa wrote to the Attorney General to express that the absence of Cunningham's testimony would make it "difficult to gauge the veracity of some of the Department's claims" regarding Fast and Furious.¹⁴⁸

On January 27, 2012, Cunningham left the Department of Justice. After months of

Committee requests, the Department finally made him available for an interview just before he left the Department. The actions of the Department in delaying the interview and Cunningham's own assertion of the Fifth Amendment privilege delayed and denied the Committee the benefit of his testimony.

5. FAILURE TO TURN OVER DOCUMENTS

The Department has failed to turn over any documents pertaining to three main categories contained in the October 12, 2011, subpoena.

(a) *Who at Justice Department Headquarters Should Have Known of the Reckless Tactics*

The Committee is seeking documents relating to who had access to information about the objectionable tactics used in Operation Fast and Furious, who approved the use of these tactics, and what information was available to those individuals when they approved the tactics. Documents that whistleblowers have provided to the Committee indicate that those officials were the senior officials in the Criminal Division, including Lanny Breuer and one of his top deputies, Jason Weinstein.

Documents in this category include those relating to the preparation of the wiretap applications, as well as certain ATF, DEA, and FBI Reports of Investigation. Key decision makers at Justice Department headquarters relied on these and other documents to approve the investigation.

(b) *How the Department Concluded that Fast and Furious was "Fundamentally Flawed"*

The Committee requires documents from the Department relating to how officials learned about whistleblower allegations and what actions they took as a result. The Committee is investigating not just management of Operation Fast and Furious, but also the Department's efforts to slow and otherwise interfere with the Committee's investigation.

For months after the congressional inquiry began, the Department refused to acknowledge that anything improper occurred during Fast and Furious. At a May 5, 2011, meeting with Committee staff, a Department representative first acknowledged that "there's a there, there." The Attorney General acknowledged publicly that Fast and Furious was "fundamentally flawed" on October 7, 2011. On December 2, 2011, the Department finally admitted that its February 4, 2011, letter to Senator Grassley contained false information—something Congress had been telling the Department for over seven months.

Documents in this category include those that explain how the Department responded to the crisis in the wake of the death of U.S. Border Patrol Agent Brian Terry. These documents will reveal when the Department realized it had a problem, and what actions it took to resolve that problem. These documents will also show whether senior Department officials were surprised to learn that gunwalking occurred during Fast and Furious, or if they already knew that to be the case. These documents will also identify who at the Department was responsible for authorizing retaliation against the whistleblowers. The documents may also show the Department's assignment of responsibility to officials who knew about the reckless conduct or were negligent during Fast and Furious.

(c) *How the Inter-Agency Task Force Failed*

The Organized Crime Drug Enforcement Task Force (OCDETF) program was created to coordinate inter-agency information sharing. As early as December 2009, the DEA shared information with ATF that should have led to arrests and the identification of the gun trafficking network that Fast and Furious sought to uncover. The Committee

has received information suggesting that, after arrests were made one year later, ATF discovered that two Mexican drug cartel associates at the top of the Fast and Furious network had been designated as national security assets by the FBI, and at times have been paid FBI informants. Because of this cooperation, these associates are considered by some to be unindictable.

Documents in this category will reveal the extent of the lack of information-sharing among DEA, FBI, and ATF. Although the Deputy Attorney General is aware of this problem, he has expressed little interest in resolving it.

VI. ADDITIONAL ACCOMMODATIONS BY THE COMMITTEE

As discussed above in Section V.C.5, the Department has failed to turn over any documents responsive to three main categories covered by the October 12, 2011, subpoena:

(a) Who at Justice Department Headquarters Should Have Known of the Reckless Tactics;

(b) How the Department Concluded that Fast and Furious was "Fundamentally Flawed"; and,

(c) How the Inter-Agency Task Force Failed.

The Committee notified the Justice Department on multiple occasions that its failure to produce any documents responsive to these three categories would force the Committee to begin contempt proceedings against the Attorney General.

On May 18, 2012, Chairman Issa, along with Speaker John Boehner, Majority Leader Eric Cantor, and Majority Whip Kevin McCarthy, wrote a letter to the Attorney General. As an accommodation to the Department, the letter offered to narrow the scope of documents the Department needed to provide in order to avoid contempt proceedings.¹⁴⁹ Documents in category (c) are outside the scope of the narrowed request, and so the Department no longer needed to produce them to avoid contempt proceedings, even though such documents are covered by the October 12, 2011, subpoena.

The Committee also obtained copies of wiretap applications authorized by senior Department officials during Operation Fast and Furious. These documents, given to the Committee by whistleblowers, shined light on category (a). Still, many subpoenaed documents under this category have been deliberately withheld by the Department. These documents are critical to understanding who is responsible for failing to promptly stop Fast and Furious. The Department has cited such documents as "core investigative" materials that pertain to "pending law enforcement matters."¹⁵⁰ To accommodate the Department's interest in successfully prosecuting criminal defendants in this case, the Committee is willing to accept production of these documents after the current prosecutions of the 20 straw purchasers indicted in January 2011, have concluded at the trial level. This deferment should in no way be interpreted as the Committee ceding its legitimate right to receive these documents, but instead solely as an accommodation meant to alleviate the Department's concerns about preserving the integrity of the ongoing prosecutions.

In addition to deferring production of category (a) documents, the Committee is also willing to view these documents *in camera* with limited redactions. These accommodations represent a significant commitment on the part of the Committee to negotiating in good faith to avoid contempt.

Unlike documents in category (a), the Department has no legitimate interest in lim-

¹⁴⁹Letter from Speaker John Boehner et al. to Att'y Gen. Eric Holder (May 18, 2012).

¹⁵⁰May 15 Cole Letter, *supra* note 69.

¹⁴⁵Feb. 16 Letter, *supra* note 126.

¹⁴⁶Dec. 6 Letter, *supra* note 64.

¹⁴⁷Letter from Tobin Romero, Williams & Connolly LLP, to Chairman Darrell Issa (Jan. 19, 2012).

¹⁴⁸Letter from Chairman Darrell Issa to Att'y Gen. Eric Holder (Jan. 24, 2012).

iting the Committee's access to documents in category (b). On February 4, 2011, the Department wrote a letter to Congress categorically denying that gunwalking had occurred. This letter was false. Still, it was not withdrawn until December 2011. The Committee has a right to know how the Department learned that gunwalking did in fact occur, and how it handled the fallout internally. The deliberative process privilege is not recognized by Congress as a matter of law and precedent. By sending a letter that contained false and misleading statements, the Department forfeited any reasonable expectation that the Committee would accommodate its interest in withholding deliberative process documents.

On June 20, 2012, minutes before the start of the Committee's meeting to consider a resolution holding the Attorney General in contempt, the Committee received a letter from Deputy Attorney General James Cole claiming that the President asserted executive privilege over certain documents covered by the subpoena. The Committee has a number of concerns about the validity of this assertion:

1. The assertion was transparently not a valid claim of privilege given its last minute nature;

2. The assertion was obstructive given that it could have and should have been asserted months ago, but was not until literally the day of the contempt mark-up;

3. The assertion is eight months late. It should have been made by October 25, 2011, the subpoena return date;

4. To this moment, the President himself has not indicated that he is asserting executive privilege;

5. The assertion is transparently invalid in that it is not credible that every document withheld involves a "communication[] authored or solicited and received by those members of an immediate White House adviser's staff who have broad and significant responsibility for investigating and formulating the advice to be given the President on the particular matter to which the communications relate,"¹⁵¹

6. The assertion is transparently invalid where the Justice Department has provided no details by which the Committee might evaluate the applicability of the privilege, such as the senders and recipients of the documents;

7. Even if the privilege were valid as an initial matter, which it is not, it certainly has been overcome here, as: (i) the Committee has demonstrated a sufficient need for the documents as they are likely to contain evidence important to the Committee's inquiry and (ii) the documents sought cannot be obtained any other way. The Committee has spent 16 months investigating, talking to dozens of individuals, and collecting documents from many sources. The remaining documents are ones uniquely in the possession of the Justice Department; and,

8. Without these documents, the Committee's important legislative work will continue to be stymied. The documents are necessary to evaluate what government reform is necessary within the Justice Department to avoid the problems uncovered by the investigation in the future.

The President has now asserted executive privilege. This assertion, however, does not change the fact that Attorney General Eric Holder Jr. is in contempt of Congress today for failing to turn over lawfully subpoenaed documents explaining the Department's role in withdrawing the false letter it sent to Congress.

¹⁵¹In re Sealed Case, 121 F.3d 729, 752 (D.C. Cir 1997).

VII. HISTORICAL PERSPECTIVES ON CONTEMPT

Contempt proceedings in Congress date back over 215 years. These proceedings provide Congress a valuable mechanism for adjudicating its interests. Congressional history is replete with examples of the pursuit of contempt proceedings by House committees when faced with strident resistance to their constitutional authority to exercise investigative power.

A. PAST INSTANCES OF CONTEMPT

Congress first exercised its contempt authority in 1795 when three Members of the House charged two businessmen, Robert Randall and Charles Whitney, with offering bribes in exchange for the passage of legislation granting Randall and his business partners several million acres bordering Lake Erie.¹⁵² This first contempt proceeding began with a resolution by the House deeming the allegations were adequate "evidence of an attempt to corrupt," and the House reported a corresponding resolution that was referred to a special committee.¹⁵³ The special committee reported a resolution recommending formal proceedings against Randall and Whitney "at the bar of the House."¹⁵⁴

The House adopted the committee resolution which laid out the procedure for the contempt proceeding. Interrogatories were exchanged, testimony was received, Randall and Whitney were provided counsel, and at the conclusion, on January 4, 1796, the House voted 78-17 to adopt a resolution finding Randall guilty of contempt.¹⁵⁵ As punishment Randall was "ordered [] to be brought to the bar, reprimanded by the Speaker, and held in custody until further resolution of the House."¹⁵⁶ Randall was detained until January 13, 1796, when the House passed a resolution discharging him.¹⁵⁷ In contrast, Whitney "was absolved of any wrongdoing," since his actions were against a "member-elect" and occurred "away from the seat of government."¹⁵⁸

Congressional records do not demonstrate any question or hesitation regarding whether Congress possesses the power to hold individuals in contempt.¹⁵⁹ Moreover, there was no question that Congress could punish a non-Member for contempt.¹⁶⁰ Since the first contempt proceeding, numerous congressional committees have pursued contempt against obstinate administration officials as well as private citizens who failed to cooperate with congressional investigations.¹⁶¹ Since the first proceeding against Randall and Whitney, House committees, whether standing or select, have served as the vehicle used to lay the foundation for contempt proceedings in the House.¹⁶²

On August 3, 1983, the House passed a privileged resolution citing Environmental Protection Agency Administrator Anne Gorsuch Burford with contempt of Congress for failing to produce documents to a House subcommittee pursuant to a subpoena.¹⁶³ This was the first occasion the House cited a cabinet-level executive branch member for contempt of Congress.¹⁶⁴ A subsequent agree-

¹⁵²Todd Garvey & Alissa M. Dolan, *Congressional Research Service, Congress's Contempt Power: Law, History, Practice, & Procedure*, no. RL34097, Apr. 15, 2008 [hereinafter CRS Contempt Report].

¹⁵³*Id.*

¹⁵⁴*Id.*

¹⁵⁵*Id.*

¹⁵⁶*Id.*

¹⁵⁷*Id.*

¹⁵⁸*Id.*; quoting Asher C. Hinds, *Precedents of the House of Representatives*, Sec. 1603 (1907).

¹⁵⁹*Id.*

¹⁶⁰*Id.* at 5.

¹⁶¹*Id.* at 6.

¹⁶²*Id.* at 14.

¹⁶³*Id.*

¹⁶⁴Wm. Holmes Brown et al., *House Practice: A Guide to the Rules, Precedents, and Procedures of the House*, 450 (2011).

ment between the House and the Administrator, as well as prosecutorial discretion, was the base for not enforcing the contempt citation against Burford.¹⁶⁵

Within the past fifteen years the Committee on Oversight and Government Reform has undertaken or prepared for contempt proceedings on multiple occasions. In 1998, Chairman Dan Burton held a vote recommending contempt for Attorney General Janet Reno based on her failure to comply with a subpoena issued in connection with the Committee's investigation into campaign finance law violations.¹⁶⁶ On August 7, 1998, the Committee held Attorney General Reno in contempt by a vote of 24 to 18.¹⁶⁷

During the 110th Congress, Chairman Henry Waxman threatened and scheduled contempt proceedings against several Administration officials.¹⁶⁸ Contempt reports were drafted against Attorney General Michael B. Mukasey, Stephen L. Johnson, Administrator of the U.S. Environmental Protection Agency, and Susan E. Dudley, Administrator of the Office of Information and Regulatory Affairs (OIRA) in the White House Office of Management and Budget. Business meetings to consider these drafts were scheduled.¹⁶⁹ Former Attorney General Mukasey's draft contempt report charged him with failing to produce documents in connection to the Committee's investigation of the release of classified information. According to their draft contempt reports, Administrators Johnson and Dudley failed to cooperate with the Committee's lengthy investigation into California's petition for a waiver to regulate greenhouse gas emissions from motor vehicles and the revision of the national ambient air quality standards for ozone.

Most recently, the House Judiciary Committee pursued contempt against former White House Counsel Harriet Miers and White House Chief of Staff Joshua Bolten.¹⁷⁰ On June 13, 2007, the Committee served subpoenas on Miers and Bolten.¹⁷¹ After attempts at accommodations from both sides, the Committee determined that Miers and Bolten did not satisfactorily comply with the subpoenas. On July 25, 2007, the Committee voted, 22-17, to hold Miers and Bolten in contempt of Congress.

On February 14, 2008, the full House, with most Republicans abstaining, voted to hold Miers and Bolten in criminal contempt of Congress by a margin of 223-42.¹⁷² One hundred seventy-three Members of Congress did not cast a vote either in favor or against the resolution.¹⁷³ All but nine Members who abstained were Republican.¹⁷⁴ Only three Republicans supported the contempt resolution for Miers and Bolten.¹⁷⁵ This marked the first contempt vote by Congress with respect to the Executive Branch since the Reagan Administration.¹⁷⁶ The resolutions passed by

¹⁶⁵*Id.* at 20, 22.

¹⁶⁶David E. Rosenbaum, *Panel Votes to Charge Reno With Contempt of Congress*, N.Y. TIMES (Aug. 7, 1998).

¹⁶⁷*Id.*

¹⁶⁸Laurie Kellman, *Waxman Threatens Mukasey With Contempt Over Leak*, U.S.A. TODAY (July 8, 2008); Richard Simon, *White House Says No to Congress' EPA Subpoena*, L.A. TIMES (June 21, 2008).

¹⁶⁹Press Release, Rep. Henry Waxman, *Chairman Waxman Warns Attorney General of Scheduled Contempt Vote* (July 8, 2008) <http://oversight-archive.waxman.house.gov/story.asp?ID=2067> (last visited Feb. 22, 2012); Press Release, Rep. Henry Waxman, *Chairman Waxman Schedules Contempt Vote* (June 13, 2008) <http://oversight-archive.waxman.house.gov/story.asp?ID=2012> (last visited Feb. 22, 2012).

¹⁷⁰CRS Contempt Report at 54-55.

¹⁷¹*Id.*

¹⁷²See H. Res. 982.

¹⁷³*Id.*

¹⁷⁴*Id.*

¹⁷⁵*Id.*

¹⁷⁶Philip Shenon, *House Votes to Issue Contempt Citations*, N.Y. TIMES (Feb. 15, 2008).

the House allowed Congress to exercise all available remedies in the pursuit of contempt.¹⁷⁷ The House Judiciary Committee's action against Miers marked the first time that a former administration official had ever been held in contempt.¹⁷⁸

B. DOCUMENT PRODUCTIONS

The Department has refused to produce thousands of documents pursuant to the October 12, 2011, subpoena because it claims certain documents are Law Enforcement Sensitive, others pertain to ongoing criminal investigations, and others relate to internal deliberative process.

During the past ten years, the Committee on Oversight and Government Reform has undertaken a number of investigations that resulted in strong opposition from the Executive Branch regarding document productions. These investigations include regulatory decisions of the Environmental Protection Agency (EPA), the leak of CIA operative Valerie Plame's identity, and the fratricide of Army Corporal Patrick Tillman. In all cases during the 110th Congress, the Administration produced an overwhelming amount of documents, sheltering a narrow few by asserting executive privilege.

In 2008, the Committee received or reviewed *in camera* all agency-level documents related to the EPA's decision regarding California's request for a rule waiver, numbering approximately 27,000 pages in total.¹⁷⁹ According to a Committee Report, the EPA withheld only 32 documents related to the California waiver decision based on executive privilege. These included notes of telephone calls or meetings in the White House "involving at least one high-ranking EPA official and at least one high-ranking White House official."¹⁸⁰ The White House Counsel informed the Committee that these documents represented "deliberations at the very highest level of government."¹⁸¹

During the Committee's 2008 investigation into the Administration's promulgation of ozone standards, the EPA produced or allowed *in camera* review of over 35,000 pages of documents. The President asserted executive privilege over a narrow set of documents, encompassing approximately 35 pages. One such document included "talking points for the EPA Administrator to use in a meeting with [the President]."¹⁸²

In furtherance of the Committee's ozone regulation investigation, OIRA produced or allowed *in camera* review of 7,500 documents.¹⁸³ Documents produced by EPA and OIRA represented pre-decisional opinions of career scientists and agency counsel.¹⁸⁴ These documents were sensitive because some, if not all, related to ongoing litigation.¹⁸⁵ The OIRA Administrator withheld a certain number of documents that were communications between OIRA and certain White House officials, and the President ultimately "claimed executive privilege over these documents."¹⁸⁶

Also during the 110th Congress, the Committee investigated the revelation of CIA operative Valerie Plame's identity in the news media. The Committee's investigation was contemporaneous with the Department of Justice's criminal investigation into the leak of this classified information—a situa-

tion nearly identical to the Committee's current investigation into Operation Fast and Furious.

Pursuant to the Committee's investigation, the Justice Department produced FBI reports of witness interviews, commonly referred to as "302s." Specifically, documents reviewed by the Committee staff during the Valerie Plame investigation included the following:

FBI interviews of federal officials who did not work in the White House, as well as interviews of relevant private individuals . . . total of 224 pages of records of FBI interview reports with 31 individuals, including materials related to a former Secretary, Deputy Secretary, Undersecretary [sic], and two Assistant Secretaries of State, and other former or current CIA and State Department officials, including the Vice President's CIA briefer.¹⁸⁷

To accommodate the Committee, the Department permitted *in camera* review of the following:

[D]ocuments include[ing] redacted reports of the FBI interview with Mr. Libby, Andrew Card, Karl Rove, Condoleezza Rice, Stephen Hadley, Dan Bartlett, and Scott McClellan and another 104 pages of additional interview reports of the Director of Central Intelligence, and eight other White House or Office of the Vice President officials.¹⁸⁸

The only documents the Justice Department declined to produce were the FBI 302s with respect to the interviews of the President and the Vice President.¹⁸⁹ Ultimately, the Committee relented in its pursuit of the President's 302.¹⁹⁰ The Committee, however, persisted in its request for the Vice President's 302. As a result, the President asserted executive privilege over that particular document.¹⁹¹

The Committee specifically included 302s in its October 12, 2011, subpoena to the Attorney General regarding Fast and Furious. These subpoenaed 302s do not include FBI interviews with White House personnel, or even any other Executive Branch employee. Still, in spite of past precedent, the Department has refused to produce those documents to the Committee or to allow staff an *in camera* review.

In the 110th Congress, the Committee investigated the fratricide of Army Corporal Patrick Tillman and the veracity of the account of the capture and rescue of Army Private Jessica Lynch.¹⁹² The Committee employed a multitude of investigative tools, including hearings, transcribed interviews, and non-transcribed interviews. The Administration produced thousands of documents.¹⁹³ The Committee requested the following:

[T]he White House produce all documents received or generated by any official in the Executive Office of the President from April 22 until July 1, 2004, that related to Corporal Tillman. The Committee reviewed approximately 1,500 pages produced in response to this request. The documents produced to the Committee included e-mail communications between senior White House officials holding the title of "Assistant to the President." Ac-

cording to the White House, the White House withheld from the Committee only preliminary drafts of the speech President Bush delivered at the White House Correspondents' Dinner on May 1, 2004.¹⁹⁴

The Department of Defense produced over 31,000 responsive documents, and the Committee received an unprecedented level of access to documents and personnel.¹⁹⁵

The Oversight and Government Reform Committee's investigations over the past five years demonstrate ample precedent for the production of a wide array of documents from the Executive Branch. In these investigations, the Committee received pre-decisional deliberative regulatory documents, documents pertaining to ongoing investigations, and communications between and among senior advisors to the President. The Committee's October 12, 2011, subpoena calls for many of these same materials, including 302s and deliberative documents. Still, the Justice Department refuses to comply.

Further, the number of documents the Department has produced during the Committee's Fast and Furious investigation pales in comparison to those produced in conjunction with the Committee's prior investigations. In separate EPA investigations, the Committee received 27,000 documents and 35,000 documents respectively. In the Patrick Tillman investigation, the Committee received 31,000 documents. Moreover, in the Valerie Plame investigation, the Committee received access to highly sensitive materials despite the fact that the Justice Department was conducting a parallel criminal investigation.

As of May 15, 2012, in the Fast and Furious investigation, in the light most favorable to the Department of Justice, it has "provided the Committee over 7,600 pages of documents"—a small fraction of what has been produced to the Committee in prior investigations and of what the Department has produced to the Inspector General in this matter.¹⁹⁶ This small number reflects the Department's lack of cooperation since the Committee sent its first letter to the Department about Fast and Furious on March 16, 2011.

VIII. RULES REQUIREMENTS

EXPLANATION OF AMENDMENTS

Mr. Gowdy offered an amendment that updated the Committee's Report to reflect that the President asserted the executive privilege over certain documents subpoenaed by the Committee. The amendment also updated the Report to include the Committee's concerns about the validity of the President's assertion of the executive privilege. The amendment was agreed to by a recorded vote.

COMMITTEE CONSIDERATION

On June 20, 2012, the Committee on Oversight and Government Reform met in open session with a quorum present to consider a report of contempt against Eric H. Holder, Jr., the Attorney General of the United States, for failure to comply with a Congressional subpoena. The Committee approved the Report by a roll call vote of 23–17 and ordered the Report reported favorably to the House.

ROLL CALL VOTES

The following recorded votes were taken during consideration of the contempt Report:

1. Mr. Welch offered an amendment to add language to the Executive Summary stating

¹⁷⁷ *Id.*

¹⁷⁸ *Id.*; The minority views by Hon. Tom Davis states that the Comm. received 50,000 pages of documents and reviewed additional documents *in camera*.

¹⁷⁹ Letter from Ass't Atty Gen. Ronald Weich to Chairman Darrell Issa (May 15, 2012).

¹⁷⁷ CRS Contempt Report at 54–55.

¹⁷⁸ *Id.*

¹⁷⁹ H. Comm. on Oversight and Gov't Ref. Minority Additional Views, EPA, OIRA Investigations & Exec. Privilege Claims; Missed Opportunities by Majority to Complete Investigations, Oct. 22, 2008.

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

¹⁸² *Id.*

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

¹⁸⁶ *Id.*

¹⁸⁷ H. Comm. on Oversight and Gov't Ref. Draft Report, U.S. House of Reps. Regarding President Bush's Assertion of Exec. Privilege in Response to the Comm. Subpoena to Atty Gen. Michael B. Mukasey, <http://oversight-archive.waxman.house.gov/documents/20081205114333.pdf> (last visited Mar. 5, 2012).

¹⁸⁸ *Id.*

¹⁸⁹ *Id.*

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

¹⁹² H. Comm. on Oversight and Gov't Ref. Comm. Report, *Misleading Information From the Battlefield: the Tillman & Lynch Episodes*, H. Rep. 110–858, Sept. 16, 2008.

¹⁹³ *Id.*

that contempt proceedings at this time are unwarranted because the Committee has not met with former Attorney General Michael Mukasey.

The amendment was defeated by a recorded vote of 14 Yeas to 23 Nays.

Voting Yea: Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Lynch, Connolly, Quigley, Davis, Braley, Welch, Murphy and Speier.

Voting Nay: Issa, Burton, Mica, Platts, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold and Kelly.

2. Mr. Lynch offered an amendment asking for an itemized accounting of the costs associated with the Fast and Furious investigation.

The amendment was defeated by a vote of 15 Yeas to 23 Nays.

Voting Yea: Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Lynch, Connolly, Quigley, Davis, Braley, Welch, Murphy and Speier.

Voting Nay: Issa, Burton, Mica, Platts, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold and Kelly.

3. Ms. Maloney offered an amendment to add language to the Executive Summary stating that contempt proceedings at this time are unwarranted because the Committee has not held a public hearing with the former head of the Bureau of Alcohol, Tobacco, Firearms and Explosives, Kenneth Melson.

The amendment was defeated by a vote of 16 Yeas to 23 Nays.

Voting Yea: Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Lynch, Cooper, Connolly, Quigley, Davis, Braley, Welch, Murphy and Speier.

Voting Nay: Issa, Burton, Mica, Platts, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold and Kelly.

4. Mr. Gowdy offered an amendment that updated the Committee's Report to reflect that the President asserted the executive privilege over certain documents subpoenaed by the Committee. The amendment also updated the Report to include the Committee's concerns about the validity of the President's assertion of the executive privilege. The amendment was agreed to by a recorded vote.

The amendment was agreed to by a vote of 23 Yeas to 17 Nays.

Voting Yea: Issa, Burton, Mica, Platts, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold and Kelly.

Voting Nay: Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Lynch, Cooper, Connolly, Quigley, Davis, Braley, Welch, Yarmuth, Murphy and Speier.

5. The Resolution was favorably reported, as amended, to the House, a quorum being present, by a vote of 23 Yeas to 17 Nays.

Voting Yea: Issa, Burton, Mica, Platts, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold and Kelly.

Voting Nay: Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Lynch, Cooper, Connolly, Quigley, Davis, Braley, Welch, Yarmuth, Murphy and Speier.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104-1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of em-

ployment or access to public services and accommodations. The Report does not relate to employment or access to public services and accommodations.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this Report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Report will assist the House of Representatives in considering whether to cite Attorney General Eric H. Holder, Jr. for contempt for failing to comply with a valid congressional subpoena.

CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds the authority for this Report in article 1, section 1 of the Constitution.

FEDERAL ADVISORY COMMITTEE ACT

The Committee finds that the Report does not establish or authorize the establishment of an advisory committee within the definition of 5 U.S.C. App., Section 5(b).

EARMARK IDENTIFICATION

The Report does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

UNFUNDED MANDATE STATEMENT, COMMITTEE ESTIMATE, BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

The Committee finds that clauses 3(c)(2), 3(c)(3), and 3(d)(1) of rule XIII of the Rules of the House of Representatives, sections 308(a) and 402 of the Congressional Budget Act of 1974, and section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act, P.L. 104-4) are inapplicable to this Report. Therefore, the Committee did not request or receive a cost estimate from the Congressional Budget Office and makes no findings as to the budgetary impacts of this Report or costs incurred to carry out the report.

CHANGES IN EXISTING LAW MADE BY THE BILL AS REPORTED

This Report makes no changes in any existing federal statute.

ADDITIONAL VIEWS

Report of the Committee on Oversight and Government Reform

Resolution Recommending that the House of Representatives Find Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Government Reform

"The Department of Justice's Operation Fast and Furious: Accounts of ATF Agents" Joint Staff Report, prepared for Representative Darrell Issa, Chairman, House Committee on Oversight and Government Reform, and Senator Charles Grassley, Ranking Member, Senate Committee on the Judiciary.

"The Department of Justice's Operation Fast and Furious: Fueling Cartel Violence" Joint Staff Report, prepared for Representative Darrell Issa, Chairman, House Committee on Oversight and Government Reform, and Senator Charles Grassley, Ranking Member, Senate Committee on the Judiciary.



*The Department of Justice's Operation Fast and Furious:
Accounts of ATF Agents*

JOINT STAFF REPORT

Prepared for

Rep. Darrell E. Issa, Chairman
United States House of Representatives
Committee on Oversight and Government Reform
&
Senator Charles E. Grassley, Ranking Member
United States Senate
Committee on the Judiciary

112th Congress
June 14 2011

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I. Executive Summary

In the fall of 2009, the Department of Justice (DOJ) developed a risky new strategy to combat gun trafficking along the Southwest Border. The new strategy directed federal law enforcement to shift its focus away from seizing firearms from criminals as soon as possible—and to focus instead on identifying members of trafficking networks. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) implemented that strategy using a reckless investigative technique that street agents call “gunwalking.” ATF’s Phoenix Field Division began allowing suspects to walk away with illegally purchased guns. The purpose was to wait and watch, in the hope that law enforcement could identify other members of a trafficking network and build a large, complex conspiracy case.

This shift in strategy was known and authorized at the highest levels of the Justice Department. Through both the U.S. Attorney’s Office in Arizona and “Main Justice,” headquarters in Washington, D.C., the Department closely monitored and supervised the activities of the ATF. The Phoenix Field Division established a Gun Trafficking group, called Group VII, to focus on firearms trafficking. Group VII initially began using the new gunwalking tactics in one of its investigations to further the Department’s strategy. The case was soon renamed “Operation Fast and Furious,” and expanded dramatically. It received approval for Organized Crime Drug Enforcement Task Force (OCDETF) funding on January 26, 2010. ATF led a strike force comprised of agents from ATF, Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), Immigration and Customs Enforcement (ICE), and the Internal Revenue Service (IRS). The operation’s goal was to establish a nexus between straw purchasers of assault-style weapons in the United States and Mexican drug-trafficking organizations (DTOs) operating on both sides of the United States-Mexico border. Straw purchasers are individuals who are legally entitled to purchase firearms for themselves, but who unlawfully purchase weapons with the intent to transfer them into the hands of DTOs or other criminals.

Operation Fast and Furious was a response to increasing violence fostered by the DTOs in Mexico and their increasing need to purchase ever-growing numbers of more powerful weapons in the U.S. An integral component of Fast and Furious was to work with gun shop merchants, or “Federal Firearms Licensees” (FFLs) to track known straw purchasers through the unique serial number of each firearm sold. ATF agents entered the serial numbers of the weapons purchased into the agency’s Suspect Gun Database. These weapons bought by the straw purchasers included AK-47 variants, Barrett .50 caliber sniper rifles, .38 caliber revolvers, and the FN Five-seveN.

During Fast and Furious, ATF frequently monitored actual transactions between the FFLs and straw purchasers. After the purchases, ATF sometimes conducted surveillance of these weapons with assistance from local police departments. Such surveillance included following the vehicles of the straw purchasers. Frequently, the straw purchasers transferred the weapons they bought to stash houses. In other instances, they transferred the weapons to third parties. The volume, frequency, and circumstances of these transactions clearly established reasonable

suspicion to stop and question the buyers. Agents are trained to use such interactions to develop probable cause to arrest the suspect or otherwise interdict the weapons and deter future illegal purchases. Operation Fast and Furious sought instead to *allow* the flow of guns from straw purchasers to the third parties. Instead of trying to interdict the weapons, ATF purposely avoided contact with known straw purchasers or curtailed surveillance, allowing guns to fall into the hands of criminals and bandits on both sides of the border.

Though many line agents objected vociferously, ATF and DOJ leadership continued to prevent them from making every effort to interdict illegally purchased firearms. Instead, leadership's focus was on trying to identify additional conspirators, as directed by the Department's strategy for combating Mexican Drug Cartels. ATF and DOJ leadership were interested in seeing where these guns would ultimately end up. They hoped to establish a connection between the local straw buyers in Arizona and the Mexico-based DTOs. By entering serial numbers from suspicious transactions into the Suspect Gun Database, ATF would be quickly notified as each one was later recovered at crime scenes and traced, either in the United States or in Mexico.

The Department's leadership allowed the ATF to implement this flawed strategy, fully aware of what was taking place on the ground. The U.S. Attorney's Office for the District of Arizona encouraged and supported every single facet of Fast and Furious. Main Justice was involved in providing support and approving various aspects of the Operation, including wiretap applications that would necessarily include painstakingly detailed descriptions of what ATF knew about the straw buyers it was monitoring.

This hapless plan allowed the guns in question to disappear out of the agency's view. As a result, this chain of events inevitably placed the guns in the hands of violent criminals. ATF would only see these guns again after they turned up at a crime scene. Tragically, many of these recoveries involved loss of life. While leadership at ATF and DOJ no doubt regard these deaths as tragic, the deaths were a clearly foreseeable result of the strategy. Both line agents and gun dealers who cooperated with the ATF repeatedly expressed concerns about that risk, but ATF supervisors did not heed those warnings. Instead, they told agents to follow orders because this was sanctioned from above. They told gun dealers not to worry because they would make sure the guns didn't fall into the wrong hands.

Unfortunately, ATF never achieved the laudable goal of dismantling a drug cartel. In fact, ATF never even got close. After months and months of investigative work, Fast and Furious resulted only in indictments of 20 straw purchasers. Those indictments came only after the death of U.S. Border Patrol Agent Brian Terry. The indictments, filed January 19, 2011, focus mainly on what is known as "lying and buying." Lying and buying involves a straw purchaser falsely filling out ATF Form 4473, which is to be completed truthfully in order to legally acquire a firearm. Even worse, ATF knew most of the indicted straw purchasers to be straw purchasers *before Fast and Furious even began*.

In response to criticism, ATF and DOJ leadership denied allegations that gunwalking occurred in Fast and Furious by adopting an overly narrow definition of the term. They argue that gunwalking is limited to cases in which ATF itself supplied the guns directly. As field

agents understood the term, however, gunwalking includes situations in which ATF had contemporaneous knowledge of illegal gun purchases and purposely decided not to attempt any interdiction. The agents also described situations in which ATF facilitated or approved transactions to known straw buyers. Both situations are even more disturbing in light of the ATF's certain knowledge that weapons previously purchased by the same straw buyers had been trafficked into Mexico and may have reached the DTOs. When the full parameters of this program became clear to the agents assigned to Group VII, a rift formed among Group VII's agents in Phoenix. Several agents blew the whistle on this reckless operation only to face punishment and retaliation from ATF leadership. Sadly, only the tragic murder of Border Patrol Agent Brian Terry provided the necessary impetus for DOJ and ATF leadership to finally indict the straw buyers whose regular purchases they had monitored for 14 months. Even then, it was not until after whistleblowers later reported the issue to Congress that the Justice Department finally issued a policy directive that prohibited gunwalking.

This report is the first in a series regarding Operation Fast and Furious. Possible future reports and hearings will likely focus on the actions of the United States Attorney's Office for the District of Arizona, the decisions faced by gun shop owners (FFLs) as a result of ATF's actions, and the remarkably ill-fated decisions made by Justice Department officials in Washington, especially within the Criminal Division and the Office of the Deputy Attorney General. This first installment focuses on ATF's misguided approach of letting guns walk. The report describes the agents' outrage about the use of gunwalking as an investigative technique and the continued denials and stonewalling by DOJ and ATF leadership. It provides some answers as to what went wrong with Operation Fast and Furious. Further questions for key ATF and DOJ decision makers remain unanswered. For example, what leadership failures within the Department of Justice allowed this program to thrive? Who will be held accountable and when?

II. Table of Names

John Dodson

Special Agent, ATF Phoenix Field Division

Agent Dodson is the original whistleblower who exposed Operation Fast and Furious. A seven-year veteran of ATF, Dodson also worked in the sheriff's offices in Loudoun County and other Virginia municipalities for 12 years. Agent Dodson was removed from Phoenix Group VII in the summer of 2010 for complaining to ATF supervisors about the dangerous tactics used in Operation Fast and Furious.

Brian Terry

U.S. Border Patrol Agent

Brian Terry was an agent with the U.S. Border Patrol's Search, Trauma, and Rescue team, known as BORSTAR. He served in the military and was a Border Patrol agent for three years. On December 14, 2010, during a routine patrol, Terry was confronted by armed bandits. He was shot once and killed. Two weapons found at the scene traced back to Operation Fast and Furious.

Jaime Avila

Straw Purchaser

Jaime Avila was the straw purchaser who bought the two AK-47 variant weapons that were found at the murder scene of Brian Terry. Avila bought the weapons on January 16, 2010. ATF, however, began conducting surveillance of Avila as early as November 25, 2009. On January 19, 2011, Avila was indicted on three counts of "lying and buying" for weapons purchased in January, April, and June 2010.

David Voth

Phoenix Group VII Supervisor

Agent Voth was the former supervisor of the Phoenix Group VII, which conducted Operation Fast and Furious. As Group VII Supervisor, Voth controlled many operational aspects of Fast and Furious. Voth is no longer in Phoenix.

Pete Forcelli

Group Supervisor, ATF Phoenix Field Division

Since 2007, Agent Forcelli has been the Group Supervisor for Phoenix Group I. Before Phoenix Group VII was formed in October 2009, Group I was the primary southwest border firearms group. Before joining ATF in 2001, Agent Forcelli worked for twelve years in the New York City Police Department as a police officer and detective.

Olindo Casa

Special Agent, ATF Phoenix Field Division

Agent Casa served in Phoenix Group VII during Operation Fast and Furious. Agent Casa is an 18-year veteran of ATF, having worked in Chicago, California, and Florida. In Chicago, Agent Casa worked on numerous firearms trafficking cases, including a joint international case. Agent Casa had never seen a gun walk until he arrived at Group VII in Phoenix and participated in Operation Fast and Furious.

William Newell

Special Agent in Charge, ATF Phoenix Field Division

Agent Newell was the former head of the ATF Phoenix Field Division during Operation Fast and Furious. Newell is no longer in Phoenix.

Emory Hurley

Assistant U.S. Attorney, District of Arizona

Emory Hurley is the lead prosecutor for Operation Fast and Furious. Hurley advised the ATF Phoenix Field Division on the Operation, including instructing agents when they were and were not able to interdict weapons.

Larry Alt

Special Agent, ATF Phoenix Field Division

Agent Alt served in Phoenix Group VII during Operation Fast and Furious. An 11-year veteran of ATF, Agent Alt worked as a police officer for five years before joining ATF. Agent Alt is also a lawyer, having served as deputy county attorney in Maricopa County, a county of nearly 4 million people that encompasses the Phoenix metro area.

III. Findings

- DOJ and ATF inappropriately and recklessly relied on a 20-year old ATF Order to allow guns to walk. DOJ and ATF knew from an early date that guns were being trafficked to the DTOs.
- ATF agents are trained to “follow the gun” and interdict weapons whenever possible. Operation Fast and Furious required agents to abandon this training.
- DOJ relies on a narrow, untenable definition of gunwalking to claim that guns were never walked during Operation Fast and Furious. Agents disagree with this definition, acknowledging that hundreds or possibly thousands of guns were in fact walked. DOJ’s misplaced reliance on this definition does not change the fact that it knew that ATF could have interdicted thousands of guns that were being trafficked to Mexico, yet chose to do nothing.
- ATF agents complained about the strategy of allowing guns to walk in Operation Fast and Furious. Leadership ignored their concerns. Instead, supervisors told the agents to “get with the program” because senior ATF officials had sanctioned the operation.
- Agents knew that given the large numbers of weapons being trafficked to Mexico, tragic results were a near certainty.
- Agents expected to interdict weapons, yet were told to stand down and “just surveil.” Agents therefore did not act. They watched straw purchasers buy hundreds of weapons illegally and transfer those weapons to unknown third parties and stash houses.
- Operation Fast and Furious contributed to the increasing violence and deaths in Mexico. This result was regarded with giddy optimism by ATF supervisors hoping that guns recovered at crime scenes in Mexico would provide the nexus to straw purchasers in Phoenix.
- Every time a law enforcement official in Arizona was assaulted or shot by a firearm, ATF agents in Group VII had great anxiety that guns used to perpetrate the crimes may trace back to Operation Fast and Furious.
- Jaime Avila was entered as a suspect in the investigation by ATF on November 25, 2009, after purchasing weapons alongside Uriel Patino, who had been identified as a suspect in October 2009. Over the next month and a half, Avila purchased 13 more weapons, each recorded by the ATF in its database within days of the purchase. Then on January 16, 2010, Avila purchased three AK-47 style rifles, two of which ended up being found at the murder scene of U.S. Border Patrol Agent Brian Terry. The death of Border Agent Brian Terry was likely a preventable tragedy.

- Phoenix ATF Special Agent in Charge (SAC) William Newell's statement that the indictments represent the take-down of a firearms trafficking ring from top to bottom, and his statement that ATF never allowed guns to walk are incredible, false, and a source of much frustration to the agents.
- Despite mounting evidence to the contrary, DOJ continues to deny that Operation Fast and Furious was ill-conceived and had deadly consequences.

IV. The ATF Policy on Gun Interdiction: “You Don’t Get to Go Home”

ATF’s long-standing policy has been not to knowingly allow guns to “walk” into the hands of criminals. Yet DOJ and ATF used a 1989 ATF order to help justify allowing straw purchasers allegedly connected to Mexican drug cartels to illegally buy more than 1,800 weapons during Operation Fast and Furious. While this Order permits agents—at their discretion—to allow the illegal transfer of firearms to further an investigation, it does not go so far as to permit them to pull surveillance completely and allow the guns to walk.

A. *The Justification for Operation Fast and Furious*

FINDING: DOJ and ATF inappropriately and recklessly relied on a 20-year old ATF Order to allow guns to walk. DOJ and ATF knew from an early date that guns were being trafficked to the DTOs.

Released on February 8, 1989, ATF Order 3310.4(b) explains ATF’s Firearms Enforcement Program. The Department of Justice and ATF relied on this Order to defend Operation Fast and Furious. ATF leadership in Phoenix believed a specific clause within the Order, section 148(a)(2), justified Operation Fast and Furious and its policy to allow guns to walk. The clause reads as follows:

148. “WEAPONS TRANSFERS”

- a. Considerations. During the course of illegal firearms trafficking investigations, special agents may become aware of, observe, or encounter situations where an individual(s) will take delivery of firearms, or transfer firearm(s) to others. In these instances, the special agent may exercise the following options:

* * *

- (2) In other cases, *immediate intervention* may not be needed or desirable, and the special agent may choose to allow the transfer of firearms to take place in order to further an investigation and allow for the identification of additional conspirators who would have continued to operate and illegally traffic firearms in the future, potentially producing more armed crime.¹

¹ BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES ORDER 3310.4(b) 148(a)(2) (Feb. 8, 1989) (emphasis added).

ATF's reliance on this section of the Order is misguided. The phrase "*immediate intervention* may not be needed or desirable" does not justify a complete lack of intervention with regard to thousands of weapons illegally purchased by straw buyers allegedly linked to drug cartels. ATF cited this Order in an early briefing paper that contained the following paragraph:

Currently our strategy is to *allow the transfer of firearms to continue to take place*, albeit at a much slower pace, in order to further the investigation and allow for the identification of co-conspirators who would continue to operate and *illegally traffic firearms to Mexican DTOs* which are perpetrating armed violence along the Southwest Border. This is all in compliance with ATF 3310.4(b) 148(a)(2). It should be noted that since early December efforts to "slow down" the pace of these firearms purchases have succeeded and will continue *but not to the detriment of the larger goal of the investigation*. It should also be noted that the pace of firearms procurement by this straw purchasing group from late September to early December, 2009 defied the "normal" pace of procurement by other firearms trafficking groups investigated by this and other field divisions. This "blitz" was extremely out of the ordinary and created a situation where measures had to be enacted in order to slow this pace down in order to perfect a criminal case.²

This statement leaves little doubt that ATF felt Operation Fast and Furious was compliant with existing ATF policy. Further, it shows that DOJ and ATF knew from an early date that the firearms were being illegally trafficked to Mexican drug cartels.

Although senior ATF management cited the Order as justification for Fast and Furious, it did not pass muster with street agents. They believed that it did not permit a total lack of intervention. Agents believed they must interdict at some point if they have knowledge of an illegal firearms transfer. Yet senior management used the Order to justify the notion that ATF would completely drop surveillance of the weapons and then wait until receiving trace requests when the weapons were eventually recovered at crime scenes. Such traces would supposedly create a "nexus" between the drug cartels and the straw purchasers. The agents, however, did not agree with any interpretation of the order that would be consistent with that kind of strategy.

As Special Agent John Dodson testified:

- Q. And just so we are clear on what your understanding of the order was, and we can all obtain it and read it and have our own understanding of it, but what were you taught about what that means?
- A. That that implies when the straw purchaser makes the purchase at the counter, you don't have to land on them right there at the counter or as soon as he walks out the door, that it is okay to allow it to happen, to allow him to go with that gun under your

² Briefing Paper, ATF Phoenix Field Division, Group VII (Jan. 8, 2010) (emphasis added).

surveillance to the ultimate purchaser of it or whom he is delivering it to, or if he is taking it to a gang or a stash house or whomever, it is okay to allow it to happen, to go there, to be delivered. *But you don't get to go home.* You get the gun, is my understanding, what I have been taught and how in every other ATF office not only that I have been in but that I have gone like TDY to work at that that policy is implemented.

- Q. So, in other words, your understanding is that there is a temporal or time limitation on how long it can be allowed to continue on its course without you intervening.
- A. I think it is not so much time as it is availability of eyes on. Like if I get an agent that's on the house and we know that gun is on the house, that's still okay . . . even if it is overnight, on to the next night, the gun and bad guy are still there. We are just waiting on the guy he is supposed to deliver it to to come by and pick it up.
- Q. Well, the beginning of it said in other cases immediate intervention may not be needed or desirable.
- A. Correct.
- Q. So are you saying that, in other words, "intervention," that doesn't mean, "no intervention ever?"
- A. Correct.
- Q. Just the intervention doesn't have to happen right now, *but intervention does need to occur*, that's your understanding?
- A. Yes, sir, that it is not as soon as the FFL hands the straw purchaser the gun, that's it, you can't let him leave the store with it.
- Q. It is not a license to forego intervention at all?
- A. Correct.³

During Operation Fast and Furious, however, ATF agents *did* go home. They did *not* get the guns. ATF simply broke off surveillance of the weapons. Yet, as Agent Dodson explains it, the Order used to justify that practice actually anticipates interdiction at some point. It does not authorize what occurred under Fast and Furious:

³ Transcribed Interview of ATF Special Agent John Dodson, Transcript at 121-123 (April 26, 2011) (on file with author) [hereinafter Agent Dodson Transcript].

More so, that line that says the agent has the discretion to allow the purchaser not – or the purchase to proceed or not, what it is trying to tell you is you don't have to effect the arrest or the interdiction right there in the store. It is telling you that you can allow it to happen until that guy leaves the store and meets with the person that he bought the gun for, then you can effect the arrest. **It is not telling you that you can watch this guy purchase thousands of firearms over 18 months and not do any follow-up on it.**⁴

B. Trained to Interdict

FINDING: ATF agents are trained to “follow the gun” and interdict weapons whenever possible. Operation Fast and Furious required agents to abandon this training.

Interdiction v. Prosecution: Prior to their assignment with Operation Fast and Furious, ATF agents were trained to interdict guns and prevent criminals from obtaining them. Interdiction can be accomplished in many ways. While prosecutors focus on gathering proof “beyond a reasonable doubt” to be presented at trial, agents begin with a standard of “reasonable suspicion.” If an agent can articulate a reasonable basis to suspect an illegal purchase, then the agent can take proactive steps to investigate, potentially develop probable cause to arrest, or prevent the illegal transfer of firearms some other way. From the agents' point of view, a prosecution isn't necessary in order to achieve the goal of preventing criminals from obtaining firearms. An arrest may not even be necessary. In fact, another portion of the ATF Order describes some of these other interdiction strategies:

- b. Alternative Intervention Methods. In the event it is determined by the special agent that a weapons transfer should not take place, the special agent may consider *alternative methods of intervention* other than arrest and/or search warrants *that will prevent the culmination of the weapons transfer but allow the investigation to continue undetected.* These alternative methods are considered to be a course of action that must be approved by the RAC/GS or SAC as previously noted. These alternative interventions may include, but are not limited to:
 - (1) A traffic stop (supported by probable cause to search or supported by a traffic violation allowing for plain view observations) by a State or local marked law enforcement vehicle that would culminate in the discovery and retention of the firearms. *This would prevent the weapons transfer from fully occurring and may in turn produce new investigative leads.* Should the occupants of the vehicle be new/unknown participants in the organization under investigation, they may be fully identified

⁴ Agent Dodson Transcript, at 84.

which in turn will yield additional information for follow-up investigation. Should the occupants of the vehicle be known participants in the investigation, requesting telephone tolls for these individuals (or if a Penn Register/T-III interception order is in use) for the period shortly after the traffic stop may show calls and yield identifying information relating to the intended receivers of the firearms.⁵

Three of the special agents assigned to this operation had more than 50 years of law enforcement experience. Throughout their careers, ATF always taught them to get the guns away from criminals. When they observed signs of suspicious transactions, agents looked for ways to prevent weapons from falling into the wrong hands. Agent Dodson testified:

I can tell you this. We knew without a doubt at my old field division when someone had a case that said, hey, this guy is . . . supposed to be a straw and he is going to make this deal today, if he makes the deal, we were talking to them. I mean if we all left the office on an op for a suspected straw purchaser, that means we had, we suspected him of being a straw purchaser. Well, when he purchases, that adds to the suspicion. So he was getting talked to, either “knock and talk” or, depending on what happened or what he purchased might alter things and we might get to a higher level . . . that reasonable suspicion or probable cause. **But we were doing something. If nothing else we were putting him on notice that we were watching him, all right, and that every time he went to the gun store, we were going to be there with him, or the minute one of those guns turned up in a crime somewhere, we were coming back to talk to him, or even better, or maybe not better, but some point down the road we might be back to knock on your door and ask you, still got those guns or are you selling without a license, you better have a receipt or something to go with them to prove your point.**

The bottom line, sir, whenever a walk situation with a gun occurred . . . ***nobody went home until we found it, until we got it back.*** There were no ifs, ands or buts, you didn’t ask. Nobody said, “I got to make a soccer game,” [or] “I have got to pick my dog up,” nothing. Okay. If somebody said, “where is the gun,” you knew it was an all-nighter until we found it.⁶

Fast and Furious employed the exact opposite practices. ATF agents rarely talked with straw purchasers, or conducted a “knock and talk.” When guns recovered at crime scenes linked back to straw purchasers, ATF agents did not approach these straw purchasers. Agents did not

⁵ BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES ORDER 3310.4(b) 148(b)(1) (Feb. 8, 1989) (emphasis added).

⁶ Agent Dodson Transcript, at 60-61.

ask them why did they did not still possess guns they had recently sworn on a federal form were for their personal use. Instead, ATF agents stood by and watched for months as the straw purchasers bought hundreds upon hundreds of additional AK-47 variants and Barrett .50 caliber sniper rifles. ATF failed to conduct proper surveillance of the walked guns. ATF leadership in Phoenix cannot account for the location of the walked guns until they turn up at a crime scene, which may be *after* they have been used to kill or maim innocent victims on both sides of the border. Untold numbers of these weapons likely reached the DTOs in Mexico.

To the extent that these walked weapons reached the DTOs, it is a direct result of the policy decision to no longer focus on interdicting weapons as soon as possible. From the agents' perspective, that decision was the polar opposite of their understanding of the previous policy. For example, Special Agent Olindo Casa testified:

- Q. And if you became aware that somebody purchased guns with the intent of transferring it to a third person, would it be your practice and experience to interdict those weapons *right away*?
- A. Yes, yes.
- Q. Is that your understanding of ATF policy?
- A. Yes.⁷

However, under Fast and Furious in Phoenix, agents did not follow these methods. As Special Agent Lawrence Alt testified:

- Q. [I]s it fair to say that if you saw a suspect, a suspicious person . . . leaving an FFL with . . . an armful of boxes that appeared to be AK-47s or like weapons, that in your experience as an agent, I mean, would you be able to interdict that?
- A. That would be my normal course of action. I understand there is other strategies wherein you are trying to identify where those firearms are going to. So you might not interdict them until they are delivered, or if you have investigative measures in place to follow them, you might let them go to . . . what you believe is their ultimate destination.

But prior to my coming to Phoenix, Arizona, I had never witnessed a firearm not – I never witnessed a situation where there wasn't at least an attempt to interdict or take the firearm at some point.

⁷ Transcribed Interview of ATF Special Agent Olindo James Casa Transcript, at 18 (April 28, 2011) (on file with author) [hereinafter Agent Casa Transcript].

Q. [Y]ou might allow the suspicious person to leave the FFL with a car full of weapons, you might make a decision not to do a traffic stop right then, but is it fair to say that you would want to follow that suspect?

A. I have had experiences or been aware and involved either directly or indirectly in experiences where we knew there was illegal firearms purchases. *Follow the gun was also the motto, follow the gun, stay with the gun.*

I am aware of a couple of instances in my past where people would sit on houses all night long, days on end, waiting for the guns to go so that they could then follow it, satisfy the requirements of the investigation. . . . But I have never been involved in a situation where you would simply not do anything.⁸

This changed when the Agent Alt arrived in Phoenix.

Agent Casa recounted a similar situation. He had also never heard of, nor seen, guns being allowed to walk until he got to Phoenix:

. . . . But from the time I started as an ATF special agent . . . up until the time I got to Phoenix, that was my understanding, that *we do not let guns walk, absolutely, positively not.* And if we – if ever a case [where] we would do that, there better be a really good explanation why we did not grab that gun when we could.

Q. But that changed when you came to Phoenix, I mean the practice at least changed, correct?

A. Yes.

Q. So that occurred while you were here?

A. Yes.⁹

ATF policy is clear and unambiguous. As Agent Casa further explained:

Q. So could you – are you saying if you determine that somebody has acquired a firearm unlawfully –

A. Correct.

⁸ Transcribed Interview of ATF Special Agent Lawrence Alt, Transcript at 37-39 (April 27, 2011) (on file with author) [hereinafter Agent Alt Transcript].

⁹ Agent Casa Transcript, at 92.

Q. – ATF’s policies and procedures would be to interdict that weapon?

A. Yes. Yes.¹⁰

Agent Dodson said it succinctly:

So my training and experience with ATF as well as with law enforcement prior to then essentially is *you interdicted a gun whenever you could. Guns didn’t go.*¹¹

A third agent, Special Agent Peter Forcelli, spoke of the importance of interdicting these weapons:

Q. Did you have any kind of policy regarding gun trafficking, in other words . . . was your policy to interdict guns whenever possible?

A. Absolutely.¹²

Every single agent on every single prior assignment adhered to a policy to interdict weapons as soon as possible, until Fast and Furious. As one agent put it, “It’s like they grabbed the ATF rulebook and threw it out the window.”¹³

V. Gunwalking Defined: It’s Semantics

FINDING: DOJ relies on a narrow, untenable definition of gunwalking to claim that guns were never walked during Operation Fast and Furious. Agents disagree with this definition, acknowledging that hundreds or possibly thousands of guns were in fact walked. DOJ’s misplaced reliance on this definition does not change the fact that it knew that ATF could have interdicted thousands of guns that were being trafficked to Mexico, yet chose to do nothing.

The Department of Justice has repeatedly and steadfastly denied that any guns were walked under Operation Fast and Furious. According to the narrowest possible interpretation, a gun is walked only when an ATF agent physically places an AK-47 into the hands of a straw purchaser and then lets that straw purchaser walk out of sight. Conversely, every single ATF field agent interviewed stated that guns are walked when ATF has the opportunity to interdict illegally purchased weapons, yet chooses not to even try.

¹⁰ Agent Casa Transcript, at 17.

¹¹ Agent Dodson Transcript, at 19.

¹² Transcribed Interview of ATF Special Agent Peter Forcelli, Transcript, at 25 (April 28, 2011) (on file with author) [hereinafter Agent Forcelli Transcript].

¹³ Telephone interview with ATF Special Agent A.

DOJ officials must have known that straw purchasers were buying guns illegally and transferring them to third parties for trafficking across the border. This was clear, or at least should have been clear, from the following factors:

- (1) the sheer volume and frequency of the purchases,
- (2) ATF's and DOJ's communications with the cooperating gun dealers,
- (3) the contemporaneous notice dealers provided about hundreds of transactions with straw purchasers, and
- (4) notifications through the Suspect Gun Database that the firearms were being recovered in crime scenes in Mexico shortly after being purchased.

Yet, ATF failed to use this information to interdict future purchases and prevent guns from crossing the border.

Instead, ATF followed DOJ's new policy, and focused on simply trying to identify more and more members of the trafficking ring. It was a conscious decision to systematically avoid interdicting guns that normally should have been interdicted, according to the agents. Thus, the agents considered it to be gunwalking. Agent Dodson testified:

My understanding of letting something walk or defining walk is, when it was in or could have been in and quite possibly should have been in law enforcement custody, a decision is made, a conscious decision is made to not take it into custody or to release it. Then it is walked. . . . [Y]ou are talking about walking dope, walking money, walking anything else. To walk a firearm was never taught. It was what we consider a no-brainer.¹⁴

As the agent explained, ATF did not teach agents to walk firearms as such a practice was beyond comprehension. Agent Casa provided a similar understanding of gunwalking:

Now, when I talk about walking guns, my understanding is that is when a person we suspect or have probable cause that a person illegally came across guns, whatever way they came across it, and we have knowledge of it and we are there and we do not interdict those guns, we do not take those guns, we do not do any warrantless seizure based on probable cause of those guns. That would be my understanding of letting guns walk.¹⁵

Agent Forcelli defined gun walking as follows:

. . . . If you can interdict it and you don't, in my opinion you have walked it. There are times . . . we do a car stop, the person maybe

¹⁴ Agent Dodson Transcript, at 18-19.

¹⁵ Agent Casa Transcript, at 17.

bought two guns, they would have a story that was reasonable. They had a pay stub . . . that indicated they had a salary or they had a – they can articulate why they bought it. A couple times it happened. Like I said, maybe twice they went on their way. Okay.

But again . . . walking guns, in my opinion, is if you can stop it and you don't. There are some whose definition is if ATF has the gun and gives it, then we are walking it.¹⁶

Agent Alt also acknowledged two definitions of gunwalking:

So I call that the two versions of walking a gun. There is, it is a semantics issue. Some people will say that only the purest definition is walking a gun. Some people won't acknowledge that the other version is walking a gun. And I say potato, you say potato. I believe it is, my assessment, they are the same. That's it.¹⁷

Regardless of which definition one subscribes to, the two situations both warrant action. Still, DOJ and some senior ATF officials maintain that federal agents did not sanction or knowingly allow the transfer of firearms to straw purchasers. Yet, the evidence demonstrates that DOJ and ATF *were well aware* of what was happening.

Phoenix Field Division leadership did not tolerate debate or dissent from agents over terminology or strategy. Agent Dodson testified:

Q. I believe you mentioned that there was some dispute about exactly what gun walking meant.

* * *

And can you describe what the difference was, difference of opinion was?

A. Well, yes, sir. . . . Again, as I said earlier, my understanding of gun walking . . . has been something was and/or should have been, could have been in law enforcement custody. When we should have done something and it wasn't, you have let it walk.

There has to be an active decision . . . a choice is made to allow it to walk. It is not like something got away from you or you lost it. If a suspect beats you in a foot chase and he gets away, you didn't let him walk, you just lost the chase. So that's what walking is.

¹⁶ Agent Forcelli Transcript, at 33.

¹⁷ Agent Alt Transcript, at 50.

When [the Assistant Special Agent in Charge] came down to our office . . . we were told you don't know what walking is, we are not walking guns. And that's pretty much the extent of the debate, because in Phoenix there is very little debating one of the ASACs or the [Special Assistant in Charge]. So it was . . . a declaration, you don't know what walking guns is, we are not walking guns, this is all okay.¹⁸

Regardless of whether it meets a technical definition of gunwalking, the strategy was clearly ill-conceived. Instead of candidly acknowledging the facts and working to correct the problem, DOJ has withheld critical information from Congress and the public, obfuscating the issue.

VI. Concerns about Gunwalking: “What the Hell is the Purpose of This?”

ATF special agents in Group VII expressed many concerns about the strategies employed during Fast and Furious. None of the agents had ever before allowed a gun to “walk.” None of the agents had even heard of allowing a gun to be “walked.” The ATF academy does not teach agents to walk weapons, and the practice is abhorrent. Yet, in this operation, veteran ATF agents acted against their training and well-established ATF practice in allowing guns to walk right out of their sight. In spite of the agents' frustration and dismay, ATF leadership from Phoenix to Washington refused to acknowledge the validity of their concerns.

A. Concerns Fall on Deaf Ears and Meet Resistance

FINDING: ATF agents complained about the strategy of allowing guns to walk in Operation Fast and Furious. Leadership ignored their concerns. Instead, supervisors told the agents to “get with the program” because senior ATF officials had sanctioned the operation.

When agents learned that the tactics used in Fast and Furious required guns to be walked, many veteran special agents criticized and rebelled against the policy. These agents felt hamstrung, given that they could not use the training they had received throughout their careers. As Agent Dodson testified:

Q. Based on our training and experience, what did you think about [walking guns]?

A. It was something I had never done before, sir. And quite frankly, I took great issue with it and concern. I felt like I understand the

¹⁸ Agent Dodson Transcript, at 90-92.

importance of going after the bigger target, but there is a way to do that. We did it successfully in the dope world all the time. And those skills and practices that we used there, a lot of them transfer over, and more than applicable in gun trafficking investigations, but we weren't allowed to use any of them.

Q. And did you ever have a recollection of sharing your frustration with Special Agent Casa?

A. Oh, yes, sir.

Q. And any other special agents that you can --

A. Yes, sir.

Q. And maybe you could just tell us what other agents you --

A. Pretty much everyone, sir. It was, I shared my reservations and concerns with Special Agent [L], with Dave Voth, with Special Agent [D] Special Agent [H], Special Agent Alt, Special Agent [P], several of the special agents that came on the GRIT, G-R-I-T. The gunrunner initiative is what it stands for. I shared them with or I voiced my concerns to other agents inside the Phoenix field division that was on other groups.¹⁹

Agents felt compelled to speak up within days after joining Group VII. Agents complained to their superiors, to no avail. The agents, new to Phoenix, had to comply:

Q. So the special agents in Group 7 objected to this amongst themselves. And at what point did feedback start to get communicated up the chain, whether it was to the case agent, Special Agent [L], or Group Supervisor Voth?

A. Oh, it was *almost immediately* before we had . . . Special Agent Casa and I had taken it up with Special Agent [L], Special Agent [D], and as well as Group Supervisor Voth.²⁰

Having launched an innovative strategic plan, ATF senior leadership at Phoenix was excited at the prospect of a new way of combating drug cartel activity. ATF and DOJ leadership both approved of this plan. As such, ATF Phoenix leadership were loathe to let disgruntled field agents scuttle their signature achievement. In this matter, a great divide developed between those who knew walking guns was a bad policy and vehemently spoke out against it, and those who believed walking guns was an effective policy.

¹⁹ Agent Dodson Transcript, at 40-41.

²⁰ Agent Dodson Transcript, at 42.

A widely discussed e-mail from Group VII Supervisor David Voth best summarizes the divide that had emerged in Group VII, with senior special agents on one side, wanting to stop the operation, and those in the ATF chain of command on the other, wanting to continue the gun walking:²¹

It has been brought to my attention that there may be a schism developing amongst the group. This is the time we all need to pull together not drift apart. We are all entitled to our respective (albeit different) opinions however we all need to get along and realize that we have a mission to accomplish.

I am thrilled and proud that our Group is the first ATF Southwest Border Group in the country to be going up on wire. On that note I thank everyone for their efforts thus far and applaud the results we have achieved in a short amount of time.

Whether you care or not people of rank and authority at HQ are paying close attention to this case and they also believe we (Phoenix Group VII) are doing what they envisioned the Southwest Border Groups doing. It may sound cheesy but we are "The tip of the ATF spear" when it comes to Southwest Border Firearms Trafficking.

We need to resolve our issues at this meeting. I will be damned if this case is going to suffer due to petty arguing, rumors or other adolescent behavior.

I don't know what all the issues are but we are all adults, we are all professionals, and we have a exciting opportunity to use the biggest tool in our law enforcement tool box. If you don't think this is fun you're in the wrong line of work – period! This is the pinnacle of domestic U.S. law enforcement techniques. After this the tool box is empty. Maybe the Maricopa County Jail is hiring detention officers and you can get paid \$30,000 (instead of \$100,000) to serve lunch to inmates all day.

Despite this e-mail, agents continued to experience dismay and frustration as Operation Fast and Furious continued along its perilous path. As Agent Casa testified:

- Q. And is it fair to say that . . . the folks on your side of the schism wanted to do everything they could to interdict these weapons so they wouldn't get any farther down the street than they have to?
- A. Yes, sir. We were all sick to death when we realized that – when we realized what was going on or when we saw what was going on by the trends. We were all just, yes, we were all distraught.²²

The rift widened when the Assistant Special Agent in Charge (ASAC) authoritatively and unambiguously told Group VII that guns were not being walked, that the special agents were incorrect in their terminology, and that there would be no more discussion or dissension about this topic. Agent Dodson testified:

- A. Then we get an e-mail that . . . there is going to be a meeting. [the ASAC] is coming down, [the ASAC] comes into the Group 7 office and tells us essentially we better stand down with our complaints, that we didn't know what the definition of walking

²¹ Email from Group VII Supervisor David Voth to Phoenix Group VII (Mar. 12, 2010).

²² Agent Casa Transcript, at 41.

guns was, we weren't familiar with the Phoenix way of doing things, that *all of this was sanctioned* and we just needed to essentially shut up and get in line. That's not a quote, but that's the feel of the meeting, so . . .

- Q. Do you remember approximately when that occurred?
- A. It was right after we went to the Group 7 building, so it had to be late February, early March 2010.²³

Even some - outside Group VII - with reservations about the practice, indicated that they gave them the benefit of the doubt because the case was being supervised by the U.S. Attorney's office. Agent Forcelli testified:

And I expressed concern . . . about that. And I believe some of those guns were purchased historically. It wasn't like 1200 were watched to go, but apparently they weren't interdicting either. And his response was . . . if you or I were running the group . . . it wouldn't be going down that way and that **the U.S. Attorney is on board, and it was Mr. [Emory] Hurley, and they say there is nothing illegal going on.**²⁴

B. Tragic, Yet Foreseeable Results

FINDING: Agents knew that given the large numbers of weapons being trafficked to Mexico, tragic results were a near certainty.

Since Group VII agents were instructed not to interdict as early and as often as they believed they should, the agents quickly grasped the likelihood of tragic results. Agent Alt testified:

- Q. At any point in time did you have communications that . . . this is going to end terribly, there is going to be deaths?
- A. I know that was talked about . . . the probability of a bad situation arises with the number each – as the number of firearms increases, meaning firearms that are out and outside of our control in this environment with this type of a case, which we are talking about a firearms trafficking case, southwest border firearm trafficking case, I only hope the case agent knows where they are going. But they are out there and they are not accounted for by us, at least that I am aware of. So there is certainly a greater probability and a greater liability.

²³ Agent Dodson Transcript, at 44.

²⁴ Agent Forcelli Transcript, at 36.

I can tell you that as early as June of last year I predicted to some of my peers in the office that we would be sitting right where we are today in this room.

Q. Speaking with Congressional investigators?

A. That this would be in front of a Congressional investigation. And I was in agreement with Agent Dodson that someone was going to die. And my observations in the office were there was an overwhelming concern, *even amongst those persons on the other side of the schism*, if I can use that term, that something bad was going to happen.

* * *

Q. And is it fair to say that anxiety is heightened because of the possibility of some of these guns getting into the hands of criminals and being used against your fellow law enforcement agents?

A. Yes. And it is not even the possibility, because we know that they were procured unlawfully. So if we know that from the beginning, they are already in the hands of criminals, so now we are simply dealing with what is the consequence of that.²⁵

The most frustrating aspect of the gunwalking policy for the agents was that they believed they *could* have interdicted and stopped the guns from walking.

When agents arrived in Phoenix in December 2009, they believed there was *already* enough information to arrest the straw purchasers, try to flip them, and begin working up the chain with an eye toward “bigger fish” in the organization. Yet, the fall of 2009 brought a remarkable departure from the normal practice of interdiction. ATF’s strategy explicitly stated that it would allow straw purchasers to buy weapons, and that’s exactly what happened. Agent Dodson testified:

Q. With the new resources in Group 7 in the fall of ‘09 . . . you talked about some of the special agents that were joined, if all of you had interdicted the weapons as you saw them, what percentage do you think you could have prevented from sort of entering the stream . . . if you read the press accounts of this, it is somewhere along the lines of 2,000 firearms have disappeared. How many do you think you and your colleagues would have been successful to interdict? Is it 10 percent, 50 percent?

²⁵ Agent Alt Transcript, at 120-122.

- A. Well, the question is kind implausible, sir. . . . When we hit the ground in Phoenix, say, and the original 40 straw purchasers were identified, and I can't remember if it is 240 or 270 guns that they knew at that point that these guys were responsible for, you take, you minus that 270 from the estimate of 2,000, and whatever you have left is what we could have prevented.

Because we should have landed on every one of those people the minute that we hit here. And the ones that we landed on that we couldn't make cases on, at least they would have been on notice that we were watching and they would have stopped buying, or every time they did, the flag went up and we could have been on them then.

And of all the ones that we didn't land on, several of them would have spoken to us, a couple of them even maybe would have worked for us as a confidential informant or sources, which is how you climb the ladder in an investigation into an organization. Sitting back and watching isn't it. Okay? If you are watching a TV show at that point of the wire, you are not doing your job. Your job is to get out here and make a difference. And we could have done it when we hit the ground. So what are we talking? *1730, to answer your question*, is my opinion of how many of these firearms that we could have and should have prevented from ever being purchased by these individuals and subsequently trafficked to known criminals or cartel elements south of the border and elsewhere.

- Q. And is it fair to say if you started stopping these straw buyers as soon as they left [the gun dealers], is it fair to say that perhaps the drug trafficking organizations that they worked for would realize we got to get out of Phoenix, we have got to go to Dallas, we have got to go somewhere else, because Phoenix now has these new resources and they are catching us?

- A. Right, if not, come up with an entirely new alternative way to get their weapons. If we shut down the whole straw purchasing scenario here in Phoenix, or significantly hurt it to the point where it is not advantageous for them to do so, you figure, if they are paying \$600 for an AK or AK variant, all right, for every one that they buy we are taking off ten of them, okay, that's, I mean in any business sense that's not a good idea. Ultimately you are paying \$6600 for one AK at that point. Am I correct?²⁶

²⁶ Agent Dodson Transcript, at 61-63.

Unfortunately, the agents' complaints fell on deaf ears. As one ASAC noted, the policy and Operation had been sanctioned. For many of the agents, the operation only fueled their outrage. According to the agents, the operation failed to use their investigative strengths, honed over dozens of years in law enforcement. Agents saw the whole operation as pointless, a poor way to operate, and above all, dangerous. Agent Dodson testified:

- Q. Can you be more specific about the instances in which you were told not to use those techniques?
- A. Oh, certainly. Well, every time we voiced concerns, every time we asked the question. And this is so hard to convey because I understand you guys weren't there, you didn't live it. But every day being out here watching a guy go into the same gun store buying another 15 or 20 AK-47s or variants or . . . five or ten Draco pistols or FN Five-seveNs . . . guys that don't have a job, and he is walking in here spending \$27,000 for three Barrett .50 calibers at . . . walks in with his little bag going in there to buy it, and you are sitting there every day and you can't do anything, you have this conversation every day.

You asked me . . . a specific time where you voiced where you want to do this. Every day, all right? It was like are we taking this guy? No. Why not? Because it is not part of the plan, or it is not part of the case. [Agent L] said no, Dave said no, [Agent E] said no. *What are we doing here? I don't know. What the hell is the purpose of this? I have no idea.* This went on every day.²⁷

DOJ and ATF determined that the goal of making the big case was worth the risk of letting hundreds and hundreds of guns go to criminals in the process. This conclusion was unacceptable to the agents on the ground carrying out these direct orders. The agents knew they were facilitating the sale of AK-47 variants to straw purchasers. Supervisors ignored complaints and retaliated against agents who did complain by transferring them out of ATF Phoenix Group VII. As Agent Dodson recalled:

- Q. [A]t any point in time do you have a recollection of commiserating with your colleagues, whether it was Special Agent Casa, whether it was Special Agent Alt, or some of the other special agents that were on sort of your side of the schism, for lack of a better word? Do you ever recall saying . . . good grief, if we had just snatched these guns at the FFLs we wouldn't even be in this situation?
- A. Oh, yes, sir, and not only with people on my side of the schism. I mean this was why I was, I mean I guess we will get to this later, but why I am no longer in Group 7, is because I addressed it with, or primarily with those on the other side of the schism.

²⁷ Agent Dodson Transcript, at 113.

* * *

- Q. And is it fair to say at this point you are outraged?
- A. Outraged and disgusted, however else you want to look at it.
- Q. And is it fair to say that part of your outrage is because . . . needless deaths are possibly occurring?
- A. Oh, very much so, sir.
- Q. That countless number of crimes are being perpetrated with these weapons that you and your colleagues may have facilitated –
- A. Yes.²⁸

C. *Catastrophe Becomes Reality*

This agent's fear and outrage were realized by the death of Border Patrol Agent Brian Terry, a member of the U.S. Border Patrol Tactical Unit, as well as the almost certain deaths of countless Mexican citizens killed and the unknown amount of other crimes with weapons stemming from Fast and Furious. In Fast and Furious, ATF wanted to design a unique way to pursue the drug cartels. ATF and DOJ failed spectacularly to consider resulting negative outcomes. As Agent Dodson noted:

Well, sir, if I may, and first of all, please everyone understand, I am not on either, or either side of this political spectrum, nor do I want to be. And quite frankly, it is unfathomable to me how both sides or any person isn't completely livid about what we have been doing here. **I cannot see anyone who has one iota of concern for human life being okay with this**, and being willing to make this go away or not hold the people that made these decisions accountable. I don't understand it. And again, none of you owe me an explanation, that's just my personal opinion.²⁹

VII. Witnessing Gunwalking: "We Did Not Stop Them."

Fast and Furious required agents to stand down, ignoring their training and professional instincts. Allowing guns to fall into the hands of the DTOs was the Operation's central goal. Even when agents were able to interdict weapons, they received orders to stand down.

²⁸ Agent Dodson Transcript, at 57-58.

²⁹ Agent Dodson Transcript, at 101.

A. *Watching Guns Walk*

FINDING: Agents expected to interdict weapons, yet were told to stand down and “just surveil.” Agents therefore did not act. They watched straw purchasers buy hundreds of weapons illegally and transfer those weapons to unknown third parties and stash houses.

During their interviews, several agents offered detailed descriptions of their observations of suspected straw purchasers entering FFLs to purchase enormous quantities of assault rifles. Following orders, they did not intervene. Agent Dodson remembered:

Q. You got a guy that had purchased . . . **40 different AKs in the past two months** and . . . five or ten of them had already returned in time to crime. **So I thought here we go, we are going to start interdicting people.**

We – they would go in and buy another five or ten AK variants or . . . five or ten FN Five-seveN pistols at a time, and come out. We would see it. We would know . . . that whatever standard of reasonable suspicion or probable cause was met, and we were landing on somebody before the end of the day. **But that didn’t happen.**

Q. And that’s something you realized how early in your fieldwork, first or second day?

A. Oh, yes, sir. I mean first or second day you are starting to question why aren’t we doing this. And then by the end of the week it was . . . frustration already as to how many guns have we watched these guys get away with.

Q. In your first week, can you make an estimate of how many guns you saw get loaded into a vehicle and driven away? I mean, are we talking like 30 or one?

A. Probably 30 or 50. It wasn’t five. There were five at a time. These guys didn’t go to the FFLs unless it was five or more. And the only exceptions to that are sometimes the Draco, which were the AK variant pistols, or the FN Five-seveN pistols, because a lot of FFLs just didn’t have . . . 10 or 20 of those on hand.³⁰

³⁰ Agent Dodson Transcript, at 33-34.

Witnessing, but not contacting, straw purchasers buying weapons from FFLs became common practice for Group VII field agents in Phoenix. Agents sometimes conducted minimal surveillance following the purchases. Sometimes they conducted no surveillance. As Agent Dodson testified:

We witnessed one of the individuals . . . the known straw purchasers arrive, go in. Sometimes one of us would actually be inside the FFL behind the counter. Sometimes if we had enough lead way we would go to the suspect's house and follow him from there to the FFL, or to a meeting . . . just prior to and see an exchange.³¹

Typically, agents ended surveillance of both the guns and the straw purchasers. Agent Alt testified:

Watched and/or was aware – I shouldn't say watched – was aware that purchasers were routinely making purchases . . . at least in one case suspects who were known to be purchasing for other people were buying firearms with funds that were known to come from other people. And those firearms were not interdicted. Those firearms often went to a house or a place, and then surveillance was terminated there. So the disposition of the particular firearm may or may not have been known.

Q. And did that happen frequently?

A. Yes.³²

B. Ordered to Stand Down

Superiors specifically ordered field agents to “stand down” despite establishing probable cause that a straw purchase had occurred. Agent Casa testified:

Q. And you were instructed or under orders from the case agent and group supervisor to do what, to do nothing?

A. Well, when I would call out on surveillance, yes, I was advised do not – I would ask do we want to do a traffic stop, do we want to – I will throw another definition, you guys have probably heard this. I am sorry, guys. I don't know what you heard or didn't. It is called “rip.” It is a slang for saying we are going to do a warrantless seizure of those firearms once we establish probable cause.

³¹ Agent Dodson Transcript, at 39.

³² Agent Alt Transcript, at 50.

Yeah . . . one of those days I called the case agent on the Nextel, said, hey . . . our straw purchaser, one of our targets has transferred the guns, he is driving south. This unknown person that just got delivered the firearms probably . . . all intents and purposes gave the straw purchaser the money to buy the guns had all the guns and he is going north. Hey, why don't we go ahead and stop that vehicle, rip the guns, and you can do what you want, we can arrest them. We don't have to arrest them. But we will grab the guns. And they said no. And I said this person is an unknown person. Well, you got the license plate. Well, it can be, that car could be registered to anybody, we don't know who that person is, let's at least do a vehicle stop so we can ID the person so maybe later we could get the guns back. *No, just surveil.*³³

Agent Forcelli recounts that situation from a different point of view:

Well, as I said, there was that GRIT, people at command. And there was an instance where an agent was yelling over the radio. . . . There were a bunch of people milling around. And we heard an agent that sounded like he was in distress.

And what happened was he was attempting to do a car stop. And we heard a female agent . . . telling him to stand down and not do the car stop. I later found out there were guns in the car and that the agent felt distressed because they had made him on the surveillance. So to let the guns go, it doesn't make any sense to me if you are burned.

- Q. Do you know who the agent was?
- A. Yes. It was Agent Casa.
- Q. And so you specifically yourself heard him on the radio saying something to the effect I want to go get these guns now?
- A. Yeah. And again, the reason, being a cop for so long you hear so many things on the radio, but you always can tell when somebody is in distress by the tone of their voice. As a cop you start racing to the scene before you actually hear the call. This was a similar instance, where you can tell by the tone of his voice something wasn't right.

Later on I spoke with him. And he said that a car had almost come at him. That's how aggressive they had become during the surveillance. And that's why he was so excited on the radio. But

³³ Agent Casa Transcript, at 41-43.

he was told to not stop the car with the guns in it, which to me makes no sense.³⁴

Agent Dodson described the situation:

I remember one time specifically we had been following this individual for so long to so many places that day . . . money pickups, gun drops, FFLs, and he got into an area of the city and he just started doing crazy [Ivans] . . . [like] unexplainable U-turns. He is doing heat runs, trying to burn surveillance, whatever cliché you want to use.

So we knew we were made. Okay? We are made. He knows we are following. He knows we have been following him for awhile and we haven't done anything. We have to do something. I mean you have to do – we have to pull him over. We have to interact with him at some point. If not, he is always going to wonder, well, why are you following me. At least, for no other reason than a ruse, pull him over because . . . he did that illegal U-turn and whatever we need.

We did it when I worked dope all the time. If they made surveillance, what did you do? Hey, there's an armed robbery back there, you guys match the description. No, you are not them. All right, later. And then we don't heat them up too bad. We weren't allowed to do that, not even for a ruse situation. **I mean there is a verbal screaming match over the radio about how . . . what are you talking about? There is no better time or reason to pull this guy over than right now.**

Q. So, in other words, whatever arguments might have been made before with regard to the specific instance that you are referring to about the utility of letting them continue their operations without knowing that you are onto them so that you can then follow and see where it goes, all those arguments go away at the point they made the fact they are being surveilled, right?

A. Correct.³⁵

Unfortunately, ordering special agents to “stand down” when they planned to interdict guns became the norm. As Agent Dodson testified:

Q. Can you recollect a time when you were conducting surveillance on an FFL and you saw firearms being loaded into a car when you

³⁴ Agent Forcelli Transcript, at 60-62.

³⁵ Agent Dodson Transcript, at 116-117.

said to your colleague we got to go, we got to go seize this now, I understand the direction we have been given, but this is bad stuff, these are bad people, we need to go just --

A. Yes, sir.

Q. And did you ever do that?

A. No, sir. We were, at the time, one of the incidents that I recall specifically, Special Agent [D] was in the wire room at the time. We had been directed by both case agent and group supervisor that absent both of them, she is in charge. When we were communicating the interdiction that we were going to make over the radio, she, monitoring the radio traffic in the wire room, came back over and ordered us to stand down.

I debated this with her, probably far more lengthy than I should have over the radio, and again ultimately was just ordered to stand down. There were actually more than one of these discussions with her and Group Supervisor Voth, as well as with Special Agent [L], when *I thought we had a duty to act, that that was nonfeasance on our part by not doing so*. And each time I was . . . told to stand down and somewhat reprimanded afterwards for voicing it.³⁶

Other agents had similar experiences in being told to stand down. Agent Casa remembered:

And a situation would arise where a known individual, a suspected straw purchaser, purchased firearms and immediately transferred them or shortly after, not immediately, shortly after they had transferred them to an unknown male. And at that point I asked the case agent to, if we can intervene and seize those firearms, and I was told no.³⁷

These were not isolated incidents. Group VII members discussed, debated, and lamented walking guns on a daily basis, but the practice continued. Agent Casa testified:

Q. And what did you observe during your surveillance?

A. [I] observed suspected straw purchasers go to area federal firearms licensees, FFLs, go into the store, walk out with a large number of weapons, get into a vehicle, drive off.³⁸

³⁶ Agent Dodson Transcript, at 45-46.

³⁷ Agent Casa Transcript, at 33.

³⁸ Agent Casa Transcript, at 29.

C. “We Were Walking Guns. It was Our Decision.”

As all of the accounts from numerous ATF agents demonstrate, ATF intentionally and knowingly walked guns. One of the ASACs in Phoenix reported that this policy was “sanctioned.” To allow these guns to be bought and transferred illegally was a conscious and deliberate decision, not merely by failing to take action to interdict, but also by giving the green light to gun dealers to sell to known straw purchasers. By sanctioning the purchases even after dealers expressed concerns, ATF agents said they were actually facilitating the transactions:

Q. And essentially you witnessed guns walk; that was not consistent with your training and experience?

A. Sir . . . by the very definition of allowing them to walk, if I witnessed guns walk, that means it is another agency’s operations. If I go help another agency and this is their op, then I witnessed guns walk.

We were walking guns. It was our decision. We had the information. **We had the duty and the responsibility to act, and we didn’t do so.** So it was us walking those guns. We didn’t watch them walk, we walked.³⁹

Agent Dodson later explains the consequences:

Q. That countless number of crimes are being perpetrated with these weapons that you and your colleagues may have facilitated --

A. Yes.

Q. -- moving into the hands of the bad guys?

A. Yes, sir. **I would argue that it wasn’t a “may have facilitated.” It was facilitated.** These FFLs wouldn’t have made these purchases. I mean they addressed their concerns to, I mean to ATF both formally as well as to us when we were inside getting copies of the forms, that this whole --

The genesis of this case was when they were calling in these people that they knew. **This guy comes in, buys 10, 15, 20 AKs or . . . a 22-year-old girl walks in and dumps \$10,000 on . . . AK-47s in a day, when she is driving a beat up car that doesn’t have enough metal to hold hubcaps on it. They knew what was**

³⁹ Agent Dodson Transcript, at 41.

going on. The “may have facilitated” to me is kind of erroneous. We did facilitate it. How are we not responsible for the ultimate outcome of these [g]uns?⁴⁰

VIII. Collateral Damage: A Fast and Furious Inevitability

An increase of crimes and deaths in Mexico caused an increase in the recovery of weapons at crime scenes. When these weapons traced back through the Suspect Gun Database to weapons that were walked under Fast and Furious, supervisors in Phoenix were giddy at the success of their operation.

A. Increasing Volume Equals Increasing Success

FINDING: Operation Fast and Furious contributed to the increasing violence and deaths in Mexico. This result was regarded with giddy optimism by ATF supervisors hoping that guns recovered at crime scenes in Mexico would provide the nexus to straw purchasers in Phoenix.

Since ATF supervisors regarded violence and deaths in Mexico as inevitable collateral damage, they were not overly concerned about this effect of the Operation. Quite the opposite, they viewed the appearance of Fast and Furious guns at Mexican crime scenes with *satisfaction*, because such appearances proved the connection between straw purchasers under surveillance and the DTOs. For example, Group VII Supervisor David Voth eagerly reported how many weapons their “subjects” purchased and the immense caliber of some of these guns during the month of March alone:

⁴⁰ Agent Dodson Transcript, at 59.

From: Voth, David J.
Sent: Friday, April 02, 2010 10:31 AM
To: [REDACTED]
Cc: Phoe-Group VII
Subject: No pressure but perhaps an increased sense of urgency .

MEXICO STATS

958 killed in March 2010 (Most violent month since 2005)

937 killed in January 2010

842 killed in December 2009

SINALOA - MARCH STATISTICS

187 murders in March, including 11 policemen

I hope this e-mail is well received in that it is not intended to imply anything other than that the violence in Mexico is severe and without being dramatic we have a sense of urgency with regards to this investigation. Our subjects purchased 359 firearms during the month of March alone, to include numerous Barrett .50 caliber rifles. I believe we are righteous in our plan to dismantle this entire organization and to rush in to arrest any one person without taking in to account the entire scope of the conspiracy would be ill advised to the overall good of the mission. I acknowledge that we are all in agreement that to do so properly requires patience and planning. In the event however that there is anything we can do to facilitate a timely response or turnaround by others we should communicate our sense of urgency with regard to this matter.

Thanks for everyone's continued support in this endeavor,

David Voth
 Group Supervisor
 Phoenix Group VII

The agents within Group VII described Voth's reaction to all this gun violence in Mexico as "giddy."⁴¹ In addition to this e-mail, private conversations they had with Voth gave them the impression that Voth was excited about guns at Mexican crime scenes subsequently traced back to Fast and Furious. Agent Dodson explains:

- Q. Then there is an e-mail that was on CBS news that I made notes about written on April 2, 2010 by Group Supervisor Voth?
- A. Yes, sir.
- Q. And he reported that our subjects purchased 359 firearms during March alone.
- A. Yes, sir.
- Q. That there were 958 people killed in March of 2010.

⁴¹ Agent Dodson Transcript, at 118.

- A. Yes, sir.
- Q. And he was . . . he was essentially trumpeting up the violence that was occurring as a result of an ATF sanctioned program, is that correct?
- A. Agent or Group Supervisor Voth took that, or the way that he presented that to us was look here, this is proof that we are working a cartel, the guns that our guys are buying that we are looking at are being found, are coming back with very short time to crime rates in Mexico in known cartel related violence, and the violence is going through the roof down there, we are onto a good thing here.
- Q. The e-mail further goes on and says there was 937 killed in January 2010, 842 killed in December, 2009. The numbers are increasing?
- A. Yes, sir.⁴²

This evidence established a nexus between straw purchasers in the United States and the DTOs in Mexico, bringing ATF one step closer to catching the “bigger fish.” This strategy of letting the “little fish” go in order to capture the “bigger fish” was the ultimate goal of Phoenix Group VII. As Agent Dodson explained:

- Q. Okay. So earlier we were discussing an e-mail that . . . was describing from Mr. Voth where he appears to present the crimes in Mexico. You said something to the effect that he was, he was presenting the guns being recovered in Mexico as proof that you were watching the right people.
- A. Correct.
- Q. And that the increasing levels of violence were proof you were on the right track, essentially.
- I just wanted to clarify. Is that, when you were saying those things, was that your reading of his e-mail, or do you recall other conversations that you had with him outside of the e-mail that . . . this was evidence that you were on the right track?
- A. Well, both. I get that impression from reading his e-mail, but perhaps I get that impression because of knowing him how well I did.

⁴² Agent Dodson Transcript, at 56-57.

There were several instances. Whenever he would get a trace report back . . . *he was jovial, if not, not giddy, but just delighted about that, hey, 20 of our guns were recovered with 350 pounds of dope in Mexico last night. And it was exciting.* To them it proved the nexus to the drug cartels. It validated that . . . we were really working the cartel case here.⁴³

Agent Alt described in great detail his disgust at the self-satisfaction of ATF leadership for sending guns into what they knew to be a war zone. He also expounded on his view that the Group Supervisor should have been more concerned with those deaths in Mexico rather than with motivating his team. He testified:

Why then do we stand by and try to motivate agents to do something more to stem the homicides . . . with no further mention on the homicides and correlate that with the number of guns recovered in Mexico in a given month, when we should be saying how many of those guns left this state that we knew about in relationship to our cases in conjunction with these murders? That didn't happen.⁴⁴

B. "You Need to Scramble Some Eggs"

According to the ATF agents, their supervisors in Phoenix were sometimes shockingly insensitive to the possibility the policy could lead to loss of life. Agent Dodson explained:

- Q. [S]omebody in management . . . used the terminology "scramble some eggs."
- A. Yes, sir.
- Q. If you are going to make an omelette you have got to scramble some eggs. Do you remember the context of that?
- A. Yes, sir. It was – there was a prevailing attitude amongst the group and outside of the group in the ATF chain of command, and that was the attitude. . . . I had heard that . . . sentiment from Special Agent [E] Special Agent [L], and Special Agent Voth. And the time referenced in the interview was, I want to say, in May as the GRIT team or gunrunner initiative team was coming out. I was having a conversation with Special Agent [L] about the case in which the conversation ended with me asking her are you prepared to go to a border agent's funeral over this or a Cochise County

⁴³ Agent Dodson Transcript, at 117-118.

⁴⁴ Agent Alt Transcript, at 174.

deputy's over this, because that's going to happen. And the sentiment that was given back to me by both her, the group supervisor, was that . . . if you are going to make an omelette, you need to scramble some eggs.⁴⁵

C. *An Inevitable and Horrible Outcome*

The increasing number of deaths along with the increasing number of Fast and Furious guns found at Mexican crime scenes evoked a very different reaction among the line agents. They had great anxiety about the killings across the border. Their concern focused on reports of shootings and assaults of law enforcement officials. They worried openly of the consequences of walked weapons used to shoot a police officer.

This worst-case scenario came to fruition when United States Border Patrol Agent Brian Terry was murdered and two "walked" AK-47 rifles were found at the scene of the murder. Agent Forcilli described the mood following the Terry murder:

- Q. Do you recall any specific conversations that you had about after, after learning that . . . two of the guns at the scene had been traced back to the Fast and Furious case?
- A. [T]here was kind of a thing like *deja vu*, hey, we have been saying this was going to happen. The agents were pretty livid and saying exactly that. We knew. How many people were saying this was going to happen a long time before it did happen?

And then there was a sense like every other time, *even with Ms. Giffords' shooting, there was a state of panic*, like, oh, God, let's hope this is not a weapon from that case. And the shooting of Mr. [Zapata] down in Mexico, I know that, again, that state of panic that they had, like please let this not come back.

This was an embarrassment . . . that this happened to the agent, tragic. I mean my heart goes out to this family. I lost colleagues, and I couldn't imagine the pain they were going through. And it made it painful for us, even those not involved in the case, to think ATF now has this stain.⁴⁶

Agent Alt explained the process by which ATF learned that weapons were being trafficked into Mexico.

- Q. But how would you identify that they ended up in Mexico?

⁴⁵ Agent Dodson Transcript, at 135-136.

⁴⁶ Agent Forcilli Transcript, at 127-128.

- A. Well, there is a variety of ways. One . . . you would identify where they are going by virtue of recoveries that are happening in crimes or interdictions. . . . So you identify that they are going south. And I think then the strategy, if I understand it, is that the firearms are then, once . . . they are going south, you try and follow them and figure out where they are going and to who they are going to tie to a greater organization and more people, identify the hierarchy of the organization. That's the strategy.

And I don't know how you perfect a case doing that when you don't have the guns. . . . But the strategy to me would have to be that there has got to be some measure of accounting or follow-up as to where they end up.⁴⁷

The notion that these guns moved into Mexico and aided the drug war distressed the ATF field agents, including Agent Casa:

- Q. It was a likely consequence of the policy of walking guns that some of those guns would wind up at crime scenes in Mexico?
- A. Yeah.
- Q. And is it fair to say that some, if not many, of these crime scenes would be where people would be seriously injured or possibly killed?
- A. Of course.
- Q. **So is it a fair, predictable outcome of the policy that there would be essentially collateral damage in terms of human lives?**
- A. **Sure.**⁴⁸

Agent Casa also emphasized that those who planned and approved Operation Fast and Furious could have predicted the ensuing collateral violence:

I feel for the family of Agent Terry, I feel for his death. . . . I don't know how some of the people I work with could not see this was going to be an inevitable outcome, something like this happening. And I don't know why they don't think that six months from now this won't happen again, or a year from now, a year and a half from now.

⁴⁷ Agent Alt Transcript, at 160-161.

⁴⁸ Agent Casa Transcript, at 126-127.

But I don't know the exact number of guns that were put out into the streets as a result of this investigation. But they are not going to disintegrate once they are used once. They are going to keep popping up over and over and over.⁴⁹

D. *The Pucker Factor*

FINDING: Every time a law enforcement official in Arizona was assaulted or shot by a firearm, ATF agents in Group VII had great anxiety that guns used to perpetrate the crimes may trace back to Operation Fast and Furious.

The design defect of Fast and Furious was its failure to include sufficient safeguards to keep track of thousands of heavy-duty weapons sold to straw purchasers for the DTOs. ATF agents did not maintain surveillance of either the guns or the straw purchasers. The guns were therefore lost. The next time law enforcement would encounter those guns was at crime scenes in Mexico and in the United States. However, because ATF had contemporaneous notice of the sales from the gun dealers and entered the serial numbers into the Suspect Gun Database, agents were notified whenever a trace request was submitted for one of those walked guns. As Agent Alt testified:

Q. [A] little bit earlier you talked about a level of anxiety, the anxiety among the agents, perhaps even the supervisors, relating to weapons that are found at crime scenes. There was a death, there is a murder scene in Mexico. There is a trace that comes in of some kind, and the weapon is then connected to a weapon that may have been one of the weapons that were walked. . . . Is that accurate?

A. **Yes. I used the word anxiety. The term I used amongst my peers is pucker factor.**

* * *

Q. Pucker factor, precisely. But that's what it is relating to? I am saying that correctly, right?

A. Yes.

Q. And this pucker factor, in your view, is related to a gun showing up at a crime scene, right, a murder scene, someone gets killed, et cetera?

⁴⁹ Agent Casa Transcript, at 127-128.

- A. Absolutely.
- Q. [B]ut isn't that crime scene also the reason or the place that permits us to trace the gun? In other words, once the gun is walked, let's say it walks south, isn't the only other information we are ever going to get about that gun, isn't that going to come from a crime scene?
- A. Most likely, unless we have some resource in place down there, whether it be an informant or an undercover or an agent or something telling us where those guns end up.

* * *

- Q. **So assuming for a second that that does not exist because we don't have any evidence to speak of, the only way we are going to see this firearm that was let go --**
- A. **Is a crime recovery.**
- Q. Crime gun recovery --
- A. That's correct.
- Q. -- which would be either in the pocket of a person caught for some other offense or very likely at a shooting?
- A. Most of the Mexican recoveries are related to an act of violence.

* * *

- Q. But so typically the recovery will have evolved around a serious injury or gun related?
- A. Or about drug related.
- Q. But someone is either dead or hurt or both or something frequently?
- A. Yes . . . there is a lot of violence, and guns are recovered with respect to the violence. A lot of your big seizures of the guns, though, the big seizures of the guns, mass is usually in conjunction of seizures of other things.

* * *

My opinion is the last portion of your statement is spot on, you have to accept that there is going to be collateral damage with regard to that strategy. **You can't allow thousands of guns to go south of the border without an expectation that they are going to be recovered eventually in crimes and people are going to die.**⁵⁰

IX. The Tragic Death of U.S. Border Patrol Agent Brian Terry

FINDING: Jaime Avila was entered as a suspect in the investigation by ATF on November 25, 2009, after purchasing weapons alongside Uriel Patino, who had been identified as a suspect in October 2009. Over the next month and a half, Avila purchased 13 more weapons, each recorded by the ATF in its database within days of the purchase. Then on January 16, 2010, Avila purchased three AK-47 style rifles, two of which ended up being found at the murder scene of U.S. Border Patrol Agent Brian Terry. The death of Border Agent Brian Terry was likely a preventable tragedy.

Fast and Furious has claimed the life of an American federal agent. Late in the evening of December 14, 2010, Border Patrol Agent Brian Terry, a native of Michigan, was on patrol with three other agents in Peck Canyon, near Rio Rico, Arizona. One of the agents spotted a group of five suspected illegal aliens; at least two were carrying rifles. Although one of the border patrol agents identified the group as federal agents, the suspected aliens did not drop their weapons. At least one of the suspected aliens fired at the agents, who returned fire. Agent Terry was struck by on bullet that proved to be fatal.⁵¹

Most of the suspected aliens fled the scene, though one of them, Manual Osorio-Arellanes, had been wounded and was unable to flee. A slew of federal agents from a variety of agencies arrived at the scene and the authorities' recovered three weapons from the suspects, who had dropped their rifles in order to flee the scene faster. Two of those recovered weapons were AK-47 variant rifles that had been bought on January 16, 2010 by straw purchaser Jaime Avila during Operation Fast and Furious. Avila was entered as a suspect in the investigation by ATF on November 25, 2009. This occurred after he purchased weapons with Uriel Patino, a straw buyer who had previously been identified as a suspect in October 2009. On November 24, 2009, agents rushed to the FFL to surveil Avila and Patino, but arrived too late. Over the next month and a half, Avila purchased 13 more weapons, each recorded by the ATF in its database within days of the purchase. Avila bought the weapons recovered at the scene of Agent Terry's murder almost two months after ATF knew he was working with Patino. Avila's purchases would eventually total fifty two under Fast and Furious.⁵² Patino's purchases would eventually

⁵⁰ Agent Alt Transcript, at 187-191.

⁵¹ In re: Manual Osorio-Arellanes, No. 10-10251M, aff. of [Name Redacted], Special Agent, (D.Ariz. Dec. 29, 2010).

⁵² Chart of "Indicted targets", [Author Redacted], A/GS Phoenix FIG, (Mar. 29, 2011).

top 660. As with all the Fast and Furious suspects, gun dealers provided contemporaneous notice of each sale to the ATF.⁵³

The day after the Terry shooting, law enforcement agents located and arrested Avila in Phoenix. The U.S. Attorney's Office in Arizona later indicted him. Avila's indictment, however, is typical of the indictments that have resulted thus far from Fast and Furious. Avila was indicted on three counts of "lying and buying"—including false statements on ATF Form 4473, a prerequisite to the purchase of any firearm. These three indictments, however, do not stem from the weapons purchased on January 16, 2010, that eventually ended up at the Terry murder scene. Instead, Avila was indicted with respect to rifles he bought *six months later* and which also turned up at a crime scene.

On May 6, 2011, DOJ unsealed an indictment of Manuel Osorio-Arellanes for the murder of Brian Terry.⁵⁴ Federal authorities, led by the FBI, are pursuing his co-conspirators, including the gunman suspected of firing the fatal shot and fleeing the scene.

In Phoenix, the news of Agent Terry's death deeply saddened, but did not surprise, Group VII agents. They had agonized over the possibility of this event, and they ruefully contemplated future similar incidents resulting from the abundance of illegal guns.

During their transcribed interviews, the ATF agents shared their reactions to Agent Brian Terry's murder. Agent Dodson testified:

Q. Along those lines, when did you find out that Agent Terry was killed?

A. I found out December 16th, 2010.

Q. And what can you tell us about your recollections that information?

* * *

A. Well, I was called by another agent and was told that — or asked if I had heard about Agent Terry's death. I told him that I had. And then he confirmed for me what I already thought when he called, which was that it was one of the guns from Fast and Furious.

And then later that day, I was speaking to my acting supervisor, Marge Zicha, and she had made a comment to me that they were very busy because two of the Fast and Furious guns were found at the scene of Agent Terry's homicide.⁵⁵

⁵³ *Id.*

⁵⁴ U.S. v. Manuel Osorio-Arellanes et al., No. CR-11-0150-TUC-DCB-JCG. (D.Ariz. Apr. 20, 2011).

⁵⁵ Agent Dodson Transcript, at 136-137.

Agent Dodson also detailed ATF's awareness of and its multiple contacts with the accused murderer, Jaime Avila, for months prior to Agent Terry's murder.

So essentially in January 2010, or December when I got there, *we knew Jaime Avila was a straw purchaser*, had him identified as a known straw purchaser supplying weapons to the cartel. Shortly thereafter, we had previous weapons recovered from Mexico with very short time to crime rates purchased by Jaime Avila, as I recall.

And then in May we had a recovery where Border Patrol encounters an armed group of bandits and recovered an AK variant rifle purchased by Jaime Avila, and we still did not – **purchased during the time we were watching Jaime Avila, had him under surveillance, and we did nothing.**

Then on December 14th, 2010 Agent Brian Terry is killed in Rio Rico, Arizona. Two weapons recovered from the scene . . . two AK variant weapons purchased by Jaime Avila on January 16th, 2010 while we had him under surveillance, after we knew him to be a straw purchaser, after we identified him as purchasing firearms for a known Mexican drug cartel.⁵⁶

Although the ATF agents' worst fears were confirmed, they did not feel good about being right. In the wake of Agent Terry's death, they were even more upset, saddened, and embarrassed. Agent Alt explained:

I have loved working for ATF since I have been hired here. I came here to retire from ATF. I could be doing any number of things, as you all are aware. . . . I could be whatever I chose to be, and I chose to be here.

I am not -- I am embarrassed here. I regret the day that I set foot into this field division because of some of the things that a few people have done and the impact that it has had on our agency, and not the least of, not the least, though, is the impact it has had on the public and safety and Agent Terry. While I don't know that guns in any of these cases are directly responsible for his death, I am appalled that there would be in any way associated with his death.⁵⁷

A December 15, 2010 e-mail exchange among ATF agents details the aftermath of Agent Terry's death. ATF, fearing the worst, conducted an "urgent firearms trace" of the firearms, recovered on the afternoon of the murder. By 7:45 p.m. that evening, the trace confirmed these fears:

⁵⁶ Agent Dodson Transcript, at 140-141.

⁵⁷ Agent Alt Transcript, at 180-181.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Sent: Wed Dec 15 19:45:03 2010
Subject: U.S. Border Patrol Agent killed in the line of duty - Two firearms recovered by ATF
 The two firearms recovered by ATF this afternoon near Rio Rico, Arizona, in conjunction with the shooting death of U.S. Border Patrol agent Terry were identified as 'Suspect Guns' in the Fast and Furious investigation [REDACTED]

The firearms are identified as follows:

Romarm/CUGIR, 762 rifle, Model GP WASR 10/63, serial number 1971CZ3775
 Romarm/CUGIR, 762 rifle, Model GP WASR 10/63, serial number 1983AH3977

[REDACTED] contact me late this afternoon requesting Intel assistance in the tracing of two recovered firearms.

I initiated an urgent firearms trace requests on both of the firearms and then contacted the NTC to ensure the traces were conducted today.

I was advised by the NTC that the firearms were entered into ATF Suspect Gun database by SA Medina and associated to the Fast and Furious investigation. The NTC further advised that on 01/16/10 Jaime AVILA purchased three Romarm 7.62 rifles from Lone Wolf Trading Company, two of these firearms are the recovered firearms cited above.

No trace has been submitted on the third firearm purchased by AVILA (serial number 1979IS1530). I am researching the trace status of the firearms recovered earlier today by the FBI.

Agent Terry did not die in vain. His passing exposed the practice of knowingly allowing the transfer of guns to suspected straw purchasers. ATF now maintains it no longer condones this dangerous technique. The cessation of this practice will likely save lives on both sides of the border. Tragically, however, we will be seeing the ramifications of the policy to allow guns from Fast and Furious be transferred into the hands of suspected criminals for years to come. These weapons will continue to be found at crime scenes in the United States and Mexico.

X. The Beginning of DOJ's Denials: "Hell, No!"

FINDING: Phoenix ATF Special Agent in Charge (SAC) William Newell's statement that the indictments represent the take-down of a firearms trafficking ring from top to bottom, and his statement that ATF never allowed guns to walk are incredible, false, and a source of much frustration to the agents.

On January 25, 2011, Phoenix SAC William Newell gave a press conference announcing the indictment of 20 individuals as a result of Fast and Furious. Most of the indictment involves "lying and buying" – paper transgressions that carry much lighter sentences than felonies relating

to actual firearms trafficking. Under “lying and buying,” a straw purchaser improperly fills out ATF Form 4473, required before the purchase of any firearm, by submitting false information. A comparison of the indictment with the goals of Fast and Furious reveals the Operation’s utter failure. According to the agents, the Department could have indicted all 20 defendants far sooner than January 2011. Instead, the timing of the indictment appears to coincide with the outrage following the killing of Border Agent Brian Terry. Agent Dodson testified:

- A. Essentially, the indictments looked very similar in January 2011, when they were finally served, as they did in December 2009 when I first got here. The only difference is the number of purchases that were made. Some of the names of people are new, some have been added and some taken out, but no major players at all.
- Q. So the publicly announced indictments, they are all for straw purchasers, right?
- A. Yes, sir, which we could have rounded up . . . a year and a half ago.
- Q. You could have arrested them the day you saw this stuff happening?
- A. And saved those 1730 guns from being trafficked.⁵⁸

At the press conference announcing the indictments, SAC Newell made two notable comments. Newell claimed that the indictments represented a take-down of a firearms trafficking ring from top to bottom.⁵⁹ Yet virtually all of the indicted defendants were mere straw purchasers—not key players of a criminal syndicate by any stretch of the imagination.

Newell’s second notable comment was equally negligent and inaccurate. When asked whether or not ATF ever allowed guns to walk, Newell emphatically exclaimed “**Hell, no!**”⁶⁰ His denial was shocking to those who knew the truth, like Agent Alt:

- Q. And why is that engrained in your memory?
- A. Candidly, my mouth fell open. I was asked later by the public information officer for our division . . . and I told him that I thought that – I was just astounded that he made that statement and it struck me and I don’t know how he could make that statement.⁶¹

* * *

⁵⁸ Agent Dodson Transcript, at 141-142.

⁵⁹ Tamara Audi, *Alleged Gun Ring Busted*, W.S.J., Jan. 26, 2011.

⁶⁰ Dennis Wagner, *Sen. Chuck Grassley: Guns in ATF sting tied to agent's death*, TUCSON CITIZEN, Feb. 1, 2011.

⁶¹ Agent Alt Transcript, at 193-194.

- Q. When SAC Newell made those statements at the press conference and you said something along the lines – did your jaw drop?
- A. Literally my mouth fell open. I am not being figurative about that. I couldn't believe it.
- Q. Is it fair to say that his statements that caused your mouth to drop, that's a spectacular lie, isn't it?
- A. Yes. My mouth fell open because I thought, I perceived it as being either completely ignorant or untruthful. But also a person in that position I don't really – I don't know that I would have made – the statement was unnecessary to make. He did not need to make the statement.

If I am in a position like that and I have gotten involved or have knowledge of an investigation, me personally, I probably would have avoided comment. I certainly would have avoided making a comment like that.⁶²

Agent Casa also expressed similar astonishment at Newell's inaccurate comment following the press conference:

- Q. At the press conference I believe he was asked whether or not guns were walked, and his response was hell no. Do you remember that?
- A. Yes, I do.
- Q. What was your reaction to that statement?
- A. I can't believe he just answered the question that way.
- Q. And why can't you believe that?
- A. Because we, in my definition of walking guns, we had walked a bunch of guns. When I say we, Group 7. And under this case that we are discussing, a bunch of firearms were walked against the objections of some senior agents.
- Q. So Newell's statement was inaccurate?
- A. I would say it was very inaccurate.⁶³

⁶² Agent Alt Transcript, at 202-203.

⁶³ Agent Casa Transcript, at 119-120.

Agent Forcelli shared similar sentiments over Newell's remarkable statements during the press conference.

- Q. Right. Did you attend that press conference that SAC Newell came down to do, or did?
- A. No. I was involved in the command post that day. I wasn't there. I heard about it. I was appalled.
- Q. Tell us about your reaction. What were you appalled by?
- A. My understanding is somebody asked him if guns walked, and his response was hell no.
- Q. How did you feel about that?
- A. Insulted. Because I know that they were saying that this was a technique that was like a great new technique we were using. . . . And it just amazes me. But he knew what was going on. He is the SAC. And agents knew that guns were not being interdicted.⁶⁴

None of the agents interviewed believed Newell's dramatic comment to be truthful. His denial of the existing policy sought to end questioning on this topic once and for all. Instead, it only engendered more attention and interest.

XI. DOJ's Continued Denials: "That is False."

FINDING: Despite mounting evidence to the contrary, DOJ continues to deny that Operation Fast and Furious was ill-conceived and had deadly consequences.

The denials of gunwalking became more sensational as they continued. Presented with an opportunity to set the record straight, the Department of Justice instead chose a path of denial.

A. "Of Course Not"

In a February 4, 2011 letter to Senator Charles Grassley, Ranking Member of the Senate Judiciary Committee, DOJ's Assistant Attorney General for Legislative Affairs wrote:

At the outset, the allegation described in your January 27 letter – that ATF "sanctioned" or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico – **is false**.

⁶⁴ Agent Forcelli Transcript, at 52-53.

ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico.⁶⁵

When asked in later meetings and letters how this statement could be true in light of all the evidence to the contrary, DOJ officially stood by it. The argument that it is true relies on the fine distinction that it was not the *straw purchasers themselves* who physically crossed the border with the weapons, but rather the unknown third parties to whom they transferred the firearms. DOJ offered no specific defense of the second sentence.

Of course, this statement misses the point entirely. ATF permitted known straw purchasers to obtain these deadly weapons and traffic them to third parties. Then, at some point after ATF broke off surveillance, the weapons were transported to Mexico. ATF was definitely aware that these guns were ending up in Mexico, being transported through Arizona and Texas Points of Entry.⁶⁶

The second part of this statement is also patently false. Numerous ATF agents have gone on the record with stories that directly contradict it. During interviews with, these agents had the chance to respond directly to DOJ's position. Not surprisingly, they uniformly rejected it. Agent Alt testified:

Q. And I will just read a portion of that into the record. The second paragraph of the letter said, the second sentence of the second paragraph says, "ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico," period. Is that sentence, based on your knowledge of what was going on here in Phoenix, true or not true?

A. **No, it is not true.**⁶⁷

Agent Forcelli agreed:

Q. [The] second sentence of the second paragraph of the letter says: "ATF makes every effort to interdict weapons that have been purchased illegally to prevent their transportation to Mexico," period. Have you heard that before, that that representation was made to Congress?

A. I was unaware of that. And I will tell you based on what I know has occurred that *that is false*.⁶⁸

Agent Forcelli reiterated, "Based on my conversations in regards to that meeting between Mr. Hurley and the ATF's agents and the two gun dealers, no. *It is false*."⁶⁹ And when asked if

⁶⁵ Letter from Assistant Attorney General Ronald Weich to Senator Charles E. Grassley (Feb. 4, 2011) (emphasis added).

⁶⁶ The Fast and The Furious, Organized Crime Drug Enforcement Task Force Interim Report (Sept. 9, 2010).

⁶⁷ Agent Alt Transcript, at 148.

⁶⁸ Agent Forcelli Transcript, at 143-144.

the DOJ's statement was true, given what he had personally witnessed in Phoenix, Agent Casa replied, "I think you already know the answer to that. *Of course not.*"⁷⁰

B. More Denials

Even after the U.S. Congress presented it with evidence that the statements in the February 4, 2011 letter were false, the Department of Justice *still* stood by its initial position. In a May 2, 2011 response to a letter from Senator Grassley, the Department maintained its original position:

It remains our understanding that ATF's Operation Fast and Furious did not knowingly permit *straw buyers* to take guns into Mexico. You have provided to us documents, including internal ATF emails, which you believe support your allegation. . . . [W]e have referred these documents and all correspondence and materials received from you related to Operation Fast and Furious to the Acting Inspector General, so that she may conduct a thorough review and resolve your allegations.⁷¹

The Justice Department also notes that the Attorney General has "made clear . . . that the Department should never knowingly permit firearms to cross the border." Although the Department issued this directive in early-March, well after the congressional investigation of Operation Fast and Furious had begun, it is a welcome affirmation of what the ATF whistleblowers had been trying to tell their bosses for over a year before Agent Brian Terry was killed.

XII. Conclusion

We will persist in seeking documents and testimony from Justice Department officials and other sources to thoroughly examine all the key questions. The Department should avail itself of the opportunity to come clean and provide complete answers. It should also reverse its position and choose to fully cooperate with the investigation.

⁶⁹ Agent Forcelli Transcript, at 144.

⁷⁰ Agent Casa Transcript, at 131.

⁷¹ Letter from Assistant Attorney General Ronald Weich to Charles E. Grassley (May 2, 2011).



*The Department of Justice's Operation Fast and Furious:
Fueling Cartel Violence*

JOINT STAFF REPORT

Prepared for

Rep. Darrell E. Issa, Chairman
United States House of Representatives
Committee on Oversight and Government Reform
&
Senator Charles E. Grassley, Ranking Member
United States Senate
Committee on the Judiciary

112th Congress
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“That is, I mean, this is the perfect storm of idiocy.”

—Carlos Canino, Acting ATF Attaché in Mexico

I. Executive Summary

The previous joint staff report entitled *The Department of Justice’s Operation Fast and Furious: Accounts of ATF Agents* chronicled Operation Fast and Furious, a reckless program conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and the courageous ATF agents who came forward to expose it. Operation Fast and Furious made unprecedented use of a dangerous investigative technique known as “gunwalking.” Rather than intervene and seize the illegally purchased firearms, ATF’s Phoenix Field Division allowed known straw purchasers to walk away with the guns, over and over again. As a result, the weapons were transferred to criminals and Mexican Drug Cartels.

This report explores the effect of Operation Fast and Furious on Mexico. Its lethal drug cartels obtained AK-47 variants, Barrett .50 caliber sniper rifles, .38 caliber revolvers, and FN Five-seveNs from Arizona gun dealers who were cooperating with the ATF by continuing to sell to straw purchasers identified in Operation Fast and Furious.

In late 2009, ATF officials stationed in Mexico began to notice a large volume of guns appearing there that were traced to the ATF’s Phoenix Field Division. These weapons were increasingly recovered in great numbers from violent crime scenes. ATF intelligence analysts alerted Darren Gil, Attaché to Mexico, and Carlos Canino, Deputy Attaché, about the abnormal number of weapons. Gil and Canino communicated their worries to leadership in Phoenix and Washington, D.C., only to be brushed aside. Furthermore, ATF personnel in Arizona denied ATF personnel in Mexico access to crucial information about the case, even though the operation directly involved their job duties and affected their host country.

Rather than share information, senior leadership within both ATF and the Department of Justice (DOJ) assured their representatives in Mexico that everything was “under control.” The growing number of weapons recovered in Mexico, however, indicated otherwise. Two recoveries of large numbers of weapons in November and December 2009 definitively demonstrated that Operation Fast and Furious weapons were heading to Mexico. In fact, to date, there have been 48 different recoveries of weapons in Mexico linked to Operation Fast and Furious.

ATF officials in Mexico continued to raise the alarm over the burgeoning number of weapons. By October 2010, the amount of seized and recovered weapons had “maxed out”

space in the Phoenix Field Division evidence vault.¹ Nevertheless, ATF and DOJ failed to share crucial details of Operation Fast and Furious with either their own employees stationed in Mexico or representatives of the Government of Mexico. ATF senior leadership allegedly feared that any such disclosure would compromise their investigation. Instead, ATF and DOJ leadership's reluctance to share information may have only prolonged the flow of weapons from this straw purchasing ring into Mexico.

ATF leadership finally informed the Mexican office that the investigation would be shut down as early as July 2010. Operation Fast and Furious, however, continued through the rest of 2010. It ended only after U.S. Border Patrol Agent Brian Terry was murdered in December 2010 with weapons linked to this investigation. Only then did the ATF officials in Mexico discover the true nature of Operation Fast and Furious. Unfortunately, Mexico and the United States will have to live with the consequences of this program for years to come.

¹ See E-mail from [ATF Evidence Vault Employee] to Hope MacAllister October 12, 2010 (HOCR ATF – 002131-32).

II. Findings

- In the fall of 2009, ATF officials in Mexico began noticing a spike in guns recovered at Mexican crime scenes. Many of those guns traced directly to an ongoing investigation out of ATF's Phoenix Field Division.
- As Operation Fast and Furious progressed, there were numerous recoveries of large weapons caches in Mexico. These heavy-duty weapons included AK-47s, AR-15s, and even Barrett .50 caliber rifles – the preferred weapons of drug cartels.
- At a March 5, 2010 briefing, ATF intelligence analysts told ATF and DOJ leadership that the number of firearms bought by known straw purchasers had exceeded the 1,000 mark. The briefing also made clear these weapons were ending up in Mexico.
- ATF and DOJ leadership kept their own personnel in Mexico and Mexican government officials totally in the dark about all aspects of Fast and Furious. Meanwhile, ATF officials in Mexico grew increasingly worried about the number of weapons recovered in Mexico that traced back to an ongoing investigation out of ATF's Phoenix Field Division.
- ATF officials in Mexico raised their concerns about the number of weapons recovered up the chain of command to ATF leadership in Washington, D.C. Instead of acting decisively to end Fast and Furious, the senior leadership at both ATF and DOJ praised the investigation and the positive results it had produced. Frustrations reached a boiling point, leading former ATF Attaché Darren Gil to engage in screaming matches with his supervisor, International Affairs Chief Daniel Kumor, about the need to shut down the Phoenix-based investigation.
- Despite assurances that the program would be shut down as early as March 2010, it took the murder of a U.S. Border Patrol Agent in December 2010 to actually bring the program to a close.
- ATF officials in Mexico finally realized the truth: ATF allowed guns to walk. By withholding this critical information from its own personnel in Mexico, ATF jeopardized relations between the U.S. and Mexico.
- The high-risk tactics of cessation of surveillance, gunwalking, and non-interdiction of weapons that ATF used in Operation Fast and Furious went against the core of ATF's mission, as well as the training and field experience of its agents. These flaws inherent in Operation Fast and Furious made its tragic consequences inevitable.

III. Weapons Traced to the ATF Phoenix Field Division

FINDING: In the fall of 2009, ATF officials in Mexico began noticing a spike in guns recovered at Mexican crime scenes. Many of those guns traced directly to an ongoing investigation out of ATF's Phoenix Field Division.

Starting in late 2009, ATF officials in Mexico noticed a growing number of weapons appearing in Mexico that were traced to the ATF's Phoenix Field Division. Completely unaware of Operation Fast and Furious at the time, Carlos Canino, then Deputy Attaché to Mexico, was surprised when he learned of the number of weapons seized in Mexico that were connected to this one case in Phoenix. Canino explained:

Either late October, early November, mid November, 2009, I was informed about the large number of guns that have made it on to the suspect gun database relating to this investigation [Operation Fast and Furious]. That is when I became aware, okay they just opened up this case in October of '09, and I thought, wow, look at all these guns.

I thought two things: I thought, okay, all these guns, the reason all these guns are here is because we are finally on to these guys, and we went back and did our due diligence and found out that these guys had already beaten us for 900 guns. That was one of the things I thought.²

Canino informed his boss, then ATF Attaché to Mexico, Darren Gil, about an unusual amount of weapons being seized in Mexico. Gil stated:

I remember the event that my chief analyst and my deputy came in and said, hey, we're getting this abnormal number of weapons that are being seized in Mexico and they're all coming back to the Phoenix field division. So that was my first awareness of this regarding anything to do with this case.³

ATF officials in Mexico never received any notice or warning from ATF in Phoenix or Washington, D.C. about the possibility of a spike in guns showing up in their host country. Instead, they began to suspect something was amiss as an inordinate number of weapons recovered in Mexico traced back to the Phoenix Field Division.

The weapons were being seized from violent crime scenes involving Mexican drug cartels. One of the early seizures occurred after a shoot-out between warring cartels. Canino described learning about this incident:

² Canino Transcript, at 11. Carlos Canino became the Acting Attaché in October 2010. Prior to this time, he served as the Deputy Attaché.

³ Transcribed Interview of Darren Gil, Transcript, at 13 (May 12, 2011) (on file with author) [hereinafter Gil Transcript].

- Q. When was the next time that you got some information about Operation Fast and Furious after October, 2009?
- A. I need to go back and check, but I was approached by an ICE agent at the U.S. embassy, and he showed me some pictures of a shootup between the Sinoloa cartel and the La Familia cartel in a small town up in the mountains of Sonora. He asked – I saw the picture a lot of dead bodies he told me that the Sinoloa cartel had come into the area to try to push out the La Familia cartel, the La Familia cartel had ambushed the Sinoloans up in the mountains, and literally decimated the group. There was some firearms recovered on the scene. He asked if we could trace the guns, and we did.

When we got the traces back, I believe two or three guns had come back to the case number that is now known as Operation Fast and Furious.

I believe I reached out to ATF Group VII special agent Tonya English via e mail and I notified her that some of the firearms in her case had been recovered as a homicide, what were they planning, what were they planning to do, what is going on with this case?⁴

According to Canino, he did not receive any information about the operation's future plans or an explanation for the growing number of weapons being recovered at Mexican crime scenes linked to Operation Fast and Furious.⁵ However, these seizures were only the beginning. Over the next several months, an alarming number of weapons would be seized in Mexico and traced to Phoenix.

IV. Fast and Furious Weapons Recovered at Crime Scenes

FINDING: As Operation Fast and Furious progressed, there were numerous recoveries of large weapons caches in Mexico. These heavy-duty weapons included AK-47s, AR-15s, and even Barrett .50 caliber rifles – the preferred weapons of drug cartels.

The following chart represents a list of recoveries in Mexico where weapons found were traced back to Operation Fast and Furious. Despite its length, *this list is not complete*. Rather, this list is compiled solely from information the Justice Department has provided to date. Many more recoveries may have occurred and will continue to occur in the future, but it is impossible to determine precisely how many weapons recoveries in Mexico trace back to Operation Fast and

⁴ Canino Transcript, at 9-10.

⁵ *Id.* at 10.

Furious. So far, the Justice Department has provided documents that reference at least 48 separate recoveries involving 122 weapons connected to Operation Fast and Furious.

Recovery #	Date	Location	Notes on Recovery	# of Fast and Furious Guns Recovered
1	11/15/2009	Costa Grande, Guerrero	15 AK-47s, 30 guns, 9 guns traced to Operation Fast and Furious ⁶	9
2	11/20/2009	Naco, Sonora	41 AK-47s and 1 50 caliber. "Time-to-crime," the period between the purchase date and the recovery date, of 1 day. Two multiple sales summaries linked to this seizure ⁷	42
3	11/26/2009	Agua Prieta, Sonora	15 rifles, 8 pistols, traced to [SP 1] ⁸	1
4	12/9/2009	Mexicali, Baja	\$2 million US, \$1 million Mexican, 421 kilos cocaine, 60 kilos meth, 41 AK-47s, 5 traced to Operation Fast and Furious ⁹	5
5	12/18/2009	Tijuana, Baja	"El Teo" link, 5 AK-47 type rifles recovered and 1 linked to [SP 2] ¹⁰	1
6	12/18/2009	Tijuana, Baja	Traced to weapons bought 11/13/09 ¹¹	1
7	1/8/2010	Tijuana, Baja	"El Teo" link, 2 guns traced to F&F, bought by [SP 2] on 12/13/09 and [SP 1] ¹²	2
8	1/11/2010	Guasave, Sinaloa	2,700 rounds of ammo, 3 belts of rounds, 9 rifles, 2 grenade launchers, 1 gun traced to Operation Fast and Furious ¹³	1

⁶ E-mail from Tonya English to David Voth March 09, 2010 (HOCR ATF – 001803-12).

⁷ E-mail from William Newell to Lorren Leadmon November 25, 2009 (HOCR ATF – 002141); *see also* e-mail from [ATF NTC] to Hope MacAllister December 9, 2009 (HOCR ATF – 002205-06); *see also* e-mail from Mark Chait to William Newell, Daniel Kumor November 25, 2009 (HOCR ATF – 001993).

⁸ *See generally* "Operation The Fast and The Furious" Presentation, March 5, 2010.

⁹ E-mail from [ATF NTC] to Tonya English, [ATF Group 7 SA], Hope MacAllister, David Voth January 8, 2010 (HOCR ATF – 002210-11); *see also* e-mail from [ATF Tijuana Field Office Agent] to David Voth February 24, 2010 (HOCR ATF – 002301); "Operation The Fast and The Furious" Presentation, March 5, 2010.

¹⁰ E-mail from [ATF Intelligence Specialist] to [ATF Group 7 SA], Hope MacAllister, Tonya English, David Voth January 13, 2010 (HOCR ATF – 002166-70).

¹¹ E-mail from [ATF NTC] to Hope MacAllister December 29, 2009 (HOCR ATF – 002208-09).

¹² E-mail from Lorren Leadmon to [ATF Intelligence Specialist], [ATF Group 7 SA], Hope MacAllister, Tonya English, David Voth, [ATF Analyst Chief – Mexico] January 18, 2010 (HOCR ATF – 002112); *see also* e-mail from Tonya English to Hope MacAllister January 14, 2010 (HOCR ATF – 002214-15); *see also* e-mail from [ATF Tijuana Field Office Agent] to David Voth February 24, 2010 (HOCR ATF – 002301).

¹³ E-mail from [ATF Intelligence Analyst] to David Voth March 9, 2010 (HOCR ATF – 002307-08).

Recovery #	Date	Location	Notes on Recovery	# of Fast and Furious Guns Recovered
9	2/8/2010	La Paz, Baja	4th recovery related to "El Teo" organization ¹⁴	1
10	2/21/2010	Sinaloa, Mexico	15 rifles, 5 handguns, 11,624 rounds of ammunition. At least 4 weapons traced to [SP 1] ¹⁵	4
11	2/25/2010	Tijuana, Baja	"El Teo" link, attempted State Police Chief assassination, guns traced to [SP 4] ¹⁶	1
12	3/14/2010	Juarez, Chihuahua	5 weapons traced back to Operation Fast and Furious purchased by [SP 2], [SP 3], and [SP 2] ¹⁷	5
13	6/15/2010	Acapulco, Guerrero	6 rifles, 1,377 rounds of ammo, 1 traced back to Operation Fast and Furious ¹⁸	1
14	6/24/2010	Tijuana, Baja	6 AK-47 type firearms, 5 traced back to [SP 2] ¹⁹	5
15	7/1/2010	Tubutama, Sonora	DTO battle, 15 firearms seized, 12 rifles, 3 pistols, 1 traced to Operation Fast Furious ²⁰	1
16	7/4/2010	Navajoa, Sonora	25 AK-47 rifles, 78 magazines, over 8,000 rounds of ammo, 1 AK-47 traced to [SP 1] 3/2/10 purchase ²¹	1
17	7/8/2010	Culiacan, Sinaloa	Grenade launcher, 2 submachine guns, 8 rifles, 3 shotguns, 1,278	1

¹⁴ See generally "Operation the Fast and the Furious" Presentation, March 5, 2010.

¹⁵ E-mail from Tonya English to [ICE Agent] March 19, 2010 (HOCR ATF – 001813-15); see also e-mail from David Voth to Tonya English, Hope MacAllister, [ATF Group 7 SA] March 22, 2010 (HOCR ATF – 002114-15); see also e-mail from Lorren Leadmon to David Voth, [ATF Analyst Chief – Mexico] March 11, 2010 (HOCR ATF – 002133-40); see also e-mail from Lorren Leadmon to David Voth, [ATF Analyst Chief – Mexico] March 11, 2010 (HOCR ATF – 002315-16).

¹⁶ E-mail from David Voth to Emory Hurley February 26, 2010 (HOCR ATF – 002271-72).

¹⁷ E-mail from [ATF SA] to Hope MacAllister, Tonya English, [ATF El Paso SA] April 29, 2010 (HOCR ATF – 001713-16).

¹⁸ E-mail from [ATF Mexico City SA] to Tonya English January 26, 2011 (HOCR ATF – 001863-65).

¹⁹ E-mail from [ATF SA-EPIC] to Tonya English July 1, 2010 (HOCR ATF – 001821); see also e-mail from [ATF NTC] to Tonya English July 1, 2010 (HOCR ATF – 001824).

²⁰ E-mail from David Voth to Carlos Canino July 14, 2010 (HOCR ATF – 002378-2379).

²¹ E-mail from [ATF SA-EPIC] to Tonya English August 3, 2010 (HOCR ATF – 001726-27); see also e-mail from [ATF NTC] to Hope MacAllister, Tonya English July 15, 2010 (HOCR ATF – 001729-1730); see also e-mail from David Voth to Tonya English July 30, 2010 (HOCR ATF – 001742-43); see also e-mail from Tonya English to [ATF SA-EPIC], [ATF Analyst] July 29, 2010 (HOCR ATF – 001796-97).

Recovery #	Date	Location	Notes on Recovery	# of Fast and Furious Guns Recovered
			rounds of ammo, 1 rifle traced to Operation Fast and Furious ²²	
18	7/21/2010	El Roble, Durango	5 handguns, 15 rifles, 70 armored vests, night vision goggles, 1 traced to [SP 1] 3/22/10 purchase ²³	1
19	7/27/2010	Durango, Durango	Barrett 50 caliber traced to [SP 1] purchase on 3/22/10 ²⁴	1
20	8/1/2010	Chihuahua, Chihuahua	Romarm 762s traced to 12/17/09 purchase ²⁵	1
21	8/1/2010	Sinaloa de Leyva, Sinaloa	Barrett 50 caliber traced to Operation Fast and Furious, bought 6/8/10 ²⁶	1
22	8/11/2010	Santiago, Durango	16 rifles, 110 magazines, 36 bullet-proof vests, 1 rifle traced to Operation Fast and Furious ²⁷	1
23	8/13/2010	Santiago Papasquiaro, Durango	Romarm/Cugir 762 traced to Operation Fast and Furious ²⁸	1
24	8/14/2010	El Naranjo, Sinaloa	16 firearms including Barrett 50 caliber, 69 magazines, 2,060 rounds of ammo, 1 weapon traced to Operation Fast and Furious ²⁹	1
25	8/24/2010	Nogales, Sonora	Romarm/Cugir 762 traced to Operation Fast and Furious, bought 12/14/09 ³⁰	1
26	9/8/2010	San Luis, Sonora	Romarm/Cugir 762 traced to Operation Fast and Furious, bought 12/14/09 ³¹	1

²² E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English July 19, 2010 (HOGR ATF – 001717-18); *see also* e-mail from [ATF NTC] to Hope MacAllister, Tonya English July 15, 2010 (HOGR ATF – 001723).

²³ E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] August 3, 2010 (HOGR ATF – 001731-32).

²⁴ E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] July 28, 2010 (HOGR ATF – 001735-36); *see also* e-mail from [ATF Firearms Specialist] to Tonya English, [ATF Group 7 SA], Hope MacAllister June 10, 2010 (HOGR ATF – 002117-20).

²⁵ E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] January 21, 2011 (HOGR ATF – 001856-57).

²⁶ E-mail from [ATF NTC] to Tonya English, Hope MacAllister August 13, 2010 (HOGR ATF – 002013-14).

²⁷ E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English October 18, 2010 (HOGR ATF – 002178).

²⁸ E-mail from [ATF NTC] to Hope MacAllister, Tonya English October 18, 2010 (HOGR ATF – 002181-82).

²⁹ E-mail from [ATF Investigative Specialist] to [ATF NTC], Hope MacAllister, Tonya English August 23, 2010 (HOGR ATF – 002174-75).

³⁰ E-mail from [ATF SA-EPIC] to [ATF Group 7 SA], Hope MacAllister, Tonya English September 15, 2010 (HOGR ATF – 002123-24).

Recovery #	Date	Location	Notes on Recovery	# of Fast and Furious Guns Recovered
27	9/9/2010	Nogales, Sonora	Guns traced to Operation Fast and Furious, bought on 11/27/09 ³²	1
28	9/10/2010	Tijuana, Baja	6 firearms recovered, 6 firearms traced to Operation Fast and Furious purchases on 8/6/10 and 8/11/10 ³³	6
29	9/14/2010	Nogales, Sonora	Romarm/Cugir 762 traced to Operation Fast and Furious ³⁴	1
30	9/18/2010	Colonia Granjas, Chihuahua	Romarm/Cugir 762 traced to Operation Fast and Furious ³⁵	1
31	9/22/2010	Saric, Sonora	18 AK-47 rifles and 1 Barrett 50 caliber, 1 firearm traced to Operation Fast and Furious ³⁶	1
32	9/24/2010	Saric, Sonora	Guns bought on 2/16/10 traced to [SP 3] and [SP 1] ³⁷	1
33	9/26/2010	Reynosa, Tamaulipas	Traced guns to Operation Fast and Furious bought 3/18/10 ³⁸	1
34	9/28/2010	Juarez, Chihuahua	Romarm/Cugir 762 traced to Operation Fast and Furious, bought 1/7/10 ³⁹	1
35	10/11/2010	Saric, Sonora	Firearm traced to 11/17/09 purchase ⁴⁰	1
36	10/12/2010	Tepic, Nayarit	Barrett 50 caliber traced to Operation Fast and Furious, bought 2/17/10 ⁴¹	1

³¹ E-mail from [ATF SA-EPIC] to [ATF Group 7 SA], Hope MacAllister, Tonya English September 15, 2010 (HOCR ATF – 002121-22).

³² E-mail from [ATF SA-EPIC] to [ATF Group 7 SA], Hope MacAllister, Tonya English September 20, 2010 (HOCR ATF – 002186-87).

³³ E-mail from [ATF NTC] to Hope MacAllister, Tonya English September 17, 2010 (HOCR ATF – 001744-45); *see also* e-mail from [ATF NTC] to Hope MacAllister, Tonya English September 14, 2010 (HOCR ATF – 001748-49); *see also* e-mail from [ATF NTC] to Tonya English, Hope MacAllister September 20, 2010 (HOCR ATF – 001754-55).

³⁴ E-mail from [ATF NTC] to Hope MacAllister, Tonya English September 16, 2010 (HOCR ATF – 001746); *see also* e-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] September 20, 2010 (HOCR ATF – 001752-53).

³⁵ E-mail from Hope MacAllister to [AUSA AZ District] November 29, 2010 (HOCR ATF – 001798-99).

³⁶ E-mail from [ATF Investigative Specialist] to Hope MacAllister, [ATF NTC], [ATF NTC] October 28, 2010 (HOCR ATF – 001756-59).

³⁷ E-mail from [ATF NTC] to Hope MacAllister, Tonya English October 7, 2010 (HOCR ATF – 002126-27).

³⁸ E-mail from [ATF NTC] to Hope MacAllister, Tonya English October 26, 2010 (HOCR ATF – 001831-32).

³⁹ E-mail from [ATF NTC] to Hope MacAllister, Tonya English October 15, 2010 (HOCR ATF – 002129-2130).

⁴⁰ E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] November 19, 2010 (HOCR ATF – 002003-04).

⁴¹ E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] November 19, 2010 (HOCR ATF – 002001-02).

Recovery #	Date	Location	Notes on Recovery	# of Fast and Furious Guns Recovered
37	10/12/2010	Juarez, Chihuahua	Romarm/Cugir 762 traced to Operation Fast and Furious bought 1/7/10 ⁴²	1
38	10/19/2010	Reynosa, Tamaulipas	Romarm/Cugir 762 traced to Operation Fast and Furious ⁴³	1
39	10/28/2010	Acapulco, Guerrero	Romarm/Cugir 762 traced to Operation Fast and Furious ⁴⁴	1
40	11/4/2010	Chihuahua, Chihuahua	16 guns, 2 traced to Operation Fast and Furious, Used in the murder of Mario Gonzalez ⁴⁵	1
41	11/22/2010	Nogales, Sonora	Traced to guns bought 11/27/09 ⁴⁶	1
42	12/14/2010	Puerto Penasco, Sonora	5 guns traced to Operation Fast and Furious, bought 12/11/09, 12/14/09, 6/8/10, and 6/15/10 ⁴⁷	5
43	12/17/2010	Zumu Rucapio, MC	Traced to Operation Fast and Furious, bought 11/27/09 ⁴⁸	1
44	12/28/2010	Obregon, Sonora	12 total firearms, 1 firearm traced to Operation Fast and Furious, bought 4/12/10 ⁴⁹	1
45	1/9/2011	Chihuahua, Chihuahua	6 rifles and magazines seized, 1 firearm traced to Operation Fast and Furious ⁵⁰	1
46	1/25/2011	Culiacan, Sinaloa	Romarm/Cugir 762 traced to Operation Fast and Furious, bought 3/8/10 ⁵¹	1

⁴² E-mail from [ATF NTC] to Hope MacAllister, [ATF Group 7 SA], Tonya English December 15, 2010 (HOGR ATF – 002190-91).

⁴³ E-mail from Hope MacAllister to [AUSA AZ District] November 29, 2010 (HOGR ATF – 001798).

⁴⁴ E-mail from Hope MacAllister to [AUSA AZ District] November 29, 2010 (HOGR ATF – 001799).

⁴⁵ E-mail from Tonya English to David Voth November 15, 2010 (HOGR ATF – 001792).

⁴⁶ E-mail from [ATF NTC] to Hope MacAllister, Tonya English November 24, 2010 (HOGR ATF – 001833-38); *see also* e-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English December 8, 2010 (HOGR ATF – 002188-89).

⁴⁷ E-mail from [ATF NTC] to Hope MacAllister, Tonya English December 28, 2010 (HOGR ATF – 001842-51).

⁴⁸ E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] December 22, 2010 (HOGR ATF – 001852-55).

⁴⁹ E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English March 21, 2011 (HOGR ATF – 001874-77); *see also* e-mail from [ATF NTC] to Hope MacAllister, Tonya English March 17, 2011 (HOGR ATF – 001885-86).

⁵⁰ E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] February 2, 2011 (HOGR ATF – 002192-93); *see also* e-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] January 18, 2011 (HOGR ATF – 002196-97).

⁵¹ E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] March 21, 2011 (HOGR ATF – 001883-84).

Recovery #	Date	Location	Notes on Recovery	# of Fast and Furious Guns Recovered
47	2/4/2011	Juarez, Chihuahua	Barrett 50 caliber traced to Operation Fast and Furious, bought 2/2/10 ⁵²	1
48	2/19/2011	Navajoa, Sonora	37 rifles, 3 grenade launchers, 16,000 rounds of ammo, 1 Firearm traced to Operation Fast and Furious, purchased on 3/8/10 ⁵³	1
TOTAL				122⁵⁴

These documented recoveries indicate that a significant number of Operation Fast and Furious guns ended up in Mexico. However, there are indications that the numbers could be larger. For example, within 24 hours of the murder of Border Patrol Agent Brian Terry, Special Agent in Charge (SAC) Bill Newell asked for the total number of Operation Fast and Furious firearms recovered to date in Mexico and the U.S.⁵⁵ Five days later, on December 21, 2010, Newell forwarded the totals to his boss, Deputy Assistant Director William McMahon, indicating that he had the numbers compiled because, "I don't like the perception that we allowed guns to 'walk.'"⁵⁶ According to the tally Newell received on December 16, 2010, approximately 241 firearms had been recovered in Mexico and 350 in the U.S.⁵⁷ The number reported to Newell as recovered in Mexico as of the day after Agent Terry's death is twice what can be verified through documents produced by the Department of Justice as outlined in the table above. Furthermore, this number is much higher than the 96 firearms reported by the Department of Justice as recovered in Mexico in answers to questions for the record received on July 22, 2011.⁵⁸

⁵² E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] February 17, 2011 (HOCR ATF – 001859-62); *see also* e-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] March 21, 2011 (HOCR ATF – 001880-82); *see also* e-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] February 17, 2011 (HOCR ATF – 002020-21).

⁵³ E-mail from [ATF SA-EPIC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] March 7, 2011 (HOCR ATF – 002198-99); *see* E-mail from [ATF NTC] to Hope MacAllister, Tonya English, [ATF Group 7 SA] March 1, 2011 (HOCR ATF – 002202-03).

⁵⁴ This total of 122 guns is based on documents produced to the Committees by DOJ and total represents the minimum number of guns recovered in Mexico as identified by the Committees.

⁵⁵ E-mail from David Voth to William Newell December 16, 2010, 7:22pm (HOCR ATF – 001935).

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ Letter from Ronald Weich, Asst. Att'y Gen., U.S. Dep't of Justice, to Senator Patrick Leahy, Chairman, Senate Jud. Comm., July 22, 2011, 14 ("Based on information known to ATF and analyzed as of May 26, 2011, we understand that ninety-six (96) firearms were recovered in Mexico after the suspects were identified in the investigation.").

From: McMahon, William G.
Sent: Tuesday, December 21, 2010 11:21 AM
To: Newell, William D.
Subject: RE: simple numbers on F&F recoveries

10-4 thanks.

William G. McMahon
 Deputy Assistant Director (West)
 Office of Field Operations
 [REDACTED]

From: Newell, William D.
Sent: Tuesday, December 21, 2010 11:21 AM
To: McMahon, William G.
Subject: Fw: simple numbers on F&F recoveries

For what it's worth and since I don't like the perception that we allowed guns to "walk", I had David Voth pull the numbers of the guns recovered in Mexico as well as those we had a direct role in taking off here in the US. Almost all of the 350 seized in the US were done based on our info and in such a way to not burn the wire or compromise the bigger case. The guns purchased early on in the case we couldn't have stopped mainly because we weren't fully aware of all the players at that time and people buying multiple firearms in Arizona is a very common thing.

 NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

From: Voth, David J.
To: Newell, William D.
Sent: Thu Dec 16 19:22:42 2010
Subject: simple numbers on F&F recoveries
 Sir,

I can make this more grand tomorrow if you wish but right now by my count;

- Firearms recovered in Mexico = 241
- Firearms recovered in the USA = 350

Thanks,

David Voth
 Group Supervisor
 Phoenix Group VII
 [REDACTED]

More troubling, several of these recoveries highlight the deadly consequences of Operation Fast and Furious.⁵⁹

⁵⁹ See Section VII *infra*, page 48 for an in-depth look at the tragic consequences of Operation Fast and Furious.

A. *Tracing the Recoveries*

ATF officials in Mexico learned about many of these recoveries through open sourcing, such as articles in local newspapers or internet searches. After learning of these recoveries, however, it was incumbent on ATF employees in Mexico to attempt to view the weapons recovered as soon as possible in order to see if any link existed between the weapon and the United States. Mexican authorities transported the seized weapons to local police stations for processing. Once processed, the authorities turned the weapons over to the Mexican military, which stored them in vaults indefinitely. Once the Mexican military acquired these weapons, they were considered to be for the exclusive use of the military, and viewing them required a court order. It was therefore imperative for ATF agents in Mexico attempt to view the weapons as soon as possible after a recovery.

When ATF agents in Mexico were able to view these recovered weapons, they could also enter the serial numbers of the weapons into an online internal tracing system known as e-Trace. ATF has a procedure for tracing weapons. This initiates a manual tracing process which involves notifying the National Tracing Center (NTC), located in Martinsburg, WV, of the recovery. NTC then identifies the purchaser as well as the date of purchase. The process can take several days. ATF also maintains a Suspect Gun Database (SGD). This database is a list of all the guns purchased that ATF believes might turn up at crime scenes. Since no specific criteria exist for entering a gun into the SGD, it is usually up to the case agent's discretion. During Operation Fast and Furious, Group VII case agents entered over 1,900 guns into the SGD, usually within days of the purchase. Since these weapons were already in the SGD, the case agent would receive notice the trace request was submitted and the full manual trace process was unnecessary.

Starting in late 2009, ATF officials in Mexico began to notice that many of the weapon recoveries in Mexico traced back to the same Phoenix investigation. ATF personnel in Mexico called the Phoenix Field Division to notify them of what was occurring. The response from Phoenix was that everything was under control and not to worry about the investigation. Because the guns were in the SGD, the case agent in Phoenix received notice of trace requests. The case agent could limit the information that other ATF officials would receive to merely a notice that the trace results were "delayed," which effectively kept ATF personnel in Mexico out of the loop.

For example, in June 2010, Hope MacAllister, the Operation Fast and Furious case agent asked an NTC employee to postpone the completion of several traces for guns recovered in Mexico. With the subject line "RE: Suspect Gun Notification – DO NOT Trace?," the employee writes, "Good morning, as case agent you advised 'do not trace', [t]race will be held pending upon your instructions."⁶⁰ In her response, MacAllister asks, "Can we postpone completing that trace as well? Thanks!"⁶¹ These holds prevented ATF personnel in Mexico from discovering the origin of the recovered guns.

⁶⁰ E-mail from [NTC employee] to Tonya English and Hope MacAllister, June 10, 2010 (HOGR ATF - 002114).

⁶¹ E-mail from Hope MacAllister to [NTC employee], June 11, 2010 (HOGR ATF - 002117).

To make matters worse, ATF officials in Mexico did not even know that their fellow agents were shutting them out of the investigation. With reassurances from ATF Phoenix and ATF Headquarters in Washington D.C. that things were under control, ATF officials in Mexico remained unaware that ATF was implementing a strategy of allowing straw purchasers to continue to transfer firearms to traffickers. Even though large recoveries were taking place in Mexico, with the awareness of senior ATF officials in both Phoenix and Washington D.C, ATF officials in Mexico did not have the full picture. What they were able to piece together based on several large weapons seizures made them extremely nervous.

B. The Naco, Mexico Recovery

The first large recovery of weapons in Mexico linked to Operation Fast and Furious occurred on November 20, 2009, in Naco, Sonora – located on the U.S./Mexico border. All of the 42 weapons recovered in Naco traced back to Operation Fast and Furious straw purchasers. Forty-one of these weapons were AK-47 rifles and one was a Beowulf .50 caliber rifle. Twenty of the weapons in this recovery were reported on multiple sales summaries by ATF, and these weapons had a “time-to-crime” of just one day.⁶² Within a span of 24 hours, a straw purchaser bought guns at a gun store in Arizona and facilitated their transport to Naco, Mexico with the intent of delivering the guns to the Sinaloa cartel.

Mexican authorities arrested the person transporting these weapons, a 21-year old female. Mexican authorities interviewed her along with her brother, who was also in the vehicle. According to an official in ATF’s Office of Strategic Information and Intelligence (OSII), the female suspect told law enforcement that she intended to transport the weapons straight to the Sinaloa cartel.⁶³ From the very first recovery of weapons ATF officials knew that drug trafficking organizations (DTOs) were using these straw purchasers.

C. The Mexicali Recovery

Nearly three weeks after the Naco recovery, an even bigger weapons seizure occurred in Mexicali, the capital of the state of Baja California, located near the border. The seizure included the following weapons:

- 41 AK-47 rifles
- 1 AR-15 rifle
- 1 FN 5.7

In addition, Mexican authorities seized the following items:

- 421 kilograms of cocaine
- 60 kilograms of methamphetamine
- 392 rounds of ammunition
- \$2 million U.S. dollars

⁶² E-mail from Mark Chait to William Newell and Daniel Kumor, November 25, 2009 (HOCR ATF – 001993).

⁶³ Interview with Lorren Leadmon, Intelligence Operations Specialist, in Wash., D.C., July 5, 2011.

- \$1 million Mexican pesos

Of the twelve suspects detained, all were from the state of Sinaloa.⁶⁴ Several were identified members of the Sinaloa cartel.⁶⁵ The guns recovered at the scene traced back to straw purchasers being monitored under ATF's Operation Fast and Furious.⁶⁶ With a second large recovery tracing to the same case in Phoenix in less than three weeks, there was little doubt to ATF officials monitoring Operation Fast and Furious what was happening. As one ATF Special Agent wrote to Fast and Furious Case Agent Hope MacAllister, “[the head of the Sinaloa cartel] is arming for a war.”⁶⁷

D. The El Paso, Texas Recovery

On January 13, 2010, the ATF Dallas Field Division seized 40 rifles traced to Operation Fast and Furious suspect [SP 2].⁶⁸ This seizure connected Operation Fast and Furious suspects with a specific high-level “plaza boss” in the Sinaloa DTO.⁶⁹ Additionally, this seizure may have represented a shift in the movement of Operation Fast and Furious weapons in order to provide the necessary firearms for the Sinaloa Cartel’s battle for control of the Juarez drug smuggling corridor.⁷⁰

This possible shift of Operation Fast and Furious weapons may have been a result of the death of Arturo Beltrán-Leyva in December 2009. Mexican authorities killed Beltrán-Leyva, the leader of the Beltrán-Leyva DTO, effectively crippling his family’s DTO.⁷¹ The resulting decreased competition in Sonora between the Sinaloa DTO and the Beltrán-Leyva DTO may have contributed to the shift in Operation Fast and Furious weapons transported to Juarez. The map below, created by the Drug Enforcement Administration (DEA), reflects the areas of DTO influence in Mexico:⁷²

⁶⁴ See “Operation The Fast and The Furious” Presentation, March 5, 2010.

⁶⁵ *Id.*

⁶⁶ E-mail from [ATF Official] to David Voth, February 24, 2010 (HOCR ATF – 002301).

⁶⁷ E-mail from Jose Wall to Hope MacAllister, December 11, 2009 (HOCR ATF – 002024).

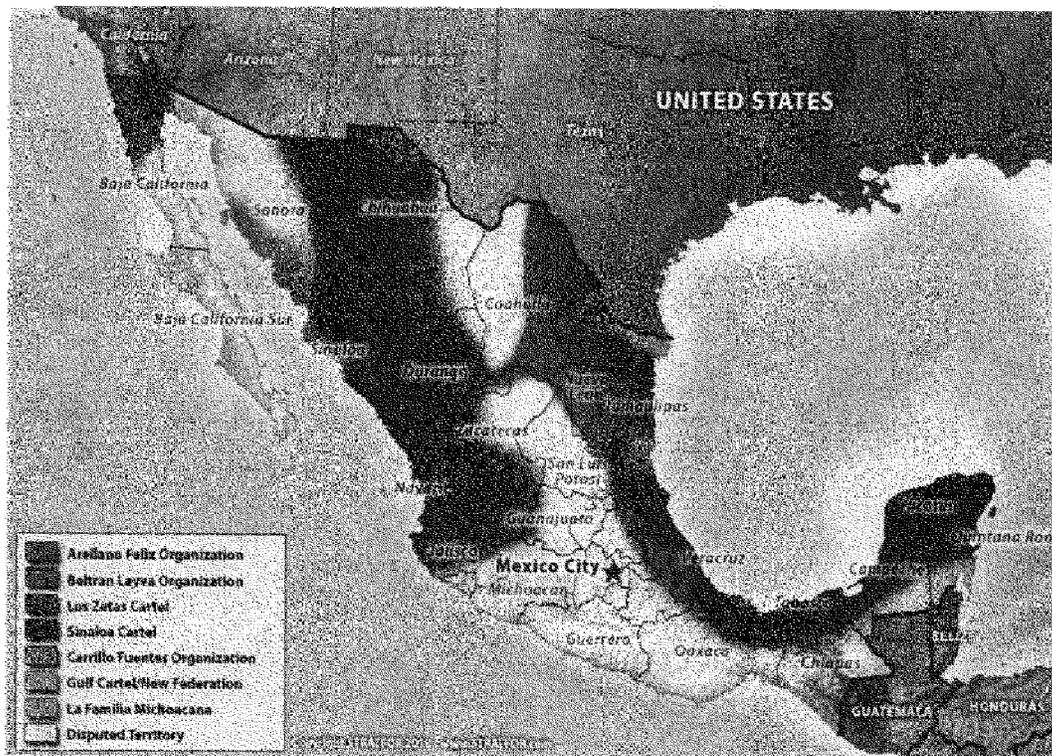
⁶⁸ This recovery is not listed in the chart in Section IV since it occurred in the United States.

⁶⁹ See “Operation the Fast and the Furious” Presentation, March 5, 2010.

⁷⁰ See Alicia A. Caldwell & Mark Stevenson, *Sinaloa Drug Cartel Wins Turf War in Juarez*, AP, April 9, 2010 available at <http://www.azcentral.com/news/articles/2010/04/09/20100409cartel-wins-turf-war-juarez-mexico09-ON.html> (highlighting statements made by FBI officials that the Sinaloa DTO gained control over trafficking routes through Ciudad Juarez).

⁷¹ Ruth Maclean, *Mexico's Drug 'Boss of Bosses' Shot Dead in Raid on Luxury Hideout*, December 18, 2009, available at http://www.timesonline.co.uk/tol/news/world/us_and_america/article6960040.ece (summarizing the bloody feud between the Beltrán-Leyva brothers and Joaquín Guzmán, the head of the Sinaloa DTO).

AREAS OF CARTEL INFLUENCES IN MEXICO



E. Tuesday Briefings at ATF Headquarters

These weapons recoveries did not occur in a vacuum. Upon learning of the recoveries, analysts in ATF's Office of Strategic Information and Intelligence (OSII) in Washington, D.C. attempted to piece together fragments of information to report up the chain of command. According to ATF personnel, every Tuesday morning OSII holds a briefing for the field operations staff to share and discuss information about ongoing ATF cases.⁷³ Typically, the four Deputy Assistant Directors for Field Operations attend. Additionally, Mark Chait, the Assistant Director for Field Operations, often attends. Occasionally, Deputy Director William Hoover and Acting Director Kenneth Melson attend these briefings.

OSII first briefed on Operation Fast and Furious on Tuesday December 8, 2009, including the Naco recovery. The following week, OSII briefed the Mexicali recovery. Subsequent briefings covered other recoveries that had occurred in the United States. The magnitude of the Operation Fast and Furious investigation quickly became apparent to senior ATF officials.

⁷³ Interview with Loren Leadmon, Intelligence Operations Analyst, in Wash., D.C., July 5, 2011.

F. January 5, 2010 Briefing

Assistant Director Mark Chait, Deputy Assistant Director Bill McMahon, International Affairs Chief Daniel Kumor, Southwest Border Czar Ray Rowley, and Assistant Director James McDermond all attended the January 5, 2010, field-ops briefing led by Intelligence Operations Specialist Lorren Leadmon.⁷⁴ At this briefing, the participants expressed concerns about Operation Fast and Furious. Though the briefing included the normal updates of weapons seizures linked to Operation Fast and Furious provided every Tuesday, the January 5, 2010, briefing also included a key addition.

OSII had compiled a summary of all of the weapons that could be linked to known straw purchasers under Operation Fast and Furious to date and presented this information to the group. The total number of guns purchased in just two months was 685.⁷⁵

Steve Martin, an ATF Deputy Assistant Director for OSII, took extensive notes during the briefing. Examining the locations where the weapons ended up in Mexico, he outlined potential investigative steps that could be taken to address the problem.⁷⁶ Due to the sheer volume of weapons that had already moved south to Mexico, he had a hunch that guns were being walked:

- A. So I made – they were talking about – I had [SP 1] in there, I had [SP 2] who were major purchasers. And I had numbers by them about how many guns they had purchased from the PowerPoint. I had a little picture drawn, with Phoenix at the top and then guns going two ways, one down to Naco and then over to Mexicali.
- Q. Uh huh.
- A. And that was because we said . . . it's the same distance to go from Phoenix to these two places. So they don't all have to go to here to arm the Sinaloa Cartel; they can go over to Mexicali and bring them that way-same distance. So that's one thing I wrote as I was being briefed.

I also wrote down guns, **I think, guns walking into Mexico. Because that's just, kind of, what's going through my head.** And I had, if yes into Mexico, then some things to do; if no into Mexico, things to do. Then I put a list of a whole list of stuff that you could do investigative wise: interview straw purchasers, put

⁷⁴ Transcribed Interview of Steve Martin, Transcript at 40, July 6, 2011 (on file with author) [hereinafter Martin Transcript].

⁷⁵ *Id.* at 43.

⁷⁶ Notes from Steve Martin, ATF Deputy Assistant Director for OSII, January 5, 2010 (HOCR ATF – 001552-53) (produced *in camera* by the Department of Justice).

trackers on the guns, put pole cams up, mobile surveillance, aerial surveillance, a number of stuff.⁷⁷

Hoping to draw from his experience as a former Assistant Special Agent in Charge (ASAC) and Special Agent in Charge (SAC), Martin wanted to offer suggestions on a plan for the case – specifically, how to track weapons, conduct surveillance, and eventually bring Operation Fast and Furious to a close. Those in field operations – the chain of command responsible for overseeing and implementing Operation Fast and Furious – responded to his suggestions with complete silence. ATF personnel within field operations felt free to ignore OSII's suggestions and complaints because OSII's role was to support field operations:

A. From my notes, **I asked Mr. Chait and Mr. McMahon, I said, what's your plan? I said, what's your plan?** And I said, hearing none, **and I don't know if they had one.** I said . . . there are some things that we can do. Ray Rowley, who was the southwest border czar at the time, asked, **how long are you going to let this go on?**

Q. This is in January 2010?

A. January 5th, that meeting, that's correct. Ray has since retired. So I said, well, here are some things that . . . we might think of doing. And we had talked about this before, we'd brainstormed stuff, too, with Lorren. Lorren even talked about it. Kevin talked about it. Kevin O'Keefe had done a lot of trafficking investigations in south Florida – about identifying some weak straw purchasers, let's see who the weak links are, maybe the super young ones, the super old ones. Pole cameras . . . put them up to see who is coming and going, to help you with surveillance.

The aerial surveillance, the mobile surveillance, trackers. I said . . . one of the first things I would do is think about putting trackers, to help me keep track of where they're going.

And I said, as far as going into Mexico, I said, have we thought about putting trackers on them and let them - - follow them into Mexico? Dan Kumor said, the Ambassador would never go for that. I said, okay, fine. I said, I'm not going to pursue that anymore, assuming that.

Had we thought about putting trackers on them and following them down to see where they're going across, to see where they go, who they're in contact with, and where they cross the border, we might find out something new and then . . . interdict. And I got no response. And I wasn't asking for one. I was just . . . throwing this stuff out.

⁷⁷ Martin Transcript, at 39-41.

- Q. You said this to who again, Mr. Chait?
- A. Mr. Chait, Mr. McMahon, Mr. Kumor. My boss was there, Jim McDermond, who agreed with me because we talked probably daily.
- Q. **Did any of those folks step up at that time and say, "Oh, no, no, no. We've got another great plan in place"?**
- A. **No. No.**
- Q. **They were silent?**
- A. **Yes. And I don't know if they had one.** I mean, they could have. I don't know.
- Q. Do you remember if they were nodding their head, giving you **any nonverbal cues that . . . this sounds like a bright idea that you're suggesting?**
- A. **Not that I recall, no.**
- Q. Or was it just like **a blank look on their face?**
- A. Just listening.⁷⁸

Whether Mr. Chait or Mr. McMahon had a plan for Operation Fast and Furious is unclear. What is clear is that they did not take kindly to suggestions from OSII about the operation. They were not inclined to discuss the operation at all, choosing instead to excuse themselves from the conversation:

- A. Somewhere during the meeting, Mr. Chait said that he had to go to another meeting, and he left. Mr. McMahon said that he had to go check some E-mails in a classified system, and he left. And then it was just the rest of us talking.
- Q. Do you feel that the other meeting, checking the E-mails on a classified system, was that an indication to you that they just didn't want to talk about this topic?
- A. You know, I'm not going to go into their brain on that one.
- Q. Okay. Well . . . sitting in a room with them, was that your perception?

⁷⁸ *Id.* at 43-45.

- A. Well, I would like – it would have been nice to have some interaction. . . .
- Q. So it was a one-way conversation of suggestions from you, from Mr. McDermond, to how to effectively limit –
- A. Pretty much from me and the others to the field officers.⁷⁹

G. March 5, 2010 Briefing

FINDING: At a March 5, 2010 briefing, ATF intelligence analysts told ATF and DOJ leadership that the number of firearms bought by known straw purchasers had exceeded the 1,000 mark. The briefing also made clear these weapons were ending up in Mexico.

Two months after the January 5, 2010 briefing, ATF headquarters hosted a larger, more detailed briefing on Operation Fast and Furious. Not part of the normal Tuesday field ops briefings, this special briefing only covered Operation Fast and Furious. David Voth, the Phoenix Group VII Supervisor who oversaw Operation Fast and Furious, traveled from Phoenix to give the presentation. On videoconference were the four southwest border ATF SACs: Bill Newell in Phoenix, Robert Champion in Dallas, J. Dewey Webb in Houston, and John Torres in Los Angeles.

In addition to the usual attendees of the Tuesday morning field ops briefings (the Deputy Assistant Directors for Field Operations, including Bill McMahon, and Mark Chait, Assistant Director for Field Operations), Deputy Director William Hoover also attended. Joe Cooley, a trial attorney from the gang unit at Main Justice, also joined. After a suggestion from Acting ATF Director Ken Melson in December 2009, Assistant Attorney General Lanny Breuer personally assigned Cooley as a DOJ representative for Operation Fast and Furious. Kevin Carwile, chief of the Capital Case Unit at Main Justice, may have also been present. According to Steve Martin, the inclusion of Main Justice representatives was unusual.⁸⁰

An extremely detailed synopsis of the current details of the investigation ensued, including the number of guns purchased, specific details of all Operation Fast and Furious weapons seizures to date, money spent by straw purchasers, and organizational charts of the straw purchasers and their relationship not only to each other, but also to members of the Sinaloa DTO. At that point, there had been 15 related weapons seizures over a four to five month period.⁸¹

⁷⁹ *Id.* at 45-46.

⁸⁰ *Id.* at 91 (“[Joe Cooley and Kevin Carwile] never sat in any of my briefings that I can recall.”).

⁸¹ *Id.* at 97. See generally “Operation Fast and the Furious” Presentation, March 5, 2010.

Total Costs of Firearms Purchased as of February 27, 2010			
Name	Gun Purchases	Invoice Total	Notes
[REDACTED]	\$8,189.50	\$8,880.81	
[REDACTED]	11,984.00	13,002.64	
[REDACTED]			Need Receipts
[REDACTED]	2,589.60	3,125.57	
[REDACTED]	36,959.75	38,823.33	
[REDACTED]	36,541.75	39,663.33	
[REDACTED]	3,199.60	3,466.77	
[REDACTED]	6,487.00	7,038.39	
[REDACTED]	3,999.50	4,333.46	
[REDACTED]	22,719.80	23,781.91	
[REDACTED]			Need Receipts
[REDACTED]	8,789.50	9,530.91	
[REDACTED]	849.98	849.98	
[REDACTED]	4,494.75	4,873.80	
[REDACTED]	100.00	100.00	
[REDACTED]	7,445.97	7,731.27	
[REDACTED]	59,663.40	64,929.98	
[REDACTED]	1,999.75	2,166.73	
[REDACTED]	1,999.80	2,158.78	
[REDACTED]	204,110.59	213,756.87	
[REDACTED]	3,992.00	4,331.32	
[REDACTED]	1,799.00	1,951.92	
[REDACTED]			Need Receipts
[REDACTED]	134,638.84	140,034.36	
[REDACTED]	19,963.75	21,657.66	
[REDACTED]	7,984.00	8,662.63	
[REDACTED]	24,892.25	24,892.25	Ammunition
TOTAL PURCHASES	\$615,394.08	\$649,745.32	

The next set of slides at the briefing detailed the fifteen recoveries of weapons that had already taken place during Operation Fast and Furious. Following a map indicating the locations in both the United States and Mexico of these recoveries were detailed slides for each recovery, including the number of guns recovered, the purchaser, the transporter, and the intended recipient in the Sinaloa cartel.

For example, the slide pertaining to the Mexicali seizure indicated that the 12 detained suspects were all from Sinaloa, Mexico, “Confirmed Sinaloa cartel.”⁸³ The slide also catalogs the full recovery: “41 AK-47s, 1 AR-15 rifle, 1 FN 5.7 pistol, 421 kilograms of cocaine, 60 kilograms of meth, 392 miscellaneous rounds of ammunition, \$2 million U.S., and \$1 million Mexican pesos.”⁸⁴ In addition, the slide graphically depicts the relationships between the straw purchasers and the weapons seized. And finally, the slide on the El Paso recovery links Operation Fast and Furious to a Texas investigation and to the “plaza boss” in the Sinaloa cartel that Fast and Furious ultimately targeted.⁸⁵

Given the rich detail in the presentation, it is clear that the guns bought during Operation Fast and Furious were headed to the Sinaloa cartel. As Martin testified:

Q. The guns are up to 1,026 at this point?

A. That's correct.

Q. I know you had expressed some complaints earlier when it was only at 685. So there's **no doubt after this briefing that the guns in this case were being linked with the Sinaloa cartel**, based on the -

A. Based on the information presented, I'd say yes.

Q. And that was presumably very **apparent to everybody in the room?**

A. Based on this one, it says the people are connected with the Sinaloa cartel, I would say **that's correct**.⁸⁶

The volume of guns purchased and the short time-to-crime for many of these guns clearly signaled that the Sinaloa cartel received the guns shortly after their purchase in Arizona. If ATF had attempted to interdict the weapons, it is likely that hundreds of these weapons would not have ended up with this dangerous cartel or entered Mexico.⁸⁷ Martin agreed that was clear:

Q. But whether the guns were walking, whether they were flying, whether they just disappeared, based on all the evidence that you've collected to this point, **it was pretty clear that the guns were going almost linearly from the FFLs to the DTOs?**

A. **They were headed that way.**⁸⁸

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ Martin Transcript, at 100.

⁸⁷ For a complete discussion of the shortcomings of ATF's investigation, see generally *The Department of Justice's Operation Fast and Furious: Accounts of ATF Agents*, Joint Staff Report, 112th Congress, June 14, 2011.

⁸⁸ Martin Transcript, at 50.

Several individuals, such as Ray Rowley and those in OSII, had already expressed their concerns, only to have them fall on deaf ears. Others, however, remained silent, despite the ominous consequences:

- Q. Was there any concern ever expressed about the guns being . . . essentially just bee lined right to the drug trafficking organizations about what the DTOs might actually do with the guns?
- A. I think it was **common knowledge that they were going down there to be crime guns to use in the battle against the DTOs to shoot each other.**
- Q. **So these guns, in a way, are murder weapons?**
- A. **Potentially.**⁸⁹

The only person that did speak up during the March 5, 2010 presentation was Robert Champion, SAC for the Dallas Field Division participating by videoconference, who asked “What are we doing about this?”⁹⁰ According to Lorren Leadmon, in response, Joe Cooley from Main Justice simply said that the movement of so many guns to Mexico was “**an acceptable practice.**”⁹¹

Shortly after the March 5, 2010 presentation on Operation Fast and Furious, OSII stopped giving briefings on the program to ATF management during the weekly Tuesday meetings. OSII personnel felt that nobody in field operations heeded their warnings, and OSII no longer saw the point of continuing to brief the program.

V. Kept in the Dark

FINDING: ATF and DOJ leadership kept their own personnel in Mexico and Mexican government officials totally in the dark about all aspects of Fast and Furious. Meanwhile, ATF officials in Mexico grew increasingly worried about the number of weapons recovered in Mexico that traced back to an ongoing investigation out of ATF’s Phoenix Field Division.

Not surprisingly, ATF officials in Mexico grew increasingly alarmed about the growing number of weapons showing up in Mexico that traced back to the Phoenix Field Division. Yet, when they raised those concerns, ATF senior leadership both in Phoenix and Washington, D.C. reassured them that the Phoenix investigation was under control. No one informed them about

⁸⁹ *Id.* at 103-104.

⁹⁰ Interview with Lorren Leadmon, Intelligence Operations Specialist, in Wash., D.C., July 5, 2011.

⁹¹ *Id.*

the details of Operation Fast and Furious. No one informed them that ATF was knowingly allowing guns to be sold to straw buyers and then transferred into Mexico.

A. *Volume of Weapons Raises Eyebrows in Mexico*

ATF leadership in Mexico started noticing an “abnormal” number of weapons flowing from Phoenix into Mexico as early as the end of 2009. Former ATF Attaché Darren Gil explained:

Q. Now, at some point you mentioned that in late 2009, early 2010, your analysts made you aware of an increase in the number of recoveries, firearm recoveries being traced back to Phoenix; is that right?

A. Correct.

Q. And I think the word you used was abnormal. Can you explain for us what exactly -- what was normal?

A. Normal was -- there's, I want to say there's at least 1,000 FFLs along the border. And . . . some people use the trail of ants terminology, some people use the river of iron terminology, but generally you'll get a handful of traces to this FFL, handful of traces to this FFL, Federal Firearms Licensee, all along the border.

* * *

I asked my analyst, because I was fairly new. I said, why is this abnormal. He says, look, Darren, we have all these trace results and they come from a variety of FFLs, but then you have a high correlation here with this one particular investigation coming out of Phoenix where we're getting this way and above the number of recoveries we get from all these other Federal Firearms Licensees. So it stuck out to my analyst who presented that to me that it was an abnormal, his terminology actually, abnormal number of recoveries.⁹²

The “abnormal number of recoveries” concerned Gil and his agents in Mexico. Gil sought answers:

Q. And when your analyst made you aware of this uptick, what was the next step that you took?

⁹² Gil Transcript, at 61-62.

- A. Pretty much a review, show me what you're talking about, which he did. And then the phone call to Phoenix. And then after the phone call to Phoenix, which I spoke of, throughout the rest of the time it was primarily dealing with ATF headquarters, primarily with the chief of international affairs, Dan [Kumor].⁹³

B. Reassurances from Phoenix and Washington, D.C.

Attaché Gil initially reached out directly to the Phoenix Field Division to express his concerns about the growing number of weapons. Gil explained:

- Q. So when your staff in Mexico determined that a particular weapon was tracked back to Phoenix, did they try or did you try to make contact with some of the ATF staff in the Phoenix field office?
- A. I did. I called the division, tried to make contact with the SAC. I don't believe I spoke with the SAC, but I got a returned call and spoke with the ASAC there, George [Gillett]. I identified my concerns, hey, we're getting an abnormal number of traces. From what I recall his response was, yes, we're aware of it. We have an ongoing investigation. We have a ton of resources on it. We're looking at it. We're working at it, and thanks for calling and making us aware and then we'll follow it up from there.⁹⁴

Yet the seizures continued unabated, and the answers Gil received failed to better explain the underlying cause. Gil continued:

- Q. So your discussions with Mr. [Gillett] in early January, is it fair to say you weren't satisfied with the results of that call?
- A. I was satisfied with the first response, sure. They're working a case, they're trying to identify what the problem is, how these weapons are getting there, they're aware of it. That's a normal response, okay, good, we're on the job.

But . . . unfortunately, my chief analyst and my deputy would come back and say, Darren, these are – we're getting more and more and more of these seizures. And I would make inquiries with the Phoenix field division and I wasn't getting any responses back. And I may have gotten two more phone calls, yeah, we're working on it, we're working on it.⁹⁵

⁹³ *Id.* at 63.

⁹⁴ *Id.* at 15-16.

⁹⁵ *Id.* at 17.

Despite these reassurances, the volume of weapons flowing from Phoenix into Mexico continued to grow. Further, no one at ATF provided Gil or his staff any explanation as to why the volume continued to grow. When Gil and his staff tried to access the trace data on their E-Trace system to find out for themselves, they learned they did not have access. As Gil explained:

And at that point, with the number of seizures we were receiving in Mexico, that wasn't – that connected to the fact that my analyst didn't have access to the trace data in E-Trace, where we entered the data, normally we . . . would get that information back regarding the trace.

Unfortunately, my . . . deputy advised me that we were entering the data but we weren't getting the trace results back, all we were getting was “trace information delayed”. And what that generally means is, there's been a hold placed on it by either the tracing center or by a field division because they didn't want that information released for some particular reason.⁹⁶

Members of Phoenix Field Division Group VII, including its case agent with support from the Group supervisor, actively shut out their colleagues in Mexico. As a result, Attaché Gil decided to seek answers from senior leadership in Washington, D.C.: “Ultimately I made phone calls to the chief of international affairs, Dan [Kumor], to try and get responses because I wasn't getting responses from Phoenix like I thought I should.”⁹⁷ In early 2010, Attaché Gil shared his concerns with Kumor about the increasing number of gun recoveries in Mexico linked to Phoenix:

Q. At some point I understand you had some conversations with your boss back in Washington, Mr. [Kumor]. Was he the first person in Washington that you spoke to about the abnormal number of weapons that you were recovering?

A. Yes.

Q. And do you remember when the first time you raised this issue with Mr. [Kumor] was?

A. Again, it would be early 2010, probably around – probably January, about the same time.

We talked almost certainly weekly and almost daily basis, so he would have been notified at that time.

Q. And do you remember what his reaction was when you first raised the issue with him?

⁹⁶ *Id.* at 17-18.

⁹⁷ *Id.* at 17.

- A. Certainly, yeah, okay, let me check on it, it's an ongoing investigation, let me make some inquiries and I'll get back with you.
- Q. And did he ever get back with you?
- A. Yes.
- Q. And what did he say?
- A. Again, he said an on-going investigation, they're looking at straw purchasers, they have cooperative Federal Firearms Licensees and it sounds like a significant investigation. And . . . he didn't have access to the trace information either but . . . the Phoenix field division is aware of the investigation. The chain up to him is aware of the investigation, so everybody is aware of it and it looks like they have it under control.⁹⁸

Gil found it insufficient to hear the investigation was “under control.” In the meantime, guns from a known straw purchasing ring continued to flow into Mexico from Arizona. Although Gil and his agents in Mexico remained in the dark about the tactics and strategy of Operation Fast and Furious, they realized something was wrong. Gil continued to express his concerns:

- Q. And did you ever raise any issues with Mr. [Kumor] that while they . . . may think they have it under control, it may not be under control because we are recovering an abnormal number of firearms?
- A. Again, spring time it got to the point of at what point are we going to . . . to close this investigation down? I mean, after 500 or so seizures I think you should have had enough data collection on what you're trying to show or prove. It was my position, it was Chief [Kumor's] position as well. He says, yeah, you're right. And he goes, so when are they going to close this down. And we were both on the same position there that this thing needed to be shut down.

So there was a number of ongoing – you saw my CBS interview, screaming matches . . . it was a very frustrated – high frustration level. And that was one of the reasons for . . . being frustrated.⁹⁹

Understandably, Gil was frustrated. Hundreds of weapons appeared suddenly in Mexico – traced to Phoenix – without explanation. Gil and his agents struggled to get answers from their own agency. Although ATF officials in Phoenix and Washington, D.C. acknowledged that an

⁹⁸ *Id.* at 20-21.

⁹⁹ *Id.* at 21.

investigation was underway, they refused to share the details of the strategy and operation with the agents in Mexico. Gil took their silence as suggesting that his colleagues did not trust him to keep the information confidential:

- Q. Did you have any idea why you weren't being made aware of the specific details of this investigation?
- A. I can tell you what I was told and they were afraid that I was going to either brief the ambassador on it or brief the Government of Mexico officials on it.
- Q. And it was your understanding that individuals within ATF higher than Chief [Kumor] didn't want the ambassador to know about the investigations?
- A. I couldn't say that . . . specifically they didn't want the ambassador to know. I know I asked . . . why can't I be briefed on this. Well, they're afraid that you would brief the GOM officials, Government of Mexico officials or . . . brief the ambassador. **They were just worried about somebody leaking whatever was unique about this investigation.**¹⁰⁰

VI. More Complaints and More Reassurances

ATF officials in Mexico constantly worried about the number of guns flowing from Phoenix to Mexico in connection with the Phoenix Field Division's investigation. Mexican authorities continued to seize guns at violent crime scenes involving Mexican DTOs. Without being privy to the particular tactics utilized by Operation Fast and Furious, ATF's representatives in Mexico suspected something was terribly amiss. Because initial contacts with Phoenix provided few answers, ATF officials in Mexico continued to report their concerns up the chain of command to ATF leadership in Washington, D.C. Instead of acting on their complaints, senior leadership at both ATF and the Department of Justice praised the investigation. However, ATF agents in Mexico kept sounding the alarm. In July 2010, Gil and his agents received notification that the Phoenix Field Division's investigation would be ending and shut down.¹⁰¹ In reality, ATF agents in Phoenix closed the investigative stage of Operation Fast and Furious in January 2011, only after the tragic death of Border Patrol Agent Brian Terry in December 2010.

¹⁰⁰ *Id.* at 72.

¹⁰¹ See Section VI.E *infra* page 44 (summarizing the exchange between Gil and Kumor regarding the timeline to shutdown Operation Fast and Furious).

A. Concerns Raised up the Chain of Command

FINDING: ATF officials in Mexico raised their concerns about the number of weapons recovered up the chain of command to ATF leadership in Washington, D.C. Instead of acting decisively to end Fast and Furious, the senior leadership at both ATF and DOJ praised the investigation and the positive results it had produced. Frustrations reached a boiling point, leading former ATF Attaché Darren Gil to engage in screaming matches with his supervisor, International Affairs Chief Daniel Kumor, about the need to shut down the Phoenix-based investigation.

Without knowing of possible gunwalking tactics used in Operation Fast and Furious, Gil and other ATF officials in Mexico knew the investigation needed to be shut down based on the empirical data. As Gil testified:

Q. And the number of firearms recovered in Mexico, you said it was about 500 in the spring, did that number continue to rise?

A. Yes, it did. I want to say by the time I left I think it was up to, which was in October, I think it was up to – the last data I think I was quoted was like 700 or so.

Q. And that continued to alarm you?

A. It was a topic of discussion every time – pretty much every time we spoke about when this thing was going to be shut down. And the general – the origin of it was, again, because it worried my folks. My chief analyst, who would see the data every day. He'd put in the trace results, he'd get information back, data – “trace results not available”, which means ATF put a hold on it somewhere.

So number one, we were submitting our information and we weren't getting our own trace data back, so that was an issue. The number was an issue. The fact that these guns were found in crime scenes, which we could not notify the GOM, the Government of Mexico, was an issue.

The fact that this brought pressure on us from the GOM because they're saying, why are we using – we're spending – ATF is spending extraordinary number of resources to train them on the Spanish E-Trace. And in the same breath they're saying, look, we're not getting anything back so why should we use this Spanish E-Trace, it's a waste of our time. And we have to say, no, it gives you this, this, and this. And they go, yeah, but we're not getting anything back.

So it became a big event that we're not getting this trace data back and it frustrated my folks, they in turn notified me. And we had meetings on it and then I'd make my calls to headquarters, again, primarily Chief [Kumor], and voiced our concerns. And it got to the point I would have my staff, on conference calls that we have, speak with Chief [Kumor] trying to – what the heck is going on here.¹⁰²

Gil and his staff struggled to deal with this growing crisis. Despite the increasing number of guns from Phoenix showing up at violent crime scenes in Mexico, ATF agents in Phoenix continually denied the ATF agents in Mexico the relevant information explaining this spike. Gil was so passionate about his and his staff's concerns that he had yelling matches with his boss:

Q. Who were those screaming matches with?

A. Primarily with Chief [Kumor]. And it wasn't just on this, all right, keep that in mind. . . . However, this was also part of it and at some point screaming, yelling . . . hey, when are they going to shut this, to put it bluntly, damn investigation down, we're getting hurt down here.

When, again, I think I mentioned in my CBS interview, when the Mexicans find out about this. **And this was not even knowing of the potential for gun walking. This was just . . . not shutting this investigation down and letting another 300 weapons come into the country after the first 300 weapons.** Because, again, it's inconceivable to me to even allow weapons to knowingly cross an international border.¹⁰³

* * *

Q. So it was clear to you that this ongoing case based out of Phoenix was proceeding, they weren't shutting it down, you disagreed with that because you saw too many weapons showing up in Mexico?

A. That's a fair assessment.¹⁰⁴

Deputy Attaché Canino shared Gil's concerns about the number of guns entering Mexico and that something needed to be done:

Q. What discussions did you have about the weapons from the Phoenix case in Mexico with Mr. Gil, Mr. Darren Gil?

¹⁰² Gil Transcript, at 30-32.

¹⁰³ *Id.* at 66-67.

¹⁰⁴ *Id.* at 24.

- A. We were very concerned . . . with that amount of guns and short period of time on a suspect gun data and they kept climbing.

* * *

I said, Darren, this is a problem . . . these many guns coming down here is a problem. We made that known to Danny Kumor . . . Danny was in agreement he pushed it up the chain and we were told yeah it is a case out of Phoenix and it is going great.¹⁰⁵

Gil and Canino prevailed upon their direct supervisor, Daniel Kumor, ATF's Chief of International Affairs, to take their concerns about the volume of weapons in Mexico up the chain of command:

- Q. When you say pushed it up the chain, what do you mean exactly?

A. He told his superior.

- Q. That would have been who?

A. That would have been deputy assistant director Bill McMahon.¹⁰⁶

Gil also testified that Kumor spoke to his superior, Deputy Assistant Director McMahon, about this matter:

- Q. And do you know if [Kumor] had any conversations with Mr. [McMahon], did he ever relate to you that he's had these conversations with Mr. [McMahon]?

A. Sure. He would say, I'll – I'm going to go meet with . . . Bill [McMahon], the deputy assistant director. And he would – and then in our conversations he would respond and, hey, I've spoken with Bill and he's going to send notification out or contact Phoenix and see what's going on, sure.¹⁰⁷

Gil also discussed his concerns with McMahon during trips to Washington:

- Q. Did you take any trips to Washington during this time period of –

A. Sure.

- Q. - January 2010 to before you left October 2010?

¹⁰⁵ Canino Transcript, at 16.

¹⁰⁶ *Id.* at 16-17.

¹⁰⁷ Gil Transcript, at 22-23.

A. Yes.

* * *

Q. You said, might have discussed it with Mr. [McMahon]. If you did, it wasn't something that you remember in detail?

A. Yeah, would have been, hey . . . is this thing still going on, and when is it going to be shut down. And something to the effect they're either working on it – again, their general response was they're working on it, they're going to close it down as soon as they can, and we'll let you know.¹⁰⁸

While Phoenix was “working on it,” guns continued to flow unabated into Mexico. Gil, Canino, and other ATF agents in Mexico raised legitimate concerns, but leadership told them to stand down. According to ATF leadership, not only was everything “under control,” but everyone in ATF *and* DOJ were well aware of the investigation in Phoenix:

Q. And at any point during those conversations was it made clear to you that the director is aware of this program?

A. Yes. At one point, I mean, again, probably during one of the final screaming matches was . . . I think I threw the question out there, hey, is DOJ aware of this investigation? Are they aware of what's going on, and are they approving this.

And then the chief's response was, yes, not only is . . . the director aware of it, Billy, William Hoover is aware of it, DOJ is aware of it. And then . . . through that fact – they have a Title 3, so DOJ must be aware of it certainly for that aspect. And certainly the US Attorney's office in Phoenix is aware of it because they had to approve the investigation.

But – so it wasn't just is the direct link aware of it . . . if the acting director is aware you assume everybody is aware of it. And then, okay, they don't want me to know something for some reason that's fine, they have their reasons and . . . you got to defer to your executive staff.¹⁰⁹

Senior leadership in Phoenix and Washington, D.C. continued to provide reassurances without answers during their visits to Mexico. Canino recalled several visits by both Mark Chait and Bill McMahon:

¹⁰⁸ *Id.* 36-38.

¹⁰⁹ *Id.* at 24-25.

- Q. Did senior officials from DOJ and ATF visit Mexico with regard to this case?
- A. This case specifically?
- Q. Did they make any visits to Mexico?
- A. Sure, yeah. Mmh hmm.
- Q. Would this case have been one of the things that got discussed during their visits?
- A. We talked about it, but we said . . . hey what is going on with this case out of Phoenix, we are starting to see a lot of guns in the suspect gun database, kind of alarming, so many guns. They said hey . . . we've got it handled, we are working, it is a good case out of Phoenix.
- Q. Who would those officials have been?
- A. Well, the director had come down, the deputy director had come down, the deputy associate director had come down.
- Q. Who is that?
- A. Bill McMahon. This assistant director for field operations, that is the guy who is in charge of all agents.
- Q. Mark Chait?
- A. Mark Chait came down. Bill Newell came down. So, yeah these guys have come down.
- Q. Multiple visits?
- A. Yeah. Some of them, multi visits and they talked, hey, yeah, we got a big case out of Phoenix.¹¹⁰

As Gil later stated, “[a]t that point . . . you just got to say, fine, these guys, they’re the leaders of this agency and they have some plan that I’m not aware of, but hopefully they have a good one.”¹¹¹

¹¹⁰ Canino Transcript, at 19-20.

¹¹¹ Gil Transcript, at 69.

B. A "Good Investigation"

The Phoenix Field Division and ATF headquarters extolled the virtues of the investigation to ATF personnel in Mexico. For example, during Acting ATF Director Kenneth Melson's 2010 spring visit, Gil's staff asked about the Phoenix case. Gil detailed Acting Director Melson's response:

- Q. And do you recall what Mr. Melson said?
- A. Generally his response was, he's aware of it, it's an ongoing investigation, it's providing some good intelligence . . . [A]ll positive as far as the investigation, it looks good. And I remember, I think Deputy Director Hoover was there. I think he turned to the deputy director and said, yeah, we'll check on it when we get back but I think it's providing some good results and we'll check on when it's going to be closed down, but my understanding it should be closed down fairly soon.¹¹²

Canino confirmed Gil's recollection:

- Q. And when any of the ATF officials came to Mexico, whether it is Melson or Hoover, do you recall briefing them? Or maybe briefing is the wrong word.
- A. Mentioning it? Sure.
- Q. Do you remember mentioning that there's a lot of firearms being tracked back to Phoenix?
- A. Mmh-hmm.
- Q. Do you remember what their response was?
- A. It was like, yeah . . . we got a case. We got a good case going on in Phoenix.

* * *

- Q. Senior people in headquarters were aware of the case and they were not as alarmed?
- A. Right.

¹¹² *Id.* at 40.

- Q. They thought it was under control, or they thought it was a great case, about to come to fruition?
- A. Correct.¹¹³

C. *Lanny Breuer and the Department of Justice*

Gil and Canino received the same message of support for Operation Fast and Furious from the Department of Justice. During a visit to Mexico, Lanny Breuer, the Assistant Attorney General for the Criminal Division demonstrated his awareness of the case:

Mr. [Breuer] kind of summed up his take on everything at the end, and one of them was that there's an investigation that ATF is conducting that looks like it's going to generate some good results and it will be a good positive case that we can present to the Government of Mexico as efforts that the US Government is taking to try and interdict weapons going into Mexico. And that was about – that was it. That was just a general statement. Myself and my deputy I believe were in the room and we kind of looked at each other. We're aware of this case, and so we assumed that's what he was mentioning. And we just wanted to make sure – we look at each other going, hope the ambassador [Carlos Pascual] doesn't ask any questions because we really don't know anything about the case. And luckily the ambassador did not.¹¹⁴

Canino also remembered a visit from Breuer where Breuer touted the Phoenix case:

- Q. And during meetings with Mr. Breuer, did this subject come up?
- A. I mean, I was in a meeting, it was a country team meeting, or it might have been a law enforcement team meeting . . . Ambassador, Mr. Breuer was there, Darren was there, Mr. Breuer . . . the Ambassador was saying hey, you know what . . . we need a big win we need some positive, some positive [firearms trafficking] cases. And Lanny Breuer says, yeah, there is a good case, there is a good case out of Phoenix. And that is all he said.

* * *

- Q. But do you remember the specific incident with the Ambassador talking about the success stories?
- A. Right.

¹¹³ Canino Transcript, at 102-103.

¹¹⁴ Gil Transcript, at 44.

- Q. And that is when Breuer mentioned this large case in Phoenix?
- A. Yeah. He said we got, there is a good case out of Phoenix.
- Q. And is it your impression that the case he was referring to is what now what you now know to be Fast and Furious?
- A. Yeah, when he said, I thought, oh, okay . . . he knows. He knows about this case.¹¹⁵

The Department of Justice, and more specifically, Assistant Attorney General Lanny Breuer, clearly knew about Operation Fast and Furious. Further, the Department of Justice's Office of Enforcement Operations (OEO) approved numerous of the wiretap applications in this case. These applications were signed on behalf of Assistant Attorney General Breuer in the spring of 2010. Instead of stemming the flow of firearms to Mexico, Operation Fast and Furious arguably contributed to an increase in weapons and violence.¹¹⁶

Additionally, the United States Attorney's office in Arizona – another DOJ component – was inextricably involved in supervising Operation Fast and Furious as the office was part of a prosecutor-led and OCDEF funded strike force.¹¹⁷ According to many agents, the U.S. Attorney's office's intimate day-to-day involvement was to the detriment of ATF's Phoenix Field Division. Furthermore, although DOJ knew about the operation, it kept key people who needed this information in the dark.¹¹⁸

D. Still in the Dark

By their own accounts, members of the senior leadership of both ATF and DOJ wanted a big firearms trafficking case to demonstrate success in combatting Mexican cartels. Despite this goal, they failed to provide specifics of the case to both Mexican officials and ATF personnel stationed in Mexico. As the chief ATF advisor in Mexico, Gil found this lapse of information sharing embarrassing.¹¹⁹

As Attaché in Mexico, Gil needed to be aware of ATF operations that impacted Mexico. Nevertheless, his own agency intentionally withheld critical details of the tactics and strategy behind Operation Fast and Furious. Gil did not even know the name of the operation until January 2011:

- Q. And generally, it would have been your job to approve operations that involved Mexico given your position as the attaché?

¹¹⁵ Canino Transcript, at 22-23.

¹¹⁶ See Section IV *supra*, page 8 for a detailed discussion of the flow of weapons to Mexico and the increased violence as a result.

¹¹⁷ Briefing Paper, Phoenix Field Division, 785115-10-0004 (Jan. 8, 2010).

¹¹⁸ See *supra* Section V.B.

¹¹⁹ Gil Transcript, at 45.

- A. Correct. Any activity regarding certain ATF in Mexico should have come through the ATF attaché's office in Mexico, and certainly any investigative activity should have been brought to the attention of the office.

* * *

- A. Again, I was aware there was an investigation, but I wasn't aware of the particulars of the investigation.¹²⁰

According to Gil, ATF leadership withheld information from him and other ATF agents in Mexico because of a fear that they would brief the Government of Mexico on the investigation and would jeopardize Operation Fast and Furious:

- Q. Did anyone ever tell you, this is sensitive and we can't let the Government of Mexico know about this case?

- A. Yeah, in one of my conversations – it was probably more than one, but certainly one that I recall, because it was so out of character, but . . . what our impression was in Mexico was it's a high level investigation. We understand the security issues of it. There's a Title 3 going on. So we all assume it's probably a corrupt Federal Firearms Licensee or more or others, and maybe they do have a connection that's flowing weapons there and they're working on it.

But at some point, okay, you haven't gotten the information by this time . . . you need to shut it down just for safety and security reasons. So that was the assumption we had.

* * *

Well, they're worried the Mexicans are going to get – the Government of Mexico would get it and it would ruin their investigation. All right, so let us know. Well . . . they're afraid that you'll either willingly or unknowingly release this information to your GOM counterparts.

Okay, well, how about letting me know as the attaché. Well, they're afraid that you'll do the same. And at that point . . . I called my folks and I said, look, they say they have it under control, all we can do is continue our mission down here and work towards our objectives and hopefully this investigation will bear fruit down the road that everybody is going to be happy with.

¹²⁰ *Id.* at 111-112.

But the problem we had, and I noted in my interview, was that these weapons are being recovered in violent crime scenes of Mexican law enforcement interacting with cartels or Mexican military officials interacting with cartels. And these guns are going to come back in the murder of some of these officials and we're going to have some explaining to do.¹²¹

Ultimately, ATF leadership's withholding of information worked against its own representatives in Mexico. This realization was a source of major irritation and frustration for Gil:

Q. Is it inconceivable to you that you were not a part of these discussions?

A. Again, I've repeatedly said I was very frustrated down there. And so that answer is, yes, I was very frustrated because I was not part of the ongoing investigation.

Q. So when you're told about a bigger picture, when you're told about a more sophisticated case, you hear [Lanny Breuer] referencing an ATF case, which is presumably this case. . . . At any point in time did you say, why am I not read into this case? Why am I not a party to these conversations?

A. Sure. Myself, my deputy, my staff, we were all frustrated. We didn't understand it. We understand the concept to keep secret investigations, that if you leak something potentially that it could get corrupt the case or get somebody . . . unfortunately get somebody hurt or killed. We understand that, but as I said, one of my screaming matches was over this issue that, okay, you don't want us to -- okay, if you tell me I'm not going to release anything to the Government of Mexico then I won't release it, but let me know.

When you tell me, well, we don't want to let you know because we're afraid you'll notify the ambassador or ultimately somehow the Government of Mexico is going to find out, yes, that irritates me. **And you can see why the voice level went up and the vulgar language probably came out on certain occasion because it is very, very irritating.**

Q. And you were trying to help them understand these guns are being recovered at crime scenes, these guns are in the possession of cartels, people are dying?

A. Correct.

¹²¹ *Id.* at 32-34.

Q. Is that part of your –

A. Myself, the deputy, I mean, it's like ground-hog day and – that's the best way to put it. Every time the event came up for whatever reason, maybe it was a new seizure, I was notified again, hey, when is this going to be shut down. And it's the same response that, hey, we're still working on it, it's still ongoing, we're getting some good information and we'll shut it down as soon as we can.¹²²

E. Told Operation Fast and Furious Being Shut Down

FINDING: Despite assurances that the program would be shut down as early as March 2010, it took the murder of a U.S. Border Patrol Agent in December 2010 to actually bring the program to a close.

As the ATF officials in Mexico continued to express concerns throughout 2010, ATF leadership told them the investigation would be shut down as soon as possible. Gil explained:

I queried Chief [Kumor] again . . . and that – and the ongoing discussion continued, they're aware of it, they're going to close it down as soon as they possibly can, but there's still – they think the investigation is not to the point where they can close it yet. And the discussions went on and on. It went to the point I departed Mexico.¹²³

Gil left his position as Attaché to Mexico in October 2010 and retired from the ATF just a few months later. At the time of his retirement, Operation Fast and Furious remained ongoing. Several months before Gil retired, Deputy Attaché Canino wrote to Dan Kumor with disturbing statistics:

Like I said, this is a problem. I sent an e-mail, I think it was July of 2010 . . . letting Dan Kumor know that approximately . . . the count was up to 1,900 guns in suspect gun data, 34 of which were, 34 of which were .50 caliber rifles. And I, my opinion was that these many .50 caliber rifles in the hands of one of these cartels is going to change the outcome of a battle. Dan pushed it forward. He was told, yeah, we are taking the case off in August of 2010. The case doesn't get taken off until January 25, 2011.¹²⁴

Kumor's response led Canino to believe that arrests were imminent in Operation Fast and Furious:

¹²² *Id.* at 113-115.

¹²³ *Id.* at 78.

¹²⁴ Canino Transcript, at 17.

- Q. So anyway let's talk about Danny Kumor telling you it is going to be closed down. You send him in the e-mail in July?
- A. He says, hey, I talked to Bill McMahon, Bill McMahon said they are taking the case down in August.
- Q. What did that mean to you? What was your understanding?
- A. That they were going to shut the case down and make arrests.
- Q. Now, at that point you still didn't know that they were gun walking?
- A. I never knew, I never believed it until this past April. Even after I . . . talked to other guys in intel.
- Q. Just to go back to this. So when they said they are going to close the case down, what did you interpret that to mean? What was they were shutting down?
- A. They were going to start making arrests. Now . . . through the fall, late fall, and I have been talking to Bill.
- Q. Bill Newell?
- A. Bill Newell, and Bill told me, hey, Carlos, we are going to probably take this down you know we are trying to take it down, I think he said December or so . . . Novemberish. . . . This is right around October . . . November, December we are going to take this down . . . then, the Terry murder happens.¹²⁵

The first arrest finally came in December 2010, immediately after Agent Terry's murder. More followed a few weeks later in January 2011. Prior to these arrests, Canino and the other ATF agents in Mexico continued to urge ATF leaders to shut down Operation Fast and Furious to no avail. Canino testified:

Like I said, right around after somebody told me the figure was 1,200 guns . . . there's a case out of Phoenix. . . . They'll take it off when they take it off. We're concerned. . . . I've made my concerns up the chain . . . sent that e-mail in July. I'm told they're going take it off in August. From September nothing, October October, November, Bill Newell says, I'm going to start taking this off. . . . October, November. December comes around, Agent Terry happens. They take it off in January, end of January.¹²⁶

¹²⁵ *Id.* at 95.

¹²⁶ *Id.* at 123.

Kumor testified about his conversation with Deputy Assistant Director William McMahon about shutting down Operation Fast and Furious:

- Q. But he did suggest to us in an interview we did that at least in part he was telling you we've got to shut that case down, we've got to shut that case down?
- A. Oh, yeah, we've had those discussions.
- Q. But that got heated as well. He was very animated about needing to shut this case down?
- A. And if we did which is very possible and I'd say I agree with you a hundred percent but it's not my call, and I've already made those concerns known . . . to Bill [McMahon], and it's not – I don't have the authority to do it. And I said, matter of fact, whoever comes down or if you want to pick up the phone, you can tell them and see if you get anywhere with them. But the bottom line is that they're saying that the U.S. attorney's office is not going to authorize them to arrest these people. And, again, they're up on a wire and they're trying to put this case together.
- Q. And when you say "Bill," you mean McMahon?
- A. Yes.¹²⁷

F. Concerns Communicated to Deputy Assistant Director McMahon

Despite Dan Kumor's testimony to the Committees' investigators, Deputy Assistant Director for Field Operations William McMahon tried to minimize his knowledge of the concerns expressed by ATF agents in Mexico to their supervisors at Headquarters during his testimony to the Committees:

- Q. What about Mr. Kumor? Did he express any concerns about this case?
- A. Not that I remember.
- Q. Essentially you were having two direct reports –
- A. Uh huh.
- Q. Expressing major concerns about this case to you.

¹²⁷ Transcribed Interview of Daniel Kumor, Transcript at 39, July 13, 2011 (on file with author) [hereinafter Kumor Transcript].

- A. I did?
- Q. Yes, Mr. Kumor and Mr. Rowley. That doesn't ring a bell?
- A. No, it doesn't. Them expressing concerns?¹²⁸

A December 17, 2009 e-mail from Bill Newell indicates that he intended to brief McMahon about Ray Rowley's concerns regarding weapons showing up in Mexico in great numbers.¹²⁹

¹²⁸ Transcribed Interview of William McMahon, Transcript at 38, June 28, 2011 (on file with author) [hereinafter McMahon Transcript].

¹²⁹ E-mail from Bill Newell to Dave Voth December 17, 2009 (HOCR ATF – 000906).

From: Newell, William D.
Sent: Thursday, December 17, 2009 11:45 AM
To: Gillett, George T. Jr.
Cc: Voth, David J.
Subject: Re:

Well done, thank you. I will address Ray's concerns with McMahon.
 Bill Newell
 Special Agent in Charge
 ATF Phoenix Field Division (AZ and NM)

NOTICE: This electronic transmission is confidential and intended only for the person(s) to whom it is addressed. If you have received this transmission in error, please notify the sender by return e-mail and destroy this message in its entirety (including all attachments).

From: Gillett, George T. Jr.
To: Newell, William D.
Cc: Voth, David J.
Sent: Thu Dec 17 13:27:49 2009
Subject:
 Bill-

OSII has not yet finished a link diagram on this investigation. Therefore, there is no "chart" in existence diagramming this investigation. Lorren Leadmon and crew are currently working on such a link-diagram chart, but it is not yet complete. Mr. Leadmon did have a power point that gave an overview of the case and that has been forwarded to GS Voth. However, that power point is about 1 week old, so the info is already a bit dated. GS Voth and Mr. Leadmon are speaking on a regular basis, so the lines of communication are now the equivalent of the proverbial fire hose. During one of their conversations, Lorren told Voth that Ray Rowley received a briefing on the investigation this week and mentioned the possibility of needing to shut the investigation down due to the large number of guns that have already been trafficked. Therefore, I spoke with Ray Rowley today and explained that even though the identified straw-purchasers bought approximately 175 guns last week alone, we have slowed down the FFL on future purchases and are obtaining intelligence directly related to this investigation from the current DEA wire tap. Ray did express some concern regarding the total number of guns that have been purchased by this straw-purchase scheme. I cautioned Ray on not doing any type of informal calculations on purchase numbers as that likely will result in double counting of firearms (counting purchased guns as well as recovered guns). I have also advised that we will slow the purchasers down as much as possible, but we have not identified the network yet. The result will be that the responsible conspirators will have new straw-purchasers operational before we complete the booking paperwork. I have asked Ray to consider me his direct point of contact on any future questions and/or concerns and I will do the same with him. I have also spoken with Kevin O'Keefe today and maintain those lines of communication.

As for plans to proceed, I have asked Mr. Voth to begin preparing a white paper that outlines progress to date as well as a plans for proceeding with the investigation. I know that he wants to take the information from the DEA wire and spin it off on a wire involving these subjects. I have also asked Mr. Voth to prepare a list of resources that HQ can provide (personnel and equipment) to support this investigation. I will keep you posted as things arise.

George T. Gillett
 Assistant Special Agent in Charge
 ATF - Phoenix Field Division

In his testimony, Kumor noted that he lacked the authority to shut down this investigation, but he reiterated that he raised the concerns expressed to him by ATF agents in Mexico with McMahon:

- Q. And you and Gil were in agreement that this was concerning, and you supported him in his view that something ought to be done –
- A. Yes, once they started showing up, absolutely.
- Q. But you didn't have the authority to do it?

- A. No.
- Q. However, you did raise those concerns with Bill McMahon?
- A. Yes.¹³⁰

Kumor specifically refuted McMahon's testimony to the Committees' investigators about these events:

- Q. So if McMahon said to us that you never raised these concerns with him, that wouldn't be completely honest, right?
- A. That I never raised them?
- Q. Right.
- A. That's false. That's not true.
- Q. So you did raise these concerns on multiple occasions with Mr. McMahon?
- A. I did. I raised the issue of the fact that these weapons had been had started showing up and . . . what are we going to do? What's going on? Obviously if they're showing up in Mexico, that's a problem.
- Q. How early did you raise that with him as far as the best you can recall?
- A. When this thing first started. When this case first started that you're going to have . . . I know in March when they were showing the screen and how many guns were involved.
- Q. March of 2010?
- A. March of 2010, yes.
- Q. And McMahon was at that meeting?
- A. I believe he was.
- Q. So he saw all these guns?
- A. Right.

¹³⁰ Kumor Transcript, at 39-40.

- Q. Did he ever express to you that's a concern of his?
- A. Yeah, I think we've had – we had discussions where he was concerned as well. But, again, it kind of came back to . . . our hands are tied. The U.S. attorneys' office is not going to charge these guys . . . [T]hey want to go up on a wire, so they're going up on a wire, and they're going to do the case that way. So from my standpoint, I was like, well . . . the U.S. attorney's office is involved. . . . Newell is running the case. You're aware of it.¹³¹

VII. Reaction of ATF Officials in Mexico

FINDING: ATF officials in Mexico finally realized the truth: ATF allowed guns to walk. By withholding this critical information from its own personnel in Mexico, ATF jeopardized relations between the U.S. and Mexico.

When Special Agent John Dodson and the other ATF whistleblowers first came forward with allegations that guns were walked across the Mexican border during Operation Fast and Furious, Canino and Gil refused to believe them. Gil and Canino could not believe that the ATF would actually utilize a tactic that contravened the training and field experience of every ATF agent. Gil and Canino, the top two ATF officials in Mexico, could not even conceive that ATF would employ a strategy of allowing weapons transfers to straw purchasers. As Canino testified:

- Q. So at no time did you think [gunwalking] was a deliberate effort or part of a strategy?
- A. No. That was, like I said, in 21 years as an ATF agent, as a guy who teaches surveillance techniques, as a guy who teaches agents how to conduct field operations, **never in my wildest dreams ever would I have thought that this was a technique. Never. Ever. It just, it is inconceivable to me.**¹³²
- Q. And that is because of the dangers involved?
- A. Just – you don't do it. You don't wa[lk] guns. You don't wa[lk] guns. . . . **You don't lose guns. You don't walk guns. You don't let guns get out of your sight.** You have all these undercover techniques, all these safety measures in place so guns do not get out of your custody or control. I mean, I mean, you could follow, you could do a surveillance for 1,000 miles . . . either use planes, trackers, you use everything under the sun, but at the end of the

¹³¹ *Id.* at 41-43.

¹³² Canino Transcript, at 12.

day, those guns do not leave your control. At some point those guns do not get into the streets.¹³³

Gil felt the same way as Canino:

...And so the – to me, when I first heard this going on in the media about the potential for ATF letting guns walk, **it was inconceivable. I didn't want to believe it. It just – it would never happen. Everybody knows the consequences on the other end of . . .** these guns aren't going for a positive cause, they're going for a negative cause. The term "guns walking" didn't exist in my vocabulary.¹³⁴

In fact, Canino – an instructor for field operations and undercover operations for ATF since 1998, and a founding member and teacher of the ATF enhanced undercover training program – felt so confident that these allegations were false, that he began assuring people that the allegations had no merit:

Never, it is just, you don't do that. It is not – **what these guys did was basically grab the ATF rule book on trafficking and threw it out the window. This is indefensible. It is indefensible.** The ATF does not do this. . . . I owe people apologies because when this first came out, I did not believe it.

* * * *

[W]hen this first broke, I said there is no way this happened. . . . [M]y boss told me, hey, Carlos don't be so vocal about this . . . wait, wait to see what happens. I told him, I said, boss, we didn't do this. **He said how are you so sure? I said because we don't teach this, this is not how we are taught.**¹³⁵

Dan Kumor remembers cautioning Canino about being too quick to deny the allegations. As Canino's supervisor, Kumor did not want him to potentially have to retract false and misleading comments made to his Mexican counterparts. As somebody stationed in ATF headquarters, Kumor may have known there could be some merit to the allegations:

And I said . . . but I told Carlos, I said . . . until we find out what's going on, I wouldn't be – if we get questions about what happened, we're going to have to direct all that to the Phoenix field division or field ops because we don't know. And the last thing I want to do is represent or have you guys represent to the Mexicans or anybody else that, hey . . . there's no issues with any of this case.

¹³³ *Id.* at 12-13.

¹³⁴ Gil Transcript, at 48.

¹³⁵ Canino Transcript, at 13-14.

We don't know, and I don't want that coming back later because that would certainly be an issue with them as far as their reputations and their ability to be able to operate in the future down there.¹³⁶

As more information came to light, however, Gil and Canino concluded that hundreds and hundreds of guns had been walked. These guns ended up in at crime scenes in Mexico, about which Gil and Canino received extensive briefings. Gil and Canino became incensed when they finally began to learn about the full scope of Operation Fast and Furious and the investigative techniques involved:

- Q. When you first got the impression that this was part of a strategy to let guns walk into Mexico, what was your reaction to that strategy?
- A. I wasn't convinced that this happened until this past April after all the allegations were made, and I talked to different people. **I was beyond shocked. Embarrassed. I was angry. I'm still angry. Because this is not what we do.**

* * *

That is, I mean, **this is the perfect storm of idiocy.** That is the only way I could put it. This is, I mean, this is inconceivable to me. This is group think gone awry. You know what General George Patton says, if we are all thinking alike, then nobody is thinking. Right? Nobody was thinking here. How could anybody think, hey, let's follow, I mean there is a guy in this case that bought over 600 guns. At what point do you think you might want to pull him aside and say, hey, come here for a second.¹³⁷

When Canino himself uncovered hard evidence that ATF had allowed the guns to disappear from their surveillance he understood the whistleblower allegations were true:

- Q. Okay, and take us through what happened in April.
- A. I was here on a visit to headquarters.
- Q. Alcohol, Tobacco and Firearms headquarters?
- A. Alcohol, Tobacco and Firearms headquarters, and I was, I was looking at a, the management log on this case. **And the first two pages, if I'm not mistaken, there are entries there that chronicle us walking away on three separate occasions from stash houses.**

¹³⁶ Kumor Transcript, at 98-99.

¹³⁷ Canino Transcript, at 17-19.

- Q. And did that sound to you incredible?
- A. I stopped reading.
- Q. So you only got through two pages of this management log?
- A. Yeah.
- Q. And then you couldn't read it any longer?
- A. Didn't want to.
- Q. Because you were so upset?
- A. Yes.
- Q. And you were upset because walking away from three stash houses struck you as so outrageous?
- A. Walking away from one, walking away from one gun when you know that that gun is going to be used in a crime when you, I mean, there is no, **there was no gray area here guys. There was no gray area here.** We knew that these guys were trafficking guns into Mexico. **There is no gray area.** They weren't trafficking, [the] guys weren't going out and buying two Larson 22 pistols. These guys were buying 7.62, 223's, .50 caliber rifles, okay, there was no mistake about this. **This is no gray area.**¹³⁸

Gil realized the full scope of Operation Fast and Furious only after he retired from ATF. It took the public allegations of the whistleblowers and contacts with his former colleagues for Gil to fully comprehend the tactics used in Operation Fast and Furious:

- Q. Now, when you were speaking with [a Congressional investigator] you indicated that you learned about the specific tactics of operation Fast and Furious. Can you remind us when that was?
- A. It was after I retired. It was after the shooting of Border Patrol Agent Terry. I started getting phone calls saying, hey, this is – there is something to this thing, these guns were knowingly allowed into Mexico. And so that was the first knowledge that I had about the potential allowing guns to go into Mexico.
- Q. And how did you become aware of that?

¹³⁸ *Id.* at 25-26.

- A. Several phone calls from agents, speaking to my deputy or my former deputy, Carlos [Canino], who I remained in contact with. Seeing Agent Dodson on TV and getting phone calls primarily. And then I was contacted by several media sources including CBS.¹³⁹

After realizing that ATF had let guns walk, Gil's concerns turned to the safety of ATF agents in Mexico:

- Q. And I believe you mentioned that in the aftermath of Agent Dodson's interview on CBS, you had concerns about your former agents in Mexico. What were – what were the concerns you had for them?
- A. I had spoken to my deputy primarily and he mentioned that, obviously, the Government of Mexico, our counterparts are not happy with this situation. It made it tough for them that . . . didn't want to work with them. It's like, hey, we can't trust you, you guys are allowing these guns to come in. Inside the embassy because the **Government of Mexico was irritated with us, they held that against the other agencies within the embassy**, maybe slowing down Visas to allow personnel to come in and work in Mexico. . . Obviously **the ambassador** probably, I didn't speak -- I haven't spoken to him since I left the country, but my understanding is he **wasn't happy about it**. And so there might have been some friction there between the acting attaché', Carlos [Canino], and him. And so it was several conflicts going on. And, again, they just started looking at the articles and the bloggers and some of the media reports in Mexico that the ATF was corrupt, and we were taking kickbacks to allow these weapons to come in, which puts a big zero – crossbar on my guys' backs down there.
- Q. When you say crossbar?
- A. I'm sorry, I should clarify that.
- Q. Sure.
- A. Puts a mark on their back, for instance, targets for not only corrupt cartel members to find out who they are and kidnap or kill, which is some of the unfortunate areas I had to deal with down there. And then – or **Government of Mexico officials not happy and . . . they may arrest you, indict you, take away your Visa and**

¹³⁹ Gil Transcript, at 81-82.

throw you out of the country. So there's all these things going on down there amongst my former crew.¹⁴⁰

VIII. Persistent Consequences of Operation Fast and Furious

FINDING: The high-risk tactics of cessation of surveillance, gunwalking, and non-interdiction of weapons that ATF used in Fast and Furious went against the core of ATF's mission, as well as the training and field experience of its agents. These flaws inherent in Operation Fast and Furious made tragic consequences inevitable.

A. The Murder of Mario Gonzalez Rodriguez

On October 21, 2010, drug cartel members kidnapped Mario Gonzalez Rodriguez from his office. At the time of the kidnapping, his sister Patricia Gonzalez Rodriguez was the Attorney General of the state of Chihuahua in northwestern Mexico. A few days after the kidnapping, a video surfaced on the Internet in which Mario Gonzalez Rodriguez sat handcuffed, surrounded by five heavily armed men wearing masks, dressed in camouflage and bullet-proof vests. Apparently under duress, Rodriguez alleged that his sister had ordered killings at the behest of the Juarez cartel, located in Chihuahua.¹⁴¹ The video quickly went viral, instantly becoming a major news story in Mexico.

Patricia Gonzalez Rodriguez denied her brother's allegations, claiming the armed men holding him hostage coerced Mario into making his statements. Patricia Gonzalez Rodriguez asserted her brother's kidnapping was payback for the prosecutions of members of the Sinaloa cartel and corrupt Mexican law enforcement officers. Ms. Rodriguez left her post as attorney general later that month.

On November 5, 2010, Mexican authorities found Mario Gonzalez Rodriguez's body in a shallow grave.¹⁴² Shortly after this grisly discovery, the Mexican federal police engaged in a shootout with drug cartel members, which resulted in the arrest of eight suspects. Police seized sixteen weapons from the scene of the shootout. Two of these weapons traced back to Operation Fast and Furious.¹⁴³

E-mails obtained by the Committees indicate that ATF knew about the link to Operation Fast and Furious almost immediately after the trace results came back. A November 15, 2010 e-mail from ATF's OSII to the Phoenix Field Division alerted Phoenix that two of the recovered AK-47s weapons traced back to Operation Fast and Furious.¹⁴⁴ A number of employees from

¹⁴⁰ *Id.* at 82-84.

¹⁴¹ Kim Murphy, *U.S. AK-47s Linked to Mexican attorney's slaying*, L.A. TIMES, June 23, 2011, available at <http://articles.latimes.com/2011/jun/23/nation/la-na-gunrunner-20110623>.

¹⁴² Maggie Ybarra, *8 Held in Death of Ex-Chihuahua AG's Brother*, EL PASO TIMES, November 5, 2010, available at http://www.elpasotimes.com/news/ci_16537620.

¹⁴³ Email from Tonya English to David Voth, November 15, 2010 (HOCR ATF – 001792).

¹⁴⁴ *Id.*

OSII contacted their colleagues in Phoenix to alert them of this connection. OSII agents also told ATF personnel in Mexico.¹⁴⁵

Carlos Canino informed ATF headquarters about the link between the Gonzalez murder and the subsequent shootout to Fast and Furious. However, no one authorized Canino to inform the Mexican government about the connection.

Q. Who did you mention it to?

A. I mentioned it to the Director.

Q. That's Acting Director Melson?

A. Yes. I mentioned it to Billy Hoover, I mentioned it to Mark Chait, I mentioned it to Bill McMahon, I mentioned it to my boss Danny Kumor.

* * *

A. I remember at least two times when I mentioned it to them. I said one of us – look, here's what happened. Okay, this woman is a prominent politician.

Q. This is Miss Patricia Gonzalez?

A. Right.

Q. She's no longer a –

A. No longer, right. . . [T]his is front page news for days in Mexico, we need to tell them this, because if we don't tell them this, and this gets out, it was my opinion that the Mexicans would never trust us again because we were holding back this type of information. **And every time I mentioned it.. guys started looking at their cell phones, silence in the room, let's move on to the next subject.** . . . I wasn't told, yea, tell her, but I was never told, no, you can't tell her. I was never told that. It was just indecision.

Q. So you were getting no instructions at all?

A. Zero instructions.¹⁴⁶

¹⁴⁵ Interview with Lorren Leadmon, Intelligence Operations Specialist, in Wash., D.C., July 5, 2011.

¹⁴⁶ Canino Transcript, at 31-32.

Acting Attaché Canino continued to feel strongly that the Mexican government should be informed of the link between the Mario Gonzalez murderers and Operation Fast and Furious. He also believed that, given the seriousness of the information and the negative fallout that would likely ensue, ATF headquarters should share this information with the U.S. Ambassador to Mexico.¹⁴⁷

The rapidly escalating media scrutiny would eventually expose the connection between the Mario Gonzalez Rodriguez murderers and Operation Fast and Furious. In Canino's view, sharing this information directly with Mexican officials before the press exposed it was of paramount importance to preserve U.S.-Mexico relations and the ability of ATF personnel to operate in Mexico. Not until June 2011, nearly eight months after ATF became aware of the link between Operation Fast and Furious and the guns recovered following the shootout, did Canino notify the Mexican government:

Q. And why did you do that [tell Ms. Morales]?

A. I communicated that to the Mexican Attorney General Maricela Morales because I did not want her to find out through media reports where these guns had come from. I wanted her to find out from me, because she is an ally of the U.S. Government. She is committed to fighting these cartels, she is a personal friend, and I owe her that.

Q. That courtesy?

A. I owe her that courtesy, absolutely.

* * *

Q. And even though you really didn't get permission – well, I guess Mr. Kumor sort of approved, but no one else really did?

A. Right.

Q. But you still decided that it was important for you to disclose that information?

A. **If I hadn't told the Attorney General this, and this had come out in the news media, I would never be able to work with her ever again, and we would be done in Mexico.** We just might as well pack up the office and go home.

Q. So the fact that these guns traced back to this program Fast and Furious has the potential, perhaps even did, to create an international incident?

¹⁴⁷ *Id.* at 32.

- A. This has already created an international incident.
- Q. But this is even more personal?
- A. When the Mexican media gets ahold of this, it's going to go crazy.
- Q. By "this" you're talking about the tracing to the death of Mario Gonzalez?
- A. Absolutely.

* * *

- Q. Now, what was her reaction when you told her?
- A. She was shocked.
- Q. Did she say anything, exclaim anything?
- A. **She said, "Hijole," which translates basically into, "Oh, my."**
- Q. Oh, my God? Oh, my?
- A. Yeah.¹⁴⁸

The failure to inform the Mexican government earlier risked possible international implications. This failure to inform is another example of ATF leadership withholding essential information related to Operation Fast and Furious.

B. The Mexican Helicopter Incident

A May 2011 shootout between Mexican police and cartel members demonstrates the broadening impact of Operation Fast and Furious. On May 24, 2011, La Familia DTO gunmen forced a Federal Police helicopter to make an emergency landing in the state of Michoacan, located in western Mexico.¹⁴⁹ The gunmen attacked the helicopter, wounding two officers on board and forcing the aircraft to land near the scene of the attack.¹⁵⁰ Canino described the event:

- A. I think it was on May 24th the Mexican Federal Police mounted an operation against members of La Familia.

¹⁴⁸ *Id.* at 30-31, 33.

¹⁴⁹ "Drug Gunmen Force Down Mexican Police Helicopter," *AP*, May 25, 2011, available at <http://www.signonsandiego.com/news/2011/may/25/drug-gunmen-force-down-mexican-police-helicopter/>.

¹⁵⁰ *Id.*

- Q. That's a drug cartel?
- A. Right. In the State of Michoacan. When the Mexican Federal Police was deploying its troops via helicopter, they came under fire from members of La Familia. I believe in the May 24th incident two crewmen were hit.
- Q. These were soldiers or policemen?
- A. Policemen, Federal policemen. They were hit. The helicopter flew off. My understanding is that that helicopter could have made it back to the base under its own power; however, it landed to render aid to the injured people on board.¹⁵¹

On May 29, 2011, the federal police launched a massive raid on the La Familia DTO. During the raid, cartel gunmen again attacked Federal Police helicopters and wounded two more officers:

- A. Fast forward to May 29th. Again, the Mexican Federal Police mount another operation. I believe this time it was in the State of - I need to look at a map. Anyway, it was a bordering State.
- Q. Okay.
- A. They were coming in. Members of La Familia cartel engaged – there were four helicopters – engaged them. I believe all four helicopters were struck by fire. Mexican Federal Police returned fire from the helicopters; able to suppress the fire coming in, offloaded, and the helicopters all flew back, and they were back in service within a few days.
- Q. Now, was there any people hurt on the ground, any deaths?
- A. I believe in the second operation, I believe ... Mexican Federal Police killed, I believe either 11 or 14 people.¹⁵²

The raid resulted in the deaths of 11 cartel members and the arrest of 36 cartel members, including those suspected of firing on the helicopter several days earlier. Authorities also found a cache of more than 70 rifles at the scene, including a Barrett .50 caliber rifle. Some of these weapons traced back to Operation Fast and Furious.¹⁵³ Mexican police also found a stash of heavy-duty body armor belonging to the cartels. This was the first time ATF in Mexico had seen

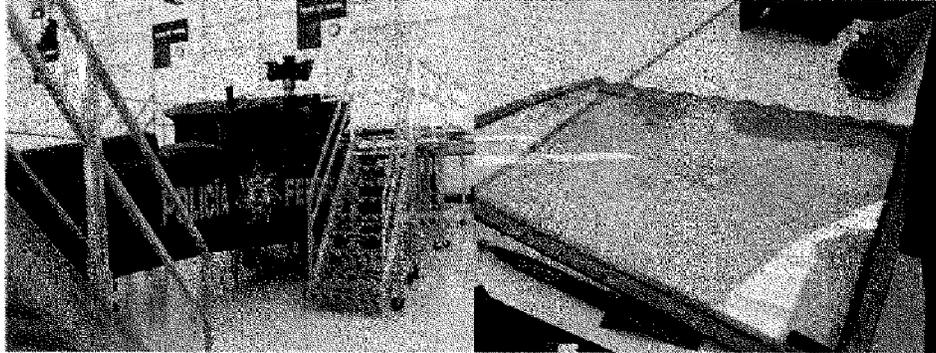
¹⁵¹ Canino Transcript, at 34.

¹⁵² *Id.* at 34.

¹⁵³ *Id.* at 35.

such body armor in the hands of the cartels. Along with the Barrett .50 caliber rifles, these vests symbolized a new level of sophistication in cartel weaponry.¹⁵⁴

During a trip to Mexico City on June 25, 2011, Members and staff from the U.S. House of Representatives Committee on Oversight and Government had an opportunity to visually inspect the damaged helicopter.¹⁵⁵ Several bullet holes were evident on the body of the aircraft, and one round from a .50-caliber rifle penetrated the thick “bullet proof” glass windshield.



The downed helicopter incident and subsequent police raid resulted in the recovery of Operation Fast and Furious weapons that may have been used against the Mexican police. Barrett .50 caliber rifles provide a significant upgrade to the cartels' ability to inflict serious damage and casualties on their enemies. As Canino testified:

[T]he count was up to 1,900 guns [associated with Fast and Furious] in suspect gun data, 34 of which were, 34 of which were .50 caliber rifles. And I, my opinion was that these many .50 caliber rifles in the hands of one of these **cartels is going to change the outcome of a battle.**¹⁵⁶

Previously, weapons had been linked back to the Sinaloa cartel and members of the El Teo organization, an off-shoot from the Beltrán -Leyva cartel. La Familia DTO is the third cartel connected to Operation Fast and Furious weapons. The May 24, 2011 shooting shows that Operation Fast and Furious weapons may be found in a broader geographic area than the territory controlled by the Sinaloa DTO.¹⁵⁷ This spread of Operation Fast and Furious weapons may place an even greater number of Mexican citizens in harm's way.

¹⁵⁴ Canino Transcript, at 36.

¹⁵⁵ Report from United States Embassy staff about Congressional Visit, June 25, 2011 (on file with author).

¹⁵⁶ Canino Transcript, at 17.

¹⁵⁷ See Areas of Cartel Influences in Mexico, *supra* page 19.

IX. Conclusion

According to the Justice Department's July 22, 2011 response to Questions for the Record posed by Senator Grassley, Fast and Furious suspects purchased 1,418 weapons *after* becoming known to the ATF.¹⁵⁸ Of those weapons, 1,048 remain unaccounted for, since the Department's response indicates that the guns have not yet been recovered and traced.¹⁵⁹ U.S. and Mexican law enforcement officials continue to seize weapons connected to the operation and recover weapons at crime scenes on both sides of the border. Given the vast amount of Operation Fast and Furious weapons possibly still in the hands of cartel members, law enforcement officials should expect more seizures and recoveries at crime scenes. According to several agents involved in Operation Fast and Furious, ATF agents will have to deal with these guns for years to come.¹⁶⁰

Some aspects of Operation Fast and Furious may ultimately escape scrutiny given the difficulties of tracing weapons recovered in Mexico. The possibility remains for more high-profile deaths linked to Operation Fast and Furious. Canino bluntly described his reaction to that possibility:

- Q. When you first got the impression that this was part of a strategy to let guns walk into Mexico, what was your reaction to that strategy?
- A. The guys in Mexico will trace those . . . I'm beyond angry. Brian Terry is not the last guy, okay, guys? Let's put it out there right now. Nobody wants to talk about that. Brian Terry is not the last guy unfortunately. . . . **Unfortunately, there are hundreds of Brian Terrys probably in Mexico . . . we ATF armed the [Sinaloa] cartel. It is disgusting.**¹⁶¹

The faulty design of Operation Fast and Furious led to tragic consequences. Countless United States and Mexican citizens suffered as a result. The lessons learned from exposing the risky tactics used during Operation Fast and Furious will hopefully be a catalyst for better leadership and better internal law enforcement procedures. Any strategy or tactic other than interdiction of illegally purchased firearms at the first lawful opportunity should be subject to strict operational controls. These controls are essential to ensure that no government agency ever again allows guns to knowingly flow from American gun stores to intermediaries to Mexican drug cartels.

¹⁵⁸ Letter from Ronald Weich, Asst. Att'y Gen., U.S. Dep't of Justice, to Senator Patrick Leahy, Chairman, Senate Jud. Comm., July 22, 2011, 13.

¹⁵⁹ *Id.* at 14.

¹⁶⁰ See Casa Transcript, at 17; see also *Operation Fast and Furious: Reckless Decisions, Tragic Outcomes*, 111th Cong. 44 June 14, 2011 (statement of Peter Forcelli, ATF Special Agent).

¹⁶¹ Canino Transcript, at 17-19.

MINORITY VIEWS

Report of the Committee on Oversight and Government Reform**Resolution Recommending that the House of Representatives Find Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Government Reform**

On June 20, 2012, the Committee adopted on a strictly party-line vote a report and resolution (hereinafter "Contempt Citation") concluding that Attorney General Eric H. Holder, Jr., the chief law enforcement officer of the United States, should be held in contempt of Congress for declining to produce certain documents pursuant to the Committee's investigation of "gunwalking" during Operation Fast and Furious and previous operations.

Committee Democrats were unanimous in their opposition to the Contempt Citation. These dissenting views conclude that Congress has a Constitutional responsibility to conduct vigorous oversight of the executive branch, but that holding the Attorney General in contempt would be an extreme, unprecedented action based on partisan election-year politics rather than the facts uncovered during the investigation.

These views find that the Committee failed to honor its Constitutional responsibility to avoid unnecessary conflict with the executive branch by seeking reasonable accommodations when possible. The Committee flatly rejected a fair and reasonable offer made by the Attorney General to provide additional internal deliberative documents sought by the Committee in exchange for a good faith commitment toward resolving the contempt dispute. Instead, the Committee has repeatedly shifted the goalposts in this investigation after failing to find evidence to support its unsubstantiated allegations.

The Contempt Citation adopted by the Committee contains serious and significant errors, omissions, and misrepresentations. To address these inaccuracies, these views hereby incorporate and attach the 95-page staff report issued by Ranking Member Elijah Cummings in January 2012, which provides a comprehensive analysis of the evidence obtained during the Committee's investigation.

I. THE COMMITTEE'S ACTIONS HAVE BEEN HIGHLY PARTISAN

The Committee's contempt vote on June 20, 2012, was the culmination of one of the most highly politicized congressional investigations in decades. It was based on numerous unsubstantiated allegations that targeted the Obama Administration for political purposes, and it ignored documented evidence of gunwalking operations during the previous administration.

During the Committee's 16-month investigation, the Committee refused all Democratic requests for witnesses and hearings. In one of the most significant flaws of the investigation, the Chairman refused multiple requests to hold a public hearing with Kenneth Melson, the former head of ATF, the agency responsible for conducting these operations.¹ The Chairman's refusal came after Mr. Melson told Committee investigators privately in July 2011 that he never informed senior officials at the Justice Department about gunwalking during Operation Fast and Furious because he was unaware of it himself.² Mr. Melson's statements directly contradict the claim in the Contempt Citation that senior Justice Department officials were aware of gunwalking because Mr. Melson briefed Gary Grindler, then-Acting Deputy Attorney General, in March 2010.³

Despite promising that he would be "investigating a president of my own party because

many of the issues we're working on began on [sic] President Bush," the Chairman also refused multiple requests for former Attorney General Michael Mukasey to testify before the Committee or to meet with Committee Members informally to discuss the origination and evolution of gunwalking operations since 2006.⁴ Documents obtained during the investigation indicate that Mr. Mukasey was briefed personally on botched efforts to coordinate firearm interdictions with Mexican law enforcement officials in 2007 and was informed directly that such efforts would be expanded during his tenure.⁵

The Committee also failed to conduct interviews of other key figures. For example, the Committee did not respond to a request to interview Alice Fisher, who served as Assistant Attorney General in charge of the Criminal Division from 2005 to 2008, about her role in authorizing wiretaps in Operation Wide Receiver, or to a request to interview Deputy Assistant Attorney General Kenneth Blanco, who also authorized wiretaps in Operation Fast and Furious and still works at the Department, but who was placed in his position under the Bush Administration in April 2008.⁶ No explanation for these refusals has been given.

During the Committee business meeting on June 20, 2012, every Democratic amendment to correct the Contempt Citation by noting these facts was defeated on strictly party-line votes.

II. HOLDING THE ATTORNEY GENERAL IN CONTEMPT WOULD BE UNPRECEDENTED

The House of Representatives has never in its history held an Attorney General in contempt of Congress. The only precedent referenced in the Contempt Citation for holding a sitting Attorney General in contempt for refusing to provide documents is this Committee's vote in 1998 to hold then-Attorney General Janet Reno in contempt during the campaign finance investigation conducted by then-Chairman Dan Burton.⁷

Chairman Burton's investigation was widely discredited, and the decision to hold the Attorney General in contempt was criticized by editorial boards across the country as "a gross abuse of his powers as chairman of the committee,"⁸ a "fishing expedition,"⁹ "laced with palpable political motives,"¹⁰ and "showboating."¹¹ That action was so partisan and so widely discredited that Newt Gingrich, who was then Speaker, did not bring it to the House Floor for a vote.¹²

Similarly, numerous commentators and editorial boards have criticized Chairman Issa's recent actions as "a monstrous witch hunt,"¹³ "a pointless partisan fight,"¹⁴ and "dysfunctional Washington as usual."¹⁵

III. THE COMMITTEE HAS HELD THE ATTORNEY GENERAL TO AN IMPOSSIBLE STANDARD

For more than a year, the Committee has held the Attorney General to an impossible standard by demanding documents he is prohibited by law from producing.

One of the key sets of documents demanded during this investigation has been federal wiretap applications submitted by law enforcement agents in order to obtain a federal court's approval to secretly monitor the telephone calls of individuals suspected of gun trafficking.

The federal wiretapping statute, which was passed by Congress and signed by President Lyndon B. Johnson on June 19, 1968, provides for a penalty of up to five years in prison for the unauthorized disclosure of wiretap communications and prohibits the unauthorized disclosure of wiretap applications approved by federal judges, who must seal them to protect against their disclosure.¹⁶ The statute states:

Each application for an order authorizing or approving the interception of a wire, oral,

or electronic communication under this chapter shall be made in writing upon oath or affirmation to a judge of competent jurisdiction. Applications made and orders granted under this chapter shall be sealed by the judge.¹⁷

Similarly, in 1940, Congress passed a statute giving the Supreme Court the power to prescribe rules of pleading, practice, and procedure in criminal cases.¹⁸ In 1946, the modern grand jury secrecy rule was codified as Rule 6(e) of the Federal Rules of Criminal Procedure, which provides for criminal penalties for disclosing grand jury information.¹⁹

The Department has explained this to the Committee repeatedly, including in a letter on May 15, 2012:

Our disclosure to this oversight Committee of some material sought by the October 11 subpoena, such as records covered by grand jury secrecy rules and federal wiretap applications and related information, is prohibited by law or court orders.²⁰

Despite these legal prohibitions, the Chairman continued to threaten to hold the Attorney General in contempt for protecting these documents. He also publicly accused the Attorney General of a "cover-up,"²¹ claimed he was "obstructing" the Committee's investigation,²² asserted that he is willing to "deceive the public,"²³ and stated on national television that he "lied."²⁴

IV. THE DOCUMENTS AT ISSUE IN THE CONTEMPT CITATION ARE NOT ABOUT GUNWALKING

The documents at issue in the Contempt Citation are not related to the Committee's investigation into how gunwalking was initiated and utilized in Operation Fast and Furious.

Over the past year, the Department of Justice has produced thousands of pages of documents, the Committee has interviewed two dozen officials, and the Attorney General has testified before Congress nine times.

In January, Ranking Member Cummings issued a comprehensive 95-page staff report documenting that Operation Fast and Furious was in fact the fourth in a series of gunwalking operations run by ATF's Phoenix field division over a span of five years beginning in 2006. Three prior operations—Operation Wide Receiver (2006-2007), the Hernandez case (2007), and the Medrano case (2008)—occurred during the Bush Administration. All four operations were overseen by the same ATF Special Agent in Charge in Phoenix.²⁵

The Committee has obtained no evidence that the Attorney General was aware that gunwalking was being used. To the contrary, as soon as he learned of its use, the Attorney General halted it, ordered an Inspector General investigation, and implemented significant internal reform measures.²⁶

After finding no evidence of wrongdoing by the Attorney General, the Committee's investigation shifted to focusing on a single letter sent by the Department's Office of Legislative Affairs to Senator Charles Grassley on February 4, 2011. This letter initially denied allegations that ATF "knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico" and stated that "ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico."²⁷

The Department has acknowledged that its letter was inaccurate and has formally withdrawn it. On December 2, 2011, the Department wrote that "facts have come to light during the course of this investigation that indicate that the February 4 letter contains inaccuracies."²⁸

Acknowledging these inaccuracies, the Department also provided the Committee with

1,300 pages of internal deliberative documents relating to how the letter to Senator Grassley was drafted. These documents demonstrate that officials in the Office of Legislative Affairs who were responsible for drafting the letter did not intentionally mislead Congress, but instead relied on inaccurate assertions and strong denials from officials “in the best position to know the relevant facts: ATF and the U.S. Attorney’s Office in Arizona, both of which had responsibility for Operation Fast and Furious.”²⁹

Despite receiving these documents explaining how the letter to Senator Grassley was drafted, the Committee moved the goalposts and demanded additional internal documents created after February 4, 2011, the date the letter to Senator Grassley was sent. It is unclear why the Committee needs these documents. This narrow subset of additional documents—which have nothing to do with how gunwalking was initiated in Operation Fast and Furious—is now the sole basis cited in the Contempt Citation for holding the Attorney General in contempt.³⁰

V. THE COMMITTEE REFUSED A GOOD FAITH OFFER BY THE ATTORNEY GENERAL FOR ADDITIONAL DOCUMENTS

The Committee failed to honor its Constitutional responsibility to avoid unnecessary conflict with the Executive Branch by seeking reasonable accommodations when possible. On the evening before the Committee’s contempt vote, the Attorney General met with Chairman Issa, Ranking Member Cummings, Senator Grassley, and Senator Patrick Leahy. The Attorney General offered to take the following steps in response to the Committee’s demands for additional documents. Specifically, the Attorney General:

- (1) offered to provide additional internal deliberative Department documents, created even after February 4, 2011;
- (2) offered a substantive briefing on the Department’s actions relating to how they determined the letter contained inaccuracies;
- (3) agreed to Senator Grassley’s request during the meeting to provide a description of the categories of documents that would be produced and withheld; and
- (4) agreed to answer additional substantive requests for information from the Committee.

The Attorney General noted that his offer included documents and information that went even beyond those demanded in the Committee’s subpoena. In exchange, the Attorney General asked the Chairman for a good faith commitment to work towards a final resolution of the contempt issue.³¹

Chairman Issa did not make any substantive changes to his position. Instead, he declined to commit to a good faith effort to work towards resolving the contempt issue and flatly refused the Attorney General’s offer.

There is no question that the Constitution authorizes Congress to conduct rigorous investigations in support of its legislative functions.³² The Constitution also requires Congress and the executive branch to seek to accommodate each other’s interests and to avoid unnecessary conflict. As the D.C. Circuit has held:

[E]ach branch should take cognizance of an implicit constitutional mandate to seek optimal accommodation through a realistic evaluation of the needs of the conflicting branches in the particular fact situation.³³

Similarly, then-Attorney General William French Smith, who served under President Ronald Reagan, observed:

The accommodation required is not simply an exchange of concessions or a test of political strength. It is an obligation of each branch to make a principled effort to ac-

knowledge, and if possible to meet, the legitimate needs of the other branch.³⁴

VI. THE COMMITTEE’S DECISION TO PRESS FORWARD WITH CONTEMPT LED TO THE ADMINISTRATION’S ASSERTION OF EXECUTIVE PRIVILEGE

After the Chairman refused the Attorney General’s good faith offer—and it became clear that a Committee contempt vote was inevitable—the President asserted executive privilege over the narrow category of documents still at issue. The Administration made clear that it was still willing to negotiate on Congress’ access to the documents if contempt could be resolved.

On June 20, 2012, Deputy Attorney General James Cole wrote to the Chairman to inform the Committee that “the President, in light of the Committee’s decision to hold the contempt vote, has asserted executive privilege over the relevant post-February 4 documents.”³⁵ An accompanying letter from Attorney General Holder described the documents covered by the privilege as limited to “internal Department documents from after February 4, 2011, related to the Department’s response to Congress.”³⁶

Claims by House Speaker John Boehner and others that the Administration’s assertion of executive privilege raises questions about the President’s personal knowledge of gunwalking reflect a misunderstanding of the scope of the privilege asserted.³⁷ Regarding the narrow subset of documents covered by the assertion, the letter from Attorney General explained:

They were not generated in the course of the conduct of Fast and Furious. Instead, they were created after the investigative tactics at issue in that operation had terminated and in the course of the Department’s deliberative process concerning how to respond to congressional and related media inquiries into that operation.³⁸

The Attorney General’s letter also explained the Administration’s legal rationale for invoking executive privilege over internal deliberative Justice Department documents, citing opinions from former Attorneys General Michael B. Mukasey, John Ashcroft, William French Smith, and Janet Reno, as well as former Solicitor General and Acting Attorney General Paul D. Clement.³⁹ The letter also quoted the Supreme Court in *United States v. Nixon*, writing:

The threat of compelled disclosure of confidential Executive Branch deliberative material can discourage robust and candid deliberations, for “[h]uman experience teaches that those who expect public dissemination of their remarks may well temper candor with a concern for appearances and for their own interests to the detriment of the decisionmaking process.” . . . Thus, Presidents have repeatedly asserted executive privilege to protect confidential Executive Branch deliberative materials from congressional subpoena.⁴⁰

VII. THE COMMITTEE FAILED TO RESPONSIBLY CONSIDER THE EXECUTIVE PRIVILEGE ASSERTION

Despite requests from several Committee Members, the Committee did not delay or postpone the business meeting in order to responsibly examine the Administration’s assertion of executive privilege and determine whether it would be appropriate to continue contempt proceedings against the Attorney General.

Instead of following the example of previous Committee Chairmen who put off contempt proceedings in order to conduct a serious and careful review of presidential assertions of executive privilege, Chairman Issa stated that “I claim not to be a constitutional scholar” and proceeded with the contempt vote.⁴¹

In contrast, former Committee Chairman Henry Waxman put off a contempt vote after President George W. Bush asserted executive privilege in the investigation into the leak of the covert status of CIA operative Valerie Plame.⁴² He took the same course of action after President Bush asserted executive privilege over documents relating to the Environmental Protection Agency’s ozone regulation on the same day as a scheduled contempt vote. At the time, he stated:

I want to talk with my colleagues on both sides of the aisle about this new development. I want to learn more about the assertion and the basis for this assertion of the executive privilege.⁴³

Although the Committee ultimately disagreed with the validity of President Bush’s assertions of executive privilege, in neither case did the Committee go forward with contempt proceedings against the officials named in the contempt citations.

Similarly, Rep. John Dingell, as Chairman of the Energy and Commerce Committee during that Committee’s 1981 investigation into the Department of Interior, received an assertion of executive privilege from the Reagan Administration regarding documents pertaining to the administration of the Mineral Lands Leasing Act.⁴⁴ Before proceeding to contempt, the Committee held two separate hearings on the executive privilege assertion, and the Committee invited the Attorney General to testify regarding his legal opinion supporting the claim of executive privilege.⁴⁵

VIII. THE INVESTIGATION HAS BEEN CHARACTERIZED BY UNSUBSTANTIATED CLAIMS

The Committee’s investigation of ATF gunwalking operations has been characterized by a series of unfortunate and unsubstantiated allegations against the Obama Administration that turned out to be inaccurate.

For example, during an interview on national television on October 16, 2011, the Chairman accused the Federal Bureau of Investigation (FBI) of concealing evidence of the murder of Agent Brian Terry by hiding a “third gun” found at the murder scene.⁴⁶ The FBI demonstrated quickly that this claim was unsubstantiated.⁴⁷ Although the Chairman admitted during a subsequent hearing that “we do go down blind alleys regularly,” no apology was issued to the law enforcement agents that were accused of a cover-up.⁴⁸

At the same time, the Chairman has defended the previous Administration’s operations as “coordinated.”⁴⁹ In response to a question about gunwalking during the Bush Administration, the Chairman stated:

We know that under the Bush Administration there were similar operations, but they were coordinated with Mexico. They made every effort to keep their eyes on the weapons the whole time.⁵⁰

To the contrary, the staff report issued by Ranking Member Cummings on January 31, 2012, documents at least three operations during the previous Administration in which coordination efforts were either non-existent or severely deficient.⁵¹

In addition, the Chairman has stated repeatedly that senior Justice Department officials were “fully aware” of gunwalking in Operation Fast and Furious.⁵² After conducting two dozen transcribed interviews, none of the officials and agents involved said they informed the Attorney General or other senior Department officials about gunwalking in Operation Fast and Furious. Instead, the heads of the agencies responsible for the operation—ATF and the U.S. Attorney’s Office—told Committee investigators just the opposite, that they never

informed senior Department officials about gunwalking in Operation Fast and Furious because they were unaware of it.⁵³

Finally, the Chairman has promoted an extreme conspiracy theory that the Obama Administration intentionally designed Operation Fast and Furious to promote gunwalking. He stated in December 2011 that the Administration “made a crisis and they are using this crisis to somehow take away or limit people’s second amendment rights.”⁵⁴ This offensive claim has also been made by Rush Limbaugh and other conservative media personalities during the course of the investigation. For example, on June 20, 2011, Mr. Limbaugh stated:

The real reason for Operation Gunrunner or Fast and Furious, whatever they want to call it now, the purpose of this was so that Obama and the rest of the Democrats can scream bloody murder about the lack of gun control in the U.S., which is causing all the murders in Mexico. This was a setup from the get-go.⁵⁵

Another conservative commentator stated that “their political agenda behind this entire thing was to blame American gun shops for cartel violence in America in order to push an anti-Second Amendment, more regulations on these gun shops.”⁵⁶ Yet another one stated:

This was purely a political operation. You send the guns down to Mexico, therefore you support the political narrative that the Obama administration wanted supported. That all these American guns are flooding Mexico, they’re the cause of the violence in Mexico, and therefore we need draconian gun control laws here in America.⁵⁷

As recently as this month, Committee Member John Mica repeated this claim on Fox News. On June 15, 2012, he stated:

People forget how all this started. This administration is a gun control administration. They tried to put the violence in Mexico on the blame of the United States. So they concocted this scheme and actually sending our federal agents, sending guns down there, and trying to cook some little deal to say that we have got to get more guns under control.⁵⁸

There is no evidence to support this conspiracy theory. To the contrary, the documents obtained and interviews conducted by the Committee demonstrate that gunwalking began in 2006, was used in three operations during the Bush Administration, and was a misguided tactic utilized by the ATF field division in Phoenix.⁵⁹

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form, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform (June 5, 2012); Letter from Rep. Elijah E. Cummings, Ranking Member, House Committee on Oversight and Government Reform, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform (Feb. 2, 2012); Letter from Rep. Elijah E. Cummings, Ranking Member, House Committee on Oversight and Government Reform, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform (Nov. 4, 2011).

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⁶Letter from Rep. Elijah E. Cummings, Ranking Member, House Committee on Oversight and Government Reform, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform (June 5, 2012).

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¹⁷18 U.S.C. 2518(1), 2518(8).

¹⁸Sumner Courts Act, Pub. L. No. 76-675, 54 Stat. 688 (1940).

¹⁹Fed. R. Crim. Pro. 6(e)(7) (providing that a knowing violation of Rule 6 “may be punished as a contempt of court”); 18 U.S.C. 401(3) (providing that a “court of the United States shall have power to punish by fine or imprisonment, or both, at its discretion, such contempt of its authority”).

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³³*United States v. AT&T*, 567 F.2d 121, 127 (D.C. Cir. 1977).

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³⁷*Fast and Furious: How President Obama and John Boehner Got to the Brink*, Politico (June 22, 2012) (quoting Speaker John A. Boehner as stating that the “decision to invoke executive privilege is an admission that White House officials were involved in decisions that misled the Congress and have covered up the truth”); House Committee on Oversight and Government Reform, *Business Meeting* (June 20, 2012) (quoting Rep. James Lankford as stating “we weren’t even aware that the President was engaged in the deliberations” and Rep. Jason E. Chaffetz stating that the assertion means that the President “somehow was personally involved”).

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³⁹Letter from Eric H. Holder, Jr., Attorney General, Department of Justice, to Barack H. Obama, President (June 19, 2012) (quoting Letter from Michael B. Mukasey, Attorney General, Department of Justice, to George W. Bush, President (June 19, 2008); Letter from Paul D. Clement, Solicitor General and Acting Attorney General, Department of Justice, to George W. Bush, President (June 27, 2007); Letter from John D. Ashcroft, Attorney General, Department of Justice, to George W. Bush, President (Dec. 10, 2001); 23 Op. Off. Legal Counsel 1, 1-2 (1999) (opinion of Attorney General Janet W. Reno); 5 Op. Off. Legal Counsel 27,29-31 (1981) (opinion of Attorney General William French Smith)).

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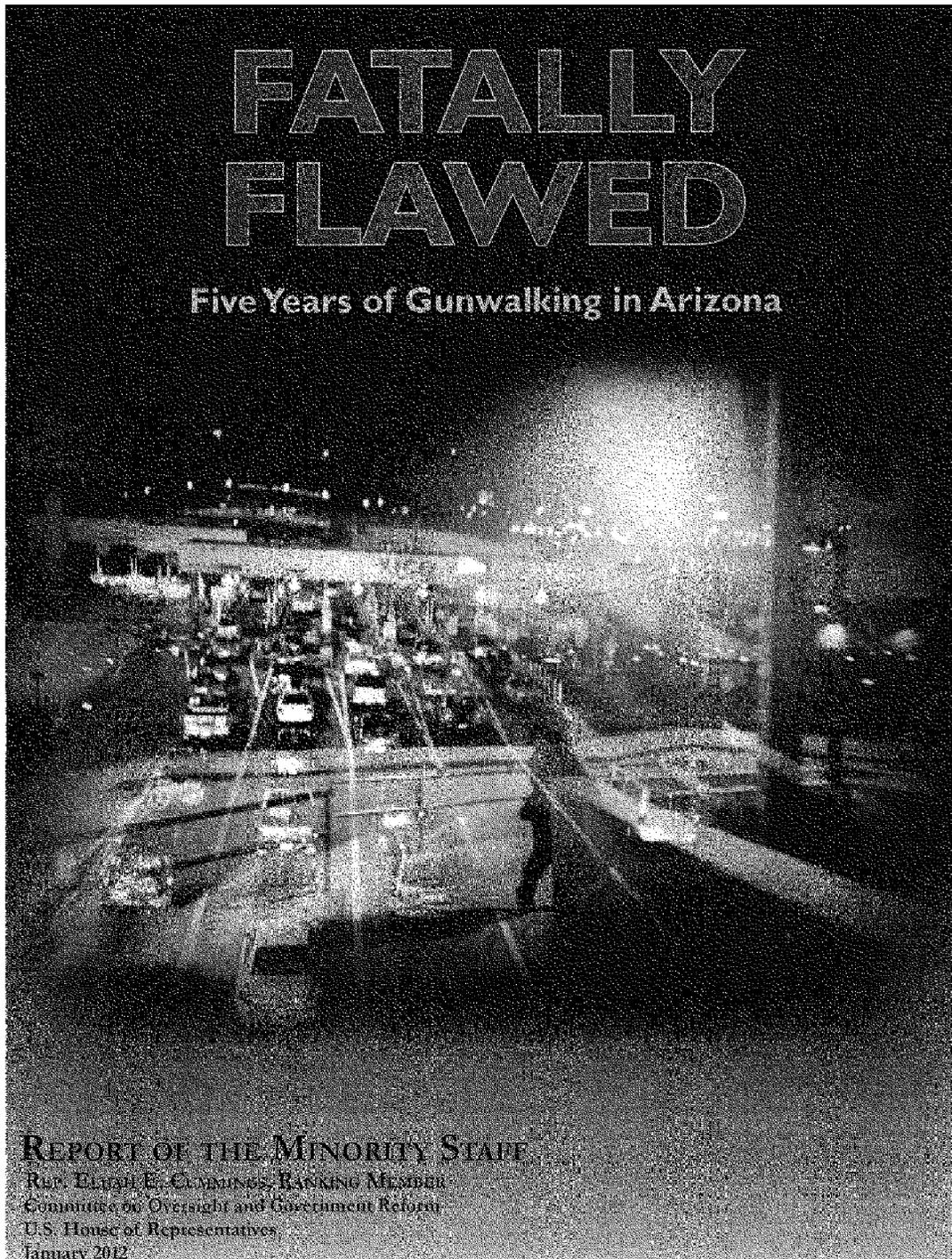
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January 30, 2012

Dear Members of the Committee on Oversight and Government Reform:

On December 15, 2010, Brian Terry, an Agent in an elite Customs and Border Protection tactical unit, was killed in a gunfight 18 miles from the Mexican border. Two AK-47 variant assault rifles found at the scene were traced back to purchases by one of the targets of an investigation called Operation Fast and Furious being conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). When he purchased these weapons, the target had already been identified as a suspected straw purchaser involved with a large network of firearms traffickers illegally smuggling guns to deadly Mexican drug cartels. Despite knowing about hundreds of similar purchases over a year-long period, ATF interdicted only a small number of firearms and delayed making arrests.

Last June, I pledged to Agent Terry's family that I would try to find out what led to this operation that allowed hundreds of firearms to be released into communities on both sides of the border. Following the Committee's year-long investigation of this matter, I directed my staff to compile this report to provide some of those answers. I instructed them to focus on the facts we have discovered rather than the heated and sometimes inaccurate rhetoric that has characterized much of this investigation.

As a result, this report tells the story of how misguided gunwalking operations originated in 2006 as ATF's Phoenix Field Division devised a strategy to forgo prosecutions against low-level straw purchasers while they attempted to build bigger charges against higher-level cartel members. Unfortunately, this strategy failed to include sufficient operational controls to stop these dangerous weapons from getting into the hands of violent criminals, creating a danger to public safety on both sides of the border.

The report describes how, rather than halting this operation after its flaws became evident, ATF's Phoenix Field Division launched several similarly reckless operations over the course of several years, also with tragic results. Operation Fast and Furious was the fourth in a series of operations in which gunwalking—the non-interdiction of illegally purchased firearms that could and should be seized by law enforcement—occurred since 2006.

This report also details complaints by ATF line agents and senior officials in Washington, who told the Committee that these failures were aggravated and compounded by the Arizona

U.S. Attorney's Office, which failed to aggressively prosecute firearms trafficking cases, and Federal courts in Arizona, which showed leniency toward the trafficking networks that fuel armed violence in Mexico.

This report debunks many unsubstantiated conspiracy theories. Contrary to repeated claims by some, the Committee has obtained no evidence that Operation Fast and Furious was a politically-motivated operation conceived and directed by high-level Obama Administration political appointees at the Department of Justice. The documents obtained and interviews conducted by the Committee indicate that it was the latest in a series of reckless and fatally flawed operations run by ATF's Phoenix Field Division during both the previous and current administrations.

Although this report provides a great amount of detail about what we have learned to date, it has several shortcomings. Despite requests from me and others, the Committee never held a hearing or even conducted an interview with former Attorney General Michael Mukasey. The Committee obtained documents indicating that in 2007 he was personally informed about the failure of previous law enforcement operations involving the illegal smuggling of weapons into Mexico, and that he received a proposal to expand these operations. Since the Committee failed to speak with Mr. Mukasey, we do not have the benefit of his input about why these operations were allowed to continue after he was given this information.

The Committee also rejected my request to hold a public hearing with Kenneth Melson, the former Acting Director of ATF, the agency primarily responsible for these operations. Although Committee staff conducted an interview with Mr. Melson, the public has not had an opportunity to hear his explanations for why these operations continued for so many years without adequate oversight from ATF headquarters.

As its title indicates, the Committee on Oversight and Government Reform has two primary missions. Not only are we charged with conducting oversight of programs to root out waste, fraud, and abuse, but we are also responsible for reforming these programs to ensure that government works more effectively and efficiently for the American people. For these reasons, this report sets forth constructive recommendations intended to address specific problems identified during the course of this investigation.

Above all, in offering this report and these recommendations, I recognize and commend the contributions of hundreds of thousands of law enforcement agents across our government who risk their lives on a daily basis in the pursuit of public safety and in defense of this nation.

Sincerely,


Elijah E. Cummings
Ranking Member

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I. EXECUTIVE SUMMARY

On December 15, 2010, Customs and Border Protection Agent Brian Terry was killed in a gunfight in Arizona, and two AK-47 variant assault rifles found at the scene were traced back to purchases by one of the targets of an investigation called Operation Fast and Furious being conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The target already had been identified as a suspected straw purchaser involved with a large network of firearms traffickers smuggling guns to deadly Mexican drug cartels.

At the request of the Committee's Ranking Member, Rep. Elijah E. Cummings, this report describes the results of the Committee's year-long investigation into the actions and circumstances that led to this operation.

The report finds that gunwalking operations originated as early as 2006 as agents in the Phoenix Field Division of ATF devised a strategy to forgo arrests against low-level straw purchasers while they attempted to build bigger cases against higher-level trafficking organizers and financiers. Rather than halting operations after flaws became evident, they launched several similarly reckless operations over the course of several years, also with tragic results. Each investigation involved various incarnations of the same activity: agents were contemporaneously aware of illegal firearms purchases, they did not typically interdict weapons or arrest straw purchasers, and firearms ended up in the hands of criminals on both sides of the border.

Operation Wide Receiver (2006-2007)

In 2006, ATF agents in Phoenix initiated Operation Wide Receiver with the cooperation of a local gun dealer. For months, ATF agents watched in real-time as traffickers purchased guns and drove them across the border into Mexico. According to William Newell, the Special Agent in Charge of the Phoenix Field Division, these suspects told the gun dealer that the "firearms are going to his boss in Tijuana, Mexico where some are given out as gifts." Although ATF officials believed they had sufficient evidence to arrest and charge these suspects, they instead continued surveillance to identify additional charges. As one agent said at the time, "we want it all."

Paul Charlton, then the U.S. Attorney in Phoenix, was informed that firearms were "currently being released into the community," and he was asked for his position on allowing an "indeterminate number" of additional firearms to be "released into the community, and possibly into Mexico, without any further

ability by the U.S. Government to control their movement or future use.” As his subordinate stated, “[t]his is obviously a call that needs to be made by you Paul.”

Over the next year, ATF agents in Phoenix went forward with plans to observe or facilitate hundreds of suspected straw firearm purchases. In 2007, a year after the investigation began, ATF initiated attempts to coordinate with Mexican officials. After numerous attempts at cross-border interdiction failed, however, the lead ATF case agent for Operation Wide Receiver concluded: “We have reached that stage where I am no longer comfortable allowing additional firearms to ‘walk’.”

In late 2007, the operational phase of Operation Wide Receiver was terminated, and the case sat idle for two years. When a Justice Department prosecutor reviewed the file in 2009, she quickly recognized that “a lot of guns seem to have gone to Mexico” and “a lot of those guns ‘walked’.” The defendants were indicted in 2010 after trafficking more than 450 firearms.

The Hernandez Case (2007)

ATF agents in Phoenix attempted a second operation in 2007 after identifying Fidel Hernandez and several alleged co-conspirators who “purchased over two hundred firearms” and were “believed to be transporting them into Mexico.”

After being informed of several failed attempts at coordinating with Mexican authorities, William Hoover, then ATF’s Assistant Director of Field Operations, temporarily halted operations, writing:

I do not want any firearms to go South until further notice. I expect a full briefing paper on my desk Tuesday morning from SAC Newell with every question answered. I will not allow this case to go forward until we have written documentation from the U.S. Attorney’s Office re full and complete buy in. I do not want anyone briefed on this case until I approve the information. This includes anyone in Mexico.

In response, Special Agent in Charge Newell wrote to another ATF official, “I’m so frustrated with this whole mess I’m shutting the case down and any further attempts to do something similar.” Nevertheless, ATF operational plans show that additional controlled deliveries were planned for October and November of that year.

In the midst of these operations, Attorney General Michael Mukasey received a briefing paper on November 16, 2007, in preparation for a meeting with the Mexican Attorney General. It stated that “ATF would like to expand the possibility of such joint investigations and controlled deliveries—since only then will it be possible to investigate an entire smuggling network, rather than arresting simply a

single smuggler." The briefing paper also warned, however, that "the first attempts at this controlled delivery have not been successful." Ten days later, ATF agents planned another operation in coordination with Mexico, again without success.

Hernandez and his co-conspirators, who had purchased more than 200 firearms, were arrested in Nogales, Arizona on November 27, 2007, while attempting to cross the border into Mexico. They were brought to trial in 2009, but acquitted after prosecutors were unable to obtain the cooperation of the Mexican law enforcement officials who had recovered the firearms.

The Medrano Case (2008)

In 2008, ATF agents in Phoenix began investigating a straw purchasing network led by Alejandro Medrano. Throughout 2008, ATF agents were aware that Medrano and his associates were making illegal firearms purchases from the same gun dealer who cooperated with ATF in Operation Wide Receiver.

An ATF Operational Plan describes an instance on June 17, 2008, in which agents watched Medrano and an associate illegally purchase firearms and load them into a car bound for Mexico. According to the document, "Agents observed both subjects place the firearms in the backseat and trunk," and then "surveilled the vehicle to Douglas, AZ where it crossed into Mexico."

Agents from U.S. Immigration and Customs Enforcement (ICE) balked when they learned about these tactics. After an interagency planning meeting in August 2008, the head of ICE's Arizona office wrote to ATF Special Agent in Charge Newell that, although ICE agents "left that meeting with the understanding that any weapons that were followed to the border would be seized," ATF agents later informed them that "weapons would be allowed to go into Mexico for further surveillance by LEAs [law enforcement agents] there."

On December 10, 2008, Federal prosecutors filed a criminal complaint that appears to confirm that ATF agents watched as Medrano and his associates smuggled firearms into Mexico. Describing the incident on June 17, 2008, for example, the complaint asserts that the suspects "both entered into Mexico with at least the six (6) .223 caliber rifles in the vehicle." Medrano and his associates were sentenced to multi-year prison terms after trafficking more than 100 firearms to a Mexican drug cartel.

Operation Fast and Furious (2009-2010)

In Operation Fast and Furious, ATF agents in Phoenix utilized gunwalking tactics that were similar to previous operations. In October 2009, ATF agents had

identified a sizable network of straw purchasers they believed were trafficking military-grade assault weapons to Mexican drug cartels. By December, they had identified more than 20 suspected straw purchasers who "had purchased in excess of 650 firearms."

Despite this evidence, the ATF agents and the lead prosecutor in the case believed they did not have probable cause to arrest any of the straw purchasers. As the lead prosecutor wrote: "We have reviewed the available evidence thus far and agree that we do not have any chargeable offenses against any of the players."

In January 2010, ATF agents and the U.S. Attorney's Office agreed on a strategy to build a bigger case and to forgo taking down individual members of the straw purchaser network. The lead prosecutor presented this broader approach in a memo that was sent to U.S. Attorney Dennis Burke. The memo noted that "there may be pressure from ATF headquarters to immediately contact identifiable straw purchasers just to see if this develops any indictable cases and to stem the flow of guns." In the absence of probable cause, however, the U.S. Attorney agreed that they should "[h]old out for bigger." Over the next six months, agents tried to build a bigger case with wiretaps while making no arrests and few interdictions.

After receiving a briefing on Operation Fast and Furious in March 2010, ATF Deputy Director William Hoover became concerned about the number of firearms involved in the case. Although he told Committee staff that he was not aware of gunwalking, he ordered an "exit strategy" to take down the case and ready it for indictment within 90 days. ATF field agents chafed against this directive, however, and continued to facilitate suspect purchases for months in an effort to salvage the broader goal of the investigation. The case was not indicted until January 2011, ten months after Deputy Director Hoover directed that it be shut down.

No evidence that senior officials authorized gunwalking in Fast and Furious

The documents obtained and interviews conducted by the Committee reflect that Operation Fast and Furious was the latest in a series of fatally flawed operations run by ATF agents in Phoenix and the Arizona U.S. Attorney's Office. Far from a strategy that was directed and planned by "the highest levels" of the Department of Justice, as some have alleged, the Committee has obtained no evidence that Operation Fast and Furious was conceived or directed by high-level political appointees at Department of Justice headquarters.

ATF's former Acting Director, Kenneth Melson, and ATF's Deputy Director, William Hoover, told Committee staff that gunwalking violated agency doctrine, that they did not approve it, and that they were not aware that ATF agents in Phoenix were using the tactic in Operation Fast and Furious. They also stated that,

because they did not know about the use of gunwalking in Operation Fast and Furious, they never raised it up the chain of command to senior Justice Department officials.

Apart from whether Mr. Hoover was aware of specific gunwalking allegations in Operation Fast and Furious, it remains unclear why he failed to inform Acting ATF Director Melson or senior Justice Department officials about his more general concerns about Operation Fast and Furious or his March 2010 directive for an "exit strategy." During his interview with Committee staff, Mr. Hoover took substantial personal responsibility for ATF's actions, stating: "I have to take responsibility for the mistakes that we made."

Former Phoenix U.S. Attorney Dennis Burke told Committee staff that although he received multiple briefings on Operation Fast and Furious, he did not approve gunwalking, was not aware it was being used, and did not inform officials in Washington about its use. He told Committee staff that, at the time he approved the proposal for a broader strategy targeting cartel leaders instead of straw purchasers, he had been informed that there was no probable cause to make any arrests and that he had been under the impression that ATF agents were working closely with Mexican officials to interdict weapons. Given the number of weapons involved in the operation, Mr. Burke stated that he "should have spent more time" focusing on the case. He stated: "it should not have been done the way it was done, and I want to take responsibility for that."

Gary Grindler, the former Acting Deputy Attorney General, and Lanny Breuer, the Assistant Attorney General for the Criminal Division, both stated that neither ATF nor the U.S. Attorney's Office ever brought to their attention concerns about gunwalking in Operation Fast and Furious, and that, if they had been told, they "would have stopped it."

When allegations of gunwalking three years earlier in Operation Wide Receiver were brought to the attention of Mr. Breuer in 2010, he immediately directed his deputy to share their concerns directly with ATF's leadership. He testified, however, that he regretted not raising these concerns directly with the Attorney General or Deputy Attorney General, stating, "if I had known then what I know now, I, of course, would have told the Deputy and the Attorney General."

The Committee has obtained no evidence indicating that the Attorney General authorized gunwalking or that he was aware of such allegations before they became public. None of the 22 witnesses interviewed by the Committee claims to have spoken with the Attorney General about the specific tactics employed in Operation Fast and Furious prior to the public controversy.

Testifying before the Senate Judiciary Committee, the Attorney General stated:

This operation was flawed in its concept and flawed in its execution, and unfortunately we will feel the effects for years to come as guns that were lost during this operation continue to show up at crime scenes both here and in Mexico. This should never have happened and it must never happen again.

The strategy of forgoing immediate action in order to build a larger case is common in many law enforcement investigations, and the Committee has obtained no evidence to suggest that ATF agents or prosecutors in Arizona acted with anything but a sincere intent to stem illegal firearms trafficking.

Nevertheless, based on the evidence before the Committee, it is clear that ATF agents in Phoenix and prosecutors in the Arizona U.S. Attorney's Office embarked on a deliberate strategy not to arrest suspected straw purchasers while they attempted to make larger cases against higher-level targets. Although these officials claimed they had no probable cause to arrest any straw purchasers at the time, allowing hundreds of illegally purchased military-grade assault weapons to fall into the hands of violent drug cartels over the course of five years created an obvious and inexcusable threat to public safety on both sides of the border.

II. METHODOLOGY

Over the past year, the Committee has conducted an investigation into firearms trafficking investigations run by the Phoenix Field Division of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). This inquiry was originally brought to the Committee's attention by Senator Charles Grassley, the Ranking Member of the Senate Judiciary Committee, who had asked ATF to respond to allegations that agents had knowingly allowed the sale of firearms to suspected straw purchasers during Operation Fast and Furious. The Committee has been joined in its investigation by Majority and Minority staff of the Senate Judiciary Committee.

To date, there have been nine congressional hearings relating to these topics, including three before this Committee. Attorney General Eric Holder has agreed to testify before the Committee on February 2, 2011. He has testified previously on five other occasions regarding these issues, including before the Senate and House Judiciary Committees in November and December 2011, respectively.

Committee staff have interviewed 22 witnesses from the ATF Phoenix Field Division, the U.S. Attorney's Office for the District of Arizona, ATF headquarters, and the Department of Justice. Committee staff have also interviewed multiple Federal firearms dealers. The Department has made numerous officials available for briefings, transcribed interviews, and hearings, including the former Deputy Attorney General, the Assistant Attorney General for the Criminal Division, the Deputy Assistant Attorney General for the Criminal Division, and the U.S. Attorney for the District of Arizona. The Department has also organized briefings during the course of the investigation, including with senior leaders from the Federal Bureau of Investigation (FBI) and Drug Enforcement Agency (DEA).

In March 2011, the Committee sent letters to ATF and the Department of Justice requesting documents and communications. Committee Chairman Darrell Issa subsequently issued subpoenas for these documents in March and October 2011, and he has issued numerous document requests to other agencies, including the FBI and DEA.

The Committee has now obtained more than 12,000 pages of internal emails, reports, briefing papers, and other documents from various Federal agencies, whistleblowers, firearms dealers, and other parties. The Department of Justice has produced approximately 6,000 pages of documents to the Committee, including sensitive law enforcement materials related to the pending prosecution of the defendants in the underlying Fast and Furious case.

The Department has declined to produce some documents, including “reports of investigation” and prosecutorial memoranda in the underlying cases. The Department has stated that providing these particular documents at this time could compromise the prosecution of 20 firearms trafficking defendants scheduled for trial in September. In addition, the Department has not provided documents related to its internal deliberations about responding to this congressional investigation, with the exception of documents and correspondence related to the drafting of the February 4, 2011, letter to Senator Grassley, which the Department formally withdrew on December 2, 2011. The Deputy Attorney General explained this policy in a letter to the Committee:

The Department has a long-held view, shared by Administrations of both political parties, that congressional requests seeking information about the Executive Branch’s deliberations in responding to congressional requests implicate significant confidentiality interests grounded in the separation of powers under the U.S. Constitution.¹

The letter stated that the Department made an exception to this policy and provided documents relating to the drafting of the February 4 letter because Congress had unique equities in understanding how inaccurate information had been relayed to it.²

On November 4, 2011, Ranking Member Elijah Cummings requested a hearing with former Attorney General Michael Mukasey in light of documents obtained by the Committee indicating that the former Attorney General was briefed in 2007 on an unsuccessful coordinated delivery operation, as well as a proposal to expand such operations in the future. Ranking Member Cummings wrote:

Given the significant questions raised by the disclosures in these documents, our Committee’s investigation will not be viewed as credible, even-handed, or complete unless we hear directly from Attorney General Mukasey.³

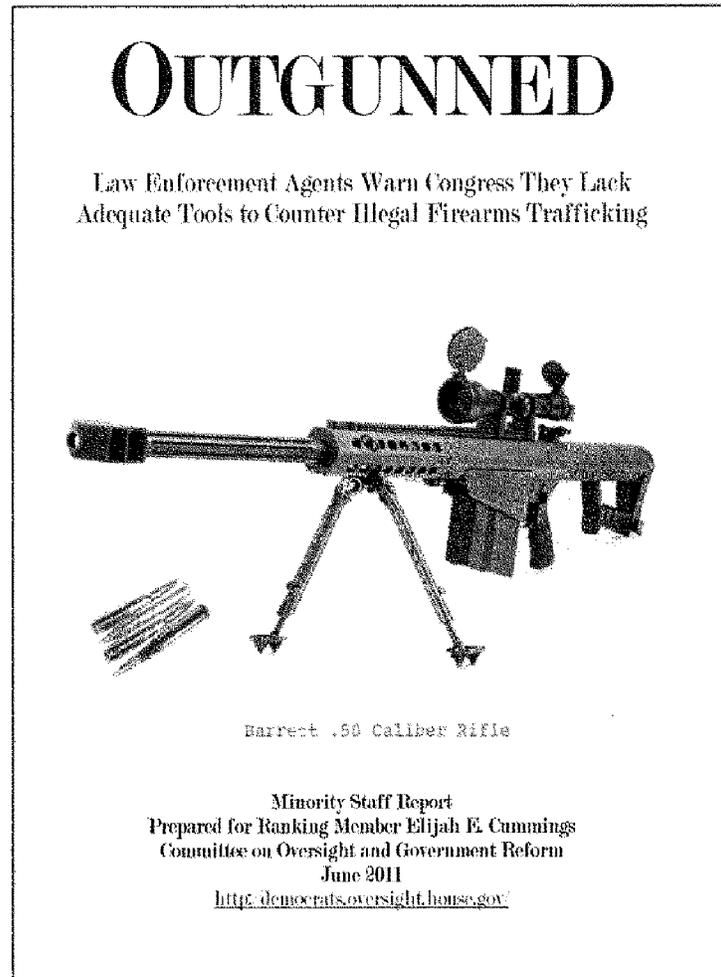
The Committee has not held a hearing with Mr. Mukasey, nor has it conducted an interview with him, depriving the Committee of important information directly relevant to the origin of these operations.

In addition, on October 28, 2011, Ranking Member Cummings requested a public hearing with Kenneth Melson, the former Acting Director of ATF. He wrote:

Since the Attorney General has now agreed to appear before Congress in December, I believe Members also deserve an opportunity to question Mr. Melson directly, especially since he headed the agency responsible for Operation Fast and Furious.⁴

To date, the Committee has declined to hold this hearing.

In June 2011, Ranking Member Cummings issued a report entitled "Outgunned: Law Enforcement Agents Warn Congress They Lack Adequate Tools to Counter Illegal Firearms Trafficking."⁵ He also hosted a Minority Forum of experts regarding the larger problem of firearms trafficking and the lack of law enforcement tools to stem this tide.⁶



III. BACKGROUND

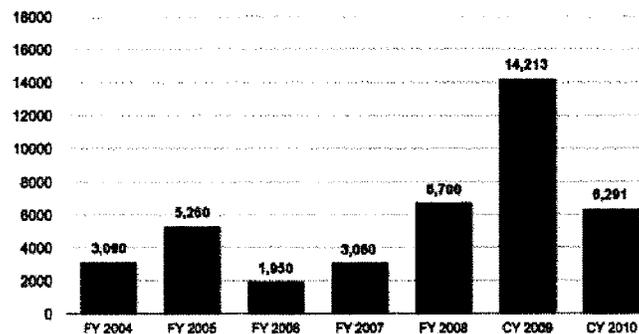
Over the past five years, the Mexican government has been locked in a battle with drug trafficking organizations seeking control of lucrative trafficking routes that carry billions of dollars in narcotics destined for the United States. This battle is fueled in part by the tens of thousands of military-grade weapons that cross the U.S. border into Mexico every year. In particular, law enforcement officials have reported that the “weapons of choice” for international drug cartels are semi-automatic rifles and other assault weapons. These weapons are frequently purchased in the United States because they are generally illegal to purchase or possess in Mexico.⁷ According to the latest statistics from the Mexican Attorney General’s office, 47,515 people have been killed in drug-related violence since 2006.⁸

On November 1, 2011, Assistant Attorney General Lanny Breuer testified before the Senate Judiciary Committee that the vast majority of guns recovered in Mexico were imported illegally from the United States:

From my understanding, 94,000 weapons have been recovered in the last five years in Mexico. Those are just the ones recovered, Senator, not the ones that are in Mexico. Of the 94,000 weapons that have been recovered in Mexico, 64,000 of those are traced to the United States.⁹

These statistics are consistent with reports from the Mexican government. In May 2010, Mexican President Felipe Calderon stated before a joint session of

NUMBER OF FIREARMS SEIZED IN MEXICO AND TRACED BACK TO THE UNITED STATES, 2004 - 2010



Sources: *Holding U.S. Firearms Trafficking to Mexico: A Report by Senators Dianne Feinstein, Charles Schumer and Sheldon Whitehouse to the United States Senate Caucus on International Narcotics Control* (June 2011); Government Accountability Office Report, *Firearms Trafficking: U.S. Efforts to Combat Arms Trafficking to Mexico Face Funding and Coordination Challenges*; and Letter from ATF Acting Director Kenneth Melson to Senator Dianne Feinstein (June 2009). Note: FYs Fiscal Year; CYs Calendar Year.

Congress that, of the 75,000 guns and assault weapons recovered in Mexico over the past three years, more than 80% were traced back to the United States.¹⁰

ATF is the primary U.S. law enforcement agency charged with combating firearms trafficking from the United States to Mexico. ATF enforces Federal firearms laws and regulates the sale of guns by the firearms industry under the Gun Control Act of 1968.¹¹ ATF reports to the Attorney General through the Office of the Deputy Attorney General.¹² ATF is organized into 25 Field Divisions led by Special Agents in Charge who are responsible for multiple offices within their jurisdiction.¹³ In Phoenix, the Special Agent in Charge is currently responsible for offices in Phoenix, Flagstaff, Tucson, and Yuma, Arizona, as well as Albuquerque, Las Cruces, and Roswell, New Mexico.¹⁴

The U.S. Attorney for the District of Arizona is the chief Federal law enforcement officer in the State of Arizona. The District of Arizona has approximately 170 Assistant United States Attorneys and approximately 140 support staff members split equally between offices in Phoenix and Tucson.¹⁵ As part of its responsibilities, the U.S. Attorney's Office has primary responsibility for prosecuting criminal cases against individuals who violate Federal firearms trafficking laws in its region.¹⁶

Attorneys from the Department's Criminal Division in Washington, D.C. serve as legal experts on firearms-related issues and assist in prosecuting some firearms trafficking cases.¹⁷ In addition to developing and implementing strategies to attack firearms trafficking networks, Criminal Division attorneys occasionally assist the U.S. Attorneys' offices in prosecuting firearms trafficking cases.¹⁸

In 2006, ATF implemented a nationwide program called Project Gunrunner to attack the problem of gun trafficking to Mexico.¹⁹ Project Gunrunner is part of the Department's broader Southwest Border Initiative, which seeks to reduce cross-border drug and firearms trafficking and the high level of violence associated with these activities on both sides of the border.²⁰

In June 2007, ATF published a strategy document outlining the four key components to Project Gunrunner: the expansion of gun tracing in Mexico, international coordination, domestic activities, and intelligence. In implementing Project Gunrunner, ATF has focused resources on the four Southwest Border States. Additionally, Attorney General Holder has testified that, since his confirmation in 2009, the Department of Justice has made combating firearms trafficking to Mexico a top priority.²¹

In November 2010, the Department of Justice Inspector General issued a report examining the effectiveness of Project Gunrunner in stopping the illicit trafficking of guns from the United States to Mexico. The Inspector General found

that “ATF’s focus remains largely on inspections of gun dealers and investigations of straw purchasers rather than on higher-level traffickers, smugglers, and the ultimate recipients of the trafficked guns.” The report recommended that ATF “[f]ocus on developing more complex conspiracy cases against higher level gun traffickers and gun trafficking conspirators.” The report also found that U.S. Attorneys’ offices often declined Project Gunrunner cases because firearms investigations are often difficult to prosecute and result in lower penalties.²²

Typical firearms trafficking cases involve a “straw purchase” in which the actual buyer of a firearm uses another person, “the straw purchaser,” to execute the paperwork necessary to purchase the firearm from a gun dealer.²³ The actual buyer typically is someone who is prohibited from buying a firearm and cannot pass the background check or who does not want a paper trail documenting the purchase. Gun trafficking organizations regularly use straw purchasers who deliver firearms to intermediaries before other members of the organizations transfer the guns across the border.²⁴

There is no Federal statute specifically prohibiting firearms trafficking or straw purchases. Instead, ATF agents and Federal prosecutors use other criminal statutes, including: (1) 18 USC § 924(a)(1)(A) which prohibits knowingly making a false statement on ATF Form 4473; (2) 18 USC § 922(a)(6) which prohibits knowingly making a false statement in connection with a firearm purchase; (3) 18 USC § 922(g)(1) which prohibits possession of a firearm by a convicted felon; and (4) 18 USC § 922(a)(1)(A) which prohibits engaging in a firearms business without a license.²⁵

CURRENT WEAPONS OF CHOICE



Primary Weapons of Choice

Bushmaster XM15 Rifles
 Romam Cugir 7.62 x 39mm rifles
 FN 5.7 x 28mm pistols
 .50 caliber rifles (Barrett, Beowulf)
 DPMS .223 rifles
 Beretta Model 92 pistols
 Taurus PT 9mm pistols
 Colt .38 Super pistols

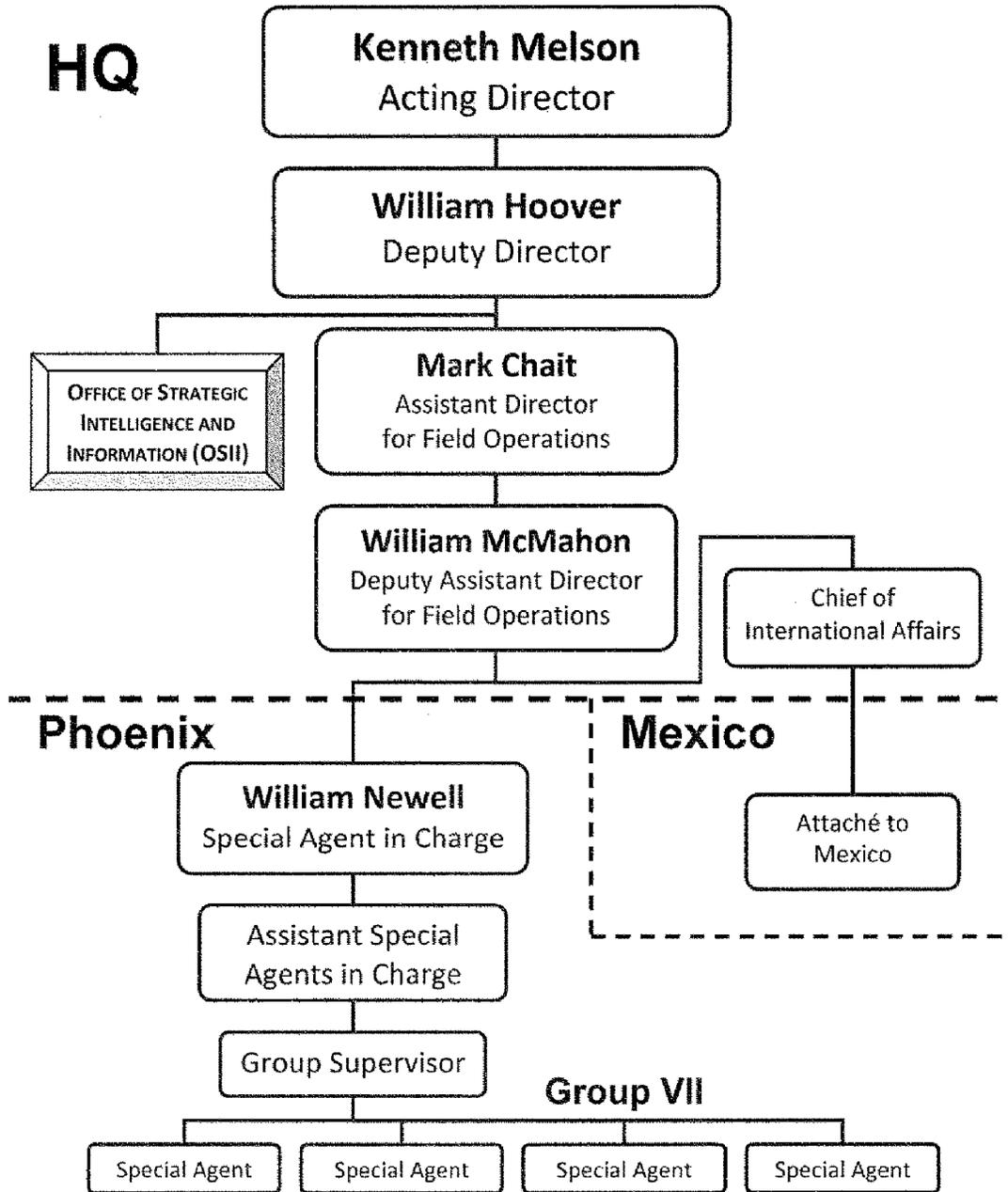
Secondary Market Inspection Weapons of Choice

Colt AR15 Sporter & Bushmaster XM15 rifles
 Romam 7.62 x 39mm rifles
 DPMS and Olympic Arms .223 rifles
 Norinco, Polytech, and Maadli AKS rifles
 Alexander Arms Beowulf .50 rifles
 Beretta and Taurus 9mm pistols
 Colt .38 Super & .45 Pistols

Source: Bureau of Alcohol, Tobacco, Firearms and Explosives, Weapons of Choice Presentation (2003)

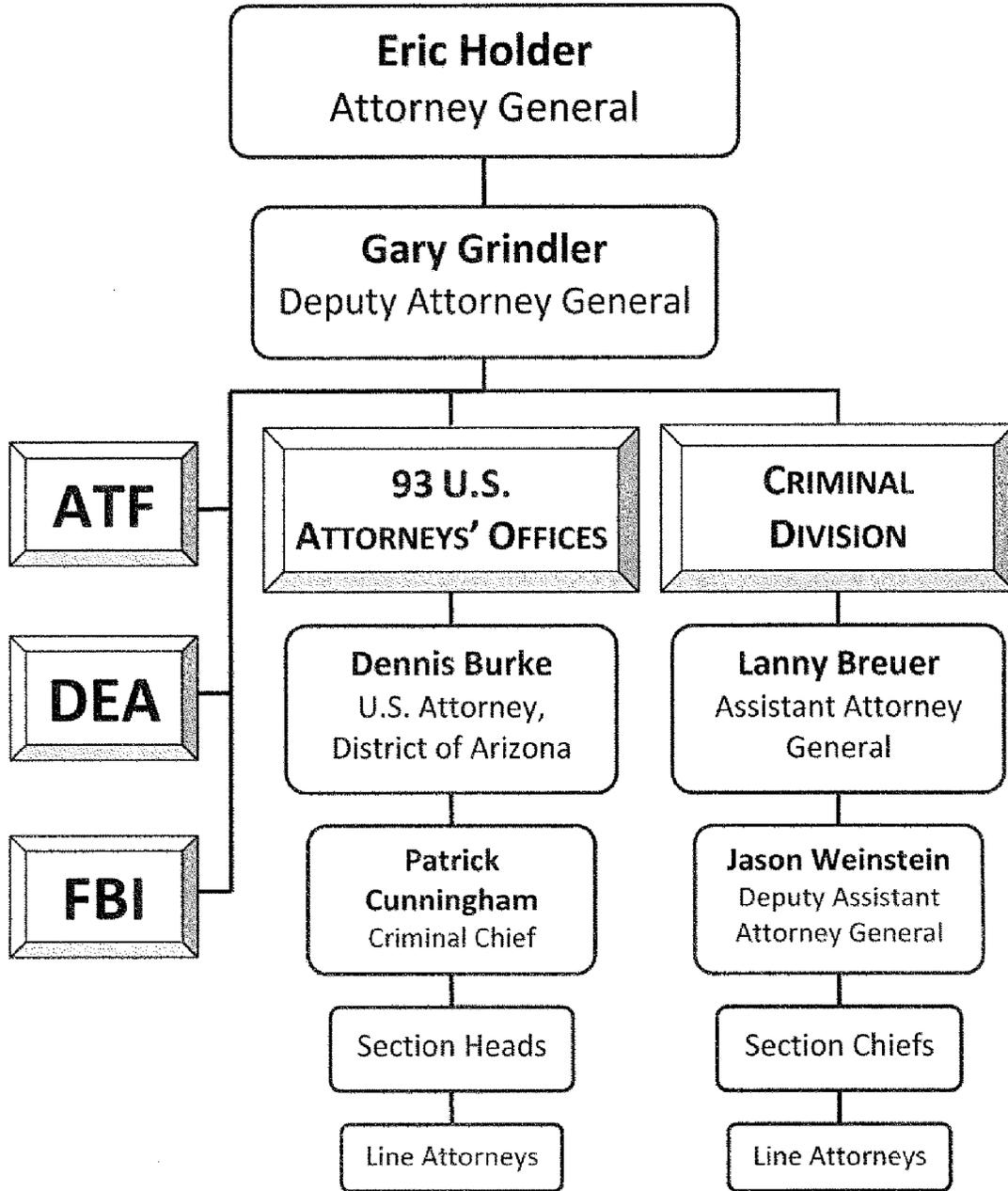
Key ATF Personnel

During Operation Fast and Furious (2009-2010)



Key DOJ Personnel

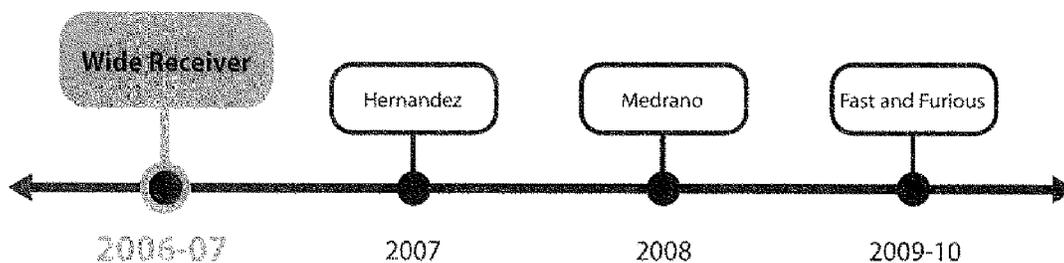
During Operation Fast and Furious (2009-2010)



IV. FINDINGS

A. ATF PHOENIX FIELD OPERATIONS INVOLVING "GUNWALKING"

Documents obtained by the Committee and transcribed interviews conducted by Committee staff have identified a series of gunwalking operations conducted by ATF's Phoenix Field Division. Beginning in 2006, each of these investigations involved various incarnations of the same activity: ATF-Phoenix agents were contemporaneously aware of suspected illegal firearms purchases, they did not typically interdict the weapons or arrest the straw purchasers, and those firearms ended up in the hands of criminals on both sides of the border.



1. Operation Wide Receiver (2006-07)

Operation Wide Receiver began in early 2006 when ATF agents in Tucson opened an investigation of a suspected straw purchaser after receiving information from a cooperating gun dealer. Documents indicate that agents worked closely with this dealer, including by contemporaneously monitoring firearms sales to known straw purchasers without arrests or interdiction, and that they sought authorization for the expansion of this operation from then-U.S. Attorney for the District of Arizona, Paul Charlton.

The evidence also indicates that, between March 2006 and mid-2007, ATF agents had contemporaneous knowledge of planned sales of firearms to known straw purchasers and repeatedly designed surveillance operations of these illegal firearms purchases without effectuating arrests. According to documents obtained by the Committee, agents avoided interdicting weapons despite having the legal authority to do so in order to build a bigger case. Despite repeated failed attempts to coordinate surveillance with Mexican law enforcement, the ATF agents continued to attempt these operations.

Although the operational phase of the investigation ended in 2007, the case was not prosecuted for more than two years, during which time no arrests were made and the known straw purchasers remained at large. A prosecutor from the Criminal Division of the Department of Justice who was assigned to Operation Wide Receiver in 2009 and reviewed the case file raised concerns that many guns had “walked” to Mexico.

ATF-Phoenix monitored gun dealer selling to straw buyers

In March 2006, ATF-Phoenix agents received a tip from a Federal Firearms Licensee (FFL) in Tucson, Arizona, that a suspected straw purchaser had purchased six AR-15 lower receivers and placed an order for 20 additional lower receivers.²⁶ The agents opened an investigation of the purchaser because the nature of the transaction suggested a possible connection to illegal firearms trafficking.²⁷

Some military-style firearms consist of an upper and lower receiver, with the lower receiver housing the trigger mechanism, and the upper receiver including the barrel of the firearm. According to a memorandum from the U.S. Attorney’s Office, ATF had information that the suspects were obtaining both receivers and assembling them to create illegal firearms.²⁸ The firearms were illegal because the barrels were 10.5 inches in length, and rifles with barrels shorter than 16 inches must be registered and licensed with ATF.²⁹

According to summaries prepared subsequently by a Department of Justice attorney prosecuting the case, “The FFL agreed to work with ATF to target the persons who were interested in purchasing large quantities of lower receivers for AR-15s.” Specifically, “The FFL agreed to consensual recordings both of the purchases and phone calls.”³⁰ Soon thereafter, ATF-Phoenix briefed prosecutors in the Arizona U.S. Attorney’s Office that several suspicious individuals were purchasing “large quantities of lower receivers” from a Tucson FFL.³¹

In a June 22, 2006, memorandum, the Special Agent in Charge of ATF-Phoenix explained that the three suspects in the case had purchased a total of 126 AR-15 lower receivers. According to the memo, one of the suspected straw purchasers “advised the CS [confidential source] that he takes the firearms to a machine shop at or near Phoenix, AZ and they are converted into machine guns.” The ATF agents also suspected that these firearms were making their way to Mexico and into the hands of a dangerous drug cartel. Specifically, the Special Agent in Charge wrote that, “ATF just recently tracked the vehicle to Tijuana, Mexico,” and one suspected straw purchaser “stated that these straw purchased firearms are going to his boss in Tijuana, Mexico where some are given out as gifts.”³²

ATF agents learned that the suspected straw purchasers were seeking a new supplier of upper receivers:

The purchasers have asked the FFL to provide the uppers to them as well, indicating that they are not pleased with their current source for the uppers. The FFL has expressed reluctance to the purchasers regarding selling them both the lowers and the 10.5 inch uppers, as that would look very suspicious as if he was actually providing them with an illegal firearm. The purchasers are well aware that it is illegal to place a 10.5 inch upper on the lowers they are purchasing from the FFL. The FFL has indicated that he could try to find another 3rd party source of uppers for the purchasers.³³

According to legal research provided by ATF counsel to attorneys in the U.S. Attorney's Office, it is illegal to possess both the upper and lower receivers, even if they are not assembled: "The possessor does not have to assemble the lower and the upper so long as the firearm is in actual or constructive possession of the offender, and can be 'readily restored' to fire."³⁴

Despite evidence that the suspects illegally possessed both upper and lower receivers, were assembling them, and were transporting them to Mexico, ATF did not arrest the suspects. On March 31, 2006, the Resident Agent in Charge of the Tucson office—a local office that reports to the Special Agent in Charge of the Phoenix Field Division—wrote an email explaining that they had enough evidence to arrest the suspects, but that they were waiting to build a bigger case. He wrote:

We have two AUSA assigned to this matter, and the USAO @ Tucson is prepared to issue Search and Arrest Warrants. We already have enough for the 371 and 922 a6 charges, but we want the Title II manufacturing and distribution pieces also—we want it all.³⁵

ATF-Phoenix sought U.S. Attorney's approval to walk guns

The evidence indicates that, rather than arrest the straw buyers, the ATF Phoenix Field Division sought the approval of the U.S. Attorney's Office to let the guns walk in June 2006. The prosecutors handling the case wrote a memorandum to Paul Charlton, U.S. Attorney for the District of Arizona, which outlined the request. They wrote:

ATF is interested in introducing a CI [confidential informant] to act as this source of uppers. This would further the investigation in that it would provide more solid evidence that the purchasers are in fact placing illegal length uppers on the lowers that they are purchasing from the currently-involved FFL. It may also lead to discovery of more information as to the ultimate delivery location of these firearms and/ or the actual purchaser.³⁶

ATF-Phoenix and the Arizona U.S. Attorney's Office both understood that ATF was already letting firearms walk by working with a cooperating FFL to provide "lower receivers" to straw purchasers trafficking them to Mexico. According to the prosecutors' memorandum to U.S. Attorney Charlton:

[The ATF Agent] pointed out that these same exact firearms are currently being released into the community, the only difference being that at this time ATF is only involved in providing the lower receiver. We know that an illegal upper is being obtained from a third party, but the government is not currently involved in that aspect.³⁷

The memo to U.S. Attorney Charlton then relayed ATF-Phoenix's request:

The question was posed by RAC [Resident Agent in Charge] Higman as to the U.S. Attorney's Office's position on the possibility of allowing an indeterminate number of illegal weapons, both components of which (the upper and the lower) were provided to the criminals with ATF's knowledge and/or participation, to be released into the community, and possibly into Mexico, without any further ability by the U.S. Government to control their movement or future use.

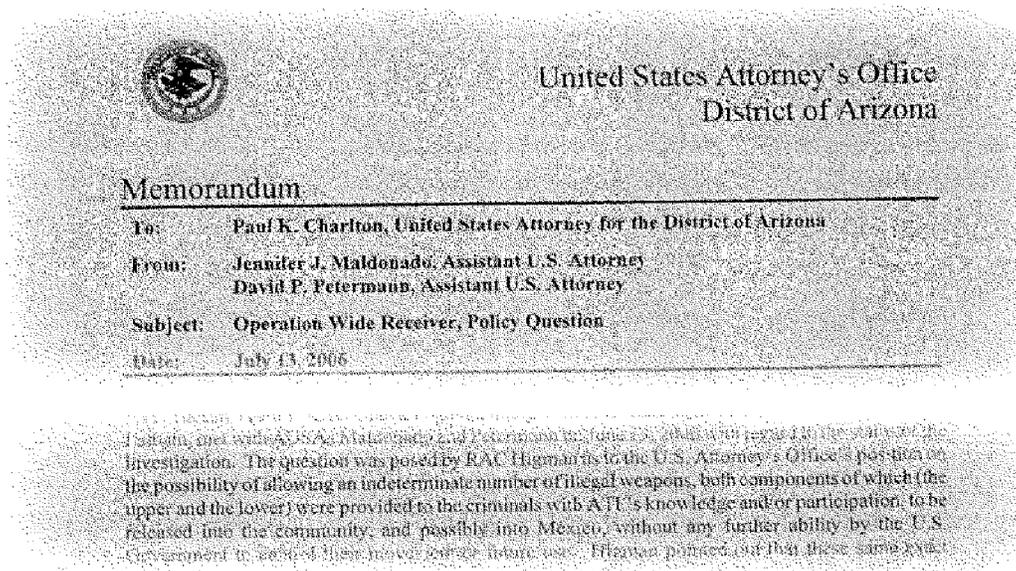
The memo further stated that the proposed tactics were controversial and opposed by ATF's legal counsel:

[The ATF agent] indicated that ATF's legal counsel is opposed to this proposed method of furthering the investigation, citing moral objections. Recognizing that it will eventually be this office that will prosecute the individuals ultimately identified by this operation, RAC Higman has requested that we ascertain the U.S. Attorney's Office's position with regard to this proposed method of furthering the investigation.³⁸

When the Chief of the Criminal Division in the U.S. Attorney's Office sent the prosecutor's memo to U.S. Attorney Charlton, she accompanied it with an email in which she stated that it "does a very good job outlining the investigation and the potential concerns. This is obviously a call that needs to be made by you Paul."³⁹ U.S. Attorney Charlton responded the next day: "Thanks—I'm meeting with the ATF SAC [Special Agent in Charge William Newell] on Tuesday and I'll discuss it with him then."⁴⁰

Although the Committee has obtained no document memorializing the subsequent conversation between U.S. Attorney Charlton and the Special Agent in Charge, documents obtained by the Committee indicate that ATF-Phoenix went forward with their plans to observe or facilitate hundreds of firearms purchases by

the suspected straw purchasers without arrests. Committee staff did not conduct a transcribed interview of Mr. Charlton.



ATF-Phoenix continued to walk guns after consulting with U.S. Attorney

In October 2006, ATF agents planned a surveillance operation to observe a suspect purchase AR-15 lower receivers and two AR-15 rifles, determine if the suspect was going to make additional purchases, and identify any of his associates.⁴¹ The Operational Plan noted:

It is suspected that [the suspect] will now be moving the firearms to Tijuana himself. We are not prepared to make any arrests at this time because we are still attempting to coordinate our efforts with AFI [Agencia Federal de Investigación] in Mexico. ... If it is determined that [the suspect] has spotted the surveillance unit, surveillance will be stopped immediately.⁴²

Documents indicate that ATF agents observed the suspect purchase five AR-15 lower receivers and terminated surveillance after three hours.⁴³ Notes taken after the investigation explained that the surveillance included audio recordings of the suspect stating that he "is now personally transporting the firearms to Tijuana, Mexico himself."⁴⁴

On December 5, 2006, Special Agent in Charge Newell wrote that another key suspect in the Wide Receiver investigation had recently "purchased a total of ten (10)

AR-15 type lower receivers on two separate purchases."⁴⁵ He also wrote that, during those transactions, the suspect told the confidential source that he was taking the firearms to Mexico and would soon be ordering an additional 50 lower receivers.⁴⁶ Special Agent in Charge Newell wrote that the Tucson field office was planning to secure the cooperation of Mexican authorities:

The Tucson II Field Office has maintained contact with the ATF Mexico City Country Office in an effort to secure the cooperation and join investigation with the Agencia Federal de Investigación (Mexico). Three Tucson II Field Office SA have obtained official U.S. Government passports in anticipation of a coordination meeting with the AFT early during calendar year 2007.⁴⁷

On February 23, 2007, ATF agents planned to conduct a traffic stop of one suspected straw purchaser "with the assistance of the Tucson Police Department."⁴⁸ Although the Operational Plan indicated that "[p]robable cause exists to arrest [the suspect]," the agents' goal was to lawfully detain him at the traffic stop and bring him to the ATF office for questioning.⁴⁹ According to a memorandum from Special Agent in Charge Newell, between February 7 and April 23, 2007, the suspect and co-conspirators together purchased and ordered 150 firearms, including AK-47 and AR-15 rifles and pistols.⁵⁰ Although ATF apparently had probable cause for arrest, on February 27, 2007, the subject was interviewed by ATF agents and released.⁵¹ The documents do not indicate why he was not arrested and prosecuted at that time.

ATF agents unsuccessfully attempted to coordinate with Mexico

The documents indicate that, although ATF had sufficient evidence to arrest the suspected straw purchasers, the agents continued to press forward with plans to attempt coordinated surveillance operations with Mexico. In April 2007, the ATF agents in charge of Operation Wide Receiver were unsure whether they could successfully coordinate surveillance with their Mexican counterparts. On April 10, 2007, the case agent for Wide Receiver wrote to a Tucson Police Department (TPD) officer:

Assuming that the MCO [ATF's Mexico Country Office] can coordinate with the Mexican authorities, we anticipate that Tucson VCIT will hand off his surveillance operation at the U.S. / Mexican border. No ATF SA or local officers working at our direction will travel into Mexico. Through MCO we have requested that the Mexican authorities pick up the surveillance at the border and work to identify persons, telephone numbers, "stash" locations and source(s) of money supply in furtherance of this conspiracy.⁵²

According to an ATF Operational Plan, just one day later, ATF agents and Tucson Police officers conducted surveillance and recorded the "planned arrival of [the suspect] and other persons at the FFL."⁵³ The Operational Plan stated that U.S. law enforcement would watch the "firearms cross international lines and enter Mexico. ... If the Mexican authorities decline or fail to participate in this operation the firearms traffickers will be arrested prior to leaving the United States."⁵⁴ Although the agents obtained an electronic record of the sale and initiated surveillance, the plan failed according to a summary prepared by one agent:

ATF agents in conjunction with TPD VCIT Task Force Officers conducted a surveillance of suspected firearms traffickers in furtherance of this investigation. Suspects purchased 20+ firearms which totaled over \$35,000.00 in retail cost. The surveillance successfully obtained electronic evidence of the transaction, further identified the traffickers and additional suspect vehicles. The traffickers were followed to a neighborhood on the Southside of Tucson and then later lost. The suspects are planning on making a purchase of 20-50 M4 rifles and are negotiating this next deal. The investigation continues.⁵⁵

Despite the surveillance of the straw purchase and other evidence collected during the April 11, 2007, operation, the suspects were not arrested even after they were later located. Instead, more operations were planned.

An April 23, 2007, memo from Special Agent in Charge Newell to the Chief of Special Operations requesting additional funding for Operation Wide Receiver documented the failure to coordinate surveillance with Mexican law enforcement and public safety risks associated with continuing on that course:

To date, the Tucson II Field Office and TPD SID have been unable to surveil the firearms to the International border. From contact with those offices, the Mexican Federal law enforcement authorities understand that the surveillance is difficult and that several firearms will likely make it to Mexico prior to a U.S. law enforcement successful surveillance of firearms to the international border.⁵⁶

Two weeks later, on May 7, 2007, ATF agents and Tucson Police conducted surveillance of another "planned arrival" of a suspected straw purchaser and his associates at an FFL.⁵⁷ The Operational Plan shows that ATF agents had advance notice that the suspect had contacted the FFL to arrange the purchase of more than 20 firearms, planned to purchase the firearms from the FFL later in the day, and had made arrangements for a vehicle to transport the weapons into Mexico that night.⁵⁸ The Operational Plan indicated that "[i]f the Mexican authorities decline or fail to participate, the firearms traffickers will be arrested prior to leaving the

United States.”⁵⁹ ATF agents contacted Mexican law enforcement in advance of the operation and they agreed to assist with surveillance of the suspects if they entered Mexico.⁶⁰ According to a subsequent summary of these events:

[The suspects] were scheduled to purchase the ordered firearms. [Redacted] cancelled at the last minute, but [the suspect] purchased 15 firearms and was surveilled to his residence at [redacted]. Surveillance was discontinued the following day due to neighbors becoming suspicious of surveillance vehicles.”⁶¹

The suspects were not arrested, the firearms were not interdicted, and the investigation continued in anticipation of the suspects’ next major purchase.

ATF agents expressed concern about gunwalking

Agents in ATF’s Phoenix Field Division began to express concern that Operation Wide Receiver was not yielding the desired results. In a June 7, 2007, email, one special agent on the case wrote to his supervisor:

We have invested a large amount of resources in trying to get the load car followed to Mexico and turning it over to PGR [Mexican federal prosecutors] and are preparing to expend even more. We already have numerous charges up here and actually taking in to Mexico doesn’t add to our case specifically at that point. We want the money people in Mexico that are orchestrating this operation for indictment but obviously we may never actually get our hands on them for trial, so the real beneficiary is to PGR.⁶²

Despite the agent’s concerns, Operation Wide Receiver remained on the same course with another “planned arrival” attempted on June 26, 2007.⁶³ The Operational Plan indicated that ATF agents had advance notice that the suspect had been in contact with the FFL, that the suspect was “extremely anxious” to purchase more firearms, and that firearms are to be purchased and then continue to “unknown locations throughout Tucson and Southern Arizona.”⁶⁴ Documents show that ATF agents and Tucson police were unable to follow the firearms to the Mexican border.⁶⁵

In an email sent on June 26, 2007, as the surveillance operation was set to begin, the ATF case agent for Operation Wide Receiver expressed reluctance about the repeated failures to coordinate surveillance of firearms traffickers with Mexican law enforcement.⁶⁶ He wrote to a prosecutor at the Texas U.S. Attorney’s Office:

We anticipate surveillance this evening where the subject(s) of interest are scheduled to purchase approx. \$20K of associated firearms for

further shipment to Caborca, Mx, and we are coordinating with the Mexican authorities in the event that the surveillance is successful. We have reached that stage where I am no longer comfortable allowing additional firearms to 'walk,' without a more defined purpose.⁶⁷

Criminal Division took over prosecution and found gunwalking

In late 2007, the operational phase of Operation Wide Receiver was terminated, and the case was passed to the U.S. Attorney's Office for prosecution. The case then sat idle for nearly two years without indictments or arrests. The first prosecutor assigned to the case became a magistrate judge, and the second prosecutor did not open the case file for more than six months.⁶⁸

In 2009, the Department of Justice's Criminal Division in Washington, D.C. offered to assign prosecutors to support firearms trafficking cases in any of the five border-U.S. Attorneys' offices.⁶⁹ The U.S. Attorney's Office in Arizona accepted the offer and asked for assistance with the prosecution of targets in Operation Wide Receiver.⁷⁰ In September 2009, the Criminal Division assigned an experienced prosecutor to take over the case.⁷¹

After reviewing the investigative files from 2006 and 2007, the Criminal Division prosecutor quickly realized that there were serious questions about how the case had been handled. On September 23, 2009, she wrote an email to her supervisors giving a synopsis of the case and its problems: "In short it appears that the biggest problem with the case is its [sic] old should have been taken down last year AND a lot of guns seem to have gone to Mexico."⁷²

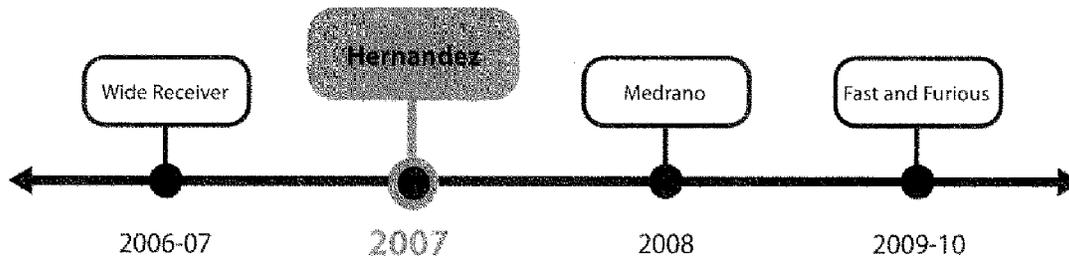
As she prepared the case for indictment, she continued to update her supervisors as new details emerged from the case file. On March 16, 2010, she sent an email to her supervisor:

It is my understanding that a lot of those guns "walked." Whether some or all of that was intentional is not known. The AUSA seemed to think ATF screwed up by not having a mechanism in place to seize weapons once they crossed the border.⁷³

The prosecutor also found evidence that guns involved in Operation Wide Receiver were connected to crime scenes in Mexico. She wrote that "13 of the purchased firearms have been recovered in Mexico in connection with crime scenes, including the April 2008 Tijuana gun battle" and that "[t]wo potential defendants were recently murdered in Mexico."⁷⁴

The Criminal Division proceeded with prosecutions relating to the investigation. In May 2010, one suspect pleaded guilty to forfeiture charges pre-

indictment while two additional co-conspirators were indicted in federal court.⁷⁵ On October 27, 2010, seven additional suspects were indicted in the District of Arizona on gun-trafficking related charges.⁷⁶



2. The Hernandez Case (2007)

According to documents obtained by the Committee, agents in the ATF Phoenix Field Division unsuccessfully attempted a second operation in the summer of 2007 after identifying Fidel Hernandez and several alleged co-conspirators as suspected straw purchasers seeking to smuggle firearms into Mexico. Despite failed attempts to coordinate with Mexican authorities, ATF agents sought approval from the U.S. Attorney's Office to expand so-called "controlled deliveries." In addition, documents obtained by the Committee indicate that then-Attorney General Michael Mukasey was personally briefed on these failed attempts and was asked to approve an expansion of these tactics. During the course of the investigation, Hernandez and his co-conspirators reportedly purchased more than 200 firearms.

ATF-Phoenix watched guns cross border without interdiction

According to their Operational Plan, ATF-Phoenix Field Division agents initiated a firearms trafficking investigation in July 2007 against Fidel Hernandez and his associates who, between July and October 2007, "purchased over two hundred firearms" and were "believed to be transporting them into Mexico."⁷⁷ ATF analysts discovered that "Hernandez and vehicles registered to him had recently crossed the border (from Mexico into the U.S.) on 23 occasions" and that "four of their firearms were recovered in Sonora, Mexico."⁷⁸

According to contemporaneous ATF documents, ATF-Phoenix unsuccessfully attempted a cross-border operation in September 2007 in coordination with Mexican law enforcement authorities:

On September 26 and 27, 2007, Phoenix ATF agents conducted nonstop surveillance on Hernandez and another associate, Carlos Morales. ATF had information that these subjects were in possession

of approximately 19 firearms (including assault rifles and pistols) and were planning a firearm smuggling trip into Mexico. The surveillance operation was coordinated with Tucson I Field Office and the ATF Mexico Country Attaché. The plan, agreed to by all parties and authorized by the Phoenix SAC, was to follow these subjects to the border crossing in Nogales, Arizona while being in constant communication with an ATF MCO [Mexico Country Office] agent who would be in constant contact with a Mexican law enforcement counterpart at the port of entry and authorized to make a stop of the suspects' vehicle as it entered into Mexico.

On September 27, 2007, at approximately 10:00 pm, while the Phoenix agents, an MCO agent and Mexican counterparts were simultaneously on the phone, the suspects' vehicle crossed into Mexico. ATF agents observed the vehicle commit to the border and reach the Mexican side until it could no longer be seen. The ATF MCO did not get a response from the Mexican authorities until 20 minutes later when they informed the MCO that they did not see the vehicle cross.⁷⁹

ATF headquarters raised concerns about operational safeguards

Failed attempts to coordinate with Mexican authorities to capture suspected firearms traffickers as part of controlled deliveries raised serious concerns at ATF headquarters. On September 28, 2007, the day after the failed attempt, Carson Carroll, ATF's then-Assistant Director for Enforcement Programs, notified William Hoover, ATF's then-Assistant Director of Field Operations, that they had failed in their coordination. Mr. Carroll stated that when the suspected firearms traffickers were observed purchasing a number of firearms from an FFL in Phoenix, Arizona, ATF officials "immediately contacted and notified the GOM [Government of Mexico] for a possible controlled delivery of these weapons southbound to the Nogales, AZ., US/Mexico Border."⁸⁰ Mr. Carroll continued:

ATF agents observed this vehicle commit to the border and reach the Mexican side until it could no longer be seen. We, the ATF MCO did not get a response from the Mexican side until 20 minutes later, who then informed us that they did not see the vehicle cross.⁸¹

According to internal ATF documents, ATF agents attempted a second cross-border controlled delivery with Mexican authorities on October 4, 2007. That operation also failed to lead to the successful capture of the subject in Mexico.⁸²

That same day, Assistant Director Hoover sent an email to Assistant Director Carroll and ATF-Phoenix Field Division Special Agent in Charge William Newell demanding a call to discuss the investigation:

Have we discussed the strategy with the US Attorney's Office re letting the guns walk? Do we have this approval in writing? Have we discussed and thought thru the consequences of same? Are we tracking south of the border? Same re US Attorney's Office. Did we find out why they missed the handoff of the vehicle? What are our expected outcomes? What is the timeline?⁸³

The next day, Assistant Director Hoover wrote Mr. Carroll again:

I do not want any firearms to go South until further notice. I expect a full briefing paper on my desk Tuesday morning from SAC Newell with every question answered. I will not allow this case to go forward until we have written documentation from the U.S. Attorney's Office re full and complete buy in. I do not want anyone briefed on this case until I approve the information. This includes anyone in Mexico.⁸⁴

Mr. Hoover's concerns seem to have temporarily halted controlled delivery operations in the Hernandez investigation. On October 6, 2007, Special Agent in Charge Newell wrote to Assistant Director Carroll:

I'm so frustrated with this whole mess I'm shutting the case down and any further attempts to do something similar. We're done trying to pursue new and innovative initiatives—it's not worth the hassle.⁸⁵

Nevertheless, Mr. Newell insisted that he did have approval from the U.S. Attorney's Office. He wrote:

We DO have them [the U.S. Attorney's Office] on board and as a matter of fact they (Chief of Criminal John Tocchi) recently agreed to charge the firearms recipients in Mexico (if we could fully [ID] them via a controlled delivery) with a conspiracy charge in US court.⁸⁶

Despite the concerns expressed by Assistant Director Hoover, ATF operational plans show that additional controlled deliveries were planned for October 18, November 1, and November 26-27, 2007.⁸⁷ The documents describe ATF plans to observe the purchases at the FFL, follow the suspects "from the FFL in Phoenix, AZ to the Mexican port of entry in Nogales, Arizona," allow the suspects to "cross into Mexico," and allow "Mexican authorities to coordinate the arrest of the subjects."⁸⁸

Attorney General Mukasey briefed and asked to "expand" operations

In the midst of these ongoing operations, on November 16, 2007, Attorney General Michael Mukasey received a memorandum in preparation for a meeting

with Mexican Attorney General Medina Mora. The memo described the Hernandez case as “the first ever attempt to have a controlled delivery of weapons being smuggled into Mexico by a major arms trafficker.”⁸⁹ The briefing paper warned the Attorney General that “the first attempts at this controlled delivery have not been successful.”⁹⁰ Despite these failures, the memorandum sought to expand such operations in the future:

ATF would like to expand the possibility of such joint investigations and controlled deliveries—since only then will it be possible to investigate an entire smuggling network, rather than arresting simply a single smuggler.⁹¹

This briefing paper was prepared by senior officials at ATF and the Department of Justice only weeks after Assistant Director Hoover had expressed serious concerns with the failure of these tactics.⁹²

The emails exchanging drafts of the Attorney General’s briefing paper also make clear that ATF officials understood that these were not, in fact, the first operations that allowed guns to “walk.” Assistant Director Carroll wrote to Assistant Director Hoover: “I am going to ask DOJ to change ‘first ever’... there have [been] cases in the past where we have walked guns.”⁹³ That change never made it into the final briefing paper for Attorney General Mukasey.

Ten days after Attorney General Mukasey was notified about the failed surveillance operations and was asked to expand the use of the cross-border gun operations, ATF agents planned another surveillance operation in coordination with Mexico. The Operational Plan stated:

- 1) Surveillance units will observe [redacted] where they will attempt to confirm the purchase and transfer of firearms by known targets.
- 2) Once the transfer of firearms is confirmed through surveillance, units will then follow the vehicle and its occupants from the FFL in Phoenix, AZ to the Mexican port of entry in Nogales, Arizona. Once the subjects cross into Mexico, ATF attachés will liaison with Mexican authorities to coordinate the arrest of the subjects.
- 3) ATF agents will not be involved with the arrest of the subjects in Mexico but will be present to coordinate the arrest efforts between surveillance units and Mexican authorities as well as to conduct post-arrest interviews.⁹⁴

As part of this operation, surveillance units were monitoring the FFL during normal business hours in order to observe large firearms transfers by their known targets.⁹⁵

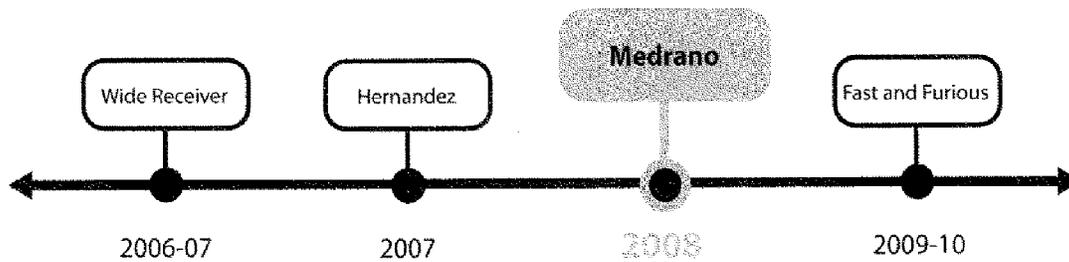
The Committee has not received any documents indicating that ATF-Phoenix agents were able to successfully coordinate with Mexican law enforcement to interdict firearms in the Hernandez case. During the course of the investigation, Hernandez and his co-conspirators purchased more than 200 firearms. In multiple instances, ATF agents witnessed Hernandez and his associates take these weapons into Mexico.⁹⁶

Hernandez and his associate were arrested in Nogales, Arizona on November 27, 2007, while attempting to cross the border into Mexico.⁹⁷ The defendants were charged with Conspiracy to Export Firearms, Exporting Firearms, and two counts of Attempted Exportation of Firearms. The defendants were brought to trial in 2009, but acquitted after prosecutors were unable to obtain the cooperation of the Mexican law enforcement officials who had recovered firearms purchased by Hernandez. An ATF briefing paper from 2009 summarized the result:

Case 4:07-cr-00111-DOZ-CBP, Doc. 0001-1, Filed 11/27/07, Page 3 of 2	
United States District Court	
United States of America vs. Carlos Valentin Morales Valenzuela DOB: 05/20/1984; Mexican citizen Fidel Jesus Hernandez DOB: 05/01/1973; U.S. citizen.	NOV 27 2007 CLERK'S OFFICE OF COURT PHOENIX, ARIZONA Case No. 07-0696AM
Charges in violation of Title 18, United States Code § 371	
COMPLAINANT'S STATEMENT OF FACTS CONCERNING THE OFFENSE OR VIOLATION: Beginning at issue unknown, to-wit: on or about November 27, 2007, at or near the District of Arizona, defendant, Carlos Valentin Morales Valenzuela and Fidel Jesus Hernandez, did unlawfully and intentionally combine, conspire, manufacture, and agree to unlawfully export and cause to be exported from the United States to Mexico defense articles, to-wit: three Colt Custom Government .38 caliber Super handguns, serial numbers ELC0N4700, ELC0N4741 and ELC0N4719; one Colt Custom .38 caliber Super handgun, serial number ELC0N4716; three Colt .38 caliber Super handguns, serial numbers 364-6462 and 38423169; which were recognized as defense articles on the United States Munitions List, without having first obtained from the Department of State a license for such export or without such license for such export in violation of Title 22, United States Code Sections 2770(a)(2) and (c), and Title 22, Code of Federal Regulations, Sections 121.1, 121.4, 121.5, 127.1(a), 127.1(b) and 127.5	
All in violation of Title 18, United States Code Section 371	
NAME OF COMPLAINANT'S OFFICE REGARDING THE ACCUSATION: On or about November 23, 2007, CARLOS VALENTIN MORALES-VALENZUELA AND FIDEL JESUS HERNANDEZ, purchased two firearms, to-wit: two Colt custom gov't .38 Supers, from a federally licensed dealer in Phoenix, Arizona. On or about November 26, 2007, MORALES-VALENZUELA and HERNANDEZ, placed same firearms, including the two Colt custom gov't .38 Supers, in their luggage and put them in a Ford Expedition in Phoenix, Arizona, for illegal exportation to Mexico through the Mariposa Port of Entry, in Nogales, Arizona. On or about November 26, 2007, MORALES-VALENZUELA and HERNANDEZ traveled from Phoenix, Arizona, to Nogales, Arizona, for the purpose of illegally exporting same (2) firearms to Mexico. MORALES-VALENZUELA was actually driving a Volkswagen Jetta and HERNANDEZ was driving the Ford Expedition containing the two (2) firearms. Near Nogales, they searched vehicles, and placed the firearms in the Volkswagen Jetta. On November 26, 2007, MORALES-VALENZUELA approached the Mariposa Port of Entry in Nogales, Arizona and attempted to enter the Republic of Mexico. Upon exiting the port of entry, MORALES-VALENZUELA was stopped by officials from Customs and Border Protection. Upon seeing this, HERNANDEZ quickly made a U-turn in the Volkswagen Jetta and drove away from the port of entry.	
(Continued on reverse)	
MATERIAL WITNESSES IN RELATION TO THE CHARGE	
Subscribed Declaration, Request Recd. W/return for HERNANDEZ	DATE/TIME OF COMPLAINANT'S OFFICE
Authorizing Officer: ALISA	Special Agent, ATF
DATE	NOVEMBER 27, 2007

The judge also would not allow us to introduce evidence of how the guns were found in Mexico unless we could produce the Mexican Police Officials who located the guns. We were unable to obtain the cooperation of Mexican law enforcement to identify and bring these witnesses to trial to testify.⁹⁸

At the conclusion of the trial, the jury was unable to reach a verdict on three counts of the indictment, and the defendants were acquitted on a fourth charge.⁹⁹



3. The Medrano Case (2008)

In February 2008, ATF agents in Phoenix began investigating a straw purchasing network led by Alejandro Medrano. Documents obtained by the Committee indicate that on multiple occasions throughout 2008, ATF agents were aware that Medrano and his associates were making illegal firearms purchases and trafficking the weapons into Mexico. According to documents obtained by the Committee, ATF-Phoenix did not arrest suspects for approximately one year while their activities continued, instead choosing to continue surveillance. During the summer of 2008, agents from U.S. Immigration and Customs Enforcement (ICE) raised concerns about the tactics being used, but the tactics continued for several more months. On December 10, 2008, a criminal complaint was filed against Medrano and his associates in the United States District Court for the District of Arizona, and the targets were later sentenced to varying prison sentences.

ATF agents watched as firearms crossed the border

An ATF-Phoenix Operational Plan obtained by the Committee describes an instance on June 17, 2008, in which ATF agents watched Medrano and an associate, Hernan Ramos, illegally purchase firearms at an FFL in Arizona, load them in their car, and smuggle them into Mexico:

Agents observed both subjects place the firearms in the backseat and trunk [of a vehicle]. Agents and officers surveilled the vehicle to Douglas, AZ where it crossed into Mexico at the Douglas Port of Entry (POE) before a stop could be coordinated with CBP [Customs and Border Protection].¹⁰⁰

Neither Medrano nor Ramos was arrested or detained at the time or in the months after. The Operational Plan does not include any indication that ATF agents attempted to coordinate with Mexican law enforcement. The fact that the suspects continued to make firearms purchases in the United States and take them to Mexico suggests that they were not intercepted by Mexican law enforcement.

In the two months following these surveillance operations, Medrano and his co-conspirators purchased several additional firearms at gun shows and from FFLs in the Phoenix area.¹⁰¹ The suspects also continued to travel back and forth to Mexico.¹⁰² The ATF Operational Plan also stated:

The group particularly targeted gun shows where several members purchased firearms from various FFL'S. According to TECS [the Treasury Enforcement Communications System, a government database used to track individuals' travel patterns], identified subjects routinely crossed into Mexico prior to and following a large number of firearms purchases. While only purchasing a small number of firearms, MEDRANO crossed into Mexico utilizing several vehicles that were not registered to him or his immediate family. MEDRANO routinely returned to the US on foot while other identified subjects drove a vehicle into the US. It is believed that identified subjects entering the US on foot were carrying bulk cash to pay for future firearms.¹⁰³

According to the Operational Plan, multiple firearms connected to the network were recovered in Mexico, some very soon after they were sold:

Hernan RAMOS purchased a 7.62 caliber rifle in February 2008 that was recovered in June 2008. Jose ARIZMENDIZ purchased two pistols that were recovered at the same location in Mexico. One of the pistols had a time to crime of fifteen (15) days.¹⁰⁴

ICE agents raised concerns

Documents obtained by the Committee indicate that in the summer of 2008, ATF agents handling the Medrano investigation met with ICE agents to coordinate surveillance of another cross-border smuggling attempt. At this meeting, ICE agents balked when they learned about the tactics being employed by ATF-Phoenix. On August 12, 2008, the head of ICE's offices in Arizona wrote to ATF Special Agent in Charge Newell asking for an in-person meeting about the dispute among agents over ATF operational plans to allow straw purchased guns to cross the border:

One of [the ICE] groups worked with your guys over the weekend on a surveillance operation at a Tucson gun show. While we had both met in advance with the USAO, our agents left that meeting with the understanding that any weapons that were followed to the border would be seized. On Friday night, however, our agents got an op plan that stated that weapons would be allowed to go into Mexico for further surveillance by LEAs [law enforcement agents] there.¹⁰⁵

In his response, Mr. Newell acknowledged that letting guns cross the border was part of ATF's plan, but stated that he needed more information about what had happened:

I need to get some clarification from my folks tomorrow because I was told that your folks were aware of the plan to allow the guns to cross, in close cooperation with both our offices in Mexico as well as Mexican Feds.¹⁰⁶

Although the subsequent correspondence does not explain how this dispute was resolved, the Medrano trafficking network reportedly supplied over 100 assault rifles and other weapons "to a member of the Sinaloa drug cartel known as 'Rambo.'"¹⁰⁷

Criminal complaint also confirms "gunwalking"

On December 10, 2008, Federal prosecutors filed a complaint in the United States District Court for the District of Arizona that describes in detail gun trafficking activities conducted by Medrano and his associates that involved more than 100 firearms over the course of the year. The complaint confirms that ATF agents watched as Medrano and his associates trafficked illegal firearms into Mexico. For example, the complaint discusses the incident on June 17, 2008, discussed above, in which ATF agents observed the suspects purchase weapons, load them in their car, and drive them to Mexico. The complaint states:

On or about June 17, 2008, at or near Tucson, Arizona, Alejandro Medrano and Hernan Ramos went together to Mad Dawg Global, a federally licensed firearms dealer, where Hernan Ramos purchased six (6) .223 caliber rifles for approximately \$4800.00 and falsely represented on the 4473 that he was the actual purchaser. Both Alejandro Medrano and Hernan Ramos placed the six (6) rifles in the back seat of their vehicle.¹⁰⁸

The complaint then explains that the suspects drove these firearms across the border. It states:

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12
 13 UNITED STATES DISTRICT COURT
 14 DISTRICT OF ARIZONA
 15
 16 08-01853 M
 17 COMPLAINT
 18
 19 United States of America,
 20 Plaintiff,
 21 v.
 22 Aldo Arizmendi,
 23 Joel Arizmendi,
 24 Jose Arizmendi,
 25 Fernando Lopez,
 26 Juan Carlos Medina Duarte,
 27 Alejandro Medrano,
 28 Jesus Medrano,
 29 Michael Moreno,
 30 Hernan Ramos,
 31 Seth Rutledge,
 32 Defendants.

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1 From a time unknown including on or about May 6, 2006, and continuing through on or about September 13, 2008, in the District of Arizona, and elsewhere, Aldo Arizmendi, Joel Arizmendi, Jose Arizmendi, Fernando Lopez, Juan Carlos Medina Duarte, Alejandro Medrano, Jesus Medrano, Michael Moreno, Hernan Ramos, Seth Rutledge, named herein as defendants and co-conspirators did willfully, knowingly, and unlawfully conspire, conspire, confederate and agree together and with others known and unknown, to

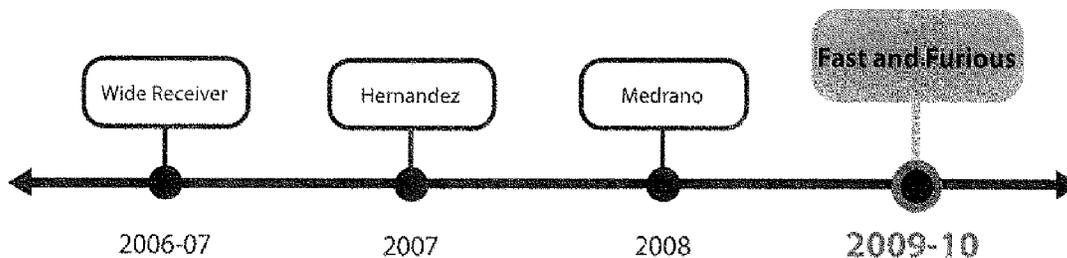
Alejandro Medrano drove Hernan Ramos's vehicle with Hernan Ramos as a passenger from Mad Dawg Global in Tuscon, Arizona, to the Douglas Port of Entry where they both entered into Mexico with at least the six (6) .223 caliber rifles in the vehicle.¹⁰⁹

The complaint states that the information was obtained by ATF agents conducting surveillance:

ATF Special Agents conducted surveillance, recorded firearms transactions, and identified the dates and times that the conspirators herein crossed the international border either in vehicles or on foot.¹¹⁰

The complaint also describes how quickly Medrano and his associates traveled back and forth between the United States and Mexico for additional firearm purchases. For example, in one instance on May 21, 2008, Hernan Ramos entered the United States and returned to Mexico "less than two hours later in the same vehicle." The complaint also states that in another instance on August 13, 2008, Medrano and an associate entered the United States "driving a vehicle which had entered into Mexico approximately fifteen minutes earlier."¹¹¹

On August 9, 2010, Medrano was "sentenced to 46 months in prison for his leadership role in the conspiracy."¹¹² Ramos was sentenced to 50 months in prison and "[m]ost of the remaining defendants in the conspiracy received prison terms ranging from 14 to 30 months."¹¹³ Many of the firearms purchased by the Medrano network were subsequently recovered in Mexico.¹¹⁴



4. Operation Fast and Furious (2009-10)

The investigation that became known as Operation Fast and Furious began in the ATF Phoenix Field Division in October 2009. Despite having identified 20 suspects who paid hundreds of thousands of dollars in cash to buy hundreds of military-grade firearms on behalf of the same trafficking ring, ATF-Phoenix and the Arizona U.S. Attorney's Office asserted that they lacked probable cause for any arrests. Three months into the investigation, they agreed instead on a broader

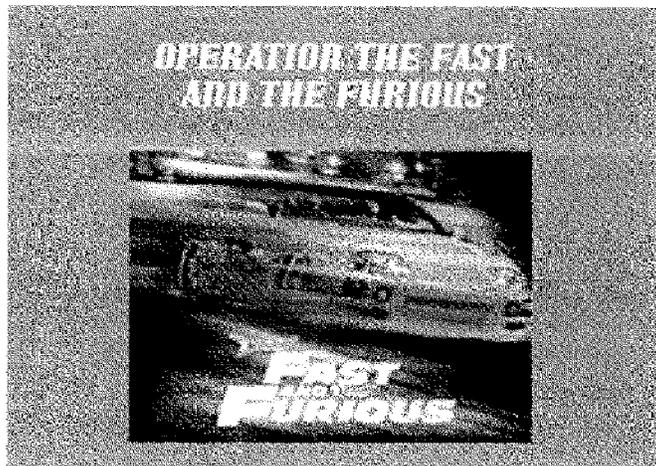
strategy to build a bigger case against cartel leaders, rather than straw purchasers, through long-term surveillance and wiretaps. While they pursued this broader strategy, ATF-Phoenix agents did not interdict hundreds of firearms purchased and distributed by the suspects under their surveillance. In March 2010, the Deputy Director of ATF became concerned with the operation and ordered an “exit” strategy to bring indictments within 90 days. The documents indicate that ATF-Phoenix field agents chafed against this directive, however, and allowed suspect purchases to continue for months in an effort to salvage the broader goal of the investigation. In January 2011, the U.S. Attorney’s Office indicted 19 straw purchasers and the local organizer of the network, all of whom had been identified at the beginning of the investigation in 2009.

Initiated by ATF-Phoenix in the Fall of 2009

According to documents obtained by the Committee, the investigation that became known as Operation Fast and Furious started in October 2009 when ATF agents received a tip that four suspected straw purchasers had acquired numerous AK-47 style rifles from the same gun dealer. ATF also received a tip about a man named Uriel Patino who had purchased numerous AK-47 rifles from the same dealer.¹¹⁵

The next month, ATF identified six additional suspected straw purchasers and two local properties that were being utilized as firearm drop locations.¹¹⁶ On November 20, 2009, some of the guns purchased by the suspects were recovered in Naco, Mexico, including firearms with a “short time to crime.” Two additional suspects were identified based on the firearms recovered in Naco.¹¹⁷

ATF-Phoenix presentation on Fast and Furious



The case continued to grow in December with the identification of seven additional suspected straw purchasers and Manuel Celis-Acosta, a suspect connected to a large-scale Drug Enforcement Administration (DEA) investigation.¹¹⁸

A Briefing Paper prepared by ATF-Phoenix noted the size of the organization and the rapid pace of firearm purchases in those initial months of the investigation. It stated:

It should also be noted that the pace of firearms procurement by this straw purchasing group from late September to early December, 2009 defied the "normal" pace of procurement by other firearms trafficking groups investigated by this and other field divisions. This "blitz" was extremely out of the ordinary and created a situation where measures had to be enacted in order to slow this pace down in order to perfect a criminal case.¹¹⁹

The Briefing Paper stated that the investigation had identified more than 20 individual straw purchasers, all connected to the same trafficking ring, who "had purchased in excess of 650 firearms (mainly AK-47 variants) for which they have paid cash totaling more than \$350,000.00"¹²⁰

Prosecutors claimed no probable cause to arrest straw buyers

According to documents obtained by the Committee, on January 5, 2010, ATF-Phoenix officials working on the investigation had a meeting with the lead prosecutor on the case, Arizona Assistant U.S. Attorney Emory Hurley. The ATF agents and the prosecutor wrote separate memos following the meeting reflecting a consensus that no probable cause existed to arrest any of the straw purchasers despite the significant number of firearms that had been purchased. The ATF-Phoenix Briefing Paper, prepared three days after the meeting, stated:

On January 5, 2010, ASAC Gillett, GS [Group Supervisor] Voth, and case agent SA MacAllister met with AUSA Emory Hurley who is the lead federal prosecutor on this matter. Investigative and prosecutions strategies were discussed and a determination was made that there was minimal evidence at this time to support any type of prosecution; therefore, additional firearms purchases should be monitored and additional evidence continued to be gathered. This investigation was briefed to United States Attorney Dennis Burke, who concurs with the assessment of his line prosecutors and fully supports the continuation of this investigation.¹²¹

Similarly, the prosecutor wrote a memo to his direct supervisor, stating: "We have reviewed the available evidence thus far and agree that we do not have any chargeable offenses against any of the players."¹²²

During a transcribed interview with Committee staff, the ATF-Phoenix Group Supervisor who oversaw the operation and participated in the meeting explained that he had to follow the prosecutor's probable cause assessment:

I don't think that agents in Fast and Furious were forgoing taking action when probable cause existed. We consulted with the U.S.

Attorney's Office. And if we disagree, I guess we disagree. But if the U.S. Attorney's Office says we don't have probable cause, I think that puts us in a tricky situation to take action independent, especially if that is contradictory to their opinion.¹²³

In another exchange, the Group Supervisor explained the prosecutor's assessment with respect to Uriel Patino, the single largest suspected straw purchaser in the Fast and Furious network:

Q: Does that meet your understanding of probable cause to interdict a gun when Uriel Patino goes in for the fifth or sixth or 12th time to purchase more and more guns with cash?

A: We talked that over at the U.S. Attorney's Office, and the conclusion was that we would need independent probable cause for each transaction. Just because he bought 10 guns yesterday doesn't mean that the 10 he is buying today are straw purchased. You can't transfer probable cause from one firearm purchase to the next firearm purchase. You need independent probable cause for each occurrence.

Q: And it doesn't matter not just that he bought 10 last week and 20 the week before, but that five of them ended up in Mexico at a crime scene, at a murder?

A: Again, in talking to the U.S. Attorney's Office, unless we could prove that he took them to Mexico, the fact that he sold them or transferred them to another [non-prohibited] party doesn't necessarily make him a firearms trafficker. If he sells them to his neighbor lawfully and then his neighbor takes them to Mexico, it is the neighbor who has done the illegal act, not Patino, who sold them to his neighbor.¹²⁴

Although the determination of whether sufficient probable cause existed to make arrests ultimately rested with the prosecutor, documents obtained by the Committee indicate that all of the participants agreed with the strategy to proceed with building a bigger case and to forgo taking down individual members of the straw purchaser network one-by-one. The ATF Briefing Paper stated:

Currently our strategy is to allow the transfer of firearms to continue to take place albeit, at a much slower pace, in order to further the investigation and allow for the identification of additional co-conspirators who would continue to operate and illegally traffic

firearms to Mexican DTOs [drug trafficking organizations] which are perpetrating armed violence along the Southwest Border.¹²⁵

During his transcribed interview with Committee staff, Special Agent in Charge Newell explained:

[T]he goal was twofold. It was to identify the firearms-trafficking network, the decision-makers, and not just focus on the straw purchasers. We would go after the decision-makers, the people who were financing.¹²⁶

He stated that it was critical to identify the network rather than arresting individual straw purchasers one-by-one:

The goal of the investigation, as I said before, was to identify the whole network, knowing that if we took off a group of straw purchasers this, as is the case in hundreds of firearms trafficking investigations, some that I personally worked as a case agent, you take off the low level straw purchaser, all you're doing is one of – you're doing one of two things, one of several things. You're alerting the actual string-puller that you're on to them, one, and, two, all they are going to do is go out and get more straw purchasers.

Our goal in this case is to go after the decision-maker, the person at the head of the organization, knowing that if we remove that person, in the sense of prosecute that person, successfully, hopefully, that we would have much more impact than just going after the low-level straw purchaser.¹²⁷

Prosecutor encouraged U.S. Attorney to “hold out for bigger” case

In addition to finding no probable cause to arrest suspected straw purchasers who had already purchased hundreds of firearms, the lead prosecutor recommended against employing traditional investigative tactics against the suspects. In a memorandum to his supervisor on January 5, 2010, Mr. Hurley wrote:

In the past, ATF agents have investigated cases similar to this by confronting the straw purchasers and hoping for an admission that might lead to charges. This carries a substantial risk of letting the members of the conspiracy know that they are the subject of an investigation and not gain any useful admissions from the straw buyer. In the last couple of years, straw buyers appear to be well coached in how to avoid answering question about firearms questions. Even when the straw buyers make admissions and can be prosecuted, they

are easily replaced by new straw buyers and the flow of guns remains unabated.¹²⁸

The lead prosecutor noted that ATF-Phoenix was aware that ATF headquarters would likely object to both the strategy of trying to build a bigger case and the proposal to forgo using traditional law enforcement tactics:

ATF [Phoenix] believes that there may be pressure from ATF headquarters to immediately contact identifiable straw purchasers just to see if this develops any indictable cases and to stem the flow of guns. Local ATF favors pursuing a wire and surveillance to build a case against the leader of the organization. If a case cannot be developed against the hub of the conspiracy, he will be able to replace the spokes as needed and continue to traffic firearms. I am familiar with the difficulties of building a case only upon the interviews of a few straw purchasers and have seen many such investigations falter at the first interview. I concur with Local ATF's decision to pursue a longer term investigation to target the leader of the conspiracy.¹²⁹

Later the same day, January 5, 2010, the lead prosecutor's supervisor forwarded the memorandum to U.S. Attorney Dennis Burke, recommending that he agree to both the strategy and tactics. The supervisor's email to Mr. Burke stated:

Dennis—Joe Lodge has been briefed on this but wanted to get you a memo for your review. Bottom line – we have a promising guns to Mexico case (some weapons already seized and accounted for), local ATF is on board with our strategy but ATF headquarters may want to do a smaller straw purchaser case. We should hold out for the bigger case, try to get a wire, and if it fails, we can always do the straw buyers. Emory's memo references that this is the "Naco, Mexico seizure case" – you may have seen photos of that a few months ago.¹³⁰

Mr. Burke responded two days later with a short message: "Hold out for bigger. Let me know whenever and w/ whomever I need to weigh-in."¹³¹

Although Mr. Burke agreed with the proposal to target the organizers of the firearms trafficking conspiracy, he told Committee staff that neither ATF-Phoenix nor his subordinates suggested that agents would be letting guns walk as part of the investigation. As discussed in Section C, below, Mr. Burke stated in his transcribed interview that he was under the impression that ATF-Phoenix was coordinating interdictions with Mexican officials. Mr. Burke stated:

I was under the opposite impression, which was that based on his [Mr. Newell's] contacts and the relationships with Mexico and what they

were doing, that they would be working with Mexico on weapons transferred into Mexico.¹³²

According to documents obtained by the Committee, Mr. Burke also received explicit assurances from the lead prosecutor on the case, Mr. Hurley, that ATF-Phoenix agents “have not purposely let guns ‘walk.’”¹³³

ATF-Phoenix sought funding and wiretaps to target higher-level suspects

To secure additional resources for Operation Fast and Furious, including agents, funding, and sophisticated investigative tools, ATF-Phoenix requested funding from the Organized Crime Drug Enforcement Task Forces (OCDETF) Program, which provides funding “to identify, disrupt, and dismantle the most serious drug trafficking and money laundering organizations and those primarily responsible for the nation’s drug supply.”¹³⁴

In January 2010, ATF-Phoenix submitted an investigative strategy in its application for funding from OCDETF.¹³⁵ ATF-Phoenix and the U.S. Attorney’s Office used evidence gathered from another agency’s investigation to draft its proposal.¹³⁶ The application explained that the goal Operation Fast and Furious was to bring down a major drug trafficking cartel:

The direct goal of this investigation is to identify and arrest members of the CONTRERAS DTO [Drug Trafficking organization] as well as seize assets owned by the DTO. Based upon the amount of drugs this organization distributes in the US it is anticipated that the investigation will continue to expand to other parts of the US and enable enforcement operations in multiple jurisdictions. In addition to the CONTRERAS DTO, this investigation is intended to identify and expand to the hierarchy within the Mexico-based drug trafficking organization that directs the CONTRERAS DTO.¹³⁷

ATF-Phoenix’s proposal for Operation “The Fast and the Furious” was approved by an interagency group of Federal law enforcement officials in Arizona in late January 2010.¹³⁸

ATF-Phoenix also drafted a proposal to conduct a wiretap with the goal of obtaining evidence to connect the straw purchasers to the leaders of the firearms trafficking conspiracy.¹³⁹ During his transcribed interview with Committee staff, U.S. Attorney Burke explained the purpose behind this wiretap application:

[T]he belief was, at least in I think January 2010, was when they first, my recollection is that they first started referencing the interest in

getting the [wiretap]. But the point being that they were going to try to reach beyond just the straw purchasers and figure out who the actual recruiters were and organizers of the gun trafficking ring.¹⁴⁰

ATF-Phoenix submitted its wiretap application with the necessary affidavits and approvals from the Department of Justice, Office of Enforcement Operations, and received federal court approval for its first wiretaps.¹⁴¹

ATF-Phoenix agents watched guns walk

Documents obtained by the Committee indicate that while ATF-Phoenix and the U.S. Attorney's Office pursued their strategy of building a bigger case against higher-ups in the firearms trafficking conspiracy, ATF-Phoenix field agents continued daily surveillance of the straw purchaser network. With advance or real-time notice of many purchases by the cooperating gun dealers, the agents watched as the network purchased hundreds of firearms. One ATF-Phoenix agent assigned to surveillance described a common scenario:

[A] situation would arise where a known individual, a suspected straw purchaser, purchased firearms and immediately transferred them or shortly after, not immediately, shortly after they had transferred them to an unknown male. And at that point I asked the case agent to, if we can intervene and seize those firearms, and I was told no.¹⁴²

When asked about the number of firearms trafficked in a given week, one agent answered:

Probably 30 or 50. It wasn't five. There were five at a time. These guys didn't go to the FFLs unless it was five or more. And the only exceptions to that are sometimes the Draco, which were the AK-variant pistols, or the FN Five-sevenN pistols, because a lot of FFLs just didn't have ... 10 or 20 of those on hand.¹⁴³

Agents told the Committee that they became increasingly alarmed as this practice continued, which they viewed as a departure from both protocol and their expectations as law enforcement officials. One agent stated:

We were walking guns. It was our decision. We had the information. We had the duty and the responsibility to act, and we didn't do so. So it was us walking those guns. We didn't watch them walk, we walked.¹⁴⁴

ATF Deputy Director Hoover ordered an "exit strategy"

The documents obtained and interviews conducted by the Committee indicate that, following a briefing in March 2010, ATF Deputy Director William Hoover ordered an "exit strategy" in order to extract ATF-Phoenix from this operation. At the March briefing, the ATF Intelligence Operations Specialist and the Group Supervisor made a presentation regarding Operation Fast and Furious that covered the suspects, the number of firearms each had purchased, the amount of money each had spent, the known stash houses where guns were deposited, and the locations in Mexico where Fast and Furious firearms had been recovered. The briefing also included Assistant Director for Field Operations Mark Chait and Deputy Assistant Director for Field Operations William McMahon, four ATF Special Agents in Charge from ATF's Southwest border offices, and others.

In his transcribed interview with Committee staff, Deputy Director Hoover stated that he became concerned sometime after the briefing about the number of guns being purchased and ordered an "exit strategy" to close the case and seek indictments within 90 days:

Q: It's our understanding that you and Mr. Chait, in March approximately, asked for an exit strategy for the case?

A: That is correct. ...

Q: And if you could tell us what led to that request?

A: We received a pretty detailed briefing in March, I don't remember the specific date, I'm going to say it's after the 15th of March, about the investigation, about the number of firearms purchased by individuals. ... That would have been by our Intel division in the headquarters. ... During that briefing I was, you know, just jotting some notes. And I was concerned about the number of firearms that were being purchased in this investigation, and I decided that it was time for us to have an exit strategy and I asked for an exit strategy. It was a conversation that was occurring between Mark Chait, Bill McMahon and myself. And I asked for the exit strategy 30, 60, 90 days, and I wanted to be able to shut this investigation down.

Q: And by shutting the investigation down, you were interested in cutting off the sales of weapons to the suspects, correct?

A: That's correct.

Q: And you were worried, is it fair to say, that these guns were possibly going to be getting away and getting into Mexico and showing up at crime scenes?

A: I was concerned not only that that would occur in Mexico, but also in the United States.¹⁴⁵

Other than requesting an exit strategy, Mr. Hoover did not recall making any other specific demands because he generally “allowed field operations to run that investigation.”¹⁴⁶

ATF-Phoenix did not follow the 90-day exit strategy and continued the operation

In April 2010, more than one month after Deputy Director Hoover’s demand for an exit strategy, ATF-Phoenix still had not provided it, and Special Agent in Charge Newell expressed his frustration with perceived interference from ATF headquarters that he believed could prevent him from making a larger case. In an April 27, 2010, email to Deputy Assistant Director McMahon, he wrote:

I don’t like HQ driving our cases but understand the “sensitivities” of this case better than anyone. We don’t yet have the direct link to a DTO that we want/need for our prosecution, [redacted]. Once we establish that link we can hold this case up as an example of the link between narcotics and firearms trafficking which would be great on a national media scale but if the Director wants this case shut down then so be it.¹⁴⁷

Although Mr. Newell delivered an exit strategy that day at Mr. McMahon’s reminder, the operation continued to grow and expand rather than wind down over the months to follow.¹⁴⁸ In June 2010, three months after Deputy Director Hoover’s directive, the operational phase of the case was still continuing. On June 17, 2010, the ATF-Phoenix Group Supervisor received an email from a cooperating gun dealer raising concerns about how the firearms he was selling could endanger public safety. The dealer stated:

As per our discussion about over communicating I wanted to share some concerns that came up. Tuesday night I watched a segment of a Fox News report about firearms and the border. The segment, if the information was correct, is disturbing to me. When you, Emory and I met on May 13th I shared my concerns with you guys that I wanted to make sure that none of the firearms that were sold per our conversation with you and various ATF agents could or would ever end up south of the border or in the hands of the bad guys. I guess I

am looking for a bit of reassurance that the guns are not getting south or in the wrong hands. I know it is an ongoing investigation so there is limited information you can share with me. But as I said in our meeting, I want to help ATF with its investigation but not at the risk of agents safety because I have some very close friends that are US Border Patrol agents in southern AZ as well as my concern for all the agents safety that protect our country.¹⁴⁹

A month later, on July 14, 2010, Special Agent in Charge Newell sent an email to an ATF colleague in Mexico stating that ATF was “within 45-60 days of taking this [Operation Fast and Furious] down IF the USAO goes with our 846/924(c) conspiracy plan.”¹⁵⁰ At that time, the case was still months away from indictment.

In August 2010, the operation continued, with another cooperating gun dealer writing to the ATF-Phoenix Group Supervisor seeking advice about a large purchase order made by Uriel Patino, who personally purchased more than 600 assault weapons from a small handful of cooperating gun dealers. The dealer stated:

One of our associates received a telephone inquiry from Uriel Patino today. Uriel is one of the individuals your office has interest in, and he looking to purchase 20 FN-FNX mm firearms. We currently have 4 of these firearms in stock. If we are to fulfill this order we would need to obtain the additional 16 specifically for this purpose.

I am requesting your guidance as to weather [sic] or not we should perform the transaction, as it is outside of the standard way we have been dealing with him.¹⁵¹

The Group Supervisor wrote back requesting that the gun dealer fulfill the order:

[O]ur guidance is that we would like you to go through with Mr. Patino’s request and order the additional firearms he is requesting, and if possible obtain a partial down payment. This will require further coordination of exact details but again we (ATF) are very much interested in this transaction and appreciate your [] willingness to cooperate and assist us.¹⁵²

During a transcribed interview with Committee staff, another cooperating gun dealer explained that ATF agents had promised to address the concerns he raised about their capability to interdict these weapons:

I was assured in no uncertain terms—and let me be straight about this. She assured that they would have enough agents on sight to surveil the sale and make sure that it didn’t get away from them, as it was stated

to me. ... To continue, we went along with these sales at their request. ATF would want us to continue with them, and we did so.¹⁵³

Indictments delayed for months

By August 2010, rather than indicting the suspects in Operation Fast and Furious, ATF-Phoenix and the prosecutor were still in the process of compiling evidence to make indictment decisions. During his transcribed interview with Committee staff, Special Agent in Charge Newell stated:

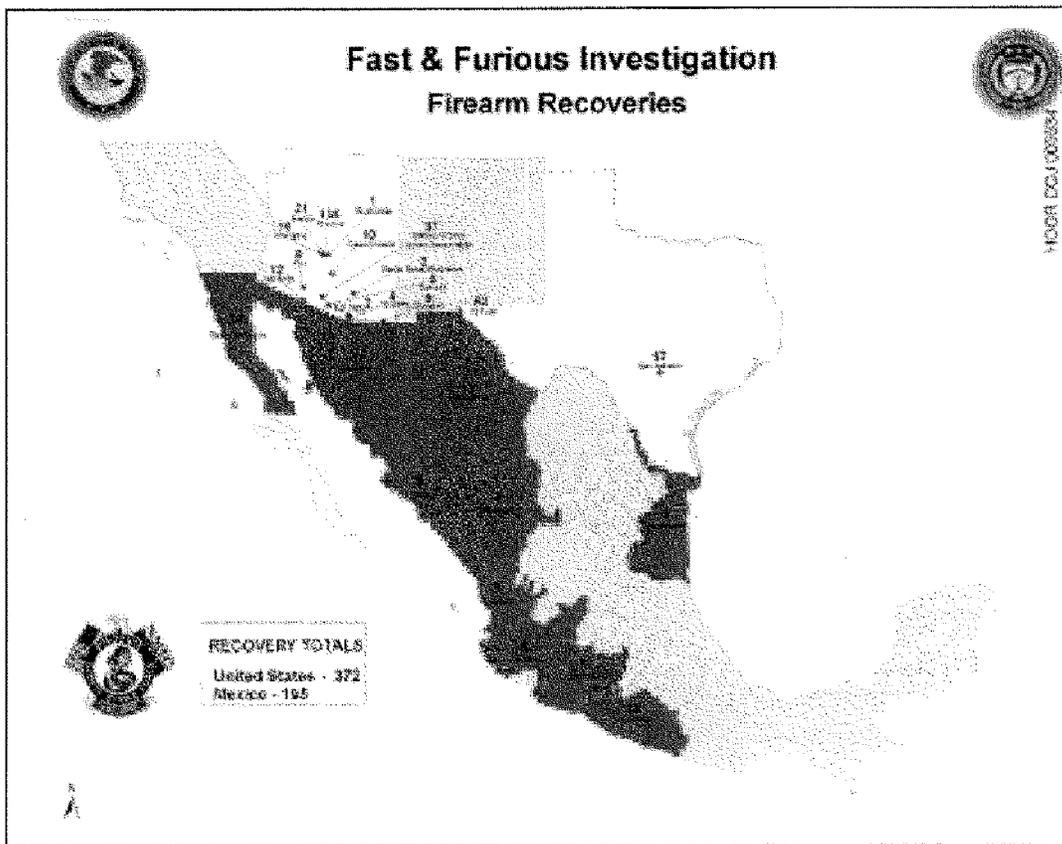
Well, the next phase in the investigation, it really moves from an investigation phase to prosecution phase at that point in the sense of getting the case ready for indictment. So I know that the case agent ... as well as the others were meeting regularly with the AUSA Emory Hurley, compiling all the different pieces of evidence specific to each individual prospective defendant, to get to a point where we met what we felt in conjunction with the U.S. Attorney's Office, in coordination with them, that met the burden of proof to be able to seek an indictment.¹⁵⁴

Mr. Newell stated that he understood that this process of "compiling" evidence takes significant time and, as a result, "we were hoping to get indictments in, as I recall, I think it was maybe October, November roughly."¹⁵⁵ Mr. Newell attributed the delay in the indictments to "a combination of workload [at the U.S. Attorney's Office] and the fact that there was a lot of work that needed to be done as far as putting the charges together."¹⁵⁶

In contrast, U.S. Attorney Burke informed Committee staff that the delay in the indictments was because ATF-Phoenix failed to produce to the prosecutor the completed case file until October 2010:

There is a formal process when an agency gives us a case with their cover, and the actual full documentation of the case was given to us, our office in October 2010, and I believe it was represented that it was given to us in August 2010.¹⁵⁷

On January 19, 2011, ten months after Deputy Director Hoover ordered an exit strategy, the U.S. Attorney's Office filed an indictment against Manuel Celis-Acosta and 19 straw purchasers that included counts for conspiracy, dealing in firearms without a license, conspiracy to possess a controlled substance with intent to distribute, possession with intent to distribute marijuana, conspiracy to possess a firearm in furtherance of a drug trafficking offense, false statements in connection with acquisition of firearms, conspiracy to commit money laundering, money laundering, and aiding and abetting.¹⁵⁸



Department of Justice, Report of Firearms Recoveries as of Indictment of Suspects (Jan. 21, 2011)

B. CHALLENGES SPECIFIC TO THE ARIZONA U.S. ATTORNEY'S OFFICE

Numerous ATF agents in Phoenix and senior ATF officials in Washington, D.C. informed the Committee that the U.S. Attorney's Office in Arizona historically has been reluctant to prosecute firearms traffickers. Due to the Federal prosecutors' analysis of heightened evidentiary thresholds in their district, agents reported that they faced significant challenges over the course of many years getting the U.S. Attorney's Office in Arizona to arrest, prosecute, and convict firearms traffickers.

"Viewed as an obstacle more than a help"

In testimony before the Committee, ATF Special Agent Peter Forcelli stated that within a few weeks of transferring to the Phoenix Field Division from New York in 2007, he noticed a difference in how Federal prosecutors in Arizona handled gun cases:

In my opinion, dozens of firearms traffickers were given a pass by the U.S. Attorney's Office for the District of Arizona. Despite the existence of "probable cause" in many cases, there were no indictments, no prosecutions, and criminals were allowed to walk free.¹⁵⁹

Special Agent Forcelli testified that "this situation wherein the United States Attorney's Office for Arizona in Phoenix declined most of our firearms cases, was at least one factor which led to the debacle that's now known as 'Operation Fast and Furious.'"¹⁶⁰ He added that little improvement has been made to date:

I would say, if anything, we have gone from a 'D-minus' to maybe a 'D.' It is still far from, again, effective or far from what, you know, the taxpayers deserve. But it is still very bad. I mean I wouldn't say it is effective. ... Guns in the hands of gang members or cartel traffickers, that's pretty concerning.¹⁶¹

He added: "the U.S. Attorney's Office is kind of viewed as an obstacle more than a help in criminal prosecutions here in Arizona, here in the Phoenix area."¹⁶²

In his transcribed interview with Committee staff, Acting ATF Director Kenneth Melson stated that Arizona historically has been a very difficult place to prosecute firearms traffickers. He stated:

A: We have had, as Peter Forcelli said, a long history with the District of Arizona going back to Paul Charlton, if not earlier, where it was difficult to get these cases prosecuted. Diane

Humetewa was the second U.S. Attorney there who had issues with our cases and wouldn't prosecute. I was head of the Executive Office for U.S. Attorneys at the time. I know exactly what was going on there and the issues we had with getting cases prosecuted in the District of Arizona.

Q: What was going on there?

A: Well, they—

Q: Were they prosecuting gun cases?

A: No, no. And they had a limit—for example, they wouldn't take any case that had less than 500 pounds of marijuana coming across the border with people in custody of it. We had to take some of our most significant cases to the state courts to try because they wouldn't take them.

Q: So is it fair to say there was a frustration—I believe you said earlier there was a frustration and aggravation with the Arizona U.S. Attorney's office, is that fair?

A: Yes, I think there was a frustration. Peter Forcelli said it really like it was. Let me say it, Dennis Burke has really made a change in the office. And he has turned that office around, maybe not 180 degrees but he's getting there. He's at least at 45 or 50 degrees. We have gotten more prosecutions out of his office than before, but historically, we have had a real hard time getting prosecutions. And when we do, we get no sentences. The guidelines are so low.¹⁶³

Evidentiary thresholds in Arizona

According to ATF officials, prosecutors in the Arizona U.S. Attorney's Office insisted that they could not prosecute firearms cases without physical possession of the firearms at issue. The prosecutors referred to this as the doctrine of *corpus delicti* ("body of the crime").¹⁶⁴ Because it was difficult to get Mexican authorities to cooperate in returning recovered firearms from that country, agents claimed that this created an effective bar to prosecution of many trafficking suspects. Agents told the Committee that prosecutors in the Arizona U.S. Attorney's Office applied the *corpus delicti* doctrine to refuse to prosecute cases even when suspects confessed to committing the crime.¹⁶⁵

ATF counsel strongly disagreed with the U.S. Attorney's Office that firearms had to be present to prove that straw purchasers had lied on the Federal forms they

filled out when purchasing firearms. According to Special Agent in Charge Newell, the other other U.S. Attorneys' offices in his jurisdiction—New Mexico, Colorado, Wyoming, and Utah—did not share Arizona's interpretation of this evidentiary standard.¹⁶⁶

On February 24, 2010, ATF counsel prepared a memorandum criticizing the *corpus delicti* doctrine as interpreted by the Arizona U.S. Attorney's Office. The memo stated:

In furtherance of ATF's primary investigative authority and the Southwest Border Initiative, ATF agents spend a very significant number of hours—and often place themselves in dangerous circumstances—investigating alleged straw transactions as part of firearms trafficking cases. In recent years, few of these investigations have resulted in Federal prosecutions in the District of Arizona. It is our desire to work with your office to adjust the scope of our investigations and/or our investigative procedures to provide straw purchaser cases that fall within the prosecution guidelines of your office.¹⁶⁷

According to ATF agents in Phoenix, the U.S. Attorney's Office also established additional evidentiary hurdles that made prosecuting firearms cases difficult, including requiring independent evidence of illegality for each firearms transaction. According to ATF agents, prosecutors would not build a case based on a pattern of multiple successive firearms purchases followed in quick succession by trips to Mexico. Instead, agents had to prove that each transaction, standing by itself, was illegal. The ATF-Phoenix Group Supervisor for Fast and Furious told the Committee how this policy applied:

We talked that over at the U.S. Attorney's Office, and the conclusion was that we would need independent probable cause for each transaction. Just because he bought 10 guns yesterday doesn't mean that the 10 he is buying today are straw purchased. You can't transfer probable cause from one firearm purchase to the next firearm purchase. You need independent probable cause for each occurrence.¹⁶⁸

The ATF Group Supervisor explained that application of this requirement meant that agents could not rely on prior actions as the basis for arresting suspected straw purchasers or interdicting weapons.¹⁶⁹

ATF agents also informed the Committee that the Arizona U.S. Attorney's Office required proof, by clear and convincing evidence, that every person in a chain of people who possessed the firearm had the intent to commit a crime.¹⁷⁰ Agents

understood this to mean that they would not have sufficient probable cause to arrest a suspect or interdict weapons when suspects transferred guns to non-prohibited persons who then trafficked the guns to Mexico.¹⁷¹



DEA photo from announcement of Fast and Furious indictments
(January 2011)

C. NO EVIDENCE THAT SENIOR OFFICIALS AUTHORIZED OR CONDONED GUNWALKING IN FAST AND FURIOUS

Contrary to some claims, the Committee has obtained no evidence that Operation Fast and Furious was conceived and directed by high-level political appointees at the Department of Justice. Rather, the documents obtained and interviews conducted by the Committee reflect that Fast and Furious was the latest in a series of fatally flawed operations run by ATF's Phoenix Field Division and the Arizona U.S. Attorney's Office during both the previous and current administrations.

The Acting Director of ATF, the Deputy Director of ATF, and the U.S. Attorney in Arizona each told the Committee that they did not approve of gunwalking in Operation Fast and Furious, were not aware that agents in ATF-Phoenix were using the tactic, and never raised any concerns with senior officials at the Department of Justice in Washington, D.C. In addition, the Deputy Attorney General and Assistant Attorney General for the Criminal Division both stated that ATF and prosecutors never raised concerns about gunwalking in Operation Fast and Furious to their attention, and that, if they had been told about gunwalking, they would have shut it down. The Attorney General has stated consistently that he was not aware of allegations of gunwalking until 2011, and the Committee has received no evidence that contradicts this assertion.

Attorney General Holder

The Attorney General has stated repeatedly that he was unaware that gunwalking occurred in Operation Fast and Furious until the allegations became public in early 2011.¹⁷² In testimony before the Senate Judiciary Committee, Attorney General Holder was unequivocal in his criticism of the controversial tactics employed in Fast and Furious:

Now I want to be very clear, any instance of so called gunwalking is simply unacceptable. Regrettably this tactic was used as part of Fast and Furious which was launched to combat gun trafficking and violence on our Southwest border.

This operation was flawed in its concept and flawed in its execution, and unfortunately we will feel the effects for years to come as guns that were lost during this operation continue to show up at crime scenes

"This should never have happened and it must never happen again."
-Attorney General Holder

both here and in Mexico. This should never have happened and it must never happen again.¹⁷³

Testifying before the House Judiciary Committee, the Attorney General rejected the allegation that senior leaders at the Department of Justice approved of gunwalking in Operation Fast and Furious:

I mean, the notion that people in the—in Washington, the leadership of the Department approved the use of those tactics in Fast and Furious is simply incorrect. This was not a top-to-bottom operation. This was a regional operation that was controlled by ATF and by the U.S. Attorney's Office in Phoenix.¹⁷⁴

The Committee has obtained no evidence indicating that the Attorney General authorized gunwalking or that he was aware of such allegations before they became public. None of the 22 witnesses interviewed by the Committee claims to have spoken with the Attorney General about the specific tactics employed in Operation Fast and Furious prior to the public controversy.

To the contrary, the evidence received by the Committee supports the Attorney General's assertion that the gunwalking tactics in Operation Fast and Furious were developed in the field. The leaders of the two components with management responsibility for Operation Fast and Furious—ATF and the U.S. Attorney's Office—informed the Committee that they themselves were not aware of the controversial tactics used in Operation Fast and Furious and did not brief anyone at Justice Department headquarters about them. Similarly, the Attorney General's key subordinates—the Deputy Attorney General and the Assistant Attorney General for the Criminal Division—informed the Committee that they were never briefed on the tactics by ATF or the U.S. Attorney's Office and never raised concerns about the operation to the Attorney General.

In 2010, the Office of the Attorney General received six reports from the National Drug Intelligence Center that contained a brief, one paragraph overview of Operation Fast and Furious. None of the information in the documents discussed the controversial tactics used by ATF agents in the case. One typical paragraph read:

From August 2 through August 6, the National Drug Intelligence Center Document and Media Exploitation Team at the Phoenix Organized Crime Drug Enforcement Task Force (OCDETF) Strike Force will support the Bureau of Alcohol, Tobacco, Firearms, and Explosives' Phoenix Field Division with its investigation of Manuel Celis-Acosta as part of OCDETF Operation Fast and the Furious. This investigation, initiated in September 2009 in conjunction with the Drug Enforcement Administration, Immigration and Customs Enforcement,

and the Phoenix Police Department, involves a Phoenix-based firearms trafficking ring headed by Manuel Celis-Acosta. Celis-Acosta and [redacted] straw purchasers are responsible for the purchase of 1,500 firearms that were then supplied to Mexican drug trafficking cartels. They also have direct ties to the Sinaloa Cartel which is suspected of providing \$1 million for the purchase of firearms in the greater Phoenix area.¹⁷⁵

In his October 7, 2011, letter, the Attorney General explained that he never reviewed the reports and that his staff typically reviews these reports. He also testified that even if he had reviewed them personally, they did not indicate anything problematic about the case because “the entries suggest active law enforcement action being taken to combat a firearms trafficking organization that was moving weapons to Mexico.”¹⁷⁶

Documents provided to the Committee indicate that in December 2010, the Arizona U.S. Attorney’s Office was preparing to inform the Attorney General’s Office about the general status of upcoming indictments in Operation Wide Receiver when news of Agent Terry’s death broke.

On December 14, 2010, Monty Wilkinson, the Attorney General’s Deputy Chief of Staff, sent an email to U.S. Attorney Burke asking if he was available for a call that day.¹⁷⁷ The next day, U.S. Attorney Burke replied, apologized for not responding sooner, and said he would call later in the day.¹⁷⁸ He also stated that the U.S. Attorney’s Office had a large firearms trafficking case he wanted to discuss that was set to be indicted in the coming weeks.¹⁷⁹

Several hours later on December 15, 2010, U.S. Attorney Burke learned that Agent Terry had been murdered.¹⁸⁰ He alerted Mr. Wilkinson, who replied, “Tragic, I’ve alerted the AG, the Acting DAG, Lisa, etc.”¹⁸¹

Later that same day, U.S. Attorney Burke learned that two firearms found at Agent Terry’s murder scene had been purchased by a suspect in Operation Fast and Furious. He sent an email to Mr. Wilkinson forwarding this information and wrote: “The guns found in the desert near the murder [sic] BP officer connect back to the investigation we were going to talk about—they were AK-47’s purchased at a Phoenix gun store.”¹⁸² Mr. Wilkinson replied, “I’ll call tomorrow.”¹⁸³

In his interview with Committee staff, U.S. Attorney Burke stated that he did not recall having any subsequent conversation with Mr. Wilkinson that “included the fact that Fast and Furious guns were found at the scene” of Agent Terry’s murder.¹⁸⁴ In a November 2011 hearing of the Senate Judiciary Committee, Senator Charles Grassley asked Attorney General Holder, “Did Mr. Wilkinson say anything to you about the connection between Agent Terry’s death and the ATF operation?”

Attorney General Holder responded, "No, he did not."¹⁸⁵ In a January 27, 2011, letter to the Committee, the Department stated that Mr. Wilkinson "does not recall a follow-up call with Burke or discussing this aspect of the matter with the Attorney General."¹⁸⁶

Deputy Attorney General Grindler

During his interview with Committee staff, Gary Grindler, the former Acting Deputy Attorney General stated that he was not aware of the controversial tactics that ATF-Phoenix employed in Operation Fast and Furious, never authorized them, and never briefed anyone at the Department of Justice about them.¹⁸⁷

*"I would have stopped it."
-former Deputy Attorney General Grindler*

In March 2010, Acting ATF Director Melson and Deputy Director Hoover met with Mr. Grindler for a monthly check-in meeting and shared information about Operation Fast and Furious and other matters. As part of this briefing, Mr. Melson and Mr. Hoover stated that they discussed the total number of firearms purchased by individual suspects in Operation Fast and Furious, the total amount of money spent on purchasing these firearms, and a map displaying seizure events for the case in both the United States and Mexico.¹⁸⁸

Mr. Grindler stated that neither of ATF's senior leaders raised any concerns with him about Operation Fast and Furious at that briefing or mentioned gunwalking:

Q: And to your recollection, did Director Melson or Deputy Director Hoover ever tell you that they were deliberately allowing firearms to be transferred to Mexico in order to use them as a predicate for cases in the United States?

A: I mean, I am extraordinarily confident that they didn't tell me that. That is just an absurd concept. If that had been told to me, I would not only have written something, but done something about it.

Q: What would you have done?

A: I would have stopped it. I would have asked for detailed briefings about this matter and figure out more clearly what's going on here.¹⁸⁹

Deputy Director Hoover corroborated Mr. Grindler's account. In his interview with the Committee, Mr. Hoover explained that he did not inform the

Deputy Attorney General about gunwalking in Operation Fast and Furious because he did not know about it himself:

A: Well, there's been reports that the Deputy Attorney General's office was aware of the techniques being employed in Fast and Furious, and that's not the case, because I certainly didn't brief them on the techniques being employed in Fast and Furious.

Q: Because you didn't know?

A: Right.¹⁹⁰

When asked whether he ever discussed his briefing on Operation Fast and Furious with the Attorney General, Mr. Grindler said, "I don't have any recollection of advising the Attorney General about this briefing in 2010."¹⁹¹

Acting ATF Director Melson

In an interview with Committee staff on July 4, 2011, then-Acting ATF Director Kenneth Melson stated that he was not aware of the controversial tactics that the ATF-Phoenix Field Division employed, never authorized them, and never briefed anyone at the Department of Justice about them. Mr. Melson stated:

I don't believe that I knew or that [Deputy Director] Billy Hoover knew that they were—that the strategy in the case was to watch people buy the guns and not interdict them at some point. That issue had never been raised. It had never been raised to our level by the whistleblowers in Phoenix—that stayed in-house down there. The issue was never raised to us by ASAC [Assistant Special Agent in Charge] Gillett who was supervising the case.

It unfortunately was never raised to my level by SAC [Special Agent in Charge] Newell who should have known about the case, if he didn't, and recognize the issue that was percolating in his division about the disagreement as to how this was occurring. Nor was it raised to my level by DAD [Deputy Assistant Director] McMahon who received the briefing papers from [Phoenix Group Supervisor] Voth and may have had other information on the case. Nor was it given to me by a Deputy Assistant Director in OSII, the intel function, when he briefed this case the one time I wasn't there and he raised an objection to it and saw nothing change.¹⁹²

Director Melson also denied that Department of Justice or senior ATF officials devised or authorized those tactics:

Q: Did you ever use or authorize agents to use a tactic of non-intervention to see where the guns might go?

A: I don't believe I did.

Q: Did you ever tell agents not to use or authorize agents not to use other common investigative techniques like "knock and talks" or police pullovers in order to see where the guns might go in this case?

A: No.

Q: Did anyone at the Department of Justice ever tell you or tell anyone else at headquarters and it got to you that those tactics were authorized as part of a new strategy in order to follow the guns, let the guns go, see where they might end up?

A: No.¹⁹³

Documents obtained by the Committee indicate that Mr. Melson received three briefings regarding Fast and Furious in the early months of the operation and had regular status updates thereafter. He stated that "the general assumption among the people that were briefed on this case was that this was like any other case that ATF has done."¹⁹⁴ In addition to stating that he was not aware of the controversial tactics in Operation Fast and Furious, Mr. Melson stated that he did not know the full scope or scale of criminal activity by suspects until after concerns about gunwalking became public.

After the public controversy broke, Mr. Melson requested copies of Operation Fast and Furious case files to review for himself. He told Committee staff that he became extremely concerned after reviewing them:

I think I became fully aware of what was going on in Fast and Furious when I was reading the ROIs. And I remember sitting at my kitchen table reading the ROIs, one after another after another, I had pulled out all Patino's—and ROIs is, I'm sorry, report of investigation—and you know, my stomach being in knots reading the number of times he went in and the amount of guns that he bought.

And this is why I wish the people in Phoenix had alerted us during this transaction to exactly this issue, so we could have had at least made a judgment as to whether or not this could continue or not.¹⁹⁵

ATF Deputy Director Hoover

During his interview with Committee staff, then-Deputy Director William Hoover stated that he had not been aware of the tactical details in Operation Fast and Furious and had not raised any concerns with Acting ATF Director Melson or anyone at Justice Department headquarters.¹⁹⁶ Deputy Director Hoover rejected the suggestion that senior management officials at ATF or the Department of Justice were responsible for any of the controversial tactical decisions made in Operation Fast and Furious:

Q: But you don't believe that this is some sort of top-down—it wasn't a policy or some tactical strategy from either ATF management or main Justice to engage in what happened here in Phoenix in Fast and Furious?

A: No, sir. It's my firm belief that the strategic and tactical decisions made in this investigation were born and raised with the U.S. Attorney's Office and with ATF and the OCDETF strike force in Phoenix.¹⁹⁷

Mr. Hoover's subordinates also informed the Committee that they did not warn him about gunwalking allegations in Operation Fast and Furious because they were unaware of them. Assistant Director for Field Operations Mark Chait told the Committee that he was "surprised" when he learned of allegations that gunwalking occurred in Operation Fast and Furious in February 2011.¹⁹⁸ Deputy Assistant Director for Field Operations William McMahon, the supervisor above the Phoenix Field Division, stated:

I don't think at any point did we allow guns to just go into somebody's hands and walk across the border. I think decisions were made to allow people to continue buying weapons that we suspected were going to Mexico to put our case together. But I don't believe that at any point we watched guns going into Mexico. I think we did everything we could to try to stop them from going to Mexico.¹⁹⁹

Although Mr. Hoover stated that he was unaware of gunwalking allegations in Operation Fast and Furious prior to the public controversy, he informed Committee staff that he became concerned in March 2010 about the number of guns being purchased.²⁰⁰ As discussed above, Mr. Hoover received a briefing in March 2010 during which ATF officials described the suspects, the number of firearms, the

amount of money each had spent, known stash houses, and the locations where firearms had been recovered. Mr. Hoover told the Committee that he ordered an “exit strategy” to close the case and seek indictments within 90 days.

Apart from whether Mr. Hoover was aware of specific gunwalking allegations in Operation Fast and Furious, it remains unclear why he failed to inform Acting ATF Director Melson or senior Justice Department officials about his more general concerns with the investigation or his directive for an exit strategy.

During his interview with Committee staff, Deputy Director Hoover took substantial personal responsibility for ATF’s actions in Operation Fast and Furious. He stated:

I blame no one else. I blame no one else – not DEA, not the FBI, not the U.S. Attorney’s Office. If we had challenges, then we need to correct those challenges. I am the deputy director at ATF, and, ultimately, you know, everything flows up, and I have to take responsibility for the mistakes that we made.²⁰¹

United States Attorney Burke

During an interview with Committee staff, Arizona U.S. Attorney Dennis Burke stated that neither he nor anyone above him ever authorized non-interdiction of weapons or letting guns walk in Operation Fast and Furious:

Q: To your knowledge as the U.S. Attorney for the District of Arizona, did the highest levels of the Department of Justice authorize [the] non-interdiction of weapons, cutting off of surveillance, as an investigative tactic in Operation Fast and Furious?

A: I have no knowledge of that.

Q: Do you believe you would have known if that was the case?

A: Yes.

Q: Did you ever authorize those tactics?

A: No.

...

Q: Did anyone ever discuss—from the Department of Justice main headquarters—your supervisors—ever discuss with

you or raise to your attention that there was a new policy with respect to interdiction of weapons or surveillance of firearms?

A: No. Not that I can recall at all.

Q: And did anyone ever—from the Department of Justice, Main Justice I will call it, ever tell you that you were authorized to allow weapons to cross the border when you otherwise would have had a legal authority to seize or interdict them because they were a suspected straw purchase or it was suspected that they were being trafficked in a firearms scheme?

A: I have no recollection of ever being told that.²⁰²

Although U.S. Attorney Burke agreed with ATF-Phoenix's proposal to build a "bigger" case that targeted the organizers of the firearms trafficking conspiracy, he stated that ATF-Phoenix never indicated that agents would be letting guns walk as part of the investigation:

Q: Did you ever discuss with him [Special Agent in Charge Newell] a deliberate tactic of non-interdiction to see where the weapons ended up? To see if they ended up with the DTO in Mexico?

A: I do not recall that at all.

Q: Would that stick out in your mind at this point if he had said we're going to let the guns go, find them in crime scenes in Mexico, and then use that to make a connection to a DTO?

A: I don't recall that at all. I was under the opposite impression, which was that based on his contacts and the relationships with Mexico and what they were doing, that they would be working with Mexico on weapons transferred into Mexico.²⁰³

Emails from Special Agent in Charge Newell touting recent seizures of firearms in both the United States and in Mexico are consistent with U.S. Attorney Burke's statement that he believed ATF-Phoenix was coordinating interdiction with appropriate law enforcement agencies on both sides of the border. For example, on June 24, 2010, Mr. Newell sent an email to Mr. Burke with a picture of a .50 caliber weapon that had been recovered, stating: "Never ends ... our folks are working non-stop around the clock 7 days a week. But they are making some great seizures and gleaning some great Intel."²⁰⁴

The lead prosecutor on the case, Emory Hurley, sent Mr. Burke similar updates. On August 16, 2010, for example, Mr. Hurley prepared a memorandum asserting that “the investigation has interdicted approximately 200 firearms, including two .50 caliber rifles” and stating, “[a]gents have not purposely let guns ‘walk.’”²⁰⁵

Criminal Division review of Fast and Furious wiretap applications

In testimony before a Subcommittee of the Senate Judiciary Committee on November 1, 2011, Assistant Attorney General Lanny Breuer stated that he first became aware of the controversial tactics in Operation Fast and Furious after they became public:

I found out first when the public disclosure was made by the ATF agents early this year. When they started making those public statements, of course, at that point, as you know, both the leadership of ATF and the leadership of the U.S. Attorney’s Offices adamantly said that those allegations were wrong.

But as those allegations became clear, that is when I first learned that guns that could—that ATF had both the ability to interdict and the legal authority to interdict, that they failed to do so. That is when I first learned that, Senator.²⁰⁶

Similarly, in an interview with Committee staff, Deputy Assistant Attorney General Jason Weinstein stated:

I did not know at any time during the investigation of Fast and Furious that guns had walked during that investigation. I first heard of possible gunwalking in Fast and Furious when the whistleblower allegations were made public in early 2011. Had I known about gunwalking in Fast and Furious before the allegations became public, I would have sounded the alarm about it.²⁰⁷

“I would have sounded the alarm”
-Assistant Attorney General Breuer

Mr. Breuer and Mr. Weinstein also rejected the allegation that they should have been able to identify gunwalking in Operation Fast and Furious based on the Criminal Division’s legal reviews of wiretap applications submitted by the Arizona U.S. Attorney’s Office.

Federal law requires that senior Department officials approve all Federal law enforcement applications to Federal judges for the authority to conduct wiretaps.²⁰⁸ The Department has assigned that legal review duty to the Office of

Enforcement Operations in the Criminal Division.²⁰⁹ During Operation Fast and Furious, numerous wiretap applications were submitted to the Criminal Division to determine whether they satisfied the legal threshold established under the Fourth Amendment to the United States Constitution. Drafts of the applications were sent to the Office of Enforcement Operations, which prepared cover memos for final review and approval by a Deputy Assistant Attorney General.²¹⁰ The wiretap applications are under court seal and therefore have not been produced to the Committee.

Mr. Weinstein informed the Committee that he reviewed the cover memoranda prepared by the Office of Enforcement Operations for three wiretap applications in Operation Fast and Furious and that he approved all three.²¹¹ He stated that his general practice was to read the cover memo first and examine the underlying affidavit only if there were issues or questions necessary to the probable cause determination that the summary memo did not provide.²¹² Mr. Weinstein stated that he believed his practice was consistent with the conduct across various administrations.²¹³

Mr. Weinstein rejected the criticism that he should have identified gunwalking in Operation Fast and Furious based on his review of the memoranda summarizing the wiretap affidavits in the case. Although he could not comment on the contents of the documents because they are under seal by a Federal District Court judge, he stated:

It's not a fair criticism. As I said earlier, I can't comment on the contents. What I can say is I obviously have a sensitive radar to gunwalking, since that's been the focus of my life, my professional life, is keeping guns out of the hands of criminals. So when I saw in Wide Receiver that an investigation, however well intentioned it may have been, was being conducted in a way that put guns in the hands of criminals, I reacted pretty strongly to it. Had I seen anything at any time during the investigation of Fast and Furious that raised the same concerns, I would have reacted. And I would have reacted even more strongly because that would have meant it was still going on and that Wide Receiver was not in fact an isolated incidence as I believed it to be.²¹⁴

“The focus of my life, my professional life, is keeping guns out of the hands of criminals.”
-Deputy Assistant Attorney General Weinstein

In testimony before the Senate Judiciary Committee, Mr. Breuer made clear that his staff reviews wiretap affidavits to determine the legal sufficiency of the

request rather than to conduct oversight of investigative tactics in law enforcement investigations. He stated:

[A]s Congress made clear, the role of the reviewers and the role of the deputy in reviewing Title III applications is only one. It is to ensure that there is legal sufficiency to make an application to go up on a wire and legal sufficiency to petition a Federal judge somewhere in the United States that we believe it is a credible request. But we cannot—those now 22 lawyers that I have who review this in Washington, and it used to only be 7, cannot and should not replace their judgment, nor can they, with the thousands of prosecutors and agents all over the country.

Theirs is a legal analysis: Is there a sufficient basis to make this request? We must and have to rely on the prosecutors and their supervisors and the agents and their supervisors all over the country to determine that the tactics that are used are appropriate.²¹⁵

Criminal Division response to Wide Receiver

Questions have been raised about whether Mr. Breuer or Mr. Weinstein should have been aware of gunwalking in Operation Fast and Furious because they learned about similar tactics in a different case dating back to 2006 and 2007, Operation Wide Receiver. Documents obtained by the Committee indicate that as soon as they learned about gunwalking during the previous Administration, Mr. Breuer and Mr. Weinstein took immediate steps to register their concerns directly with the highest levels of ATF leadership, but they did not inform the Attorney General or the Deputy Attorney General.

In March 2010, a Criminal Division supervisor sent an email to Mr. Weinstein regarding the Wide Receiver case stating that, “with the help of a cooperating FFL, the operation has monitored the sale of over 450 weapons since 2006.”²¹⁶ In response, Mr. Weinstein expressed concern, writing: “I’m looking forward to reading the pros[ecution] memo on Wide Receiver but am curious—did ATF allow the guns to walk, or did ATF learn about the volume of guns after the FFL began cooperating?”²¹⁷ The supervisor inaccurately responded: “My recollection is they learned afterward.”²¹⁸ As discussed above, ATF Operational Plans and other documents provided to the Committee show that ATF agents in Arizona were contemporaneously aware of the illegal straw purchases.

The next month, Mr. Weinstein received and reviewed a copy of the prosecution memorandum prepared by the criminal prosecutor in the Wide Receiver case.²¹⁹ On April 12, 2010, Mr. Weinstein wrote to the prosecutors stating:

ATF HQ should/will be embarrassed that they let this many guns walk—I'm stunned, based on what we've had to do to make sure not even a single operable weapon walked in UC [undercover] operations I've been involved in planning—and there will be press about that.²²⁰

In his interview with Committee staff, Mr. Weinstein explained that “there was no question from the moment those sales were completed that ATF had a lot of evidence that those sales were illegal. That's pretty rare. And it's that specific fact that set me off on Wide Receiver.”²²¹ He also stated that the gunwalking tactics used in Wide Receiver “were unlike anything I had encountered in my career as a prosecutor.”²²² As a former prosecutor in the U.S. Attorney's Office in Baltimore, he added:

One of my priorities in all of the work I did in Maryland was to stop guns from getting to criminals and get guns out of the hands of criminals who managed to get their hands on them. But I was very sensitive about any situation or any operation that might result in law enforcement, however inadvertently, putting a gun into the hands of a criminal. And so all of the operations that I participated in designing, and I referred to this in the email, were designed to make sure that not even a single operable weapon got in the hands of a criminal.²²³

After reading the prosecution memorandum, Mr. Weinstein contacted his supervisor, Assistant Attorney General Breuer. On April 19, 2010, they met to discuss Mr. Weinstein's concerns about ATF-Phoenix's handling of the case.²²⁴ According to Mr. Weinstein, Mr. Breuer shared his shock about the gunwalking tactics used in Wide Receiver:

[T]here's no question in my mind from his reaction at the meeting that Mr. Breuer shared the same concerns that I did. As I indicated in my opening, Mr. Breuer has made helping Mexico and stopping guns from getting to Mexico a top priority. I had commented to somebody in my office that I traded when I came from Baltimore to the Criminal Division, I traded having a boss come into my office every day and ask me what am I doing to keep the murder rate down, to a boss who is asking me virtually every day, what am I doing to stop guns from going to Mexico? So when he heard about this he had the same reaction I did.²²⁵

According to Mr. Weinstein, Mr. Breuer directed him to immediately register their concerns “directly with the leadership of ATF.”²²⁶ The next day, Mr. Weinstein contacted ATF Deputy Director Hoover to request a meeting.²²⁷ On April 28, 2010, Mr. Weinstein and Mr. Hoover met and were joined by the Acting Chief of the Organized Crime and Gang Section at DOJ, James Trusty and ATF Deputy Assistant

Director William McMahon.²²⁸ Mr. Weinstein told the Committee that he expressed his serious concerns about ATF-Phoenix's management of Wide Receiver and the fact that so many firearms had been allowed to walk. Notes taken at that meeting indicate that of 183 guns sold in the first part of Operation Wide Receiver, the "vast majority walk[ed]" and were linked to "violent crime."²²⁹ Mr. Weinstein stated:

[A]t the meeting the first topic on the agenda was to talk about the tactics. And so Mr. Trusty and I went through the facts of the case and I explained my concerns about the tactics. The meeting was nearly 2 years ago now, and as I sit here today I just can't recall the specific words used, but my strong memory from that meeting is that Mr. Hoover had the same reaction I did; that is, that he shared my concerns about the tactics. And I walked away from that meeting being satisfied that although this had happened in '06 and '07, this was not the kind of thing that would be happening under Mr. Hoover's watch. I wish I could remember the exact words used, but that's the strong sense I walked away with.²³⁰

Although neither Mr. Breuer nor Mr. Weinstein had direct supervisory authority over ATF, Mr. Weinstein told the Committee that the seriousness of issue compelled them to request the meeting. Mr. Weinstein stated:

I raised this with Mr. Hoover because I knew it was something he would be concerned about, and he was concerned about it. I didn't direct him. It's not my place to direct him. I didn't ask him to do anything in particular. His reaction, as I said, was exactly what I expected, which was concern about the tactics. And so I just walked away. I walked away feeling there was no reason to worry that this was the kind of thing that he would tolerate.²³¹

Mr. Weinstein stated that he relayed the details of the meeting to Mr. Breuer, and at that time both of them believed that they had satisfied their duty to address the issue with the appropriate managers.²³² Mr. Weinstein also noted that he believed the gunwalking in Wide Receiver was an "extreme aberration from years ago."²³³

Despite raising these concerns about gunwalking in Operation Wide Receiver immediately with senior ATF leadership, Mr. Breuer later expressed regret for not raising these concerns directly with the Attorney General or Deputy Attorney General. During an exchange at a hearing with Senator Grassley, Mr. Breuer stated:

I regret the fact that in April of 2010, I did not. At the time, I thought that we—dealing with the leadership of ATF was sufficient and reasonable. And frankly, given the amount of work I do, at the time,

I thought that that was the appropriate way of dealing with it. But I cannot be more clear that knowing now—if I had known then what I know now, I, of course, would have told the Deputy and the Attorney General.²³⁴

Criminal Division interactions with Mexican Officials

According to documents obtained by the Committee, Assistant Attorney General Breuer met with senior officials from the Mexican government in Mexico on February 2, 2011, to discuss potential areas of cooperation to fight transnational organized crime and drug trafficking.²³⁵ According to a summary, the group discussed a wide range of issues including U.S. extradition requests to Mexico, firearms trafficking, and a cooperative security agreement between the United States, Mexico, and countries in Central America.²³⁶

With respect to combating firearms trafficking, the Mexican Undersecretary for North America explained that “greater coordination and flow of information would be helpful to combat arms trafficking into Mexico.”²³⁷ Mr. Breuer responded by telling the Mexican officials that the Department had sought to increase penalties for straw purchasers and desired their support for such measures. According to the summary, Mr. Breuer also made a suggestion about one way the two countries could increase coordination:

AAG Breuer suggested allowing straw purchasers cross into Mexico so SSP [Mexican federal police force] can arrest and PGR [the Mexican Attorney General’s Office] can prosecute and convict. Such coordinated operations between the US and Mexico may send a strong message to arms traffickers.²³⁸

Documents produced to the Committee indicate that this summary of Mr. Breuer’s meeting was shared with Acting ATF Director Melson in anticipation of his February 8, 2011, meeting with the U.S. Ambassador to Mexico.²³⁹ According to a summary of this latter meeting, Mr. Melson discussed with the Ambassador the possibility of controlled firearms deliveries, but the Department of Justice Attaché who was also present raised concern about the “inherent risk” of such joint operations:

Melson and the Ambassador discussed the possibility of allowing weapons to pass from the US to Mexico and US law enforcement coordinating with SSP and PGR to arrest and prosecute the arms trafficker. I raised the issue that there is an inherent risk in allowing weapons to pass from the US to Mexico; the possibility of the GoM [Government of Mexico] not seizing the weapons; and the weapons being used to commit a crime in Mexico.²⁴⁰

The documents obtained by the Committee do not indicate that any action was taken after this meeting regarding efforts to coordinate operations with Mexican authorities.

As described in the section above on the Hernandez case, the memo prepared for Attorney General Mukasey in 2007 similarly explained that “ATF would like to expand the possibility of such joint investigations and controlled deliveries—since only then will it be possible to investigate an entire smuggling network, rather than arresting simply a single smuggler.”²⁴¹ The memo provided to Attorney General Mukasey was explicit, however, in warning that previous operations “have not been successful.”²⁴²

D. DEPARTMENT RESPONSES TO GUNWALKING IN OPERATION FAST AND FURIOUS

Inaccurate information initially provided to Congress

On January 27, 2011, Senator Charles Grassley wrote a letter to the Department of Justice relaying allegations from whistleblowers that ATF-Phoenix had walked guns in Operation Fast and Furious.²⁴³ On February 4, 2011, Ron Weich, the Assistant Attorney General for Legislative Affairs, sent a written response that stated:

[T]he allegation described in your January 27 letter—that ATF “sanctioned or otherwise knowingly allowed the sale of assault weapons to a straw purchaser who then transported them into Mexico”—is false. ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico.²⁴⁴

As this report documents, it became apparent during the course of the Committee’s investigation that this statement in the Department’s letter was inaccurate and, on December 2, 2011, the Deputy Attorney General formally withdrew the Department’s February 4th letter.²⁴⁵ On the same day, the Department provided the Committee with more than 1,000 pages of internal emails, notes, and drafts from all of the parties involved in the drafting of the February 4 letter, as well as a lengthy explanation of how the inaccurate information was included in the letter. According to the Department:

Department personnel, primarily in the Office of Legislative Affairs, the Criminal Division and the Office of the Deputy Attorney General, relied on information provided by supervisors from the components in the best position to know the relevant facts: ATF and the U.S. Attorney’s Office in Arizona, both of which had responsibility for Operation Fast and Furious. Information provided by those supervisors was inaccurate.²⁴⁶

The documents obtained by the Committee and the interviews conducted by Committee staff support this explanation.

Documents obtained by the Committee indicate that, during the drafting of the letter, senior ATF officials insisted that ATF-Phoenix had not allowed guns to walk in Operation Fast and Furious. Detailed notes of a meeting with Acting Director Melson taken by a Department of Justice official state that ATF “didn’t let a guns [sic] walk,” and “didn’t know they were straw purchasers at the time.”²⁴⁷

Additional notes taken of a meeting with Deputy Director Hoover state that "ATF doesn't let guns walk," and "we always try to interdict weapons purchased illegally."²⁴⁸

Both Acting ATF Director Melson and ATF Deputy Director Hoover told the Committee that they did not intend to mislead the Department or Congress and that they sincerely believed that guns had not walked in Operation Fast and Furious at the time the letter was drafted.²⁴⁹

The U.S. Attorney's Office in Arizona also adamantly denied allegations of gunwalking. On January 31, 2011, U.S. Attorney Burke wrote to senior Department officials that the allegations "are based on categorical falsehoods."²⁵⁰ Mr. Burke and the Chief of the Criminal Division at the U.S. Attorney's Office sent a series of emails over the course of that week continuing to deny the allegations and pressing for a strong response.²⁵¹

In his interview with Committee staff, U.S. Attorney Burke stated that, after later learning about the scope of gunwalking in Operation Fast and Furious, he deeply regretted conveying "inaccurate" information to senior Department officials drafting the February 4 response, but that it "was not intentional."²⁵²

The Committee was not able to interview one witness from the U.S. Attorney's Office, the former Criminal Chief, Patrick Cunningham. In a letter on January 19, 2011, Mr. Cunningham's attorney informed the Committee that he was exercising his Fifth Amendment right against self-incrimination. The letter stated:

I am writing to advise you that my client is going to assert his constitutional privilege not to be compelled to be a witness against himself. The Supreme Court has held that "one of the basic functions of the privilege is to protect innocent men." *Grunewald v. United States*, 353 U.S. 391,421 (1957); *see also Ohio v. Reiner*, 532 U.S.17 (2001) (per curiam). The evidence described above shows that my client is, in fact, innocent, but he has been ensnared by the unfortunate circumstances in which he now stands between two branches of government. I will therefore be instructing him to assert his constitutional privilege.²⁵³

During his interview with Committee staff, U.S. Attorney Burke stated that Mr. Cunningham adamantly denied that gunwalking occurred in Operation Fast and Furious.²⁵⁴ Similarly, Deputy Assistant Attorney General Weinstein informed Committee staff that Mr. Cunningham continued to assert that gunwalking had not occurred in Operation Fast and Furious after the February 4, 2011, letter.²⁵⁵

Within the Criminal Division, Mr. Weinstein informed the Committee that he offered to assist in the drafting of the February 4 letter "to be helpful," but that he

had no independent knowledge of Operation Fast and Furious and relied on ATF and the U.S. Attorney's Office for information. He stated:

As the Department prepared its response, I and others in Main Justice were repeatedly and emphatically assured by supervisors in the relevant components who were in position to know the case best—that is the Arizona U.S. Attorney's Office and ATF leadership—that no guns had been allowed to walk in connection with Fast and Furious; and it was on that basis that the Department provided inaccurate information to Congress in the February 4th letter.

Now much attention has been paid to the sentence in that letter that reads, "ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico." As the documents you've received made clear, I and others at Main Justice received multiple assurances from the U.S. Attorney's Office and from ATF that this statement, like the other information in the letter, was true. ...

Given what I know now, of course, I wish I had not placed such faith in the assurances provided to me by the leadership of the U.S. Attorney's Office and ATF. But given what I knew then and given the strength of those assurances I believed at the time that it was entirely appropriate to do so. I trusted what was said to me and I firmly believed at that time that in fact ATF had not let guns walk in Fast and Furious. Obviously, time has revealed the statements made to me and others to be inaccurate, and that is beyond disappointing to me.²⁵⁶

Mr. Weinstein also explained why he did not raise concerns about gunwalking during the previous administration in Operation Wide Receiver in 2006 and 2007. During his interview with Committee staff, he stated:

Now some have said that because I knew about Wide Receiver at the time I assisted with the February 4th letter, I knew that statement to be untrue, and that is just not correct. Let me explain why.

Wide Receiver was an old case in which inappropriate tactics had been used in the investigative phase years earlier. This occurred under a prior administration, under a different U.S. Attorney's Office management and different ATF management. Because of the repeated assurances I and others received in February 2011, from the then current leadership of the U.S. Attorney's Office in ATF that guns had not walked in Fast and Furious and from ATF that it was making every effort to interdict guns, I did not make any connection between

Wide Receiver and Fast and Furious. For that reason, I simply was not thinking about Wide Receiver as I assisted with the February 4th letter which I understood to be about Fast and Furious.²⁵⁷

Mr. Weinstein also rebutted the allegation of an intentional cover-up:

Q: Mr. Weinstein, during the drafting of the February 4th letter, did you intentionally try to mislead Congress?

A: Absolutely not.

Q: To your knowledge, did Mr. Breuer ever try to intentionally mislead Congress?

A: Absolutely not.

Q: To your knowledge, did anyone else at Main Justice, during the drafting of the February 4th letter, intentionally try to mislead Congress?

A: Absolutely not.²⁵⁸

Request for IG investigation and reiteration of Department policy

Soon after the Attorney General became aware of allegations relating to gunwalking in Operation Fast and Furious, he took several steps to address them. First, the Attorney General requested that the Inspector General investigate Operation Fast and Furious and the Department's response to Senator Grassley's letter.²⁵⁹ Testifying before a Senate Appropriations Subcommittee, the Attorney General stated:

It is true that there have been concerns expressed by ATF agents about the way in which this operation was conducted, and on that I took those allegations, those concerns, very seriously and asked the Inspector General to try to get to the bottom of it. An investigation, an inquiry is now under way.

I've also made clear to people in the Department that letting guns walk—I guess that's the term that the people use—that letting guns walk is not something that is acceptable. Guns are—are different than drug cases or cases where we're trying to follow where money goes.

We cannot have a situation where guns are allowed to walk, and I've made that clear to the United States Attorneys as well as the Agents in Charge in the various ATF offices.²⁶⁰

On March 9, 2011, Deputy Attorney General James Cole hosted a conference call with Southwest Border United States Attorneys in which he reiterated the Department's policy against gunwalking. After the call, Mr. Cole followed up with an email summarizing the conversation:

As I said on the call, to avoid any potential confusion, I want to reiterate the Department's policy: We should not design or conduct undercover operations which include guns crossing the border. If we have knowledge that guns are about to cross the border, we must take immediate action to stop the firearms from crossing the border, even if that prematurely terminates or otherwise jeopardizes an investigation.²⁶¹

Personnel actions

Justice Department officials have explained that, although they are awaiting the findings from the Inspector General's investigation before making any final personnel determinations, they have removed the key players in Operation Fast and Furious from any further operational duties.

At the U.S. Attorney's Office for the District of Arizona, all of the key personnel have resigned, been removed, or been relieved of their relevant duties in the aftermath of Operation Fast and Furious. On August 30, 2011, Dennis Burke resigned as the U.S. Attorney.²⁶² In January 2012, the Chief of the Criminal Division, Patrick Cunningham, resigned his position and left the U.S. Attorney's Office.²⁶³ The Section Head responsible for supervising Operation Fast and Furious resigned his supervisory duties in the fall of 2011, and the Assistant U.S. Attorney who was responsible for managing Operation Fast and Furious was moved out of the criminal division to the civil division.²⁶⁴

On August 30, 2011, the Justice Department removed Kenneth Melson as the acting head of ATF and reassigned him to a position as a forensics advisor in the Department's Office of Legal Policy.²⁶⁵ On October 5, 2011, ATF removed Deputy Director William Hoover from his position and subsequently reassigned to a non-operational role.²⁶⁶ Also on October 5, 2011, ATF removed Assistant Director for Field Operations Mark Chait from his position and subsequently placed him in a non-operational role as well.²⁶⁷ Deputy Assistant Director for Field Operations William McMahan was also reassigned as a Deputy Assistant in the ATF Office of Professional Responsibility and Security Operations on May 13, 2011, and was later reassigned to a non-operation position.²⁶⁸

ATF supervisors from the Phoenix Field Division have also been reassigned. Special Agent in Charge William Newell was reassigned to an administrative position as a special assistant in the ATF Office of Management.²⁶⁹ Assistant Special

Agent in Charge George Gillett was reassigned as a liaison to the U.S. Marshal's Service.²⁷⁰ The former Supervisor of Group VII, David Voth, was reassigned to ATF's Tobacco Division.²⁷¹

Agency reforms

On January 28, 2011, Deputy Attorney General James Cole sent a letter to Congress explaining that the Department was "undertaking key enhancements to existing Department policies and procedures to ensure that mistakes like those that occurred in Wide Receiver and Fast and Furious are not repeated."²⁷² The letter detailed numerous reforms, including:

- Implementing a new Monitored Case Program to increase coordination between ATF headquarters and the field for sensitive investigations and to improve oversight;
- Clarifying the prohibition on gunwalking and providing guidance on responding to a gun dealer concerns about suspicious purchasers;
- Revising ATF's Confidential Informants Usage Policy and its Undercover Operations Policy and establishing committees on undercover operations and confidential informants;
- Providing training to personnel in ATF's Phoenix Field Division to address U.S.-Mexico cross-border firearms trafficking issues, improve techniques and strategies, and educate agents on the applicable law; and
- Restructuring ATF's Office of the Ombudsman by appointing a senior special agent as Chief ATF Ombudsman and adding a full-time special agent to handle agent complaints.²⁷³

Deputy Attorney General Cole also outlined key improvements to ensure the "accuracy and completeness" of the information the Department provides to Congress. The Department issued a directive requiring the responding component to ensure that it supplies Congress with the most accurate information by soliciting information from employees with detailed personal knowledge of the relevant subject matter. Ultimate responsibility for submitting or reviewing a draft response to Congress is assigned to an appropriate senior manager, according to the new directive. Finally, the directive emphasizes the importance of accuracy and completeness of the information provided to Congress over the timeliness of responding to requests.²⁷⁴

V. RECOMMENDATIONS

As its title indicates, the Committee on Oversight and Government Reform has two primary missions. Not only is it charged with conducting oversight of programs to root out waste, fraud, and abuse, but it is also responsible for reforming these programs to ensure that government works more effectively and efficiently for the American people. For these reasons, set forth below are ten constructive recommendations intended to address operational problems identified during the course of this investigation.

These recommendations for both Executive and Congressional action are not intended to be comprehensive or exhaustive, and some already may be under consideration or in various stages of implementation at the Department of Justice and ATF.

Strictly Enforce the Prohibition on Gunwalking Across Law Enforcement Agencies. Documents obtained by the Committee indicate that ATF lacked sufficient clarity regarding its operational policies and training for firearms trafficking cases. Following the public controversy over *Fast and Furious*, Acting ATF Director B. Todd Jones issued a memo strongly stating the Department's policy against gunwalking, and the Attorney General has used his position to publicly reiterate this prohibition. These measures should be complemented by efforts within each Federal law enforcement agency to establish clear operational policies with respect to suspect firearms transfers and provide appropriate training for field agents and supervisors.

Improve Management and Oversight of ATF Trafficking Investigations. Documents obtained by the Committee reveal a lack of adequate communication between ATF field offices and headquarters about significant trafficking investigations. In several cases, deficient communication was magnified by disagreements between the field and headquarters about tactics and strategy. ATF should improve its management of investigations by requiring operational approval of all significant gun trafficking investigations by senior ATF officials in order to ensure consistent application of ATF policies and procedures.

Require "Operational Safety Strategy" in Trafficking Investigations. As part of its broader effort to improve management and oversight of significant trafficking investigations, ATF should require that each Operational Plan developed in the field include an Operational Safety Strategy that analyzes the risks to agents and the public of firearms potentially being released into

the community and sets forth appropriate operational safeguards. Senior ATF officials should approve these plans in order to ensure that each specific operation has sufficient resources to implement the safeguards intended to protect agent and public safety.

Enhance the Accessibility and Responsiveness of the ATF Ombudsman. Documents obtained by the Committee indicate that Operation Fast and Furious was one of several deeply flawed operations run by ATF's Phoenix Field Division since 2006. Line agents reported to the Committee that they made their concerns about these controversial tactics public only after raising them first with their supervisors, but they stated that their concerns were not heeded. To ensure agents' concerns are communicated to ATF leadership, ATF should consider ways to improve its Office of the Ombudsman to make it more accessible and responsive to ATF line agents.

Conduct a Review of the U.S. Attorney's Office in Arizona. Documents and testimony received by the Committee indicate that the legal interpretations and prosecutorial decisions regarding firearms cases made by officials in the U.S. Attorney's Office in Arizona may differ substantially from those of other U.S. Attorneys' offices. Because it remains unclear to what extent these differences are the result of judicial, prosecutorial, or individual decisions, the Department of Justice should direct the Executive Office for United States Attorneys to conduct a thorough review of the Arizona U.S. Attorney's Office to ensure that it is doing everything it can to keep illegal guns off the streets and out of the hands of criminals.

Expand the Multiple Long Gun Sales Reporting Requirement. Numerous law enforcement agents testified before the Committee that obtaining reports on multiple purchases of long guns, including AK-47 variant assault weapons and .50 caliber semi-automatic sniper rifles that are now the "weapons of choice" for international drug cartels, would provide them with timely and actionable intelligence to help combat firearms trafficking rings. In July 2011, the Department of Justice issued a rule requiring such reports for weapon sales in certain states. Earlier this month, a Federal District Court upheld the rule, finding that "ATF acted rationally."²⁷⁵ ATF should now expand the reporting requirement to apply to other states in which firearms trafficking networks are particularly active.

Confirm or Appoint a Permanent ATF Director. Consistent and strong leadership is vital to strengthening ATF and ensuring that policies and procedures are applied consistently. For six years, however, ATF has been forced to contend with temporary leadership because individual senators have blocked the confirmation of a permanent director. The Senate should

confirm a permanent director for ATF as soon as possible, and the President should consider a recess appointment if the Senate fails to do so.

Enact a Dedicated Firearms Trafficking Statute. During the Committee's investigation, multiple law enforcement agents warned that there is currently no Federal statute that specifically prohibits firearms trafficking and, as a result, prosecutors often charge traffickers with "paperwork violations" such as dealing in firearms without a license. The agents testified that these cases are difficult to prove and that U.S. Attorneys' offices frequently decline to prosecute. They stated that a Federal statute specifically dedicated to prohibiting firearms trafficking would help them disrupt, defeat, and dismantle firearms trafficking organizations. In July 2011, Ranking Member Elijah Cummings and Representative Carolyn Maloney introduced legislation in the House to establish such a firearms trafficking statute. Senator Kirsten Gillibrand has introduced a similar bill in the Senate. Congress should consider and pass this legislation without delay.

Provide ATF with Adequate Resources to Combat Illegal Gun Trafficking. Documents and testimony obtained by the Committee revealed that ATF line agents were drastically under-resourced, resulting in deficient surveillance of suspected straw purchasers and firearms traffickers. Over the past decade, ATF's budget has not kept pace with its law enforcement responsibilities, particularly in light of the exponential growth in illegal firearms trafficking to Mexico. Congress should appropriate the additional resources ATF needs to perform its mission and combat gun trafficking along the Southwest Border.

Repeal the Prohibition Against Reporting Crime Gun Trace Data. To increase transparency by ATF and oversight by Congress, Congress should repeal the prohibition against reporting crime gun trace data and require ATF to provide yearly reports to Congress that include aggregate statistics about crime gun trace data categorized by State and Federal Firearms Licensee, as well as aggregate gun trace data for guns that are recovered in Mexico, categorized by State and Federal Firearms Licensee. This information will assist Congress in understanding the problem of gun trafficking along the Southwest Border and assessing ATF's progress in fighting it.

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100 Bureau of Alcohol, Tobacco, Firearms and Explosives, *Operational Plan* (Dec. 10, 2008).

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103 *Id.*

104 *Id.*

105 Email from Matthew Allen, Office of Investigations, Department of Homeland Security, to William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (Aug. 12, 2008).

- 106 Email from William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to Matthew Allen, Office of Investigations, Department of Homeland Security (Aug. 12, 2008).
- 107 U.S. Attorney's Office, District of Arizona, *Leaders Sentenced for Conspiracy that Supplied Weapons to Sinaloa Cartel* (Aug. 9, 2010).
- 108 Criminal Complaint (Dec. 10, 2008), *United States v. Aldo Arizmendiz, et al.*, D. Ariz. (No. 08-01853M).
- 109 *Id.*
- 110 *Id.*
- 111 *Id.*
- 112 U.S. Attorney's Office, District of Arizona, *Leaders Sentenced for Conspiracy that Supplied Weapons to Sinaloa Cartel* (Aug. 9, 2010).
- 113 *Id.*
- 114 *Id.*; Criminal Complaint (Dec. 10, 2008), *United States v. Aldo Arizmendiz, et al.*, D. Ariz. (No. 08-01853M).
- 115 Email from George Gillett, Assistant Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (Jan. 26, 2010) (Attachment: "Operation: The Fast and the Furious").
- 116 *Id.*
- 117 *Id.*
- 118 *Id.*
- 119 Bureau of Alcohol, Tobacco, Firearms and Explosives, *Briefing Paper* (Jan. 8, 2010).
- 120 *Id.*
- 121 *Id.*
- 122 Memorandum from Emory Hurley, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Mike Morrissey, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona (Jan. 5, 2010).
- 123 House Committee on Oversight and Government Reform, Transcribed Interview of David Voth (June 30, 2011).
- 124 *Id.*
- 125 Bureau of Alcohol, Tobacco, Firearms and Explosives, *Briefing Paper* (Jan. 8, 2010).
- 126 House Committee on Oversight and Government Reform, Transcribed Interview of William Newell (June 8, 2011).
- 127 *Id.*

128 Memorandum from Emory Hurley, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Mike Morrissey, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona (Jan. 5, 2010).

129 *Id.*

130 Email from Mike Morrissey, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Dennis Burke, U.S. Attorney, District of Arizona (Jan. 5, 2010).

131 Email from Dennis Burke, U.S. Attorney, District of Arizona, to Mike Morrissey, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona (Jan. 7, 2010).

132 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis Burke (Aug. 18, 2011).

133 Memorandum from Emory Hurley, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Dennis Burke, U.S. Attorney, District of Arizona (Aug. 16, 2010).

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135 Bureau of Alcohol, Tobacco, Firearms and Explosives, *Organized Crime Drug Enforcement Task Force Application for Operation The Fast and the Furious* (Jan. 2010).

136 House Committee on Oversight and Government Reform, Transcribed Interview of William McMahon (June 28, 2011).

137 Email from George Gillett, Assistant Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (Jan. 26, 2010) (Attachment: "Operation: The Fast and the Furious").

138 Email from George Gillett, Assistant Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (Jan. 26, 2010).

139 Email from William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to William McMahon, Deputy Assistant Director for Field Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives (Feb. 5, 2010).

140 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis Burke (August 18, 2011).

141 Email from Emory Hurley, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Patrick Cunningham, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona (Feb. 22, 2010); Email from Emory Hurley, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Laura Gwinn, Department of Justice, Criminal Division (Mar. 15, 2010).

142 House Committee on Oversight and Government Reform, Transcribed Interview of Olindo Casa (Apr. 28, 2011).

- 143 House Committee on Oversight and Government Reform, Transcribed Interview of John Dodson (Apr. 26, 2011).
- 144 House Committee on Oversight and Government Reform, Transcribed Interview of John Dodson (Apr. 26, 2011).
- 145 House Committee on Oversight and Government Reform, Transcribed Interview of William Hoover (July 21, 2011).
- 146 *Id.*
- 147 Email from William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to William McMahon, Deputy Assistant Director for Field Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives (Apr. 27, 2010).
- 148 *See e.g.*, Bureau of Alcohol, Tobacco, Firearms and Explosives, *SWB Briefing Paper* (June 11, 2010) (indicating that Phoenix ATF agents continued “conducting almost daily surveillance” of straw purchaser transactions); Email from David Voth, Group Supervisor, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to Federal Firearms Licensee (Aug. 25, 2010) (encouraging a cooperating gun dealer to complete a large purchase order to a suspected straw purchaser).
- 149 Email from Federal Firearms Licensee to David Voth, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (Jun. 17, 2010).
- 150 Email from William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to David Voth, Group Supervisor, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (July 14, 2010).
- 151 Email from Federal Firearms Licensee, to David Voth, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives (Aug. 25, 2010).
- 152 Email from David Voth, Group Supervisor, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to Federal Firearms Licensee (Aug. 25, 2010).
- 153 House Committee on Oversight and Government Reform, Transcribed Interview of Andre Howard (May 18, 2011).
- 154 House Committee on Oversight and Government Reform, Transcribed Interview of William Newell (June 8, 2011).
- 155 *Id.*
- 156 *Id.*
- 157 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis K. Burke (Aug. 18, 2011).
- 158 Indictment (Jan 19, 2011), *United States v. Jaime Avila, Jr., et al.*, D. Ariz. (No. CR-11-126 PHX JAT (LOA)).
- 159 House Committee on Oversight and Government Reform, Testimony of Peter J. Forcelli, Special Agent, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and

Explosives, *Hearing on Operation Fast and Furious: Reckless Decisions, Tragic Outcomes* (June 15, 2011).

160 *Id.*

161 House Committee on Oversight and Government Reform, Transcribed Interview of Peter J. Forcelli (Apr. 28, 2011).

162 *Id.*

163 House Committee on Oversight and Government Reform, Transcribed Interview of Kenneth Melson (July 4, 2011).

164 *Id.*; House Committee on Oversight and Government Reform, Transcribed Interview of Larry Alt (Apr. 27, 2011). Memorandum from Thomas E. Karmgard, ATF Division Counsel (Phoenix) to the U.S. Attorney's Office for the District of Arizona, *ATF Division Counsel Notes Relating to "Corpus Delicti" Issue in Straw Purchaser Case* (Feb. 24, 2010).

165 House Committee on Oversight and Government Reform, Transcribed Interview of Peter Forcelli (Apr. 28, 2011).

166 House Committee on Oversight and Government Reform, Transcribed Interview of William Newell (June 8, 2011).

167 Memorandum from Thomas E. Karmgard, ATF Division Counsel (Phoenix) to the U.S. Attorney's Office for the District of Arizona, *ATF Division Counsel Notes Relating to "Corpus Delicti" Issue in Straw Purchaser Case* (Feb. 24, 2010).

168 House Committee on Oversight and Government Reform, Transcribed Interview of David Voth (June 30, 2011).

169 *Id.*

170 *Id.*

171 *Id.*

172 Senate Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, Testimony of the Eric H. Holder, Jr., Attorney General Department of Justice, *Hearing on the FY 12 Dept. of Justice Budget* (Mar. 10, 2011); House Judiciary Committee, Testimony of the Eric H. Holder, Jr., Attorney General Department of Justice, *Oversight Hearing on the United States Department of Justice* (May 3, 2011); House Judiciary Committee, Testimony of the Eric H. Holder, Jr., Attorney General Department of Justice, *Oversight Hearing on the United States Department of Justice* (Dec. 8, 2011).

173 Senate Judiciary Committee, Testimony of the Eric H. Holder, Jr., Attorney General Department of Justice, *Hearing on Justice Department Oversight* (Nov. 8, 2011).

174 House Judiciary Committee, Testimony of the Eric H. Holder, Jr., Attorney General Department of Justice, *Oversight Hearing on the United States Department of Justice* (Dec. 8, 2011).

175 Memorandum from Michael F. Walther, National Drug Intelligence Center, to the Attorney General through the Acting Deputy Attorney General, Department of Justice, *Weekly Report for July 5 through July 9, 2010* (July 5, 2010).

176 Letter from Eric H. Holder, Jr., Attorney General, Department of Justice, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform, *et al.* (Oct. 7, 2011).

177 Email from Monty Wilkinson, Deputy Chief of Staff and Counselor to the Attorney General, Department of Justice, to Dennis K. Burke, U.S. Attorney, District of Arizona (Dec. 14, 2010).

178 Email from Dennis K. Burke, U.S. Attorney, District of Arizona, to Monty Wilkinson, Deputy Chief of Staff and Counselor to the Attorney General, Department of Justice (Dec. 15, 2010).

179 *Id.*

180 Email from Dennis K. Burke, U.S. Attorney, District of Arizona, to Monty Wilkinson, Deputy Chief of Staff and Counselor to the Attorney General, Department of Justice (Dec. 15, 2010).

181 Email from Monty Wilkinson, Deputy Chief of Staff and Counselor to the Attorney General, Department of Justice, to Dennis K. Burke, U.S. Attorney, District of Arizona (Dec. 15, 2010).

182 Email from Dennis K. Burke, U.S. Attorney, District of Arizona, to Monty Wilkinson, Deputy Chief of Staff and Counselor to the Attorney General, Department of Justice (Dec. 15, 2010).

183 Email from Monty Wilkinson, Deputy Chief of Staff and Counselor to the Attorney General, Department of Justice, to Dennis K. Burke, U.S. Attorney, District of Arizona (Dec. 15, 2010).

184 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis Burke (Dec. 13, 2011).

185 Senate Committee on the Judiciary, Testimony of Eric H. Holder, Jr., Attorney General, Department of Justice, *Hearing on Oversight of the U.S. Department of Justice* (Nov. 8, 2011).

186 Letter from Ronald Weich, Assistant Attorney General, Office of Legislative Affairs, Department of Justice, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform, *et al.* (Jan. 27, 2012).

* 187 House Committee on Oversight and Government Reform, Transcribed Interview of Gary Grindler (Dec. 14, 2011).

188 House Committee on Oversight and Government Reform, Transcribed Interview of Kenneth Melson (July 4, 2011); House Committee on Oversight and Government Reform, Transcribed Interview of William Hoover (July 21, 2011).

189 House Committee on Oversight and Government Reform, Transcribed Interview of Gary Grindler (Dec. 14, 2011).

190 House Committee on Oversight and Government Reform, Transcribed Interview of William Hoover (July 21, 2011).

191 House Committee on Oversight and Government Reform, Transcribed Interview of Gary Grindler (Dec. 14, 2011).

- 192 House Committee on Oversight and Government Reform, Transcribed Interview of Kenneth Melson (July 4, 2011).
- 193 *Id.*
- 194 *Id.*
- 195 *Id.*
- 196 House Committee on Oversight and Government Reform, Transcribed Interview of William Hoover (July 21, 2011).
- 197 *Id.*
- 198 House Committee on Oversight and Government Reform, Transcribed Interview of Mark Chait (July 20, 2011).
- 199 House Committee on Oversight and Government Reform, Transcribed Interview of William McMahon (June 28, 2011).
- 200 House Committee on Oversight and Government Reform, Transcribed Interview of William Hoover (July 21, 2011).
- 201 *Id.*
- 202 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis Burke (Aug. 18, 2011).
- 203 *Id.*
- 204 Email from William Newell, Special Agent in Charge, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives, to Dennis Burke, U.S. Attorney, District of Arizona (June 24, 2010).
- 205 Memorandum from Emory Hurley, Assistant U.S. Attorney, U.S. Attorney's Office, District of Arizona, to Dennis Burke, U.S. Attorney, District of Arizona (Aug. 16, 2010).
- 206 Senate Committee on the Judiciary, Testimony of Lanny Breuer, Assistant Attorney General, Criminal Division, Department of Justice, *Hearing on Combating International Organized Crime: Evaluating Current Authorities, Tools, and Resources* (Nov. 1, 2011).
- 207 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012).
- 208 18 U.S.C. § 2516.
- 209 Julie Wuslich, *Survey of Title III*, United States Attorneys' Bulletin (Jan. 2007).
- 210 *Id.*
- 211 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012).
- 212 *Id.*
- 213 *Id.*
- 214 *Id.*

215 Senate Committee on the Judiciary, Testimony of Lanny Breuer, Assistant Attorney General, Criminal Division, Department of Justice, *Hearing on Combating International Organized Crime: Evaluating Current Authorities, Tools, and Resources*, 112th Cong. (Nov. 1, 2011).

216 Email from Kevin Carwile, Criminal Division, Department of Justice, to Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department of Justice (Mar. 16, 2010).

217 Email from Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department of Justice, to Kevin Carwile, Criminal Division, Department of Justice, (Mar. 16, 2010).

218 Email from Kevin Carwile, Criminal Division, Department of Justice, to Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department of Justice, (Mar. 16, 2010).

219 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012).

220 Email from Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department of Justice, to James Trusty, Criminal Division, Department of Justice, *et al.* (Apr. 12, 2010).

221 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012).

222 *Id.*

223 *Id.*

224 *Id.*

225 *Id.*

226 *Id.*

227 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012); email from Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department to Justice, to William Hoover, Deputy Director, Bureau of Alcohol, Tobacco, Firearms and Explosives (Apr. 20, 2010).

228 Email meeting request from Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department to Justice, to James Trusty, Criminal Division, Department of Justice, *et al.* (Apr. 28, 2010).

229 Handwritten Notes, Laura Sweeney, Meeting with William Hoover, Deputy Director, Bureau of Alcohol, Tobacco, Firearms and Explosives, *et. al.* (Apr. 28, 2010).

230 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012).

231 *Id.*

232 *Id.*

233 *Id.*

- 234 Senate Judiciary Committee, *Combating International Organized Crime: Evaluating Current Authorities, Tools, and Resources* (Nov. 1, 2011).
- 235 Email from Anthony Garcia, Attaché to Mexico, Department of Justice, to Adam Lurie, Department of Justice, *et al.* (Feb. 4, 2011).
- 236 *Id.*
- 237 *Id.*
- 238 *Id.*
- 239 Email from Jason Weinstein, Deputy Assistant Attorney General, Department of Justice, to Adam Lurie, Department of Justice, *et al.* (Feb. 4, 2011).
- 240 Email from Anthony Garcia, Attaché to Mexico, Department of Justice, to Mary Rodriguez, Department of Justice, *et al.* (Feb. 8, 2011).
- 241 *Id.*
- 242 *Id.*
- 243 Letter from Sen. Charles Grassley, Ranking Member, Senate Judiciary Committee, to Eric H. Holder, Jr., Attorney General, Department of Justice (Jan. 27, 2011).
- 244 Letter from Ronald Weich, Assistant Attorney General, Office of Legislative Affairs, Department of Justice, to Sen. Charles Grassley, Ranking Member, Senate Judiciary Committee (Feb. 4, 2011).
- 245 Letter from James M. Cole, Deputy Attorney General, Department of Justice, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform, *et al.* (Dec. 2, 2011).
- 246 Letter from James M. Cole, Deputy Attorney General, Department of Justice, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform, *et al.* (Dec. 2, 2011).
- 247 Handwritten Notes, Faith Burton, Special Counsel, Office of Legislative Affairs, Department of Justice, Meeting with Kenneth Melson, Acting Director, Bureau of Alcohol, Tobacco, Firearms and Explosives, *et al.* (Jan. 28, 2011).
- 248 Handwritten Notes, Faith Burton, Special Counsel, Office of Legislative Affairs, Department of Justice, Meeting with William Hoover, Deputy Director, Bureau of Alcohol, Tobacco, Firearms and Explosives, *et al.* (Feb. 1, 2011).
- 249 House Committee on Oversight and Government Reform, Transcribed Interview of Kenneth Melson (July 4, 2011); House Committee on Oversight and Government Reform, Transcribed Interview of William Hoover (July 21, 2011).
- 250 Email from Dennis Burke, U.S. Attorney, District of Arizona, to Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department of Justice, *et al.* (Jan. 31, 2011).
- 251 *See, e.g.*, Email from Dennis Burke, U.S. Attorney, District of Arizona, to Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, Department of Justice, *et al.* (Feb. 2, 2011) (requesting that the Department of Justice insert the following language into the Department's response to Sen. Grassley's January 27, 2011, letter: "Regarding the

allegations repeated in your letter that ATF in any way “sanctioned”, [sic] had knowledge of, or permitted weapons purchased on January 16, 2010 in Arizona to reach the Republic of Mexico is categorically false.”).

252 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis Burke (Dec. 13, 2011).

253 Letter from Tobin Romero, Partner, Williams & Connelly LLP, Counsel, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform (Jan. 19, 2011).

254 House Committee on Oversight and Government Reform, Transcribed Interview of Dennis Burke (Dec. 13, 2011).

255 House Committee on Oversight and Government Reform, Transcribed Interview of Jason Weinstein (Jan. 10, 2012).

256 *Id.*

257 *Id.*

258 *Id.*

259 Senate Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, Testimony of the Eric H. Holder, Jr., Attorney General Department of Justice, *Hearing on the FY 12 Dept. of Justice Budget* (Mar. 10, 2011).

260 *Id.*

261 Email from James Cole, Deputy Attorney General, Department of Justice, to Angel Moreno, John Murphy, Dennis Burke, Kenneth Gonzales, and Laura Duffy, U.S. Attorneys (Mar. 9, 2011).

262 *ATF Chief Removed Over Border Guns Scandal*, Los Angeles Times (Aug. 30, 2011).

263 *Issa Subpoenas AZ US Attorney Criminal Division Chief*, Examiner (Jan. 19, 2012).

264 *ATF Chief Removed Over Border Guns Scandal*, Los Angeles Times (Aug. 30, 2011); *Three ATF Officials Reassigned in Shakeup Over Fast and Furious*, Main Justice (Jan. 6, 2012) (online at www.mainjustice.com/2012/01/06/three-atf-officials-reassigned-in-shakeup-over-fast-and-furious/) (accessed Jan. 27, 2012).

265 *Id.*

266 Bureau of Alcohol, Tobacco, Firearms and Explosives, *ATF Acting Director Jones Announces New Staff Assignments* (Oct. 5, 2011); *Three ATF Officials Reassigned in Shakeup Over Fast and Furious*, Main Justice (Jan. 6, 2012) (online at www.mainjustice.com/2012/01/06/three-atf-officials-reassigned-in-shakeup-over-fast-and-furious/) (accessed Jan. 27, 2012).

267 *Id.*

268 *ATF Officials Suspended over Fast and Furious*, Washington Examiner (Jan. 10, 2012).

269 *ATF Official Newell Says Whistleblowers Were Silent on Fast and Furious*, Main Justice (Sept. 22, 2011) (online at www.mainjustice.com/2011/09/22/atf-official-newell-says-whistleblowers-were-silent-on-fast-and-furious/) (accessed Jan. 27, 2012).

270 *'Fast and Furious' Whistleblowers Struggle Six Months After Testifying Against ATF Program*, Fox News (Nov. 30, 2011).

271 *Id.*

272 Letter from James M. Cole, Deputy Attorney General, Department of Justice, to Rep. Darrell E. Issa, Chairman, House Committee on Oversight and Government Reform, *et al.* (Jan. 27, 2012).

273 *Id.*

274 *Id.*

275 *Federal Judge Rejects Challenge to Gun Dealer Rules*, Washington Post (Jan. 14, 2012).

Pursuant to House Resolution 708, said report was considered as read.

¶84.16 ERIC H. HOLDER, JR. CIVIL ACTION

Mr. ISSA, pursuant to House Resolution 708, called up for consideration the following resolution (H. Res. 711):

Resolved, That Eric H. Holder, Jr., Attorney General of the United States, shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

Resolved, That pursuant to 2 U.S.C. 192 and 194, the Speaker of the House of Representatives shall certify the report of the Committee on Oversight and Government Reform, detailing the refusal of Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, to produce documents to the Committee on Oversight and Government Reform as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Holder be proceeded against in the manner and form provided by law.

Resolved, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

Pursuant to House Resolution 708, said resolution was considered as read.

After debate, Mr. DINGELL submitted a motion to refer the resolution to the Committee on Oversight and Government Reform with instructions as follows:

(1) Hold a bipartisan public hearing with testimony from Kenneth Melson, the former Acting Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives during Operation Fast and Furious.

(2) Hold a bipartisan public hearing with testimony from William Hoover, the former Acting Deputy Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives during Operation Fast and Furious.

(3) Hold a bipartisan public hearing with testimony from former Attorney General Michael Mukasey, who, according to documents produced to the committee, was informed during his tenure that, although efforts to coordinate firearm interdictions with Mexican law enforcement officials in 2007 "have not been successful", the "ATF would like to expand" such efforts.

(4) Conduct a bipartisan transcribed interview of Alice Fisher, who served as the Assistant Attorney General for the Criminal Division of the Department of Justice from 2005 to 2008, about her role in authorizing wiretaps in Operation Wide Receiver.

(5) Conduct a bipartisan transcribed interview of Kenneth Blanco, who serves as Deputy Assistant Attorney General at the Department of Justice and also authorized wiretaps in Operation Fast and Furious.

(6) Take such further actions as the committee, with full bipartisan consultation, deems appropriate to assure a thorough and vigorous investigation of this matter.

Pursuant to House Resolution 708, said motion to refer was considered.

After debate, Pursuant to House Resolution 708, the previous question was ordered on the motion and on the resolution.

The question being put, viva voce, Will the House agree to the motion to refer said resolution?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the nays had it.

Mr. DINGELL demanded that the vote be taken by the yeas and nays, which demand was supported by one-

fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 172 negative } Nays 251

¶84.17 [Roll No. 440]

YEAS—172

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

NAYS—251

- Adams, Aderholt, Akin, Alexander, Altmire, Amash, Amodei, Austria, Bachmann, Bachus, Barletta, Barrow, Bartlett, Barton (TX), Bass (NH), Benishek, Berg, Biggert, Bilbray, Bilirakis, Black, Blackburn, Bonner, Bono Mack, Boren, Boustany, Brady (TX), Brooks, Broun (GA), Buchanan, Bucshon, Buerkle, Burgess, Burton (IN), Calvert, Camp, Campbell, Canseco, Cantor, Capito, Carter, Cassidy, Chabot, Chaffetz, Chandler, Coble, Coffman (CO), Cole, Conaway, Cravaack, Crawford, Crewshaw, Culberson, Davis (KY), Denham, Dent, DesJarlais, Diaz-Balart, Dold, Donnelly (IN), Dreier, Duffy, Duncan (SC), Duncan (TN), Ellmers, Emerson, Farenthold, Fincher, Fitzpatrick, Flake, Fleischmann, Fleming, Flores, Forbes, Fortenberry, Fox, Franks (AZ), Frelinghuysen, Gallegly, Gardner, Garrett, Gerlach, Gibbs, Gibson, Gingrey (GA), Gohmert, Goodlatte, Gosar, Gowdy, Granger, Graves (GA), Graves (MO), Griffin (AR), Griffith (VA), Grimm, Guinta, Guthrie, Hall, Hanna, Harper, Harris, Hartzler, Hastings (WA), Heck, Hensarling, Herger, Herrera Beutler, Hochul, Huelskamp, Huitzenga (MI), Hultgren, Hunter, Hurt, Issa, Jenkins, Johnson (IL), Johnson (OH), Johnson, Sam, Jones, Jordan, Kelly, King (IA), King (NY), Kingston, Kinzinger (IL), Kissell, Kline, Labrador, Lamborn, Lance, Landry, Lankford, Latham, LaTourette, Latta, LoBiondo, Long, Lucas, Luetkemeyer, Napolitano, Ryan (OH), Stutzman

- Lummis, Lungren, Daniel E., Mack, Manzullo, Marchant, Marino, Matheson, McCarthy (CA), McCaul, McClintock, McCotter, McHenry, McIntyre, McKeon, McKinley, McMorris, Rodgers, Meehan, Mica, Miller (FL), Miller (MI), Miller, Gary, Mulvaney, Murphy (PA), Myrick, Neugebauer, Noem, Nugent, Nunes, Nunnelee, Olson, Owens, Palazzo, Paul, Paulsen, Pearce, Pence, Peterson, Petri, Pitts, Platts, Poe (TX), Pompeo, Posey, Price (GA), Quayle, Rahall, Reed, Rehberg, Reichert, Renacci, Ribble, Rigell, Rivera, Roby, Roe (TN), Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Rokita, Rooney, Ros-Lehtinen, Roskam, Ross (AR), Ross (FL), Royce, Runyan, Ryan (WI), Scalise, Schilling, Schmidt, Schock, Schweikert, Scott (SC), Scott, Austin, Sensenbrenner, Sessions, Shimkus, Shuster, Simpson, Smith (NE), Smith (NJ), Smith (TX), Southerland, Stearns, Stivers, Sullivan, Terry, Thompson (PA), Thornberry, Tiberi, Pearce, Tipton, Turner (NY), Turner (OH), Upton, Walberg, Walden, Walsh (IL), Walz (MN), Webster, West, Westmoreland, Whitfield, Wilson (SC), Wittman, Wolf, Womack, Woodall, Yoder, Young (AK), Young (FL), Young (IN)

NOT VOTING—9

- Bishop (UT), Cardoza, Hayworth, Jackson (IL), Johnson, E. B., Lewis (CA)

So the motion to refer was not agreed to.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. GRIMM demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 255 affirmative } Nays 67 Answered present 1

¶84.18 [Roll No. 441]

AYES—255

- Adams, Bachmann, Berg, Aderholt, Bachus, Biggert, Akin, Barletta, Bilbray, Alexander, Barrow, Bilirakis, Altmire, Bartlett, Bishop (UT), Amash, Barton (TX), Black, Amodei, Bass (NH), Blackburn, Austria, Benishek, Bonner

Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna

Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Upton
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce

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

Thompson (CA)
Tierney
Tsongas
Visclosky
Wasserman
Schultz
Waxman
Welch

ANSWERED "PRESENT"—1
Lipinski

NOT VOTING—109
Ackerman
Andrews
Baca
Bass (CA)
Becerra
Bishop (GA)
Brady (PA)
Brown (FL)
Butterfield
Capuano
Cardoza
Carmahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Conyers
Costa
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
Doyle
Edwards
Ellison
Engel
Fattah
Fliner
Fraker (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hinchev
Hinojosa
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kucinich
Larson (CT)
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lowey
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McGovern
Meeks
Moore
Napolitano
Neal
Olver
Pallone
Pascrell
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Rangel
Reyes
Richardson
Richmond
Roybal-Allard
Ruppersberger
Rush
Sanchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell
Sires
Stark
Thompson (MS)
Tonko
Townes
Van Hollen
Velázquez
Waters
Watt
Wilson (FL)
Woolsey
Yarmuth

The question being put, viva voce,
Will the House agree to said resolution?
The SPEAKER pro tempore, Mr. BASS of New Hampshire, announced that the yeas had it.

Mr. CUMMINGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	258	
		Nays	95
		Answered present	5

84.20 [Roll No. 442]
YEAS—258

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

NOES—67
Baldwin
Barber
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Capps
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Cuellar
DeFazio
DeLauro
Deutch
Dicks
Dingell
Doggett
Eshoo
Farr
Green, Gene
Heinrich
Higgins
Himes
Hirono
Holden
Holt
Langevin
Larsen (WA)
LaTourette
Loebbeck
Lofgren, Zoe
Lujan
Lynch
McDermott
McNerney
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Pastor (AZ)
Perlmutter
Quigley
Rigell
Rothman (NJ)
Ryan (OH)
Sanchez, Loretta
Schradler
Schwartz
Sherman
Shuler
Slaughter
Smith (WA)
Speier
Sutton

84.19 ERIC H. HOLDER, JR. CIVIL ACTION
Mr. ISSA, pursuant to House Resolution 708, called up for consideration the following resolution (H. Res. 706):
Resolved, That the Chairman of the Committee on Oversight and Government Reform is authorized to initiate or intervene in judicial proceedings in any Federal court of competent jurisdiction, on behalf of the Committee on Oversight and Government Reform, to seek declaratory judgments affirming the duty of Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, to comply with any subpoena that is a subject of the resolution accompanying House Report 112-546 issued to him by the Committee as part of its investigation into the United States Department of Justice operation known as "Fast and Furious" and related matters, and to seek appropriate ancillary relief, including injunctive relief.
SEC. 2. The Committee on Oversight and Government Reform shall report as soon as practicable to the House with respect to any judicial proceedings which it initiates or in which it intervenes pursuant to this resolution.
SEC. 3. The Office of General Counsel of the House of Representatives shall, at the authorization of the Speaker, represent the Committee on Oversight and Government Reform in any litigation pursuant to this resolution. In giving that authorization, the Speaker shall consult with the Bipartisan Legal Advisory Group established pursuant to clause 8 of rule II.
Pursuant to House Resolution 708, said resolution was considered as read.
After debate,
Pursuant to House Resolution 708, the previous question was ordered.

Sensenbrenner	Terry	West
Sessions	Thompson (PA)	Westmoreland
Shimkus	Thornberry	Whitfield
Shuster	Tiberi	Wilson (SC)
Simpson	Tipton	Wittman
Smith (NE)	Turner (NY)	Wolf
Smith (NJ)	Turner (OH)	Womack
Smith (TX)	Upton	Woodall
Southerland	Walberg	Yoder
Stearns	Walden	Young (AK)
Stivers	Walsh (IL)	Young (FL)
Stutzman	Walz (MN)	Young (IN)
Sullivan	Webster	

NAYS—95

Andrews	Heinrich	Pingree (ME)
Baldwin	Higgins	Polis
Berkley	Himes	Price (NC)
Berman	Hinchee	Quigley
Bishop (NY)	Hirono	Reyes
Blumenauer	Holden	Rothman (NJ)
Bonamici	Holt	Ruppersberger
Braley (IA)	Hoyer	Ryan (OH)
Capps	Keating	Sánchez, Linda
Carnahan	Kildee	T.
Carney	Langevin	Sanchez, Loretta
Castor (FL)	Larsen (WA)	Schiff
Cohen	Loebsack	Schrader
Connolly (VA)	Lofgren, Zoe	Schwartz
Cooper	Lujan	Sherman
Costello	Lynch	Shuler
Courtney	Maloney	Slaughter
Crowley	Matsui	Smith (WA)
Cuellar	McCarthy (NY)	Speier
Davis (CA)	McCollum	Stark
DeGette	McDermott	Sutton
DeLauro	McGovern	Thompson (CA)
Deutch	McNerney	Tierney
Dicks	Miller, George	Tonko
Dingell	Moran	Tsongas
Doggett	Murphy (CT)	Velázquez
Doyle	Neal	Visclosky
Eshoo	Olver	Wasserman
Farr	Pallone	Schultz
Filner	Pascrell	Waxman
Garamendi	Pastor (AZ)	Welch
Green, Gene	Perlmutter	
Hanabusa	Peters	

ANSWERED "PRESENT"—5

Ackerman	Kaptur	Towns
Costa	Lipinski	

NOT VOTING—74

Baca	Frank (MA)	Markey
Bass (CA)	Fudge	Meeks
Becerra	Gonzalez	Moore
Bishop (GA)	Green, Al	Nadler
Brady (PA)	Grijalva	Napolitano
Brown (FL)	Gutierrez	Pelosi
Butterfield	Hahn	Rangel
Capuano	Harris	Richardson
Cardoza	Hartzler	Richmond
Carson (IN)	Hastings (FL)	Roybal-Allard
Chu	Hinojosa	Rush
Cicilline	Honda	Sarbanes
Clarke (MI)	Israel	Schakowsky
Clarke (NY)	Jackson (IL)	Scott (VA)
Clay	Jackson Lee	Scott, David
Cleaver	(TX)	Serrano
Clyburn	Johnson (GA)	Sewell
Conyers	Johnson, E. B.	Sires
Cummings	Kucinich	Thompson (MS)
Davis (IL)	Larson (CT)	Van Hollen
Edwards	Lee (CA)	Waters
Ellison	Levin	Watt
Engel	Lewis (CA)	Wilson (FL)
Fattah	Lewis (GA)	Woolsey
Fortenberry	Lowe	Yarmuth

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶84.21 H.R. 5889—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5889) to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.22 H.R. 3412—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3412) to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.23 H.R. 3501—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3501) to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.24 H.R. 3772—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3772) to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building".

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.25 H.R. 3276—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3276) to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building".

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.26 H.R. 1447—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1447) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.27 H.R. 5843—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5843) to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.28 H.R. 3173—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3173) to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CRAVAACK, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶84.29 UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore, Mr. CRAVAACK, pursuant to section 1238(b)(3) of the Floyd D. Spence Na-

tional Defense Authorization Act for fiscal year 2001 (22 United States Code 7002), as amended, and the order of the House of January 5, 2011, announced that the Speaker appointed the following member on the part of the House to the United States-China Economic and Security Review Commission for a term to expire December 31, 2014: Mr. Peter Brookes, Springfield, Virginia.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶84.30 SUBMISSION OF CONFERENCE REPORT—H.R. 4348

Mr. MICA submitted a conference report (Rept. No. 112-557) on the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶84.31 MOTION TO INSTRUCT CONFEREES VITIATED—H.R. 4348

The SPEAKER pro tempore, Mr. BERG, under clause 8 of rule XX, announced the filing of the conference report on H.R. 4348 has vitiated the motion to instruct conferees offered by the gentlewoman from California [Ms. HAHN], which was debated on June 27, 2012, and on which further proceedings were postponed.

¶84.32 RECESS—7:24 P.M.

The SPEAKER pro tempore, Mr. BERG, pursuant to clause 12(a) of rule I, declared the House in recess at 7 o'clock and 24 minutes p.m., subject to the call of the Chair.

¶84.33 AFTER RECESS—11:04 P.M.

The SPEAKER pro tempore, Mr. NUGENT, called the House to order.

¶84.34 PROVIDING FOR CONSIDERATION OF H.R. 5856, H.R. 6020, AND CONFERENCE REPORT TO H.R. 4348

Mr. WEBSTER, by direction of the Committee on Rules, reported (Rept. No. 112-558) the resolution (H. Res. 717) providing for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; providing for consideration of the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the conference report to accompany the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

And then,

¶84.35 ADJOURNMENT

On motion of Mr. WEBSTER, at 11 o'clock and 5 minutes p.m., the House adjourned.

¶84.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAVES of Missouri: Committee on Small business. Semiannual Report on the Activity of the Committee on Small business during the 112th Congress (Rept. 112-554). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALL: Committee on Science, Space, and Technology. Third Semiannual Report of Activities of the Committee on Science, Space, and Technology for the 112th Congress (Rept. 112-555). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. Report on the Legislative and Oversight Activities of the Committee on Ways and Means during the 112th Congress (Rept. 112-556). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee of Conference. Conference report on H.R. 4348. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes (Rept. 112-557). Ordered to be printed.

Mr. WEBSTER: Committee on Rules. House Resolution 717. Resolution providing for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; providing for consideration of the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the conference report to accompany the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes (Rept. 112-558). Referred to the House Calendar.

¶84.37 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FLAKE:

H.R. 6047. A bill to amend the renewable fuel program under section 211(o) of the Clean Air Act to require the cellulosic biofuel requirement to be based on actual production; to the Committee on Energy and Commerce.

By Mr. TURNER of Ohio (for himself, Mrs. MILLER of Michigan, Mr. WHITFIELD, Mrs. HARTZLER, Mr. TIBERI, Mr. JOHNSON of Ohio, Mr. FRANKS of Arizona, Mr. AKIN, Mr. GOHMERT, Mr. NUNNELEE, Mr. PALAZZO, Mr. CONAWAY, Mr. GOWDY, Mr. CRENSHAW, Mr. LAMBORN, Mr. CHAFFETZ, Mr. BROOKS, Mr. STUTZMAN, Mr. ROKITA, Mr. PRICE of Georgia, Mr. LANKFORD, Mr. ALEX-

ANDER, Mrs. BONO MACK, Mr. MACK, Mr. MARCHANT, Mr. NUNES, Mr. COBLE, Mr. BARTON of Texas, Mr. WOMACK, Mr. SENSENBRENNER, Mr. COFFMAN of Colorado, Mr. TERRY, Mr. PITTS, Mr. MICA, Mr. BUCHANAN, Mr. KELLY, Mr. FITZPATRICK, Mr. LANCE, Mrs. BIGGERT, Mr. POE of Texas, Mr. MCCAUL, Mr. SOUTHERLAND, Mr. LOBIONDO, Mr. HARRIS, Mr. WALBERG, Mr. LUETKEMEYER, Mr. HASTINGS of Washington, Mr. LABRADOR, Mr. CULBERSON, Mr. ROGERS of Kentucky, Mr. CAMPBELL, Mr. HARPER, Mr. CANSECO, Mr. ISSA, Mr. FARENTHOLD, Mr. FLAKE, Mr. BRADY of Texas, Mrs. BLACKBURN, Mr. CRAWFORD, Mr. POMPEO, Mr. YOUNG of Indiana, Mr. SCHILLING, Mr. SCHOCK, Mr. DUFFY, Mrs. ELLMERS, Mr. THORNBERRY, Mr. GINGREY of Georgia, Mr. COLE, Mr. BILBRAY, Mr. BONNER, Mr. LATTA, Mr. GERLACH, Mr. MCKEON, Mr. BARTLETT, Mr. GARRETT, Mr. BASS of New Hampshire, Mr. CASSIDY, Mr. YODER, Mrs. ROBY, Mr. TURNER of New York, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Mrs. MCMORRIS RODGERS, Mr. MANZULLO, Mr. GARY G. MILLER of California, Mr. DIAZ-BALART, Mr. MURPHY of Pennsylvania, Mr. STIVERS, Mr. STEARNS, Mr. SHUSTER, Mr. BROUN of Georgia, Mr. WEST, Mr. KINGSTON, Mr. SHIMKUS, Mr. WESTMORELAND, Mr. WITTMAN, Mr. SCHWEIKERT, Mr. CHABOT, Mr. ROHRABACHER, Mr. CARTER, Mr. DUNCAN of Tennessee, Mr. BILIRAKIS, Ms. BUERKLE, Mr. ROONEY, Mr. HECK, Mr. HUNTER, Mrs. BACHMANN, Mr. POSEY, Mr. WILSON of South Carolina, Mr. NUGENT, Mr. BISHOP of Utah, Mr. PEARCE, Mr. MILLER of Florida, Mr. FORBES, Mr. KINZINGER of Illinois, Mr. LATOURETTE, Mr. SIMPSON, and Mrs. EMERSON):

H.R. 6048. A bill to amend the Internal Revenue Code of 1986 to repeal the individual and employer health insurance mandates; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 6049. A bill to grant a right of first refusal to the La Jolla Historical Society with respect to the sale of the La Jolla Post Office; to the Committee on Oversight and Government Reform.

By Mr. BECERRA (for himself, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. BISHOP of New York, Mr. HONDA, Ms. NORTON, Ms. BROWN of Florida, and Mr. FILNER):

H.R. 6050. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BONO MACK:

H.R. 6051. A bill to amend certain provisions of title 49, United States Code, relating to motor vehicle safety, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri (for himself, Mr. JONES, Mr. WESTMORELAND, Mr. LONG, Mr. WOLF, and Mrs. HARTZLER):

H.R. 6052. A bill to prohibit the use of funds for the rule entitled "Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives" published by the Department of Homeland Security on April 2, 2012 (77 Fed. Reg. 19902); to the Committee on the Judiciary.

By Mr. MACK:

H.R. 6053. A bill to repeal the provisions of the Patient Protection and Affordable Care Act and the health-related provisions of the Health Care and Education Reconciliation Act of 2010 not declared unconstitutional by the Supreme Court; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Appropriations, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACK:

H.R. 6054. A bill to prohibit funding to implement any provision of the Patient Protection and Affordable Care Act or of the health-related provisions of the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYES (for himself, Mr. CANSECO, Mr. HINOJOSA, Mrs. DAVIS of California, and Mr. GENE GREEN of Texas):

H.R. 6055. A bill to authorize the Commissioner of U.S. Customs and Border Protection to enter into reimbursable fee agreements for the provision of customs services, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. YARMUTH):

H.R. 6056. A bill to amend the Internal Revenue Code of 1986 to extend the energy efficient appliance credit; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 6057. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA:

H.R. 6058. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANSECO (for himself, Mr. HINOJOSA, Mr. POSEY, Mr. CUELLAR, Mr. WESTMORELAND, Mr. DIAZ-BALART, and Mr. SESSIONS):

H.J. Res. 113. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treas-

ury and the Internal Revenue Service relating to the reporting requirements for interest that relates to deposits maintained at United States offices of certain financial institutions and is paid to certain nonresident alien individuals; to the Committee on Ways and Means.

By Mr. ISSA:

H. Res. 711. A resolution recommending that the House of Representatives find Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Oversight and Government Reform; considered and agreed to.

By Ms. JACKSON LEE of Texas (for herself, Mr. CONNOLLY of Virginia, Mr. JOHNSON of Georgia, Ms. BROWN of Florida, Mrs. MALONEY, Mr. DAVIS of Illinois, and Mr. RANGEL):

H. Res. 712. A resolution recommending that the Speaker of the House of Representatives not move to proceed to the consideration of the House Resolution finding Eric H. Holder, Jr., Attorney General, U.S. Department of Justice, in contempt of Congress pursuant to the report of the Committee on Oversight and Government Reform; to the Committee on Rules.

By Mr. HASTINGS of Florida:

H. Res. 713. A resolution expressing support for the XIX International AIDS Conference (AIDS 2012) and the sense of the House of Representatives that continued commitment by the United States to HIV/AIDS research, prevention, and treatment programs is crucial to protecting global health; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERMAN (for himself and Mr. KEATING):

H. Res. 714. A resolution expressing support to end commercial whaling in all of its forms and to strengthen measures to conserve whale populations; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. ISRAEL, Mr. ACKERMAN, Mr. HINCHEY, Mr. TURNER of New York, Mr. RANGEL, Mrs. MCCARTHY of New York, and Mr. BISHOP of New York):

H. Res. 715. A resolution celebrating the 50th anniversary of the Sagamore Hill Historic Site; to the Committee on Natural Resources.

By Mr. SESSIONS (for himself, Mr. BUCHANAN, Ms. BUERKLE, Mr. BUCSHON, Mr. CALVERT, Mr. CANSECO, Mrs. CAPITO, Mr. CARTER, Mr. CASSIDY, Ms. CASTOR of Florida, Mr. CHABOT, Mr. CHAFFETZ, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CONAWAY, Mr. COSTELLO, Mr. CRAVAACK, Mr. CRAWFORD, Mr. CRENSHAW, Mr. CULBERSON, Mr. BURGESS, Mr. DENT, Mr. DIAZ-BALART, Mr. DOLD, Mr. DUFFY, Mrs. ELLMERS, Mrs. EMERSON, Mr. FARENTHOLD, Mr. FLAKE, Mr. FLEISCHMANN, Mr. FLEMING, Mr. FORBES, Mr. FORTENBERRY, Ms. FOXX, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. GARDNER, Mr. GARRETT, Mr. GERLACH, Mr. STIVERS, Mr. SAM JOHNSON of Texas, Mr. BARTON of Texas, Mr. MCCAUL, Mr. FLORES, Mr. NEUGEBAUER, Mr. ROE of Tennessee, Mr. GOHMERT, Mr. FITZPATRICK, Mr. ADERHOLT, Mr. CUELLAR, Mr. GRIFFIN of Arkansas,

Mr. CAPUANO, Mr. JOHNSON of Illinois, Mr. SENSENBRENNER, Mr. PALAZZO, Mr. LANDRY, Mr. BOUSTANY, Mr. GALLEGLY, Mr. MCKEON, Mrs. BACHMANN, Mr. UPTON, Mr. CAMP, Mr. HEINRICH, Mr. DREIER, Mr. AMODEI, Mr. AUSTRIA, Mr. BACHUS, Mr. BENISHEK, Mr. BERG, Mrs. BIGGERT, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BONNER, Mr. BOREN, Mr. BROUN of Georgia, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. THORBERRY, Mr. TIBERI, Mr. TIPTON, Mr. WALDEN, Mr. WALSH of Illinois, Mr. WALZ of Minnesota, Mr. WAXMAN, Mr. WEBSTER, Mr. WEST, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. MURPHY of Pennsylvania, Mr. NUGENT, Mr. NUNNELEE, Mr. OLSON, Mr. PEARCE, Mr. PITTS, Mr. POMPEO, Mr. POSEY, Mr. PRICE of Georgia, Mr. QUAYLE, Mr. REICHERT, Mr. RENACCI, Mr. RIBBLE, Mr. RIGELL, Mr. RIVERA, Mrs. ROBY, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Mr. ROKITA, Mr. ROSKAM, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. ROYCE, Mr. RUNYAN, Mr. RUPPERSBERGER, Mr. RYAN of Wisconsin, Mr. SCHILLING, Mrs. SCHMIDT, Mr. SCHOCK, Mr. AUSTIN SCOTT of Georgia, Mr. SERRANO, Mr. SHIMKUS, Mr. SHULER, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUTHERLAND, Mr. HERGER, Ms. HERRERA BEUTLER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HUNTER, Mr. HURT, Mr. ISSA, Mr. JOHNSON of Ohio, Mr. JORDAN, Mr. KELLY, Mr. KING of Iowa, Mr. KING of New York, Mr. KINGSTON, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. LABRADOR, Mr. LANCE, Mr. LANKFORD, Mr. LATHAM, Mr. LATOURETTE, Mr. LATTA, Mr. LUETKEMEYER, Mr. LIPINSKI, Mr. LOBIONDO, Mr. LUCAS, Mrs. LUMMIS, Mr. MACK, Mr. MANZULLO, Mr. MARCHANT, Mr. MARINO, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. MCCOTTER, Mr. MCDERMOTT, Mr. MCHENRY, Mr. MEEHAN, Mr. MICA, Mr. MILLER of Florida, Mr. MORAN, Mr. MULVANEY, Mr. GIBBS, Mr. GIBSON, Mr. GOSAR, Mr. GOWDY, Ms. GRANGER, Mr. GRAVES of Missouri, Mr. GRAVES of Georgia, Mr. GRIMM, Mr. GUTHRIE, Mr. HALL, Mr. HARRIS, Mr. HASTINGS of Washington, Ms. HAYWORTH, Mr. HECK, Mr. HENSARLING, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. WOODALL, Mr. YODER, Mr. YOUNG of Florida, Mr. YOUNG of Indiana, Mr. ANDREWS, Mr. STUTZMAN, Mrs. BONO MACK, Mr. BROOKS, and Mr. REHBERG):

H. Res. 716. A resolution expressing support for designation of August 1, 2012, as "National Eagle Scout Day"; to the Committee on Oversight and Government Reform.

184.38 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

235. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 215 urging the Congress to reconsider the recommendations of the 2012 Air Force Structure Change Report; to the Committee on Armed Services.

236. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 167 urging the Armed Forces Committee and Subcommittee

on Military Personnel to act favorably on H.R. 2148; to the Committee on Armed Services.

237. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 11 memorializing the Congress to defund and appropriate no future funding to Planned Parenthood; to the Committee on Energy and Commerce.

238. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 73 urging the President and the Congress to maintain steadfast support for the State of Israel; to the Committee on Foreign Affairs.

239. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 42 memorializing the Congress to take such actions as are necessary to encourage and enable the United States Army Corps of Engineers to expedite their wetlands permitting process; to the Committee on Transportation and Infrastructure.

240. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 7 memorializing the Congress to take such actions as necessary to assist the Vermilion Parish Police Jury; to the Committee on Transportation and Infrastructure.

184.39 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. LEWIS of Georgia and Mr. LIPINSKI.
 H.R. 718: Mr. TURNER of New York.
 H.R. 719: Mr. BRALEY of Iowa.
 H.R. 738: Mr. CHAFFETZ, Mr. WHITFIELD, and Mr. BROOKS.
 H.R. 860: Mr. KELLY.
 H.R. 1117: Mr. SIMPSON.
 H.R. 1219: Mr. LONG.
 H.R. 1283: Mr. CHANDLER, Mr. TONKO, and Mr. LAMBORN.
 H.R. 1322: Mr. HINCHEY and Mr. HOLT.
 H.R. 1327: Mr. REHBERG, Mr. COLE, Mr. AUSTIN SCOTT of Georgia, and Mr. MCGOVERN.
 H.R. 1370: Mr. ROHRABACHER and Mr. PEARCE.
 H.R. 1464: Ms. ROS-LEHTINEN and Mr. STARK.
 H.R. 1475: Mr. VAN HOLLEN.
 H.R. 1506: Mr. TURNER of New York.
 H.R. 1549: Mr. BROUN of Georgia.
 H.R. 1653: Mr. OLSON.
 H.R. 1675: Ms. HANABUSA, Mr. DUFFY, Ms. JENKINS, Mr. CAPUANO, and Ms. BALDWIN.
 H.R. 1956: Mr. GOHMERT, Mr. FLAKE, and Mr. AUSTIN SCOTT of Georgia.
 H.R. 2014: Mrs. CAPPS.
 H.R. 2069: Mr. SMITH of Washington.
 H.R. 2108: Mr. LANCE.
 H.R. 2492: Mr. COFFMAN of Colorado.
 H.R. 2580: Mr. RUNYAN.
 H.R. 2655: Mr. GIBSON.
 H.R. 2698: Mr. ELLISON.
 H.R. 2866: Mr. RAHALL.
 H.R. 2969: Mr. PAULSEN and Mr. THOMPSON of Mississippi.
 H.R. 3017: Mr. FARR.
 H.R. 3146: Ms. HERRERA BEUTLER.
 H.R. 3187: Mr. CALVERT, Mr. SIMPSON, Mr. BUCSHON, and Mr. UPTON.
 H.R. 3269: Mr. MILLER of North Carolina, Mr. LATOURETTE, and Mr. BARLETTA.
 H.R. 3343: Mr. GONZALEZ.
 H.R. 3458: Mr. JOHNSON of Illinois.
 H.R. 3506: Ms. ROYBAL-ALLARD.
 H.R. 3510: Mr. GRIFFIN of Arkansas and Mr. LOBIONDO.
 H.R. 3511: Mr. NUNNELEE.
 H.R. 3591: Ms. KAPTUR and Mr. FATTAH.
 H.R. 3612: Ms. JACKSON LEE of Texas.

H.R. 3627: Mr. BARLETTA.
 H.R. 3797: Mr. ANDREWS and Mr. SIRES.
 H.R. 3798: Ms. RICHARDSON, Mr. DEUTCH, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. QUIGLEY.
 H.R. 3803: Mr. BOREN and Mr. REED.
 H.R. 3809: Mr. SIRES, Mr. LANCE, Mr. ANDREWS, and Mr. ROTHMAN of New Jersey.
 H.R. 3819: Mr. QUAYLE, Mr. FLEMING, Mr. NEUGEBAUER, Mr. DUNCAN of South Carolina, Mr. GRAVES of Georgia, Mr. MULVANEY, and Mr. GOHMERT.
 H.R. 3860: Mr. MCDERMOTT.
 H.R. 3861: Mr. WALBERG.
 H.R. 3993: Mr. GENE GREEN of Texas.
 H.R. 4077: Mr. COLE.
 H.R. 4155: Mrs. DAVIS of California.
 H.R. 4290: Mr. HONDA and Mr. SMITH of Washington.
 H.R. 4305: Mr. CONNOLLY of Virginia and Mr. KISSELL.
 H.R. 4367: Mr. COBLE, Mr. WITTMAN, Mr. PENCE, Ms. FOX, and Mr. PRICE of North Carolina.
 H.R. 4373: Mr. MANZULLO and Mr. DAVIS of Illinois.
 H.R. 4643: Mr. SMITH of Washington.
 H.R. 4965: Mr. POE of Texas and Mr. KING of Iowa.
 H.R. 5186: Ms. PINGREE of Maine.
 H.R. 5542: Mr. TONKO.
 H.R. 5707: Ms. RICHARDSON and Mr. COHEN.
 H.R. 5719: Mr. KUCINICH.
 H.R. 5787: Ms. DELAURO.
 H.R. 5796: Mr. SHERMAN.
 H.R. 5817: Mr. LONG.
 H.R. 5822: Mr. POE of Texas.
 H.R. 5848: Mr. HIMES.
 H.R. 5850: Mrs. MALONEY.
 H.R. 5851: Mr. HONDA.
 H.R. 5910: Mr. REICHERT.
 H.R. 5911: Mr. PAULSEN.
 H.R. 5912: Mr. RIBBLE.
 H.R. 5943: Mr. THOMPSON of Pennsylvania.
 H.R. 5948: Mr. STIVERS.
 H.R. 5952: Mrs. LUMMIS and Mr. POSEY.
 H.R. 5953: Mrs. MYRICK and Mr. HUNTER.
 H.R. 5955: Mr. COSTELLO.
 H.R. 5963: Mr. FRANKS of Arizona, Mr. PAULSEN, Mr. AKIN, and Mr. POSEY.
 H.R. 5969: Mr. ROSS of Florida and Mrs. NOEM.
 H.R. 5970: Mr. ROSS of Florida and Mrs. NOEM.
 H.R. 5975: Mr. BLUMENAUER.
 H.R. 5978: Mr. TOWNS and Mrs. NAPOLITANO.
 H.R. 5993: Mr. JOHNSON of Illinois.
 H.R. 5997: Mr. KING of New York.
 H.R. 5998: Mr. PRICE of Georgia.
 H.R. 6009: Mr. BISHOP of Utah.
 H.R. 6025: Mr. QUAYLE and Mr. CUELLAR.
 H.R. 6042: Ms. NORTON.
 H.J. Res. 90: Mr. STARK, Mr. CICILLINE, and Mr. SMITH of Washington.
 H. Con. Res. 119: Ms. SCHAKOWSKY.
 H. Con. Res. 127: Mr. FORBES and Mr. SCOTT of South Carolina.
 H. Con. Res. 129: Ms. GRANGER, Mr. COLE, Mr. STIVERS, Mr. CALVERT, Mr. BERG, Mr. GARAMENDI, and Mr. GIBSON.
 H. Res. 144: Mr. CLAY.
 H. Res. 367: Mr. MILLER of Florida.
 H. Res. 609: Mr. CONNOLLY of Virginia.
 H. Res. 618: Ms. MCCOLLUM, Mr. COHEN, Mr. SABLON, Mr. WOLF, Mrs. SCHMIDT, and Mr. MCINTYRE.
 H. Res. 623: Mr. MILLER of Florida and Mr. POE of Texas.
 H. Res. 689: Mr. ROSS of Arkansas, Mr. DEFAZIO, Mr. ENGEL, Mr. RUSH, Mr. BUTTERFIELD, Mr. CHANDLER, Mr. GARAMENDI, Mr. HONDA, Ms. MATSUI, Ms. BASS of California, Ms. RICHARDSON, Mr. THOMPSON of Mississippi, Mr. SHULER, Mr. SHERMAN, Ms. BERKLEY, Mr. KIND, Mr. PETERSON, Mr. KISSELL, Mr. WALZ of Minnesota, Mr. COHEN, Ms. CHU, Ms. SCHAKOWSKY, Ms. VELAZQUEZ, Mr. LEWIS of Georgia, Mr. CLEAVER, Mr. LARSON of Con-

necticut, Mr. GENE GREEN of Texas, Mr. CROWLEY, Ms. SLAUGHTER, Mr. KEATING, Mr. BRADY of Pennsylvania, Mr. MARKEY, Mr. PALLONE, Mr. QUIGLEY, Mr. TOWNS, Mr. LANGEVIN, Mr. DICKS, Mr. OLVER, Mr. PERLMUTTER, Mr. RAHALL, Mr. DOYLE, Mr. THOMPSON of California, Mr. DEUTCH, Mr. SCOTT of Virginia, Mr. WELCH, Ms. SUTTON, Ms. BONAMICI, Mr. KILDEE, Ms. SCHWARTZ, Mr. CRITZ, Mrs. DAVIS of California, Mr. ELLISON, Mr. PIERLUISI, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. LOEBSACK, Mr. SERRANO, and Mr. LUJÁN.

H. Res. 695: Mr. GOHMERT, Mrs. BLACKBURN, Mr. PITTS, Mr. WALBERG, Mr. WILSON of South Carolina, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. DUNCAN of South Carolina, and Mr. HARRIS.

FRIDAY, JUNE 29, 2012 (85)

The House was called to order by the SPEAKER.

¶85.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 28, 2012.

Pursuant to clause 1 of rule I, the Journal was approved.

¶85.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6722. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations, Sumter County, Florida, et al. [Docket ID: FEMA-2012-0003] [Internal Agency Docket No.: FEMA-B-1253] received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6723. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations, Mobile, AL et al. [Docket ID: FEMA-2012-0003] received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6724. A letter from the Acting Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Mutual Insurance Holding Company Treated as Insurance Company (RIN: 3064-AD89) received June 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6725. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Political Contributions by Certain Investment Advisers: Ban on Third-Party Solicitation; Extension of Compliance Date (RIN: 3235-AK39) received June 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6726. A letter from the Assistant General Counsel for Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's final rule — Implementation of OMB Guidance on Nonprocurement Debarment and Suspension [Docket ID: ED-2012-OS-0007] (RIN: 1890-AA17) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6727. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received June 8, 2012,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6728. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid and Children's Health Insurance Programs; Disallowance of Claims for FFP and Technical Corrections [CMS-2292-F] (RIN: 0938-AQ32) received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6729. A letter from the Associate Division Chief Policy Division, PSHSB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 12 and 90 of the Commission's Rules Regarding Redundancy of Communications Systems: Backup Power Private Land Mobile Radio Services: Selection and Assignment of Frequencies, and Transition of the Upper 200 Channels in the 800 MHz Band to EA Licensing received May 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6730. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Health Physics Surveys During Enriched Uranium-235 Processing and Fuel Fabrication Regulatory Guide 8.24 Revision 2 received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6731. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Withdrawal of Regulatory Guide 8.33, "Quality Management Program" received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6732. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Endorsement of Nuclear Energy Institute (NEI) 12-07, "Guidelines For Performing Verification Walkdowns of Plant Flood Protection Features" received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6733. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Endorsement of Electric Power Research Institute (EPRI) Draft Report 1025286, "Seismic Walkdown Guidance" received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6734. A letter from the Chief, Branch of Foreign Species, Endangered Species Program, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule To Remove the Morelet's Crocodile From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R9-ES-2010-0030] (RIN: 1018-AV22) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6735. A letter from the Assistant Regional Director, USFWS; Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska — Subpart C — Board Determinations; Rural Determinations [Docket No.: FWS-R7-SM-2011-0068] (RIN: 1018-AX95) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6736. A letter from the Chief, Branch of Delisting and Recovery, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Non-essential Experimental Population of American Burying Beetle in Southwestern Mis-

souri [Docket No.: FWS-R3-ES-2011-0034] (RIN: 1018-AX79) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6737. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery Off the Southern Atlantic States; Snapper-Groupers Management Measures [Docket No.: 110511280-2424-02] (RIN: 0648-BB10) received June 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

¶85.3 PROVIDING FOR CONSIDERATION OF H.R. 5856, H.R. 6020, AND CONFERENCE REPORT TO H.R. 4348

Mr. WEBSTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 717):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for section 8121. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "Provided" on page 95, line 9, through "level" on page 95, line 11. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against

the entire paragraph. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 4. It shall be in order at any time on the legislative day of June 29, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to the following: (a) measures addressing expiring provisions of law; and (b) a concurrent resolution correcting the enrollment of H.R. 4348.

SEC. 5. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of June 29, 2012, providing for consideration or disposition of the following: (a) measures addressing expiring provisions of law; and (b) a concurrent resolution correcting the enrollment of H.R. 4348.

When said resolution was considered. After debate,

On motion of Mr. WEBSTER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SCHOCK, announced that the yeas had it.

Mr. HASTINGS of Florida, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SCHOCK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶85.4 PRIVILEGES OF THE HOUSE

Ms. JACKSON LEE of Texas, pursuant to rule IX, rose to a question of the privileges of the House and submitted the following resolution (H. Res. 718):

Whereas the chair of the Committee on Oversight and Government Reform has interfered with the work of an independent agency and pressured an administrative law judge of the National Labor Relations Board by compelling the production of documents re-

lated to an ongoing case, something independent experts said "could seriously undermine the authority of those charged with enforcing the nation's labor laws" and which the House Ethics Manual discourages by noting that "Federal courts have nullified administrative decisions on grounds of due process and fairness towards all of the parties when congressional interference with ongoing administrative proceedings may have unduly influenced the outcome";

Whereas the chair of the Committee on Oversight and Government Reform has politicized investigations by rolling back longstanding bipartisan precedents, including by authorizing subpoenas without the concurrence of the ranking member or a committee vote, by refusing to share documents and other information with the ranking member, and restricting the minority's right to call witnesses at hearings;

Whereas the chair of the Committee on Oversight and Government Reform has jeopardized an ongoing criminal investigation by publicly releasing documents that his own staff has admitted were under court seal;

Whereas the chair of the Committee on Oversight and Government Reform has unilaterally subpoenaed a witness who was expected to testify at an upcoming Federal trial, despite longstanding precedent and objections from the Department of Justice that such a step could cause complications at a trial and potentially jeopardize a criminal conviction;

Whereas the chair of the Committee on Oversight and Government Reform has engaged in a witch hunt, through the use of repeated incorrect and uncorroborated statements in the committee's "Fast and Furious" investigation; and

Whereas the chair of the Committee on Oversight and Government Reform has chosen to call the Attorney General of the United States a liar on national television without corroborating evidence and has exhibited unprofessional behavior which could result in jeopardizing an ongoing Committee investigation into Operation Fast and Furious: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of the chair for interfering with ongoing criminal investigations; insisting on a personal attack against the attorney general of the united states; and for calling the Attorney General of the United States a liar on national television without corroborating evidence thereby discredit to the integrity of the House.

The SPEAKER pro tempore, Mr. SCHOCK, ruled that the resolution submitted did present a question of the privileges of the House under rule IX.

Mr. WEBSTER moved to lay the resolution on the table.

The question being put, *viva voce*,

Will the House lay the resolution on the table?

The SPEAKER pro tempore, Mr. SCHOCK, announced that the yeas had it.

Ms. JACKSON LEE of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 259
affirmative } Nays 161

¶85.5

[Roll No. 443]

YEAS—259

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

NAYS—161

Ackerman	Barber	Berman
Andrews	Bass (CA)	Bishop (GA)
Baca	Becerra	Bishop (NY)
Baldwin	Berkley	Blumenauer

Bonomici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)

NOT VOTING—12

Akin
Barton (TX)
Clyburn
Conyers

So the motion to lay the resolution on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

185.6 H. RES. 717—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SCHOCK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 717) providing for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; providing for consideration of the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the conference report to accompany the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put,
Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 244
Nays 176

185.7 [Roll No. 444] YEAS—244

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggart
Billbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte

NAYS—176

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

Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee
Clarke (TX)
Johnson (GA)
Kaptur
Keating
Kildee
Connolly (VA)
Kind
Kucinich
Langevin
Larsen (WA)
Larsen (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowe
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McNerney
Meeke
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nader
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peterson
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Levin
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—12

Akin
Barton (TX)
Clyburn
Conyers

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

185.8 SURFACE TRANSPORTATION EXTENSION

Mr. MICA, pursuant to House Resolution 717, called up the following conference report (Rept. No. 112-557):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348), to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Moving Ahead for Progress in the 21st Century Act” or the “MAP-21”.

(b) *DIVISIONS.*—This Act is organized into 8 divisions as follows:

(1) *Division A—Federal-aid Highways and Highway Safety Construction Programs.*

(2) *Division B—Public Transportation.*

(3) *Division C—Transportation Safety and Surface Transportation Policy.*

(4) *Division D—Finance.*

(5) *Division E—Research and Education.*

(6) *Division F—Miscellaneous.*

(7) *Division G—Surface Transportation Extension.*

(8) *Division H—Budgetary Effects.*

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

Sec. 1. Short title; organization of Act into divisions; table of contents.

Sec. 2. Definitions.

Sec. 3. Effective date.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 1101. Authorization of appropriations.

Sec. 1102. Obligation ceiling.

Sec. 1103. Definitions.

Sec. 1104. National Highway System.

Sec. 1105. Apportionment.

Sec. 1106. National highway performance program.

Sec. 1107. Emergency relief.

Sec. 1108. Surface transportation program.

Sec. 1109. Workforce development.

Sec. 1110. Highway use tax evasion projects.

Sec. 1111. National bridge and tunnel inventory and inspection standards.

Sec. 1112. Highway safety improvement program.

Sec. 1113. Congestion mitigation and air quality improvement program.

Sec. 1114. Territorial and Puerto Rico highway program.

Sec. 1115. National freight policy.

Sec. 1116. Prioritization of projects to improve freight movement.

Sec. 1117. State freight advisory committees.

Sec. 1118. State freight plans.

Sec. 1119. Federal lands and tribal transportation programs.

Sec. 1120. Projects of national and regional significance.

Sec. 1121. Construction of ferry boats and ferry terminal facilities.

Sec. 1122. Transportation alternatives.

Sec. 1123. Tribal high priority projects program.

Subtitle B—Performance Management

Sec. 1201. Metropolitan transportation planning.

Sec. 1202. Statewide and nonmetropolitan transportation planning.

Sec. 1203. National goals and performance management measures.

Subtitle C—Acceleration of Project Delivery

Sec. 1301. Declaration of policy and project delivery initiative.

Sec. 1302. Advance acquisition of real property interests.

Sec. 1303. Letting of contracts.

Sec. 1304. Innovative project delivery methods.

Sec. 1305. Efficient environmental reviews for project decisionmaking.

Sec. 1306. Accelerated decisionmaking.

Sec. 1307. Assistance to affected Federal and State agencies.

Sec. 1308. Limitations on claims.

Sec. 1309. Accelerating completion of complex projects within 4 years.

Sec. 1310. Integration of planning and environmental review.

Sec. 1311. Development of programmatic mitigation plans.

Sec. 1312. State assumption of responsibility for categorical exclusions.

Sec. 1313. Surface transportation project delivery program.

Sec. 1314. Application of categorical exclusions for multimodal projects.

Sec. 1315. Categorical exclusions in emergencies.

Sec. 1316. Categorical exclusions for projects within the right-of-way.

Sec. 1317. Categorical exclusion for projects of limited Federal assistance.

Sec. 1318. Programmatic agreements and additional categorical exclusions.

Sec. 1319. Accelerated decisionmaking in environmental reviews.

Sec. 1320. Memoranda of agency agreements for early coordination.

Sec. 1321. Environmental procedures initiative.

Sec. 1322. Review of State environmental reviews and approvals for the purpose of eliminating duplication of environmental reviews.

Sec. 1323. Review of Federal project and program delivery.

Subtitle D—Highway Safety

Sec. 1401. Jason’s law.

Sec. 1402. Open container requirements.

Sec. 1403. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.

Sec. 1404. Adjustments to penalty provisions.

Sec. 1405. Highway worker safety.

Subtitle E—Miscellaneous

Sec. 1501. Real-time ridesharing.

Sec. 1502. Program efficiencies.

Sec. 1503. Project approval and oversight.

Sec. 1504. Standards.

Sec. 1505. Justification reports for access points on the Interstate System.

Sec. 1506. Construction.

Sec. 1507. Maintenance.

Sec. 1508. Federal share payable.

Sec. 1509. Transferability of Federal-aid highway funds.

Sec. 1510. Idle reduction technology.

Sec. 1511. Special permits during periods of national emergency.

Sec. 1512. Tolling.

Sec. 1513. Miscellaneous parking amendments.

Sec. 1514. HOV facilities.

Sec. 1515. Funding flexibility for transportation emergencies.

Sec. 1516. Defense access road program enhancements to address transportation infrastructure in the vicinity of military installations.

Sec. 1517. Mapping.

Sec. 1518. Buy America provisions.

Sec. 1519. Consolidation of programs; repeal of obsolete provisions.

Sec. 1520. Denali Commission.

Sec. 1521. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 amendments.

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SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) DEPARTMENT.—The term “Department” means the Department of Transportation.

(2) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided, divisions A, B, C (other than sections 32603(d), 32603(g), 32912, and 34002 of that division) and E, including the amendments made by those divisions, take effect on October 1, 2012.

(b) REFERENCES.—Except as otherwise provided, any reference to the date of enactment of the MAP-21 or to the date of enactment of the Federal Public Transportation Act of 2012 in the divisions described in subsection (a) or in an amendment made by those divisions shall be deemed to be a reference to the effective date of those divisions.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, and to carry out section 134 of that title—

- (A) \$37,476,819,674 for fiscal year 2013; and
(B) \$37,798,000,000 for fiscal year 2014.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code—

- (A) \$750,000,000 for fiscal year 2013; and
(B) \$1,000,000,000 for fiscal year 2014.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code, \$450,000,000 for each of fiscal years 2013 and 2014.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—For the Federal lands transportation program under section 203 of title 23, United States Code, \$300,000,000 for each of fiscal years 2013 and 2014, of which \$240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service and \$30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code, \$250,000,000 for each of fiscal years 2013 and 2014.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, \$190,000,000 for each of fiscal years 2013 and 2014.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally-assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a

barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term “small business concern” means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term “small business concern” does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of \$22,410,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term “socially and economically disadvantaged individuals” has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under divisions A and B of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

- (i) women;
(ii) socially and economically disadvantaged individuals (other than women); and
(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

- (i) on-site visits;
(ii) personal interviews with personnel;
(iii) issuance or inspection of licenses;
(iv) analyses of stock ownership;
(v) listings of equipment;
(vi) analyses of bonding capacity;
(vii) listings of work completed;
(viii) examination of the resumes of principal owners;
(ix) analyses of financial capacity; and
(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under divisions A and B of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

SEC. 1102. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

- (1) \$39,699,000,000 for fiscal year 2013; and
(2) \$40,256,000,000 for fiscal year 2014.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;
(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (but, for each of fiscal years 2005 through 2011, only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2014, only in an amount equal to \$639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2013 through 2014, the Secretary—

(1) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) shall not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) shall determine the proportion that—

(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for the fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under section 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2013 through 2014—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of this Act) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of this Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2013 through 2014, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(c) of title 23, United States Code.

SEC. 1103. DEFINITIONS.

(a) DEFINITIONS.—Section 101(a) of title 23, United States Code, is amended—

(1) by striking paragraphs (6), (7), (9), (12), (19), (20), (24), (25), (26), (28), (38), and (39);

(2) by redesignating paragraphs (2), (3), (4), (5), (8), (13), (14), (15), (16), (17), (18), (21), (22), (23), (27), (29), (30), (31), (32), (33), (34), (35), (36), and (37) as paragraphs (3), (4), (5), (6), (9), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (28), (29), (33), and (34), respectively;

(3) by inserting after paragraph (1) the following:

“(2) ASSET MANAGEMENT.—The term ‘asset management’ means a strategic and systematic process of operating, maintaining, and improving physical assets, with a focus on both engineering and economic analysis based upon quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair over the lifecycle of the assets at minimum practicable cost.”;

(4) in paragraph (4) (as redesignated by paragraph (2))—

(A) in the matter preceding subparagraph (A), by inserting “or any project eligible for assistance under this title” after “of a highway”;

(B) by striking subparagraph (A) and inserting the following:

“(A) preliminary engineering, engineering, and design-related services directly relating to the construction of a highway project, including engineering, design, project development and management, construction project management and inspection, surveying, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration), and architectural-related services.”;

(C) in subparagraph (B)—

(i) by inserting “reconstruction,” before “resurfacing”; and

(ii) by striking “and rehabilitation” and inserting “rehabilitation, and preservation”;

(D) in subparagraph (E) by striking “railway” and inserting “railway-highway”; and

(E) in subparagraph (F) by striking “obstacles” and inserting “hazards”;

(5) in paragraph (6) (as so redesignated)—

(A) by inserting “public” before “highway eligible”; and

(B) by inserting “functionally” before “classified”;

(6) by inserting after paragraph (6) (as so redesignated) the following:

“(7) FEDERAL LANDS ACCESS TRANSPORTATION FACILITY.—The term ‘Federal Lands access

transportation facility’ means a public highway, road, bridge, trail, or transit system that is located on, is adjacent to, or provides access to Federal lands for which title or maintenance responsibility is vested in a State, county, town, township, tribal, municipal, or local government.

“(8) FEDERAL LANDS TRANSPORTATION FACILITY.—The term ‘Federal lands transportation facility’ means a public highway, road, bridge, trail, or transit system that is located on, is adjacent to, or provides access to Federal lands for which title and maintenance responsibility is vested in the Federal Government, and that appears on the national Federal lands transportation facility inventory described in section 203(c).”;

(7) in paragraph (11)(B) by inserting “including public roads on dams” after “drainage structure”;

(8) in paragraph (14) (as so redesignated)—

(A) by striking “as a” and inserting “as an air quality”; and

(B) by inserting “air quality” before “attainment area”;

(9) in paragraph (18) (as so redesignated) by striking “an undertaking to construct a particular portion of a highway, or if the context so implies, the particular portion of a highway so constructed or any other undertaking” and inserting “any undertaking”;

(10) in paragraph (19) (as so redesignated)—

(A) by striking “the State transportation department and”; and

(B) by inserting “and the recipient” after “Secretary”;

(11) by striking paragraph (23) (as so redesignated) and inserting the following:

“(23) SAFETY IMPROVEMENT PROJECT.—The term ‘safety improvement project’ means a strategy, activity, or project on a public road that is consistent with the State strategic highway safety plan and corrects or improves a roadway feature that constitutes a hazard to road users or addresses a highway safety problem.”;

(12) by inserting after paragraph (26) (as so redesignated) the following:

“(27) STATE STRATEGIC HIGHWAY SAFETY PLAN.—The term ‘State strategic highway safety plan’ has the same meaning given such term in section 148(a).”;

(13) by striking paragraph (29) (as so redesignated) and inserting the following:

“(29) TRANSPORTATION ALTERNATIVES.—The term ‘transportation alternatives’ means any of the following activities when carried out as part of any program or project authorized or funded under this title, or as an independent program or project related to surface transportation:

“(A) Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

“(B) Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.

“(C) Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.

“(D) Construction of turnouts, overlooks, and viewing areas.

“(E) Community improvement activities, including—

“(i) inventory, control, or removal of outdoor advertising;

“(ii) historic preservation and rehabilitation of historic transportation facilities;

“(iii) vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and

“(iv) archaeological activities relating to impacts from implementation of a transportation project eligible under this title.

“(F) Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to—

“(i) address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 133(b)(1), 328(a), and 329; or

“(ii) reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.”; and

(14) by inserting after paragraph (29) (as so redesignated) the following:

“(30) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

“(A) IN GENERAL.—The term ‘transportation systems management and operations’ means integrated strategies to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

“(B) INCLUSIONS.—The term ‘transportation systems management and operations’ includes—

“(i) actions such as traffic detection and surveillance, corridor management, freeway management, arterial management, active transportation and demand management, work zone management, emergency management, traveler information services, congestion pricing, parking management, automated enforcement, traffic control, commercial vehicle operations, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations; and

“(ii) coordination of the implementation of regional transportation system management and operations investments (such as traffic incident management, traveler information services, emergency management, roadway weather management, intelligent transportation systems, communication networks, and information sharing systems) requiring agreements, integration, and interoperability to achieve targeted system performance, reliability, safety, and customer service levels.

“(31) TRIBAL TRANSPORTATION FACILITY.—The term ‘tribal transportation facility’ means a public highway, road, bridge, trail, or transit system that is located on or provides access to tribal land and appears on the national tribal transportation facility inventory described in section 202(b)(1).

“(32) TRUCK STOP ELECTRIFICATION SYSTEM.—The term ‘truck stop electrification system’ means a system that delivers heat, air conditioning, electricity, or communications to a heavy-duty vehicle.”.

(b) SENSE OF CONGRESS.—Section 101(c) of title 23, United States Code, is amended by striking “system” and inserting “highway”.

SEC. 1104. NATIONAL HIGHWAY SYSTEM.

(a) IN GENERAL.—Section 103 of title 23, United States Code, is amended to read as follows:

“§ 103. National Highway System

“(a) IN GENERAL.—For the purposes of this title, the Federal-aid system is the National Highway System, which includes the Interstate System.

“(b) NATIONAL HIGHWAY SYSTEM.—

“(1) DESCRIPTION.—The National Highway System consists of the highway routes and connections to transportation facilities that shall—

“(A) serve major population centers, international border crossings, ports, airports, public transportation facilities, and other intermodal transportation facilities and other major travel destinations;

“(B) meet national defense requirements; and

“(C) serve interstate and interregional travel and commerce.

“(2) COMPONENTS.—The National Highway System described in paragraph (1) consists of the following:

“(A) The National Highway System depicted on the map submitted by the Secretary of Transportation to Congress with the report entitled ‘Pulling Together: The National Highway System and its Connections to Major Intermodal Terminals’ and dated May 24, 1996, and modifications approved by the Secretary before the date of enactment of the MAP-21.

“(B) Other urban and rural principal arterial routes, and border crossings on those routes, that were not included on the National Highway System before the date of enactment of the MAP-21.

“(C) Other connector highways (including toll facilities) that were not included in the National Highway System before the date of enactment of the MAP-21 but that provide motor vehicle access between arterial routes on the National Highway System and a major intermodal transportation facility.

“(D) A strategic highway network that—

“(i) consists of a network of highways that are important to the United States strategic defense policy, that provide defense access, continuity, and emergency capabilities for the movement of personnel, materials, and equipment in both peacetime and wartime, and that were not included on the National Highway System before the date of enactment of the MAP-21;

“(ii) may include highways on or off the Interstate System; and

“(iii) shall be designated by the Secretary, in consultation with appropriate Federal agencies and the States.

“(E) Major strategic highway network connectors that—

“(i) consist of highways that provide motor vehicle access between major military installations and highways that are part of the strategic highway network but were not included on the National Highway System before the date of enactment of the MAP-21; and

“(ii) shall be designated by the Secretary, in consultation with appropriate Federal agencies and the States.

“(3) MODIFICATIONS TO NHS.—

“(A) IN GENERAL.—The Secretary may make any modification, including any modification consisting of a connector to a major intermodal terminal, to the National Highway System that is proposed by a State if the Secretary determines that the modification—

“(i) meets the criteria established for the National Highway System under this title after the date of enactment of the MAP-21; and

“(ii) enhances the national transportation characteristics of the National Highway System.

“(B) COOPERATION.—

“(i) IN GENERAL.—In proposing a modification under this paragraph, a State shall cooperate with local and regional officials.

“(ii) URBANIZED AREAS.—In an urbanized area, the local officials shall act through the metropolitan planning organization designated for the area under section 134.

“(c) INTERSTATE SYSTEM.—

“(1) DESCRIPTION.—

“(A) IN GENERAL.—The Dwight D. Eisenhower National System of Interstate and Defense Highways within the United States (including the District of Columbia and Puerto Rico) consists of highways designed, located, and selected in accordance with this paragraph.

“(B) DESIGN.—

“(i) IN GENERAL.—Except as provided in clause (ii), highways on the Interstate System shall be designed in accordance with the standards of section 109(b).

“(ii) EXCEPTION.—Highways on the Interstate System in Alaska and Puerto Rico shall be designed in accordance with such geometric and construction standards as are adequate for current and probable future traffic demands and the needs of the locality of the highway.

“(C) LOCATION.—Highways on the Interstate System shall be located so as—

“(i) to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers;

“(ii) to serve the national defense; and

“(iii) to the maximum extent practicable, to connect at suitable border points with routes of continental importance in Canada and Mexico.

“(D) SELECTION OF ROUTES.—To the maximum extent practicable, each route of the Interstate System shall be selected by joint action of the State transportation departments of the State in which the route is located and the adjoining States, in cooperation with local and regional officials, and subject to the approval of the Secretary.

“(2) MAXIMUM MILEAGE.—The mileage of highways on the Interstate System shall not exceed 43,000 miles, exclusive of designations under paragraph (4).

“(3) MODIFICATIONS.—The Secretary may approve or require modifications to the Interstate System in a manner consistent with the policies and procedures established under this subsection.

“(4) INTERSTATE SYSTEM DESIGNATIONS.—

“(A) ADDITIONS.—If the Secretary determines that a highway on the National Highway System meets all standards of a highway on the Interstate System and that the highway is a logical addition or connection to the Interstate System, the Secretary may, upon the affirmative recommendation of the State or States in which the highway is located, designate the highway as a route on the Interstate System.

“(B) DESIGNATIONS AS FUTURE INTERSTATE SYSTEM ROUTES.—

“(i) IN GENERAL.—Subject to clauses (ii) through (vi), if the Secretary determines that a highway on the National Highway System would be a logical addition or connection to the Interstate System and would qualify for designation as a route on the Interstate System under subparagraph (A) if the highway met all standards of a highway on the Interstate System, the Secretary may, upon the affirmative recommendation of the State or States in which the highway is located, designate the highway as a future Interstate System route.

“(ii) WRITTEN AGREEMENT.—A designation under clause (i) shall be made only upon the written agreement of each State described in that clause that the highway will be constructed to meet all standards of a highway on the Interstate System by not later than the date that is 25 years after the date of the agreement.

“(iii) FAILURE TO COMPLETE CONSTRUCTION.—If a State described in clause (i) has not substantially completed the construction of a highway designated under this subparagraph by the date specified in clause (ii), the Secretary shall remove the designation of the highway as a future Interstate System route.

“(iv) EFFECT OF REMOVAL.—Removal of the designation of a highway under clause (ii) shall not preclude the Secretary from designating the highway as a route on the Interstate System under subparagraph (A) or under any other provision of law providing for addition to the Interstate System.

“(v) RETROACTIVE EFFECT.—An agreement described in clause (ii) that is entered into before August 10, 2005, shall be deemed to include the 25-year time limitation described in that clause, regardless of any earlier construction completion date in the agreement.

“(vi) REFERENCES.—No law, rule, regulation, map, document, or other record of the United States, or of any State or political subdivision of a State, shall refer to any highway designated as a future Interstate System route under this subparagraph, and no such highway shall be signed or marked, as a highway on the Interstate System, until such time as the highway—

“(I) is constructed to the geometric and construction standards for the Interstate System; and

“(II) has been designated as a route on the Interstate System.

“(C) FINANCIAL RESPONSIBILITY.—Except as provided in this title, the designation of a highway under this paragraph shall create no additional Federal financial responsibility with respect to the highway.

“(5) EXEMPTION OF INTERSTATE SYSTEM.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Interstate System shall not be considered to be a historic site under section 303 of title 49 or section 138 of this title, regardless of whether the Interstate System or portions or elements of the Interstate System are listed on, or eligible for listing on, the National Register of Historic Places.

“(B) INDIVIDUAL ELEMENTS.—Subject to subparagraph (C)—

“(i) the Secretary shall determine, through the administrative process established for exempting the Interstate System from section 106 of the National Historic Preservation Act (16 U.S.C. 470f), those individual elements of the Interstate System that possess national or exceptional historic significance (such as a historic bridge or a highly significant engineering feature); and

“(ii) those elements shall be considered to be historic sites under section 303 of title 49 or section 138 of this title, as applicable.

“(C) CONSTRUCTION, MAINTENANCE, RESTORATION, AND REHABILITATION ACTIVITIES.—Subparagraph (B) does not prohibit a State from carrying out construction, maintenance, preservation, restoration, or rehabilitation activities for a portion of the Interstate System referred to in subparagraph (B) upon compliance with section 303 of title 49 or section 138 of this title, as applicable, and section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—

(1) IN GENERAL.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031; 109 Stat. 597; 115 Stat. 872) is amended—

(A) in the first sentence, by striking “and in subsections (c)(18) and (c)(20)” and inserting “, in subsections (c)(18) and (c)(20), and in subparagraphs (A)(iii) and (B) of subsection (c)(26)”;

(B) in the second sentence, by striking “that the segment” and all that follows through the period and inserting “that the segment meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code, and is planned to connect to an existing Interstate System segment by the date that is 25 years after the date of enactment of the MAP-21.”

(2) ROUTE DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 109 Stat. 598) is amended by adding at the end the following: “The routes referred to subparagraphs (A)(iii) and (B)(i) of subsection (c)(26) are designated as Interstate Route I-11.”

(c) CONFORMING AMENDMENTS.—

(1) ANALYSIS.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 103 and inserting the following:

“103. National Highway System.”

(2) SECTION 113.—Section 113 of title 23, United States Code, is amended—

(A) in subsection (a) by striking “the Federal-aid systems” and inserting “Federal-aid highways”;

(B) in subsection (b), in the first sentence, by striking “of the Federal-aid systems” and inserting “Federal-aid highway”.

(3) SECTION 123.—Section 123(a) of title 23, United States Code, is amended in the first sentence by striking “Federal-aid system” and inserting “Federal-aid highway”.

(4) SECTION 217.—Section 217(b) of title 23, United States Code, is amended in the subsection heading by striking “NATIONAL HIGHWAY SYSTEM” and inserting “NATIONAL HIGHWAY PERFORMANCE PROGRAM”.

(5) SECTION 304.—Section 304 of title 23, United States Code, is amended in the first sentence by striking “the Federal-aid highway systems” and inserting “Federal-aid highways”.

(6) SECTION 317.—Section 317(d) of title 23, United States Code, is amended by striking “system” and inserting “highway”.

SEC. 1105. APPORTIONMENT.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended to read as follows:

“§ 104. Apportionment

“(a) ADMINISTRATIVE EXPENSES.—

“(1) IN GENERAL.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration—

“(A) \$454,180,326 for fiscal year 2013; and

“(B) \$440,000,000 for fiscal year 2014.

“(2) PURPOSES.—The amounts authorized to be appropriated by this subsection shall be used—

“(A) to administer the provisions of law to be funded from appropriations for the Federal-aid highway program and programs authorized under chapter 2;

“(B) to make transfers of such sums as the Secretary determines to be appropriate to the Appalachian Regional Commission for administrative activities associated with the Appalachian development highway system; and

“(C) to reimburse, as appropriate, the Office of Inspector General of the Department of Transportation for the conduct of annual audits of financial statements in accordance with section 3521 of title 31.

“(3) AVAILABILITY.—The amounts made available under paragraph (1) shall remain available until expended.

“(b) DIVISION OF STATE APPORTIONMENTS AMONG PROGRAMS.—The Secretary shall distribute the amount apportioned to a State for a fiscal year under subsection (c) among the national highway performance program, the surface transportation program, the highway safety improvement program, and the congestion mitigation and air quality improvement program, and to carry out section 134 as follows:

“(1) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—For the national highway performance program, 63.7 percent of the amount remaining after distributing amounts under paragraphs (4) and (5).

“(2) SURFACE TRANSPORTATION PROGRAM.—For the surface transportation program, 29.3 percent of the amount remaining after distributing amounts under paragraphs (4) and (5).

“(3) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—For the highway safety improvement program, 7 percent of the amount remaining after distributing amounts under paragraphs (4) and (5).

“(4) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—For the congestion mitigation and air quality improvement program, an amount determined by multiplying the amount determined for the State under subsection (c) by the proportion that—

“(A) the amount apportioned to the State for the congestion mitigation and air quality improvement program for fiscal year 2009; bears to

“(B) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2) (except for the high priority projects program referred to in section 105(a)(2)(H)), as in effect on the day before the date of enactment of the MAP-21.

“(5) METROPOLITAN PLANNING.—To carry out section 134, an amount determined by multiplying the amount determined for the State under subsection (c) by the proportion that—

“(A) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

“(B) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2) (except for the high priority projects program referred to in section 105(a)(2)(H)), as in effect on the day before the date of enactment of the MAP-21.

“(c) CALCULATION OF STATE AMOUNTS.—

“(1) FOR FISCAL YEAR 2013.—

“(A) CALCULATION OF AMOUNT.—For fiscal year 2013, the amount for each State of com-

bined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 shall be equal to the combined amount of apportionments that the State received for fiscal year 2012.

“(B) STATE APPORTIONMENT.—On October 1 of such fiscal year, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 in accordance with subparagraph (A).

“(2) FOR FISCAL YEAR 2014.—

“(A) STATE SHARE.—For fiscal year 2014, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 shall be determined as follows:

“(i) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State which shall be equal to the proportion that—

“(I) the amount of apportionments that the State received for fiscal year 2012; bears to

“(II) the amount of those apportionments received by all States for that fiscal year.

“(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

“(B) STATE APPORTIONMENT.—On October 1 of such fiscal year, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 in accordance with subparagraph (A).

“(d) METROPOLITAN PLANNING.—

“(1) USE OF AMOUNTS.—

“(A) USE.—

“(i) IN GENERAL.—Except as provided in clause (ii), the amounts apportioned to a State under subsection (b)(5) shall be made available by the State to the metropolitan planning organizations responsible for carrying out section 134 in the State.

“(ii) STATES RECEIVING MINIMUM APPORTIONMENT.—A State that received the minimum apportionment for use in carrying out section 134 for fiscal year 2009 may, subject to the approval of the Secretary, use the funds apportioned under subsection (b)(5) to fund transportation planning outside of urbanized areas.

“(B) UNUSED FUNDS.—Any funds that are not used to carry out section 134 may be made available by a metropolitan planning organization to the State to fund activities under section 135.

“(2) DISTRIBUTION OF AMOUNTS WITHIN STATES.—

“(A) IN GENERAL.—The distribution within any State of the planning funds made available to organizations under paragraph (1) shall be in accordance with a formula that—

“(i) is developed by each State and approved by the Secretary; and

“(ii) takes into consideration, at a minimum, population, status of planning, attainment of air quality standards, metropolitan area transportation needs, and other factors necessary to provide for an appropriate distribution of funds to carry out section 134 and other applicable requirements of Federal law.

“(B) REIMBURSEMENT.—Not later than 15 business days after the date of receipt by a State of a request for reimbursement of expenditures made by a metropolitan planning organization for carrying out section 134, the State shall reimburse, from amounts distributed under this paragraph to the metropolitan planning organization by the State, the metropolitan planning organization for those expenditures.

“(3) DETERMINATION OF POPULATION FIGURES.—For the purpose of determining population figures under this subsection, the Secretary shall use the latest available data from the decennial census conducted under section 141(a) of title 13, United States Code.

“(e) CERTIFICATION OF APPORTIONMENTS.—

“(1) IN GENERAL.—The Secretary shall—

“(A) on October 1 of each fiscal year, certify to each of the State transportation departments the amount that has been apportioned to the State under this section for the fiscal year; and

“(B) to permit the States to develop adequate plans for the use of amounts apportioned under this section, advise each State of the amount that will be apportioned to the State under this section for a fiscal year not later than 90 days before the beginning of the fiscal year for which the sums to be apportioned are authorized.

“(2) NOTICE TO STATES.—If the Secretary has not made an apportionment under this section for a fiscal year beginning after September 30, 1998, by not later than the date that is the twenty-first day of that fiscal year, the Secretary shall submit, by not later than that date, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, a written statement of the reason for not making the apportionment in a timely manner.

“(3) APPORTIONMENT CALCULATIONS.—

“(A) IN GENERAL.—The calculation of official apportionments of funds to the States under this title is a primary responsibility of the Department and shall be carried out only by employees (and not contractors) of the Department.

“(B) PROHIBITION ON USE OF FUNDS TO HIRE CONTRACTORS.—None of the funds made available under this title shall be used to hire contractors to calculate the apportionments of funds to States.

“(f) TRANSFER OF HIGHWAY AND TRANSIT FUNDS.—

“(1) TRANSFER OF HIGHWAY FUNDS FOR TRANSIT PROJECTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), amounts made available for transit projects or transportation planning under this title may be transferred to and administered by the Secretary in accordance with chapter 53 of title 49.

“(B) NON-FEDERAL SHARE.—The provisions of this title relating to the non-Federal share shall apply to the amounts transferred under subparagraph (A).

“(2) TRANSFER OF TRANSIT FUNDS FOR HIGHWAY PROJECTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), amounts made available for highway projects or transportation planning under chapter 53 of title 49 may be transferred to and administered by the Secretary in accordance with this title.

“(B) NON-FEDERAL SHARE.—The provisions of chapter 53 of title 49 relating to the non-Federal share shall apply to amounts transferred under subparagraph (A).

“(3) TRANSFER OF FUNDS AMONG STATES OR TO FEDERAL HIGHWAY ADMINISTRATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may, at the request of a State, transfer amounts apportioned or allocated under this title to the State to another State, or

to the Federal Highway Administration, for the purpose of funding 1 or more projects that are eligible for assistance with amounts so apportioned or allocated.

“(B) APPORTIONMENT.—The transfer shall have no effect on any apportionment of amounts to a State under this section.

“(C) FUNDS SUBALLOCATED TO URBANIZED AREAS.—Amounts that are apportioned or allocated to a State under subsection (b)(3) (as in effect on the day before the date of enactment of the MAP-21) or subsection (b)(2) and attributed to an urbanized area of a State with a population of more than 200,000 individuals under section 133(d) may be transferred under this paragraph only if the metropolitan planning organization designated for the area concurs, in writing, with the transfer request.

“(4) TRANSFER OF OBLIGATION AUTHORITY.—Obligation authority for amounts transferred under this subsection shall be transferred in the same manner and amount as the amounts for the projects that are transferred under this section.

“(g) REPORT TO CONGRESS.—For each fiscal year, the Secretary shall make available to the public, in a user-friendly format via the Internet, a report that describes—

“(1) the amount obligated, by each State, for Federal-aid highways and highway safety construction programs during the preceding fiscal year;

“(2) the balance, as of the last day of the preceding fiscal year, of the unobligated apportionment of each State by fiscal year under this section;

“(3) the balance of unobligated sums available for expenditure at the discretion of the Secretary for such highways and programs for the fiscal year; and

“(4) the rates of obligation of funds apportioned or set aside under this section, according to—

“(A) program;

“(B) funding category of subcategory;

“(C) type of improvement;

“(D) State; and

“(E) sub-State geographical area, including urbanized and rural areas, on the basis of the population of each such area.”.

(b) CONFORMING AMENDMENT.—Section 146(a) of title 23, United States Code, is amended by striking “sections 104(b)(1) and 104(b)(3)” and inserting “section 104(b)(2)”.

SEC. 1106. NATIONAL HIGHWAY PERFORMANCE PROGRAM.

(a) IN GENERAL.—Section 119 of title 23, United States Code, is amended to read as follows:

“§119. National highway performance program

“(a) ESTABLISHMENT.—The Secretary shall establish and implement a national highway performance program under this section.

“(b) PURPOSES.—The purposes of the national highway performance program shall be—

“(1) to provide support for the condition and performance of the National Highway System;

“(2) to provide support for the construction of new facilities on the National Highway System; and

“(3) to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in an asset management plan of a State for the National Highway System.

“(c) ELIGIBLE FACILITIES.—Except as provided in subsection (d), to be eligible for funding apportioned under section 104(b)(1) to carry out this section, a facility shall be located on the National Highway System, as defined in section 103.

“(d) ELIGIBLE PROJECTS.—Funds apportioned to a State to carry out the national highway performance program may be obligated only for a project on an eligible facility that is—

“(1)(A) a project or part of a program of projects supporting progress toward the achieve-

ment of national performance goals for improving infrastructure condition, safety, mobility, or freight movement on the National Highway System; and

“(B) consistent with sections 134 and 135; and

“(2) for 1 or more of the following purposes:

“(A) Construction, reconstruction, resurfacing, restoration, rehabilitation, preservation, or operational improvement of segments of the National Highway System.

“(B) Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of bridges on the National Highway System.

“(C) Construction, replacement (including replacement with fill material), rehabilitation, preservation, and protection (including impact protection measures, security countermeasures, and protection against extreme events) of tunnels on the National Highway System.

“(D) Inspection and evaluation, as described in section 144, of bridges and tunnels on the National Highway System, and inspection and evaluation of other highway infrastructure assets on the National Highway System, including signs and sign structures, earth retaining walls, and drainage structures.

“(E) Training of bridge and tunnel inspectors, as described in section 144.

“(F) Construction, rehabilitation, or replacement of existing ferry boats and ferry boat facilities, including approaches, that connect road segments of the National Highway System.

“(G) Construction, reconstruction, resurfacing, restoration, rehabilitation, and preservation of, and operational improvements for, a Federal-aid highway not on the National Highway System, and construction of a transit project eligible for assistance under chapter 53 of title 49, if—

“(i) the highway project or transit project is in the same corridor as, and in proximity to, a fully access-controlled highway designated as a part of the National Highway System;

“(ii) the construction or improvements will reduce delays or produce travel time savings on the fully access-controlled highway described in clause (i) and improve regional traffic flow; and

“(iii) the construction or improvements are more cost-effective, as determined by benefit-cost analysis, than an improvement to the fully access-controlled highway described in clause (i).

“(H) Bicycle transportation and pedestrian walkways in accordance with section 217.

“(I) Highway safety improvements for segments of the National Highway System.

“(J) Capital and operating costs for traffic and traveler information monitoring, management, and control facilities and programs.

“(K) Development and implementation of a State asset management plan for the National Highway System in accordance with this section, including data collection, maintenance, and integration and the cost associated with obtaining, updating, and licensing software and equipment required for risk-based asset management and performance-based management.

“(L) Infrastructure-based intelligent transportation systems capital improvements.

“(M) Environmental restoration and pollution abatement in accordance with section 328.

“(N) Control of noxious weeds and aquatic noxious weeds and establishment of native species in accordance with section 329.

“(O) Environmental mitigation efforts related to projects funded under this section, as described in subsection (g).

“(P) Construction of publicly owned intracity or intercity bus terminals servicing the National Highway System.

“(e) STATE PERFORMANCE MANAGEMENT.—

“(1) IN GENERAL.—A State shall develop a risk-based asset management plan for the National Highway System to improve or preserve the condition of the assets and the performance of the system.

“(2) **PERFORMANCE DRIVEN PLAN.**—A State asset management plan shall include strategies leading to a program of projects that would make progress toward achievement of the State targets for asset condition and performance of the National Highway System in accordance with section 150(d) and supporting the progress toward the achievement of the national goals identified in section 150(b).

“(3) **SCOPE.**—In developing a risk-based asset management plan, the Secretary shall encourage States to include all infrastructure assets within the right-of-way corridor in such plan.

“(4) **PLAN CONTENTS.**—A State asset management plan shall, at a minimum, be in a form that the Secretary determines to be appropriate and include—

“(A) a summary listing of the pavement and bridge assets on the National Highway System in the State, including a description of the condition of those assets;

“(B) asset management objectives and measures;

“(C) performance gap identification;

“(D) lifecycle cost and risk management analysis;

“(E) a financial plan; and

“(F) investment strategies.

“(5) **REQUIREMENT FOR PLAN.**—Notwithstanding section 120, with respect to the second fiscal year beginning after the date of establishment of the process established in paragraph (8) or any subsequent fiscal year, if the Secretary determines that a State has not developed and implemented a State asset management plan consistent with this section, the Federal share payable on account of any project or activity carried out by the State in that fiscal year under this section shall be 65 percent.

“(6) **CERTIFICATION OF PLAN DEVELOPMENT PROCESS.**—

“(A) **IN GENERAL.**—Not later than 90 days after the date on which a State submits a request for approval of the process used by the State to develop the State asset management plan for the National Highway System, the Secretary shall—

“(i) review the process; and

“(ii) (I) certify that the process meets the requirements established by the Secretary; or

“(II) deny certification and specify actions necessary for the State to take to correct deficiencies in the State process.

“(B) **RECERTIFICATION.**—Not less frequently than once every 4 years, the Secretary shall review and recertify that the process used by a State to develop and maintain the State asset management plan for the National Highway System meets the requirements for the process, as established by the Secretary.

“(C) **OPPORTUNITY TO CURE.**—If the Secretary denies certification under subparagraph (A), the Secretary shall provide the State with—

“(i) not less than 90 days to cure the deficiencies of the plan, during which time period all penalties and other legal impacts of a denial of certification shall be stayed; and

“(ii) a written statement of the specific actions the Secretary determines to be necessary for the State to cure the plan.

“(7) **PERFORMANCE ACHIEVEMENT.**—A State that does not achieve or make significant progress toward achieving the targets of the State for performance measures described in section 150(d) for the National Highway System for 2 consecutive reports submitted under this paragraph shall include in the next report submitted a description of the actions the State will undertake to achieve the targets.

“(8) **PROCESS.**—Not later than 18 months after the date of enactment of the MAP-21, the Secretary shall, by regulation and in consultation with State departments of transportation, establish the process to develop the State asset management plan described in paragraph (1).

“(f) **INTERSTATE SYSTEM AND NHS BRIDGE CONDITIONS.**—

“(1) **CONDITION OF INTERSTATE SYSTEM.**—

“(A) **PENALTY.**—If, during 2 consecutive reporting periods, the condition of the Interstate

System, excluding bridges on the Interstate System, in a State falls below the minimum condition level established by the Secretary under section 150(c)(3), the State shall be required, during the following fiscal year—

“(i) to obligate, from the amounts apportioned to the State under section 104(b)(1), an amount that is not less than the amount of funds apportioned to the State for fiscal year 2009 under the Interstate maintenance program for the purposes described in this section (as in effect on the day before the date of enactment of the MAP-21), except that for each year after fiscal year 2013, the amount required to be obligated under this clause shall be increased by 2 percent over the amount required to be obligated in the previous fiscal year; and

“(ii) to transfer, from the amounts apportioned to the State under section 104(b)(2) (other than amounts suballocated to metropolitan areas and other areas of the State under section 133(d)) to the apportionment of the State under section 104(b)(1), an amount equal to 10 percent of the amount of funds apportioned to the State for fiscal year 2009 under the Interstate maintenance program for the purposes described in this section (as in effect on the day before the date of enactment of the MAP-21).

“(B) **RESTORATION.**—The obligation requirement for the Interstate System in a State required by subparagraph (A) for a fiscal year shall remain in effect for each subsequent fiscal year until such time as the condition of the Interstate System in the State exceeds the minimum condition level established by the Secretary.

“(2) **CONDITION OF NHS BRIDGES.**—

“(A) **PENALTY.**—If the Secretary determines that, for the 3-year-period preceding the date of the determination, more than 10 percent of the total deck area of bridges in the State on the National Highway System is located on bridges that have been classified as structurally deficient, an amount equal to 50 percent of funds apportioned to such State for fiscal year 2009 to carry out section 144 (as in effect the day before enactment of MAP-21) shall be set aside from amounts apportioned to a State for a fiscal year under section 104(b)(1) only for eligible projects on bridges on the National Highway System.

“(B) **RESTORATION.**—The set-aside requirement for bridges on the National Highway System in a State under subparagraph (A) for a fiscal year shall remain in effect for each subsequent fiscal year until such time as less than 10 percent of the total deck area of bridges in the State on the National Highway System is located on bridges that have been classified as structurally deficient, as determined by the Secretary.

“(g) **ENVIRONMENTAL MITIGATION.**—

“(1) **ELIGIBLE ACTIVITIES.**—In accordance with all applicable Federal law (including regulations), environmental mitigation efforts referred to in subsection (d)(2)(O) include participation in natural habitat and wetlands mitigation efforts relating to projects funded under this title, which may include—

“(A) participation in mitigation banking or other third-party mitigation arrangements, such as—

“(i) the purchase of credits from commercial mitigation banks;

“(ii) the establishment and management of agency-sponsored mitigation banks; and

“(iii) the purchase of credits or establishment of in-lieu fee mitigation programs;

“(B) contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands; and

“(C) the development of statewide and regional environmental protection plans, including natural habitat and wetland conservation and restoration plans.

“(2) **INCLUSION OF OTHER ACTIVITIES.**—The banks, efforts, and plans described in paragraph (1) include any such banks, efforts, and plans developed in accordance with applicable law (including regulations).

“(3) **TERMS AND CONDITIONS.**—The following terms and conditions apply to natural habitat and wetlands mitigation efforts under this subsection:

“(A) Contributions to the mitigation effort may—

“(i) take place concurrent with, or in advance of, commitment of funding under this title to a project or projects; and

“(ii) occur in advance of project construction only if the efforts are consistent with all applicable requirements of Federal law (including regulations) and State transportation planning processes.

“(B) Credits from any agency-sponsored mitigation bank that are attributable to funding under this section may be used only for projects funded under this title, unless the agency pays to the Secretary an amount equal to the Federal funds attributable to the mitigation bank credits the agency uses for purposes other than mitigation of a project funded under this title.

“(4) **PREFERENCE.**—At the discretion of the project sponsor, preference shall be given, to the maximum extent practicable, to mitigating an environmental impact through the use of a mitigation bank, in-lieu fee, or other third-party mitigation arrangement, if the use of credits from the mitigation bank or in-lieu fee, or the other third-party mitigation arrangement for the project, is approved by the applicable Federal agency.”.

(b) **TRANSITION PERIOD.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), until such date as a State has in effect an approved asset management plan and has established performance targets as described in sections 119 and 150 of title 23, United States Code, that will contribute to achieving the national goals for the condition and performance of the National Highway System, but not later than 18 months after the date on which the Secretary promulgates the final regulation required under section 150(c) of that title, the Secretary shall approve obligations of funds apportioned to a State to carry out the national highway performance program under section 119 of that title, for projects that otherwise meet the requirements of that section.

(2) **EXTENSION.**—The Secretary may extend the transition period for a State under paragraph (1) if the Secretary determines that the State has made a good faith effort to establish an asset management plan and performance targets referred to in that paragraph.

(c) **CONFORMING AMENDMENT.**—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 119 and inserting the following:

“119. National highway performance program.”.

SEC. 1107. EMERGENCY RELIEF.

Section 125 of title 23, United States Code, is amended to read as follows:

“§ 125. **Emergency relief**

“(a) **IN GENERAL.**—Subject to this section and section 120, an emergency fund is authorized for expenditure by the Secretary for the repair or reconstruction of highways, roads, and trails, in any area of the United States, including Indian reservations, that the Secretary finds have suffered serious damage as a result of—

“(1) a natural disaster over a wide area, such as by a flood, hurricane, tidal wave, earthquake, severe storm, or landslide; or

“(2) catastrophic failure from any external cause.

“(b) **RESTRICTION ON ELIGIBILITY.**—

“(1) **DEFINITION OF CONSTRUCTION PHASE.**—In this subsection, the term ‘construction phase’ means the phase of physical construction of a highway or bridge facility that is separate from any other identified phases, such as planning, design, or right-of-way phases, in the State transportation improvement program.

“(2) **RESTRICTION.**—In no case shall funds be used under this section for the repair or reconstruction of a bridge—

“(A) that has been permanently closed to all vehicular traffic by the State or responsible

local official because of imminent danger of collapse due to a structural deficiency or physical deterioration; or

“(B) if a construction phase of a replacement structure is included in the approved Statewide transportation improvement program at the time of an event described in subsection (a).

“(c) FUNDING.—

“(1) IN GENERAL.—Subject to the limitations described in paragraph (2), there are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) such sums as are necessary to establish the fund authorized by this section and to replenish that fund on an annual basis.

“(2) LIMITATIONS.—The limitations referred to in paragraph (1) are that—

“(A) not more than \$100,000,000 is authorized to be obligated in any 1 fiscal year commencing after September 30, 1980, to carry out this section, except that, if for any fiscal year the total of all obligations under this section is less than the amount authorized to be obligated for the fiscal year, the unobligated balance of that amount shall—

“(i) remain available until expended; and

“(ii) be in addition to amounts otherwise available to carry out this section for each year; and

“(B)(i) pending such appropriation or replenishment, the Secretary may obligate from any funds appropriated at any time for obligation in accordance with this title, including existing Federal-aid appropriations, such sums as are necessary for the immediate prosecution of the work herein authorized; and

“(ii) funds obligated under this subparagraph shall be reimbursed from the appropriation or replenishment.

“(d) ELIGIBILITY.—

“(1) IN GENERAL.—The Secretary may expend funds from the emergency fund authorized by this section only for the repair or reconstruction of highways on Federal-aid highways in accordance with this chapter, except that—

“(A) no funds shall be so expended unless an emergency has been declared by the Governor of the State with concurrence by the Secretary, unless the President has declared the emergency to be a major disaster for the purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for which concurrence of the Secretary is not required; and

“(B) the Secretary has received an application from the State transportation department that includes a comprehensive list of all eligible project sites and repair costs by not later than 2 years after the natural disaster or catastrophic failure.

“(2) COST LIMITATION.—

“(A) DEFINITION OF COMPARABLE FACILITY.—In this paragraph, the term ‘comparable facility’ means a facility that meets the current geometric and construction standards required for the types and volume of traffic that the facility will carry over its design life.

“(B) LIMITATION.—The total cost of a project funded under this section may not exceed the cost of repair or reconstruction of a comparable facility.

“(3) DEBRIS REMOVAL.—The costs of debris removal shall be an eligible expense under this section only for—

“(A) an event not declared a major disaster or emergency by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

“(B) an event declared a major disaster or emergency by the President under that Act if the debris removal is not eligible for assistance under section 403, 407, or 502 of that Act (42 U.S.C. 5170b, 5173, 5192).

“(4) TERRITORIES.—The total obligations for projects under this section for any fiscal year in the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall not exceed \$20,000,000.

“(5) SUBSTITUTE TRAFFIC.—Notwithstanding any other provision of this section, actual and

necessary costs of maintenance and operation of ferryboats or additional transit service providing temporary substitute highway traffic service, less the amount of fares charged for comparable service, may be expended from the emergency fund authorized by this section for Federal-aid highways.

“(e) TRIBAL TRANSPORTATION FACILITIES, FEDERAL LANDS TRANSPORTATION FACILITIES, AND PUBLIC ROADS ON FEDERAL LANDS.—

“(1) DEFINITION OF OPEN TO PUBLIC TRAVEL.—In this subsection, the term ‘open to public travel’ means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road is open to the general public for use with a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

“(2) EXPENDITURE OF FUNDS.—Notwithstanding subsection (d)(1), the Secretary may expend funds from the emergency fund authorized by this section, independently or in cooperation with any other branch of the Federal Government, a State agency, a tribal government, an organization, or a person, for the repair or reconstruction of tribal transportation facilities, Federal lands transportation facilities, and other federally owned roads that are open to public travel, whether or not those facilities are Federal-aid highways.

“(3) REIMBURSEMENT.—

“(A) IN GENERAL.—The Secretary may reimburse Federal and State agencies (including political subdivisions) for expenditures made for projects determined eligible under this section, including expenditures for emergency repairs made before a determination of eligibility.

“(B) TRANSFERS.—With respect to reimbursements described in subparagraph (A)—

“(i) those reimbursements to Federal agencies and Indian tribal governments shall be transferred to the account from which the expenditure was made, or to a similar account that remains available for obligation; and

“(ii) the budget authority associated with the expenditure shall be restored to the agency from which the authority was derived and shall be available for obligation until the end of the fiscal year following the year in which the transfer occurs.

“(f) TREATMENT OF TERRITORIES.—For purposes of this section, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be considered to be States and parts of the United States, and the chief executive officer of each such territory shall be considered to be a Governor of a State.

“(g) PROTECTING PUBLIC SAFETY AND MAINTAINING ROADWAYS.—The Secretary may use not more than 5 percent of amounts from the emergency fund authorized by this section to carry out projects that the Secretary determines are necessary to protect the public safety or to maintain or protect roadways that are included within the scope of an emergency declaration by the Governor of the State or by the President, in accordance with this section, and the Governor deems to be an ongoing concern in order to maintain vehicular traffic on the roadway.”

SEC. 1108. SURFACE TRANSPORTATION PROGRAM.

(a) ELIGIBLE PROJECTS.—Section 133(b) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1) by striking “section 104(b)(3)” and inserting “section 104(b)(2)”;

(2) by striking paragraph (1);

(3) by redesignating paragraphs (2) through (15) as paragraphs (5) through (18), respectively;

(4) by inserting before paragraph (5) (as so redesignated) the following:

“(1) Construction, reconstruction, rehabilitation, resurfacing, restoration, preservation, or operational improvements for highways, including construction of designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40.

“(2) Replacement (including replacement with fill material), rehabilitation, preservation, protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) and application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions for bridges (and approaches to bridges and other elevated structures) and tunnels on public roads of all functional classifications, including any such construction or reconstruction necessary to accommodate other transportation modes.

“(3) Construction of a new bridge or tunnel at a new location on a Federal-aid highway.

“(4) Inspection and evaluation of bridges and tunnels and training of bridge and tunnel inspectors (as defined in section 144), and inspection and evaluation of other highway assets (including signs, retaining walls, and drainage structures).”

(5) by striking paragraph (6) (as so redesignated) and inserting the following:

“(6) Carpool projects, fringe and corridor parking facilities and programs, including electric vehicle and natural gas vehicle infrastructure in accordance with section 137, bicycle transportation and pedestrian walkways in accordance with section 217, and the modifications of public sidewalks to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);”

(6) by striking paragraph (7) (as so redesignated) and inserting the following:

“(7) Highway and transit safety infrastructure improvements and programs, installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife, and railway-highway grade crossings.”

(7) in paragraph (11) (as so redesignated) by striking “enhancement activities” and inserting “alternatives”;

(8) by striking paragraph (14) (as so redesignated) and inserting the following:

“(14) Environmental mitigation efforts relating to projects funded under this title in the same manner and to the same extent as such activities are eligible under section 119(g).”; and

(9) by inserting after paragraph (18) (as so redesignated) the following:

“(19) Projects and strategies designed to support congestion pricing, including electric toll collection and travel demand management strategies and programs.

“(20) Recreational trails projects eligible for funding under section 206.

“(21) Construction of ferry boats and ferry terminal facilities eligible for funding under section 129(c).

“(22) Border infrastructure projects eligible for funding under section 1303 of the SAFETEA-LU (23 U.S.C. 101 note; Public Law 109-59).

“(23) Truck parking facilities eligible for funding under section 1401 of the MAP-21.

“(24) Development and implementation of a State asset management plan for the National Highway System in accordance with section 119, including data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk based asset management and performance based management, and for similar activities related to the development and implementation of a performance based management program for other public roads.

“(25) A project that, if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port.

“(26) Construction and operational improvements for any minor collector if—

“(A) the minor collector, and the project to be carried out with respect to the minor collector,

are in the same corridor as, and in proximity to, a Federal-aid highway designated as part of the National Highway System;

“(B) the construction or improvements will enhance the level of service on the Federal-aid highway described in subparagraph (A) and improve regional traffic flow; and

“(C) the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the Federal-aid highway described in subparagraph (A).”

(b) **LOCATION OF PROJECTS.**—Section 133 of title 23, United States Code, is amended by striking subsection (c) and inserting the following:

“(c) **LOCATION OF PROJECTS.**—Surface transportation program projects may not be undertaken on roads functionally classified as local or rural minor collectors unless the roads were on a Federal-aid highway system on January 1, 1991, except—

“(1) as provided in subsection (g);

“(2) for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26) of subsection (b); and

“(3) as approved by the Secretary.”

(c) **ALLOCATION OF APPORTIONED FUNDS.**—Section 133 of the title 23, United States Code, is amended by striking subsection (d) and inserting the following:

“(d) **ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.**—

“(1) **CALCULATION.**—Of the funds apportioned to a State under section 104(b)(2)—

“(A) 50 percent for a fiscal year shall be obligated under this section, in proportion to their relative shares of the population of the State—

“(i) in urbanized areas of the State with an urbanized area population of over 200,000;

“(ii) in areas of the State other than urban areas with a population greater than 5,000; and

“(iii) in other areas of the State; and

“(B) 50 percent may be obligated in any area of the State.

“(2) **METROPOLITAN AREAS.**—Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

“(3) **CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.**—For purposes of paragraph (1)(A)(ii), before obligating funding attributed to an area with a population greater than 5,000 and less than 200,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.

“(4) **DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.

“(B) **OTHER FACTORS.**—The State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

“(5) **APPLICABILITY OF PLANNING REQUIREMENTS.**—Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.”

(d) **ADMINISTRATION.**—Section 133 of title 23, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) **ADMINISTRATION.**—

“(1) **SUBMISSION OF PROJECT AGREEMENT.**—For each fiscal year, each State shall submit a project agreement that—

“(A) certifies that the State will meet all the requirements of this section; and

“(B) notifies the Secretary of the amount of obligations needed to carry out the program under this section.

“(2) **REQUEST FOR ADJUSTMENTS OF AMOUNTS.**—Each State shall request from the

Secretary such adjustments to the amount of obligations referred to in paragraph (1)(B) as the State determines to be necessary.

“(3) **EFFECT OF APPROVAL BY THE SECRETARY.**—Approval by the Secretary of a project agreement under paragraph (1) shall be deemed a contractual obligation of the United States to pay surface transportation program funds made available under this title.”

(e) **OBLIGATION AUTHORITY.**—Section 133(f)(1) of title 23, United States Code, is amended by striking “2004 through 2006 and the period of fiscal years 2007 through 2009” and inserting “2011 through 2014”.

(f) **BRIDGES NOT ON FEDERAL-AID HIGHWAYS.**—Section 133 of the title 23, United States Code, is amended by adding at the end the following:

“(g) **BRIDGES NOT ON FEDERAL-AID HIGHWAYS.**—

“(1) **DEFINITION OF OFF-SYSTEM BRIDGE.**—In this subsection, the term ‘off-system bridge’ means a highway bridge located on a public road, other than a bridge on a Federal-aid highway.

“(2) **SPECIAL RULE.**—

“(A) **SET-ASIDE.**—Of the amounts apportioned to a State for fiscal year 2013 and each fiscal year thereafter under this section, the State shall obligate for activities described in subsection (b)(2) for off-system bridges an amount that is not less than 15 percent of the amount of funds apportioned to the State for the highway bridge program for fiscal year 2009, except that amounts allocated under subsection (d) shall not be obligated to carry out this subsection.

“(B) **REDUCTION OF EXPENDITURES.**—The Secretary, after consultation with State and local officials, may reduce the requirement for expenditures for off-system bridges under subparagraph (A) with respect to the State if the Secretary determines that the State has inadequate needs to justify the expenditure.

“(3) **CREDIT FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS.**—Notwithstanding any other provision of law, with respect to any project not on a Federal-aid highway for the replacement of a bridge or rehabilitation of a bridge that is wholly funded from State and local sources, is eligible for Federal funds under this section, is non-controversial, is certified by the State to have been carried out in accordance with all standards applicable to such projects under this section, and is determined by the Secretary upon completion to be no longer a deficient bridge—

“(A) any amount expended after the date of enactment of this subsection from State and local sources for the project in excess of 20 percent of the cost of construction of the project may be credited to the non-Federal share of the cost of other bridge projects in the State that are eligible for Federal funds under this section; and

“(B) that crediting shall be conducted in accordance with procedures established by the Secretary.

“(h) **SPECIAL RULE FOR AREAS OF LESS THAN 5,000 POPULATION.**—

“(1) **SPECIAL RULE.**—Notwithstanding subsection (c), and except as provided in paragraph (2), up to 15 percent of the amounts required to be obligated by a State under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014 may be obligated on roads functionally classified as minor collectors.

“(2) **SUSPENSION.**—The Secretary may suspend the application of paragraph (1) with respect to a State if the Secretary determines that the authority provided under paragraph (1) is being used excessively by the State.”

SEC. 1109. WORKFORCE DEVELOPMENT.

(a) **ON-THE-JOB TRAINING.**—Section 140(b) of title 23, United States Code, is amended—

(1) in the second sentence, by striking “Whenever apportionments are made under section 104(b)(3) of this title,” and inserting “From administrative funds made available under section 104(a),”; and

(2) in the fourth sentence, by striking “and the bridge program under section 144”.

(b) **DISADVANTAGED BUSINESS ENTERPRISE.**—Section 140(c) of title 23, United States Code, is amended in the second sentence by striking “Whenever apportionments are made under section 104(b)(3),” and inserting “From administrative funds made available under section 104(a),”.

SEC. 1110. HIGHWAY USE TAX EVASION PROJECTS.

Section 143 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (2) and inserting the following:

“(2) **FUNDING.**—

“(A) **IN GENERAL.**—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as are necessary, not to exceed \$10,000,000 for each of fiscal years 2013 and 2014, to carry out this section.

“(B) **ALLOCATION OF FUNDS.**—Funds made available to carry out this section may be allocated to the Internal Revenue Service and the States at the discretion of the Secretary, except that of funds so made available for each fiscal year, \$2,000,000 shall be available only to carry out intergovernmental enforcement efforts, including research and training.”; and

(B) in paragraph (8) by striking “section 104(b)(3)” and inserting “section 104(b)(2)”; and (2) in subsection (c)(3) by striking “for each of fiscal years 2005 through 2009,” and inserting “for each fiscal year.”

SEC. 1111. NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.

(a) **IN GENERAL.**—Section 144 of title 23, United States Code, is amended to read as follows:

“**§144. National bridge and tunnel inventory and inspection standards**

“(a) **FINDINGS AND DECLARATIONS.**—

“(1) **FINDINGS.**—Congress finds that—

“(A) the condition of the bridges of the United States has improved since the date of enactment of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 107), yet continued improvement to bridge conditions is essential to protect the safety of the traveling public and allow for the efficient movement of people and goods on which the economy of the United States relies; and

“(B) the systematic preventative maintenance of bridges, and replacement and rehabilitation of deficient bridges, should be undertaken through an overall asset management approach to transportation investment.

“(2) **DECLARATIONS.**—Congress declares that it is in the vital interest of the United States—

“(A) to inventory, inspect, and improve the condition of the highway bridges and tunnels of the United States;

“(B) to use a data-driven, risk-based approach and cost-effective strategy for systematic preventative maintenance, replacement, and rehabilitation of highway bridges and tunnels to ensure safety and extended service life;

“(C) to use performance-based bridge management systems to assist States in making timely investments;

“(D) to ensure accountability and link performance outcomes to investment decisions; and

“(E) to ensure connectivity and access for residents of rural areas of the United States through strategic investments in National Highway System bridges and bridges on all public roads.

“(b) **NATIONAL BRIDGE AND TUNNEL INVENTORIES.**—The Secretary, in consultation with the States and Federal agencies with jurisdiction over highway bridges and tunnels, shall—

“(1) inventory all highway bridges on public roads, on and off Federal-aid highways, including tribally owned and Federally owned bridges, that are bridges over waterways, other topographical barriers, other highways, and railroads;

“(2) inventory all tunnels on public roads, on and off Federal-aid highways, including tribally owned and Federally owned tunnels;

“(3) classify the bridges according to service-ability, safety, and essentiality for public use, including the potential impacts to emergency evacuation routes and to regional and national freight and passenger mobility if the service-ability of the bridge is restricted or diminished;

“(4) based on that classification, assign each a risk-based priority for systematic preventative maintenance, replacement, or rehabilitation; and

“(5) determine the cost of replacing each structurally deficient bridge identified under this subsection with a comparable facility or the cost of rehabilitating the bridge.

“(C) GENERAL BRIDGE AUTHORITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, the General Bridge Act of 1946 (33 U.S.C. 525 et seq.) shall apply to bridges authorized to be replaced, in whole or in part, by this title.

“(2) EXCEPTION.—Section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525(b)) and section 9 of the Act of March 3, 1899 (33 U.S.C. 401), shall not apply to any bridge constructed, reconstructed, rehabilitated, or replaced with assistance under this title, if the bridge is over waters that—

“(A) are not used and are not susceptible to use in the natural condition of the bridge or by reasonable improvement as a means to transport interstate or foreign commerce; and

“(B) are—

“(i) not tidal; or

“(ii) if tidal, used only by recreational boating, fishing, and other small vessels that are less than 21 feet in length.

“(d) INVENTORY UPDATES AND REPORTS.—

“(1) IN GENERAL.—The Secretary shall—

“(A) annually revise the inventories authorized by subsection (b); and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the inventories.

“(2) INSPECTION REPORT.—Not later than 2 years after the date of enactment of the MAP-21, each State and appropriate Federal agency shall report element level data to the Secretary, as each bridge is inspected pursuant to this section, for all highway bridges on the National Highway System.

“(3) GUIDANCE.—The Secretary shall provide guidance to States and Federal agencies for implementation of this subsection, while respecting the existing inspection schedule of each State.

“(4) BRIDGES NOT ON NATIONAL HIGHWAY SYSTEM.—The Secretary shall—

“(A) conduct a study on the benefits, cost-effectiveness, and feasibility of requiring element-level data collection for bridges not on the National Highway System; and

“(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study.

“(e) BRIDGES WITHOUT TAXING POWERS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, any bridge that is owned and operated by an agency that does not have taxing powers and whose functions include operating a federally assisted public transit system subsidized by toll revenues shall be eligible for assistance under this title, but the amount of such assistance shall in no event exceed the cumulative amount which such agency has expended for capital and operating costs to subsidize such transit system.

“(2) INSUFFICIENT ASSETS.—Before authorizing an expenditure of funds under this subsection, the Secretary shall determine that the applicant agency has insufficient reserves, surpluses, and projected revenues (over and above those required for bridge and transit capital and oper-

ating costs) to fund the bridge project or activity eligible for assistance under this title.

“(3) CREDITING OF NON-FEDERAL FUNDS.—Any non-Federal funds expended for the seismic retrofit of the bridge may be credited toward the non-Federal share required as a condition of receipt of any Federal funds for seismic retrofit of the bridge made available after the date of the expenditure.

“(f) REPLACEMENT OF DESTROYED BRIDGES AND FERRY BOAT SERVICE.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, a State may use the funds apportioned under section 104(b)(2) to construct any bridge that replaces—

“(A) any low water crossing (regardless of the length of the low water crossing);

“(B) any bridge that was destroyed prior to January 1, 1965;

“(C) any ferry that was in existence on January 1, 1984; or

“(D) any road bridge that is rendered obsolete as a result of a Corps of Engineers flood control or channelization project and is not rebuilt with funds from the Corps of Engineers.

“(2) FEDERAL SHARE.—The Federal share payable on any bridge construction carried out under paragraph (1) shall be 80 percent of the cost of the construction.

“(g) HISTORIC BRIDGES.—

“(1) DEFINITION OF HISTORIC BRIDGE.—In this subsection, the term ‘historic bridge’ means any bridge that is listed on, or eligible for listing on, the National Register of Historic Places.

“(2) COORDINATION.—The Secretary shall, in cooperation with the States, encourage the retention, rehabilitation, adaptive reuse, and future study of historic bridges.

“(3) STATE INVENTORY.—The Secretary shall require each State to complete an inventory of all bridges on and off Federal-aid highways to determine the historic significance of the bridges.

“(4) ELIGIBILITY.—

“(A) IN GENERAL.—Subject to subparagraph (B), reasonable costs associated with actions to preserve, or reduce the impact of a project under this chapter on, the historic integrity of a historic bridge shall be eligible as reimbursable project costs under section 133 if the load capacity and safety features of the historic bridge are adequate to serve the intended use for the life of the historic bridge.

“(B) BRIDGES NOT USED FOR VEHICLE TRAFFIC.—In the case of a historic bridge that is no longer used for motorized vehicular traffic, the costs eligible as reimbursable project costs pursuant to this chapter shall not exceed the estimated cost of demolition of the historic bridge.

“(5) PRESERVATION.—Any State that proposes to demolish a historic bridge for a replacement project with funds made available to carry out this section shall first make the historic bridge available for donation to a State, locality, or responsible private entity if the State, locality, or responsible entity enters into an agreement—

“(A) to maintain the bridge and the features that give the historic bridge its historic significance; and

“(B) to assume all future legal and financial responsibility for the historic bridge, which may include an agreement to hold the State transportation department harmless in any liability action.

“(6) COSTS INCURRED.—

“(A) IN GENERAL.—Costs incurred by the State to preserve a historic bridge (including funds made available to the State, locality, or private entity to enable it to accept the bridge) shall be eligible as reimbursable project costs under this chapter in an amount not to exceed the cost of demolition.

“(B) ADDITIONAL FUNDING.—Any bridge preserved pursuant to this paragraph shall not be eligible for any other funds authorized pursuant to this title.

“(h) NATIONAL BRIDGE AND TUNNEL INSPECTION STANDARDS.—

“(1) REQUIREMENT.—

“(A) IN GENERAL.—The Secretary shall establish and maintain inspection standards for the proper inspection and evaluation of all highway bridges and tunnels for safety and service-ability.

“(B) UNIFORMITY.—The standards under this subsection shall be designed to ensure uniformity of the inspections and evaluations.

“(2) MINIMUM REQUIREMENTS OF INSPECTION STANDARDS.—The standards established under paragraph (1) shall, at a minimum—

“(A) specify, in detail, the method by which the inspections shall be carried out by the States, Federal agencies, and tribal governments;

“(B) establish the maximum time period between inspections;

“(C) establish the qualifications for those charged with carrying out the inspections;

“(D) require each State, Federal agency, and tribal government to maintain and make available to the Secretary on request—

“(i) written reports on the results of highway bridge and tunnel inspections and notations of any action taken pursuant to the findings of the inspections; and

“(ii) current inventory data for all highway bridges and tunnels reflecting the findings of the most recent highway bridge and tunnel inspections conducted; and

“(E) establish a procedure for national certification of highway bridge inspectors and tunnel inspectors.

“(3) STATE COMPLIANCE WITH INSPECTION STANDARDS.—The Secretary shall, at a minimum—

“(A) establish, in consultation with the States, Federal agencies, and interested and knowledgeable private organizations and individuals, procedures to conduct reviews of State compliance with—

“(i) the standards established under this subsection; and

“(ii) the calculation or reevaluation of bridge load ratings; and

“(B) establish, in consultation with the States, Federal agencies, and interested and knowledgeable private organizations and individuals, procedures for States to follow in reporting to the Secretary—

“(i) critical findings relating to structural or safety-related deficiencies of highway bridges and tunnels; and

“(ii) monitoring activities and corrective actions taken in response to a critical finding described in clause (i).

“(4) REVIEWS OF STATE COMPLIANCE.—

“(A) IN GENERAL.—The Secretary shall annually review State compliance with the standards established under this section.

“(B) NONCOMPLIANCE.—If an annual review in accordance with subparagraph (A) identifies noncompliance by a State, the Secretary shall—

“(i) issue a report detailing the issues of the noncompliance by December 31 of the calendar year in which the review was made; and

“(ii) provide the State an opportunity to address the noncompliance by—

“(I) developing a corrective action plan to remedy the noncompliance; or

“(II) resolving the issues of noncompliance not later than 45 days after the date of notification.

“(5) PENALTY FOR NONCOMPLIANCE.—

“(A) IN GENERAL.—If a State fails to satisfy the requirements of paragraph (4)(B) by August 1 of the calendar year following the year of a finding of noncompliance, the Secretary shall, on October 1 of that year, and each year thereafter as may be necessary, require the State to dedicate funds apportioned to the State under sections 119 and 133 after the date of enactment of the MAP-21 to correct the noncompliance with the minimum inspection standards established under this subsection.

“(B) AMOUNT.—The amount of the funds to be directed to correcting noncompliance in accordance with subparagraph (A) shall—

“(i) be determined by the State based on an analysis of the actions needed to address the noncompliance; and

“(ii) require approval by the Secretary.

“(6) UPDATE OF STANDARDS.—Not later than 3 years after the date of enactment of the MAP-21, the Secretary shall update inspection standards to cover—

“(A) the methodology, training, and qualifications for inspectors; and

“(B) the frequency of inspection.

“(7) RISK-BASED APPROACH.—In carrying out the revisions required by paragraph (6), the Secretary shall consider a risk-based approach to determining the frequency of bridge inspections.

“(i) TRAINING PROGRAM FOR BRIDGE AND TUNNEL INSPECTORS.—

“(1) IN GENERAL.—The Secretary, in cooperation with the State transportation departments, shall maintain a program designed to train appropriate personnel to carry out highway bridge and tunnel inspections.

“(2) REVISIONS.—The training program shall be revised from time to time to take into account new and improved techniques.

“(j) AVAILABILITY OF FUNDS.—In carrying out this section—

“(1) the Secretary may use funds made available to the Secretary under sections 104(a) and 503;

“(2) a State may use amounts apportioned to the State under section 104(b)(1) and 104(b)(3);

“(3) an Indian tribe may use funds made available to the Indian tribe under section 202; and

“(4) a Federal agency may use funds made available to the agency under section 503.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 144 and inserting the following:

“144. National bridge and tunnel inventory and inspection standards.”

SEC. 1112. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

(a) IN GENERAL.—Section 148 of title 23, United States Code, is amended to read as follows:

“§ 148. Highway safety improvement program

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) HIGH RISK RURAL ROAD.—The term ‘high risk rural road’ means any roadway functionally classified as a rural major or minor collector or a rural local road with significant safety risks, as defined by a State in accordance with an updated State strategic highway safety plan.

“(2) HIGHWAY BASEMAP.—The term ‘highway basemap’ means a representation of all public roads that can be used to geolocate attribute data on a roadway.

“(3) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—The term ‘highway safety improvement program’ means projects, activities, plans, and reports carried out under this section.

“(4) HIGHWAY SAFETY IMPROVEMENT PROJECT.—

“(A) IN GENERAL.—The term ‘highway safety improvement project’ means strategies, activities, and projects on a public road that are consistent with a State strategic highway safety plan and—

“(i) correct or improve a hazardous road location or feature; or

“(ii) address a highway safety problem.

“(B) INCLUSIONS.—The term ‘highway safety improvement project’ includes, but is not limited to, a project for 1 or more of the following:

“(i) An intersection safety improvement.

“(ii) Pavement and shoulder widening (including addition of a passing lane to remedy an unsafe condition).

“(iii) Installation of rumble strips or another warning device, if the rumble strips or other warning devices do not adversely affect the safety or mobility of bicyclists and pedestrians, including persons with disabilities.

“(iv) Installation of a skid-resistant surface at an intersection or other location with a high frequency of crashes.

“(v) An improvement for pedestrian or bicyclist safety or safety of persons with disabilities.

“(vi) Construction and improvement of a railway-highway grade crossing safety feature, including installation of protective devices.

“(vii) The conduct of a model traffic enforcement activity at a railway-highway crossing.

“(viii) Construction of a traffic calming feature.

“(ix) Elimination of a roadside hazard.

“(x) Installation, replacement, and other improvement of highway signage and pavement markings, or a project to maintain minimum levels of retroreflectivity, that addresses a highway safety problem consistent with a State strategic highway safety plan.

“(xi) Installation of a priority control system for emergency vehicles at signalized intersections.

“(xii) Installation of a traffic control or other warning device at a location with high crash potential.

“(xiii) Transportation safety planning.

“(xiv) Collection, analysis, and improvement of safety data.

“(xv) Planning integrated interoperable emergency communications equipment, operational activities, or traffic enforcement activities (including police assistance) relating to work zone safety.

“(xvi) Installation of guardrails, barriers (including barriers between construction work zones and traffic lanes for the safety of road users and workers), and crash attenuators.

“(xvii) The addition or retrofitting of structures or other measures to eliminate or reduce crashes involving vehicles and wildlife.

“(xviii) Installation of yellow-green signs and signals at pedestrian and bicycle crossings and in school zones.

“(xix) Construction and operational improvements on high risk rural roads.

“(xx) Geometric improvements to a road for safety purposes that improve safety.

“(xxi) A road safety audit.

“(xxii) Roadway safety infrastructure improvements consistent with the recommendations included in the publication of the Federal Highway Administration entitled ‘Highway Design Handbook for Older Drivers and Pedestrians’ (FHWA-RD-01-103), dated May 2001 or as subsequently revised and updated.

“(xxiii) Truck parking facilities eligible for funding under section 1401 of the MAP-21.

“(xxiv) Systemic safety improvements.

“(5) MODEL INVENTORY OF ROADWAY ELEMENTS.—The term ‘model inventory of roadway elements’ means the listing and standardized coding by the Federal Highway Administration of roadway and traffic data elements critical to safety management, analysis, and decision-making.

“(6) PROJECT TO MAINTAIN MINIMUM LEVELS OF RETROREFLECTIVITY.—The term ‘project to maintain minimum levels of retroreflectivity’ means a project that is designed to maintain a highway sign or pavement marking retroreflectivity at or above the minimum levels prescribed in Federal or State regulations.

“(7) ROAD SAFETY AUDIT.—The term ‘road safety audit’ means a formal safety performance examination of an existing or future road or intersection by an independent multidisciplinary audit team.

“(8) ROAD USERS.—The term ‘road user’ means a motorist, passenger, public transportation operator or user, truck driver, bicyclist, motorcyclist, or pedestrian, including a person with disabilities.

“(9) SAFETY DATA.—

“(A) IN GENERAL.—The term ‘safety data’ means crash, roadway, and traffic data on a public road.

“(B) INCLUSION.—The term ‘safety data’ includes, in the case of a railway-highway grade crossing, the characteristics of highway and train traffic, licensing, and vehicle data.

“(10) SAFETY PROJECT UNDER ANY OTHER SECTION.—

“(A) IN GENERAL.—The term ‘safety project under any other section’ means a project carried out for the purpose of safety under any other section of this title.

“(B) INCLUSION.—The term ‘safety project under any other section’ includes—

“(i) a project consistent with the State strategic highway safety plan that promotes the awareness of the public and educates the public concerning highway safety matters (including motorcycle safety);

“(ii) a project to enforce highway safety laws; and

“(iii) a project to provide infrastructure and infrastructure-related equipment to support emergency services.

“(11) STATE HIGHWAY SAFETY IMPROVEMENT PROGRAM.—The term ‘State highway safety improvement program’ means a program of highway safety improvement projects, activities, plans and reports carried out as part of the Statewide transportation improvement program under section 135(g).

“(12) STATE STRATEGIC HIGHWAY SAFETY PLAN.—The term ‘State strategic highway safety plan’ means a comprehensive plan, based on safety data, developed by a State transportation department that—

“(A) is developed after consultation with—

“(i) a highway safety representative of the Governor of the State;

“(ii) regional transportation planning organizations and metropolitan planning organizations, if any;

“(iii) representatives of major modes of transportation;

“(iv) State and local traffic enforcement officials;

“(v) a highway-rail grade crossing safety representative of the Governor of the State;

“(vi) representatives conducting a motor carrier safety program under section 31102, 31106, or 31309 of title 49;

“(vii) motor vehicle administration agencies;

“(viii) county transportation officials;

“(ix) State representatives of nonmotorized users; and

“(x) other major Federal, State, tribal, and local safety stakeholders;

“(B) analyzes and makes effective use of State, regional, local, or tribal safety data;

“(C) addresses engineering, management, operation, education, enforcement, and emergency services elements (including integrated, interoperable emergency communications) of highway safety as key factors in evaluating highway projects;

“(D) considers safety needs of, and high-fatality segments of, all public roads, including non-State-owned public roads and roads on tribal land;

“(E) considers the results of State, regional, or local transportation and highway safety planning processes;

“(F) describes a program of strategies to reduce or eliminate safety hazards;

“(G) is approved by the Governor of the State or a responsible State agency;

“(H) is consistent with section 135(g); and

“(I) is updated and submitted to the Secretary for approval as required under subsection (d)(2).

“(13) SYSTEMIC SAFETY IMPROVEMENT.—The term ‘systemic safety improvement’ means an improvement that is widely implemented based on high-risk roadway features that are correlated with particular crash types, rather than crash frequency.

“(b) PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a highway safety improvement program.

“(2) PURPOSE.—The purpose of the highway safety improvement program shall be to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal land.

“(c) ELIGIBILITY.—

“(1) IN GENERAL.—To obligate funds apportioned under section 104(b)(3) to carry out this

section, a State shall have in effect a State highway safety improvement program under which the State—

“(A) develops, implements, and updates a State strategic highway safety plan that identifies and analyzes highway safety problems and opportunities as provided in subsections (a)(12) and (d);

“(B) produces a program of projects or strategies to reduce identified safety problems; and

“(C) evaluates the strategic highway safety plan on a regularly recurring basis in accordance with subsection (d)(1) to ensure the accuracy of the data and priority of proposed strategies.

“(2) IDENTIFICATION AND ANALYSIS OF HIGHWAY SAFETY PROBLEMS AND OPPORTUNITIES.—As part of the State highway safety improvement program, a State shall—

“(A) have in place a safety data system with the ability to perform safety problem identification and countermeasure analysis—

“(i) to improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of the safety data on all public roads, including non-State-owned public roads and roads on tribal land in the State;

“(ii) to evaluate the effectiveness of data improvement efforts;

“(iii) to link State data systems, including traffic records, with other data systems within the State;

“(iv) to improve the compatibility and interoperability of safety data with other State transportation-related data systems and the compatibility and interoperability of State safety data systems with data systems of other States and national data systems;

“(v) to enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances; and

“(vi) to improve the collection of data on non-motorized crashes;

“(B) based on the analysis required by subparagraph (A)—

“(i) identify hazardous locations, sections, and elements (including roadside obstacles, railway-highway crossing needs, and unmarked or poorly marked roads) that constitute a danger to motorists (including motorcyclists), bicyclists, pedestrians, and other highway users;

“(ii) using such criteria as the State determines to be appropriate, establish the relative severity of those locations, in terms of crashes (including crash rates), fatalities, serious injuries, traffic volume levels, and other relevant data;

“(iii) identify the number of fatalities and serious injuries on all public roads by location in the State;

“(iv) identify highway safety improvement projects on the basis of crash experience, crash potential, crash rate, or other data-supported means; and

“(v) consider which projects maximize opportunities to advance safety;

“(C) adopt strategic and performance-based goals that—

“(i) address traffic safety, including behavioral and infrastructure problems and opportunities on all public roads;

“(ii) focus resources on areas of greatest need; and

“(iii) are coordinated with other State highway safety programs;

“(D) advance the capabilities of the State for safety data collection, analysis, and integration in a manner that—

“(i) complements the State highway safety program under chapter 4 and the commercial vehicle safety plan under section 31102 of title 49;

“(ii) includes all public roads, including public non-State-owned roads and roads on tribal land;

“(iii) identifies hazardous locations, sections, and elements on all public roads that constitute a danger to motorists (including motorcyclists), bicyclists, pedestrians, persons with disabilities, and other highway users;

“(iv) includes a means of identifying the relative severity of hazardous locations described in clause (iii) in terms of crashes (including crash rate), serious injuries, fatalities, and traffic volume levels; and

“(v) improves the ability of the State to identify the number of fatalities and serious injuries on all public roads in the State with a breakdown by functional classification and ownership in the State;

“(E)(i) determine priorities for the correction of hazardous road locations, sections, and elements (including railway-highway crossing improvements), as identified through safety data analysis;

“(ii) identify opportunities for preventing the development of such hazardous conditions; and

“(iii) establish and implement a schedule of highway safety improvement projects for hazard correction and hazard prevention; and

“(F)(i) establish an evaluation process to analyze and assess results achieved by highway safety improvement projects carried out in accordance with procedures and criteria established by this section; and

“(ii) use the information obtained under clause (i) in setting priorities for highway safety improvement projects.

“(d) UPDATES TO STRATEGIC HIGHWAY SAFETY PLANS.—

“(1) ESTABLISHMENT OF REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the MAP-21, the Secretary shall establish requirements for regularly recurring State updates of strategic highway safety plans.

“(B) CONTENTS OF UPDATED STRATEGIC HIGHWAY SAFETY PLANS.—In establishing requirements under this subsection, the Secretary shall ensure that States take into consideration, with respect to updated strategic highway safety plans—

“(i) the findings of road safety audits;

“(ii) the locations of fatalities and serious injuries;

“(iii) the locations that do not have an empirical history of fatalities and serious injuries, but possess risk factors for potential crashes;

“(iv) rural roads, including all public roads, commensurate with fatality data;

“(v) motor vehicle crashes that include fatalities or serious injuries to pedestrians and bicyclists;

“(vi) the cost-effectiveness of improvements;

“(vii) improvements to rail-highway grade crossings; and

“(viii) safety on all public roads, including non-State-owned public roads and roads on tribal land.

“(2) APPROVAL OF UPDATED STRATEGIC HIGHWAY SAFETY PLANS.—

“(A) IN GENERAL.—Each State shall—

“(i) update the strategic highway safety plans of the State in accordance with the requirements established by the Secretary under this subsection; and

“(ii) submit the updated plans to the Secretary, along with a detailed description of the process used to update the plan.

“(B) REQUIREMENTS FOR APPROVAL.—The Secretary shall not approve the process for an updated strategic highway safety plan unless—

“(i) the updated strategic highway safety plan is consistent with the requirements of this subsection and subsection (a)(12); and

“(ii) the process used is consistent with the requirements of this subsection.

“(3) PENALTY FOR FAILURE TO HAVE AN APPROVED UPDATED STRATEGIC HIGHWAY SAFETY PLAN.—If a State does not have an updated strategic highway safety plan with a process approved by the Secretary by August 1 of the fiscal year beginning after the date of establishment of the requirements under paragraph (1), the State shall not be eligible to receive any additional limitation pursuant to the redistribution of the limitation on obligations for Federal-aid highway and highway safety construction programs that occurs after August 1 for each succeeding

fiscal year until the fiscal year during which the plan is approved.

“(e) ELIGIBLE PROJECTS.—

“(1) IN GENERAL.—Funds apportioned to the State under section 104(b)(3) may be obligated to carry out—

“(A) any highway safety improvement project on any public road or publicly owned bicycle or pedestrian pathway or trail;

“(B) as provided in subsection (g); or

“(C) any project to maintain minimum levels of retroreflectivity with respect to a public road, without regard to whether the project is included in an applicable State strategic highway safety plan.

“(2) USE OF OTHER FUNDING FOR SAFETY.—

“(A) EFFECT OF SECTION.—Nothing in this section prohibits the use of funds made available under other provisions of this title for highway safety improvement projects.

“(B) USE OF OTHER FUNDS.—States are encouraged to address the full scope of the safety needs and opportunities of the States by using funds made available under other provisions of this title (except a provision that specifically prohibits that use).

“(f) DATA IMPROVEMENT.—

“(1) DEFINITION OF DATA IMPROVEMENT ACTIVITIES.—In this subsection, the following definitions apply:

“(A) IN GENERAL.—The term ‘data improvement activities’ means a project or activity to further the capacity of a State to make more informed and effective safety infrastructure investment decisions.

“(B) INCLUSIONS.—The term ‘data improvement activities’ includes a project or activity—

“(i) to create, update, or enhance a highway basemap of all public roads in a State;

“(ii) to collect safety data, including data identified as part of the model inventory for roadway elements, for creation of or use on a highway basemap of all public roads in a State;

“(iii) to store and maintain safety data in an electronic manner;

“(iv) to develop analytical processes for safety data elements;

“(v) to acquire and implement roadway safety analysis tools; and

“(vi) to support the collection, maintenance, and sharing of safety data on all public roads and related systems associated with the analytical usage of that data.

“(2) MODEL INVENTORY OF ROADWAY ELEMENTS.—The Secretary shall—

“(A) establish a subset of the model inventory of roadway elements that are useful for the inventory of roadway safety; and

“(B) ensure that States adopt and use the subset to improve data collection.

“(g) SPECIAL RULES.—

“(1) HIGH-RISK RURAL ROAD SAFETY.—If the fatality rate on rural roads in a State increases over the most recent 2-year period for which data are available, that State shall be required to obligate in the next fiscal year for projects on high risk rural roads an amount equal to at least 200 percent of the amount of funds the State received for fiscal year 2009 for high risk rural roads under subsection (f) of this section, as in effect on the day before the date of enactment of the MAP-21.

“(2) OLDER DRIVERS.—If traffic fatalities and serious injuries per capita for drivers and pedestrians over the age of 65 in a State increases during the most recent 2-year period for which data are available, that State shall be required to include, in the subsequent Strategic Highway Safety Plan of the State, strategies to address the increases in those rates, taking into account the recommendations included in the publication of the Federal Highway Administration entitled ‘Highway Design Handbook for Older Drivers and Pedestrians’ (FHWA-RD-01-103), and dated May 2001, or as subsequently revised and updated.

“(h) REPORTS.—

“(1) IN GENERAL.—A State shall submit to the Secretary a report that—

“(A) describes progress being made to implement highway safety improvement projects under this section;

“(B) assesses the effectiveness of those improvements; and

“(C) describes the extent to which the improvements funded under this section have contributed to reducing—

“(i) the number and rate of fatalities on all public roads with, to the maximum extent practicable, a breakdown by functional classification and ownership in the State;

“(ii) the number and rate of serious injuries on all public roads with, to the maximum extent practicable, a breakdown by functional classification and ownership in the State; and

“(iii) the occurrences of fatalities and serious injuries at railway-highway crossings.

“(2) CONTENTS; SCHEDULE.—The Secretary shall establish the content and schedule for the submission of the report under paragraph (1).

“(3) TRANSPARENCY.—The Secretary shall make strategic highway safety plans submitted under subsection (d) and reports submitted under this subsection available to the public through—

“(A) the website of the Department; and

“(B) such other means as the Secretary determines to be appropriate.

“(4) DISCOVERY AND ADMISSION INTO EVIDENCE OF CERTAIN REPORTS, SURVEYS, AND INFORMATION.—Notwithstanding any other provision of law, reports, surveys, schedules, lists, or data compiled or collected for any purpose relating to this section, shall not be subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location identified or addressed in the reports, surveys, schedules, lists, or other data.

“(i) STATE PERFORMANCE TARGETS.—If the Secretary determines that a State has not met or made significant progress toward meeting the performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, the State shall—

“(1) use obligation authority equal to the apportionment of the State for the prior year under section 104(b)(3) only for highway safety improvement projects under this section until the Secretary determines that the State has met or made significant progress toward meeting the performance targets of the State; and

“(2) submit annually to the Secretary, until the Secretary determines that the State has met or made significant progress toward meeting the performance targets of the State, an implementation plan that—

“(A) identifies roadway features that constitute a hazard to road users;

“(B) identifies highway safety improvement projects on the basis of crash experience, crash potential, or other data-supported means;

“(C) describes how highway safety improvement program funds will be allocated, including projects, activities, and strategies to be implemented;

“(D) describes how the proposed projects, activities, and strategies funded under the State highway safety improvement program will allow the State to make progress toward achieving the safety performance targets of the State; and

“(E) describes the actions the State will undertake to meet the performance targets of the State.

“(j) FEDERAL SHARE OF HIGHWAY SAFETY IMPROVEMENT PROJECTS.—Except as provided in sections 120 and 130, the Federal share of the cost of a highway safety improvement project carried out with funds apportioned to a State under section 104(b)(3) shall be 90 percent.”

(b) STUDY OF HIGH-RISK RURAL ROADS BEST PRACTICES.—

(1) STUDY.—

(A) IN GENERAL.—The Secretary shall conduct a study of the best practices for implementing cost-effective roadway safety infrastructure improvements on high-risk rural roads.

(B) METHODOLOGY.—In carrying out the study, the Secretary shall—

(i) conduct a thorough literature review;

(ii) survey current practices of State departments of transportation; and

(iii) survey current practices of local units of government, as appropriate.

(C) CONSULTATION.—In carrying out the study, the Secretary shall consult with—

(i) State departments of transportation;

(ii) county engineers and public works professionals;

(iii) appropriate local officials; and

(iv) appropriate private sector experts in the field of roadway safety infrastructure.

(2) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study.

(B) CONTENTS.—The report shall include—

(i) a summary of cost-effective roadway safety infrastructure improvements;

(ii) a summary of the latest research on the financial savings and reduction in fatalities and serious bodily injury crashes from the implementation of cost-effective roadway safety infrastructure improvements; and

(iii) recommendations for State and local governments on best practice methods to install cost-effective roadway safety infrastructure on high-risk rural roads.

(3) MANUAL.—

(A) DEVELOPMENT.—Based on the results of the study under paragraph (2), the Secretary, in consultation with the individuals and entities described in paragraph (1)(C), shall develop a best practices manual to support Federal, State, and local efforts to reduce fatalities and serious bodily injury crashes on high-risk rural roads through the use of cost-effective roadway safety infrastructure improvements.

(B) AVAILABILITY.—The manual shall be made available to State and local governments not later than 180 days after the date of submission of the report under paragraph (2).

(C) CONTENTS.—The manual shall include, at a minimum, a list of cost-effective roadway safety infrastructure improvements and best practices on the installation of cost-effective roadway safety infrastructure improvements on high-risk rural roads.

(D) USE OF MANUAL.—Use of the manual shall be voluntary and the manual shall not establish any binding standards or legal duties on State or local governments, or any other person.

SEC. 1113. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) ELIGIBLE PROJECTS.—Section 149(b) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “in subsection (c)” and inserting “in subsection (d)”;

(B) by striking “section 104(b)(2)” and inserting “section 104(b)(4)”;

(2) in paragraph (5)—

(A) by inserting “add turning lanes,” after “improve intersections;” and

(B) by striking “paragraph;” and inserting “paragraph, including programs or projects to improve incident and emergency response or improve mobility, such as through real-time traffic, transit, and multimodal traveler information;”;

(3) in paragraph (6) by striking “or” at the end;

(4) in paragraph (7)(A)(ii) by striking “published in the list under subsection (f)(2)” and inserting “verified technologies (as defined in section 791 of the Energy Policy Act of 2005 (42 U.S.C. 16131))”;

(5) by striking the matter following paragraph (7);

(6) by redesignating paragraph (7) as paragraph (8); and

(7) by inserting after paragraph (6) the following:

“(7) if the project or program shifts traffic demand to nonpeak hours or other transportation modes, increases vehicle occupancy rates, or otherwise reduces demand for roads through such means as telecommuting, ridesharing, carsharing, alternative work hours, and pricing; or”

(b) SPECIAL RULES.—Section 149 of title 23, United States Code, is amended—

(1) by redesignating subsections (c) through (h) as subsections (d) through (i) respectively;

(2) by inserting after subsection (b) the following:

“(c) SPECIAL RULES.—

(1) PROJECTS FOR PM-10 NONATTAINMENT AREAS.—A State may obligate funds apportioned to the State under section 104(b)(4) for a project or program for an area that is nonattainment for ozone or carbon monoxide, or both, and for PM-10 resulting from transportation activities, without regard to any limitation of the Department of Transportation relating to the type of ambient air quality standard such project or program addresses.

(2) ELECTRIC VEHICLE AND NATURAL GAS VEHICLE INFRASTRUCTURE.—A State may obligate funds apportioned under section 104(b)(4) for a project or program to establish electric vehicle charging stations or natural gas vehicle refueling stations for the use of battery powered or natural gas fueled trucks or other motor vehicles at any location in the State except that such stations may not be established or supported where commercial establishments serving motor vehicle users are prohibited by section 111 of title 23, United States Code.

(3) HOV FACILITIES.—No funds may be provided under this section for a project which will result in the construction of new capacity available to single occupant vehicles unless the project consists of a high occupancy vehicle facility available to single occupant vehicles only at other than peak travel times.”

(3) by striking subsection (d) (as redesignated by paragraph (1)) and inserting the following:

“(d) STATES FLEXIBILITY.—

(1) STATES WITHOUT A NONATTAINMENT AREA.—If a State does not have, and never has had, a nonattainment area designated under the Clean Air Act (42 U.S.C. 7401 et seq.), the State may use funds apportioned to the State under section 104(b)(4) for any project in the State that—

“(A) would otherwise be eligible under subsection (b) as if the project were carried out in a nonattainment or maintenance area; or

“(B) is eligible under the surface transportation program under section 133.

(2) STATES WITH A NONATTAINMENT AREA.—

(A) IN GENERAL.—If a State has a nonattainment area or maintenance area and received funds in fiscal year 2009 under section 104(b)(2)(D), as in effect on the day before the date of enactment of the MAP-21, above the amount of funds that the State would have received based on the nonattainment and maintenance area population of the State under subparagraphs (B) and (C) of section 104(b)(2), as in effect on the day before the date of enactment of the MAP-21, the State may use for any project that is eligible under the surface transportation program under section 133 an amount of funds apportioned to such State under section 104(b)(4) that is equal to the product obtained by multiplying—

“(i) the amount apportioned to such State under section 104(b)(4) (excluding the amount of funds reserved under paragraph (1)); by

“(ii) the ratio calculated under subparagraph (B).

(B) RATIO.—For purposes of this paragraph, the ratio shall be calculated as the proportion that—

“(i) the amount for fiscal year 2009 such State was permitted by section 149(c)(2), as in effect on the day before the date of enactment of the MAP-21, to obligate in any area of the State for

projects eligible under section 133, as in effect on the day before the date of enactment of the MAP-21; bears to

“(ii) the total apportionment to such State for fiscal year 2009 under section 104(b)(2), as in effect on the day before the date of enactment of the MAP-21.

“(3) CHANGES IN DESIGNATION.—If a new nonattainment area is designated or a previously designated nonattainment area is redesignated as an attainment area in a State under the Clean Air Act (42 U.S.C. 7401 et seq.), the Secretary shall modify the amount such State is permitted to obligate in any area of the State for projects eligible under section 133.”;

(4) in subsection (f)(3) (as redesignated by paragraph (1)) by striking “104(b)(2)” and inserting “104(b)(4)”;

(5) in subsection (g) (as redesignated by paragraph (1)) by striking paragraph (3) and inserting the following:

“(3) PRIORITY CONSIDERATION.—States and metropolitan planning organizations shall give priority in areas designated as nonattainment or maintenance for PM_{2.5} under the Clean Air Act (42 U.S.C. 7401 et seq.) in distributing funds received for congestion mitigation and air quality projects and programs from apportionments under section 104(b)(4) to projects that are proven to reduce PM_{2.5}, including diesel retrofits.”;

(6) by striking subsection (i) (as redesignated by paragraph (1)) and inserting the following:

“(i) EVALUATION AND ASSESSMENT OF PROJECTS.—

“(1) DATABASE.—

“(A) IN GENERAL.—Using appropriate assessments of projects funded under the congestion mitigation and air quality program and results from other research, the Secretary shall maintain and disseminate a cumulative database describing the impacts of the projects, including specific information about each project, such as the project name, location, sponsor, cost, and, to the extent already measured by the project sponsor, cost-effectiveness, based on reductions in congestion and emissions.

“(B) AVAILABILITY.—The database shall be published or otherwise made readily available by the Secretary in electronically accessible format and means, such as the Internet, for public review.

“(2) COST EFFECTIVENESS.—

“(A) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall evaluate projects on a periodic basis and develop a table or other similar medium that illustrates the cost-effectiveness of a range of project types eligible for funding under this section as to how the projects mitigate congestion and improve air quality.

“(B) CONTENTS.—The table described in subparagraph (A) shall show measures of cost-effectiveness, such as dollars per ton of emissions reduced, and assess those measures over a variety of timeframes to capture impacts on the planning timeframes outlined in section 134.

“(C) USE OF TABLE.—States and metropolitan planning organizations shall consider the information in the table when selecting projects or developing performance plans under subsection (l).

“(j) OPTIONAL PROGRAMMATIC ELIGIBILITY.—

“(1) IN GENERAL.—At the discretion of a metropolitan planning organization, a technical assessment of a selected program of projects may be conducted through modeling or other means to demonstrate the emissions reduction projection required under this section.

“(2) APPLICABILITY.—If an assessment described in paragraph (1) successfully demonstrates an emissions reduction, all projects included in such assessment shall be eligible for obligation under this section without further demonstration of emissions reduction of individual projects included in such assessment.

“(k) PRIORITY FOR USE OF FUNDS IN PM_{2.5} AREAS.—

“(1) IN GENERAL.—For any State that has a nonattainment or maintenance area for fine

particulate matter, an amount equal to 25 percent of the funds apportioned to each State under section 104(b)(4) for a nonattainment or maintenance area that are based all or in part on the weighted population of such area in fine particulate matter nonattainment shall be obligated to projects that reduce such fine particulate matter emissions in such area, including diesel retrofits.

“(2) CONSTRUCTION EQUIPMENT AND VEHICLES.—In order to meet the requirements of paragraph (1), a State or metropolitan planning organization may elect to obligate funds to install diesel emission control technology on nonroad diesel equipment or on-road diesel equipment that is operated on a highway construction project within a PM_{2.5} nonattainment or maintenance area.

“(1) PERFORMANCE PLAN.—

“(1) IN GENERAL.—Each metropolitan planning organization serving a transportation management area (as defined in section 134) with a population over 1,000,000 people representing a nonattainment or maintenance area shall develop a performance plan that—

“(A) includes an area baseline level for traffic congestion and on-road mobile source emissions for which the area is in nonattainment or maintenance;

“(B) describes progress made in achieving the performance targets described in section 150(d); and

“(C) includes a description of projects identified for funding under this section and how such projects will contribute to achieving emission and traffic congestion reduction targets.

“(2) UPDATED PLANS.—Performance plans shall be updated biennially and include a separate report that assesses the progress of the program of projects under the previous plan in achieving the air quality and traffic congestion targets of the previous plan.

“(m) OPERATING ASSISTANCE.—A State may obligate funds apportioned under section 104(b)(2) in an area of such State that is otherwise eligible for obligations of such funds for operating costs under chapter 53 of title 49 or on a system that was previously eligible under this section.”.

(c) AIR QUALITY AND CONGESTION MITIGATION MEASURE OUTCOMES ASSESSMENT STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall examine the outcomes of actions funded under the congestion mitigation and air quality improvement program since the date of enactment of the SAFETEA-LU (Public Law 109-59).

(2) GOALS.—The goals of the program shall include—

(A) the assessment and documentation, through outcomes research conducted on a representative sample of cases, of—

(i) the emission reductions achieved by federally supported surface transportation actions intended to reduce emissions or lessen traffic congestion; and

(ii) the air quality and human health impacts of those actions, including potential unrecognized or indirect consequences, attributable to those actions;

(B) an expanded base of empirical evidence on the air quality and human health impacts of actions described in paragraph (1); and

(C) an increase in knowledge of—

(i) the factors determining the air quality and human health changes associated with transportation emission reduction actions; and

(ii) other information to more accurately understand the validity of current estimation and modeling routines and ways to improve those routines.

(3) ADMINISTRATIVE ELEMENTS.—To carry out this subsection, the Secretary shall—

(A) make a grant for the coordination, selection, management, and reporting of component studies to an independent scientific research organization with the necessary experience in successfully conducting accountability and other

studies on mobile source air pollutants and associated health effects;

(B) ensure that case studies are identified and conducted by teams selected through a competitive solicitation overseen by an independent committee of unbiased experts; and

(C) ensure that all findings and reports are peer-reviewed and published in a form that presents the findings together with reviewer comments.

(4) REPORT.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

(A) not later than 1 year after the date of enactment of the MAP-21, and for the following year, a report providing an initial scoping and plan, and status updates, respectively, for the program under this subsection; and

(B) not later than 2 years after the date of enactment of the MAP-21, a final report that describes the findings of, and recommendations resulting from, the program under this subsection.

(5) FUNDING.—Of the amounts made available to carry out section 104(a) for fiscal year 2013, the Secretary shall make available to carry out this subsection not more than \$1,000,000.

SEC. 1114. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.

(a) IN GENERAL.—Section 165 of title 23, United States Code, is amended to read as follows:

“**§ 165. Territorial and Puerto Rico highway program**

“(a) DIVISION OF FUNDS.—Of funds made available in a fiscal year for the territorial and Puerto Rico highway program—

“(1) \$150,000,000 shall be for the Puerto Rico highway program under subsection (b); and

“(2) \$40,000,000 shall be for the territorial highway program under subsection (c).

“(b) PUERTO RICO HIGHWAY PROGRAM.—

“(1) IN GENERAL.—The Secretary shall allocate funds made available to carry out this subsection to the Commonwealth of Puerto Rico to carry out a highway program in the Commonwealth.

“(2) TREATMENT OF FUNDS.—Amounts made available to carry out this subsection for a fiscal year shall be administered as follows:

“(A) APPORTIONMENT.—

“(i) IN GENERAL.—For the purpose of imposing any penalty under this title or title 49, the amounts shall be treated as being apportioned to Puerto Rico under sections 104(b) and 144 (as in effect for fiscal year 1997) for each program funded under those sections in an amount determined by multiplying—

“(I) the aggregate of the amounts for the fiscal year; by

“(II) the proportion that—

“(aa) the amount of funds apportioned to Puerto Rico for each such program for fiscal year 1997; bears to

“(bb) the total amount of funds apportioned to Puerto Rico for all such programs for fiscal year 1997.

“(ii) EXCEPTION.—Funds identified under clause (i) as having been apportioned for the national highway system, the surface transportation program, and the Interstate maintenance program shall be deemed to have been apportioned 50 percent for the national highway performance program and 50 percent for the surface transportation program for purposes of imposing such penalties.

“(B) PENALTY.—The amounts treated as being apportioned to Puerto Rico under each section referred to in subparagraph (A) shall be deemed to be required to be apportioned to Puerto Rico under that section for purposes of the imposition of any penalty under this title or title 49.

“(C) ELIGIBLE USES OF FUNDS.—Of amounts allocated to Puerto Rico for the Puerto Rico Highway Program for a fiscal year—

“(i) at least 50 percent shall be available only for purposes eligible under section 119;

“(ii) at least 25 percent shall be available only for purposes eligible under section 148; and

“(iii) any remaining funds may be obligated for activities eligible under chapter 1.

“(3) EFFECT ON APPORTIONMENTS.—Except as otherwise specifically provided, Puerto Rico shall not be eligible to receive funds apportioned to States under this title.

“(c) TERRITORIAL HIGHWAY PROGRAM.—

“(1) TERRITORY DEFINED.—In this subsection, the term ‘territory’ means any of the following territories of the United States:

“(A) American Samoa.

“(B) The Commonwealth of the Northern Mariana Islands.

“(C) Guam.

“(D) The United States Virgin Islands.

“(2) PROGRAM.—

“(A) IN GENERAL.—Recognizing the mutual benefits that will accrue to the territories and the United States from the improvement of highways in the territories, the Secretary may carry out a program to assist each government of a territory in the construction and improvement of a system of arterial and collector highways, and necessary inter-island connectors, that is—

“(i) designated by the Governor or chief executive officer of each territory; and

“(ii) approved by the Secretary.

“(B) FEDERAL SHARE.—The Federal share of Federal financial assistance provided to territories under this subsection shall be in accordance with section 120(g).

“(3) TECHNICAL ASSISTANCE.—

“(A) IN GENERAL.—To continue a long-range highway development program, the Secretary may provide technical assistance to the governments of the territories to enable the territories, on a continuing basis—

“(i) to engage in highway planning;

“(ii) to conduct environmental evaluations;

“(iii) to administer right-of-way acquisition and relocation assistance programs; and

“(iv) to design, construct, operate, and maintain a system of arterial and collector highways, including necessary inter-island connectors.

“(B) FORM AND TERMS OF ASSISTANCE.—Technical assistance provided under subparagraph (A), and the terms for the sharing of information among territories receiving the technical assistance, shall be included in the agreement required by paragraph (5).

“(4) NONAPPLICABILITY OF CERTAIN PROVISIONS.—

“(A) IN GENERAL.—Except to the extent that provisions of this chapter are determined by the Secretary to be inconsistent with the needs of the territories and the intent of this subsection, this chapter (other than provisions of this chapter relating to the apportionment and allocation of funds) shall apply to funds made available under this subsection.

“(B) APPLICABLE PROVISIONS.—The agreement required by paragraph (5) for each territory shall identify the sections of this chapter that are applicable to that territory and the extent of the applicability of those sections.

“(5) AGREEMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (D), none of the funds made available under this subsection shall be available for obligation or expenditure with respect to any territory until the chief executive officer of the territory has entered into an agreement (including an agreement entered into under section 215 as in effect on the day before the enactment of this section) with the Secretary providing that the government of the territory shall—

“(i) implement the program in accordance with applicable provisions of this chapter and paragraph (4);

“(ii) design and construct a system of arterial and collector highways, including necessary inter-island connectors, in accordance with standards that are—

“(I) appropriate for each territory; and

“(II) approved by the Secretary;

“(iii) provide for the maintenance of facilities constructed or operated under this subsection in

a condition to adequately serve the needs of present and future traffic; and

“(iv) implement standards for traffic operations and uniform traffic control devices that are approved by the Secretary.

“(B) TECHNICAL ASSISTANCE.—The agreement required by subparagraph (A) shall—

“(i) specify the kind of technical assistance to be provided under the program;

“(ii) include appropriate provisions regarding information sharing among the territories; and

“(iii) delineate the oversight role and responsibilities of the territories and the Secretary.

“(C) REVIEW AND REVISION OF AGREEMENT.—The agreement entered into under subparagraph (A) shall be reevaluated and, as necessary, revised, at least every 2 years.

“(D) EXISTING AGREEMENTS.—With respect to an agreement under this subsection or an agreement entered into under section 215 of this title as in effect on the day before the date of enactment of this subsection—

“(i) the agreement shall continue in force until replaced by an agreement entered into in accordance with subparagraph (A); and

“(ii) amounts made available under this subsection under the existing agreement shall be available for obligation or expenditure so long as the agreement, or the existing agreement entered into under subparagraph (A), is in effect.

“(6) ELIGIBLE USES OF FUNDS.—

“(A) IN GENERAL.—Funds made available under this subsection may be used only for the following projects and activities carried out in a territory:

“(i) Eligible surface transportation program projects described in section 133(b).

“(ii) Cost-effective, preventive maintenance consistent with section 116(e).

“(iii) Ferry boats, terminal facilities, and approaches, in accordance with subsections (b) and (c) of section 129.

“(iv) Engineering and economic surveys and investigations for the planning, and the financing, of future highway programs.

“(v) Studies of the economy, safety, and convenience of highway use.

“(vi) The regulation and equitable taxation of highway use.

“(vii) Such research and development as are necessary in connection with the planning, design, and maintenance of the highway system.

“(B) PROHIBITION ON USE OF FUNDS FOR ROUTINE MAINTENANCE.—None of the funds made available under this subsection shall be obligated or expended for routine maintenance.

“(7) LOCATION OF PROJECTS.—Territorial highway program projects (other than those described in paragraphs (2), (4), (7), (8), (14), and (19) of section 133(b)) may not be undertaken on roads functionally classified as local.”.

(b) CONFORMING AMENDMENTS.—

(1) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 165 and inserting the following:

“165. Territorial and Puerto Rico highway program.”.

(2) TERRITORIAL HIGHWAY PROGRAM.—

(A) REPEAL.—Section 215 of title 23, United States Code, is repealed.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 2 of title 23, United States Code, is amended by striking the item relating to section 215.

(C) DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 3512(e) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (48 U.S.C. 1421r(e)) is amended by striking “section 215” and inserting “section 165”.

SEC. 1115. NATIONAL FREIGHT POLICY.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“§ 167. National freight policy

“(a) IN GENERAL.—It is the policy of the United States to improve the condition and per-

formance of the national freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

“(b) GOALS.—The goals of the national freight policy are—

“(1) to invest in infrastructure improvements and to implement operational improvements that—

“(A) strengthen the contribution of the national freight network to the economic competitiveness of the United States;

“(B) reduce congestion; and

“(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

“(2) to improve the safety, security, and resilience of freight transportation;

“(3) to improve the state of good repair of the national freight network;

“(4) to use advanced technology to improve the safety and efficiency of the national freight network;

“(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network; and

“(6) to improve the economic efficiency of the national freight network.

“(7) to reduce the environmental impacts of freight movement on the national freight network;

“(c) ESTABLISHMENT OF A NATIONAL FREIGHT NETWORK.—

“(1) IN GENERAL.—The Secretary shall establish a national freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways, including national highway system, freight intermodal connectors and aerotropolis transportation systems.

“(2) NETWORK COMPONENTS.—The national freight network shall consist of—

“(A) the primary freight network, as designated by the Secretary under subsection (d) (referred to in this section as the ‘primary freight network’) as most critical to the movement of freight;

“(B) the portions of the Interstate System not designated as part of the primary freight network; and

“(C) critical rural freight corridors established under subsection (e).

“(d) DESIGNATION OF PRIMARY FREIGHT NETWORK.—

“(1) INITIAL DESIGNATION OF PRIMARY FREIGHT NETWORK.—

“(A) DESIGNATION.—Not later than 1 year after the date of enactment of this section, the Secretary shall designate a primary freight network—

“(i) based on an inventory of national freight volume conducted by the Administrator of the Federal Highway Administration, in consultation with stakeholders, including system users, transport providers, and States; and

“(ii) that shall be comprised of not more than 27,000 centerline miles of existing roadways that are most critical to the movement of freight.

“(B) FACTORS FOR DESIGNATION.—In designating the primary freight network, the Secretary shall consider—

“(i) the origins and destinations of freight movement in the United States;

“(ii) the total freight tonnage and value of freight moved by highways;

“(iii) the percentage of annual average daily truck traffic in the annual average daily traffic on principal arterials;

“(iv) the annual average daily truck traffic on principal arterials;

“(v) land and maritime ports of entry;

“(vi) access to energy exploration, development, installation, or production areas;

“(vii) population centers; and

“(viii) network connectivity.

“(2) ADDITIONAL MILES ON PRIMARY FREIGHT NETWORK.—In addition to the miles initially des-

ignated under paragraph (1), the Secretary may increase the number of miles designated as part of the primary freight network by not more than 3,000 additional centerline miles of roadways (which may include existing or planned roads) critical to future efficient movement of goods on the primary freight network.

“(3) REDESIGNATION OF PRIMARY FREIGHT NETWORK.—Effective beginning 10 years after the designation of the primary freight network and every 10 years thereafter, using the designation factors described in paragraph (1), the Secretary shall redesignate the primary freight network (including additional mileage described in paragraph (2)).

“(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a road within the borders of the State as a critical rural freight corridor if the road—

“(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (FHWA vehicle class 8 to 13);

“(2) provides access to energy exploration, development, installation, or production areas;

“(3) connects the primary freight network, a roadway described in paragraph (1) or (2), or Interstate System to facilities that handle more than—

“(A) 50,000 20-foot equivalent units per year; or

“(B) 500,000 tons per year of bulk commodities.

“(f) NATIONAL FREIGHT STRATEGIC PLAN.—

“(1) INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this section, the Secretary shall, in consultation with State departments of transportation and other appropriate public and private transportation stakeholders, develop and post on the Department of Transportation public website a national freight strategic plan that shall include—

“(A) an assessment of the condition and performance of the national freight network;

“(B) an identification of highway bottlenecks on the national freight network that create significant freight congestion problems, based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

“(i) information from the Freight Analysis Network of the Federal Highway Administration; and

“(ii) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

“(C) forecasts of freight volumes for the 20-year period beginning in the year during which the plan is issued;

“(D) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

“(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

“(F) an identification of routes providing access to energy exploration, development, installation, or production areas;

“(G) best practices for improving the performance of the national freight network;

“(H) best practices to mitigate the impacts of freight movement on communities;

“(I) a process for addressing multistate projects and encouraging jurisdictions to collaborate; and

“(J) strategies to improve freight intermodal connectivity.

“(2) UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 5 years after the date of completion of the first national freight strategic plan under paragraph (1), and every 5 years

thereafter, the Secretary shall update and repost on the Department of Transportation public website a revised national freight strategic plan.

“(g) FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of this section, and biennially thereafter, the Secretary shall prepare a report that contains a description of the conditions and performance of the national freight network in the United States.

“(h) TRANSPORTATION INVESTMENT DATA AND PLANNING TOOLS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall—

“(A) begin development of new tools and improvement of existing tools or improve existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

“(i) methodologies for systematic analysis of benefits and costs;

“(ii) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, environmental sustainability, and system condition in the project selection process; and

“(iii) other elements to assist in effective transportation planning;

“(B) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

“(C) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

“(2) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data in paragraph (1).

“(i) DEFINITION OF AEROTROPOLIS TRANSPORTATION SYSTEM.—In this section, the term ‘aerotropolis transportation system’ means a planned and coordinated multimodal freight and passenger transportation network that, as determined by the Secretary, provides efficient, cost-effective, sustainable, and intermodal connectivity to a defined region of economic significance centered around a major airport.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

“167. National freight program.”

SEC. 1116. PRIORITIZATION OF PROJECTS TO IMPROVE FREIGHT MOVEMENT.

(a) IN GENERAL.—Notwithstanding section 120 of title 23, United States Code, the Secretary may increase the Federal share payable for any project to 95 percent for projects on the Interstate System and 90 percent for any other project if the Secretary certifies that the project meets the requirements of this section.

(b) INCREASED FUNDING.—To be eligible for the increased Federal funding share under this section, a project shall—

(1) demonstrate the improvement made by the project to the efficient movement of freight, including making progress towards meeting performance targets for freight movement established under section 150(d) of title 23, United States Code; and

(2) be identified in a State freight plan developed pursuant to section 1118.

(c) ELIGIBLE PROJECTS.—Eligible projects to improve the movement of freight under this section may include, but are not limited to—

(1) construction, reconstruction, rehabilitation, and operational improvements directly relating to improving freight movement;

(2) intelligent transportation systems and other technology to improve the flow of freight;

(3) efforts to reduce the environmental impacts of freight movement on the primary freight network;

(4) railway-highway grade separation;

(5) geometric improvements to interchanges and ramps.

(6) truck-only lanes;

(7) climbing and runaway truck lanes;

(8) truck parking facilities eligible for funding under section 1401;

(9) real-time traffic, truck parking, roadway condition, and multimodal transportation information systems;

(10) improvements to freight intermodal connectors; and

(11) improvements to truck bottlenecks.

SEC. 1117. STATE FREIGHT ADVISORY COMMITTEES.

(a) IN GENERAL.—The Secretary shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.

(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

(1) advise the State on freight-related priorities, issues, projects, and funding needs;

(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

(3) communicate and coordinate regional priorities with other organizations;

(4) promote the sharing of information between the private and public sectors on freight issues; and

(5) participate in the development of the freight plan of the State described in section 1118.

SEC. 1118. STATE FREIGHT PLANS.

(a) IN GENERAL.—The Secretary shall encourage each State to develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

(1) an identification of significant freight system trends, needs, and issues with respect to the State;

(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

(3) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 167 of title 23, United States Code;

(4) evidence of consideration of innovative technologies and operational strategies, including intelligent transportation systems, that improve the safety and efficiency of freight movement;

(5) in the case of routes on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration; and

(6) an inventory of facilities with freight mobility issues, such as truck bottlenecks, within the State, and a description of the strategies the State is employing to address those freight mobility issues.

(c) RELATIONSHIP TO LONG-RANGE PLAN.—A freight plan described in subsection (a) may be developed separate from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23, United States Code.

SEC. 1119. FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by striking sections 201 through 204 and inserting the following:

“§201. Federal lands and tribal transportation programs

“(a) **PURPOSE.**—Recognizing the need for all public Federal and tribal transportation facilities to be treated under uniform policies similar to the policies that apply to Federal-aid highways and other public transportation facilities, the Secretary of Transportation, in collaboration with the Secretaries of the appropriate Federal land management agencies, shall coordinate a uniform policy for all public Federal and tribal transportation facilities that shall apply to Federal lands transportation facilities, tribal transportation facilities, and Federal lands access transportation facilities.

“(b) **AVAILABILITY OF FUNDS.**—

“(1) **AVAILABILITY.**—Funds authorized for the tribal transportation program, the Federal lands transportation program, and the Federal lands access program shall be available for contract upon apportionment, or on October 1 of the fiscal year for which the funds were authorized if no apportionment is required.

“(2) **AMOUNT REMAINING.**—Any amount remaining unexpended for a period of 3 years after the close of the fiscal year for which the funds were authorized shall lapse.

“(3) **OBLIGATIONS.**—The Secretary of the department responsible for the administration of funds under this subsection may incur obligations, approve projects, and enter into contracts under such authorizations, which shall be considered to be contractual obligations of the United States for the payment of the cost thereof, the funds of which shall be considered to have been expended when obligated.

“(4) **EXPENDITURE.**—

“(A) **IN GENERAL.**—Any funds authorized for any fiscal year after the date of enactment of this section under the Federal lands transportation program, the Federal lands access program, and the tribal transportation program shall be considered to have been expended if a sum equal to the total of the sums authorized for the fiscal year and previous fiscal years have been obligated.

“(B) **CREDITED FUNDS.**—Any funds described in subparagraph (A) that are released by payment of final voucher or modification of project authorizations shall be—

“(i) credited to the balance of unobligated authorizations; and

“(ii) immediately available for expenditure.

“(5) **APPLICABILITY.**—This section shall not apply to funds authorized before the date of enactment of this paragraph.

“(6) **CONTRACTUAL OBLIGATION.**—

“(A) **IN GENERAL.**—Notwithstanding any other provision of law (including regulations), the authorization by the Secretary, or the Secretary of the appropriate Federal land management agency if the agency is the contracting office, of engineering and related work for the development, design, and acquisition associated with a construction project, whether performed by contract or agreement authorized by law, or the approval by the Secretary of plans, specifications, and estimates for construction of a project, shall be considered to constitute a contractual obligation of the Federal Government to pay the total eligible cost of—

“(i) any project funded under this title; and

“(ii) any project funded pursuant to agreements authorized by this title or any other title.

“(B) **EFFECT.**—Nothing in this paragraph—

“(i) affects the application of the Federal share associated with the project being undertaken under this section; or

“(ii) modifies the point of obligation associated with Federal salaries and expenses.

“(7) **FEDERAL SHARE.**—

“(A) **TRIBAL AND FEDERAL LANDS TRANSPORTATION PROGRAM.**—The Federal share of the cost of a project carried out under the Federal lands transportation program or the tribal transportation program shall be 100 percent.

“(B) **FEDERAL LANDS ACCESS PROGRAM.**—The Federal share of the cost of a project carried out

under the Federal lands access program shall be determined in accordance with section 120.

“(c) **TRANSPORTATION PLANNING.**—

“(1) **TRANSPORTATION PLANNING PROCEDURES.**—In consultation with the Secretary of each appropriate Federal land management agency, the Secretary shall implement transportation planning procedures for Federal lands and tribal transportation facilities that are consistent with the planning processes required under sections 134 and 135.

“(2) **APPROVAL OF TRANSPORTATION IMPROVEMENT PROGRAM.**—The transportation improvement program developed as a part of the transportation planning process under this section shall be approved by the Secretary.

“(3) **INCLUSION IN OTHER PLANS.**—Each regionally significant tribal transportation program, Federal lands transportation program, and Federal lands access program project shall be—

“(A) developed in cooperation with State and metropolitan planning organizations; and

“(B) included in appropriate tribal transportation program plans, Federal lands transportation program plans, Federal lands access program plans, State and metropolitan plans, and transportation improvement programs.

“(4) **INCLUSION IN STATE PROGRAMS.**—The approved tribal transportation program, Federal lands transportation program, and Federal lands access program transportation improvement programs shall be included in appropriate State and metropolitan planning organization plans and programs without further action on the transportation improvement program.

“(5) **ASSET MANAGEMENT.**—The Secretary and the Secretary of each appropriate Federal land management agency shall, to the extent appropriate, implement safety, bridge, pavement, and congestion management systems for facilities funded under the tribal transportation program and the Federal lands transportation program in support of asset management.

“(6) **DATA COLLECTION.**—

“(A) **DATA COLLECTION.**—The Secretaries of the appropriate Federal land management agencies shall collect and report data necessary to implement the Federal lands transportation program, the Federal lands access program, and the tribal transportation program in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), including—

“(i) inventory and condition information on Federal lands transportation facilities and tribal transportation facilities; and

“(ii) bridge inspection and inventory information on any Federal bridge open to the public.

“(B) **STANDARDS.**—The Secretary, in coordination with the Secretaries of the appropriate Federal land management agencies, shall define the collection and reporting data standards.

“(7) **ADMINISTRATIVE EXPENSES.**—To implement the activities described in this subsection, including direct support of transportation planning activities among Federal land management agencies, the Secretary may use not more than 5 percent for each fiscal year of the funds authorized for programs under sections 203 and 204.

“(d) **REIMBURSABLE AGREEMENTS.**—In carrying out work under reimbursable agreements with any State, local, or tribal government under this title, the Secretary—

“(1) may, without regard to any other provision of law (including regulations), record obligations against accounts receivable from the entity; and

“(2) shall credit amounts received from the entity to the appropriate account, which shall occur not later than 90 days after the date of the original request by the Secretary for payment.

“(e) **TRANSFERS.**—

“(1) **IN GENERAL.**—To enable the efficient use of funds made available for the Federal lands transportation program and the Federal lands access program, the funds may be transferred by the Secretary within and between each program with the concurrence of, as appropriate—

“(A) the Secretary;

“(B) the affected Secretaries of the respective Federal land management agencies;

“(C) State departments of transportation; and

“(D) local government agencies.

“(2) **CREDIT.**—The funds described in paragraph (1) shall be credited back to the loaning entity with funds that are currently available for obligation at the time of the credit.

“§202. Tribal transportation program

“(a) **USE OF FUNDS.**—

“(1) **IN GENERAL.**—Funds made available under the tribal transportation program shall be used by the Secretary of Transportation and the Secretary of the Interior to pay the costs of—

“(A)(i) transportation planning, research, maintenance, engineering, rehabilitation, restoration, construction, and reconstruction of tribal transportation facilities;

“(ii) adjacent vehicular parking areas;

“(iii) interpretive signage;

“(iv) acquisition of necessary scenic easements and scenic or historic sites;

“(v) provisions for pedestrians and bicycles;

“(vi) environmental mitigation in or adjacent to tribal land—

“(I) to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and

“(II) to mitigate the damage to wildlife, aquatic organism passage, habitat, and ecosystem connectivity, including the costs of constructing, maintaining, replacing, or removing culverts and bridges, as appropriate;

“(vii) construction and reconstruction of roadside rest areas, including sanitary and water facilities; and

“(viii) other appropriate public road facilities as determined by the Secretary;

“(B) operation and maintenance of transit programs and facilities that are located on, or provide access to, tribal land, or are administered by a tribal government; and

“(C) any transportation project eligible for assistance under this title that is located within, or that provides access to, tribal land, or is associated with a tribal government.

“(2) **CONTRACT.**—In connection with an activity described in paragraph (1), the Secretary and the Secretary of the Interior may enter into a contract or other appropriate agreement with respect to the activity with—

“(A) a State (including a political subdivision of a State); or

“(B) an Indian tribe.

“(3) **INDIAN LABOR.**—Indian labor may be employed, in accordance with such rules and regulations as may be promulgated by the Secretary of the Interior, to carry out any construction or other activity described in paragraph (1).

“(4) **FEDERAL EMPLOYMENT.**—No maximum limitation on Federal employment shall be applicable to the construction or improvement of tribal transportation facilities.

“(5) **FUNDS FOR CONSTRUCTION AND IMPROVEMENT.**—All funds made available for the construction and improvement of tribal transportation facilities shall be administered in conformity with regulations and agreements jointly approved by the Secretary and the Secretary of the Interior.

“(6) **ADMINISTRATIVE EXPENSES.**—Of the funds authorized to be appropriated for the tribal transportation program, not more than 6 percent may be used by the Secretary or the Secretary of the Interior for program management and oversight and project-related administrative expenses.

“(7) **TRIBAL TECHNICAL ASSISTANCE CENTERS.**—The Secretary of the Interior may reserve amounts from administrative funds of the Bureau of Indian Affairs that are associated with the tribal transportation program to fund tribal technical assistance centers under section 504(b).

“(8) **MAINTENANCE.**—

“(A) **USE OF FUNDS.**—Notwithstanding any other provision of this title, of the amount of

funds allocated to an Indian tribe from the tribal transportation program, for the purpose of maintenance (excluding road sealing, which shall not be subject to any limitation), the Secretary shall not use an amount more than the greater of—

- “(i) an amount equal to 25 percent; or
- “(ii) \$500,000.

“(B) RESPONSIBILITY OF BUREAU OF INDIAN AFFAIRS AND SECRETARY OF THE INTERIOR.—

“(i) BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall retain primary responsibility, including annual funding request responsibility, for Bureau of Indian Affairs road maintenance programs on Indian reservations.

“(ii) SECRETARY OF THE INTERIOR.—The Secretary of the Interior shall ensure that funding made available under this subsection for maintenance of tribal transportation facilities for each fiscal year is supplementary to, and not in lieu of, any obligation of funds by the Bureau of Indian Affairs for road maintenance programs on Indian reservations.

“(C) TRIBAL-STATE ROAD MAINTENANCE AGREEMENTS.—

“(i) IN GENERAL.—An Indian tribe and a State may enter into a road maintenance agreement under which an Indian tribe shall assume the responsibility of the State for—

- “(I) tribal transportation facilities; and

“(II) roads providing access to tribal transportation facilities.

“(ii) REQUIREMENTS.—Agreements entered into under clause (i) shall—

“(I) be negotiated between the State and the Indian tribe; and

“(II) not require the approval of the Secretary.

- “(9) COOPERATION.—

“(A) IN GENERAL.—The cooperation of States, counties, or other local subdivisions may be accepted in construction and improvement.

“(B) FUNDS RECEIVED.—Any funds received from a State, county, or local subdivision shall be credited to appropriations available for the tribal transportation program.

- “(10) COMPETITIVE BIDDING.—

- “(A) CONSTRUCTION.—

“(i) IN GENERAL.—Subject to clause (ii) and subparagraph (B), construction of each project shall be performed by contract awarded by competitive bidding.

“(ii) EXCEPTION.—Clause (i) shall not apply if the Secretary or the Secretary of the Interior affirmatively finds that, under the circumstances relating to the project, a different method is in the public interest.

“(B) APPLICABILITY.—Notwithstanding subparagraph (A), section 23 of the Act of June 25, 1910 (25 U.S.C. 47) and section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b)) shall apply to all funds administered by the Secretary of the Interior that are appropriated for the construction and improvement of tribal transportation facilities.

- “(b) FUNDS DISTRIBUTION.—

“(I) NATIONAL TRIBAL TRANSPORTATION FACILITY INVENTORY.—

“(A) IN GENERAL.—The Secretary of the Interior, in cooperation with the Secretary, shall maintain a comprehensive national inventory of tribal transportation facilities that are eligible for assistance under the tribal transportation program.

“(B) TRANSPORTATION FACILITIES INCLUDED IN THE INVENTORY.—For purposes of identifying the tribal transportation system and determining the relative transportation needs among Indian tribes, the Secretary shall include, at a minimum, transportation facilities that are eligible for assistance under the tribal transportation program that an Indian tribe has requested, including facilities that—

“(i) were included in the Bureau of Indian Affairs system inventory prior to October 1, 2004;

“(ii) are owned by an Indian tribal government;

“(iii) are owned by the Bureau of Indian Affairs;

“(iv) were constructed or reconstructed with funds from the Highway Trust Fund under the Indian reservation roads program since 1983;

“(v) are public roads or bridges within the exterior boundary of Indian reservations, Alaska Native villages, and other recognized Indian communities (including communities in former Indian reservations in the State of Oklahoma) in which the majority of residents are American Indians or Alaska Natives;

“(vi) are public roads within or providing access to an Indian reservation or Indian trust land or restricted Indian land that is not subject to fee title alienation without the approval of the Federal Government, or Indian or Alaska Native villages, groups, or communities in which Indians and Alaska Natives reside, whom the Secretary of the Interior has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians; or

“(vii) are primary access routes proposed by tribal governments, including roads between villages, roads to landfills, roads to drinking water sources, roads to natural resources identified for economic development, and roads that provide access to intermodal terminals, such as airports, harbors, or boat landings.

“(C) LIMITATION ON PRIMARY ACCESS ROUTES.—For purposes of this paragraph, a proposed primary access route is the shortest practicable route connecting 2 points of the proposed route.

“(D) ADDITIONAL FACILITIES.—Nothing in this paragraph precludes the Secretary from including additional transportation facilities that are eligible for funding under the tribal transportation program in the inventory used for the national funding allocation if such additional facilities are included in the inventory in a uniform and consistent manner nationally.

“(E) BRIDGES.—All bridges in the inventory shall be recorded in the national bridge inventory administered by the Secretary under section 144.

“(2) REGULATIONS.—Notwithstanding sections 563(a) and 565(a) of title 5, the Secretary of the Interior shall maintain any regulations governing the tribal transportation program.

- “(3) BASIS FOR FUNDING FORMULA.—

- “(A) BASIS.—

“(i) IN GENERAL.—After making the set asides authorized under subparagraph (C) and subsections (c), (d), and (e) on October 1 of each fiscal year, the Secretary shall distribute the remainder authorized to be appropriated for the tribal transportation program under this section among Indian tribes as follows:

- “(I) For fiscal year 2013—

“(aa) for each Indian tribe, 80 percent of the total relative need distribution factor and population adjustment factor for the fiscal year 2011 funding amount made available to that Indian tribe; and

“(bb) the remainder using tribal shares as described in subparagraphs (B) and (C).

- “(II) For fiscal year 2014—

“(aa) for each Indian tribe, 60 percent of the total relative need distribution factor and population adjustment factor for the fiscal year 2011 funding amount made available to that Indian tribe; and

“(bb) the remainder using tribal shares as described in subparagraphs (B) and (C).

- “(III) For fiscal year 2015—

“(aa) for each Indian tribe, 40 percent of the total relative need distribution factor and population adjustment factor for the fiscal year 2011 funding amount made available to that Indian tribe; and

“(bb) the remainder using tribal shares as described in subparagraphs (B) and (C).

- “(IV) For fiscal year 2016 and thereafter—

“(aa) for each Indian tribe, 20 percent of the total relative need distribution factor and population adjustment factor for the fiscal year 2011 funding amount made available to that Indian tribe; and

“(bb) the remainder using tribal shares as described in subparagraphs (B) and (C).

“(ii) TRIBAL HIGH PRIORITY PROJECTS.—The High Priority Projects program as included in the Tribal Transportation Allocation Methodology of part 170 of title 25, Code of Federal Regulations (as in effect on the date of enactment of the MAP-21), shall not continue in effect.

“(B) TRIBAL SHARES.—Tribal shares under this program shall be determined using the national tribal transportation facility inventory as calculated for fiscal year 2012, and the most recent data on American Indian and Alaska Native population within each Indian tribe's American Indian/Alaska Native Reservation or Statistical Area, as computed under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), in the following manner:

“(i) 27 percent in the ratio that the total eligible road mileage in each tribe bears to the total eligible road mileage of all American Indians and Alaskan Natives. For the purposes of this calculation, eligible road mileage shall be computed based on the inventory described in paragraph (1), using only facilities included in the inventory described in clause (i), (ii), or (iii) of paragraph (1)(B).

“(ii) 39 percent in the ratio that the total population in each tribe bears to the total population of all American Indians and Alaskan Natives.

“(iii) 34 percent shall be divided equally among each Bureau of Indian Affairs region. Within each region, such share of funds shall be distributed to each Indian tribe in the ratio that the average total relative need distribution factors and population adjustment factors from fiscal years 2005 through 2011 for a tribe bears to the average total of relative need distribution factors and population adjustment factors for fiscal years 2005 through 2011 in that region.

- “(C) TRIBAL SUPPLEMENTAL FUNDING.—

“(i) TRIBAL SUPPLEMENTAL FUNDING AMOUNT.—Of funds made available for each fiscal year for the tribal transportation program, the Secretary shall set aside the following amount for a tribal supplemental program:

“(I) If the amount made available for the tribal transportation program is less than or equal to \$275,000,000, 30 percent of such amount.

“(II) If the amount made available for the tribal transportation program exceeds \$275,000,000—

- “(aa) \$82,500,000; plus

“(bb) 12.5 percent of the amount made available for the tribal transportation program in excess of \$275,000,000.

“(ii) TRIBAL SUPPLEMENTAL ALLOCATION.—The Secretary shall distribute tribal supplemental funds as follows:

“(I) DISTRIBUTION AMONG REGIONS.—Of the amounts set aside under clause (i), the Secretary shall distribute to each region of the Bureau of Indian Affairs a share of tribal supplemental funds in proportion to the regional total of tribal shares based on the cumulative tribal shares of all Indian tribes within such region under subparagraph (B).

“(II) DISTRIBUTION WITHIN A REGION.—Of the amount that a region receives under subclause (I), the Secretary shall distribute tribal supplemental funding among Indian tribes within such region as follows:

“(aa) TRIBAL SUPPLEMENTAL AMOUNTS.—The Secretary shall determine—

“(AA) which such Indian tribes would be entitled under subparagraph (A) to receive in a fiscal year less funding than they would receive in fiscal year 2011 pursuant to the relative need distribution factor and population adjustment factor, as described in subpart C of part 170 of title 25, Code of Federal Regulations (as in effect on the date of enactment of the MAP-21); and

“(BB) the combined amount that such Indian tribes would be entitled to receive in fiscal year 2011 pursuant to such relative need distribution factor and population adjustment factor in excess of the amount that they would be entitled

to receive in the fiscal year under subparagraph (B).

“(bb) COMBINED AMOUNT.—Subject to subclause (III), the Secretary shall distribute to each Indian tribe that meets the criteria described in item (aa)(AA) a share of funding under this subparagraph in proportion to the share of the combined amount determined under item (aa)(BB) attributable to such Indian tribe.

“(III) CEILING.—An Indian tribe may not receive under subclause (II) and based on its tribal share under subparagraph (A) a combined amount that exceeds the amount that such Indian tribe would be entitled to receive in fiscal year 2011 pursuant to the relative need distribution factor and population adjustment factor, as described in subpart C of part 170 of title 25, Code of Federal Regulations (as in effect on the date of enactment of the MAP-21).

“(IV) OTHER AMOUNTS.—If the amount made available for a region under subclause (I) exceeds the amount distributed among Indian tribes within that region under subclause (II), the Secretary shall distribute the remainder of such region’s funding under such subclause among all Indian tribes in that region in proportion to the combined amount that each such Indian tribe received under subparagraph (A) and subclauses (I), (II), and (III).]

“(4) TRANSFERRED FUNDS.—

“(A) IN GENERAL.—Not later than 30 days after the date on which funds are made available to the Secretary of the Interior under this paragraph, the funds shall be distributed to, and made available for immediate use by, eligible Indian tribes, in accordance with the formula for distribution of funds under the tribal transportation program.

“(B) USE OF FUNDS.—Notwithstanding any other provision of this section, funds made available to Indian tribes for tribal transportation facilities shall be expended on projects identified in a transportation improvement program approved by the Secretary.

“(5) HEALTH AND SAFETY ASSURANCES.—Notwithstanding any other provision of law, an Indian tribal government may approve plans, specifications, and estimates and commence road and bridge construction with funds made available from the tribal transportation program through a contract or agreement under Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), if the Indian tribal government—

“(A) provides assurances in the contract or agreement that the construction will meet or exceed applicable health and safety standards;

“(B) obtains the advance review of the plans and specifications from a State-licensed civil engineer that has certified that the plans and specifications meet or exceed the applicable health and safety standards; and

“(C) provides a copy of the certification under subparagraph (A) to the Deputy Assistant Secretary for Tribal Government Affairs, Department of Transportation, or the Assistant Secretary for Indian Affairs, Department of the Interior, as appropriate.

“(6) CONTRACTS AND AGREEMENTS WITH INDIAN TRIBES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law or any interagency agreement, program guideline, manual, or policy directive, all funds made available through the Secretary of the Interior under this chapter and section 125(e) for tribal transportation facilities to pay for the costs of programs, services, functions, and activities, or portions of programs, services, functions, or activities, that are specifically or functionally related to the cost of planning, research, engineering, and construction of any tribal transportation facility shall be made available, upon request of the Indian tribal government, to the Indian tribal government for contracts and agreements for such planning, research, engineering, and construction in accordance with Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(B) EXCLUSION OF AGENCY PARTICIPATION.—All funds, including contract support costs, for

programs, functions, services, or activities, or portions of programs, services, functions, or activities, including supportive administrative functions that are otherwise contractible to which subparagraph (A) applies, shall be paid in accordance with subparagraph (A), without regard to the organizational level at which the Department of the Interior has previously carried out such programs, functions, services, or activities.

“(7) CONTRACTS AND AGREEMENTS WITH INDIAN TRIBES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law or any interagency agreement, program guideline, manual, or policy directive, all funds made available to an Indian tribal government under this chapter for a tribal transportation facility program or project shall be made available, on the request of the Indian tribal government, to the Indian tribal government for use in carrying out, in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), contracts and agreements for the planning, research, design, engineering, construction, and maintenance relating to the program or project.

“(B) EXCLUSION OF AGENCY PARTICIPATION.—In accordance with subparagraph (A), all funds, including contract support costs, for a program or project to which subparagraph (A) applies shall be paid to the Indian tribal government without regard to the organizational level at which the Department of the Interior has previously carried out, or the Department of Transportation has previously carried out under the tribal transportation program, the programs, functions, services, or activities involved.

“(C) CONSORTIA.—Two or more Indian tribes that are otherwise eligible to participate in a program or project to which this chapter applies may form a consortium to be considered as a single Indian tribe for the purpose of participating in the project under this section.

“(D) SECRETARY AS SIGNATORY.—Notwithstanding any other provision of law, the Secretary is authorized to enter into a funding agreement with an Indian tribal government to carry out a tribal transportation facility program or project under subparagraph (A) that is located on an Indian reservation or provides access to the reservation or a community of the Indian tribe.

“(E) FUNDING.—The amount an Indian tribal government receives for a program or project under subparagraph (A) shall equal the sum of the funding that the Indian tribal government would otherwise receive for the program or project in accordance with the funding formula established under this subsection and such additional amounts as the Secretary determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project.

“(F) ELIGIBILITY.—

“(i) IN GENERAL.—Subject to clause (ii) and the approval of the Secretary, funds may be made available under subparagraph (A) to an Indian tribal government for a program or project in a fiscal year only if the Indian tribal government requesting such funds demonstrates to the satisfaction of the Secretary financial stability and financial management capability during the 3 fiscal years immediately preceding the fiscal year for which the request is being made.

“(ii) CONSIDERATIONS.—An Indian tribal government that had no uncorrected significant and material audit exceptions in the required annual audit of the contracts or self-governance funding agreements made by the Indian tribe with any Federal agency under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) during the 3-fiscal year period referred in clause (i) shall be conclusive evidence of the financial stability and financial management capability of the Indian tribe for purposes of clause (i).

“(G) ASSUMPTION OF FUNCTIONS AND DUTIES.—An Indian tribal government receiving funding

under subparagraph (A) for a program or project shall assume all functions and duties that the Secretary of the Interior would have performed with respect to a program or project under this chapter, other than those functions and duties that inherently cannot be legally transferred under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(H) POWERS.—An Indian tribal government receiving funding under subparagraph (A) for a program or project shall have all powers that the Secretary of the Interior would have exercised in administering the funds transferred to the Indian tribal government for such program or project under this section if the funds had not been transferred, except to the extent that such powers are powers that inherently cannot be legally transferred under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(I) DISPUTE RESOLUTION.—In the event of a disagreement between the Secretary or the Secretary of the Interior and an Indian tribe over whether a particular function, duty, or power may be lawfully transferred to the Indian tribe under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), the Indian tribe shall have the right to pursue all alternative dispute resolution and appeal procedures authorized by that Act, including regulations issued to carry out the Act.

“(J) TERMINATION OF CONTRACT OR AGREEMENT.—On the date of the termination of a contract or agreement under this section by an Indian tribal government, the Secretary shall transfer all funds that would have been allocated to the Indian tribal government under the contract or agreement to the Secretary of the Interior to provide continued transportation services in accordance with applicable law.

“(c) PLANNING.—

“(1) IN GENERAL.—For each fiscal year, not more than 2 percent of the funds made available for the tribal transportation program shall be allocated among Indian tribal governments that apply for transportation planning pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

“(2) REQUIREMENT.—An Indian tribal government, in cooperation with the Secretary of the Interior and, as appropriate, with a State, local government, or metropolitan planning organization, shall carry out a transportation planning process in accordance with section 201(c).

“(3) SELECTION AND APPROVAL OF PROJECTS.—A project funded under this section shall be—

“(A) selected by the Indian tribal government from the transportation improvement program; and

“(B) subject to the approval of the Secretary of the Interior and the Secretary.

“(d) TRIBAL TRANSPORTATION FACILITY BRIDGES.—

“(1) NATIONWIDE PRIORITY PROGRAM.—The Secretary shall maintain a nationwide priority program for improving deficient bridges eligible for the tribal transportation program.

“(2) FUNDING.—Before making any distribution under subsection (b), the Secretary shall set aside not more than 2 percent of the funds made available under the tribal transportation program for each fiscal year to be allocated—

“(A) to carry out any planning, design, engineering, preconstruction, construction, and inspection of a project to replace, rehabilitate, seismically retrofit, paint, apply calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing composition; or

“(B) to implement any countermeasure for deficient tribal transportation facility bridges, including multiple-pipe culverts.

“(3) ELIGIBLE BRIDGES.—To be eligible to receive funding under this subsection, a bridge described in paragraph (1) shall—

“(A) have an opening of not less than 20 feet;

“(B) be classified as a tribal transportation facility; and

“(C) be structurally deficient or functionally obsolete.

“(4) APPROVAL REQUIREMENT.—The Secretary may make funds available under this subsection for preliminary engineering, construction, and construction engineering activities after approval of required documentation and verification of eligibility in accordance with this title.

“(e) SAFETY.—

“(1) FUNDING.—Before making any distribution under subsection (b), the Secretary shall set aside not more than 2 percent of the funds made available under the tribal transportation program for each fiscal year to be allocated based on an identification and analysis of highway safety issues and opportunities on tribal land, as determined by the Secretary, on application of the Indian tribal governments for eligible projects described in section 148(a)(4).

“(2) PROJECT SELECTION.—An Indian tribal government, in cooperation with the Secretary of the Interior and, as appropriate, with a State, local government, or metropolitan planning organization, shall select projects from the transportation improvement program, subject to the approval of the Secretary and the Secretary of the Interior.

“(f) FEDERAL-AID ELIGIBLE PROJECTS.—Before approving as a project on a tribal transportation facility any project eligible for funds apportioned under section 104 in a State, the Secretary shall, for projects on tribal transportation facilities, determine that the obligation of funds for the project is supplementary to and not in lieu of the obligation of a fair and equitable share of funds apportioned to the State under section 104.

“§203. Federal lands transportation program

“(a) USE OF FUNDS.—

“(1) IN GENERAL.—Funds made available under the Federal lands transportation program shall be used by the Secretary of Transportation and the Secretary of the appropriate Federal land management agency to pay the costs of—

“(A) program administration, transportation planning, research, preventive maintenance, engineering, rehabilitation, restoration, construction, and reconstruction of Federal lands transportation facilities, and—

“(i) adjacent vehicular parking areas;

“(ii) acquisition of necessary scenic easements and scenic or historic sites;

“(iii) provision for pedestrians and bicycles;

“(iv) environmental mitigation in or adjacent to Federal land open to the public—

“(I) to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and

“(II) to mitigate the damage to wildlife, aquatic organism passage, habitat, and ecosystem connectivity, including the costs of constructing, maintaining, replacing, or removing culverts and bridges, as appropriate;

“(v) construction and reconstruction of roadside rest areas, including sanitary and water facilities;

“(vi) congestion mitigation; and

“(vii) other appropriate public road facilities, as determined by the Secretary;

“(B) operation and maintenance of transit facilities;

“(C) any transportation project eligible for assistance under this title that is on a public road within or adjacent to, or that provides access to, Federal lands open to the public; and

“(D) not more than \$10,000,000 of the amounts made available per fiscal year to carry out this section for activities eligible under subparagraph (A)(iv).

“(2) CONTRACT.—In connection with an activity described in paragraph (1), the Secretary and the Secretary of the appropriate Federal land management agency may enter into a contract or other appropriate agreement with respect to the activity with—

“(A) a State (including a political subdivision of a State); or

“(B) an Indian tribe.

“(3) ADMINISTRATION.—All appropriations for the construction and improvement of Federal lands transportation facilities shall be administered in conformity with regulations and agreements jointly approved by the Secretary and the Secretary of the appropriate Federal land managing agency.

“(4) COOPERATION.—

“(A) IN GENERAL.—The cooperation of States, counties, or other local subdivisions may be accepted in construction and improvement.

“(B) FUNDS RECEIVED.—Any funds received from a State, county, or local subdivision shall be credited to appropriations available for the class of Federal lands transportation facilities to which the funds were contributed.

“(5) COMPETITIVE BIDDING.—

“(A) IN GENERAL.—Subject to subparagraph (B), construction of each project shall be performed by contract awarded by competitive bidding.

“(B) EXCEPTION.—Subparagraph (A) shall not apply if the Secretary or the Secretary of the appropriate Federal land management agency affirmatively finds that, under the circumstances relating to the project, a different method is in the public interest.

“(b) AGENCY PROGRAM DISTRIBUTIONS.—

“(1) IN GENERAL.—On October 1, 2011, and on October 1 of each fiscal year thereafter, the Secretary shall allocate the sums authorized to be appropriated for the fiscal year for the Federal lands transportation program on the basis of applications of need, as determined by the Secretary—

“(A) in consultation with the Secretaries of the applicable Federal land management agencies; and

“(B) in coordination with the transportation plans required under section 201 of the respective transportation systems of—

“(i) the National Park Service;

“(ii) the Forest Service;

“(iii) the United States Fish and Wildlife Service;

“(iv) the Corps of Engineers; and

“(v) the Bureau of Land Management.

“(2) APPLICATIONS.—

“(A) REQUIREMENTS.—Each application submitted by a Federal land management agency shall include proposed programs at various potential funding levels, as defined by the Secretary following collaborative discussions with applicable Federal land management agencies.

“(B) CONSIDERATION BY SECRETARY.—In evaluating an application submitted under subparagraph (A), the Secretary shall consider the extent to which the programs support—

“(i) the transportation goals of—

“(I) a state of good repair of transportation facilities;

“(II) a reduction of bridge deficiencies, and

“(III) an improvement of safety;

“(ii) high-use Federal recreational sites or Federal economic generators; and

“(iii) the resource and asset management goals of the Secretary of the respective Federal land management agency.

“(C) PERMISSIVE CONTENTS.—Applications may include proposed programs the duration of which extend over a multiple-year period to support long-term transportation planning and resource management initiatives.

“(c) NATIONAL FEDERAL LANDS TRANSPORTATION FACILITY INVENTORY.—

“(1) IN GENERAL.—The Secretaries of the appropriate Federal land management agencies, in cooperation with the Secretary, shall maintain a comprehensive national inventory of public Federal lands transportation facilities.

“(2) TRANSPORTATION FACILITIES INCLUDED IN THE INVENTORIES.—To identify the Federal lands transportation system and determine the relative transportation needs among Federal land management agencies, the inventories shall include, at a minimum, facilities that—

“(A) provide access to high-use Federal recreation sites or Federal economic generators, as

determined by the Secretary in coordination with the respective Secretaries of the appropriate Federal land management agencies; and

“(B) are owned by 1 of the following agencies:

“(i) The National Park Service.

“(ii) The Forest Service.

“(iii) The United States Fish and Wildlife Service.

“(iv) The Bureau of Land Management.

“(v) The Corps of Engineers.

“(3) AVAILABILITY.—The inventories shall be made available to the Secretary.

“(4) UPDATES.—The Secretaries of the appropriate Federal land management agencies shall update the inventories of the appropriate Federal land management agencies, as determined by the Secretary after collaborative discussions with the Secretaries of the appropriate Federal land management agencies.

“(5) REVIEW.—A decision to add or remove a facility from the inventory shall not be considered a Federal action for purposes of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(d) BICYCLE SAFETY.—The Secretary of the appropriate Federal land management agency shall prohibit the use of bicycles on each federally owned road that has a speed limit of 30 miles per hour or greater and an adjacent paved path for use by bicycles within 100 yards of the road unless the Secretary determines that the bicycle level of service on that roadway is rated B or higher.

“§204. Federal lands access program

“(a) USE OF FUNDS.—

“(1) IN GENERAL.—Funds made available under the Federal lands access program shall be used by the Secretary of Transportation and the Secretary of the appropriate Federal land management agency to pay the cost of—

“(A) transportation planning, research, engineering, preventive maintenance, rehabilitation, restoration, construction, and reconstruction of Federal lands access transportation facilities located on or adjacent to, or that provide access to, Federal land, and—

“(i) adjacent vehicular parking areas;

“(ii) acquisition of necessary scenic easements and scenic or historic sites;

“(iii) provisions for pedestrians and bicycles;

“(iv) environmental mitigation in or adjacent to Federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;

“(v) construction and reconstruction of roadside rest areas, including sanitary and water facilities; and

“(vi) other appropriate public road facilities, as determined by the Secretary;

“(B) operation and maintenance of transit facilities; and

“(C) any transportation project eligible for assistance under this title that is within or adjacent to, or that provides access to, Federal land.

“(2) CONTRACT.—In connection with an activity described in paragraph (1), the Secretary and the Secretary of the appropriate Federal land management agency may enter into a contract or other appropriate agreement with respect to the activity with—

“(A) a State (including a political subdivision of a State); or

“(B) an Indian tribe.

“(3) ADMINISTRATION.—All appropriations for the construction and improvement of Federal lands access transportation facilities shall be administered in conformity with regulations and agreements approved by the Secretary.

“(4) COOPERATION.—

“(A) IN GENERAL.—The cooperation of States, counties, or other local subdivisions may be accepted in construction and improvement.

“(B) FUNDS RECEIVED.—Any funds received from a State, county, or local subdivision for a Federal lands access transportation facility project shall be credited to appropriations available under the Federal lands access program.

“(5) COMPETITIVE BIDDING.—

“(A) IN GENERAL.—Subject to subparagraph (B), construction of each project shall be performed by contract awarded by competitive bidding.

“(B) EXCEPTION.—Subparagraph (A) shall not apply if the Secretary or the Secretary of the appropriate Federal land management agency affirmatively finds that, under the circumstances relating to the project, a different method is in the public interest.

“(b) PROGRAM DISTRIBUTIONS.—

“(1) IN GENERAL.—Funding made available to carry out the Federal lands access program shall be allocated among those States that have Federal land, in accordance with the following formula:

“(A) 80 percent of the available funding for use in those States that contain at least 1½ percent of the total public land in the United States managed by the agencies described in paragraph (2), to be distributed as follows:

“(i) 30 percent in the ratio that—

“(I) recreational visitation within each such State; bears to

“(II) the recreational visitation within all such States.

“(ii) 5 percent in the ratio that—

“(I) the Federal land area within each such State; bears to

“(II) the Federal land area in all such States.

“(iii) 55 percent in the ratio that—

“(I) the Federal public road miles within each such State; bears to

“(II) the Federal public road miles in all such States.

“(iv) 10 percent in the ratio that—

“(I) the number of Federal public bridges within each such State; bears to

“(II) the number of Federal public bridges in all such States.

“(B) 20 percent of the available funding for use in those States that do not contain at least 1½ percent of the total public land in the United States managed by the agencies described in paragraph (2), to be distributed as follows:

“(i) 30 percent in the ratio that—

“(I) recreational visitation within each such State; bears to

“(II) the recreational visitation within all such States.

“(ii) 5 percent in the ratio that—

“(I) the Federal land area within each such State; bears to

“(II) the Federal land area in all such States.

“(iii) 55 percent in the ratio that—

“(I) the Federal public road miles within each such State; bears to

“(II) the Federal public road miles in all such States.

“(iv) 10 percent in the ratio that—

“(I) the number of Federal public bridges within each such State; bears to

“(II) the number of Federal public bridges in all such States.

“(2) DATA SOURCE.—Data necessary to distribute funding under paragraph (1) shall be provided by the following Federal land management agencies:

“(A) The National Park Service.

“(B) The Forest Service.

“(C) The United States Fish and Wildlife Service.

“(D) The Bureau of Land Management.

“(E) The Corps of Engineers.

“(c) PROGRAMMING DECISIONS COMMITTEE.—

“(1) IN GENERAL.—Programming decisions shall be made within each State by a committee comprised of—

“(A) a representative of the Federal Highway Administration;

“(B) a representative of the State Department of Transportation; and

“(C) a representative of any appropriate political subdivision of the State.

“(2) CONSULTATION REQUIREMENT.—The committee described in paragraph (1) shall cooperate with each applicable Federal agency in each State before any joint discussion or final programming decision.

“(3) PROJECT PREFERENCE.—In making a programming decision under paragraph (1), the committee shall give preference to projects that provide access to, are adjacent to, or are located within high-use Federal recreation sites or Federal economic generators, as identified by the Secretaries of the appropriate Federal land management agencies.”.

(b) PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS.—Section 214 of title 23, United States Code, is repealed.

(c) CONFORMING AMENDMENTS.—

(1) CHAPTER 2 ANALYSIS.—The analysis for chapter 2 of title 23, United States Code, is amended—

(A) by striking the items relating to sections 201 through 204 and inserting the following:

“201. Federal lands and tribal transportation programs.

“202. Tribal transportation program.

“203. Federal lands transportation program.

“204. Federal lands access program.”; and

(B) by striking the item relating to section 214.

(2) DEFINITION.—Section 138(a) of title 23, United States Code, is amended in the third sentence by striking “park road or parkway under section 204 of this title” and inserting “Federal lands transportation facility”.

(3) RULES, REGULATIONS, AND RECOMMENDATIONS.—Section 315 of title 23, United States Code, is amended by striking “204(f)” and inserting “202(a)(5), 203(a)(3).”.

SEC. 1120. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.

Section 1301 of the SAFETEA-LU (23 U.S.C. 101 note; 119 Stat. 1198) is amended—

(1) in subsection (b), by striking “States” and inserting “eligible applicants”;

(2) in subsection (c), by striking paragraph (3) and inserting the following:

“(3) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ means—

“(A) a State department of transportation or a group of State departments of transportation;

“(B) a tribal government or consortium of tribal governments;

“(C) a transit agency; or

“(D) a multi-State or multi-jurisdictional group of the agencies described in subparagraphs (A) through (C).”;

(3) in subsection (d)(2), by striking “75” and inserting “50”;

(4) in subsection (e), by striking “State” and inserting “eligible applicant”;

(5) in subsection (f)(3) by striking subparagraph (B) and inserting the following:

“(B) improves roadways vital to national energy security; and”;

(6) in subsection (g)(1) by adding at the end the following:

“(E) CONGRESSIONAL APPROVAL.—The Secretary may not issue a letter of intent, enter into a full funding grant agreement under paragraph (2), or make any other obligation or commitment to fund a project under this section if a joint resolution of disapproval is enacted disapproving funding for the project before the last day of the 60-day period described in subparagraph (B).”;

(7) in subsection (k), by adding at the end the following:

“(3) PROJECT SELECTION JUSTIFICATIONS.—

“(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary selects a project for funding under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the reasons for selecting the project, based on the criteria described in subsection (f).

“(B) INCLUSIONS.—The report submitted under subparagraph (A) shall specify each criteria described in subsection (f) that the project meets.

“(C) AVAILABILITY.—The Secretary shall make available on the website of the Department the report submitted under subparagraph (A).”;

“(3) PROJECT PREFERENCE.—In making a programming decision under paragraph (1), the committee shall give preference to projects that provide access to, are adjacent to, or are located within high-use Federal recreation sites or Federal economic generators, as identified by the Secretaries of the appropriate Federal land management agencies.”.

(b) PUBLIC LANDS DEVELOPMENT ROADS AND TRAILS.—Section 214 of title 23, United States Code, is repealed.

(c) CONFORMING AMENDMENTS.—

(1) CHAPTER 2 ANALYSIS.—The analysis for chapter 2 of title 23, United States Code, is amended—

(A) by striking the items relating to sections 201 through 204 and inserting the following:

“201. Federal lands and tribal transportation programs.

“202. Tribal transportation program.

“203. Federal lands transportation program.

“204. Federal lands access program.”; and

(B) by striking the item relating to section 214.

(2) DEFINITION.—Section 138(a) of title 23, United States Code, is amended in the third sentence by striking “park road or parkway under section 204 of this title” and inserting “Federal lands transportation facility”.

(3) RULES, REGULATIONS, AND RECOMMENDATIONS.—Section 315 of title 23, United States Code, is amended by striking “204(f)” and inserting “202(a)(5), 203(a)(3).”.

(8) by striking subsections (l) and (m) and inserting the following:

“(1) REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the MAP-21, the Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate regarding projects of national and regional significance.

“(2) PURPOSE.—The purpose of the report issued under this subsection shall be to identify projects of national and regional significance that—

“(A) will significantly improve the performance of the Federal-aid highway system, nationally or regionally;

“(B) is able to—

“(i) generate national economic benefits that reasonably exceed the costs of the projects, including increased access to jobs, labor, and other critical economic inputs;

“(ii) reduce long-term congestion, including impacts in the State, region, and the United States, and increase speed, reliability, and accessibility of the movement of people or freight; and

“(iii) improve transportation safety, including reducing transportation accidents, and serious injuries and fatalities; and

“(C) can be supported by an acceptable degree of non-Federal financial commitments.

(3) CONTENTS.—The report issued under this subsection shall include—

“(A) a comprehensive list of each project of national and regional significance that—

“(i) has been compiled through a survey of State departments of transportation; and

“(ii) has been classified by the Secretary as a project of regional or national significance in accordance with this section;

“(B) an analysis of the information collected under paragraph (1), including a discussion of the factors supporting each classification of a project as a project of regional or national significance; and

“(C) recommendations on financing for eligible project costs.

(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$500,000,000 for fiscal year 2013, to remain available until expended.”.

SEC. 1121. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) by striking subsections (c) and (d);

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (b) the following:

“(c) DISTRIBUTION OF FUNDS.—Of the amounts made available to ferry systems and public entities responsible for developing ferries under this section for a fiscal year, 100 percent shall be allocated in accordance with the formula set forth in subsection (d).

“(d) FORMULA.—Of the amounts allocated pursuant to subsection (c)—

“(1) 20 percent shall be allocated among eligible entities in the proportion that—

“(A) the number of ferry passengers carried by each ferry system in the most recent fiscal year; bears to

“(B) the number of ferry passengers carried by all ferry systems in the most recent fiscal year;

“(2) 45 percent shall be allocated among eligible entities in the proportion that—

“(A) the number of vehicles carried by each ferry system in the most recent fiscal year; bears to

“(B) the number of vehicles carried by all ferry systems in the most recent fiscal year; and

“(3) 35 percent shall be allocated among eligible entities in the proportion that—

“(A) the total route miles serviced by each ferry system; bears to

“(B) the total route miles serviced by all ferry systems.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section \$67,000,000 for each of fiscal years 2013 and 2014.”

(b) NATIONAL FERRY DATABASE.—Section 1801(e) of the SAFETEA-LU (23 U.S.C. 129 note; Public Law 109-59) is amended—

(1) in paragraph (2), by inserting “, including any Federal, State, and local government funding sources,” after “sources”; and

(2) in paragraph (4)—

(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (D);

(C) by inserting after subparagraph (B), the following:

“(C) ensure that the database is consistent with the national transit database maintained by the Federal Transit Administration; and”; and

(D) in subparagraph (D) (as redesignated by subparagraph (B)), by striking “2009” and inserting “2014”.

SEC. 1122. TRANSPORTATION ALTERNATIVES.

(a) IN GENERAL.—Section 213 of title 23, United States Code, is amended to read as follows:

“§213. Transportation alternatives

“(a) RESERVATION OF FUNDS.—

“(1) IN GENERAL.—On October 1 of each of fiscal years 2013 and 2014, the Secretary shall proportionally reserve from the funds apportioned to a State under section 104(b) to carry out the requirements of this section an amount equal to the amount obtained by multiplying the amount determined under paragraph (2) by the ratio that—

“(A) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of the MAP-21; bears to

“(B) the total amount of funds apportioned to all States for that fiscal year for the transportation enhancements program for fiscal year 2009.

“(2) CALCULATION OF NATIONAL AMOUNT.—The Secretary shall determine an amount for each fiscal year that is equal to 2 percent of the amounts authorized to be appropriated for such fiscal year from the Highway Trust Fund (other than the Mass Transit Account) to carry out chapters 1, 2, 5, and 6 of this title.

“(b) ELIGIBLE PROJECTS.—A State may obligate the funds reserved under this section for any of the following projects or activities:

“(1) Transportation alternatives, as defined in section 101.

“(2) The recreational trails program under section 206.

“(3) The safe routes to school program under section 1404 of the SAFETEA-LU (23 U.S.C. 402 note; Public Law 109-59).

“(4) Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

“(c) ALLOCATIONS OF FUNDS.—

“(1) CALCULATION.—Of the funds reserved in a State under this section—

“(A) 50 percent for a fiscal year shall be obligated under this section to any eligible entity in proportion to their relative shares of the population of the State—

“(i) in urbanized areas of the State with an urbanized area population of over 200,000;

“(ii) in areas of the State other than urban areas with a population greater than 5,000; and

“(iii) in other areas of the State; and

“(B) 50 percent shall be obligated in any area of the State.

“(2) METROPOLITAN AREAS.—Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

“(3) DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.—

“(A) IN GENERAL.—Except as provided in paragraph (1)(B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.

“(B) OTHER FACTORS.—A State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

“(4) ACCESS TO FUNDS.—

“(A) IN GENERAL.—Each State or metropolitan planning organization required to obligate funds in accordance with paragraph (1) shall develop a competitive process to allow eligible entities to submit projects for funding that achieve the objectives of this subsection.

“(B) DEFINITION OF ELIGIBLE ENTITY.—In this paragraph, the term ‘eligible entity’ means—

“(i) a local government;

“(ii) a regional transportation authority;

“(iii) a transit agency;

“(iv) a natural resource or public land agency;

“(v) a school district, local education agency, or school;

“(vi) a tribal government; and

“(vii) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.

“(5) SELECTION OF PROJECTS.—For funds reserved in a State under this section and suballocated to a metropolitan planning area under paragraph (1)(A)(i), each such metropolitan planning organization shall select projects carried out within the boundaries of the applicable metropolitan planning area, in consultation with the relevant State.

“(d) FLEXIBILITY OF EXCESS RESERVED FUNDING.—Beginning in the second fiscal year after the date of enactment of the MAP-21, if on August 1 of that fiscal year the unobligated balance of available funds reserved by a State under this section exceeds 100 percent of such reserved amount in such fiscal year, the State may thereafter obligate the amount of excess funds for any activity—

“(1) that is eligible to receive funding under this section; or

“(2) for which the Secretary has approved the obligation of funds for any State under section 149.

“(e) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects funded under this section (excluding those carried out under subsection (f)) shall be treated as projects on a Federal-aid highway under this chapter.

“(f) CONTINUATION OF CERTAIN RECREATIONAL TRAILS PROJECTS.—Each State shall—

“(1) obligate an amount of funds reserved under this section equal to the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2) for projects relating to recreational trails under section 206;

“(2) return 1 percent of those funds to the Secretary for the administration of that program; and

“(3) comply with the provisions of the administration of the recreational trails program under section 206, including the use of apportioned funds described under subsection (d)(3)(A) of that section.

“(g) STATE FLEXIBILITY.—A State may opt out of the recreational trails program under sub-

section (f) if the Governor of the State notifies the Secretary not later than 30 days prior to apportionments being made for any fiscal year.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 2 of title 23, United States Code, is amended by striking the item relating to section 213 and inserting the following:

“213. Transportation alternatives”.

SEC. 1123. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.

(a) DEFINITIONS.—In this section:

(1) EMERGENCY OR DISASTER.—The term “emergency or disaster” means damage to a tribal transportation facility that—

(A) renders the tribal transportation facility impassable or unusable;

(B) is caused by—

(i) a natural disaster over a widespread area; or

(ii) a catastrophic failure from an external cause; and

(C) would be eligible under the emergency relief program under section 125 of title 23, United States Code, but does not meet the funding thresholds required by that section.

(2) LIST.—The term “list” means the funding priority list developed under subsection (c)(5).

(3) PROGRAM.—The term “program” means the Tribal High Priority Projects program established under subsection (b)(1).

(4) PROJECT.—The term “project” means a project provided funds under the program.

(b) PROGRAM.—

(1) IN GENERAL.—The Secretary shall use amounts made available under subsection (h) to carry out a Tribal High Priority Projects program under which funds shall be provided to eligible applicants in accordance with this section.

(2) ELIGIBLE APPLICANTS.—Applicants eligible for program funds under this section include—

(A) an Indian tribe whose annual allocation of funding under section 202 of title 23, United States Code, is insufficient to complete the highest priority project of the Indian tribe;

(B) a governmental subdivision of an Indian tribe—

(i) that is authorized to administer the funding of the Indian tribe under section 202 of title 23, United States Code; and

(ii) for which the annual allocation under that section is insufficient to complete the highest priority project of the Indian tribe; or

(C) any Indian tribe that has an emergency or disaster with respect to a transportation facility included on the national inventory of tribal transportation facilities under section 202(b)(1) of title 23, United States Code.

(c) PROJECT APPLICATIONS; FUNDING.—

(1) IN GENERAL.—To apply for funds under this section, an eligible applicant shall submit to the Department of the Interior or the Department an application that includes—

(A) project scope of work, including deliverables, budget, and timeline;

(B) the amount of funds requested;

(C) project information addressing—

(i) the ranking criteria identified in paragraph (3); or

(ii) the nature of the emergency or disaster;

(D) documentation that the project meets the definition of a tribal transportation facility and is included in the national inventory of tribal transportation facilities under section 202(b)(1) of title 23, United States Code;

(E) documentation of official tribal action requesting the project;

(F) documentation from the Indian tribe providing authority for the Secretary of the Interior to place the project on a transportation improvement program if the project is selected and approved; and

(G) any other information the Secretary of the Interior or Secretary considers appropriate to make a determination.

(2) LIMITATION ON APPLICATIONS.—An applicant for funds under the program may only have 1 application for assistance under this section pending at any 1 time, including any emergency or disaster application.

(3) APPLICATION RANKING.—

(A) IN GENERAL.—The Secretary of the Interior and the Secretary shall determine the eligibility of, and fund, program applications, subject to the availability of funds.

(B) RANKING CRITERIA.—The project ranking criteria for applications under this section shall include—

- (i) the existence of safety hazards with documented fatality and injury accidents;
- (ii) the number of years since the Indian tribe last completed a construction project funded by section 202 of title 23, United States Code;
- (iii) the readiness of the Indian tribe to proceed to construction or bridge design need;
- (iv) the percentage of project costs matched by funds that are not provided under section 202 of title 23, United States Code, with projects with a greater percentage of other sources of matching funds ranked ahead of lesser matches;
- (v) the amount of funds requested, with requests for lesser amounts given greater priority;
- (vi) the challenges caused by geographic isolation; and
- (vii) all weather access for employment, commerce, health, safety, educational resources, or housing.

(4) PROJECT SCORING MATRIX.—The project scoring matrix established in the appendix to part 170 of title 25, Code of Regulations (as in effect on the date of enactment of this Act) shall be used to rank all applications accepted under this section.

(5) FUNDING PRIORITY LIST.—

(A) IN GENERAL.—The Secretary of the Interior and the Secretary shall jointly produce a funding priority list that ranks the projects approved for funding under the program.

(B) LIMITATION.—The number of projects on the list shall be limited by the amount of funding made available.

(6) TIMELINE.—The Secretary of the Interior and the Secretary shall—

(A) require applications for funding no sooner than 60 days after funding is made available pursuant to subsection (a);

(B) notify all applicants and Regions in writing of acceptance of applications;

(C) rank all accepted applications in accordance with the project scoring matrix, develop the funding priority list, and return unaccepted applications to the applicant with an explanation of deficiencies;

(D) notify all accepted applicants of the projects included on the funding priority list no later than 180 days after the application deadline has passed pursuant to subparagraph (A); and

(E) distribute funds to successful applicants.

(d) EMERGENCY OR DISASTER PROJECT APPLICATIONS.—

(1) IN GENERAL.—Notwithstanding subsection (c)(6), an eligible applicant may submit an emergency or disaster project application at any time during the fiscal year.

(2) CONSIDERATION AS PRIORITY.—The Secretary shall—

(A) consider project applications submitted under paragraph (1) to be a priority; and

(B) fund the project applications in accordance with paragraph (3).

(3) FUNDING.—

(A) IN GENERAL.—If an eligible applicant submits an application for a project under this subsection before the issuance of the list under subsection (c)(5) and the project is determined to be eligible for program funds, the Secretary of the Interior shall provide funding for the project before providing funding for other approved projects on the list.

(B) SUBMISSION AFTER ISSUANCE OF LIST.—If an eligible applicant submits an application under this subsection after the issuance of the list under subsection (c)(5) and the distribution of program funds in accordance with the list, the Secretary of the Interior shall provide funding for the project on the date on which unobligated funds provided to projects on the list are returned to the Department of the Interior.

(C) EFFECT ON OTHER PROJECTS.—If the Secretary of the Interior uses funding previously designated for a project on the list to fund an emergency or disaster project under this subsection, the project on the list that did not receive funding as a result of the redesignation of funds shall move to the top of the list the following year.

(4) EMERGENCY OR DISASTER PROJECT COST.—The cost of a project submitted as an emergency or disaster under this subsection shall be at least 10 percent of the distribution of funds of the Indian tribe under section 202(b) of title 23, United States Code.

(e) LIMITATION ON USE OF FUNDS.—Program funds shall not be used for—

- (1) transportation planning;
- (2) research;
- (3) routine maintenance activities;
- (4) structures and erosion protection unrelated to transportation and roadways;
- (5) general reservation planning not involving transportation;
- (6) landscaping and irrigation systems not involving transportation programs and projects;
- (7) work performed on projects that are not included on a transportation improvement program approved by the Federal Highway Administration, unless otherwise authorized by the Secretary of the Interior and the Secretary;
- (8) the purchase of equipment unless otherwise authorized by Federal law; or
- (9) the condemnation of land for recreational trails.

(f) LIMITATION ON PROJECT AMOUNTS.—Project funding shall be limited to a maximum of \$1,000,000 per application, except that funding for disaster or emergency projects shall also be limited to the estimated cost of repairing damage to the tribal transportation facility.

(g) COST ESTIMATE CERTIFICATION.—All cost estimates prepared for a project shall be required to be submitted by the applicant to the Secretary of the Interior and the Secretary for certification and approval.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated \$30,000,000 out of the general fund of the Treasury to carry out the program for each of fiscal years 2013 and 2014.

(2) ADMINISTRATION.—The funds made available under paragraph (1) shall be administered in the same manner as funds made available for the tribal transportation program under section 202 of title 23, United States Code, except that—

(A) the funds made available for the program shall remain available until September 30 of the third fiscal year after the year appropriated; and

(B) the Federal share of the cost of a project shall be 100 percent.

Subtitle B—Performance Management

SEC. 1201. METROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 134 of title 23, United States Code, is amended to read as follows:

“§ 134. Metropolitan transportation planning

“(a) POLICY.—It is in the national interest—

“(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and

“(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).

“(b) DEFINITIONS.—In this section and section 135, the following definitions apply:

“(1) METROPOLITAN PLANNING AREA.—The term ‘metropolitan planning area’ means the geographic area determined by agreement between the metropolitan planning organization for the area and the Governor under subsection (e).

“(2) METROPOLITAN PLANNING ORGANIZATION.—The term ‘metropolitan planning organization’ means the policy board of an organization established as a result of the designation process under subsection (d).

“(3) NONMETROPOLITAN AREA.—The term ‘nonmetropolitan area’ means a geographic area outside designated metropolitan planning areas.

“(4) NONMETROPOLITAN LOCAL OFFICIAL.—The term ‘nonmetropolitan local official’ means elected and appointed officials of general purpose local government in a nonmetropolitan area with responsibility for transportation.

“(5) REGIONAL TRANSPORTATION PLANNING ORGANIZATION.—The term ‘regional transportation planning organization’ means a policy board of an organization established as the result of a designation under section 135(m).

“(6) TIP.—The term ‘TIP’ means a transportation improvement program developed by a metropolitan planning organization under subsection (j).

“(7) URBANIZED AREA.—The term ‘urbanized area’ means a geographic area with a population of 50,000 or more, as determined by the Bureau of the Census.

“(c) GENERAL REQUIREMENTS.—

“(1) DEVELOPMENT OF LONG-RANGE PLANS AND TIPS.—To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

“(2) CONTENTS.—The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

“(3) PROCESS OF DEVELOPMENT.—The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

“(d) DESIGNATION OF METROPOLITAN PLANNING ORGANIZATIONS.—

“(1) IN GENERAL.—To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals—

“(A) by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city (based on population) as determined by the Bureau of the Census); or

“(B) in accordance with procedures established by applicable State or local law.

“(2) STRUCTURE.—Not later than 2 years after the date of enactment of MAP-21, each metropolitan planning organization that serves an area designated as a transportation management area shall consist of—

“(A) local elected officials;

“(B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and

“(C) appropriate State officials.

“(3) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of

a public agency with multimodal transportation responsibilities—

“(A) to develop the plans and TIPs for adoption by a metropolitan planning organization; and

“(B) to develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

“(4) CONTINUING DESIGNATION.—A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (5).

“(5) REDESIGNATION PROCEDURES.—

“(A) IN GENERAL.—A metropolitan planning organization may be redesignated by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing planning area population (including the largest incorporated city (based on population) as determined by the Bureau of the Census) as appropriate to carry out this section.

“(B) RESTRUCTURING.—A metropolitan planning organization may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.

“(6) DESIGNATION OF MORE THAN 1 METROPOLITAN PLANNING ORGANIZATION.—More than 1 metropolitan planning organization may be designated within an existing metropolitan planning area only if the Governor and the existing metropolitan planning organization determine that the size and complexity of the existing metropolitan planning area make designation of more than 1 metropolitan planning organization for the area appropriate.

“(e) METROPOLITAN PLANNING AREA BOUNDARIES.—

“(1) IN GENERAL.—For the purposes of this section, the boundaries of a metropolitan planning area shall be determined by agreement between the metropolitan planning organization and the Governor.

“(2) INCLUDED AREA.—Each metropolitan planning area—

“(A) shall encompass at least the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan; and

“(B) may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of the Census.

“(3) IDENTIFICATION OF NEW URBANIZED AREAS WITHIN EXISTING PLANNING AREA BOUNDARIES.—The designation by the Bureau of the Census of new urbanized areas within an existing metropolitan planning area shall not require the redesignation of the existing metropolitan planning organization.

“(4) EXISTING METROPOLITAN PLANNING AREAS IN NONATTAINMENT.—

“(A) IN GENERAL.—Notwithstanding paragraph (2), except as provided in subparagraph (B), in the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.) as of the date of enactment of the SAFETEA-LU, the boundaries of the metropolitan planning area in existence as of such date of enactment shall be retained.

“(B) EXCEPTION.—The boundaries described in subparagraph (A) may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in subsection (d)(5).

“(5) NEW METROPOLITAN PLANNING AREAS IN NONATTAINMENT.—In the case of an urbanized area designated after the date of enactment of the SAFETEA-LU, as a nonattainment area for ozone or carbon monoxide, the boundaries of the metropolitan planning area—

“(A) shall be established in the manner described in subsection (d)(1);

“(B) shall encompass the areas described in paragraph (2)(A);

“(C) may encompass the areas described in paragraph (2)(B); and

“(D) may address any nonattainment area identified under the Clean Air Act (42 U.S.C. 7401 et seq.) for ozone or carbon monoxide.

“(f) COORDINATION IN MULTISTATE AREAS.—

“(1) IN GENERAL.—The Secretary shall encourage each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate metropolitan planning organizations to provide coordinated transportation planning for the entire metropolitan area.

“(2) INTERSTATE COMPACTS.—The consent of Congress is granted to any 2 or more States—

“(A) to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section as the activities pertain to interstate areas and localities within the States; and

“(B) to establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.

“(3) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

“(g) MPO CONSULTATION IN PLAN AND TIP COORDINATION.—

“(1) NONATTAINMENT AREAS.—If more than 1 metropolitan planning organization has authority within a metropolitan area or an area which is designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and the State in the coordination of plans and TIPs required by this section.

“(2) TRANSPORTATION IMPROVEMENTS LOCATED IN MULTIPLE MPOS.—If a transportation improvement, funded from the Highway Trust Fund or authorized under chapter 53 of title 49, is located within the boundaries of more than 1 metropolitan planning area, the metropolitan planning organizations shall coordinate plans and TIPs regarding the transportation improvement.

“(3) RELATIONSHIP WITH OTHER PLANNING OFFICIALS.—

“(A) IN GENERAL.—The Secretary shall encourage each metropolitan planning organization to consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to the maximum extent practicable, with such planning activities.

“(B) REQUIREMENTS.—Under the metropolitan planning process, transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the metropolitan area that are provided by—

“(i) recipients of assistance under chapter 53 of title 49;

“(ii) governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the Department of Transportation to provide non-emergency transportation services; and

“(iii) recipients of assistance under section 204.

“(h) SCOPE OF PLANNING PROCESS.—

“(1) IN GENERAL.—The metropolitan planning process for a metropolitan planning area under this section shall provide for consideration of projects and strategies that will—

“(A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;

“(B) increase the safety of the transportation system for motorized and nonmotorized users;

“(C) increase the security of the transportation system for motorized and nonmotorized users;

“(D) increase the accessibility and mobility of people and for freight;

“(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

“(F) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;

“(G) promote efficient system management and operation; and

“(H) emphasize the preservation of the existing transportation system.

“(2) PERFORMANCE-BASED APPROACH.—

“(A) IN GENERAL.—The metropolitan transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decisionmaking to support the national goals described in section 150(b) of this title and in section 5301(c) of title 49.

“(B) PERFORMANCE TARGETS.—

“(i) SURFACE TRANSPORTATION PERFORMANCE TARGETS.—

“(I) IN GENERAL.—Each metropolitan planning organization shall establish performance targets that address the performance measures described in section 150(c), where applicable, to use in tracking progress towards attainment of critical outcomes for the region of the metropolitan planning organization.

“(II) COORDINATION.—Selection of performance targets by a metropolitan planning organization shall be coordinated with the relevant State to ensure consistency, to the maximum extent practicable.

“(ii) PUBLIC TRANSPORTATION PERFORMANCE TARGETS.—Selection of performance targets by a metropolitan planning organization shall be coordinated, to the maximum extent practicable, with providers of public transportation to ensure consistency with sections 5326(c) and 5329(d) of title 49.

“(C) TIMING.—Each metropolitan planning organization shall establish the performance targets under subparagraph (B) not later than 180 days after the date on which the relevant State or provider of public transportation establishes the performance targets.

“(D) INTEGRATION OF OTHER PERFORMANCE-BASED PLANS.—A metropolitan planning organization shall integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed under chapter 53 of title 49 by providers of public transportation, required as part of a performance-based program.

“(3) FAILURE TO CONSIDER FACTORS.—The failure to consider any factor specified in paragraphs (1) and (2) shall not be reviewable by any court under this title or chapter 53 of title 49, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a transportation plan, a TIP, a project or strategy, or the certification of a planning process.

“(i) DEVELOPMENT OF TRANSPORTATION PLAN.—

“(1) REQUIREMENTS.—

“(A) IN GENERAL.—Each metropolitan planning organization shall prepare and update a transportation plan for its metropolitan planning area in accordance with the requirements of this subsection.

“(B) FREQUENCY.—

“(i) IN GENERAL.—The metropolitan planning organization shall prepare and update such plan every 4 years (or more frequently, if the metropolitan planning organization elects to update more frequently) in the case of each of the following:

“(I) Any area designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)).

“(II) Any area that was nonattainment and subsequently designated to attainment in ac-

cordance with section 107(d)(3) of that Act (42 U.S.C. 7407(d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 U.S.C. 7505a).

“(ii) OTHER AREAS.—In the case of any other area required to have a transportation plan in accordance with the requirements of this subsection, the metropolitan planning organization shall prepare and update such plan every 5 years unless the metropolitan planning organization elects to update more frequently.

“(2) TRANSPORTATION PLAN.—A transportation plan under this section shall be in a form that the Secretary determines to be appropriate and shall contain, at a minimum, the following:

“(A) IDENTIFICATION OF TRANSPORTATION FACILITIES.—

“(i) IN GENERAL.—An identification of transportation facilities (including major roadways, transit, multimodal and intermodal facilities, nonmotorized transportation facilities, and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions.

“(ii) FACTORS.—In formulating the transportation plan, the metropolitan planning organization shall consider factors described in subsection (h) as the factors relate to a 20-year forecast period.

“(B) PERFORMANCE MEASURES AND TARGETS.—A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with subsection (h)(2).

“(C) SYSTEM PERFORMANCE REPORT.—A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in subsection (h)(2), including—

“(i) progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports; and

“(ii) for metropolitan planning organizations that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets.

“(D) MITIGATION ACTIVITIES.—

“(i) IN GENERAL.—A long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

“(ii) CONSULTATION.—The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

“(E) FINANCIAL PLAN.—

“(i) IN GENERAL.—A financial plan that—

“(I) demonstrates how the adopted transportation plan can be implemented;

“(II) indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan; and

“(III) recommends any additional financing strategies for needed projects and programs.

“(ii) INCLUSIONS.—The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

“(iii) COOPERATIVE DEVELOPMENT.—For the purpose of developing the transportation plan, the metropolitan planning organization, transit operator, and State shall cooperatively develop estimates of funds that will be available to support plan implementation.

“(F) OPERATIONAL AND MANAGEMENT STRATEGIES.—Operational and management strategies

to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.

“(G) CAPITAL INVESTMENT AND OTHER STRATEGIES.—Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs.

“(H) TRANSPORTATION AND TRANSIT ENHANCEMENT ACTIVITIES.—Proposed transportation and transit enhancement activities.

“(3) COORDINATION WITH CLEAN AIR ACT AGENCIES.—In metropolitan areas that are in non-attainment for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), the metropolitan planning organization shall coordinate the development of a transportation plan with the process for development of the transportation control measures of the State implementation plan required by that Act.

“(4) OPTIONAL SCENARIO DEVELOPMENT.—

“(A) IN GENERAL.—A metropolitan planning organization may, while fitting the needs and complexity of its community, voluntarily elect to develop multiple scenarios for consideration as part of the development of the metropolitan transportation plan, in accordance with subparagraph (B).

“(B) RECOMMENDED COMPONENTS.—A metropolitan planning organization that chooses to develop multiple scenarios under subparagraph (A) shall be encouraged to consider—

“(i) potential regional investment strategies for the planning horizon;

“(ii) assumed distribution of population and employment;

“(iii) a scenario that, to the maximum extent practicable, maintains baseline conditions for the performance measures identified in subsection (h)(2);

“(iv) a scenario that improves the baseline conditions for as many of the performance measures identified in subsection (h)(2) as possible;

“(v) revenue constrained scenarios based on the total revenues expected to be available over the forecast period of the plan; and

“(vi) estimated costs and potential revenues available to support each scenario.

“(C) METRICS.—In addition to the performance measures identified in section 150(c), metropolitan planning organizations may evaluate scenarios developed under this paragraph using locally-developed measures.

“(5) CONSULTATION.—

“(A) IN GENERAL.—In each metropolitan area, the metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan.

“(B) ISSUES.—The consultation shall involve, as appropriate—

“(i) comparison of transportation plans with State conservation plans or maps, if available; or

“(ii) comparison of transportation plans to inventories of natural or historic resources, if available.

“(6) PARTICIPATION BY INTERESTED PARTIES.—

“(A) IN GENERAL.—Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

“(B) CONTENTS OF PARTICIPATION PLAN.—A participation plan—

“(i) shall be developed in consultation with all interested parties; and

“(ii) shall provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan.

“(C) METHODS.—In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

“(i) hold any public meetings at convenient and accessible locations and times;

“(ii) employ visualization techniques to describe plans; and

“(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

“(7) PUBLICATION.—A transportation plan involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, approved by the metropolitan planning organization and submitted for information purposes to the Governor at such times and in such manner as the Secretary shall establish.

“(8) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—Notwithstanding paragraph (2)(C), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(C).

“(j) METROPOLITAN TIP.—

“(1) DEVELOPMENT.—

“(A) IN GENERAL.—In cooperation with the State and any affected public transportation operator, the metropolitan planning organization designated for a metropolitan area shall develop a TIP for the metropolitan planning area that—

“(i) contains projects consistent with the current metropolitan transportation plan;

“(ii) reflects the investment priorities established in the current metropolitan transportation plan; and

“(iii) once implemented, is designed to make progress toward achieving the performance targets established under subsection (h)(2).

“(B) OPPORTUNITY FOR COMMENT.—In developing the TIP, the metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

“(C) FUNDING ESTIMATES.—For the purpose of developing the TIP, the metropolitan planning organization, public transportation agency, and State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.

“(D) UPDATING AND APPROVAL.—The TIP shall be—

“(i) updated at least once every 4 years; and

“(ii) approved by the metropolitan planning organization and the Governor.

“(2) CONTENTS.—

“(A) PRIORITY LIST.—The TIP shall include a priority list of proposed Federally supported projects and strategies to be carried out within each 4-year period after the initial adoption of the TIP.

“(B) FINANCIAL PLAN.—The TIP shall include a financial plan that—

“(i) demonstrates how the TIP can be implemented;

“(ii) indicates resources from public and private sources that are reasonably expected to be available to carry out the program;

“(iii) identifies innovative financing techniques to finance projects, programs, and strategies; and

“(iv) may include, for illustrative purposes, additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available.

“(C) DESCRIPTIONS.—Each project in the TIP shall include sufficient descriptive material

(such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.

“(D) PERFORMANCE TARGET ACHIEVEMENT.—The transportation improvement program shall include, to the maximum extent practicable, a description of the anticipated effect of the transportation improvement program toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to those performance targets.

“(3) INCLUDED PROJECTS.—

“(A) PROJECTS UNDER THIS TITLE AND CHAPTER 53 OF TITLE 49.—A TIP developed under this subsection for a metropolitan area shall include the projects within the area that are proposed for funding under chapter 1 of this title and chapter 53 of title 49.

“(B) PROJECTS UNDER CHAPTER 2.—

“(i) REGIONALLY SIGNIFICANT PROJECTS.—Regionally significant projects proposed for funding under chapter 2 shall be identified individually in the transportation improvement program.

“(ii) OTHER PROJECTS.—Projects proposed for funding under chapter 2 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

“(C) CONSISTENCY WITH LONG-RANGE TRANSPORTATION PLAN.—Each project shall be consistent with the long-range transportation plan developed under subsection (i) for the area.

“(D) REQUIREMENT OF ANTICIPATED FULL FUNDING.—The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or the identified phase within the time period contemplated for completion of the project or the identified phase.

“(4) NOTICE AND COMMENT.—Before approving a TIP, a metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

“(5) SELECTION OF PROJECTS.—

“(A) IN GENERAL.—Except as otherwise provided in subsection (k)(4) and in addition to the TIP development required under paragraph (1), the selection of Federally funded projects in metropolitan areas shall be carried out, from the approved TIP—

“(i) by—

“(I) in the case of projects under this title, the State; and

“(II) in the case of projects under chapter 53 of title 49, the designated recipients of public transportation funding; and

“(ii) in cooperation with the metropolitan planning organization.

“(B) MODIFICATIONS TO PROJECT PRIORITY.—Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved TIP in place of another project in the program.

“(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

“(A) NO REQUIRED SELECTION.—Notwithstanding paragraph (2)(B)(iv), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv).

“(B) REQUIRED ACTION BY THE SECRETARY.—Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv) for inclusion in an approved TIP.

“(7) PUBLICATION.—

“(A) PUBLICATION OF TIPS.—A TIP involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review.

“(B) PUBLICATION OF ANNUAL LISTINGS OF PROJECTS.—

“(i) IN GENERAL.—An annual listing of projects, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the State, transit operator, and metropolitan planning organization for public review.

“(ii) REQUIREMENT.—The listing shall be consistent with the categories identified in the TIP.

“(k) TRANSPORTATION MANAGEMENT AREAS.—

“(1) IDENTIFICATION AND DESIGNATION.—

“(A) REQUIRED IDENTIFICATION.—The Secretary shall identify as a transportation management area each urbanized area (as defined by the Bureau of the Census) with a population of over 200,000 individuals.

“(B) DESIGNATIONS ON REQUEST.—The Secretary shall designate any additional area as a transportation management area on the request of the Governor and the metropolitan planning organization designated for the area.

“(2) TRANSPORTATION PLANS.—In a transportation management area, transportation plans shall be based on a continuing and comprehensive transportation planning process carried out by the metropolitan planning organization in cooperation with the State and public transportation operators.

“(3) CONGESTION MANAGEMENT PROCESS.—

“(A) IN GENERAL.—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49 through the use of travel demand reduction and operational management strategies.

“(B) SCHEDULE.—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but no sooner than 1 year after the identification of a transportation management area.

“(4) SELECTION OF PROJECTS.—

“(A) IN GENERAL.—All Federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area under this title (excluding projects carried out on the National Highway System) or under chapter 53 of title 49 shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator.

“(B) NATIONAL HIGHWAY SYSTEM PROJECTS.—Projects carried out within the boundaries of a metropolitan planning area serving a transportation management area on the National Highway System shall be selected for implementation from the approved TIP by the State in cooperation with the metropolitan planning organization designated for the area.

“(5) CERTIFICATION.—

“(A) IN GENERAL.—The Secretary shall—

“(i) ensure that the metropolitan planning process of a metropolitan planning organization serving a transportation management area is being carried out in accordance with applicable provisions of Federal law; and

“(ii) subject to subparagraph (B), certify, not less often than once every 4 years, that the requirements of this paragraph are met with respect to the metropolitan planning process.

“(B) REQUIREMENTS FOR CERTIFICATION.—The Secretary may make the certification under subparagraph (A) if—

“(i) the transportation planning process complies with the requirements of this section and other applicable requirements of Federal law; and

“(ii) there is a TIP for the metropolitan planning area that has been approved by the metropolitan planning organization and the Governor.

“(C) EFFECT OF FAILURE TO CERTIFY.—

“(i) WITHHOLDING OF PROJECT FUNDS.—If a metropolitan planning process of a metropolitan planning organization serving a transportation management area is not certified, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the metropolitan planning organization for projects funded under this title and chapter 53 of title 49.

“(ii) RESTORATION OF WITHHELD FUNDS.—The withheld funds shall be restored to the metropolitan planning area at such time as the metropolitan planning process is certified by the Secretary.

“(D) REVIEW OF CERTIFICATION.—In making certification determinations under this paragraph, the Secretary shall provide for public involvement appropriate to the metropolitan area under review.

“(I) REPORT ON PERFORMANCE-BASED PLANNING PROCESSES.—

“(1) IN GENERAL.—The Secretary shall submit to Congress a report on the effectiveness of the performance-based planning processes of metropolitan planning organizations under this section, taking into consideration the requirements of this subsection

“(2) REPORT.—Not later than 5 years after the date of enactment of the MAP-21, the Secretary shall submit to Congress a report evaluating—

“(A) the overall effectiveness of performance-based planning as a tool for guiding transportation investments;

“(B) the effectiveness of the performance-based planning process of each metropolitan planning organization under this section;

“(C) the extent to which metropolitan planning organizations have achieved, or are currently making substantial progress toward achieving, the performance targets specified under this section and whether metropolitan planning organizations are developing meaningful performance targets; and

“(D) the technical capacity of metropolitan planning organizations that operate within a metropolitan planning area of less than 200,000 and their ability to carry out the requirements of this section.

“(3) PUBLICATION.—The report under paragraph (2) shall be published or otherwise made available in electronically accessible formats and means, including on the Internet.

“(m) ABBREVIATED PLANS FOR CERTAIN AREAS.—

“(1) IN GENERAL.—Subject to paragraph (2), in the case of a metropolitan area not designated as a transportation management area under this section, the Secretary may provide for the development of an abbreviated transportation plan and TIP for the metropolitan planning area that the Secretary determines is appropriate to achieve the purposes of this section, taking into account the complexity of transportation problems in the area.

“(2) NONATTAINMENT AREAS.—The Secretary may not permit abbreviated plans or TIPs for a metropolitan area that is in nonattainment for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.).

“(n) ADDITIONAL REQUIREMENTS FOR CERTAIN NONATTAINMENT AREAS.—

“(1) IN GENERAL.—Notwithstanding any other provisions of this title or chapter 53 of title, for transportation management areas classified as nonattainment for ozone or carbon monoxide pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.), Federal funds may not be advanced in such area for any highway project that will result in a significant increase in the carrying capacity for single-occupant vehicles unless the project is addressed through a congestion management process.

“(2) APPLICABILITY.—This subsection applies to a nonattainment area within the metropolitan planning area boundaries determined under subsection (e).

“(o) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be con-

strued to confer on a metropolitan planning organization the authority to impose legal requirements on any transportation facility, provider, or project not eligible under this title or chapter 53 of title 49.

“(p) FUNDING.—Funds set aside under section 104(f) of this title or section 5305(g) of title 49 shall be available to carry out this section.

“(q) CONTINUATION OF CURRENT REVIEW PRACTICE.—Since plans and TIPs described in this section are subject to a reasonable opportunity for public comment, since individual projects included in plans and TIPs are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning plans and TIPs described in this section have not been reviewed under that Act as of January 1, 1997, any decision by the Secretary concerning a plan or TIP described in this section shall not be considered to be a Federal action subject to review under that Act.”

(b) STUDY ON METROPOLITAN PLANNING SCENARIO DEVELOPMENT.—

(1) IN GENERAL.—The Secretary shall evaluate the costs and benefits associated with metropolitan planning organizations developing multiple scenarios for consideration as a part of the development of their metropolitan transportation plan.

(2) INCLUSIONS.—The evaluation shall include an analysis of the technical and financial capacity of the metropolitan planning organization needed to develop scenarios described in paragraph (1).

SEC. 1202. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended to read as follows:

“§ 135. Statewide and nonmetropolitan transportation planning

“(a) GENERAL REQUIREMENTS.—

“(1) DEVELOPMENT OF PLANS AND PROGRAMS.—Subject to section 134, to accomplish the objectives stated in section 134(a), each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State.

“(2) CONTENTS.—The statewide transportation plan and the transportation improvement program developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

“(3) PROCESS OF DEVELOPMENT.—The process for developing the statewide plan and the transportation improvement program shall provide for consideration of all modes of transportation and the policies stated in section 134(a) and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

“(b) COORDINATION WITH METROPOLITAN PLANNING; STATE IMPLEMENTATION PLAN.—A State shall—

“(1) coordinate planning carried out under this section with the transportation planning activities carried out under section 134 for metropolitan areas of the State and with statewide trade and economic development planning activities and related multistate planning efforts; and

“(2) develop the transportation portion of the State implementation plan as required by the Clean Air Act (42 U.S.C. 7401 et seq.).

“(c) INTERSTATE AGREEMENTS.—

“(1) IN GENERAL.—Two or more States may enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section

related to interstate areas and localities in the States and establishing authorities the States consider desirable for making the agreements and compacts effective.

“(2) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

“(d) SCOPE OF PLANNING PROCESS.—

“(1) IN GENERAL.—Each State shall carry out a statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will—

“(A) support the economic vitality of the United States, the States, nonmetropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;

“(B) increase the safety of the transportation system for motorized and nonmotorized users;

“(C) increase the security of the transportation system for motorized and nonmotorized users;

“(D) increase the accessibility and mobility of people and freight;

“(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

“(F) enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;

“(G) promote efficient system management and operation; and

“(H) emphasize the preservation of the existing transportation system.

“(2) PERFORMANCE-BASED APPROACH.—

“(A) IN GENERAL.—The statewide transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decisionmaking to support the national goals described in section 150(b) of this title and in section 5301(c) of title 49.

“(B) PERFORMANCE TARGETS.—

“(i) SURFACE TRANSPORTATION PERFORMANCE TARGETS.—

“(I) IN GENERAL.—Each State shall establish performance targets that address the performance measures described in section 150(c), where applicable, to use in tracking progress towards attainment of critical outcomes for the State.

“(II) COORDINATION.—Selection of performance targets by a State shall be coordinated with the relevant metropolitan planning organizations to ensure consistency, to the maximum extent practicable.

“(ii) PUBLIC TRANSPORTATION PERFORMANCE TARGETS.—In urbanized areas not represented by a metropolitan planning organization, selection of performance targets by a State shall be coordinated, to the maximum extent practicable, with providers of public transportation to ensure consistency with sections 5326(c) and 5329(d) of title 49.

“(C) INTEGRATION OF OTHER PERFORMANCE-BASED PLANS.—A State shall integrate into the statewide transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in this paragraph, in other State transportation plans and transportation processes, as well as any plans developed pursuant to chapter 53 of title 49 by providers of public transportation in urbanized areas not represented by a metropolitan planning organization required as part of a performance-based program.

“(D) USE OF PERFORMANCE MEASURES AND TARGETS.—The performance measures and targets established under this paragraph shall be considered by a State when developing policies, programs, and investment priorities reflected in the statewide transportation plan and statewide transportation improvement program.

“(3) FAILURE TO CONSIDER FACTORS.—The failure to take into consideration the factors

specified in paragraphs (1) and (2) shall not be subject to review by any court under this title, chapter 53 of title 49, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a statewide transportation plan, a statewide transportation improvement program, a project or strategy, or the certification of a planning process.

“(e) ADDITIONAL REQUIREMENTS.—In carrying out planning under this section, each State shall, at a minimum—

“(1) with respect to nonmetropolitan areas, cooperate with affected local officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (m);

“(2) consider the concerns of Indian tribal governments and Federal land management agencies that have jurisdiction over land within the boundaries of the State; and

“(3) consider coordination of transportation plans, the transportation improvement program, and planning activities with related planning activities being carried out outside of metropolitan planning areas and between States.

“(f) LONG-RANGE STATEWIDE TRANSPORTATION PLAN.—

“(1) DEVELOPMENT.—Each State shall develop a long-range statewide transportation plan, with a minimum 20-year forecast period for all areas of the State, that provides for the development and implementation of the intermodal transportation system of the State.

“(2) CONSULTATION WITH GOVERNMENTS.—

“(A) METROPOLITAN AREAS.—The statewide transportation plan shall be developed for each metropolitan area in the State in cooperation with the metropolitan planning organization designated for the metropolitan area under section 134.

“(B) NONMETROPOLITAN AREAS.—

“(i) IN GENERAL.—With respect to nonmetropolitan areas, the statewide transportation plan shall be developed in cooperation with affected nonmetropolitan officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (m).

“(ii) ROLE OF SECRETARY.—The Secretary shall not review or approve the consultation process in each State.

“(C) INDIAN TRIBAL AREAS.—With respect to each area of the State under the jurisdiction of an Indian tribal government, the statewide transportation plan shall be developed in consultation with the tribal government and the Secretary of the Interior.

“(D) CONSULTATION, COMPARISON, AND CONSIDERATION.—

“(i) IN GENERAL.—The long-range transportation plan shall be developed, as appropriate, in consultation with State, tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

“(ii) COMPARISON AND CONSIDERATION.—Consultation under clause (i) shall involve comparison of transportation plans to State and tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural or historic resources, if available.

“(3) PARTICIPATION BY INTERESTED PARTIES.—

“(A) IN GENERAL.—In developing the statewide transportation plan, the State shall provide to—

“(i) nonmetropolitan local elected officials or, if applicable, through regional transportation planning organizations described in subsection (m), an opportunity to participate in accordance with subparagraph (B)(i); and

“(ii) citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other inter-

ested parties a reasonable opportunity to comment on the proposed plan.

“(B) METHODS.—In carrying out subparagraph (A), the State shall, to the maximum extent practicable—

“(i) develop and document a consultative process to carry out subparagraph (A)(i) that is separate and discrete from the public involvement process developed under clause (ii);

“(ii) hold any public meetings at convenient and accessible locations and times;

“(iii) employ visualization techniques to describe plans; and

“(iv) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

“(4) MITIGATION ACTIVITIES.—

“(A) IN GENERAL.—A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

“(B) CONSULTATION.—The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

“(5) FINANCIAL PLAN.—The statewide transportation plan may include—

“(A) a financial plan that—

“(i) demonstrates how the adopted statewide transportation plan can be implemented;

“(ii) indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan; and

“(iii) recommends any additional financing strategies for needed projects and programs; and

“(B) for illustrative purposes, additional projects that would be included in the adopted statewide transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

“(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—A State shall not be required to select any project from the illustrative list of additional projects included in the financial plan described in paragraph (5).

“(7) PERFORMANCE-BASED APPROACH.—The statewide transportation plan should include—

“(A) a description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with subsection (d)(2); and

“(B) a system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in subsection (d)(2), including progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports;

“(8) EXISTING SYSTEM.—The statewide transportation plan should include capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system.

“(9) PUBLICATION OF LONG-RANGE TRANSPORTATION PLANS.—Each long-range transportation plan prepared by a State shall be published or otherwise made available, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.

“(g) STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM.—

“(1) DEVELOPMENT.—

“(A) IN GENERAL.—Each State shall develop a statewide transportation improvement program for all areas of the State.

“(B) DURATION AND UPDATING OF PROGRAM.—Each program developed under subparagraph (A) shall cover a period of 4 years and shall be updated every 4 years or more frequently if the Governor of the State elects to update more frequently.

“(2) CONSULTATION WITH GOVERNMENTS.—

“(A) METROPOLITAN AREAS.—With respect to each metropolitan area in the State, the program shall be developed in cooperation with the metropolitan planning organization designated for the metropolitan area under section 134.

“(B) NONMETROPOLITAN AREAS.—

“(i) IN GENERAL.—With respect to each nonmetropolitan area in the State, the program shall be developed in consultation with affected nonmetropolitan local officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (m).

“(ii) ROLE OF SECRETARY.—The Secretary shall not review or approve the specific consultation process in the State.

“(C) INDIAN TRIBAL AREAS.—With respect to each area of the State under the jurisdiction of an Indian tribal government, the program shall be developed in consultation with the tribal government and the Secretary of the Interior.

“(3) PARTICIPATION BY INTERESTED PARTIES.—In developing the program, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, providers of freight transportation services, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the proposed program.

“(4) PERFORMANCE TARGET ACHIEVEMENT.—A statewide transportation improvement program shall include, to the maximum extent practicable, a discussion of the anticipated effect of the statewide transportation improvement program toward achieving the performance targets established in the statewide transportation plan, linking investment priorities to those performance targets.

“(5) INCLUDED PROJECTS.—

“(A) IN GENERAL.—A transportation improvement program developed under this subsection for a State shall include Federally supported surface transportation expenditures within the boundaries of the State.

“(B) LISTING OF PROJECTS.—

“(i) IN GENERAL.—An annual listing of projects for which funds have been obligated for the preceding year in each metropolitan planning area shall be published or otherwise made available by the cooperative effort of the State, transit operator, and the metropolitan planning organization for public review.

“(ii) FUNDING CATEGORIES.—The listing described in clause (i) shall be consistent with the funding categories identified in each metropolitan transportation improvement program.

“(C) PROJECTS UNDER CHAPTER 2.—

“(i) REGIONALLY SIGNIFICANT PROJECTS.—Regionally significant projects proposed for funding under chapter 2 shall be identified individually in the transportation improvement program.

“(ii) OTHER PROJECTS.—Projects proposed for funding under chapter 2 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

“(D) CONSISTENCY WITH STATEWIDE TRANSPORTATION PLAN.—Each project shall be—

“(i) consistent with the statewide transportation plan developed under this section for the State;

“(ii) identical to the project or phase of the project as described in an approved metropolitan transportation plan; and

“(iii) in conformance with the applicable State air quality implementation plan developed under the Clean Air Act (42 U.S.C. 7401 et seq.), if the project is carried out in an area designated as a nonattainment area for ozone, particulate matter, or carbon monoxide under part D of title I of that Act (42 U.S.C. 7501 et seq.).

“(E) REQUIREMENT OF ANTICIPATED FULL FUNDING.—The transportation improvement program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project.

“(F) FINANCIAL PLAN.—

“(i) IN GENERAL.—The transportation improvement program may include a financial plan that demonstrates how the approved transportation improvement program can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the transportation improvement program, and recommends any additional financing strategies for needed projects and programs.

“(ii) ADDITIONAL PROJECTS.—The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

“(G) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

“(i) NO REQUIRED SELECTION.—Notwithstanding subparagraph (F), a State shall not be required to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F).

“(ii) REQUIRED ACTION BY THE SECRETARY.—Action by the Secretary shall be required for a State to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F) for inclusion in an approved transportation improvement program.

“(H) PRIORITIES.—The transportation improvement program shall reflect the priorities for programming and expenditures of funds, including transportation enhancement activities, required by this title and chapter 53 of title 49.

“(6) PROJECT SELECTION FOR AREAS OF LESS THAN 50,000 POPULATION.—

“(A) IN GENERAL.—Projects carried out in areas with populations of less than 50,000 individuals shall be selected, from the approved transportation improvement program (excluding projects carried out on the National Highway System and projects carried out under the bridge program or the Interstate maintenance program under this title or under sections 5310 and 5311 of title 49), by the State in cooperation with the affected nonmetropolitan local officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (m).

“(B) OTHER PROJECTS.—Projects carried out in areas with populations of less than 50,000 individuals on the National Highway System or under the bridge program or the Interstate maintenance program under this title or under sections 5310, 5311, 5316, and 5317 of title 49 shall be selected, from the approved statewide transportation improvement program, by the State in consultation with the affected nonmetropolitan local officials with responsibility for transportation.

“(7) TRANSPORTATION IMPROVEMENT PROGRAM APPROVAL.—Every 4 years, a transportation improvement program developed under this subsection shall be reviewed and approved by the Secretary if based on a current planning finding.

“(8) PLANNING FINDING.—A finding shall be made by the Secretary at least every 4 years that the transportation planning process through which statewide transportation plans and programs are developed is consistent with this section and section 134.

“(9) MODIFICATIONS TO PROJECT PRIORITY.—Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved transportation improvement program in place of another project in the program.

“(h) PERFORMANCE-BASED PLANNING PROCESSES EVALUATION.—

“(1) IN GENERAL.—The Secretary shall establish criteria to evaluate the effectiveness of the

performance-based planning processes of States, taking into consideration the following:

“(A) The extent to which the State is making progress toward achieving, the performance targets described in subsection (d)(2), taking into account whether the State developed appropriate performance targets.

“(B) The extent to which the State has made transportation investments that are efficient and cost-effective.

“(C) The extent to which the State—

“(i) has developed an investment process that relies on public input and awareness to ensure that investments are transparent and accountable; and

“(ii) provides reports allowing the public to access the information being collected in a format that allows the public to meaningfully assess the performance of the State.

“(2) REPORT.—

“(A) IN GENERAL.—Not later than 5 years after the date of enactment of the MAP-21, the Secretary shall submit to Congress a report evaluating—

“(i) the overall effectiveness of performance-based planning as a tool for guiding transportation investments; and

“(ii) the effectiveness of the performance-based planning process of each State.

“(B) PUBLICATION.—The report under subparagraph (A) shall be published or otherwise made available in electronically accessible formats and means, including on the Internet.

“(i) FUNDING.—Funds apportioned under section 104(b)(5) of this title and set aside under section 5305(g) of title 49 shall be available to carry out this section.

“(j) TREATMENT OF CERTAIN STATE LAWS AS CONGESTION MANAGEMENT PROCESSES.—For purposes of this section and section 134, and sections 5303 and 5304 of title 49, State laws, rules, or regulations pertaining to congestion management systems or programs may constitute the congestion management process under this section and section 134, and sections 5303 and 5304 of title 49, if the Secretary finds that the State laws, rules, or regulations are consistent with, and fulfill the intent of, the purposes of this section and section 134 and sections 5303 and 5304 of title 49, as appropriate.

“(k) CONTINUATION OF CURRENT REVIEW PRACTICE.—Since the statewide transportation plan and the transportation improvement program described in this section are subject to a reasonable opportunity for public comment, since individual projects included in the statewide transportation plans and the transportation improvement program are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning statewide transportation plans or the transportation improvement program described in this section have not been reviewed under that Act as of January 1, 1997, any decision by the Secretary concerning a metropolitan or statewide transportation plan or the transportation improvement program described in this section shall not be considered to be a Federal action subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(l) SCHEDULE FOR IMPLEMENTATION.—The Secretary shall issue guidance on a schedule for implementation of the changes made by this section, taking into consideration the established planning update cycle for States. The Secretary shall not require a State to deviate from its established planning update cycle to implement changes made by this section. States shall reflect changes made to their transportation plan or transportation improvement program updates not later than 2 years after the date of issuance of guidance by the Secretary under this subsection.

“(m) DESIGNATION OF REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—

“(1) IN GENERAL.—To carry out the transportation planning process required by this section, a State may establish and designate regional

transportation planning organizations to enhance the planning, coordination, and implementation of statewide strategic long-range transportation plans and transportation improvement programs, with an emphasis on addressing the needs of nonmetropolitan areas of the State.

“(2) STRUCTURE.—A regional transportation planning organization shall be established as a multijurisdictional organization of nonmetropolitan local officials or their designees who volunteer for such organization and representatives of local transportation systems who volunteer for such organization.

“(3) REQUIREMENTS.—A regional transportation planning organization shall establish, at a minimum—

“(A) a policy committee, the majority of which shall consist of nonmetropolitan local officials, or their designees, and, as appropriate, additional representatives from the State, private business, transportation service providers, economic development practitioners, and the public in the region; and

“(B) a fiscal and administrative agent, such as an existing regional planning and development organization, to provide professional planning, management, and administrative support.

“(4) DUTIES.—The duties of a regional transportation planning organization shall include—

“(A) developing and maintaining, in cooperation with the State, regional long-range multimodal transportation plans;

“(B) developing a regional transportation improvement program for consideration by the State;

“(C) fostering the coordination of local planning, land use, and economic development plans with State, regional, and local transportation plans and programs;

“(D) providing technical assistance to local officials;

“(E) participating in national, multistate, and State policy and planning development processes to ensure the regional and local input of nonmetropolitan areas;

“(F) providing a forum for public participation in the statewide and regional transportation planning processes;

“(G) considering and sharing plans and programs with neighboring regional transportation planning organizations, metropolitan planning organizations, and, where appropriate, tribal organizations; and

“(H) conducting other duties, as necessary, to support and enhance the statewide planning process under subsection (d).

“(5) STATES WITHOUT REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—If a State chooses not to establish or designate a regional transportation planning organization, the State shall consult with affected nonmetropolitan local officials to determine projects that may be of regional significance.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 135 and inserting the following:

“135. Statewide and nonmetropolitan transportation planning.”.

SEC. 1203. NATIONAL GOALS AND PERFORMANCE MANAGEMENT MEASURES.

(a) IN GENERAL.—Section 150 of title 23, United States Code, is amended to read as follows:

“§ 150. National goals and performance management measures

“(a) DECLARATION OF POLICY.—Performance management will transform the Federal-aid highway program and provide a means to the most efficient investment of Federal transportation funds by refocusing on national transportation goals, increasing the accountability and transparency of the Federal-aid highway program, and improving project decisionmaking through performance-based planning and programming.

“(b) NATIONAL GOALS.—It is in the interest of the United States to focus the Federal-aid highway program on the following national goals:

“(1) SAFETY.—To achieve a significant reduction in traffic fatalities and serious injuries on all public roads.

“(2) INFRASTRUCTURE CONDITION.—To maintain the highway infrastructure asset system in a state of good repair.

“(3) CONGESTION REDUCTION.—To achieve a significant reduction in congestion on the National Highway System.

“(4) SYSTEM RELIABILITY.—To improve the efficiency of the surface transportation system.

“(5) FREIGHT MOVEMENT AND ECONOMIC VITALITY.—To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.

“(6) ENVIRONMENTAL SUSTAINABILITY.—To enhance the performance of the transportation system while protecting and enhancing the natural environment.

“(7) REDUCED PROJECT DELIVERY DELAYS.—To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies’ work practices.

“(c) ESTABLISHMENT OF PERFORMANCE MEASURES.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of the MAP-21, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other stakeholders, shall promulgate a rulemaking that establishes performance measures and standards.

“(2) ADMINISTRATION.—In carrying out paragraph (1), the Secretary shall—

“(A) provide States, metropolitan planning organizations, and other stakeholders not less than 90 days to comment on any regulation proposed by the Secretary under that paragraph;

“(B) take into consideration any comments relating to a proposed regulation received during that comment period; and

“(C) limit performance measures only to those described in this subsection.

“(3) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—

“(A) IN GENERAL.—Subject to subparagraph (B), for the purpose of carrying out section 119, the Secretary shall establish —

“(i) minimum standards for States to use in developing and operating bridge and pavement management systems;

“(ii) measures for States to use to assess—

“(I) the condition of pavements on the Interstate system;

“(II) the condition of pavements on the National Highway System (excluding the Interstate);

“(IV) the performance of the Interstate System; and

“(V) the performance of the National Highway System (excluding the Interstate System);

“(iii) minimum levels for the condition of pavement on the Interstate System, only for the purposes of carrying out section 119(f)(1); and

“(iv) the data elements that are necessary to collect and maintain standardized data to carry out a performance-based approach.

“(B) REGIONS.—In establishing minimum condition levels under subparagraph (A)(iii), if the Secretary determines that various geographic regions of the United States experience disparate factors contributing to the condition of pavement on the Interstate System in those regions, the Secretary may establish different minimum levels for each region;

“(4) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—For the purpose of carrying out section 148, the Secretary shall establish measures for States to use to assess—

“(A) serious injuries and fatalities per vehicle mile traveled; and

“(B) the number of serious injuries and fatalities.

“(5) CONGESTION MITIGATION AND AIR QUALITY PROGRAM.—For the purpose of carrying out section 149, the Secretary shall establish measures for States to use to assess—

“(A) traffic congestion; and

“(B) on-road mobile source emissions.

“(6) NATIONAL FREIGHT MOVEMENT.—The Secretary shall establish measures for States to use to assess freight movement on the Interstate System.

“(d) ESTABLISHMENT OF PERFORMANCE TARGETS.—

“(1) IN GENERAL.—Not later than 1 year after the Secretary has promulgated the final rule-making under subsection (c), each State shall set performance targets that reflect the measures identified in paragraphs (3), (4), (5), and (6) of subsection (c).

“(2) DIFFERENT APPROACHES FOR URBAN AND RURAL AREAS.—In the development and implementation of any performance target, a State may, as appropriate, provide for different performance targets for urbanized and rural areas.

“(e) REPORTING ON PERFORMANCE TARGETS.—Not later than 4 years after the date of enactment of the MAP-21 and biennially thereafter, a State shall submit to the Secretary a report that describes—

“(1) the condition and performance of the National Highway System in the State;

“(2) the effectiveness of the investment strategy document in the State asset management plan for the National Highway System;

“(3) progress in achieving performance targets identified under subsection (d); and

“(4) the ways in which the State is addressing congestion at freight bottlenecks, including those identified in the National Freight Strategic Plan, within the State.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 150 and inserting the following:

“150. National goals and performance management measures.”.

Subtitle C—Acceleration of Project Delivery
SEC. 1301. DECLARATION OF POLICY AND PROJECT DELIVERY INITIATIVE.

(a) IN GENERAL.—It is the policy of the United States that—

(1) it is in the national interest for the Department, State departments of transportation, transit agencies, and all other recipients of Federal transportation funds—

(A) to accelerate project delivery and reduce costs; and

(B) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner, promoting accountability for public investments and encouraging greater private sector involvement in project financing and delivery while enhancing safety and protecting the environment;

(2) delay in the delivery of transportation projects increases project costs, harms the economy of the United States, and impedes the travel of the people of the United States and the shipment of goods for the conduct of commerce; and

(3) the Secretary shall identify and promote the deployment of innovation aimed at reducing the time and money required to deliver transportation projects while enhancing safety and protecting the environment.

(b) PROJECT DELIVERY INITIATIVE.—

(1) IN GENERAL.—To advance the policy described in subsection (a), the Secretary shall carry out a project delivery initiative under this section.

(2) PURPOSES.—The purposes of the project delivery initiative shall be—

(A) to develop and advance the use of best practices to accelerate project delivery and reduce costs across all modes of transportation and expedite the deployment of technology and innovation;

(B) to implement provisions of law designed to accelerate project delivery; and

(C) to select eligible projects for applying experimental features to test innovative project delivery techniques.

(3) ADVANCING THE USE OF BEST PRACTICES.—

(A) IN GENERAL.—In carrying out the initiative under this section, the Secretary shall identify and advance best practices to reduce delivery time and project costs, from planning through construction, for transportation projects and programs of projects regardless of mode and project size.

(B) ADMINISTRATION.—To advance the use of best practices, the Secretary shall—

(i) engage interested parties, affected communities, resource agencies, and other stakeholders to gather information regarding opportunities for accelerating project delivery and reducing costs;

(ii) establish a clearinghouse for the collection, documentation, and advancement of existing and new innovative approaches and best practices;

(iii) disseminate information through a variety of means to transportation stakeholders on new innovative approaches and best practices; and

(iv) provide technical assistance to assist transportation stakeholders in the use of flexibility authority to resolve project delays and accelerate project delivery if feasible.

(4) IMPLEMENTATION OF ACCELERATED PROJECT DELIVERY.—The Secretary shall ensure that the provisions of this subtitle designed to accelerate project delivery are fully implemented, including—

(A) expanding eligibility of early acquisition of property prior to completion of environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) allowing the use of the construction manager or general contractor method of contracting in the Federal-aid highway system; and

(C) establishing a demonstration program to streamline the relocation process by permitting a lump-sum payment for acquisition and relocation if elected by the displaced occupant.

(c) EXPEDITED PROJECT DELIVERY.—Section 101(b) of title 23, United States Code, is amended by adding at the end the following:

“(4) EXPEDITED PROJECT DELIVERY.—

“(A) IN GENERAL.—Congress declares that it is in the national interest to expedite the delivery of surface transportation projects by substantially reducing the average length of the environmental review process.

“(B) POLICY OF THE UNITED STATES.—Accordingly, it is the policy of the United States that—

“(i) the Secretary shall have the lead role among Federal agencies in carrying out the environmental review process for surface transportation projects;

“(ii) each Federal agency shall cooperate with the Secretary to expedite the environmental review process for surface transportation projects;

“(iii) project sponsors shall not be prohibited from carrying out preconstruction project development activities concurrently with the environmental review process;

“(iv) programmatic approaches shall be used to reduce the need for project-by-project reviews and decisions by Federal agencies; and

“(v) the Secretary shall identify opportunities for project sponsors to assume responsibilities of the Secretary where such responsibilities can be assumed in a manner that protects public health, the environment, and public participation.”.

SEC. 1302. ADVANCE ACQUISITION OF REAL PROPERTY INTERESTS.

(a) REAL PROPERTY INTERESTS.—Section 108 of title 23, United States Code, is amended—

(1) by striking “real property” each place it appears and inserting “real property interests”;

(2) by striking “right-of-way” each place it appears and inserting “real property interest”;

(3) by striking “rights-of-way” each place it appears and inserting “real property interests”.

(b) STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108(c) of title 23, United States Code, is amended—

(1) in the subsection heading, by striking “EARLY ACQUISITION OF RIGHTS-OF-WAY” and inserting “STATE-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS”;

(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(3) in paragraph (2) (as so redesignated)—

(A) in the heading, by striking “GENERAL RULE” and inserting “ELIGIBILITY FOR REIMBURSEMENT”; and

(B) by striking “Subject to paragraph (2)” and inserting “Subject to paragraph (3)”;

(4) by inserting before paragraph (2) (as so redesignated) the following:

“(1) IN GENERAL.—A State may carry out, at the expense of the State, acquisitions of interests in real property for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project by the State or any Federal agency.”; and

(5) in paragraph (3) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking “in paragraph (1)” and inserting “in paragraph (2)”;

(B) in subparagraph (G), by striking “both the Secretary and the Administrator of the Environmental Protection Agency have concurred” and inserting “the Secretary has determined”.

(c) FEDERALLY FUNDED ACQUISITION OF REAL PROPERTY INTERESTS.—Section 108 of title 23, United States Code, is amended by adding at the end the following:

“(d) FEDERALLY FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—

“(1) DEFINITION OF ACQUISITION OF A REAL PROPERTY INTEREST.—In this subsection, the term ‘acquisition of a real property interest’ includes the acquisition of—

“(A) any interest in land;

“(B) a contractual right to acquire any interest in land; or

“(C) any other similar action to acquire or preserve rights-of-way for a transportation facility.

“(2) AUTHORIZATION.—The Secretary may authorize the use of funds apportioned to a State under this title for the acquisition of a real property interest by a State.

“(3) STATE CERTIFICATION.—A State requesting Federal funding for an acquisition of a real property interest shall certify in writing, with concurrence by the Secretary, that—

“(A) the State has authority to acquire the real property interest under State law; and

“(B) the acquisition of the real property interest—

“(i) is for a transportation purpose;

“(ii) will not cause any significant adverse environmental impact;

“(iii) will not limit the choice of reasonable alternatives for the project or otherwise influence the decision of the Secretary on any approval required for the project;

“(iv) does not prevent the lead agency from making an impartial decision as to whether to accept an alternative that is being considered in the environmental review process;

“(v) is consistent with the State transportation planning process under section 135;

“(vi) complies with other applicable Federal laws (including regulations);

“(vii) will be acquired through negotiation, without the threat of condemnation; and

“(viii) will not result in a reduction or elimination of benefits or assistance to a displaced person required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

“(4) ENVIRONMENTAL COMPLIANCE.—

“(A) IN GENERAL.—Before authorizing Federal funding for an acquisition of a real property interest, the Secretary shall complete the review

process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the acquisition of the real property interest.

“(B) INDEPENDENT UTILITY.—The acquisition of a real property interest—

“(i) shall be treated as having independent utility for purposes of the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) shall not limit consideration of alternatives for future transportation improvements with respect to the real property interest.

“(5) PROGRAMMING.—

“(A) IN GENERAL.—The acquisition of a real property interest for which Federal funding is requested shall be included as a project in an applicable transportation improvement program under sections 134 and 135 and sections 5303 and 5304 of title 49.

“(B) ACQUISITION PROJECT.—The acquisition project may consist of the acquisition of a specific parcel, a portion of a transportation corridor, or an entire transportation corridor.

“(6) DEVELOPMENT.—Real property interests acquired under this subsection may not be developed in anticipation of a project until all required environmental reviews for the project have been completed.

“(7) REIMBURSEMENT.—If Federal-aid reimbursement is made for real property interests acquired early under this section and the real property interests are not subsequently incorporated into a project eligible for surface transportation funds within the time allowed by subsection (a)(2), the Secretary shall offset the amount reimbursed against funds apportioned to the State.

“(8) OTHER REQUIREMENTS AND CONDITIONS.—

“(A) APPLICABLE LAW.—The acquisition of a real property interest shall be carried out in compliance with all requirements applicable to the acquisition of real property interests for federally funded transportation projects.

“(B) ADDITIONAL CONDITIONS.—The Secretary may establish such other conditions or restrictions on acquisitions under this subsection as the Secretary determines to be appropriate.”

SEC. 1303. LETTING OF CONTRACTS.

(a) EFFICIENCIES IN CONTRACTING.—Section 112(b) of title 23, United States Code, is amended by adding at the end the following:

“(4) METHOD OF CONTRACTING.—

“(A) IN GENERAL.—

“(i) 2-PHASE CONTRACT.—A contracting agency may award a 2-phase contract to a construction manager or general contractor for preconstruction and construction services.

“(ii) PRECONSTRUCTION SERVICES PHASE.—In the preconstruction services phase of a contract under this paragraph, the contractor shall provide the contracting agency with advice for scheduling, work sequencing, cost engineering, constructability, cost estimating, and risk identification.

“(iii) AGREEMENT.—Prior to the start of the construction services phase, the contracting agency and the contractor may agree to a price and other factors specified in regulation for the construction of the project or a portion of the project.

“(iv) CONSTRUCTION PHASE.—If an agreement is reached under clause (iii), the contractor shall be responsible for the construction of the project or portion of the project at the negotiated price and in compliance with the other factors specified in the agreement.

“(B) SELECTION.—A contract shall be awarded to a contractor under this paragraph using a competitive selection process based on qualifications, experience, best value, or any other combination of factors considered appropriate by the contracting agency.

“(C) TIMING.—

“(i) RELATIONSHIP TO NEPA PROCESS.—Prior to the completion of the environmental review process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332), a contracting agency may—

“(I) issue requests for proposals;

“(II) proceed with the award of a contract for preconstruction services under subparagraph (A)(ii); and

“(III) issue notices to proceed with a preliminary design and any work related to preliminary design, to the extent that those actions do not limit any reasonable range of alternatives.

“(ii) CONSTRUCTION SERVICES PHASE.—A contracting agency shall not proceed with the award of the construction services phase of a contract under subparagraph (A)(iv) and shall not proceed, or permit any consultant or contractor to proceed, with final design or construction until completion of the environmental review process required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

“(iii) APPROVAL REQUIREMENT.—Prior to authorizing construction activities, the Secretary shall approve—

“(I) the price estimate of the contracting agency for the entire project; and

“(II) any price agreement with the general contractor for the project or a portion of the project.

“(iv) DESIGN ACTIVITIES.—

“(I) IN GENERAL.—A contracting agency may proceed, at the expense of the contracting agency, with design activities at any level of detail for a project before completion of the review process required for the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for the project.

“(II) REIMBURSEMENT.—Design activities carried out under subclause (I) shall be eligible for Federal reimbursement as a project expense in accordance with the requirements under section 109(r).

“(v) TERMINATION PROVISION.—The Secretary shall require a contract to include an appropriate termination provision in the event that a no-build alternative is selected.”

(b) REGULATIONS.—The Secretary shall promulgate such regulations as are necessary to carry out the amendment made by subsection (a).

(c) EFFECT ON EXPERIMENTAL PROGRAM.—Nothing in this section or the amendment made by this section affects the authority to carry out, or any project carried out under, any experimental program concerning construction manager risk that is being carried out by the Secretary as of the date of enactment of this Act.

SEC. 1304. INNOVATIVE PROJECT DELIVERY METHODS.

(a) DECLARATION OF POLICY.—

(1) IN GENERAL.—Congress declares that it is in the national interest to promote the use of innovative technologies and practices that increase the efficiency of construction of, improve the safety of, and extend the service life of highways and bridges.

(2) INCLUSIONS.—The innovative technologies and practices described in paragraph (1) include state-of-the-art intelligent transportation system technologies, elevated performance standards, and new highway construction business practices that improve highway safety and quality, accelerate project delivery, and reduce congestion related to highway construction.

(b) FEDERAL SHARE.—Section 120(c) of title 23, United States Code, is amended by adding at the end the following:

“(3) INNOVATIVE PROJECT DELIVERY.—

“(A) IN GENERAL.—Except as provided in subparagraph (C), the Federal share payable on account of a project, program, or activity carried out with funds apportioned under paragraph (1), (2), or (5) of section 104(b) may, at the discretion of the State, be up to 100 percent for any such project, program, or activity that the Secretary determines—

“(i) contains innovative project delivery methods that improve work zone safety for motorists or workers and the quality of the facility;

“(ii) contains innovative technologies, manufacturing processes, financing, or contracting methods that improve the quality of, extend the service life of, or decrease the long-term costs of maintaining highways and bridges;

“(iii) accelerates project delivery while complying with other applicable Federal laws (including regulations) and not causing any significant adverse environmental impact; or

“(iv) reduces congestion related to highway construction.

“(B) EXAMPLES.—Projects, programs, and activities described in subparagraph (A) may include the use of—

“(i) prefabricated bridge elements and systems and other technologies to reduce bridge construction time;

“(ii) innovative construction equipment, materials, or techniques, including the use of in-place recycling technology and digital 3-dimensional modeling technologies;

“(iii) innovative contracting methods, including the design-build and the construction manager-general contractor contracting methods;

“(iv) intelligent compaction equipment; or

“(v) contractual provisions that offer a contractor an incentive payment for early completion of the project, program, or activity, subject to the condition that the incentives are accounted for in the financial plan of the project, when applicable.

“(C) LIMITATIONS.—

“(i) IN GENERAL.—In each fiscal year, a State may use the authority under subparagraph (A) for up to 10 percent of the combined apportionments of the State under paragraphs (1), (2), and (5) of section 104(b).

“(ii) FEDERAL SHARE INCREASE.—The Federal share payable on account of a project, program, or activity described in subparagraph (A) may be increased by up to 5 percent of the total project cost.”

SEC. 1305. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) FLEXIBILITY.—Section 139(b) of title 23, United States Code, is amended—

(1) in paragraph (2) by inserting “, and any requirements established under this section may be satisfied,” after “exercised”; and

(2) by adding at the end the following:

“(3) PROGRAMMATIC COMPLIANCE.—

“(A) IN GENERAL.—The Secretary shall initiate a rulemaking to allow for the use of programmatic approaches to conduct environmental reviews that—

“(i) eliminate repetitive discussions of the same issues;

“(ii) focus on the actual issues ripe for analyses at each level of review; and

“(iii) are consistent with—

“(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(II) other applicable laws.

“(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary shall—

“(i) before initiating the rulemaking under that subparagraph, consult with relevant Federal agencies and State resource agencies, State departments of transportation, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

“(ii) emphasize the importance of collaboration among relevant Federal agencies, State agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographic scope;

“(iii) ensure that the programmatic reviews—

“(I) promote transparency, including of the analyses and data used in the environmental reviews, the treatment of any deferred issues raised by agencies or the public, and the temporal and special scales to be used to analyze such issues;

“(II) use accurate and timely information in reviews, including—

“(aa) criteria for determining the general duration of the usefulness of the review; and

“(bb) the timeline for updating any out-of-date review;

“(III) describe—

“(aa) the relationship between programmatic analysis and future tiered analysis; and

“(bb) the role of the public in the creation of future tiered analysis; and

“(IV) are available to other relevant Federal and State agencies, Indian tribes, and the public;

“(iv) allow not fewer than 60 days of public notice and comment on any proposed rule; and

“(v) address any comments received under clause (iv).”.

(b) FEDERAL LEAD AGENCY.—Section 139(c) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “The Department of Transportation” and inserting the following:

“(A) IN GENERAL.—The Department of Transportation”; and

(B) by adding at the end the following:

“(B) MODAL ADMINISTRATION.—If the project requires approval from more than 1 modal administration within the Department, the Secretary may designate a single modal administration to serve as the Federal lead agency for the Department in the environmental review process for the project.”.

(c) PARTICIPATING AGENCIES.—Section 139(d) of title 23, United States Code, is amended—

(1) by striking paragraph (4) and inserting the following:

“(4) EFFECT OF DESIGNATION.—

“(A) REQUIREMENT.—A participating agency shall comply with the requirements of this section.

“(B) IMPLICATION.—Designation as a participating agency under this subsection shall not imply that the participating agency—

“(i) supports a proposed project; or

“(ii) has any jurisdiction over, or special expertise with respect to evaluation of, the project.”; and

(2) by striking paragraph (7) and inserting the following:

“(7) CONCURRENT REVIEWS.—Each participating agency and cooperating agency shall—

“(A) carry out the obligations of that agency under other applicable law concurrently, and in conjunction, with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the Federal agency to conduct needed analysis or otherwise carry out those obligations; and

“(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.”.

(d) PROJECT INITIATION.—Section 139(e) of title 23, United States Code, is amended—

(1) by striking “The project sponsor” and inserting the following:

“(1) IN GENERAL.—The project sponsor”; and

(2) by adding at the end the following:

“(2) SUBMISSION OF DOCUMENTS.—The project sponsor may satisfy the requirement under paragraph (1) by submitting to the Secretary any relevant documents containing the information described in that paragraph, including a draft notice for publication in the Federal Register announcing the preparation of an environmental review for the project.”.

(e) COORDINATION AND SCHEDULING.—Section 139(g)(1)(B)(i) of title 23, United States Code, is amended by inserting “and the concurrence of” after “consultation with”.

SEC. 1306. ACCELERATED DECISIONMAKING.

Section 139(h) of title 23, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) INTERIM DECISION ON ACHIEVING ACCELERATED DECISIONMAKING.—

“(A) IN GENERAL.—Not later than 30 days after the close of the public comment period on a draft environmental impact statement, the Secretary may convene a meeting with the project sponsor, lead agency, resource agencies,

and any relevant State agencies to ensure that all parties are on schedule to meet deadlines for decisions to be made regarding the project.

“(B) DEADLINES.—The deadlines referred to in subparagraph (A) shall be those established under subsection (g), or any other deadlines established by the lead agency, in consultation with the project sponsor and other relevant agencies.

“(C) FAILURE TO ASSURE.—If the relevant agencies cannot provide reasonable assurances that the deadlines described in subparagraph (B) will be met, the Secretary may initiate the issue resolution and referral process described under paragraph (5) and before the completion of the record of decision.

“(5) ACCELERATED ISSUE RESOLUTION AND REFERRAL.—

“(A) AGENCY ISSUE RESOLUTION MEETING.—

“(i) IN GENERAL.—A Federal agency of jurisdiction, project sponsor, or the Governor of a State in which a project is located may request an issue resolution meeting to be conducted by the lead agency.

“(ii) ACTION BY LEAD AGENCY.—The lead agency shall convene an issue resolution meeting under clause (i) with the relevant participating agencies and the project sponsor, including the Governor only if the meeting was requested by the Governor, to resolve issues that could—

“(I) delay completion of the environmental review process; or

“(II) result in denial of any approvals required for the project under applicable laws.

“(iii) DATE.—A meeting requested under this subparagraph shall be held by not later than 21 days after the date of receipt of the request for the meeting, unless the lead agency determines that there is good cause to extend the time for the meeting.

“(iv) NOTIFICATION.—On receipt of a request for a meeting under this subparagraph, the lead agency shall notify all relevant participating agencies of the request, including the issue to be resolved, and the date for the meeting.

“(v) DISPUTES.—If a relevant participating agency with jurisdiction over an approval required for a project under applicable law determines that the relevant information necessary to resolve the issue has not been obtained and could not have been obtained within a reasonable time, but the lead agency disagrees, the resolution of the dispute shall be forwarded to the heads of the relevant agencies for resolution.

“(vi) CONVENTION BY LEAD AGENCY.—A lead agency may convene an issue resolution meeting under this subsection at any time without the request of the Federal agency of jurisdiction, project sponsor, or the Governor of a State.

“(B) ELEVATION OF ISSUE RESOLUTION.—

“(i) IN GENERAL.—If issue resolution is not achieved by not later than 30 days after the date of a relevant meeting under subparagraph (A), the Secretary shall notify the lead agency, the heads of the relevant participating agencies, and the project sponsor (including the Governor only if the initial issue resolution meeting request came from the Governor) that an issue resolution meeting will be convened.

“(ii) REQUIREMENTS.—The Secretary shall identify the issues to be addressed at the meeting and convene the meeting not later than 30 days after the date of issuance of the notice.

“(C) REFERRAL OF ISSUE RESOLUTION.—

“(i) REFERRAL TO COUNCIL ON ENVIRONMENTAL QUALITY.—

“(I) IN GENERAL.—If resolution is not achieved by not later than 30 days after the date of an issue resolution meeting under subparagraph (B), the Secretary shall refer the matter to the Council on Environmental Quality.

“(II) MEETING.—Not later than 30 days after the date of receipt of a referral from the Secretary under subclause (I), the Council on Environmental Quality shall hold an issue resolution meeting with the lead agency, the heads of relevant participating agencies, and the project sponsor (including the Governor only if an ini-

tial request for an issue resolution meeting came from the Governor).

“(ii) REFERRAL TO THE PRESIDENT.—If a resolution is not achieved by not later than 30 days after the date of the meeting convened by the Council on Environmental Quality under clause (i)(II), the Secretary shall refer the matter directly to the President.

“(6) FINANCIAL PENALTY PROVISIONS.—

“(A) IN GENERAL.—A Federal agency of jurisdiction over an approval required for a project under applicable laws shall complete any required approval on an expeditious basis using the shortest existing applicable process.

“(B) FAILURE TO DECIDE.—

“(i) IN GENERAL.—If an agency described in subparagraph (A) fails to render a decision under any Federal law relating to a project that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, or other approval by the date described in clause (ii), an amount of funding equal to the amounts specified in subclause (I) or (II) shall be rescinded from the applicable office of the head of the agency, or equivalent office to which the authority for rendering the decision has been delegated by law by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C)—

“(I) \$20,000 for any project for which an annual financial plan under section 106(i) is required; or

“(II) \$10,000 for any other project requiring preparation of an environmental assessment or environmental impact statement.

“(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

“(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

“(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) LIMITATIONS.—

“(i) IN GENERAL.—No rescission of funds under subparagraph (B) relating to an individual project shall exceed, in any fiscal year, an amount equal to 2.5 percent of the funds made available for the applicable agency office.

“(ii) FAILURE TO DECIDE.—The total amount rescinded in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 7 percent of the funds made available for the applicable agency office for that fiscal year.

“(D) NO FAULT OF AGENCY.—A rescission of funds under this paragraph shall not be made if the lead agency for the project certifies that—

“(i) the agency has not received necessary information or approvals from another entity, such as the project sponsor, in a manner that affects the ability of the agency to meet any requirements under State, local, or Federal law; or

“(ii) significant new information or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application.

“(E) LIMITATION.—The Federal agency with jurisdiction for the decision from which funds are rescinded pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

“(F) AUDITS.—In any fiscal year in which any funds are rescinded from a Federal agency pursuant to this paragraph, the Inspector General of that agency shall—

“(i) conduct an audit to assess compliance with the requirements of this paragraph; and

“(ii) not later than 120 days after the end of the fiscal year during which the rescission occurred, submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of

the House of Representatives a report describing the reasons why the transfers were levied, including allocations of resources.

“(G) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

“(7) EXPEDIENT DECISIONS AND REVIEWS.—To ensure that Federal environmental decisions and reviews are expeditiously made—

“(A) adequate resources made available under this title shall be devoted to ensuring that applicable environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are completed on an expeditious basis and that the shortest existing applicable process under that Act is implemented; and

“(B) the President shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, not less frequently than once every 120 days after the date of enactment of the MAP-21, a report on the status and progress of the following projects and activities funded under this title with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):

“(i) Projects and activities required to prepare an annual financial plan under section 106(i).

“(ii) A sample of not less than 5 percent of the projects requiring preparation of an environmental impact statement or environmental assessment in each State.”.

SEC. 1307. ASSISTANCE TO AFFECTED FEDERAL AND STATE AGENCIES.

Section 139(j) of title 23, United States Code, is amended by adding at the end the following:

“(6) MEMORANDUM OF UNDERSTANDING.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected Federal agency under paragraphs (1) and (2), the affected Federal agency and the State agency shall enter into a memorandum of understanding that establishes the projects and priorities to be addressed by the use of the funds.”.

SEC. 1308. LIMITATIONS ON CLAIMS.

Section 139(l) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking “180 days” and inserting “150 days”; and

(2) in paragraph (2) by striking “180 days” and inserting “150 days”.

SEC. 1309. ACCELERATING COMPLETION OF COMPLEX PROJECTS WITHIN 4 YEARS.

Section 139 of title 23, United States Code, is amended by adding at the end the following:

“(m) ENHANCED TECHNICAL ASSISTANCE AND ACCELERATED PROJECT COMPLETION.—

“(1) DEFINITION OF COVERED PROJECT.—In this subsection, the term ‘covered project’ means a project—

“(A) that has an ongoing environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) for which at least 2 years, beginning on the date on which a notice of intent is issued, have elapsed without the issuance of a record of decision.

“(2) TECHNICAL ASSISTANCE.—At the request of a project sponsor or the Governor of a State in which a project is located, the Secretary shall provide additional technical assistance to resolve for a covered project any outstanding issues and project delay, including by—

“(A) providing additional staff, training, and expertise;

“(B) facilitating interagency coordination;

“(C) promoting more efficient collaboration; and

“(D) supplying specialized onsite assistance.

“(3) SCOPE OF WORK.—

“(A) IN GENERAL.—In providing technical assistance for a covered project under this subsection, the Secretary shall establish a scope of work that describes the actions that the Secretary will take to resolve the outstanding issues

and project delays, including establishing a schedule under subparagraph (B).

“(B) SCHEDULE.—

“(i) IN GENERAL.—The Secretary shall establish and meet a schedule for the completion of any permit, approval, review, or study, required for the covered project by the date that is not later than 4 years after the date on which a notice of intent for the covered project is issued.

“(ii) INCLUSIONS.—The schedule under clause (i) shall—

“(I) comply with all applicable laws;

“(II) require the concurrence of the Council on Environmental Quality and each participating agency for the project with the State in which the project is located or the project sponsor, as applicable; and

“(III) reflect any new information that becomes available and any changes in circumstances that may result in new significant impacts that could affect the timeline for completion of any permit, approval, review, or study required for the covered project.

“(4) CONSULTATION.—In providing technical assistance for a covered project under this subsection, the Secretary shall consult, if appropriate, with resource and participating agencies on all methods available to resolve the outstanding issues and project delays for a covered project as expeditiously as possible.

“(5) ENFORCEMENT.—

“(A) IN GENERAL.—All provisions of this section shall apply to this subsection, including the financial penalty provisions under subsection (h)(6).

“(B) RESTRICTION.—If the Secretary enforces this subsection under subsection (h)(6), the Secretary may use a date included in a schedule under paragraph (3)(B) that is created pursuant to and is in compliance with this subsection in lieu of the dates under subsection (h)(6)(B)(ii).”.

SEC. 1310. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code (as amended by section 1115(a)), is amended by adding at the end the following:

“§168. Integration of planning and environmental review

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ENVIRONMENTAL REVIEW PROCESS.—The term ‘environmental review process’ means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(2) PLANNING PRODUCT.—The term ‘planning product’ means a detailed and timely decision, analysis, study, or other documented information that—

“(A) is the result of an evaluation or decision-making process carried out during transportation planning, including a detailed corridor plan or a transportation plan developed under section 134 that fully analyzes impacts on mobility, adjacent communities, and the environment;

“(B) is intended to be carried into the transportation project development process; and

“(C) has been approved by the State, all local and tribal governments where the project is located, and by any relevant metropolitan planning organization.

“(3) PROJECT.—The term ‘project’ has the meaning given the term in section 139(a).

“(4) PROJECT SPONSOR.—The term ‘project sponsor’ has the meaning given the term in section 139(a).

“(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

“(1) IN GENERAL.—Subject to the conditions set forth in subsection (d), the Federal lead agency for a project may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

“(2) IDENTIFICATION.—When the Federal lead agency makes a determination to adopt and use

a planning product, the Federal lead agency shall identify those agencies that participated in the development of the planning products.

“(3) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may adopt a planning product under paragraph (1) in its entirety or may select portions for adoption.

“(4) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product may be made at the time the lead agencies decide the appropriate scope of environmental review for the project but may also occur later in the environmental review process, as appropriate.

“(c) APPLICABILITY.—

“(1) PLANNING DECISIONS.—Planning decisions that may be adopted pursuant to this section include—

“(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

“(B) a decision with respect to modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

“(C) a basic description of the environmental setting;

“(D) a decision with respect to methodologies for analysis; and

“(E) an identification of programmatic level mitigation for potential impacts that the Federal lead agency, in consultation with Federal, State, local, and tribal resource agencies, determines are most effectively addressed at a regional or national program level, including—

“(i) system-level measures to avoid, minimize, or mitigate impacts of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

“(ii) potential mitigation activities, locations, and investments.

“(2) PLANNING ANALYSES.—Planning analyses that may be adopted pursuant to this section include studies with respect to—

“(A) travel demands;

“(B) regional development and growth;

“(C) local land use, growth management, and development;

“(D) population and employment;

“(E) natural and built environmental conditions;

“(F) environmental resources and environmentally sensitive areas;

“(G) potential environmental effects, including the identification of resources of concern and potential cumulative effects on those resources, identified as a result of a statewide or regional cumulative effects assessment; and

“(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

“(d) CONDITIONS.—Adoption and use of a planning product under this section is subject to a determination by the Federal lead agency, with the concurrence of other participating agencies with relevant expertise and project sponsors as appropriate, and with an opportunity for public notice and comment and consideration of those comments by the Federal lead agency, that the following conditions have been met:

“(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

“(2) The planning product was developed by engaging in active consultation with appropriate Federal and State resource agencies and Indian tribes.

“(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

“(4) During the planning process, notice was provided through publication or other means to Federal, State, local, and tribal governments

that might have an interest in the proposed project, and to members of the general public, of the planning products that the planning process might produce and that might be relied on during any subsequent environmental review process, and such entities have been provided an appropriate opportunity to participate in the planning process leading to such planning product.

“(5) After initiation of the environmental review process, but prior to determining whether to rely on and use the planning product, the lead Federal agency has made documentation relating to the planning product available to Federal, State, local, and tribal governments that may have an interest in the proposed action, and to members of the general public, and has considered any resulting comments.

“(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

“(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

“(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

“(9) The planning product is appropriate for adoption and use in the environmental review process for the project.

“(10) The planning product was approved not later than 5 years prior to date on which the information is adopted pursuant to this section.

“(e) EFFECT OF ADOPTION.—Any planning product adopted by the Federal lead agency in accordance with this section may be incorporated directly into an environmental review process document or other environmental document and may be relied upon and used by other Federal agencies in carrying out reviews of the project.

“(f) RULES OF CONSTRUCTION.—

“(1) IN GENERAL.—This section shall not be construed to make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

“(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

“(3) PLANNING PRODUCTS.—This section shall not be construed to affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or to restrict the initiation of the environmental review process during planning.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code (as amended by section 1115(b)), is amended by adding at end the following:

“Sec. 168. Integration of planning and environmental review.”

SEC. 1311. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code (as amended by section 1310(a)), is amended by adding at the end the following:

“§169. Development of programmatic mitigation plans

“(a) IN GENERAL.—As part of the statewide or metropolitan transportation planning process, a State or metropolitan planning organization may develop 1 or more programmatic mitigation plans to address the potential environmental impacts of future transportation projects.

“(b) SCOPE.—

“(1) SCALE.—A programmatic mitigation plan may be developed on a regional, ecosystem, watershed, or statewide scale.

“(2) RESOURCES.—The plan may encompass multiple environmental resources within a de-

finied geographic area or may focus on a specific resource, such as aquatic resources, parkland, or wildlife habitat.

“(3) PROJECT IMPACTS.—The plan may address impacts from all projects in a defined geographic area or may focus on a specific type of project.

“(4) CONSULTATION.—The scope of the plan shall be determined by the State or metropolitan planning organization, as appropriate, in consultation with the agency or agencies with jurisdiction over the resources being addressed in the mitigation plan.

“(c) CONTENTS.—A programmatic mitigation plan may include—

“(1) an assessment of the condition of environmental resources in the geographic area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

“(2) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographic area covered by the plan, through strategic mitigation for impacts of transportation projects;

“(3) standard measures for mitigating certain types of impacts;

“(4) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

“(5) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring; and

“(6) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources.

“(d) PROCESS.—Before adopting a programmatic mitigation plan, a State or metropolitan planning organization shall—

“(1) consult with each agency with jurisdiction over the environmental resources considered in the programmatic mitigation plan;

“(2) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public;

“(3) consider any comments received from such agencies and the public on the draft plan; and

“(4) address such comments in the final plan.

“(e) INTEGRATION WITH OTHER PLANS.—A programmatic mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

“(f) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic mitigation plan has been developed pursuant to this section, any Federal agency responsible for environmental reviews, permits, or approvals for a transportation project may use the recommendations in a programmatic mitigation plan when carrying out the responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(g) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this section limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code (as amended by section 1309(b)), is amended by adding at the end the following:

“Sec. 169. Development of programmatic mitigation plans.”

SEC. 1312. STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (a) by adding at the end the following:

“(4) PRESERVATION OF FLEXIBILITY.—The Secretary shall not require a State, as a condition

of assuming responsibility under this section, to forego project delivery methods that are otherwise permissible for highway projects.”;

(2) by striking subsection (d) and inserting the following:

“(d) TERMINATION.—

“(1) TERMINATION BY THE SECRETARY.—The Secretary may terminate any assumption of responsibility under a memorandum of understanding on a determination that the State is not adequately carrying out the responsibilities assigned to the State.

“(2) TERMINATION BY THE STATE.—The State may terminate the participation of the State in the program at any time by providing to the Secretary a notice not later than the date that is 90 days before the date of termination, and subject to such terms and conditions as the Secretary may provide.”; and

(3) by adding at the end the following:

“(f) LEGAL FEES.—A State assuming the responsibilities of the Secretary under this section for a specific project may use funds apportioned to the State under section 104(b)(2) for attorney’s fees directly attributable to eligible activities associated with the project.”

SEC. 1313. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

(a) PROGRAM NAME.—Section 327 of title 23, United States Code, is amended—

(1) in the section heading by striking “pilot”;

and

(2) in subsection (a)(1) by striking “pilot”.

(b) ASSUMPTION OF RESPONSIBILITY.—Section 327(a)(2) of title 23, United States Code, is amended—

(1) in subparagraph (B)—

(A) in clause (i) by striking “but”; and

(B) by striking clause (ii) and inserting the following:

“(ii) at the request of the State, the Secretary may also assign to the State, and the State may assume, the responsibilities of the Secretary with respect to 1 or more railroad, public transportation, or multimodal projects within the State under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(iii) in a State that has assumed the responsibilities of the Secretary under clause (ii), a recipient of assistance under chapter 53 of title 49 may request that the Secretary maintain the responsibilities of the Secretary with respect to 1 or more public transportation projects within the State under the National Environmental Policy Act of 1969 (42 U.S.C. 13 4321 et seq.); but

“(iv) the Secretary may not assign—

“(I) any responsibility imposed on the Secretary by section 134 or 135 or section 5303 or 5304 of title 49; or

“(II) responsibility for any conformity determination required under section 176 of the Clean Air Act (42 U.S.C. 7506).”;

(2) by adding at the end the following:

“(F) PRESERVATION OF FLEXIBILITY.—The Secretary may not require a State, as a condition of participation in the program, to forego project delivery methods that are otherwise permissible for projects.

“(G) LEGAL FEES.—A State assuming the responsibilities of the Secretary under this section for a specific project may use funds apportioned to the State under section 104(b)(2) for attorneys’ fees directly attributable to eligible activities associated with the project.”

(c) STATE PARTICIPATION.—Section 327(b) of title 23, United States Code, is amended—

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

“(1) PARTICIPATING STATES.—All States are eligible to participate in the program.”; and

(2) in paragraph (2) by striking “date of enactment of this section, the Secretary shall promulgate” and inserting “date on which amendments to this section by the MAP-21 take effect, the Secretary shall amend, as appropriate.”

(d) WRITTEN AGREEMENT.—Section 327(c) of title 23, United States Code, is amended—

(1) in paragraph (3)(D) by striking the period at the end and inserting a semicolon; and

(2) by adding at the end the following:

“(4) require the State to provide to the Secretary any information the Secretary considers necessary to ensure that the State is adequately carrying out the responsibilities assigned to the State;

“(5) have a term of not more than 5 years; and

“(6) be renewable.”.

(e) CONFORMING AMENDMENT.—Section 327(e) of title 23, United States Code, is amended by striking “subsection (i)” and inserting “subsection (j)”.

(f) AUDITS.—Section 327(g)(1)(B) of title 23, United States Code, is amended by striking “subsequent year” and inserting “of the third and fourth years”.

(g) MONITORING.—Section 327 of title 23, United States Code, is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

“(h) MONITORING.—After the fourth year of the participation of a State in the program, the Secretary shall monitor compliance by the State with the written agreement, including the provision by the State of financial resources to carry out the written agreement.”.

(h) TERMINATION.—Section 327(j) of title 23, United States Code (as so redesignated), is amended to read as follows:

“(j) TERMINATION.—

“(1) TERMINATION BY THE SECRETARY.—The Secretary may terminate the participation of any State in the program if—

“(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

“(B) the Secretary provides to the State—

“(i) notification of the determination of non-compliance; and

“(ii) a period of at least 30 days during which to take such corrective action as the Secretary determines is necessary to comply with the applicable agreement; and

“(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.

“(2) TERMINATION BY THE STATE.—The State may terminate the participation of the State in the program at any time by providing to the Secretary a notice by not later than the date that is 90 days before the date of termination, and subject to such terms and conditions as the Secretary may provide.”.

(i) CLERICAL AMENDMENT.—The item relating to section 327 in the analysis of title 23, United States Code, is amended to read as follows:

“327. Surface transportation project delivery program.”.

SEC. 1314. APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

(a) IN GENERAL.—Section 304 of title 49, United States Code, is amended to read as follows:

“§304. Application of categorical exclusions for multimodal projects

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) COOPERATING AUTHORITY.—The term ‘cooperating authority’ means a Department of Transportation operating authority that is not the lead authority with respect to a project.

“(2) LEAD AUTHORITY.—The term ‘lead authority’ means a Department of Transportation operating administration or secretarial office that—

“(A) is the lead authority over a proposed multimodal project; and

“(B) has determined that the components of the project that fall under the modal expertise of the lead authority—

“(i) satisfy the conditions for a categorical exclusion under implementing regulations or procedures of the lead authority under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) do not require the preparation of an environmental assessment or environmental impact statement under that Act.

“(3) MULTIMODAL PROJECT.—The term ‘multimodal project’ has the meaning given the term in section 139(a) of title 23.

“(b) EXERCISE OF AUTHORITIES.—The authorities granted in this section may be exercised for a multimodal project, class of projects, or program of projects that are carried out under this title.

“(c) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—In considering the environmental impacts of a proposed multimodal project, a lead authority may apply a categorical exclusion designated under the implementing regulations or procedures of a cooperating authority for other components of the project, subject to the conditions that—

“(1) the multimodal project is funded under 1 grant agreement administered by the lead authority;

“(2) the multimodal project has components that require the expertise of a cooperating authority to assess the environmental impacts of the components;

“(3) the component of the project to be covered by the categorical exclusion of the cooperating authority has independent utility;

“(4) the cooperating authority, in consultation with the lead authority—

“(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(B) determines that a categorical exclusion under that Act applies to the components; and

“(5) the lead authority has determined that—

“(A) the project, using the categorical exclusions of the lead authority and each applicable cooperating authority, does not individually or cumulatively have a significant impact on the environment; and

“(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(d) MODAL COOPERATION.—

“(1) IN GENERAL.—A cooperating authority shall provide modal expertise to the lead authority on such aspects of the multimodal project in which the cooperating authority has expertise.

“(2) USE OF CATEGORICAL EXCLUSION.—In a case described in paragraph (1), the 1 or more categorical exclusions of a cooperating authority may be applied by the lead authority once the cooperating authority reviews the project on behalf of the lead authority and determines the project satisfies the conditions for a categorical exclusion under the implementing regulations or procedures of the cooperating authority under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and this section.”.

(b) CONFORMING AMENDMENT.—The item relating to section 304 in the analysis for title 49, United States Code, is amended to read as follows:

“304. Application of categorical exclusions for multimodal projects”.

SEC. 1315. CATEGORICAL EXCLUSIONS IN EMERGENCIES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, for the repair or reconstruction of any road, highway, or bridge that is in operation or under construction when damaged by an emergency declared by the Governor of the State and concurred in by the Secretary, or for a disaster or emergency declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall publish a notice of proposed rulemaking to treat any such repair or reconstruction activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code

of Federal Regulations, and section 771.117 of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act) if such repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original road, highway, or bridge as before the declaration described in this section; and

(2) commenced within a 2-year period beginning on the date of a declaration described in this section.

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary shall ensure that the rulemaking helps to conserve Federal resources and protects public safety and health by providing for periodic evaluations to determine if reasonable alternatives exist to roads, highways, or bridges that repeatedly require repair and reconstruction activities.

(2) REASONABLE ALTERNATIVES.—The reasonable alternatives described in paragraph (1) include actions that could reduce the need for Federal funds to be expended on such repair and reconstruction activities, better protect public safety and health and the environment, and meet transportation needs as described in relevant and applicable Federal, State, local and tribal plans.

SEC. 1316. CATEGORICAL EXCLUSIONS FOR PROJECTS WITHIN THE RIGHT-OF-WAY.

(a) IN GENERAL.—The Secretary shall—

(1) not later than 180 days after the date of enactment of this Act, designate any project (as defined in section 101(a) of title 23, United States Code) within an existing operational right-of-way as an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations, and section 771.117(c) of title 23, Code of Federal Regulations; and

(2) not later than 150 days after the date of enactment of this Act, promulgate regulations to carry out paragraph (1).

(b) DEFINITION OF AN OPERATIONAL RIGHT-OF-WAY.—In this section, the term “operational right-of-way” means all real property interests acquired for the construction, operation, or mitigation of a project (as defined in section 101(a) of title 23, United States Code), including the locations of the roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, and any rest areas with direct access to a controlled access highway.

SEC. 1317. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) designate as an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations, and section 771.117(c) of title 23, Code of Federal Regulations, any project—

(A) that receives less than \$5,000,000 of Federal funds; or

(B) with a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost; and

(2) not later than 150 days after the date of enactment of this Act, promulgate regulations to carry out paragraph (1).

SEC. 1318. PROGRAMMATIC AGREEMENTS AND ADDITIONAL CATEGORICAL EXCLUSIONS.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall—

(1) survey the use by the Department of categorical exclusions in transportation projects since 2005;

(2) publish a review of the survey that includes a description of—

(A) the types of actions categorically excluded; and

(B) any requests previously received by the Secretary for new categorical exclusions; and

(3) solicit requests from State departments of transportation, transit authorities, metropolitan planning organizations, or other government agencies for new categorical exclusions.

(b) **NEW CATEGORICAL EXCLUSIONS.**—Not later than 120 days after the date of enactment of this Act, the Secretary shall publish a notice of proposed rulemaking to propose new categorical exclusions received by the Secretary under subsection (a), to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations, and section 771.117(a) of title 23, Code of Federal Regulations (as those regulations are in effect on the date of the notice).

(c) **ADDITIONAL ACTIONS.**—The Secretary shall issue a proposed rulemaking to move the following types of actions from subsection (d) of section 771.117 of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act), to subsection (c) of that section, to the extent that such movement complies with the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act):

(1) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing).

(2) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting.

(3) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings.

(d) **PROGRAMMATIC AGREEMENTS.**—

(1) **IN GENERAL.**—The Secretary shall seek opportunities to enter into programmatic agreements with the States that establish efficient administrative procedures for carrying out environmental and other required project reviews.

(2) **INCLUSIONS.**—Programmatic agreements authorized under paragraph (1) may include agreements that allow a State to determine on behalf of the Federal Highway Administration whether a project is categorically excluded from the preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) **DETERMINATIONS.**—An agreement described in paragraph (2) may include determinations by the Secretary of the types of projects categorically excluded (consistent with section 1508.4 of title 40, Code of Federal Regulations) in the State in addition to the types listed in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 1319. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) **IN GENERAL.**—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

(1) cite the sources, authorities, or reasons that support the position of the agency; and

(2) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

(b) **INCORPORATION.**—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

(1) the final environmental impact statement makes substantial changes to the proposed ac-

tion that are relevant to environmental or safety concerns; or

(2) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.

SEC. 1320. MEMORANDA OF AGENCY AGREEMENTS FOR EARLY COORDINATION.

(a) **IN GENERAL.**—It is the sense of Congress that—

(1) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other and other agencies on environmental review and project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, head off potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

(2) such cooperation should include the development of policies and the designation of staff that advise planning agencies or project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

(b) **TECHNICAL ASSISTANCE.**—If requested at any time by a State or local planning agency, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or local planning agency on accomplishing the early coordination activities described in subsection (d).

(c) **MEMORANDUM OF AGENCY AGREEMENT.**—If requested at any time by a State or local planning agency, the lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, State, and local governments and other appropriate entities to accomplish the early coordination activities described in subsection (d).

(d) **EARLY COORDINATION ACTIVITIES.**—Early coordination activities shall include, to the maximum extent practicable, the following:

(1) Technical assistance on identifying potential impacts and mitigation issues in an integrated fashion.

(2) The potential appropriateness of using planning products and decisions in later environmental reviews.

(3) The identification and elimination from detailed study in the environmental review process of the issues that are not significant or that have been covered by prior environmental reviews.

(4) The identification of other environmental review and consultation requirements so that the lead and cooperating agencies may prepare, as appropriate, other required analyses and studies concurrently with planning activities.

(5) The identification by agencies with jurisdiction over any permits related to the project of any and all relevant information that will reasonably be required for the project.

(6) The reduction of duplication between requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and State and local planning and environmental review requirements, unless the agencies are specifically barred from doing so by applicable law.

(7) Timelines for the completion of agency actions during the planning and environmental review processes.

(8) Other appropriate factors.

SEC. 1321. ENVIRONMENTAL PROCEDURES INITIATIVE.

(a) **ESTABLISHMENT.**—For grant programs under which funds are distributed by formula by the Department, the Secretary shall establish an initiative to review and develop consistent procedures for environmental permitting and procurement requirements that apply to a project carried out under title 23, United States

Code, or chapter 53 of title 49, United States Code.

(b) **REPORT.**—The Secretary shall publish the results of the initiative described in subsection (a) in an electronically accessible format.

SEC. 1322. REVIEW OF STATE ENVIRONMENTAL REVIEWS AND APPROVALS FOR THE PURPOSE OF ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

For environmental reviews and approvals carried out on projects funded under title 23, United States Code, the Comptroller General of the United States shall—

(1) review State laws and procedures for conducting environmental reviews with regard to such projects and identify the States that have environmental laws that provide environmental protections and opportunities for public involvement that are equivalent to those provided by Federal environmental laws;

(2) determine the frequency and cost of environmental reviews carried out at the Federal level that are duplicative of State reviews that provide equivalent environmental protections and opportunities for public involvement; and

(3) not later than 2 years after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the results of the review and determination made under this section.

SEC. 1323. REVIEW OF FEDERAL PROJECT AND PROGRAM DELIVERY.

(a) **COMPLETION TIME ASSESSMENTS AND REPORTS.**—

(1) **IN GENERAL.**—For projects funded under title 23, United States Code, the Secretary shall compare—

(A)(i) the completion times of categorical exclusions, environmental assessments, and environmental impact statements initiated after calendar year 2005; to

(ii) the completion times of categorical exclusions, environmental assessments, and environmental impact statements initiated during a period prior to calendar year 2005; and

(B)(i) the completion times of categorical exclusions, environmental assessments, and environmental impact statements initiated during the period beginning on January 1, 2005, and ending on the date of enactment of this Act; to

(ii) the completion times of categorical exclusions, environmental assessments, and environmental impact statements initiated after the date of enactment of this Act.

(2) **REPORT.**—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(A) not later than 1 year after the date of enactment of this Act, a report that—

(i) describes the results of the review conducted under paragraph (1)(A); and

(ii) identifies any change in the timing for completions, including the reasons for any such change and the reasons for delays in excess of 5 years; and

(B) not later than 5 years after the date of enactment of this Act, a report that—

(i) describes the results of the review conducted under paragraph (1)(B); and

(ii) identifies any change in the timing for completions, including the reasons for any such change and the reasons for delays in excess of 5 years.

(b) **ADDITIONAL REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the types and justification for the additional categorical exclusions granted under the authority provided under sections 1316 and 1317.

(c) **GAO REPORT.**—The Comptroller General of the United States shall—

(1) assess the reforms carried out under this subtitle (including the amendments made by this subtitle); and

(2) not later than 5 years after the date of enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the results of the assessment.

(d) INSPECTOR GENERAL REPORT.—The Inspector General of the Department of Transportation shall—

(1) assess the reforms carried out under this subtitle (including the amendments made by this subtitle); and

(2) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(A) not later than 2 years after the date of enactment of this Act, an initial report of the findings of the Inspector General; and

(B) not later than 4 years after the date of enactment of this Act, a final report of the findings.

Subtitle D—Highway Safety

SEC. 1401. JASON'S LAW.

(a) IN GENERAL.—It is the sense of Congress that it is a national priority to address projects under this section for the shortage of long-term parking for commercial motor vehicles on the National Highway System to improve the safety of motorized and nonmotorized users and for commercial motor vehicle operators.

(b) ELIGIBLE PROJECTS.—Eligible projects under this section are those that—

(1) serve the National Highway System; and

(2) may include the following:

(A) Constructing safety rest areas (as defined in section 120(c) of title 23, United States Code) that include parking for commercial motor vehicles.

(B) Constructing commercial motor vehicle parking facilities adjacent to commercial truck stops and travel plazas.

(C) Opening existing facilities to commercial motor vehicle parking, including inspection and weigh stations and park-and-ride facilities.

(D) Promoting the availability of publicly or privately provided commercial motor vehicle parking on the National Highway System using intelligent transportation systems and other means.

(E) Constructing turnouts along the National Highway System for commercial motor vehicles.

(F) Making capital improvements to public commercial motor vehicle parking facilities currently closed on a seasonal basis to allow the facilities to remain open year-round.

(G) Improving the geometric design of interchanges on the National Highway System to improve access to commercial motor vehicle parking facilities.

(c) SURVEY AND COMPARATIVE ASSESSMENT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with relevant State motor carrier safety personnel, shall conduct a survey of each State—

(A) to evaluate the capability of the State to provide adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation;

(B) to assess the volume of commercial motor vehicle traffic in the State; and

(C) to develop a system of metrics to measure the adequacy of commercial motor vehicle parking facilities in the State.

(2) RESULTS.—The results of the survey under paragraph (1) shall be made available to the public on the website of the Department of Transportation.

(3) PERIODIC UPDATES.—The Secretary shall periodically update the survey under this subsection.

(d) ELECTRIC VEHICLE AND NATURAL GAS VEHICLE INFRASTRUCTURE.—

(1) IN GENERAL.—Except as provided in paragraph (2), a State may establish electric vehicle charging stations or natural gas vehicle refueling stations for the use of battery-powered or

natural gas-fueled trucks or other motor vehicles at any parking facility funded or authorized under this Act or title 23, United States Code.

(2) EXCEPTION.—Electric vehicle battery charging stations or natural gas vehicle refueling stations may not be established or supported under paragraph (1) if commercial establishments serving motor vehicle users are prohibited by section 111 of title 23, United States Code.

(3) FUNDS.—Charging or refueling stations described in paragraph (1) shall be eligible for the same funds as are available for the parking facilities in which the stations are located.

(e) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects funded through the authority provided under this section shall be treated as projects on a Federal-aid highway under chapter 1 of title 23, United States Code.

SEC. 1402. OPEN CONTAINER REQUIREMENTS.

Section 154(c) of title 23, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) FISCAL YEAR 2012 AND THEREAFTER.—

“(A) RESERVATION OF FUNDS.—On October 1, 2011, and each October 1 thereafter, if a State has not enacted or is not enforcing an open container law described in subsection (b), the Secretary shall reserve an amount equal to 2.5 percent of the funds to be apportioned to the State on that date under each of paragraphs (1) and (2) of section 104(b) until the State certifies to the Secretary the means by which the State will use those reserved funds in accordance with subparagraphs (A) and (B) of paragraph (1) and paragraph (3).

“(B) TRANSFER OF FUNDS.—As soon as practicable after the date of receipt of a certification from a State under subparagraph (A), the Secretary shall—

“(i) transfer the reserved funds identified by the State for use as described in subparagraphs (A) and (B) of paragraph (1) to the apportionment of the State under section 402; and

“(ii) release the reserved funds identified by the State as described in paragraph (3).”;

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

“(3) USE FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM.—

“(A) IN GENERAL.—A State may elect to use all or a portion of the funds transferred under paragraph (2) for activities eligible under section 148.

“(B) STATE DEPARTMENTS OF TRANSPORTATION.—If the State makes an election under subparagraph (A), the funds shall be transferred to the department of transportation of the State, which shall be responsible for the administration of the funds.”; and

(3) by striking paragraph (5) and inserting the following:

“(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (2) may be derived from the following:

“(A) The apportionment of the State under section 104(b)(1).

“(B) The apportionment of the State under section 104(b)(2).”.

SEC. 1403. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.

(a) DEFINITIONS.—Section 164(a) of title 23, United States Code, is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(3) in paragraph (4) (as so redesignated) by striking subparagraph (A) and inserting the following:

“(A) receive—

“(i) a suspension of all driving privileges for not less than 1 year; or

“(ii) a suspension of unlimited driving privileges for 1 year, allowing for the reinstatement

of limited driving privileges subject to restrictions and limited exemptions as established by State law, if an ignition interlock device is installed for not less than 1 year on each of the motor vehicles owned or operated, or both, by the individual;”.

(b) TRANSFER OF FUNDS.—Section 164(b) of title 23, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) FISCAL YEAR 2012 AND THEREAFTER.—

“(A) RESERVATION OF FUNDS.—On October 1, 2011, and each October 1 thereafter, if a State has not enacted or is not enforcing a repeat intoxicated driver law, the Secretary shall reserve an amount equal to 2.5 percent of the funds to be apportioned to the State on that date under each of paragraphs (1) and (2) of section 104(b) until the State certifies to the Secretary the means by which the States will use those reserved funds among the uses authorized under subparagraphs (A) and (B) of paragraph (1), and paragraph (3).

“(B) TRANSFER OF FUNDS.—As soon as practicable after the date of receipt of a certification from a State under subparagraph (A), the Secretary shall—

“(i) transfer the reserved funds identified by the State for use as described in subparagraphs (A) and (B) of paragraph (1) to the apportionment of the State under section 402; and

“(ii) release the reserved funds identified by the State as described in paragraph (3).”;

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

“(3) USE FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM.—

“(A) IN GENERAL.—A State may elect to use all or a portion of the funds transferred under paragraph (2) for activities eligible under section 148.

“(B) STATE DEPARTMENTS OF TRANSPORTATION.—If the State makes an election under subparagraph (A), the funds shall be transferred to the department of transportation of the State, which shall be responsible for the administration of the funds.”; and

(3) by striking paragraph (5) and inserting the following:

“(5) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (2) may be derived from the following:

“(A) The apportionment of the State under section 104(b)(1).

“(B) The apportionment of the State under section 104(b)(2).”.

SEC. 1404. ADJUSTMENTS TO PENALTY PROVISIONS.

(a) VEHICLE WEIGHT LIMITATIONS.—Section 127(a)(1) of title 23, United States Code, is amended by striking “No funds shall be apportioned in any fiscal year under section 104(b)(1) of this title to any State which” and inserting “The Secretary shall withhold 50 percent of the apportionment of a State under section 104(b)(1) in any fiscal year in which the State”.

(b) CONTROL OF JUNKYARDS.—Section 136 of title 23, United States Code, is amended—

(1) in subsection (b), in the first sentence—

(A) by striking “10 per centum” and inserting “7 percent”; and

(B) by striking “section 104 of this title” and inserting “paragraphs (1) through (5) of section 104(b)”;

(2) by adding at the end the following:

“(n) DEFINITIONS.—For purposes of this section, the terms ‘primary system’ and ‘Federal-aid primary system’ mean any highway that is on the National Highway System, which includes the Interstate Highway System.”.

(c) ENFORCEMENT OF VEHICLE SIZE AND WEIGHT LAWS.—Section 141(b)(2) of title 23, United States Code, is amended—

(1) by striking “10 per centum” and inserting “7 percent”; and

(2) by striking “section 104 of this title” and inserting “paragraphs (1) through (5) of section 104(b)”.

(d) **PROOF OF PAYMENT OF THE HEAVY VEHICLE USE TAX.**—Section 141(c) of title 23, United States Code, is amended—

(1) by striking “section 104(b)(4)” each place it appears and inserting “section 104(b)(1)”; and (2) in the first sentence by striking “25 per centum” and inserting “8 percent”.

(e) **USE OF SAFETY BELTS.**—Section 153(h) of title 23, United States Code, is amended—

(1) by striking paragraph (1);
(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) by striking the paragraph heading and inserting “PRIOR TO FISCAL YEAR 2012”; and
(B) by inserting “and before October 1, 2011,” after “September 30, 1994,”; and

(4) by inserting after paragraph (1) (as so redesignated) the following:

“(2) **FISCAL YEAR 2012 AND THEREAFTER.**—If, at any time in a fiscal year beginning after September 30, 2011, a State does not have in effect a law described in subsection (a)(2), the Secretary shall transfer an amount equal to 2 percent of the funds apportioned to the State for the succeeding fiscal year under each of paragraphs (1) through (3) of section 104(b) to the apportionment of the State under section 402.”.

(f) **NATIONAL MINIMUM DRINKING AGE.**—Section 158(a)(1) of title 23, United States Code, is amended—

(1) by striking “The Secretary” and inserting the following:

“(A) **FISCAL YEARS BEFORE 2012.**—The Secretary”; and

(2) by adding at the end the following:

“(B) **FISCAL YEAR 2012 AND THEREAFTER.**—For fiscal year 2012 and each fiscal year thereafter, the amount to be withheld under this section shall be an amount equal to 8 percent of the amount apportioned to the noncompliant State, as described in subparagraph (A), under paragraphs (1) and (2) of section 104(b).”.

(g) **DRUG OFFENDERS.**—Section 159 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1);
(B) by redesignating paragraph (2) as paragraph (1);

(C) in paragraph (1) (as so redesignated) by striking “(including any amounts withheld under paragraph (1))”; and

(D) by inserting after paragraph (1) (as so redesignated) the following:

“(2) **FISCAL YEAR 2012 AND THEREAFTER.**—The Secretary shall withhold an amount equal to 8 percent of the amount required to be apportioned to any State under each of paragraphs (1) and (2) of section 104(b) on the first day of each fiscal year beginning after September 30, 2011, if the State fails to meet the requirements of paragraph (3) on the first day of the fiscal year.”; and

(2) by striking subsection (b) and inserting the following:

“(b) **EFFECT OF NONCOMPLIANCE.**—No funds withheld under this section from apportionments to any State shall be available for apportionment to that State.”.

(h) **ZERO TOLERANCE BLOOD ALCOHOL CONCENTRATION FOR MINORS.**—Section 161(a) of title 23, United States Code, is amended—

(1) by striking paragraph (1);
(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) by striking the paragraph heading and inserting “PRIOR TO FISCAL YEAR 2012”; and
(B) by inserting “through fiscal year 2011” after “each fiscal year thereafter”; and

(4) by inserting after paragraph (1) (as so redesignated) the following:

“(2) **FISCAL YEAR 2012 AND THEREAFTER.**—The Secretary shall withhold an amount equal to 8 percent of the amount required to be apportioned to any State under each of paragraphs (1) and (2) of section 104(b) on October 1, 2011, and on October 1 of each fiscal year thereafter, if the State does not meet the requirement of paragraph (3) on that date.”.

(i) **OPERATION OF MOTOR VEHICLES BY INTOXICATED PERSONS.**—Section 163(e) of title 23, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) **FISCAL YEARS 2007 THROUGH 2011.**—On October 1, 2006, and October 1 of each fiscal year thereafter through fiscal year 2011, if a State has not enacted or is not enforcing a law described in subsection (a), the Secretary shall withhold an amount equal to 8 percent of the amounts to be apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b).

“(2) **FISCAL YEAR 2012 AND THEREAFTER.**—On October 1, 2011, and October 1 of each fiscal year thereafter, if a State has not enacted or is not enforcing a law described in subsection (a), the Secretary shall withhold an amount equal to 6 percent of the amounts to be apportioned to the State on that date under each of paragraphs (1) and (2) of section 104(b).”.

(j) **COMMERCIAL DRIVER'S LICENSE.**—Section 31314 of title 49, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) **PENALTIES IMPOSED IN FISCAL YEAR 2012 AND THEREAFTER.**—Effective beginning on October 1, 2011—

“(1) the penalty for the first instance of non-compliance by a State under this section shall be not more than an amount equal to 4 percent of funds required to be apportioned to the non-compliant State under paragraphs (1) and (2) of section 104(b) of title 23; and

“(2) the penalty for subsequent instances of noncompliance shall be not more than an amount equal to 8 percent of funds required to be apportioned to the noncompliant State under paragraphs (1) and (2) of section 104(b) of title 23.”.

SEC. 1405. HIGHWAY WORKER SAFETY.

Not later than 60 days after the date of enactment of this Act, the Secretary shall modify section 630.1108(a) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act), to ensure that—

(1) at a minimum, positive protective measures are used to separate workers on highway construction projects from motorized traffic in all work zones conducted under traffic in areas that offer workers no means of escape (such as tunnels and bridges), unless an engineering study determines otherwise;

(2) temporary longitudinal traffic barriers are used to protect workers on highway construction projects in long-duration stationary work zones when the project design speed is anticipated to be high and the nature of the work requires workers to be within 1 lane-width from the edge of a live travel lane, unless—

(A) an analysis by the project sponsor determines otherwise; or

(B) the project is outside of an urbanized area and the annual average daily traffic load of the applicable road is less than 100 vehicles per hour; and

(3) when positive protective devices are necessary for highway construction projects, those devices are paid for on a unit-pay basis, unless doing so would create a conflict with innovative contracting approaches, such as design-build or some performance-based contracts under which the contractor is paid to assume a certain risk allocation and payment is generally made on a lump-sum basis.

Subtitle E—Miscellaneous

SEC. 1501. REAL-TIME RIDESHARING.

Paragraph (3) of section 101(a) of title 23, United States Code (as redesignated by section 1103(a)(2)), is amended by striking “and designating existing facilities for use for preferential parking for carpools” and inserting “designating existing facilities for use for preferential parking for carpools, and real-time ridesharing

projects, such as projects where drivers, using an electronic transfer of funds, recover costs directly associated with the trip provided through the use of location technology to quantify those direct costs, subject to the condition that the cost recovered does not exceed the cost of the trip provided”.

SEC. 1502. PROGRAM EFFICIENCIES.

The first sentence of section 102(b) of title 23, United States Code, is amended by striking “made available for such engineering” and inserting “reimbursed for the preliminary engineering”.

SEC. 1503. PROJECT APPROVAL AND OVERSIGHT.

(a) **IN GENERAL.**—Section 106 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by inserting “recipient” before “formalizing”;
(2) in subsection (c)—

(A) in paragraph (1)—
(i) in the heading, by striking “NON-INTERSTATE”;

(ii) by striking “but not on the Interstate System”; and inserting “, including projects on the Interstate System”; and

(iii) by striking “of projects” and all that follows through the period at the end and inserting “with respect to the projects unless the Secretary determines that the assumption is not appropriate.”; and
(B) by striking paragraph (4) and inserting the following:

“(4) **LIMITATION ON INTERSTATE PROJECTS.**—

“(A) **IN GENERAL.**—The Secretary shall not assign any responsibilities to a State for projects the Secretary determines to be in a high risk category, as defined under subparagraph (B).

“(B) **HIGH RISK CATEGORIES.**—The Secretary may define the high risk categories under this subparagraph on a national basis, a State-by-State basis, or a national and State-by-State basis, as determined to be appropriate by the Secretary.”;

(3) in subsection (e)—
(A) in paragraph (1)(A)—

(i) in the matter preceding clause (i)—
(I) by striking “concept” and inserting “planning”; and
(II) by striking “multidisciplined” and inserting “multidisciplinary”; and

(ii) by striking clause (i) and inserting the following:

“(i) providing the needed functions safely, reliably, and at the lowest overall lifecycle cost;”;
(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by striking “or other cost-reduction analysis”;
(ii) in subparagraph (A)—

(I) by striking “Federal-aid system” and inserting “National Highway System receiving Federal assistance”; and
(II) by striking “\$25,000,000” and inserting “\$50,000,000”; and

(iii) in subparagraph (B)—

(I) by inserting “on the National Highway System receiving Federal assistance” after “a bridge project”; and
(II) by striking “\$20,000,000” and inserting “\$40,000,000”; and

(C) by striking paragraph (4) and inserting the following:

“(4) **REQUIREMENTS.**—

“(A) **VALUE ENGINEERING PROGRAM.**—The State shall develop and carry out a value engineering program that—

“(i) establishes and documents value engineering program policies and procedures;

“(ii) ensures that the required value engineering analysis is conducted before completing the final design of a project;

“(iii) ensures that the value engineering analysis that is conducted, and the recommendations developed and implemented for each project, are documented in a final value engineering report; and

“(iv) monitors, evaluates, and annually submits to the Secretary a report that describes the results of the value analyses that are conducted

and the recommendations implemented for each of the projects described in paragraph (2) that are completed in the State.

“(B) BRIDGE PROJECTS.—The value engineering analysis for a bridge project under paragraph (2) shall—

“(i) include bridge superstructure and substructure requirements based on construction material; and

“(ii) be evaluated by the State—

“(I) on engineering and economic bases, taking into consideration acceptable designs for bridges; and

“(II) using an analysis of lifecycle costs and duration of project construction.

“(5) DESIGN-BUILD PROJECTS.—A requirement to provide a value engineering analysis under this subsection shall not apply to a project delivered using the design-build method of construction.”;

(4) in subsection (h)—

(A) in paragraph (1)(B) by inserting “, including a phasing plan when applicable” after “financial plan”; and

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

“(3) FINANCIAL PLAN.—A financial plan—

“(A) shall be based on detailed estimates of the cost to complete the project;

“(B) shall provide for the annual submission of updates to the Secretary that are based on reasonable assumptions, as determined by the Secretary, of future increases in the cost to complete the project;

“(C) may include a phasing plan that identifies fundable incremental improvements or phases that will address the purpose and the need of the project in the short term in the event there are insufficient financial resources to complete the entire project. If a phasing plan is adopted for a project pursuant to this section, the project shall be deemed to satisfy the fiscal constraint requirements in the statewide and metropolitan planning requirements in sections 134 and 135; and

“(D) shall assess the appropriateness of a public-private partnership to deliver the project.”; and

(5) by adding at the end the following:

“(j) USE OF ADVANCED MODELING TECHNOLOGIES.—

“(1) DEFINITION OF ADVANCED MODELING TECHNOLOGY.—In this subsection, the term ‘advanced modeling technology’ means an available or developing technology, including 3-dimensional digital modeling, that can—

“(A) accelerate and improve the environmental review process;

“(B) increase effective public participation;

“(C) enhance the detail and accuracy of project designs;

“(D) increase safety;

“(E) accelerate construction, and reduce construction costs; or

“(F) otherwise expedite project delivery with respect to transportation projects that receive Federal funding.

“(2) PROGRAM.—With respect to transportation projects that receive Federal funding, the Secretary shall encourage the use of advanced modeling technologies during environmental, planning, financial management, design, simulation, and construction processes of the projects.

“(3) ACTIVITIES.—In carrying out paragraph (2), the Secretary shall—

“(A) compile information relating to advanced modeling technologies, including industry best practices with respect to the use of the technologies;

“(B) disseminate to States information relating to advanced modeling technologies, including industry best practices with respect to the use of the technologies; and

“(C) promote the use of advanced modeling technologies.

“(4) COMPREHENSIVE PLAN.—The Secretary shall develop and publish on the public website of the Department of Transportation a detailed

and comprehensive plan for the implementation of paragraph (2).”.

(b) REVIEW OF OVERSIGHT PROGRAM.—

(1) IN GENERAL.—The Secretary shall review the oversight program established under section 106(g) of title 23, United States Code, to determine the efficacy of the program in monitoring the effective and efficient use of funds authorized to carry out title 23, United States Code.

(2) MINIMUM REQUIREMENTS FOR REVIEW.—At a minimum, the review under paragraph (1) shall assess the capability of the program to—

(A) identify projects funded under title 23, United States Code, for which there are cost or schedule overruns; and

(B) evaluate the extent of such overruns.

(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the review conducted under paragraph (1), which shall include recommendations for legislative changes to improve the oversight program established under section 106(g) of title 23, United States Code.

(c) TRANSPARENCY AND ACCOUNTABILITY.—

(1) DATA COLLECTION.—The Secretary shall compile and make available on the public website of the Department of Transportation the annual expenditure data for funds made available under title 23 and chapter 53 of title 49, United States Code.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall ensure that the data made available on the public website of the Department of Transportation—

(A) is organized by project and State;

(B) to the maximum extent practicable, is updated regularly to reflect the current status of obligations, expenditures, and Federal-aid projects; and

(C) can be searched and downloaded by users of the website.

(3) REPORT TO CONGRESS.—The Secretary shall annually submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing a summary of the data described in paragraph (1) for the 1-year period ending on the date on which the report is submitted.

SEC. 1504. STANDARDS.

Section 109 of title 23, United States Code, is amended by adding at the end the following:

“(r) PAVEMENT MARKINGS.—The Secretary shall not approve any pavement markings project that includes the use of glass beads containing more than 200 parts per million of arsenic or lead, as determined in accordance with Environmental Protection Agency testing methods 3052, 6010B, or 6010C.”.

SEC. 1505. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111 of title 23, United States Code, is amended by adding at the end the following:

“(e) JUSTIFICATION REPORTS.—If the Secretary requests or requires a justification report for a project that would add a point of access to, or exit from, the Interstate System, the Secretary may permit a State transportation department to approve the report.”.

SEC. 1506. CONSTRUCTION.

Section 114(b) of title 23, United States Code, is amended—

(1) in subsection (b)—

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

“(1) LIMITATION ON CONVICT LABOR.—Convict labor shall not be used in construction of Federal-aid highways or portions of Federal-aid highways unless the labor is performed by convicts who are on parole, supervised release, or probation.”; and

(B) in paragraph (3) by inserting “in existence during that period” after “located on a Federal-aid system”; and

(2) by adding at the end the following:

“(d) VETERANS EMPLOYMENT.—

“(1) IN GENERAL.—Subject to paragraph (2), a recipient of Federal financial assistance under this chapter shall, to the extent practicable, encourage contractors working on a highway project funded using the assistance to make a best faith effort in the hiring or referral of laborers on any project for the construction of a highway to veterans (as defined in section 2108 of title 5) who have the requisite skills and abilities to perform the construction work required under the contract.

“(2) ADMINISTRATION.—This subsection shall not—

“(A) apply to projects subject to section 140(d); or

“(B) be administered or enforced in any manner that would require an employer to give a preference to any veteran over any equally qualified applicant who is a member of any racial or ethnic minority, a female, or any equally qualified former employee.”.

SEC. 1507. MAINTENANCE.

Section 116 of title 23, United States Code, is amended—

(1) by redesignating subsections (a) through (d) as subsections (b) through (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) PREVENTIVE MAINTENANCE.—The term ‘preventive maintenance’ includes pavement preservation programs and activities.

“(2) PAVEMENT PRESERVATION PROGRAMS AND ACTIVITIES.—The term ‘pavement preservation programs and activities’ means programs and activities employing a network level, long-term strategy that enhances pavement performance by using an integrated, cost-effective set of practices that extend pavement life, improve safety, and meet road user expectations.”;

(3) in subsection (b) (as so redesignated)—

(A) in the first sentence, by inserting “or other direct recipient” before “to maintain”; and

(B) by striking the second sentence;

(4) by striking subsection (c) (as so redesignated) and inserting the following:

“(c) AGREEMENT.—In any State in which the State transportation department or other direct recipient is without legal authority to maintain a project described in subsection (b), the transportation department or direct recipient shall enter into a formal agreement with the appropriate officials of the county or municipality in which the project is located to provide for the maintenance of the project.”; and

(5) in the first sentence of subsection (d) (as so redesignated) by inserting “or other direct recipient” after “State transportation department”.

SEC. 1508. FEDERAL SHARE PAYABLE.

Section 120 of title 23, United States Code, is amended—

(1) in the first sentence of subsection (c)(1)—

(A) by inserting “maintaining minimum levels of retroreflectivity of highway signs or pavement markings,” after “traffic control signalization.”;

(B) by inserting “shoulder and centerline rumble strips and stripes,” after “pavement marking.”; and

(C) by striking “Federal-aid systems” and inserting “Federal-aid programs”;

(2) by striking subsection (e) and inserting the following:

“(e) EMERGENCY RELIEF.—The Federal share payable for any repair or reconstruction provided for by funds made available under section 125 for any project on a Federal-aid highway, including the Interstate System, shall not exceed the Federal share payable on a project on the system as provided in subsections (a) and (b), except that—

“(1) the Federal share payable for eligible emergency repairs to minimize damage, protect facilities, or restore essential traffic accomplished within 180 days after the actual occurrence of the natural disaster or catastrophic failure may amount to 100 percent of the cost of the repairs;

“(2) the Federal share payable for any repair or reconstruction of Federal land transportation facilities, Federal land access transportation facilities, and tribal transportation facilities may amount to 100 percent of the cost of the repair or reconstruction;

“(3) the Secretary shall extend the time period in paragraph (1) taking into consideration any delay in the ability of the State to access damaged facilities to evaluate damage and the cost of repair; and

“(4) the Federal share payable for eligible permanent repairs to restore damaged facilities to pre-disaster condition may amount to 90 percent of the cost of the repairs if the eligible expenses incurred by the State due to natural disasters or catastrophic failures in a Federal fiscal year exceeds the annual apportionment of the State under section 104 for the fiscal year in which the disasters or failures occurred.”;

(3) by striking subsection (g) and redesignating subsections (h) through (l) as subsections (g) through (k), respectively;

(4) in subsection (i)(1)(A) (as redesignated by paragraph (3)) by striking “and the Appalachian development highway system program under section 14501 of title 40”; and

(5) by striking subsections (j) and (k) (as redesignated by paragraph (3)) and inserting the following:

“(j) **USE OF FEDERAL AGENCY FUNDS.**—Notwithstanding any other provision of law, any Federal funds other than those made available under this title and title 49 may be used to pay the non-Federal share of the cost of any transportation project that is within, adjacent to, or provides access to Federal land, the Federal share of which is funded under this title or chapter 53 of title 49.

“(k) **USE OF FEDERAL LAND AND TRIBAL TRANSPORTATION FUNDS.**—Notwithstanding any other provision of law, the funds authorized to be appropriated to carry out the tribal transportation program under section 202 and the Federal lands transportation program under section 203 may be used to pay the non-Federal share of the cost of any project that is funded under this title or chapter 53 of title 49 and that provides access to or within Federal or tribal land.”.

SEC. 1509. TRANSFERABILITY OF FEDERAL-AID HIGHWAY FUNDS.

(a) **IN GENERAL.**—Section 126 of title 23, United States Code, is amended to read as follows:

“§ 126. Transferability of Federal-aid highway funds

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, subject to subsection (b), a State may transfer from an apportionment under section 104(b) not to exceed 50 percent of the amount apportioned for the fiscal year to any other apportionment of the State under that section.

“(b) **APPLICATION TO CERTAIN SET-ASIDES.**—

“(1) **IN GENERAL.**—Funds that are subject to sections 104(d) and 133(d) shall not be transferred under this section.

“(2) **FUNDS TRANSFERRED BY STATES.**—Funds transferred by a State under this section of the funding reserved for the State under section 213 for a fiscal year may only come from the portion of those funds that are available for obligation in any area of the State under section 213(c)(1)(B).”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 126 and inserting the following:

“126. Transferability of Federal-aid highway funds.”.

SEC. 1510. IDLE REDUCTION TECHNOLOGY.

Section 127(a)(12) of title 23, United States Code, is amended—

(1) in subparagraph (B), by striking “400” and inserting “550”; and

(2) in subparagraph (C)(ii), by striking “400-pound” and inserting “550-pound”.

SEC. 1511. SPECIAL PERMITS DURING PERIODS OF NATIONAL EMERGENCY.

Section 127 of title 23, United States Code, is amended by inserting at the end the following:

“(i) **SPECIAL PERMITS DURING PERIODS OF NATIONAL EMERGENCY.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of this section, a State may issue special permits during an emergency to overweight vehicles and loads that can easily be dismantled or divided if—

“(A) the President has declared the emergency to be a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

“(B) the permits are issued in accordance with State law; and

“(C) the permits are issued exclusively to vehicles and loads that are delivering relief supplies.

“(2) **EXPIRATION.**—A permit issued under paragraph (1) shall expire not later than 120 days after the date of the declaration of emergency under subparagraph (A) of that paragraph.”.

SEC. 1512. TOLLING.

(a) **AMENDMENT TO TOLLING PROVISION.**—Section 129(a) of title 23, United States Code, is amended to read as follows:

“(a) **BASIC PROGRAM.**—

“(1) **AUTHORIZATION FOR FEDERAL PARTICIPATION.**—Subject to the provisions of this section, Federal participation shall be permitted on the same basis and in the same manner as construction of toll-free highways is permitted under this chapter in the—

“(A) initial construction of a toll highway, bridge, or tunnel or approach to the highway, bridge, or tunnel;

“(B) initial construction of 1 or more lanes or other improvements that increase capacity of a highway, bridge, or tunnel (other than a highway on the Interstate System) and conversion of that highway, bridge, or tunnel to a tolled facility, if the number of toll-free lanes, excluding auxiliary lanes, after the construction is not less than the number of toll-free lanes, excluding auxiliary lanes, before the construction;

“(C) initial construction of 1 or more lanes or other improvements that increase the capacity of a highway, bridge, or tunnel on the Interstate System and conversion of that highway, bridge, or tunnel to a tolled facility, if the number of toll-free non-HOV lanes, excluding auxiliary lanes, after such construction is not less than the number of toll-free non-HOV lanes, excluding auxiliary lanes, before such construction;

“(D) reconstruction, resurfacing, restoration, rehabilitation, or replacement of a toll highway, bridge, or tunnel or approach to the highway, bridge, or tunnel;

“(E) reconstruction or replacement of a toll-free bridge or tunnel and conversion of the bridge or tunnel to a toll facility;

“(F) reconstruction of a toll-free Federal-aid highway (other than a highway on the Interstate System) and conversion of the highway to a toll facility;

“(G) reconstruction, restoration, or rehabilitation of a highway on the Interstate System if the number of toll-free non-HOV lanes, excluding auxiliary lanes, after reconstruction, restoration, or rehabilitation is not less than the number of toll-free non-HOV lanes, excluding auxiliary lanes, before reconstruction, restoration, or rehabilitation;

“(H) conversion of a high occupancy vehicle lane on a highway, bridge, or tunnel to a toll facility; and

“(I) preliminary studies to determine the feasibility of a toll facility for which Federal participation is authorized under this paragraph.

“(2) **OWNERSHIP.**—Each highway, bridge, tunnel, or approach to the highway, bridge, or tunnel constructed under this subsection shall—

“(A) be publicly owned; or

“(B) be privately owned if the public authority with jurisdiction over the highway, bridge, tunnel, or approach has entered into a contract with 1 or more private persons to design, finance, construct, and operate the facility and the public authority will be responsible for complying with all applicable requirements of this title with respect to the facility.

“(3) **LIMITATIONS ON USE OF REVENUES.**—

“(A) **IN GENERAL.**—A public authority with jurisdiction over a toll facility shall use all toll revenues received from operation of the toll facility only for—

“(i) debt service with respect to the projects on or for which the tolls are authorized, including funding of reasonable reserves and debt service on refinancing;

“(ii) a reasonable return on investment of any private person financing the project, as determined by the State or interstate compact of States concerned;

“(iii) any costs necessary for the improvement and proper operation and maintenance of the toll facility, including reconstruction, resurfacing, restoration, and rehabilitation;

“(iv) if the toll facility is subject to a public-private partnership agreement, payments that the party holding the right to toll revenues owes to the other party under the public-private partnership agreement; and

“(v) if the public authority certifies annually that the tolled facility is being adequately maintained, any other purpose for which Federal funds may be obligated by a State under this title.

“(B) **ANNUAL AUDIT.**—

“(i) **IN GENERAL.**—A public authority with jurisdiction over a toll facility shall conduct or have an independent auditor conduct an annual audit of toll facility records to verify adequate maintenance and compliance with subparagraph (A), and report the results of the audits to the Secretary.

“(ii) **RECORDS.**—On reasonable notice, the public authority shall make all records of the public authority pertaining to the toll facility available for audit by the Secretary.

“(C) **NONCOMPLIANCE.**—If the Secretary concludes that a public authority has not complied with the limitations on the use of revenues described in subparagraph (A), the Secretary may require the public authority to discontinue collecting tolls until an agreement with the Secretary is reached to achieve compliance with the limitation on the use of revenues described in subparagraph (A).

“(4) **LIMITATIONS ON CONVERSION OF HIGH OCCUPANCY VEHICLE FACILITIES ON INTERSTATE SYSTEM.**—

“(A) **IN GENERAL.**—A public authority with jurisdiction over a high occupancy vehicle facility on the Interstate System may undertake reconstruction, restoration, or rehabilitation under paragraph (1)(G) on the facility, and may levy tolls on vehicles, excluding high occupancy vehicles, using the reconstructed, restored, or rehabilitated facility, if the public authority—

“(i) in the case of a high occupancy vehicle facility that affects a metropolitan area, submits to the Secretary a written assurance that the metropolitan planning organization designated under section 5203 of title 49 for the area has been consulted concerning the placement and amount of tolls on the converted facility;

“(ii) develops, manages, and maintains a system that will automatically collect the toll; and

“(iii) establishes policies and procedures—

“(I) to manage the demand to use the facility by varying the toll amount that is charged; and

“(II) to enforce sanctions for violations of use of the facility.

“(B) **EXEMPTION FROM TOLLS.**—In levying tolls on a facility under subparagraph (A), a public authority may designate classes of vehicles that are exempt from the tolls or charge different toll rates for different classes of vehicles.

“(5) SPECIAL RULE FOR FUNDING.—

“(A) IN GENERAL.—In the case of a toll facility under the jurisdiction of a public authority of a State (other than the State transportation department), on request of the State transportation department and subject to such terms and conditions as the department and public authority may agree, the Secretary, working through the State department of transportation, shall reimburse the public authority for the Federal share of the costs of construction of the project carried out on the toll facility under this subsection in the same manner and to the same extent as the department would be reimbursed if the project was being carried out by the department.

“(B) SOURCE.—The reimbursement of funds under this paragraph shall be from sums apportioned to the State under this chapter and available for obligations on projects on the Federal-aid system in the State on which the project is being carried out.

“(6) LIMITATION ON FEDERAL SHARE.—The Federal share payable for a project described in paragraph (1) shall be a percentage determined by the State, but not to exceed 80 percent.

“(7) MODIFICATIONS.—If a public authority (including a State transportation department) with jurisdiction over a toll facility subject to an agreement under this section or section 119(e), as in effect on the day before the effective date of title 1 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1915), requests modification of the agreement, the Secretary shall modify the agreement to allow the continuation of tolls in accordance with paragraph (3) without repayment of Federal funds.

“(8) LOANS.—

“(A) IN GENERAL.—

“(i) LOANS.—Using amounts made available under this title, a State may loan to a public or private entity constructing or proposing to construct under this section a toll facility or non-toll facility with a dedicated revenue source an amount equal to all or part of the Federal share of the cost of the project if the project has a revenue source specifically dedicated to the project.

“(ii) DEDICATED REVENUE SOURCES.—Dedicated revenue sources for non-toll facilities include excise taxes, sales taxes, motor vehicle use fees, tax on real property, tax increment financing, and such other dedicated revenue sources as the Secretary determines appropriate.

“(B) COMPLIANCE WITH FEDERAL LAWS.—As a condition of receiving a loan under this paragraph, the public or private entity that receives the loan shall ensure that the project will be carried out in accordance with this title and any other applicable Federal law, including any applicable provision of a Federal environmental law.

“(C) SUBORDINATION OF DEBT.—The amount of any loan received for a project under this paragraph may be subordinated to any other debt financing for the project.

“(D) OBLIGATION OF FUNDS LOANED.—Funds loaned under this paragraph may only be obligated for projects under this paragraph.

“(E) REPAYMENT.—The repayment of a loan made under this paragraph shall commence not later than 5 years after date on which the facility that is the subject of the loan is open to traffic.

“(F) TERM OF LOAN.—The term of a loan made under this paragraph shall not exceed 30 years from the date on which the loan funds are obligated.

“(G) INTEREST.—A loan made under this paragraph shall bear interest at or below market interest rates, as determined by the State, to make the project that is the subject of the loan feasible.

“(H) REUSE OF FUNDS.—Amounts repaid to a State from a loan made under this paragraph may be obligated—

“(i) for any purpose for which the loan funds were available under this title; and

“(ii) for the purchase of insurance or for use as a capital reserve for other forms of credit en-

hancement for project debt in order to improve credit market access or to lower interest rates for projects eligible for assistance under this title.

“(I) GUIDELINES.—The Secretary shall establish procedures and guidelines for making loans under this paragraph.

“(9) STATE LAW PERMITTING TOLLING.—If a State does not have a highway, bridge, or tunnel toll facility as of the date of enactment of the MAP-21, before commencing any activity authorized under this section, the State shall have in effect a law that permits tolling on a highway, bridge, or tunnel.

“(10) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) HIGH OCCUPANCY VEHICLE; HOV.—The term ‘high occupancy vehicle’ or ‘HOV’ means a vehicle with not fewer than 2 occupants.

“(B) INITIAL CONSTRUCTION.—

“(i) IN GENERAL.—The term ‘initial construction’ means the construction of a highway, bridge, tunnel, or other facility at any time before it is open to traffic.

“(ii) EXCLUSIONS.—The term ‘initial construction’ does not include any improvement to a highway, bridge, tunnel, or other facility after it is open to traffic.

“(C) PUBLIC AUTHORITY.—The term ‘public authority’ means a State, interstate compact of States, or public entity designated by a State.

“(D) TOLL FACILITY.—The term ‘toll facility’ means a toll highway, bridge, or tunnel or approach to the highway, bridge, or tunnel constructed under this subsection.”.

(b) ELECTRONIC TOLL COLLECTION INTEROPERABILITY REQUIREMENTS.—Not later than 4 years after the date of enactment of this Act, all toll facilities on the Federal-aid highways shall implement technologies or business practices that provide for the interoperability of electronic toll collection programs.

SEC. 1513. MISCELLANEOUS PARKING AMENDMENTS.

(a) FRINGE AND CORRIDOR PARKING FACILITIES.—Section 137 of title 23, United States Code, is amended—

(1) in subsection (f)(1)—

(A) by striking “104(b)(4)” and inserting “104(b)(1)”; and

(B) by inserting “including the addition of electric vehicle charging stations or natural gas vehicle refueling stations,” after “new facilities.”; and

(2) by adding at the end the following:

“(g) FUNDING.—The addition of electric vehicle charging stations or natural gas vehicle refueling stations to new or previously funded parking facilities shall be eligible for funding under this section.”.

(b) PUBLIC TRANSPORTATION.—Section 142(a)(1) of title 23, United States Code, is amended by inserting “, which may include electric vehicle charging stations or natural gas vehicle refueling stations,” after “parking facilities”.

(c) FOREST DEVELOPMENT ROADS AND TRAILS.—Section 205(d) of title 23, United States Code, is amended by inserting “, which may include electric vehicle charging stations or natural gas vehicle refueling stations,” after “parking areas”.

SEC. 1514. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)(5)—

(A) in subparagraph (A) by striking “2009” and inserting “2017”; and

(B) in subparagraph (B) by striking “2009” and inserting “2017”; and

(C) in subparagraph (C)—

(i) by striking “subparagraph (B)” and inserting “this paragraph”; and

(ii) by inserting “or equal to” after “less than”; and

(2) in subsection (c) by striking paragraph (3) and inserting the following:

“(3) TOLL REVENUE.—Toll revenue collected under this section is subject to the requirements of section 129(a)(3).”; and

(3) in subsection (d)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “in a fiscal year shall certify” and inserting “shall submit to the Secretary a report demonstrating that the facility is not already degraded, and that the presence of the vehicles will not cause the facility to become degraded, and certify”; and

(ii) by striking “in the fiscal year”;

(B) in subparagraph (A) by inserting “and submitting to the Secretary annual reports of those impacts” after “adjacent highways”; and

(C) in subparagraph (C) by striking “if the presence of the vehicles has degraded the operation of the facility” and inserting “whenever the operation of the facility is degraded”; and

(D) by adding at the end the following:

“(D) MAINTENANCE OF OPERATING PERFORMANCE.—Not later than 180 days after the date on which a facility is degraded pursuant to the standard specified in paragraph (2), the State agency with jurisdiction over the facility shall bring the facility into compliance with the minimum average operating speed performance standard through changes to operation of the facility, including—

“(i) increasing the occupancy requirement for HOV lanes;

“(ii) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

“(iii) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

“(iv) increasing the available capacity of the HOV facility.

“(E) COMPLIANCE.—If the State fails to bring a facility into compliance under subparagraph (D), the Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded.”.

SEC. 1515. FUNDING FLEXIBILITY FOR TRANSPORTATION EMERGENCIES.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code (as amended by section 1311(a)), is amended by adding at the end the following:

“§ 170. Funding flexibility for transportation emergencies

“(a) IN GENERAL.—Notwithstanding any other provision of law, a State may use up to 100 percent of any covered funds of the State to repair or replace a transportation facility that has suffered serious damage as a result of a natural disaster or catastrophic failure from an external cause.

“(b) DECLARATION OF EMERGENCY.—Funds may be used under this section only for a disaster or emergency declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(c) REPAYMENT.—Funds used under subsection (a) shall be repaid to the program from which the funds were taken in the event that such repairs or replacement are subsequently covered by a supplemental appropriation of funds.

“(d) DEFINITIONS.—In this section, the following definitions apply:

“(1) COVERED FUNDS.—The term ‘covered funds’ means any amounts apportioned to a State under section 104(b), other than amounts suballocated to metropolitan areas and other areas of the State under section 133(d), but including any such amounts required to be set aside for a purpose other than the repair or replacement of a transportation facility under this section.

“(2) TRANSPORTATION FACILITY.—The term ‘transportation facility’ means any facility eligible for assistance under section 125.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code (as amended by section 1311(b)), is amended by adding at the end the following:

“170. Funding flexibility for transportation emergencies.”.

SEC. 1516. DEFENSE ACCESS ROAD PROGRAM ENHANCEMENTS TO ADDRESS TRANSPORTATION INFRASTRUCTURE IN THE VICINITY OF MILITARY INSTALLATIONS.

The second sentence of section 210(a)(2) of title 23, United States Code, is amended by inserting “, in consultation with the Secretary of Transportation,” before “shall determine”.

SEC. 1517. MAPPING.

(a) *IN GENERAL.*—Section 306 of title 23, United States Code, is amended—

(1) in subsection (a) by striking “may” and inserting “shall”;

(2) in subsection (b) in the second sentence by striking “State and” and inserting “State government and”;

(3) by adding at the end the following:

“(c) *IMPLEMENTATION.*—The Secretary shall develop a process for the oversight and monitoring, on an annual basis, of the compliance of each State with the guidance issued under subsection (b).”.

(b) *SURVEY.*—Not later than 2 years after the date of enactment of this Act, the Secretary shall conduct a survey of all States to determine what percentage of projects carried out under title 23, United States Code, in each State utilize private sector sources for surveying and mapping services.

SEC. 1518. BUY AMERICA PROVISIONS.

Section 313 of title 23, United States Code, is amended by adding at the end the following:

“(g) *APPLICATION TO HIGHWAY PROGRAMS.*—The requirements under this section shall apply to all contracts eligible for assistance under this chapter for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.”.

SEC. 1519. CONSOLIDATION OF PROGRAMS; REPEAL OF OBSOLETE PROVISIONS.

(a) *CONSOLIDATION OF PROGRAMS.*—From administrative funds made available under section 104(a) of title 23, United States Code, not less than \$3,000,000 for each of fiscal years 2013 and 2014 shall be made available—

(1) to carry out safety-related activities, including—

(A) to carry out the operation lifesaver program—

(i) to provide public information and education programs to help prevent and reduce motor vehicle accidents, injuries, and fatalities; and

(ii) to improve driver performance at railway-highway crossings; and

(B) to provide work zone safety grants in accordance with subsections (a) and (b) of section 1409 of the SAFETEA-LU (23 U.S.C. 401 note; 119 Stat. 1232); and

(2) to operate authorized safety-related clearinghouses, including—

(A) the national work zone safety information clearinghouse authorized by section 358(b)(2) of the National Highway System Designation Act of 1995 (23 U.S.C. 401 note; 109 Stat. 625); and

(B) a public road safety clearinghouse in accordance with section 1411(a) of the SAFETEA-LU (23 U.S.C. 402 note; 119 Stat. 1234).

(b) *REPEALS.*—

(1) *TITLE 23.*—

(A) *IN GENERAL.*—Sections 105, 110, 117, 124, 151, 155, 157, 160, 212, 216, 303, and 309 of title 23, United States Code, are repealed.

(B) *SET ASIDES.*—Section 118 of title 23, United States Code, is amended—

(i) by striking subsection (c); and

(ii) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) *SAFETEA-LU.*—Sections 1302, 1305, 1306, 1803, 1804, 1907, and 1958 of SAFETEA-LU (Public Law 109-59) are repealed.

(3) *ADDITIONAL.*—Section 1132 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 121 Stat. 1763) is repealed.

(c) *CONFORMING AMENDMENTS.*—

(1) *TITLE ANALYSIS.*—

(A) *CHAPTER 1.*—The analysis for chapter 1 of title 23, United States Code, is amended by striking the items relating to sections 105, 110, 117, 124, 151, 155, 157, and 160.

(B) *CHAPTER 2.*—The analysis for chapter 2 of title 23, United States Code, is amended by striking the items relating to sections 212 and 216.

(C) *CHAPTER 3.*—The analysis for chapter 3 of title 23, United States Code, is amended by striking the items relating to sections 303 and 309.

(2) *TABLE OF CONTENTS.*—The table of contents contained in section 1(b) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1144) is amended by striking the items relating to sections 1302, 1305, 1306, 1803, 1804, 1907, and 1958.

(3) *SECTION 104.*—Section 104(e) of title 23, United States Code, is amended by striking “, 105.”.

(4) *SECTION 109.*—Section 109(q) of title 23, United States Code, is amended by striking “in accordance with section 303 or”.

(5) *SECTION 118.*—Section 118(b) of title 23, United States Code, is amended—

(A) by striking paragraph (1) and all that follows through the heading of paragraph (2); and

(B) by striking “(other than for Interstate construction)”.

(6) *SECTION 130.*—Section 130 of title 23, United States Code, is amended—

(A) in subsection (e) by striking “section 104(b)(5)” and inserting “section 104(b)(3)”;

(B) in subsection (f)(1) by inserting “as in effect on the day before the date of enactment of the MAP-21” after “section 104(b)(3)(A)”;

(C) in subsection (l) by striking paragraphs (3) and (4).

(7) *SECTION 131.*—Section 131(m) of title 23, United States Code, is amended by striking “Subject to approval by the Secretary in accordance with the program of projects approval process of section 105, a State” and inserting “A State”.

(8) *SECTION 133.*—Paragraph (13) of section 133(b) of title 23, United States Code (as amended by section 1108(a)(3)), is amended by striking “under section 303.”

(9) *SECTION 142.*—Section 142 of title 23, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking “motor vehicles (other than rail)” and inserting “buses”;

(II) by striking “(hereafter in this section referred to as ‘buses’)”;

(III) by striking “Federal-aid systems” and inserting “Federal-aid highways”;

(IV) by striking “Federal-aid system” and inserting “Federal-aid highway”;

(ii) in paragraph (2)—

(I) by striking “as a project on the the surface transportation program for”;

(II) by striking “section 104(b)(3)” and inserting “section 104(b)(2)”;

(B) in subsection (b) by striking “104(b)(4)” and inserting “104(b)(1)”;

(C) in subsection (c)—

(i) by striking “system” in each place it appears and inserting “highway”;

(ii) by striking “highway facilities” and inserting “highways eligible under the program that is the source of the funds”;

(D) in subsection (e)(2) by striking “Notwithstanding section 209(f)(1) of the Highway Revenue Act of 1956, the Highway Trust Fund shall be available for making expenditures to meet obligations resulting from projects authorized by subsection (a)(2) of this section and such projects” and inserting “Projects authorized by subsection (a)(2)”;

(E) in subsection (f) by striking “exists” and inserting “exists”.

(10) *SECTION 145.*—Section 145(b) of title 23, United States Code, is amended by striking “section 117 of this title.”.

(11) *SECTION 218.*—Section 218 of title 23, United States Code, is amended—

(A) in subsection (a)—

(i) by striking the first two sentences;

(ii) in the third sentence—

(I) by striking “, in addition to such funds,”; and

(II) by striking “such highway or”;

(iii) by striking the fourth sentence and fifth sentences;

(B) by striking subsection (b); and

(C) by redesignating subsection (c) as subsection (b).

(12) *SECTION 610.*—Section 610(d)(1)(B) of title 23, United States Code, is amended by striking “under section 105”.

SEC. 1520. DENALI COMMISSION.

The Denali Commission Act of 1998 (42 U.S.C. 3121 note) is amended—

(1) in section 305, by striking subsection (c) and inserting the following:

“(c) *GIFTS.*—

“(1) *IN GENERAL.*—Except as provided in paragraph (2), the Commission, on behalf of the United States, may accept use, and dispose of gifts or donations of services, property, or money for purposes of carrying out this Act.

“(2) *CONDITIONAL.*—With respect to conditional gifts—

“(A)(i) the Commission, on behalf of the United States, may accept conditional gifts for purposes of carrying out this Act, if approved by the Federal Cochairperson; and

“(ii) the principal of and income from any such conditional gift shall be held, invested, re-invested, and used in accordance with the condition applicable to the gift; but

“(B) no gift shall be accepted that is conditioned on any expenditure not to be funded from the gift or from the income generated by the gift unless the expenditure has been approved by Act of Congress.”; and

(2) by adding at the end the following:

“SEC. 311. TRANSFER OF FUNDS FROM OTHER FEDERAL AGENCIES.

“(a) *IN GENERAL.*—Subject to subsection (c), for purposes of this Act, the Commission may accept transfers of funds from other Federal agencies.

“(b) *TRANSFERS.*—Any Federal agency authorized to carry out an activity that is within the authority of the Commission may transfer to the Commission any appropriated funds for the activity.

“(c) *TREATMENT.*—Any funds transferred to the Commission under this subsection—

“(1) shall remain available until expended; and

“(2) may, to the extent necessary to carry out this Act, be transferred to, and merged with, the amounts made available by appropriations Acts for the Commission by the Federal Cochairperson.”.

SEC. 1521. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 AMENDMENTS.

(a) *MOVING AND RELATED EXPENSES.*—Section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4622) is amended—

(1) in subsection (a)(4) by striking “\$10,000” and inserting “\$25,000, as adjusted by regulation, in accordance with section 213(d)”;

(2) in the second sentence of subsection (c) by striking “\$20,000” and inserting “\$40,000, as adjusted by regulation, in accordance with section 213(d)”.

(b) *REPLACEMENT HOUSING FOR HOMEOWNERS.*—The first sentence of section 203(a)(1) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623(a)(1)) is amended—

(1) by striking “\$22,500” and inserting “\$31,000, as adjusted by regulation, in accordance with 213(d),”; and

(2) by striking “one hundred and eighty days prior to” and inserting “90 days before”.

(c) *REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS.*—Section 204 of the Uniform Relocation Assistance and Real Property Acqui-

sition Policies Act of 1970 (42 U.S.C. 4624) is amended—

(1) in the second sentence of subsection (a) by striking “\$5,250” and inserting “\$7,200, as adjusted by regulation, in accordance with section 213(d)”;

(2) in the second sentence of subsection (b) by striking “, except” and all that follows through the end of the subsection and inserting a period.

(d) DUTIES OF LEAD AGENCY.—Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633) is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking “and” at the end;

(B) in paragraph (3) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(4) that each Federal agency that has programs or projects requiring the acquisition of real property or causing a displacement from real property subject to the provisions of this Act shall provide to the lead agency an annual summary report that describes the activities conducted by the Federal agency.”; and

(2) by adding at the end the following:

“(d) ADJUSTMENT OF PAYMENTS.—The head of the lead agency may adjust, by regulation, the amounts of relocation payments provided under sections 202(a)(4), 202(c), 203(a), and 204(a) if the head of the lead agency determines that cost of living, inflation, or other factors indicate that the payments should be adjusted to meet the policy objectives of this Act.”.

(e) AGENCY COORDINATION.—Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is amended by inserting after section 213 (42 U.S.C. 4633) the following:

“SEC. 214. AGENCY COORDINATION.

“(a) AGENCY CAPACITY.—Each Federal agency responsible for funding or carrying out relocation and acquisition activities shall have adequately trained personnel and such other resources as are necessary to manage and oversee the relocation and acquisition program of the Federal agency in accordance with this Act.

“(b) INTERAGENCY AGREEMENTS.—Not later than 1 year after the date of enactment of this section, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall enter into a memorandum of understanding with the lead agency that—

“(1) provides for periodic training of the personnel of the Federal agency, which in the case of a Federal agency that provides Federal financial assistance, may include personnel of any displacing agency that receives Federal financial assistance;

“(2) addresses ways in which the lead agency may provide assistance and coordination to the Federal agency relating to compliance with the Act on a program or project basis; and

“(3) addresses the funding of the training, assistance, and coordination activities provided by the lead agency, in accordance with subsection (c).

“(c) INTERAGENCY PAYMENTS.—

“(1) IN GENERAL.—For the fiscal year that begins 1 year after the date of enactment of this section, and each fiscal year thereafter, each Federal agency responsible for funding relocation and acquisition activities (other than the agency serving as the lead agency) shall transfer to the lead agency for the fiscal year, such funds as are necessary, but not less than \$35,000, to support the training, assistance, and coordination activities of the lead agency described in subsection (b).

“(2) INCLUDED COSTS.—The cost to a Federal agency of providing the funds described in paragraph (1) shall be included as part of the cost of 1 or more programs or projects undertaken by the Federal agency or with Federal financial assistance that result in the displacement of persons or the acquisition of real property.”.

(f) COOPERATION WITH FEDERAL AGENCIES.—Section 308 of title 23, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) AUTHORIZED ACTIVITIES.—

“(1) IN GENERAL.—The Secretary may perform, by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways for other Federal agencies, cooperating foreign countries, and State cooperating agencies.

“(2) INCLUSIONS.—Services authorized under paragraph (1) may include activities authorized under section 214 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

“(3) REIMBURSEMENT.—Reimbursement for services carried out under this subsection (including depreciation on engineering and road-building equipment) shall be credited to the applicable appropriation.”.

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of enactment of this Act.

(2) EXCEPTION.—The amendments made by subsections (a) through (c) shall take effect 2 years after the date of enactment of this Act.

SEC. 1522. EXTENSION OF PUBLIC TRANSIT VEHICLE EXEMPTION FROM AXLE WEIGHT RESTRICTIONS.

Section 1023(h) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note; Public Law 102-240) is amended—

(1) in the heading of paragraph (1) by striking “TEMPORARY EXEMPTION” and inserting “EXEMPTION”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by striking “, for the period beginning on October 6, 1992, and ending on October 1, 2009.”;

(B) in subparagraph (A) by striking “or” at the end;

(C) in subparagraph (B) by striking the period at the end and inserting “; or”;

(D) by adding at the end the following:

“(C) any motor home (as defined in section 571.3 of title 49, Code of Federal Regulations (or successor regulation)).”; and

(3) in paragraph (2)(A) by striking “For the period beginning on the date of enactment of this subparagraph and ending on September 30, 2009, a” and inserting “A”.

SEC. 1523. USE OF DEBRIS FROM DEMOLISHED BRIDGES AND OVERPASSES.

Section 1805(a) of the SAFETEA-LU (23 U.S.C. 144 note; 119 Stat. 1459) is amended by striking “highway bridge replacement and rehabilitation program under section 144” and inserting “national highway performance program under section 119”.

SEC. 1524. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

(a) IN GENERAL.—The Secretary shall encourage the States and regional transportation planning agencies to enter into contracts and cooperative agreements with qualified youth service or conservation corps, as defined in sections 122(a)(2) of Public Law 101-610 (42 U.S.C. 12572(a)(2)) and 106(c)(3) of Public Law 103-82 (42 U.S.C. 12656(c)(3)) to perform appropriate projects eligible under sections 162, 206, 213, and 217 of title 23, United States Code, and under section 1404 of the SAFETEA-LU (119 Stat. 1228).

(b) REQUIREMENTS.—Under any contract or cooperative agreement entered into with a qualified youth service or conservation corps under this section, the Secretary shall—

(1) set the amount of a living allowance or rate of pay for each participant in such corps at—

(A) such amount or rate as required under State law in a State with such requirements; or

(B) for corps in States not described in subparagraph (A), at such amount or rate as deter-

mined by the Secretary, not to exceed the maximum living allowance authorized by section 140 of Public Law 101-610 (42 U.S.C. 12594); and

(2) not subject such corps to the requirements of section 112 of title 23, United States Code.

SEC. 1525. STATE AUTONOMY FOR CULVERT PIPE SELECTION.

Not later than 180 days after the date of enactment of this Act, the Secretary shall modify section 635.411 of title 23, Code of Federal Regulations (as in effect on the date of enactment of this Act), to ensure that States shall have the autonomy to determine culvert and storm sewer material types to be included in the construction of a project on a Federal-aid highway.

SEC. 1526. EVACUATION ROUTES.

Each State shall give adequate consideration to the needs of evacuation routes in the State, including such routes serving or adjacent to facilities operated by the Armed Forces, when allocating funds apportioned to the State under title 23, United States Code, for the construction of Federal-aid highways.

SEC. 1527. CONSOLIDATION OF GRANTS.

(a) DEFINITIONS.—In this section, the term “recipient” means—

(1) a State, local, or tribal government, including—

(A) a territory of the United States;

(B) a transit agency;

(C) a port authority;

(D) a metropolitan planning organization; or

(E) any other political subdivision of a State or local government;

(2) a multistate or multijurisdictional group, if each member of the group is an entity described in paragraph (1); and

(3) a public-private partnership, if both parties are engaged in building the project.

(b) CONSOLIDATION.—

(1) IN GENERAL.—A recipient that receives multiple grant awards from the Department to support 1 multimodal project may request that the Secretary designate 1 modal administration in the Department to be the lead administering authority for the overall project.

(2) NEW STARTS.—Any project that includes funds awarded under section 5309 of title 49, United States Code, shall be exempt from consolidation under this section unless the grant recipient requests the Federal Transit Administration to be the lead administering authority.

(3) REVIEW.—

(A) IN GENERAL.—Not later than 30 days after the date on which a request under paragraph (1) is made, the Secretary shall review the request and approve or deny the designation of a single modal administration as the lead administering authority and point of contact for the Department.

(B) NOTIFICATION.—

(i) IN GENERAL.—The Secretary shall notify the requestor of the decision of the Secretary under subparagraph (A) in such form and at such time as the Secretary and the requestor agree.

(ii) DENIAL.—If a request is denied, the Secretary shall provide the requestor with a detailed explanation of the reasoning of the Secretary with the notification under clause (i).

(c) DUTIES.—

(1) IN GENERAL.—A modal administration designated as a lead administering authority under this section shall—

(A) be responsible for leading and coordinating the integrated project management team, which shall consist of all of the other modal administrations in the Department relating to the multimodal project; and

(B) to the extent feasible during the first 30 days of carrying out the multimodal project, identify overlapping or duplicative regulatory requirements that exist for the project and propose a single, streamlined approach to meeting all of the applicable regulatory requirements through the activities described in subsection (d).

(2) ADMINISTRATION.—

(A) *IN GENERAL.*—The Secretary shall transfer all amounts that have been awarded for the multimodal project to the modal administration designated as the lead administering authority.

(B) *OPTION.*—

(i) *IN GENERAL.*—Participation under this section shall be optional for recipients, and no recipient shall be required to participate.

(ii) *SECRETARIAL DUTIES.*—The Secretary is not required to identify every recipient that may be eligible to participate under this section.

(d) *COOPERATION.*—

(1) *IN GENERAL.*—The Secretary and modal administrations with relevant jurisdiction over a multimodal project should cooperate on project review and delivery activities at the earliest practicable time.

(2) *PURPOSES.*—The purposes of the cooperation under paragraph (1) are—

(A) to avoid delays and duplication of effort later in the process;

(B) to prevent potential conflicts; and

(C) to ensure that planning and project development decisions are made in a streamlined manner and consistent with applicable law.

(e) *APPLICABILITY.*—Nothing in this section shall—

(1) supersede, amend, or modify the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(2) affect the responsibility of any Federal officer to comply with or enforce any law described in paragraph (1).

SEC. 1528. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

(a) *SENSE OF THE SENATE.*—It is the Sense of the Senate that the timely completion of the Appalachian development highway system is a transportation priority in the national interest.

(b) *MODIFIED FEDERAL SHARE FOR PROJECTS ON ADHS.*—For fiscal years 2012 through 2021, the Federal share payable for the cost of constructing highways and access roads on the Appalachian development highway system under section 14501 of title 40, United States Code, with funds made available to a State for fiscal year 2012 or a previous fiscal year for the Appalachian development highway system program, or with funds made available for fiscal year 2012 or a previous fiscal year for a specific project, route, or corridor on that system, shall be 100 percent.

(c) *FEDERAL SHARE FOR OTHER FUNDS USED ON ADHS.*—For fiscal years 2012 through 2021, the Federal share payable for the cost of constructing highways and access roads on the Appalachian development highway system under section 14501 of title 40, United States Code, with Federal funds apportioned to a State for a program other than the Appalachian development highway system program shall be 100 percent.

(d) *COMPLETION PLAN.*—

(1) *IN GENERAL.*—Subject to paragraph (2), not later than 1 year after the date of enactment of the MAP-21, each State represented on the Appalachian Regional Commission shall establish a plan for the completion of the designated corridors of the Appalachian development highway system within the State, including annual performance targets, with a target completion date.

(2) *SIGNIFICANT UNCOMPLETED MILES.*—If the percentage of remaining Appalachian development highway system needs for a State, according to the latest cost to complete estimate for the Appalachian development highway system, is greater than 15 percent of the total cost to complete estimate for the entire Appalachian development highway system, the State shall not establish a plan under paragraph (1) that would result in a reduction of obligated funds for the Appalachian development highway system within the State for any subsequent fiscal year.

SEC. 1529. ENGINEERING JUDGMENT.

Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance to State transportation departments clari-

fying that the standards, guidance, and options for design and application of traffic control devices provided in the Manual on Uniform Traffic Control Devices should not be considered a substitute for engineering judgment.

SEC. 1530. TRANSPORTATION TRAINING AND EMPLOYMENT PROGRAMS.

To encourage the development of careers in the transportation field, the Secretary of Education and the Secretary of Labor are encouraged to use funds for training and employment education programs—

(1) to develop programs for transportation-related careers and trades; and

(2) to work with the Secretary to carry out programs developed under paragraph (1).

SEC. 1531. NOTICE OF CERTAIN GRANT AWARDS.

(a) *DEFINITION OF COVERED GRANT AWARD.*—In this section, the term “covered grant award” means a grant award—

(1) made—

(A) by the Department; and

(B) with funds made available under this Act; and

(2) in an amount equal to or greater than \$500,000.

(b) *NOTICE.*—Except to the extent otherwise expressly provided in another provision of law, at least 3 business days before a covered grant award is announced, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate written notice of the covered grant award.

SEC. 1532. BUDGET JUSTIFICATION.

The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a budget justification for each agency of the Department concurrently with the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code.

SEC. 1533. PROHIBITION ON USE OF FUNDS FOR AUTOMATED TRAFFIC ENFORCEMENT.

(a) *DEFINITION OF AUTOMATED TRAFFIC ENFORCEMENT SYSTEM.*—In this section, the term “automated traffic enforcement system” means any camera that captures an image of a vehicle for the purposes of traffic law enforcement.

(b) *USE OF FUNDS.*—Except as provided in subsection (c), for fiscal years 2013 and 2014, funds apportioned to a State under section 104(b)(3) of title 23, United States Code, may not be used for any program to purchase, operate, or maintain an automated traffic enforcement system.

(c) *EXCEPTION.*—Subsection (b) shall not apply to automated traffic enforcement systems used to improve safety in school zones.

SEC. 1534. PUBLIC-PRIVATE PARTNERSHIPS.

(a) *BEST PRACTICES.*—The Secretary shall compile, and make available to the public on the website of the Department, best practices on how States, public transportation agencies, and other public officials can work with the private sector in the development, financing, construction, and operation of transportation facilities.

(b) *CONTENTS.*—The best practices compiled under subsection (a) shall include policies and techniques to ensure that the interests of the traveling public and State and local governments are protected in any agreement entered into with the private sector for the development, financing, construction, and operation of transportation facilities.

(c) *TECHNICAL ASSISTANCE.*—The Secretary, on request, may provide technical assistance to States, public transportation agencies, and other public officials regarding proposed public-private partnership agreements for the development, financing, construction, and operation of transportation facilities, including assistance in analyzing whether the use of a public-private partnership agreement would provide value compared with traditional public delivery methods.

(d) *STANDARD TRANSACTION CONTRACTS.*—

(1) *DEVELOPMENT.*—Not later than 18 months after the date of enactment of this Act, the Secretary shall develop standard public-private partnership transaction model contracts for the most popular types of public-private partnerships for the development, financing, construction, and operation of transportation facilities.

(2) *USE.*—The Secretary shall encourage States, public transportation agencies, and other public officials to use the model contracts as a base template when developing their own public-private partnership agreements for the development, financing, construction, and operation of transportation facilities.

SEC. 1535. REPORT ON HIGHWAY TRUST FUND EXPENDITURES.

(a) *INITIAL REPORT.*—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the activities funded from the Highway Trust Fund during each of fiscal years 2009 through 2011, including for purposes other than construction and maintenance of highways and bridges.

(b) *UPDATES.*—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General of the United States shall submit to Congress a report that updates the information provided in the report under that subsection for the applicable 5-year period.

(c) *INCLUSIONS.*—A report submitted under subsection (a) or (b) shall include information similar to the information included in the report of the Government Accountability Office numbered “GAO-09-729R” and entitled “Highway Trust Fund Expenditures on Purposes Other Than Construction and Maintenance of Highways and Bridges During Fiscal Years 2004–2008”.

SEC. 1536. SENSE OF CONGRESS ON HARBOR MAINTENANCE.

(a) *FINDINGS.*—Congress finds that—

(1) there are 926 coastal, Great Lakes, and inland harbors maintained by the Corps of Engineers;

(2) according to the Bureau of Transportation Statistics—

(A) in 2009, the ports and waterways of the United States handled more than 2,200,000,000 short tons of imports, exports, and domestic shipments; and

(B) in 2010, United States ports were responsible for more than \$1,400,000,000 in waterborne imports and exports;

(3) according to the Congressional Research Service, full channel dimensions are, on average, available approximately 1/3 of the time at the 59 harbors of the United States with the highest use rates;

(4) in 1986, Congress created the Harbor Maintenance Trust Fund to provide funds for the operation and maintenance of the navigation channels of the United States;

(5) in fiscal year 2012, the Harbor Maintenance Trust Fund is expected to grow from \$6,280,000,000 to \$7,011,000,000, an increase of approximately 13 percent;

(6) despite growth of the Harbor Maintenance Trust Fund, expenditures from the Harbor Maintenance Trust Fund have not been sufficiently spent; and

(7) inadequate investment in dredging needs is restricting access to the ports of the United States for domestic shipping, imports, and exports and therefore threatening the economic competitiveness of the United States.

(b) *SENSE OF CONGRESS.*—It is the sense of Congress that—

(1) the Administration should request full use of the Harbor Maintenance Trust Fund for operating and maintaining the navigation channels of the United States;

(2) the amounts in the Harbor Maintenance Trust Fund should be fully expended to operate and maintain the navigation channels of the United States; and

(3) Congress should ensure that other programs, projects, and activities of the Civil Works Program of the Corps of Engineers, especially those programs, projects, and activities relating to inland navigation and flood control, are not adversely impacted.

SEC. 1537. ESTIMATE OF HARBOR MAINTENANCE NEEDS.

For fiscal year 2014 and each fiscal year thereafter, the President's budget request submitted pursuant to section 1105 of title 31, United States Code, shall include—

(1) an estimate of the nationwide average availability, expressed as a percentage, of the authorized depth and authorized width of all navigation channels authorized to be maintained using appropriations from the Harbor Maintenance Trust Fund that would result from harbor maintenance activities to be funded by the budget request; and

(2) an estimate of the average annual amount of appropriations from the Harbor Maintenance Trust Fund that would be required to increase that average availability to 95 percent over a 3-year period.

SEC. 1538. ASIAN CARP.

(a) DEFINITIONS.—In this section:

(1) HYDROLOGICAL SEPARATION.—The term “hydrological separation” means a physical separation on the Chicago Area Waterway System that—

(A) would disconnect the Mississippi River watershed from the Lake Michigan watershed; and

(B) shall be designed to be adequate in scope to prevent the transfer of all aquatic species between each of those bodies of water.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(b) EXPEDITED STUDY AND REPORT.—

(1) IN GENERAL.—The Secretary shall—

(A) expedite completion of the report for the study authorized by section 3061(d) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1121); and

(B) if the Secretary determines a project is justified in the completed report, proceed directly to project preconstruction engineering and design.

(2) FOCUS.—In expediting the completion of the study and report under paragraph (1), the Secretary shall focus on—

(A) the prevention of the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins, such as through the permanent hydrological separation of the Great Lakes and Mississippi River Basins; and

(B) the watersheds of the following rivers and tributaries associated with the Chicago Area Waterway System:

(i) The Illinois River, at and in the vicinity of Chicago, Illinois.

(ii) The Chicago River, Calumet River, North Shore Channel, Chicago Sanitary and Ship Canal, and Cal-Sag Channel in the State of Illinois.

(iii) The Grand Calumet River and Little Calumet River in the States of Illinois and Indiana.

(3) EFFICIENT USE OF FUNDS.—The Secretary shall ensure the efficient use of funds to maximize the timely completion of the study and report under paragraph (1).

(4) DEADLINE.—The Secretary shall complete the report under paragraph (1) by not later than 18 months after the date of enactment of this Act.

(5) INTERIM REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) interim milestones that will be met prior to final completion of the study and report under paragraph (1); and

(B) funding necessary for completion of the study and report under paragraph (1), including funding necessary for completion of each interim milestone identified under subparagraph (A).

SEC. 1539. REST AREAS.

(a) AGREEMENTS RELATING TO USE OF AND ACCESS TO RIGHTS-OF-WAY—INTERSTATE SYSTEM.—Section 111 of title 23, United States Code, is amended—

(1) in subsection (a) in the second sentence by striking the period and inserting “and will not change the boundary of any right-of-way on the Interstate System to accommodate construction of, or afford access to, an automotive service station or other commercial establishment.”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

“(b) REST AREAS.—

“(1) IN GENERAL.—Notwithstanding subsection (a), the Secretary shall permit a State to acquire, construct, operate, and maintain a rest area along a highway on the Interstate System in such State.

“(2) LIMITED ACTIVITIES.—The Secretary shall permit limited commercial activities within a rest area under paragraph (1), if the activities are available only to customers using the rest area and are limited to—

“(A) commercial advertising and media displays if such advertising and displays are—

“(i) exhibited solely within any facility constructed in the rest area; and

“(ii) not legible from the main traveled way;

“(B) items designed to promote tourism in the State, limited to books, DVDs, and other media;

“(C) tickets for events or attractions in the State of a historical or tourism-related nature;

“(D) travel-related information, including maps, travel booklets, and hotel coupon booklets; and

“(E) lottery machines, provided that the priority afforded to blind vendors under subsection (c) applies to this subparagraph.

“(3) PRIVATE OPERATORS.—A State may permit a private party to operate such commercial activities.

“(4) LIMITATION ON USE OF REVENUES.—A State shall use any revenues received from the commercial activities in a rest area under this section to cover the costs of acquiring, constructing, operating, and maintaining rest areas in the State.”.

(b) CONTROL OF OUTDOOR ADVERTISING.—Section 131(i) of title 23, United States Code, is amended by adding at the end the following:

“A State may permit the installation of signs that acknowledge the sponsorship of rest areas within such rest areas or along the main traveled way of the system, provided that such signs shall not affect the safe and efficient utilization of the Interstate System and the primary system. The Secretary shall establish criteria for the installation of such signs on the main traveled way, including criteria pertaining to the placement of rest area sponsorship acknowledgment signs in relation to the placement of advance guide signs for rest areas.”.

Subtitle F—Gulf Coast Restoration

SEC. 1601. SHORT TITLE.

This subtitle may be cited as the “Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012”.

SEC. 1602. GULF COAST RESTORATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the “Gulf Coast Restoration Trust Fund” (referred to in this section as the “Trust Fund”), consisting of such amounts as are deposited in the Trust Fund under this Act or any other provision of law.

(b) TRANSFERS.—The Secretary of the Treasury shall deposit in the Trust Fund an amount

equal to 80 percent of all administrative and civil penalties paid by responsible parties after the date of enactment of this Act in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon pursuant to a court order, negotiated settlement, or other instrument in accordance with section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(c) EXPENDITURES.—Amounts in the Trust Fund, including interest earned on advances to the Trust Fund and proceeds from investment under subsection (d), shall—

(1) be available for expenditure, without further appropriation, solely for the purpose and eligible activities of this subtitle and the amendments made by this subtitle; and

(2) remain available until expended, without fiscal year limitation.

(d) INVESTMENT.—Amounts in the Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this subtitle and the amendments made by this subtitle.

(e) ADMINISTRATION.—Not later than 180 days after the date of enactment of this Act, after providing notice and an opportunity for public comment, the Secretary of the Treasury, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall establish such procedures as the Secretary determines to be necessary to deposit amounts in, and expend amounts from, the Trust Fund pursuant to this subtitle, including—

(1) procedures to assess whether the programs and activities carried out under this subtitle and the amendments made by this subtitle achieve compliance with applicable requirements, including procedures by which the Secretary of the Treasury may determine whether an expenditure by a Gulf Coast State or coastal political subdivision (as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321)) pursuant to such a program or activity achieves compliance;

(2) auditing requirements to ensure that amounts in the Trust Fund are expended as intended; and

(3) procedures for identification and allocation of funds available to the Secretary under other provisions of law that may be necessary to pay the administrative expenses directly attributable to the management of the Trust Fund.

(f) SUNSET.—The authority for the Trust Fund shall terminate on the date all funds in the Trust Fund have been expended.

SEC. 1603. GULF COAST NATURAL RESOURCES RESTORATION AND ECONOMIC RECOVERY.

Section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) is amended—

(1) in subsection (a)—

(A) in paragraph (25)(B), by striking “and” at the end;

(B) in paragraph (26)(D), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(27) the term ‘best available science’ means science that—

“(A) maximizes the quality, objectivity, and integrity of information, including statistical information;

“(B) uses peer-reviewed and publicly available data; and

“(C) clearly documents and communicates risks and uncertainties in the scientific basis for such projects;

“(28) the term ‘Chairperson’ means the Chairperson of the Council;

“(29) the term ‘coastal political subdivision’ means any local political jurisdiction that is immediately below the State level of government, including a county, parish, or borough, with a coastline that is contiguous with any portion of the United States Gulf of Mexico;

“(30) the term ‘Comprehensive Plan’ means the comprehensive plan developed by the Council pursuant to subsection (t);

“(31) the term ‘Council’ means the Gulf Coast Ecosystem Restoration Council established pursuant to subsection (t);

“(32) the term ‘Deepwater Horizon oil spill’ means the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment;

“(33) the term ‘Gulf Coast region’ means—

“(A) in the Gulf Coast States, the coastal zones (as that term is defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)), except that, in this section, the term ‘coastal zones’ includes land within the coastal zones that is held in trust by, or the use of which is by law subject solely to the discretion of, the Federal Government or officers or agents of the Federal Government)) that border the Gulf of Mexico;

“(B) any adjacent land, water, and watersheds, that are within 25 miles of the coastal zones described in subparagraph (A) of the Gulf Coast States; and

“(C) all Federal waters in the Gulf of Mexico;

“(34) the term ‘Gulf Coast State’ means any of the States of Alabama, Florida, Louisiana, Mississippi, and Texas; and

“(35) the term ‘Trust Fund’ means the Gulf Coast Restoration Trust Fund established pursuant to section 1602 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012.”;

(2) in subsection (s), by inserting “except as provided in subsection (t)” before the period at the end; and

(3) by adding at the end the following:

“(t) GULF COAST RESTORATION AND RECOVERY.—

“(1) STATE ALLOCATION AND EXPENDITURES.—

“(A) IN GENERAL.—Of the total amounts made available in any fiscal year from the Trust Fund, 35 percent shall be available, in accordance with the requirements of this section, to the Gulf Coast States in equal shares for expenditure for ecological and economic restoration of the Gulf Coast region in accordance with this subsection.

“(B) USE OF FUNDS.—

“(i) ELIGIBLE ACTIVITIES IN THE GULF COAST REGION.—Subject to clause (iii), amounts provided to the Gulf Coast States under this subsection may only be used to carry out 1 or more of the following activities in the Gulf Coast region:

“(I) Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.

“(II) Mitigation of damage to fish, wildlife, and natural resources.

“(III) Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring.

“(IV) Workforce development and job creation.

“(V) Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill.

“(VI) Infrastructure projects benefitting the economy or ecological resources, including port infrastructure.

“(VII) Coastal flood protection and related infrastructure.

“(VIII) Planning assistance.

“(IX) Administrative costs of complying with this subsection.

“(ii) ACTIVITIES TO PROMOTE TOURISM AND SEAFOOD IN THE GULF COAST REGION.—Amounts provided to the Gulf Coast States under this subsection may be used to carry out 1 or more of the following activities:

“(I) Promotion of tourism in the Gulf Coast Region, including recreational fishing.

“(II) Promotion of the consumption of seafood harvested from the Gulf Coast Region.

“(iii) LIMITATION.—

“(I) IN GENERAL.—Of the amounts received by a Gulf Coast State under this subsection, not

more than 3 percent may be used for administrative costs eligible under clause (i)(IX).

“(II) CLAIMS FOR COMPENSATION.—Activities funded under this subsection may not be included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after the date of enactment of this subsection.

“(C) COASTAL POLITICAL SUBDIVISIONS.—

“(i) DISTRIBUTION.—In the case of a State where the coastal zone includes the entire State—

“(I) 75 percent of funding shall be provided directly to the 8 disproportionately affected counties impacted by the Deepwater Horizon oil spill; and

“(II) 25 percent shall be provided directly to nondisproportionately impacted counties within the State.

“(ii) NONDISPROPORTIONATELY IMPACTED COUNTIES.—The total amounts made available to coastal political subdivisions in the State of Florida under clause (i)(II) shall be distributed according to the following weighted formula:

“(I) 34 percent based on the weighted average of the population of the county.

“(II) 33 percent based on the weighted average of the county per capita sales tax collections estimated for fiscal year 2012.

“(III) 33 percent based on the inverse proportion of the weighted average distance from the Deepwater Horizon oil rig to each of the nearest and farthest points of the shoreline.

“(D) LOUISIANA.—

“(i) IN GENERAL.—Of the total amounts made available to the State of Louisiana under this paragraph:

“(I) 70 percent shall be provided directly to the State in accordance with this subsection.

“(II) 30 percent shall be provided directly to parishes in the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)) of the State of Louisiana according to the following weighted formula:

“(aa) 40 percent based on the weighted average of miles of the parish shoreline oiled.

“(bb) 40 percent based on the weighted average of the population of the parish.

“(cc) 20 percent based on the weighted average of the land mass of the parish.

“(ii) CONDITIONS.—

“(I) LAND USE PLAN.—As a condition of receiving amounts allocated under this paragraph, the chief executive of the eligible parish shall certify to the Governor of the State that the parish has completed a comprehensive land use plan.

“(II) OTHER CONDITIONS.—A coastal political subdivision receiving funding under this paragraph shall meet all of the conditions in subparagraph (E).

“(E) CONDITIONS.—As a condition of receiving amounts from the Trust Fund, a Gulf Coast State, including the entities described in subparagraph (F), or a coastal political subdivision shall—

“(i) agree to meet such conditions, including audit requirements, as the Secretary of the Treasury determines necessary to ensure that amounts disbursed from the Trust Fund will be used in accordance with this subsection;

“(ii) certify in such form and in such manner as the Secretary of the Treasury determines necessary that the project or program for which the Gulf Coast State or coastal political subdivision is requesting amounts—

“(I) is designed to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, or economy of the Gulf Coast;

“(II) carries out 1 or more of the activities described in clauses (i) and (ii) of subparagraph (B);

“(III) was selected based on meaningful input from the public, including broad-based participation from individuals, businesses, and non-profit organizations; and

“(IV) in the case of a natural resource protection or restoration project, is based on the best available science;

“(iii) certify that the project or program and the awarding of a contract for the expenditure of amounts received under this paragraph are consistent with the standard procurement rules and regulations governing a comparable project or program in that State, including all applicable competitive bidding and audit requirements; and

“(iv) develop and submit a multiyear implementation plan for the use of such amounts, which may include milestones, projected completion of each activity, and a mechanism to evaluate the success of each activity in helping to restore and protect the Gulf Coast region impacted by the Deepwater Horizon oil spill.

“(F) APPROVAL BY STATE ENTITY, TASK FORCE, OR AGENCY.—The following Gulf Coast State entities, task forces, or agencies shall carry out the duties of a Gulf Coast State pursuant to this paragraph:

“(i) ALABAMA.—

“(I) IN GENERAL.—In the State of Alabama, the Alabama Gulf Coast Recovery Council, which shall be comprised of only the following:

“(aa) The Governor of Alabama, who shall also serve as Chairperson and preside over the meetings of the Alabama Gulf Coast Recovery Council.

“(bb) The Director of the Alabama State Port Authority, who shall also serve as Vice Chairperson and preside over the meetings of the Alabama Gulf Coast Recovery Council in the absence of the Chairperson.

“(cc) The Chairman of the Baldwin County Commission.

“(dd) The President of the Mobile County Commission.

“(ee) The Mayor of the city of Bayou La Batre.

“(ff) The Mayor of the town of Dauphin Island.

“(gg) The Mayor of the city of Fairhope.

“(hh) The Mayor of the city of Gulf Shores.

“(ii) The Mayor of the city of Mobile.

“(jj) The Mayor of the city of Orange Beach.

“(II) VOTE.—Each member of the Alabama Gulf Coast Recovery Council shall be entitled to 1 vote.

“(III) MAJORITY VOTE.—All decisions of the Alabama Gulf Coast Recovery Council shall be made by majority vote.

“(IV) LIMITATION ON ADMINISTRATIVE EXPENSES.—Administrative duties for the Alabama Gulf Coast Recovery Council may only be performed by public officials and employees that are subject to the ethics laws of the State of Alabama.

“(ii) LOUISIANA.—In the State of Louisiana, the Coastal Protection and Restoration Authority of Louisiana.

“(iii) MISSISSIPPI.—In the State of Mississippi, the Mississippi Department of Environmental Quality.

“(iv) TEXAS.—In the State of Texas, the Office of the Governor or an appointee of the Office of the Governor.

“(G) COMPLIANCE WITH ELIGIBLE ACTIVITIES.—If the Secretary of the Treasury determines that an expenditure by a Gulf Coast State or coastal political subdivision of amounts made available under this subsection does not meet one of the activities described in clauses (i) and (ii) of subparagraph (B), the Secretary shall make no additional amounts from the Trust Fund available to that Gulf Coast State or coastal political subdivision until such time as an amount equal to the amount expended for the unauthorized use—

“(i) has been deposited by the Gulf Coast State or coastal political subdivision in the Trust Fund; or

“(ii) has been authorized by the Secretary of the Treasury for expenditure by the Gulf Coast State or coastal political subdivision for a project or program that meets the requirements of this subsection.

“(H) COMPLIANCE WITH CONDITIONS.—If the Secretary of the Treasury determines that a Gulf Coast State or coastal political subdivision

does not meet the requirements of this paragraph, including the conditions of subparagraph (E), where applicable, the Secretary of the Treasury shall make no amounts from the Trust Fund available to that Gulf Coast State or coastal political subdivision until all conditions of this paragraph are met.

“(I) PUBLIC INPUT.—In meeting any condition of this paragraph, a Gulf Coast State may use an appropriate procedure for public consultation in that Gulf Coast State, including consulting with one or more established task forces or other entities, to develop recommendations for proposed projects and programs that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast.

“(J) PREVIOUSLY APPROVED PROJECTS AND PROGRAMS.—A Gulf Coast State or coastal political subdivision shall be considered to have met the conditions of subparagraph (E) for a specific project or program if, before the date of enactment of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012—

“(i) the Gulf Coast State or coastal political subdivision has established conditions for carrying out projects and programs that are substantively the same as the conditions described in subparagraph (E); and

“(ii) the applicable project or program carries out 1 or more of the activities described in clauses (i) and (ii) of subparagraph (B).

“(K) LOCAL PREFERENCE.—In awarding contracts to carry out a project or program under this paragraph, a Gulf Coast State or coastal political subdivision may give a preference to individuals and companies that reside in, are headquartered in, or are principally engaged in business in the State of project execution.

“(L) UNUSED FUNDS.—Funds allocated to a State or coastal political subdivision under this paragraph shall remain in the Trust Fund until such time as the State or coastal political subdivision develops and submits a plan identifying uses for those funds in accordance with subparagraph (E)(iv).

“(M) JUDICIAL REVIEW.—If the Secretary of the Treasury determines that a Gulf Coast State or coastal political subdivision does not meet the requirements of this paragraph, including the conditions of subparagraph (E), the Gulf Coast State or coastal political subdivision may obtain expedited judicial review within 90 days after that decision in a district court of the United States, of appropriate jurisdiction and venue, that is located within the State seeking the review.

“(N) COST-SHARING.—

“(i) IN GENERAL.—A Gulf Coast State or coastal political subdivision may use, in whole or in part, amounts made available under this paragraph to that Gulf Coast State or coastal political subdivision to satisfy the non-Federal share of the cost of any project or program authorized by Federal law that is an eligible activity described in clauses (i) and (ii) of subparagraph (B).

“(ii) EFFECT ON OTHER FUNDS.—The use of funds made available from the Trust Fund to satisfy the non-Federal share of the cost of a project or program that meets the requirements of clause (i) shall not affect the priority in which other Federal funds are allocated or awarded.

“(2) COUNCIL ESTABLISHMENT AND ALLOCATION.—

“(A) IN GENERAL.—Of the total amount made available in any fiscal year from the Trust Fund, 30 percent shall be disbursed to the Council to carry out the Comprehensive Plan.

“(B) COUNCIL EXPENDITURES.—

“(i) IN GENERAL.—In accordance with this paragraph, the Council shall expend funds made available from the Trust Fund to undertake projects and programs, using the best available science, that would restore and protect the natural resources, ecosystems, fisheries, marine

and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast.

“(ii) ALLOCATION AND EXPENDITURE PROCEDURES.—The Secretary of the Treasury shall develop such conditions, including audit requirements, as the Secretary of the Treasury determines necessary to ensure that amounts disbursed from the Trust Fund to the Council to implement the Comprehensive Plan will be used in accordance with this paragraph.

“(iii) ADMINISTRATIVE EXPENSES.—Of the amounts received by the Council under this paragraph, not more than 3 percent may be used for administrative expenses, including staff.

“(C) GULF COAST ECOSYSTEM RESTORATION COUNCIL.—

“(i) ESTABLISHMENT.—There is established as an independent entity in the Federal Government a council to be known as the ‘Gulf Coast Ecosystem Restoration Council’.

“(ii) MEMBERSHIP.—The Council shall consist of the following members, or in the case of a Federal agency, a designee at the level of the Assistant Secretary or the equivalent:

“(I) The Secretary of the Interior.

“(II) The Secretary of the Army.

“(III) The Secretary of Commerce.

“(IV) The Administrator of the Environmental Protection Agency.

“(V) The Secretary of Agriculture.

“(VI) The head of the department in which the Coast Guard is operating.

“(VII) The Governor of the State of Alabama.

“(VIII) The Governor of the State of Florida.

“(IX) The Governor of the State of Louisiana.

“(X) The Governor of the State of Mississippi.

“(XI) The Governor of the State of Texas.

“(iii) ALTERNATE.—A Governor appointed to the Council by the President may designate an alternate to represent the Governor on the Council and vote on behalf of the Governor.

“(iv) CHAIRPERSON.—From among the Federal agency members of the Council, the representatives of States on the Council shall select, and the President shall appoint, 1 Federal member to serve as Chairperson of the Council.

“(v) PRESIDENTIAL APPOINTMENT.—All Council members shall be appointed by the President.

“(vi) COUNCIL ACTIONS.—

“(I) IN GENERAL.—The following actions by the Council shall require the affirmative vote of the Chairperson and a majority of the State members to be effective:

“(aa) Approval of a Comprehensive Plan and future revisions to a Comprehensive Plan.

“(bb) Approval of State plans pursuant to paragraph (3)(B)(iv).

“(cc) Approval of reports to Congress pursuant to clause (vii)(VII).

“(dd) Approval of transfers pursuant to subparagraph (E)(ii)(I).

“(ee) Other significant actions determined by the Council.

“(II) QUORUM.—A majority of State members shall be required to be present for the Council to take any significant action.

“(III) AFFIRMATIVE VOTE REQUIREMENT CONSIDERED MET.—For approval of State plans pursuant to paragraph (3)(B)(iv), the certification by a State member of the Council that the plan satisfies all requirements of clauses (i) and (ii) of paragraph (3)(B), when joined by an affirmative vote of the Federal Chairperson of the Council, shall be considered to satisfy the requirements for affirmative votes under subclause (I).

“(IV) PUBLIC TRANSPARENCY.—Appropriate actions of the Council, including significant actions and associated deliberations, shall be made available to the public via electronic means prior to any vote.

“(vii) DUTIES OF COUNCIL.—The Council shall—

“(I) develop the Comprehensive Plan and future revisions to the Comprehensive Plan;

“(II) identify as soon as practicable the projects that—

“(aa) have been authorized prior to the date of enactment of this subsection but not yet commenced; and

“(bb) if implemented quickly, would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, barrier islands, dunes, and coastal wetlands of the Gulf Coast region;

“(III) establish such other 1 or more advisory committees as may be necessary to assist the Council, including a scientific advisory committee and a committee to advise the Council on public policy issues;

“(IV) collect and consider scientific and other research associated with restoration of the Gulf Coast ecosystem, including research, observation, and monitoring carried out pursuant to sections 1604 and 1605 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012;

“(V) develop standard terms to include in contracts for projects and programs awarded pursuant to the Comprehensive Plan that provide a preference to individuals and companies that reside in, are headquartered in, or are principally engaged in business in a Gulf Coast State;

“(VI) prepare an integrated financial plan and recommendations for coordinated budget requests for the amounts proposed to be expended by the Federal agencies represented on the Council for projects and programs in the Gulf Coast States; and

“(VII) submit to Congress an annual report that—

“(aa) summarizes the policies, strategies, plans, and activities for addressing the restoration and protection of the Gulf Coast region;

“(bb) describes the projects and programs being implemented to restore and protect the Gulf Coast region, including—

“(AA) a list of each project and program;

“(BB) an identification of the funding provided to projects and programs identified in subitem (AA);

“(CC) an identification of each recipient for funding identified in subitem (BB); and

“(DD) a description of the length of time and funding needed to complete the objectives of each project and program identified in subitem (AA);

“(cc) makes such recommendations to Congress for modifications of existing laws as the Council determines necessary to implement the Comprehensive Plan;

“(dd) reports on the progress on implementation of each project or program—

“(AA) after 3 years of ongoing activity of the project or program, if applicable; and

“(BB) on completion of the project or program;

“(ee) includes the information required to be submitted under section 1605(c)(4) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012; and

“(ff) submits the reports required under item (dd) to—

“(AA) the Committee on Science, Space, and Technology, the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives; and

“(BB) the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate.

“(viii) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Council, or any other advisory committee established under this subparagraph, shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

“(ix) SUNSET.—The authority for the Council, and any other advisory committee established under this subparagraph, shall terminate on the date all funds in the Trust Fund have been expended.

“(D) COMPREHENSIVE PLAN.—

“(i) PROPOSED PLAN.—

“(I) IN GENERAL.—Not later than 180 days after the date of enactment of the Resources and

Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, the Chairperson, on behalf of the Council and after appropriate public input, review, and comment, shall publish a proposed plan to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.

“(II) INCLUSIONS.—The proposed plan described in subclause (I) shall include and incorporate the findings and information prepared by the President’s Gulf Coast Restoration Task Force.

“(ii) PUBLICATION.—

“(I) INITIAL PLAN.—Not later than 1 year after the date of enactment of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 and after notice and opportunity for public comment, the Chairperson, on behalf of the Council and after approval by the Council, shall publish in the Federal Register the initial Comprehensive Plan to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.

“(II) COOPERATION WITH GULF COAST RESTORATION TASK FORCE.—The Council shall develop the initial Comprehensive Plan in close coordination with the President’s Gulf Coast Restoration Task Force.

“(III) CONSIDERATIONS.—In developing the initial Comprehensive Plan and subsequent updates, the Council shall consider all relevant findings, reports, or research prepared or funded under section 1604 or 1605 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012.

“(IV) CONTENTS.—The initial Comprehensive Plan shall include—

“(aa) such provisions as are necessary to fully incorporate in the Comprehensive Plan the strategy, projects, and programs recommended by the President’s Gulf Coast Restoration Task Force;

“(bb) a list of any project or program authorized prior to the date of enactment of this subsection but not yet commenced, the completion of which would further the purposes and goals of this subsection and of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012;

“(cc) a description of the manner in which amounts from the Trust Fund projected to be made available to the Council for the succeeding 10 years will be allocated; and

“(dd) subject to available funding in accordance with clause (iii), a prioritized list of specific projects and programs to be funded and carried out during the 3-year period immediately following the date of publication of the initial Comprehensive Plan, including a table that illustrates the distribution of projects and programs by the Gulf Coast State.

“(V) PLAN UPDATES.—The Council shall update—

“(aa) the Comprehensive Plan every 5 years in a manner comparable to the manner established in this subparagraph for each 5-year period for which amounts are expected to be made available to the Gulf Coast States from the Trust Fund; and

“(bb) the 3-year list of projects and programs described in subclause (IV)(dd) annually.

“(iii) RESTORATION PRIORITIES.—Except for projects and programs described in clause (ii)(IV)(bb), in selecting projects and programs to include on the 3-year list described in clause (ii)(IV)(dd), based on the best available science, the Council shall give highest priority to projects that address 1 or more of the following criteria:

“(I) Projects that are projected to make the greatest contribution to restoring and protecting the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal

wetlands of the Gulf Coast region, without regard to geographic location within the Gulf Coast region.

“(II) Large-scale projects and programs that are projected to substantially contribute to restoring and protecting the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast ecosystem.

“(III) Projects contained in existing Gulf Coast State comprehensive plans for the restoration and protection of natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.

“(IV) Projects that restore long-term resiliency of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands most impacted by the Deepwater Horizon oil spill.

“(E) IMPLEMENTATION.—

“(i) IN GENERAL.—The Council, acting through the Federal agencies represented on the Council and Gulf Coast States, shall expend funds made available from the Trust Fund to carry out projects and programs adopted in the Comprehensive Plan.

“(ii) ADMINISTRATIVE RESPONSIBILITY.—

“(I) IN GENERAL.—Primary authority and responsibility for each project and program included in the Comprehensive Plan shall be assigned by the Council to a Gulf Coast State represented on the Council or a Federal agency.

“(II) TRANSFER OF AMOUNTS.—Amounts necessary to carry out each project or program included in the Comprehensive Plan shall be transferred by the Secretary of the Treasury from the Trust Fund to that Federal agency or Gulf Coast State as the project or program is implemented, subject to such conditions as the Secretary of the Treasury, in consultation with the Secretary of the Interior and the Secretary of Commerce, established pursuant to section 1602 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012.

“(III) LIMITATION ON TRANSFERS.—

“(aa) GRANTS TO NONGOVERNMENTAL ENTITIES.—In the case of funds transferred to a Federal or State agency under subclause (II), the agency shall not make 1 or more grants or cooperative agreements to a nongovernmental entity if the total amount provided to the entity would equal or exceed 10 percent of the total amount provided to the agency for that particular project or program, unless the 1 or more grants have been reported in accordance with item (bb).

“(bb) REPORTING OF GRANTEEES.—At least 30 days prior to making a grant or entering into a cooperative agreement described in item (aa), the name of each grantee, including the amount and purpose of each grant or cooperative agreement, shall be published in the Federal Register and delivered to the congressional committees listed in subparagraph (C)(vii)(VII)(ff).

“(cc) ANNUAL REPORTING OF GRANTEEES.—Annually, the name of each grantee, including the amount and purposes of each grant or cooperative agreement, shall be published in the Federal Register and delivered to Congress as part of the report submitted pursuant to subparagraph (C)(vii)(VII).

“(IV) PROJECT AND PROGRAM LIMITATION.—The Council, a Federal agency, or a State may not carry out a project or program funded under this paragraph outside of the Gulf Coast region.

“(F) COORDINATION.—The Council and the Federal members of the Council may develop memoranda of understanding establishing integrated funding and implementation plans among the member agencies and authorities.

“(3) OIL SPILL RESTORATION IMPACT ALLOCATION.—

“(A) IN GENERAL.—

“(i) DISBURSEMENT.—Of the total amount made available from the Trust Fund, 30 percent shall be disbursed pursuant to the formula in clause (ii) to the Gulf Coast States on the ap-

proval of the plan described in subparagraph (B)(i).

“(ii) FORMULA.—Subject to subparagraph (B), for each Gulf Coast State, the amount disbursed under this paragraph shall be based on a formula established by the Council by regulation that is based on a weighted average of the following criteria:

“(I) 40 percent based on the proportionate number of miles of shoreline in each Gulf Coast State that experienced oiling on or before April 10, 2011, compared to the total number of miles of shoreline that experienced oiling as a result of the Deepwater Horizon oil spill.

“(II) 40 percent based on the inverse proportion of the average distance from the mobile offshore drilling unit Deepwater Horizon at the time of the explosion to the nearest and farthest point of the shoreline that experienced oiling of each Gulf Coast State.

“(III) 20 percent based on the average population in the 2010 decennial census of coastal counties bordering the Gulf of Mexico within each Gulf Coast State.

“(iii) MINIMUM ALLOCATION.—The amount disbursed to a Gulf Coast State for each fiscal year under clause (ii) shall be at least 5 percent of the total amounts made available under this paragraph.

“(B) DISBURSEMENT OF FUNDS.—

“(i) IN GENERAL.—The Council shall disburse amounts to the respective Gulf Coast States in accordance with the formula developed under subparagraph (A) for projects, programs, and activities that will improve the ecosystems or economy of the Gulf Coast region, subject to the condition that each Gulf Coast State submits a plan for the expenditure of amounts disbursed under this paragraph that meets the following criteria:

“(I) All projects, programs, and activities included in the plan are eligible activities pursuant to clauses (i) and (ii) of paragraph (1)(B).

“(II) The projects, programs, and activities included in the plan contribute to the overall economic and ecological recovery of the Gulf Coast.

“(III) The plan takes into consideration the Comprehensive Plan and is consistent with the goals and objectives of the Plan, as described in paragraph (2)(B)(i).

“(ii) FUNDING.—

“(I) IN GENERAL.—Except as provided in subclause (II), the plan described in clause (i) may use not more than 25 percent of the funding made available for infrastructure projects eligible under subclauses (VI) and (VII) of paragraph (1)(B)(i).

“(II) EXCEPTION.—The plan described in clause (i) may propose to use more than 25 percent of the funding made available for infrastructure projects eligible under subclauses (VI) and (VII) of paragraph (1)(B)(i) if the plan certifies that—

“(aa) ecosystem restoration needs in the State will be addressed by the projects in the proposed plan; and

“(bb) additional investment in infrastructure is required to mitigate the impacts of the Deepwater Horizon Oil Spill to the ecosystem or economy.

“(iii) DEVELOPMENT.—The plan described in clause (i) shall be developed by—

“(I) in the State of Alabama, the Alabama Gulf Coast Recovery Council established under paragraph (1)(F)(i);

“(II) in the State of Florida, a consortium of local political subdivisions that includes at a minimum 1 representative of each affected county;

“(III) in the State of Louisiana, the Coastal Protection and Restoration Authority of Louisiana;

“(IV) in the State of Mississippi, the Office of the Governor or an appointee of the Office of the Governor; and

“(V) in the State of Texas, the Office of the Governor or an appointee of the Office of the Governor.

“(iv) APPROVAL.—Not later than 60 days after the date on which a plan is submitted under

clause (i), the Council shall approve or disapprove the plan based on the conditions of clause (i).

“(C) **DISAPPROVAL.**—If the Council disapproves a plan pursuant to subparagraph (B)(iv), the Council shall—

“(i) provide the reasons for disapproval in writing; and

“(ii) consult with the State to address any identified deficiencies with the State plan.

“(D) **FAILURE TO SUBMIT ADEQUATE PLAN.**—If a State fails to submit an adequate plan under this paragraph, any funds made available under this paragraph shall remain in the Trust Fund until such date as a plan is submitted and approved pursuant to this paragraph.

“(E) **JUDICIAL REVIEW.**—If the Council fails to approve or take action within 60 days on a plan, as described in subparagraph (B)(iv), the State may obtain expedited judicial review within 90 days of that decision in a district court of the United States, of appropriate jurisdiction and venue, that is located within the State seeking the review.

“(F) **COST-SHARING.**—

“(i) **IN GENERAL.**—A Gulf Coast State or coastal political subdivision may use, in whole or in part, amounts made available to that Gulf Coast State or coastal political subdivision under this paragraph to satisfy the non-Federal share of any project or program that—

“(I) is authorized by other Federal law; and

“(II) is an eligible activity described in clause (i) or (ii) of paragraph (1)(B).

“(ii) **EFFECT ON OTHER FUNDS.**—The use of funds made available from the Trust Fund under this paragraph to satisfy the non-Federal share of the cost of a project or program described in clause (i) shall not affect the priority in which other Federal funds are allocated or awarded.

“(4) **AUTHORIZATION OF INTEREST TRANSFERS.**—Of the total amount made available for any fiscal year from the Trust Fund that is equal to the interest earned by the Trust Fund and proceeds from investments made by the Trust Fund in the preceding fiscal year—

“(A) 50 percent shall be divided equally between—

“(i) the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology program authorized in section 1604 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012; and

“(ii) the centers of excellence research grants authorized in section 1605 of that Act; and

“(B) 50 percent shall be made available to the Gulf Coast Ecosystem Restoration Council to carry out the Comprehensive Plan pursuant to paragraph (2).”.

SEC. 1604. GULF COAST ECOSYSTEM RESTORATION SCIENCE, OBSERVATION, MONITORING, AND TECHNOLOGY PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) **COMMISSION.**—The term “Commission” means the Gulf States Marine Fisheries Commission.

(3) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **PROGRAM.**—The term “program” means the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology program established under this section.

(b) **ESTABLISHMENT OF PROGRAM.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Director, shall establish the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology program to carry out research, observation, and monitoring to support, to the maximum extent practicable, the long-term sustainability of the ecosystem, fish stocks, fish habi-

tat, and the recreational, commercial, and charter fishing industry in the Gulf of Mexico.

(2) **EXPENDITURE OF FUNDS.**—For each fiscal year, amounts made available to carry out this subsection may be expended for, with respect to the Gulf of Mexico—

(A) marine and estuarine research;

(B) marine and estuarine ecosystem monitoring and ocean observation;

(C) data collection and stock assessments;

(D) pilot programs for—

(i) fishery independent data; and

(ii) reduction of exploitation of spawning aggregations; and

(E) cooperative research.

(3) **COOPERATION WITH THE COMMISSION.**—For each fiscal year, amounts made available to carry out this subsection may be transferred to the Commission to establish a fisheries monitoring and research program, with respect to the Gulf of Mexico.

(4) **CONSULTATION.**—The Administrator and the Director shall consult with the Regional Gulf of Mexico Fishery Management Council and the Commission in carrying out the program.

(c) **SPECIES INCLUDED.**—The research, monitoring, assessment, and programs eligible for amounts made available under the program shall include all marine, estuarine, aquaculture, and fish species in State and Federal waters of the Gulf of Mexico.

(d) **RESEARCH PRIORITIES.**—In distributing funding under this subsection, priority shall be given to integrated, long-term projects that—

(1) build on, or are coordinated with, related research activities; and

(2) address current or anticipated marine ecosystem, fishery, or wildlife management information needs.

(e) **DUPLICATION.**—In carrying out this section, the Administrator, in consultation with the Director, shall seek to avoid duplication of other research and monitoring activities.

(f) **COORDINATION WITH OTHER PROGRAMS.**—The Administrator, in consultation with the Director, shall develop a plan for the coordination of projects and activities between the program and other existing Federal and State science and technology programs in the States of Alabama, Florida, Louisiana, Mississippi, and Texas, as well as between the centers of excellence.

(g) **LIMITATION ON EXPENDITURES.**—

(1) **IN GENERAL.**—Not more than 3 percent of funds provided in subsection (h) shall be used for administrative expenses.

(2) **NOAA.**—The funds provided in subsection (h) may not be used—

(A) for any existing or planned research led by the National Oceanic and Atmospheric Administration, unless agreed to in writing by the grant recipient;

(B) to implement existing regulations or initiate new regulations promulgated or proposed by the National Oceanic and Atmospheric Administration; or

(C) to develop or approve a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Councils.

(h) **FUNDING.**—Of the total amount made available for each fiscal year for the Gulf Coast Restoration Trust Fund established under section 1602, 2.5 percent shall be available to carry out the program.

(i) **SUNSET.**—The program shall cease operations when all funds in the Gulf Coast Restoration Trust Fund established under section 1602 have been expended.

SEC. 1605. CENTERS OF EXCELLENCE RESEARCH GRANTS.

(a) **IN GENERAL.**—Of the total amount made available for each fiscal year from the Gulf

Coast Restoration Trust Fund established under section 1602, 2.5 percent shall be made available to the Gulf Coast States (as defined in section 311(a) of the Federal Water Pollution Control Act (as added by section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012)), in equal shares, exclusively for grants in accordance with subsection (c) to establish centers of excellence to conduct research only on the Gulf Coast Region (as defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321)).

(b) **APPROVAL BY STATE ENTITY, TASK FORCE, OR AGENCY.**—The duties of a Gulf Coast State under this section shall be carried out by the applicable Gulf Coast State entities, task forces, or agencies listed in section 311(t)(1)(F) of the Federal Water Pollution Control Act (as added by section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012), and for the State of Florida, a consortium of public and private research institutions within the State, which shall include the Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission, for that Gulf Coast State.

(c) **GRANTS.**—

(1) **IN GENERAL.**—A Gulf Coast State shall use the amounts made available to carry out this section to award competitive grants to non-governmental entities and consortia in the Gulf Coast region (including public and private institutions of higher education) for the establishment of centers of excellence as described in subsection (d).

(2) **APPLICATION.**—To be eligible to receive a grant under this subsection, an entity or consortium described in paragraph (1) shall submit to a Gulf Coast State an application at such time, in such manner, and containing such information as the Gulf Coast State determines to be appropriate.

(3) **PRIORITY.**—In awarding grants under this subsection, a Gulf Coast State shall give priority to entities and consortia that demonstrate the ability to establish the broadest cross-section of participants with interest and expertise in any discipline described in subsection (d) on which the proposal of the center of excellence will be focused.

(4) **REPORTING.**—

(A) **IN GENERAL.**—Each Gulf Coast State shall provide annually to the Gulf Coast Ecosystem Restoration Council established under section 311(t)(2)(C) of the Federal Water Pollution Control Act (as added by section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012) information regarding all grants, including the amount, discipline or disciplines, and recipients of the grants, and in the case of any grant awarded to a consortium, the membership of the consortium.

(B) **INCLUSION.**—The Gulf Coast Ecosystem Restoration Council shall include the information received under subparagraph (A) in the annual report to Congress of the Council required under section 311(t)(2)(C)(vii)(VII) of the Federal Water Pollution Control Act (as added by section 1603 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012).

(d) **DISCIPLINES.**—Each center of excellence shall focus on science, technology, and monitoring in at least 1 of the following disciplines:

(1) Coastal and delta sustainability, restoration and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast Region.

(2) Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region.

(3) Offshore energy development, including research and technology to improve the sustainable and safe development of energy resources in the Gulf of Mexico.

(4) Sustainable and resilient growth, economic and commercial development in the Gulf Coast Region.

(5) Comprehensive observation, monitoring, and mapping of the Gulf of Mexico.

SEC. 1606. EFFECT.

(a) **DEFINITION OF DEEPWATER HORIZON OIL SPILL.**—In this section, the term “Deepwater Horizon oil spill” has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(b) **EFFECT AND APPLICATION.**—Nothing in this subtitle or any amendment made by this subtitle—

(1) supersedes or otherwise affects any other provision of Federal law, including, in particular, laws providing recovery for injury to natural resources under the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) and laws for the protection of public health and the environment; or

(2) applies to any fine collected under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) for any incident other than the Deepwater Horizon oil spill.

(c) **USE OF FUNDS.**—Funds made available under this subtitle may be used only for eligible activities specifically authorized by this subtitle and the amendments made by this subtitle.

SEC. 1607. RESTORATION AND PROTECTION ACTIVITY LIMITATIONS.

(a) **WILLING SELLER.**—Funds made available under this subtitle may only be used to acquire land or interests in land by purchase, exchange, or donation from a willing seller.

(b) **ACQUISITION OF FEDERAL LAND.**—None of the funds made available under this subtitle may be used to acquire land in fee title by the Federal Government unless—

(1) the land is acquired by exchange or donation; or

(2) the acquisition is necessary for the restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region and has the concurrence of the Governor of the State in which the acquisition will take place.

SEC. 1608. INSPECTOR GENERAL.

The Office of the Inspector General of the Department of the Treasury shall have authority to conduct, supervise, and coordinate audits and investigations of projects, programs, and activities funded under this subtitle and the amendments made by this subtitle.

TITLE II—AMERICA FAST FORWARD FINANCING INNOVATION

SEC. 2001. SHORT TITLE.

This title may be cited as the “America Fast Forward Financing Innovation Act of 2012”.

SEC. 2002. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

Sections 601 through 609 of title 23, United States Code, are amended to read as follows:

“§ 601. Generally applicable provisions

“(a) **DEFINITIONS.**—In this chapter, the following definitions apply:

“(1) **CONTINGENT COMMITMENT.**—The term ‘contingent commitment’ means a commitment to obligate an amount from future available budget authority that is—

“(A) contingent on those funds being made available in law at a future date; and

“(B) not an obligation of the Federal Government.

“(2) **ELIGIBLE PROJECT COSTS.**—The term ‘eligible project costs’ means amounts substantially all of which are paid by, or for the account of, an obligor in connection with a project, including the cost of—

“(A) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

“(B) construction, reconstruction, rehabilitation, replacement, and acquisition of real prop-

erty (including land relating to the project and improvements to land), environmental mitigation, construction contingencies, and acquisition of equipment; and

“(C) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction.

“(3) **FEDERAL CREDIT INSTRUMENT.**—The term ‘Federal credit instrument’ means a secured loan, loan guarantee, or line of credit authorized to be made available under this chapter with respect to a project.

“(4) **INVESTMENT-GRADE RATING.**—The term ‘investment-grade rating’ means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

“(5) **LENDER.**—The term ‘lender’ means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or any successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)), including—

“(A) a qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986) that is a qualified institutional buyer; and

“(B) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986) that is a qualified institutional buyer.

“(6) **LETTER OF INTEREST.**—The term ‘letter of interest’ means a letter submitted by a potential applicant prior to an application for credit assistance in a format prescribed by the Secretary on the website of the TIFIA program that—

“(A) describes the project and the location, purpose, and cost of the project;

“(B) outlines the proposed financial plan, including the requested credit assistance and the proposed obligor;

“(C) provides a status of environmental review; and

“(D) provides information regarding satisfaction of other eligibility requirements of the TIFIA program.

“(7) **LINE OF CREDIT.**—The term ‘line of credit’ means an agreement entered into by the Secretary with an obligor under section 604 to provide a direct loan at a future date upon the occurrence of certain events.

“(8) **LIMITED BUYDOWN.**—The term ‘limited buydown’ means, subject to the conditions described in section 603(b)(4)(C), a buydown of the interest rate by the obligor if the interest rate has increased between—

“(A)(i) the date on which a project application acceptable to the Secretary is submitted; or

“(ii) the date on which the Secretary entered into a master credit agreement; and

“(B) the date on which the Secretary executes the Federal credit instrument.

“(9) **LOAN GUARANTEE.**—The term ‘loan guarantee’ means any guarantee or other pledge by the Secretary to pay all or part of the principal of and interest on a loan or other debt obligation issued by an obligor and funded by a lender.

“(10) **MASTER CREDIT AGREEMENT.**—The term ‘master credit agreement’ means an agreement to extend credit assistance for a program of projects secured by a common security pledge (which shall receive an investment grade rating from a rating agency), or for a single project covered under section 602(b)(2) that would—

“(A) make contingent commitments of 1 or more secured loans or other Federal credit instruments at future dates, subject to the availability of future funds being made available to carry out this chapter;

“(B) establish the maximum amounts and general terms and conditions of the secured loans or other Federal credit instruments;

“(C) identify the 1 or more dedicated non-Federal revenue sources that will secure the repayment of the secured loans or secured Federal credit instruments;

“(D) provide for the obligation of funds for the secured loans or secured Federal credit in-

struments after all requirements have been met for the projects subject to the master credit agreement, including—

“(i) completion of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) compliance with such other requirements as are specified in section 602(c); and

“(iii) the availability of funds to carry out this chapter; and

“(E) require that contingent commitments result in a financial close and obligation of credit assistance not later than 3 years after the date of entry into the master credit agreement, or release of the commitment, unless otherwise extended by the Secretary.

“(11) **OBLIGOR.**—The term ‘obligor’ means a party that—

“(A) is primarily liable for payment of the principal of or interest on a Federal credit instrument; and

“(B) may be a corporation, partnership, joint venture, trust, or governmental entity, agency, or instrumentality.

“(12) **PROJECT.**—The term ‘project’ means—

“(A) any surface transportation project eligible for Federal assistance under this title or chapter 53 of title 49;

“(B) a project for an international bridge or tunnel for which an international entity authorized under Federal or State law is responsible;

“(C) a project for intercity passenger bus or rail facilities and vehicles, including facilities and vehicles owned by the National Railroad Passenger Corporation and components of magnetic levitation transportation systems; and

“(D) a project that—

“(i) is a project—

“(I) for a public freight rail facility or a private facility providing public benefit for highway users by way of direct freight interchange between highway and rail carriers;

“(II) for an intermodal freight transfer facility;

“(III) for a means of access to a facility described in subclause (I) or (II);

“(IV) for a service improvement for a facility described in subclause (I) or (II) (including a capital investment for an intelligent transportation system); or

“(V) that comprises a series of projects described in subclauses (I) through (IV) with the common objective of improving the flow of goods;

“(ii) may involve the combining of private and public sector funds, including investment of public funds in private sector facility improvements;

“(iii) if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port; and

“(iv) is composed of related highway, surface transportation, transit, rail, or intermodal capital improvement projects eligible for assistance under this section in order to meet the eligible project cost threshold under section 602, by grouping related projects together for that purpose, subject to the condition that the credit assistance for the projects is secured by a common pledge.

“(13) **PROJECT OBLIGATION.**—The term ‘project obligation’ means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project, other than a Federal credit instrument.

“(14) **RATING AGENCY.**—The term ‘rating agency’ means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as that term is defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

“(15) **RURAL INFRASTRUCTURE PROJECT.**—The term ‘rural infrastructure project’ means a sur-

face transportation infrastructure project located in any area other than a city with a population of more than 250,000 inhabitants within the city limits.

“(16) SECURED LOAN.—The term ‘secured loan’ means a direct loan or other debt obligation issued by an obligor and funded by the Secretary in connection with the financing of a project under section 603.

“(17) STATE.—The term ‘State’ has the meaning given the term in section 101.

“(18) SUBSIDY AMOUNT.—The term ‘subsidy amount’ means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument—

“(A) calculated on a net present value basis; and

“(B) excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

“(19) SUBSTANTIAL COMPLETION.—The term ‘substantial completion’ means—

“(A) the opening of a project to vehicular or passenger traffic; or

“(B) a comparable event, as determined by the Secretary and specified in the credit agreement.

“(20) TIFIA PROGRAM.—The term ‘TIFIA program’ means the transportation infrastructure finance and innovation program of the Department.

“(b) TREATMENT OF CHAPTER.—For purposes of this title, this chapter shall be treated as being part of chapter 1.

“§ 602. Determination of eligibility and project selection

“(a) ELIGIBILITY.—

“(1) IN GENERAL.—A project shall be eligible to receive credit assistance under this chapter if—

“(A) the entity proposing to carry out the project submits a letter of interest prior to submission of a formal application for the project; and

“(B) the project meets the criteria described in this subsection.

“(2) CREDITWORTHINESS.—

“(A) IN GENERAL.—To be eligible for assistance under this chapter, a project shall satisfy applicable creditworthiness standards, which, at a minimum, shall include—

“(i) a rate covenant, if applicable;

“(ii) adequate coverage requirements to ensure repayment;

“(iii) an investment grade rating from at least 2 rating agencies on debt senior to the Federal credit instrument; and

“(iv) a rating from at least 2 rating agencies on the Federal credit instrument, subject to the condition that, with respect to clause (iii), if the total amount of the senior debt and the Federal credit instrument is less than \$75,000,000, 1 rating agency opinion for each of the senior debt and Federal credit instrument shall be sufficient.

“(B) SENIOR DEBT.—Notwithstanding subparagraph (A), in a case in which the Federal credit instrument is the senior debt, the Federal credit instrument shall be required to receive an investment grade rating from at least 2 rating agencies, unless the credit instrument is for an amount less than \$75,000,000, in which case 1 rating agency opinion shall be sufficient.

“(3) INCLUSION IN TRANSPORTATION PLANS AND PROGRAMS.—A project shall satisfy the applicable planning and programming requirements of sections 134 and 135 at such time as an agreement to make available a Federal credit instrument is entered into under this chapter.

“(4) APPLICATION.—A State, local government, public authority, public-private partnership, or any other legal entity undertaking the project and authorized by the Secretary shall submit a project application that is acceptable to the Secretary.

“(5) ELIGIBLE PROJECT COSTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible for assistance

under this chapter, a project shall have eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

“(i)(I) \$50,000,000; or

“(II) in the case of a rural infrastructure project, \$25,000,000; and

“(ii) 33 $\frac{1}{3}$ percent of the amount of Federal highway assistance funds apportioned for the most recently completed fiscal year to the State in which the project is located.

“(B) INTELLIGENT TRANSPORTATION SYSTEM PROJECTS.—In the case of a project principally involving the installation of an intelligent transportation system, eligible project costs shall be reasonably anticipated to equal or exceed \$15,000,000.

“(6) DEDICATED REVENUE SOURCES.—The applicable Federal credit instrument shall be repayable, in whole or in part, from—

“(A) tolls;

“(B) user fees;

“(C) payments owing to the obligor under a public-private partnership; or

“(D) other dedicated revenue sources that also secure or fund the project obligations.

“(7) PUBLIC SPONSORSHIP OF PRIVATE ENTITIES.—In the case of a project that is undertaken by an entity that is not a State or local government or an agency or instrumentality of a State or local government, the project that the entity is undertaking shall be publicly sponsored as provided in paragraph (3).

“(8) APPLICATIONS WHERE OBLIGOR WILL BE IDENTIFIED LATER.—A State, local government, agency or instrumentality of a State or local government, or public authority may submit to the Secretary an application under paragraph (4), under which a private party to a public-private partnership will be—

“(A) the obligor; and

“(B) identified later through completion of a procurement and selection of the private party.

“(9) BENEFICIAL EFFECTS.—The Secretary shall determine that financial assistance for the project under this chapter will—

“(A) foster, if appropriate, partnerships that attract public and private investment for the project;

“(B) enable the project to proceed at an earlier date than the project would otherwise be able to proceed or reduce the lifecycle costs (including debt service costs) of the project; and

“(C) reduce the contribution of Federal grant assistance for the project.

“(10) PROJECT READINESS.—To be eligible for assistance under this chapter, the applicant shall demonstrate a reasonable expectation that the contracting process for construction of the project can commence by not later than 90 days after the date on which a Federal credit instrument is obligated for the project under this chapter.

“(b) SELECTION AMONG ELIGIBLE PROJECTS.—

“(1) ESTABLISHMENT.—The Secretary shall establish a rolling application process under which projects that are eligible to receive credit assistance under subsection (a) shall receive credit assistance on terms acceptable to the Secretary, if adequate funds are available to cover the subsidy costs associated with the Federal credit instrument.

“(2) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects in a fiscal year, and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait until the earlier of—

“(A) the following fiscal year; and

“(B) the fiscal year during which additional funds are available to receive credit assistance.

“(3) PRELIMINARY RATING OPINION LETTER.—The Secretary shall require each project applicant to provide a preliminary rating opinion letter from at least 1 rating agency—

“(A) indicating that the senior obligations of the project, which may be the Federal credit instrument, have the potential to achieve an investment-grade rating; and

“(B) including a preliminary rating opinion on the Federal credit instrument.

“(c) FEDERAL REQUIREMENTS.—

“(1) IN GENERAL.—In addition to the requirements of this title for highway projects, the requirements of chapter 53 of title 49 for transit projects, and the requirements of section 5333(a) of title 49 for rail projects, the following provisions of law shall apply to funds made available under this chapter and projects assisted with those funds:

“(A) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

“(B) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(C) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

“(2) NEPA.—No funding shall be obligated for a project that has not received an environmental categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(d) APPLICATION PROCESSING PROCEDURES.—

“(1) NOTICE OF COMPLETE APPLICATION.—Not later than 30 days after the date of receipt of an application under this section, the Secretary shall provide to the applicant a written notice to inform the applicant whether—

“(A) the application is complete; or

“(B) additional information or materials are needed to complete the application.

“(2) APPROVAL OR DENIAL OF APPLICATION.—Not later than 60 days after the date of issuance of the written notice under paragraph (1), the Secretary shall provide to the applicant a written notice informing the applicant whether the Secretary has approved or disapproved the application.

“(e) DEVELOPMENT PHASE ACTIVITIES.—Any credit instrument secured under this chapter may be used to finance up to 100 percent of the cost of development phase activities as described in section 601(a)(1)(A).

“§ 603. Secured loans

“(a) IN GENERAL.—

“(1) AGREEMENTS.—Subject to paragraphs (2) and (3), the Secretary may enter into agreements with 1 or more obligors to make secured loans, the proceeds of which shall be used—

“(A) to finance eligible project costs of any project selected under section 602;

“(B) to refinance interim construction financing of eligible project costs of any project selected under section 602;

“(C) to refinance existing Federal credit instruments for rural infrastructure projects; or

“(D) to refinance long-term project obligations or Federal credit instruments, if the refinancing provides additional funding capacity for the completion, enhancement, or expansion of any project that—

“(i) is selected under section 602; or

“(ii) otherwise meets the requirements of section 602.

“(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A loan under paragraph (1) shall not refinance interim construction financing under paragraph (1)(B) later than 1 year after the date of substantial completion of the project.

“(3) RISK ASSESSMENT.—Before entering into an agreement under this subsection, the Secretary, in consultation with the Director of the Office of Management and Budget, shall determine an appropriate capital reserve subsidy amount for each secured loan, taking into account each rating letter provided by an agency under section 602(b)(3)(B).

“(b) TERMS AND LIMITATIONS.—

“(1) IN GENERAL.—A secured loan under this section with respect to a project shall be on such terms and conditions and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines to be appropriate.

“(2) MAXIMUM AMOUNT.—The amount of a secured loan under this section shall not exceed

the lesser of 49 percent of the reasonably anticipated eligible project costs or if the secured loan does not receive an investment grade rating, the amount of the senior project obligations.

“(3) PAYMENT.—A secured loan under this section—

“(A) shall—

“(i) be payable, in whole or in part, from—

“(I) tolls;

“(II) user fees;

“(III) payments owing to the obligor under a public-private partnership; or

“(IV) other dedicated revenue sources that also secure the senior project obligations; and

“(ii) include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

“(B) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

“(4) INTEREST RATE.—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the interest rate on a secured loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

“(B) RURAL INFRASTRUCTURE PROJECTS.—

“(i) IN GENERAL.—The interest rate of a loan offered to a rural infrastructure project under this chapter shall be at ½ of the Treasury Rate in effect on the date of execution of the loan agreement.

“(ii) APPLICATION.—The rate described in clause (i) shall only apply to any portion of a loan the subsidy cost of which is funded by amounts set aside for rural infrastructure projects under section 608(a)(3)(A).

“(C) LIMITED BUYDOWNS.—The interest rate of a secured loan under this section may not be lowered by more than the lower of—

“(i) 1½ percentage points (150 basis points); or

“(ii) the amount of the increase in the interest rate.

“(5) MATURITY DATE.—The final maturity date of the secured loan shall be the lesser of—

“(A) 35 years after the date of substantial completion of the project; and

“(B) if the useful life of the capital asset being financed is of a lesser period, the useful life of the asset.

“(6) NONSUBORDINATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the secured loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

“(B) PREEXISTING INDENTURE.—

“(i) IN GENERAL.—The Secretary shall waive the requirement under subparagraph (A) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture, if—

“(I) the secured loan is rated in the A category or higher;

“(II) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge or a system-backed pledge of project revenues; and

“(III) the TIFIA program share of eligible project costs is 33 percent or less.

“(ii) LIMITATION.—If the Secretary waives the nonsubordination requirement under this subparagraph—

“(I) the maximum credit subsidy to be paid by the Federal Government shall be not more than 10 percent of the principal amount of the secured loan; and

“(II) the obligor shall be responsible for paying the remainder of the subsidy cost, if any.

“(7) FEES.—The Secretary may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

“(8) NON-FEDERAL SHARE.—The proceeds of a secured loan under this chapter may be used for any non-Federal share of project costs required

under this title or chapter 53 of title 49, if the loan is repayable from non-Federal funds.

“(9) MAXIMUM FEDERAL INVOLVEMENT.—The total Federal assistance provided on a project receiving a loan under this chapter shall not exceed 80 percent of the total project cost.

“(c) REPAYMENT.—

“(1) SCHEDULE.—The Secretary shall establish a repayment schedule for each secured loan under this section based on—

“(A) the projected cash flow from project revenues and other repayment sources; and

“(B) the useful life of the project.

“(2) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date of substantial completion of the project.

“(3) DEFERRED PAYMENTS.—

“(A) IN GENERAL.—If, at any time after the date of substantial completion of the project, the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the secured loan, the Secretary may, subject to subparagraph (C), allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

“(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

“(i) continue to accrue interest in accordance with subsection (b)(4) until fully repaid; and

“(ii) be scheduled to be amortized over the remaining term of the loan.

“(C) CRITERIA.—

“(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the project meeting criteria established by the Secretary.

“(ii) REPAYMENT STANDARDS.—The criteria established pursuant to clause (i) shall include standards for reasonable assurance of repayment.

“(4) PREPAYMENT.—

“(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and secured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the secured loan without penalty.

“(B) USE OF PROCEEDS OF REFINANCING.—The secured loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

“(d) SALE OF SECURED LOANS.—

“(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after substantial completion of a project and after notifying the obligor, the Secretary may sell to another entity or reoffer into the capital markets a secured loan for the project if the Secretary determines that the sale or reoffering can be made on favorable terms.

“(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the written consent of the obligor.

“(e) LOAN GUARANTEES.—

“(1) IN GENERAL.—The Secretary may provide a loan guarantee to a lender in lieu of making a secured loan under this section if the Secretary determines that the budgetary cost of the loan guarantee is substantially the same as that of a secured loan.

“(2) TERMS.—The terms of a loan guarantee under paragraph (1) shall be consistent with the terms required under this section for a secured loan, except that the rate on the guaranteed loan and any prepayment features shall be negotiated between the obligor and the lender, with the consent of the Secretary.

“§ 604. Lines of credit

“(a) IN GENERAL.—

“(1) AGREEMENTS.—Subject to paragraphs (2) through (4), the Secretary may enter into agreements to make available to 1 or more obligors lines of credit in the form of direct loans to be

made by the Secretary at future dates on the occurrence of certain events for any project selected under section 602.

“(2) USE OF PROCEEDS.—The proceeds of a line of credit made available under this section shall be available to pay debt service on project obligations issued to finance eligible project costs, extraordinary repair and replacement costs, operation and maintenance expenses, and costs associated with unexpected Federal or State environmental restrictions.

“(3) RISK ASSESSMENT.—Before entering into an agreement under this subsection, the Secretary, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under section 602(b)(3), shall determine an appropriate capital reserve subsidy amount for each line of credit, taking into account the rating opinion letter.

“(4) INVESTMENT-GRADE RATING REQUIREMENT.—The funding of a line of credit under this section shall be contingent on the senior obligations of the project receiving an investment-grade rating from 2 rating agencies.

“(b) TERMS AND LIMITATIONS.—

“(1) IN GENERAL.—A line of credit under this section with respect to a project shall be on such terms and conditions and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines to be appropriate.

“(2) MAXIMUM AMOUNTS.—The total amount of a line of credit under this section shall not exceed 33 percent of the reasonably anticipated eligible project costs.

“(3) DRAWS.—Any draw on a line of credit under this section shall—

“(A) represent a direct loan; and

“(B) be made only if net revenues from the project (including capitalized interest, but not including reasonably required financing reserves) are insufficient to pay the costs specified in subsection (a)(2).

“(4) INTEREST RATE.—Except as provided in subparagraphs (B) and (C) of section 603(b)(4), the interest rate on a direct loan resulting from a draw on the line of credit shall be not less than the yield on 30-year United States Treasury securities, as of the date of execution of the line of credit agreement.

“(5) SECURITY.—A line of credit issued under this section—

“(A) shall—

“(i) be payable, in whole or in part, from—

“(I) tolls;

“(II) user fees;

“(III) payments owing to the obligor under a public-private partnership; or

“(IV) other dedicated revenue sources that also secure the senior project obligations; and

“(ii) include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

“(B) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

“(6) PERIOD OF AVAILABILITY.—The full amount of a line of credit under this section, to the extent not drawn upon, shall be available during the 10-year period beginning on the date of substantial completion of the project.

“(7) RIGHTS OF THIRD-PARTY CREDITORS.—

“(A) AGAINST FEDERAL GOVERNMENT.—A third-party creditor of the obligor shall not have any right against the Federal Government with respect to any draw on a line of credit under this section.

“(B) ASSIGNMENT.—An obligor may assign a line of credit under this section to—

“(i) 1 or more lenders; or

“(ii) a trustee on the behalf of such a lender.

“(8) NONSUBORDINATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a direct loan under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

“(B) PRE-EXISTING INDENTURE.—

“(i) IN GENERAL.—The Secretary shall waive the requirement of subparagraph (A) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture, if—

“(I) the line of credit is rated in the A category or higher;

“(II) the TIFIA program loan resulting from a draw on the line of credit is payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge or a system-backed pledge of project revenues; and

“(III) the TIFIA program share of eligible project costs is 33 percent or less.

“(ii) LIMITATION.—If the Secretary waives the nonsubordination requirement under this subparagraph—

“(I) the maximum credit subsidy to be paid by the Federal Government shall be not more than 10 percent of the principal amount of the secured loan; and

“(II) the obligor shall be responsible for paying the remainder of the subsidy cost.

“(9) FEES.—The Secretary may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of providing a line of credit under this section.

“(10) RELATIONSHIP TO OTHER CREDIT INSTRUMENTS.—A project that receives a line of credit under this section also shall not receive a secured loan or loan guarantee under section 603 in an amount that, combined with the amount of the line of credit, exceeds 49 percent of eligible project costs.

“(c) REPAYMENT.—

“(1) TERMS AND CONDITIONS.—The Secretary shall establish repayment terms and conditions for each direct loan under this section based on—

“(A) the projected cash flow from project revenues and other repayment sources; and

“(B) the useful life of the asset being financed.

“(2) TIMING.—All repayments of principal or interest on a direct loan under this section shall be scheduled—

“(A) to commence not later than 5 years after the end of the period of availability specified in subsection (b)(6); and

“(B) to conclude, with full repayment of principal and interest, by the date that is 25 years after the end of the period of availability specified in subsection (b)(6).

“§ 605. Program administration

“(a) REQUIREMENT.—The Secretary shall establish a uniform system to service the Federal credit instruments made available under this chapter.

“(b) FEES.—The Secretary may collect and spend fees, contingent on authority being provided in appropriations Acts, at a level that is sufficient to cover—

“(1) the costs of services of expert firms retained pursuant to subsection (d); and

“(2) all or a portion of the costs to the Federal Government of servicing the Federal credit instruments.

“(c) SERVICER.—

“(1) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing the Federal credit instruments.

“(2) DUTIES.—A servicer appointed under paragraph (1) shall act as the agent for the Secretary.

“(3) FEE.—A servicer appointed under paragraph (1) shall receive a servicing fee, subject to approval by the Secretary.

“(d) ASSISTANCE FROM EXPERT FIRMS.—The Secretary may retain the services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments.

“(e) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtain-

ing approval and the issuance of credit assistance under this chapter.

“§ 606. State and local permits

“The provision of credit assistance under this chapter with respect to a project shall not—

“(1) relieve any recipient of the assistance of any obligation to obtain any required State or local permit or approval with respect to the project;

“(2) limit the right of any unit of State or local government to approve or regulate any rate of return on private equity invested in the project; or

“(3) otherwise supersede any State or local law (including any regulation) applicable to the construction or operation of the project.

“§ 607. Regulations

“The Secretary may promulgate such regulations as the Secretary determines to be appropriate to carry out this chapter.

“§ 608. Funding

“(a) FUNDING.—

“(1) SPENDING AND BORROWING AUTHORITY.—Spending and borrowing authority for a fiscal year to enter into Federal credit instruments shall be promptly apportioned to the Secretary on a fiscal-year basis.

“(2) REESTIMATES.—If the subsidy cost of a Federal credit instrument is reestimated, the cost increase or decrease of the reestimate shall be borne by, or benefit, the general fund of the Treasury, consistent with section 504(f) of the Congressional Budget Act of 1974 (2 U.S.C. 661c(f)).

“(3) RURAL SET-ASIDE.—

“(A) IN GENERAL.—Of the total amount of funds made available to carry out this chapter for each fiscal year, not more than 10 percent shall be set aside for rural infrastructure projects.

“(B) REOBLIGATION.—Any amounts set aside under subparagraph (A) that remain unobligated by June 1 of the fiscal year for which the amounts were set aside shall be available for obligation by the Secretary on projects other than rural infrastructure projects.

“(4) REDISTRIBUTION OF AUTHORIZED FUNDING.—

“(A) IN GENERAL.—Beginning in fiscal year 2014, on April 1 of each fiscal year, if the cumulative unobligated and uncommitted balance of funding available exceeds 75 percent of the amount made available to carry out this chapter for that fiscal year, the Secretary shall distribute to the States the amount of funds and associated obligation authority in excess of that amount.

“(B) DISTRIBUTION.—The amounts and obligation authority distributed under this paragraph shall be distributed, in the same manner as obligation authority is distributed to the States for the fiscal year, based on the proportion that—

“(i) the relative share of each State of obligation authority for the fiscal year; bears to

“(ii) the total amount of obligation authority distributed to all States for the fiscal year.

“(C) PURPOSE.—Funds distributed under subparagraph (B) shall be available for any purpose described in section 133(b).

“(5) AVAILABILITY.—Amounts made available to carry out this chapter shall remain available until expended.

“(6) ADMINISTRATIVE COSTS.—Of the amounts made available to carry out this chapter, the Secretary may use not more than 0.50 percent for each fiscal year for the administration of this chapter.

“(b) CONTRACT AUTHORITY.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, execution of a term sheet by the Secretary of a Federal credit instrument that uses amounts made available under this chapter shall impose on the United States a contractual obligation to fund the Federal credit investment.

“(2) AVAILABILITY.—Amounts made available to carry out this chapter for a fiscal year shall be available for obligation on October 1 of the fiscal year.

“§ 609. Reports to Congress

“(a) IN GENERAL.—On June 1, 2012, and every 2 years thereafter, the Secretary shall submit to Congress a report summarizing the financial performance of the projects that are receiving, or have received, assistance under this chapter (other than section 610), including a recommendation as to whether the objectives of this chapter (other than section 610) are best served by—

“(1) continuing the program under the authority of the Secretary;

“(2) establishing a Federal corporation or federally sponsored enterprise to administer the program; or

“(3) phasing out the program and relying on the capital markets to fund the types of infrastructure investments assisted by this chapter (other than section 610) without Federal participation.

“(b) APPLICATION PROCESS REPORT.—

“(1) IN GENERAL.—Not later than December 1, 2012, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes a list of all of the letters of interest and applications received from project sponsors for assistance under this chapter (other than section 610) during the preceding fiscal year.

“(2) INCLUSIONS.—

“(A) IN GENERAL.—Each report under paragraph (1) shall include, at a minimum, a description of, with respect to each letter of interest and application included in the report—

“(i) the date on which the letter of interest or application was received;

“(ii) the date on which a notification was provided to the project sponsor regarding whether the application was complete or incomplete;

“(iii) the date on which a revised and completed application was submitted (if applicable);

“(iv) the date on which a notification was provided to the project sponsor regarding whether the project was approved or disapproved; and

“(v) if the project was not approved, the reason for the disapproval.

“(B) CORRESPONDENCE.—Each report under paragraph (1) shall include copies of any correspondence provided to the project sponsor in accordance with section 602(d).”

DIVISION B—PUBLIC TRANSPORTATION

SEC. 20001. SHORT TITLE.

This division may be cited as the “Federal Public Transportation Act of 2012”.

SEC. 20002. REPEALS.

(a) CHAPTER 53.—Chapter 53 of title 49, United States Code, is amended by striking sections 5308, 5316, 5317, 5320, and 5328.

(b) TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY.—Section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note) is repealed.

(c) SAFETEA-LU.—The following provisions are repealed:

(1) Section 3009(i) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1572).

(2) Section 3011(c) of SAFETEA-LU (49 U.S.C. 5309 note).

(3) Section 3012(b) of SAFETEA-LU (49 U.S.C. 5310 note).

(4) Section 3045 of SAFETEA-LU (49 U.S.C. 5308 note).

(5) Section 3046 of SAFETEA-LU (49 U.S.C. 5338 note).

SEC. 20003. POLICIES AND PURPOSES.

Section 5301 of title 49, United States Code, is amended to read as follows:

“§ 5301. Policies and purposes

“(a) DECLARATION OF POLICY.—It is in the interest of the United States, including the economic interest of the United States, to foster the development and revitalization of public transportation systems with the cooperation of both public transportation companies and private companies engaged in public transportation.

“(b) GENERAL PURPOSES.—The purposes of this chapter are to—

“(1) provide funding to support public transportation;

“(2) improve the development and delivery of capital projects;

“(3) establish standards for the state of good repair of public transportation infrastructure and vehicles;

“(4) promote continuing, cooperative, and comprehensive planning that improves the performance of the transportation network;

“(5) establish a technical assistance program to assist recipients under this chapter to more effectively and efficiently provide public transportation service;

“(6) continue Federal support for public transportation providers to deliver high quality service to all users, including individuals with disabilities, seniors, and individuals who depend on public transportation;

“(7) support research, development, demonstration, and deployment projects dedicated to assisting in the delivery of efficient and effective public transportation service; and

“(8) promote the development of the public transportation workforce.”.

SEC. 20004. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended to read as follows:

“§5302. Definitions

“Except as otherwise specifically provided, in this chapter the following definitions apply:

“(1) ASSOCIATED TRANSIT IMPROVEMENT.—The term ‘associated transit improvement’ means, with respect to any project or an area to be served by a project, projects that are designed to enhance public transportation service or use and that are physically or functionally related to transit facilities. Eligible projects are—

“(A) historic preservation, rehabilitation, and operation of historic public transportation buildings, structures, and facilities (including historic bus and railroad facilities) intended for use in public transportation service;

“(B) bus shelters;

“(C) landscaping and streetscaping, including benches, trash receptacles, and street lights;

“(D) pedestrian access and walkways;

“(E) bicycle access, including bicycle storage facilities and installing equipment for transporting bicycles on public transportation vehicles;

“(F) signage; or

“(G) enhanced access for persons with disabilities to public transportation.

“(2) BUS RAPID TRANSIT SYSTEM.—The term ‘bus rapid transit system’ means a bus transit system—

“(A) in which the majority of each line operates in a separated right-of-way dedicated for public transportation use during peak periods; and

“(B) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

“(i) defined stations;

“(ii) traffic signal priority for public transportation vehicles;

“(iii) short headway bidirectional services for a substantial part of weekdays and weekend days; and

“(iv) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

“(3) CAPITAL PROJECT.—The term ‘capital project’ means a project for—

“(A) acquiring, constructing, supervising, or inspecting equipment or a facility for use in public transportation, expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, and acquiring rights-of-way), payments for the capital portions of rail trackage rights agreements, transit-related intelligent transportation systems, relocation assistance, acquiring replace-

ment housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing;

“(B) rehabilitating a bus;

“(C) remanufacturing a bus;

“(D) overhauling rail rolling stock;

“(E) preventive maintenance;

“(F) leasing equipment or a facility for use in public transportation, subject to regulations that the Secretary prescribes limiting the leasing arrangements to those that are more cost-effective than purchase or construction;

“(G) a joint development improvement that—

“(i) enhances economic development or incorporates private investment, such as commercial and residential development;

“(ii)(I) enhances the effectiveness of public transportation and is related physically or functionally to public transportation; or

“(II) establishes new or enhanced coordination between public transportation and other transportation;

“(iii) provides a fair share of revenue that will be used for public transportation;

“(iv) provides that a person making an agreement to occupy space in a facility constructed under this paragraph shall pay a fair share of the costs of the facility through rental payments and other means;

“(v) may include—

“(I) property acquisition;

“(II) demolition of existing structures;

“(III) site preparation;

“(IV) utilities;

“(V) building foundations;

“(VI) walkways;

“(VII) pedestrian and bicycle access to a public transportation facility;

“(VIII) construction, renovation, and improvement of intercity bus and intercity rail stations and terminals;

“(IX) renovation and improvement of historic transportation facilities;

“(X) open space;

“(XI) safety and security equipment and facilities (including lighting, surveillance, and related intelligent transportation system applications);

“(XII) facilities that incorporate community services such as daycare or health care;

“(XIII) a capital project for, and improving, equipment or a facility for an intermodal transfer facility or transportation mall; and

“(XIV) construction of space for commercial uses; and

“(v) does not include outfitting of commercial space (other than an intercity bus or rail station or terminal) or a part of a public facility not related to public transportation;

“(H) the introduction of new technology, through innovative and improved products, into public transportation;

“(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts not to exceed 10 percent of such recipient’s annual formula apportionment under sections 5307 and 5311;

“(J) establishing a debt service reserve, made up of deposits with a bondholder’s trustee, to ensure the timely payment of principal and interest on bonds issued by a grant recipient to finance an eligible project under this chapter;

“(K) mobility management—

“(i) consisting of short-range planning and management activities and projects for improving coordination among public transportation and other transportation service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a governmental entity, under this chapter (other than section 5309); but

“(ii) excluding operating public transportation services; or

“(L) associated capital maintenance, including—

“(i) equipment, tires, tubes, and material, each costing at least .5 percent of the current fair market value of rolling stock comparable to the rolling stock for which the equipment, tires, tubes, and material are to be used; and

“(ii) reconstruction of equipment and material, each of which after reconstruction will have a fair market value of at least .5 percent of the current fair market value of rolling stock comparable to the rolling stock for which the equipment and material will be used.

“(4) DESIGNATED RECIPIENT.—The term ‘designated recipient’ means—

“(A) an entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under section 5336 to urbanized areas of 200,000 or more in population; or

“(B) a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.

“(5) DISABILITY.—The term ‘disability’ has the same meaning as in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

“(6) EMERGENCY REGULATION.—The term ‘emergency regulation’ means a regulation—

“(A) that is effective temporarily before the expiration of the otherwise specified periods of time for public notice and comment under section 5334(c); and

“(B) prescribed by the Secretary as the result of a finding that a delay in the effective date of the regulation—

“(i) would injure seriously an important public interest;

“(ii) would frustrate substantially legislative policy and intent; or

“(iii) would damage seriously a person or class without serving an important public interest.

“(7) FIXED GUIDEWAY.—The term ‘fixed guideway’ means a public transportation facility—

“(A) using and occupying a separate right-of-way for the exclusive use of public transportation;

“(B) using rail;

“(C) using a fixed catenary system;

“(D) for a passenger ferry system; or

“(E) for a bus rapid transit system.

“(8) GOVERNOR.—The term ‘Governor’—

“(A) means the Governor of a State, the mayor of the District of Columbia, and the chief executive officer of a territory of the United States; and

“(B) includes the designee of the Governor.

“(9) JOB ACCESS AND REVERSE COMMUTE PROJECT.—

“(A) IN GENERAL.—The term ‘job access and reverse commute project’ means a transportation project to finance planning, capital, and operating costs that support the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment, including transportation projects that facilitate the provision of public transportation services from urbanized areas and rural areas to suburban employment locations.

“(B) DEFINITIONS.—In this paragraph:

“(i) ELIGIBLE LOW-INCOME INDIVIDUAL.—The term ‘eligible low-income individual’ means an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in section 673(2) of the Community Service Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section) for a family of the size involved.

“(ii) WELFARE RECIPIENT.—The term ‘welfare recipient’ means an individual who has received assistance under a State or tribal program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) at any time during the 3-year period before the date on which the applicant applies for a grant under section 5307 or 5311.

“(10) LOCAL GOVERNMENTAL AUTHORITY.—The term ‘local governmental authority’ includes—

- “(A) a political subdivision of a State;
- “(B) an authority of at least 1 State or political subdivision of a State;
- “(C) an Indian tribe; and
- “(D) a public corporation, board, or commission established under the laws of a State.

“(11) LOW-INCOME INDIVIDUAL.—The term ‘low-income individual’ means an individual whose family income is at or below 150 percent of the poverty line, as that term is defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section, for a family of the size involved.

“(12) NET PROJECT COST.—The term ‘net project cost’ means the part of a project that reasonably cannot be financed from revenues.

“(13) NEW BUS MODEL.—The term ‘new bus model’ means a bus model (including a model using alternative fuel)—

“(A) that has not been used in public transportation in the United States before the date of production of the model; or

“(B) used in public transportation in the United States, but being produced with a major change in configuration or components.

“(14) PUBLIC TRANSPORTATION.—The term ‘public transportation’—

“(A) means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and

“(B) does not include—

- “(i) intercity passenger rail transportation provided by the entity described in chapter 243 (or a successor to such entity);
- “(ii) intercity bus service;
- “(iii) charter bus service;
- “(iv) school bus service;
- “(v) sightseeing service;
- “(vi) courtesy shuttle service for patrons of one or more specific establishments; or
- “(vii) intra-terminal or intra-facility shuttle services.

“(15) REGULATION.—The term ‘regulation’ means any part of a statement of general or particular applicability of the Secretary designed to carry out, interpret, or prescribe law or policy in carrying out this chapter.

“(16) RURAL AREA.—The term ‘rural area’ means an area encompassing a population of less than 50,000 people that has not been designated in the most recent decennial census as an ‘urbanized area’ by the Secretary of Commerce.

“(17) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(18) SENIOR.—The term ‘senior’ means an individual who is 65 years of age or older.

“(19) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

“(20) STATE OF GOOD REPAIR.—The term ‘state of good repair’ has the meaning given that term by the Secretary, by rule, under section 5326(b).

“(21) TRANSIT.—The term ‘transit’ means public transportation.

“(22) URBAN AREA.—The term ‘urban area’ means an area that includes a municipality or other built-up place that the Secretary, after considering local patterns and trends of urban growth, decides is appropriate for a local public transportation system to serve individuals in the locality.

“(23) URBANIZED AREA.—The term ‘urbanized area’ means an area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an ‘urbanized area’ by the Secretary of Commerce.”

SEC. 20005. METROPOLITAN TRANSPORTATION PLANNING.

(a) AMENDMENT.—Section 5303 of title 49, United States Code, is amended to read as follows:

“§5303. Metropolitan transportation planning

“(a) POLICY.—It is in the national interest—

“(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and

“(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (b) and section 5304(d).

“(b) DEFINITIONS.—In this section and section 5304, the following definitions apply:

“(1) METROPOLITAN PLANNING AREA.—The term ‘metropolitan planning area’ means the geographic area determined by agreement between the metropolitan planning organization for the area and the Governor under subsection (e).

“(2) METROPOLITAN PLANNING ORGANIZATION.—The term ‘metropolitan planning organization’ means the policy board of an organization established as a result of the designation process under subsection (d).

“(3) NONMETROPOLITAN AREA.—The term ‘nonmetropolitan area’ means a geographic area outside designated metropolitan planning areas.

“(4) NONMETROPOLITAN LOCAL OFFICIAL.—The term ‘nonmetropolitan local official’ means elected and appointed officials of general purpose local government in a nonmetropolitan area with responsibility for transportation.

“(5) REGIONAL TRANSPORTATION PLANNING ORGANIZATION.—The term ‘regional transportation planning organization’ means a policy board of an organization established as the result of a designation under section 5304(l).

“(6) TIP.—The term ‘TIP’ means a transportation improvement program developed by a metropolitan planning organization under subsection (j).

“(7) URBANIZED AREA.—The term ‘urbanized area’ means a geographic area with a population of 50,000 or more, as determined by the Bureau of the Census.

“(c) GENERAL REQUIREMENTS.—

“(1) DEVELOPMENT OF LONG-RANGE PLANS AND TIPS.—To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

“(2) CONTENTS.—The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

“(3) PROCESS OF DEVELOPMENT.—The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

“(d) DESIGNATION OF METROPOLITAN PLANNING ORGANIZATIONS.—

“(1) IN GENERAL.—To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals—

“(A) by agreement between the Governor and units of general purpose local government that

together represent at least 75 percent of the affected population (including the largest incorporated city (based on population) as determined by the Bureau of the Census); or

“(B) in accordance with procedures established by applicable State or local law.

“(2) STRUCTURE.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2012, each metropolitan planning organization that serves an area designated as a transportation management area shall consist of—

“(A) local elected officials;

“(B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and

“(C) appropriate State officials.

“(3) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities—

“(A) to develop the plans and TIPs for adoption by a metropolitan planning organization; and

“(B) to develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

“(4) CONTINUING DESIGNATION.—A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (5).

“(5) REDESIGNATION PROCEDURES.—

“(A) IN GENERAL.—A metropolitan planning organization may be redesignated by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing planning area population (including the largest incorporated city (based on population) as determined by the Bureau of the Census) as appropriate to carry out this section.

“(B) RESTRUCTURING.—A metropolitan planning organization may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.

“(6) DESIGNATION OF MORE THAN 1 METROPOLITAN PLANNING ORGANIZATION.—More than 1 metropolitan planning organization may be designated within an existing metropolitan planning area only if the Governor and the existing metropolitan planning organization determine that the size and complexity of the existing metropolitan planning area make designation of more than 1 metropolitan planning organization for the area appropriate.

“(e) METROPOLITAN PLANNING AREA BOUNDARIES.—

“(1) IN GENERAL.—For the purposes of this section, the boundaries of a metropolitan planning area shall be determined by agreement between the metropolitan planning organization and the Governor.

“(2) INCLUDED AREA.—Each metropolitan planning area—

“(A) shall encompass at least the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan; and

“(B) may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of the Census.

“(3) IDENTIFICATION OF NEW URBANIZED AREAS WITHIN EXISTING PLANNING AREA BOUNDARIES.—The designation by the Bureau of the Census of new urbanized areas within an existing metropolitan planning area shall not require the redesignation of the existing metropolitan planning organization.

“(4) EXISTING METROPOLITAN PLANNING AREAS IN NONATTAINMENT.—

“(A) IN GENERAL.—Notwithstanding paragraph (2), except as provided in subparagraph (B), in the case of an urbanized area designated

as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.) as of the date of enactment of the SAFETEA-LU, the boundaries of the metropolitan planning area in existence as of such date of enactment shall be retained.

“(B) EXCEPTION.—The boundaries described in subparagraph (A) may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in subsection (d)(5).

“(5) NEW METROPOLITAN PLANNING AREAS IN NONATTAINMENT.—In the case of an urbanized area designated after the date of enactment of the SAFETEA-LU, as a nonattainment area for ozone or carbon monoxide, the boundaries of the metropolitan planning area—

“(A) shall be established in the manner described in subsection (d)(1);

“(B) shall encompass the areas described in paragraph (2)(A);

“(C) may encompass the areas described in paragraph (2)(B); and

“(D) may address any nonattainment area identified under the Clean Air Act (42 U.S.C. 7401 et seq.) for ozone or carbon monoxide.

“(f) COORDINATION IN MULTISTATE AREAS.—

“(1) IN GENERAL.—The Secretary shall encourage each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate metropolitan planning organizations to provide coordinated transportation planning for the entire metropolitan area.

“(2) INTERSTATE COMPACTS.—The consent of Congress is granted to any 2 or more States—

“(A) to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section as the activities pertain to interstate areas and localities within the States; and

“(B) to establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.

“(3) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

“(g) MPO CONSULTATION IN PLAN AND TIP COORDINATION.—

“(1) NONATTAINMENT AREAS.—If more than 1 metropolitan planning organization has authority within a metropolitan area or an area which is designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and the State in the coordination of plans and TIPs required by this section.

“(2) TRANSPORTATION IMPROVEMENTS LOCATED IN MULTIPLE MPOS.—If a transportation improvement, funded under this chapter or title 23, is located within the boundaries of more than 1 metropolitan planning area, the metropolitan planning organizations shall coordinate plans and TIPs regarding the transportation improvement.

“(3) RELATIONSHIP WITH OTHER PLANNING OFFICIALS.—

“(A) IN GENERAL.—The Secretary shall encourage each metropolitan planning organization to consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to the maximum extent practicable, with such planning activities.

“(B) REQUIREMENTS.—Under the metropolitan planning process, transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the metropolitan area that are provided by—

“(i) recipients of assistance under this chapter;

“(ii) governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the Department of Transportation to provide non-emergency transportation services; and

“(iii) recipients of assistance under section 204 of title 23.

“(h) SCOPE OF PLANNING PROCESS.—

“(1) IN GENERAL.—The metropolitan planning process for a metropolitan planning area under this section shall provide for consideration of projects and strategies that will—

“(A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;

“(B) increase the safety of the transportation system for motorized and nonmotorized users;

“(C) increase the security of the transportation system for motorized and nonmotorized users;

“(D) increase the accessibility and mobility of people and for freight;

“(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

“(F) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;

“(G) promote efficient system management and operation; and

“(H) emphasize the preservation of the existing transportation system.

“(2) PERFORMANCE-BASED APPROACH.—

“(A) IN GENERAL.—The metropolitan transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decisionmaking to support the national goals described in section 150(b) of title 23 and the general purposes described in section 5301.

“(B) PERFORMANCE TARGETS.—

“(i) SURFACE TRANSPORTATION PERFORMANCE TARGETS.—

“(1) IN GENERAL.—Each metropolitan planning organization shall establish performance targets that address the performance measures described in section 150(c) of title 23, where applicable, to use in tracking progress towards attainment of critical outcomes for the region of the metropolitan planning organization.

“(II) COORDINATION.—Selection of performance targets by a metropolitan planning organization shall be coordinated with the relevant State to ensure consistency, to the maximum extent practicable.

“(ii) PUBLIC TRANSPORTATION PERFORMANCE TARGETS.—Selection of performance targets by a metropolitan planning organization shall be coordinated, to the maximum extent practicable, with providers of public transportation to ensure consistency with sections 5326(c) and 5329(d).

“(C) TIMING.—Each metropolitan planning organization shall establish the performance targets under subparagraph (B) not later than 180 days after the date on which the relevant State or provider of public transportation establishes the performance targets.

“(D) INTEGRATION OF OTHER PERFORMANCE-BASED PLANS.—A metropolitan planning organization shall integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed by recipients of assistance under this chapter, required as part of a performance-based program.

“(3) FAILURE TO CONSIDER FACTORS.—The failure to consider any factor specified in paragraphs (1) and (2) shall not be reviewable by any court under this chapter, title 23, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a transportation plan, a TIP, a project or strategy, or the certification of a planning process.

“(i) DEVELOPMENT OF TRANSPORTATION PLAN.—

“(1) REQUIREMENTS.—

“(A) IN GENERAL.—Each metropolitan planning organization shall prepare and update a transportation plan for its metropolitan planning area in accordance with the requirements of this subsection.

“(B) FREQUENCY.—

“(i) IN GENERAL.—The metropolitan planning organization shall prepare and update such plan every 4 years (or more frequently, if the metropolitan planning organization elects to update more frequently) in the case of each of the following:

“(I) Any area designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)).

“(II) Any area that was nonattainment and subsequently designated to attainment in accordance with section 107(d)(3) of that Act (42 U.S.C. 7407(d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 U.S.C. 7505a).

“(ii) OTHER AREAS.—In the case of any other area required to have a transportation plan in accordance with the requirements of this subsection, the metropolitan planning organization shall prepare and update such plan every 5 years unless the metropolitan planning organization elects to update more frequently.

“(2) TRANSPORTATION PLAN.—A transportation plan under this section shall be in a form that the Secretary determines to be appropriate and shall contain, at a minimum, the following:

“(A) IDENTIFICATION OF TRANSPORTATION FACILITIES.—

“(i) IN GENERAL.—An identification of transportation facilities (including major roadways, transit, multimodal and intermodal facilities, nonmotorized transportation facilities, and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions.

“(ii) FACTORS.—In formulating the transportation plan, the metropolitan planning organization shall consider factors described in subsection (h) as the factors relate to a 20-year forecast period.

“(B) PERFORMANCE MEASURES AND TARGETS.—A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with subsection (h)(2).

“(C) SYSTEM PERFORMANCE REPORT.—A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in subsection (h)(2), including—

“(i) progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports; and

“(ii) for metropolitan planning organizations that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets.

“(D) MITIGATION ACTIVITIES.—

“(i) IN GENERAL.—A long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

“(ii) CONSULTATION.—The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

“(E) FINANCIAL PLAN.—

“(i) IN GENERAL.—A financial plan that—

“(I) demonstrates how the adopted transportation plan can be implemented;

“(II) indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan; and

“(III) recommends any additional financing strategies for needed projects and programs.

“(ii) INCLUSIONS.—The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

“(iii) COOPERATIVE DEVELOPMENT.—For the purpose of developing the transportation plan, the metropolitan planning organization, transit operator, and State shall cooperatively develop estimates of funds that will be available to support plan implementation.

“(F) OPERATIONAL AND MANAGEMENT STRATEGIES.—Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.

“(G) CAPITAL INVESTMENT AND OTHER STRATEGIES.—Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs.

“(H) TRANSPORTATION AND TRANSIT ENHANCEMENT ACTIVITIES.—Proposed transportation and transit enhancement activities.

“(3) COORDINATION WITH CLEAN AIR ACT AGENCIES.—In metropolitan areas that are in non-attainment for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), the metropolitan planning organization shall coordinate the development of a transportation plan with the process for development of the transportation control measures of the State implementation plan required by that Act.

“(4) OPTIONAL SCENARIO DEVELOPMENT.—

“(A) IN GENERAL.—A metropolitan planning organization may, while fitting the needs and complexity of its community, voluntarily elect to develop multiple scenarios for consideration as part of the development of the metropolitan transportation plan, in accordance with subparagraph (B).

“(B) RECOMMENDED COMPONENTS.—A metropolitan planning organization that chooses to develop multiple scenarios under subparagraph (A) shall be encouraged to consider—

“(i) potential regional investment strategies for the planning horizon;

“(ii) assumed distribution of population and employment;

“(iii) a scenario that, to the maximum extent practicable, maintains baseline conditions for the performance measures identified in subsection (h)(2);

“(iv) a scenario that improves the baseline conditions for as many of the performance measures identified in subsection (h)(2) as possible;

“(v) revenue constrained scenarios based on the total revenues expected to be available over the forecast period of the plan; and

“(vi) estimated costs and potential revenues available to support each scenario.

“(C) METRICS.—In addition to the performance measures identified in section 150(c) of title 23, metropolitan planning organizations may evaluate scenarios developed under this paragraph using locally-developed measures.

“(5) CONSULTATION.—

“(A) IN GENERAL.—In each metropolitan area, the metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan.

“(B) ISSUES.—The consultation shall involve, as appropriate—

“(i) comparison of transportation plans with State conservation plans or maps, if available; or

“(ii) comparison of transportation plans to inventories of natural or historic resources, if available.

“(6) PARTICIPATION BY INTERESTED PARTIES.—

“(A) IN GENERAL.—Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

“(B) CONTENTS OF PARTICIPATION PLAN.—A participation plan—

“(i) shall be developed in consultation with all interested parties; and

“(ii) shall provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan.

“(C) METHODS.—In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

“(i) hold any public meetings at convenient and accessible locations and times;

“(ii) employ visualization techniques to describe plans; and

“(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

“(7) PUBLICATION.—A transportation plan involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, approved by the metropolitan planning organization and submitted for information purposes to the Governor at such times and in such manner as the Secretary shall establish.

“(8) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—Notwithstanding paragraph (2)(C), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(C).

“(j) METROPOLITAN TIP.—

“(1) DEVELOPMENT.—

“(A) IN GENERAL.—In cooperation with the State and any affected public transportation operator, the metropolitan planning organization designated for a metropolitan area shall develop a TIP for the metropolitan planning area that—

“(i) contains projects consistent with the current metropolitan transportation plan;

“(ii) reflects the investment priorities established in the current metropolitan transportation plan; and

“(iii) once implemented, is designed to make progress toward achieving the performance targets established under subsection (h)(2).

“(B) OPPORTUNITY FOR COMMENT.—In developing the TIP, the metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

“(C) FUNDING ESTIMATES.—For the purpose of developing the TIP, the metropolitan planning organization, public transportation agency, and State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.

“(D) UPDATING AND APPROVAL.—The TIP shall be—

“(i) updated at least once every 4 years; and

“(ii) approved by the metropolitan planning organization and the Governor.

“(2) CONTENTS.—

“(A) PRIORITY LIST.—The TIP shall include a priority list of proposed Federally supported projects and strategies to be carried out within each 4-year period after the initial adoption of the TIP.

“(B) FINANCIAL PLAN.—The TIP shall include a financial plan that—

“(i) demonstrates how the TIP can be implemented;

“(ii) indicates resources from public and private sources that are reasonably expected to be available to carry out the program;

“(iii) identifies innovative financing techniques to finance projects, programs, and strategies; and

“(iv) may include, for illustrative purposes, additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available.

“(C) DESCRIPTIONS.—Each project in the TIP shall include sufficient descriptive material (such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.

“(D) PERFORMANCE TARGET ACHIEVEMENT.—The transportation improvement program shall include, to the maximum extent practicable, a description of the anticipated effect of the transportation improvement program toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to those performance targets.

“(3) INCLUDED PROJECTS.—

“(A) PROJECTS UNDER THIS CHAPTER AND TITLE 23.—A TIP developed under this subsection for a metropolitan area shall include the projects within the area that are proposed for funding under this chapter and chapter 1 of title 23.

“(B) PROJECTS UNDER CHAPTER 2 OF TITLE 23.—

“(i) REGIONALLY SIGNIFICANT PROJECTS.—Regionally significant projects proposed for funding under chapter 2 of title 23 shall be identified individually in the transportation improvement program.

“(ii) OTHER PROJECTS.—Projects proposed for funding under chapter 2 of title 23 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

“(C) CONSISTENCY WITH LONG-RANGE TRANSPORTATION PLAN.—Each project shall be consistent with the long-range transportation plan developed under subsection (i) for the area.

“(D) REQUIREMENT OF ANTICIPATED FULL FUNDING.—The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or the identified phase within the time period contemplated for completion of the project or the identified phase.

“(4) NOTICE AND COMMENT.—Before approving a TIP, a metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

“(5) SELECTION OF PROJECTS.—

“(A) IN GENERAL.—Except as otherwise provided in subsection (k)(4) and in addition to the TIP development required under paragraph (1), the selection of Federally funded projects in metropolitan areas shall be carried out, from the approved TIP—

“(i) by—

“(I) in the case of projects under title 23, the State; and

“(II) in the case of projects under this chapter, the designated recipients of public transportation funding; and

“(ii) in cooperation with the metropolitan planning organization.

“(B) MODIFICATIONS TO PROJECT PRIORITY.—Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved TIP in place of another project in the program.

“(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

“(A) NO REQUIRED SELECTION.—Notwithstanding paragraph (2)(B)(iv), a State or metropolitan planning organization shall not be re-

quired to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv).

“(B) REQUIRED ACTION BY THE SECRETARY.—Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv) for inclusion in an approved TIP.

“(7) PUBLICATION.—

“(A) PUBLICATION OF TIPS.—A TIP involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review.

“(B) PUBLICATION OF ANNUAL LISTINGS OF PROJECTS.—

“(i) IN GENERAL.—An annual listing of projects, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the State, transit operator, and metropolitan planning organization for public review.

“(ii) REQUIREMENT.—The listing shall be consistent with the categories identified in the TIP.

“(k) TRANSPORTATION MANAGEMENT AREAS.—

“(1) IDENTIFICATION AND DESIGNATION.—

“(A) REQUIRED IDENTIFICATION.—The Secretary shall identify as a transportation management area each urbanized area (as defined by the Bureau of the Census) with a population of over 200,000 individuals.

“(B) DESIGNATIONS ON REQUEST.—The Secretary shall designate any additional area as a transportation management area on the request of the Governor and the metropolitan planning organization designated for the area.

“(2) TRANSPORTATION PLANS.—In a transportation management area, transportation plans shall be based on a continuing and comprehensive transportation planning process carried out by the metropolitan planning organization in cooperation with the State and public transportation operators.

“(3) CONGESTION MANAGEMENT PROCESS.—

“(A) IN GENERAL.—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under this chapter and title 23 through the use of travel demand reduction and operational management strategies.

“(B) SCHEDULE.—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but no sooner than 1 year after the identification of a transportation management area.

“(4) SELECTION OF PROJECTS.—

“(A) IN GENERAL.—All Federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area under title 23 (excluding projects carried out on the National Highway System) or under this chapter shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator.

“(B) NATIONAL HIGHWAY SYSTEM PROJECTS.—Projects carried out within the boundaries of a metropolitan planning area serving a transportation management area on the National Highway System shall be selected for implementation from the approved TIP by the State in cooperation with the metropolitan planning organization designated for the area.

“(5) CERTIFICATION.—

“(A) IN GENERAL.—The Secretary shall—

“(i) ensure that the metropolitan planning process of a metropolitan planning organization serving a transportation management area is

being carried out in accordance with applicable provisions of Federal law; and

“(ii) subject to subparagraph (B), certify, not less often than once every 4 years, that the requirements of this paragraph are met with respect to the metropolitan planning process.

“(B) REQUIREMENTS FOR CERTIFICATION.—The Secretary may make the certification under subparagraph (A) if—

“(i) the transportation planning process complies with the requirements of this section and other applicable requirements of Federal law; and

“(ii) there is a TIP for the metropolitan planning area that has been approved by the metropolitan planning organization and the Governor.

“(C) EFFECT OF FAILURE TO CERTIFY.—

“(i) WITHHOLDING OF PROJECT FUNDS.—If a metropolitan planning process of a metropolitan planning organization serving a transportation management area is not certified, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the metropolitan planning organization for projects funded under this chapter and title 23.

“(ii) RESTORATION OF WITHHELD FUNDS.—The withheld funds shall be restored to the metropolitan planning area at such time as the metropolitan planning process is certified by the Secretary.

“(D) REVIEW OF CERTIFICATION.—In making certification determinations under this paragraph, the Secretary shall provide for public involvement appropriate to the metropolitan area under review.

“(I) REPORT ON PERFORMANCE-BASED PLANNING PROCESSES.—

“(1) IN GENERAL.—The Secretary shall submit to Congress a report on the effectiveness of the performance-based planning processes of metropolitan planning organizations under this section, taking into consideration the requirements of this subsection

“(2) REPORT.—Not later than 5 years after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall submit to Congress a report evaluating—

“(A) the overall effectiveness of performance-based planning as a tool for guiding transportation investments;

“(B) the effectiveness of the performance-based planning process of each metropolitan planning organization under this section;

“(C) the extent to which metropolitan planning organizations have achieved, or are currently making substantial progress toward achieving, the performance targets specified under this section and whether metropolitan planning organizations are developing meaningful performance targets; and

“(D) the technical capacity of metropolitan planning organizations that operate within a metropolitan planning area of less than 200,000 and their ability to carry out the requirements of this section.

“(3) PUBLICATION.—The report under paragraph (2) shall be published or otherwise made available in electronically accessible formats and means, including on the Internet.

“(m) ABBREVIATED PLANS FOR CERTAIN AREAS.—

“(1) IN GENERAL.—Subject to paragraph (2), in the case of a metropolitan area not designated as a transportation management area under this section, the Secretary may provide for the development of an abbreviated transportation plan and TIP for the metropolitan planning area that the Secretary determines is appropriate to achieve the purposes of this section, taking into account the complexity of transportation problems in the area.

“(2) NONATTAINMENT AREAS.—The Secretary may not permit abbreviated plans or TIPs for a metropolitan area that is in nonattainment for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.).

“(n) ADDITIONAL REQUIREMENTS FOR CERTAIN NONATTAINMENT AREAS.—

“(1) IN GENERAL.—Notwithstanding any other provisions of this chapter or title 23, for transportation management areas classified as nonattainment for ozone or carbon monoxide pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.), Federal funds may not be advanced in such area for any highway project that will result in a significant increase in the carrying capacity for single-occupant vehicles unless the project is addressed through a congestion management process.

“(2) APPLICABILITY.—This subsection applies to a nonattainment area within the metropolitan planning area boundaries determined under subsection (e).

“(o) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to confer on a metropolitan planning organization the authority to impose legal requirements on any transportation facility, provider, or project not eligible under this chapter or title 23.

“(p) FUNDING.—Funds set aside under section 104(f) of title 23 or section 5305(g) shall be available to carry out this section.

“(q) CONTINUATION OF CURRENT REVIEW PRACTICE.—Since plans and TIPs described in this section are subject to a reasonable opportunity for public comment, since individual projects included in plans and TIPs are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning plans and TIPs described in this section have not been reviewed under that Act as of January 1, 1997, any decision by the Secretary concerning a plan or TIP described in this section shall not be considered to be a Federal action subject to review under that Act.”

(b) PILOT PROGRAM FOR TRANSIT-ORIENTED DEVELOPMENT PLANNING.—

(1) DEFINITIONS.—In this subsection the following definitions shall apply:

(A) ELIGIBLE PROJECT.—The term “eligible project” means a new fixed guideway capital project or a core capacity improvement project, as those terms are defined in section 5309 of title 49, United States Code, as amended by this division.

(B) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to a State or local governmental authority to assist in financing comprehensive planning associated with an eligible project that seeks to—

(A) enhance economic development, ridership, and other goals established during the project development and engineering processes;

(B) facilitate multimodal connectivity and accessibility;

(C) increase access to transit hubs for pedestrian and bicycle traffic;

(D) enable mixed-use development;

(E) identify infrastructure needs associated with the eligible project; and

(F) include private sector participation.

(3) ELIGIBILITY.—A State or local governmental authority that desires to participate in the program under this subsection shall submit to the Secretary an application that contains, at a minimum—

(A) identification of an eligible project;

(B) a schedule and process for the development of a comprehensive plan;

(C) a description of how the eligible project and the proposed comprehensive plan advance the metropolitan transportation plan of the metropolitan planning organization;

(D) proposed performance criteria for the development and implementation of the comprehensive plan; and

(E) identification of—

(i) partners;

(ii) availability of and authority for funding; and

(iii) potential State, local or other impediments to the implementation of the comprehensive plan.

SEC. 20006. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

Section 5304 of title 49, United States Code, is amended to read as follows:

“§5304. Statewide and nonmetropolitan transportation planning

“(a) GENERAL REQUIREMENTS.—

“(1) DEVELOPMENT OF PLANS AND PROGRAMS.—Subject to section 5303, to accomplish the objectives stated in section 5303(a), each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State.

“(2) CONTENTS.—The statewide transportation plan and the transportation improvement program developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

“(3) PROCESS OF DEVELOPMENT.—The process for developing the statewide plan and the transportation improvement program shall provide for consideration of all modes of transportation and the policies stated in section 5303(a) and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

“(b) COORDINATION WITH METROPOLITAN PLANNING; STATE IMPLEMENTATION PLAN.—A State shall—

“(1) coordinate planning carried out under this section with the transportation planning activities carried out under section 5303 for metropolitan areas of the State and with statewide trade and economic development planning activities and related multistate planning efforts; and

“(2) develop the transportation portion of the State implementation plan as required by the Clean Air Act (42 U.S.C. 7401 et seq.).

“(c) INTERSTATE AGREEMENTS.—

“(1) IN GENERAL.—Two or more States may enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section related to interstate areas and localities in the States and establishing authorities the States consider desirable for making the agreements and compacts effective.

“(2) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

“(d) SCOPE OF PLANNING PROCESS.—

“(1) IN GENERAL.—Each State shall carry out a statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will—

“(A) support the economic vitality of the United States, the States, nonmetropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;

“(B) increase the safety of the transportation system for motorized and nonmotorized users;

“(C) increase the security of the transportation system for motorized and nonmotorized users;

“(D) increase the accessibility and mobility of people and freight;

“(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

“(F) enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;

“(G) promote efficient system management and operation; and

“(H) emphasize the preservation of the existing transportation system.

“(2) PERFORMANCE-BASED APPROACH.—

“(A) IN GENERAL.—The statewide transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decisionmaking to support the national goals described in section 150(b) of title 23 and the general purposes described in section 5301.

“(B) PERFORMANCE TARGETS.—

“(i) SURFACE TRANSPORTATION PERFORMANCE TARGETS.—

“(I) IN GENERAL.—Each State shall establish performance targets that address the performance measures described in section 150(c) of title 23, where applicable, to use in tracking progress towards attainment of critical outcomes for the State.

“(II) COORDINATION.—Selection of performance targets by a State shall be coordinated with the relevant metropolitan planning organizations to ensure consistency, to the maximum extent practicable.

“(ii) PUBLIC TRANSPORTATION PERFORMANCE TARGETS.—In urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and not represented by a metropolitan planning organization, selection of performance targets by a State shall be coordinated, to the maximum extent practicable, with providers of public transportation to ensure consistency with sections 5326(c) and 5329(d).

“(C) INTEGRATION OF OTHER PERFORMANCE-BASED PLANS.—A State shall integrate into the statewide transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in this paragraph, in other State transportation plans and transportation processes, as well as any plans developed pursuant to title 23 by providers of public transportation in urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and not represented by a metropolitan planning organization, required as part of a performance-based program.

“(D) USE OF PERFORMANCE MEASURES AND TARGETS.—The performance measures and targets established under this paragraph shall be considered by a State when developing policies, programs, and investment priorities reflected in the statewide transportation plan and statewide transportation improvement program.

“(3) FAILURE TO CONSIDER FACTORS.—The failure to take into consideration the factors specified in paragraphs (1) and (2) shall not be subject to review by any court under this chapter, title 23, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a statewide transportation plan, a statewide transportation improvement program, a project or strategy, or the certification of a planning process.

“(e) ADDITIONAL REQUIREMENTS.—“In carrying out planning under this section, each State shall, at a minimum—

“(1) with respect to nonmetropolitan areas, cooperate with affected local officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (1);

“(2) consider the concerns of Indian tribal governments and Federal land management agencies that have jurisdiction over land within the boundaries of the State; and

“(3) consider coordination of transportation plans, the transportation improvement program, and planning activities with related planning activities being carried out outside of metropolitan planning areas and between States.

“(f) LONG-RANGE STATEWIDE TRANSPORTATION PLAN.—

“(1) DEVELOPMENT.—Each State shall develop a long-range statewide transportation plan, with a minimum 20-year forecast period for all

areas of the State, that provides for the development and implementation of the intermodal transportation system of the State.

“(2) CONSULTATION WITH GOVERNMENTS.—

“(A) METROPOLITAN AREAS.—The statewide transportation plan shall be developed for each metropolitan area in the State in cooperation with the metropolitan planning organization designated for the metropolitan area under section 5303.

“(B) NONMETROPOLITAN AREAS.—

“(i) IN GENERAL.—With respect to nonmetropolitan areas, the statewide transportation plan shall be developed in cooperation with affected nonmetropolitan officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (1).

“(ii) ROLE OF SECRETARY.—The Secretary shall not review or approve the consultation process in each State.

“(C) INDIAN TRIBAL AREAS.—With respect to each area of the State under the jurisdiction of an Indian tribal government, the statewide transportation plan shall be developed in consultation with the tribal government and the Secretary of the Interior.

“(D) CONSULTATION, COMPARISON, AND CONSIDERATION.—

“(i) IN GENERAL.—The long-range transportation plan shall be developed, as appropriate, in consultation with State, tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

“(ii) COMPARISON AND CONSIDERATION.—Consultation under clause (i) shall involve comparison of transportation plans to State and tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural or historic resources, if available.

“(3) PARTICIPATION BY INTERESTED PARTIES.—

“(A) IN GENERAL.—In developing the statewide transportation plan, the State shall provide to—

“(i) nonmetropolitan local elected officials, or, if applicable, through regional transportation planning organizations described in subsection (1), an opportunity to participate in accordance with subparagraph (B)(i); and

“(ii) citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties a reasonable opportunity to comment on the proposed plan.

“(B) METHODS.—In carrying out subparagraph (A), the State shall, to the maximum extent practicable—

“(i) develop and document a consultative process to carry out subparagraph (A)(i) that is separate and discrete from the public involvement process developed under clause (ii);

“(ii) hold any public meetings at convenient and accessible locations and times;

“(iii) employ visualization techniques to describe plans; and

“(iv) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

“(4) MITIGATION ACTIVITIES.—

“(A) IN GENERAL.—A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

“(B) CONSULTATION.—The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

“(5) FINANCIAL PLAN.—The statewide transportation plan may include—

“(A) a financial plan that—

“(i) demonstrates how the adopted statewide transportation plan can be implemented;

“(ii) indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan; and

“(iii) recommends any additional financing strategies for needed projects and programs; and

“(B) for illustrative purposes, additional projects that would be included in the adopted statewide transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

“(6) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—A State shall not be required to select any project from the illustrative list of additional projects included in the financial plan described in paragraph (5).

“(7) PERFORMANCE-BASED APPROACH.—The statewide transportation plan should include—

“(A) a description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with subsection (d)(2); and

“(B) a system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in subsection (d)(2), including progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports;

“(8) EXISTING SYSTEM.—The statewide transportation plan should include capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system.

“(9) PUBLICATION OF LONG-RANGE TRANSPORTATION PLANS.—Each long-range transportation plan prepared by a State shall be published or otherwise made available, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.

“(g) STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM.—

“(1) DEVELOPMENT.—

“(A) IN GENERAL.—Each State shall develop a statewide transportation improvement program for all areas of the State.

“(B) DURATION AND UPDATING OF PROGRAM.—Each program developed under subparagraph (A) shall cover a period of 4 years and shall be updated every 4 years or more frequently if the Governor of the State elects to update more frequently.

“(2) CONSULTATION WITH GOVERNMENTS.—

“(A) METROPOLITAN AREAS.—With respect to each metropolitan area in the State, the program shall be developed in cooperation with the metropolitan planning organization designated for the metropolitan area under section 5303.

“(B) NONMETROPOLITAN AREAS.—

“(i) IN GENERAL.—With respect to each nonmetropolitan area in the State, the program shall be developed in cooperation with affected nonmetropolitan local officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (1).

“(ii) ROLE OF SECRETARY.—The Secretary shall not review or approve the specific consultation process in the State.

“(C) INDIAN TRIBAL AREAS.—With respect to each area of the State under the jurisdiction of an Indian tribal government, the program shall be developed in consultation with the tribal government and the Secretary of the Interior.

“(3) PARTICIPATION BY INTERESTED PARTIES.—In developing the program, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, providers of freight transportation services, representatives of users of public transpor-

ation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the proposed program.

“(4) PERFORMANCE TARGET ACHIEVEMENT.—A statewide transportation improvement program shall include, to the maximum extent practicable, a discussion of the anticipated effect of the statewide transportation improvement program toward achieving the performance targets established in the statewide transportation plan, linking investment priorities to those performance targets.

“(5) INCLUDED PROJECTS.—

“(A) IN GENERAL.—A transportation improvement program developed under this subsection for a State shall include Federally supported surface transportation expenditures within the boundaries of the State.

“(B) LISTING OF PROJECTS.—

“(i) IN GENERAL.—An annual listing of projects for which funds have been obligated for the preceding year in each metropolitan planning area shall be published or otherwise made available by the cooperative effort of the State, transit operator, and the metropolitan planning organization for public review.

“(ii) FUNDING CATEGORIES.—The listing described in clause (i) shall be consistent with the funding categories identified in each metropolitan transportation improvement program.

“(C) PROJECTS UNDER CHAPTER 2.—

“(i) REGIONALLY SIGNIFICANT PROJECTS.—Regionally significant projects proposed for funding under chapter 2 of title 23 shall be identified individually in the transportation improvement program.

“(ii) OTHER PROJECTS.—Projects proposed for funding under chapter 2 of title 23 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

“(D) CONSISTENCY WITH STATEWIDE TRANSPORTATION PLAN.—Each project shall be—

“(i) consistent with the statewide transportation plan developed under this section for the State;

“(ii) identical to the project or phase of the project as described in an approved metropolitan transportation plan; and

“(iii) in conformance with the applicable State air quality implementation plan developed under the Clean Air Act (42 U.S.C. 7401 et seq.), if the project is carried out in an area designated as a nonattainment area for ozone, particulate matter, or carbon monoxide under part D of title I of that Act (42 U.S.C. 7501 et seq.).

“(E) REQUIREMENT OF ANTICIPATED FULL FUNDING.—The transportation improvement program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project.

“(F) FINANCIAL PLAN.—

“(i) IN GENERAL.—The transportation improvement program may include a financial plan that demonstrates how the approved transportation improvement program can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the transportation improvement program, and recommends any additional financing strategies for needed projects and programs.

“(ii) ADDITIONAL PROJECTS.—The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

“(G) SELECTION OF PROJECTS FROM ILLUSTRATIVE LIST.—

“(i) NO REQUIRED SELECTION.—Notwithstanding subparagraph (F), a State shall not be required to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F).

“(ii) REQUIRED ACTION BY THE SECRETARY.—Action by the Secretary shall be required for a State to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F) for inclusion in an approved transportation improvement program.

“(H) PRIORITIES.—The transportation improvement program shall reflect the priorities for programming and expenditures of funds, including transportation enhancement activities, required by this chapter and title 23.

“(6) PROJECT SELECTION FOR AREAS OF LESS THAN 50,000 POPULATION.—

“(A) IN GENERAL.—Projects carried out in areas with populations of less than 50,000 individuals shall be selected, from the approved transportation improvement program (excluding projects carried out on the National Highway System and projects carried out under the bridge program or the Interstate maintenance program under title 23 or under sections 5310 and 5311 of this chapter), by the State in cooperation with the affected nonmetropolitan local officials with responsibility for transportation or, if applicable, through regional transportation planning organizations described in subsection (1).

“(B) OTHER PROJECTS.—Projects carried out in areas with populations of less than 50,000 individuals on the National Highway System or under the bridge program or the Interstate maintenance program under title 23 or under sections 5310 and 5311 of this chapter shall be selected, from the approved statewide transportation improvement program, by the State in consultation with the affected nonmetropolitan local officials with responsibility for transportation.

“(7) TRANSPORTATION IMPROVEMENT PROGRAM APPROVAL.—Every 4 years, a transportation improvement program developed under this subsection shall be reviewed and approved by the Secretary if based on a current planning finding.

“(8) PLANNING FINDING.—A finding shall be made by the Secretary at least every 4 years that the transportation planning process through which statewide transportation plans and programs are developed is consistent with this section and section 5303.

“(9) MODIFICATIONS TO PROJECT PRIORITY.—Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved transportation improvement program in place of another project in the program.

“(h) PERFORMANCE-BASED PLANNING PROCESSES EVALUATION.—

“(1) IN GENERAL.—The Secretary shall establish criteria to evaluate the effectiveness of the performance-based planning processes of States, taking into consideration the following:

“(A) The extent to which the State is making progress toward achieving the performance targets described in subsection (d)(2), taking into account whether the State developed appropriate performance targets.

“(B) The extent to which the State has made transportation investments that are efficient and cost-effective.

“(C) The extent to which the State—

“(i) has developed an investment process that relies on public input and awareness to ensure that investments are transparent and accountable; and

“(ii) provides reports allowing the public to access the information being collected in a format that allows the public to meaningfully assess the performance of the State.

“(2) REPORT.—

“(A) IN GENERAL.—Not later than 5 years after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall submit to Congress a report evaluating—

“(i) the overall effectiveness of performance-based planning as a tool for guiding transportation investments; and

“(ii) the effectiveness of the performance-based planning process of each State.

“(B) PUBLICATION.—The report under subparagraph (A) shall be published or otherwise made available in electronically accessible formats and means, including on the Internet.

“(i) TREATMENT OF CERTAIN STATE LAWS AS CONGESTION MANAGEMENT PROCESSES.—For purposes of this section and section 5303, and sections 134 and 135 of title 23, State laws, rules, or regulations pertaining to congestion management systems or programs may constitute the congestion management process under this section and section 5303, and sections 134 and 135 of title 23, if the Secretary finds that the State laws, rules, or regulations are consistent with, and fulfill the intent of, the purposes of this section and section 5303, and sections 134 and 135 of title 23, as appropriate.

“(j) CONTINUATION OF CURRENT REVIEW PRACTICE.—Since the statewide transportation plan and the transportation improvement program described in this section are subject to a reasonable opportunity for public comment, since individual projects included in the statewide transportation plans and the transportation improvement program are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning statewide transportation plans or the transportation improvement program described in this section have not been reviewed under that Act as of January 1, 1997, any decision by the Secretary concerning a metropolitan or statewide transportation plan or the transportation improvement program described in this section shall not be considered to be a Federal action subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(k) SCHEDULE FOR IMPLEMENTATION.—The Secretary shall issue guidance on a schedule for implementation of the changes made by this section, taking into consideration the established planning update cycle for States. The Secretary shall not require a State to deviate from its established planning update cycle to implement changes made by this section. States shall reflect changes made to their transportation plan or transportation improvement program updates not later than 2 years after the date of issuance of guidance by the Secretary under this subsection.

“(l) DESIGNATION OF REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—

“(1) IN GENERAL.—To carry out the transportation planning process required by this section, a State may establish and designate regional transportation planning organizations to enhance the planning, coordination, and implementation of statewide strategic long-range transportation plans and transportation improvement programs, with an emphasis on addressing the needs of nonmetropolitan areas of the State.

“(2) STRUCTURE.—A regional transportation planning organization shall be established as a multijurisdictional organization of nonmetropolitan local officials or their designees who volunteer for such organization and representatives of local transportation systems who volunteer for such organization.

“(3) REQUIREMENTS.—A regional transportation planning organization shall establish, at a minimum—

“(A) a policy committee, the majority of which shall consist of nonmetropolitan local officials, or their designees, and, as appropriate, additional representatives from the State, private business, transportation service providers, economic development practitioners, and the public in the region; and

“(B) a fiscal and administrative agent, such as an existing regional planning and development organization, to provide professional planning, management, and administrative support.

“(4) DUTIES.—The duties of a regional transportation planning organization shall include—

“(A) developing and maintaining, in cooperation with the State, regional long-range multimodal transportation plans;

“(B) developing a regional transportation improvement program for consideration by the State;

“(C) fostering the coordination of local planning, land use, and economic development plans with State, regional, and local transportation plans and programs;

“(D) providing technical assistance to local officials;

“(E) participating in national, multistate, and State policy and planning development processes to ensure the regional and local input of nonmetropolitan areas;

“(F) providing a forum for public participation in the statewide and regional transportation planning processes;

“(G) considering and sharing plans and programs with neighboring regional transportation planning organizations, metropolitan planning organizations, and, where appropriate, tribal organizations; and

“(H) conducting other duties, as necessary, to support and enhance the statewide planning process under subsection (d).

“(5) STATES WITHOUT REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—If a State chooses not to establish or designate a regional transportation planning organization, the State shall consult with affected nonmetropolitan local officials to determine projects that may be of regional significance.”

SEC. 20007. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended to read as follows:

“§ 5307. Urbanized area formula grants

“(a) GENERAL AUTHORITY.—

“(1) GRANTS.—The Secretary may make grants under this section for—

“(A) capital projects;

“(B) planning;

“(C) job access and reverse commute projects; and

“(D) operating costs of equipment and facilities for use in public transportation in an urbanized area with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census.

“(2) SPECIAL RULE.—The Secretary may make grants under this section to finance the operating cost of equipment and facilities for use in public transportation, excluding rail fixed guideway, in an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census—

“(A) for public transportation systems that operate 75 or fewer buses in fixed route service during peak service hours, in an amount not to exceed 75 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; and

“(B) for public transportation systems that operate a minimum of 76 buses and a maximum of 100 buses in fixed route service during peak service hours, in an amount not to exceed 50 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours.

“(b) PROGRAM OF PROJECTS.—Each recipient of a grant shall—

“(1) make available to the public information on amounts available to the recipient under this section;

“(2) develop, in consultation with interested parties, including private transportation providers, a proposed program of projects for activities to be financed;

“(3) publish a proposed program of projects in a way that affected individuals, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the performance of the recipient;

“(4) provide an opportunity for a public hearing in which to obtain the views of individuals on the proposed program of projects;

“(5) ensure that the proposed program of projects provides for the coordination of public

transportation services assisted under section 5336 of this title with transportation services assisted from other United States Government sources;

“(6) consider comments and views received, especially those of private transportation providers, in preparing the final program of projects; and

“(7) make the final program of projects available to the public.

“(c) GRANT RECIPIENT REQUIREMENTS.—A recipient may receive a grant in a fiscal year only if—

“(1) the recipient, within the time the Secretary prescribes, submits a final program of projects prepared under subsection (b) of this section and a certification for that fiscal year that the recipient (including a person receiving amounts from a Governor under this section)—

“(A) has or will have the legal, financial, and technical capacity to carry out the program, including safety and security aspects of the program;

“(B) has or will have satisfactory continuing control over the use of equipment and facilities;

“(C) will maintain equipment and facilities;

“(D) will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—

“(i) senior;

“(ii) individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semiambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and

“(iii) individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. 401 et seq. and 1395 et seq.);

“(E) in carrying out a procurement under this section, will comply with sections 5323 and 5325;

“(F) has complied with subsection (b) of this section;

“(G) has available and will provide the required amounts as provided by subsection (d) of this section;

“(H) will comply with sections 5303 and 5304;

“(I) has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;

“(J)(i) will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under section 5336 of this title; or

“(ii) has decided that the expenditure for security projects is not necessary;

“(K) in the case of a recipient for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census—

“(i) will expend not less than 1 percent of the amount the recipient receives each fiscal year under this section for associated transit improvements, as defined in section 5302; and

“(ii) will submit an annual report listing projects carried out in the preceding fiscal year with those funds; and

“(L) will comply with section 5329(d); and

“(2) the Secretary accepts the certification.

“(d) GOVERNMENT SHARE OF COSTS.—

“(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent

of the net project cost of the project. The recipient may provide additional local matching amounts.

“(2) OPERATING EXPENSES.—A grant for operating expenses under this section may not exceed 50 percent of the net project cost of the project.

“(3) REMAINING COSTS.—Subject to paragraph (4), the remainder of the net project costs shall be provided—

“(A) in cash from non-Government sources other than revenues from providing public transportation services;

“(B) from revenues from the sale of advertising and concessions;

“(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

“(D) from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation; and

“(E) from amounts received under a service agreement with a State or local social service agency or private social service organization.

“(4) USE OF CERTAIN FUNDS.—For purposes of subparagraphs (D) and (E) of paragraph (3), the prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal or State funds to be used for transportation purposes.

“(e) UNDERTAKING PROJECTS IN ADVANCE.—

“(1) PAYMENT.—The Secretary may pay the Government share of the net project cost to a State or local governmental authority that carries out any part of a project eligible under subparagraph (A) or (B) of subsection (a)(1) without the aid of amounts of the Government and according to all applicable procedures and requirements if—

“(A) the recipient applies for the payment;

“(B) the Secretary approves the payment; and

“(C) before carrying out any part of the project, the Secretary approves the plans and specifications for the part in the same way as for other projects under this section.

“(2) APPROVAL OF APPLICATION.—The Secretary may approve an application under paragraph (1) of this subsection only if an authorization for this section is in effect for the fiscal year to which the application applies. The Secretary may not approve an application if the payment will be more than—

“(A) the recipient's expected apportionment under section 5336 of this title if the total amount authorized to be appropriated for the fiscal year to carry out this section is appropriated; less

“(B) the maximum amount of the apportionment that may be made available for projects for operating expenses under this section.

“(3) FINANCING COSTS.—

“(A) IN GENERAL.—The cost of carrying out part of a project includes the amount of interest earned and payable on bonds issued by the recipient to the extent proceeds of the bonds are expended in carrying out the part.

“(B) LIMITATION ON THE AMOUNT OF INTEREST.—The amount of interest allowed under this paragraph may not be more than the most favorable financing terms reasonably available for the project at the time of borrowing.

“(C) CERTIFICATION.—The applicant shall certify, in a manner satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

“(f) REVIEWS, AUDITS, AND EVALUATIONS.—

“(1) ANNUAL REVIEW.—

“(A) IN GENERAL.—At least annually, the Secretary shall carry out, or require a recipient to have carried out independently, reviews and audits the Secretary considers appropriate to establish whether the recipient has carried out—

“(i) the activities proposed under subsection (c) of this section in a timely and effective way and can continue to do so; and

“(ii) those activities and its certifications and has used amounts of the Government in the way required by law.

“(B) AUDITING PROCEDURES.—An audit of the use of amounts of the Government shall comply with the auditing procedures of the Comptroller General.

“(2) TRIENNIAL REVIEW.—At least once every 3 years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient's program, specifically referring to compliance with statutory and administrative requirements and the extent to which actual program activities are consistent with the activities proposed under subsection (c) of this section and the planning process required under sections 5303, 5304, and 5305 of this title. To the extent practicable, the Secretary shall coordinate such reviews with any related State or local reviews.

“(3) ACTIONS RESULTING FROM REVIEW, AUDIT, OR EVALUATION.—The Secretary may take appropriate action consistent with a review, audit, and evaluation under this subsection, including making an appropriate adjustment in the amount of a grant or withdrawing the grant.

“(g) TREATMENT.—For purposes of this section, the United States Virgin Islands shall be treated as an urbanized area, as defined in section 5302.

“(h) PASSENGER FERRY GRANTS.—

“(1) IN GENERAL.—The Secretary may make grants under this subsection to recipients for passenger ferry projects that are eligible for a grant under subsection (a).

“(2) GRANT REQUIREMENTS.—Except as otherwise provided in this subsection, a grant under this subsection shall be subject to the same terms and conditions as a grant under subsection (a).

“(3) COMPETITIVE PROCESS.—The Secretary shall solicit grant applications and make grants for eligible projects on a competitive basis.”

SEC. 20008. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended to read as follows:

“§5309. Fixed guideway capital investment grants

“(a) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) APPLICANT.—The term ‘applicant’ means a State or local governmental authority that applies for a grant under this section.

“(2) CORE CAPACITY IMPROVEMENT PROJECT.—The term ‘core capacity improvement project’ means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent. The term does not include project elements designed to maintain a state of good repair of the existing fixed guideway system.

“(3) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ‘corridor-based bus rapid transit project’ means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems, including defined stations; traffic signal priority for public transportation vehicles; short headway bidirectional services for a substantial part of weekdays and weekend days; and any other features the Secretary may determine support a long-term corridor investment, but the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

“(4) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ‘fixed guideway bus rapid transit project’ means a bus capital project—

“(A) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

“(B) that represents a substantial investment in a single route in a defined corridor or sub-area; and

“(C) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

“(i) defined stations;

“(ii) traffic signal priority for public transportation vehicles;

“(iii) short headway bidirectional services for a substantial part of weekdays and weekend days; and

“(iv) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

“(5) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ‘new fixed guideway capital project’ means—

“(A) a new fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

“(B) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

“(6) PROGRAM OF INTERRELATED PROJECTS.—The term ‘program of interrelated projects’ means the simultaneous development of—

“(A) 2 or more new fixed guideway capital projects or core capacity improvement projects; or

“(B) 1 or more new fixed guideway capital projects and 1 or more core capacity improvement projects.

“(7) SMALL START PROJECT.—The term ‘small start project’ means a new fixed guideway capital project or corridor-based bus rapid transit project for which—

“(A) the Federal assistance provided or to be provided under this section is less than \$75,000,000; and

“(B) the total estimated net capital cost is less than \$250,000,000.

“(b) GENERAL AUTHORITY.—The Secretary may make grants under this section to State and local governmental authorities to assist in financing—

“(1) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for fixed guideway corridor development for projects in the advanced stages of project development or engineering; and

“(2) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by at least 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

“(c) GRANT REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary may make a grant under this section for new fixed guideway capital projects, small start projects, or core capacity improvement projects, if the Secretary determines that—

“(A) the project is part of an approved transportation plan required under sections 5303 and 5304; and

“(B) the applicant has, or will have—

“(i) the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of the project;

“(ii) satisfactory continuing control over the use of the equipment or facilities; and

“(iii) the technical and financial capacity to maintain new and existing equipment and facilities.

“(2) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) shall be deemed to have provided suf-

ficient information upon which the Secretary may make the determinations required under this subsection.

“(3) **TECHNICAL CAPACITY.**—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed at least 1 new fixed guideway capital project, or core capacity improvement project, if—

“(A) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

“(B) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

“(4) **RECIPIENT REQUIREMENTS.**—A recipient of a grant awarded under this section shall be subject to all terms, conditions, requirements, and provisions that the Secretary determines to be necessary or appropriate for purposes of this section.

“(d) **NEW FIXED GUIDEWAY GRANTS.**—

“(1) **PROJECT DEVELOPMENT PHASE.**—

“(A) **ENTRANCE INTO PROJECT DEVELOPMENT PHASE.**—A new fixed guideway capital project shall enter into the project development phase when—

“(i) the applicant—

“(I) submits a letter to the Secretary describing the project and requesting entry into the project development phase; and

“(II) initiates activities required to be carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the project; and

“(ii) the Secretary—

“(I) responds in writing to the applicant within 45 days whether the information provided is sufficient to enter into the project development phase, including, when necessary, a detailed description of any information deemed insufficient; and

“(II) provides concurrent notice to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of whether the new fixed guideway capital project is entering the project development phase.

“(B) **ACTIVITIES DURING PROJECT DEVELOPMENT PHASE.**—Concurrent with the analysis required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), each applicant shall develop sufficient information to enable the Secretary to make findings of project justification, policies and land use patterns that promote public transportation, and local financial commitment under this subsection.

“(C) **COMPLETION OF PROJECT DEVELOPMENT ACTIVITIES REQUIRED.**—

“(i) **IN GENERAL.**—Not later than 2 years after the date on which a project enters into the project development phase, the applicant shall complete the activities required to obtain a project rating under subsection (g)(2) and submit completed documentation to the Secretary.

“(ii) **EXTENSION OF TIME.**—Upon the request of an applicant, the Secretary may extend the time period under clause (i), if the applicant submits to the Secretary—

“(I) a reasonable plan for completing the activities required under this paragraph; and

“(II) an estimated time period within which the applicant will complete such activities.

“(2) **ENGINEERING PHASE.**—

“(A) **IN GENERAL.**—A new fixed guideway capital project may advance to the engineering phase upon completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), as demonstrated by a record of decision with respect to the project, a finding that the project has no significant impact, or a determination that the project is categorically excluded, only if the Secretary determines that the project—

“(i) is selected as the locally preferred alternative at the completion of the process required

under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) is adopted into the metropolitan transportation plan required under section 5303;

“(iii) is justified based on a comprehensive review of the project’s mobility improvements, the project’s environmental benefits, congestion relief associated with the project, economic development effects associated with the project, policies and land use patterns of the project that support public transportation, and the project’s cost-effectiveness as measured by cost per rider;

“(iv) is supported by policies and land use patterns that promote public transportation, including plans for future land use and rezoning, and economic development around public transportation stations; and

“(v) is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources), as required under subsection (f).

“(B) **DETERMINATION THAT PROJECT IS JUSTIFIED.**—In making a determination under subparagraph (A)(iii), the Secretary shall evaluate, analyze, and consider—

“(i) the reliability of the forecasting methods used to estimate costs and utilization made by the recipient and the contractors to the recipient; and

“(ii) population density and current public transportation ridership in the transportation corridor.

“(e) **CORE CAPACITY IMPROVEMENT PROJECTS.**—

“(1) **PROJECT DEVELOPMENT PHASE.**—

“(A) **ENTRANCE INTO PROJECT DEVELOPMENT PHASE.**—A core capacity improvement project shall be deemed to have entered into the project development phase if—

“(i) the applicant—

“(I) submits a letter to the Secretary describing the project and requesting entry into the project development phase; and

“(II) initiates activities required to be carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the project; and

“(ii) the Secretary—

“(I) responds in writing to the applicant within 45 days whether the information provided is sufficient to enter into the project development phase, including when necessary a detailed description of any information deemed insufficient; and

“(II) provides concurrent notice to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of whether the core capacity improvement project is entering the project development phase.

“(B) **ACTIVITIES DURING PROJECT DEVELOPMENT PHASE.**—Concurrent with the analysis required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), each applicant shall develop sufficient information to enable the Secretary to make findings of project justification and local financial commitment under this subsection.

“(C) **COMPLETION OF PROJECT DEVELOPMENT ACTIVITIES REQUIRED.**—

“(i) **IN GENERAL.**—Not later than 2 years after the date on which a project enters into the project development phase, the applicant shall complete the activities required to obtain a project rating under subsection (g)(2) and submit completed documentation to the Secretary.

“(ii) **EXTENSION OF TIME.**—Upon the request of an applicant, the Secretary may extend the time period under clause (i), if the applicant submits to the Secretary—

“(I) a reasonable plan for completing the activities required under this paragraph; and

“(II) an estimated time period within which the applicant will complete such activities.

“(2) **ENGINEERING PHASE.**—

“(A) **IN GENERAL.**—A core capacity improvement project may advance into the engineering phase upon completion of activities required

under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), as demonstrated by a record of decision with respect to the project, a finding that the project has no significant impact, or a determination that the project is categorically excluded, only if the Secretary determines that the project—

“(i) is selected as the locally preferred alternative at the completion of the process required under the National Environmental Policy Act of 1969;

“(ii) is adopted into the metropolitan transportation plan required under section 5303;

“(iii) is in a corridor that is—

“(I) at or over capacity; or

“(II) projected to be at or over capacity within the next 5 years;

“(iv) is justified based on a comprehensive review of the project’s mobility improvements, the project’s environmental benefits, congestion relief associated with the project, economic development effects associated with the project, the capacity needs of the corridor, and the project’s cost-effectiveness as measured by cost per rider; and

“(v) is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources), as required under subsection (f).

“(B) **DETERMINATION THAT PROJECT IS JUSTIFIED.**—In making a determination under subparagraph (A)(iv), the Secretary shall evaluate, analyze, and consider—

“(i) the reliability of the forecasting methods used to estimate costs and utilization made by the recipient and the contractors to the recipient;

“(ii) whether the project will increase capacity at least 10 percent in a corridor;

“(iii) whether the project will improve interconnectivity among existing systems; and

“(iv) whether the project will improve environmental outcomes.

“(f) **FINANCING SOURCES.**—

“(1) **REQUIREMENTS.**—In determining whether a project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subsection (d)(2)(A)(v) or (e)(2)(A)(v), the Secretary shall require that—

“(A) the proposed project plan provides for the availability of contingency amounts that the Secretary determines to be reasonable to cover unanticipated cost increases or funding shortfalls;

“(B) each proposed local source of capital and operating financing is stable, reliable, and available within the proposed project timetable; and

“(C) local resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary to achieve the projected ridership levels without requiring a reduction in existing public transportation services or level of service to operate the project.

“(2) **CONSIDERATIONS.**—In assessing the stability, reliability, and availability of proposed sources of local financing for purposes of subsection (d)(2)(A)(v) or (e)(2)(A)(v), the Secretary shall consider—

“(A) the reliability of the forecasting methods used to estimate costs and revenues made by the recipient and the contractors to the recipient;

“(B) existing grant commitments;

“(C) the degree to which financing sources are dedicated to the proposed purposes;

“(D) any debt obligation that exists, or is proposed by the recipient, for the proposed project or other public transportation purpose;

“(E) the extent to which the project has a local financial commitment that exceeds the required non-Government share of the cost of the project; and

“(F) private contributions to the project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

“(g) PROJECT ADVANCEMENT AND RATINGS.—

“(1) PROJECT ADVANCEMENT.—A new fixed guideway capital project or core capacity improvement project proposed to be carried out using a grant under this section may not advance from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that—

“(A) the project meets the applicable requirements under this section; and

“(B) there is a reasonable likelihood that the project will continue to meet the requirements under this section.

“(2) RATINGS.—

“(A) OVERALL RATING.—In making a determination under paragraph (1), the Secretary shall evaluate and rate a project as a whole on a 5-point scale (high, medium-high, medium, medium-low, or low) based on—

“(i) in the case of a new fixed guideway capital project, the project justification criteria under subsection (d)(2)(A)(iii), the policies and land use patterns that support public transportation, and the degree of local financial commitment; and

“(ii) in the case of a core capacity improvement project, the capacity needs of the corridor, the project justification criteria under subsection (e)(2)(A)(iv), and the degree of local financial commitment.

“(B) INDIVIDUAL RATINGS FOR EACH CRITERION.—In rating a project under this paragraph, the Secretary shall—

“(i) provide, in addition to the overall project rating under subparagraph (A), individual ratings for each of the criteria established under subsection (d)(2)(A)(iii) or (e)(2)(A)(iv), as applicable; and

“(ii) give comparable, but not necessarily equal, numerical weight to each of the criteria established under subsections (d)(2)(A)(iii) or (e)(2)(A)(iv), as applicable, in calculating the overall project rating under clause (i).

“(C) MEDIUM RATING NOT REQUIRED.—The Secretary shall not require that any single project justification criterion meet or exceed a ‘medium’ rating in order to advance the project from one phase to another.

“(3) WARRANTS.—The Secretary shall, to the maximum extent practicable, develop and use special warrants for making a project justification determination under subsection (d)(2) or (e)(2), as applicable, for a project proposed to be funded using a grant under this section, if—

“(A) the share of the cost of the project to be provided under this section does not exceed—

“(i) \$100,000,000; or

“(ii) 50 percent of the total cost of the project;

“(B) the applicant requests the use of the warrants;

“(C) the applicant certifies that its existing public transportation system is in a state of good repair; and

“(D) the applicant meets any other requirements that the Secretary considers appropriate to carry out this subsection.

“(4) LETTERS OF INTENT AND EARLY SYSTEMS WORK AGREEMENTS.—In order to expedite a project under this subsection, the Secretary shall, to the maximum extent practicable, issue letters of intent and enter into early systems work agreements upon issuance of a record of decision for projects that receive an overall project rating of medium or better.

“(5) POLICY GUIDANCE.—The Secretary shall issue policy guidance regarding the review and evaluation process and criteria—

“(A) not later than 180 days after the date of enactment of the Federal Public Transportation Act of 2012; and

“(B) each time the Secretary makes significant changes to the process and criteria, but not less frequently than once every 2 years.

“(6) RULES.—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall issue rules establishing an evaluation and rating process for—

“(A) new fixed guideway capital projects that is based on the results of project justification, policies and land use patterns that promote public transportation, and local financial commitment, as required under this subsection; and

“(B) core capacity improvement projects that is based on the results of the capacity needs of the corridor, project justification, and local financial commitment.

“(7) APPLICABILITY.—This subsection shall not apply to a project for which the Secretary issued a letter of intent, entered into a full funding grant agreement, or entered into a project construction agreement before the date of enactment of the Federal Public Transportation Act of 2012.

“(h) SMALL START PROJECTS.—

“(1) IN GENERAL.—A small start project shall be subject to the requirements of this subsection.

“(2) PROJECT DEVELOPMENT PHASE.—

“(A) ENTRANCE INTO PROJECT DEVELOPMENT PHASE.—A new small starts project shall enter into the project development phase when—

“(i) the applicant—

“(I) submits a letter to the Secretary describing the project and requesting entry into the project development phase; and

“(II) initiates activities required to be carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the project; and

“(ii) the Secretary—

“(I) responds in writing to the applicant within 45 days whether the information provided is sufficient to enter into the project development phase, including, when necessary, a detailed description of any information deemed insufficient; and

“(II) provides concurrent notice to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of whether the small starts project is entering the project development phase.

“(B) ACTIVITIES DURING PROJECT DEVELOPMENT PHASE.—Concurrent with the analysis required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), each applicant shall develop sufficient information to enable the Secretary to make findings of project justification, policies and land use patterns that promote public transportation, and local financial commitment under this subsection.

“(3) SELECTION CRITERIA.—The Secretary may provide Federal assistance for a small start project under this subsection only if the Secretary determines that the project—

“(A) has been adopted as the locally preferred alternative as part of the metropolitan transportation plan required under section 5303;

“(B) is based on the results of an analysis of the benefits of the project as set forth in paragraph (4); and

“(C) is supported by an acceptable degree of local financial commitment.

“(4) EVALUATION OF BENEFITS AND FEDERAL INVESTMENT.—In making a determination for a small start project under paragraph (3)(B), the Secretary shall analyze, evaluate, and consider the following evaluation criteria for the project (as compared to a no-action alternative): mobility improvements, environmental benefits, congestion relief, economic development effects associated with the project, policies and land use patterns that support public transportation and cost-effectiveness as measured by cost per rider.

“(5) EVALUATION OF LOCAL FINANCIAL COMMITMENT.—For purposes of paragraph (3)(C), the Secretary shall require that each proposed local source of capital and operating financing is stable, reliable, and available within the proposed project timetable.

“(6) RATINGS.—In carrying out paragraphs (4) and (5) for a small start project, the Secretary shall evaluate and rate the project on a 5-point scale (high, medium-high, medium, medium-low, or low) based on an evaluation of the benefits of the project as compared to the Federal assist-

ance to be provided and the degree of local financial commitment, as required under this subsection. In rating the projects, the Secretary shall provide, in addition to the overall project rating, individual ratings for each of the criteria established by this subsection and shall give comparable, but not necessarily equal, numerical weight to the benefits that the project will bring to the community in calculating the overall project rating.

“(7) GRANTS AND EXPEDITED GRANT AGREEMENTS.—

“(A) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

“(B) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this subsection, the Secretary may include in the agreement terms similar to those established under subsection (k)(2).

“(C) NOTICE OF PROPOSED GRANTS AND EXPEDITED GRANT AGREEMENTS.—At least 10 days before making a grant award or entering into a grant agreement for a project under this subsection, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate of the proposed grant or expedited grant agreement, as well as the evaluations and ratings for the project.

“(i) PROGRAMS OF INTERRELATED PROJECTS.—

“(1) PROJECT DEVELOPMENT PHASE.—A federally funded project in a program of interrelated projects shall advance through project development as provided in subsection (d) or (e), as applicable.

“(2) ENGINEERING PHASE.—A federally funded project in a program of interrelated projects may advance into the engineering phase upon completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), as demonstrated by a record of decision with respect to the project, a finding that the project has no significant impact, or a determination that the project is categorically excluded, only if the Secretary determines that—

“(A) the project is selected as the locally preferred alternative at the completion of the process required under the National Environmental Policy Act of 1969;

“(B) the project is adopted into the metropolitan transportation plan required under section 5303;

“(C) the program of interrelated projects involves projects that have a logical connectivity to one another;

“(D) the program of interrelated projects, when evaluated as a whole, meets the requirements of subsection (d)(2) or (e)(2), as applicable;

“(E) the program of interrelated projects is supported by a program implementation plan demonstrating that construction will begin on each of the projects in the program of interrelated projects within a reasonable time frame; and

“(F) the program of interrelated projects is supported by an acceptable degree of local financial commitment, as described in subsection (f).

“(3) PROJECT ADVANCEMENT AND RATINGS.—

“(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.

“(B) RATINGS.—

“(i) OVERALL RATING.—In making a determination under subparagraph (A), the Secretary shall evaluate and rate a program of interrelated projects on a 5-point scale (high, medium-high, medium, medium-low, or low) based on the criteria described in paragraph (2).

“(ii) INDIVIDUAL RATING FOR EACH CRITERION.—In rating a program of interrelated projects, the Secretary shall provide, in addition to the overall program rating, individual ratings for each of the criteria described in paragraph (2) and shall give comparable, but not necessarily equal, numerical weight to each such criterion in calculating the overall program rating.

“(iii) MEDIUM RATING NOT REQUIRED.—The Secretary shall not require that any single criterion described in paragraph (2) meet or exceed a ‘medium’ rating in order to advance the program of interrelated projects from one phase to another.

“(4) ANNUAL REVIEW.—

“(A) REVIEW REQUIRED.—The Secretary shall annually review the program implementation plan required under paragraph (2)(E) to determine whether the program of interrelated projects is adhering to its schedule.

“(B) EXTENSION OF TIME.—If a program of interrelated projects is not adhering to its schedule, the Secretary may, upon the request of the applicant, grant an extension of time if the applicant submits a reasonable plan that includes—

“(i) evidence of continued adequate funding; and

“(ii) an estimated time frame for completing the program of interrelated projects.

“(C) SATISFACTORY PROGRESS REQUIRED.—If the Secretary determines that a program of interrelated projects is not making satisfactory progress, no Federal funds shall be provided for a project within the program of interrelated projects.

“(5) FAILURE TO CARRY OUT PROGRAM OF INTERRELATED PROJECTS.—

“(A) REPAYMENT REQUIRED.—If an applicant does not carry out the program of interrelated projects within a reasonable time, for reasons within the control of the applicant, the applicant shall repay all Federal funds provided for the program, and any reasonable interest and penalty charges that the Secretary may establish.

“(B) CREDITING OF FUNDS RECEIVED.—Any funds received by the Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

“(6) NON-FEDERAL FUNDS.—Any non-Federal funds committed to a project in a program of interrelated projects may be used to meet a non-Government share requirement for any other project in the program of interrelated projects, if the Government share of the cost of each project within the program of interrelated projects does not exceed 80 percent.

“(7) PRIORITY.—In making grants under this section, the Secretary may give priority to programs of interrelated projects for which the non-Government share of the cost of the projects included in the programs of interrelated projects exceeds the non-Government share required under subsection (1).

“(8) NON-GOVERNMENT PROJECTS.—Including a project not financed by the Government in a program of interrelated projects does not impose Government requirements that would not otherwise apply to the project.

“(j) PREVIOUSLY ISSUED LETTER OF INTENT OR FULL FUNDING GRANT AGREEMENT.—Subsections (d) and (e) shall not apply to projects for which the Secretary has issued a letter of intent, approved entry into final design, entered into a full funding grant agreement, or entered into a project construction grant agreement before the date of enactment of the Federal Public Transportation Act of 2012.

“(k) LETTERS OF INTENT, FULL FUNDING GRANT AGREEMENTS, AND EARLY SYSTEMS WORK AGREEMENTS.—

“(1) LETTERS OF INTENT.—

“(A) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for a new fixed guideway capital project or core capacity improvement project, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project. When a letter is issued for a capital project under this section, the amount shall be sufficient to complete at least an operable segment.

“(B) TREATMENT.—The issuance of a letter under subparagraph (A) is deemed not to be an obligation under sections 1108(c), 1501, and 1502(a) of title 31 or an administrative commitment.

“(2) FULL FUNDING GRANT AGREEMENTS.—

“(A) IN GENERAL.—A new fixed guideway capital project or core capacity improvement project shall be carried out through a full funding grant agreement.

“(B) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based on the evaluations and ratings required under subsection (d), (e), or (i), as applicable, with each grantee receiving assistance for a new fixed guideway capital project or core capacity improvement project that has been rated as high, medium-high, or medium, in accordance with subsection (g)(2)(A) or (i)(3)(B), as applicable.

“(C) TERMS.—A full funding grant agreement shall—

“(i) establish the terms of participation by the Government in a new fixed guideway capital project or core capacity improvement project;

“(ii) establish the maximum amount of Federal financial assistance for the project;

“(iii) include the period of time for completing the project, even if that period extends beyond the period of an authorization; and

“(iv) make timely and efficient management of the project easier according to the law of the United States.

“(D) SPECIAL FINANCIAL RULES.—

“(i) IN GENERAL.—A full funding grant agreement under this paragraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

“(ii) STATEMENT OF CONTINGENT COMMITMENT.—The agreement shall state that the contingent commitment is not an obligation of the Government.

“(iii) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the project within a reasonable time are a cost of carrying out the project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

“(iv) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this paragraph for a new fixed guideway capital project shall be sufficient to complete at least an operable segment.

“(E) BEFORE AND AFTER STUDY.—

“(i) IN GENERAL.—A full funding grant agreement under this paragraph shall require the applicant to conduct a study that—

“(I) describes and analyzes the impacts of the new fixed guideway capital project or core capacity improvement project on public transportation services and public transportation ridership;

“(II) evaluates the consistency of predicted and actual project characteristics and performance; and

“(III) identifies reasons for differences between predicted and actual outcomes.

“(ii) INFORMATION COLLECTION AND ANALYSIS PLAN.—

“(I) SUBMISSION OF PLAN.—Applicants seeking a full funding grant agreement under this paragraph shall submit a complete plan for the collection and analysis of information to identify the impacts of the new fixed guideway capital project or core capacity improvement project and the accuracy of the forecasts prepared during the development of the project. Preparation of this plan shall be included in the full funding grant agreement as an eligible activity.

“(II) CONTENTS OF PLAN.—The plan submitted under subclause (I) shall provide for—

“(aa) collection of data on the current public transportation system regarding public transportation service levels and ridership patterns, including origins and destinations, access modes, trip purposes, and rider characteristics;

“(bb) documentation of the predicted scope, service levels, capital costs, operating costs, and ridership of the project;

“(cc) collection of data on the public transportation system 2 years after the opening of a new fixed guideway capital project or core capacity improvement project, including analogous information on public transportation service levels and ridership patterns and information on the as-built scope, capital, and financing costs of the project; and

“(dd) analysis of the consistency of predicted project characteristics with actual outcomes.

“(F) COLLECTION OF DATA ON CURRENT SYSTEM.—To be eligible for a full funding grant agreement under this paragraph, recipients shall have collected data on the current system, according to the plan required under subparagraph (E)(ii), before the beginning of construction of the proposed new fixed guideway capital project or core capacity improvement project. Collection of this data shall be included in the full funding grant agreement as an eligible activity.

“(3) EARLY SYSTEMS WORK AGREEMENTS.—

“(A) CONDITIONS.—The Secretary may enter into an early systems work agreement with an applicant if a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued on the project and the Secretary finds there is reason to believe—

“(i) a full funding grant agreement for the project will be made; and

“(ii) the terms of the work agreement will promote ultimate completion of the project more rapidly and at less cost.

“(B) CONTENTS.—

“(i) IN GENERAL.—An early systems work agreement under this paragraph obligates budget authority available under this chapter and title 23 and shall provide for reimbursement of preliminary costs of carrying out the project, including land acquisition, timely procurement of system elements for which specifications are decided, and other activities the Secretary decides are appropriate to make efficient, long-term project management easier.

“(ii) CONTINGENT COMMITMENT.—An early systems work agreement may include a commitment, contingent on amounts to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

“(iii) PERIOD COVERED.—An early systems work agreement under this paragraph shall cover the period of time the Secretary considers appropriate. The period may extend beyond the period of current authorization.

“(iv) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out the early systems work agreement within a reasonable time are a cost of carrying out the agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant

shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

“(v) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out the project for reasons within the control of the applicant, the applicant shall repay all Federal grant funds awarded for the project from all Federal funding sources, for all project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law or established by the Secretary in the early systems work agreement.

“(vi) CREDITING OF FUNDS RECEIVED.—Any funds received by the Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

“(4) LIMITATION ON AMOUNTS.—

“(A) IN GENERAL.—The Secretary may enter into full funding grant agreements under this subsection for new fixed guideway capital projects and core capacity improvement projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

“(B) APPROPRIATION REQUIRED.—An obligation may be made under this subsection only when amounts are appropriated for the obligation.

“(5) NOTIFICATION TO CONGRESS.—At least 30 days before issuing a letter of intent, entering into a full funding grant agreement, or entering into an early systems work agreement under this section, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter or agreement. The Secretary shall include with the notification a copy of the proposed letter or agreement as well as the evaluations and ratings for the project.

“(1) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

“(1) IN GENERAL.—Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net capital project cost. A grant for a fixed guideway project or small start project shall not exceed 80 percent of the net capital project cost. A grant for a core capacity project shall not exceed 80 percent of the net capital project cost of the incremental cost of increasing the capacity in the corridor.

“(2) ADJUSTMENT FOR COMPLETION UNDER BUDGET.—The Secretary may adjust the final net capital project cost of a new fixed guideway capital project or core capacity improvement project evaluated under subsection (d), (e), or (i) to include the cost of eligible activities not included in the originally defined project if the Secretary determines that the originally defined project has been completed at a cost that is significantly below the original estimate.

“(3) MAXIMUM GOVERNMENT SHARE.—The Secretary may provide a higher grant percentage than requested by the grant recipient if—

“(A) the Secretary determines that the net capital project cost of the project is not more than 10 percent higher than the net capital project cost estimated at the time the project was approved for advancement into the engineering phase; and

“(B) the ridership estimated for the project is not less than 90 percent of the ridership estimated for the project at the time the project was approved for advancement into the engineering phase.

“(4) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

“(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be con-

strued as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 20 percent of the net capital project cost.

“(6) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to paragraph (1), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Government is made at the same time.

“(7) LIMITATION ON APPLICABILITY.—This subsection shall not apply to projects for which the Secretary entered into a full funding grant agreement before the date of enactment of the Federal Public Transportation Act of 2012.

“(8) SPECIAL RULE FOR FIXED GUIDEWAY BUS RAPID TRANSIT PROJECTS.—For up to three fixed-guideway bus rapid transit projects each fiscal year the Secretary shall—

“(A) establish a Government share of at least 80 percent; and

“(B) not lower the project’s rating for degree of local financial commitment for purposes of subsections (d)(2)(A)(v) or (h)(3)(C) as a result of the Government share specified in this paragraph.

“(m) UNDERTAKING PROJECTS IN ADVANCE.—

“(1) IN GENERAL.—The Secretary may pay the Government share of the net capital project cost to a State or local governmental authority that carries out any part of a project described in this section without the aid of amounts of the Government and according to all applicable procedures and requirements if—

“(A) the State or local governmental authority applies for the payment;

“(B) the Secretary approves the payment; and

“(C) before the State or local governmental authority carries out the part of the project, the Secretary approves the plans and specifications for the part in the same way as other projects under this section.

“(2) FINANCING COSTS.—

“(A) IN GENERAL.—The cost of carrying out part of a project includes the amount of interest earned and payable on bonds issued by the State or local governmental authority to the extent proceeds of the bonds are expended in carrying out the part.

“(B) LIMITATION ON AMOUNT OF INTEREST.—The amount of interest under this paragraph may not be more than the most favorable interest terms reasonably available for the project at the time of borrowing.

“(C) CERTIFICATION.—The applicant shall certify, in a manner satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

“(n) AVAILABILITY OF AMOUNTS.—

“(1) IN GENERAL.—An amount made available or appropriated for a new fixed guideway capital project or core capacity improvement project shall remain available to that project for 5 fiscal years, including the fiscal year in which the amount is made available or appropriated. Any amounts that are unobligated to the project at the end of the 5-fiscal-year period may be used by the Secretary for any purpose under this section.

“(2) USE OF DEOBLIGATED AMOUNTS.—An amount available under this section that is deobligated may be used for any purpose under this section.

“(o) REPORTS ON NEW FIXED GUIDEWAY AND CORE CAPACITY IMPROVEMENT PROJECTS.—

“(1) ANNUAL REPORT ON FUNDING RECOMMENDATIONS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure

and the Committee on Appropriations of the House of Representatives a report that includes—

“(A) a proposal of allocations of amounts to be available to finance grants for projects under this section among applicants for these amounts;

“(B) evaluations and ratings, as required under subsections (d), (e), and (i), for each such project that is in project development, engineering, or has received a full funding grant agreement; and

“(C) recommendations of such projects for funding based on the evaluations and ratings and on existing commitments and anticipated funding levels for the next 3 fiscal years based on information currently available to the Secretary.

“(2) REPORTS ON BEFORE AND AFTER STUDIES.—Not later than the first Monday in August of each year, the Secretary shall submit to the committees described in paragraph (1) a report containing a summary of the results of any studies conducted under subsection (k)(2)(E).

“(3) BIENNIAL GAO REVIEW.—The Comptroller General of the United States shall—

“(A) conduct a biennial review of—

“(i) the processes and procedures for evaluating, rating, and recommending new fixed guideway capital projects and core capacity improvement projects; and

“(ii) the Secretary’s implementation of such processes and procedures; and

“(B) report to Congress on the results of such review by May 31 of each year.”.

(b) PILOT PROGRAM FOR EXPEDITED PROJECT DELIVERY.—

(1) DEFINITIONS.—In this subsection the following definitions shall apply:

(A) ELIGIBLE PROJECT.—The term “eligible project” means a new fixed guideway capital project or a core capacity improvement project, as those terms are defined in section 5309 of title 49, United States Code, as amended by this section, that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of the Federal Public Transportation Act of 2012.

(B) PROGRAM.—The term “program” means the pilot program for expedited project delivery established under this subsection.

(C) RECIPIENT.—The term “recipient” means a recipient of funding under chapter 53 of title 49, United States Code.

(D) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(2) ESTABLISHMENT.—The Secretary shall establish and implement a pilot program to demonstrate whether innovative project development and delivery methods or innovative financing arrangements can expedite project delivery for certain meritorious new fixed guideway capital projects and core capacity improvement projects.

(3) LIMITATION ON NUMBER OF PROJECTS.—The Secretary shall select 3 eligible projects to participate in the program, of which—

(A) at least 1 shall be an eligible project requesting more than \$100,000,000 in Federal financial assistance under section 5309 of title 49, United States Code; and

(B) at least 1 shall be an eligible project requesting less than \$100,000,000 in Federal financial assistance under section 5309 of title 49, United States Code.

(4) GOVERNMENT SHARE.—The Government share of the total cost of an eligible project that participates in the program may not exceed 50 percent.

(5) ELIGIBILITY.—A recipient that desires to participate in the program shall submit to the Secretary an application that contains, at a minimum—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed project development and delivery methods or innovative financing arrangement for the eligible project; and

(D) a certification that the recipient's existing public transportation system is in a state of good repair.

(6) **SELECTION CRITERIA.**—The Secretary may award a full funding grant agreement under this subsection if the Secretary determines that—

(A) the recipient has completed planning and the activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) the recipient has the necessary legal, financial, and technical capacity to carry out the eligible project.

(7) **BEFORE AND AFTER STUDY AND REPORT.**—

(A) **STUDY REQUIRED.**—A full funding grant agreement under this paragraph shall require a recipient to conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) **SUBMISSION OF REPORT.**—Not later than 9 months after an eligible project selected to participate in the program begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study under subparagraph (A).

SEC. 20009. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

Section 5310 of title 49, United States Code, is amended to read as follows:

“§5310. Formula grants for the enhanced mobility of seniors and individuals with disabilities

“(a) **DEFINITIONS.**—In this section, the following definitions shall apply:

“(1) **RECIPIENT.**—The term ‘recipient’ means a designated recipient or a State that receives a grant under this section directly.

“(2) **SUBRECIPIENT.**—The term ‘subrecipient’ means a State or local governmental authority, a private nonprofit organization, or an operator of public transportation that receives a grant under this section indirectly through a recipient.

“(b) **GENERAL AUTHORITY.**—

“(1) **GRANTS.**—The Secretary may make grants under this section to recipients for—

“(A) public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;

“(B) public transportation projects that exceed the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

“(C) public transportation projects that improve access to fixed route service and decrease reliance by individuals with disabilities on complementary paratransit; and

“(D) alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

“(2) **LIMITATIONS FOR CAPITAL PROJECTS.**—

“(A) **AMOUNT AVAILABLE.**—The amount available for capital projects under paragraph (1)(A) shall be not less than 55 percent of the funds apportioned to the recipient under this section.

“(B) **ALLOCATION TO SUBRECIPIENTS.**—A recipient of a grant under paragraph (1)(A) may allocate the amounts provided under the grant to—

“(i) a private nonprofit organization; or

“(ii) a State or local governmental authority that—

“(I) is approved by a State to coordinate services for seniors and individuals with disabilities; or

“(II) certifies that there are no private nonprofit organizations readily available in the

area to provide the services described in paragraph (1)(A).

“(3) **ADMINISTRATIVE EXPENSES.**—A recipient may use not more than 10 percent of the amounts apportioned to the recipient under this section to administer, plan, and provide technical assistance for a project funded under this section.

“(4) **ELIGIBLE CAPITAL EXPENSES.**—The acquisition of public transportation services is an eligible capital expense under this section.

“(5) **COORDINATION.**—

“(A) **DEPARTMENT OF TRANSPORTATION.**—To the maximum extent feasible, the Secretary shall coordinate activities under this section with related activities under other Federal departments and agencies.

“(B) **OTHER FEDERAL AGENCIES AND NON-PROFIT ORGANIZATIONS.**—A State or local governmental authority or nonprofit organization that receives assistance from Government sources (other than the Department of Transportation) for nonemergency transportation services shall—

“(i) participate and coordinate with recipients of assistance under this chapter in the design and delivery of transportation services; and

“(ii) participate in the planning for the transportation services described in clause (i).

“(6) **PROGRAM OF PROJECTS.**—

“(A) **IN GENERAL.**—Amounts made available to carry out this section may be used for transportation projects to assist in providing transportation services for seniors and individuals with disabilities, if such transportation projects are included in a program of projects.

“(B) **SUBMISSION.**—A recipient shall annually submit a program of projects to the Secretary.

“(C) **ASSURANCE.**—The program of projects submitted under subparagraph (B) shall contain an assurance that the program provides for the maximum feasible coordination of transportation services assisted under this section with transportation services assisted by other Government sources.

“(7) **MEAL DELIVERY FOR HOMEBOUND INDIVIDUALS.**—A public transportation service provider that receives assistance under this section or section 5311(c) may coordinate and assist in regularly providing meal delivery service for homebound individuals, if the delivery service does not conflict with providing public transportation service or reduce service to public transportation passengers.

“(c) **APPORTIONMENT AND TRANSFERS.**—

“(1) **FORMULA.**—The Secretary shall apportion amounts made available to carry out this section as follows:

“(A) **LARGE URBANIZED AREAS.**—Sixty percent of the funds shall be apportioned among designated recipients for urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census, in the ratio that—

“(i) the number of seniors and individuals with disabilities in each such urbanized area; bears to

“(ii) the number of seniors and individuals with disabilities in all such urbanized areas.

“(B) **SMALL URBANIZED AREAS.**—Twenty percent of the funds shall be apportioned among the States in the ratio that—

“(i) the number of seniors and individuals with disabilities in urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census, in each State; bears to

“(ii) the number of seniors and individuals with disabilities in urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census, in all States.

“(C) **RURAL AREAS.**—Twenty percent of the funds shall be apportioned among the States in the ratio that—

“(i) the number of seniors and individuals with disabilities in rural areas in each State; bears to

“(ii) the number of seniors and individuals with disabilities in rural areas in all States.

“(2) **AREAS SERVED BY PROJECTS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B)—

“(i) funds apportioned under paragraph (1)(A) shall be used for projects serving urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census;

“(ii) funds apportioned under paragraph (1)(B) shall be used for projects serving urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census; and

“(iii) funds apportioned under paragraph (1)(C) shall be used for projects serving rural areas.

“(B) **EXCEPTIONS.**—A State may use funds apportioned to the State under subparagraph (B) or (C) of paragraph (1)—

“(i) for a project serving an area other than an area specified in subparagraph (A)(ii) or (A)(iii), as the case may be, if the Governor of the State certifies that all of the objectives of this section are being met in the area specified in subparagraph (A)(ii) or (A)(iii); or

“(ii) for a project anywhere in the State, if the State has established a statewide program for meeting the objectives of this section.

“(C) **LIMITED TO ELIGIBLE PROJECTS.**—Any funds transferred pursuant to subparagraph (B) shall be made available only for eligible projects selected under this section.

“(D) **CONSULTATION.**—A recipient may transfer an amount under subparagraph (B) only after consulting with responsible local officials, publicly owned operators of public transportation, and nonprofit providers in the area for which the amount was originally apportioned.

“(d) **GOVERNMENT SHARE OF COSTS.**—

“(1) **CAPITAL PROJECTS.**—A grant for a capital project under this section shall be in an amount equal to 80 percent of the net capital costs of the project, as determined by the Secretary.

“(2) **OPERATING ASSISTANCE.**—A grant made under this section for operating assistance may not exceed an amount equal to 50 percent of the net operating costs of the project, as determined by the Secretary.

“(3) **REMAINDER OF NET COSTS.**—The remainder of the net costs of a project carried out under this section—

“(A) may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local social service agency or a private social service organization, or new capital; and

“(B) may be derived from amounts appropriated or otherwise made available—

“(i) to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation; or

“(ii) to carry out the Federal lands highways program under section 204 of title 23.

“(4) **USE OF CERTAIN FUNDS.**—For purposes of paragraph (3)(B)(i), the prohibition under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) on the use of grant funds for matching requirements shall not apply to Federal or State funds to be used for transportation purposes.

“(e) **GRANT REQUIREMENTS.**—

“(1) **IN GENERAL.**—A grant under this section shall be subject to the same requirements as a grant under section 5307, to the extent the Secretary determines appropriate.

“(2) **CERTIFICATION REQUIREMENTS.**—

“(A) **PROJECT SELECTION AND PLAN DEVELOPMENT.**—Before receiving a grant under this section, each recipient shall certify that—

“(i) the projects selected by the recipient are included in a locally developed, coordinated public transit-human services transportation plan;

“(ii) the plan described in clause (i) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human serv-

ices providers, and other members of the public; and

“(iii) to the maximum extent feasible, the services funded under this section will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services.

“(B) ALLOCATIONS TO SUBRECIPIENTS.—If a recipient allocates funds received under this section to subrecipients, the recipient shall certify that the funds are allocated on a fair and equitable basis.

“(f) COMPETITIVE PROCESS FOR GRANTS TO SUBRECIPIENTS.—

“(1) AREA-WIDE SOLICITATIONS.—A recipient of funds apportioned under subparagraph (B) may conduct, in cooperation with the appropriate metropolitan planning organization, an area-wide solicitation for applications for grants under this section.

“(2) STATE-WIDE SOLICITATIONS.—A recipient of funds apportioned under subparagraph (B) or (C) of subsection (c)(1) may conduct a statewide solicitation for applications for grants under this section.

“(3) APPLICATION.—If the recipient elects to engage in a competitive process, a recipient or subrecipient seeking to receive a grant from funds apportioned under subsection (c) shall submit to the recipient making the election an application in such form and in accordance with such requirements as the recipient making the election shall establish.

“(g) TRANSFERS OF FACILITIES AND EQUIPMENT.—A recipient may transfer a facility or equipment acquired using a grant under this section to any other recipient eligible to receive assistance under this chapter, if—

“(1) the recipient in possession of the facility or equipment consents to the transfer; and

“(2) the facility or equipment will continue to be used as required under this section.

“(h) PERFORMANCE MEASURES.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives making recommendations on the establishment of performance measures for grants under this section. Such report shall be developed in consultation with national nonprofit organizations that provide technical assistance and advocacy on issues related to transportation services for seniors and individuals with disabilities.

“(2) MEASURES.—The performance measures to be considered in the report under paragraph (1) shall require the collection of quantitative and qualitative information, as available, concerning—

“(A) modifications to the geographic coverage of transportation service, the quality of transportation service, or service times that increase the availability of transportation services for seniors and individuals with disabilities;

“(B) ridership;

“(C) accessibility improvements; and

“(D) other measures, as the Secretary determines is appropriate.”

SEC. 20010. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended to read as follows:

“§5311. Formula grants for rural areas

“(a) DEFINITIONS.—As used in this section, the following definitions shall apply:

“(1) RECIPIENT.—The term ‘recipient’ means a State or Indian tribe that receives a Federal transit program grant directly from the Government.

“(2) SUBRECIPIENT.—The term ‘subrecipient’ means a State or local governmental authority, a nonprofit organization, or an operator of public transportation or intercity bus service that receives Federal transit program grant funds indirectly through a recipient.

“(b) GENERAL AUTHORITY.—

“(1) GRANTS AUTHORIZED.—Except as provided by paragraph (2), the Secretary may award grants under this section to recipients located in rural areas for—

“(A) planning, provided that a grant under this section for planning activities shall be in addition to funding awarded to a State under section 5305 for planning activities that are directed specifically at the needs of rural areas in the State;

“(B) public transportation capital projects;

“(C) operating costs of equipment and facilities for use in public transportation;

“(D) job access and reverse commute projects; and

“(E) the acquisition of public transportation services, including service agreements with private providers of public transportation service.

“(2) STATE PROGRAM.—

“(A) IN GENERAL.—A project eligible for a grant under this section shall be included in a State program for public transportation service projects, including agreements with private providers of public transportation service.

“(B) SUBMISSION TO SECRETARY.—Each State shall submit to the Secretary annually the program described in subparagraph (A).

“(C) APPROVAL.—The Secretary may not approve the program unless the Secretary determines that—

“(i) the program provides a fair distribution of amounts in the State, including Indian reservations; and

“(ii) the program provides the maximum feasible coordination of public transportation service assisted under this section with transportation service assisted by other Federal sources.

“(3) RURAL TRANSPORTATION ASSISTANCE PROGRAM.—

“(A) IN GENERAL.—The Secretary shall carry out a rural transportation assistance program in rural areas.

“(B) GRANTS AND CONTRACTS.—In carrying out this paragraph, the Secretary may use not more than 2 percent of the amount made available under section 5338(a)(2)(E) to make grants and contracts for transportation research, technical assistance, training, and related support services in rural areas.

“(C) PROJECTS OF A NATIONAL SCOPE.—Not more than 15 percent of the amounts available under subparagraph (B) may be used by the Secretary to carry out competitively selected projects of a national scope, with the remaining balance provided to the States.

“(4) DATA COLLECTION.—Each recipient under this section shall submit an annual report to the Secretary containing information on capital investment, operations, and service provided with funds received under this section, including—

“(A) total annual revenue;

“(B) sources of revenue;

“(C) total annual operating costs;

“(D) total annual capital costs;

“(E) fleet size and type, and related facilities;

“(F) vehicle revenue miles; and

“(G) ridership.

“(c) APPORTIONMENTS.—

“(1) PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS.—Of the amounts made available or appropriated for each fiscal year pursuant to section 5338(a)(2)(E) to carry out this paragraph, the following amounts shall be apportioned each fiscal year for grants to Indian tribes for any purpose eligible under this section, under such terms and conditions as may be established by the Secretary:

“(A) \$5,000,000 shall be distributed on a competitive basis by the Secretary.

“(B) \$25,000,000 shall be apportioned as formula grants, as provided in subsection (j).

“(2) APPALACHIAN DEVELOPMENT PUBLIC TRANSPORTATION ASSISTANCE PROGRAM.—

“(A) DEFINITIONS.—In this paragraph—

“(i) the term ‘Appalachian region’ has the same meaning as in section 14102 of title 40; and

“(ii) the term ‘eligible recipient’ means a State that participates in a program established under subtitle IV of title 40.

“(B) IN GENERAL.—The Secretary shall carry out a public transportation assistance program in the Appalachian region.

“(C) APPORTIONMENT.—Of amounts made available or appropriated for each fiscal year under section 5338(a)(2)(E) to carry out this paragraph, the Secretary shall apportion funds to eligible recipients for any purpose eligible under this section, based on the guidelines established under section 9.5(b) of the Appalachian Regional Commission Code.

“(D) SPECIAL RULE.—An eligible recipient may use amounts that cannot be used for operating expenses under this paragraph for a highway project if—

“(i) that use is approved, in writing, by the eligible recipient after appropriate notice and an opportunity for comment and appeal are provided to affected public transportation providers; and

“(ii) the eligible recipient, in approving the use of amounts under this subparagraph, determines that the local transit needs are being addressed.

“(3) REMAINING AMOUNTS.—

“(A) IN GENERAL.—The amounts made available or appropriated for each fiscal year pursuant to section 5338(a)(2)(E) that are not apportioned under paragraph (1) or (2) shall be apportioned in accordance with this paragraph.

“(B) APPORTIONMENT BASED ON LAND AREA AND POPULATION IN NONURBANIZED AREAS.—

“(i) IN GENERAL.—83.15 percent of the amount described in subparagraph (A) shall be apportioned to the States in accordance with this subparagraph.

“(ii) LAND AREA.—

“(I) IN GENERAL.—Subject to subclause (II), each State shall receive an amount that is equal to 20 percent of the amount apportioned under clause (i), multiplied by the ratio of the land area in rural areas in that State and divided by the land area in all rural areas in the United States, as shown by the most recent decennial census of population.

“(II) MAXIMUM APPORTIONMENT.—No State shall receive more than 5 percent of the amount apportioned under subclause (I).

“(iii) POPULATION.—Each State shall receive an amount equal to 80 percent of the amount apportioned under clause (i), multiplied by the ratio of the population of rural areas in that State and divided by the population of all rural areas in the United States, as shown by the most recent decennial census of population.

“(C) APPORTIONMENT BASED ON LAND AREA, VEHICLE REVENUE MILES, AND LOW-INCOME INDIVIDUALS IN NONURBANIZED AREAS.—

“(i) IN GENERAL.—16.85 percent of the amount described in subparagraph (A) shall be apportioned to the States in accordance with this subparagraph.

“(ii) LAND AREA.—Subject to clause (v), each State shall receive an amount that is equal to 29.68 percent of the amount apportioned under clause (i), multiplied by the ratio of the land area in rural areas in that State and divided by the land area in all rural areas in the United States, as shown by the most recent decennial census of population.

“(iii) VEHICLE REVENUE MILES.—Subject to clause (v), each State shall receive an amount that is equal to 29.68 percent of the amount apportioned under clause (i), multiplied by the ratio of vehicle revenue miles in rural areas in that State and divided by the vehicle revenue miles in all rural areas in the United States, as determined by national transit database reporting.

“(iv) LOW-INCOME INDIVIDUALS.—Each State shall receive an amount that is equal to 40.64 percent of the amount apportioned under clause (i), multiplied by the ratio of low-income individuals in rural areas in that State and divided by the number of low-income individuals in all rural areas in the United States, as shown by the Bureau of the Census.

“(v) MAXIMUM APPORTIONMENT.—No State shall receive—

“(I) more than 5 percent of the amount apportioned under clause (ii); or

“(II) more than 5 percent of the amount apportioned under clause (iii).

“(d) USE FOR LOCAL TRANSPORTATION SERVICE.—A State may use an amount apportioned under this section for a project included in a program under subsection (b) of this section and eligible for assistance under this chapter if the project will provide local transportation service, as defined by the Secretary of Transportation, in a rural area.

“(e) USE FOR ADMINISTRATION, PLANNING, AND TECHNICAL ASSISTANCE.—The Secretary may allow a State to use not more than 10 percent of the amount apportioned under this section to administer this section and provide technical assistance to a subrecipient, including project planning, program and management development, coordination of public transportation programs, and research the State considers appropriate to promote effective delivery of public transportation to a rural area.

“(f) INTERCITY BUS TRANSPORTATION.—

“(1) IN GENERAL.—A State shall expend at least 15 percent of the amount made available in each fiscal year to carry out a program to develop and support intercity bus transportation. Eligible activities under the program include—

“(A) planning and marketing for intercity bus transportation;

“(B) capital grants for intercity bus facilities;

“(C) joint-use facilities;

“(D) operating grants through purchase-of-service agreements, user-side subsidies, and demonstration projects; and

“(E) coordinating rural connections between small public transportation operations and intercity bus carriers.

“(2) CERTIFICATION.—A State does not have to comply with paragraph (1) of this subsection in a fiscal year in which the Governor of the State certifies to the Secretary, after consultation with affected intercity bus service providers, that the intercity bus service needs of the State are being met adequately.

“(g) GOVERNMENT SHARE OF COSTS.—

“(1) CAPITAL PROJECTS.—

“(A) IN GENERAL.—Except as provided by subparagraph (B), a grant awarded under this section for a capital project or project administrative expenses shall be for 80 percent of the net costs of the project, as determined by the Secretary.

“(B) EXCEPTION.—A State described in section 120(b) of title 23 shall receive a Government share of the net costs in accordance with the formula under that section.

“(2) OPERATING ASSISTANCE.—

“(A) IN GENERAL.—Except as provided by subparagraph (B), a grant made under this section for operating assistance may not exceed 50 percent of the net operating costs of the project, as determined by the Secretary.

“(B) EXCEPTION.—A State described in section 120(b) of title 23 shall receive a Government share of the net operating costs equal to 62.5 percent of the Government share provided for under paragraph (1)(B).

“(3) REMAINDER.—The remainder of net project costs—

“(A) may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local social service agency or a private social service organization, or new capital;

“(B) may be derived from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation;

“(C) notwithstanding subparagraph (B), may be derived from amounts made available to carry out the Federal lands highway program established by section 204 of title 23; and

“(D) in the case of an intercity bus project that includes both feeder service and an unsubsidized segment of intercity bus service to which the feeder service connects, may be derived from

the costs of a private operator for the unsubsidized segment of intercity bus service as an in-kind match for the operating costs of connecting rural intercity bus feeder service funded under subsection (f), if the private operator agrees in writing to the use of the costs of the private operator for the unsubsidized segment of intercity bus service as an in-kind match.

“(4) USE OF CERTAIN FUNDS.—For purposes of paragraph (3)(B), the prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal or State funds to be used for transportation purposes.

“(5) LIMITATION ON OPERATING ASSISTANCE.—A State carrying out a program of operating assistance under this section may not limit the level or extent of use of the Government grant for the payment of operating expenses.

“(h) TRANSFER OF FACILITIES AND EQUIPMENT.—With the consent of the recipient currently having a facility or equipment acquired with assistance under this section, a State may transfer the facility or equipment to any recipient eligible to receive assistance under this chapter if the facility or equipment will continue to be used as required under this section.

“(i) RELATIONSHIP TO OTHER LAWS.—

“(1) IN GENERAL.—Section 5333(b) applies to this section if the Secretary of Labor utilizes a special warranty that provides a fair and equitable arrangement to protect the interests of employees.

“(2) RULE OF CONSTRUCTION.—This subsection does not affect or discharge a responsibility of the Secretary of Transportation under a law of the United States.

“(j) FORMULA GRANTS FOR PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS.—

“(1) APPORTIONMENT.—

“(A) IN GENERAL.—Of the amounts described in subsection (c)(1)(B)—

“(i) 50 percent of the total amount shall be apportioned so that each Indian tribe providing public transportation service shall receive an amount equal to the total amount apportioned under this clause multiplied by the ratio of the number of vehicle revenue miles provided by an Indian tribe divided by the total number of vehicle revenue miles provided by all Indian tribes, as reported to the Secretary;

“(ii) 25 percent of the total amount shall be apportioned equally among each Indian tribe providing at least 200,000 vehicle revenue miles of public transportation service annually, as reported to the Secretary; and

“(iii) 25 percent of the total amount shall be apportioned among each Indian tribe providing public transportation on tribal lands (as defined by the Bureau of the Census) on which more than 1,000 low-income individuals reside (as determined by the Bureau of the Census) so that each Indian tribe shall receive an amount equal to the total amount apportioned under this clause multiplied by the ratio of the number of low-income individuals residing on an Indian tribe's lands divided by the total number of low-income individuals on tribal lands on which more than 1,000 low-income individuals reside.

“(B) LIMITATION.—No recipient shall receive more than \$300,000 of the amounts apportioned under subparagraph (A)(iii) in a fiscal year.

“(C) REMAINING AMOUNTS.—Of the amounts made available under subparagraph (A)(iii), any amounts not apportioned under that subparagraph shall be allocated among Indian tribes receiving less than \$300,000 in a fiscal year according to the formula specified in that clause.

“(D) LOW-INCOME INDIVIDUALS.—For purposes of subparagraph (A)(iii), the term ‘low-income individual’ means an individual whose family income is at or below 100 percent of the poverty line, as that term is defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section, for a family of the size involved.

“(2) NON-TRIBAL SERVICE PROVIDERS.—A recipient that is an Indian tribe may use funds

apportioned under this subsection to finance public transportation services provided by a non-tribal provider of public transportation that connects residents of tribal lands with surrounding communities, improves access to employment or healthcare, or otherwise addresses the mobility needs of tribal members.”

SEC. 20011. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROJECTS.

Section 5312 of title 49, United States Code, is amended to read as follows:

“§5312. Research, development, demonstration, and deployment projects

“(a) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROJECTS.—

“(1) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements for research, development, demonstration, and deployment projects, and evaluation of research and technology of national significance to public transportation, that the Secretary determines will improve public transportation.

“(2) AGREEMENTS.—In order to carry out paragraph (1), the Secretary may make grants to and enter into contracts, cooperative agreements, and other agreements with—

“(A) departments, agencies, and instrumentalities of the Government, including Federal laboratories;

“(B) State and local governmental entities;

“(C) providers of public transportation;

“(D) private or non-profit organizations;

“(E) institutions of higher education; and

“(F) technical and community colleges.

“(3) APPLICATION.—

“(A) IN GENERAL.—To receive a grant, contract, cooperative agreement, or other agreement under this section, an entity described in paragraph (2) shall submit an application to the Secretary.

“(B) FORM AND CONTENTS.—An application under subparagraph (A) shall be in such form and contain such information as the Secretary may require, including—

“(i) a statement of purpose detailing the need being addressed;

“(ii) the short- and long-term goals of the project, including opportunities for future innovation and development, the potential for deployment, and benefits to riders and public transportation; and

“(iii) the short- and long-term funding requirements to complete the project and any future objectives of the project.

“(b) RESEARCH.—

“(1) IN GENERAL.—The Secretary may make a grant to or enter into a contract, cooperative agreement, or other agreement under this section with an entity described in subsection (a)(2) to carry out a public transportation research project that has as its ultimate goal the development and deployment of new and innovative ideas, practices, and approaches.

“(2) PROJECT ELIGIBILITY.—A public transportation research project that receives assistance under paragraph (1) shall focus on—

“(A) providing more effective and efficient public transportation service, including services to—

“(i) seniors;

“(ii) individuals with disabilities; and

“(iii) low-income individuals;

“(B) mobility management and improvements and travel management systems;

“(C) data and communication system advancements;

“(D) system capacity, including—

“(i) train control;

“(ii) capacity improvements; and

“(iii) performance management;

“(E) capital and operating efficiencies;

“(F) planning and forecasting modeling and simulation;

“(G) advanced vehicle design;

“(H) advancements in vehicle technology;

“(I) asset maintenance and repair systems advancement;

“(J) construction and project management;
 “(K) alternative fuels;
 “(L) the environment and energy efficiency;
 “(M) safety improvements; or
 “(N) any other area that the Secretary determines is important to advance the interests of public transportation.

“(c) INNOVATION AND DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary may make a grant to or enter into a contract, cooperative agreement, or other agreement under this section with an entity described in subsection (a)(2) to carry out a public transportation innovation and development project that seeks to improve public transportation systems nationwide in order to provide more efficient and effective delivery of public transportation services, including through technology and technological capacity improvements.

“(2) PROJECT ELIGIBILITY.—A public transportation innovation and development project that receives assistance under paragraph (1) shall focus on—

“(A) the development of public transportation research projects that received assistance under subsection (b) that the Secretary determines were successful;

“(B) planning and forecasting modeling and simulation;

“(C) capital and operating efficiencies;

“(D) advanced vehicle design;

“(E) advancements in vehicle technology;

“(F) the environment and energy efficiency;

“(G) system capacity, including train control and capacity improvements; or

“(H) any other area that the Secretary determines is important to advance the interests of public transportation.

“(d) DEMONSTRATION, DEPLOYMENT, AND EVALUATION.—

“(1) IN GENERAL.—The Secretary may, under terms and conditions that the Secretary prescribes, make a grant to or enter into a contract, cooperative agreement, or other agreement with an entity described in paragraph (2) to promote the early deployment and demonstration of innovation in public transportation that has broad applicability.

“(2) PARTICIPANTS.—An entity described in this paragraph is—

“(A) an entity described in subsection (a)(2); or

“(B) a consortium of entities described in subsection (a)(2), including a provider of public transportation, that will share the costs, risks, and rewards of early deployment and demonstration of innovation.

“(3) PROJECT ELIGIBILITY.—A project that receives assistance under paragraph (1) shall seek to build on successful research, innovation, and development efforts to facilitate—

“(A) the deployment of research and technology development resulting from private efforts or Federally funded efforts; and

“(B) the implementation of research and technology development to advance the interests of public transportation.

“(4) EVALUATION.—Not later than 2 years after the date on which a project receives assistance under paragraph (1), the Secretary shall conduct a comprehensive evaluation of the success or failure of the projects funded under this subsection and any plan for broad-based implementation of the innovation promoted by successful projects.

“(5) LOW OR NO EMISSION VEHICLE DEPLOYMENT.—

“(A) DEFINITIONS.—In this paragraph, the following definitions shall apply:

“(i) ELIGIBLE AREA.—The term ‘eligible area’ means an area that is—

“(I) designated as a nonattainment area for ozone or carbon monoxide under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or

“(II) a maintenance area, as defined in section 5303, for ozone or carbon monoxide.

“(ii) ELIGIBLE PROJECT.—The term ‘eligible project’ means a project or program of projects in an eligible area for—

“(I) acquiring or leasing low or no emission vehicles;

“(II) constructing or leasing facilities and related equipment for low or no emission vehicles;

“(III) constructing new public transportation facilities to accommodate low or no emission vehicles; or

“(IV) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles.

“(iii) DIRECT CARBON EMISSIONS.—The term ‘direct carbon emissions’ means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency.

“(iv) LOW OR NO EMISSION BUS.—The term ‘low or no emission bus’ means a bus that is a low or no emission vehicle.

“(v) LOW OR NO EMISSION VEHICLE.—The term ‘low or no emission vehicle’ means—

“(I) a passenger vehicle used to provide public transportation that the Administrator of the Environmental Protection Agency has certified sufficiently reduces energy consumption or reduces harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

“(II) a zero emission bus used to provide public transportation.

“(vi) RECIPIENT.—The term ‘recipient’ means—

“(I) for an eligible area that is an urbanized area with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census, the State in which the eligible area is located; and

“(II) for an eligible area not described in subparagraph (A), the designated recipient for the eligible area.

“(vii) ZERO EMISSION BUS.—The term ‘zero emission bus’ means a low or no emission bus that produces no carbon or particulate matter.

“(B) AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this paragraph.

“(C) GRANT REQUIREMENTS.—

“(i) IN GENERAL.—A grant under this paragraph shall be subject to the requirements of section 5307.

“(ii) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(j) applies to projects carried out under this paragraph, unless the grant recipient requests a lower grant percentage.

“(iii) COMBINATION OF FUNDING SOURCES.—

“(I) COMBINATION PERMITTED.—A project carried out under this paragraph may receive funding under section 5307, or any other provision of law.

“(II) GOVERNMENT SHARE.—Nothing in this clause may be construed to alter the Government share required under this section, section 5307, or any other provision of law.

“(D) MINIMUM AMOUNTS.—Of amounts made available by or appropriated under section 5338(b) in each fiscal year to carry out this paragraph—

“(i) not less than 65 percent shall be made available to fund eligible projects relating to low or no emission buses; and

“(ii) not less than 10 percent shall be made available for eligible projects relating to facilities and related equipment for low or no emission buses.

“(E) COMPETITIVE PROCESS.—The Secretary shall solicit grant applications and make grants for eligible projects on a competitive basis.

“(F) PRIORITY CONSIDERATION.—In making grants under this paragraph, the Secretary shall give priority to projects relating to low or no emission buses that make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses.

“(G) AVAILABILITY OF FUNDS.—Any amounts made available or appropriated to carry out this paragraph—

“(i) shall remain available to an eligible project for 2 years after the fiscal year for which

the amount is made available or appropriated; and

“(ii) that remain unobligated at the end of the period described in clause (i) shall be added to the amount made available to an eligible project in the following fiscal year.

“(e) ANNUAL REPORT ON RESEARCH.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

“(1) a description of each project that received assistance under this section during the preceding fiscal year;

“(2) an evaluation of each project described in paragraph (1), including any evaluation conducted under subsection (d)(4) for the preceding fiscal year; and

“(3) a proposal for allocations of amounts for assistance under this section for the subsequent fiscal year.

“(f) GOVERNMENT SHARE OF COSTS.—

“(1) IN GENERAL.—The Government share of the cost of a project carried out under this section shall not exceed 80 percent.

“(2) NON-GOVERNMENT SHARE.—The non-Government share of the cost of a project carried out under this section may be derived from in-kind contributions.

“(3) FINANCIAL BENEFIT.—If the Secretary determines that there would be a clear and direct financial benefit to an entity under a grant, contract, cooperative agreement, or other agreement under this section, the Secretary shall establish a Government share of the costs of the project to be carried out under the grant, contract, cooperative agreement, or other agreement that is consistent with the benefit.”

SEC. 20012. TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.

Section 5314 of title 49, United States Code, is amended to read as follows:

“§5314. Technical assistance and standards development

“(a) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to carry out activities that the Secretary determines will assist recipients of assistance under this chapter to—

“(A) more effectively and efficiently provide public transportation service;

“(B) administer funds received under this chapter in compliance with Federal law; and

“(C) improve public transportation.

“(2) ELIGIBLE ACTIVITIES.—The activities carried out under paragraph (1) may include—

“(A) technical assistance; and

“(B) the development of voluntary and consensus-based standards and best practices by the public transportation industry, including standards and best practices for safety, fare collection, Intelligent Transportation Systems, accessibility, procurement, security, asset management to maintain a state of good repair, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

“(b) TECHNICAL ASSISTANCE.—The Secretary, through a competitive bid process, may enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity to provide public transportation-related technical assistance under this section. The Secretary may enter into such contracts, cooperative agreements, and other agreements to assist providers of public transportation to—

“(1) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) through

technical assistance, demonstration programs, research, public education, and other activities related to complying with such Act;

“(2) comply with human services transportation coordination requirements and to enhance the coordination of Federal resources for human services transportation with those of the Department of Transportation through technical assistance, training, and support services related to complying with such requirements;

“(3) meet the transportation needs of elderly individuals;

“(4) increase transit ridership in coordination with metropolitan planning organizations and other entities through development around public transportation stations through technical assistance and the development of tools, guidance, and analysis related to market-based development around transit stations;

“(5) address transportation equity with regard to the effect that transportation planning, investment and operations have for low-income and minority individuals; and

“(6) any other technical assistance activity that the Secretary determines is necessary to advance the interests of public transportation.

“(c) ANNUAL REPORT ON TECHNICAL ASSISTANCE.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

“(1) a description of each project that received assistance under this section during the preceding fiscal year;

“(2) an evaluation of the activities carried out by each organization that received assistance under this section during the preceding fiscal year; and

“(3) a proposal for allocations of amounts for assistance under this section for the subsequent fiscal year.

“(d) GOVERNMENT SHARE OF COSTS.—

“(1) IN GENERAL.—The Government share of the cost of an activity carried out using a grant under this section may not exceed 80 percent.

“(2) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an activity carried out using a grant under this section may be derived from in-kind contributions.”

SEC. 20013. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended to read as follows:

“§ 5315. Private sector participation

“(a) GENERAL PURPOSES.—In the interest of fulfilling the general purposes of this chapter under section 5301(b), the Secretary shall—

“(1) better coordinate public and private sector-provided public transportation services;

“(2) promote more effective utilization of private sector expertise, financing, and operational capacity to deliver costly and complex new fixed guideway capital projects; and

“(3) promote transparency and public understanding of public-private partnerships affecting public transportation.

“(b) ACTIONS TO PROMOTE BETTER COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR PROVIDERS OF PUBLIC TRANSPORTATION.—The Secretary shall—

“(1) provide technical assistance to recipients of Federal transit grant assistance, at the request of a recipient, on practices and methods to best utilize private providers of public transportation; and

“(2) educate recipients of Federal transit grant assistance on laws and regulations under this chapter that impact private providers of public transportation.

“(c) ACTIONS TO PROVIDE TECHNICAL ASSISTANCE FOR ALTERNATIVE PROJECT DELIVERY METHODS.—Upon request by a sponsor of a new fixed guideway capital project, the Secretary shall—

“(1) identify best practices for public-private partnerships models in the United States and in other countries;

“(2) develop standard public-private partnership transaction model contracts; and

“(3) perform financial assessments that include the calculation of public and private benefits of a proposed public-private partnership transaction.”

(b) PUBLIC-PRIVATE PARTNERSHIP PROCEDURES AND APPROACHES.—

(1) IDENTIFY IMPEDIMENTS.—The Secretary shall—

(A) except as provided in paragraph (6), identify any provisions of chapter 53 of title 49, United States Code, and any regulations or practices thereunder, that impede greater use of public-private partnerships and private investment in public transportation capital projects; and

(B) develop and implement on a project basis procedures and approaches that—

(i) address such impediments in a manner similar to the Special Experimental Project Number 15 of the Federal Highway Administration (commonly referred to as “SEP-15”); and

(ii) protect the public interest and any public investment in public transportation capital projects that involve public-private partnerships or private investment in public transportation capital projects.

(2) TRANSPARENCY.—The Secretary shall develop guidance to promote greater transparency and public access to public-private partnership agreements involving recipients of Federal assistance under chapter 53 of title 49, United States Code, including—

(A) any conflict of interest involving any party involved in the public-private partnership;

(B) tax and financing aspects related to a public-private partnership agreement;

(C) changes in the workforce and wages, benefits, or rules as a result of a public-private partnership;

(D) estimates of the revenue or savings the public-private partnership will produce for the private entity and public entity;

(E) any impacts on other developments and transportation modes as a result of non-compete clauses contained in public-private partnership agreements; and

(F) any other issues the Secretary believes will increase transparency of public-private partnership agreements and protect the public interest.

(3) ASSESSMENT.—In developing and implementing the guidance under paragraph (2), the Secretary shall encourage project sponsors to conduct assessments to determine whether use of a public-private partnership represents a better public and financial benefit than a similar transaction using public funding or public project delivery.

(4) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the status of the procedures, approaches, and guidance developed and implemented under paragraphs (1) and (2).

(5) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue rules to carry out the procedures and approaches developed under paragraph (1).

(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow the Secretary to waive any requirement under—

(A) section 5333 of title 49, United States Code;

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(C) any other provision of Federal law.

(c) CONTRACTING OUT STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a comprehensive report on the effect of contracting out public transportation operations and administrative functions

on cost, availability and level of service, efficiency, and quality of service.

(2) CONSIDERATIONS.—In developing the report, the Comptroller General shall consider—

(A) the number of grant recipients that have contracted out services and the types of public transportation services that are performed under contract, including paratransit service, fixed route bus service, commuter rail operations, and administrative functions;

(B) the size of the populations served by such grant recipients;

(C) the basis for decisions regarding contracting out such services;

(D) comparative costs of providing service under contract to providing the same service through public transit agency employees, using to the greatest extent possible a standard cost allocation model;

(E) the extent of unionization among privately contracted employees;

(F) the impact to wages and benefits of employees when publicly provided public transportation services are contracted out to a private for-profit entity;

(G) the level of transparency and public access to agreements and contracts related to contracted out public transportation services;

(H) the extent of Federal law, regulations and guidance prohibiting any conflicts of interest for contractor employees and businesses;

(I) the extent to which grant recipients evaluate contracted out services before selecting them and the extent to which grant recipients conduct oversight of those services; and

(J) barriers to contracting out public transportation operations and administrative functions.

(d) GUIDANCE ON DOCUMENTING COMPLIANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register policy guidance regarding how to best document compliance by recipients of Federal assistance under chapter 53 of title 49, United States Code, with the requirements regarding private enterprise participation in public transportation planning and transportation improvement programs under sections 5303(i)(6), 5306(a), and 5307(c) of such title 49.

SEC. 20014. BUS TESTING FACILITIES.

Section 5318 of title 49, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) ACQUIRING NEW BUS MODELS.—

“(1) IN GENERAL.—Amounts appropriated or otherwise made available under this chapter may be obligated or expended to acquire a new bus model only if—

“(A) a bus of that model has been tested at a facility authorized under subsection (a); and

“(B) the bus tested under subparagraph (A) met—

“(i) performance standards for maintainability, reliability, performance (including braking performance), structural integrity, fuel economy, emissions, and noise, as established by the Secretary by rule; and

“(ii) the minimum safety performance standards established by the Secretary pursuant to section 5329(b).

“(2) BUS TEST ‘PASS/FAIL’ STANDARD.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall issue a final rule under subparagraph (B)(i). The final rule issued under paragraph (B)(i) shall include a bus model scoring system that results in a weighted, aggregate score that uses the testing categories under subsection (a) and considers the relative importance of each such testing category. The final rule issued under subparagraph (B)(i) shall establish a ‘pass/fail’ standard that uses the aggregate score described in the preceding sentence. Amounts appropriated or otherwise made available under this chapter may be obligated or expended to acquire a new bus model only if the new bus model has received a passing aggregate test score. The Secretary shall work with the bus testing facility, bus manufacturers, and

transit agencies to develop the bus model scoring system under this paragraph. A passing aggregate test score under the rule issued under subparagraph (B)(i) indicates only that amounts appropriated or made available under this chapter may be obligated or expended to acquire a new bus model and shall not be interpreted as a warranty or guarantee that the new bus model will meet a purchaser's specific requirements."

SEC. 20015. HUMAN RESOURCES AND TRAINING.

Section 5322 of title 49, United States Code, is amended to read as follows:

"§ 5322. Human resources and training

"(A) IN GENERAL.—The Secretary may undertake, or make grants and contracts for, programs that address human resource needs as they apply to public transportation activities. A program may include—

- "(1) an employment training program;
- "(2) an outreach program to increase minority and female employment in public transportation activities;
- "(3) research on public transportation personnel and training needs; and
- "(4) training and assistance for minority business opportunities.

"(b) INNOVATIVE PUBLIC TRANSPORTATION WORKFORCE DEVELOPMENT PROGRAM.—

"(1) PROGRAM ESTABLISHED.—The Secretary shall establish a competitive grant program to assist the development of innovative activities eligible for assistance under subsection (a).

"(2) SELECTION OF RECIPIENTS.—To the maximum extent feasible, the Secretary shall select recipients that—

- "(A) are geographically diverse;
- "(B) address the workforce and human resources needs of large public transportation providers;
- "(C) address the workforce and human resources needs of small public transportation providers;
- "(D) address the workforce and human resources needs of urban public transportation providers;
- "(E) address the workforce and human resources needs of rural public transportation providers;
- "(F) advance training related to maintenance of alternative energy, energy efficiency, or zero emission vehicles and facilities used in public transportation;
- "(G) target areas with high rates of unemployment; and
- "(H) address current or projected workforce shortages in areas that require technical expertise.

"(c) GOVERNMENT'S SHARE OF COSTS.—The Government share of the cost of a project carried out using a grant under subsection (a) or (b) shall be 50 percent.

"(d) NATIONAL TRANSIT INSTITUTE.—

"(1) ESTABLISHMENT.—The Secretary shall establish a national transit institute and award grants to a public 4-year degree-granting institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), in order to carry out the duties of the institute.

"(2) DUTIES.—

"(A) IN GENERAL.—In cooperation with the Federal Transit Administration, State transportation departments, public transportation authorities, and national and international entities, the institute established under paragraph (1) shall develop and conduct training and educational programs for Federal, State, and local transportation employees, United States citizens, and foreign nationals engaged or to be engaged in Government-aid public transportation work.

"(B) TRAINING AND EDUCATIONAL PROGRAMS.—The training and educational programs developed under subparagraph (A) may include courses in recent developments, techniques, and procedures related to—

"(i) intermodal and public transportation planning;

- "(ii) management;
- "(iii) environmental factors;
- "(iv) acquisition and joint use rights-of-way;
- "(v) engineering and architectural design;
- "(vi) procurement strategies for public transportation systems;
- "(vii) turnkey approaches to delivering public transportation systems;
- "(viii) new technologies;
- "(ix) emission reduction technologies;
- "(x) ways to make public transportation accessible to individuals with disabilities;
- "(xi) construction, construction management, insurance, and risk management;
- "(xii) maintenance;
- "(xiii) contract administration;
- "(xiv) inspection;
- "(xv) innovative finance;
- "(xvi) workplace safety; and
- "(xvii) public transportation security.

"(3) PROVIDING EDUCATION AND TRAINING.—Education and training of Government, State, and local transportation employees under this subsection shall be provided—

"(A) by the Secretary at no cost to the States and local governments for subjects that are a Government program responsibility; or

"(B) when the education and training are paid under paragraph (4) of this subsection, by the State, with the approval of the Secretary, through grants and contracts with public and private agencies, other institutions, individuals, and the institute.

"(4) AVAILABILITY OF AMOUNTS.—Not more than .5 percent of the amounts made available for a fiscal year beginning after September 30, 1991, to a State or public transportation authority in the State to carry out sections 5307 and 5309 of this title is available for expenditure by the State and public transportation authorities in the State, with the approval of the Secretary, to pay not more than 80 percent of the cost of tuition and direct educational expenses related to educating and training State and local transportation employees under this subsection.

"(e) REPORT.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report concerning the measurable outcomes and impacts of the programs funded under subsections (a) and (b)."

SEC. 20016. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended to read as follows:

"§ 5323. General provisions

"(a) INTERESTS IN PROPERTY.—

"(1) IN GENERAL.—Financial assistance provided under this chapter to a State or a local governmental authority may be used to acquire an interest in, or to buy property of, a private company engaged in public transportation, for a capital project for property acquired from a private company engaged in public transportation after July 9, 1964, or to operate a public transportation facility or equipment in competition with, or in addition to, transportation service provided by an existing public transportation company, only if—

"(A) the Secretary determines that such financial assistance is essential to a program of projects required under sections 5303, 5304, and 5306;

"(B) the Secretary determines that the program provides for the participation of private companies engaged in public transportation to the maximum extent feasible; and

"(C) just compensation under State or local law will be paid to the company for its franchise or property.

"(2) LIMITATION.—A governmental authority may not use financial assistance of the United States Government to acquire land, equipment, or a facility used in public transportation from another governmental authority in the same geographic area.

"(b) RELOCATION AND REAL PROPERTY REQUIREMENTS.—The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) shall apply to financial assistance for capital projects under this chapter.

"(c) CONSIDERATION OF ECONOMIC, SOCIAL, AND ENVIRONMENTAL INTERESTS.—

"(1) COOPERATION AND CONSULTATION.—The Secretary shall cooperate and consult with the Secretary of the Interior and the Administrator of the Environmental Protection Agency on each project that may have a substantial impact on the environment.

"(2) COMPLIANCE WITH NEPA.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply to financial assistance for capital projects under this chapter.

"(d) CONDITION ON CHARTER BUS TRANSPORTATION SERVICE.—

"(1) AGREEMENTS.—Financial assistance under this chapter may be used to buy or operate a bus only if the applicant, governmental authority, or publicly owned operator that receives the assistance agrees that, except as provided in the agreement, the governmental authority or an operator of public transportation for the governmental authority will not provide charter bus transportation service outside the urban area in which it provides regularly scheduled public transportation service. An agreement shall provide for a fair arrangement the Secretary of Transportation considers appropriate to ensure that the assistance will not enable a governmental authority or an operator for a governmental authority to foreclose a private operator from providing intercity charter bus service if the private operator can provide the service.

"(2) VIOLATIONS.—

"(A) INVESTIGATIONS.—On receiving a complaint about a violation of the agreement required under paragraph (1), the Secretary shall investigate and decide whether a violation has occurred.

"(B) ENFORCEMENT OF AGREEMENTS.—If the Secretary decides that a violation has occurred, the Secretary shall correct the violation under terms of the agreement.

"(C) ADDITIONAL REMEDIES.—In addition to any remedy specified in the agreement, the Secretary shall bar a recipient or an operator from receiving Federal transit assistance in an amount the Secretary considers appropriate if the Secretary finds a pattern of violations of the agreement.

"(e) BOND PROCEEDS ELIGIBLE FOR LOCAL SHARE.—

"(1) USE AS LOCAL MATCHING FUNDS.—Notwithstanding any other provision of law, a recipient of assistance under section 5307, 5309, or 5337 may use the proceeds from the issuance of revenue bonds as part of the local matching funds for a capital project.

"(2) MAINTENANCE OF EFFORT.—The Secretary shall approve of the use of the proceeds from the issuance of revenue bonds for the remainder of the net project cost only if the Secretary finds that the aggregate amount of financial support for public transportation in the urbanized area provided by the State and affected local governmental authorities during the next 3 fiscal years, as programmed in the State transportation improvement program under section 5304, is not less than the aggregate amount provided by the State and affected local governmental authorities in the urbanized area during the preceding 3 fiscal years.

"(3) DEBT SERVICE RESERVE.—The Secretary may reimburse an eligible recipient for deposits of bond proceeds in a debt service reserve that the recipient establishes pursuant to section 5302(3)(J) from amounts made available to the recipient under section 5309.

"(f) SCHOOLBUS TRANSPORTATION.—

"(1) AGREEMENTS.—Financial assistance under this chapter may be used for a capital project, or to operate public transportation equipment or a public transportation facility,

only if the applicant agrees not to provide schoolbus transportation that exclusively transports students and school personnel in competition with a private schoolbus operator. This subsection does not apply—

“(A) to an applicant that operates a school system in the area to be served and a separate and exclusive schoolbus program for the school system; and

“(B) unless a private schoolbus operator can provide adequate transportation that complies with applicable safety standards at reasonable rates.

“(2) VIOLATIONS.—If the Secretary finds that an applicant, governmental authority, or publicly owned operator has violated the agreement required under paragraph (1), the Secretary shall bar a recipient or an operator from receiving Federal transit assistance in an amount the Secretary considers appropriate.

“(g) BUYING BUSES UNDER OTHER LAWS.—Subsections (d) and (f) of this section apply to financial assistance to buy a bus under sections 133 and 142 of title 23.

“(h) GRANT AND LOAN PROHIBITIONS.—A grant or loan may not be used to—

“(1) pay ordinary governmental or nonproject operating expenses; or

“(2) support a procurement that uses an exclusionary or discriminatory specification.

“(i) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—

“(1) ACQUIRING VEHICLES AND VEHICLE-RELATED EQUIPMENT OR FACILITIES.—

“(A) VEHICLES.—A grant for a project to be assisted under this chapter that involves acquiring vehicles for purposes of complying with or maintaining compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) or the Clean Air Act is for 85 percent of the net project cost.

“(B) VEHICLE-RELATED EQUIPMENT OR FACILITIES.—A grant for a project to be assisted under this chapter that involves acquiring vehicle-related equipment or facilities required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) or vehicle-related equipment or facilities (including clean fuel or alternative fuel vehicle-related equipment or facilities) for purposes of complying with or maintaining compliance with the Clean Air Act, is for 90 percent of the net project cost of such equipment or facilities attributable to compliance with those Acts. The Secretary shall have discretion to determine, through practicable administrative procedures, the costs of such equipment or facilities attributable to compliance with those Acts.

“(2) COSTS INCURRED BY PROVIDERS OF PUBLIC TRANSPORTATION BY VANPOOL.—

“(A) LOCAL MATCHING SHARE.—The local matching share provided by a recipient of assistance for a capital project under this chapter may include any amounts expended by a provider of public transportation by vanpool for the acquisition of rolling stock to be used by such provider in the recipient's service area, excluding any amounts the provider may have received in Federal, State, or local government assistance for such acquisition.

“(B) USE OF REVENUES.—A private provider of public transportation by vanpool may use revenues it receives in the provision of public transportation service in the service area of a recipient of assistance under this chapter that are in excess of the provider's operating costs for the purpose of acquiring rolling stock, if the private provider enters into a legally binding agreement with the recipient that requires the provider to use the rolling stock in the recipient's service area.

“(C) DEFINITIONS.—In this paragraph, the following definitions apply:

“(i) PRIVATE PROVIDER OF PUBLIC TRANSPORTATION BY VANPOOL.—The term ‘private provider of public transportation by vanpool’ means a private entity providing vanpool services in the service area of a recipient of assistance under this chapter using a commuter highway vehicle or vanpool vehicle.

“(ii) COMMUTER HIGHWAY VEHICLE; VANPOOL VEHICLE.—The term ‘commuter highway vehicle or vanpool vehicle’ means any vehicle—

“(I) the seating capacity of which is at least 6 adults (not including the driver); and

“(II) at least 80 percent of the mileage use of which can be reasonably expected to be for the purposes of transporting commuters in connection with travel between their residences and their place of employment.

“(j) BUY AMERICA.—

“(1) IN GENERAL.—The Secretary may obligate an amount that may be appropriated to carry out this chapter for a project only if the steel, iron, and manufactured goods used in the project are produced in the United States.

“(2) WAIVER.—The Secretary may waive paragraph (1) of this subsection if the Secretary finds that—

“(A) applying paragraph (1) would be inconsistent with the public interest;

“(B) the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality;

“(C) when procuring rolling stock (including train control, communication, and traction power equipment) under this chapter—

“(i) the cost of components and subcomponents produced in the United States is more than 60 percent of the cost of all components of the rolling stock; and

“(ii) final assembly of the rolling stock has occurred in the United States; or

“(D) including domestic material will increase the cost of the overall project by more than 25 percent.

“(3) WRITTEN WAIVER DETERMINATION AND ANNUAL REPORT.—

“(A) WRITTEN DETERMINATION.—Before issuing a waiver under paragraph (2), the Secretary shall—

“(i) publish in the Federal Register and make publicly available in an easily identifiable location on the website of the Department of Transportation a detailed written explanation of the waiver determination; and

“(ii) provide the public with a reasonable period of time for notice and comment.

“(B) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, and annually thereafter, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report listing any waiver issued under paragraph (2) during the preceding year.

“(4) LABOR COSTS FOR FINAL ASSEMBLY.—In this subsection, labor costs involved in final assembly are not included in calculating the cost of components.

“(5) WAIVER PROHIBITED.—The Secretary may not make a waiver under paragraph (2) of this subsection for goods produced in a foreign country if the Secretary, in consultation with the United States Trade Representative, decides that the government of that foreign country—

“(A) has an agreement with the United States Government under which the Secretary has waived the requirement of this subsection; and

“(B) has violated the agreement by discriminating against goods to which this subsection applies that are produced in the United States and to which the agreement applies.

“(6) PENALTY FOR MISLABELING AND MISREPRESENTATION.—A person is ineligible under subpart 9.4 of the Federal Acquisition Regulation, or any successor thereto, to receive a contract or subcontract made with amounts authorized under the Federal Public Transportation Act of 2012 if a court or department, agency, or instrumentality of the Government decides the person intentionally—

“(A) affixed a ‘Made in America’ label, or a label with an inscription having the same meaning, to goods sold in or shipped to the United States that are used in a project to which this

subsection applies but not produced in the United States; or

“(B) represented that goods described in subparagraph (A) of this paragraph were produced in the United States.

“(7) STATE REQUIREMENTS.—The Secretary may not impose any limitation on assistance provided under this chapter that restricts a State from imposing more stringent requirements than this subsection on the use of articles, materials, and supplies mined, produced, or manufactured in foreign countries in projects carried out with that assistance or restricts a recipient of that assistance from complying with those State-imposed requirements.

“(8) OPPORTUNITY TO CORRECT INADVERTENT ERROR.—The Secretary may allow a manufacturer or supplier of steel, iron, or manufactured goods to correct after bid opening any certification of noncompliance or failure to properly complete the certification (but not including failure to sign the certification) under this subsection if such manufacturer or supplier attests under penalty of perjury that such manufacturer or supplier submitted an incorrect certification as a result of an inadvertent or clerical error. The burden of establishing inadvertent or clerical error is on the manufacturer or supplier.

“(9) ADMINISTRATIVE REVIEW.—A party adversely affected by an agency action under this subsection shall have the right to seek review under section 702 of title 5.

“(k) PARTICIPATION OF GOVERNMENTAL AGENCIES IN DESIGN AND DELIVERY OF TRANSPORTATION SERVICES.—Governmental agencies and nonprofit organizations that receive assistance from Government sources (other than the Department of Transportation) for nonemergency transportation services shall—

“(1) participate and coordinate with recipients of assistance under this chapter in the design and delivery of transportation services; and

“(2) be included in the planning for those services.

“(l) RELATIONSHIP TO OTHER LAWS.—

“(1) FRAUD AND FALSE STATEMENTS.—Section 1001 of title 18 applies to a certificate, submission, or statement provided under this chapter. The Secretary may terminate financial assistance under this chapter and seek reimbursement directly, or by offsetting amounts, available under this chapter if the Secretary determines that a recipient of such financial assistance has made a false or fraudulent statement or related act in connection with a Federal public transportation program.

“(2) POLITICAL ACTIVITIES OF NONSUPERVISORY EMPLOYEES.—The provision of assistance under this chapter shall not be construed to require the application of chapter 15 of title 5 to any nonsupervisory employee of a public transportation system (or any other agency or entity performing related functions) to whom such chapter does not otherwise apply.

“(m) PREAWARD AND POSTDELIVERY REVIEW OF ROLLING STOCK PURCHASES.—The Secretary shall prescribe regulations requiring a preaward and postdelivery review of a grant under this chapter to buy rolling stock to ensure compliance with Government motor vehicle safety requirements, subsection (j) of this section, and bid specifications requirements of grant recipients under this chapter. Under this subsection, independent inspections and review are required, and a manufacturer certification is not sufficient. Rolling stock procurements of 20 vehicles or fewer made for the purpose of serving rural areas and urbanized areas with populations of 200,000 or fewer shall be subject to the same requirements as established for procurements of 10 or fewer buses under the post-delivery purchaser's requirements certification process under section 663.37(c) of title 49, Code of Federal Regulations.

“(n) SUBMISSION OF CERTIFICATIONS.—A certification required under this chapter and any additional certification or assurance required by law or regulation to be submitted to the Secretary may be consolidated into a single docu-

ment to be submitted annually as part of a grant application under this chapter. The Secretary shall publish annually a list of all certifications required under this chapter with the publication required under section 5336(d)(2).

“(o) GRANT REQUIREMENTS.—The grant requirements under sections 5307, 5309, and 5337 apply to any project under this chapter that receives any assistance or other financing under chapter 6 (other than section 609) of title 23.

“(p) ALTERNATIVE FUELING FACILITIES.—A recipient of assistance under this chapter may allow the incidental use of federally funded alternative fueling facilities and equipment by nontransit public entities and private entities if—

“(1) the incidental use does not interfere with the recipient’s public transportation operations;

“(2) all costs related to the incidental use are fully recaptured by the recipient from the nontransit public entity or private entity;

“(3) the recipient uses revenues received from the incidental use in excess of costs for planning, capital, and operating expenses that are incurred in providing public transportation; and

“(4) private entities pay all applicable excise taxes on fuel.

“(q) CORRIDOR PRESERVATION.—

“(1) IN GENERAL.—The Secretary may assist a recipient in acquiring right-of-way before the completion of the environmental reviews for any project that may use the right-of-way if the acquisition is otherwise permitted under Federal law. The Secretary may establish restrictions on such an acquisition as the Secretary determines to be necessary and appropriate.

“(2) ENVIRONMENTAL REVIEWS.—Right-of-way acquired under this subsection may not be developed in anticipation of the project until all required environmental reviews for the project have been completed.

“(r) REASONABLE ACCESS TO PUBLIC TRANSPORTATION FACILITIES.—A recipient of assistance under this chapter may not deny reasonable access for a private intercity or charter transportation operator to federally funded public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes. In determining reasonable access, capacity requirements of the recipient of assistance and the extent to which access would be detrimental to existing public transportation services must be considered.”

SEC. 20017. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM.

(a) IN GENERAL.—Section 5324 of title 49, United States Code, is amended to read as follows:

“§5324. Public transportation emergency relief program

“(a) DEFINITION.—In this section the following definitions shall apply:

“(1) ELIGIBLE OPERATING COSTS.—The term ‘eligible operating costs’ means costs relating to—

“(A) evacuation services;

“(B) rescue operations;

“(C) temporary public transportation service; or

“(D) reestablishing, expanding, or relocating public transportation route service before, during, or after an emergency.

“(2) EMERGENCY.—The term ‘emergency’ means a natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm, or landslide) or a catastrophic failure from any external cause, as a result of which—

“(A) the Governor of a State has declared an emergency and the Secretary has concurred; or

“(B) the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“(b) GENERAL AUTHORITY.—The Secretary may make grants and enter into contracts and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) for—

“(1) capital projects to protect, repair, reconstruct, or replace equipment and facilities of a public transportation system operating in the United States or on an Indian reservation that the Secretary determines is in danger of suffering serious damage, or has suffered serious damage, as a result of an emergency; and

“(2) eligible operating costs of public transportation equipment and facilities in an area directly affected by an emergency during—

“(A) the 1-year period beginning on the date of a declaration described in subsection (a)(2); or

“(B) if the Secretary determines there is a compelling need, the 2-year period beginning on the date of a declaration described in subsection (a)(2).

“(c) COORDINATION OF EMERGENCY FUNDS.—

“(1) USE OF FUNDS.—Funds appropriated to carry out this section shall be in addition to any other funds available under this chapter.

“(2) NO EFFECT ON OTHER GOVERNMENT ACTIVITY.—The provision of funds under this section shall not affect the ability of any other agency of the Government, including the Federal Emergency Management Agency, or a State agency, a local governmental entity, organization, or person, to provide any other funds otherwise authorized by law.

“(3) NOTIFICATION.—The Secretary shall notify the Secretary of Homeland Security of the purpose and amount of any grant made or contract or other agreement entered into under this section.

“(d) GRANT REQUIREMENTS.—A grant awarded under this section or under section 5307 or 5311 that is made to address an emergency defined under subsection (a)(2) shall be—

“(1) subject to the terms and conditions the Secretary determines are necessary; and

“(2) made only for expenses that are not reimbursed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(e) GOVERNMENT SHARE OF COSTS.—

“(1) CAPITAL PROJECTS AND OPERATING ASSISTANCE.—A grant, contract, or other agreement for a capital project or eligible operating costs under this section shall be, at the option of the recipient, for not more than 80 percent of the net project cost, as determined by the Secretary.

“(2) NON-FEDERAL SHARE.—The remainder of the net project cost may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

“(3) WAIVER.—The Secretary may waive, in whole or part, the non-Federal share required under—

“(A) paragraph (2); or

“(B) section 5307 or 5311, in the case of a grant made available under section 5307 or 5311, respectively, to address an emergency.”

(b) MEMORANDUM OF AGREEMENT.—

(1) PURPOSES.—The purposes of this subsection are—

(A) to improve coordination between the Department of Transportation and the Department of Homeland Security; and

(B) to expedite the provision of Federal assistance for public transportation systems for activities relating to a major disaster or emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) (referred to in this subsection as a “major disaster or emergency”).

(2) AGREEMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Homeland Security shall enter into a memorandum of agreement to coordinate the roles and responsibilities of the Department of Transportation and the Department of Homeland Security in providing assistance for public transportation, including the provision of public transportation services and the repair and restoration of public transportation systems in areas for which the President has declared a major disaster or emergency.

(3) CONTENTS OF AGREEMENT.—The memorandum of agreement required under paragraph (2) shall—

(A) provide for improved coordination and expeditious use of public transportation, as appropriate, in response to and recovery from a major disaster or emergency;

(B) establish procedures to address—

(i) issues that have contributed to delays in the reimbursement of eligible transportation-related expenses relating to a major disaster or emergency;

(ii) any challenges identified in the review under paragraph (4); and

(iii) the coordination of assistance for public transportation provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and section 5324 of title 49, United States Code, as amended by this Act, as appropriate; and

(C) provide for the development and distribution of clear guidelines for State, local, and tribal governments, including public transportation systems, relating to—

(i) assistance available for public transportation systems for activities relating to a major disaster or emergency—

(I) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(II) under section 5324 of title 49, United States Code, as amended by this Act; and

(III) from other sources, including other Federal agencies; and

(ii) reimbursement procedures that speed the process of—

(I) applying for assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and section 5324 of title 49, United States Code, as amended by this Act; and

(II) distributing assistance for public transportation systems under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and section 5324 of title 49, United States Code, as amended by this Act.

(4) AFTER ACTION REVIEW.—Before entering into a memorandum of agreement under paragraph (2), the Secretary of Transportation and the Secretary of Homeland Security (acting through the Administrator of the Federal Emergency Management Agency), in consultation with State, local, and tribal governments (including public transportation systems) that have experienced a major disaster or emergency, shall review after action reports relating to major disasters, emergencies, and exercises, to identify areas where coordination between the Department of Transportation and the Department of Homeland Security and the provision of public transportation services should be improved.

(5) FACTORS FOR DECLARATIONS OF MAJOR DISASTERS AND EMERGENCIES.—The Administrator of the Federal Emergency Management Agency shall make available to State, local, and tribal governments, including public transportation systems, a description of the factors that the President considers in declaring a major disaster or emergency, including any pre-disaster emergency declaration policies.

(6) BRIEFINGS.—

(A) INITIAL BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Homeland Security shall jointly brief the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate on the memorandum of agreement required under paragraph (2).

(B) QUARTERLY BRIEFINGS.—Each quarter of the 1-year period beginning on the date on which the Secretary of Transportation and the Secretary of Homeland Security enter into the memorandum of agreement required under paragraph (2), the Secretary of Transportation and the Secretary of Homeland Security shall jointly brief the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate on the implementation of the memorandum of agreement.

SEC. 20018. CONTRACT REQUIREMENTS.

Section 5325 of title 49, United States Code, is amended—

(1) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) **CONTRACTS.**—A recipient procuring rolling stock with Government financial assistance under this chapter may make a multiyear contract to buy the rolling stock and replacement parts under which the recipient has an option to buy additional rolling stock or replacement parts for—

“(A) not more than 5 years after the date of the original contract for bus procurements; and

“(B) not more than 7 years after the date of the original contract for rail procurements, provided that such option does not allow for significant changes or alterations to the rolling stock.”.

(2) in subsection (h), by striking “Federal Public Transportation Act of 2005” and inserting “Federal Public Transportation Act of 2012”;

(3) in subsection (j)(2)(C), by striking “, including the performance reported in the Contractor Performance Assessment Reports required under section 5309(1)(2)”;

(4) by adding at the end the following:

“(k) **VETERANS EMPLOYMENT.**—Recipients and subrecipients of Federal financial assistance under this chapter shall ensure that contractors working on a capital project funded using such assistance give a hiring preference, to the extent practicable, to veterans (as defined in section 2108 of title 5) who have the requisite skills and abilities to perform the construction work required under the contract. This subsection shall not be understood, construed or enforced in any manner that would require an employer to give a preference to any veteran over any equally qualified applicant who is a member of any racial or ethnic minority, female, an individual with a disability, or a former employee.”.

SEC. 20019. TRANSIT ASSET MANAGEMENT.

Section 5326 of title 49, United States Code, is amended to read as follows:

“§ 5326. Transit asset management

“(a) **DEFINITIONS.**—In this section the following definitions shall apply:

“(1) **CAPITAL ASSET.**—The term ‘capital asset’ includes equipment, rolling stock, infrastructure, and facilities for use in public transportation and owned or leased by a recipient or subrecipient of Federal financial assistance under this chapter.

“(2) **TRANSIT ASSET MANAGEMENT PLAN.**—The term ‘transit asset management plan’ means a plan developed by a recipient of funding under this chapter that—

“(A) includes, at a minimum, capital asset inventories and condition assessments, decision support tools, and investment prioritization; and

“(B) the recipient certifies complies with the rule issued under this section.

“(3) **TRANSIT ASSET MANAGEMENT SYSTEM.**—The term ‘transit asset management system’ means a strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively throughout the life cycle of such assets.

“(b) **TRANSIT ASSET MANAGEMENT SYSTEM.**—The Secretary shall establish and implement a national transit asset management system, which shall include—

“(1) a definition of the term ‘state of good repair’ that includes objective standards for measuring the condition of capital assets of recipients, including equipment, rolling stock, infrastructure, and facilities;

“(2) a requirement that recipients and subrecipients of Federal financial assistance under this chapter develop a transit asset management plan;

“(3) a requirement that each designated recipient of Federal financial assistance under this chapter report on the condition of the system of the recipient and provide a description of any change in condition since the last report;

“(4) an analytical process or decision support tool for use by public transportation systems that—

“(A) allows for the estimation of capital investment needs of such systems over time; and

“(B) assists with asset investment prioritization by such systems; and

“(5) technical assistance to recipients of Federal financial assistance under this chapter.

“(c) **PERFORMANCE MEASURES AND TARGETS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall issue a final rule to establish performance measures based on the state of good repair standards established under subsection (b)(1).

“(2) **TARGETS.**—Not later than 3 months after the date on which the Secretary issues a final rule under paragraph (1), and each fiscal year thereafter, each recipient of Federal financial assistance under this chapter shall establish performance targets in relation to the performance measures established by the Secretary.

“(3) **REPORTS.**—Each designated recipient of Federal financial assistance under this chapter shall submit to the Secretary an annual report that describes—

“(A) the progress of the recipient during the fiscal year to which the report relates toward meeting the performance targets established under paragraph (2) for that fiscal year; and

“(B) the performance targets established by the recipient for the subsequent fiscal year.

“(d) **RULEMAKING.**—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall issue a final rule to implement the transit asset management system described in subsection (b).”.

SEC. 20020. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “United States” and all that follows through “Secretary of Transportation” and inserting the following: “Federal financial assistance for a major capital project for public transportation under this chapter or any other provision of Federal law, a recipient must prepare a project management plan approved by the Secretary and carry out the project in accordance with the project management plan”; and

(B) in paragraph (12), by striking “each month” and inserting “quarterly”;

(2) by striking subsections (c), (d), and (f);

(3) by inserting after subsection (b) the following:

“(c) **ACCESS TO SITES AND RECORDS.**—Each recipient of Federal financial assistance for public transportation under this chapter or any other provision of Federal law shall provide the Secretary and a contractor the Secretary chooses under section 5338(i) with access to the construction sites and records of the recipient when reasonably necessary.”;

(4) by redesignating subsection (e) as subsection (d); and

(5) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking “subsection (c) of this section” and inserting “section 5338(i)”;

(B) in paragraph (2)—

(i) by striking “preliminary engineering stage” and inserting “project development phase”; and

(ii) by striking “another stage” and inserting “another phase”.

SEC. 20021. PUBLIC TRANSPORTATION SAFETY.

(a) **PUBLIC TRANSPORTATION SAFETY PROGRAM.**—Section 5329 of title 49, United States Code, is amended to read as follows:

“§ 5329. Public transportation safety program

“(a) **DEFINITION.**—In this section, the term ‘recipient’ means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under this chapter.

“(b) **NATIONAL PUBLIC TRANSPORTATION SAFETY PLAN.**—

“(1) **IN GENERAL.**—The Secretary shall create and implement a national public transportation safety plan to improve the safety of all public transportation systems that receive funding under this chapter.

“(2) **CONTENTS OF PLAN.**—The national public transportation safety plan under paragraph (1) shall include—

“(A) safety performance criteria for all modes of public transportation;

“(B) the definition of the term ‘state of good repair’ established under section 5326(b);

“(C) minimum safety performance standards for public transportation vehicles used in revenue operations that—

“(i) do not apply to rolling stock otherwise regulated by the Secretary or any other Federal agency; and

“(ii) to the extent practicable, take into consideration—

“(I) relevant recommendations of the National Transportation Safety Board; and

“(II) recommendations of, and best practices standards developed by, the public transportation industry; and

“(D) a public transportation safety certification training program, as described in subsection (c).

“(c) **PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall establish a public transportation safety certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems and employees of public transportation agencies directly responsible for safety oversight.

“(2) **INTERIM PROVISIONS.**—Not later than 90 days after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall establish interim provisions for the certification and training of the personnel described in paragraph (1), which shall be in effect until the effective date of the final rule issued by the Secretary to implement this subsection.

“(d) **PUBLIC TRANSPORTATION AGENCY SAFETY PLAN.**—

“(1) **IN GENERAL.**—Effective 1 year after the effective date of a final rule issued by the Secretary to carry out this subsection, each recipient or State, as described in paragraph (3), shall certify that the recipient or State has established a comprehensive agency safety plan that includes, at a minimum—

“(A) a requirement that the board of directors (or equivalent entity) of the recipient approve the agency safety plan and any updates to the agency safety plan;

“(B) methods for identifying and evaluating safety risks throughout all elements of the public transportation system of the recipient;

“(C) strategies to minimize the exposure of the public, personnel, and property to hazards and unsafe conditions;

“(D) a process and timeline for conducting an annual review and update of the safety plan of the recipient;

“(E) performance criteria and state of good repair standards established under subparagraphs (A) and (B), respectively, of subsection (b)(2);

“(F) assignment of an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the recipient; and

“(G) a comprehensive staff training program for the operations personnel and personnel directly responsible for safety of the recipient that includes—

“(i) the completion of a safety training program; and

“(ii) continuing safety education and training.

“(2) **INTERIM AGENCY SAFETY PLAN.**—A system safety plan developed pursuant to part 659 of title 49, Code of Federal Regulations, as in effect

on the date of enactment of the Federal Public Transportation Act of 2012, shall remain in effect until such time as this subsection takes effect.

“(3) PUBLIC TRANSPORTATION AGENCY SAFETY PLAN DRAFTING AND CERTIFICATION.—

“(A) SECTION 5311.—For a recipient receiving assistance under section 5311, a State safety plan may be drafted and certified by the recipient or a State.

“(B) SECTION 5307.—Not later than 120 days after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall issue a rule designating recipients of assistance under section 5307 that are small public transportation providers or systems that may have their State safety plans drafted or certified by a State.

“(e) STATE SAFETY OVERSIGHT PROGRAM.—

“(1) APPLICABILITY.—This subsection applies only to eligible States.

“(2) DEFINITION.—In this subsection, the term ‘eligible State’ means a State that has—

“(A) a rail fixed guideway public transportation system within the jurisdiction of the State that is not subject to regulation by the Federal Railroad Administration; or

“(B) a rail fixed guideway public transportation system in the engineering or construction phase of development within the jurisdiction of the State that will not be subject to regulation by the Federal Railroad Administration.

“(3) IN GENERAL.—In order to obligate funds apportioned under section 5338 to carry out this chapter, effective 3 years after the date on which a final rule under this subsection becomes effective, an eligible State shall have in effect a State safety oversight program approved by the Secretary under which the State—

“(A) assumes responsibility for overseeing rail fixed guideway public transportation safety;

“(B) adopts and enforces Federal and relevant State laws on rail fixed guideway public transportation safety;

“(C) establishes a State safety oversight agency;

“(D) determines, in consultation with the Secretary, an appropriate staffing level for the State safety oversight agency that is commensurate with the number, size, and complexity of the rail fixed guideway public transportation systems in the eligible State;

“(E) requires that employees and other designated personnel of the eligible State safety oversight agency who are responsible for rail fixed guideway public transportation safety oversight are qualified to perform such functions through appropriate training, including successful completion of the public transportation safety certification training program established under subsection (c); and

“(F) prohibits any public transportation agency from providing funds to the State safety oversight agency or an entity designated by the eligible State as the State safety oversight agency under paragraph (4).

“(4) STATE SAFETY OVERSIGHT AGENCY.—

“(A) IN GENERAL.—Each State safety oversight program shall establish a State safety oversight agency that—

“(i) is financially and legally independent from any public transportation entity that the State safety oversight agency oversees;

“(ii) does not directly provide public transportation services in an area with a rail fixed guideway public transportation system subject to the requirements of this section;

“(iii) does not employ any individual who is also responsible for the administration of rail fixed guideway public transportation programs subject to the requirements of this section;

“(iv) has the authority to review, approve, oversee, and enforce the implementation by the rail fixed guideway public transportation agency of the public transportation agency safety plan required under subsection (d);

“(v) has investigative and enforcement authority with respect to the safety of rail fixed guideway public transportation systems of the eligible State;

“(vi) audits, at least once triennially, the compliance of the rail fixed guideway public transportation systems in the eligible State subject to this subsection with the public transportation agency safety plan required under subsection (d); and

“(vii) provides, at least once annually, a status report on the safety of the rail fixed guideway public transportation systems the State safety oversight agency oversees to—

“(I) the Federal Transit Administration;

“(II) the Governor of the eligible State; and

“(III) the board of directors, or equivalent entity, of any rail fixed guideway public transportation system that the State safety oversight agency oversees.

“(B) WAIVER.—At the request of an eligible State, the Secretary may waive clauses (i) and (iii) of subparagraph (A) for eligible States with 1 or more rail fixed guideway systems in revenue operations, design, or construction, that—

“(i) have fewer than 1,000,000 combined actual and projected rail fixed guideway revenue miles per year; or

“(ii) provide fewer than 10,000,000 combined actual and projected unlinked passenger trips per year.

“(5) PROGRAMS FOR MULTI-STATE RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEMS.—An eligible State that has within the jurisdiction of the eligible State a rail fixed guideway public transportation system that operates in more than 1 eligible State shall—

“(A) jointly with all other eligible States in which the rail fixed guideway public transportation system operates, ensure uniform safety standards and enforcement procedures that shall be in compliance with this section, and establish and implement a State safety oversight program approved by the Secretary; or

“(B) jointly with all other eligible States in which the rail fixed guideway public transportation system operates, designate an entity having characteristics consistent with the characteristics described in paragraph (3) to carry out the State safety oversight program approved by the Secretary.

“(6) GRANTS.—

“(A) IN GENERAL.—The Secretary shall make grants to eligible States to develop or carry out State safety oversight programs under this subsection. Grant funds may be used for program operational and administrative expenses, including employee training activities.

“(B) APPORTIONMENT.—

“(i) FORMULA.—The amount made available for State safety oversight under section 5336(h) shall be apportioned among eligible States under a formula to be established by the Secretary. Such formula shall take into account fixed guideway vehicle revenue miles, fixed guideway route miles, and fixed guideway vehicle passenger miles attributable to all rail fixed guideway systems not subject to regulation by the Federal Railroad Administration within each eligible State.

“(ii) ADMINISTRATIVE REQUIREMENTS.—Grant funds apportioned to States under this paragraph shall be subject to uniform administrative requirements for grants and cooperative agreements to State and local governments under part 18 of title 49, Code of Federal Regulations, and shall be subject to the requirements of this chapter as the Secretary determines appropriate.

“(C) GOVERNMENT SHARE.—

“(i) IN GENERAL.—The Government share of the reasonable cost of a State safety oversight program developed or carried out using a grant under this paragraph shall be 80 percent.

“(ii) IN-KIND CONTRIBUTIONS.—Any calculation of the non-Government share of a State safety oversight program shall include in-kind contributions by an eligible State.

“(iii) NON-GOVERNMENT SHARE.—The non-Government share of the cost of a State safety oversight program developed or carried out using a grant under this paragraph may not be met by—

“(I) any Federal funds;

“(II) any funds received from a public transportation agency; or

“(III) any revenues earned by a public transportation agency.

“(iv) SAFETY TRAINING PROGRAM.—Recipients of funds made available to carry out sections 5307 and 5311 may use not more than 0.5 percent of their formula funds to pay not more than 80 percent of the cost of participation in the public transportation safety certification training program established under subsection (c), by an employee of a State safety oversight agency or a recipient who is directly responsible for safety oversight.

“(7) CERTIFICATION PROCESS.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall determine whether or not each State safety oversight program meets the requirements of this subsection and the State safety oversight program is adequate to promote the purposes of this section.

“(B) ISSUANCE OF CERTIFICATIONS AND DENIALS.—The Secretary shall issue a certification to each eligible State that the Secretary determines under subparagraph (A) adequately meets the requirements of this subsection, and shall issue a denial of certification to each eligible State that the Secretary determines under subparagraph (A) does not adequately meet the requirements of this subsection.

“(C) DISAPPROVAL.—If the Secretary determines that a State safety oversight program does not meet the requirements of this subsection and denies certification, the Secretary shall transmit to the eligible State a written explanation and allow the eligible State to modify and resubmit the State safety oversight program for approval.

“(D) FAILURE TO CORRECT.—If the Secretary determines that a modification by an eligible State of the State safety oversight program is not sufficient to certify the program, the Secretary—

“(i) shall notify the Governor of the eligible State of such denial of certification and failure to adequately modify the program, and shall request that the Governor take all possible actions to correct deficiencies in the program to ensure the certification of the program; and

“(ii) may—

“(I) withhold funds available under paragraph (6) in an amount determined by the Secretary;

“(II) withhold not more than 5 percent of the amount required to be appropriated for use in a State or urbanized area in the State under section 5307 of this title, until the State safety oversight program has been certified; or

“(III) require fixed guideway public transportation systems under such State safety oversight program to provide up to 100 percent of Federal assistance made available under this chapter only for safety-related improvements on such systems, until the State safety oversight program has been certified.

“(8) EVALUATION OF PROGRAM AND ANNUAL REPORT.—The Secretary shall continually evaluate the implementation of a State safety oversight program by a State safety oversight agency, and shall submit on or before July 1 of each year to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

“(A) the amount of funds apportioned to each eligible State; and

“(B) the certification status of each State safety oversight program, including what steps a State program that has been denied certification must take in order to be certified.

“(9) FEDERAL OVERSIGHT.—The Secretary shall—

“(A) oversee the implementation of each State safety oversight program under this subsection;

“(B) audit the operations of each State safety oversight agency at least once triennially; and

“(C) issue rules to carry out this subsection.

“(f) AUTHORITY OF SECRETARY.—In carrying out this section, the Secretary may—

“(1) conduct inspections, investigations, audits, examinations, and testing of the equipment, facilities, rolling stock, and operations of the public transportation system of a recipient;

“(2) make reports and issue directives with respect to the safety of the public transportation system of a recipient;

“(3) in conjunction with an accident investigation or an investigation into a pattern or practice of conduct that negatively affects public safety, issue a subpoena to, and take the deposition of, any employee of a recipient or a State safety oversight agency, if—

“(A) before the issuance of the subpoena, the Secretary requests a determination by the Attorney General of the United States as to whether the subpoena will interfere with an ongoing criminal investigation; and

“(B) the Attorney General—

“(i) determines that the subpoena will not interfere with an ongoing criminal investigation; or

“(ii) fails to make a determination under clause (i) before the date that is 30 days after the date on which the Secretary makes a request under subparagraph (A);

“(4) require the production of documents by, and prescribe recordkeeping and reporting requirements for, a recipient or a State safety oversight agency;

“(5) investigate public transportation accidents and incidents and provide guidance to recipients regarding prevention of accidents and incidents;

“(6) at reasonable times and in a reasonable manner, enter and inspect equipment, facilities, rolling stock, operations, and relevant records of the public transportation system of a recipient; and

“(7) issue rules to carry out this section.

“(g) ENFORCEMENT ACTIONS.—

“(1) TYPES OF ENFORCEMENT ACTIONS.—The Secretary may take enforcement action against an eligible State, as defined in subsection (e), that does not comply with Federal law with respect to the safety of the public transportation system, including—

“(A) issuing directives;

“(B) requiring more frequent oversight of the recipient by a State safety oversight agency or the Secretary;

“(C) imposing more frequent reporting requirements; and

“(D) requiring that any Federal financial assistance provided under this chapter be spent on correcting safety deficiencies identified by the Secretary or the State safety oversight agency before such funds are spent on other projects.

“(2) USE OR WITHHOLDING OF FUNDS.—

“(A) IN GENERAL.—The Secretary may require the use of funds in accordance with paragraph (1)(D) only if the Secretary finds that a recipient is engaged in a pattern or practice of serious safety violations or has otherwise refused to comply with Federal law relating to the safety of the public transportation system.

“(B) NOTICE.—Before withholding funds from a recipient, the Secretary shall provide to the recipient—

“(i) written notice of a violation and the amount proposed to be withheld; and

“(ii) a reasonable period of time within which the recipient may address the violation or propose and initiate an alternative means of compliance that the Secretary determines is acceptable.

“(h) COST-BENEFIT ANALYSIS.—

“(1) ANALYSIS REQUIRED.—In carrying out this section, the Secretary shall take into consideration the costs and benefits of each action the Secretary proposes to take under this section.

“(2) WAIVER.—The Secretary may waive the requirement under this subsection if the Secretary determines that such a waiver is in the public interest.

“(i) CONSULTATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall consult with the Secretary of

Transportation before the Secretary of Homeland Security issues a rule or order that the Secretary of Transportation determines affects the safety of public transportation design, construction, or operations.

“(j) ACTIONS UNDER STATE LAW.—

“(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt an action under State law seeking damages for personal injury, death, or property damage alleging that a party has failed to comply with—

“(A) a Federal standard of care established by a regulation or order issued by the Secretary under this section; or

“(B) its own program, rule, or standard that it created pursuant to a rule or order issued by the Secretary.

“(2) EFFECTIVE DATE.—This subsection shall apply to any cause of action under State law arising from an event or activity occurring on or after the date of enactment of the Federal Public Transportation Act of 2012.

“(3) JURISDICTION.—Nothing in this section shall be construed to create a cause of action under Federal law on behalf of an injured party or confer Federal question jurisdiction for a State law cause of action.

“(k) NATIONAL PUBLIC TRANSPORTATION SAFETY REPORT.—Not later than 3 years after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

“(1) analyzes public transportation safety trends among the States and documents the most effective safety programs implemented using grants under this section; and

“(2) describes the effect on public transportation safety of activities carried out using grants under this section.”.

(b) BUS SAFETY STUDY.—

(1) DEFINITION.—In this subsection, the term “highway route” means a route where 50 percent or more of the route is on roads having a speed limit of more than 45 miles per hour.

(2) STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) examines the safety of public transportation buses that travel on highway routes;

(B) examines laws and regulations that apply to commercial over-the-road buses; and

(C) makes recommendations as to whether additional safety measures should be required for public transportation buses that travel on highway routes.

SEC. 20022. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

Section 5331 of title 49, United States Code, is amended by striking subsection (g) and inserting the following:

“(g) CONDITIONS ON FEDERAL ASSISTANCE.—

“(1) INELIGIBILITY FOR ASSISTANCE.—A person that receives funds under this chapter is not eligible for financial assistance under section 5307, 5309, or 5311 of this title if the person is required, under regulations the Secretary prescribes under this section, to establish a program of alcohol and controlled substances testing and does not establish the program in accordance with this section.

“(2) ADDITIONAL REMEDIES.—If the Secretary determines that a person that receives funds under this chapter is not in compliance with regulations prescribed under this section, the Secretary may bar the person from receiving Federal transit assistance in an amount the Secretary considers appropriate.”.

SEC. 20023. NONDISCRIMINATION.

(a) AMENDMENTS.—Section 5332 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “creed” and inserting “religion”; and

(B) by inserting “disability,” after “sex,”; and

(2) in subsection (d)(3), by striking “and” and inserting “or”.

(b) EVALUATION AND REPORT.—

(1) EVALUATION.—The Comptroller General of the United States shall evaluate the progress and effectiveness of the Federal Transit Administration in assisting recipients of assistance under chapter 53 of title 49, United States Code, to comply with section 5332(b) of title 49, including—

(A) by reviewing discrimination complaints, reports, and other relevant information collected or prepared by the Federal Transit Administration or recipients of assistance from the Federal Transit Administration pursuant to any applicable civil rights statute, regulation, or other requirement; and

(B) by reviewing the process that the Federal Transit Administration uses to resolve discrimination complaints filed by members of the public.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report concerning the evaluation under paragraph (1) that includes—

(A) a description of the ability of the Federal Transit Administration to address discrimination and foster equal opportunities in federally funded public transportation projects, programs, and activities;

(B) recommendations for improvements if the Comptroller General determines that improvements are necessary; and

(C) information upon which the evaluation under paragraph (1) is based.

SEC. 20024. ADMINISTRATIVE PROVISIONS.

Section 5334 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by striking “under sections 5307 and 5309–5311 of this title” and inserting “that receives Federal financial assistance under this chapter”; and

(2) in subsection (b)(1)—

(A) by inserting after “emergency,” the following: “or for purposes of establishing and enforcing a program to improve the safety of public transportation systems in the United States as described in section 5329,”; and

(B) by striking “chapter, nor may the Secretary” and inserting “chapter. The Secretary may not”;

(3) in subsection (c)(4), by striking “section (except subsection (i)) and sections 5318(e), 5323(a)(2), 5325(a), 5325(b), and 5325(f)” and inserting “subsection”;

(4) in subsection (h)(3), by striking “another” and inserting “any other”;

(5) in subsection (i)(1), by striking “title 23 shall” and inserting “title 23 may”;

(6) by striking subsection (j); and

(7) by redesignating subsections (k) and (l) as subsections (j) and (k), respectively.

SEC. 20025. NATIONAL TRANSIT DATABASE.

(a) AMENDMENTS.—Section 5335 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “public transportation financial and operating information” and inserting “public transportation financial, operating, and asset condition information”; and

(2) by adding at the end the following:

“(c) DATA REQUIRED TO BE REPORTED.—The recipient of a grant under this chapter shall report to the Secretary, for inclusion in the National Transit Database, any information relating to a transit asset inventory or condition assessment conducted by the recipient.”.

(b) DATA ACCURACY AND RELIABILITY.—The Secretary shall—

(1) develop and implement appropriate internal control activities to ensure that public

transportation safety incident data is reported accurately and reliably by public transportation systems and State safety oversight agencies to the State Safety Oversight Rail Accident Database; and

(2) report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives within 1 year of enactment of the Federal Public Transportation Act of 2012 on the steps taken to improve the accuracy and reliability of public transportation safety incident data reported to the State Safety Oversight Rail Accident Database.

SEC. 20026. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336 of title 49, United States Code, is amended to read as follows:

“§5336. Apportionment of appropriations for formula grants

“(a) **BASED ON URBANIZED AREA POPULATION.**—Of the amount apportioned under subsection (h)(4) to carry out section 5307—

“(1) 9.32 percent shall be apportioned each fiscal year only in urbanized areas with a population of less than 200,000 so that each of those areas is entitled to receive an amount equal to—

“(A) 50 percent of the total amount apportioned multiplied by a ratio equal to the population of the area divided by the total population of all urbanized areas with populations of less than 200,000 as shown in the most recent decennial census; and

“(B) 50 percent of the total amount apportioned multiplied by a ratio for the area based on population weighted by a factor, established by the Secretary, of the number of inhabitants in each square mile; and

“(2) 90.68 percent shall be apportioned each fiscal year only in urbanized areas with populations of at least 200,000 as provided in subsections (b) and (c) of this section.

“(b) **BASED ON FIXED GUIDEWAY VEHICLE REVENUE MILES, DIRECTIONAL ROUTE MILES, AND PASSENGER MILES.**—(1) In this subsection, ‘fixed guideway vehicle revenue miles’ and ‘fixed guideway directional route miles’ include passenger ferry operations directly or under contract by the designated recipient.

“(2) Of the amount apportioned under subsection (a)(2) of this section, 33.29 percent shall be apportioned as follows:

“(A) 95.61 percent of the total amount apportioned under this subsection shall be apportioned so that each urbanized area with a population of at least 200,000 is entitled to receive an amount equal to—

“(i) 60 percent of the 95.61 percent apportioned under this subparagraph multiplied by a ratio equal to the number of fixed guideway vehicle revenue miles attributable to the area, as established by the Secretary, divided by the total number of all fixed guideway vehicle revenue miles attributable to all areas; and

“(ii) 40 percent of the 95.61 percent apportioned under this subparagraph multiplied by a ratio equal to the number of fixed guideway directional route miles attributable to the area, established by the Secretary, divided by the total number of all fixed guideway directional route miles attributable to all areas.

An urbanized area with a population of at least 750,000 in which commuter rail transportation is provided shall receive at least .75 percent of the total amount apportioned under this subparagraph.

“(B) 4.39 percent of the total amount apportioned under this subsection shall be apportioned so that each urbanized area with a population of at least 200,000 is entitled to receive an amount equal to—

“(i) the number of fixed guideway vehicle passenger miles traveled multiplied by the number of fixed guideway vehicle passenger miles traveled for each dollar of operating cost in an area; divided by

“(ii) the total number of fixed guideway vehicle passenger miles traveled multiplied by the

total number of fixed guideway vehicle passenger miles traveled for each dollar of operating cost in all areas.

An urbanized area with a population of at least 750,000 in which commuter rail transportation is provided shall receive at least .75 percent of the total amount apportioned under this subparagraph.

“(C) Under subparagraph (A) of this paragraph, fixed guideway vehicle revenue or directional route miles, and passengers served on those miles, in an urbanized area with a population of less than 200,000, where the miles and passengers served otherwise would be attributable to an urbanized area with a population of at least 1,000,000 in an adjacent State, are attributable to the governmental authority in the State in which the urbanized area with a population of less than 200,000 is located. The authority is deemed an urbanized area with a population of at least 200,000 if the authority makes a contract for the service.

“(D) A recipient’s apportionment under subparagraph (A)(i) of this paragraph may not be reduced if the recipient, after satisfying the Secretary that energy or operating efficiencies would be achieved, reduces vehicle revenue miles but provides the same frequency of revenue service to the same number of riders.

“(E) For purposes of subparagraph (A) and section 5337(c)(3), the Secretary shall deem to be attributable to an urbanized area not less than 22.27 percent of the fixed guideway vehicle revenue miles or fixed guideway directional route miles in the public transportation system of a recipient that are located outside the urbanized area for which the recipient receives funds, in addition to the fixed guideway vehicle revenue miles or fixed guideway directional route miles of the recipient that are located inside the urbanized area.

“(c) **BASED ON BUS VEHICLE REVENUE MILES AND PASSENGER MILES.**—Of the amount apportioned under subsection (a)(2) of this section, 66.71 percent shall be apportioned as follows:

“(1) 90.8 percent of the total amount apportioned under this subsection shall be apportioned as follows:

“(A) 73.39 percent of the 90.8 percent apportioned under this paragraph shall be apportioned so that each urbanized area with a population of at least 1,000,000 is entitled to receive an amount equal to—

“(i) 50 percent of the 73.39 percent apportioned under this subparagraph multiplied by a ratio equal to the total bus vehicle revenue miles operated in or directly serving the urbanized area divided by the total bus vehicle revenue miles attributable to all areas;

“(ii) 25 percent of the 73.39 percent apportioned under this subparagraph multiplied by a ratio equal to the population of the area divided by the total population of all areas, as shown in the most recent decennial census; and

“(iii) 25 percent of the 73.39 percent apportioned under this subparagraph multiplied by a ratio for the area based on population weighted by a factor, established by the Secretary, of the number of inhabitants in each square mile.

“(B) 26.61 percent of the 90.8 percent apportioned under this paragraph shall be apportioned so that each urbanized area with a population of at least 200,000 but not more than 999,999 is entitled to receive an amount equal to—

“(i) 50 percent of the 26.61 percent apportioned under this subparagraph multiplied by a ratio equal to the total bus vehicle revenue miles operated in or directly serving the urbanized area divided by the total bus vehicle revenue miles attributable to all areas;

“(ii) 25 percent of the 26.61 percent apportioned under this subparagraph multiplied by a ratio equal to the population of the area divided by the total population of all areas, as shown by the most recent decennial census; and

“(iii) 25 percent of the 26.61 percent apportioned under this subparagraph multiplied by a ratio for the area based on population weighted

by a factor, established by the Secretary, of the number of inhabitants in each square mile.

“(2) 9.2 percent of the total amount apportioned under this subsection shall be apportioned so that each urbanized area with a population of at least 200,000 is entitled to receive an amount equal to—

“(A) the number of bus passenger miles traveled multiplied by the number of bus passenger miles traveled for each dollar of operating cost in an area; divided by

“(B) the total number of bus passenger miles traveled multiplied by the total number of bus passenger miles traveled for each dollar of operating cost in all areas.

“(d) **DATE OF APPORTIONMENT.**—The Secretary shall—

“(1) apportion amounts appropriated under section 5338(a)(2)(C) of this title to carry out section 5307 of this title not later than the 10th day after the date the amounts are appropriated or October 1 of the fiscal year for which the amounts are appropriated, whichever is later; and

“(2) publish apportionments of the amounts, including amounts attributable to each urbanized area with a population of more than 50,000 and amounts attributable to each State of a multistate urbanized area, on the apportionment date.

“(e) **AMOUNTS NOT APPORTIONED TO DESIGNATED RECIPIENTS.**—The Governor of a State may expend in an urbanized area with a population of less than 200,000 an amount apportioned under this section that is not apportioned to a designated recipient, as defined in section 5302(4).

“(f) **TRANSFERS OF APPORTIONMENTS.**—(1) The Governor of a State may transfer any part of the State’s apportionment under subsection (a)(1) of this section to supplement amounts apportioned to the State under section 5311(c)(3). The Governor may make a transfer only after consulting with responsible local officials and publicly owned operators of public transportation in each area for which the amount originally was apportioned under this section.

“(2) The Governor of a State may transfer any part of the State’s apportionment under section 5311(c)(3) to supplement amounts apportioned to the State under subsection (a)(1) of this section.

“(3) The Governor of a State may use throughout the State amounts of a State’s apportionment remaining available for obligation at the beginning of the 90-day period before the period of the availability of the amounts expires.

“(4) A designated recipient for an urbanized area with a population of at least 200,000 may transfer a part of its apportionment under this section to the Governor of a State. The Governor shall distribute the transferred amounts to urbanized areas under this section.

“(5) Capital and operating assistance limitations applicable to the original apportionment apply to amounts transferred under this subsection.

“(g) **PERIOD OF AVAILABILITY TO RECIPIENTS.**—An amount apportioned under this section may be obligated by the recipient for 5 years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 5-year period, an amount that is not obligated at the end of that period shall be added to the amount that may be apportioned under this section in the next fiscal year.

“(h) **APPORTIONMENTS.**—Of the amounts made available for each fiscal year under section 5338(a)(2)(C)—

“(1) \$30,000,000 shall be set aside to carry out section 5307(h);

“(2) 3.07 percent shall be apportioned to urbanized areas in accordance with subsection (f);

“(3) of amounts not apportioned under paragraphs (1) and (2), 1.5 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (i);

“(4) 0.5 percent shall be apportioned to eligible States for State safety oversight program

grants in accordance with section 5329(e)(6); and

“(5) any amount not apportioned under paragraphs (1), (2), (3), and (4) shall be apportioned to urbanized areas in accordance with subsections (a) through (c).

“(i) SMALL TRANSIT INTENSIVE CITIES FORMULA.—

“(1) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) ELIGIBLE AREA.—The term ‘eligible area’ means an urbanized area with a population of less than 200,000 that meets or exceeds in one or more performance categories the industry average for all urbanized areas with a population of at least 200,000 but not more than 999,999, as determined by the Secretary in accordance with subsection (c)(2).

“(B) PERFORMANCE CATEGORY.—The term ‘performance category’ means each of the following:

“(i) Passenger miles traveled per vehicle revenue mile.

“(ii) Passenger miles traveled per vehicle revenue hour.

“(iii) Vehicle revenue miles per capita.

“(iv) Vehicle revenue hours per capita.

“(v) Passenger miles traveled per capita.

“(vi) Passengers per capita.

“(2) APPORTIONMENT.—

“(A) APPORTIONMENT FORMULA.—The amount to be apportioned under subsection (h)(3) shall be apportioned among eligible areas in the ratio that—

“(i) the number of performance categories for which each eligible area meets or exceeds the industry average in urbanized areas with a population of at least 200,000 but not more than 999,999; bears to

“(ii) the aggregate number of performance categories for which all eligible areas meet or exceed the industry average in urbanized areas with a population of at least 200,000 but not more than 999,999.

“(B) DATA USED IN FORMULA.—The Secretary shall calculate apportionments under this subsection for a fiscal year using data from the national transit database used to calculate apportionments for that fiscal year under this section.

“(j) APPORTIONMENT FORMULA.—The amounts apportioned under subsection (h)(2) shall be apportioned among urbanized areas as follows:

“(1) 75 percent of the funds shall be apportioned among designated recipients for urbanized areas with a population of 200,000 or more in the ratio that—

“(A) the number of eligible low-income individuals in each such urbanized area; bears to

“(B) the number of eligible low-income individuals in all such urbanized areas.

“(2) 25 percent of the funds shall be apportioned among designated recipients for urbanized areas with a population of less than 200,000 in the ratio that—

“(A) the number of eligible low-income individuals in each such urbanized area; bears to

“(B) the number of eligible low-income individuals in all such urbanized areas.”.

SEC. 20027. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended to read as follows:

“§ 5337. State of good repair grants

“(a) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) FIXED GUIDEWAY.—The term ‘fixed guideway’ means a public transportation facility—

“(A) using and occupying a separate right-of-way for the exclusive use of public transportation;

“(B) using rail;

“(C) using a fixed catenary system;

“(D) for a passenger ferry system; or

“(E) for a bus rapid transit system.

“(2) STATE.—The term ‘State’ means the 50 States, the District of Columbia, and Puerto Rico.

“(3) STATE OF GOOD REPAIR.—The term ‘state of good repair’ has the meaning given that term by the Secretary, by rule, under section 5326(b).

“(4) TRANSIT ASSET MANAGEMENT PLAN.—The term ‘transit asset management plan’ means a plan developed by a recipient of funding under this chapter that—

“(A) includes, at a minimum, capital asset inventories and condition assessments, decision support tools, and investment prioritization; and

“(B) the recipient certifies that the recipient complies with the rule issued under section 5326(d).

“(b) GENERAL AUTHORITY.—

“(1) ELIGIBLE PROJECTS.—The Secretary may make grants under this section to assist State and local governmental authorities in financing capital projects to maintain public transportation systems in a state of good repair, including projects to replace and rehabilitate—

“(A) rolling stock;

“(B) track;

“(C) line equipment and structures;

“(D) signals and communications;

“(E) power equipment and substations;

“(F) passenger stations and terminals;

“(G) security equipment and systems;

“(H) maintenance facilities and equipment;

“(I) operational support equipment, including computer hardware and software;

“(J) development and implementation of a transit asset management plan; and

“(K) other replacement and rehabilitation projects the Secretary determines appropriate.

“(2) INCLUSION IN PLAN.—A recipient shall include a project carried out under paragraph (1) in the transit asset management plan of the recipient upon completion of the plan.

“(c) HIGH INTENSITY FIXED GUIDEWAY STATE OF GOOD REPAIR FORMULA.—

“(1) IN GENERAL.—Of the amount authorized or made available under section 5338(a)(2)(I), 97.15 percent shall be apportioned to recipients in accordance with this subsection.

“(2) AREA SHARE.—

“(A) IN GENERAL.—50 percent of the amount described in paragraph (1) shall be apportioned for fixed guideway systems in accordance with this paragraph.

“(B) SHARE.—A recipient shall receive an amount equal to the amount described in subparagraph (A), multiplied by the amount the recipient would have received under this section, as in effect for fiscal year 2011, if the amount had been calculated in accordance with section 5336(b)(1) and using the definition of the term ‘fixed guideway’ under subsection (a) of this section, as such sections are in effect on the day after the date of enactment of the Federal Public Transportation Act of 2012, and divided by the total amount apportioned for all areas under this section for fiscal year 2011.

“(C) RECIPIENT.—For purposes of this paragraph, the term ‘recipient’ means an entity that received funding under this section, as in effect for fiscal year 2011.

“(3) VEHICLE REVENUE MILES AND DIRECTIONAL ROUTE MILES.—

“(A) IN GENERAL.—50 percent of the amount described in paragraph (1) shall be apportioned to recipients in accordance with this paragraph.

“(B) VEHICLE REVENUE MILES.—A recipient in an urbanized area shall receive an amount equal to 60 percent of the amount described in subparagraph (A), multiplied by the number of fixed guideway vehicle revenue miles attributable to the urbanized area, as established by the Secretary, divided by the total number of all fixed guideway vehicle revenue miles attributable to all urbanized areas.

“(C) DIRECTIONAL ROUTE MILES.—A recipient in an urbanized area shall receive an amount equal to 40 percent of the amount described in subparagraph (A), multiplied by the number of fixed guideway directional route miles attributable to the urbanized area, as established by the Secretary, divided by the total number of all fixed guideway directional route miles attributable to all urbanized areas.

“(4) LIMITATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the share of the total amount

apportioned under this subsection that is apportioned to an area under this subsection shall not decrease by more than 0.25 percentage points compared to the share apportioned to the area under this subsection in the previous fiscal year.

“(B) SPECIAL RULE FOR FISCAL YEAR 2013.—In fiscal year 2013, the share of the total amount apportioned under this subsection that is apportioned to an area under this subsection shall not decrease by more than 0.25 percentage points compared to the share that would have been apportioned to the area under this section, as in effect for fiscal year 2011, if the share had been calculated using the definition of the term ‘fixed guideway’ under subsection (a) of this section, as in effect on the day after the date of enactment of the Federal Public Transportation Act of 2012.

“(5) USE OF FUNDS.—Amounts made available under this subsection shall be available for the exclusive use of fixed guideway projects.

“(6) RECEIVING APPORTIONMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), for an area with a fixed guideway system, the amounts provided under this subsection shall be apportioned to the designated recipient for the urbanized area in which the system operates.

“(B) EXCEPTION.—An area described in the amendment made by section 3028(a) of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 366) shall receive an individual apportionment under this subsection.

“(7) APPORTIONMENT REQUIREMENTS.—For purposes of determining the number of fixed guideway vehicle revenue miles or fixed guideway directional route miles attributable to an urbanized area for a fiscal year under this subsection, only segments of fixed guideway systems placed in revenue service not later than 7 years before the first day of the fiscal year shall be deemed to be attributable to an urbanized area.

“(d) HIGH INTENSITY MOTORBUS STATE OF GOOD REPAIR.—

“(1) DEFINITION.—For purposes of this subsection, the term ‘high intensity motorbus’ means public transportation that is provided on a facility with access for other high-occupancy vehicles.

“(2) APPORTIONMENT.—Of the amount authorized or made available under section 5338(a)(2)(I), 2.85 percent shall be apportioned to urbanized areas for high intensity motorbus state of good repair in accordance with this subsection.

“(3) VEHICLE REVENUE MILES AND DIRECTIONAL ROUTE MILES.—

“(A) IN GENERAL.—The amount described in paragraph (2) shall be apportioned to each area in accordance with this paragraph.

“(B) VEHICLE REVENUE MILES.—Each area shall receive an amount equal to 60 percent of the amount described in subparagraph (A), multiplied by the number of high intensity motorbus vehicle revenue miles attributable to the area, as established by the Secretary, divided by the total number of all high intensity motorbus vehicle revenue miles attributable to all areas.

“(C) DIRECTIONAL ROUTE MILES.—Each area shall receive an amount equal to 40 percent of the amount described in subparagraph (A), multiplied by the number of high intensity motorbus directional route miles attributable to the area, as established by the Secretary, divided by the total number of all high intensity motorbus directional route miles attributable to all areas.

“(4) APPORTIONMENT REQUIREMENTS.—For purposes of determining the number of high intensity motorbus vehicle revenue miles or high intensity motorbus directional route miles attributable to an urbanized area for a fiscal year under this subsection, only segments of high intensity motorbus systems placed in revenue service not later than 7 years before the first day of the fiscal year shall be deemed to be attributable to an urbanized area.”.

SEC. 20028. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, is amended to read as follows:

“§5338. Authorizations

“(a) FORMULA GRANTS.—

“(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5318, 5322(d), 5335, 5337, 5339, and 5340, and section 20005(b) of the Federal Public Transportation Act of 2012, \$8,478,000,000 for fiscal year 2013 and \$8,595,000,000 for fiscal year 2014.

“(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

“(A) \$126,900,000 for fiscal year 2013 and \$128,800,000 for fiscal year 2014 shall be available to carry out section 5305;

“(B) \$10,000,000 for each of fiscal years 2013 and 2014 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

“(C) \$4,397,950,000 for fiscal year 2013 and \$4,458,650,000 for fiscal year 2014 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

“(D) \$254,800,000 for fiscal year 2013 and \$258,300,000 for fiscal year 2014 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

“(E) \$599,500,000 for fiscal year 2013 and \$607,800,000 for fiscal year 2014 shall be available to provide financial assistance for rural areas under section 5311, of which not less than \$30,000,000 for fiscal year 2013 and \$30,000,000 for fiscal year 2014 shall be available to carry out section 5311(c)(1) and \$20,000,000 for fiscal year 2013 and \$20,000,000 for fiscal year 2014 shall be available to carry out section 5311(c)(2);

“(F) \$3,000,000 for each of fiscal years 2013 and 2014 shall be available for bus testing under section 5318;

“(G) \$5,000,000 for each of fiscal years 2013 and 2014 shall be available for the national transit institute under section 5322(d);

“(H) \$3,850,000 for each of fiscal years 2013 and 2014 shall be available to carry out section 5335;

“(I) \$2,136,300,000 for fiscal year 2013 and \$2,165,900,000 for fiscal year 2014 shall be available to carry out section 5337;

“(J) \$422,000,000 for fiscal year 2013 and \$427,800,000 for fiscal year 2014 shall be available for the bus and bus facilities program under section 5339; and

“(K) \$518,700,000 for fiscal year 2013 and \$525,900,000 for fiscal year 2014 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311.

“(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—There are authorized to be appropriated to carry out section 5312, \$70,000,000 for fiscal year 2013 and \$70,000,000 for fiscal year 2014.

“(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—There are authorized to be appropriated to carry out section 5313, \$7,000,000 for fiscal year 2013 and \$7,000,000 for fiscal year 2014.

“(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314, \$7,000,000 for fiscal year 2013 and \$7,000,000 for fiscal year 2014.

“(e) HUMAN RESOURCES AND TRAINING.—There are authorized to be appropriated to carry out subsections (a), (b), (c), and (e) of section 5322, \$5,000,000 for fiscal year 2013 and \$5,000,000 for fiscal year 2014.

“(f) EMERGENCY RELIEF PROGRAM.—There are authorized to be appropriated such sums as are necessary to carry out section 5324.

“(g) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309, \$1,907,000,000 for fiscal year 2013 and \$1,907,000,000 for fiscal year 2014.

“(h) ADMINISTRATION.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, \$104,000,000 for fiscal year 2013 and \$104,000,000 for fiscal year 2014.

“(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than \$5,000,000 shall be available to carry out section 5329.

“(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than \$1,000,000 shall be available to carry out section 5326.

“(i) OVERSIGHT.—

“(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

“(A) 0.5 percent of amounts made available to carry out section 5305.

“(B) 0.75 percent of amounts made available to carry out section 5307.

“(C) 1 percent of amounts made available to carry out section 5309.

“(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

“(E) 0.5 percent of amounts made available to carry out section 5310.

“(F) 0.5 percent of amounts made available to carry out section 5311.

“(G) 0.75 percent of amounts made available to carry out section 5337(c).

“(2) ACTIVITIES.—The activities described in this paragraph are as follows:

“(A) Activities to oversee the construction of a major capital project.

“(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

“(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

“(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

“(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

“(j) GRANTS AS CONTRACTUAL OBLIGATIONS.—

“(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

“(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

“(k) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.”.

SEC. 20029. BUS AND BUS FACILITIES FORMULA GRANTS.

(a) IN GENERAL.—Section 5339 of title 49, United States Code, is amended to read as follows:

“§5339. Bus and bus facilities formula grants

“(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to assist eligible recipients described in subsection (c)(1) in financing capital projects—

“(1) to replace, rehabilitate, and purchase buses and related equipment; and

“(2) to construct bus-related facilities.

“(b) GRANT REQUIREMENTS.—The requirements of section 5307 apply to recipients of grants made under this section.

“(c) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

“(1) RECIPIENTS.—Eligible recipients under this section are designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators.

“(2) SUBRECIPIENTS.—A designated recipient that receives a grant under this section may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

“(d) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(J) shall be distributed as follows:

“(1) NATIONAL DISTRIBUTION.—\$65,500,000 shall be allocated to all States and territories, with each State receiving \$1,250,000 and each territory receiving \$500,000.

“(2) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under paragraph (1) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

“(e) TRANSFERS OF APPORTIONMENTS.—

“(1) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under subsection (d)(1) to supplement amounts apportioned to the State under section 5311(c) of this title or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336 of this title.

“(2) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under subsection (d)(2) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

“(f) GOVERNMENT'S SHARE OF COSTS.—

“(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this section may provide additional local matching amounts.

“(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—

“(A) in cash from non-Government sources other than revenues from providing public transportation services;

“(B) from revenues derived from the sale of advertising and concessions;

“(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

“(D) from amounts received under a service agreement with a State or local social service agency or private social service organization.

“(g) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this section may be obligated by a recipient for 3 years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this section in the next fiscal year.

“(h) DEFINITIONS.—For purposes of this section:

“(1) The term ‘State’ means a State of the United States.

“(2) The term ‘territory’ means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.”.

SEC. 20030. TECHNICAL AND CONFORMING AMENDMENTS.

(a) SECTION 5305.—Section 5305 of title 49, United States Code, is amended—

(1) in subsection (e)(1)(A), by striking “sections 5304, 5306, 5315, and 5322” and inserting “section 5304 and 5306”;

(2) in subsection (f)—

(A) in the heading, by striking "GOVERNMENT'S" and inserting "GOVERNMENT"; and
 (B) by striking "Government's" and inserting "Government"; and

(3) in subsection (g), by striking "section 5338(c) for fiscal years 2005 through 2012" and inserting "section 5338(a)(2)(A) for a fiscal year".

(b) SECTION 5313.—Section 5313(a) of title 49, United States Code, is amended—

(1) in the first sentence, by striking "subsections (a)(5)(C)(iii) and (d)(1) of section 5338" and inserting section "5338(c)"; and

(2) in the second sentence, by striking "of Transportation".

(c) SECTION 5319.—Section 5319 of title 49, United States Code, is amended, in the second sentence—

(1) by striking "sections 5307(e), 5309(h), and 5311(g) of this title" and inserting "sections 5307(d), 5309(l), and 5311(g)"; and

(2) by striking "of the United States" and inserting "made by the".

(d) SECTION 5325.—Section 5325(b)(2)(A) of title 49, United States Code, is amended by striking "title 48, Code of Federal Regulations (commonly known as the Federal Acquisition Regulation)" and inserting "the Federal Acquisition Regulation, or any successor thereto".

(e) SECTION 5330.—Effective 3 years after the effective date of the final rules issued by the Secretary of Transportation under section 5329(e) of title 49, United States Code, as amended by this division, section 5330 of title 49, United States Code, is repealed.

(f) SECTION 5331.—Section 5331 of title 49, United States Code, is amended by striking "Secretary of Transportation" each place that term appears and inserting "Secretary".

(g) SECTION 5332.—Section 5332(c)(1) of title 49, United States Code, is amended by striking "of Transportation".

(h) SECTION 5333.—Section 5333(a) of title 49, United States Code, is amended by striking "sections 3141–3144" and inserting "sections 3141 through 3144".

(i) SECTION 5334.—Section 5334 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) by striking "Secretary of Transportation" each place that term appears and inserting "Secretary"; and

(B) in paragraph (1), by striking "Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate" and inserting "Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives";

(2) in subsection (d), by striking "of Transportation";

(3) in subsection (e), by striking "of Transportation";

(4) in subsection (f), by striking "of Transportation";

(5) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking "of Transportation"; and

(B) by striking "subsection (a)(3) or (4) of this section" and inserting "paragraph (3) or (4) of subsection (a)";

(6) in subsection (h)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking "of Transportation"; and

(B) in paragraph (2), by striking "of this section";

(7) in subsection (i)(1), by striking "of Transportation"; and

(8) in subsection (j), as so redesignated by section 20025 of this division, by striking "Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate and Committees on Transportation and Infrastructure and Appropriations of the House of Representatives"

and inserting "Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives".

(j) SECTION 5335.—Section 5335(a) of title 49, United States Code, is amended by striking "of Transportation".

(k) ANALYSIS.—The analysis for chapter 53 of title 49, United States Code, is amended to read as follows:

- “Sec.
- “5301. Policies and purposes.
- “5302. Definitions.
- “5303. Metropolitan transportation planning.
- “5304. Statewide and nonmetropolitan transportation planning.
- “5305. Planning programs.
- “5306. Private enterprise participation in metropolitan planning and transportation improvement programs and relationship to other limitations.
- “5307. Urbanized area formula grants.
- “5308. Repealed.]
- “5309. Fixed guideway capital investment grants.
- “5310. Formula grants for the enhanced mobility of seniors and individuals with disabilities.
- “5311. Formula grants for rural areas.
- “5312. Research, development, demonstration, and deployment projects.
- “5313. Transit cooperative research program.
- “5314. Technical assistance and standards development.
- “5315. Private sector participation.
- “5316. Repealed.]
- “5317. Repealed.]
- “5318. Bus testing facility.
- “5319. Bicycle facilities.
- “5320. Repealed.]
- “5321. Crime prevention and security.
- “5322. Human resources and training.
- “5323. General provisions.
- “5324. Public transportation emergency relief program.
- “5325. Contract requirements.
- “5326. Transit asset management.
- “5327. Project management oversight.
- “5328. Repealed.]
- “5329. Public transportation safety program.
- “5330. State safety oversight.
- “5331. Alcohol and controlled substances testing.
- “5332. Nondiscrimination.
- “5333. Labor standards.
- “5334. Administrative provisions.
- “5335. National transit database.
- “5336. Apportionment of appropriations for formula grants.
- “5337. State of good repair grants.
- “5338. Authorizations.
- “5339. Bus and bus facilities formula grants.
- “5340. Apportionments based on growing States and high density States formula factors.”.

**DIVISION C—TRANSPORTATION SAFETY AND SURFACE TRANSPORTATION POLICY
 TITLE I—MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF 2012**

SEC. 31001. SHORT TITLE.

This title may be cited as the "Motor Vehicle and Highway Safety Improvement Act of 2012" or "Mariah's Act".

SEC. 31002. DEFINITION.

In this title, the term "Secretary" means the Secretary of Transportation.

Subtitle A—Highway Safety

SEC. 31101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) \$235,000,000 for fiscal year 2013; and
 (B) \$235,000,000 for fiscal year 2014.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) \$110,500,000 for fiscal year 2013; and
 (B) \$113,500,000 for fiscal year 2014.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) \$265,000,000 for fiscal year 2013; and
 (B) \$272,000,000 for fiscal year 2014.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) \$5,000,000 for fiscal year 2013; and
 (B) \$5,000,000 for fiscal year 2014.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 2009 of SAFETEA—LU (23 U.S.C. 402 note)—

(A) \$29,000,000 for fiscal year 2013; and
 (B) \$29,000,000 for fiscal year 2014.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this subtitle—

(A) \$25,500,000 for fiscal year 2013; and
 (B) \$25,500,000 for fiscal year 2014.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle, amounts made available under subsection (a) for fiscal years 2013 and 2014 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

SEC. 31102. HIGHWAY SAFETY PROGRAMS.

(a) PROGRAMS INCLUDED.—Section 402(a) of title 23, United States Code, is amended to read as follows:

“(a) PROGRAM REQUIRED.—

“(1) IN GENERAL.—Each State shall have a highway safety program, approved by the Secretary, that is designed to reduce traffic accidents and the resulting deaths, injuries, and property damage.

“(2) UNIFORM GUIDELINES.—Programs required under paragraph (1) shall comply with uniform guidelines, promulgated by the Secretary and expressed in terms of performance criteria, that—

“(A) include programs—

“(i) to reduce injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits;

“(ii) to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles;

“(iii) to reduce injuries and deaths resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance;

“(iv) to prevent accidents and reduce injuries and deaths resulting from accidents involving motor vehicles and motorcycles;

“(v) to reduce injuries and deaths resulting from accidents involving school buses;

“(vi) to reduce accidents resulting from unsafe driving behavior (including aggressive or fatigued driving and distracted driving arising from the use of electronic devices in vehicles); and

“(vii) to improve law enforcement services in motor vehicle accident prevention, traffic supervision, and post-accident procedures;

“(B) improve driver performance, including—

“(i) driver education;

“(ii) driver testing to determine proficiency to operate motor vehicles; and

“(iii) driver examinations (physical, mental, and driver licensing);

“(C) improve pedestrian performance and bicycle safety;

“(D) include provisions for—

“(i) an effective record system of accidents (including resulting injuries and deaths);

“(ii) accident investigations to determine the probable causes of accidents, injuries, and deaths;

“(iii) vehicle registration, operation, and inspection; and

“(iv) emergency services; and

“(E) to the extent determined appropriate by the Secretary, are applicable to federally administered areas where a Federal department or agency controls the highways or supervises traffic operations.”.

(b) ADMINISTRATION OF STATE PROGRAMS.—Section 402(b) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” at the end;

(B) by redesignating subparagraph (E) as subparagraph (F);

(C) by inserting after subparagraph (D) the following:

“(E) beginning on the first day of the first fiscal year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012 in which a State submits its highway safety plan under subsection (f), provide for a data-driven traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents, to the satisfaction of the Secretary;”;

(D) in subparagraph (F), as redesignated—

(i) in clause (i), by inserting “and high-visibility law enforcement mobilizations coordinated by the Secretary” after “mobilizations”;

(ii) in clause (iii), by striking “and” at the end;

(iii) in clause (iv), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(v) ensuring that the State will coordinate its highway safety plan, data collection, and information systems with the State strategic highway safety plan (as defined in section 148(a)).”; and

(2) by striking paragraph (3).

(c) APPROVED HIGHWAY SAFETY PROGRAMS.—

Section 402(c) of title 23, United States Code, is amended—

(1) by striking “(c) Funds authorized” and inserting the following:

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—Funds authorized”;

(2) by striking “Such funds” and inserting the following:

“(2) APPORTIONMENT.—Except for amounts identified in section 403(f), funds described in paragraph (1)”;

(3) by striking “The Secretary shall not” and all that follows through “subsection, a highway safety program” and inserting “A highway safety program”;

(4) by inserting “A State may use the funds apportioned under this section, in cooperation with neighboring States, for highway safety programs or related projects that may confer benefits on such neighboring States.” after “in every State.”;

(5) by striking “50 per centum” and inserting “20 percent”; and

(6) by striking “The Secretary shall promptly” and all that follows and inserting the following:

“(3) REAPPORTIONMENT.—The Secretary shall promptly apportion the funds withheld from a State’s apportionment to the State if the Secretary approves the State’s highway safety program or determines that the State has begun implementing an approved program, as appropriate, not later than July 31st of the fiscal year for which the funds were withheld. If the Secretary determines that the State did not correct its failure within such period, the Secretary shall reapportion the withheld funds to the other States in accordance with the formula specified in paragraph (2) not later than the last day of the fiscal year.

(4) AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS.—

(A) PROHIBITION.—A State may not expend funds apportioned to that State under this section to carry out a program to purchase, operate, or maintain an automated traffic enforcement system.

(B) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM DEFINED.—In this paragraph, the term ‘automated traffic enforcement system’ means any camera which captures an image of a vehicle for the purposes only of red light and speed enforcement, and does not include hand held radar and other devices operated by law enforcement officers to make an on-the-scene traffic stop, issue a traffic citation, or other enforcement action at the time of the violation.”.

(d) USE OF HIGHWAY SAFETY PROGRAM FUNDS.—Section 402(g) of title 23, United States Code, is amended to read as follows:

“(g) SAVINGS PROVISION.—

(1) IN GENERAL.—Except as provided under paragraph (2), nothing in this section may be construed to authorize the appropriation or expenditure of funds for—

(A) highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines); or

(B) any purpose for which funds are authorized under section 403.

(2) DEMONSTRATION PROJECTS.—A State may use funds made available to carry out this section to assist in demonstration projects carried out by the Secretary under section 403.”.

(e) IN GENERAL.—Section 402 of title 23, United States Code, is amended—

(1) by striking subsections (k) and (m);

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively; and

(3) by redesignating subsection (l) as subsection (j).

(f) HIGHWAY SAFETY PLAN AND REPORTING REQUIREMENTS.—Section 402 of title 23, United States Code, as amended by this section, is further amended by adding at the end the following:

“(k) HIGHWAY SAFETY PLAN AND REPORTING REQUIREMENTS.—

(1) IN GENERAL.—With respect to fiscal year 2014, and each fiscal year thereafter, the Secretary shall require each State, as a condition of the approval of the State’s highway safety program for that fiscal year, to develop and submit to the Secretary for approval a highway safety plan that complies with the requirements under this subsection.

(2) TIMING.—Each State shall submit to the Secretary the highway safety plan not later than July 1st of the fiscal year preceding the fiscal year to which the plan applies.

(3) CONTENTS.—State highway safety plans submitted under paragraph (1) shall include—

“(A) performance measures required by the Secretary or otherwise necessary to support additional State safety goals, including—

“(i) documentation of current safety levels for each performance measure;

“(ii) quantifiable annual performance targets for each performance measure; and

“(iii) a justification for each performance target, that explains why each target is appropriate and evidence-based;

“(B) a strategy for programming funds apportioned to the State under this section on projects and activities that will allow the State to meet the performance targets described in subparagraph (A);

“(C) data and data analysis supporting the effectiveness of proposed countermeasures;

“(D) a description of any Federal, State, local, or private funds that the State plans to use, in addition to funds apportioned to the State under this section, to carry out the strategy described in subparagraph (B);

“(E) for the fiscal year preceding the fiscal year to which the plan applies, a report on the State’s success in meeting State safety goals and performance targets set forth in the previous year’s highway safety plan; and

“(F) an application for any additional grants available to the State under this chapter.

(4) PERFORMANCE MEASURES.—For the first highway safety plan submitted under this subsection, the performance measures required by the Secretary under paragraph (2)(A) shall be limited to those developed by the National Highway Traffic Safety Administration and the Governor’s Highway Safety Association and described in the report, ‘Traffic Safety Performance Measures for States and Federal Agencies’ (DOT HS 811 025). For subsequent highway safety plans, the Secretary shall coordinate with the Governor’s Highway Safety Association in making revisions to the set of required performance measures.

(5) REVIEW OF HIGHWAY SAFETY PLANS.—

(A) IN GENERAL.—Not later than 60 days after the date on which a State’s highway safety plan is received by the Secretary, the Secretary shall review and approve or disapprove the plan.

(B) APPROVALS AND DISAPPROVALS.—

(i) APPROVALS.—The Secretary shall approve a State’s highway safety plan if the Secretary determines that—

(I) the plan and the performance targets contained in the plan are evidence-based and supported by data; and

(II) the plan, once implemented, will allow the State to meet the State’s performance targets.

(ii) DISAPPROVALS.—The Secretary shall disapprove a State’s highway safety plan if the Secretary determines that—

(I) the plan and the performance targets contained in the plan are not evidence-based or supported by data; or

(II) the plan does not provide for programming of funding in a manner sufficient to allow the State to meet the State’s performance targets.

(C) ACTIONS UPON DISAPPROVAL.—If the Secretary disapproves a State’s highway safety plan, the Secretary shall—

(i) inform the State of the reasons for such disapproval; and

(ii) require the State to resubmit the plan with any modifications that the Secretary determines to be necessary.

(D) REVIEW OF RESUBMITTED PLANS.—If the Secretary requires a State to resubmit a highway safety plan, with modifications, the Secretary shall review and approve or disapprove the modified plan not later than 30 days after the date on which the Secretary receives such plan.

(E) PUBLIC NOTICE.—A State shall make the State’s highway safety plan, and decisions of the Secretary concerning approval or disapproval of a revised plan, available to the public.”.

(g) **TEEN TRAFFIC SAFETY PROGRAM.**—Section 402 of title 23, United States Code, as amended by this section, is further amended by adding at the end the following:

“(m) **TEEN TRAFFIC SAFETY.**—

“(1) **IN GENERAL.**—Subject to the requirements of a State’s highway safety plan, as approved by the Secretary under subsection (k), a State may use a portion of the amounts received under this section to implement statewide efforts to improve traffic safety for teen drivers.

“(2) **USE OF FUNDS.**—Statewide efforts under paragraph (1)—

“(A) shall include peer-to-peer education and prevention strategies in schools and communities designed to—

- “(i) increase safety belt use;
- “(ii) reduce speeding;
- “(iii) reduce impaired and distracted driving;
- “(iv) reduce underage drinking; and
- “(v) reduce other behaviors by teen drivers that lead to injuries and fatalities; and

“(B) may include—

- “(i) working with student-led groups and school advisors to plan and implement teen traffic safety programs;
- “(ii) providing subgrants to schools throughout the State to support the establishment and expansion of student groups focused on teen traffic safety;
- “(iii) providing support, training, and technical assistance to establish and expand school and community safety programs for teen drivers;
- “(iv) creating statewide or regional websites to publicize and circulate information on teen safety programs;

“(v) conducting outreach and providing educational resources for parents;

“(vi) establishing State or regional advisory councils comprised of teen drivers to provide input and recommendations to the governor and the governor’s safety representative on issues related to the safety of teen drivers;

“(vii) collaborating with law enforcement; and

“(viii) establishing partnerships and promoting coordination among community stakeholders, including public, not-for-profit, and for-profit entities.”.

(h) **BIENNIAL REPORT TO CONGRESS.**—Section 402 of title 23, United States Code, as amended by this section, is further amended by adding at the end the following:

“(n) **BIENNIAL REPORT TO CONGRESS.**—Not later than October 1, 2015, and biennially thereafter, the Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that contains—

“(1) an evaluation of each State’s performance with respect to the State’s highway safety plan under subsection (k) and performance targets set by the States in such plans; and

“(2) such recommendations as the Secretary may have for improvements to activities carried out under subsection (k).”.

SEC. 31103. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

Section 403 of title 23, United States Code, is amended—

(1) by striking subsections (a) through (f) and inserting the following:

“(a) **DEFINED TERM.**—In this section, the term ‘Federal laboratory’ includes—

“(1) a government-owned, government-operated laboratory; and

“(2) a government-owned, contractor-operated laboratory.

“(b) **GENERAL AUTHORITY.**—

“(1) **RESEARCH AND DEVELOPMENT ACTIVITIES.**—The Secretary may conduct research and development activities, including demonstration projects and the collection and analysis of highway and motor vehicle safety data and related information needed to carry out this section, with respect to—

“(A) all aspects of highway and traffic safety systems and conditions relating to—

“(i) vehicle, highway, driver, passenger, motorcyclist, bicyclist, and pedestrian characteristics;

“(ii) accident causation and investigations;

“(iii) communications; and

“(iv) emergency medical services, including the transportation of the injured;

“(B) human behavioral factors and their effect on highway and traffic safety, including—

“(i) driver education;

“(ii) impaired driving; and

“(iii) distracted driving;

“(C) an evaluation of the effectiveness of countermeasures to increase highway and traffic safety, including occupant protection and alcohol- and drug-impaired driving technologies and initiatives;

“(D) the development of technologies to detect drug impaired drivers;

“(E) research on, evaluations of, and identification of best practices related to driver education programs (including driver education curricula, instructor training and certification, program administration, and delivery mechanisms) and make recommendations for harmonizing driver education and multistage graduated licensing systems; and

“(F) the effect of State laws on any aspects, activities, or programs described in subparagraphs (A) through (E).

“(2) **COOPERATION, GRANTS, AND CONTRACTS.**—The Secretary may carry out this section—

“(A) independently;

“(B) in cooperation with other Federal departments, agencies, and instrumentalities and Federal laboratories;

“(C) by entering into contracts, cooperative agreements, and other transactions with the National Academy of Sciences, any Federal laboratory, State or local agency, authority, association, institution, or person (as defined in chapter 1 of title 1); or

“(D) by making grants to the National Academy of Sciences, any Federal laboratory, State or local agency, authority, association, institution, or person (as defined in chapter 1 of title 1).

“(c) **COLLABORATIVE RESEARCH AND DEVELOPMENT.**—

“(1) **IN GENERAL.**—To encourage innovative solutions to highway safety problems, stimulate voluntary improvements in highway safety, and stimulate the marketing of new highway safety related technology by private industry, the Secretary is authorized to carry out, on a cost-shared basis, collaborative research and development with—

“(A) non-Federal entities, including State and local governments, colleges, universities, corporations, partnerships, sole proprietorships, organizations, and trade associations that are incorporated or established under the laws of any State or the United States; and

“(B) Federal laboratories.

“(2) **AGREEMENTS.**—In carrying out this subsection, the Secretary may enter into cooperative research and development agreements (as defined in section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a)) in which the Secretary provides not more than 50 percent of the cost of any research or development project under this subsection.

“(3) **USE OF TECHNOLOGY.**—The research, development, or use of any technology pursuant to an agreement under this subsection, including the terms under which technology may be licensed and the resulting royalties may be distributed, shall be subject to the provisions of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

“(d) **TITLE TO EQUIPMENT.**—In furtherance of the purposes set forth in section 402, the Secretary may vest title to equipment purchased for demonstration projects with funds authorized under this section to State or local agencies on such terms and conditions as the Secretary determines to be appropriate.

“(e) **PROHIBITION ON CERTAIN DISCLOSURES.**—Any report of the National Highway Traffic

Safety Administration, or of any officer, employee, or contractor of the National Highway Traffic Safety Administration, relating to any highway traffic accident or the investigation of such accident conducted pursuant to this chapter or chapter 301 may only be made available to the public in a manner that does not identify individuals.

“(f) **COOPERATIVE RESEARCH AND EVALUATION.**—

“(1) **ESTABLISHMENT AND FUNDING.**—Notwithstanding the apportionment formula set forth in section 402(c)(2), \$2,500,000 of the total amount available for apportionment to the States for highway safety programs under subsection 402(c) in each fiscal year shall be available for expenditure by the Secretary, acting through the Administrator of the National Highway Traffic Safety Administration, for a cooperative research and evaluation program to research and evaluate priority highway safety countermeasures.

“(2) **ADMINISTRATION.**—The program established under paragraph (1)—

“(A) shall be administered by the Administrator of the National Highway Traffic Safety Administration; and

“(B) shall be jointly managed by the Governors Highway Safety Association and the National Highway Traffic Safety Administration.”;

and

(2) by adding at the end the following:

“(h) **IN-VEHICLE ALCOHOL DETECTION DEVICE RESEARCH.**—

“(1) **IN GENERAL.**—The Administrator of the National Highway Traffic Safety Administration may carry out a collaborative research effort under chapter 301 of title 49 on in-vehicle technology to prevent alcohol-impaired driving.

“(2) **FUNDING.**—Funds provided under section 405 may be made to be used by the Secretary to conduct the research described in paragraph (1).

“(3) **PRIVACY PROTECTION.**—If the Administrator utilizes the authority under paragraph (1), the Administrator shall not develop requirements for any device or means of technology to be installed in an automobile intended for retail sale that records a driver’s blood alcohol concentration.

“(4) **REPORTS.**—If the Administrator conducts the research authorized under paragraph (1), the Administrator shall submit an annual report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and Committee on Science, Space, and Technology of the House of Representatives that—

“(A) describes the progress made in carrying out the collaborative research effort; and

“(B) includes an accounting for the use of Federal funds obligated or expended in carrying out that effort.

“(5) **DEFINITIONS.**—In this subsection:

“(A) **ALCOHOL-IMPAIRED DRIVING.**—The term ‘alcohol-impaired driving’ means the operation of a motor vehicle (as defined in section 30102(a)(6) of title 49) by an individual whose blood alcohol content is at or above the legal limit.

“(B) **LEGAL LIMIT.**—The term ‘legal limit’ means a blood alcohol concentration of 0.08 percent or greater (as set forth in section 163(a)) or such other percentage limitation as may be established by applicable Federal, State, or local law.”.

SEC. 31104. NATIONAL DRIVER REGISTER.

Section 30302(b) of title 49, United States Code, is amended by adding at the end the following: “The Secretary shall make continual improvements to modernize the Register’s data processing system.”.

SEC. 31105. NATIONAL PRIORITY SAFETY PROGRAMS.

(a) **IN GENERAL.**—Section 405 of title 23, United States Code, is amended to read as follows:

“§ 405. National priority safety programs

“(a) **GENERAL AUTHORITY.**—Subject to the requirements of this section, the Secretary of

Transportation shall manage programs to address national priorities for reducing highway deaths and injuries. Funds shall be allocated according to the priorities set forth in paragraphs (1) and (2).

“(1) GRANTS TO STATES.—

“(A) OCCUPANT PROTECTION.—16 percent of the funds provided under this section in each fiscal year shall be allocated among States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles (as described in subsection (b)).

“(B) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—14.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that meet the requirements of the State traffic safety information system improvements (as described in subsection (c)).

“(C) IMPAIRED DRIVING COUNTERMEASURES.—52.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that meet the requirements of the impaired driving countermeasures (as described in subsection (d)).

“(D) DISTRACTED DRIVING.—8.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that adopt and implement effective laws to reduce distracted driving (as described in subsection (e)).

“(E) MOTORCYCLIST SAFETY.—1.5 percent of the funds provided under this section in each fiscal year shall be allocated among States that implement motorcyclist safety programs (as described in subsection (f)).

“(F) STATE GRADUATED DRIVER LICENSING LAWS.—5 percent of the funds provided under this section in each fiscal year shall be allocated among States that adopt and implement graduated driver licensing laws (as described in subsection (g)).

“(G) TRANSFERS.—Notwithstanding subparagraphs (A) through (F), the Secretary may reallocate, before the last day of any fiscal year, any amounts remaining available to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out any of the other activities described in such subsections, or the amount made available under section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.

“(H) MAINTENANCE OF EFFORT.—

“(i) REQUIREMENTS.—No grant may be made to a State in any fiscal year under subsection (b), (c), or (d) unless the State enters into such agreements with the Secretary as the Secretary may require to ensure that the State will maintain its aggregate expenditures from all State and local sources for programs described in those sections at or above the average level of such expenditures in its 2 fiscal years preceding the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012.

“(ii) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements under clause (i) for not more than 1 fiscal year if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances.

“(2) OTHER PRIORITY PROGRAMS.—Funds provided under this section in each fiscal year may be used for research into technology to prevent alcohol-impaired driving (as described in subsection 403(h)).

“(b) OCCUPANT PROTECTION GRANTS.—

“(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles.

“(2) FEDERAL SHARE.—The Federal share of the costs of activities funded using amounts from grants awarded under this subsection may

not exceed 80 percent for each fiscal year for which a State receives a grant.

“(3) ELIGIBILITY.—

“(A) HIGH SEAT BELT USE RATE.—A State with an observed seat belt use rate of 90 percent or higher, based on the most recent data from a survey that conforms with national criteria established by the National Highway Traffic Safety Administration, shall be eligible for a grant in a fiscal year if the State—

“(i) submits an occupant protection plan during the first fiscal year;

“(ii) participates in the Click It or Ticket national mobilization;

“(iii) has an active network of child restraint inspection stations; and

“(iv) has a plan to recruit, train, and maintain a sufficient number of child passenger safety technicians.

“(B) LOWER SEAT BELT USE RATE.—A State with an observed seat belt use rate below 90 percent, based on the most recent data from a survey that conforms with national criteria established by the National Highway Traffic Safety Administration, shall be eligible for a grant in a fiscal year if—

“(i) the State meets all of the requirements under clauses (i) through (iv) of subparagraph (A); and

“(ii) the Secretary determines that the State meets at least 3 of the following criteria:

“(I) The State conducts sustained (on-going and periodic) seat belt enforcement at a defined level of participation during the year.

“(II) The State has enacted and enforces a primary enforcement seat belt use law.

“(III) The State has implemented countermeasure programs for high-risk populations, such as drivers on rural roadways, unrestrained nighttime drivers, or teenage drivers.

“(IV) The State has enacted and enforces occupant protection laws requiring front and rear occupant protection use by all occupants in an age-appropriate restraint.

“(V) The State has implemented a comprehensive occupant protection program in which the State has—

“(aa) conducted a program assessment;

“(bb) developed a statewide strategic plan;

“(cc) designated an occupant protection coordinator; and

“(dd) established a statewide occupant protection task force.

“(VI) The State—

“(aa) completed an assessment of its occupant protection program during the 3-year period preceding the grant year; or

“(bb) will conduct such an assessment during the first year of the grant.

“(4) USE OF GRANT AMOUNTS.—

“(A) IN GENERAL.—Grant funds received pursuant to this subsection may be used to—

“(i) carry out a program to support high-visibility enforcement mobilizations, including paid media that emphasizes publicity for the program, and law enforcement;

“(ii) carry out a program to train occupant protection safety professionals, police officers, fire and emergency medical personnel, educators, and parents concerning all aspects of the use of child restraints and occupant protection;

“(iii) carry out a program to educate the public concerning the proper use and installation of child restraints, including related equipment and information systems;

“(iv) carry out a program to provide community child passenger safety services, including programs about proper seating positions for children and how to reduce the improper use of child restraints;

“(v) purchase and distribute child restraints to low-income families, provided that not more than 5 percent of the funds received in a fiscal year are used for such purpose; and

“(vi) establish and maintain information systems containing data concerning occupant protection, including the collection and administration of child passenger safety and occupant protection surveys.

“(B) HIGH SEAT BELT USE RATE.—A State that is eligible for funds under paragraph (3)(A) may use up to 75 percent of such funds for any project or activity eligible for funding under section 402.

“(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

“(6) DEFINITIONS.—In this subsection:

“(A) CHILD RESTRAINT.—The term ‘child restraint’ means any device (including child safety seat, booster seat, harness, and excepting seat belts) that is—

“(i) designed for use in a motor vehicle to restrain, seat, or position children who weigh 65 pounds (30 kilograms) or less; and

“(ii) certified to the Federal motor vehicle safety standard prescribed by the National Highway Traffic Safety Administration for child restraints.

“(B) SEAT BELT.—The term ‘seat belt’ means—

“(i) with respect to open-body motor vehicles, including convertibles, an occupant restraint system consisting of a lap belt or a lap belt and a detachable shoulder belt; and

“(ii) with respect to other motor vehicles, an occupant restraint system consisting of integrated lap and shoulder belts.

“(c) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—

“(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States to support the development and implementation of effective State programs that—

“(A) improve the timeliness, accuracy, completeness, uniformity, integration, and accessibility of the State safety data that is needed to identify priorities for Federal, State, and local highway and traffic safety programs;

“(B) evaluate the effectiveness of efforts to make such improvements;

“(C) link the State data systems, including traffic records, with other data systems within the State, such as systems that contain medical, roadway, and economic data;

“(D) improve the compatibility and interoperability of the data systems of the State with national data systems and data systems of other States; and

“(E) enhance the ability of the Secretary to observe and analyze national trends in crash occurrences, rates, outcomes, and circumstances.

“(2) FEDERAL SHARE.—The Federal share of the cost of adopting and implementing in a fiscal year a State program described in this subsection may not exceed 80 percent.

“(3) ELIGIBILITY.—A State is not eligible for a grant under this subsection in a fiscal year unless the State demonstrates, to the satisfaction of the Secretary, that the State—

“(A) has a functioning traffic records coordinating committee (referred to in this paragraph as ‘TRCC’) that meets at least 3 times each year;

“(B) has designated a TRCC coordinator;

“(C) has established a State traffic record strategic plan that has been approved by the TRCC and describes specific quantifiable and measurable improvements anticipated in the State's core safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle databases;

“(D) has demonstrated quantitative progress in relation to the significant data program attribute of—

“(i) accuracy;

“(ii) completeness;

“(iii) timeliness;

“(iv) uniformity;

“(v) accessibility; or

“(vi) integration of a core highway safety database; and

“(E) has certified to the Secretary that an assessment of the State's highway safety data and traffic records system was conducted or updated during the preceding 5 years.

“(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection shall be used for making data program improvements to core highway safety databases related to quantifiable, measurable progress in any of the 6 significant data program attributes set forth in paragraph (3)(D).

“(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State’s apportionment under section 402 for fiscal year 2009.

“(d) IMPAIRED DRIVING COUNTERMEASURES.—

“(1) IN GENERAL.—Subject to the requirements under this subsection, the Secretary of Transportation shall award grants to States that adopt and implement—

“(A) effective programs to reduce driving under the influence of alcohol, drugs, or the combination of alcohol and drugs; or

“(B) alcohol-ignition interlock laws.

“(2) FEDERAL SHARE.—The Federal share of the costs of activities funded using amounts from grants under this subsection may not exceed 80 percent in any fiscal year in which the State receives a grant.

“(3) ELIGIBILITY.—

“(A) LOW-RANGE STATES.—Low-range States shall be eligible for a grant under this subsection.

“(B) MID-RANGE STATES.—A mid-range State shall be eligible for a grant under this subsection if—

“(i) a statewide impaired driving task force in the State developed a statewide plan during the most recent 3 calendar years to address the problem of impaired driving; or

“(ii) the State will convene a statewide impaired driving task force to develop such a plan during the first year of the grant.

“(C) HIGH-RANGE STATES.—A high-range State shall be eligible for a grant under this subsection if the State—

“(i) conducted an assessment of the State’s impaired driving program during the most recent 3 calendar years; or

“(II) will conduct such an assessment during the first year of the grant;

“(ii) convenes, during the first year of the grant, a statewide impaired driving task force to develop a statewide plan that—

“(I) addresses any recommendations from the assessment conducted under clause (i);

“(II) includes a detailed plan for spending any grant funds provided under this subsection; and

“(III) describes how such spending supports the statewide program; and

“(iii) submits the statewide plan to the National Highway Traffic Safety Administration during the first year of the grant for the agency’s review and approval;

“(II) annually updates the statewide plan in each subsequent year of the grant; and

“(III) submits each updated statewide plan for the agency’s review and comment.

“(4) USE OF GRANT AMOUNTS.—

“(A) REQUIRED PROGRAMS.—High-range States shall use grant funds for—

“(i) high visibility enforcement efforts; and

“(ii) any of the activities described in subparagraph (B) if—

“(I) the activity is described in the statewide plan; and

“(II) the Secretary approves the use of funding for such activity.

“(B) AUTHORIZED PROGRAMS.—Medium-range and low-range States may use grant funds for—

“(i) any of the purposes described in subparagraph (A);

“(ii) hiring a full-time or part-time impaired driving coordinator of the State’s activities to address the enforcement and adjudication of laws regarding driving while impaired by alcohol;

“(iii) court support of high visibility enforcement efforts, training and education of criminal justice professionals (including law enforcement, prosecutors, judges, and probation offi-

cers) to assist such professionals in handling impaired driving cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons, and establishing driving while intoxicated courts;

“(iv) alcohol ignition interlock programs;

“(v) improving blood-alcohol concentration testing and reporting;

“(vi) paid and earned media in support of high visibility enforcement efforts, and conducting standardized field sobriety training, advanced roadside impaired driving evaluation training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

“(vii) training on the use of alcohol screening and brief intervention;

“(viii) developing impaired driving information systems; and

“(ix) costs associated with a 24-7 sobriety program.

“(C) OTHER PROGRAMS.—Low-range States may use grant funds for any expenditure designed to reduce impaired driving based on problem identification. Medium and high-range States may use funds for such expenditures upon approval by the Secretary.

“(5) GRANT AMOUNT.—Subject to paragraph (6), the allocation of grant funds to a State under this section for a fiscal year shall be in proportion to the State’s apportionment under section 402(c) for fiscal year 2009.

“(6) GRANTS TO STATES THAT ADOPT AND ENFORCE MANDATORY ALCOHOL-IGNITION INTERLOCK LAWS.—

“(A) IN GENERAL.—The Secretary shall make a separate grant under this subsection to each State that adopts and is enforcing a mandatory alcohol-ignition interlock law for all individuals convicted of driving under the influence of alcohol or of driving while intoxicated.

“(B) USE OF FUNDS.—Grants authorized under subparagraph (A) may be used by recipient States for any eligible activities under this subsection or section 402.

“(C) ALLOCATION.—Amounts made available under this paragraph shall be allocated among States described in subparagraph (A) on the basis of the apportionment formula set forth in section 402(c).

“(D) FUNDING.—Not more than 15 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under this paragraph.

“(7) DEFINITIONS.—In this subsection:

“(A) 24-7 SOBRIETY PROGRAM.—The term ‘24-7 sobriety program’ means a State law or program that authorizes a State court or a State agency, as a condition of sentence, probation, parole, or work permit, to—

“(i) require an individual who plead guilty or was convicted of driving under the influence of alcohol or drugs to totally abstain from alcohol or drugs for a period of time; and

“(ii) require the individual to be subject to testing for alcohol or drugs—

“(I) at least twice per day;

“(II) by continuous transdermal alcohol monitoring via an electronic monitoring device; or

“(III) by an alternate method with the concurrence of the Secretary.

“(B) AVERAGE IMPAIRED DRIVING FATALITY RATE.—The term ‘average impaired driving fatality rate’ means the number of fatalities in motor vehicle crashes involving a driver with a blood alcohol concentration of at least 0.08 percent for every 100,000 vehicle miles traveled, based on the most recently reported 3 calendar years of final data from the Fatality Analysis Reporting System, as calculated in accordance with regulations prescribed by the Administrator of the National Highway Traffic Safety Administration.

“(C) HIGH-RANGE STATE.—The term ‘high-range State’ means a State that has an average impaired driving fatality rate of 0.60 or higher.

“(D) LOW-RANGE STATE.—The term ‘low-range State’ means a State that has an average impaired driving fatality rate of 0.30 or lower.

“(E) MID-RANGE STATE.—The term ‘mid-range State’ means a State that has an average impaired driving fatality rate that is higher than 0.30 and lower than 0.60.

“(e) DISTRACTED DRIVING GRANTS.—

“(1) IN GENERAL.—The Secretary shall award a grant under this subsection to any State that enacts and enforces a statute that meets the requirements set forth in paragraphs (2) and (3).

“(2) PROHIBITION ON TEXTING WHILE DRIVING.—A State statute meets the requirements set forth in this paragraph if the statute—

“(A) prohibits drivers from texting through a personal wireless communications device while driving;

“(B) makes violation of the statute a primary offense; and

“(C) establishes—

“(i) a minimum fine for a first violation of the statute; and

“(ii) increased fines for repeat violations.

“(3) PROHIBITION ON YOUTH CELL PHONE USE WHILE DRIVING.—A State statute meets the requirements set forth in this paragraph if the statute—

“(A) prohibits a driver who is younger than 18 years of age from using a personal wireless communications device while driving;

“(B) makes violation of the statute a primary offense;

“(C) requires distracted driving issues to be tested as part of the State driver’s license examination; and

“(D) establishes—

“(i) a minimum fine for a first violation of the statute; and

“(ii) increased fines for repeat violations.

“(4) PERMITTED EXCEPTIONS.—A statute that meets the requirements set forth in paragraphs (2) and (3) may provide exceptions for—

“(A) a driver who uses a personal wireless communications device to contact emergency services;

“(B) emergency services personnel who use a personal wireless communications device while—

“(i) operating an emergency services vehicle; and

“(ii) engaged in the performance of their duties as emergency services personnel; and

“(C) an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual’s employment if such use is permitted under the regulations promulgated pursuant to section 31152 of title 49.

“(5) USE OF GRANT FUNDS.—Of the amounts received by a State under this subsection—

“(A) at least 50 percent shall be used—

“(i) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

“(ii) for traffic signs that notify drivers about the distracted driving law of the State; or

“(iii) for law enforcement costs related to the enforcement of the distracted driving law; and

“(B) up to 50 percent may be used for any eligible project or activity under section 402.

“(6) ADDITIONAL GRANTS.—In the first fiscal year that grants are awarded under this subsection, the Secretary may use up to 25 percent of the amounts available for grants under this subsection to award grants to States that—

“(A) enacted statutes before the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, which meet the requirements set forth in subparagraphs (A) and (B) of paragraph (2); and

“(B) are otherwise ineligible for a grant under this subsection.

“(7) ALLOCATION TO SUPPORT STATE DISTRACTED DRIVING LAWS.—Of the amounts available under this subsection in a fiscal year for distracted driving grants, the Secretary may expend up to \$5,000,000 for the development and placement of broadcast media to support the enforcement of State distracted driving laws.

“(8) DISTRACTED DRIVING STUDY.—

“(A) IN GENERAL.—The Secretary shall conduct a study of all forms of distracted driving.

“(B) COMPONENTS.—The study conducted under subparagraph (A) shall—

“(i) examine the effect of distractions other than the use of personal wireless communications on motor vehicle safety;

“(ii) identify metrics to determine the nature and scope of the distracted driving problem;

“(iii) identify the most effective methods to enhance education and awareness; and

“(iv) identify the most effective method of reducing deaths and injuries caused by all forms of distracted driving.

“(C) REPORT.—Not later than 1 year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, the Secretary shall submit a report containing the results of the study conducted under this paragraph to—

“(i) the Committee on Commerce, Science, and Transportation of the Senate; and

“(ii) the Committee on Transportation and Infrastructure of the House of Representatives.

“(9) DEFINITIONS.—In this subsection:

“(A) DRIVING.—The term ‘driving’—

“(i) means operating a motor vehicle on a public road, including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise; and

“(ii) does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

“(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—The term ‘personal wireless communications device’—

“(i) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

“(ii) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

“(C) PRIMARY OFFENSE.—The term ‘primary offense’ means an offense for which a law enforcement officer may stop a vehicle solely for the purpose of issuing a citation in the absence of evidence of another offense.

“(D) PUBLIC ROAD.—The term ‘public road’ has the meaning given such term in section 402(c).

“(E) TEXTING.—The term ‘texting’ means reading from or manually entering data into a personal wireless communications device, including doing so for the purpose of SMS texting, e-mailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication.

“(f) MOTORCYCLIST SAFETY.—

“(1) GRANTS AUTHORIZED.—Subject to the requirements under this subsection, the Secretary shall award grants to States that adopt and implement effective programs to reduce the number of single- and multi-vehicle crashes involving motorcyclists.

“(2) ALLOCATION.—The amount of a grant awarded to a State for a fiscal year under this subsection may not exceed 25 percent of the amount apportioned to the State for fiscal year 2003 under section 402.

“(3) GRANT ELIGIBILITY.—A State becomes eligible for a grant under this subsection by adopting or demonstrating to the satisfaction of the Secretary, at least 2 of the following criteria:

“(A) MOTORCYCLE RIDER TRAINING COURSES.—An effective motorcycle rider training course that is offered throughout the State, which—

“(i) provides a formal program of instruction in accident avoidance and other safety-oriented operational skills to motorcyclists; and

“(ii) may include innovative training opportunities to meet unique regional needs.

“(B) MOTORCYCLISTS AWARENESS PROGRAM.—An effective statewide program to enhance motorist awareness of the presence of motorcyclists on or near roadways and safe driving practices that avoid injuries to motorcyclists.

“(C) REDUCTION OF FATALITIES AND CRASHES INVOLVING MOTORCYCLES.—A reduction for the preceding calendar year in the number of motorcycle fatalities and the rate of motor vehicle crashes involving motorcycles in the State (expressed as a function of 10,000 motorcycle registrations).

“(D) IMPAIRED DRIVING PROGRAM.—Implementation of a statewide program to reduce impaired driving, including specific measures to reduce impaired motorcycle operation.

“(E) REDUCTION OF FATALITIES AND ACCIDENTS INVOLVING IMPAIRED MOTORCYCLISTS.—A reduction for the preceding calendar year in the number of fatalities and the rate of reported crashes involving alcohol- or drug-impaired motorcycle operators (expressed as a function of 10,000 motorcycle registrations).

“(F) FEES COLLECTED FROM MOTORCYCLISTS.—All fees collected by the State from motorcyclists for the purposes of funding motorcycle training and safety programs will be used for motorcycle training and safety purposes.

“(4) ELIGIBLE USES.—

“(A) IN GENERAL.—A State may use funds from a grant under this subsection only for motorcyclist safety training and motorcyclist awareness programs, including—

“(i) improvements to motorcyclist safety training curricula;

“(ii) improvements in program delivery of motorcycle training to both urban and rural areas, including—

“(I) procurement or repair of practice motorcycles;

“(II) instructional materials;

“(III) mobile training units; and

“(IV) leasing or purchasing facilities for closed-course motorcycle skill training;

“(ii) measures designed to increase the recruitment or retention of motorcyclist safety training instructors; and

“(iv) public awareness, public service announcements, and other outreach programs to enhance driver awareness of motorcyclists, such as the ‘share-the-road’ safety messages developed under subsection (g).

“(B) SUBALLOCATIONS OF FUNDS.—An agency of a State that receives a grant under this subsection may suballocate funds from the grant to a nonprofit organization incorporated in that State to carry out this subsection.

“(5) DEFINITIONS.—In this subsection:

“(A) MOTORCYCLIST AWARENESS.—The term ‘motorcyclist awareness’ means individual or collective awareness of—

“(i) the presence of motorcycles on or near roadways; and

“(ii) safe driving practices that avoid injury to motorcyclists.

“(B) MOTORCYCLIST AWARENESS PROGRAM.—The term ‘motorcyclist awareness program’ means an informational or public awareness program designed to enhance motorcyclist awareness that is developed by or in coordination with the designated State authority having jurisdiction over motorcyclist safety issues, which may include the State motorcycle safety administrator or a motorcycle advisory council appointed by the governor of the State.

“(C) MOTORCYCLIST SAFETY TRAINING.—The term ‘motorcyclist safety training’ means a formal program of instruction that is approved for use in a State by the designated State authority having jurisdiction over motorcyclist safety issues, which may include the State motorcycle safety administrator or a motorcycle advisory council appointed by the governor of the State.

“(D) STATE.—The term ‘State’ has the meaning given such term in section 101(a) of title 23, United States Code.

“(g) STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT.—

“(1) GRANTS AUTHORIZED.—Subject to the requirements under this subsection, the Secretary shall award grants to States that adopt and implement graduated driver licensing laws in accordance with the requirements set forth in paragraph (2).

“(2) MINIMUM REQUIREMENTS.—

“(A) IN GENERAL.—A State meets the requirements set forth in this paragraph if the State has a graduated driver licensing law that requires novice drivers younger than 21 years of age to comply with the 2-stage licensing process described in subparagraph (B) before receiving an unrestricted driver’s license.

“(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State’s driver’s license laws include—

“(i) a learner’s permit stage that—

“(I) is at least 6 months in duration;

“(II) prohibits the driver from using a cellular telephone or any communications device in a nonemergency situation; and

“(III) remains in effect until the driver—

“(aa) reaches 16 years of age and enters the intermediate stage; or

“(bb) reaches 18 years of age;

“(ii) an intermediate stage that—

“(I) commences immediately after the expiration of the learner’s permit stage;

“(II) is at least 6 months in duration;

“(III) prohibits the driver from using a cellular telephone or any communications device in a nonemergency situation;

“(IV) restricts driving at night;

“(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

“(VI) remains in effect until the driver reaches 18 years of age; and

“(iii) any other requirement prescribed by the Secretary of Transportation, including—

“(I) in the learner’s permit stage—

“(aa) at least 40 hours of behind-the-wheel training with a licensed driver who is at least 21 years of age;

“(bb) a driver training course; and

“(cc) a requirement that the driver be accompanied and supervised by a licensed driver, who is at least 21 years of age, at all times while such driver is operating a motor vehicle; and

“(II) in the learner’s permit or intermediate stage, a requirement, in addition to any other penalties imposed by State law, that the grant of an unrestricted driver’s license be automatically delayed for any individual who, during the learner’s permit or intermediate stage, is convicted of a driving-related offense, including—

“(aa) driving while intoxicated;

“(bb) misrepresentation of his or her true age;

“(cc) reckless driving;

“(dd) driving without wearing a seat belt;

“(ee) speeding; or

“(ff) any other driving-related offense, as determined by the Secretary.

“(3) RULEMAKING.—

“(A) IN GENERAL.—The Secretary shall promulgate regulations necessary to implement the requirements set forth in paragraph (2), in accordance with the notice and comment provisions under section 553 of title 5.

“(B) EXCEPTION.—A State that otherwise meets the minimum requirements set forth in paragraph (2) shall be deemed by the Secretary to be in compliance with the requirement set forth in paragraph (2) if the State enacted a law before January 1, 2011, establishing a class of license that permits licensees or applicants younger than 18 years of age to drive a motor vehicle—

“(i) in connection with work performed on, or for the operation of, a farm owned by family members who are directly related to the applicant or licensee; or

“(ii) if demonstrable hardship would result from the denial of a license to the licensees or applicants.

“(4) ALLOCATION.—Grant funds allocated to a State under this subsection for a fiscal year shall be in proportion to a State’s apportionment under section 402 for such fiscal year.

“(5) USE OF FUNDS.—Of the grant funds received by a State under this subsection—

“(A) at least 25 percent shall be used for—
 “(i) enforcing a 2-stage licensing process that complies with paragraph (2);
 “(ii) training for law enforcement personnel and other relevant State agency personnel relating to the enforcement described in clause (i);
 “(iii) publishing relevant educational materials that pertain directly or indirectly to the State graduated driver licensing law;
 “(iv) carrying out other administrative activities that the Secretary considers relevant to the State’s 2-stage licensing process; and
 “(v) carrying out a teen traffic safety program described in section 402(m); and
 “(B) up to 75 percent may be used for any eligible project or activity under section 402.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 4 of title 23, United States Code, is amended by striking the item relating to section 405 and inserting the following:

“405. National priority safety programs.”

SEC. 31106. HIGH VISIBILITY ENFORCEMENT PROGRAM.

Section 2009 of SAFETEA-LU (23 U.S.C. 402 note) is amended—

(1) in subsection (a)—
 (A) by striking “at least 2” and inserting “at least 3”; and

(B) by striking “years 2006 through 2012.” and inserting “fiscal years 2013 and 2014. The Administrator may also initiate and support additional campaigns in each of fiscal years 2013 and 2014 for the purposes specified in subsection (b).”;

(2) in subsection (b), by striking “either or both” and inserting “outcomes related to at least 1”;

(3) in subsection (c), by inserting “and Internet-based outreach” after “print media advertising”;

(4) in subsection (e), by striking “subsections (a), (c), and (f)” and inserting “subsection (c)”;

(5) by striking subsection (f); and

(6) by redesignating subsection (g) as subsection (f).

SEC. 31107. AGENCY ACCOUNTABILITY.

Section 412 of title 23, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) TRIENNIAL STATE MANAGEMENT REVIEWS.—

“(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary shall conduct a review of each State highway safety program at least once every 3 years.

“(2) EXCEPTIONS.—The Secretary may conduct reviews of the highway safety programs of the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands as often as the Secretary determines to be appropriate.

“(3) COMPONENTS.—Reviews under this subsection shall include—

“(A) a management evaluation of all grant programs funded under this chapter;

“(B) an assessment of State data collection and evaluation relating to performance measures established by the Secretary;

“(C) a comparison of State efforts under subparagraphs (A) and (B) to best practices and programs that have been evaluated for effectiveness; and

“(D) the development of recommendations on how each State could—

“(i) improve the management and oversight of its grant activities; and

“(ii) provide a management and oversight plan for such grant programs.”; and

(2) by striking subsection (f).

SEC. 31108. EMERGENCY MEDICAL SERVICES.

Section 10202 of Public Law 109-59 (42 U.S.C. 300d-4), is amended by adding at the end the following:

“(b) NATIONAL EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL.—

“(1) ESTABLISHMENT.—The Secretary of Transportation, in coordination with the Sec-

retary of Health and Human Services and the Secretary of Homeland Security, shall establish a National Emergency Medical Services Advisory Council (referred to in this subsection as the ‘Advisory Council’).

“(2) MEMBERSHIP.—The Advisory Council shall be composed of 25 members, who—

“(A) shall be appointed by the Secretary of Transportation; and

“(B) shall collectively be representative of all sectors of the emergency medical services community.

“(3) PURPOSES.—The purposes of the Advisory Council are to advise and consult with—

“(A) the Federal Interagency Committee on Emergency Medical Services on matters relating to emergency medical services issues; and

“(B) the Secretary of Transportation on matters relating to emergency medical services issues affecting the Department of Transportation.

“(4) ADMINISTRATION.—The Administrator of the National Highway Traffic Safety Administration shall provide administrative support to the Advisory Council, including scheduling meetings, setting agendas, keeping minutes and records, and producing reports.

“(5) LEADERSHIP.—The members of the Advisory Council shall annually select a chairperson of the Advisory Council.

“(6) MEETINGS.—The Advisory Council shall meet as frequently as is determined necessary by the chairperson of the Advisory Council.

“(7) ANNUAL REPORTS.—The Advisory Council shall prepare an annual report to the Secretary of Transportation regarding the Advisory Council’s actions and recommendations.”

SEC. 31109. REPEAL OF PROGRAMS.

(a) GENERAL PROVISION.—A repeal made by this section shall not affect amounts apportioned or allocated before the effective date of such repeal, provided that such apportioned or allocated funds continue to be subject to the requirements to which such funds were subject under the repealed section as in effect on the day before the date of the repeal.

(b) SAFETY BELT PERFORMANCE GRANTS.—Section 406 of title 23, United States Code, and the item relating to section 406 in the analysis for chapter 4 of title 23, United States Code, are repealed.

(c) INNOVATIVE PROJECT GRANTS.—Section 407 of title 23, United States Code, and the item relating to section 407 in the analysis for chapter 4, are repealed.

(d) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 408 of title 23, United States Code, and the item relating to section 408 in the analysis for chapter 4, are repealed.

(e) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.—Section 410 of title 23, United States Code, and the item relating to section 410 in the analysis for chapter 4, are repealed.

(f) STATE HIGHWAY SAFETY DATA IMPROVEMENTS.—Section 411 of title 23, United States Code, and the item relating to section 411 in the analysis for chapter 4, are repealed.

(g) MOTORCYCLIST SAFETY.—Section 2010 of SAFETEA-LU (23 U.S.C. 402 note), and the item relating to section 2010 in the table of contents under section 1(b) of such Act, are repealed.

(h) CHILD SAFETY AND CHILD BOOSTER SEAT INCENTIVE GRANTS.—Section 2011 of SAFETEA-LU (23 U.S.C. 405 note), and the item relating to section 2011 in the table of contents under section 1(b) of that Act, are repealed.

(i) DRUG-IMPAIRED DRIVING ENFORCEMENT.—Section 2013 of SAFETEA-LU (23 U.S.C. 403 note), and the item relating to section 2013 in the table of contents under section 1(b) of that Act, are repealed.

(j) FIRST RESPONDER VEHICLE SAFETY PROGRAM.—Section 2014 of SAFETEA-LU (23 U.S.C. 402 note), and the item relating to section 2014 in the table of contents under section 1(b) of that Act, are repealed.

(k) RURAL STATE EMERGENCY MEDICAL SERVICES OPTIMIZATION PILOT PROGRAM.—Section

2016 of SAFETEA-LU (119 Stat. 1541), and the item relating to section 2016 in the table of contents under section 1(b) of that Act, are repealed.

(l) OLDER DRIVER SAFETY; LAW ENFORCEMENT TRAINING.—Section 2017 of SAFETEA-LU (119 Stat. 1541), and the item relating to section 2017 in the table of contents under section 1(b) of that Act, are repealed.

Subtitle B—Enhanced Safety Authorities
SEC. 31201. DEFINITION OF MOTOR VEHICLE EQUIPMENT.

Section 30102(a)(7)(C) of title 49, United States Code, is amended to read as follows:

“(C) any device or an article or apparel, including a motorcycle helmet and excluding medicine or eyeglasses prescribed by a licensed practitioner, that—

“(i) is not a system, part, or component of a motor vehicle; and

“(ii) is manufactured, sold, delivered, or offered to be sold for use on public streets, roads, and highways with the apparent purpose of safeguarding users of motor vehicles against risk of accident, injury, or death.”

SEC. 31202. PERMIT REMINDER SYSTEM FOR NON-USE OF SAFETY BELTS.

(a) IN GENERAL.—Chapter 301 of title 49, United States Code, is amended—

(1) in section 30122, by striking subsection (d); and

(2) by amending section 30124 to read as follows:

“§30124. Nonuse of safety belts

“A motor vehicle safety standard prescribed under this chapter may not require a manufacturer to comply with the standard by using a safety belt interlock designed to prevent starting or operating a motor vehicle if an occupant is not using a safety belt.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 301 of title 49, United States Code, is amended by striking the item relating to section 30124 and inserting the following:

“Sec. 30124. Nonuse of safety belts.”

SEC. 31203. CIVIL PENALTIES.

(a) IN GENERAL.—Section 30165 of title 49, United States Code, is amended—

(1) in subsection (a)—
 (A) in paragraph (1)—

(i) by striking “30123(d)” and inserting “30123(a)”;

(ii) by striking “\$15,000,000” and inserting “\$35,000,000”; and

(B) in paragraph (3), by striking “\$15,000,000” and inserting “\$35,000,000”; and

(2) by amending subsection (c) to read as follows:

“(c) RELEVANT FACTORS IN DETERMINING AMOUNT OF PENALTY OR COMPROMISE.—In determining the amount of a civil penalty or compromise under this section, the Secretary of Transportation shall consider the nature, circumstances, extent, and gravity of the violation. Such determination shall include, as appropriate—

“(1) the nature of the defect or noncompliance;

“(2) knowledge by the person charged of its obligations under this chapter;

“(3) the severity of the risk of injury;

“(4) the occurrence or absence of injury;

“(5) the number of motor vehicles or items of motor vehicle equipment distributed with the defect or noncompliance;

“(6) actions taken by the person charged to identify, investigate, or mitigate the condition;

“(7) the appropriateness of such penalty in relation to the size of the business of the person charged, including the potential for undue adverse economic impacts;

“(8) whether the person has been assessed civil penalties under this section during the most recent 5 years; and

“(9) other appropriate factors.”

(b) CIVIL PENALTY CRITERIA.—Not later than 1 year after the date of enactment of this Act,

the Secretary shall issue a final rule, in accordance with the procedures of section 553 of title 5, United States Code, which provides an interpretation of the penalty factors described in section 30165(c) of title 49, United States Code.

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is the earlier of the date on which final regulations are issued under subsection (b) or 1 year after the date of enactment of this Act.

SEC. 31204. MOTOR VEHICLE SAFETY RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—Chapter 301 of title 49, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—MOTOR VEHICLE SAFETY RESEARCH AND DEVELOPMENT

“§30181. Policy

“The Secretary of Transportation shall conduct research, development, and testing on any area or aspect of motor vehicle safety necessary to carry out this chapter.

“§30182. Powers and duties

“(a) **IN GENERAL.**—The Secretary of Transportation shall—

“(1) conduct motor vehicle safety research, development, and testing programs and activities, including activities related to new and emerging technologies that impact or may impact motor vehicle safety;

“(2) collect and analyze all types of motor vehicle and highway safety data and related information to determine the relationship between motor vehicle or motor vehicle equipment performance characteristics and—

“(A) accidents involving motor vehicles; and

“(B) deaths or personal injuries resulting from those accidents.

“(b) **ACTIVITIES.**—In carrying out a program under this section, the Secretary of Transportation may—

“(1) promote, support, and advance the education and training of motor vehicle safety staff of the National Highway Traffic Safety Administration in motor vehicle safety research programs and activities, including using program funds for planning, implementing, conducting, and presenting results of program activities, and for related expenses;

“(2) obtain experimental and other motor vehicles and motor vehicle equipment for research or testing;

“(3)(A) use any test motor vehicles and motor vehicle equipment suitable for continued use, as determined by the Secretary to assist in carrying out this chapter or any other chapter of this title; or

“(B) sell or otherwise dispose of test motor vehicles and motor vehicle equipment and use the resulting proceeds to carry out this chapter;

“(4) award grants to States and local governments, interstate authorities, and nonprofit institutions; and

“(5) enter into cooperative agreements, collaborative research, or contracts with Federal agencies, interstate authorities, State and local governments, other public entities, private organizations and persons, nonprofit institutions, colleges and universities, consumer advocacy groups, corporations, partnerships, sole proprietorships, trade associations, Federal laboratories (including government-owned, government-operated laboratories and government-owned, contractor-operated laboratories), and research organizations.

“(c) **USE OF PUBLIC AGENCIES.**—In carrying out this subchapter, the Secretary shall avoid duplication by using the services, research, and testing facilities of public agencies, as appropriate.

“(d) **FACILITIES.**—The Secretary may plan, design, and construct a new facility or modify an existing facility to conduct research, development, and testing in traffic safety, highway safety, and motor vehicle safety. An expenditure of more than \$1,500,000 for planning, design, or construction may be made only if 60 days prior

notice of the planning, design, or construction is provided to the Committees on Science, Space, and Technology and Transportation and Infrastructure of the House of Representatives and the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate. The notice shall include—

“(1) a brief description of the facility being planned, designed, or constructed;

“(2) the location of the facility;

“(3) an estimate of the maximum cost of the facility;

“(4) a statement identifying private and public agencies that will use the facility and the contribution each agency will make to the cost of the facility; and

“(5) a justification of the need for the facility.

“(e) **INCREASING COSTS OF APPROVED FACILITIES.**—The estimated maximum cost of a facility noticed under subsection (d) may be increased by an amount equal to the percentage increase in construction costs from the date the notice is submitted to Congress. However, the increase in the cost of the facility may not be more than 10 percent of the estimated maximum cost included in the notice. The Secretary shall decide what increase in construction costs has occurred.

“(f) **AVAILABILITY OF INFORMATION, PATENTS, AND DEVELOPMENTS.**—When the United States Government makes more than a minimal contribution to a research or development activity under this chapter, the Secretary shall include in the arrangement for the activity a provision to ensure that all information, patents, and developments related to the activity are available to the public. The owner of a background patent may not be deprived of a right under the patent.

“§30183. Prohibition on certain disclosures.

“Any report of the National Highway Traffic Safety Administration, or of any officer, employee, or contractor of the National Highway Traffic Safety Administration, relating to any highway traffic accident or the investigation of such accident conducted pursuant to this chapter or section 403 of title 23, may be made available to the public only in a manner that does not identify individuals.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **AMENDMENT OF CHAPTER ANALYSIS.**—The chapter analysis for chapter 301 of title 49, United States Code, is amended by adding at the end the following:

“SUBCHAPTER V—MOTOR VEHICLE SAFETY RESEARCH AND DEVELOPMENT

“§30181. Policy.

“§30182. Powers and duties.

“§30183. Prohibition on certain disclosures.”.

(2) **DELETION OF REDUNDANT MATERIAL.**—Chapter 301 of title 49, United States Code, is amended—

(A) in the chapter analysis, by striking the item relating to section 30168; and

(B) by striking section 30168.

SEC. 31205. ODOMETER REQUIREMENTS.

(a) **DEFINITION.**—Section 32702(5) of title 49, United States Code, is amended by inserting “or system of components” after “instrument”.

(b) **ELECTRONIC DISCLOSURES OF ODOMETER INFORMATION.**—Section 32705 of title 49, United States Code, is amended by adding at the end the following:

“(g) **ELECTRONIC DISCLOSURES.**—Not later than 18 months after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, in carrying out this section, the Secretary shall prescribe regulations permitting any written disclosures or notices and related matters to be provided electronically.”.

SEC. 31206. INCREASED PENALTIES AND DAMAGES FOR ODOMETER FRAUD.

Chapter 327 of title 49, United States Code, is amended—

(1) in section 32709(a)(1)—

(A) by striking “\$2,000” and inserting “\$10,000”; and

(B) by striking “\$100,000” and inserting “\$1,000,000”; and

(2) in section 32710(a), by striking “\$1,500” and inserting “\$10,000”.

SEC. 31207. EXTEND PROHIBITIONS ON IMPORTING NONCOMPLIANT VEHICLES AND EQUIPMENT TO DEFECTIVE VEHICLES AND EQUIPMENT.

Section 30112 of title 49, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

“(3) Except as provided in this section, section 30114, subsections (i) and (j) of section 30120, and subchapter III, a person may not sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States any motor vehicle or motor vehicle equipment if the vehicle or equipment contains a defect related to motor vehicle safety about which notice was given under section 30118(c) or an order was issued under section 30118(b). Nothing in this paragraph may be construed to prohibit the importation of a new motor vehicle that receives a required recall remedy before being sold to a consumer in the United States.”; and

(2) in subsection (b)(2)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by adding “or” at the end; and

(C) by adding at the end the following:

“(C) having no reason to know, despite exercising reasonable care, that a motor vehicle or motor vehicle equipment contains a defect related to motor vehicle safety about which notice was given under section 30118(c) or an order was issued under section 30118(b);”.

SEC. 31208. CONDITIONS ON IMPORTATION OF VEHICLES AND EQUIPMENT.

Chapter 301 of title 49, United States Code, is amended—

(1) in the chapter analysis, by striking the item relating to section 30164 and inserting the following:

“30164. Service of process; conditions on importation of vehicles and equipment.”;

and

(2) in section 30164—

(A) in the section heading, by adding “; **CONDITIONS ON IMPORTATION OF VEHICLES AND EQUIPMENT**” at the end; and

(B) by adding at the end the following:

“(c) **IDENTIFYING INFORMATION.**—A manufacturer (including an importer) offering a motor vehicle or motor vehicle equipment for import shall provide, upon request, such information that is necessary to identify and track the products as the Secretary, by rule, may specify, including—

“(1) the product by name and the manufacturer’s address; and

“(2) each retailer or distributor to which the manufacturer directly supplied motor vehicles or motor vehicle equipment over which the Secretary has jurisdiction under this chapter.

“(d) **REGULATIONS ON THE IMPORT OF A MOTOR VEHICLE.**—The Secretary may issue regulations that—

“(1) condition the import of a motor vehicle or motor vehicle equipment on the manufacturer’s compliance with—

“(A) the requirements under this section;

“(B) paragraph (1) or (3) of section 30112(a) with respect to such motor vehicle or motor vehicle equipment;

“(C) the provision of reports and records required to be maintained with respect to such motor vehicle or motor vehicle equipment under this chapter;

“(D) a request for inspection of premises, vehicle, or equipment under section 30166;

“(E) an order or voluntary agreement to remedy such vehicle or equipment; or

“(F) any rules implementing the requirements described in this subsection;

“(2) provide an opportunity for the manufacturer to present information before the Secretary’s determination as to whether the manufacturer’s imports should be restricted; and

“(3) establish a process by which a manufacturer may petition for reinstatement of its ability to import motor vehicles or motor vehicle equipment.

“(e) EXCEPTION.—The requirements of subsections (c) and (d) shall not apply to original manufacturers (or wholly owned subsidiaries) of motor vehicles that, prior to the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012—

“(1) have imported motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

“(2) have submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations; and

“(3) if applicable, have identified a current agent for service of process in accordance with part 551 of title 49, Code of Federal Regulations.

“(f) RULEMAKING.—In issuing regulations under this section, the Secretary shall seek to reduce duplicative requirements by coordinating with the Department of Homeland Security.”

SEC. 31209. PORT INSPECTIONS; SAMPLES FOR EXAMINATION OR TESTING.

Section 30166(c) of title 49, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3)—

(A) in subparagraph (A), by inserting “(including at United States ports of entry)” after “held for introduction in interstate commerce”; and

(B) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(4) shall enter into a memorandum of understanding with the Secretary of Homeland Security for inspections and sampling of motor vehicle equipment being offered for import to determine compliance with this chapter or a regulation or order issued under this chapter.”

Subtitle C—Transparency and Accountability

SEC. 31301. PUBLIC AVAILABILITY OF RECALL INFORMATION.

(a) VEHICLE RECALL INFORMATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall require that motor vehicle safety recall information—

(1) be available to the public on the Internet;

(2) be searchable by vehicle make and model and vehicle identification number;

(3) be in a format that preserves consumer privacy; and

(4) includes information about each recall that has not been completed for each vehicle.

(b) RULEMAKING.—The Secretary may initiate a rulemaking proceeding to require each manufacturer to provide the information described in subsection (a), with respect to that manufacturer’s motor vehicles, on a publicly accessible Internet website. Any rules promulgated under this subsection—

(1) shall limit the information that must be made available under this section to include only those recalls issued not more than 15 years prior to the date of enactment of this Act;

(2) may require information under paragraph (1) to be provided to a dealer or an owner of a vehicle at no charge; and

(3) shall permit a manufacturer a reasonable period of time after receiving information from a dealer with respect to a vehicle to update the information about the vehicle on the publicly accessible Internet website.

(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary, in consultation with the heads of other relevant agencies, shall promote consumer awareness of the information made available to the public pursuant to this section.

SEC. 31302. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION OUTREACH TO MANUFACTURER, DEALER, AND MECHANIC PERSONNEL.

The Secretary shall publicize the means for contacting the National Highway Traffic Safety

Administration in a manner that targets mechanics, passenger motor vehicle dealership personnel, and manufacturer personnel.

SEC. 31303. PUBLIC AVAILABILITY OF COMMUNICATIONS TO DEALERS.

(a) INTERNET ACCESSIBILITY.—Section 30166(f) of title 49, United States Code, is amended—

(1) by striking “A manufacturer shall give the Secretary of Transportation” and inserting the following:

“(1) IN GENERAL.—A manufacturer shall give the Secretary of Transportation, and the Secretary shall make available on a publicly accessible Internet website,”; and

(2) by adding at the end the following:

“(2) INDEX.—Communications required to be submitted to the Secretary under this subsection shall be accompanied by an index to each communication, that—

“(A) identifies the make, model, and model year of the affected vehicles;

“(B) includes a concise summary of the subject matter of the communication; and

“(C) shall be made available by the Secretary to the public on the Internet in a searchable format.”

SEC. 31304. CORPORATE RESPONSIBILITY FOR NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REPORTS.

(a) IN GENERAL.—Section 30166 of title 49, United States Code, is amended by adding at the end the following:

“(o) CORPORATE RESPONSIBILITY FOR REPORTS.—

“(1) IN GENERAL.—The Secretary may promulgate rules requiring a senior official responsible for safety in any company submitting information to the Secretary in response to a request for information in a safety defect or compliance investigation under this chapter to certify that—

“(A) the signing official has reviewed the submission; and

“(B) based on the official’s knowledge, the submission does not—

“(i) contain any untrue statement of a material fact; or

“(ii) omit to state a material fact necessary in order to make the statements made not misleading, in light of the circumstances under which such statements were made.

“(2) NOTICE.—The certification requirements of this section shall be clearly stated on any request for information under paragraph (1).”

(b) CIVIL PENALTY.—Section 30165(a) of title 49, United States Code, is amended—

(1) in paragraph (3), by striking “A person” and inserting “Except as provided in paragraph (4), a person”; and

(2) by adding at the end the following:

“(4) FALSE OR MISLEADING REPORTS.—A person who knowingly and willfully submits materially false or misleading information to the Secretary, after certifying the same information as accurate under the certification process established pursuant to section 30166(o), shall be subject to a civil penalty of not more than \$5,000 per day. The maximum penalty under this paragraph for a related series of daily violations is \$1,000,000.”

SEC. 31305. PASSENGER MOTOR VEHICLE INFORMATION PROGRAM.

(a) DEFINITION.—Section 32301 of title 49, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as redesignated, the following:

“(1) ‘crash avoidance’ means preventing or mitigating a crash;”;

(3) in paragraph (2), as redesignated, by striking the period at the end and inserting “; and”.

(b) INFORMATION INCLUDED.—Section 32302(a) of title 49, United States Code, is amended—

(1) in paragraph (2), by inserting “, crash avoidance, and any other areas the Secretary determines will improve the safety of passenger motor vehicles” after “crashworthiness”; and

(2) by striking paragraph (4).

SEC. 31306. PROMOTION OF VEHICLE DEFECT REPORTING.

Section 32302 of title 49, United States Code, is amended by adding at the end the following:

“(d) MOTOR VEHICLE DEFECT REPORTING INFORMATION.—

“(1) RULEMAKING REQUIRED.—Not later than 1 year after the date of enactment of the Motor Vehicle and Highway Safety Improvement Act of 2012, the Secretary shall prescribe regulations that require passenger motor vehicle manufacturers—

“(A) to affix, in the glove compartment or in another readily accessible location on the vehicle, a sticker, decal, or other device that provides, in simple and understandable language, information about how to submit a safety-related motor vehicle defect complaint to the National Highway Traffic Safety Administration;

“(B) to prominently print the information described in subparagraph (A) within the owner’s manual; and

“(C) to not place such information on the label required under section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

“(2) APPLICATION.—The requirements under paragraph (1) shall apply to passenger motor vehicles manufactured in any model year beginning more than 1 year after the date on which a final rule is published under paragraph (1).”

SEC. 31307. WHISTLEBLOWER PROTECTIONS FOR MOTOR VEHICLE MANUFACTURERS, PART SUPPLIERS, AND DEALERSHIP EMPLOYEES.

(a) IN GENERAL.—Subchapter IV of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

“§30171. Protection of employees providing motor vehicle safety information

“(a) DISCRIMINATION AGAINST EMPLOYEES OF MANUFACTURERS, PART SUPPLIERS, AND DEALERSHIPS.—No motor vehicle manufacturer, part supplier, or dealership may discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—

“(1) provided, caused to be provided, or is about to provide (with any knowledge of the employer) or cause to be provided to the employer or the Secretary of Transportation information relating to any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter;

“(2) has filed, caused to be filed, or is about to file (with any knowledge of the employer) or cause to be filed a proceeding relating to any violation or alleged violation of any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter;

“(3) testified or is about to testify in such a proceeding;

“(4) assisted or participated or is about to assist or participate in such a proceeding; or

“(5) objected to, or refused to participate in, any activity that the employee reasonably believed to be in violation of any provision of chapter 301 of this title, or any order, rule, regulation, standard, or ban under such provision.

“(b) COMPLAINT PROCEDURE.—

“(1) FILING AND NOTIFICATION.—A person who believes that he or she has been discharged or otherwise discriminated against by any person in violation of subsection (a) may file (or have any person file on his or her behalf), not later than 180 days after the date on which such violation occurs, a complaint with the Secretary of Labor (hereinafter in this section referred to as the ‘Secretary’) alleging such discharge or discrimination. Upon receipt of such a complaint, the Secretary shall notify, in writing, the person named in the complaint of the filing of the complaint, of the allegations contained in the complaint, of the substance of evidence supporting the complaint, and of the opportunities that will be afforded to such person under paragraph (2).

“(2) INVESTIGATION; PRELIMINARY ORDER.—

“(A) IN GENERAL.—Not later than 60 days after the date of receipt of a complaint filed under paragraph (1) and after affording the person named in the complaint an opportunity to submit to the Secretary a written response to the complaint and an opportunity to meet with a representative of the Secretary to present statements from witnesses, the Secretary shall conduct an investigation and determine whether there is reasonable cause to believe that the complaint has merit and notify, in writing, the complainant and the person alleged to have committed a violation of subsection (a) of the Secretary’s findings. If the Secretary concludes that there is a reasonable cause to believe that a violation of subsection (a) has occurred, the Secretary shall accompany the Secretary’s findings with a preliminary order providing the relief prescribed by paragraph (3)(B). Not later than 30 days after the date of notification of findings under this paragraph, either the person alleged to have committed the violation or the complainant may file objections to the findings or preliminary order, or both, and request a hearing on the record. The filing of such objections shall not operate to stay any reinstatement remedy contained in the preliminary order. Such hearings shall be conducted expeditiously. If a hearing is not requested in such 30-day period, the preliminary order shall be deemed a final order that is not subject to judicial review.

“(B) REQUIREMENTS.—

“(i) REQUIRED SHOWING BY COMPLAINANT.—The Secretary shall dismiss a complaint filed under this subsection and shall not conduct an investigation otherwise required under subparagraph (A) unless the complainant makes a prima facie showing that any behavior described in paragraphs (1) through (5) of subsection (a) was a contributing factor in the unfavorable personnel action alleged in the complaint.

“(ii) SHOWING BY EMPLOYER.—Notwithstanding a finding by the Secretary that the complainant has made the showing required under clause (i), no investigation otherwise required under subparagraph (A) shall be conducted if the employer demonstrates, by clear and convincing evidence, that the employer would have taken the same unfavorable personnel action in the absence of that behavior.

“(iii) CRITERIA FOR DETERMINATION BY SECRETARY.—The Secretary may determine that a violation of subsection (a) has occurred only if the complainant demonstrates that any behavior described in paragraphs (1) through (5) of subsection (a) was a contributing factor in the unfavorable personnel action alleged in the complaint.

“(iv) PROHIBITION.—Relief may not be ordered under subparagraph (A) if the employer demonstrates, by clear and convincing evidence, that the employer would have taken the same unfavorable personnel action in the absence of that behavior.

“(3) FINAL ORDER.—

“(A) DEADLINE FOR ISSUANCE; SETTLEMENT AGREEMENTS.—Not later than 120 days after the date of conclusion of a hearing under paragraph (2), the Secretary shall issue a final order providing the relief prescribed by this paragraph or denying the complaint. At any time before issuance of a final order, a proceeding under this subsection may be terminated on the basis of a settlement agreement entered into by the Secretary, the complainant, and the person alleged to have committed the violation.

“(B) REMEDY.—If, in response to a complaint filed under paragraph (1), the Secretary determines that a violation of subsection (a) has occurred, the Secretary shall order the person who committed such violation—

“(i) to take affirmative action to abate the violation;

“(ii) to reinstate the complainant to his or her former position together with the compensation (including back pay) and restore the terms, conditions, and privileges associated with his or her employment; and

“(iii) to provide compensatory damages to the complainant.

“(C) ATTORNEYS’ FEES.—If such an order is issued under this paragraph, the Secretary, at the request of the complainant, shall assess against the person against whom the order is issued a sum equal to the aggregate amount of all costs and expenses (including attorneys’ and expert witness fees) reasonably incurred, as determined by the Secretary, by the complainant for, or in connection with, bringing the complaint upon which the order was issued.

“(D) FRIVOLOUS COMPLAINTS.—If the Secretary determines that a complaint under paragraph (1) is frivolous or has been brought in bad faith, the Secretary may award to the prevailing employer a reasonable attorney’s fee not exceeding \$1,000.

“(E) DE NOVO REVIEW.—With respect to a complaint under paragraph (1), if the Secretary has not issued a final decision within 210 days after the filing of the complaint and if the delay is not due to the bad faith of the employee, the employee may bring an original action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy, and which action shall, at the request of either party to the action, be tried by the court with a jury. The action shall be governed by the same legal burdens of proof specified in paragraph (2)(B) for review by the Secretary.

“(4) REVIEW.—

“(A) APPEAL TO COURT OF APPEALS.—Any person adversely affected or aggrieved by an order issued under paragraph (3) may obtain review of the order in the United States Court of Appeals for the circuit in which the violation, with respect to which the order was issued, allegedly occurred or the circuit in which the complainant resided on the date of such violation. The petition for review shall be filed not later than 60 days after the date of the issuance of the final order of the Secretary. Review shall conform to chapter 7 of title 5. The commencement of proceedings under this subparagraph shall not, unless ordered by the court, operate as a stay of the order.

“(B) LIMITATION ON COLLATERAL ATTACK.—An order of the Secretary with respect to which review could have been obtained under subparagraph (A) shall not be subject to judicial review in any criminal or other civil proceeding.

“(5) ENFORCEMENT OF ORDER BY SECRETARY.—Whenever any person fails to comply with an order issued under paragraph (3), the Secretary may file a civil action in the United States district court for the district in which the violation was found to occur to enforce such order. In actions brought under this paragraph, the district courts shall have jurisdiction to grant all appropriate relief, including injunctive relief and compensatory damages.

“(6) ENFORCEMENT OF ORDER BY PARTIES.—

“(A) COMMENCEMENT OF ACTION.—A person on whose behalf an order was issued under paragraph (3) may commence a civil action against the person to whom such order was issued to require compliance with such order. The appropriate United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such order.

“(B) ATTORNEY FEES.—The court, in issuing any final order under this paragraph, may award costs of litigation (including reasonable attorney and expert witness fees) to any party whenever the court determines such award is appropriate.

“(c) MANDAMUS.—Any nondiscretionary duty imposed under this section shall be enforceable in a mandamus proceeding brought under section 1361 of title 28.

“(d) NONAPPLICABILITY TO DELIBERATE VIOLATIONS.—Subsection (a) shall not apply with respect to an employee of a motor vehicle manufacturer, part supplier, or dealership who, acting without direction from such motor vehicle

manufacturer, part supplier, or dealership (or such person’s agent), deliberately causes a violation of any requirement relating to motor vehicle safety under this chapter.”

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the whistleblower protections established by law with respect to this program, and update its study of other such programs administered by the Secretary of Transportation; and

(2) submit to Congress a report of the results of the study under paragraph (1), including—

(A) an identification of the differences between the provisions applicable to different programs, the number of claims brought pursuant to each provision, and the outcome of each claim; and

(B) any recommendations for program changes that the Comptroller General considers appropriate based on the study under paragraph (1).

(c) CONFORMING AMENDMENT.—The table of sections for chapter 301 of title 49, United States Code, is amended by inserting after the item relating to section 30170 the following:

“30171. Protection of employees providing motor vehicle safety information.”.

SEC. 31308. ANTI-REVOLVING DOOR.

(a) STUDY OF DEPARTMENT OF TRANSPORTATION POLICIES ON OFFICIAL COMMUNICATION WITH FORMER MOTOR VEHICLE SAFETY ISSUE EMPLOYEES.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall—

(1) review the Department of Transportation’s policies and procedures applicable to official communication with former employees concerning motor vehicle safety compliance matters for which they had responsibility during the last 12 months of their tenure at the Department, including any limitations on the ability of such employees to submit comments, or otherwise communicate directly with the Department, on motor vehicle safety issues; and

(2) submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives that contains the Inspector General’s findings, conclusions, and recommendations for strengthening those policies and procedures to minimize the risk of undue influence without compromising the ability of the Department to employ and retain highly qualified individuals for such responsibilities.

(b) POST-EMPLOYMENT POLICY STUDY.—

(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct a study of the Department’s policies relating to post-employment restrictions on employees who perform functions related to transportation safety.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Inspector General shall submit a report containing the results of the study conducted under paragraph (1) to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) the Secretary of Transportation.

(3) USE OF RESULTS.—The Secretary of Transportation shall review the results of the study conducted under paragraph (1) and take whatever action the Secretary determines to be appropriate.

SEC. 31309. STUDY OF CRASH DATA COLLECTION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding the

quality of data collected through the National Automotive Sampling System, including the Special Crash Investigations Program.

(b) **REVIEW.**—The Administrator of the National Highway Traffic Safety Administration (referred to in this section as the “Administration”) shall conduct a comprehensive review of the data elements collected from each crash to determine if additional data should be collected. The review under this subsection shall include input from interested parties, including suppliers, automakers, safety advocates, the medical community, and research organizations.

(c) **CONTENTS.**—The report issued under this section shall include—

(1) the analysis and conclusions the Administration can reach from the amount of motor vehicle crash data collected in a given year;

(2) the additional analysis and conclusions the Administration could reach if more crash investigations were conducted each year;

(3) the number of investigations per year that would allow for optimal data analysis and crash information;

(4) the results of the comprehensive review conducted pursuant to subsection (b);

(5) the incremental costs of collecting and analyzing additional data, as well as data from additional crashes;

(6) the potential for obtaining private funding for all or a portion of the costs under paragraph (5);

(7) the potential for recovering any additional costs from high volume users of the data, while continuing to make the data available to the general public free of charge;

(8) the advantages or disadvantages of expanding collection of non-crash data instead of crash data;

(9) recommendations for improvements to the Administration’s data collection program; and

(10) the resources needed by the Administration to implement such recommendations.

SEC. 31310. UPDATE MEANS OF PROVIDING NOTIFICATION; IMPROVING EFFICACY OF RECALLS.

(a) **UPDATE OF MEANS OF PROVIDING NOTIFICATION.**—Section 30119(d) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “by first class mail” and inserting “in the manner prescribed by the Secretary, by regulation”;

(2) in paragraph (2)—

(A) by striking “(except a tire) shall be sent by first class mail” and inserting “shall be sent in the manner prescribed by the Secretary, by regulation.”; and

(B) by striking the second sentence;

(3) in paragraph (3)—

(A) by striking the first sentence;

(B) by inserting “to the notification required under paragraphs (1) and (2)” after “addition”;

(C) by inserting “by the manufacturer” after “given”; and

(4) in paragraph (4), by striking “by certified mail or quicker means if available” and inserting “in the manner prescribed by the Secretary, by regulation”.

(b) **IMPROVING EFFICACY OF RECALLS.**—Section 30119(e) of title 49, United States Code, is amended—

(1) in the subsection heading, by striking “SECOND” and inserting “ADDITIONAL”;

(2) by striking “If the Secretary” and inserting the following:

“(1) **SECOND NOTIFICATION.**—If the Secretary”;

and

(3) by adding at the end the following:

“(2) **ADDITIONAL NOTIFICATIONS.**—If the Secretary determines, after taking into account the severity of the defect or noncompliance, that the second notification by a manufacturer does not result in an adequate number of motor vehicles or items of replacement equipment being returned for remedy, the Secretary may order the manufacturer—

“(A)(i) to send additional notifications in the manner prescribed by the Secretary, by regulation; or

“(ii) to take additional steps to locate and notify each person registered under State law as the owner or lessee or the most recent purchaser or lessee, as appropriate; and

“(B) to emphasize the magnitude of the safety risk caused by the defect or noncompliance in such notification.”.

SEC. 31311. EXPANDING CHOICES OF REMEDY AVAILABLE TO MANUFACTURERS OF REPLACEMENT EQUIPMENT.

Section 30120 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by amending subparagraph (B) to read as follows:

“(B) if replacement equipment, by repairing the equipment, replacing the equipment with identical or reasonably equivalent equipment, or by refunding the purchase price.”;

(2) in the heading of subsection (i), by adding “OF NEW VEHICLES OR EQUIPMENT” at the end; and

(3) in the heading of subsection (j), by striking “REPLACED” and inserting “REPLACEMENT”.

SEC. 31312. RECALL OBLIGATIONS AND BANKRUPTCY OF MANUFACTURER.

(a) **IN GENERAL.**—Chapter 301 of title 49, United States Code, is amended by inserting the following after section 30120:

“§30120A. Recall obligations and bankruptcy of a manufacturer

“A manufacturer’s filing of a petition in bankruptcy under chapter 11 of title 11, does not negate the manufacturer’s duty to comply with section 30112 or sections 30115 through 30120 of this title. In any bankruptcy proceeding, the manufacturer’s obligations under such sections shall be treated as a claim of the United States Government against such manufacturer, subject to subchapter II of chapter 37 of title 31, United States Code, and given priority pursuant to section 3713(a)(1)(A) of such chapter, notwithstanding section 3713(a)(2), to ensure that consumers are adequately protected from any safety defect or noncompliance determined to exist in the manufacturer’s products. This section shall apply equally to actions of a manufacturer taken before or after the filing of a petition in bankruptcy.”.

(b) **CONFORMING AMENDMENT.**—The chapter analysis of chapter 301 of title 49, United States Code, is amended by inserting after the item relating to section 30120 the following:

“§30120A. Recall obligations and bankruptcy of a manufacturer.”.

SEC. 31313. REPEAL OF INSURANCE REPORTS AND INFORMATION PROVISION.

Chapter 331 of title 49, United States Code, is amended—

(1) in the chapter analysis, by striking the item relating to section 33112; and

(2) by striking section 33112.

SEC. 31314. MONRONEY STICKER TO PERMIT ADDITIONAL SAFETY RATING CATEGORIES.

Section 3(g)(2) of the Automobile Information Disclosure Act (15 U.S.C. 1232(g)(2)), is amended by inserting “safety rating categories that may include” after “refers to”.

Subtitle D—Vehicle Electronics and Safety Standards

SEC. 31401. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION ELECTRONICS, SOFTWARE, AND ENGINEERING EXPERTISE.

(a) **COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.**—

(1) **IN GENERAL.**—The Secretary shall establish, within the National Highway Traffic Safety Administration, a Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies (referred to in this section as the “Council”) to build, integrate, and aggregate the Administration’s expertise in passenger motor vehicle electronics and other new and emerging technologies.

(2) **IMPLEMENTATION OF ROADMAP.**—The Council shall research the inclusion of emerging

lightweight plastic and composite technologies in motor vehicles to increase fuel efficiency, lower emissions, meet fuel economy standards, and enhance passenger motor vehicle safety through continued utilization of the Administration’s Plastic and Composite Intensive Vehicle Safety Roadmap (Report No. DOT HS 810 863).

(3) **INTRA-AGENCY COORDINATION.**—The Council shall coordinate with all components of the Administration responsible for vehicle safety, including research and development, rulemaking, and defects investigation.

(b) **HONORS RECRUITMENT PROGRAM.**—

(1) **ESTABLISHMENT.**—The Secretary shall establish, within the National Highway Traffic Safety Administration, an honors program for engineering students, computer science students, and other students interested in vehicle safety that will enable such students to train with engineers and other safety officials for careers in vehicle safety.

(2) **STIPEND.**—The Secretary is authorized to provide a stipend to any student during the student’s participation in the program established under paragraph (1).

(c) **ASSESSMENT.**—The Council, in consultation with affected stakeholders, shall periodically assess the implications of emerging safety technologies in passenger motor vehicles, including the effect of such technologies on consumers, product availability, and cost.

SEC. 31402. ELECTRONIC SYSTEMS PERFORMANCE.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete an examination of the need for safety standards with regard to electronic systems in passenger motor vehicles. In conducting this examination, the Secretary shall—

(1) consider the electronic components, the interaction of electronic components, the security needs for those electronic systems to prevent unauthorized access, and the effect of surrounding environments on the electronic systems; and

(2) allow for public comment.

(b) **REPORT.**—Upon completion of the examination under subsection (a), the Secretary shall submit a report on the highest priority areas for safety with regard to the electronic systems to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

Subtitle E—Child Safety Standards

SEC. 31501. CHILD SAFETY SEATS.

(a) **SIDE IMPACT CRASHES.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule amending Federal Motor Vehicle Safety Standard Number 213 to improve the protection of children seated in child restraint systems during side impact crashes.

(b) **FRONTAL IMPACT TEST PARAMETERS.**—

(1) **COMMENCEMENT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall commence a rulemaking proceeding to amend the standard seat assembly specifications under Federal Motor Vehicle Safety Standard Number 213 to better simulate a single representative motor vehicle rear seat.

(2) **FINAL RULE.**—Not later than 4 years after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to paragraph (1).

SEC. 31502. CHILD RESTRAINT ANCHORAGE SYSTEMS.

(a) **INITIATION OF RULEMAKING PROCEEDING.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking proceeding to amend Federal Motor Vehicle Safety Standard Number 225 (relating to child restraint anchorage systems) to improve the ease of use for lower anchorages and tethers in all rear seat seating positions if such anchorages and tethers are feasible.

(b) **FINAL RULE.**—

(1) *IN GENERAL.*—Except as provided under paragraph (2) and section 31505, the Secretary shall issue a final rule under subsection (a) not later than 3 years after the date of enactment of this Act.

(2) *REPORT.*—If the Secretary determines that an amendment to the standard referred to in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

SEC. 31503. REAR SEAT BELT REMINDERS.

(a) *INITIATION OF RULEMAKING PROCEEDING.*—Not later than 2 years after the date of enactment of this Act, the Secretary shall initiate a rulemaking proceeding to amend Federal Motor Vehicle Safety Standard Number 208 (relating to occupant crash protection) to provide a safety belt use warning system for designated seating positions in the rear seat.

(b) *FINAL RULE.*—

(1) *IN GENERAL.*—Except as provided under paragraph (2) and section 31505, the Secretary shall issue a final rule under subsection (a) not later than 3 years after the date of enactment of this Act.

(2) *REPORT.*—If the Secretary determines that an amendment to the standard referred to in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

SEC. 31504. UNATTENDED PASSENGER REMINDERS.

(a) *SAFETY RESEARCH INITIATIVE.*—The Secretary may initiate research into effective ways to minimize the risk of hyperthermia or hypothermia to children or other unattended passengers in rear seating positions.

(b) *RESEARCH AREAS.*—In carrying out subsection (a), the Secretary may conduct research into the potential viability of—

(1) vehicle technology to provide an alert that a child or unattended passenger remains in a rear seating position after the vehicle motor is disengaged; or

(2) public awareness campaigns to educate drivers on the risks of leaving a child or unattended passenger in a vehicle after the vehicle motor is disengaged; or

(3) other ways to mitigate risk.

(c) *COORDINATION WITH OTHER AGENCIES.*—The Secretary may collaborate with other Federal agencies in conducting the research under this section.

SEC. 31505. NEW DEADLINE.

If the Secretary determines that any deadline for issuing a final rule under this Act cannot be met, the Secretary shall—

(1) provide the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives with an explanation for why such deadline cannot be met; and

(2) establish a new deadline for that rule.

Subtitle F—Improved Daytime and Nighttime Visibility of Agricultural Equipment

SEC. 31601. RULEMAKING ON VISIBILITY OF AGRICULTURAL EQUIPMENT.

(a) *DEFINITIONS.*—In this section:

(1) *AGRICULTURAL EQUIPMENT.*—The term “agricultural equipment” has the meaning given the term “agricultural field equipment” in ASABE Standard 390.4, entitled “Definitions and Classifications of Agricultural Field Equip-

ment”, which was published in January 2005 by the American Society of Agriculture and Biological Engineers, or any successor standard.

(2) *PUBLIC ROAD.*—The term “public road” has the meaning given the term in section 101(a)(27) of title 23, United States Code.

(b) *RULEMAKING.*—

(1) *IN GENERAL.*—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, after consultation with representatives of the American Society of Agricultural and Biological Engineers and appropriate Federal agencies, and with other appropriate persons, shall promulgate a rule to improve the daytime and nighttime visibility of agricultural equipment that may be operated on a public road.

(2) *MINIMUM STANDARDS.*—The rule promulgated pursuant to this subsection shall—

(A) establish minimum lighting and marking standards for applicable agricultural equipment manufactured at least 1 year after the date on which such rule is promulgated; and

(B) provide for the methods, materials, specifications, and equipment to be employed to comply with such standards, which shall be equivalent to ASABE Standard 279.14, entitled “Lighting and Marking of Agricultural Equipment on Highways”, which was published in July 2008 by the American Society of Agricultural and Biological Engineers, or any successor standard.

(c) *REVIEW.*—Not less frequently than once every 5 years, the Secretary of Transportation shall—

(1) review the standards established pursuant to subsection (b); and

(2) revise such standards to reflect the revision of ASABE Standard 279 that is in effect at the time of such review.

(d) *LIMITATIONS.*—

(1) *COMPLIANCE WITH SUCCESSOR STANDARDS.*—Any rule promulgated pursuant to this section may not prohibit the operation on public roads of agricultural equipment that is equipped in accordance with any adopted revision of ASABE Standard 279 that is later than the revision of such standard that was referenced during the promulgation of the rule.

(2) *NO RETROFITTING REQUIRED.*—Any rule promulgated pursuant to this section may not require the retrofitting of agricultural equipment that was manufactured before the date on which the lighting and marking standards are enforceable under subsection (b)(2)(A).

(3) *NO EFFECT ON ADDITIONAL MATERIALS AND EQUIPMENT.*—Any rule promulgated pursuant to this section may not prohibit the operation on public roads of agricultural equipment that is equipped with materials or equipment that are in addition to the minimum materials and equipment specified in the standard upon which such rule is based.

TITLE II—COMMERCIAL MOTOR VEHICLE SAFETY ENHANCEMENT ACT OF 2012

SEC. 32001. SHORT TITLE.

This title may be cited as the “Commercial Motor Vehicle Safety Enhancement Act of 2012”.

SEC. 32002. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

Subtitle A—Commercial Motor Vehicle Registration

SEC. 32101. REGISTRATION OF MOTOR CARRIERS.

(a) *REGISTRATION REQUIREMENTS.*—Section 13902(a)(1) is amended to read as follows:

“(1) *IN GENERAL.*—Except as otherwise provided in this section, the Secretary of Transportation shall register a person to provide transportation subject to jurisdiction under subchapter I of chapter 135 as a motor carrier only if the Secretary determines that the person—

“(A) is willing and able to comply with—

“(i) this part and the applicable regulations of the Secretary and the Board;

“(ii) any safety regulations imposed by the Secretary;

“(iii) the duties of employers and employees established by the Secretary under section 31135;

“(iv) the safety fitness requirements established by the Secretary under section 31144;

“(v) the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations (or successor regulations), for transportation provided by an over-the-road bus; and

“(vi) the minimum financial responsibility requirements established by the Secretary under sections 13906, 31138, and 31139;

“(B) has been issued a USDOT number under section 31134;

“(C) has disclosed any relationship involving common ownership, common management, common control, or common familial relationship between that person and any other motor carrier, freight forwarder, or broker, or any other applicant for motor carrier, freight forwarder, or broker registration, if the relationship occurred in the 3-year period preceding the date of the filing of the application for registration; and

“(D) after the Secretary establishes a written proficiency examination pursuant to section 32101(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012, has passed the written proficiency examination.”.

(b) *WRITTEN PROFICIENCY EXAMINATION.*—

Not later than 18 months after the date of enactment of this Act, the Secretary shall establish through a rulemaking a written proficiency examination for applicant motor carriers pursuant to section 13902(a)(1)(D) of title 49, United States Code. The written proficiency examination shall test a person’s knowledge of applicable safety regulations, standards, and orders of the Federal government.

(c) *CONFORMING AMENDMENT.*—Section 210(b) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31144 note) is amended—

(1) by inserting “, commercial regulations, and provisions of subpart H of part 37 of title 49, Code of Federal Regulations, or successor regulations” after “applicable safety regulations”; and

(2) by striking “consider the establishment of” and inserting “establish”.

(d) *TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.*—Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended to read as follows:

“(1) *TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.*—Regulations prescribed by the Secretary under sections 31136 and 31502 regarding maximum driving and on-duty time for drivers used by motor carriers shall not apply during planting and harvest periods, as determined by each State, to—

“(A) drivers transporting agricultural commodities from the source of the agricultural commodities to a location within a 150 air-mile radius from the source;

“(B) drivers transporting farm supplies for agricultural purposes from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used within a 150 air-mile radius from the distribution point; or

“(C) drivers transporting farm supplies for agricultural purposes from a wholesale distribution point of the farm supplies within a 150 air-mile radius from the wholesale distribution point.”.

SEC. 32102. SAFETY FITNESS OF NEW OPERATORS.

(a) *SAFETY REVIEWS OF NEW OPERATORS.*—Section 31144(g)(1) is amended to read as follows:

“(1) *SAFETY REVIEW.*—

“(A) *IN GENERAL.*—Except as provided under subparagraph (B), the Secretary shall require,

by regulation, each owner and each operator granted new registration under section 13902 or 31134 to undergo a safety review not later than 12 months after the owner or operator, as the case may be, begins operations under such registration.

(B) PROVIDERS OF MOTORCOACH SERVICES.—The Secretary shall require, by regulation, each owner and each operator granted new registration to transport passengers under section 13902 or 31134 to undergo a safety review not later than 120 days after the owner or operator, as the case may be, begins operations under such registration.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 1 year after the date of enactment of this Act.

SEC. 32103. REINCARNATED CARRIERS.

(a) EFFECTIVE PERIODS OF REGISTRATION.—

(1) SUSPENSIONS, AMENDMENTS, AND REVOCATIONS.—Section 13905(d) is amended—

(A) by redesignating paragraph (2) as paragraph (4);

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

“(1) APPLICATIONS.—On application of the registrant, the Secretary may amend or revoke a registration.

“(2) COMPLAINTS AND ACTIONS ON SECRETARY’S OWN INITIATIVE.—On complaint or on the Secretary’s own initiative and after notice and an opportunity for a proceeding, the Secretary may—

“(A) suspend, amend, or revoke any part of the registration of a motor carrier, broker, or freight forwarder for willful failure to comply with—

“(i) this part;

“(ii) an applicable regulation or order of the Secretary or the Board, including the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations (or successor regulations), for transportation provided by an over-the-road bus; or

“(iii) a condition of its registration;

(B) withhold, suspend, amend, or revoke any part of the registration of a motor carrier, broker, or freight forwarder for failure—

“(i) to pay a civil penalty imposed under chapter 5, 51, 149, or 311;

“(ii) to arrange and abide by an acceptable payment plan for such civil penalty, not later than 90 days after the date specified by order of the Secretary for the payment of such penalty; or

“(iii) for failure to obey a subpoena issued by the Secretary;

(C) withhold, suspend, amend, or revoke any part of a registration of a motor carrier, broker, or freight forwarder following a determination by the Secretary that the motor carrier, broker, or freight forwarder failed to disclose, in its application for registration, a material fact relevant to its willingness and ability to comply with—

“(i) this part;

“(ii) an applicable regulation or order of the Secretary or the Board; or

“(iii) a condition of its registration; or

(D) withhold, suspend, amend, or revoke any part of a registration of a motor carrier, broker, or freight forwarder if the Secretary finds that—

“(i) the motor carrier, broker, or freight forwarder does not disclose any relationship through common ownership, common management, common control, or common familial relationship to any other motor carrier, broker, or freight forwarder, or any other applicant for motor carrier, broker, or freight forwarder registration that the Secretary determines is or was unwilling or unable to comply with the relevant requirements listed in section 13902, 13903, or 13904

“(3) LIMITATION.—Paragraph (2)(B) shall not apply to a person who is unable to pay a civil penalty because the person is a debtor in a case under chapter 11 of title 11.”; and

(C) in paragraph (4), as redesignated by section 32103(a)(1)(A) of this Act, by striking “paragraph (1)(B)” and inserting “paragraph (2)(B)”.

(2) PROCEDURE.—Section 13905(e) is amended by inserting “or if the Secretary determines that the registrant failed to disclose a material fact in an application for registration in accordance with subsection (d)(2)(C),” after “registrant,”.

(b) INFORMATION SYSTEMS.—Section 31106(a)(3) is amended—

(1) in subparagraph (F), by striking “and” at the end;

(2) in subparagraph (G), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(H) determine whether a person or employer is or was related, through common ownership, common management, common control, or common familial relationship, to any other person, employer, or any other applicant for registration under section 13902 or 31134.”.

SEC. 32104. FINANCIAL RESPONSIBILITY REQUIREMENTS.

Not later than 6 months after the date of enactment of this Act, and every 4 years thereafter, the Secretary shall—

(1) issue a report on the appropriateness of—

(A) the current minimum financial responsibility requirements under sections 31138 and 31139 of title 49, United States Code; and

(B) the current bond and insurance requirements under sections 13904(f), 13903, and 13906 of title 49, United States Code; and

(2) submit the report issued under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 32105. USDOT NUMBER REGISTRATION REQUIREMENT.

(a) IN GENERAL.—Chapter 311 is amended by inserting after section 31133 the following:

“§31134. Requirement for registration and USDOT number

“(a) IN GENERAL.—Upon application, and subject to subsections (b) and (c), the Secretary shall register an employer or person subject to the safety jurisdiction of this subchapter. An employer or person may operate a commercial motor vehicle in interstate commerce only if the employer or person is registered by the Secretary under this section and receives a USDOT number. Nothing in this section shall preclude registration by the Secretary of an employer or person not engaged in interstate commerce. An employer or person subject to jurisdiction under subchapter I of chapter 135 of this title shall apply for commercial registration under section 13902 of this title.

“(b) WITHHOLDING REGISTRATION.—The Secretary shall register an employer or person under subsection (a) only if the Secretary determines that—

“(1) the employer or person seeking registration is willing and able to comply with the requirements of this subchapter and the regulations prescribed thereunder and chapter 51 and the regulations prescribed thereunder;

“(2)(A) during the 3-year period before the date of the filing of the application, the employer or person is not or was not related through common ownership, common management, common control, or common familial relationship to any other person or applicant for registration subject to this subchapter who, during such 3-year period, is or was unfit, unwilling, or unable to comply with the requirements listed in subsection (b)(1); or

“(B) the employer or person has disclosed to the Secretary any relationship involving common ownership, common management, common control, or common familial relationship to any other person or applicant for registration subject to this subchapter.

“(c) REVOCATION OR SUSPENSION OF REGISTRATION.—The Secretary shall revoke the registration of an employer or person issued under sub-

section (a) after notice and an opportunity for a proceeding, or suspend the registration after giving notice of the suspension to the employer or person, if the Secretary determines that—

“(1) the employer’s or person’s authority to operate pursuant to chapter 139 of this title is subject to revocation or suspension under sections 13905(d)(1) or 13905(f) of this title;

“(2) the employer or person has knowingly failed to comply with the requirements listed in subsection (b)(1);

“(3) the employer or person has not disclosed any relationship through common ownership, common management, common control, or common familial relationship to any other person or applicant for registration subject to this subchapter that the Secretary determines is or was unfit, unwilling, or unable to comply with the requirements listed in subsection (b)(1);

“(4) the employer or person refused to submit to the safety review required by section 31144(g) of this title.

“(d) PERIODIC REGISTRATION UPDATE.—The Secretary may require an employer to update a registration under this section not later than 30 days after a change in the employer’s address, other contact information, officers, process agent, or other essential information, as determined by the Secretary.

“(e) STATE AUTHORITY.—Nothing in this section shall be construed as affecting the authority of a State to issue a Department of Transportation number under State law to a person operating in intrastate commerce.”.

(b) CONFORMING AMENDMENT.—The analysis of chapter 311 is amended by inserting after the item relating to section 31133 the following:

“31134. Requirement for registration and USDOT number.”.

SEC. 32106. REGISTRATION FEE SYSTEM.

Section 13908(d)(1) is amended by striking “but shall not exceed \$300”.

SEC. 32107. REGISTRATION UPDATE.

(a) MOTOR CARRIER UPDATE.—Section 13902 is amended by adding at the end the following:

“(h) UPDATE OF REGISTRATION.—

“(1) IN GENERAL.—The Secretary shall require a registrant to update its registration under this section not later than 30 days after a change in the registrant’s address, other contact information, officers, process agent, or other essential information, as determined by the Secretary.

“(2) MOTOR CARRIERS OF PASSENGERS.—In addition to the requirements of paragraph (1), the Secretary shall require a motor carrier of passengers to update its registration information, including numbers of vehicles, annual mileage, and individuals responsible for compliance with Federal safety regulations quarterly for the first 2 years after being issued a registration under this section.”.

(b) FREIGHT FORWARDER UPDATE.—Section 13903 is amended by adding at the end the following:

“(c) UPDATE OF REGISTRATION.—The Secretary shall require a freight forwarder to update its registration under this section not later than 30 days after a change in the freight forwarder’s address, other contact information, officers, process agent, or other essential information, as determined by the Secretary.”.

(c) BROKER UPDATE.—Section 13904 is amended by adding at the end the following:

“(e) UPDATE OF REGISTRATION.—The Secretary shall require a broker to update its registration under this section not later than 30 days after a change in the broker’s address, other contact information, officers, process agent, or other essential information, as determined by the Secretary.”.

SEC. 32108. INCREASED PENALTIES FOR OPERATING WITHOUT REGISTRATION.

(a) PENALTIES.—Section 14901(a) is amended—

(1) by striking “\$500” and inserting “\$1,000”;

(2) by striking “who is not registered under this part to provide transportation of passengers,”;

(3) by striking “with respect to providing transportation of passengers,” and inserting “or section 13902(c) of this title,”; and

(4) by striking "\$2,000 for each violation and each additional day the violation continues" and inserting "\$10,000 for each violation, or \$25,000 for each violation relating to providing transportation of passengers".

(b) TRANSPORTATION OF HAZARDOUS WASTES.—Section 14901(b) is amended by striking "not to exceed \$20,000" and inserting "not less than \$20,000, but not to exceed \$40,000".

SEC. 32109. REVOCATION OF REGISTRATION FOR IMMINENT HAZARD.

Section 13905(f)(2) is amended to read as follows:

"(2) **IMMINENT HAZARD TO PUBLIC HEALTH.**—Notwithstanding subchapter II of chapter 5 of title 5, the Secretary shall revoke the registration of a motor carrier if the Secretary finds that the carrier is or was conducting unsafe operations that are or were an imminent hazard to public health or property."

SEC. 32110. REVOCATION OF REGISTRATION AND OTHER PENALTIES FOR FAILURE TO RESPOND TO SUBPOENA.

Section 525 is amended—

(1) by striking "subpenas" in the section heading and inserting "subpoenas";

(2) by striking "subpena" and inserting "subpoena";

(3) by striking "\$100" and inserting "\$1,000";

(4) by striking "\$5,000" and inserting "\$10,000"; and

(5) by adding at the end the following:

"The Secretary may withhold, suspend, amend, or revoke any part of the registration of a person required to register under chapter 139 for failing to obey a subpoena or requirement of the Secretary under this chapter to appear and testify or produce records."

SEC. 32111. FLEETWIDE OUT OF SERVICE ORDER FOR OPERATING WITHOUT REQUIRED REGISTRATION.

Section 13902(e)(1) is amended—

(1) by striking "motor vehicle" and inserting "motor carrier" after "the Secretary determines that a"; and

(2) by striking "order the vehicle" and inserting "order the motor carrier operations" after "the Secretary may".

SEC. 32112. MOTOR CARRIER AND OFFICER PATTERNS OF SAFETY VIOLATIONS.

Section 31135 is amended—

(1) by striking subsection (b) and inserting the following:

"(b) **NONCOMPLIANCE.**—

"(1) **MOTOR CARRIERS.**—Two or more motor carriers, employers, or persons shall not use common ownership, common management, common control, or common familial relationship to enable any or all such motor carriers, employers, or persons to avoid compliance, or mask or otherwise conceal non-compliance, or a history of non-compliance, with regulations prescribed under this subchapter or an order of the Secretary issued under this subchapter.

"(2) **PATTERN.**—If the Secretary finds that a motor carrier, employer, or person engaged in a pattern or practice of avoiding compliance, or masking or otherwise concealing non-compliance, with regulations prescribed under this subchapter, the Secretary—

"(A) may withhold, suspend, amend, or revoke any part of the motor carrier's, employer's, or person's registration in accordance with section 13905 or 31134; and

"(B) shall take into account such non-compliance for purposes of determining civil penalty amounts under section 521(b)(2)(D).

"(3) **OFFICERS.**—If the Secretary finds, after notice and an opportunity for proceeding, that an officer of a motor carrier, employer, or owner or operator has engaged in a pattern or practice of, or assisted a motor carrier, employer, or owner or operator in avoiding compliance, or masking or otherwise concealing non-compliance, while serving as an officer or such motor carrier, employer, or owner or operator, the Secretary may suspend, amend, or revoke any part of a registration granted to the officer individually under section 13902 or 31134."

Subtitle B—Commercial Motor Vehicle Safety
SEC. 32201. CRASHWORTHINESS STANDARDS.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall conduct a comprehensive analysis on the need for crashworthiness standards on property-carrying commercial motor vehicles with a gross vehicle weight rating or gross vehicle weight of at least 26,001 pounds involved in interstate commerce, including an evaluation of the need for roof strength, pillar strength, air bags, and other occupant protections standards, and frontal and back wall standards.

(b) **REPORT.**—Not later than 90 days after completing the comprehensive analysis under subsection (a), the Secretary shall report the results of the analysis and any recommendations to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 32202. CANADIAN SAFETY RATING RECIPROCITY.

Section 31144 is amended by adding at the end the following:

"(h) **RECOGNITION OF CANADIAN MOTOR CARRIER SAFETY FITNESS DETERMINATIONS.**—

"(1) If an authorized agency of the Canadian federal government or a Canadian Territorial or Provincial government determines, by applying the procedure and standards prescribed by the Secretary under subsection (b) or pursuant to an agreement under paragraph (2), that a Canadian employer is unfit and prohibits the employer from operating a commercial motor vehicle in Canada or any Canadian Province, the Secretary may prohibit the employer from operating such vehicle in interstate and foreign commerce until the authorized Canadian agency determines that the employer is fit.

"(2) The Secretary may consult and participate in negotiations with authorized officials of the Canadian federal government or a Canadian Territorial or Provincial government, as necessary, to provide reciprocal recognition of each country's motor carrier safety fitness determinations. An agreement shall provide, to the maximum extent practicable, that each country will follow the procedure and standards prescribed by the Secretary under subsection (b) in making motor carrier safety fitness determinations."

SEC. 32203. STATE REPORTING OF FOREIGN COMMERCIAL DRIVER CONVICTIONS.

(a) **DEFINITION OF FOREIGN COMMERCIAL DRIVER.**—Section 31301 is amended—

(1) by redesignating paragraphs (10) through (14) as paragraphs (11) through (15), respectively; and

(2) by inserting after paragraph (9) the following:

"(10) 'foreign commercial driver' means an individual licensed to operate a commercial motor vehicle by an authority outside the United States, or a citizen of a foreign country who operates a commercial motor vehicle in the United States."

(b) **STATE REPORTING OF CONVICTIONS.**—Section 31311(a) is amended by adding after paragraph (21) the following:

"(22) The State shall report a conviction of a foreign commercial driver by that State to the Federal Convictions and Withdrawal Database, or another information system designated by the Secretary to record the convictions. A report shall include—

"(A) for a driver holding a foreign commercial driver's license—

"(i) each conviction relating to the operation of a commercial motor vehicle; and

"(ii) each conviction relating to the operation of a non-commercial motor vehicle; and

"(B) for an unlicensed driver or a driver holding a foreign non-commercial driver's license, each conviction relating to the operation of a commercial motor vehicle."

SEC. 32204. AUTHORITY TO DISQUALIFY FOREIGN COMMERCIAL DRIVERS.

Section 31310 is amended by adding at the end the following:

"(k) **FOREIGN COMMERCIAL DRIVERS.**—A foreign commercial driver shall be subject to disqualification under this section."

SEC. 32205. REVOCATION OF FOREIGN MOTOR CARRIER OPERATING AUTHORITY FOR FAILURE TO PAY CIVIL PENALTIES.

Section 13905(d)(2), as amended by section 32103(a) of this Act, is amended by inserting "foreign motor carrier, foreign motor private carrier," after "registration of a motor carrier," each place it appears.

SEC. 32206. RENTAL TRUCK ACCIDENT STUDY.

(a) **DEFINITIONS.**—In this section:

(1) **RENTAL TRUCK.**—The term "rental truck" means a motor vehicle with a gross vehicle weight rating of between 10,000 and 26,000 pounds that is made available for rental by a rental truck company.

(2) **RENTAL TRUCK COMPANY.**—The term "rental truck company" means a person or company that is in the business of renting or leasing rental trucks to the public or for private use.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall conduct a study of the safety of rental trucks during the 7-year period ending on December 31, 2011.

(2) **REQUIREMENTS.**—The study conducted under paragraph (1) shall—

(A) evaluate available data on the number of crashes, fatalities, and injuries involving rental trucks and the cause of such crashes, utilizing police accident reports and other sources;

(B) estimate the property damage and costs resulting from a subset of crashes involving rental truck operations, which the Secretary believes adequately reflect all crashes involving rental trucks;

(C) analyze State and local laws regulating rental truck companies, including safety and inspection requirements;

(D) assess the rental truck maintenance programs of a selection of small, medium, and large rental truck companies, as selected by the Secretary, including the frequency of rental truck maintenance inspections, and compare such programs with inspection requirements for passenger vehicles and commercial motor vehicles;

(E) include any other information available regarding the safety of rental trucks; and

(F) review any other information that the Secretary determines to be appropriate.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains—

(1) the findings of the study conducted pursuant to subsection (b); and

(2) any recommendations for legislation that the Secretary determines to be appropriate.

Subtitle C—Driver Safety

SEC. 32301. HOURS OF SERVICE STUDY AND ELECTRONIC LOGGING DEVICES.

(a) **HOURS OF SERVICE STUDY.**—

(1) **FIELD STUDY.**—

(A) **IN GENERAL.**—Not later than March 31, 2013, the Secretary shall complete a field study on the efficacy of the restart rule published on December 27, 2011 (in this section referred to as the "2011 restart rule"), applicable to operators of commercial motor vehicles of property subject to maximum driving time requirements of the Secretary.

(B) **REQUIREMENT.**—The field study shall expand upon the results of the laboratory-based study relating to commercial motor vehicle driver fatigue sponsored by the Federal Motor Carrier Safety Administration presented in the report of December 2010 titled "Investigation into Motor Carrier Practices to Achieve Optimal Commercial Motor Vehicle Driver Performance: Phase I".

(C) **CRITERIA.**—In conducting the field study, the Secretary shall ensure that—

(i) the methodology for the field study is consistent, to the maximum extent possible, with the laboratory-based study methodology;

(ii) the data collected is representative of the drivers and motor carriers regulated by the hours of service regulations, including those drivers and carriers affected by the maximum driving time requirements;

(iii) the analysis is statistically valid; and
 (iv) the field study follows the plan for the "Scheduling and Fatigue Recovery Project" developed by the Federal Motor Carrier Safety Administration.

(D) REPORT TO CONGRESS.—Not later than September 30, 2013, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the results of the field study.

(b) GENERAL AUTHORITY.—Section 31137 is amended—

(1) by amending the section heading to read as follows:

"§31137. Electronic logging devices and brake maintenance regulations";

(2) by redesignating subsection (b) as subsection (g); and

(3) by amending (a) to read as follows:

"(a) USE OF ELECTRONIC LOGGING DEVICES.—Not later than 1 year after the date of enactment of the Commercial Motor Vehicle Safety Enhancement Act of 2012, the Secretary of Transportation shall prescribe regulations—

"(1) requiring a commercial motor vehicle involved in interstate commerce and operated by a driver subject to the hours of service and the record of duty status requirements under part 395 of title 49, Code of Federal Regulations, be equipped with an electronic logging device to improve compliance by an operator of a vehicle with hours of service regulations prescribed by the Secretary; and

"(2) ensuring that an electronic logging device is not used to harass a vehicle operator.

"(b) ELECTRONIC LOGGING DEVICE REQUIREMENTS.—

"(1) IN GENERAL.—The regulations prescribed under subsection (a) shall—

"(A) require an electronic logging device—

"(i) to accurately record commercial driver hours of service;

"(ii) to record the location of a commercial motor vehicle;

"(iii) to be tamper resistant; and

"(iv) to be synchronized to the operation of the vehicle engine or be capable of recognizing when the vehicle is being operated;

"(B) allow law enforcement to access the data contained in the device during a roadside inspection; and

"(C) apply to a commercial motor vehicle beginning on the date that is 2 years after the date that the regulations are published as a final rule.

"(2) PERFORMANCE AND DESIGN STANDARDS.—The regulations prescribed under subsection (a) shall establish performance standards—

"(A) defining a standardized user interface to aid vehicle operator compliance and law enforcement review;

"(B) establishing a secure process for standardized—

"(i) and unique vehicle operator identification;

"(ii) data access;

"(iii) data transfer for vehicle operators between motor vehicles;

"(iv) data storage for a motor carrier; and

"(v) data transfer and transportability for law enforcement officials;

"(C) establishing a standard security level for an electronic logging device and related components to be tamper resistant by using a methodology endorsed by a nationally recognized standards organization; and

"(D) identifying each driver subject to the hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations.

"(c) CERTIFICATION CRITERIA.—

"(1) IN GENERAL.—The regulations prescribed by the Secretary under this section shall establish the criteria and a process for the certification of electronic logging devices to ensure that the device meets the performance requirements under this section.

"(2) EFFECT OF NONCERTIFICATION.—Electronic logging devices that are not certified in accordance with the certification process referred to in paragraph (1) shall not be acceptable evidence of hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations.

"(d) ADDITIONAL CONSIDERATIONS.—The Secretary, in prescribing the regulations described in subsection (a), shall consider how such regulations may—

"(1) reduce or eliminate requirements for drivers and motor carriers to retain supporting documentation associated with paper-based records of duty status if—

"(A) data contained in an electronic logging device supplants such documentation; and

"(B) using such data without paper-based records does not diminish the Secretary's ability to audit and review compliance with the Secretary's hours of service regulations; and

"(2) include such measures as the Secretary determines are necessary to protect the privacy of each individual whose personal data is contained in an electronic logging device.

"(e) USE OF DATA.—

"(1) IN GENERAL.—The Secretary may utilize information contained in an electronic logging device only to enforce the Secretary's motor carrier safety and related regulations, including record-of-duty status regulations.

"(2) MEASURES TO PRESERVE CONFIDENTIALITY OF PERSONAL DATA.—The Secretary shall institute appropriate measures to preserve the confidentiality of any personal data contained in an electronic logging device and disclosed in the course of an action taken by the Secretary or by law enforcement officials to enforce the regulations referred to in paragraph (1).

"(3) ENFORCEMENT.—The Secretary shall institute appropriate measures to ensure any information collected by electronic logging devices is used by enforcement personnel only for the purpose of determining compliance with hours of service requirements.

"(f) DEFINITIONS.—In this section:

"(1) ELECTRONIC LOGGING DEVICE.—The term 'electronic logging device' means an electronic device that—

"(A) is capable of recording a driver's hours of service and duty status accurately and automatically; and

"(B) meets the requirements established by the Secretary through regulation.

"(2) TAMPER RESISTANT.—The term 'tamper resistant' means resistant to allowing any individual to cause an electronic device to record the incorrect date, time, and location for changes to on-duty driving status of a commercial motor vehicle operator under part 395 of title 49, Code of Federal Regulations, or to subsequently alter the record created by that device."

(c) CIVIL PENALTIES.—Section 30165(a)(1) is amended by striking "or 30141 through 30147" and inserting "30141 through 30147, or 31137".

(d) CONFORMING AMENDMENT.—The analysis for chapter 311 is amended by striking the item relating to section 31137 and inserting the following:

"31137. Electronic logging devices and brake maintenance regulations."

SEC. 32302. DRIVER MEDICAL QUALIFICATIONS.

(a) DEADLINE FOR ESTABLISHMENT OF NATIONAL REGISTRY OF MEDICAL EXAMINERS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a national registry of medical examiners in accordance with section 31149(d)(1) of title 49, United States Code.

(b) EXAMINATION REQUIREMENT FOR NATIONAL REGISTRY OF MEDICAL EXAMINERS.—Section 31149(c)(1)(D) is amended to read as follows:

"(D) not later than 1 year after enactment of the Commercial Motor Vehicle Safety Enhancement Act of 2012, develop requirements for a medical examiner to be listed in the national registry under this section, including—

"(i) the completion of specific courses and materials;

"(ii) certification, including, at a minimum, self-certification, if the Secretary determines that self-certification is necessary for sufficient participation in the national registry, to verify that a medical examiner completed specific training, including refresher courses, that the Secretary determines necessary to be listed in the national registry;

"(iii) an examination that requires a passing grade; and

"(iv) demonstration of a medical examiner's willingness to meet the reporting requirements established by the Secretary."

(c) ADDITIONAL OVERSIGHT OF LICENSING AUTHORITIES.—

(1) IN GENERAL.—Section 31149(c)(1) is amended—

(A) by amending subparagraph (E) to read as follows:

"(E) require medical examiners to transmit electronically, on a monthly basis, the name of the applicant, a numerical identifier, and additional information contained on the medical examiner's certificate for any completed medical examination report required under section 391.43 of title 49, Code of Federal Regulations, to the chief medical examiner;"

(B) in subparagraph (F), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(G) annually review the implementation of commercial driver's license requirements by not fewer than 10 States to assess the accuracy, validity, and timeliness of—

"(i) the submission of physical examination reports and medical certificates to State licensing agencies; and

"(ii) the processing of the submissions by State licensing agencies."

(2) INTERNAL OVERSIGHT POLICY.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish an oversight policy and procedure to carry out section 31149(c)(1)(G) of title 49, United States Code, as added by section 32302(c)(1) of this Act.

(B) EFFECTIVE DATE.—The amendments made by section 32303(c)(1) of this Act shall take effect on the date the oversight policies and procedures are established pursuant to subparagraph (A).

(d) ELECTRONIC FILING OF MEDICAL EXAMINATION CERTIFICATES.—Section 31311(a), as amended by sections 32203(b) and 32305(b) of this Act, is amended by adding at the end the following:

"(25) Not later than 5 years after the date of enactment of the Commercial Motor Vehicle Safety Enhancement Act of 2012, the State shall establish and maintain, as part of its driver information system, the capability to receive an electronic copy of a medical examiner's certificate, from a certified medical examiner, for each holder of a commercial driver's license issued by the State who operates or intends to operate in interstate commerce."

(e) FUNDING.—The Secretary is authorized to utilize funds provided under section 4101(c)(1) of SAFETEA-LU (119 Stat. 1715) to support development of costs of the information technology needed to carry out section 31311(a)(25) of title 49, United States Code.

SEC. 32303. COMMERCIAL DRIVER'S LICENSE NOTIFICATION SYSTEM.

(a) IN GENERAL.—Section 31304 is amended—

(1) by striking "An employer" and inserting the following:

"(a) IN GENERAL.—An employer"; and

(2) by adding at the end the following:

"(b) DRIVER VIOLATION RECORDS.—

"(1) PERIODIC REVIEW.—Except as provided in paragraph (3), an employer shall ascertain the driving record of each driver it employs—

“(A) by making an inquiry at least once every 12 months to the appropriate State agency in which the driver held or holds a commercial driver’s license or permit during such time period;

“(B) by receiving occurrence-based reports of changes in the status of a driver’s record from 1 or more driver record notification systems that meet minimum standards issued by the Secretary; or

“(C) by a combination of inquiries to States and reports from driver record notification systems.

“(2) RECORD KEEPING.—A copy of the reports received under paragraph (1) shall be maintained in the driver’s qualification file.

“(3) EXCEPTIONS TO RECORD REVIEW REQUIREMENT.—Paragraph (1) shall not apply to a driver employed by an employer who, in any 7-day period, is employed or used as a driver by more than 1 employer—

“(A) if the employer obtains the driver’s identification number, type, and issuing State of the driver’s commercial motor vehicle license; or

“(B) if the information described in subparagraph (A) is furnished by another employer and the employer that regularly employs the driver meets the other requirements under this section.

“(4) DRIVER RECORD NOTIFICATION SYSTEM DEFINED.—In this section, the term ‘driver record notification system’ means a system that automatically furnishes an employer with a report, generated by the appropriate agency of a State, on the change in the status of an employee’s driver’s license due to a conviction for a moving violation, a failure to appear, an accident, driver’s license suspension, driver’s license revocation, or any other action taken against the driving privilege.”

(b) STANDARDS FOR DRIVER RECORD NOTIFICATION SYSTEMS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue minimum standards for driver notification systems, including standards for the accuracy, consistency, and completeness of the information provided.

(c) PLAN FOR NATIONAL NOTIFICATION SYSTEM.—

(1) DEVELOPMENT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop recommendations and a plan for the development and implementation of a national driver record notification system, including—

(A) an assessment of the merits of achieving a national system by expanding the Commercial Driver’s License Information System; and

(B) an estimate of the fees that an employer will be charged to offset the operating costs of the national system.

(2) SUBMISSION TO CONGRESS.—Not later than 90 days after the recommendations and plan are developed under paragraph (1), the Secretary shall submit a report on the recommendations and plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 32304. COMMERCIAL MOTOR VEHICLE OPERATOR TRAINING.

(a) IN GENERAL.—Section 31305 is amended by adding at the end the following:

“(C) STANDARDS FOR TRAINING.—Not later than 1 year after the date of enactment of the Commercial Motor Vehicle Safety Enhancement Act of 2012, the Secretary shall issue final regulations establishing minimum entry-level training requirements for an individual operating a commercial motor vehicle—

“(1) addressing the knowledge and skills that—

“(A) are necessary for an individual operating a commercial motor vehicle to safely operate a commercial motor vehicle; and

“(B) must be acquired before obtaining a commercial driver’s license for the first time or upgrading from one class of commercial driver’s license to another class;

“(2) addressing the specific training needs of a commercial motor vehicle operator seeking a passenger or hazardous materials endorsements;

“(3) requiring effective instruction to acquire the knowledge, skills, and training referred to in paragraphs (1) and (2), including classroom and behind-the-wheel instruction;

“(4) requiring certification that an individual operating a commercial motor vehicle meets the requirements established by the Secretary; and

“(5) requiring a training provider (including a public or private driving school, motor carrier, or owner or operator of a commercial motor vehicle) that offers training that results in the issuance of a certification to an individual under paragraph (4) to demonstrate that the training meets the requirements of the regulations, through a process established by the Secretary.”

(b) COMMERCIAL DRIVER’S LICENSE UNIFORM STANDARDS.—Section 31308(1) is amended to read as follows:

“(1) an individual issued a commercial driver’s license—

“(A) pass written and driving tests for the operation of a commercial motor vehicle that comply with the minimum standards prescribed by the Secretary under section 31305(a); and

“(B) present certification of completion of driver training that meets the requirements established by the Secretary under section 31305(c);”

(c) CONFORMING AMENDMENT.—The section heading for section 31305 is amended to read as follows:

“§31305. General driver fitness, testing, and training”.

(d) CONFORMING AMENDMENT.—The analysis for chapter 313 is amended by striking the item relating to section 31305 and inserting the following:

“31305. General driver fitness, testing, and training.”

SEC. 32305. COMMERCIAL DRIVER’S LICENSE PROGRAM.

(a) IN GENERAL.—Section 31309 is amended—

(1) in subsection (e)(4), by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—The plan shall specify—

“(i) a date by which all States shall be operating commercial driver’s license information systems that are compatible with the modernized information system under this section; and

“(ii) that States must use the systems to receive and submit conviction and disqualification data.”; and

(2) in subsection (f), by striking “use” and inserting “use, subject to section 31313(a).”

(b) REQUIREMENTS FOR STATE PARTICIPATION.—Section 31311 is amended—

(1) in subsection (a), as amended by section 32203(b) of this Act—

(A) in paragraph (5), by striking “At least” and all that follows through “(regulation),” and inserting: “Not later than the time period prescribed by the Secretary by regulation.”; and

(B) by adding at the end the following:

“(23) Not later than 1 year after the date of enactment of the Commercial Motor Vehicle Safety Enhancement Act of 2012, the State shall implement a system and practices for the exclusive electronic exchange of driver history record information on the system the Secretary maintains under section 31309, including the posting of convictions, withdrawals, and disqualifications.

“(24) Before renewing or issuing a commercial driver’s license to an individual, the State shall request information pertaining to the individual from the drug and alcohol clearinghouse maintained under section 31306a.”; and

(2) by adding at the end the following:

“(d) STATE COMMERCIAL DRIVER’S LICENSE PROGRAM PLAN.—

“(1) IN GENERAL.—A State shall submit a plan to the Secretary for complying with the requirements under this section during the period beginning on the date the plan is submitted and ending on September 30, 2016.

“(2) CONTENTS.—A plan submitted by a State under paragraph (1) shall identify—

“(A) the actions that the State will take to address any deficiencies in the State’s commercial driver’s license program, as identified by the Secretary in the most recent audit of the program; and

“(B) other actions that the State will take to comply with the requirements under subsection (a).

“(3) PRIORITY.—

“(A) IMPLEMENTATION SCHEDULE.—A plan submitted by a State under paragraph (1) shall include a schedule for the implementation of the actions identified under paragraph (2). In establishing the schedule, the State shall prioritize actions to address any deficiencies highlighted by the Secretary as critical in the most recent audit of the program.

“(B) DEADLINE FOR COMPLIANCE WITH REQUIREMENTS.—A plan submitted by a State under paragraph (1) shall include assurances that the State will take the necessary actions to comply with the requirements of subsection (a) not later than September 30, 2015.

“(4) APPROVAL AND DISAPPROVAL.—The Secretary shall—

“(A) review each plan submitted under paragraph (1);

“(B)(i) approve a plan if the Secretary determines that the plan meets the requirements under this subsection and promotes the goals of this chapter; and

“(ii) disapprove a plan that the Secretary determines does not meet the requirements or does not promote the goals.

“(5) MODIFICATION OF DISAPPROVED PLANS.—If the Secretary disapproves a plan under paragraph (4), the Secretary shall—

“(A) provide a written explanation of the disapproval to the State; and

“(B) allow the State to modify the plan and resubmit it for approval.

“(6) PLAN UPDATES.—The Secretary may require a State to review and update a plan, as appropriate.

“(e) ANNUAL COMPARISON OF STATE LEVELS OF COMPLIANCE.—The Secretary shall annually—

“(1) compare the relative levels of compliance by States with the requirements under subsection (a); and

“(2) make the results of the comparison available to the public.”

SEC. 32306. COMMERCIAL MOTOR VEHICLE DRIVER INFORMATION SYSTEMS.

Section 31106(c) is amended—

(1) by striking the heading and inserting “(1) IN GENERAL.”;

(2) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D); and

(3) by adding at the end the following:

“(2) ACCESS TO RECORDS.—The Secretary may require a State, as a condition of an award of grant money under this section, to provide the Secretary access to all State licensing status and driver history records via an electronic information system, subject to section 2721 of title 18.”

SEC. 32307. EMPLOYER RESPONSIBILITIES.

Section 31304, as amended by section 32303 of this Act, is amended in subsection (a)—

(1) by striking “knowingly”; and

(2) by striking “in which” and inserting “that the employer knows or should reasonably know that”.

SEC. 32308. PROGRAM TO ASSIST VETERANS TO ACQUIRE COMMERCIAL DRIVER’S LICENSES.

(a) STUDY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Defense, and in consultation with the States and other relevant stakeholders, shall commence a study to assess Federal and State regulatory, economic, and administrative challenges faced by members and former members of the Armed Forces, who received safety training and oper-

ated qualifying motor vehicles during their service, in obtaining commercial driver's licenses (as defined in section 31301(3) of title 49, United States Code).

(2) REQUIREMENTS.—The study under this subsection shall—

(A) identify written and behind-the-wheel safety training, qualification standards, knowledge and skills tests, or other operating experience members of the Armed Forces must meet that satisfy the minimum standards prescribed by the Secretary of Transportation for the operation of commercial motor vehicles under section 31305 of title 49, United States Code;

(B) compare the alcohol and controlled substances testing requirements for members of the Armed Forces with those required for holders of a commercial driver's license;

(C) evaluate the cause of delays in reviewing applications for commercial driver's licenses of members and former members of the Armed Forces;

(D) identify duplicative application costs;

(E) identify residency, domicile, training and testing requirements, and other safety or health assessments that affect or delay the issuance of commercial driver's licenses to members and former members of the Armed Forces; and

(F) include other factors that the Secretary determines to be appropriate to meet the requirements of the study.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the commencement of the study under subsection (a), the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Financial Services of the House of Representatives that contains the findings and recommendations from the study.

(2) ELEMENTS.—The report under paragraph (1) shall include—

(A) findings related to the study requirements under subsection (a)(2);

(B) recommendations for the Federal and State legislative, regulatory, and administrative actions necessary to address challenges identified in subparagraph (A); and

(C) a plan to implement the recommendations for which the Secretary has authority.

(c) IMPLEMENTATION.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Defense and in cooperation with the States, shall implement the recommendations identified in subsection (b) and establish accelerated licensing procedures to assist veterans to acquire commercial driver's licenses.

(d) ACCELERATED LICENSING PROCEDURES.—The procedures established under subsection (a) shall be designed to be applicable to any veteran who—

(1) is attempting to acquire a commercial driver's license; and

(2) obtained, during military service, documented driving experience that, in the determination of the Secretary, makes the use of accelerated licensing procedures appropriate.

(e) DEFINITIONS.—In this section:

(1) COMMERCIAL DRIVER'S LICENSE.—The term "commercial driver's license" has the meaning given that term in section 31301 of title 49, United States Code.

(2) STATE.—The term "State" has the meaning given that term in section 31301 of title 49, United States Code.

(3) VETERAN.—The term "veteran" has the meaning given that term in section 101 of title 38, United States Code.

Subtitle D—Safe Roads Act of 2012

SEC. 32401. SHORT TITLE.

This subtitle may be cited as the "Safe Roads Act of 2012".

SEC. 32402. NATIONAL CLEARINGHOUSE FOR CONTROLLED SUBSTANCE AND ALCOHOL TEST RESULTS OF COMMERCIAL MOTOR VEHICLE OPERATORS.

(a) IN GENERAL.—Chapter 313 is amended—

(1) in section 31306(a), by inserting "and section 31306a" after "this section"; and

(2) by inserting after section 31306 the following:

"§31306a. National clearinghouse for controlled substance and alcohol test results of commercial motor vehicle operators

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Safe Roads Act of 2012, the Secretary of Transportation shall establish, operate, and maintain a national clearinghouse for records relating to alcohol and controlled substances testing of commercial motor vehicle operators.

"(2) PURPOSES.—The purposes of the clearinghouse shall be—

"(A) to improve compliance with the Department of Transportation's alcohol and controlled substances testing program applicable to commercial motor vehicle operators; and

"(B) to enhance the safety of our United States roadways by reducing accident and injuries involving the misuse of alcohol or use of controlled substances by operators of commercial motor vehicles.

"(3) CONTENTS.—The clearinghouse shall function as a repository for records relating to the positive test results and test refusals of commercial motor vehicle operators and violations by such operators of prohibitions set forth in subpart B of part 382 of title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

"(4) ELECTRONIC EXCHANGE OF RECORDS.—The Secretary shall ensure that records can be electronically submitted to, and requested from, the clearinghouse by authorized users.

"(5) AUTHORIZED OPERATOR.—The Secretary may authorize a qualified private entity to operate and maintain the clearinghouse and to collect fees on behalf of the Secretary under subsection (e). The entity shall operate and maintain the clearinghouse and records from the clearinghouse in accordance with this section.

"(b) DESIGN OF CLEARINGHOUSE.—

"(1) USE OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION RECOMMENDATIONS.—In establishing the clearinghouse, the Secretary shall consider—

"(A) the findings and recommendations contained in the Federal Motor Carrier Safety Administration's March 2004 report to Congress required under section 226 of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31306 note); and

"(B) the findings and recommendations contained in the Government Accountability Office's May 2008 report to Congress entitled "Motor Carrier Safety: Improvements to Drug Testing Programs Could Better Identify Illegal Drug Users and Keep Them off the Road.".

"(2) DEVELOPMENT OF SECURE PROCESSES.—In establishing the clearinghouse, the Secretary shall develop a secure process for—

"(A) administering and managing the clearinghouse in compliance with applicable Federal security standards;

"(B) registering and authenticating authorized users of the clearinghouse;

"(C) registering and authenticating persons required to report to the clearinghouse under subsection (g);

"(D) preventing the unauthorized access of information from the clearinghouse;

"(E) storing and transmitting data;

"(F) persons required to report to the clearinghouse under subsection (g) to timely and accurately submit electronic data to the clearinghouse;

"(G) generating timely and accurate reports from the clearinghouse in response to requests for information by authorized users; and

"(H) updating an individual's record upon completion of the return-to-duty process described in title 49, Code of Federal Regulations.

"(3) EMPLOYER ALERT OF POSITIVE TEST RESULT.—In establishing the clearinghouse, the

Secretary shall develop a secure method for electronically notifying an employer of each additional positive test result or other noncompliance—

"(A) for an employee, that is entered into the clearinghouse during the 7-day period immediately following an employer's inquiry about the employee; and

"(B) for an employee who is listed as having multiple employers.

"(4) ARCHIVE CAPABILITY.—In establishing the clearinghouse, the Secretary shall develop a process for archiving all clearinghouse records for the purposes of auditing and evaluating the timeliness, accuracy, and completeness of data in the clearinghouse.

"(5) FUTURE NEEDS.—

"(A) INTEROPERABILITY WITH OTHER DATA SYSTEMS.—In establishing the clearinghouse, the Secretary shall consider—

"(i) the existing data systems containing regulatory and safety data for commercial motor vehicle operators;

"(ii) the efficacy of using or combining clearinghouse data with 1 or more of such systems; and

"(iii) the potential interoperability of the clearinghouse with such systems.

"(B) SPECIFIC CONSIDERATIONS.—In carrying out subparagraph (A), the Secretary shall determine—

"(i) the clearinghouse's capability for interoperability with—

"(I) the National Driver Register established under section 30302;

"(II) the Commercial Driver's License Information System established under section 31309;

"(III) the Motor Carrier Management Information System for preemployment screening services under section 31150; and

"(IV) other data systems, as appropriate; and

"(ii) any change to the administration of the current testing program, such as forms, that is necessary to collect data for the clearinghouse.

"(c) STANDARD FORMATS.—The Secretary shall develop standard formats to be used—

"(1) by an authorized user of the clearinghouse to—

"(A) request a record from the clearinghouse; and

"(B) obtain the consent of an individual who is the subject of a request from the clearinghouse, if applicable; and

"(2) to notify an individual that a positive alcohol or controlled substances test result, refusing to test, and a violation of any of the prohibitions under subpart B of part 382 of title 49, Code of Federal Regulations (or any subsequent corresponding regulations), will be reported to the clearinghouse.

"(d) PRIVACY.—A release of information from the clearinghouse shall—

"(1) comply with applicable Federal privacy laws, including the fair information practices under the Privacy Act of 1974 (5 U.S.C. 552a);

"(2) comply with applicable sections of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.); and

"(3) not be made to any person or entity unless expressly authorized or required by law.

"(e) FEES.—

"(1) AUTHORITY TO COLLECT FEES.—Except as provided under paragraph (3), the Secretary may collect a reasonable, customary, and nominal fee from an authorized user of the clearinghouse for a request for information from the clearinghouse.

"(2) USE OF FEES.—Fees collected under this subsection shall be used for the operation and maintenance of the clearinghouse.

"(3) LIMITATION.—The Secretary may not collect a fee from an individual requesting information from the clearinghouse that pertains to the record of that individual.

"(f) EMPLOYER REQUIREMENTS.—

"(1) DETERMINATION CONCERNING USE OF CLEARINGHOUSE.—The Secretary shall determine if an employer is authorized to use the clearinghouse to meet the alcohol and controlled sub-

stances testing requirements under title 49, Code of Federal Regulations.

“(2) **APPLICABILITY OF EXISTING REQUIREMENTS.**—Each employer and service agent shall continue to comply with the alcohol and controlled substances testing requirements under title 49, Code of Federal Regulations.

“(3) **EMPLOYMENT PROHIBITIONS.**—After the clearinghouse is established under subsection (a), at a date determined to be appropriate by the Secretary and published in the Federal Register, an employer shall utilize the clearinghouse to determine whether any employment prohibitions exist and shall not hire an individual to operate a commercial motor vehicle unless the employer determines that the individual, during the preceding 3-year period—

“(A) if tested for the use of alcohol and controlled substances, as required under title 49, Code of Federal Regulations—

“(i) did not test positive for the use of alcohol or controlled substances in violation of the regulations; or

“(ii) tested positive for the use of alcohol or controlled substances and completed the required return-to-duty process under title 49, Code of Federal Regulations;

“(B) (i) did not refuse to take an alcohol or controlled substance test under title 49, Code of Federal Regulations; or

“(ii) refused to take an alcohol or controlled substance test and completed the required return-to-duty process under title 49, Code of Federal Regulations; and

“(C) did not violate any other provision of subpart B of part 382 of title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

“(4) **ANNUAL REVIEW.**—After the clearinghouse is established under subsection (a), at a date determined to be appropriate by the Secretary and published in the Federal Register, an employer shall request and review a commercial motor vehicle operator's record from the clearinghouse annually for as long as the commercial motor vehicle operator is under the employ of the employer.

“(g) **REPORTING OF RECORDS.**—

“(1) **IN GENERAL.**—Beginning 30 days after the date that the clearinghouse is established under subsection (a), a medical review officer, employer, service agent, and other appropriate person, as determined by the Secretary, shall promptly submit to the Secretary any record generated after the clearinghouse is initiated of an individual who—

“(A) refuses to take an alcohol or controlled substances test required under title 49, Code of Federal Regulations;

“(B) tests positive for alcohol or a controlled substance in violation of the regulations; or

“(C) violates any other provision of subpart B of part 382 of title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

“(2) **INCLUSION OF RECORDS IN CLEARINGHOUSE.**—The Secretary shall include in the clearinghouse the records of positive test results and test refusals received under paragraph (1).

“(3) **MODIFICATIONS AND DELETIONS.**—If the Secretary determines that a record contained in the clearinghouse is not accurate, the Secretary shall modify or delete the record, as appropriate.

“(4) **NOTIFICATION.**—The Secretary shall expeditiously notify an individual, unless such notification would be duplicative, when—

“(A) a record relating to the individual is received by the clearinghouse;

“(B) a record in the clearinghouse relating to the individual is modified or deleted, and include in the notification the reason for the modification or deletion; or

“(C) a record in the clearinghouse relating to the individual is released to an employer and specify the reason for the release.

“(5) **DATA QUALITY AND SECURITY STANDARDS FOR REPORTING AND RELEASING.**—The Secretary may establish additional requirements, as appropriate, to ensure that—

“(A) the submission of records to the clearinghouse is timely and accurate;

“(B) the release of data from the clearinghouse is timely, accurate, and released to the appropriate authorized user under this section; and

“(C) an individual with a record in the clearinghouse has a cause of action for any inappropriate use of information included in the clearinghouse.

“(6) **RETENTION OF RECORDS.**—The Secretary shall—

“(A) retain a record submitted to the clearinghouse for a 5-year period beginning on the date the record is submitted;

“(B) remove the record from the clearinghouse at the end of the 5-year period, unless the individual fails to meet a return-to-duty or follow-up requirement under title 49, Code of Federal Regulations; and

“(C) retain a record after the end of the 5-year period in a separate location for archiving and auditing purposes.

“(h) **AUTHORIZED USERS.**—

“(1) **EMPLOYERS.**—The Secretary shall establish a process for an employer, or an employer's designated agent, to request and receive an individual's record from the clearinghouse.

“(A) **CONSENT.**—An employer may not access an individual's record from the clearinghouse unless the employer—

“(i) obtains the prior written or electronic consent of the individual for access to the record; and

“(ii) submits proof of the individual's consent to the Secretary.

“(B) **ACCESS TO RECORDS.**—After receiving a request from an employer for an individual's record under subparagraph (A), the Secretary shall grant access to the individual's record to the employer as expeditiously as practicable.

“(C) **RETENTION OF RECORD REQUESTS.**—The Secretary shall require an employer to retain for a 3-year period—

“(i) a record of each request made by the employer for records from the clearinghouse; and

“(ii) the information received pursuant to the request.

“(D) **USE OF RECORDS.**—An employer may use an individual's record received from the clearinghouse only to assess and evaluate whether a prohibition applies with respect to the individual to operate a commercial motor vehicle for the employer.

“(E) **PROTECTION OF PRIVACY OF INDIVIDUALS.**—An employer that receives an individual's record from the clearinghouse under subparagraph (B) shall—

“(i) protect the privacy of the individual and the confidentiality of the record; and

“(ii) ensure that information contained in the record is not divulged to a person or entity that is not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a commercial motor vehicle for the employer.

“(2) **STATE LICENSING AUTHORITIES.**—The Secretary shall establish a process for the chief commercial driver's licensing official of a State to request and receive an individual's record from the clearinghouse if the individual is applying for a commercial driver's license from the State.

“(A) **CONSENT.**—The Secretary may grant access to an individual's record in the clearinghouse under this paragraph without the prior written or electronic consent of the individual. An individual who holds a commercial driver's license shall be deemed to consent to such access by obtaining a commercial driver's license.

“(B) **PROTECTION OF PRIVACY OF INDIVIDUALS.**—A chief commercial driver's licensing official of a State that receives an individual's record from the clearinghouse under this paragraph shall—

“(i) protect the privacy of the individual and the confidentiality of the record; and

“(ii) ensure that the information in the record is not divulged to any person that is not directly

involved in assessing and evaluating the qualifications of the individual to operate a commercial motor vehicle.

“(i) **NATIONAL TRANSPORTATION SAFETY BOARD.**—The Secretary shall establish a process for the National Transportation Safety Board to request and receive an individual's record from the clearinghouse if the individual is involved in an accident that is under investigation by the National Transportation Safety Board.

“(j) **ACCESS TO CLEARINGHOUSE BY INDIVIDUALS.**—

“(1) **IN GENERAL.**—The Secretary shall establish a process for an individual to request and receive information from the clearinghouse—

“(A) to determine whether the clearinghouse contains a record pertaining to the individual;

“(B) to verify the accuracy of a record;

“(C) to update an individual's record, including completing the return-to-duty process described in title 49, Code of Federal Regulations; and

“(D) to determine whether the clearinghouse received requests for the individual's information.

“(2) **DISPUTE PROCEDURE.**—The Secretary shall establish a procedure, including an appeal process, for an individual to dispute and remedy an administrative error in the individual's record.

“(k) **PENALTIES.**—

“(1) **IN GENERAL.**—An employer, employee, medical review officer, or service agent who violates any provision of this section shall be subject to civil penalties under section 521(b)(2)(C) and criminal penalties under section 521(b)(6)(B), and any other applicable civil and criminal penalties, as determined by the Secretary.

“(2) **VIOLATION OF PRIVACY.**—The Secretary shall establish civil and criminal penalties, consistent with paragraph (1), for an authorized user who violates paragraph (1) or (2) of subsection (h).

“(l) **COMPATIBILITY OF STATE AND LOCAL LAWS.**—

“(1) **PREEMPTION.**—Except as provided under paragraph (2), any law, regulation, order, or other requirement of a State, political subdivision of a State, or Indian tribe related to a commercial driver's license holder subject to alcohol or controlled substance testing under title 49, Code of Federal Regulations, that is inconsistent with this section or a regulation issued pursuant to this section is preempted.

“(2) **APPLICABILITY.**—The preemption under paragraph (1) shall include—

“(A) the reporting of valid positive results from alcohol screening tests and drug tests;

“(B) the refusal to provide a specimen for an alcohol screening test or drug test; and

“(C) other violations of subpart B of part 382 of title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

“(3) **EXCEPTION.**—A law, regulation, order, or other requirement of a State, political subdivision of a State, or Indian tribe shall not be preempted under this subsection to the extent it relates to an action taken with respect to a commercial motor vehicle operator's commercial driver's license or driving record as a result of the driver's—

“(A) verified positive alcohol or drug test result;

“(B) refusal to provide a specimen for the test; or

“(C) other violations of subpart B of part 382 of title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

“(m) **DEFINITIONS.**—In this section—

“(1) **AUTHORIZED USER.**—The term ‘authorized user’ means an employer, State licensing authority, or other person granted access to the clearinghouse under subsection (h).

“(2) **CHIEF COMMERCIAL DRIVER'S LICENSING OFFICIAL.**—The term ‘chief commercial driver's licensing official’ means the official in a State who is authorized to—

“(A) maintain a record about commercial driver's licenses issued by the State; and

“(B) take action on commercial driver’s licenses issued by the State.

“(3) CLEARINGHOUSE.—The term ‘clearinghouse’ means the clearinghouse established under subsection (a).

“(4) COMMERCIAL MOTOR VEHICLE OPERATOR.—The term ‘commercial motor vehicle operator’ means an individual who—

“(A) possesses a valid commercial driver’s license issued in accordance with section 31308; and

“(B) is subject to controlled substances and alcohol testing under title 49, Code of Federal Regulations.

“(5) EMPLOYER.—The term ‘employer’ means a person or entity employing, or seeking to employ, 1 or more employees (including an individual who is self-employed) to be commercial motor vehicle operators.

“(6) MEDICAL REVIEW OFFICER.—The term ‘medical review officer’ means a licensed physician who is responsible for—

“(A) receiving and reviewing a laboratory result generated under the testing program;

“(B) evaluating a medical explanation for a controlled substances test under title 49, Code of Federal Regulations; and

“(C) interpreting the results of a controlled substances test.

“(7) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(8) SERVICE AGENT.—The term ‘service agent’ means a person or entity, other than an employee of the employer, who provides services to employers or employees under the testing program.

“(9) TESTING PROGRAM.—The term ‘testing program’ means the alcohol and controlled substances testing program required under title 49, Code of Federal Regulations.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 313 is amended by inserting after the item relating to section 31306 the following:

“31306a. National clearinghouse for positive controlled substance and alcohol test results of commercial motor vehicle operators.”.

Subtitle E—Enforcement

SEC. 32501. INSPECTION DEMAND AND DISPLAY OF CREDENTIALS.

(a) SAFETY INVESTIGATIONS.—Section 504(c) is amended—

(1) by inserting “, or an employee of the recipient of a grant issued under section 31102 of this title” after “a contractor”; and

(2) by inserting “, in person or in writing” after “proper credentials”.

(b) CIVIL PENALTY.—Section 521(b)(2)(E) is amended—

(1) by redesignating subparagraph (E) as subparagraph (E)(i); and

(2) by adding at the end the following:

“(ii) PLACE OUT OF SERVICE.—The Secretary may by regulation adopt procedures for placing out of service the commercial motor vehicle of a foreign-domiciled motor carrier that fails to promptly allow the Secretary to inspect and copy a record or inspect equipment, land, buildings, or other property.”.

(c) HAZARDOUS MATERIALS INVESTIGATIONS.—Section 5121(c)(2) is amended by inserting “, in person or in writing,” after “proper credentials”.

(d) COMMERCIAL INVESTIGATIONS.—Section 14122(b) is amended by inserting “, in person or in writing” after “proper credentials”.

SEC. 32502. OUT OF SERVICE PENALTY FOR DENIAL OF ACCESS TO RECORDS.

Section 521(b)(2)(E) is amended—

(1) by inserting after “\$10,000.” the following: “In the case of a motor carrier, the Secretary may also place the violator’s motor carrier operations out of service.”; and

(2) by striking “such penalty” after “It shall be a defense to” and inserting “a penalty”.

SEC. 32503. PENALTIES FOR VIOLATION OF OPERATION OUT OF SERVICE ORDERS.

Section 521(b)(2) is amended by adding at the end the following:

“(F) PENALTY FOR VIOLATIONS RELATING TO OUT OF SERVICE ORDERS.—A motor carrier or employer (as defined in section 31132) that operates a commercial motor vehicle in commerce in violation of a prohibition on transportation under section 31144(c) of this title or an imminent hazard out of service order issued under subsection (b)(5) of this section or section 5121(d) of this title shall be liable for a civil penalty not to exceed \$25,000.”.

SEC. 32504. IMPOUNDMENT AND IMMOBILIZATION OF COMMERCIAL MOTOR VEHICLES FOR IMMINENT HAZARD.

Section 521(b) is amended by adding at the end the following:

“(15) IMPOUNDMENT OF COMMERCIAL MOTOR VEHICLES.—

“(A) ENFORCEMENT OF IMMINENT HAZARD OUT-OF-SERVICE ORDERS.—

“(i) The Secretary, or an authorized State official carrying out motor carrier safety enforcement activities under section 31102, may enforce an imminent hazard out-of-service order issued under chapters 5, 51, 131 through 149, 311, 313, or 315 of this title, or a regulation promulgated thereunder, by towing and impounding a commercial motor vehicle until the order is rescinded.

“(ii) Enforcement shall not unreasonably interfere with the ability of a shipper, carrier, broker, or other party to arrange for the alternative transportation of any cargo or passenger being transported at the time the commercial motor vehicle is immobilized. In the case of a commercial motor vehicle transporting passengers, the Secretary or authorized State official shall provide reasonable, temporary, and secure shelter and accommodations for passengers in transit.

“(iii) The Secretary’s designee or an authorized State official carrying out motor carrier safety enforcement activities under section 31102, shall immediately notify the owner of a commercial motor vehicle of the impoundment and the opportunity for review of the impoundment. A review shall be provided in accordance with section 554 of title 5, except that the review shall occur not later than 10 days after the impoundment.

“(B) ISSUANCE OF REGULATIONS.—The Secretary shall promulgate regulations on the use of impoundment or immobilization of commercial motor vehicles as a means of enforcing additional out-of-service orders issued under chapters 5, 51, 131 through 149, 311, 313, or 315 of this title, or a regulation promulgated thereunder. Regulations promulgated under this subparagraph shall include consideration of public safety, the protection of passengers and cargo, inconvenience to passengers, and the security of the commercial motor vehicle.

“(C) DEFINITION.—In this paragraph, the term ‘impoundment’ or ‘impounding’ means the seizing and taking into custody of a commercial motor vehicle or the immobilizing of a commercial motor vehicle through the attachment of a locking device or other mechanical or electronic means.”.

SEC. 32505. INCREASED PENALTIES FOR EVASION OF REGULATIONS.

(a) PENALTIES.—Section 524 is amended—

(1) by striking “knowingly and willfully”;

(2) by inserting after “this chapter” the following: “, chapter 51, subchapter III of chapter 311 (except sections 31138 and 31139) or section 31302, 31303, 31304, 31305(b), 31310(g)(1)(A), or 31502 of this title, or a regulation issued under any of those provisions.”;

(3) by striking “\$200 but not more than \$500” and inserting “\$2,000 but not more than \$5,000”; and

(4) by striking “\$250 but not more than \$2,000” and inserting “\$2,500 but not more than \$7,500”.

(b) EVASION OF REGULATION.—Section 14906 is amended—

(1) by striking “\$200” and inserting “at least \$2,000”;

(2) by striking “\$250” and inserting “\$5,000”; and

(3) by inserting after “a subsequent violation” the following:

“, and may be subject to criminal penalties”.

SEC. 32506. VIOLATIONS RELATING TO COMMERCIAL MOTOR VEHICLE SAFETY REGULATION AND OPERATORS.

Section 521(b)(2)(D) is amended by striking “ability to pay.”.

SEC. 32507. EMERGENCY DISQUALIFICATION FOR IMMINENT HAZARD.

Section 31310(f) is amended—

(1) in paragraph (1) by inserting “section 521 or” before “section 5102”; and

(2) in paragraph (2) by inserting “section 521 or” before “section 5102”.

SEC. 32508. DISCLOSURE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

Section 31106(e) is amended—

(1) by redesignating subsection (e) as subsection (e)(1); and

(2) by inserting at the end the following:

“(2) IN GENERAL.—Notwithstanding any prohibition on disclosure of information in section 31105(h) or 31143(b) of this title or section 552a of title 5, the Secretary may disclose information maintained by the Secretary pursuant to chapters 51, 135, 311, or 313 of this title to appropriate personnel of a State agency or instrumentality authorized to carry out State commercial motor vehicle safety activities and commercial driver’s license laws, or appropriate personnel of a local law enforcement agency, in accordance with standards, conditions, and procedures as determined by the Secretary. Disclosure under this section shall not operate as a waiver by the Secretary of any applicable privilege against disclosure under common law or as a basis for compelling disclosure under section 552 of title 5.”.

SEC. 32509. GRADE CROSSING SAFETY REGULATIONS.

Section 112(2) of the Hazardous Materials Transportation Authorization Act of 1994 (Public Law 103-311) is amended by striking “315 of such title (relating to motor carrier safety)” and inserting “311 of such title (relating to commercial motor vehicle safety)”.

Subtitle F—Compliance, Safety, Accountability

SEC. 32601. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 31102(b) is amended—

(1) by amending the heading to read as follows:

“(b) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—”;

(2) by redesignating paragraphs (1) through (3) as (2) through (4), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

“(1) PROGRAM GOAL.—The goal of the Motor Carrier Safety Assistance Program is to ensure that the Secretary, States, local government agencies, and other political jurisdictions work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system by—

“(A) making targeted investments to promote safe commercial motor vehicle transportation, including transportation of passengers and hazardous materials;

“(B) investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and fatalities resulting from such crashes;

“(C) adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

“(D) assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.”;

(4) in paragraph (2), as redesignated—

(A) by striking “make a declaration of” in subparagraph (1) and inserting “demonstrate”;

(B) by amending subparagraph (M) to read as follows:

“(M) ensures participation in appropriate Federal Motor Carrier Safety Administration systems and other information systems by all appropriate jurisdictions receiving Motor Carrier Safety Assistance Program funding;”;

(C) in subparagraph (Q), by inserting “and dedicated sufficient resources to” between “established” and “a program”;

(D) in subparagraph (W), by striking “and” after the semicolon;

(E) in subparagraph (X), by striking the period and inserting “; and”;

(F) by adding after subparagraph (X) the following:

“(Y) ensures that the State will transmit to its roadside inspectors the notice of each Federal exemption granted pursuant to section 31315(b) and provided to the State by the Secretary, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.”; and

(5) by amending paragraph (4), as redesignated, to read as follows:

“(4) MAINTENANCE OF EFFORT.—

“(A) IN GENERAL.—A plan submitted by a State under paragraph (2) shall provide that the total expenditure of amounts of the lead State agency responsible for implementing the plan will be maintained at a level at least equal to the average level of that expenditure for fiscal years 2004 and 2005.

“(B) AVERAGE LEVEL OF STATE EXPENDITURES.—In estimating the average level of State expenditure under subparagraph (A), the Secretary—

“(i) may allow the State to exclude State expenditures for Government-sponsored demonstration or pilot programs; and

“(ii) shall require the State to exclude State matching amounts used to receive Government financing under this subsection.

“(C) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements of this paragraph for 1 fiscal year, if the Secretary determines that a waiver is equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or a serious decline in the financial resources of the State motor carrier safety assistance program agency.”.

SEC. 32602. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT PROGRAM.

Section 31106(b) is amended by amending paragraph (3)(C) to read as follows:

“(C) establish and implement a process—

“(i) to cancel the motor vehicle registration and seize the registration plates of a vehicle when an employer is found liable under section 31310(i)(2)(C) for knowingly allowing or requiring an employee to operate such a commercial motor vehicle in violation of an out-of-service order; and

“(ii) to reinstate the vehicle registration or return the registration plates of the commercial motor vehicle, subject to sanctions under clause (i), if the Secretary permits such carrier to resume operations after the date of issuance of such order.”.

SEC. 32603. AUTHORIZATION OF APPROPRIATIONS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a) is amended—

(1) by striking “and” at the end of paragraph (7);

(2) by striking paragraph (8); and

(3) by inserting after paragraph (7) the following:

“(8) \$215,000,000 for fiscal year 2013; and

“(9) \$218,000,000 for fiscal year 2014.”.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1) is amended—

(1) by striking “and” at the end of subparagraph (G); and

(2) by striking subparagraph (H); and

(3) by inserting after subparagraph (G) the following:

“(H) \$251,000,000 for fiscal year 2013; and

“(I) \$259,000,000 for fiscal year 2014.”.

(c) GRANT PROGRAMS.—Section 4101(c) of SAFETEA-LU (119 Stat. 1715) is amended to read as follows:

“(c) GRANT PROGRAMS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) the following sums for the following Federal Motor Carrier Safety Administration programs:

“(1) COMMERCIAL DRIVER’S LICENSE PROGRAM IMPROVEMENT GRANTS.—For commercial driver’s license program improvement grants under section 31313 of title 49, United States Code \$30,000,000 for each of fiscal years 2013 and 2014.

“(2) BORDER ENFORCEMENT GRANTS.—For border enforcement grants under section 31107 of such title \$32,000,000 for each of fiscal years 2013 and 2014.

“(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—For the performance and registration information system management grant program under section 31109 of such title \$5,000,000 for each of fiscal years 2013 and 2014.

“(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act, \$25,000,000 for each of fiscal years 2013 and 2014.

“(5) SAFETY DATA IMPROVEMENT GRANTS.—For safety data improvement grants under section 4128 of this Act, \$3,000,000 for each of fiscal years 2013 and 2014.”.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) is amended by striking “2011 and \$11,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2014”.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) is amended to read as follows:

“(B) SET ASIDE.—The Secretary shall set aside from amounts made available by section 31104(a) up to \$32,000,000 per fiscal year for audits of new entrant motor carriers conducted pursuant to this paragraph.”.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended to read as follows:

“(e) FUNDING.—From amounts made available under section 31104(i) of title 49, United States Code, the Secretary shall make available \$4,000,000 to the Federal Motor Carrier Safety Administration for each of fiscal years 2013 and 2014 to carry out this section (other than subsection (f)).”.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended by striking “2011 and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2014”.

(h) BORDER ENFORCEMENT GRANTS.—Section 31107 is amended—

(1) by striking subsection (b); and

(2) redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(i) ADMINISTRATION OF GRANT PROGRAMS.—The Secretary is authorized to identify and implement processes to reduce the administrative burden on the States and the Department of Transportation concerning the application and management of the grant programs authorized under chapter 311 and chapter 313 of title 49, United States Code.

SEC. 32604. GRANTS FOR COMMERCIAL DRIVER’S LICENSE PROGRAM IMPLEMENTATION.

(a) GRANTS FOR COMMERCIAL DRIVER’S LICENSE PROGRAM IMPLEMENTATION.—Section 31313(a) is amended to read as follows:

“(a) COMMERCIAL DRIVER’S LICENSE PROGRAM IMPROVEMENT GRANTS.—

“(1) PROGRAM GOAL.—The Secretary of Transportation may make a grant to a State in a fiscal year—

“(A) to comply with the requirements of section 31311;

“(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of this section and section 31311, to improve its implementation of its commercial driver’s license program, including expenses—

“(i) for computer hardware and software;

“(ii) for publications, testing, personnel, training, and quality control;

“(iii) for commercial driver’s license program coordinators;

“(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator’s commercial driver’s license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012.

“(2) PROHIBITIONS.—A State may not use grant funds under this subsection to rent, lease, or buy land or buildings.”.

(b) CONFORMING AMENDMENT.—

(1) The heading for section 31313 is amended by striking “improvements” and inserting “implementation”.

(2) The analysis of chapter 313 is amended by striking the item relating to section 31313 and inserting the following:

“31313. Grants for commercial driver’s license program implementation.”.

SEC. 32605. COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS.

Not later than 6 months after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) established time frames and milestones for resuming the Commercial Vehicle Information Systems and Networks Program; and

(2) a strategic workforce plan for its grants management office to ensure that it has determined the skills and competencies that are critical to achieving its mission goals.

Subtitle G—Motorcoach Enhanced Safety Act of 2012

SEC. 32701. SHORT TITLE.

This subtitle may be cited as the “Motorcoach Enhanced Safety Act of 2012”.

SEC. 32702. DEFINITIONS.

In this subtitle:

(1) ADVANCED GLAZING.—The term “advanced glazing” means glazing installed in a portal on the side or the roof of a motorcoach that is designed to be highly resistant to partial or complete occupant ejection in all types of motor vehicle crashes.

(2) BUS.—The term “bus” has the meaning given the term in section 571.3(b) of title 49, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(3) COMMERCIAL MOTOR VEHICLE.—Except as otherwise specified, the term “commercial motor vehicle” has the meaning given the term in section 31132(1) of title 49, United States Code.

(4) DIRECT TIRE PRESSURE MONITORING SYSTEM.—The term “direct tire pressure monitoring system” means a tire pressure monitoring system that is capable of directly detecting when the air pressure level in any tire is significantly under-inflated and providing the driver a low tire pressure warning as to which specific tire is significantly under-inflated.

(5) MOTOR CARRIER.—The term “motor carrier” means—

(A) a motor carrier (as defined in section 13102(14) of title 49, United States Code); or

(B) a motor private carrier (as defined in section 13102(15) of that title).

(6) MOTORCOACH.—The term “motorcoach” has the meaning given the term “over-the-road bus” in section 3038(a)(3) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note), but does not include—

(A) a bus used in public transportation provided by, or on behalf of, a public transportation agency; or

(B) a school bus, including a multifunction school activity bus.

(7) **MOTORCOACH SERVICES.**—The term “motorcoach services” means passenger transportation by motorcoach for compensation.

(8) **MULTIFUNCTION SCHOOL ACTIVITY BUS.**—The term “multifunction school activity bus” has the meaning given the term in section 571.3(b) of title 49, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(9) **PORTAL.**—The term “portal” means any opening on the front, side, rear, or roof of a motorcoach that could, in the event of a crash involving the motorcoach, permit the partial or complete ejection of any occupant from the motorcoach, including a young child.

(10) **PROVIDER OF MOTORCOACH SERVICES.**—The term “provider of motorcoach services” means a motor carrier that provides passenger transportation services with a motorcoach, including per-trip compensation and contracted or chartered compensation.

(11) **PUBLIC TRANSPORTATION.**—The term “public transportation” has the meaning given the term in section 5302 of title 49, United States Code.

(12) **SAFETY BELT.**—The term “safety belt” has the meaning given the term in section 153(i)(4)(B) of title 23, United States Code.

(13) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

SEC. 32703. REGULATIONS FOR IMPROVED OCCUPANT PROTECTION, PASSENGER EVACUATION, AND CRASH AVOIDANCE.

(a) **REGULATIONS REQUIRED WITHIN 1 YEAR.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall prescribe regulations requiring safety belts to be installed in motorcoaches at each designated seating position.

(b) **REGULATIONS REQUIRED WITHIN 2 YEARS.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall prescribe regulations that address the following commercial motor vehicle standards, if the Secretary determines that such standards meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code:

(1) **ROOF STRENGTH AND CRUSH RESISTANCE.**—The Secretary shall establish improved roof and roof support standards for motorcoaches that substantially improve the resistance of motorcoach roofs to deformation and intrusion to prevent serious occupant injury in rollover crashes involving motorcoaches.

(2) **ANTI-EJECTION SAFETY COUNTERMEASURES.**—The Secretary shall consider requiring advanced glazing standards for each motorcoach portal and shall consider other portal improvements to prevent partial and complete ejection of motorcoach passengers, including children. In prescribing such standards, the Secretary shall consider the impact of such standards on the use of motorcoach portals as a means of emergency egress.

(3) **ROLLOVER CRASH AVOIDANCE.**—The Secretary shall consider requiring motorcoaches to be equipped with stability enhancing technology, such as electronic stability control and torque vectoring, to reduce the number and frequency of rollover crashes among motorcoaches.

(c) **COMMERCIAL MOTOR VEHICLE TIRE PRESSURE MONITORING SYSTEMS.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall prescribe the following commercial vehicle regulation:

(1) **IN GENERAL.**—The Secretary shall consider requiring motorcoaches to be equipped with direct tire pressure monitoring systems that warn the operator of a commercial motor vehicle when any tire exhibits a level of air pressure that is below a specified level of air pressure established by the Secretary, if the Secretary determines that such standards meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) **PERFORMANCE REQUIREMENTS.**—In any standard adopted under paragraph (1), the Secretary shall include performance requirements to meet the objectives identified in paragraph (1) of this subsection.

(d) **TIRE PERFORMANCE STANDARD.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall consider—

(1) issuing a rule to upgrade performance standards for tires used on motorcoaches, including an enhanced endurance test and a new high-speed performance test; or

(2) if the Secretary determines that a standard does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, submit a report that describes the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Transportation and Infrastructure of the House of Representatives; and

(C) the Committee on Energy and Commerce of the House of Representatives.

(e) **APPLICATION OF REGULATIONS.**—

(1) **NEW MOTORCOACHES.**—Any regulation prescribed in accordance with subsection (a), (b), (c), or (d) shall—

(A) apply to all motorcoaches manufactured more than 3 years after the date on which the regulation is published as a final rule;

(B) take into account the impact to seating capacity of changes to size and weight of motorcoaches and the ability to comply with State and Federal size and weight requirements; and

(C) be based on the best available science.

(2) **RETROFIT ASSESSMENT FOR EXISTING MOTORCOACHES.**—

(A) **IN GENERAL.**—The Secretary may assess the feasibility, benefits, and costs with respect to the application of any requirement established under subsection (a) or (b)(2) to motorcoaches manufactured before the date on which the requirement applies to new motorcoaches under paragraph (1).

(B) **REPORT.**—The Secretary shall submit a report on the assessment to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives not later than 2 years after the date of enactment of this Act.

SEC. 32704. FIRE PREVENTION AND MITIGATION.

(a) **RESEARCH AND TESTING.**—The Secretary shall conduct research and testing to determine the most prevalent causes of motorcoach fires and the best methods to prevent such fires and to mitigate the effect of such fires, both inside and outside the motorcoach. Such research and testing shall consider flammability of exterior components, smoke suppression, prevention of and resistance to wheel well fires, automatic fire suppression, passenger evacuation, causation and prevention of motorcoach fires, and improved fire extinguishers.

(b) **STANDARDS.**—Not later than 3 years after the date of enactment of this Act, the Secretary may issue fire prevention and mitigation standards for motorcoaches, based on the results of the Secretary’s research and testing, taking into account highway size and weight restrictions applicable to motorcoaches, if the Secretary determines that such standards meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

SEC. 32705. OCCUPANT PROTECTION, COLLISION AVOIDANCE, FIRE CAUSATION, AND FIRE EXTINGUISHER RESEARCH AND TESTING.

(a) **SAFETY RESEARCH INITIATIVES.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall complete the following research and testing:

(1) **INTERIOR IMPACT PROTECTION.**—The Secretary shall research and test enhanced occu-

tant impact protection technologies for motorcoach interiors to reduce serious injuries for all passengers of motorcoaches.

(2) **COMPARTMENTALIZATION SAFETY COUNTERMEASURES.**—The Secretary shall research and test enhanced compartmentalization safety countermeasures for motorcoaches, including enhanced seating designs.

(3) **COLLISION AVOIDANCE SYSTEMS.**—The Secretary shall research and test forward and lateral crash warning systems applications for motorcoaches.

(b) **RULEMAKING.**—Not later than 2 years after the completion of each research and testing initiative required under subsection (a), the Secretary shall issue final motor vehicle safety standards if the Secretary determines that such standards meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

SEC. 32706. CONCURRENCE OF RESEARCH AND RULEMAKING.

(a) **REQUIREMENTS.**—To the extent feasible, the Secretary shall ensure that research programs are carried out concurrently, and in a manner that concurrently assesses results, potential countermeasures, costs, and benefits.

(b) **AUTHORITY TO COMBINE RULEMAKINGS.**—When considering each of the rulemaking provisions, the Secretary may initiate a single rulemaking proceeding encompassing all aspects or may combine the rulemakings as the Secretary deems appropriate.

(c) **CONSIDERATIONS.**—If the Secretary undertakes separate rulemaking proceedings, the Secretary shall—

(1) consider whether each added aspect of rulemaking may contribute to addressing the safety need determined to require rulemaking;

(2) consider the benefits obtained through the safety belts rulemaking in section 32703(a); and

(3) avoid duplicative benefits, costs, and countermeasures.

SEC. 32707. IMPROVED OVERSIGHT OF MOTORCOACH SERVICE PROVIDERS.

(a) **SAFETY REVIEWS.**—Section 31144, as amended by section 32202 of this Act, is amended by adding at the end the following:

“(i) **PERIODIC SAFETY REVIEWS OF OWNERS AND OPERATORS OF INTERSTATE FOR-HIRE COMMERCIAL MOTOR VEHICLES DESIGNED OR USED TO TRANSPORT PASSENGERS.**—

“(1) **SAFETY REVIEW.**—

“(A) **IN GENERAL.**—The Secretary shall—

“(i) determine the safety fitness of each motor carrier of passengers who the Secretary registers under section 13902 or 31134 through a simple and understandable rating system that allows passengers to compare the safety performance of each such motor carrier; and

“(ii) assign a safety fitness rating to each such motor carrier.

“(B) **APPLICABILITY.**—Subparagraph (A) shall apply—

“(i) to any provider of motorcoach services registered with the Administration after the date of enactment of the Motorcoach Enhanced Safety Act of 2012 beginning not later than 2 years after the date of such registration; and

“(ii) to any provider of motorcoach services registered with the Administration on or before the date of enactment of that Act beginning not later than 3 years after the date of enactment of that Act.

“(2) **PERIODIC REVIEW.**—The Secretary shall establish, by regulation, a process for monitoring the safety performance of each motor carrier of passengers on a regular basis following the assignment of a safety fitness rating, including progressive intervention to correct unsafe practices.

“(3) **ENFORCEMENT STRIKE FORCES.**—In addition to the enhanced monitoring and enforcement actions required under paragraph (2), the Secretary may organize special enforcement strike forces targeting motor carriers of passengers.

“(4) **PERIODIC UPDATE OF SAFETY FITNESS RATING.**—In conducting the safety reviews required under this subsection, the Secretary shall—

“(A) reassess the safety fitness rating of each motor carrier of passengers not less frequently than once every 3 years; and

“(B) annually assess the safety fitness of certain motor carriers of passengers that serve primarily urban areas with high passenger loads.”.

(b) **DISCLOSURE OF SAFETY PERFORMANCE RATINGS OF MOTORCOACH SERVICES AND OPERATIONS.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **MOTORCOACH.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the term “motorcoach” has the meaning given the term “over-the-road bus” in section 3038(a)(3) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note).

(ii) **EXCLUSIONS.**—The term “motorcoach” does not include—

(1) a bus used in public transportation that is provided by a State or local government; or

(II) a school bus (as defined in section 30125(a)(1) of title 49, United States Code), including a multifunction school activity bus.

(B) **MOTORCOACH SERVICES AND OPERATIONS.**—The term “motorcoach services and operations” means passenger transportation by a motorcoach for compensation.

(2) **REQUIREMENTS FOR THE DISCLOSURE OF SAFETY PERFORMANCE RATINGS OF MOTORCOACH SERVICES AND OPERATIONS.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish, through notice and opportunity for public comment, requirements to improve the accessibility to the public of safety rating information of motorcoach services and operations.

(B) **DISPLAY.**—In establishing the requirements under subparagraph (A), the Secretary shall consider requirements for each motor carrier that owns or leases 1 or more motorcoaches that transport passengers subject to the Secretary’s jurisdiction under section 13501 of title 49, United States Code, to prominently display safety fitness information pursuant to section 3114 of title 49, United States Code—

(i) in each terminal of departure;

(ii) in the motorcoach and visible from a position exterior to the vehicle at the point of departure, if the motorcoach does not depart from a terminal; and

(iii) at all points of sale for such motorcoach services and operations.

SEC. 32708. REPORT ON FEASIBILITY, BENEFITS, AND COSTS OF ESTABLISHING A SYSTEM OF CERTIFICATION OF TRAINING PROGRAMS.

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the feasibility, benefits, and costs of establishing a system of certification of public and private schools and of motor carriers and motorcoach operators that provide motorcoach driver training.

SEC. 32709. COMMERCIAL DRIVER’S LICENSE PASSENGER ENDORSEMENT REQUIREMENTS.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall review and assess the current knowledge and skill testing requirements for a commercial driver’s license passenger endorsement to determine what improvements to the knowledge test, the examination of driving skills, and the application of such requirements are necessary to ensure the safe operation of commercial motor vehicles designed or used to transport passengers.

(b) **REPORT.**—Not later than 120 days after completion of the review and assessment under subsection (a), the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a report on the review and assessment conducted under subsection (a);

(2) a plan to implement any changes to the knowledge and skills tests; and

(3) a timeframe by which the Secretary will implement the changes.

SEC. 32710. SAFETY INSPECTION PROGRAM FOR COMMERCIAL MOTOR VEHICLES OF PASSENGERS.

Not later than 3 years after the date of enactment of this Act, the Secretary of Transportation shall complete a rulemaking proceeding to consider requiring States to establish a program for annual inspections of commercial motor vehicles designed or used to transport passengers, including an assessment of—

(1) the risks associated with improperly maintained or inspected commercial motor vehicles designed or used to transport passengers;

(2) the effectiveness of existing Federal standards for the inspection of such vehicles in—

(A) mitigating the risks described in paragraph (1); and

(B) ensuring the safe and proper operation condition of such vehicles; and

(3) the costs and benefits of a mandatory inspection program.

SEC. 32711. REGULATIONS.

Any standard or regulation prescribed or modified pursuant to the Motorcoach Enhanced Safety Act of 2012 shall be prescribed or modified in accordance with section 553 of title 5, United States Code.

Subtitle H—Safe Highways and Infrastructure Preservation

SEC. 32801. COMPREHENSIVE TRUCK SIZE AND WEIGHT LIMITS STUDY.

(a) **TRUCK SIZE AND WEIGHT LIMITS STUDY.**—Not later than 45 days after the date of enactment of this Act, the Secretary, in consultation with each relevant State and other applicable Federal agencies, shall commence a comprehensive truck size and weight limits study. The study shall—

(1) provide data on accident frequency and evaluate factors related to accident risk of vehicles that operate with size and weight limits that are in excess of the Federal law and regulations in each State that allows vehicles to operate with size and weight limits that are in excess of the Federal law and regulations, or to operate under a Federal exemption or grandfather right, in comparison to vehicles that do not operate in excess of Federal law and regulations (other than vehicles with exemptions or grandfather rights);

(2) evaluate the impacts to the infrastructure in each State that allows a vehicle to operate with size and weight limits that are in excess of the Federal law and regulations, or to operate under a Federal exemption or grandfather right, in comparison to vehicles that do not operate in excess of Federal law and regulations (other than vehicles with exemptions or grandfather rights), including—

(A) the cost and benefits of the impacts in dollars;

(B) the percentage of trucks operating in excess of the Federal size and weight limits; and

(C) the ability of each State to recover the cost for the impacts, or the benefits incurred;

(3) evaluate the frequency of violations in excess of the Federal size and weight law and regulations, the cost of the enforcement of the law and regulations, and the effectiveness of the enforcement methods;

(4) assess the impacts that vehicles that operate with size and weight limits in excess of the Federal law and regulations, or that operate under a Federal exemption or grandfather right, in comparison to vehicles that do not operate in excess of Federal law and regulations (other than vehicles with exemptions or grandfather rights), have on bridges, including the impacts resulting from the number of bridge loadings;

(5) compare and contrast the potential safety and infrastructure impacts of the current Federal law and regulations regarding truck size and weight limits in relation to—

(A) six-axle and other alternative configurations of tractor-trailers; and

(B) where available, safety records of foreign nations with truck size and weight limits and tractor-trailer configurations that differ from the Federal law and regulations; and

(6) estimate—

(A) the extent to which freight would likely be diverted from other surface transportation modes to principal arterial routes and National Highway System intermodal connectors if alternative truck configuration is allowed to operate and the effect that any such diversion would have on other modes of transportation;

(B) the effect that any such diversion would have on public safety, infrastructure, cost responsibilities, fuel efficiency, freight transportation costs, and the environment;

(C) the effect on the transportation network of the United States that allowing alternative truck configuration to operate would have; and

(D) whether allowing alternative truck configuration to operate would result in an increase or decrease in the total number of trucks operating on principal arterial routes and National Highway System intermodal connectors; and

(7) identify all Federal rules and regulations impacted by changes in truck size and weight limits.

(b) **REPORT.**—Not later than 2 years after the date that the study is commenced under subsection (a), the Secretary shall submit a final report on the study, including all findings and recommendations, to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 32802. COMPILATION OF EXISTING STATE TRUCK SIZE AND WEIGHT LIMIT LAWS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary, in consultation with the States, shall begin to compile—

(1) a list for each State, as applicable, that describes each route of the National Highway System that allows a vehicle to operate in excess of the Federal truck size and weight limits that—

(A) was authorized under State law on or before the date of enactment of this Act; and

(B) was in actual and lawful operation on a regular or periodic basis (including seasonal operations) on or before the date of enactment of this Act;

(2) a list for each State, as applicable, that describes—

(A) the size and weight limitations applicable to each segment of the National Highway System in that State as listed under paragraph (1);

(B) each combination that exceeds the Interstate weight limit, but that the Department of Transportation, other Federal agency, or a State agency has determined on or before the date of enactment of this Act, could be or could have been lawfully operated in the State; and

(C) each combination that exceeds the Interstate weight limit, but that the Secretary determines could have been lawfully operated on a non-Interstate segment of the National Highway System in the State on or before the date of enactment of this Act; and

(3) a list of each State law that designates or allows designation of size and weight limitations in excess of Federal law and regulations on routes of the National Highway System, including nondivisible loads.

(b) **SPECIFICATIONS.**—The Secretary, in consultation with the States, shall specify whether the determinations under paragraphs (1) and (2) of subsection (a) were made by the Department of Transportation, other Federal agency, or a State agency.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a final report of the compilation under subsection (a) to the Committee on Commerce, Science, and Transportation and the

Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

Subtitle I—Miscellaneous

PART I—MISCELLANEOUS

SEC. 32911. PROHIBITION OF COERCION.

Section 31136(a) is amended by—

(1) striking “and” at the end of paragraph (3);

(2) striking the period at the end of paragraph (4) and inserting “; and”; and

(3) adding after subsection (4) the following:

“(5) an operator of a commercial motor vehicle is not coerced by a motor carrier, shipper, receiver, or transportation intermediary to operate a commercial motor vehicle in violation of a regulation promulgated under this section, or chapter 51 or chapter 313 of this title.”

SEC. 32912. MOTOR CARRIER SAFETY ADVISORY COMMITTEE.

Section 4144(d) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 31100 note), is amended by striking “June 30, 2012” and inserting “September 30, 2013”.

SEC. 32913. WAIVERS, EXEMPTIONS, AND PILOT PROGRAMS.

(a) EXEMPTION STANDARDS.—Section 31315(b)(4) is amended—

(1) in subparagraph (A), by inserting “(or, in the case of a request for an exemption from the physical qualification standards for commercial motor vehicle drivers, post on a web site established by the Secretary to implement the requirements of section 31149)” after “Federal Register”;

(2) by amending subparagraph (B) to read as follows:

“(B) UPON GRANTING A REQUEST.—Upon granting a request and before the effective date of the exemption, the Secretary shall publish in the Federal Register (or, in the case of an exemption from the physical qualification standards for commercial motor vehicle drivers, post on a web site established by the Secretary to implement the requirements of section 31149) the name of the person granted the exemption, the provisions from which the person is exempt, the effective period, and the terms and conditions of the exemption.”; and

(3) in subparagraph (C), by inserting “(or, in the case of a request for an exemption from the physical qualification standards for commercial motor vehicle drivers, post on a web site established by the Secretary to implement the requirements of section 31149)” after “Federal Register”.

(b) PROVIDING NOTICE OF EXEMPTIONS TO STATE PERSONNEL.—Section 31315(b)(7) is amended to read as follows:

“(7) NOTIFICATION OF STATE COMPLIANCE AND ENFORCEMENT PERSONNEL.—Before the effective date of an exemption, the Secretary shall notify a State safety compliance and enforcement agency, and require the agency to notify the State’s roadside inspectors, that a person will be operating pursuant to an exemption and the terms and conditions that apply to the exemption.”

(c) PILOT PROGRAMS.—Section 31315(c)(1) is amended by striking “in the Federal Register”.

(d) REPORT TO CONGRESS.—Section 31315 is amended by adding after subsection (d) the following:

“(e) REPORT TO CONGRESS.—The Secretary shall submit an annual report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives listing the waivers, exemptions, and pilot programs granted under this section, and any impacts on safety.

(f) WEB SITE.—The Secretary shall ensure that the Federal Motor Carrier Safety Administration web site includes a link to the web site established by the Secretary to implement the re-

quirements under sections 31149 and 31315. The link shall be in a clear and conspicuous location on the home page of the Federal Motor Carrier Safety Administration web site and be easily accessible to the public.”

SEC. 32914. REGISTRATION REQUIREMENTS.

(a) REQUIREMENTS FOR REGISTRATION.—Section 13901 is amended to read as follows:

“§ 13901. Requirements for registration

“(a) IN GENERAL.—A person may provide transportation as a motor carrier subject to jurisdiction under subchapter I of chapter 135 or service as a freight forwarder subject to jurisdiction under subchapter III of such chapter, or service as a broker for transportation subject to jurisdiction under subchapter I of such chapter only if the person is registered under this chapter to provide such transportation or service.

“(b) REGISTRATION NUMBERS.—

“(1) IN GENERAL.—If the Secretary registers a person under this chapter to provide transportation or service, including as a motor carrier, freight forwarder, or broker, the Secretary shall issue a distinctive registration number to the person for each such authority to provide transportation or service for which the person is registered.

“(2) TRANSPORTATION OR SERVICE TYPE INDICATOR.—A number issued under paragraph (1) shall include an indicator of the type of transportation or service for which the registration number is issued, including whether the registration number is issued for registration of a motor carrier, freight forwarder, or broker.

“(c) SPECIFICATION OF AUTHORITY.—For each agreement to provide transportation or service for which registration is required under this chapter, the registrant shall specify, in writing, the authority under which the person is providing such transportation or service.”

(b) AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—Chapter 139 is amended by adding at the end the following:

“§ 13909. Availability of information

“The Secretary shall make information relating to registration and financial security required by this chapter publicly available on the Internet, including—

“(1) the names and business addresses of the principals of each entity holding such registration;

“(2) the status of such registration; and

“(3) the electronic address of the entity’s surety provider for the submission of claims.”

(2) CONFORMING AMENDMENT.—The analysis for chapter 139 is amended by adding at the end the following:

“13909. Availability of information.”

SEC. 32915. ADDITIONAL MOTOR CARRIER REGISTRATION REQUIREMENTS.

Section 13902, as amended by sections 32101 and 32107(a) of this Act, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “using self-propelled vehicles the motor carrier owns, rents, or leases” after “motor carrier”; and

(B) by adding at the end the following:

“(6) SEPARATE REGISTRATION REQUIRED.—A motor carrier may not broker transportation services unless the motor carrier has registered as a broker under this chapter.”; and

(2) by inserting after subsection (h) the following:

“(i) REGISTRATION AS FREIGHT FORWARDER OR BROKER REQUIRED.—A motor carrier registered under this chapter—

“(1) may only provide transportation of property with—

“(A) self-propelled motor vehicles owned or leased by the motor carrier; or

“(B) interchanges under regulations issued by the Secretary if the originating carrier—

“(i) physically transports the cargo at some point; and

“(ii) retains liability for the cargo and for payment of interchanged carriers; and

“(2) may not arrange transportation described in paragraph (1) unless the motor carrier has

obtained a separate registration as a freight forwarder or broker for transportation under section 13903 or 13904, as applicable.”

SEC. 32916. REGISTRATION OF FREIGHT FORWARDERS AND BROKERS.

(a) REGISTRATION OF FREIGHT FORWARDERS.—Section 13903, as amended by section 32107(b) of this Act, is amended—

(1) in subsection (a)—

(A) by striking “finds that the person is fit” and inserting the following: “determines that the person—

“(1) has sufficient experience to qualify the person to act as a freight forwarder; and

“(2) is fit”; and

(B) by striking “and the Board”;

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively;

(3) by inserting after subsection (a) the following:

“(b) DURATION.—A registration issued under subsection (a) shall only remain in effect while the freight forwarder is in compliance with section 13906(c).

“(c) EXPERIENCE OR TRAINING REQUIREMENT.—Each freight forwarder shall employ, as an officer, an individual who—

“(1) has at least 3 years of relevant experience; or

“(2) provides the Secretary with satisfactory evidence of the individual’s knowledge of related rules, regulations, and industry practices.”; and

(4) by amending subsection (d), as redesignated, to read as follows:

“(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—

“(1) IN GENERAL.—A freight forwarder may not provide transportation as a motor carrier unless the freight forwarder has registered separately under this chapter to provide transportation as a motor carrier.”

(b) REGISTRATION OF BROKERS.—Section 13904, as amended by section 32107(c) of this Act, is amended—

(1) in subsection (a), by striking “finds that the person is fit” and inserting the following: “determines that the person—

“(1) has sufficient experience to qualify the person to act as a broker for transportation; and

“(2) is fit”; and

(2) by redesignating subsections (b), (c), (d), and (e) as subsections (d), (e), (f), and (g) respectively;

(3) by inserting after subsection (a) the following:

“(b) DURATION.—A registration issued under subsection (a) shall only remain in effect while the broker for transportation is in compliance with section 13906(b).

“(c) EXPERIENCE OR TRAINING REQUIREMENTS.—Each broker shall employ, as an officer, an individual who—

“(1) has at least 3 years of relevant experience; or

“(2) provides the Secretary with satisfactory evidence of the individual’s knowledge of related rules, regulations, and industry practices.”; and

(4) by amending subsection (d), as redesignated, to read as follows:

“(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—

“(1) IN GENERAL.—A broker for transportation may not provide transportation as a motor carrier unless the broker has registered separately under this chapter to provide transportation as a motor carrier.

“(2) LIMITATION.—This subsection does not apply to a motor carrier registered under this chapter or to an employee or agent of the motor carrier to the extent the transportation is to be provided entirely by the motor carrier, with other registered motor carriers, or with rail or water carriers.”; and

(5) by amending subsection (e), as redesignated, to read as follows:

“(e) REGULATION TO PROTECT MOTOR CARRIERS AND SHIPPERS.—Regulations of the Sec-

retary applicable to brokers registered under this section shall provide for the protection of motor carriers and shippers by motor vehicle.”.

SEC. 32917. EFFECTIVE PERIODS OF REGISTRATION.

Section 13905(c) is amended to read as follows:

“(c) EFFECTIVE PERIOD.—

“(1) IN GENERAL.—Except as otherwise provided in this part, each registration issued under section 13902, 13903, or 13904—

“(A) shall be effective beginning on the date specified by the Secretary; and

“(B) shall remain in effect for such period as the Secretary determines appropriate by regulation.

“(2) REISSUANCE OF REGISTRATION.—

“(A) REQUIREMENT.—Not later than 4 years after the date of enactment of the Commercial Motor Vehicle Safety Enhancement Act of 2012, the Secretary shall require a freight forwarder or broker to renew its registration issued under this chapter.

“(B) EFFECTIVE PERIOD.—Each registration renewal under subparagraph (A)—

“(i) shall expire not later than 5 years after the date of such renewal; and

“(ii) may be further renewed as provided under this chapter.”.

SEC. 32918. FINANCIAL SECURITY OF BROKERS AND FREIGHT FORWARDERS.

(a) IN GENERAL.—Section 13906 is amended by striking subsections (b) and (c) and inserting the following:

“(b) BROKER FINANCIAL SECURITY REQUIREMENTS.—

“(1) REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary may register a person as a broker under section 13904 only if the person files with the Secretary a surety bond, proof of trust fund, or other financial security, or a combination thereof, in a form and amount, and from a provider, determined by the Secretary to be adequate to ensure financial responsibility.

“(B) USE OF A GROUP SURETY BOND, TRUST FUND, OR OTHER SURETY.—In implementing the standards established by subparagraph (A), the Secretary may authorize the use of a group surety bond, trust fund, or other financial security, or a combination thereof, that meets the requirements of this subsection.

“(C) PROOF OF TRUST OR OTHER FINANCIAL SECURITY.—For purposes of subparagraph (A), a trust fund or other financial security may be acceptable to the Secretary only if the trust fund or other financial security consists of assets readily available to pay claims without resort to personal guarantees or collection of pledged accounts receivable.

“(2) SCOPE OF FINANCIAL RESPONSIBILITY.—

“(A) PAYMENT OF CLAIMS.—A surety bond, trust fund, or other financial security obtained under paragraph (1) shall be available to pay any claim against a broker arising from its failure to pay freight charges under its contracts, agreements, or arrangements for transportation subject to jurisdiction under chapter 135 if—

“(i) subject to the review by the surety provider, the broker consents to the payment;

“(ii) in any case in which the broker does not respond to adequate notice to address the validity of the claim, the surety provider determines that the claim is valid; or

“(iii) the claim is not resolved within a reasonable period of time following a reasonable attempt by the claimant to resolve the claim under clauses (i) and (ii), and the claim is reduced to a judgment against the broker.

“(B) RESPONSE OF SURETY PROVIDERS TO CLAIMS.—If a surety provider receives notice of a claim described in subparagraph (A), the surety provider shall—

“(i) respond to the claim on or before the 30th day following the date on which the notice was received; and

“(ii) in the case of a denial, set forth in writing for the claimant the grounds for the denial.

“(C) COSTS AND ATTORNEY’S FEES.—In any action against a surety provider to recover on a

claim described in subparagraph (A), the prevailing party shall be entitled to recover its reasonable costs and attorney’s fees.

“(3) MINIMUM FINANCIAL SECURITY.—Each broker subject to the requirements of this section shall provide financial security of \$75,000 for purposes of this subsection, regardless of the number of branch offices or sales agents of the broker.

“(4) CANCELLATION NOTICE.—If a financial security required under this subsection is canceled—

“(A) the holder of the financial security shall provide electronic notification to the Secretary of the cancellation not later than 30 days before the effective date of the cancellation; and

“(B) the Secretary shall immediately post such notification on the public Internet Website of the Department of Transportation.

“(5) SUSPENSION.—The Secretary shall immediately suspend the registration of a broker issued under this chapter if the available financial security of that person falls below the amount required under this subsection.

“(6) PAYMENT OF CLAIMS IN CASES OF FINANCIAL FAILURE OR INSOLVENCY.—If a broker registered under this chapter experiences financial failure or insolvency, the surety provider of the broker shall—

“(A) submit a notice to cancel the financial security to the Administrator in accordance with paragraph (4);

“(B) publicly advertise for claims for 60 days beginning on the date of publication by the Secretary of the notice to cancel the financial security; and

“(C) pay, not later than 30 days after the expiration of the 60-day period for submission of claims—

“(i) all uncontested claims received during such period; or

“(ii) a pro rata share of such claims if the total amount of such claims exceeds the financial security available.

“(7) PENALTIES.—

“(A) CIVIL ACTIONS.—Either the Secretary or the Attorney General of the United States may bring a civil action in an appropriate district court of the United States to enforce the requirements of this subsection or a regulation prescribed or order issued under this subsection. The court may award appropriate relief, including injunctive relief.

“(B) CIVIL PENALTIES.—If the Secretary determines, after notice and opportunity for a hearing, that a surety provider of a broker registered under this chapter has violated the requirements of this subsection or a regulation prescribed under this subsection, the surety provider shall be liable to the United States for a civil penalty in an amount not to exceed \$10,000.

“(C) ELIGIBILITY.—If the Secretary determines, after notice and opportunity for a hearing, that a surety provider of a broker registered under this chapter has violated the requirements of this subsection or a regulation prescribed under this subsection, the surety provider shall be ineligible to provider broker financial security for 3 years.

“(8) DEDUCTION OF COSTS PROHIBITED.—The amount of the financial security required under this subsection may not be reduced by deducting attorney’s fees or administrative costs.

“(c) FREIGHT FORWARDER FINANCIAL SECURITY REQUIREMENTS.—

“(1) REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary may register a person as a freight forwarder under section 13903 only if the person files with the Secretary a surety bond, proof of trust fund, other financial security, or a combination of such instruments, in a form and amount, and from a provider, determined by the Secretary to be adequate to ensure financial responsibility.

“(B) USE OF A GROUP SURETY BOND, TRUST FUND, OR OTHER FINANCIAL SECURITY.—In implementing the standards established under subparagraph (A), the Secretary may authorize the use of a group surety bond, trust fund, other fi-

nancial security, or a combination of such instruments, that meets the requirements of this subsection.

“(C) SURETY BONDS.—A surety bond obtained under this section may only be obtained from a bonding company that has been approved by the Secretary of the Treasury.

“(D) PROOF OF TRUST OR OTHER FINANCIAL SECURITY.—For purposes of subparagraph (A), a trust fund or other financial security may not be accepted by the Secretary unless the trust fund or other financial security consists of assets readily available to pay claims without resort to personal guarantees or collection of pledged accounts receivable.

“(2) SCOPE OF FINANCIAL RESPONSIBILITY.—

“(A) PAYMENT OF CLAIMS.—A surety bond, trust fund, or other financial security obtained under paragraph (1) shall be available to pay any claim against a freight forwarder arising from its failure to pay freight charges under its contracts, agreements, or arrangements for transportation subject to jurisdiction under chapter 135 if—

“(i) subject to the review by the surety provider, the freight forwarder consents to the payment;

“(ii) in the case the freight forwarder does not respond to adequate notice to address the validity of the claim, the surety provider determines the claim is valid; or

“(iii) the claim—

“(I) is not resolved within a reasonable period of time following a reasonable attempt by the claimant to resolve the claim under clauses (i) and (ii); and

“(II) is reduced to a judgment against the freight forwarder.

“(B) RESPONSE OF SURETY PROVIDERS TO CLAIMS.—If a surety provider receives notice of a claim described in subparagraph (A), the surety provider shall—

“(i) respond to the claim on or before the 30th day following receipt of the notice; and

“(ii) in the case of a denial, set forth in writing for the claimant the grounds for the denial.

“(C) COSTS AND ATTORNEY’S FEES.—In any action against a surety provider to recover on a claim described in subparagraph (A), the prevailing party shall be entitled to recover its reasonable costs and attorney’s fees.

“(3) FREIGHT FORWARDER INSURANCE.—

“(A) IN GENERAL.—The Secretary may register a person as a freight forwarder under section 13903 only if the person files with the Secretary a surety bond, insurance policy, or other type of financial security that meets standards prescribed by the Secretary.

“(B) LIABILITY INSURANCE.—A financial security filed by a freight forwarder under subparagraph (A) shall be sufficient to pay an amount, not to exceed the amount of the financial security, for each final judgment against the freight forwarder for bodily injury to, or death of, an individual, or loss of, or damage to, property (other than property referred to in subparagraph (C)), resulting from the negligent operation, maintenance, or use of motor vehicles by, or under the direction and control of, the freight forwarder while providing transfer, collection, or delivery service under this part.

“(C) CARGO INSURANCE.—The Secretary may require a registered freight forwarder to file with the Secretary a surety bond, insurance policy, or other type of financial security approved by the Secretary, that will pay an amount, not to exceed the amount of the financial security, for loss of, or damage to, property for which the freight forwarder provides service.

“(4) MINIMUM FINANCIAL SECURITY.—Each freight forwarder subject to the requirements of this section shall provide financial security of \$75,000, regardless of the number of branch offices or sales agents of the freight forwarder.

“(5) CANCELLATION NOTICE.—If a financial security required under this subsection is canceled—

“(A) the holder of the financial security shall provide electronic notification to the Secretary

of the cancellation not later than 30 days before the effective date of the cancellation; and

“(B) the Secretary shall immediately post such notification on the public Internet web site of the Department of Transportation.

“(6) **SUSPENSION.**—The Secretary shall immediately suspend the registration of a freight forwarder issued under this chapter if its available financial security falls below the amount required under this subsection.

“(7) **PAYMENT OF CLAIMS IN CASES OF FINANCIAL FAILURE OR INSOLVENCY.**—If a freight forwarder registered under this chapter experiences financial failure or insolvency, the surety provider of the freight forwarder shall—

“(A) submit a notice to cancel the financial security to the Administrator in accordance with paragraph (5);

“(B) publicly advertise for claims for 60 days beginning on the date of publication by the Secretary of the notice to cancel the financial security; and

“(C) pay, not later than 30 days after the expiration of the 60-day period for submission of claims—

“(i) all uncontested claims received during such period; or

“(ii) a pro rata share of such claims if the total amount of such claims exceeds the financial security available.

“(8) **PENALTIES.**—

“(A) **CIVIL ACTIONS.**—Either the Secretary or the Attorney General may bring a civil action in an appropriate district court of the United States to enforce the requirements of this subsection or a regulation prescribed or order issued under this subsection. The court may award appropriate relief, including injunctive relief.

“(B) **CIVIL PENALTIES.**—If the Secretary determines, after notice and opportunity for a hearing, that a surety provider of a freight forwarder registered under this chapter has violated the requirements of this subsection or a regulation prescribed under this subsection, the surety provider shall be liable to the United States for a civil penalty in an amount not to exceed \$10,000.

“(C) **ELIGIBILITY.**—If the Secretary determines, after notice and opportunity for a hearing, that a surety provider of a freight forwarder registered under this chapter has violated the requirements of this subsection or a regulation prescribed under this subsection, the surety provider shall be ineligible to provide freight forwarder financial security for 3 years

“(9) **DEDUCTION OF COSTS PROHIBITED.**—The amount of the financial security required under this subsection may not be reduced by deducting attorney's fees or administrative costs.”

(b) **RULEMAKING.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations to implement and enforce the requirements under subsections (b) and (c) of section 13906 of title 49, United States Code, as amended by subsection (a).

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 1 year after the date of enactment of this Act.

SEC. 32919. UNLAWFUL BROKERAGE ACTIVITIES.

(a) **IN GENERAL.**—Chapter 149 is amended by adding at the end the following:

“SEC. 14916. UNLAWFUL BROKERAGE ACTIVITIES.

“(a) **PROHIBITED ACTIVITIES.**—A person may provide interstate brokerage services as a broker only if that person—

“(1) is registered under, and in compliance with, section 13904; and

“(2) has satisfied the financial security requirements under section 13906.

“(b) **EXCEPTIONS.**—Subsection (a) shall not apply to—

“(1) a non-vessel-operating common carrier (as defined in section 40102 of title 46) or an ocean freight forwarder (as defined in section 40102 of title 46) when arranging for inland transportation as part of an international through movement involving ocean transpor-

tation between the United States and a foreign port;

“(2) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations, only to the extent that the customs broker is engaging in a movement under a customs bond or in a transaction involving customs business, as defined by section 111.1 of title 19, Code of Federal Regulations; or

“(3) an indirect air carrier holding a Standard Security Program approved by the Transportation Security Administration, only to the extent that the indirect air carrier is engaging in the activities as an air carrier as defined in section 40102(2) or in the activities defined in section 40102(3).

“(c) **CIVIL PENALTIES AND PRIVATE CAUSE OF ACTION.**—Any person who knowingly authorizes, consents to, or permits, directly or indirectly, either alone or in conjunction with any other person, a violation of subsection (a) is liable—

“(1) to the United States Government for a civil penalty in an amount not to exceed \$10,000 for each violation; and

“(2) to the injured party for all valid claims incurred without regard to amount.

“(d) **LIABLE PARTIES.**—The liability for civil penalties and for claims under this section for unauthorized brokering shall apply, jointly and severally—

“(1) to any corporate entity or partnership involved; and

“(2) to the individual officers, directors, and principals of such entities.”

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 149 is amended by adding at the end the following:

“14916. Unlawful brokerage activities.”

PART II—HOUSEHOLD GOODS TRANSPORTATION

SEC. 32921. ADDITIONAL REGISTRATION REQUIREMENTS FOR HOUSEHOLD GOODS MOTOR CARRIERS.

(a) Section 13902(a)(2) is amended—

(1) in subparagraph (B), by striking “section 13702(c);” and inserting “section 13702(c); and”;

(2) by amending subparagraph (C) to read as follows:

“(C) demonstrates, before being registered, through successful completion of a proficiency examination established by the Secretary, knowledge and intent to comply with applicable Federal laws relating to consumer protection, estimating, consumers' rights and responsibilities, and options for limitations of liability for loss and damage.”; and

(3) by striking subparagraph (D).

(b) **COMPLIANCE REVIEWS OF NEW HOUSEHOLD GOODS MOTOR CARRIERS.**—Section 31144(g), as amended by section 32102 of this Act, is amended by adding at the end the following:

“(6) **ADDITIONAL REQUIREMENTS FOR HOUSEHOLD GOODS MOTOR CARRIERS.**—(A) In addition to the requirements of this subsection, the Secretary shall require, by regulation, each registered household goods motor carrier to undergo a consumer protection standards review not later than 18 months after the household goods motor carrier begins operations under such authority.

“(B) **ELEMENTS.**—In the regulations issued pursuant to subparagraph (A), the Secretary shall establish the elements of the consumer protections standards review, including basic management controls. In establishing the elements, the Secretary shall consider the effects on small businesses and shall consider establishing alternate locations where such reviews may be conducted for the convenience of small businesses.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 2 years after the date of enactment of this Act.

SEC. 32922. FAILURE TO GIVE UP POSSESSION OF HOUSEHOLD GOODS.

(a) **INJUNCTIVE RELIEF.**—Section 14704(a)(1) is amended by striking “and 14103” and inserting “, 14103, and 14915(c)”.

(b) **CIVIL PENALTIES.**—Section 14915(a)(1) is amended by adding at the end the following:

“The United States may assign all or a portion of the civil penalty to an aggrieved shipper. The Secretary of Transportation shall establish criteria upon which such assignments shall be made. The Secretary may order, after notice and an opportunity for a proceeding, that a person found holding a household goods shipment hostage return the goods to an aggrieved shipper.”

SEC. 32923. SETTLEMENT AUTHORITY.

(a) **SETTLEMENT OF GENERAL CIVIL PENALTIES.**—Section 14901 is amended by adding at the end the following:

“(h) **SETTLEMENT OF HOUSEHOLD GOODS CIVIL PENALTIES.**—Nothing in this section shall be construed to prohibit the Secretary from accepting partial payment of a civil penalty as part of a settlement agreement in the public interest, or from holding imposition of any part of a civil penalty in abeyance.”

(b) **SETTLEMENT OF HOUSEHOLD GOODS CIVIL PENALTIES.**—Section 14915(a) is amended by adding at the end the following:

“(4) **SETTLEMENT AUTHORITY.**—Nothing in this section shall be construed as prohibiting the Secretary from accepting partial payment of a civil penalty as part of a settlement agreement in the public interest, or from holding imposition of any part of a civil penalty in abeyance.”

PART III—TECHNICAL AMENDMENTS

SEC. 32931. UPDATE OF OBSOLETE TEXT.

(a) Section 31137(g), as redesignated by section 32301 of this Act, is amended by striking “Not later than December 1, 1990, the Secretary shall prescribe” and inserting “The Secretary shall maintain”.

(b) Section 31151(a) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) **IN GENERAL.**—The Secretary of Transportation shall maintain a program to ensure that intermodal equipment used to transport intermodal containers is safe and systematically maintained.”; and

(2) by striking paragraph (4).

(c) Section 31307(b) is amended by striking “Not later than December 18, 1994, the Secretary shall prescribe” and inserting “The Secretary shall maintain”.

(d) Section 31310(g)(1) is amended by striking “Not later than 1 year after the date of enactment of this Act, the” and inserting “The”.

SEC. 32932. CORRECTION OF INTERSTATE COMMERCE COMMISSION REFERENCES.

(a) **SAFETY INFORMATION AND INTERVENTION IN INTERSTATE COMMERCE COMMISSION PROCEEDINGS.**—Chapter 3 is amended—

(1) by repealing section 307;

(2) in the analysis, by striking the item relating to section 307;

(3) in section 333(d)(1)(C), by striking “Interstate Commerce Commission” and inserting “Surface Transportation Board”; and

(4) in section 333(e)—

(A) by striking “Interstate Commerce Commission” and inserting “Surface Transportation Board”; and

(B) by striking “Commission” and inserting “Board”.

(b) **FILING AND PROCEDURE FOR APPLICATION TO ABANDON OR DISCONTINUE.**—Section 10903(b)(2) is amended by striking “24706(c) of this title” and inserting “24706(c) of this title before May 31, 1998”.

(c) **TECHNICAL AMENDMENTS TO PART C OF SUBTITLE V.**—

(1) Section 24307(b)(3) is amended by striking “Interstate Commerce Commission” and inserting “Surface Transportation Board”.

(2) Section 24311 is amended—

(A) by striking “Interstate Commerce Commission” and inserting “Surface Transportation Board”;

(B) by striking “Commission” each place it appears and inserting “Board”; and

(C) by striking “Commission’s” and inserting “Board’s”.

(3) Section 24902 is amended—

(A) by striking “Interstate Commerce Commission” each place it appears and inserting “Surface Transportation Board”; and

(B) by striking “Commission” each place it appears and inserting “Board”.

(4) Section 24904 is amended—

(A) by striking “Interstate Commerce Commission” and inserting “Surface Transportation Board”; and

(B) by striking “Commission” each place it appears and inserting “Board”.

SEC. 32933. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 13905(f)(1)(A) is amended by striking “section 13904(c)” and inserting “section 13904(e)”;

(b) Section 14504a(c)(1) is amended—

(1) in subparagraph (C), by striking “sections” and inserting “section”; and

(2) in subparagraph (D)(ii)(II) by striking the period at the end and inserting “; and”.

(c) Section 31103(a) is amended by striking “section 31102(b)(1)(E)” and inserting “section 31102(b)(2)(E)”.

(d) Section 31103(b) is amended by striking “authorized by section 31104(f)(2)”.

(e) Section 31309(b)(2) is amended by striking “31308(2)” and inserting “31308(3)”.

SEC. 32934. EXEMPTIONS FROM REQUIREMENTS FOR COVERED FARM VEHICLES.

(a) FEDERAL REQUIREMENTS.—A covered farm vehicle, including the individual operating that vehicle, shall be exempt from the following:

(1) Any requirement relating to commercial driver’s licenses established under chapter 313 of title 49, United States Code.

(2) Any requirement relating to drug-testing established under chapter 313 of title 49, United States Code.

(3) Any requirement relating to medical certificates established under—

(A) subchapter III of chapter 311 of title 49, United States Code; or

(B) chapter 313 of title 49, United States Code.

(4) Any requirement relating to hours of service established under—

(A) subchapter III of chapter 311 of title 49, United States Code; or

(B) chapter 315 of title 49, United States Code.

(5) Any requirement relating to vehicle inspection, repair, and maintenance established under—

(A) subchapter III of chapter 311 of title 49, United States Code; or

(B) chapter 315 of title 49, United States Code.

(b) STATE REQUIREMENTS.—

(1) IN GENERAL.—Federal transportation funding to a State may not be terminated, limited, or otherwise interfered with as a result of the State exempting a covered farm vehicle, including the individual operating that vehicle, from any State requirement relating to the operation of that vehicle.

(2) EXCEPTION.—Paragraph (1) does not apply with respect to a covered farm vehicle transporting hazardous materials that require a placard.

(c) COVERED FARM VEHICLE DEFINED.—

(1) IN GENERAL.—In this section, the term “covered farm vehicle” means a motor vehicle (including an articulated motor vehicle)—

(A) that—

(i) is traveling in the State in which the vehicle is registered or another State;

(ii) is operated by—

(I) a farm owner or operator;

(II) a ranch owner or operator; or

(III) an employee or family member of an individual specified in subclause (I) or (II);

(iii) is transporting to or from a farm or ranch—

(I) agricultural commodities;

(II) livestock; or

(III) machinery or supplies;

(iv) except as provided in paragraph (2), is not used in the operations of a for-hire motor carrier; and

(v) is equipped with a special license plate or other designation by the State in which the vehicle is registered to allow for identification of the vehicle as a farm vehicle by law enforcement personnel; and

(B) that has a gross vehicle weight rating or gross vehicle weight, whichever is greater, that is—

(i) 26,001 pounds or less; or

(ii) greater than 26,001 pounds and traveling within the State or within 150 air miles of the farm or ranch with respect to which the vehicle is being operated.

(2) INCLUSION.—In this section, the term “covered farm vehicle” includes a motor vehicle that meets the requirements of paragraph (1) (other than paragraph (1)(A)(iv)) and—

(A) is operated pursuant to a crop share farm lease agreement;

(B) is owned by a tenant with respect to that agreement; and

(C) is transporting the landlord’s portion of the crops under that agreement.

(d) SAFETY STUDY.—The Secretary of Transportation shall conduct a study of the exemption required by subsection (a) as follows:

(1) Data and analysis of covered farm vehicles shall include—

(A) the number of vehicles that are operated subject to each of the regulatory exemptions permitted under subsection (a);

(B) the number of drivers that operate covered farm vehicles subject to each of the regulatory exemptions permitted under subsection (a);

(C) the number of crashes involving covered farm vehicles;

(D) the number of occupants and non-occupants injured in crashes involving covered farm vehicles;

(E) the number of fatalities of occupants and non-occupants killed in crashes involving farm vehicles;

(F) crash investigations and accident reconstruction investigations of all fatalities in crashes involving covered farm vehicles;

(G) overall operating mileage of covered farm vehicles;

(H) numbers of covered farm vehicles that operate in neighboring States; and

(I) any other data the Secretary deems necessary to analyze and include.

(2) A listing of State regulations issued and maintained in each State that are identical to the Federal regulations that are subject to exemption in subsection (a).

(3) The Secretary shall report the findings of the study to the appropriate committees of Congress not later than 18 months after the date of enactment of this Act.

(e) CONSTRUCTION.—Nothing in this section shall be construed as authority for the Secretary of Transportation to prescribe regulations.

TITLE III—HAZARDOUS MATERIALS TRANSPORTATION SAFETY IMPROVEMENT ACT OF 2012

SEC. 33001. SHORT TITLE.

This title may be cited as the “Hazardous Materials Transportation Safety Improvement Act of 2012”.

SEC. 33002. DEFINITION.

In this title, the term “Secretary” means the Secretary of Transportation.

SEC. 33003. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 33004. TRAINING FOR EMERGENCY RESPONDERS.

(a) TRAINING CURRICULUM.—Section 5115 is amended—

(1) in subsection (b)(1)(B), by striking “basic”;

(2) in subsection (b)(2), by striking “basic”; and

(3) in subsection (c), by striking “basic”.

(b) OPERATIONS LEVEL TRAINING.—Section 5116 is amended—

(1) in subsection (b)(1), by adding at the end the following: “To the extent that a grant is used to train emergency responders, the State or Indian tribe shall provide written certification to the Secretary that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.”;

(2) in subsection (j)—

(A) in paragraph (1), by striking “funds” and all that follows through “fighting fires for” and inserting “funds and through a competitive process, make a grant or make grants to national nonprofit fire service organizations for”;

(B) in paragraph (3)(A), by striking “train” and inserting “provide training, including portable training, for”;

(C) in paragraph (4)—

(i) by striking “train” and inserting “provide training, including portable training, for”; and

(ii) by inserting “comply with Federal regulations and national consensus standards for hazardous materials response and” after “training course shall”;

(D) by redesignating paragraph (5) as paragraph (8); and

(E) by inserting after paragraph (4) the following:

“(5) The Secretary may not award a grant to an organization under this subsection unless the organization ensures that emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.

“(6) Notwithstanding paragraphs (1) and (3), to the extent determined appropriate by the Secretary, a grant awarded by the Secretary to an organization under this subsection to conduct hazardous material response training programs may be used to train individuals with responsibility to respond to accidents and incidents involving hazardous material.

“(7) For the purposes of this subsection, the term ‘portable training’ means live, instructor-led training provided by certified fire service instructors that can be offered in any suitable setting, rather than specific designated facilities. Under this training delivery model, instructors travel to locations convenient to students and utilize local facilities and resources.”; and

(3) in subsection (k)—

(A) by striking “annually” and inserting “an annual report”;

(B) by inserting “the report” after “make available”;

(C) by striking “information” and inserting “. The report submitted under this subsection shall include information”; and

(D) by striking “The report shall identify” and all that follows and inserting the following:

“The report submitted under this subsection shall identify the ultimate recipients of such grants and include—

“(A) a detailed accounting and description of each grant expenditure by each grant recipient, including the amount of, and purpose for, each expenditure;

“(B) the number of persons trained under the grant program, by training level;

“(C) an evaluation of the efficacy of such planning and training programs; and

“(D) any recommendations the Secretary may have for improving such grant programs.”.

SEC. 33005. PAPERLESS HAZARD COMMUNICATIONS PILOT PROGRAM.

(a) *IN GENERAL.*—The Secretary may conduct pilot projects to evaluate the feasibility and effectiveness of using paperless hazard communications systems. At least 1 of the pilot projects under this section shall take place in a rural area.

(b) *REQUIREMENTS.*—In conducting pilot projects under this section, the Secretary—

(1) may not waive the requirements under section 5110 of title 49, United States Code; and

(2) shall consult with organizations representing—

(A) fire services personnel;

(B) law enforcement and other appropriate enforcement personnel;

(C) other emergency response providers;

(D) persons who offer hazardous material for transportation;

(E) persons who transport hazardous material by air, highway, rail, and water; and

(F) employees of persons who transport or offer for transportation hazardous material by air, highway, rail, and water.

(c) *REPORT.*—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(1) prepare a report on the results of the pilot projects carried out under this section, including—

(A) a detailed description of the pilot projects;

(B) an evaluation of each pilot project, including an evaluation of the performance of each paperless hazard communications system in such project;

(C) an assessment of the safety and security impact of using paperless hazard communications systems, including any impact on the public, emergency response, law enforcement, and the conduct of inspections and investigations;

(D) an analysis of the associated benefits and costs of using the paperless hazard communications systems for each mode of transportation; and

(E) a recommendation that incorporates the information gathered in subparagraphs (A), (B), (C), and (D) on whether paperless hazard communications systems should be permanently incorporated into the Federal hazardous material transportation safety program under chapter 51 of title 49, United States Code; and

(2) submit a final report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the pilot projects carried out under this section, including the matters described in paragraph (1).

(d) *PAPERLESS HAZARD COMMUNICATIONS SYSTEM DEFINED.*—In this section, the term “paperless hazard communications system” means the use of advanced communications methods, such as wireless communications devices, to convey hazard information between all parties in the transportation chain, including emergency responders and law enforcement personnel. The format of communication may be equivalent to that used by the carrier.

SEC. 33006. IMPROVING DATA COLLECTION, ANALYSIS, AND REPORTING.

(a) *ASSESSMENT.*—

(1) *IN GENERAL.*—Not later than 6 months after the date of enactment of this Act, the Secretary, in consultation with the Commandant of the United States Coast Guard, as appropriate, shall conduct an assessment to improve the collection, analysis, reporting, and use of data related to accidents and incidents involving the transportation of hazardous material.

(2) *REVIEW.*—The assessment conducted under this subsection shall review the methods used by the Pipeline and Hazardous Materials Safety Administration (referred to in this section as the “Administration”) for collecting, analyzing, and reporting accidents and incidents involving the transportation of hazardous material, including the adequacy of—

(A) information requested on the accident and incident reporting forms required to be submitted to the Administration;

(B) methods used by the Administration to verify that the information provided on such forms is accurate and complete;

(C) accident and incident reporting requirements, including whether such requirements should be expanded to include shippers and consignees of hazardous materials;

(D) resources of the Administration related to data collection, analysis, and reporting, including staff and information technology; and

(E) the database used by the Administration for recording and reporting such accidents and incidents, including the ability of users to adequately search the database and find information.

(b) *DEVELOPMENT OF ACTION PLAN.*—Not later than 9 months after the date of enactment of this Act, the Secretary shall develop an action plan and timeline for improving the collection, analysis, reporting, and use of data by the Administration, including revising the database of the Administration, as appropriate.

(c) *SUBMISSION TO CONGRESS.*—Not later than 15 days after the completion of the action plan and timeline under subsection (c), the Secretary shall submit the action plan and timeline to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) *REPORTING REQUIREMENTS.*—Section 5125(b)(1)(D) is amended by inserting “and other written hazardous materials transportation incident reporting involving State or local emergency responders in the initial response to the incident” before the period at the end.

SEC. 33007. HAZARDOUS MATERIAL TECHNICAL ASSESSMENT, RESEARCH AND DEVELOPMENT, AND ANALYSIS PROGRAM.

(a) *IN GENERAL.*—Chapter 51 is amended by inserting after section 5117 the following:

“§5118. Hazardous material technical assessment, research and development, and analysis program

“(a) *RISK REDUCTION.*—

“(1) *PROGRAM AUTHORIZED.*—The Secretary of Transportation may develop and implement a hazardous material technical assessment, research and development, and analysis program for the purpose of—

“(A) reducing the risks associated with the transportation of hazardous material; and

“(B) identifying and evaluating new technologies to facilitate the safe, secure, and efficient transportation of hazardous material.

“(2) *COORDINATION.*—In developing the program under paragraph (1), the Secretary shall—

“(A) utilize information gathered from other modal administrations with similar programs; and

“(B) coordinate with other modal administrations, as appropriate.

“(b) *COOPERATION.*—In carrying out subsection (a), the Secretary shall work cooperatively with regulated and other entities, including shippers, carriers, emergency responders, State and local officials, and academic institutions.”

(b) *CONFORMING AMENDMENT.*—The chapter analysis for chapter 51 is amended by inserting after the item relating to section 5117 the following:

“5118. Hazardous material technical assessment, research and development, and analysis program.”

SEC. 33008. HAZARDOUS MATERIAL ENFORCEMENT TRAINING.

(a) *IN GENERAL.*—Not later than 18 months after the date of enactment of this Act, the Secretary shall develop uniform performance standards for training hazardous material inspectors and investigators on—

(1) how to collect, analyze, and publish findings from inspections and investigations of accidents or incidents involving the transportation of hazardous material; and

(2) how to identify noncompliance with regulations issued under chapter 51 of title 49,

United States Code, and take appropriate enforcement action.

(b) *STANDARDS AND GUIDELINES.*—The Secretary may develop—

(1) guidelines for hazardous material inspector and investigator qualifications;

(2) best practices and standards for hazardous material inspector and investigator training programs; and

(3) standard protocols to coordinate investigation efforts among Federal, State, and local jurisdictions on accidents or incidents involving the transportation of hazardous material.

(c) *AVAILABILITY.*—The standards, protocols, and guidelines established under this section—

(1) shall be mandatory for—

(A) the Department of Transportation’s multimodal personnel conducting hazardous material enforcement inspections or investigations; and

(B) State employees who conduct federally funded compliance reviews, inspections, or investigations; and

(2) shall be made available to Federal, State, and local hazardous material safety enforcement personnel.

SEC. 33009. INSPECTIONS.

(a) *NOTICE OF ENFORCEMENT MEASURES.*—Section 5121(c)(1) is amended—

(1) in subparagraph (E), by striking “and” at the end;

(2) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(G) shall provide to the affected offeror, carrier, packaging manufacturer or tester, or other person responsible for the package reasonable notice of—

“(i) his or her decision to exercise his or her authority under paragraph (1);

“(ii) any findings made; and

“(iii) any actions being taken as a result of a finding of noncompliance.”

(b) *REGULATIONS.*—

(1) *MATTERS TO BE ADDRESSED.*—Section 5121(e) is amended by adding at the end the following:

“(3) *MATTERS TO BE ADDRESSED.*—The regulations issued under this subsection shall address—

“(A) the safe and expeditious resumption of transportation of perishable hazardous material, including radiopharmaceuticals and other medical products, that may require timely delivery due to life-threatening situations;

“(B) the means by which—

“(i) noncompliant packages that present an imminent hazard are placed out-of-service until the condition is corrected; and

“(ii) noncompliant packages that do not present a hazard are moved to their final destination;

“(C) appropriate training and equipment for inspectors; and

“(D) the proper closure of packaging in accordance with the hazardous material regulations.”

(2) *FINALIZING REGULATIONS.*—In accordance with section 5103(b)(2) of title 49, United States Code, not later than 1 year after the date of enactment of this Act, the Secretary shall take all actions necessary to finalize a regulation under paragraph (1) of this subsection.

(c) *GRANTS AND COOPERATIVE AGREEMENTS.*—Section 5121(g)(1) is amended by inserting “safety and” before “security”.

SEC. 33010. CIVIL PENALTIES.

Section 5123 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “at least \$250 but”; and

(ii) by striking “\$50,000” and inserting “\$75,000”;

(B) in paragraph (2), by striking “\$100,000” and inserting “\$175,000”; and

(C) by amending paragraph (3) to read as follows:

“(3) If the violation is related to training, a person described in paragraph (1) shall be liable for a civil penalty of at least \$450.”; and

(2) by adding at the end the following:

“(h) PENALTY FOR OBSTRUCTION OF INSPECTIONS AND INVESTIGATIONS.—

“(1) The Secretary may impose a penalty on a person who obstructs or prevents the Secretary from carrying out inspections or investigations under subsection (c) or (i) of section 5121.

“(2) For the purposes of this subsection, the term ‘obstructs’ means actions that were known, or reasonably should have been known, to prevent, hinder, or impede an investigation.

“(i) PROHIBITION ON HAZARDOUS MATERIAL OPERATIONS AFTER NONPAYMENT OF PENALTIES.—

“(1) IN GENERAL.—Except as provided under paragraph (2), a person subject to the jurisdiction of the Secretary under this chapter who fails to pay a civil penalty assessed under this chapter, or fails to arrange and abide by an acceptable payment plan for such civil penalty, may not conduct any activity regulated under this chapter beginning on the 91st day after the date specified by order of the Secretary for payment of such penalty unless the person has filed a formal administrative or judicial appeal of the penalty.

“(2) EXCEPTION.—Paragraph (1) shall not apply to any person who is unable to pay a civil penalty because such person is a debtor in a case under chapter 11 of title 11.

“(3) RULEMAKING.—Not later than 2 years after the date of enactment of this subsection, the Secretary, after providing notice and an opportunity for public comment, shall issue regulations that—

“(A) set forth procedures to require a person who is delinquent in paying civil penalties to cease any activity regulated under this chapter until payment has been made or an acceptable payment plan has been arranged; and

“(B) ensures that the person described in subparagraph (A)—

“(i) is notified in writing; and

“(ii) is given an opportunity to respond before the person is required to cease the activity.”.

SEC. 33011. REPORTING OF FEES.

Section 5125(f)(2) is amended by striking “, upon the Secretary’s request,” and inserting “biennially”.

SEC. 33012. SPECIAL PERMITS, APPROVALS, AND EXCLUSIONS.

(a) RULEMAKING.—Not later than 2 years after the date of enactment of this Act, the Secretary, after providing notice and an opportunity for public comment, shall issue regulations that establish—

(1) standard operating procedures to support administration of the special permit and approval programs; and

(2) objective criteria to support the evaluation of special permit and approval applications.

(b) REVIEW OF SPECIAL PERMITS.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a review and analysis of special permits that have been in continuous effect for a 10-year period to determine which special permits may be converted into the hazardous materials regulations.

(2) FACTORS.—In conducting the review and analysis under paragraph (1), the Secretary may consider—

(A) the safety record for hazardous materials transported under the special permit;

(B) the application of a special permit;

(C) the suitability of provisions in the special permit for incorporation into the hazardous materials regulations; and

(D) rulemaking activity in related areas.

(3) RULEMAKING.—After completing the review and analysis under paragraph (1), but not later than 3 years after the date of enactment of this Act, and after providing notice and opportunity for public comment, the Secretary shall issue regulations to incorporate into the hazardous materials regulations any special permits identified in the review under paragraph (1) that the Secretary determines are appropriate for incor-

poration, based on the factors identified in paragraph (2).

(c) INCORPORATION INTO REGULATION.—Section 5117 is amended by adding at the end the following:

“(f) INCORPORATION INTO REGULATIONS.—

“(1) IN GENERAL.—Not later than 1 year after the date on which a special permit has been in continuous effect for a 10-year period, the Secretary shall conduct a review and analysis of that special permit to determine whether it may be converted into the hazardous materials regulations.

“(2) FACTORS.—In conducting the review and analysis under paragraph (1), the Secretary may consider—

“(A) the safety record for hazardous materials transported under the special permit;

“(B) the application of a special permit;

“(C) the suitability of provisions in the special permit for incorporation into the hazardous materials regulations; and

“(D) rulemaking activity in related areas.

“(3) RULEMAKING.—After completing the review and analysis under paragraph (1) and after providing notice and opportunity for public comment, the Secretary shall either institute a rulemaking to incorporate the special permit into the hazardous materials regulations or publish in the Federal Register the Secretary’s justification for why the special permit is not appropriate for incorporation into the regulations.”.

SEC. 33013. HIGHWAY ROUTING DISCLOSURES.

(a) LIST OF ROUTE DESIGNATIONS.—Section 5112(c) is amended—

(1) by striking “In coordination” and inserting the following:

“(1) IN GENERAL.—In coordination”; and

(2) by adding at the end the following:

“(2) STATE RESPONSIBILITIES.—

“(A) IN GENERAL.—Each State shall submit to the Secretary, in a form and manner to be determined by the Secretary and in accordance with subparagraph (B)—

“(i) the name of the State agency responsible for hazardous material highway route designations; and

“(ii) a list of the State’s currently effective hazardous material highway route designations.

“(B) FREQUENCY.—Each State shall submit the information described in subparagraph (A)(i)—

“(i) at least once every 2 years; and

“(ii) not later than 60 days after a hazardous material highway route designation is established, amended, or discontinued.”.

(b) COMPLIANCE WITH SECTION 5112.—Section 5125(c)(1) is amended by inserting “, and is published in the Department’s hazardous materials route registry under section 5112(c)” before the period at the end.

SEC. 33014. MOTOR CARRIER SAFETY PERMITS.

(a) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a study of, and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on, the implementation of the hazardous material safety permit program under section 5109 of title 49, United States Code. In conducting the study, the Secretary shall review, at a minimum—

(1) the list of hazardous materials requiring a safety permit;

(2) the number of permits that have been issued, denied, revoked, or suspended since inception of the program and the number of commercial motor carriers that have never had a permit denied, revoked, or suspended since inception of the program;

(3) the reasons for such denials, revocations, or suspensions;

(4) the criteria used by the Federal Motor Carrier Safety Administration to determine whether a hazardous material safety permit issued by a State is equivalent to the Federal permit; and

(5) actions the Secretary could implement to improve the program, including whether to provide opportunities for an additional level of fitness review prior to the denial, revocation, or suspension of a safety permit.

(b) ACTIONS TAKEN.—Not later than 2 years after the date of enactment of this Act, based on the study conducted under subsection (a), the Secretary shall either institute a rulemaking to make any necessary improvements to the hazardous materials safety permit program under section 5109 of title 49, United States Code or publish in the Federal Register the Secretary’s justification for why a rulemaking is not necessary.

SEC. 33015. WETLINES.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the United States Government Accountability Office shall evaluate, and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a report on the safety of transporting flammable liquids in the external product piping of cargo tank motor vehicles (commonly referred to as wetlines). The evaluation shall—

(1) review the safety of transporting flammable liquids in the external product piping of cargo tank motor vehicles;

(2) accurately quantify the number of incidents involving the transportation of flammable liquids in external product piping of cargo tank motor vehicles;

(3) identify various alternatives to loading, transporting, and unloading flammable liquids in such piping;

(4) examine the costs and benefits of each alternative; and

(5) identify any obstacles to implementing each alternative.

(b) REGULATIONS.—The Secretary may not issue a final rule regarding transporting flammable liquids in the external product piping of cargo tank motor vehicles prior to completion of the evaluation conducted under subsection (a), or 2 years after the date of enactment of this Act, whichever is earlier, unless the Secretary determines that a risk to public safety, property, or the environment is present or an imminent hazard (as defined in section 5102 of title 49, United States Code) exists and that the regulations will address the risk or hazard.

SEC. 33016. HAZMAT EMPLOYEE TRAINING REQUIREMENTS AND GRANTS.

Section 5107(e)(2) is amended—

(1) by inserting “through a competitive process” between “made” and “to”; and

(2) by striking “hazmat employee”.

SEC. 33017. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 is amended to read as follows:

“§5128. Authorization of appropriations

“(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

“(1) \$42,338,000 for fiscal year 2013; and

“(2) \$42,762,000 for fiscal year 2014.

“(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend, during each of fiscal years 2013 and 2014—

“(1) \$188,000 to carry out section 5115;

“(2) \$21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than \$13,650,000 shall be available to carry out section 5116(b);

“(3) \$150,000 to carry out section 5116(f);

“(4) \$625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

“(5) \$1,000,000 to carry out section 5116(j).

“(c) HAZARDOUS MATERIALS EMERGENCY GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(i), the Secretary may expend

\$4,000,000 for each of the fiscal years 2013 and 2014 to carry out section 5107(e).

“(d) CREDITS TO APPROPRIATIONS.—

“(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

“(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.”

TITLE IV—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY ACT OF 2012

SEC. 34001. SHORT TITLE.

This title may be cited as the “Sport Fish Restoration and Recreational Boating Safety Act of 2012”.

SEC. 34002. AMENDMENT OF FEDERAL AID IN SPORT FISH RESTORATION ACT.

Section 4 of the Federal Aid in Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), by striking “of fiscal years 2006 through 2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “fiscal year through 2014,”; and

(2) in subsection (b)(1)(A), by striking “of fiscal years 2006 through 2011 and for the period beginning on October 1, 2011, and ending on March 31, 2012,” and inserting “fiscal year through 2014.”

TITLE V—MISCELLANEOUS

SEC. 35001. OVERFLIGHTS IN GRAND CANYON NATIONAL PARK.

(a) DETERMINATIONS WITH RESPECT TO SUBSTANTIAL RESTORATION OF NATURAL QUIET AND EXPERIENCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for purposes of section 3(b)(1) of Public Law 100-91 (16 U.S.C. 1a-1 note), the substantial restoration of the natural quiet and experience of the Grand Canyon National Park (in this section referred to as the “Park”) shall be considered to be achieved in the Park if, for at least 75 percent of each day, 50 percent of the Park is free of sound produced by commercial air tour operations that have an allocation to conduct commercial air tours in the Park as of the date of enactment of this Act.

(2) CONSIDERATIONS.—

(A) IN GENERAL.—For purposes of determining whether substantial restoration of the natural quiet and experience of the Park has been achieved in accordance with paragraph (1), the Secretary of the Interior (in this section referred to as the “Secretary”) shall use—

(i) the 2-zone system for the Park in effect on the date of enactment of this Act to assess impacts relating to substantial restoration of natural quiet at the Park, including—

(I) the thresholds for noticeability and audibility; and

(II) the distribution of land between the 2 zones; and

(ii) noise modeling science that is—

(I) developed for use at the Park, specifically Integrated Noise Model Version 6.2;

(II) validated by reasonable standards for conducting field observations of model results; and

(III) accepted and validated by the Federal Interagency Committee on Aviation Noise.

(B) SOUND FROM OTHER SOURCES.—The Secretary shall not consider sound produced by sources other than commercial air tour operations, including sound emitted by other types of aircraft operations or other noise sources, for purposes of—

(i) making recommendations, developing a final plan, or issuing regulations relating to commercial air tour operations in the Park; or

(ii) determining under paragraph (1) whether substantial restoration of the natural quiet and experience of the Park has been achieved.

(3) CONTINUED MONITORING.—The Secretary shall continue monitoring noise from aircraft operating over the Park below 17,999 feet MSL to ensure continued compliance with the substantial restoration of natural quiet and experience of the Park.

(4) DAY DEFINED.—For purposes of this section, the term “day” means the hours between 7:00 a.m. and 7:00 p.m.

(b) CONVERSION TO QUIET TECHNOLOGY AIRCRAFT.—

(1) IN GENERAL.—Not later than 15 years after the date of enactment of this Act, all commercial air tour aircraft operating in the Grand Canyon National Park Special Flight Rules Area shall be required to fully convert to quiet aircraft technology (as determined in accordance with regulations in effect on the day before the date of enactment of this Act).

(2) CONVERSION INCENTIVES.—Not later than 60 days after the date of enactment of this Act, the Secretary and the Administrator of the Federal Aviation Administration shall provide incentives for commercial air tour operators that convert to quiet aircraft technology (as determined in accordance with the regulations in effect on the day before the date of enactment of this Act) before the date specified in paragraph (1), such as increasing the flight allocations for such operators on a net basis consistent with section 804(c) of the National Park Air Tours Management Act of 2000 (title VIII of Public Law 106-181), provided that the cumulative impact of such operations does not increase noise at Grand Canyon National Park.

SEC. 35002. COMMERCIAL AIR TOUR OPERATIONS.

Section 40128(b)(1)(C) of title 49, United States Code, is amended to read as follows:

“(C) EXCEPTION.—An application to begin or expand commercial air tour operations at Crater Lake National Park or Great Smoky Mountains National Park may be denied without the establishment of an air tour management plan by the Director of the National Park Service if the Director determines that such operations would adversely affect park resources or visitor experiences.”

SEC. 35003. QUALIFICATIONS FOR PUBLIC AIRCRAFT STATUS.

Section 40125 of title 49, United States Code, is amended by adding at the end the following:

“(d) SEARCH AND RESCUE PURPOSES.—An aircraft described in section 40102(a)(41)(D) that is not exclusively leased for at least 90 continuous days by the government of a State, the District of Columbia, or a territory or possession of the United States or a political subdivision of 1 of those governments, qualifies as a public aircraft if the Administrator determines that—

“(1) there are extraordinary circumstances;

“(2) the aircraft will be used for the performance of search and rescue missions;

“(3) a community would not otherwise have access to search and rescue services; and

“(4) a government entity demonstrates that granting the waiver is necessary to prevent an undue economic burden on that government.”

DIVISION D—FINANCE

SEC. 40001. SHORT TITLE.

This division may be cited as the “Highway Investment, Job Creation, and Economic Growth Act of 2012”.

TITLE I—EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY AND RELATED TAXES

SEC. 40101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “July 1, 2012” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “October 1, 2014”; and

(2) by striking “Surface Transportation Extension Act of 2012” in subsections (c)(1) and (e)(3) and inserting “MAP-21”.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking “Surface Transportation Extension Act of 2012” each place it appears in subsection (b)(2) and inserting “MAP-21”, and

(2) by striking “July 1, 2012” in subsection (d)(2) and inserting “October 1, 2014”.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking “July 1, 2012” and inserting “October 1, 2014”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2012.

SEC. 40102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking “June 30, 2012” and inserting “September 30, 2016”:

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking “July 1, 2012” and inserting “October 1, 2016”:

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—

(1) IN GENERAL.—Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking “2013” each place it appears and inserting “2017”:

(A) Section 4481(f).

(B) Section 4482(d).

(2) EXTENSION AND TECHNICAL CORRECTION.—

(A) IN GENERAL.—Paragraph (4) of section 4482(c) of such Code is amended to read as follows:

“(4) TAXABLE PERIOD.—The term ‘taxable period’ means any year beginning before July 1, 2017, and the period which begins on July 1, 2017, and ends at the close of September 30, 2017.”

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall take effect as if included in the amendments made by section 142 of the Surface Transportation Extension Act of 2011, Part II.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking “July 1, 2012” each place it appears and inserting “October 1, 2016”,

(2) by striking “December 31, 2012” each place it appears and inserting “March 31, 2017”, and

(3) by striking “October 1, 2012” and inserting “January 1, 2017”.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking “July 1, 2012” and inserting “October 1, 2016”.

(2) Section 4483(i) of such Code is amended by striking “July 1, 2012” and inserting “October 1, 2017”.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking “July 1, 2012” each place it appears in paragraphs (1) and (2) and inserting “October 1, 2016”,

(ii) by striking “JULY 1, 2012” in the heading of paragraph (2) and inserting “OCTOBER 1, 2016”,

(iii) by striking “June 30, 2012” in paragraph (2) and inserting “September 30, 2016”, and

(iv) by striking “April 1, 2013” in paragraph (2) and inserting “July 1, 2017”, and

(B) in subsection (c)(2), by striking “April 1, 2013” and inserting “July 1, 2017”.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking “July 1, 2012” and inserting “October 1, 2016”.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 201(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-11(b)) is amended—

(i) by striking “July 1, 2013” each place it appears and inserting “October 1, 2017”, and
(ii) by striking “July 1, 2012” and inserting “October 1, 2016”.

(f) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall take effect on July 1, 2012.

TITLE II—REVENUE PROVISIONS

Subtitle A—Leaking Underground Storage Tank Trust Fund

SEC. 40201. TRANSFER FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended—

(1) by striking “Amounts” and inserting:
“(1) IN GENERAL.—Except as provided in paragraph (2), amounts”, and

(2) by adding at the end the following new paragraph:

“(2) TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated \$2,400,000,000 to be transferred under section 9503(f)(3) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.”.

(b) TRANSFER TO HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (2) the following new paragraph:

“(3) INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(2).”.

(2) CONFORMING AMENDMENTS.—Paragraph (4) of section 9503(f) of such Code is amended—

(A) by inserting “or transferred” after “appropriated”, and

(B) by striking “APPROPRIATED” in the heading thereof.

Subtitle B—Pension Provisions

PART I—PENSION FUNDING STABILIZATION

SEC. 40211. PENSION FUNDING STABILIZATION.

(a) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Subparagraph (C) of section 430(h)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iv) SEGMENT RATE STABILIZATION.—“(1) IN GENERAL.—If a segment rate described in clause (i), (ii), or (iii) with respect to any applicable month (determined without regard to this clause) is less than the applicable minimum percentage, or more than the applicable maximum percentage, of the average of the segment rates described in such clause for years in the 25-year period ending with September 30 of the calendar year preceding the calendar year in which the plan year begins, then the segment rate described in such clause with respect to the applicable month shall be equal to the applicable minimum percentage or the applicable maximum percentage, whichever is closest. The Secretary shall determine such average on an annual basis and may prescribe equivalent rates for years in any such 25-year period for which the rates described in any such clause are not available.”.

“(II) APPLICABLE MINIMUM PERCENTAGE; APPLICABLE MAXIMUM PERCENTAGE.—For purposes of subclause (I), the applicable minimum percentage and the applicable maximum percentage for a plan year beginning in a calendar year shall be determined in accordance with the following table:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012	90%	110%
2013	85%	115%
2014	80%	120%
2015	75%	125%
After 2015	70%	130%.”.

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (6) of section 404(o) of such Code is amended by inserting “(determined by not taking into account any adjustment under clause (iv) of subsection (h)(2)(C) thereof)” before the period.

(B) Subparagraph (F) of section 430(h)(2) of such Code is amended by inserting “and the averages determined under subparagraph (C)(iv)” after “subparagraph (C)”.

(C) Subparagraphs (C) and (D) of section 417(e)(3) of such Code are each amended by striking “section 430(h)(2)(C)” and inserting “section 430(h)(2)(C) (determined by not taking into account any adjustment under clause (iv) thereof)”.

(D) Section 420 of such Code is amended by adding at the end the following new subsection:

“(g) SEGMENT RATES DETERMINED WITHOUT PENSION STABILIZATION.—For purposes of this section, section 430 shall be applied without regard to subsection (h)(2)(C)(iv) thereof.”.

(b) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—Subparagraph (C) of section 303(h)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)) is amended by adding at the end the following new clause:

“(iv) SEGMENT RATE STABILIZATION.—

“(1) IN GENERAL.—If a segment rate described in clause (i), (ii), or (iii) with respect to any applicable month (determined without regard to this clause) is less than the applicable minimum percentage, or more than the applicable maximum percentage, of the average of the segment rates described in such clause for years in the 25-year period ending with September 30 of the calendar year preceding the calendar year in which the plan year begins, then the segment rate described in such clause with respect to the applicable month shall be equal to the applicable minimum percentage or the applicable maximum percentage of such average, whichever is closest. The Secretary of the Treasury shall determine such average on an annual basis and may prescribe equivalent rates for years in any such 25-year period for which the rates described in any such clause are not available.”.

“(II) APPLICABLE MINIMUM PERCENTAGE; APPLICABLE MAXIMUM PERCENTAGE.—For purposes of subclause (I), the applicable minimum percentage and the applicable maximum percentage for a plan year beginning in a calendar year shall be determined in accordance with the following table:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012	90%	110%
2013	85%	115%
2014	80%	120%
2015	75%	125%
After 2015	70%	130%.”.

(2) DISCLOSURE OF EFFECT OF SEGMENT RATE STABILIZATION ON PLAN FUNDING.—

(A) IN GENERAL.—Paragraph (2) of section 101(f) of such Act (29 U.S.C. 1021(f)) is amended by adding at the end the following new subparagraph:

“(D) EFFECT OF SEGMENT RATE STABILIZATION ON PLAN FUNDING.—

“(i) IN GENERAL.—In the case of a single-employer plan for an applicable plan year, each notice under paragraph (1) shall include—

“(I) a statement that the MAP-21 modified the method for determining the interest rates used to determine the actuarial value of benefits earned under the plan, providing for a 25-year average of interest rates to be taken into account in addition to a 2-year average,

“(II) a statement that, as a result of the MAP-21, the plan sponsor may contribute less money to the plan when interest rates are at historical lows, and

“(III) a table which shows (determined both with and without regard to section 303(h)(2)(C)(iv)) the funding target attainment percentage (as defined in section 303(d)(2)), the funding shortfall (as defined in section 303(c)(4)), and the minimum required contribution (as determined under section 303), for the applicable plan year and each of the 2 preceding plan years.

(ii) APPLICABLE PLAN YEAR.—For purposes of this subparagraph, the term ‘applicable plan year’ means any plan year beginning after December 31, 2011, and before January 1, 2015, for which—

“(I) the funding target (as defined in section 303(d)(2)) is less than 95 percent of such funding target determined without regard to section 303(h)(2)(C)(iv),

“(II) the plan has a funding shortfall (as defined in section 303(c)(4) and determined without regard to section 303(h)(2)(C)(iv)) greater than \$500,000, and

“(III) the plan had 50 or more participants on any day during the preceding plan year.

For purposes of any determination under subclause (III), the aggregation rule under the last sentence of section 303(g)(2)(B) shall apply.

(iii) SPECIAL RULE FOR PLAN YEARS BEGINNING BEFORE 2012.—In the case of a preceding plan year referred to in clause (i)(III) which begins before January 1, 2012, the information described in such clause shall be provided only without regard to section 303(h)(2)(C)(iv).”.

(B) MODEL NOTICE.—The Secretary of Labor shall modify the model notice required to be published under section 501(c) of the Pension Protection Act of 2006 to prominently include the information described in section 101(f)(2)(D) of the Employee Retirement Income Security Act of 1974, as added by this paragraph.

(3) CONFORMING AMENDMENTS.—

(A) Subparagraph (F) of section 303(h)(2) of such Act (29 U.S.C. 1083(h)(2)) is amended by inserting “and the averages determined under subparagraph (C)(iv)” after “subparagraph (C)”.

(B) Clauses (ii) and (iii) of section 205(g)(3)(B) of such Act (29 U.S.C. 1055(g)(3)(B)) are each amended by striking “section 303(h)(2)(C)” and inserting “section 303(h)(2)(C) (determined by not taking into account any adjustment under clause (iv) thereof)”.

(C) Clause (iv) of section 4006(a)(3)(E) of such Act (29 U.S.C. 1306(a)(3)(E)) is amended by striking “section 303(h)(2)(C)” and inserting “section 303(h)(2)(C) (notwithstanding any regulations issued by the corporation, determined by not taking into account any adjustment under clause (iv) thereof)”.

(D) Section 4010(d) of such Act (29 U.S.C. 1310(d)) is amended by adding at the end the following:

“(3) PENSION STABILIZATION DISREGARDED.—For purposes of this section, the segment rates used in determining the funding target and funding target attainment percentage shall be determined by not taking into account any adjustment under section 302(h)(2)(C)(iv).”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2011.

(2) RULES WITH RESPECT TO ELECTIONS.—

(A) ADJUSTED FUNDING TARGET ATTAINMENT PERCENTAGE.—A plan sponsor may elect not to have the amendments made by this section apply to any plan year beginning before January 1, 2013, either (as specified in the election)—

(i) for all purposes for which such amendments apply, or

(ii) solely for purposes of determining the adjusted funding target attainment percentage under sections 436 of the Internal Revenue Code of 1986 and 206(g) of the Employee Retirement Income Security Act of 1974 for such plan year. A plan shall not be treated as failing to meet the requirements of sections 204(g) of such Act and 411(d)(6) of such Code solely by reason of an election under this paragraph.

(B) OPT OUT OF EXISTING ELECTIONS.—If, on the date of the enactment of this Act, an election is in effect with respect to any plan under sections 303(h)(2)(D)(ii) of the Employee Retirement Income Security Act of 1974 and 430(h)(2)(D)(ii) of the Internal Revenue Code of 1986, then, notwithstanding the last sentence of each such section, the plan sponsor may revoke such election without the consent of the Secretary of the Treasury. The plan sponsor may make such revocation at any time before the date which is 1 year after such date of enactment and such revocation shall be effective for the 1st plan year to which the amendments made by this section apply and all subsequent plan years. Nothing in this subparagraph shall preclude a plan sponsor from making a subsequent election in accordance with such sections.

PART II—PBGC PREMIUMS

SEC. 40221. SINGLE EMPLOYER PLAN ANNUAL PREMIUM RATES.

(a) FLAT-RATE PREMIUM.—

(1) IN GENERAL.—Clause (i) of section 4006(a)(3)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)) is amended to read as follows:

“(i) in the case of a single-employer plan, an amount for each individual who is a participant in such plan during the plan year equal to the sum of the additional premium (if any) determined under subparagraph (E) and—

“(I) for plan years beginning after December 31, 2005, and before January 1, 2013, \$30;

“(II) for plan years beginning after December 31, 2012, and before January 1, 2014, \$42; and

“(III) for plan years beginning after December 31, 2013, \$49.”

(2) ADJUSTMENT FOR INFLATION.—Subparagraph (F) of section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) in clause (i)(II), by inserting “(2012 in the case of plan years beginning after calendar year 2014)” after “2004”; and

(B) by adding at the end the following new sentence: “This subparagraph shall not apply to plan years beginning in 2013 or 2014.”

(b) VARIABLE-RATE PREMIUM.—

(1) IN GENERAL.—Subparagraph (E)(ii) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by striking “\$9.00” and inserting “the applicable dollar amount under paragraph (8)”.

(2) APPLICABLE DOLLAR AMOUNT.—Section 4006(a) of such Act (29 U.S.C. 1306(a)) is amended by adding at the end the following:

“(8) APPLICABLE DOLLAR AMOUNT FOR VARIABLE RATE PREMIUM.—For purposes of paragraph (3)(E)(ii)—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the applicable dollar amount shall be—

“(i) \$9 for plan years beginning in a calendar year before 2015;

“(ii) for plan years beginning in calendar year 2015, the amount in effect for plan years beginning in 2014 (determined after application of subparagraph (C)); and

“(iii) for plan years beginning after calendar year 2015, the amount in effect for plan years beginning in 2015 (determined after application of subparagraph (C)).

“(B) ADJUSTMENT FOR INFLATION.—For each plan year beginning in a calendar year after 2012, there shall be substituted for the applicable dollar amount specified under subparagraph (A) an amount equal to the greater of—

“(i) the product derived by multiplying such applicable dollar amount for plan years beginning in that calendar year by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for the base year; and

“(ii) such applicable dollar amount in effect for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.

“(C) ADDITIONAL INCREASE IN 2014 AND 2015.—The applicable dollar amount determined under subparagraph (A) (after the application of subparagraph (B)) shall be increased—

“(i) in the case of plan years beginning in calendar year 2014, by \$4; and

“(ii) in the case of plan years beginning in calendar year 2015, by \$5.

“(D) BASE YEAR.—For purposes of subparagraph (B), the base year is—

“(i) 2010, in the case of plan years beginning in calendar year 2013 or 2014;

“(ii) 2012, in the case of plan years beginning in calendar year 2015; and

“(iii) 2013, in the case of plan years beginning after calendar year 2015.”

(3) CAP.—

(A) IN GENERAL.—Subparagraph (E)(i) of section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended by striking “for any plan year shall be” and all that follows through the end and inserting the following “for any plan year—

“(I) shall be an amount equal to the amount determined under clause (ii) divided by the number of participants in such plan as of the close of the preceding plan year; and

“(II) in the case of plan years beginning in a calendar year after 2012, shall not exceed \$400.”

(B) ADJUSTMENT FOR INFLATION.—Paragraph (3) of section 4006(a) of such Act (29 U.S.C. 1306(a)(3)), as amended by this Act, is amended by adding at the end the following:

“(J) For each plan year beginning in a calendar year after 2013, there shall be substituted for the dollar amount specified in subclause (II) of subparagraph (E)(i) an amount equal to the greater of—

“(i) the product derived by multiplying such dollar amount by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2011; and

“(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”

SEC. 40222. MULTIEMPLOYER ANNUAL PREMIUM RATES.

(a) IN GENERAL.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—

(1) by inserting “and before January 1, 2013,” after “December 31, 2005,” in clause (iv),

(2) by striking “or” at the end of clause (iii),

(3) by striking the period at the end of clause (iv) and inserting “, or”, and

(4) by adding at the end the following new clause:

“(v) in the case of a multiemployer plan, for plan years beginning after December 31, 2012, \$12.00 for each individual who is a participant in such plan during the applicable plan year.”

(b) INFLATION ADJUSTMENT.—Paragraph (3) of section 4006(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following:

“(I) For each plan year beginning in a calendar year after 2013, there shall be substituted for the premium rate specified in clause (v) of

subparagraph (A) an amount equal to the greater of—

“(i) the product derived by multiplying the premium rate specified in clause (v) of subparagraph (A) by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2011; and

“(ii) the premium rate in effect under clause (v) of subparagraph (A) for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”

PART III—IMPROVEMENTS OF PBGC

SEC. 40231. PENSION BENEFIT GUARANTY CORPORATION GOVERNANCE IMPROVEMENT.

(a) BOARD OF DIRECTORS OF THE PENSION BENEFIT GUARANTY CORPORATION.—

(1) IN GENERAL.—Section 4002(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302(d)) is amended—

(A) by striking “(d) The board of directors” and inserting “(d)(1) The board of directors”; and

(B) by adding at the end the following:

“(2) A majority of the members of the board of directors in office shall constitute a quorum for the transaction of business. The vote of the majority of the members present and voting at a meeting at which a quorum is present shall be the act of the board of directors.

“(3) Each member of the board of directors shall designate in writing an official, not below the level of Assistant Secretary, to serve as the voting representative of such member on the board. Such designation shall be effective until revoked or until a date or event specified therein. Any such representative may refer for board action any matter under consideration by the designating board member, but such representative shall not count toward establishment of a quorum as described under paragraph (2).

“(4) The Inspector General of the corporation shall report to the board of directors, and not less than twice a year, shall attend a meeting of the board of directors to provide a report on the activities and findings of the Inspector General, including with respect to monitoring and review of the operations of the corporation.

“(5) The General Counsel of the corporation shall—

“(A) serve as the secretary to the board of directors, and advise such board as needed; and

“(B) have overall responsibility for all legal matters affecting the corporation and provide the corporation with legal advice and opinions on all matters of law affecting the corporation, except that the authority of the General Counsel shall not extend to the Office of Inspector General and the independent legal counsel of such Office.

“(6) Notwithstanding any other provision of this Act, the Office of Inspector General and the legal counsel of such Office are independent of the management of the corporation and the General Counsel of the corporation.

“(7) The board of directors may appoint and fix the compensation of employees as may be required to enable the board of directors to perform its duties. The board of directors shall determine the qualifications and duties of such employees and may appoint and fix the compensation of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.”

(2) NUMBER OF MEETINGS; PUBLIC AVAILABILITY.—Section 4002(e) of such Act (29 U.S.C. 1302(e)) is amended—

(A) by striking “The board” and inserting “(1) The board”;

(B) by striking “the corporation.” and inserting “the corporation, but in no case less than 4

times a year with not fewer than 2 members present. Not less than 1 meeting of the board of directors during each year shall be a joint meeting with the advisory committee under subsection (h)."; and

(C) by adding at the end the following:

"(2)(A) Except as provided in subparagraph (B), the chairman of the board of directors shall make available to the public the minutes from each meeting of the board of directors.

"(B) The minutes of a meeting of the board of directors, or a portion thereof, shall not be subject to disclosure under subparagraph (A) if the chairman reasonably determines that such minutes, or portion thereof, contain confidential employer information including information obtained under section 4010, information about the investment activities of the corporation, or information regarding personnel decisions of the corporation.

"(C) The minutes of a meeting, or portion of thereof, exempt from disclosure pursuant to subparagraph (B) shall be exempt from disclosure under section 552(b) of title 5, United States Code. For purposes of such section 552, this subparagraph shall be considered a statute described in subsection (b)(3) of such section 552."

(3) ADVISORY COMMITTEE.—

(A) ISSUES CONSIDERED BY THE COMMITTEE.—Section 4002(h)(1) of such Act (29 U.S.C. 1302(h)(1)) is amended—

(i) by striking ", and (D)" and inserting "(D)"; and

(ii) by striking "time to time." and inserting "time to time, and (E) other issues as determined appropriate by the advisory committee."

(B) JOINT MEETING.—Section 4002(h)(3) of such Act (29 U.S.C. 1302(h)(3)) is amended by adding at the end the following: "Not less than 1 meeting of the advisory committee during each year shall be a joint meeting with the board of directors under subsection (e)."

(b) AVOIDING CONFLICTS OF INTEREST.—Section 4002 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302) is amended by adding at the end the following:

"(j) CONFLICTS OF INTEREST.—

"(1) IN GENERAL.—The Director of the corporation and each member of the board of directors shall not participate in a decision of the corporation in which the Director or such member has a direct financial interest. The Director of the corporation shall not participate in any activities that would present a potential conflict of interest or appearance of a conflict of interest without approval of the board of directors.

"(2) ESTABLISHMENT OF POLICY.—The board of directors shall establish a policy that will inform the identification of potential conflicts of interests of the members of the board of directors and mitigate perceived conflicts of interest of such members and the Director of the corporation."

(c) RISK MITIGATION.—Section 4002 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302), as amended by subsection (b), is further amended by adding at the end the following:

"(k) RISK MANAGEMENT OFFICER.—The corporation shall have a risk management officer whose duties include evaluating and mitigating the risk that the corporation might experience. The individual in such position shall coordinate the risk management efforts of the corporation, explain risks and controls to senior management and the board of directors of the corporation, and make recommendations."

(d) DIRECTOR.—Section 4002(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302(c)) is amended to read as follows:

"(c) The Director shall be accountable to the board of directors. The Director shall serve for a term of 5 years unless removed by the President or the board of directors before the expiration of such 5-year term."

(e) SENSES OF CONGRESS.—

(1) FORMATION OF COMMITTEES.—It is the sense of Congress that the board of directors of the Pension Benefit Guaranty Corporation es-

tablished under section 4002 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302), as amended by this section, should form committees, including an audit committee and an investment committee composed of not less than 2 members, to enhance the overall effectiveness of the board of directors.

(2) ADVISORY COMMITTEE.—It is the sense of Congress that the advisory committee to the Pension Benefit Guaranty Corporation established under section 4002 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302), as amended by this section, should provide to the board of directors of such corporation policy recommendations regarding changes to the law that would be beneficial to the corporation or the voluntary private pension system.

(f) STUDY REGARDING GOVERNANCE STRUCTURES.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Pension Benefit Guaranty Corporation shall enter into a contract with the National Academy of Public Administration to conduct the study described in paragraph (2) with respect to the Pension Benefit Guaranty Corporation.

(2) CONTENT OF STUDY.—The study conducted under paragraph (1) shall include—

(A) a review of the governance structures of governmental and nongovernmental organizations that are analogous to the Pension Benefit Guaranty Corporation; and

(B) recommendations regarding—

(i) the ideal size and composition of the board of directors of the Pension Benefit Guaranty Corporation;

(ii) procedures to select and remove members of such board;

(iii) qualifications and term lengths of members of such board; and

(iv) policies necessary to enhance Congressional oversight and transparency of such board and to mitigate potential conflicts of interest of the members of such board.

(3) SUBMISSION TO CONGRESS.—Not later than 1 year after the initiation of the study under paragraph (1), the National Academy of Public Administration shall submit the results of the study to the Committees on Health, Education, Labor, and Pensions and Finance of the Senate and the Committees on Education and the Workforce and Ways and Means of the House of Representatives.

SEC. 40232. PARTICIPANT AND PLAN SPONSOR ADVOCATE.

(a) IN GENERAL.—Title IV of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1301 et seq.) is amended by inserting after section 4003 the following:

"**SEC. 4004. PARTICIPANT AND PLAN SPONSOR ADVOCATE.**

"(a) IN GENERAL.—The board of directors of the corporation shall select a Participant and Plan Sponsor Advocate from the candidates nominated by the advisory committee to the corporation under section 4002(h)(1) and without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or Senior Executive Service.

"(b) DUTIES.—The Participant and Plan Sponsor Advocate shall—

"(1) act as a liaison between the corporation, sponsors of defined benefit pension plans insured by the corporation, and participants in pension plans trusted by the corporation;

"(2) advocate for the full attainment of the rights of participants in plans trusted by the corporation;

"(3) assist pension plan sponsors and participants in resolving disputes with the corporation;

"(4) identify areas in which participants and plan sponsors have persistent problems in dealings with the corporation;

"(5) to the extent possible, propose changes in the administrative practices of the corporation to mitigate problems;

"(6) identify potential legislative changes which may be appropriate to mitigate problems; and

"(7) refer instances of fraud, waste, and abuse, and violations of law to the Office of the Inspector General of the corporation.

"(c) REMOVAL.—If the Participant and Plan Sponsor Advocate is removed from office or is transferred to another position or location within the corporation or the Department of Labor, the board of the directors of the corporation shall communicate in writing the reasons for any such removal or transfer to Congress not less than 30 days before the removal or transfer. Nothing in this subsection shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.

"(d) COMPENSATION.—The annual rate of basic pay for the Participant and Plan Sponsor Advocate shall be the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code, or, if the board of directors of the corporation so determines, at a rate fixed under section 9503 of such title.

"(e) ANNUAL REPORT.—

"(1) IN GENERAL.—Not later than December 31 of each calendar year, the Participant and Plan Sponsor Advocate shall report to the Health, Education, Labor, and Pensions Committee of the Senate, the Committee on Finance of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Ways and Means of the House of Representatives on the activities of the Office of the Participant and Plan Sponsor Advocate during the fiscal year ending during such calendar year.

"(2) CONTENT.—Each report submitted under paragraph (1) shall—

"(A) summarize the assistance requests received from participants and plan sponsors and describe the activities, and evaluate the effectiveness, of the Participant and Plan Sponsor Advocate during the preceding year;

"(B) identify significant problems the Participant and Plan Sponsor Advocate has identified;

"(C) include specific legislative and regulatory changes to address the problems; and

"(D) identify any actions taken to correct problems identified in any previous report.

"(3) CONCURRENT SUBMISSION.—The Participant and Plan Sponsor Advocate shall submit a copy of each report to the Secretary of Labor, the Director of the corporation, and any other appropriate official at the same time such report is submitted to the committees of Congress under paragraph (1)."

(b) ADVISORY COMMITTEE NOMINATIONS.—Section 4002(h)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302(h)(1)) is amended by adding at the end the following new sentence: "In the event of a vacancy or impending vacancy in the office of the Participant and Plan Sponsor Advocate established under section 4004, the Advisory Committee shall, in consultation with the Director of the corporation and participant and plan sponsor advocacy groups, nominate at least two but no more than three individuals to serve as the Participant and Plan Sponsor Advocate."

(c) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 4003 the following new item:

"4004. Participant and Plan Sponsor Advocate."

SEC. 40233. QUALITY CONTROL PROCEDURES FOR THE PENSION BENEFIT GUARANTY CORPORATION.

(a) ANNUAL PEER REVIEW OF INSURANCE MODELING SYSTEMS.—The Pension Benefit Guaranty Corporation shall contract with a capable agency or organization that is independent from the Corporation, such as the Social Security Administration, to conduct an annual peer review of the Corporation's Single-Employer Pension Insurance Modeling System and the Corporation's Multiemployer Pension Insurance Modeling System. The board of directors of the Corporation

shall designate the agency or organization with which any such contract is entered into. The first of such annual peer reviews shall be initiated no later than 3 months after the date of enactment of this Act.

(b) **POLICIES AND PROCEDURES RELATING TO THE POLICY, RESEARCH, AND ANALYSIS DEPARTMENT.**—The Pension Benefit Guaranty Corporation shall—

(1) develop written quality review policies and procedures for all modeling and actuarial work performed by the Corporation's Policy, Research, and Analysis Department; and

(2) conduct a record management review of such Department to determine what records must be retained as Federal records.

(c) **REPORT RELATING TO OIG RECOMMENDATIONS.**—Not later than 2 months after the date of enactment of this Act, the Pension Benefit Guaranty Corporation shall submit to Congress a report, approved by the board of directors of the Corporation, setting forth a timetable for addressing the outstanding recommendations of the Office of the Inspector General relating to the Policy, Research, and Analysis Department and the Benefits Administration and Payment Department.

SEC. 40234. LINE OF CREDIT REPEAL.

(a) **IN GENERAL.**—Subsection (c) of section 4005 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1305) is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 4005 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1305) is amended—

(A) in subsection (b)—

(i) paragraph (1)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraphs (B) through (G) as subparagraphs (A) through (F), respectively;

(ii) in paragraph (2)—

(I) by striking subparagraph (C); and

(II) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively; and

(iii) in paragraph (3), by striking “but,” and all that follows through the end and inserting a period; and

(B) in subsection (g)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3) as paragraph (2).

(2) Section 4402 of such Act (29 U.S.C. 1461) is amended—

(A) in subsection (c)(4)—

(i) by striking subparagraph (C); and

(ii) by redesignating subparagraph (D) as subparagraph (C); and

(B) in subsection (d), by striking “or (D)”.

PART IV—TRANSFERS OF EXCESS PENSION ASSETS

SEC. 40241. EXTENSION FOR TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) **IN GENERAL.**—Paragraph (5) of section 420(b) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2013” and inserting “December 31, 2021”.

(b) **CONFORMING ERISA AMENDMENTS.**—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 are each amended by striking “Pension Protection Act of 2006” and inserting “MAP-21”.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking “January 1, 2014” and inserting “January 1, 2022”.

(c) **EFFECTIVE DATE.**—The amendments made by this Act shall take effect on the date of the enactment of this Act.

SEC. 40242. TRANSFER OF EXCESS PENSION ASSETS TO RETIREE GROUP TERM LIFE INSURANCE ACCOUNTS.

(a) **IN GENERAL.**—Subsection (a) of section 420 of the Internal Revenue Code of 1986 is amended by inserting “, or an applicable life insurance account,” after “health benefits account”.

(b) **APPLICABLE LIFE INSURANCE ACCOUNT DEFINED.**—

(1) **IN GENERAL.**—Subsection (e) of section 420 of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and by inserting after paragraph (3) the following new paragraph:

“(4) **APPLICABLE LIFE INSURANCE ACCOUNT.**—The term ‘applicable life insurance account’ means a separate account established and maintained for amounts transferred under this section for qualified current retiree liabilities based on premiums for applicable life insurance benefits.”

(2) **APPLICABLE LIFE INSURANCE BENEFITS DEFINED.**—Paragraph (1) of section 420(e) of such Code is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

“(D) **APPLICABLE LIFE INSURANCE BENEFITS.**—The term ‘applicable life insurance benefits’ means group-term life insurance coverage provided to retired employees who, immediately before the qualified transfer, are entitled to receive such coverage by reason of retirement and who are entitled to pension benefits under the plan, but only to the extent that such coverage is provided under a policy for retired employees and the cost of such coverage is excludable from the retired employee’s gross income under section 79.”

(3) **COLLECTIVELY BARGAINED LIFE INSURANCE BENEFITS DEFINED.**—

(A) **IN GENERAL.**—Paragraph (6) of section 420(f) of such Code is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

“(D) **COLLECTIVELY BARGAINED LIFE INSURANCE BENEFITS.**—The term ‘collectively bargained life insurance benefits’ means, with respect to any collectively bargained transfer—

“(i) applicable life insurance benefits which are provided to retired employees who, immediately before the transfer, are entitled to receive such benefits by reason of retirement, and

“(ii) if specified by the provisions of the collective bargaining agreement governing the transfer, applicable life insurance benefits which will be provided at retirement to employees who are not retired employees at the time of the transfer.”

(B) **CONFORMING AMENDMENTS.**—

(i) Clause (i) of section 420(e)(1)(C) of such Code is amended by striking “upon retirement” and inserting “by reason of retirement”.

(ii) Subparagraph (C) of section 420(f)(6) of such Code is amended—

(I) by striking “which are provided to” in the matter preceding clause (i),

(II) by inserting “which are provided to” before “retired employees” in clause (i),

(III) by striking “upon retirement” in clause (i) and inserting “by reason of retirement”, and

(IV) by striking “active employees who, following their retirement,” and inserting “which will be provided at retirement to employees who are not retired employees at the time of the transfer and who”.

(c) **MAINTENANCE OF EFFORT.**—

(1) **IN GENERAL.**—Subparagraph (A) of section 420(c)(3) of the Internal Revenue Code of 1986 is amended by inserting “, and each group-term life insurance plan under which applicable life insurance benefits are provided,” after “health benefits are provided”.

(2) **CONFORMING AMENDMENTS.**—

(A) Subparagraph (B) of section 420(c)(3) of such Code is amended—

(i) by redesignating subclauses (I) and (II) of clause (i) as subclauses (II) and (III) of such clause, respectively, and by inserting before subclause (II) of such clause, as so redesignated, the following new subclause:

“(I) separately with respect to applicable health benefits and applicable life insurance benefits,” and

(ii) by striking “for applicable health benefits” and all that follows in clause (ii) and inserting “was provided during such taxable year for the benefits with respect to which the determination under clause (i) is made.”

(B) Subparagraph (C) of section 420(c)(3) of such Code is amended—

(i) by inserting “for applicable health benefits” after “applied separately”, and

(ii) by inserting “, and separately for applicable life insurance benefits with respect to individuals age 65 or older at any time during the taxable year and with respect to individuals under age 65 during the taxable year” before the period.

(C) Subparagraph (E) of section 420(c)(3) of such Code is amended—

(i) in clause (i), by inserting “or retiree life insurance coverage, as the case may be,” after “retiree health coverage”,

(ii) in clause (ii), by inserting “FOR RETIREE HEALTH COVERAGE” after “COST REDUCTIONS” in the heading thereof, and

(iii) in clause (ii)(II), by inserting “with respect to applicable health benefits” after “liabilities of the employer”.

(D) Paragraph (2) of section 420(f) of such Code is amended by striking “collectively bargained retiree health liabilities” each place it occurs and inserting “collectively bargained retiree liabilities”.

(E) Clause (i) of section 420(f)(2)(D) of such Code is amended—

(i) by inserting “, and each group-term life insurance plan or arrangement under which applicable life insurance benefits are provided,” in subclause (I) after “applicable health benefits are provided”,

(ii) by inserting “or applicable life insurance benefits, as the case may be,” in subclause (I) after “provides applicable health benefits”,

(iii) by striking “group health” in subclause (II), and

(iv) by inserting “or collectively bargained life insurance benefits” in subclause (II) after “collectively bargained health benefits”.

(F) Clause (ii) of section 420(f)(2)(D) of such Code is amended—

(i) by inserting “with respect to applicable health benefits or applicable life insurance benefits” after “requirements of subsection (c)(3)”, and

(ii) by adding at the end the following: “Such election may be made separately with respect to applicable health benefits and applicable life insurance benefits. In the case of an election with respect to applicable life insurance benefits, the first sentence of this clause shall be applied as if subsection (c)(3) as in effect before the amendments made by such Act applied to such benefits.”

(G) Clause (iii) of section 420(f)(2)(D) of such Code is amended—

(i) by striking “retiree” each place it occurs, and

(ii) by inserting “, collectively bargained life insurance benefits, or both, as the case may be,” after “health benefits” each place it occurs.

(d) **COORDINATION WITH SECTION 79.**—Section 79 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) **EXCEPTION FOR LIFE INSURANCE PURCHASED IN CONNECTION WITH QUALIFIED TRANSFER OF EXCESS PENSION ASSETS.**—Subsection (b)(3) and section 72(m)(3) shall not apply in the case of any cost paid (whether directly or indirectly) with assets held in an applicable life insurance account (as defined in section 420(e)(4)) under a defined benefit plan.”

(e) **CONFORMING AMENDMENTS.**—

(1) Section 420 of the Internal Revenue Code of 1986 is amended by striking “qualified current retiree health liabilities” each place it appears and inserting “qualified current retiree liabilities”.

(2) Section 420 of such Code is amended by inserting “, or an applicable life insurance account,” after “a health benefits account” each

place it appears in subsection (b)(1)(A), subparagraphs (A), (B)(i), and (C) of subsection (c)(1), subsection (d)(1)(A), and subsection (f)(2)(E)(ii).

(3) Section 420(b) of such Code is amended—
(A) by adding the following at the end of paragraph (2)(A): “If there is a transfer from a defined benefit plan to both a health benefits account and an applicable life insurance account during any taxable year, such transfers shall be treated as 1 transfer for purposes of this paragraph.”, and

(B) by inserting “to an account” after “may be transferred” in paragraph (3).

(4) The heading for section 420(c)(1)(B) of such Code is amended by inserting “OR LIFE INSURANCE” after “HEALTH BENEFITS”.

(5) Paragraph (1) of section 420(e) of such Code is amended—

(A) by inserting “and applicable life insurance benefits” in subparagraph (A) after “applicable health benefits”, and

(B) by striking “HEALTH” in the heading thereof.

(6) Subparagraph (B) of section 420(e)(1) of such Code is amended—

(A) in the matter preceding clause (i), by inserting “(determined separately for applicable health benefits and applicable life insurance benefits)” after “shall be reduced by the amount”,

(B) in clause (i), by inserting “or applicable life insurance accounts” after “health benefit accounts”, and

(C) in clause (i), by striking “qualified current retiree health liability” and inserting “qualified current retiree liability”.

(7) The heading for subsection (f) of section 420 of such Code is amended by striking “HEALTH” each place it occurs.

(8) Subclause (II) of section 420(f)(2)(B)(ii) of such Code is amended by inserting “or applicable life insurance account, as the case may be,” after “health benefits account”.

(9) Subclause (III) of section 420(f)(2)(E)(i) of such Code is amended—

(A) by inserting “defined benefit” before “plan maintained by an employer”, and

(B) by inserting “health” before “benefit plans maintained by the employer”.

(10) Paragraphs (4) and (6) of section 420(f) of such Code are each amended by striking “collectively bargained retiree health liabilities” each place it occurs and inserting “collectively bargained retiree liabilities”.

(11) Subparagraph (A) of section 420(f)(6) of such Code is amended—

(A) in clauses (i) and (ii), by inserting “, in the case of a transfer to a health benefits account,” before “his covered spouse and dependents”, and

(B) in clause (ii), by striking “health plan” and inserting “plan”.

(12) Subparagraph (B) of section 420(f)(6) of such Code is amended—

(A) in clause (i), by inserting “, and collectively bargained life insurance benefits,” after “collectively bargained health benefits”,

(B) in clause (ii)—

(i) by adding at the end the following: “The preceding sentence shall be applied separately for collectively bargained health benefits and collectively bargained life insurance benefits.”, and

(ii) by inserting “, applicable life insurance accounts,” after “health benefit accounts”, and

(C) by striking “HEALTH” in the heading thereof.

(13) Subparagraph (E) of section 420(f)(6) of such Code, as redesignated by subsection (b), is amended—

(A) by striking “bargained health” and inserting “bargained”,

(B) by inserting “, or a group-term life insurance plan or arrangement for retired employees,” after “dependents”, and

(C) by striking “HEALTH” in the heading thereof.

(14) Section 101(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)) is amended—

(A) in paragraphs (1) and (2), by inserting “or applicable life insurance account” after “health benefits account” each place it appears, and

(B) in paragraph (1), by inserting “or applicable life insurance benefit liabilities” after “health benefits liabilities”.

(f) TECHNICAL CORRECTION.—Clause (iii) of section 420(f)(6)(B) of the Internal Revenue Code of 1986 is amended by striking “416(1)(1)” and inserting “416(i)(1)”.

(g) REPEAL OF DEADWOOD.—

(1) Subparagraph (A) of section 420(b)(1) of the Internal Revenue Code of 1986 is amended by striking “in a taxable year beginning after December 31, 1990”.

(2) Subsection (b) of section 420 of such Code is amended by striking paragraph (4) and by redesignating paragraph (5), as amended by this Act, as paragraph (4).

(3) Paragraph (2) of section 420(b) of such Code, as amended by this section, is amended—

(A) by striking subparagraph (B), and

(B) by striking “PER YEAR.—” and all that follows through “No more than” and inserting “PER YEAR.—No more than”.

(4) Paragraph (2) of section 420(c) of such Code is amended—

(A) by striking subparagraph (B),

(B) by moving subparagraph (A) two ems to the left, and

(C) by striking “BEFORE TRANSFER.—” and all that follows through “The requirements of this paragraph” and inserting the following: “BEFORE TRANSFER.—The requirements of this paragraph”.

(5) Paragraph (2) of section 420(d) of such Code is amended by striking “after December 31, 1990”.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to transfers made after the date of the enactment of this Act.

(2) CONFORMING AMENDMENTS RELATING TO PENSION PROTECTION ACT.—The amendments made by subsections (b)(3)(B) and (f) shall take effect as if included in the amendments made by section 841(a) of the Pension Protection Act of 2006.

Subtitle C—Additional Transfers to Highway Trust Fund

SEC. 40251. ADDITIONAL TRANSFERS TO HIGHWAY TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986, as amended by this Act, is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

“(4) ADDITIONAL APPROPRIATIONS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated to—

“(A) the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund—

“(i) for fiscal year 2013, \$6,200,000,000, and

“(ii) for fiscal year 2014, \$10,400,000,000, and

“(B) the Mass Transit Account in the Highway Trust Fund, for fiscal year 2014, \$2,200,000,000.”.

DIVISION E—RESEARCH AND EDUCATION

SEC. 50001. SHORT TITLE.

This division may be cited as the “Transportation Research and Innovative Technology Act of 2012”.

TITLE I—FUNDING

SEC. 51001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out sections 503(b), 503(d), and 509 of title 23, United States Code, \$115,000,000 for each of fiscal years 2013 and 2014.

(2) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out section 503(c) of title

23, United States Code, \$62,500,000 for each of fiscal years 2013 and 2014.

(3) TRAINING AND EDUCATION.—To carry out section 504 of title 23, United States Code, \$24,000,000 for each of fiscal years 2013 and 2014.

(4) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 of title 23, United States Code, \$100,000,000 for each of fiscal years 2013 and 2014.

(5) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code, \$72,500,000 for each of fiscal years 2013 and 2014.

(6) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, \$26,000,000 for each of fiscal years 2013 and 2014.

(b) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable.

TITLE II—RESEARCH, TECHNOLOGY, AND EDUCATION

SEC. 52001. RESEARCH, TECHNOLOGY, AND EDUCATION.

Section 501 of title 23, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (8);

(2) by inserting after paragraph (1) the following:

“(2) INCIDENT.—The term ‘incident’ means a crash, natural disaster, workzone activity, special event, or other emergency road user occurrence that adversely affects or impedes the normal flow of traffic.

“(3) INNOVATION LIFECYCLE.—The term ‘innovation lifecycle’ means the process of innovating through—

“(A) the identification of a need;

“(B) the establishment of the scope of research to address that need;

“(C) setting an agenda;

“(D) carrying out research, development, deployment, and testing of the resulting technology or innovation; and

“(E) carrying out an evaluation of the costs and benefits of the resulting technology or innovation.

“(4) INTELLIGENT TRANSPORTATION INFRASTRUCTURE.—The term ‘intelligent transportation infrastructure’ means fully integrated public sector intelligent transportation system components, as defined by the Secretary.

“(5) INTELLIGENT TRANSPORTATION SYSTEM.—The terms ‘intelligent transportation system’ and ‘ITS’ mean electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

“(6) NATIONAL ARCHITECTURE.—For purposes of this chapter, the term ‘national architecture’ means the common framework for interoperability that defines—

“(A) the functions associated with intelligent transportation system user services;

“(B) the physical entities or subsystems within which the functions reside;

“(C) the data interfaces and information flows between physical subsystems; and

“(D) the communications requirements associated with the information flows.

“(7) PROJECT.—The term ‘project’ means an undertaking to research, develop, or operationally test intelligent transportation systems or any other undertaking eligible for assistance under this chapter.”; and

(3) by inserting after paragraph (8) (as so redesignated) the following:

“(9) STANDARD.—The term ‘standard’ means a document that—

“(A) contains technical specifications or other precise criteria for intelligent transportation systems that are to be used consistently as rules, guidelines, or definitions of characteristics so as to ensure that materials, products, processes, and services are fit for the intended purposes of the materials, products, processes, and services; and

“(B) may support the national architecture and promote—

“(i) the widespread use and adoption of intelligent transportation system technology as a component of the surface transportation systems of the United States; and

“(ii) interoperability among intelligent transportation system technologies implemented throughout the States.”.

SEC. 52002. SURFACE TRANSPORTATION RESEARCH, DEVELOPMENT, AND TECHNOLOGY.

(a) SURFACE TRANSPORTATION RESEARCH, DEVELOPMENT, AND TECHNOLOGY.—Section 502 of title 23, United States Code, is amended—

(1) in the section heading by inserting “, DEVELOPMENT, AND TECHNOLOGY” after “SURFACE TRANSPORTATION RESEARCH”;

(2) in subsection (a)—

(A) by redesignating paragraphs (1) through (8) as paragraphs (2) through (9), respectively;

(B) by inserting before paragraph (2) (as redesignated by subparagraph (A)) the following:

“(1) APPLICABILITY.—The research, development, and technology provisions of this section shall apply throughout this chapter.”;

(C) in paragraph (2) (as redesignated by subparagraph (A))—

(i) by inserting “within the innovation lifecycle” after “activities”; and

(ii) by inserting “communications, impact analysis,” after “training.”;

(D) in paragraph (3) (as redesignated by subparagraph (A))—

(i) in subparagraph (B) by striking “supports research in which there is a clear public benefit and” and inserting “delivers a clear public benefit and occurs where”;

(ii) in subparagraph (C) by striking “or” after the semicolon;

(iii) by redesignating subparagraph (D) as subparagraph (I); and

(iv) by inserting after subparagraph (C) the following:

“(D) meets and addresses current or emerging needs;

“(E) addresses current gaps in research;

“(F) presents the best means to align resources with multiyear plans and priorities;

“(G) ensures the coordination of highway research and technology transfer activities, including through activities performed by university transportation centers;

“(H) educates transportation professionals; or”;

(E) in paragraph (4) (as redesignated by subparagraph (A)) by striking subparagraphs (B) through (D) and inserting the following:

“(B) partner with State highway agencies and other stakeholders as appropriate to facilitate research and technology transfer activities;

“(C) communicate the results of ongoing and completed research;

“(D) lead efforts to coordinate national emphasis areas of highway research, technology, and innovation deployment;

“(E) leverage partnerships with industry, academia, international entities, and State departments of transportation;

“(F) lead efforts to reduce unnecessary duplication of effort; and

“(G) lead efforts to accelerate innovation delivery.”;

(F) in paragraph (5)(C) (as redesignated by subparagraph (A)) by striking “policy and planning” and inserting “all highway objectives seeking to improve the performance of the transportation system”;

(G) in paragraph (6) (as redesignated by subparagraph (A)) in the second sentence, by inserting “tribal governments,” after “local governments.”;

(H) in paragraph (8) (as redesignated by subparagraph (A))—

(i) in the first sentence, by striking “To the maximum” and inserting the following:

“(A) IN GENERAL.—To the maximum”;

(ii) in the second sentence, by striking “Performance measures” and inserting the following:

“(B) PERFORMANCE MEASURES.—Performance measures”;

(iii) in the third sentence, by striking “All evaluations” and inserting the following:

“(D) AVAILABILITY OF EVALUATIONS.—All evaluations under this paragraph”; and

(iv) by inserting after subparagraph (B) the following:

“(C) PROGRAM PLAN.—To the maximum extent practicable, each program pursued under this chapter shall be part of a data-driven, outcome-oriented program plan.”; and

(I) in paragraph (9) (as redesignated by subparagraph (A)), by striking “surface”;

(3) in subsection (b)—

(A) in paragraph (4) by striking “surface transportation research and technology development strategic plan developed under section 508” and inserting “transportation research and development strategic plan of the Secretary developed under section 508”;

(B) in paragraph (5) by striking “section” each place it appears and inserting “chapter”;

(C) in paragraph (6) by adding at the end the following:

“(C) TRANSFER OF AMOUNTS AMONG STATES OR TO FEDERAL HIGHWAY ADMINISTRATION.—The Secretary may, at the request of a State, transfer amounts apportioned or allocated to that State under this chapter to another State or the Federal Highway Administration to fund research, development, and technology transfer activities of mutual interest on a pooled funds basis.

“(D) TRANSFER OF OBLIGATION AUTHORITY.—Obligation authority for amounts transferred under this subsection shall be disbursed in the same manner and for the same amount as provided for the project being transferred.”; and

(D) by adding at the end the following:

“(7) PRIZE COMPETITIONS.—

“(A) IN GENERAL.—The Secretary may use up to 1 percent of the funds made available under section 51001 of the Transportation Research and Innovative Technology Act of 2012 to carry out a program to competitively award cash prizes to stimulate innovation in basic and applied research and technology development that has the potential for application to the national transportation system.

“(B) TOPICS.—In selecting topics for prize competitions under this paragraph, the Secretary shall—

“(i) consult with a wide variety of governmental and nongovernmental representatives; and

“(ii) give consideration to prize goals that demonstrate innovative approaches and strategies to improve the safety, efficiency, and sustainability of the national transportation system.

“(C) ADVERTISING.—The Secretary shall encourage participation in the prize competitions through advertising efforts.

“(D) REQUIREMENTS AND REGISTRATION.—For each prize competition, the Secretary shall publish a notice on a public website that describes—

“(i) the subject of the competition;

“(ii) the eligibility rules for participation in the competition;

“(iii) the amount of the prize; and

“(iv) the basis on which a winner will be selected.

“(E) ELIGIBILITY.—An individual or entity may not receive a prize under this paragraph unless the individual or entity—

“(i) has registered to participate in the competition pursuant to any rules promulgated by the Secretary under this section;

“(ii) has complied with all requirements under this paragraph;

“(iii)(I) in the case of a private entity, is incorporated in, and maintains a primary place of business in, the United States; or

“(II) in the case of an individual, whether participating singly or in a group, is a citizen or permanent resident of the United States;

“(iv) is not a Federal entity or Federal employee acting within the scope of his or her employment; and

“(v) has not received a grant to perform research on the same issue for which the prize is awarded.

“(F) LIABILITY.—

“(i) ASSUMPTION OF RISK.—

“(I) IN GENERAL.—A registered participant shall agree to assume any and all risks and waive claims against the Federal Government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from participation in a competition, whether such injury, death, damage, or loss arises through negligence or otherwise.

“(II) RELATED ENTITY.—In this subparagraph, the term ‘related entity’ means a contractor, subcontractor (at any tier), supplier, user, customer, cooperating party, grantee, investigator, or detailee.

“(ii) FINANCIAL RESPONSIBILITY.—A participant shall obtain liability insurance or demonstrate financial responsibility, in amounts determined by the Secretary, for claims by—

“(I) a third party for death, bodily injury, or property damage, or loss resulting from an activity carried out in connection with participation in a competition, with the Federal Government named as an additional insured under the registered participant’s insurance policy and registered participants agreeing to indemnify the Federal Government against third party claims for damages arising from or related to competition activities; and

“(II) the Federal Government for damage or loss to Government property resulting from such an activity.

“(G) JUDGES.—

“(i) SELECTION.—Subject to clause (iii), for each prize competition, the Secretary, either directly or through an agreement under subparagraph (H), may appoint 1 or more qualified judges to select the winner or winners of the prize competition on the basis of the criteria described in subparagraph (D).

“(ii) SELECTION.—Judges for each competition shall include individuals from outside the Federal Government, including the private sector.

“(iii) LIMITATIONS.—A judge selected under this subparagraph may not—

“(I) have personal or financial interests in, or be an employee, officer, director, or agent of, any entity that is a registered participant in a prize competition under this paragraph; or

“(II) have a familial or financial relationship with an individual who is a registered participant.

“(H) ADMINISTERING THE COMPETITION.—The Secretary may enter into an agreement with a private, nonprofit entity to administer the prize competition, subject to the provisions of this paragraph.

“(I) FUNDING.—

“(i) IN GENERAL.—

“(I) PRIVATE SECTOR FUNDING.—A cash prize under this paragraph may consist of funds appropriated by the Federal Government and funds provided by the private sector.

“(II) GOVERNMENT FUNDING.—The Secretary may accept funds from other Federal agencies, State and local governments, and metropolitan planning organizations for a cash prize under this paragraph.

“(III) NO SPECIAL CONSIDERATION.—The Secretary may not give any special consideration to any private sector entity in return for a donation under this subparagraph.

“(ii) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, amounts

appropriated for prize awards under this paragraph—

“(I) shall remain available until expended; and

“(II) may not be transferred, reprogrammed, or expended for other purposes until after the expiration of the 10-year period beginning on the last day of the fiscal year for which the funds were originally appropriated.

“(iii) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to permit the obligation or payment of funds in violation of the Anti-Deficiency Act (31 U.S.C. 1341).

“(iv) PRIZE ANNOUNCEMENT.—A prize may not be announced under this paragraph until all the funds needed to pay out the announced amount of the prize have been appropriated by a governmental source or committed to in writing by a private source.

“(v) PRIZE INCREASES.—The Secretary may increase the amount of a prize after the initial announcement of the prize under this paragraph if—

“(I) notice of the increase is provided in the same manner as the initial notice of the prize; and

“(II) the funds needed to pay out the announced amount of the increase have been appropriated by a governmental source or committed to in writing by a private source.

“(vi) CONGRESSIONAL NOTIFICATION.—A prize competition under this paragraph may offer a prize in an amount greater than \$1,000,000 only after 30 days have elapsed after written notice has been transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives.

“(vii) AWARD LIMIT.—A prize competition under this section may not result in the award of more than \$25,000 in cash prizes without the approval of the Secretary.

“(J) COMPLIANCE WITH EXISTING LAW.—The Federal Government shall not, by virtue of offering or providing a prize under this paragraph, be responsible for compliance by registered participants in a prize competition with Federal law, including licensing, export control, and non-proliferation laws, and related regulations.

“(K) NOTICE AND ANNUAL REPORT.—

“(i) IN GENERAL.—Not later than 30 days prior to carrying out an activity under subparagraph (A), the Secretary shall notify the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate of the intent to use such authority.

“(ii) REPORTS.—

“(I) IN GENERAL.—The Secretary shall submit to the committees described in clause (i) on an annual basis a report on the activities carried out under subparagraph (A) in the preceding fiscal year if the Secretary exercised the authority under subparagraph (A) in that fiscal year.

“(II) INFORMATION INCLUDED.—A report under this subparagraph shall include, for each prize competition under subparagraph (A)—

“(aa) a description of the proposed goals of the prize competition;

“(bb) an analysis of why the use of the authority under subparagraph (A) was the preferable method of achieving the goals described in item (aa) as opposed to other authorities available to the Secretary, such as contracts, grants, and cooperative agreements;

“(cc) the total amount of cash prizes awarded for each prize competition, including a description of the amount of private funds contributed to the program, the source of such funds, and the manner in which the amounts of cash prizes awarded and claimed were allocated among the accounts of the Department for recording as obligations and expenditures;

“(dd) the methods used for the solicitation and evaluation of submissions under each prize

competition, together with an assessment of the effectiveness of such methods and lessons learned for future prize competitions;

“(ee) a description of the resources, including personnel and funding, used in the execution of each prize competition together with a detailed description of the activities for which such resources were used and an accounting of how funding for execution was allocated among the accounts of the agency for recording as obligations and expenditures; and

“(ff) a description of how each prize competition advanced the mission of the Department.”;

(4) in subsection (c)—

(A) in paragraph (3)(A)—

(i) by striking “subsection” and inserting “chapter”; and

(ii) by striking “50” and inserting “80”; and (B) in paragraph (4) by striking “subsection” and inserting “chapter”; and

(5) by striking subsections (d) through (j).

(b) CONFORMING AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by striking the item relating to section 502 and inserting the following:

“502. Surface transportation research, development, and technology.”

SEC. 52003. RESEARCH AND TECHNOLOGY DEVELOPMENT AND DEPLOYMENT.

(a) IN GENERAL.—Section 503 of title 23, United States Code, is amended to read as follows:

“§503. Research and technology development and deployment

“(a) IN GENERAL.—The Secretary shall—

“(1) carry out research, development, and deployment activities that encompass the entire innovation lifecycle; and

“(2) ensure that all research carried out under this section aligns with the transportation research and development strategic plan of the Secretary under section 508.

“(b) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—

“(1) OBJECTIVES.—In carrying out the highway research and development program, the Secretary, to address current and emerging highway transportation needs, shall—

“(A) identify research topics;

“(B) coordinate research and development activities;

“(C) carry out research, testing, and evaluation activities; and

“(D) provide technology transfer and technical assistance.

“(2) IMPROVING HIGHWAY SAFETY.—

“(A) IN GENERAL.—The Secretary shall carry out research and development activities from an integrated perspective to establish and implement systematic measures to improve highway safety.

“(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities—

“(i) to achieve greater long-term safety gains;

“(ii) to reduce the number of fatalities and serious injuries on public roads;

“(iii) to fill knowledge gaps that limit the effectiveness of research;

“(iv) to support the development and implementation of State strategic highway safety plans;

“(v) to advance improvements in, and use of, performance prediction analysis for decision-making; and

“(vi) to expand technology transfer to partners and stakeholders.

“(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

“(i) safety assessments and decisionmaking tools;

“(ii) data collection and analysis;

“(iii) crash reduction projections;

“(iv) low-cost safety countermeasures;

“(v) innovative operational improvements and designs of roadway and roadside features;

“(vi) evaluation of countermeasure costs and benefits;

“(vii) development of tools for projecting impacts of safety countermeasures;

“(viii) rural road safety measures;

“(ix) safety measures for vulnerable road users, including bicyclists and pedestrians;

“(x) safety policy studies;

“(xi) human factors studies and measures;

“(xii) safety technology deployment;

“(xiii) safety workforce professional capacity building initiatives;

“(xiv) safety program and process improvements; and

“(xv) tools and methods to enhance safety performance, including achievement of statewide safety performance targets.

“(3) IMPROVING INFRASTRUCTURE INTEGRITY.—

“(A) IN GENERAL.—The Secretary shall carry out and facilitate highway and bridge infrastructure research and development activities—

“(i) to maintain infrastructure integrity;

“(ii) to meet user needs; and

“(iii) to link Federal transportation investments to improvements in system performance.

“(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities—

“(i) to reduce the number of fatalities attributable to infrastructure design characteristics and work zones;

“(ii) to improve the safety and security of highway infrastructure;

“(iii) to increase the reliability of lifecycle performance predictions used in infrastructure design, construction, and management;

“(iv) to improve the ability of transportation agencies to deliver projects that meet expectations for timeliness, quality, and cost;

“(v) to reduce user delay attributable to infrastructure system performance, maintenance, rehabilitation, and construction;

“(vi) to improve highway condition and performance through increased use of design, materials, construction, and maintenance innovations;

“(vii) to reduce the environmental impacts of highway infrastructure through innovations in design, construction, operation, preservation, and maintenance; and

“(viii) to study vulnerabilities of the transportation system to seismic activities and extreme events and methods to reduce those vulnerabilities.

“(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

“(i) long-term infrastructure performance programs addressing pavements, bridges, tunnels, and other structures;

“(ii) short-term and accelerated studies of infrastructure performance;

“(iii) research to develop more durable infrastructure materials and systems;

“(iv) advanced infrastructure design methods;

“(v) accelerated highway and bridge construction;

“(vi) performance-based specifications;

“(vii) construction and materials quality assurance;

“(viii) comprehensive and integrated infrastructure asset management;

“(ix) infrastructure safety assurance;

“(x) sustainable infrastructure design and construction;

“(xi) infrastructure rehabilitation and preservation techniques, including techniques to rehabilitate and preserve historic infrastructure;

“(xii) hydraulic, geotechnical, and aerodynamic aspects of infrastructure;

“(xiii) improved highway construction technologies and practices;

“(xiv) improved tools, technologies, and models for infrastructure management, including assessment and monitoring of infrastructure condition;

“(xv) studies to improve flexibility and resiliency of infrastructure systems to withstand climate variability;

“(xvi) studies on the effectiveness of fiber-based additives to improve the durability of sur-

face transportation materials in various geographic regions;

“(xvii) studies of infrastructure resilience and other adaptation measures;

“(xviii) maintenance of seismic research activities, including research carried out in conjunction with other Federal agencies to study the vulnerability of the transportation system to seismic activity and methods to reduce that vulnerability; and

“(xix) technology transfer and adoption of permeable, pervious, or porous paving materials, practices, and systems that are designed to minimize environmental impacts, stormwater runoff, and flooding and to treat or remove pollutants by allowing stormwater to infiltrate through the pavement in a manner similar to predevelopment hydrologic conditions.

“(D) LIFECYCLE COSTS ANALYSIS STUDY.—

“(i) IN GENERAL.—In this subparagraph, the term ‘lifecycle costs analysis’ means a process for evaluating the total economic worth of a usable project segment by analyzing initial costs and discounted future costs, such as maintenance, user, reconstruction, rehabilitation, restoring, and resurfacing costs, over the life of the project segment.

“(ii) STUDY.—The Comptroller General shall conduct a study of the best practices for calculating lifecycle costs and benefits for federally funded highway projects, which shall include, at a minimum, a thorough literature review and a survey of current lifecycle cost practices of State departments of transportation.

“(iii) CONSULTATION.—In carrying out the study, the Comptroller shall consult with, at a minimum—

“(I) the American Association of State Highway and Transportation Officials;

“(II) appropriate experts in the field of lifecycle cost analysis; and

“(III) appropriate industry experts and research centers.

“(E) REPORT.—Not later than 1 year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives a report on the results of the study which shall include—

“(i) a summary of the latest research on lifecycle cost analysis; and

“(ii) recommendations on the appropriate—

“(I) period of analysis;

“(II) design period;

“(III) discount rates; and

“(IV) use of actual material life and maintenance cost data.

“(4) STRENGTHENING TRANSPORTATION PLANNING AND ENVIRONMENTAL DECISIONMAKING.—

“(A) IN GENERAL.—The Secretary may carry out research—

“(i) to minimize the cost of transportation planning and environmental decisionmaking processes;

“(ii) to improve transportation planning and environmental decisionmaking processes; and

“(iii) to minimize the potential impact of surface transportation on the environment.

“(B) OBJECTIVES.—In carrying out this paragraph the Secretary may carry out research and development activities—

“(i) to minimize the cost of highway infrastructure and operations;

“(ii) to reduce the potential impact of highway infrastructure and operations on the environment;

“(iii) to advance improvements in environmental analyses and processes and context sensitive solutions for transportation decisionmaking;

“(iv) to improve construction techniques;

“(v) to accelerate construction to reduce congestion and related emissions;

“(vi) to reduce the impact of highway runoff on the environment;

“(vii) to improve understanding and modeling of the factors that contribute to the demand for transportation; and

“(viii) to improve transportation planning decisionmaking and coordination.

“(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

“(i) creation of models and tools for evaluating transportation measures and transportation system designs, including the costs and benefits;

“(ii) congestion reduction efforts;

“(iii) transportation and economic development planning in rural areas and small communities;

“(iv) improvement of State, local, and tribal government capabilities relating to surface transportation planning and the environment; and

“(v) streamlining of project delivery processes.

“(5) REDUCING CONGESTION, IMPROVING HIGHWAY OPERATIONS, AND ENHANCING FREIGHT PRODUCTIVITY.—

“(A) IN GENERAL.—The Secretary shall carry out research under this paragraph with the goals of—

“(i) addressing congestion problems;

“(ii) reducing the costs of congestion;

“(iii) improving freight movement;

“(iv) increasing productivity; and

“(v) improving the economic competitiveness of the United States.

“(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities to identify, develop, and assess innovations that have the potential—

“(i) to reduce traffic congestion;

“(ii) to improve freight movement; and

“(iii) to reduce freight-related congestion throughout the transportation network.

“(C) CONTENTS.—Research and technology activities carried out under this paragraph may include—

“(i) active traffic and demand management;

“(ii) acceleration of the implementation of Intelligent Transportation Systems technology;

“(iii) advanced transportation concepts and analysis;

“(iv) arterial management and traffic signal operation;

“(v) congestion pricing;

“(vi) corridor management;

“(vii) emergency operations;

“(viii) research relating to enabling technologies and applications;

“(ix) freeway management;

“(x) evaluation of enabling technologies;

“(xi) impacts of vehicle size and weight on congestion;

“(xii) freight operations and technology;

“(xiii) operations and freight performance measurement and management;

“(xiv) organization and planning for operations;

“(xv) planned special events management;

“(xvi) real-time transportation information;

“(xvii) road weather management;

“(xviii) traffic and freight data and analysis tools;

“(xix) traffic control devices;

“(xx) traffic incident management;

“(xxi) work zone management;

“(xxii) communication of travel, roadway, and emergency information to persons with disabilities;

“(xxiii) research on enhanced mode choice and intermodal connectivity;

“(xxiv) techniques for estimating and quantifying public benefits derived from freight transportation projects; and

“(xxv) other research areas to identify and address emerging needs related to freight transportation by all modes.

“(6) EXPLORATORY ADVANCED RESEARCH.—The Secretary shall carry out research and development activities relating to exploratory advanced research—

“(A) to leverage the targeted capabilities of the Turner-Fairbank Highway Research Center

to develop technologies and innovations of national importance; and

“(B) to develop potentially transformational solutions to improve the durability, efficiency, environmental impact, productivity, and safety aspects of highway and intermodal transportation systems.

“(7) TURNER-FAIRBANK HIGHWAY RESEARCH CENTER.—

“(A) IN GENERAL.—The Secretary shall continue to operate in the Federal Highway Administration a Turner-Fairbank Highway Research Center.

“(B) USES OF THE CENTER.—The Turner-Fairbank Highway Research Center shall support—

“(i) the conduct of highway research and development relating to emerging highway technology;

“(ii) the development of understandings, tools, and techniques that provide solutions to complex technical problems through the development of economical and environmentally sensitive designs, efficient and quality-controlled construction practices, and durable materials;

“(iii) the development of innovative highway products and practices; and

“(iv) the conduct of long-term, high-risk research to improve the materials used in highway infrastructure.

“(8) INFRASTRUCTURE INVESTMENT NEEDS REPORT.—

“(A) IN GENERAL.—Not later than July 31, 2013, and July 31 of every second year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes estimates of the future highway and bridge needs of the United States and the backlog of current highway and bridge needs.

“(B) COMPARISONS.—Each report under subparagraph (A) shall include all information necessary to relate and compare the conditions and service measures used in the previous biennial reports to conditions and service measures used in the current report.

“(C) INCLUSIONS.—Each report under subparagraph (A) shall provide recommendations to Congress on changes to the highway performance monitoring system that address—

“(i) improvements to the quality and standardization of data collection on all functional classifications of Federal-aid highways for accurate system length, lane length, and vehicle-mile of travel; and

“(ii) changes to the reporting requirements authorized under section 315, to reflect recommendations under this paragraph for collection, storage, analysis, reporting, and display of data for Federal-aid highways and, to the maximum extent practical, all public roads.

“(C) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a technology and innovation deployment program relating to all aspects of highway transportation, including planning, financing, operation, structures, materials, pavements, environment, construction, and the duration of time between project planning and project delivery, with the goals of—

“(A) significantly accelerating the adoption of innovative technologies by the surface transportation community;

“(B) providing leadership and incentives to demonstrate and promote state-of-the-art technologies, elevated performance standards, and new business practices in highway construction processes that result in improved safety, faster construction, reduced congestion from construction, and improved quality and user satisfaction;

“(C) constructing longer-lasting highways through the use of innovative technologies and practices that lead to faster construction of efficient and safe highways and bridges;

“(D) improving highway efficiency, safety, mobility, reliability, service life, environmental protection, and sustainability; and

“(E) developing and deploying new tools, techniques, and practices to accelerate the adoption of innovation in all aspects of highway transportation.”

“(2) IMPLEMENTATION.—

“(A) IN GENERAL.—The Secretary shall promote, facilitate, and carry out the program established under paragraph (1) to distribute the products, technologies, tools, methods, or other findings that result from highway research and development activities, including research and development activities carried out under this chapter.

“(B) ACCELERATED INNOVATION DEPLOYMENT.—In carrying out the program established under paragraph (1), the Secretary shall—

“(i) establish and carry out demonstration programs;

“(ii) provide technical assistance, and training to researchers and developers; and

“(iii) develop improved tools and methods to accelerate the adoption of proven innovative practices and technologies as standard practices.

“(C) IMPLEMENTATION OF FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM FINDINGS AND RESULTS.—

“(i) IN GENERAL.—The Secretary, in consultation with the American Association of State Highway and Transportation Officials and the Transportation Research Board of the National Academy of Sciences, shall promote research results and products developed under the future strategic highway research program administered by the Transportation Research Board of the National Academy of Sciences.

“(ii) BASIS FOR FINDINGS.—The activities carried out under this subparagraph shall be based on the report submitted to Congress by the Transportation Research Board of the National Academy of Sciences under section 510(e).

“(iii) PERSONNEL.—The Secretary may use funds made available to carry out this subsection for administrative costs under this subparagraph.

“(3) ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF PAVEMENT TECHNOLOGIES.—

“(A) IN GENERAL.—The Secretary shall establish and implement a program under the technology and innovation deployment program to promote, implement, deploy, demonstrate, showcase, support, and document the application of innovative pavement technologies, practices, performance, and benefits.

“(B) GOALS.—The goals of the accelerated implementation and deployment of pavement technologies program shall include—

“(i) the deployment of new, cost-effective designs, materials, recycled materials, and practices to extend the pavement life and performance and to improve user satisfaction;

“(ii) the reduction of initial costs and lifecycle costs of pavements, including the costs of new construction, replacement, maintenance, and rehabilitation;

“(iii) the deployment of accelerated construction techniques to increase safety and reduce construction time and traffic disruption and congestion;

“(iv) the deployment of engineering design criteria and specifications for new and efficient practices, products, and materials for use in highway pavements;

“(v) the deployment of new nondestructive and real-time pavement evaluation technologies and construction techniques; and

“(vi) effective technology transfer and information dissemination to accelerate implementation of new technologies and to improve life, performance, cost effectiveness, safety, and user satisfaction.

“(C) FUNDING.—The Secretary shall obligate for each of fiscal years 2013 through 2014 from funds made available to carry out this subsection \$12,000,000 to accelerate the deployment and implementation of pavement technology.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by striking the item relating to section 503 and inserting the following:

“503. Research and technology development and deployment.”

SEC. 52004. TRAINING AND EDUCATION.

Section 504 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A) by inserting “and the employees of any other applicable Federal agency” before the semicolon at the end; and

(B) in paragraph (3)(A)(ii)(V) by striking “expediting” and inserting “reducing the amount of time required for”;

(2) in subsection (b) by striking paragraph (3) and inserting the following:

“(3) FEDERAL SHARE.—

“(A) LOCAL TECHNICAL ASSISTANCE CENTERS.—

“(i) IN GENERAL.—Subject to subparagraph (B), the Federal share of the cost of an activity carried out by a local technical assistance center under paragraphs (1) and (2) shall be 50 percent.

“(ii) NON-FEDERAL SHARE.—The non-Federal share of the cost of an activity described in clause (i) may consist of amounts provided to a recipient under subsection (e) or section 505, up to 100 percent of the non-Federal share.

“(B) TRIBAL TECHNICAL ASSISTANCE CENTERS.—The Federal share of the cost of an activity carried out by a tribal technical assistance center under paragraph (2)(D)(ii) shall be 100 percent.”;

(3) in subsection (c)(2)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”;

(B) in subparagraph (A) (as designated by subparagraph (A)) by striking “. The program” and inserting “, which program”;

(C) by adding at the end the following:

“(B) USE OF AMOUNTS.—Amounts provided to institutions of higher education to carry out this paragraph shall be used to provide direct support of student expenses.”;

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking “sections 104(b)(1), 104(b)(2), 104(b)(3), 104(b)(4), and 144(e)” and inserting “paragraphs (1) through (4) of section 104(b)”;

(ii) in subparagraph (D) by striking “and” at the end;

(iii) in subparagraph (E) by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

“(F) activities carried out by the National Highway Institute under subsection (a); and

“(G) local technical assistance programs under subsection (b).”;

(B) in paragraph (2) by inserting “, except for activities carried out under paragraph (1)(G), for which the Federal share shall be 50 percent” before the period at the end;

(5) in subsection (f) in the heading, by striking “PILOT”;

(6) in subsection (g)(4)(F) by striking “excellence” and inserting “stewardship”;

(7) by adding at the end the following:

“(h) CENTERS FOR SURFACE TRANSPORTATION EXCELLENCE.—

“(1) IN GENERAL.—The Secretary shall make grants under this section to establish and maintain centers for surface transportation excellence.

“(2) GOALS.—The goals of a center referred to in paragraph (1) shall be to promote and support strategic national surface transportation programs and activities relating to the work of State departments of transportation in the areas of environment, surface transportation safety, rural safety, and project finance.

“(3) ROLE OF THE CENTERS.—To achieve the goals set forth in paragraph (2), any centers established under paragraph (1) shall provide technical assistance, information sharing of best practices, and training in the use of tools and decisionmaking processes that can assist States in effectively implementing surface transportation programs, projects, and policies.

“(4) PROGRAM ADMINISTRATION.—

“(A) COMPETITION.—A party entering into a contract, cooperative agreement, or other transaction with the Secretary under this subsection, or receiving a grant to perform research or provide technical assistance under this subsection, shall be selected on a competitive basis.

“(B) STRATEGIC PLAN.—The Secretary shall require each center to develop a multiyear strategic plan, that—

“(i) is submitted to the Secretary at such time as the Secretary requires; and

“(ii) describes—

“(I) the activities to be undertaken by the center; and

“(II) how the work of the center will be coordinated with the activities of the Federal Highway Administration and the various other research, development, and technology transfer activities authorized under this chapter.”.

SEC. 52005. STATE PLANNING AND RESEARCH.

Section 505 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1) by striking “section 104 (other than sections 104(f) and 104(h)) and under section 144” and inserting “paragraphs (1) through (4) of section 104(b)”;

(B) in paragraph (3) by striking “under section 303” and inserting “, plans, and processes under sections 119, 148, 149, and 167”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

“(c) IMPLEMENTATION OF FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM FINDINGS AND RESULTS.—

“(1) FUNDS.—A State shall make available to the Secretary to carry out section 503(c)(2)(C) a percentage of funds subject to subsection (a) that are apportioned to that State, that is agreed to by $\frac{3}{4}$ of States for each of fiscal years 2013 and 2014.

“(2) TREATMENT OF FUNDS.—Funds expended under paragraph (1) shall not be considered to be part of the extramural budget of the agency for the purpose of section 9 of the Small Business Act (15 U.S.C. 638).”;

(4) in subsection (e) (as so redesignated) by striking “section 118(b)(2)” and inserting “section 118(b)”.

SEC. 52006. INTERNATIONAL HIGHWAY TRANSPORTATION PROGRAM.

(a) IN GENERAL.—Section 506 of title 23, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by striking the item relating to section 506.

SEC. 52007. SURFACE TRANSPORTATION ENVIRONMENTAL COOPERATIVE RESEARCH PROGRAM.

(a) IN GENERAL.—Section 507 of title 23, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by striking the item relating to section 507.

SEC. 52008. NATIONAL COOPERATIVE FREIGHT RESEARCH.

(a) IN GENERAL.—Section 509 of title 23, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by striking the item relating to section 509.

SEC. 52009. UNIVERSITY TRANSPORTATION CENTERS PROGRAM.

(a) IN GENERAL.—Section 5505 of title 49, United States Code, is amended to read as follows:

“§5505. University transportation centers program

“(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—

“(1) ESTABLISHMENT AND OPERATION.—The Secretary shall make grants under this section to eligible nonprofit institutions of higher education to establish and operate university transportation centers.

“(2) ROLE OF CENTERS.—The role of each university transportation center referred to in paragraph (1) shall be—

“(A) to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology transfer activities;

“(B) to provide for a critical transportation knowledge base outside of the Department of Transportation; and

“(C) to address critical workforce needs and educate the next generation of transportation leaders.

“(b) COMPETITIVE SELECTION PROCESS.—

“(1) APPLICATIONS.—To receive a grant under this section, a nonprofit institution of higher education shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

“(2) RESTRICTION.—A nonprofit institution of higher education or the lead institution of a consortium of nonprofit institutions of higher education, as applicable, that receives a grant for a national transportation center or a regional transportation center in a fiscal year shall not be eligible to receive as a lead institution or member of a consortium an additional grant in that fiscal year for a national transportation center or a regional transportation center.

“(3) COORDINATION.—The Secretary shall solicit grant applications for national transportation centers, regional transportation centers, and Tier 1 university transportation centers with identical advertisement schedules and deadlines.

“(4) GENERAL SELECTION CRITERIA.—

“(A) IN GENERAL.—Except as otherwise provided by this section, the Secretary shall award grants under this section in nonexclusive candidate topic areas established by the Secretary that address the research priorities identified in section 503 of title 23.

“(B) CRITERIA.—The Secretary, in consultation as appropriate with the Administrators of the Federal Highway Administration and the Federal Transit Administration, shall select each recipient of a grant under this section through a competitive process based on the assessment of the Secretary relating to—

“(i) the demonstrated ability of the recipient to address each specific topic area described in the research and strategic plans of the recipient;

“(ii) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;

“(iii) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems;

“(iv) the ability of the recipient to carry out research, education, and technology transfer activities that are multimodal and multidisciplinary in scope;

“(v) the demonstrated commitment of the recipient to carry out transportation workforce development programs through—

“(I) degree-granting programs; and

“(II) outreach activities to attract new entrants into the transportation field;

“(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;

“(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;

“(viii) the strategic plan submitted by the recipient describing the proposed research to be carried out by the recipient and the performance metrics to be used in assessing the performance

of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and

“(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, such as through cost sharing and overall reduced overhead, facilities, and administrative costs.

“(5) TRANSPARENCY.—

“(A) IN GENERAL.—The Secretary shall provide to each applicant, upon request, any materials, including copies of reviews (with any information that would identify a reviewer redacted), used in the evaluation process of the proposal of the applicant.

“(B) REPORTS.—The Secretary shall submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process under paragraph (3) that includes—

“(i) specific criteria of evaluation used in the review;

“(ii) descriptions of the review process; and

“(iii) explanations of the selected awards.

“(6) OUTSIDE STAKEHOLDERS.—The Secretary shall, to the maximum extent practicable, consult external stakeholders such as the Transportation Research Board of the National Academy of Sciences to evaluate and competitively review all proposals.

“(c) GRANTS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012, the Secretary, in consultation as appropriate with the Administrators of the Federal Highway Administration and the Federal Transit Administration, shall select grant recipients under subsection (b) and make grant amounts available to the selected recipients.

“(2) NATIONAL TRANSPORTATION CENTERS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide grants to 5 recipients that the Secretary determines best meet the criteria described in subsection (b)(3).

“(B) RESTRICTIONS.—

“(i) IN GENERAL.—For each fiscal year, a grant made available under this paragraph shall be \$3,000,000 per recipient.

“(ii) FOCUSED RESEARCH.—The grant recipients under this paragraph shall focus research on national transportation issues, as determined by the Secretary.

“(C) MATCHING REQUIREMENT.—

“(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

“(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under section 504(b) or 505 of title 23.

“(3) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—

“(A) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled ‘Standard Federal Regions’ and dated April, 1974 (circular A-105).

“(B) SELECTION CRITERIA.—In conducting a competition under subsection (b), the Secretary shall provide grants to 10 recipients on the basis of—

“(i) the criteria described in subsection (b)(3);

“(ii) the location of the center within the Federal region to be served; and

“(iii) whether the institution (or, in the case of consortium of institutions, the lead institution) demonstrates that the institution has a well-established, nationally recognized program in transportation research and education, as evidenced by—

“(I) recent expenditures by the institution in highway or public transportation research;

“(II) a historical track record of awarding graduate degrees in professional fields closely

related to highways and public transportation; and

“(III) an experienced faculty who specialize in professional fields closely related to highways and public transportation.

“(C) RESTRICTIONS.—For each fiscal year, a grant made available under this paragraph shall be \$2,750,000 for each recipient.

“(D) MATCHING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

“(ii) SOURCES.—The matching amounts referred to in the clause (i) may include amounts made available to the recipient under section 504(b) or 505 of title 23.

“(E) FOCUSED RESEARCH.—The Secretary shall make a grant to 1 of the 10 regional university transportation centers established under this paragraph for the purpose of furthering the objectives described in subsection (a)(2) in the field of comprehensive transportation safety.

“(4) TIER 1 UNIVERSITY TRANSPORTATION CENTERS.—

“(A) IN GENERAL.—The Secretary shall provide grants of \$1,500,000 each to not more than 20 recipients to carry out this paragraph.

“(B) RESTRICTION.—A lead institution of a consortium that receives a grant under paragraph (2) or (3) shall not be eligible to receive a grant under this paragraph.

“(C) MATCHING REQUIREMENT.—

“(i) IN GENERAL.—Subject to clause (iii), as a condition of receiving a grant under this paragraph, a grant recipient shall match 50 percent of the amounts made available under the grant.

“(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under section 504(b) or 505 of title 23.

“(iii) EXEMPTION.—This subparagraph shall not apply on a demonstration of financial hardship by the applicant institution.

“(D) FOCUSED RESEARCH.—In awarding grants under this paragraph, consideration shall be given to minority institutions, as defined by section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k), or consortia that include such institutions that have demonstrated an ability in transportation-related research.

“(d) PROGRAM COORDINATION.—

“(1) IN GENERAL.—The Secretary shall—

“(A) coordinate the research, education, and technology transfer activities carried out by grant recipients under this section; and

“(B) disseminate the results of that research through the establishment and operation of an information clearinghouse.

“(2) ANNUAL REVIEW AND EVALUATION.—Not less frequently than annually, and consistent with the plan developed under section 508 of title 23, the Secretary shall—

“(A) review and evaluate the programs carried out under this section by grant recipients; and

“(B) submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing that review and evaluation.

“(3) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2013 and 2014, the Secretary shall expend not more than 1½ percent of the amounts made available to the Secretary to carry out this section for any coordination, evaluation, and oversight activities of the Secretary under this section.

“(e) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are appropriated.

“(f) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assess-

ment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by striking the item relating to section 5505 and inserting the following:

“5505. University transportation centers program.”

SEC. 52010. UNIVERSITY TRANSPORTATION RESEARCH.

(a) IN GENERAL.—Section 5506 of title 49, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by striking the item relating to section 5506.

SEC. 52011. BUREAU OF TRANSPORTATION STATISTICS.

(a) IN GENERAL.—Subtitle III of title 49, United States Code, is amended by adding at the end the following:

“CHAPTER 63—BUREAU OF TRANSPORTATION STATISTICS

“Sec.

“6301. Definitions.

“6302. Bureau of Transportation Statistics.

“6303. Intermodal transportation database.

“6304. National Transportation Library.

“6305. Advisory council on transportation statistics.

“6306. Transportation statistical collection, analysis, and dissemination.

“6307. Furnishing of information, data, or reports by Federal agencies.

“6308. Proceeds of data product sales.

“6309. National transportation atlas database.

“6310. Limitations on statutory construction.

“6311. Research and development grants.

“6312. Transportation statistics annual report.

“6313. Mandatory response authority for freight data collection.

“§ 6301. Definitions

“In this chapter, the following definitions apply:

“(1) BUREAU.—The term ‘Bureau’ means the Bureau of Transportation Statistics established by section 6302(a).

“(2) DEPARTMENT.—The term ‘Department’ means the Department of Transportation.

“(3) DIRECTOR.—The term ‘Director’ means the Director of the Bureau.

“(4) LIBRARY.—The term ‘Library’ means the National Transportation Library established by section 6304(a).

“(5) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“§ 6302. Bureau of Transportation Statistics

“(a) ESTABLISHMENT.—There is established in the Research and Innovative Technology Administration the Bureau of Transportation Statistics.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The Bureau shall be headed by a Director, who shall be appointed in the competitive service by the Secretary.

“(2) QUALIFICATIONS.—The Director shall be appointed from among individuals who are qualified to serve as the Director by virtue of their training and experience in the collection, analysis, and use of transportation statistics.

“(3) DUTIES.—

“(A) IN GENERAL.—The Director shall—

“(i) serve as the senior advisor to the Secretary on data and statistics; and

“(ii) be responsible for carrying out the duties described in subparagraph (B).

“(B) DUTIES.—The Director shall—

“(i) ensure that the statistics compiled under clause (vi) are designed to support transportation decisionmaking by—

“(I) the Federal Government;

“(II) State and local governments;

“(III) metropolitan planning organizations;

“(IV) transportation-related associations;

“(V) the private sector, including the freight community; and

“(VI) the public;

“(ii) establish on behalf of the Secretary a program—

“(I) to effectively integrate safety data across modes; and

“(II) to address gaps in existing safety data programs of the Department;

“(iii) work with the operating administrations of the Department—

“(I) to establish and implement the data programs of the Bureau; and

“(II) to improve the coordination of information collection efforts with other Federal agencies;

“(iv) continually improve surveys and data collection methods of the Department to improve the accuracy and utility of transportation statistics;

“(v) encourage the standardization of data, data collection methods, and data management and storage technologies for data collected by—

“(I) the Bureau;

“(II) the operating administrations of the Department;

“(III) State and local governments;

“(IV) metropolitan planning organizations; and

“(V) private sector entities;

“(vi) collect, compile, analyze, and publish a comprehensive set of transportation statistics on the performance and impacts of the national transportation system, including statistics on—

“(I) transportation safety across all modes and intermodally;

“(II) the state of good repair of United States transportation infrastructure;

“(III) the extent, connectivity, and condition of the transportation system, building on the national transportation atlas database developed under section 6310;

“(IV) economic efficiency across the entire transportation sector;

“(V) the effects of the transportation system on global and domestic economic competitiveness;

“(VI) demographic, economic, and other variables influencing travel behavior, including choice of transportation mode and goods movement;

“(VII) transportation-related variables that influence the domestic economy and global competitiveness;

“(VIII) economic costs and impacts for passenger travel and freight movement;

“(IX) intermodal and multimodal passenger movement;

“(X) intermodal and multimodal freight movement; and

“(XI) consequences of transportation for the human and natural environment;

“(vii) build and disseminate the transportation layer of the National Spatial Data Infrastructure developed under Executive Order 12906 (59 Fed. Reg. 17671) (or a successor Executive Order), including by coordinating the development of transportation geospatial data standards, compiling intermodal geospatial data, and collecting geospatial data that is not being collected by other entities;

“(viii) issue guidelines for the collection of information by the Department that the Director determines necessary to develop transportation statistics and carry out modeling, economic assessment, and program assessment activities to ensure that such information is accurate, reliable, relevant, uniform, and in a form that permits systematic analysis by the Department;

“(ix) review and report to the Secretary on the sources and reliability of—

“(I) the statistics proposed by the heads of the operating administrations of the Department to measure outputs and outcomes as required by the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285); and

“(II) at the request of the Secretary, any other data collected or statistical information published by the heads of the operating administrations of the Department; and

“(x) ensure that the statistics published under this section are readily accessible to the public,

consistent with applicable security constraints and confidentiality interests.

“(c) ACCESS TO FEDERAL DATA.—In carrying out subsection (b)(3)(B)(ii), the Director shall be given access to all safety data that the Director determines necessary to carry out that subsection that is held by the Department or any other Federal agency upon written request and subject to any statutory or regulatory restrictions.

“§ 6303. Intermodal transportation database

“(a) IN GENERAL.—In consultation with the Under Secretary Transportation for Policy, the Assistant Secretaries of the Department, and the heads of the operating administrations of the Department, the Director shall establish and maintain a transportation database for all modes of transportation.

“(b) USE.—The database established under this section shall be suitable for analyses carried out by the Federal Government, the States, and metropolitan planning organizations.

“(c) CONTENTS.—The database established under this section shall include—

“(1) information on the volumes and patterns of movement of goods, including local, inter-regional, and international movement, by all modes of transportation, intermodal combinations, and relevant classification;

“(2) information on the volumes and patterns of movement of people, including local, inter-regional, and international movements, by all modes of transportation (including bicycle and pedestrian modes), intermodal combinations, and relevant classification;

“(3) information on the location and connectivity of transportation facilities and services; and

“(4) a national accounting of expenditures and capital stocks on each mode of transportation and intermodal combination.

“§ 6304. National Transportation Library

“(a) PURPOSE AND ESTABLISHMENT.—To support the information management and decision-making needs of transportation officials at the Federal, State, and local levels, there is established in the Bureau a National Transportation Library which shall—

“(1) be headed by an individual who is highly qualified in library and information science;

“(2) acquire, preserve, and manage transportation information and information products and services for use by the Department, other Federal agencies, and the general public;

“(3) provide reference and research assistance;

“(4) serve as a central depository for research results and technical publications of the Department;

“(5) provide a central clearinghouse for transportation data and information of the Federal Government;

“(6) serve as coordinator and policy lead for transportation information access;

“(7) provide transportation information and information products and services to—

“(A) the Department;

“(B) other Federal agencies;

“(C) public and private organizations; and

“(D) individuals, within the United States and internationally;

“(8) coordinate efforts among, and cooperate with, transportation libraries, information providers, and technical assistance centers, in conjunction with private industry and other transportation library and information centers, with the goal of developing a comprehensive transportation information and knowledge network that supports the activities described in section 6302(b)(3)(B)(vi); and

“(9) engage in such other activities as the Director determines to be necessary and as the resources of the Library permit.

“(b) ACCESS.—The Director shall facilitate, and promote access to the information products and services described in subsection (a), to improve the ability of the transportation community to share information and the ability

of the Director to make statistics and other information readily accessible as required under section 6302(b)(3)(B)(x).

“(c) AGREEMENTS.—

“(1) IN GENERAL.—To carry out this section, the Director may enter into agreements with, award grants to, and receive amounts from, any—

“(A) State or local government;

“(B) organization;

“(C) business; or

“(D) individual.

“(2) CONTRACTS, GRANTS, AND AGREEMENTS.—The Library may initiate and support specific information and data management, access, and exchange activities in connection with matters relating to the Department’s strategic goals, knowledge networking, and national and international cooperation, by entering into contracts or other agreements or awarding grants for the conduct of such activities.

“(3) AMOUNTS.—Any amounts received by the Library as payment for library products and services or other activities shall be made available to the Director to carry out this section, deposited in the Research and Innovative Technology Administration’s general fund account, and remain available until expended.

“§6305. Advisory council on transportation statistics

“(a) IN GENERAL.—The Director shall establish and consult with an advisory council on transportation statistics.

“(b) FUNCTION.—The advisory council established under this section shall advise the Director on—

“(1) the quality, reliability, consistency, objectivity, and relevance of transportation statistics and analyses collected, supported, or disseminated by the Bureau and the Department; and

“(2) methods to encourage cooperation and interoperability of transportation data collected by the Bureau, the operating administrations of the Department, States, local governments, metropolitan planning organizations, and private sector entities.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The advisory council shall be composed of not fewer than 9 and not more than 11 members appointed by the Director.

“(2) SELECTION.—In selecting members for the advisory council, the Director shall appoint individuals who—

“(A) are not officers or employees of the United States;

“(B) possess expertise in—

“(i) transportation data collection, analysis, or application;

“(ii) economics; or

“(iii) transportation safety; and

“(C) represent a cross section of transportation stakeholders, to the greatest extent possible.

“(d) TERMS OF APPOINTMENT.—

“(1) IN GENERAL.—Except as provided in paragraph (2), members of the advisory council shall be appointed to staggered terms not to exceed 3 years.

“(2) ADDITIONAL TERMS.—A member may be renominated for 1 additional 3-year term.

“(3) CURRENT MEMBERS.—A member serving on an advisory council on transportation statistics on the day before the date of enactment of the Transportation Research and Innovative Technology Act of 2012 shall serve until the end of the appointed term of the member.

“(e) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the advisory council established under this section, except that section 14 of that Act shall not apply.

“§6306. Transportation statistical collection, analysis, and dissemination

“To ensure that all transportation statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Director may—

“(1) use the services, equipment, records, personnel, information, and facilities of other Fed-

eral agencies, or State, local, and private agencies and instrumentalities, subject to the conditions that the applicable agency or instrumentality consents to that use and with or without reimbursement for such use;

“(2) enter into agreements with the agencies and instrumentalities described in paragraph (1) for purposes of data collection and analysis;

“(3) confer and cooperate with foreign governments, international organizations, and State, municipal, and other local agencies;

“(4) request such information, data, and reports from any Federal agency as the Director determines necessary to carry out this chapter;

“(5) encourage replication, coordination, and sharing of information among transportation agencies regarding information systems, information policy, and data; and

“(6) confer and cooperate with Federal statistical agencies as the Director determines necessary to carry out this chapter, including by entering into cooperative data sharing agreements in conformity with all laws and regulations applicable to the disclosure and use of data.

“§6307. Furnishing of information, data, or reports by Federal agencies

“(a) IN GENERAL.—Except as provided in subsection (b), a Federal agency requested to furnish information, data, or reports by the Director under section 6302(b)(3)(B) shall provide the information to the Director.

“(b) PROHIBITION ON CERTAIN DISCLOSURES.—

“(1) IN GENERAL.—An officer, employee, or contractor of the Bureau may not—

“(A) make any disclosure in which the data provided by an individual or organization under section 6302(b)(3)(B) can be identified;

“(B) use the information provided under section 6302(b)(3)(B) for a nonstatistical purpose; or

“(C) permit anyone other than an individual authorized by the Director to examine any individual report provided under section 6302(b)(3)(B).

“(2) COPIES OF REPORTS.—

“(A) IN GENERAL.—No department, bureau, agency, officer, or employee of the United States (except the Director in carrying out this chapter) may require, for any reason, a copy of any report that has been filed under section 6302(b)(3)(B) with the Bureau or retained by an individual respondent.

“(B) LIMITATION ON JUDICIAL PROCEEDINGS.—A copy of a report described in subparagraph (A) that has been retained by an individual respondent or filed with the Bureau or any of the employees, contractors, or agents of the Bureau—

“(i) shall be immune from legal process; and

“(ii) shall not, without the consent of the individual concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceedings.

“(C) APPLICABILITY.—This paragraph shall apply only to reports that permit information concerning an individual or organization to be reasonably determined by direct or indirect means.

“(3) INFORMING RESPONDENT OF USE OF DATA.—If the Bureau is authorized by statute to collect data or information for a nonstatistical purpose, the Director shall clearly distinguish the collection of the data or information, by rule and on the collection instrument, in a manner that informs the respondent who is requested or required to supply the data or information of the nonstatistical purpose.

“(c) TRANSPORTATION AND TRANSPORTATION-RELATED DATA ACCESS.—The Director shall be provided access to any transportation and transportation-related information in the possession of any Federal agency, except—

“(1) information that is expressly prohibited by law from being disclosed to another Federal agency; or

“(2) information that the agency possessing the information determines could not be dis-

closed without significantly impairing the discharge of authorities and responsibilities which have been delegated to, or vested by law, in such agency.

“§6308. Proceeds of data product sales

“Notwithstanding section 3302 of title 31, amounts received by the Bureau from the sale of data products for necessary expenses incurred may be credited to the Highway Trust Fund (other than the Mass Transit Account) for the purpose of reimbursing the Bureau for those expenses.

“§6309. National transportation atlas database

“(a) IN GENERAL.—The Director shall develop and maintain a national transportation atlas database that is comprised of geospatial databases that depict—

“(1) transportation networks;

“(2) flows of people, goods, vehicles, and craft over the transportation networks; and

“(3) social, economic, and environmental conditions that affect or are affected by the transportation networks.

“(b) INTERMODAL NETWORK ANALYSIS.—The databases referred to in subsection (a) shall be capable of supporting intermodal network analysis.

“§6310. Limitations on statutory construction

“Nothing in this chapter—

“(1) authorizes the Bureau to require any other Federal agency to collect data; or

“(2) alters or diminishes the authority of any other officer of the Department to collect and disseminate data independently.

“§6311. Research and development grants

“The Secretary may make grants to, or enter into cooperative agreements or contracts with, public and nonprofit private entities (including State transportation departments, metropolitan planning organizations, and institutions of higher education) for—

“(1) investigation of the subjects described in section 6302(b)(3)(B)(vi);

“(2) research and development of new methods of data collection, standardization, management, integration, dissemination, interpretation, and analysis;

“(3) demonstration programs by States, local governments, and metropolitan planning organizations to coordinate data collection, reporting, management, storage, and archiving to simplify data comparisons across jurisdictions;

“(4) development of electronic clearinghouses of transportation data and related information, as part of the Library; and

“(5) development and improvement of methods for sharing geographic data, in support of the database under section 6310 and the National Spatial Data Infrastructure developed under Executive Order 12906 (59 Fed. Reg. 17671) (or a successor Executive Order).

“§6312. Transportation statistics annual report

“The Director shall submit to the President and Congress a transportation statistics annual report, which shall include—

“(1) information on the progress of the Director in carrying out the duties described in section 6302(b)(3)(B);

“(2) documentation of the methods used to obtain and ensure the quality of the statistics presented in the report; and

“(3) any recommendations of the Director for improving transportation statistical information.

“§6313. Mandatory response authority for freight data collection

“(a) FREIGHT DATA COLLECTION.—

“(1) IN GENERAL.—An owner, official, agent, person in charge, or assistant to the person in charge of a freight corporation, company, business, institution, establishment, or organization described in paragraph (2) shall be fined in accordance with subsection (b) if that individual neglects or refuses, when requested by the Di-

rector or other authorized officer, employee, or contractor of the Bureau to submit data under section 6302(b)(3)(B)—

“(A) to answer completely and correctly to the best knowledge of that individual all questions relating to the corporation, company, business, institution, establishment, or other organization; or

“(B) to make available records or statistics in the official custody of the individual.

“(2) DESCRIPTION OF ENTITIES.—A freight corporation, company, business, institution, establishment, or organization referred to in paragraph (1) is a corporation, company, business, institution, establishment, or organization that—

“(A) receives Federal funds relating to the freight program; and

“(B) has consented to be subject to a fine under this subsection—

“(i) refusal to supply any data requested; or

“(ii) failure to respond to a written request.

“(b) FINES.—

“(1) IN GENERAL.—Subject to paragraph (2), an individual described in subsection (a) shall be fined not more than \$500.

“(2) WILLFUL ACTIONS.—If an individual willfully gives a false answer to a question described in subsection (a)(1), the individual shall be fined not more than \$10,000.”

(b) RULES OF CONSTRUCTION.—If the provisions of section 111 of title 49, United States Code, are transferred to chapter 63 of that title, the following rules of construction apply:

(1) For purposes of determining whether 1 provision of law supersedes another based on enactment later in time, a chapter 63 provision is deemed to have been enacted on the date of enactment of the corresponding section 111 provision.

(2) A reference to a section 111 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding chapter 63 provision.

(3) A regulation, order, or other administrative action in effect under a section 111 provision continues in effect under the corresponding chapter 63 provision.

(4) An action taken or an offense committed under a section 111 provision is deemed to have been taken or committed under the corresponding chapter 63 provision.

(c) CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 111 of title 49, United States Code, is repealed, and the item relating to section 111 in the analysis for chapter 1 of that title is deleted.

(2) ANALYSIS FOR SUBTITLE III.—The analysis for subtitle III of title 49, United States Code, is amended by inserting after the items for chapter 61 the following:

“CHAPTER 63—BUREAU OF TRANSPORTATION STATISTICS.”

SEC. 52012. ADMINISTRATIVE AUTHORITY.

Section 112 of title 49, United States Code, is amended by adding at the end the following:

“(f) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2013 and 2014, the Administrator is authorized to expend not more than 1½ percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Research and Innovative Technology Administration for the coordination, evaluation, and oversight of the programs administered by the Administration.

“(g) COLLABORATIVE RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—To encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology, the Administrator may carry out, on a cost-shared basis, collaborative research and development with—

“(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

“(B) Federal laboratories; and

“(C) other Federal agencies.

“(2) COOPERATION, GRANTS, CONTRACTS, AND AGREEMENTS.—Notwithstanding any other provision of law, the Administrator may directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

“(3) FEDERAL SHARE.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Federal share of the cost of an activity carried out under paragraph (2) shall not exceed 50 percent.

“(B) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

“(C) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in subparagraph (A).

“(4) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this subsection, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

“(5) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.”

SEC. 52013. TRANSPORTATION RESEARCH AND DEVELOPMENT STRATEGIC PLAN- NING.

Section 508(a) of title 23, United States Code, is amended—

(1) in paragraph (1), by striking “SAFETEA-LU” and inserting “Transportation Research and Innovative Technology Act of 2012”; and

(2) in paragraph (2), by striking subparagraph (A) and inserting the following:

“(A) describe the primary purposes of the transportation research and development program, which shall include, at a minimum—

“(i) promoting safety;

“(ii) reducing congestion and improving mobility;

“(iii) preserving the environment;

“(iv) preserving the existing transportation system;

“(v) improving the durability and extending the life of transportation infrastructure; and

“(vi) improving goods movement.”

TITLE III—INTELLIGENT TRANSPORTATION SYSTEMS RESEARCH SEC. 53001. USE OF FUNDS FOR ITS ACTIVITIES.

Section 513 of title 23, United States Code, is amended to read as follows:

“§513. Use of funds for ITS activities

“(a) DEFINITIONS.—In this section, the following definitions apply:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government, tribal government, transit agency, public toll authority, metropolitan planning organization, other political subdivision of a State or local government, or a multistate or multijurisdictional group applying through a single lead applicant.

“(2) MULTIJURISDICTIONAL GROUP.—The term ‘multijurisdictional group’ means a combination of State governments, local governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State that—

“(A) have signed a written agreement to implement an activity that meets the grant criteria under this section; and

“(B) is comprised of at least 2 members, each of whom is an eligible entity.

“(b) PURPOSE.—The purpose of this section is to develop, administer, communicate, and promote the use of products of research, technology, and technology transfer programs.

“(c) ITS ADOPTION.—

“(1) INNOVATIVE TECHNOLOGIES AND STRATEGIES.—The Secretary shall encourage the deployment of ITS technologies that will improve the performance of the National Highway System in such areas as traffic operations, emergency response, incident management, surface transportation network management, freight management, traffic flow information, and congestion management by accelerating the adoption of innovative technologies through the use of—

“(A) demonstration programs;

“(B) grant funding;

“(C) incentives to eligible entities; and

“(D) other tools, strategies, or methods that will result in the deployment of innovative ITS technologies.

“(2) COMPREHENSIVE PLAN.—To carry out this section, the Secretary shall develop a detailed and comprehensive plan that addresses the manner in which incentives may be adopted, as appropriate, through the existing deployment activities carried out by surface transportation modal administrations.”

SEC. 53002. GOALS AND PURPOSES.

(a) IN GENERAL.—Chapter 5 of title 23, United States Code, is amended by adding after section 513 the following:

“§514. Goals and purposes

“(a) GOALS.—The goals of the intelligent transportation system program include—

“(1) enhancement of surface transportation efficiency and facilitation of intermodalism and international trade to enable existing facilities to meet a significant portion of future transportation needs, including public access to employment, goods, and services and to reduce regulatory, financial, and other transaction costs to public agencies and system users;

“(2) achievement of national transportation safety goals, including enhancement of safe operation of motor vehicles and nonmotorized vehicles and improved emergency response to collisions, with particular emphasis on decreasing the number and severity of collisions;

“(3) protection and enhancement of the natural environment and communities affected by surface transportation, with particular emphasis on assisting State and local governments to achieve national environmental goals;

“(4) accommodation of the needs of all users of surface transportation systems, including operators of commercial motor vehicles, passenger motor vehicles, motorcycles, bicycles, and pedestrians (including individuals with disabilities); and

“(5) enhancement of national defense mobility and improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters.

“(b) PURPOSES.—The Secretary shall implement activities under the intelligent transportation system program, at a minimum—

“(1) to expedite, in both metropolitan and rural areas, deployment and integration of intelligent transportation systems for consumers of passenger and freight transportation;

“(2) to ensure that Federal, State, and local transportation officials have adequate knowledge of intelligent transportation systems for consideration in the transportation planning process;

“(3) to improve regional cooperation and operations planning for effective intelligent transportation system deployment;

“(4) to promote the innovative use of private resources in support of intelligent transportation system development;

“(5) to facilitate, in cooperation with the motor vehicle industry, the introduction of vehicle-based safety enhancing systems;

“(6) to support the application of intelligent transportation systems that increase the safety and efficiency of commercial motor vehicle operations;

“(7) to develop a workforce capable of developing, operating, and maintaining intelligent transportation systems;

“(8) to provide continuing support for operations and maintenance of intelligent transportation systems; and

“(9) to ensure a systems approach that includes cooperation among vehicles, infrastructure, and users.”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 5 of title 23, United States Code, is amended by adding after the item relating to section 513 the following:

“514. Goals and purposes.”.

SEC. 53003. GENERAL AUTHORITIES AND REQUIREMENTS.

(a) **IN GENERAL.**—Chapter 5 of title 23, United States Code, is amended by adding after section 514 (as added by section 53002) the following:

“§515. General authorities and requirements

“(a) **SCOPE.**—Subject to the provisions of this chapter, the Secretary shall conduct an ongoing intelligent transportation system program—

“(1) to research, develop, and operationally test intelligent transportation systems; and

“(2) to provide technical assistance in the nationwide application of those systems as a component of the surface transportation systems of the United States.

“(b) **POLICY.**—Intelligent transportation system research projects and operational tests funded pursuant to this chapter shall encourage and not displace public-private partnerships or private sector investment in those tests and projects.

“(c) **COOPERATION WITH GOVERNMENTAL, PRIVATE, AND EDUCATIONAL ENTITIES.**—The Secretary shall carry out the intelligent transportation system program in cooperation with State and local governments and other public entities, the private sector firms of the United States, the Federal laboratories, and institutions of higher education, including historically Black colleges and universities and other minority institutions of higher education.

“(d) **CONSULTATION WITH FEDERAL OFFICIALS.**—In carrying out the intelligent transportation system program, the Secretary shall consult with the heads of other Federal agencies, as appropriate.

“(e) **TECHNICAL ASSISTANCE, TRAINING, AND INFORMATION.**—The Secretary may provide technical assistance, training, and information to State and local governments seeking to implement, operate, maintain, or evaluate intelligent transportation system technologies and services.

“(f) **TRANSPORTATION PLANNING.**—The Secretary may provide funding to support adequate consideration of transportation systems management and operations, including intelligent transportation systems, within metropolitan and statewide transportation planning processes.

“(g) **INFORMATION CLEARINGHOUSE.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) maintain a repository for technical and safety data collected as a result of federally sponsored projects carried out under this chapter; and

“(B) make, on request, that information (except for proprietary information and data) readily available to all users of the repository at an appropriate cost.

“(2) **AGREEMENT.**—

“(A) **IN GENERAL.**—The Secretary may enter into an agreement with a third party for the maintenance of the repository for technical and safety data under paragraph (1)(A).

“(B) **FEDERAL FINANCIAL ASSISTANCE.**—If the Secretary enters into an agreement with an entity for the maintenance of the repository, the entity shall be eligible for Federal financial assistance under this section.

“(3) **AVAILABILITY OF INFORMATION.**—Information in the repository shall not be subject to sections 552 and 555 of title 5, United States Code.

“(h) **ADVISORY COMMITTEE.**—

“(1) **IN GENERAL.**—The Secretary shall establish an Advisory Committee to advise the Secretary on carrying out this chapter.

“(2) **MEMBERSHIP.**—The Advisory Committee shall have no more than 20 members, be balanced between metropolitan and rural interests, and include, at a minimum—

“(A) a representative from a State highway department;

“(B) a representative from a local highway department who is not from a metropolitan planning organization;

“(C) a representative from a State, local, or regional transit agency;

“(D) a representative from a metropolitan planning organization;

“(E) a private sector user of intelligent transportation system technologies;

“(F) an academic researcher with expertise in computer science or another information science field related to intelligent transportation systems, and who is not an expert on transportation issues;

“(G) an academic researcher who is a civil engineer;

“(H) an academic researcher who is a social scientist with expertise in transportation issues;

“(I) a representative from a nonprofit group representing the intelligent transportation system industry;

“(J) a representative from a public interest group concerned with safety;

“(K) a representative from a public interest group concerned with the impact of the transportation system on land use and residential patterns; and

“(L) members with expertise in planning, safety, telecommunications, utilities, and operations.

“(3) **DUTIES.**—The Advisory Committee shall, at a minimum, perform the following duties:

“(A) Provide input into the development of the intelligent transportation system aspects of the strategic plan under section 508.

“(B) Review, at least annually, areas of intelligent transportation systems research being considered for funding by the Department, to determine—

“(i) whether these activities are likely to advance either the state-of-the-practice or state-of-the-art in intelligent transportation systems;

“(ii) whether the intelligent transportation system technologies are likely to be deployed by users, and if not, to determine the barriers to deployment; and

“(iii) the appropriate roles for government and the private sector in investing in the research and technologies being considered.

“(4) **REPORT.**—Not later than February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012, the Secretary shall submit to Congress a report that includes—

“(A) all recommendations made by the Advisory Committee during the preceding calendar year;

“(B) an explanation of the manner in which the Secretary has implemented those recommendations; and

“(C) for recommendations not implemented, the reasons for rejecting the recommendations.

“(5) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Advisory Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

“(i) **REPORTING.**—

“(1) **GUIDELINES AND REQUIREMENTS.**—

“(A) **IN GENERAL.**—The Secretary shall issue guidelines and requirements for the reporting and evaluation of operational tests and deployment projects carried out under this chapter.

“(B) **OBJECTIVITY AND INDEPENDENCE.**—The guidelines and requirements issued under subparagraph (A) shall include provisions to ensure

the objectivity and independence of the reporting entity so as to avoid any real or apparent conflict of interest or potential influence on the outcome by parties to any such test or deployment project or by any other formal evaluation carried out under this chapter.

“(C) **FUNDING.**—The guidelines and requirements issued under subparagraph (A) shall establish reporting funding levels based on the size and scope of each test or project that ensure adequate reporting of the results of the test or project.

“(2) **SPECIAL RULE.**—Any survey, questionnaire, or interview that the Secretary considers necessary to carry out the reporting of any test, deployment project, or program assessment activity under this chapter shall not be subject to chapter 35 of title 44, United States Code.”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 5 of title 23, United States Code, is amended by adding after the item relating to section 514 (as added by section 53002) the following:

“515. General authorities and requirements.”.

SEC. 53004. RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—Chapter 5 of title 23, United States Code, is amended by adding after section 515 (as added by section 53003) the following:

“§516. Research and development

“(a) **IN GENERAL.**—The Secretary shall carry out a comprehensive program of intelligent transportation system research and development, and operational tests of intelligent vehicles, intelligent infrastructure systems, and other similar activities that are necessary to carry out this chapter.

“(b) **PRIORITY AREAS.**—Under the program, the Secretary shall give higher priority to funding projects that—

“(1) enhance mobility and productivity through improved traffic management, incident management, transit management, freight management, road weather management, toll collection, traveler information, or highway operations systems and remote sensing products;

“(2) use interdisciplinary approaches to develop traffic management strategies and tools to address multiple impacts of congestion concurrently;

“(3) address traffic management, incident management, transit management, toll collection traveler information, or highway operations systems;

“(4) incorporate research on the potential impact of environmental, weather, and natural conditions on intelligent transportation systems, including the effects of cold climates;

“(5) enhance intermodal use of intelligent transportation systems for diverse groups, including for emergency and health-related services;

“(6) enhance safety through improved crash avoidance and protection, crash and other notification, commercial motor vehicle operations, and infrastructure-based or cooperative safety systems; or

“(7) facilitate the integration of intelligent infrastructure, vehicle, and control technologies.

“(c) **FEDERAL SHARE.**—The Federal share payable on account of any project or activity carried out under subsection (a) shall not exceed 80 percent.”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 5 of title 23, United States Code, is amended by adding after the item relating to section 515 (as added by section 53003) the following:

“516. Research and development.”.

SEC. 53005. NATIONAL ARCHITECTURE AND STANDARDS.

(a) **IN GENERAL.**—Chapter 5 of title 23, United States Code, is amended by adding after section 516 (as added by section 53004) the following:

“§517. National architecture and standards

“(a) **IN GENERAL.**—

“(1) **DEVELOPMENT, IMPLEMENTATION, AND MAINTENANCE.**—In accordance with section 12(d)

of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note; 110 Stat. 783; 115 Stat. 1241), the Secretary shall develop and maintain a national ITS architecture and supporting ITS standards and protocols to promote the use of systems engineering methods in the widespread deployment and evaluation of intelligent transportation systems as a component of the surface transportation systems of the United States.

“(2) **INTEROPERABILITY AND EFFICIENCY.**—To the maximum extent practicable, the national ITS architecture and supporting ITS standards and protocols shall promote interoperability among, and efficiency of, intelligent transportation systems and technologies implemented throughout the United States.

“(3) **USE OF STANDARDS DEVELOPMENT ORGANIZATIONS.**—In carrying out this section, the Secretary shall support the development and maintenance of standards and protocols using the services of such standards development organizations as the Secretary determines to be necessary and whose memberships are comprised of, and represent, the surface transportation and intelligent transportation systems industries.

“(b) **STANDARDS FOR NATIONAL POLICY IMPLEMENTATION.**—If the Secretary finds that a standard is necessary for implementation of a nationwide policy relating to user fee collection or other capability requiring nationwide uniformity, the Secretary, after consultation with stakeholders, may establish and require the use of that standard.

“(c) **PROVISIONAL STANDARDS.**—

“(1) **IN GENERAL.**—If the Secretary finds that the development or balloting of an intelligent transportation system standard jeopardizes the timely achievement of the objectives described in subsection (a), the Secretary may establish a provisional standard, after consultation with affected parties, using, to the maximum extent practicable, the work product of appropriate standards development organizations.

“(2) **PERIOD OF EFFECTIVENESS.**—A provisional standard established under paragraph (1) shall be published in the Federal Register and remain in effect until the appropriate standards development organization adopts and publishes a standard.

“(d) **CONFORMITY WITH NATIONAL ARCHITECTURE.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary shall ensure that intelligent transportation system projects carried out using amounts made available from the Highway Trust Fund, including amounts made available to deploy intelligent transportation systems, conform to the appropriate regional ITS architecture, applicable standards, and protocols developed under subsection (a) or (c).

“(2) **DISCRETION OF THE SECRETARY.**—The Secretary, at the discretion of the Secretary, may offer an exemption from paragraph (1) for projects designed to achieve specific research objectives outlined in the national intelligent transportation system program plan or the surface transportation research and development strategic plan developed under section 508.”

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 5 of title 23, United States Code, is amended by adding after the item relating to section 516 (as added by section 53004) the following:

“517. National architecture and standards.”

SEC. 53006. VEHICLE-TO-VEHICLE AND VEHICLE-TO-INFRASTRUCTURE COMMUNICATIONS SYSTEMS DEPLOYMENT.

(a) **IN GENERAL.**—Chapter 5 of title 23, United States Code, is amended by adding after section 517 (as added by section 53005) the following:

“§518. Vehicle-to-vehicle and vehicle-to-infrastructure communications systems deployment

“(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to the Committees on Commerce, Science, and Transportation and En-

vironment and Public Works of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology of the House of Representatives that—

“(1) assesses the status of dedicated short-range communications technology and applications developed through research and development;

“(2) analyzes the known and potential gaps in short-range communications technology and applications;

“(3) defines a recommended implementation path for dedicated short-range communications technology and applications that—

“(A) is based on the assessment described in paragraph (1); and

“(B) takes into account the analysis described in paragraph (2);

“(4) includes guidance on the relationship of the proposed deployment of dedicated short-range communications to the National ITS Architecture and ITS Standards; and

“(5) ensures competition by not preferencing the use of any particular frequency for vehicle to infrastructure operations.

“(b) **REPORT REVIEW.**—The Secretary shall enter into agreements with the National Research Council and an independent third party with subject matter expertise for the review of the report described in subsection (a).”

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 5 of title 23, United States Code, is amended by adding after section 517 (as added by section 53005) the following:

“518. Vehicle-to-vehicle and vehicle-to-infrastructure communications systems deployment.”

DIVISION F—MISCELLANEOUS

TITLE I—REAUTHORIZATION OF CERTAIN PROGRAMS

Subtitle A—Secure Rural Schools and Community Self-determination Program

SEC. 100101. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) **AMENDMENTS.**—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) is amended—

(1) in section 3(11)—

(A) in subparagraph (A), by striking “and” after the semicolon at the end;

(B) in subparagraph (B)—

(i) by striking “fiscal year 2009 and each fiscal year thereafter” and inserting “each of fiscal years 2009 through 2011”; and

(ii) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) for fiscal year 2012 and each fiscal year thereafter, the amount that is equal to 95 percent of the full funding amount for the preceding fiscal year.”

(2) in sections 101, 102, 203, 207, 208, 304, and 402, by striking “2011” each place it appears and inserting “2012”;

(3) in section 102—

(A) by striking “2008” each place it appears and inserting “2012”;

(B) in subsection (b)(2)(B), by inserting “in 2012” before “, the election”; and

(C) in subsection (d)—

(i) in paragraph (1)(A), by striking “paragraph (3)(B)” and inserting “subparagraph (D)”; and

(ii) in paragraph (3)—

(I) by striking subparagraph (A) and inserting the following:

“(A) **NOTIFICATION.**—The Governor of each eligible State shall notify the Secretary concerned of an election by an eligible county under this subsection not later than September 30, 2012, and each September 30 thereafter for each succeeding fiscal year.”

(II) by redesignating subparagraph (B) as subparagraph (D) and moving the subparagraph so as to appear at the end of paragraph (1) of subsection (d); and

(III) by inserting after subparagraph (A) the following:

“(B) **FAILURE TO ELECT.**—If the Governor of an eligible State fails to notify the Secretary concerned of the election for an eligible county by the date specified in subparagraph (A)—

“(i) the eligible county shall be considered to have elected to expend 80 percent of the funds in accordance with paragraph (1)(A); and

“(ii) the remainder shall be available to the Secretary concerned to carry out projects in the eligible county to further the purpose described in section 202(b).”

(4) in section 103(d)(2), by striking “fiscal year 2011” and inserting “each of fiscal years 2011 and 2012”;

(5) in section 202, by adding at the end the following:

“(c) **ADMINISTRATIVE EXPENSES.**—A resource advisory committee may, in accordance with section 203, propose to use not more than 10 percent of the project funds of an eligible county for any fiscal year for administrative expenses associated with operating the resource advisory committee under this title.”

(6) in section 204(e)(3)(B)(iii), by striking “and 2011” and inserting “through 2012”;

(7) in section 205(a)(4), by striking “2006” each place it appears and inserting “2011”;

(8) in section 208(b), by striking “2012” and inserting “2013”;

(9) in section 302(a)(2)(A), by inserting “and” after the semicolon; and

(10) in section 304(b), by striking “2012” and inserting “2013”.

(b) **FAILURE TO MAKE ELECTION.**—For each county that failed to make an election for fiscal year 2011 in accordance with section 102(d)(3)(A) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(A)), there shall be available to the Secretary of Agriculture to carry out projects to further the purpose described in section 202(b) of that Act (16 U.S.C. 7122(b)), from amounts in the Treasury not otherwise appropriated, the amount that is equal to 15 percent of the total share of the State payment that otherwise would have been made to the county under that Act for fiscal year 2011.

Subtitle B—Payment in Lieu of Taxes Program

SEC. 100111. PAYMENTS IN LIEU OF TAXES.

Section 6906 of title 31, United States Code, is amended by striking “2012” and inserting “2013”.

Subtitle C—Offsets

SEC. 100121. PHASED RETIREMENT AUTHORITY.

(a) **CSRS.**—Chapter 83 of title 5, United States Code, is amended—

(1) in section 8331—

(A) in paragraph (30) by striking “and” at the end;

(B) in paragraph (31) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(32) ‘Director’ means the Director of the Office of Personnel Management.”;

(2) by inserting after section 8336 the following:

“§ 8336a. Phased retirement

“(a) For the purposes of this section—

“(1) the term ‘composite retirement annuity’ means the annuity computed when a phased retiree attains full retirement status;

“(2) the term ‘full retirement status’ means that a phased retiree has ceased employment and is entitled, upon application, to a composite retirement annuity;

“(3) the term ‘phased employment’ means the less-than-full-time employment of a phased retiree;

“(4) the term ‘phased retiree’ means a retirement-eligible employee who—

“(A) makes an election under subsection (b); and

“(B) has not entered full retirement status;

“(5) the term ‘phased retirement annuity’ means the annuity payable under this section before full retirement;

“(6) the term ‘phased retirement percentage’ means the percentage which, when added to the working percentage for a phased retiree, produces a sum of 100 percent;

“(7) the term ‘phased retirement period’ means the period beginning on the date on which an individual becomes entitled to receive a phased retirement annuity and ending on the date on which the individual dies or separates from phased employment;

“(8) the term ‘phased retirement status’ means that a phased retiree is concurrently employed in phased employment and eligible to receive a phased retirement annuity;

“(9) the term ‘retirement-eligible employee’—

“(A) means an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (a) or (b) of section 8336; but

“(B) does not include an employee described in section 8335 after the date on which the employee is required to be separated from the service by reason of such section; and

“(10) the term ‘working percentage’ means the percentage of full-time employment equal to the quotient obtained by dividing—

“(A) the number of hours per pay period to be worked by a phased retiree, as scheduled in accordance with subsection (b)(2); by

“(B) the number of hours per pay period to be worked by an employee serving in a comparable position on a full-time basis.

“(b)(1) With the concurrence of the head of the employing agency, and under regulations promulgated by the Director, a retirement-eligible employee who has been employed on a full-time basis for not less than the 3-year period ending on the date on which the retirement-eligible employee makes an election under this subsection may elect to enter phased retirement status.

“(2)(A) Subject to subparagraph (B), at the time of entering phased retirement status, a phased retiree shall be appointed to a position for which the working percentage is 50 percent.

“(B) The Director may, by regulation, provide for working percentages different from the percentage specified under subparagraph (A), which shall be not less than 20 percent and not more than 80 percent.

“(C) The working percentage for a phased retiree may not be changed during the phased retiree’s retirement period.

“(D)(i) Not less than 20 percent of the hours to be worked by a phased retiree shall consist of mentoring.

“(ii) The Director may, by regulation, provide for exceptions to the requirement under clause (i).

“(iii) Clause (i) shall not apply to a phased retiree serving in the United States Postal Service. Nothing in this clause shall prevent the application of clause (i) or (ii) with respect to a phased retiree serving in the Postal Regulatory Commission.

“(3) A phased retiree—

“(A) may not be employed in more than one position at any time; and

“(B) may transfer to another position in the same or a different agency, only if the transfer does not result in a change in the working percentage.

“(4) A retirement-eligible employee may make not more than one election under this subsection during the retirement-eligible employee’s lifetime.

“(5) A retirement-eligible employee who makes an election under this subsection may not make an election under section 8343a.

“(c)(1) Except as otherwise provided under this subsection, the phased retirement annuity for a phased retiree is the product obtained by multiplying—

“(A) the amount of an annuity computed under section 8339 that would have been payable to the phased retiree if, on the date on which the phased retiree enters phased retirement status, the phased retiree had separated from service and retired under section 8336(a) or (b); by

“(B) the phased retirement percentage for the phased retiree.

“(2) A phased retirement annuity shall be paid in addition to the basic pay for the position to which a phased retiree is appointed during phased employment.

“(3) A phased retirement annuity shall be adjusted in accordance with section 8340.

“(4)(A) A phased retirement annuity shall not be subject to reduction for any form of survivor annuity, shall not serve as the basis of the computation of any survivor annuity, and shall not be subject to any court order requiring a survivor annuity to be provided to any individual.

“(B) A phased retirement annuity shall be subject to a court order providing for division, allotment, assignment, execution, levy, attachment, garnishment, or other legal process on the same basis as other annuities.

“(5) Any reduction of a phased retirement annuity based on an election under section 8334(d)(2) shall be applied to the phased retirement annuity after computation under paragraph (1).

“(6)(A) Any deposit, or election of an actuarial annuity reduction in lieu of a deposit, for military service or for creditable civilian service for which retirement deductions were not made or refunded shall be made by a retirement-eligible employee at or before the time the retirement-eligible employee enters phased retirement status. No such deposit may be made, or actuarial adjustment in lieu thereof elected, at the time a phased retiree enters full retirement status.

“(B) Notwithstanding subparagraph (A), if a phased retiree does not make such a deposit and dies in service as a phased retiree, a survivor of the phased retiree shall have the same right to make such deposit as would have been available had the employee not entered phased retirement status and died in service.

“(C) If a phased retiree makes an election for an actuarial annuity reduction under section 8334(d)(2) and dies in service as a phased retiree, the amount of any deposit upon which such actuarial reduction shall have been based shall be deemed to have been fully paid.

“(7) A phased retirement annuity shall commence on the date on which a phased retiree enters phased employment.

“(8) No unused sick leave credit may be used in the computation of the phased retirement annuity.

“(d) All basic pay not in excess of the full-time rate of pay for the position to which a phased retiree is appointed shall be deemed to be basic pay for purposes of section 8334.

“(e) Under such procedures as the Director may prescribe, a phased retiree may elect to enter full retirement status at any time. Upon making such an election, a phased retiree shall be entitled to a composite retirement annuity.

“(f)(1) Except as provided otherwise under this subsection, a composite retirement annuity is a single annuity computed under regulations prescribed by the Director, equal to the sum of—

“(A) the amount of the phased retirement annuity as of the date of full retirement, before any reduction based on an election under section 8334(d)(2), and including any adjustments made under section 8340; and

“(B) the product obtained by multiplying—

“(i) the amount of an annuity computed under section 8339 that would have been payable at the time of full retirement if the individual had not elected a phased retirement and as if the individual was employed on a full-time basis in the position occupied during the phased retirement period and before any reduction for survivor annuity or reduction based on an election under section 8334(d)(2); by

“(ii) the working percentage.

“(2) After computing a composite retirement annuity under paragraph (1), the Director shall adjust the amount of the annuity for any applicable reductions for a survivor annuity and any previously elected actuarial reduction under section 8334(d)(2).

“(3) A composite retirement annuity shall be adjusted in accordance with section 8340, except that subsection (c)(1) of that section shall not apply.

“(4) In computing a composite retirement annuity under paragraph (1)(B)(i), the unused sick leave to the credit of a phased retiree at the time of entry into full retirement status shall be adjusted by dividing the number of hours of unused sick leave by the working percentage.

“(g)(1) Under such procedures and conditions as the Director may provide, and with the concurrence of the head of the employing agency, a phased retiree may elect to terminate phased retirement status and return to a full-time work schedule.

“(2) Upon entering a full-time work schedule based upon an election under paragraph (1), the phased retirement annuity of a phased retiree shall terminate.

“(3) After the termination of a phased retirement annuity under this subsection, the individual’s rights under this subchapter shall be determined based on the law in effect at the time of any subsequent separation from service. For purposes of this subchapter or chapter 84, at time of the subsequent separation from service, the phased retirement period shall be treated as if it had been a period of part-time employment with the work schedule described in subsection (b)(2).

“(h) For purposes of section 8341—

“(1) the death of a phased retiree shall be deemed to be the death in service of an employee; and

“(2) the phased retirement period shall be deemed to have been a period of part-time employment with the work schedule described in subsection (b)(2).

“(i) Employment of a phased retiree shall not be deemed to be part-time career employment, as defined in section 3401(2).

“(j) A phased retiree is not eligible to apply for an annuity under section 8337.

“(k) For purposes of section 8341(h)(4), retirement shall be deemed to occur on the date on which a phased retiree enters into full retirement status.

“(l) For purposes of sections 8343 and 8351, and subchapter III of chapter 84, a phased retiree shall be deemed to be an employee.

“(m) A phased retiree is not subject to section 8344.

“(n) For purposes of chapter 87, a phased retiree shall be deemed to be receiving basic pay at the rate of a full-time employee in the position to which the phased retiree is appointed.”; and

(3) in the table of sections by inserting after the item relating to section 8336 the following:

“8336a. Phased retirement.”.

(b) FERS.—Chapter 84 of title 5, United States Code, is amended—

(1) by inserting after section 8412 the following new section:

“§8412a. Phased retirement

“(a) For the purposes of this section—

“(1) the term ‘composite retirement annuity’ means the annuity computed when a phased retiree attains full retirement status;

“(2) the term ‘full retirement status’ means that a phased retiree has ceased employment and is entitled, upon application, to a composite retirement annuity;

“(3) the term ‘phased employment’ means the less-than-full-time employment of a phased retiree;

“(4) the term ‘phased retiree’ means a retirement-eligible employee who—

“(A) makes an election under subsection (b); and

“(B) has not entered full retirement status;

“(5) the term ‘phased retirement annuity’ means the annuity payable under this section before full retirement;

“(6) the term ‘phased retirement percentage’ means the percentage which, when added to the working percentage for a phased retiree, produces a sum of 100 percent;

“(7) the term ‘phased retirement period’ means the period beginning on the date on which an individual becomes entitled to receive a phased retirement annuity and ending on the date on which the individual dies or separates from phased employment;

“(8) the term ‘phased retirement status’ means that a phased retiree is concurrently employed in phased employment and eligible to receive a phased retirement annuity;

“(9) the term ‘retirement-eligible employee’—
“(A) means an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (a) or (b) of section 8412; and

“(B) does not include—
“(i) an individual who, if the individual separated from the service, would meet the requirements for retirement under subsection (d) or (e) of section 8412; but

“(ii) does not include an employee described in section 8425 after the date on which the employee is required to be separated from the service by reason of such section; and

“(10) the term ‘working percentage’ means the percentage of full-time employment equal to the quotient obtained by dividing—

“(A) the number of hours per pay period to be worked by a phased retiree, as scheduled in accordance with subsection (b)(2); by

“(B) the number of hours per pay period to be worked by an employee serving in a comparable position on a full-time basis.

“(b)(1) With the concurrence of the head of the employing agency, and under regulations promulgated by the Director, a retirement-eligible employee who has been employed on a full-time basis for not less than the 3-year period ending on the date on which the retirement-eligible employee makes an election under this subsection may elect to enter phased retirement status.

“(2)(A) Subject to subparagraph (B), at the time of entering phased retirement status, a phased retiree shall be appointed to a position for which the working percentage is 50 percent.

“(B) The Director may, by regulation, provide for working percentages different from the percentage specified under subparagraph (A), which shall be not less than 20 percent and not more than 80 percent.

“(C) The working percentage for a phased retiree may not be changed during the phased retiree’s phased retirement period.

“(D)(i) Not less than 20 percent of the hours to be worked by a phased retiree shall consist of mentoring.

“(ii) The Director may, by regulation, provide for exceptions to the requirement under clause (i).

“(iii) Clause (i) shall not apply to a phased retiree serving in the United States Postal Service. Nothing in this clause shall prevent the application of clause (i) or (ii) with respect to a phased retiree serving in the Postal Regulatory Commission.

“(3) A phased retiree—
“(A) may not be employed in more than one position at any time; and

“(B) may transfer to another position in the same or a different agency, only if the transfer does not result in a change in the working percentage.

“(4) A retirement-eligible employee may make not more than one election under this subsection during the retirement-eligible employee’s lifetime.

“(5) A retirement-eligible employee who makes an election under this subsection may not make an election under section 8420a.

“(c)(1) Except as otherwise provided under this subsection, the phased retirement annuity for a phased retiree is the product obtained by multiplying—

“(A) the amount of an annuity computed under section 8415 that would have been payable to the phased retiree if, on the date on which the phased retiree enters phased retirement status, the phased retiree had separated

from service and retired under section 8412 (a) or (b); by

“(B) the phased retirement percentage for the phased retiree.

“(2) A phased retirement annuity shall be paid in addition to the basic pay for the position to which a phased retiree is appointed during the phased employment.

“(3) A phased retirement annuity shall be adjusted in accordance with section 8462.

“(4)(A) A phased retirement annuity shall not be subject to reduction for any form of survivor annuity, shall not serve as the basis of the computation of any survivor annuity, and shall not be subject to any court order requiring a survivor annuity to be provided to any individual.

“(B) A phased retirement annuity shall be subject to a court order providing for division, allotment, assignment, execution, levy, attachment, garnishment, or other legal process on the same basis as other annuities.

“(5)(A) Any deposit, or election of an actuarial annuity reduction in lieu of a deposit, for military service or for creditable civilian service for which retirement deductions were not made or refunded, shall be made by a retirement-eligible employee at or before the time the retirement-eligible employee enters phased retirement status. No such deposit may be made, or actuarial adjustment in lieu thereof elected, at the time a phased retiree enters full retirement status.

“(B) Notwithstanding subparagraph (A), if a phased retiree does not make such a deposit and dies in service as a phased retiree, a survivor of the phased retiree shall have the same right to make such deposit as would have been available had the employee not entered phased retirement status and died in service.

“(6) A phased retirement annuity shall commence on the date on which a phased retiree enters phased employment.

“(7) No unused sick leave credit may be used in the computation of the phased retirement annuity.

“(d) All basic pay not in excess of the full-time rate of pay for the position to which a phased retiree is appointed shall be deemed to be basic pay for purposes of sections 8422 and 8423.

“(e) Under such procedures as the Director may prescribe, a phased retiree may elect to enter full retirement status at any time. Upon making such an election, a phased retiree shall be entitled to a composite retirement annuity.

“(f)(1) Except as provided otherwise under this subsection, a composite retirement annuity is a single annuity computed under regulations prescribed by the Director, equal to the sum of—

“(A) the amount of the phased retirement annuity as of the date of full retirement, including any adjustments made under section 8462; and

“(B) the product obtained by multiplying—

“(i) the amount of an annuity computed under section 8412 that would have been payable at the time of full retirement if the individual had not elected a phased retirement and as if the individual was employed on a full-time basis in the position occupied during the phased retirement period and before any adjustment to provide for a survivor annuity; by

“(ii) the working percentage.

“(2) After computing a composite retirement annuity under paragraph (1), the Director shall adjust the amount of the annuity for any applicable reductions for a survivor annuity.

“(3) A composite retirement annuity shall be adjusted in accordance with section 8462, except that subsection (c)(1) of that section shall not apply.

“(4) In computing a composite retirement annuity under paragraph (1)(B)(i), the unused sick leave to the credit of a phased retiree at the time of entry into full retirement status shall be adjusted by dividing the number of hours of unused sick leave by the working percentage.

“(g)(1) Under such procedures and conditions as the Director may provide, and with the concurrence of the head of employing agency, a phased retiree may elect to terminate phased re-

tirement status and return to a full-time work schedule.

“(2) Upon entering a full-time work schedule based on an election under paragraph (1), the phased retirement annuity of a phased retiree shall terminate.

“(3) After termination of the phased retirement annuity under this subsection, the individual’s rights under this chapter shall be determined based on the law in effect at the time of any subsequent separation from service. For purposes of this chapter, at the time of the subsequent separation from service, the phased retirement period shall be treated as if it had been a period of part-time employment with the work schedule described in subsection (b)(2).

“(h) For purposes of subchapter IV—
“(1) the death of a phased retiree shall be deemed to be the death in service of an employee;

“(2) except for purposes of section 8442(b)(1)(A)(i), the phased retirement period shall be deemed to have been a period of part-time employment with the work schedule described in subsection (b)(2) of this section; and

“(3) for purposes of section 8442(b)(1)(A)(i), the phased retiree shall be deemed to have been at the full-time rate of pay for the position occupied.

“(i) Employment of a phased retiree shall not be deemed to be part-time career employment, as defined in section 3401(2).

“(j) A phased retiree is not eligible to receive an annuity supplement under section 8421.

“(k) For purposes of subchapter III, a phased retiree shall be deemed to be an employee.

“(l) For purposes of section 8445(d), retirement shall be deemed to occur on the date on which a phased retiree enters into full retirement status.

“(m) A phased retiree is not eligible to apply for an annuity under subchapter V.

“(n) A phased retiree is not subject to section 8468.

“(o) For purposes of chapter 87, a phased retiree shall be deemed to be receiving basic pay at the rate of a full-time employee in the position to which the phased retiree is appointed.”; and

(2) in the table of sections by inserting after the item relating to section 8412 the following: “8412a. Phased retirement.”.

(c) EXEMPTION FROM 10-PERCENT ADDITIONAL TAX ON EARLY DISTRIBUTIONS.—Section 72(t)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “or” at the end of clause (vi), by striking the period at the end of clause (vii) and inserting “, or”, and by adding at the end the following:

“(viii) payments under a phased retirement annuity under section 8366a(a)(5) or 8412a(a)(5) of title 5, United States Code, or a composite retirement annuity under section 8366a(a)(1) or 8412a(a)(1) of such title.”.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the effective date of the implementing regulations issued by the Director of the Office of Personnel Management.

SEC. 100122. ROLL-YOUR-OWN CIGARETTE MACHINES.

(a) IN GENERAL.—Subsection (d) of section 5702 of the Internal Revenue Code of 1986 is amended by adding at the end the following new flush sentence:

“Such term shall include any person who for commercial purposes makes available for consumer use (including such consumer’s personal consumption or use under paragraph (1)) a machine capable of making cigarettes, cigars, or other tobacco products. A person making such a machine available for consumer use shall be deemed the person making the removal as defined by subsection (j) with respect to any tobacco products manufactured by such machine. A person who sells a machine directly to a consumer at retail for a consumer’s personal home use is not making a machine available for commercial purposes if such machine is not used at

a retail premises and is designed to produce tobacco products only in personal use quantities.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to articles removed after the date of the enactment of this Act.

SEC. 100123. CHANGE IN FMAP INCREASE FOR DISASTER RECOVERY STATES.

(a) **ACCELERATED DATE FOR PRIOR AMENDMENTS.**—Section 3204(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96) is amended by striking “October 1, 2013” and inserting “October 1, 2012”.

(b) **APPLICATION OF 50 PERCENT IN FISCAL YEAR 2013.**—Subparagraph (B) of section 1905(aa)(1) of the Social Security Act (42 U.S.C. 1396d(aa)(1)), as amended by section 3204(a) of Public Law 112–96, is amended by striking “25 percent” and inserting “25 percent (or 50 percent in the case of fiscal year 2013)”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall be effective as if included in the enactment of section 3204 of Public Law 112–96.

SEC. 100124. REPEALS.

(a) **TRANSPORTATION REQUIREMENTS FOR CERTAIN EXPORTS SPONSORED BY THE SECRETARY OF AGRICULTURE.**—

(1) **REPEAL.**—Subsections (a) and (c) of section 55314 of title 46, United States Code, are repealed.

(2) **ACTIVITIES DESCRIBED.**—Subsection (b) of section 55314 of title 46, United States Code, is amended by striking “This section applies to export activity” and inserting “The activities specified in this subsection are export activities”.

(b) **FINANCING THE TRANSPORTATION OF AGRICULTURAL COMMODITIES.**—Subsection (a) of section 55316 of title 46, United States Code, is repealed.

(c) **CONFORMING AMENDMENTS.**—

(1) **MINIMUM TONNAGE.**—Section 55315(b) of title 46, United States Code, is amended by striking “subject to section 55314” and inserting “specified in section 55314(b)”.

(2) **ISSUANCE AND PURCHASE OF OBLIGATIONS AND NOTIFICATION TO CONGRESS OF INSUFFICIENCY.**—Section 55316 of title 46, United States Code, is amended—

(A) in subsection (c)(1) by striking “under subsections (a) and (b)” and inserting “under subsection (b)”;

(B) in subsection (f) by striking “subsections (a) and (b) and section 55314(a) of this title” and inserting “subsection (b)”.

(3) **TERMINATION OF SUBCHAPTER.**—Section 55317 of title 46, United States Code, is amended by striking “sections 55314(a) and 55316(a) and (b)” and inserting “section 55316(b)”.

SEC. 100125. LIMITATION ON PAYMENTS FROM THE ABANDONED MINE RECLAMATION FUND.

Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended by adding at the end the following:

“(5) **LIMITATION ON ANNUAL PAYMENTS.**—Notwithstanding any other provision of this subsection, the total annual payment to a certified State or Indian tribe under this subsection shall be not more than \$15,000,000.”

TITLE II—FLOOD INSURANCE

Subtitle A—Flood Insurance Reform and Modernization

SEC. 100201. SHORT TITLE.

This subtitle may be cited as the “Biggert-Waters Flood Insurance Reform Act of 2012”.

SEC. 100202. DEFINITIONS.

(a) **IN GENERAL.**—In this subtitle, the following definitions shall apply:

(1) **100-YEAR FLOODPLAIN.**—The term “100-year floodplain” means that area which is subject to inundation from a flood having a 1-percent chance of being equaled or exceeded in any given year.

(2) **500-YEAR FLOODPLAIN.**—The term “500-year floodplain” means that area which is sub-

ject to inundation from a flood having a 0.2-percent chance of being equaled or exceeded in any given year.

(3) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(4) **NATIONAL FLOOD INSURANCE PROGRAM.**—The term “National Flood Insurance Program” means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(5) **WRITE YOUR OWN.**—The term “Write Your Own” means the cooperative undertaking between the insurance industry and the Federal Insurance Administration which allows participating property and casualty insurance companies to write and service standard flood insurance policies.

(b) **COMMON TERMINOLOGY.**—Except as otherwise provided in this subtitle, any terms used in this subtitle shall have the meaning given to such terms under section 1370 of the National Flood Insurance Act of 1968 (42 U.S.C. 4121).

SEC. 100203. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) **FINANCING.**—Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking “July 31, 2012” and inserting “September 30, 2017”.

(b) **PROGRAM EXPIRATION.**—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “July 31, 2012” and inserting “September 30, 2017”.

SEC. 100204. AVAILABILITY OF INSURANCE FOR MULTIFAMILY PROPERTIES.

Section 1305 of the National Flood Insurance Act of 1968 (42 U.S.C. 4012) is amended—

(1) in subsection (b)(2)(A), by inserting “not described in subsection (a) or (d)” after “properties”; and

(2) by adding at the end the following:

“(d) **AVAILABILITY OF INSURANCE FOR MULTIFAMILY PROPERTIES.**—

“(1) **IN GENERAL.**—The Administrator shall make flood insurance available to cover residential properties of 5 or more residences. Notwithstanding any other provision of law, the maximum coverage amount that the Administrator may make available under this subsection to such residential properties shall be equal to the coverage amount made available to commercial properties.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to limit the ability of individuals residing in residential properties of 5 or more residences to obtain insurance for the contents and personal articles located in such residences.”

SEC. 100205. REFORM OF PREMIUM RATE STRUCTURE.

(a) **TO EXCLUDE CERTAIN PROPERTIES FROM RECEIVING SUBSIDIZED PREMIUM RATES.**—

(1) **IN GENERAL.**—Section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014) is amended—

(A) in subsection (a)(2), by striking “for any residential property which is not the primary residence of an individual; and” and inserting the following: “for—

“(A) any residential property which is not the primary residence of an individual;

“(B) any severe repetitive loss property;

“(C) any property that has incurred flood-related damage in which the cumulative amounts of payments under this title equaled or exceeded the fair market value of such property;

“(D) any business property; or

“(E) any property which on or after the date of enactment of the Biggert-Waters Flood Insurance Reform Act of 2012 has experienced or sustained—

“(i) substantial damage exceeding 50 percent of the fair market value of such property; or

“(ii) substantial improvement exceeding 30 percent of the fair market value of such property; and”;

(B) by adding at the end the following:

“(g) **NO EXTENSION OF SUBSIDY TO NEW POLICIES OR LAPSED POLICIES.**—The Administrator

shall not provide flood insurance to prospective insureds at rates less than those estimated under subsection (a)(1), as required by paragraph (2) of that subsection, for—

“(1) any property not insured by the flood insurance program as of the date of enactment of the Biggert-Waters Flood Insurance Reform Act of 2012;

“(2) any property purchased after the date of enactment of the Biggert-Waters Flood Insurance Reform Act of 2012;

“(3) any policy under the flood insurance program that has lapsed in coverage, as a result of the deliberate choice of the holder of such policy; or

“(4) any prospective insured who refuses to accept any offer for mitigation assistance by the Administrator (including an offer to relocate), including an offer of mitigation assistance—

“(A) following a major disaster, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); or

“(B) in connection with—

“(i) a repetitive loss property; or

“(ii) a severe repetitive loss property.

“(h) **DEFINITION.**—In this section, the term ‘severe repetitive loss property’ has the following meaning:

“(1) **SINGLE-FAMILY PROPERTIES.**—In the case of a property consisting of 1 to 4 residences, such term means a property that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this chapter, with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the property.

“(2) **MULTIFAMILY PROPERTIES.**—In the case of a property consisting of 5 or more residences, such term shall have such meaning as the Director shall by regulation provide.”

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall become effective 90 days after the date of enactment of this Act.

(b) **ESTIMATES OF PREMIUM RATES.**—Section 1307(a)(1)(B) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(1)(B)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by adding “and” at the end; and

(3) by inserting after clause (iii) the following:

“(iv) all costs, as prescribed by principles and standards of practice in ratemaking adopted by the American Academy of Actuaries and the Casualty Actuarial Society, including—

“(I) an estimate of the expected value of future costs,

“(II) all costs associated with the transfer of risk, and

“(III) the costs associated with an individual risk transfer with respect to risk classes, as defined by the Administrator.”

(c) **INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.**—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “or (3)”;

(B) by inserting “any properties” after “under this title for”;

(2) in paragraph (1)—

(A) by striking “any properties within any single” and inserting “within any single”; and

(B) by striking “10 percent” and inserting “20 percent”; and

(3) by striking paragraph (2) and inserting the following:

“(2) described in subparagraphs (A) through (E) of section 1307(a)(2) shall be increased by 25 percent each year, until the average risk pre-

mium rate for such properties is equal to the average of the risk premium rates for properties described under paragraph (1).”.

(d) **PREMIUM PAYMENT FLEXIBILITY FOR NEW AND EXISTING POLICYHOLDERS.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by adding at the end the following:

“(g) **FREQUENCY OF PREMIUM COLLECTION.**—With respect to any chargeable premium rate prescribed under this section, the Administrator shall provide policyholders that are not required to escrow their premiums and fees for flood insurance as set forth under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) with the option of paying their premiums either annually or in more frequent installments.”.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this section may be construed to affect the requirement under section 2(c) of the Act entitled “An Act to extend the National Flood Insurance Program, and for other purposes”, approved May 31, 2012 (Public Law 112–123), that the first increase in chargeable risk premium rates for residential properties which are not the primary residence of an individual take effect on July 1, 2012.

SEC. 100207. PREMIUM ADJUSTMENT.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by section 100205, is further amended by adding at the end the following:

“(h) **PREMIUM ADJUSTMENT TO REFLECT CURRENT RISK OF FLOOD.**—Notwithstanding subsection (f), upon the effective date of any revised or updated flood insurance rate map under this Act, the Flood Disaster Protection Act of 1973, or the Biggert-Waters Flood Insurance Reform Act of 2012, any property located in an area that is participating in the national flood insurance program shall have the risk premium rate charged for flood insurance on such property adjusted to accurately reflect the current risk of flood to such property, subject to any other provision of this Act. Any increase in the risk premium rate charged for flood insurance on any property that is covered by a flood insurance policy on the effective date of such an update that is a result of such updating shall be phased in over a 5-year period, at the rate of 20 percent for each year following such effective date. In the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in a flood insurance map, becomes designated as such an area, the chargeable risk premium rate for flood insurance under this title that is purchased on or after the date of enactment of this subsection with respect to any property that is located within such area shall be phased in over a 5-year period, at the rate of 20 percent for each year following the effective date of such issuance, revision, updating, or change.”.

SEC. 100208. ENFORCEMENT.

Section 102(f)(5) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(f)(5)) is amended—

(1) in the first sentence, by striking “\$350” and inserting “\$2,000”; and

(2) by striking the second sentence.

SEC. 100209. ESCROW OF FLOOD INSURANCE PAYMENTS.

(a) **IN GENERAL.**—Paragraph (1) of section 102(d) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)) is amended to read as follows:

“(1) **REGULATED LENDING INSTITUTIONS.**—

“(A) **FEDERAL ENTITIES RESPONSIBLE FOR LENDING REGULATIONS.**—Each Federal entity for lending regulation (after consultation and coordination with the Federal Financial Institutions Examination Council) shall, by regulation, direct that all premiums and fees for flood insurance under the National Flood Insurance Act of 1968, for improved real estate or a mobile home, shall be paid to the regulated lending in-

stitution or servicer for any loan secured by the improved real estate or mobile home, with the same frequency as payments on the loan are made, for the duration of the loan. Except as provided in subparagraph (C), upon receipt of any premiums or fees, the regulated lending institution or servicer shall deposit such premiums and fees in an escrow account on behalf of the borrower. Upon receipt of a notice from the Administrator or the provider of the flood insurance that insurance premiums are due, the premiums deposited in the escrow account shall be paid to the provider of the flood insurance.

“(B) **LIMITATION.**—Except as may be required under applicable State law, a Federal entity for lending regulation may not direct or require a regulated lending institution to deposit premiums or fees for flood insurance under the National Flood Insurance Act of 1968 in an escrow account on behalf of a borrower under subparagraph (A) or (B), if—

“(i) the regulated lending institution has total assets of less than \$1,000,000,000; and

“(ii) on or before the date of enactment of the Biggert-Waters Flood Insurance Reform Act of 2012, the regulated lending institution—

“(1) in the case of a loan secured by residential improved real estate or a mobile home, was not required under Federal or State law to deposit taxes, insurance premiums, fees, or any other charges in an escrow account for the entire term of the loan; and

“(2) did not have a policy of consistently and uniformly requiring the deposit of taxes, insurance premiums, fees, or any other charges in an escrow account for loans secured by residential improved real estate or a mobile home.”.

(b) **APPLICABILITY.**—The amendment made by subsection (a) shall apply to any mortgage outstanding or entered into on or after the expiration of the 2-year period beginning on the date of enactment of this Act.

SEC. 100210. MINIMUM DEDUCTIBLES FOR CLAIMS UNDER THE NATIONAL FLOOD INSURANCE PROGRAM.

Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking “The Director is” and inserting the following:

“(a) **IN GENERAL.**—The Administrator is”; and

(2) by adding at the end the following:

“(b) **MINIMUM ANNUAL DEDUCTIBLE.**—

“(1) **PRE-FIRM PROPERTIES.**—For any structure which is covered by flood insurance under this title, and on which construction or substantial improvement occurred on or before December 31, 1974, or before the effective date of an initial flood insurance rate map published by the Administrator under section 1360 for the area in which such structure is located, the minimum annual deductible for damage to such structure shall be—

“(A) \$1,500, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount equal to or less than \$100,000; and

“(B) \$2,000, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount greater than \$100,000.

“(2) **POST-FIRM PROPERTIES.**—For any structure which is covered by flood insurance under this title, and on which construction or substantial improvement occurred after December 31, 1974, or after the effective date of an initial flood insurance rate map published by the Administrator under section 1360 for the area in which such structure is located, the minimum annual deductible for damage to such structure shall be—

“(A) \$1,000, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount equal to or less than \$100,000; and

“(B) \$1,250, if the flood insurance coverage for such structure covers loss of, or physical damage to, such structure in an amount greater than \$100,000.”.

SEC. 100211. CONSIDERATIONS IN DETERMINING CHARGEABLE PREMIUM RATES.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by this Act, is amended—

(1) in subsection (a), by striking “, after consultation with” and all that follows through “by regulation” and inserting “prescribe, after providing notice”;

(2) in subsection (b)—

(A) in paragraph (1), by striking the period at the end and inserting a semicolon;

(B) in paragraph (2), by striking the comma at the end and inserting a semicolon;

(C) in paragraph (3), by striking “, and” and inserting a semicolon;

(D) in paragraph (4), by striking the period at the end and inserting “; and”;

(E) by adding at the end the following:

“(5) adequate, on the basis of accepted actuarial principles, to cover the average historical loss year obligations incurred by the National Flood Insurance Fund.”; and

(3) by adding at the end the following:

“(i) **RULE OF CONSTRUCTION.**—For purposes of this section, the calculation of an ‘average historical loss year’—

“(1) includes catastrophic loss years; and

“(2) shall be computed in accordance with generally accepted actuarial principles.”.

SEC. 100212. RESERVE FUND.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by inserting after section 1310 (42 U.S.C. 4017) the following:

“SEC. 1310A. RESERVE FUND.

“(a) **ESTABLISHMENT OF RESERVE FUND.**—In carrying out the flood insurance program authorized by this chapter, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the ‘Reserve Fund’) which shall—

“(1) be an account separate from any other accounts or funds available to the Administrator; and

“(2) be available for meeting the expected future obligations of the flood insurance program, including—

“(A) the payment of claims;

“(B) claims adjustment expenses; and

“(C) the repayment of amounts outstanding under any note or other obligation issued by the Administrator under section 1309(a).

“(b) **RESERVE RATIO.**—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

“(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

“(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

“(c) **MAINTENANCE OF RESERVE RATIO.**—

“(1) **IN GENERAL.**—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

“(A) to maintain the reserve ratio required under subsection (b); and

“(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

“(2) **CONSIDERATIONS.**—In exercising the authority granted under paragraph (1), the Administrator shall consider—

“(A) the expected operating expenses of the Reserve Fund;

“(B) the insurance loss expenditures under the flood insurance program;

“(C) any investment income generated under the flood insurance program; and

“(D) any other factor that the Administrator determines appropriate.

“(3) **LIMITATIONS.**—

“(A) RATES.—In exercising the authority granted under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates or annual increases of such rates.

“(B) USE OF ADDITIONAL ANNUAL INSURANCE PREMIUMS.—Notwithstanding any other provision of law or any agreement entered into by the Administrator, the Administrator shall ensure that all amounts attributable to the establishment or increase of annual insurance premiums under paragraph (1) are transferred to the Administrator for deposit into the Reserve Fund, to be available for meeting the expected future obligations of the flood insurance program as described in subsection (a)(2).

“(d) PHASE-IN REQUIREMENTS.—The phase-in requirements under this subsection are as follows:

“(1) IN GENERAL.—Beginning in fiscal year 2013 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(2) AMOUNT SATISFIED.—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

“(3) EXCEPTION.—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(e) LIMITATION ON RESERVE RATIO.—In any given fiscal year, if the Administrator determines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to Congress that—

“(1) describes and details the specific concerns of the Administrator regarding the consequences of the reserve ratio not being achieved;

“(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

“(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

“(f) INVESTMENT.—The Secretary of the Treasury shall invest such amounts of the Reserve Fund as the Secretary determines advisable in obligations issued or guaranteed by the United States.”

SEC. 100213. REPAYMENT PLAN FOR BORROWING AUTHORITY.

(a) REPAYMENT PLAN REQUIRED.—Section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016) is amended by adding at the end the following:

“(c) Upon the exercise of the authority established under subsection (a), the Administrator shall transmit a schedule for repayment of such amounts to—

“(1) the Secretary of the Treasury;

“(2) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

“(3) the Committee on Financial Services of the House of Representatives.

“(d) In connection with any funds borrowed by the Administrator under the authority established in subsection (a), the Administrator, beginning 6 months after the date on which such funds are borrowed, and continuing every 6 months thereafter until such borrowed funds are fully repaid, shall submit a report on the progress of such repayment to—

“(1) the Secretary of the Treasury;

“(2) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

“(3) the Committee on Financial Services of the House of Representatives.”

(b) REPORT.—Not later than the expiration of the 6-month period beginning on the date of enactment of this Act, the Administrator shall sub-

mit a report to the Congress setting forth options for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

SEC. 100214. PAYMENT OF CONDOMINIUM CLAIMS.

Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019), as amended by section 100210, is amended by adding at the end the following:

“(c) PAYMENT OF CLAIMS TO CONDOMINIUM OWNERS.—The Administrator may not deny payment for any damage to or loss of property which is covered by flood insurance to condominium owners who purchased such flood insurance separate and apart from the flood insurance purchased by the condominium association in which such owner is a member, based solely, or in any part, on the flood insurance coverage of the condominium association or others on the overall property owned by the condominium association.”

SEC. 100215. TECHNICAL MAPPING ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the “Council”).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of—

(A) the Administrator (or the designee thereof);

(B) the Secretary of the Interior (or the designee thereof);

(C) the Secretary of Agriculture (or the designee thereof);

(D) the Under Secretary of Commerce for Oceans and Atmosphere (or the designee thereof); and

(E) 16 additional members appointed by the Administrator or the designee of the Administrator, who shall be—

(i) a member of a recognized professional surveying association or organization;

(ii) a member of a recognized professional mapping association or organization;

(iii) a member of a recognized professional engineering association or organization;

(iv) a member of a recognized professional association or organization representing flood hazard determination firms;

(v) a representative of the United States Geological Survey;

(vi) a representative of a recognized professional association or organization representing State geographic information;

(vii) a representative of State national flood insurance coordination offices;

(viii) a representative of the Corps of Engineers;

(ix) a member of a recognized regional flood and storm water management organization;

(x) 2 representatives of different State government agencies that have entered into cooperating technical partnerships with the Administrator and have demonstrated the capability to produce flood insurance rate maps;

(xi) 2 representatives of different local government agencies that have entered into cooperating technical partnerships with the Administrator and have demonstrated the capability to produce flood insurance maps;

(xii) a member of a recognized floodplain management association or organization;

(xiii) a member of a recognized risk management association or organization; and

(xiv) a State mitigation officer.

(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(E), the Administrator shall, to the maximum extent

practicable, ensure that the membership of the Council has a balance of Federal, State, local, tribal, and private members, and includes geographic diversity, including representation from areas with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator as at high risk for flooding or as areas having special flood hazards.

(c) DUTIES.—The Council shall—

(1) recommend to the Administrator how to improve in a cost-effective manner the—

(A) accuracy, general quality, ease of use, and distribution and dissemination of flood insurance rate maps and risk data; and

(B) performance metrics and milestones required to effectively and efficiently map flood risk areas in the United States;

(2) recommend to the Administrator mapping standards and guidelines for—

(A) flood insurance rate maps; and

(B) data accuracy, data quality, data currency, and data eligibility;

(3) recommend to the Administrator how to maintain, on an ongoing basis, flood insurance rate maps and flood risk identification;

(4) recommend procedures for delegating mapping activities to State and local mapping partners;

(5) recommend to the Administrator and other Federal agencies participating in the Council—

(A) methods for improving interagency and intergovernmental coordination on flood mapping and flood risk determination; and

(B) a funding strategy to leverage and coordinate budgets and expenditures across Federal agencies; and

(6) submit an annual report to the Administrator that contains—

(A) a description of the activities of the Council;

(B) an evaluation of the status and performance of flood insurance rate maps and mapping activities to revise and update flood insurance rate maps, as required under section 100216; and

(C) a summary of recommendations made by the Council to the Administrator.

(d) FUTURE CONDITIONS RISK ASSESSMENT AND MODELING REPORT.—

(1) IN GENERAL.—The Council shall consult with scientists and technical experts, other Federal agencies, States, and local communities to—

(A) develop recommendations on how to—

(i) ensure that flood insurance rate maps incorporate the best available climate science to assess flood risks; and

(ii) ensure that the Federal Emergency Management Agency uses the best available methodology to consider the impact of—

(I) the rise in the sea level; and

(II) future development on flood risk; and

(B) not later than 1 year after the date of enactment of this Act, prepare written recommendations in a future conditions risk assessment and modeling report and to submit such recommendations to the Administrator.

(2) RESPONSIBILITY OF THE ADMINISTRATOR.—The Administrator, as part of the ongoing program to review and update National Flood Insurance Program rate maps under section 100216, shall incorporate any future risk assessment submitted under paragraph (1)(B) in any such revision or update.

(e) CHAIRPERSON.—The members of the Council shall elect 1 member to serve as the chairperson of the Council (in this section referred to as the “Chairperson”).

(f) COORDINATION.—To ensure that the Council’s recommendations are consistent, to the maximum extent practicable, with national digital spatial data collection and management standards, the Chairperson shall consult with the Chairperson of the Federal Geographic Data Committee (established pursuant to Office of Management and Budget Circular A-16).

(g) COMPENSATION.—Members of the Council shall receive no additional compensation by reason of their service on the Council.

(h) MEETINGS AND ACTIONS.—

(1) IN GENERAL.—The Council shall meet not less frequently than twice each year at the re-

quest of the Chairperson or a majority of its members, and may take action by a vote of the majority of the members.

(2) **INITIAL MEETING.**—The Administrator, or a person designated by the Administrator, shall request and coordinate the initial meeting of the Council.

(i) **OFFICERS.**—The Chairperson may appoint officers to assist in carrying out the duties of the Council under subsection (c).

(j) **STAFF.**—

(1) **STAFF OF FEMA.**—Upon the request of the Chairperson, the Administrator may detail, on a nonreimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.

(2) **STAFF OF OTHER FEDERAL AGENCIES.**—Upon request of the Chairperson, any other Federal agency that is a member of the Council may detail, on a nonreimbursable basis, personnel to assist the Council in carrying out its duties.

(k) **POWERS.**—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as it considers appropriate.

(l) **REPORT TO CONGRESS.**—The Administrator, on an annual basis, shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Financial Services of the House of Representatives, and the Office of Management and Budget on the—

(1) recommendations made by the Council;

(2) actions taken by the Federal Emergency Management Agency to address such recommendations to improve flood insurance rate maps and flood risk data; and

(3) any recommendations made by the Council that have been deferred or not acted upon, together with an explanatory statement.

SEC. 100216. NATIONAL FLOOD MAPPING PROGRAM.

(a) **REVIEWING, UPDATING, AND MAINTAINING MAPS.**—The Administrator, in coordination with the Technical Mapping Advisory Council established under section 100215, shall establish an ongoing program under which the Administrator shall review, update, and maintain National Flood Insurance Program rate maps in accordance with this section.

(b) **MAPPING.**—

(1) **IN GENERAL.**—In carrying out the program established under subsection (a), the Administrator shall—

(A) identify, review, update, maintain, and publish National Flood Insurance Program rate maps with respect to—

(i) all populated areas and areas of possible population growth located within the 100-year floodplain;

(ii) all populated areas and areas of possible population growth located within the 500-year floodplain;

(iii) areas of residual risk, including areas that are protected by levees, dams, and other flood control structures;

(iv) areas that could be inundated as a result of the failure of a levee, dam, or other flood control structure; and

(v) the level of protection provided by flood control structures;

(B) establish or update flood-risk zone data in all such areas, and make estimates with respect to the rates of probable flood caused loss for the various flood risk zones for each such area; and

(C) use, in identifying, reviewing, updating, maintaining, or publishing any National Flood Insurance Program rate map required under this section or under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), the most accurate topography and elevation data available.

(2) **MAPPING ELEMENTS.**—Each map updated under this section shall—

(A) assess the accuracy of current ground elevation data used for hydrologic and hydraulic modeling of flooding sources and mapping of the flood hazard and wherever necessary acquire new ground elevation data utilizing the most

up-to-date geospatial technologies in accordance with guidelines and specifications of the Federal Emergency Management Agency; and

(B) develop National Flood Insurance Program flood data on a watershed basis—

(i) to provide the most technically effective and efficient studies and hydrologic and hydraulic modeling; and

(ii) to eliminate, to the maximum extent possible, discrepancies in base flood elevations between adjacent political subdivisions.

(3) **OTHER INCLUSIONS.**—In updating maps under this section, the Administrator shall include—

(A) any relevant information on coastal inundation from—

(i) an applicable inundation map of the Corps of Engineers; and

(ii) data of the National Oceanic and Atmospheric Administration relating to storm surge modeling;

(B) any relevant information of the United States Geological Survey on stream flows, watershed characteristics, and topography that is useful in the identification of flood hazard areas, as determined by the Administrator;

(C) any relevant information on land subsidence, coastal erosion areas, changing lake levels, and other flood-related hazards;

(D) any relevant information or data of the National Oceanic and Atmospheric Administration and the United States Geological Survey relating to the best available science regarding future changes in sea levels, precipitation, and intensity of hurricanes; and

(E) any other relevant information as may be recommended by the Technical Mapping Advisory Committee.

(c) **STANDARDS.**—In updating and maintaining maps under this section, the Administrator shall—

(1) establish standards to—

(A) ensure that maps are adequate for—

(i) flood risk determinations; and

(ii) use by State and local governments in managing development to reduce the risk of flooding; and

(B) facilitate identification and use of consistent methods of data collection and analysis by the Administrator, in conjunction with State and local governments, in developing maps for communities with similar flood risks, as determined by the Administrator; and

(2) publish maps in a format that is—

(A) digital geospatial data compliant;

(B) compliant with the open publishing and data exchange standards established by the Open Geospatial Consortium; and

(C) aligned with official data defined by the National Geodetic Survey.

(d) **COMMUNICATION AND OUTREACH.**—

(1) **IN GENERAL.**—The Administrator shall—

(A) work to enhance communication and outreach to States, local communities, and property owners about the effects—

(i) of any potential changes to National Flood Insurance Program rate maps that may result from the mapping program required under this section; and

(ii) that any such changes may have on flood insurance purchase requirements;

(B) engage with local communities to enhance communication and outreach to the residents of such communities, including tenants (with regard to contents insurance), on the matters described under subparagraph (A); and

(C) upon the issuance of any proposed map and any notice of an opportunity to make an appeal relating to the proposed map, notify the Senators for each State affected and each Member of the House of Representatives for each congressional district affected by the proposed map of any action taken by the Administrator with respect to the proposed map or an appeal relating to the proposed map.

(2) **REQUIRED ACTIVITIES.**—The communication and outreach activities required under paragraph (1) shall include—

(A) notifying property owners when their properties become included in, or when they are

excluded from, an area covered by the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a);

(B) educating property owners regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

(C) educating property owners regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) for such properties and the contents of such properties;

(D) educating property owners about flood map revisions and the process available to such owners to appeal proposed changes in flood elevations through their community, including by notifying local radio and television stations; and

(E) encouraging property owners to maintain or acquire flood insurance coverage.

(e) **COMMUNITY REMAPPING REQUEST.**—Upon the adoption by the Administrator of any recommendation by the Technical Mapping Advisory Council for reviewing, updating, or maintaining National Flood Insurance Program rate maps in accordance with this section, a community that believes that its flood insurance rates in effect prior to adoption would be affected by the adoption of such recommendation may submit a request for an update of its rate maps, which may be considered at the Administrator's sole discretion. The Administrator shall establish a protocol for the evaluation of such community map update requests.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$400,000,000 for each of fiscal years 2013 through 2017.

SEC. 100217. SCOPE OF APPEALS.

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended—

(1) in subsection (a)—

(A) by inserting “and designating areas having special flood hazards” after “flood elevations”; and

(B) by striking “such determinations” and inserting “such determinations and designations”; and

(2) in subsection (b)—

(A) in the first sentence, by inserting “and designations of areas having special flood hazards” after “flood elevation determinations”; and

(B) by amending the third sentence to read as follows: “The sole grounds for appeal shall be the possession of knowledge or information indicating that (1) the elevations being proposed by the Administrator with respect to an identified area having special flood hazards are scientifically or technically incorrect, or (2) the designation of an identified special flood hazard area is scientifically or technically incorrect.”

SEC. 100218. SCIENTIFIC RESOLUTION PANEL.

(a) **ESTABLISHMENT.**—Chapter III of the National Flood Insurance Act of 1968 (42 U.S.C. 4101 et seq.) is amended by inserting after section 1363 (42 U.S.C. 4104) the following:

“SEC. 1363A. SCIENTIFIC RESOLUTION PANEL.

“(a) **AVAILABILITY.**—

“(1) **IN GENERAL.**—Pursuant to the authority provided under section 1363(e), the Administrator shall make available an independent review panel, to be known as the Scientific Resolution Panel, to any community—

“(A) that has—

“(i) filed a timely map appeal in accordance with section 1363;

“(ii) completed 60 days of consultation with the Federal Emergency Management Agency on the appeal; and

“(iii) not allowed more than 120 days, or such longer period as may be provided by the Administrator by waiver, to pass since the end of the appeal period; or

“(B) that has received an unsatisfactory ruling under the map revision process established pursuant to section 1360(f).

“(2) APPEALS BY OWNERS AND LESSEES.—If a community and an owner or lessee of real property within the community appeal a proposed determination of a flood elevation under section 1363(b), upon the request of the community—

“(A) the owner or lessee shall submit scientific and technical data relating to the appeals to the Scientific Resolution Panel; and

“(B) the Scientific Resolution Panel shall make a determination with respect to the appeals in accordance with subsection (c).

“(3) DEFINITION.—For purposes of paragraph (1)(B), an ‘unsatisfactory ruling’ means that a community—

“(A) received a revised Flood Insurance Rate Map from the Federal Emergency Management Agency, via a Letter of Final Determination, after September 30, 2008, and prior to the date of enactment of this section;

“(B) has subsequently applied for a Letter of Map Revision or Physical Map Revision with the Federal Emergency Management Agency; and

“(C) has received an unfavorable ruling on their request for a map revision.

“(b) MEMBERSHIP.—The Scientific Resolution Panel made available under subsection (a) shall consist of 5 members with expertise that relates to the creation and study of flood hazard maps and flood insurance. The Scientific Resolution Panel may include representatives from Federal agencies not involved in the mapping study in question and from other impartial experts. Employees of the Federal Emergency Management Agency may not serve on the Scientific Resolution Panel.

“(c) DETERMINATION.—

“(1) IN GENERAL.—Following deliberations, and not later than 90 days after its formation, the Scientific Resolution Panel shall issue a determination of resolution of the dispute. Such determination shall set forth recommendations for the base flood elevation determination or the designation of an area having special flood hazards that shall be reflected in the Flood Insurance Rate Maps.

“(2) BASIS.—The determination of the Scientific Resolution Panel shall be based on—

“(A) data previously provided to the Administrator by the community, and, in the case of a dispute submitted under subsection (a)(2), an owner or lessee of real property in the community; and

“(B) data provided by the Administrator.

“(3) NO ALTERNATIVE DETERMINATIONS PERMISSIBLE.—The Scientific Resolution Panel—

“(A) shall provide a determination of resolution of a dispute that—

“(i) is either in favor of the Administrator or in favor of the community on each distinct element of the dispute; or

“(ii) in the case of a dispute submitted under subsection (a)(2), is in favor of the Administrator, in favor of the community, or in favor of the owner or lessee of real property in the community on each distinct element of the dispute; and

“(B) may not offer as a resolution any other alternative determination.

“(4) EFFECT OF DETERMINATION.—

“(A) BINDING.—The recommendations of the Scientific Resolution Panel shall be binding on all appellants and not subject to further judicial review unless the Administrator determines that implementing the determination of the panel would—

“(i) pose a significant threat due to failure to identify a substantial risk of special flood hazards; or

“(ii) violate applicable law.

“(B) WRITTEN JUSTIFICATION NOT TO ENFORCE.—If the Administrator elects not to implement the determination of the Scientific Resolution Panel pursuant to subparagraph (A), then not later than 60 days after the issuance of the determination, the Administrator shall issue a written justification explaining such election.

“(C) APPEAL OF DETERMINATION NOT TO ENFORCE.—If the Administrator elects not to implement the determination of the Scientific Resolution Panel pursuant to subparagraph (A), the community may appeal the determination of the Administrator as provided for under section 1363(g).

“(d) MAPS USED FOR INSURANCE AND MANDATORY PURCHASE REQUIREMENTS.—With respect to any community that has a dispute that is being considered by the Scientific Resolution Panel formed pursuant to this subsection, the Federal Emergency Management Agency shall ensure that for each such community that—

“(1) the Flood Insurance Rate Map described in the most recently issued Letter of Final Determination shall be in force and effect with respect to such community; and

“(2) flood insurance shall continue to be made available to the property owners and residents of the participating community.”.

(b) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE REVIEW.—Section 1363(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(e)) is amended, in the second sentence, by striking “an independent scientific body or appropriate Federal agency for advice” and inserting “the Scientific Resolution Panel provided for in section 1363A”.

(2) JUDICIAL REVIEW.—The first sentence of section 1363(g) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(g)) is amended by striking “Any appellant” and inserting “Except as provided in section 1363A, any appellant”.

SEC. 100219. REMOVAL OF LIMITATION ON STATE CONTRIBUTIONS FOR UPDATING FLOOD MAPS.

Section 1360(f)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)) is amended by striking “, but which may not exceed 50 percent of the cost of carrying out the requested revision or update”.

SEC. 100220. COORDINATION.

(a) INTERAGENCY BUDGET CROSSCUT AND COORDINATION REPORT.—

(1) IN GENERAL.—The Secretary of Homeland Security, the Administrator, the Director of the Office of Management and Budget, and the heads of each Federal department or agency carrying out activities under sections 100215 and 100216 shall work together to ensure that flood risk determination data and geospatial data are shared among Federal agencies in order to coordinate the efforts of the Nation to reduce its vulnerability to flooding hazards.

(2) REPORT.—Not later than 30 days after the submission of the budget of the United States Government by the President to Congress, the Director of the Office of Management and Budget, in coordination with the Federal Emergency Management Agency, the United States Geological Survey, the National Oceanic and Atmospheric Administration, the Corps of Engineers, and other Federal agencies, as appropriate, shall submit to the appropriate authorizing and appropriating committees of the Senate and the House of Representatives an interagency budget crosscut and coordination report, certified by the Secretary or head of each such agency, that—

(A) contains an interagency budget crosscut report that displays relevant sections of the budget proposed for each of the Federal agencies working on flood risk determination data and digital elevation models, including any planned interagency or intra-agency transfers; and

(B) describes how the efforts aligned with such sections complement one another.

(b) DUTIES OF THE ADMINISTRATOR.—In carrying out sections 100215 and 100216, the Administrator shall—

(1) participate, pursuant to section 216 of the E-Government Act of 2002 (44 U.S.C. 3501 note), in the establishment of such standards and common protocols as are necessary to assure the interoperability of geospatial data for all users of such information;

(2) coordinate with, seek assistance and cooperation of, and provide a liaison to the Federal Geographic Data Committee pursuant to the Office of Management and Budget Circular A-16 and Executive Order 12906 (43 U.S.C. 1457 note; relating to the National Spatial Data Infrastructure) for the implementation of and compliance with such standards;

(3) integrate with, leverage, and coordinate funding of, to the maximum extent practicable, the current flood mapping activities of each unit of State and local government;

(4) integrate with, leverage, and coordinate, to the maximum extent practicable, the current geospatial activities of other Federal agencies and units of State and local government; and

(5) develop a funding strategy to leverage and coordinate budgets and expenditures, and to maintain or establish joint funding and other agreement mechanisms with other Federal agencies and units of State and local government to share in the collection and utilization of geospatial data among all governmental users.

SEC. 100221. INTERAGENCY COORDINATION STUDY.

(a) IN GENERAL.—The Administrator shall enter into a contract with the National Academy of Public Administration to conduct a study on how the Federal Emergency Management Agency—

(1) should improve interagency and intergovernmental coordination on flood mapping, including a funding strategy to leverage and coordinate budgets and expenditures; and

(2) can establish joint funding mechanisms with other Federal agencies and units of State and local government to share the collection and utilization of data among all governmental users.

(b) TIMING.—A contract entered into under subsection (a) shall require that, not later than 180 days after the date of enactment of this subtitle, the National Academy of Public Administration shall report the findings of the study required under subsection (a) to—

(1) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(2) the Committee on Financial Services of the House of Representatives;

(3) the Committee on Appropriations of the Senate; and

(4) the Committee on Appropriations of the House of Representatives.

SEC. 100222. NOTICE OF FLOOD INSURANCE AVAILABILITY UNDER RESPA.

Section 5(b) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(b)), as amended by section 1450 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 2174), is amended by adding at the end the following:

“(14) An explanation of flood insurance and the availability of flood insurance under the National Flood Insurance Program or from a private insurance company, whether or not the real estate is located in an area having special flood hazards.”.

SEC. 100223. PARTICIPATION IN STATE DISASTER CLAIMS MEDIATION PROGRAMS.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by inserting after section 1313 (42 U.S.C. 4020) the following:

“SEC. 1314. PARTICIPATION IN STATE DISASTER CLAIMS MEDIATION PROGRAMS.

“(a) REQUIREMENT TO PARTICIPATE.—In the case of the occurrence of a major disaster, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), that may have resulted in flood damage covered under the national flood insurance program established under this title and other personal lines residential property insurance coverage offered by a State regulated insurer, upon a request made by the insurance commissioner of a State (or such other official responsible for regulating the business of insurance in the State) for the participation of rep-

representatives of the Administrator in a program sponsored by such State for nonbinding mediation of insurance claims resulting from a major disaster, the Administrator shall cause representatives of the national flood insurance program to participate in such a State program where claims under the national flood insurance program are involved to expedite settlement of flood damage claims resulting from such disaster.

“(b) EXTENT OF PARTICIPATION.—In satisfying the requirements of subsection (a), the Administrator shall require that each representative of the Administrator—

“(1) be certified for purposes of the national flood insurance program to settle claims against such program resulting from such disaster in amounts up to the limits of policies under such program;

“(2) attend State-sponsored mediation meetings regarding flood insurance claims resulting from such disaster at such times and places as may be arranged by the State;

“(3) participate in good-faith negotiations toward the settlement of such claims with policyholders of coverage made available under the national flood insurance program; and

“(4) finalize the settlement of such claims on behalf of the national flood insurance program with such policyholders.

“(c) COORDINATION.—Representatives of the Administrator shall at all times coordinate their activities with insurance officials of the State and representatives of insurers for the purposes of consolidating and expediting settlement of claims under the national flood insurance program resulting from such disaster.

“(d) QUALIFICATIONS OF MEDIATORS.—Each State mediator participating in State-sponsored mediation under this section shall be—

“(1)(A) a member in good standing of the State bar in the State in which the mediation is to occur with at least 2 years of practical experience; and

“(B) an active member of such bar for at least 1 year prior to the year in which such mediator's participation is sought; or

“(2) a retired trial judge from any United States jurisdiction who was a member in good standing of the bar in the State in which the judge presided for at least 5 years prior to the year in which such mediator's participation is sought.

“(e) MEDIATION PROCEEDINGS AND DOCUMENTS PRIVILEGED.—As a condition of participation, all statements made and documents produced pursuant to State-sponsored mediation involving representatives of the Administrator shall be deemed privileged and confidential settlement negotiations made in anticipation of litigation.

“(f) LIABILITY, RIGHTS, OR OBLIGATIONS NOT AFFECTED.—Participation in State-sponsored mediation, as described in this section does not—

“(1) affect or expand the liability of any party in contract or in tort; or

“(2) affect the rights or obligations of the parties, as established—

“(A) in any regulation issued by the Administrator, including any regulation relating to a standard flood insurance policy;

“(B) under this title; and

“(C) under any other provision of Federal law.

“(g) EXCLUSIVE FEDERAL JURISDICTION.—Participation in State-sponsored mediation shall not alter, change, or modify the original exclusive jurisdiction of United States courts, as set forth in this title.

“(h) COST LIMITATION.—Nothing in this section shall be construed to require the Administrator or a representative of the Administrator to pay additional mediation fees relating to flood insurance claims associated with a State-sponsored mediation program in which such representative of the Administrator participates.

“(i) EXCEPTION.—In the case of the occurrence of a major disaster that results in flood

damage claims under the national flood insurance program and that does not result in any loss covered by a personal lines residential property insurance policy—

“(1) this section shall not apply; and

“(2) the provisions of the standard flood insurance policy under the national flood insurance program and the appeals process established under section 205 of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (42 U.S.C. 4011 note) and the regulations issued pursuant to such section shall apply exclusively.

“(j) REPRESENTATIVES OF THE ADMINISTRATOR.—For purposes of this section, the term ‘representatives of the Administrator’ means representatives of the national flood insurance program who participate in the appeals process established under section 205 of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (42 U.S.C. 4011 note).”.

SEC. 100224. OVERSIGHT AND EXPENSE REIMBURSEMENTS OF INSURANCE COMPANIES.

(a) SUBMISSION OF BIENNIAL REPORTS.—

(1) TO THE ADMINISTRATOR.—Not later than 20 days after the date of enactment of this Act, each property and casualty insurance company participating in the Write Your Own program shall submit to the Administrator any biennial report required by the Federal Emergency Management Agency to be prepared in the prior 5 years by such company.

(2) TO GAO.—Not later than 10 days after the submission of the biennial reports under paragraph (1), the Administrator shall submit all such reports to the Comptroller General of the United States.

(3) NOTICE TO CONGRESS OF FAILURE TO COMPLY.—The Administrator shall notify and report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on any property and casualty insurance company participating in the Write Your Own program that failed to submit its biennial reports as required under paragraph (1).

(4) FAILURE TO COMPLY.—A property and casualty insurance company participating in the Write Your Own program which fails to comply with the reporting requirement under this subsection or the requirement under section 62.23(j)(1) of title 44, Code of Federal Regulations (relating to biennial audit of the flood insurance financial statements) shall be subject to a civil penalty in an amount of not more than \$1,000 per day for each day that the company remains in noncompliance with either such requirement.

(b) METHODOLOGY TO DETERMINE REIMBURSED EXPENSES.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a methodology for determining the appropriate amounts that property and casualty insurance companies participating in the Write Your Own program should be reimbursed for selling, writing, and servicing flood insurance policies and adjusting flood insurance claims on behalf of the National Flood Insurance Program. The methodology shall be developed using actual expense data for the flood insurance line and can be derived from—

(1) flood insurance expense data produced by the property and casualty insurance companies;

(2) flood insurance expense data collected by the National Association of Insurance Commissioners; or

(3) a combination of the methodologies described in paragraphs (1) and (2).

(c) SUBMISSION OF EXPENSE REPORTS.—To develop the methodology established under subsection (b), the Administrator may require each property and casualty insurance company participating in the Write Your Own program to submit a report to the Administrator, in a format determined by the Administrator and within 60 days of the request, that details the expense levels of each such company for selling, writing, and servicing standard flood insurance policies and adjusting and servicing claims.

(d) FEMA RULEMAKING ON REIMBURSEMENT OF EXPENSES UNDER THE WRITE YOUR OWN PROGRAM.—Not later than 12 months after the date of enactment of this Act, the Administrator shall issue a rule to formulate revised expense reimbursements to property and casualty insurance companies participating in the Write Your Own program for their expenses (including their operating and administrative expenses for adjustment of claims) in selling, writing, and servicing standard flood insurance policies, including how such companies shall be reimbursed in both catastrophic and noncatastrophic years. Such reimbursements shall be structured to ensure reimbursements track the actual expenses, including standard business costs and operating expenses, of such companies as closely as practicable possible.

(e) REPORT OF THE ADMINISTRATOR.—Not later than 60 days after the effective date of the final rule issued pursuant to subsection (d), the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—

(1) the specific rationale and purposes of such rule;

(2) the reasons for the adoption of the policies contained in such rule; and

(3) the degree to which such rule accurately represents the true operating costs and expenses of property and casualty insurance companies participating in the Write Your Own program.

(f) GAO STUDY AND REPORT ON EXPENSES OF WRITE YOUR OWN PROGRAM.—

(1) STUDY.—Not later than 180 days after the effective date of the final rule issued pursuant to subsection (d), the Comptroller General of the United States shall—

(A) conduct a study on the efficacy, adequacy, and sufficiency of the final rules issued pursuant to subsection (d); and

(B) report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the findings of the study conducted under subparagraph (A).

(2) GAO AUTHORITY.—In conducting the study and report required under paragraph (1), the Comptroller General—

(A) may use any previous findings, studies, or reports that the Comptroller General previously completed on the Write Your Own program;

(B) shall determine if—

(i) the final rule issued pursuant to subsection (d) allows the Federal Emergency Management Agency to access adequate information regarding the actual expenses of property and casualty insurance companies participating in the Write Your Own program; and

(ii) the actual reimbursements paid out under the final rule issued pursuant to subsection (d) accurately reflect the expenses reported by property and casualty insurance companies participating in the Write Your Own program, including the standard business costs and operating expenses of such companies; and

(C) shall analyze the effect of the final rule issued pursuant to subsection (d) on the level of participation of property and casualty insurers in the Write Your Own program.

SEC. 100225. MITIGATION.

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) by striking subsections (b), (d), (f), (g), (h), (k), and (m);

(2) by redesignating subsections (c), (e), (i), and (j) as subsections (b), (c), (e), and (f), respectively;

(3) in subsection (a), by striking the last sentence and inserting the following: “Such financial assistance shall be made available—

“(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

“(2) to States and communities in the form of grants under this section for carrying out miti-

gation activities that reduce flood damage to severe repetitive loss structures; and

“(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.”;

(4) in subsection (b), as so redesignated, in the first sentence—

(A) by striking “and provides protection against” and inserting “provides for reduction of”; and

(B) by inserting before the period at the end the following: “, and may be included in a multihazard mitigation plan”;

(5) in subsection (c), as so redesignated—

(A) in paragraph (1), by striking “(1) USE OF AMOUNTS.—” and all that follows through the end of the first sentence and inserting the following:

“(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under paragraph (4).”;

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

“(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NATIONAL FLOOD INSURANCE FUND.—

“(A) IN GENERAL.—The Administrator may approve only mitigation activities that the Administrator determines—

“(i) are technically feasible and cost-effective; or

“(ii) will eliminate future payments from the National Flood Insurance Fund for severe repetitive loss structures through an acquisition or relocation activity.

“(B) CONSIDERATIONS.—In making a determination under subparagraph (A), the Administrator shall take into consideration recognized ancillary benefits.”;

(C) by redesignating paragraph (5) as paragraph (3);

(D) in paragraph (3), as so redesignated—

(i) in the matter preceding subparagraph (A), by striking “The Director” and all that follows through “Such activities may” and inserting “Eligible activities under a mitigation plan may”;

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H), respectively;

(iv) by inserting after subparagraph (C) the following new subparagraph:

“(D) elevation, relocation, or floodproofing of utilities (including equipment that serves structures);”;

(v) by inserting after subparagraph (E), as so redesignated, the following new subparagraph:

“(F) the development or update of mitigation plans by a State or community which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed \$50,000 for any mitigation plan of a State or \$25,000 for any mitigation plan of a community;”;

(vi) in subparagraph (H); as so redesignated, by striking “and” at the end; and

(vii) by adding at the end the following new subparagraphs:

“(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State or community; and

“(J) without regard to the requirements under paragraphs (1) and (2) of subsection (d), and if the State applied for and was awarded at least

\$1,000,000 in grants available under this section in the prior fiscal year, technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed \$50,000 to any 1 State in any fiscal year.”; and

(E) by striking paragraph (6) and inserting the following:

“(4) ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator.”;

(6) by inserting after subsection (c), as so redesignated, the following new subsection:

“(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

“(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to—

“(A) 100 percent of all eligible costs, if the activities are approved under subsection (c)(2)(A)(i); or

“(B) the expected savings to the National Flood Insurance Fund from expected avoided damages through acquisition or relocation activities, if the activities are approved under subsection (c)(2)(A)(ii).

“(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

“(3) OTHER MITIGATION ACTIVITIES.—In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.”;

(7) in subsection (e)(2), as so redesignated—

(A) by striking “certified under subsection (g)” and inserting “required under subsection (d)”;

(B) by striking “3 times the amount” and inserting “the amount”;

(8) in subsection (f), as so redesignated, by striking “Riegle Community Development and Regulatory Improvement Act of 1994” and inserting “Biggert-Waters Flood Insurance Reform Act of 2012”; and

(9) by adding at the end the following new subsections:

“(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of the application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

“(h) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) COMMUNITY.—The term ‘community’ means—

“(A) a political subdivision that—

“(i) has zoning and building code jurisdiction over a particular area having special flood hazards; and

“(ii) is participating in the national flood insurance program; or

“(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

“(2) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given such term in section 1370.

“(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ means a structure that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance

coverage under this title, with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.”.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting “and” after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

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

“(1) In each fiscal year, amounts from the National Flood Insurance Fund not to exceed \$90,000,000 and to remain available until expended, of which—

“(A) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section for assistance described in section 1366(a)(1);

“(B) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section for assistance described in section 1366(a)(2); and

“(C) not more than \$10,000,000 shall be available pursuant to subsection (a) of this section for assistance described in section 1366(a)(3);”;

(B) in paragraph (3), by striking “section 1366(i)” and inserting “section 1366(e)”;

(2) in subsection (c), by striking “sections 1366 and 1323” and inserting “section 1366”;

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

“(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in the subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.”.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

SEC. 100226. FLOOD PROTECTION STRUCTURE ACCREDITATION TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the term “flood protection structure accreditation requirements” means the requirements established under section 65.10 of title 44, Code of Federal Regulations, for levee systems

to be recognized on maps created for purposes of the National Flood Insurance Program;

(2) the term “National Committee on Levee Safety” means the Committee on Levee Safety established under section 9003 of the National Levee Safety Act of 2007 (33 U.S.C. 3302); and

(3) the term “task force” means the Flood Protection Structure Accreditation Task Force established under subsection (b).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Administrator and the Secretary of the Army, acting through the Chief of Engineers, in cooperation with the National Committee on Levee Safety, shall jointly establish a Flood Protection Structure Accreditation Task Force.

(2) DUTIES.—

(A) DEVELOPING PROCESS.—The task force shall develop a process to better align the information and data collected by or for the Corps of Engineers under the Inspection of Completed Works Program with the flood protection structure accreditation requirements so that—

(i) information and data collected for either purpose can be used interchangeably; and

(ii) information and data collected by or for the Corps of Engineers under the Inspection of Completed Works Program is sufficient to satisfy the flood protection structure accreditation requirements.

(B) GATHERING RECOMMENDATIONS.—The task force shall gather, and consider in the process developed under subparagraph (A), recommendations from interested persons in each region relating to the information, data, and accreditation requirements described in subparagraph (A).

(3) CONSIDERATIONS.—In developing the process under paragraph (2), the task force shall consider changes to—

(A) the information and data collected by or for the Corps of Engineers under the Inspection of Completed Works Program; and

(B) the flood protection structure accreditation requirements.

(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a reduction in the level of public safety and flood control provided by accredited levees, as determined by the Administrator for purposes of this section.

(c) IMPLEMENTATION.—The Administrator and the Secretary of the Army, acting through the Chief of Engineers, shall implement the process developed by the task force under subsection (b) not later than 1 year after the date of enactment of this Act and shall complete the process under subsection (b) not later than 2 years after the date of enactment of this Act.

(d) REPORTS.—The Administrator and the Secretary of the Army, acting through the Chief of Engineers, in cooperation with the National Committee on Levee Safety, shall jointly submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Environment and Public Works of the Senate and the Committee on Financial Services, the Committee on Transportation and Infrastructure, and the Committee on Natural Resources of the House of Representatives reports concerning the activities of the task force and the implementation of the process developed by the task force under subsection (b), including—

(1) an interim report, not later than 180 days after the date of enactment of this Act; and

(2) a final report, not later than 1 year after the date of enactment of this Act.

(e) TERMINATION.—The task force shall terminate on the date of submission of the report under subsection (d)(2).

SEC. 100227. FLOOD IN PROGRESS DETERMINATIONS.

(a) REPORT.—

(1) REVIEW.—The Administrator shall review—

(A) the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the National Flood Insurance Program;

(B) the processes and procedures for providing public notification that such a flood event has commenced or is in progress;

(C) the processes and procedures regarding the timing of public notification of flood insurance requirements and availability; and

(D) the effects and implications that weather conditions, including rainfall, snowfall, projected snowmelt, existing water levels, and other conditions, have on the determination that a flood event has commenced or is in progress.

(2) REPORT.—Not later than 6 months after the date of enactment of this Act, the Administrator shall submit a report to Congress that describes—

(A) the results and conclusions of the review under paragraph (1); and

(B) any actions taken, or proposed actions to be taken, by the Administrator to provide for more precise and technical processes and procedures for determining that a flood event has commenced or is in progress.

(b) EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODING OF THE MISSOURI RIVER IN 2011.—

(1) ELIGIBLE COVERAGE.—For purposes of this subsection, the term “eligible coverage” means coverage under a new contract for flood insurance coverage under the National Flood Insurance Program, or a modification to coverage under an existing flood insurance contract, for property damaged by the flooding of the Missouri River that commenced on June 1, 2011, that was purchased or made during the period beginning May 1, 2011, and ending June 6, 2011.

(2) EFFECTIVE DATES.—Notwithstanding section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)), or any other provision of law, any eligible coverage shall—

(A) be deemed to take effect on the date that is 30 days after the date on which all obligations for the eligible coverage (including completion of the application and payment of any initial premiums owed) are satisfactorily completed; and

(B) cover damage to property occurring after the effective date described in subparagraph (A) that resulted from the flooding of the Missouri River that commenced on June 1, 2011, if the property did not suffer damage or loss as a result of such flooding before the effective date described in subparagraph (A).

(c) TIMELY NOTIFICATION.—Not later than 90 days after the date on which the Administrator submits the report required under subsection (a)(2), the Administrator shall, taking into consideration the results of the review under subsection (a)(1)(B), develop procedures for providing timely notification, to the extent practicable, to policyholders who have purchased flood insurance coverage under the National Flood Insurance Program within 30 days of a determination of a flood in progress and who may be affected by the flood of the determination and how the determination may affect their coverage.

SEC. 100228. CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.

Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2)—

(A) by striking “in the case of any residential property” and inserting “in the case of any residential building designed for the occupancy of from 1 to 4 families”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of \$250,000” and inserting “shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of \$250,000”; and

(2) in paragraph (4)—

(A) by striking “in the case of any nonresidential property, including churches,” and inserting “in the case of any nonresidential building, including a church,”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000 for each structure and \$500,000 for any contents related to each structure” and inserting “shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000, and coverage shall be made available up to a total of \$500,000 aggregate liability for contents owned by the building owner and \$500,000 aggregate liability for each unit within the building for contents owned by the tenant”.

SEC. 100229. LOCAL DATA REQUIREMENT.

(a) IN GENERAL.—Notwithstanding any other provision of this subtitle, no area or community participating in the National Flood Insurance Program that is or includes a community that is identified by the Administrator as Community Identification Number 360467 and impacted by the Jamaica Bay flooding source or identified by the Administrator as Community Identification Number 360495 may be or become designated as an area having special flood hazards for purposes of the National Flood Insurance Program, unless the designation is made on the basis of—

(1) flood hazard analyses of hydrologic, hydraulic, or coastal flood hazards that have been properly calibrated and validated, and are specific and directly relevant to the geographic area being studied; and

(2) ground elevation information of sufficient accuracy and precision to meet the guidelines of the Administration for accuracy at the 95 percent confidence level.

(b) REMAPPING.—

(1) REMAPPING REQUIRED.—If the Administrator determines that an area described in subsection (a) has been designated as an area of special flood hazard on the basis of information that does not comply with the requirements under subsection (a), the Administrator shall revise and update any National Flood Insurance Program rate map for the area—

(A) using information that complies with the requirements under subsection (a); and

(B) in accordance with the procedures established under section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) for flood elevation determinations.

(2) INTERIM PERIOD.—A National Flood Insurance Program rate map in effect on the date of enactment of this Act for an area for which the Administrator has made a determination under paragraph (1) shall continue in effect with respect to the area during the period—

(A) beginning on the date of enactment of this Act; and

(B) ending on the date on which the Administrator determines that the requirements under section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) for flood elevation determinations have been met with respect to a revision and update under paragraph (1) of a National Flood Insurance Program rate map for the area.

(3) DEADLINE.—The Administrator shall issue a preliminary National Flood Insurance Program rate map resulting from a revision and update required under paragraph (1) not later than 1 year after the date of enactment of this Act.

(4) RISK PREMIUM RATE CLARIFICATION.—

(A) IN GENERAL.—If a revision and update required under paragraph (1) results in a reduction in the risk premium rate for a property in an area for which the Administrator has made a determination under paragraph (1), the Administrator shall—

(i) calculate the difference between the reduced risk premium rate and the risk premium rate paid by a policyholder with respect to the property during the period—

(1) beginning on the date on which the National Flood Insurance Program rate map in ef-

fect for the area on the date of enactment of this Act took effect; and

(II) ending on the date on which the revised or updated National Flood Insurance Program rate map takes effect; and

(ii) reimburse the policyholder an amount equal to such difference.

(B) FUNDING.—Notwithstanding section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), there shall be available to the Administrator from premiums deposited in the National Flood Insurance Fund pursuant to subsection (d) of such section 1310, of amounts not otherwise obligated, the amount necessary to carry out this paragraph.

(c) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall cease to have effect on the effective date of a National Flood Insurance Program rate map revised and updated under subsection (b)(1).

(2) REIMBURSEMENTS.—Subsection (b)(4) shall cease to have effect on the date on which the Administrator has made all reimbursements required under subsection (b)(4).

SEC. 100230. ELIGIBILITY FOR FLOOD INSURANCE FOR PERSONS RESIDING IN COMMUNITIES THAT HAVE MADE ADEQUATE PROGRESS ON THE RECONSTRUCTION OR IMPROVEMENT OF A FLOOD PROTECTION SYSTEM.

(a) ELIGIBILITY FOR FLOOD INSURANCE COVERAGE.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e))), a person residing in a community that the Administrator determines has made adequate progress on the reconstruction or improvement of a flood protection system that will afford flood protection for a 100-year floodplain (without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement), shall be eligible for flood insurance coverage under the National Flood Insurance Program—

(A) if the person resides in a community that is a participant in the National Flood Insurance Program; and

(B) at a risk premium rate that does not exceed the risk premium rate that would be chargeable if the flood protection system had been completed.

(2) ADEQUATE PROGRESS.—

(A) RECONSTRUCTION OR IMPROVEMENT.—For purposes of paragraph (1), the Administrator shall determine that a community has made adequate progress on the reconstruction or improvement of a flood protection system if—

(i) 100 percent of the project cost has been authorized;

(ii) not less than 60 percent of the project cost has been secured or appropriated;

(iii) not less than 50 percent of the flood protection system has been assessed as being without deficiencies; and

(iv) the reconstruction or improvement has a project schedule that does not exceed 5 years, beginning on the date on which the reconstruction or construction of the improvement commences.

(B) CONSIDERATIONS.—In determining whether a flood protection system has been assessed as being without deficiencies, the Administrator shall consider the requirements under section 65.10 of chapter 44, Code of Federal Regulations, or any successor thereto.

(C) DATE OF COMMENCEMENT.—For purposes of subparagraph (A)(iv) of this paragraph and subsection (b)(2)(B), the date of commencement of the reconstruction or improvement of a flood protection system that is undergoing reconstruction or improvement on the date of enactment of this Act shall be deemed to be the date on which the owner of the flood protection system submits a request under paragraph (3).

(3) REQUEST FOR DETERMINATION.—The owner of a flood protection system that is undergoing reconstruction or improvement on the date of

enactment of this Act may submit to the Administrator a request for a determination under paragraph (2) that the community in which the flood protection system is located has made adequate progress on the reconstruction or improvement of the flood protection system.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit the Administrator from making a determination under paragraph (2) for any community in which a flood protection system is not undergoing reconstruction or improvement on the date of enactment of this Act.

(b) TERMINATION OF ELIGIBILITY.—

(1) ADEQUATE CONTINUING PROGRESS.—The Administrator shall issue rules to establish a method of determining whether a community has made adequate continuing progress on the reconstruction or improvement of a flood protection system that includes—

(A) a requirement that the Administrator shall—

(i) consult with the owner of the flood protection system—

(I) 6 months after the date of a determination under subsection (a);

(II) 18 months after the date of a determination under subsection (a); and

(III) 36 months after the date of a determination under subsection (a); and

(ii) after each consultation under clause (i), determine whether the reconstruction or improvement is reasonably likely to be completed in accordance with the project schedule described in subsection (a)(2)(A)(iv); and

(B) a requirement that, if the Administrator makes a determination under subparagraph (A)(ii) that reconstruction or improvement is not reasonably likely to be completed in accordance with the project schedule, the Administrator shall—

(i) not later than 30 days after the date of the determination, notify the owner of the flood protection system of the determination and provide the rationale and evidence for the determination; and

(ii) provide the owner of the flood protection system the opportunity to appeal the determination.

(2) TERMINATION.—The Administrator shall terminate the eligibility for flood insurance coverage under subsection (a) for persons residing in a community with respect to which the Administrator made a determination under subsection (a) if—

(A) the Administrator determines that the community has not made adequate continuing progress; or

(B) on the date that is 5 years after the date on which the reconstruction or construction of the improvement commences, the project has not been completed.

(3) WAIVER.—A person whose eligibility would otherwise be terminated under paragraph (2)(B) shall continue to be eligible to purchase flood insurance coverage described in subsection (a) if the Administrator determines—

(A) the community has made adequate continuing progress on the reconstruction or improvement of a flood protection system; and

(B) there is a reasonable expectation that the reconstruction or improvement of the flood protection system will be completed not later than 1 year after the date of the determination under this paragraph.

(4) RISK PREMIUM RATE.—If the Administrator terminates the eligibility of persons residing in a community to purchase flood insurance coverage described in subsection (a), the Administrator shall establish an appropriate risk premium rate for flood insurance coverage under the National Flood Insurance Program for persons residing in the community that purchased flood insurance coverage before the date on which the termination of eligibility takes effect, taking into consideration the then-current state of the flood protection system.

(c) ADDITIONAL AUTHORITY.—

(1) ADDITIONAL AUTHORITY.—Notwithstanding subsection (a), in exceptional and exigent cir-

cumstances, the Administrator may, in the Administrator's sole discretion, determine that a person residing in a community, which is a participant in the National Flood Insurance Program, that has begun reconstruction or improvement of a flood protection system that will afford flood protection for a 100-year floodplain (without regard to the level of Federal funding of or participation in the reconstruction or improvement) shall be eligible for flood insurance coverage under the National Flood Insurance Program at a risk premium rate that does not exceed the risk premium rate that would be chargeable if the flood protection system had been completed, provided—

(A) the community makes a written request for the determination setting forth the exceptional and exigent circumstances, including why the community cannot meet the criteria for adequate progress set forth in under subsection (a)(2)(A) and why immediate relief is necessary;

(B) the Administrator submits a written report setting forth findings of the exceptional and exigent circumstances on which the Administrator based an affirmative determination to the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives not later than 15 days before making the determination; and

(C) the eligibility for flood insurance coverage at a risk premium rate determined under this subsection terminates no later than 1 year after the date on which the Administrator makes the determination.

(2) LIMITATION.—Upon termination of eligibility under paragraph (1)(C), a community may submit another request pursuant to paragraph (1)(A). The Administrator may make no more than two determinations under paragraph (1) with respect to persons residing within any single requesting community.

(3) TERMINATION.—The authority provided under paragraphs (1) and (2) shall terminate two years after the enactment of this Act.

SEC. 100231. STUDIES AND REPORTS.

(a) REPORT ON IMPROVING THE NATIONAL FLOOD INSURANCE PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, on—

(1) the number of flood insurance policy holders currently insuring—

(A) a residential structure up to the maximum available coverage amount, as established in section 61.6 of title 44, Code of Federal Regulations, of—

(i) \$250,000 for the structure; and

(ii) \$100,000 for the contents of such structure; or

(B) a commercial structure up to the maximum available coverage amount, as established in section 61.6 of title 44, Code of Federal Regulations, of \$500,000;

(2) the increased losses the National Flood Insurance Program would have sustained during the 2004 and 2005 hurricane season if the National Flood Insurance Program had insured all policyholders up to the maximum conforming loan limit for fiscal year 2006 of \$417,000, as established under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2));

(3) the availability in the private marketplace of flood insurance coverage in amounts that exceed the current limits of coverage amounts established in section 61.6 of title 44, Code of Federal Regulations; and

(4) what effect, if any—

(A) raising the current limits of coverage amounts established in section 61.6 of title 44, Code of Federal Regulations, would have on the ability of private insurers to continue providing flood insurance coverage; and

(B) reducing the current limits of coverage amounts established in section 61.6 of title 44,

Code of Federal Regulations, would have on the ability of private insurers to provide sufficient flood insurance coverage to effectively replace the current level of flood insurance coverage being provided under the National Flood Insurance Program.

(b) REPORT OF THE ADMINISTRATOR ON ACTIVITIES UNDER THE NATIONAL FLOOD INSURANCE PROGRAM.—

(1) IN GENERAL.—The Administrator shall, on an annual basis, submit a full report on the operations, activities, budget, receipts, and expenditures of the National Flood Insurance Program for the preceding 12-month period to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(2) TIMING.—Each report required under paragraph (1) shall be submitted to the committees described in paragraph (1) not later than 3 months following the end of each fiscal year.

(3) CONTENTS.—Each report required under paragraph (1) shall include—

(A) the current financial condition and income statement of the National Flood Insurance Fund established under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), including—

- (i) premiums paid into such Fund;
- (ii) policy claims against such Fund; and
- (iii) expenses in administering such Fund;

(B) the number and face value of all policies issued under the National Flood Insurance Program that are in force;

(C) a description and summary of the losses attributable to repetitive loss structures;

(D) a description and summary of all losses incurred by the National Flood Insurance Program due to—

- (i) hurricane related damage; and
- (ii) nonhurricane related damage;

(E) the amounts made available by the Administrator for mitigation assistance under section 1366(c)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(c)(4)), as so redesignated by this Act, for the purchase of properties substantially damaged by flood for that fiscal year, and the actual number of flood damaged properties purchased and the total cost expended to purchase such properties;

(F) the estimate of the Administrator as to the average historical loss year, and the basis for that estimate;

(G) the estimate of the Administrator as to the maximum amount of claims that the National Flood Insurance Program would have to expend in the event of a catastrophic year;

(H) the average—

(i) amount of insurance carried per flood insurance policy;

- (ii) premium per flood insurance policy; and
- (iii) loss per flood insurance policy; and

(I) the number of claims involving damages in excess of the maximum amount of flood insurance available under the National Flood Insurance Program and the sum of the amount of all damages in excess of such amount.

(c) GAO STUDY ON PRE-FIRM STRUCTURES.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, on the—

(1) composition of the remaining pre-FIRM structures that are explicitly receiving discounted premium rates under section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014), including the historical basis for the receipt of such subsidy and the extent to which pre-FIRM structures are currently owned by the same owners of the property at the time of the original National Flood Insurance Program rate map;

(2) number and fair market value of such structures;

(3) respective income level of the owners of such structures;

(4) number of times each such structure has been sold since 1968, including specific dates, sales price, and any other information the Secretary determines appropriate;

(5) total losses incurred by such structures since the establishment of the National Flood Insurance Program compared to the total losses incurred by all structures that are charged a nondiscounted premium rate;

(6) total cost of foregone premiums since the establishment of the National Flood Insurance Program, as a result of the subsidies provided to such structures;

(7) annual cost as a result of the subsidies provided to such structures;

(8) the premium income collected and the losses incurred by the National Flood Insurance Program as a result of such explicitly subsidized structures compared to the premium income collected and the losses incurred by such Program as a result of structures that are charged a nondiscounted premium rate, on a State-by-State basis; and

(9) the options for eliminating the subsidy to such structures.

(d) GAO REVIEW OF FEMA CONTRACTORS.—The Comptroller General of the United States, in conjunction with the Office of the Inspector General of the Department of Homeland Security, shall—

(1) conduct a review of the 3 largest contractors the Administrator uses in administering the National Flood Insurance Program; and

(2) not later than 18 months after the date of enactment of this Act, submit a report on the findings of such review to the Administrator, the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Financial Services of the House of Representatives.

(e) STUDY AND REPORT ON GRADUATED RISK.—

(1) STUDY.—

(A) STUDY REQUIRED.—The Administrator shall enter into a contract under which the National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions.

(B) CONTENTS OF STUDY.—The study under this paragraph shall—

(i) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(ii) rank each best practice recommended under clause (i) based on the best value, balancing cost, scientific integrity, and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(iii) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(iv) identify areas in which the best floodplain management and land use practices described in clause (iii) have proven effective and recommend methods and processes by which such practices could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(v) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees that are actuarially sound and based on the flood risk data developed using the 3 best practices recommended under clause (i) that have the best value as determined under clause (ii);

(vi) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including

establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(vii) taking into consideration the recommendations under clauses (i) through (iii), recommend approaches to communicate the associated risks to community officials, homeowners, and other residents of communities.

(2) REPORT.—The contract under paragraph (1)(A) shall provide that not later than 12 months after the date of enactment of this Act, the National Academy of Sciences shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services and the Committee on Science, Space, and Technology of the House of Representatives a report on the study under paragraph (1) that includes the information and recommendations required under paragraph (1).
SEC. 100232. REINSURANCE.

(a) FEMA AND GAO REPORTS ON PRIVATIZATION.—Not later than 18 months after the date of enactment of this Act, the Administrator and the Comptroller General of the United States shall each—

(1) conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the National Flood Insurance Program; and

(2) submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish the privatization described in paragraph (1).

(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—The Administrator may carry out such private risk-management initiatives as are otherwise authorized under applicable law, as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(c) REINSURANCE ASSESSMENT.—

(1) PRIVATE MARKET PRICING ASSESSMENT.—Not later than 12 months after the date of enactment of this Act, the Administrator shall submit to Congress a report that—

(A) assesses the capacity of the private reinsurance, capital, and financial markets to assist communities, on a voluntary basis, in managing the full range of financial risks associated with flooding by requesting proposals to assume a portion of the insurance risk of the National Flood Insurance Program;

(B) describes any responses to the request for proposals under subparagraph (A);

(C) assesses whether the rates and terms contained in any proposals received by the Administrator are—

(i) reasonable and appropriate; and

(ii) in an amount sufficient to maintain the ability of the National Flood Insurance Program to pay claims;

(D) describes the extent to which carrying out the proposals received by the Administrator would minimize the likelihood that the Administrator would use the borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016);

(E) describes fluctuations in historical reinsurance rates; and

(F) includes an economic cost-benefit analysis of the impact on the National Flood Insurance Program if the Administrator were to exercise the authority under section 1335(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4055(a)(2)), as added by this section, to secure reinsurance of coverage provided by the National Flood Insurance Program from the private market.

(2) PROTOCOL FOR RELEASE OF DATA.—The Administrator shall develop a protocol, including adequate privacy protections, to provide for the release of data sufficient to conduct the assessment required under paragraph (1).

(d) REINSURANCE.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting “, including as reinsurance of coverage provided by the flood insurance program” before “, on such terms”;

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting “or reinsurance” after “flood insurance coverage”;

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by striking “The Director” and inserting the following:

“(1) IN GENERAL.—The Administrator”;

(B) by adding at the end the following:

“(2) PRIVATE REINSURANCE.—The Administrator is authorized to secure reinsurance of coverage provided by the flood insurance program from the private market at rates and on terms determined by the Administrator to be reasonable and appropriate, in an amount sufficient to maintain the ability of the program to pay claims.”;

(4) in section 1346(a) (42 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting after “for the purpose of” the following: “securing reinsurance of insurance coverage provided by the program or for the purpose of”;

(B) in paragraph (1)—

(i) by striking “estimating” and inserting “Estimating”;

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking “receiving” and inserting “Receiving”;

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking “making” and inserting “Making”;

(ii) by striking “; and” and inserting a period;

(E) by redesignating paragraph (4) as paragraph (5);

(F) in paragraph (5), as so redesignated, by striking “otherwise” and inserting “Otherwise”;

(G) by inserting after paragraph (3) the following new paragraph:

“(4) Placing reinsurance coverage on insurance provided by such program.”;

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by striking “include any” and all that follows and inserting the following: “include any organization or person that is authorized to engage in the business of insurance under the laws of any State, subject to the reporting requirements of the Securities Exchange Act of 1934 pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a) and 78o(d)), or authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program.”;

(e) ASSESSMENT OF CLAIMS-PAYING ABILITY.—

(1) ASSESSMENT.—

(A) ASSESSMENT REQUIRED.—

(i) IN GENERAL.—Not later than September 30 of each year, the Administrator shall conduct an assessment of the ability of the National Flood Insurance Program to pay claims.

(ii) PRIVATE MARKET REINSURANCE.—The assessment under this paragraph for any year in which the Administrator exercises the authority under section 1335(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4055(a)(2)), as added by this section, to secure reinsurance of coverage provided by the National Flood Insurance Program from the private market shall include information relating to the use of private sector reinsurance and reinsurance equivalents by the Administrator, whether or not the Administrator used the borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016).

(iii) FIRST ASSESSMENT.—The Administrator shall conduct the first assessment required under this paragraph not later than September 30, 2012.

(B) CONSIDERATIONS.—In conducting an assessment under subparagraph (A), the Administrator shall take into consideration regional

concentrations of coverage written by the National Flood Insurance Program, peak flood zones, and relevant mitigation measures.

(2) ANNUAL REPORT OF THE ADMINISTRATOR OF ACTIVITIES UNDER THE NATIONAL FLOOD INSURANCE PROGRAM.—The Administrator shall—

(A) include the results of each assessment in the report required under section 100231(b); and

(B) not later than 30 days after the date on which the Administrator completes an assessment required under paragraph (1), make the results of the assessment available to the public.

SEC. 100233. GAO STUDY ON BUSINESS INTERRUPTION AND ADDITIONAL LIVING EXPENSE COVERAGES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study concerning—

(1) the availability of additional living expenses and business interruption coverage in the private marketplace for flood insurance;

(2) the feasibility of allowing the National Flood Insurance Program to offer such coverage at the option of the consumer;

(3) the estimated cost to consumers if the National Flood Insurance Program priced such optional coverage at true actuarial rates;

(4) the impact such optional coverage would have on consumer participation in the National Flood Insurance Program; and

(5) the fiscal impact such optional coverage would have upon the National Flood Insurance Fund if such optional coverage were included in the National Flood Insurance Program, as described in paragraph (2), at the price described in paragraph (3).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing the results of the study under subsection (a).

SEC. 100234. POLICY DISCLOSURES.

(a) IN GENERAL.—Notwithstanding any other provision of law, in addition to any other disclosures that may be required, each policy under the National Flood Insurance Program shall state all conditions, exclusions, and other limitations pertaining to coverage under the subject policy, regardless of the underlying insurance product, in plain English, in boldface type, and in a font size that is twice the size of the text of the body of the policy.

(b) VIOLATIONS.—The Administrator may impose a civil penalty of not more than \$50,000 on any person that fails to comply with subsection (a).

SEC. 100235. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building codes or any applicable local building codes provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than urban communities; and

(8) the impact of such a building code requirement on Indian reservations.

SEC. 100236. STUDY OF PARTICIPATION AND AFFORDABILITY FOR CERTAIN POLICYHOLDERS.

(a) FEMA STUDY.—The Administrator shall conduct a study of—

(1) methods to encourage and maintain participation in the National Flood Insurance Program;

(2) methods to educate consumers about the National Flood Insurance Program and the flood risk associated with their property;

(3) methods for establishing an affordability framework for the National Flood Insurance Program, including methods to aid individuals to afford risk-based premiums under the National Flood Insurance Program through targeted assistance rather than generally subsidized rates, including means-tested vouchers; and

(4) the implications for the National Flood Insurance Program and the Federal budget of using each such method.

(b) NATIONAL ACADEMY OF SCIENCES ECONOMIC ANALYSIS.—To inform the Administrator in the conduct of the study under subsection (a), the Administrator shall enter into a contract under which the National Academy of Sciences, in consultation with the Comptroller General of the United States, shall conduct and submit to the Administrator an economic analysis of the costs and benefits to the Federal Government of a flood insurance program with full risk-based premiums, combined with means-tested Federal assistance to aid individuals who cannot afford coverage, through an insurance voucher program. The analysis shall compare the costs of a program of risk-based rates and means-tested assistance to the current system of subsidized flood insurance rates and federally funded disaster relief for people without coverage.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results of the study and analysis under this section.

(d) FUNDING.—Notwithstanding section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), there shall be available to the Administrator from the National Flood Insurance Fund, of amounts not otherwise obligated, not more than \$750,000 to carry out this section.

SEC. 100237. STUDY AND REPORT CONCERNING THE PARTICIPATION OF INDIAN TRIBES AND MEMBERS OF INDIAN TRIBES IN THE NATIONAL FLOOD INSURANCE PROGRAM.

(a) DEFINITION.—In this section, the term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) FINDINGS.—Congress finds that participation by Indian tribes in the National Flood Insurance Program is low. Only 45 of 565 Indian tribes participate in the National Flood Insurance Program.

(c) STUDY.—The Comptroller General of the United States, in coordination and consultation with Indian tribes and members of Indian tribes throughout the United States, shall carry out a study that examines—

(1) the factors contributing to the current rates of participation by Indian tribes and members of Indian tribes in the National Flood Insurance Program; and

(2) methods of encouraging participation by Indian tribes and members of Indian tribes in the National Flood Insurance Program.

(d) REPORT.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report that—

(1) contains the results of the study carried out under subsection (c);

(2) describes the steps that the Administrator should take to increase awareness and encourage participation by Indian tribes and members of Indian tribes in the National Flood Insurance Program; and

(3) identifies any legislative changes that would encourage participation by Indian tribes and members of Indian tribes in the National Flood Insurance Program.

SEC. 100238. TECHNICAL CORRECTIONS.

(a) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking “Director” each place that term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting “Administrator”; and

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking “Director’s” and inserting “Administrator’s”.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking “Director” each place that term appears and inserting “Administrator”;

(2) in section 1363 (42 U.S.C. 4104), by striking “Director’s” each place that term appears and inserting “Administrator’s”; and

(3) in section 1370(a)(9) (42 U.S.C. 4121(a)(9)), by striking “the Office of Thrift Supervision.”.

(c) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking “Director” each place that term appears and inserting “Administrator”.

SEC. 100239. USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.

(a) AMENDMENTS.—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking the period at the end and inserting “; and”;

(B) by striking “lending institutions not to make” and inserting “lending institutions—

“(A) not to make”; and

(C) by adding at the end the following:

“(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.”;

(2) in paragraph (2)—

(A) by striking “paragraph (1)” each place that term appears and inserting “paragraph (1)(A)”; and

(B) by inserting after the first sentence the following: “Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”;

(3) in paragraph (3), in the matter following subparagraph (B), by striking “paragraph (1).” and inserting “paragraph (1)(A). The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under paragraph (1)(A) if the flood insurance coverage provided by such private flood insurance meets

the requirements for coverage under such paragraph and any requirements established by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, respectively, relating to the financial solvency, strength, or claims-paying ability of private insurance companies from which the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation will accept private flood insurance.”; and

(4) by adding at the end the following:

“(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to supersede or limit the authority of a Federal entity for lending regulation, the Federal Housing Finance Agency, a Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation to establish requirements relating to the financial solvency, strength, or claims-paying ability of private insurance companies from which the entity or agency will accept private flood insurance.

“(6) NOTICE.—

“(A) IN GENERAL.—Each lender shall disclose to a borrower that is subject to this subsection that—

“(i) flood insurance is available from private insurance companies that issue standard flood insurance policies on behalf of the national flood insurance program or directly from the national flood insurance program;

“(ii) flood insurance that provides the same level of coverage as a standard flood insurance policy under the national flood insurance program may be available from a private insurance company that issues policies on behalf of the company; and

“(iii) the borrower is encouraged to compare the flood insurance coverage, deductibles, exclusions, conditions and premiums associated with flood insurance policies issued on behalf of the national flood insurance program and policies issued on behalf of private insurance companies and to direct inquiries regarding the availability, cost, and comparisons of flood insurance coverage to an insurance agent.

“(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as affecting or otherwise limiting the authority of a Federal entity for lending regulation to approve any disclosure made by a regulated lending institution for purposes of complying with subparagraph (A).

“(7) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term ‘private flood insurance’ means an insurance policy that—

“(A) is issued by an insurance company that is—

“(i) licensed, admitted, or otherwise approved to engage in the business of insurance in the State or jurisdiction in which the insured building is located, by the insurance regulator of that State or jurisdiction; or

“(ii) in the case of a policy of difference in conditions, multiple peril, all risk, or other blanket coverage insuring nonresidential commercial property, is recognized, or not disapproved, as a surplus lines insurer by the insurance regulator of the State or jurisdiction where the property to be insured is located;

“(B) provides flood insurance coverage which is at least as broad as the coverage provided under a standard flood insurance policy under the national flood insurance program, including when considering deductibles, exclusions, and conditions offered by the insurer;

“(C) includes—

“(i) a requirement for the insurer to give 45 days’ written notice of cancellation or non-renewal of flood insurance coverage to—

“(I) the insured; and

“(II) the regulated lending institution or Federal agency lender;

“(ii) information about the availability of flood insurance coverage under the national flood insurance program;

“(iii) a mortgage interest clause similar to the clause contained in a standard flood insurance policy under the national flood insurance program; and

“(iv) a provision requiring an insured to file suit not later than 1 year after date of a written denial of all or part of a claim under the policy; and

“(D) contains cancellation provisions that are as restrictive as the provisions contained in a standard flood insurance policy under the national flood insurance program.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 1364(a)(3)(C) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104a(a)(3)(C)) is amended by inserting after “private insurers” the following: “, as required under section 102(b)(6) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)(6))”.

SEC. 100240. LEVEES CONSTRUCTED ON CERTAIN PROPERTIES.

(a) DEFINITION.—In this section, the term “covered hazard mitigation land” means land that—

(1) was acquired and deed restricted under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) during the period beginning on January 1, 1999, and ending December 31, 2011;

(2) is located at—

(A) 1029 Oak Street, Fargo, North Dakota;

(B) 27 South Terrace, Fargo, North Dakota;

(C) 1033 Oak Street, Fargo, North Dakota;

(D) 308 Schnell Drive, Oxbow, North Dakota;

or

(E) 306 Schnell Drive, Oxbow, North Dakota;

and

(3) is located in a community that—

(A) is participating in the National Flood Insurance Program on the date on which a State, local, or tribal government submits an application requesting to construct a permanent flood risk reduction levee under subsection (b); and

(B) certifies to the Administrator and the Chief of Engineers that the community will continue to participate in the National Flood Insurance Program.

(b) AUTHORITY.—Notwithstanding any other prohibition on construction on property acquired with funding from the Federal Emergency Management Agency for conversion to open space purposes, the Administrator shall allow the construction of a permanent flood risk reduction levee by a State, local, or tribal government on covered hazard mitigation land if—

(1) the Administrator and the Chief of Engineers make a determination that—

(A) construction of the proposed permanent flood risk reduction levee would more effectively mitigate against flooding risk than an open floodplain or other flood risk reduction measures;

(B) the proposed permanent flood risk reduction levee complies with Federal, State, and local requirements, including mitigation of adverse impacts and implementation of floodplain management requirements, which shall include an evaluation of whether the construction, operation, and maintenance of the proposed levee—

(i) would continue to meet best available industry standards and practices;

(ii) would be the most cost-effective measure to protect against the assessed flood risk; and

(iii) minimizes future costs to the Federal Government;

(C) the State, local, or tribal government seeking to construct the proposed permanent flood risk reduction levee has provided an adequate maintenance plan that documents the procedures the State, local, or tribal government will use to ensure that the stability, height, and overall integrity of the proposed levee and the structure and systems of the proposed levee are maintained, including—

(i) specifying the maintenance activities to be performed;

(ii) specifying the frequency with which maintenance activities will be performed;

(iii) specifying the person responsible for performing each maintenance activity (by name or title);

(iv) detailing the plan for financing the maintenance of the levee; and

(v) documenting the ability of the State, local, or tribal government to finance the maintenance of the levee; and

(2) before the commencement of construction, the State, local, or tribal government provides to the Administrator an amount—

(A) equal to the Federal share of all project costs previously provided by the Administrator under the applicable program for each deed restricted parcel of the covered hazard mitigation land, which the Administrator shall deposit in the National Flood Insurance Fund; and

(B) that does not include any Federal funds.

(c) MAINTENANCE CERTIFICATION.—

(1) IN GENERAL.—A State, local, or tribal government that constructs a permanent flood risk reduction levee under subsection (b) shall submit to the Administrator and the Chief of Engineers an annual certification indicating whether the State, local, or tribal government is in compliance with the maintenance plan provided under subsection (b)(1)(C).

(2) REVIEW.—The Chief of Engineers shall review each certification submitted under paragraph (1) and determine whether the State, local, or tribal government has complied with the maintenance plan.

SEC. 100241. INSURANCE COVERAGE FOR PRIVATE PROPERTIES AFFECTED BY FLOODING FROM FEDERAL LANDS.

Section 1306(c)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)(2)) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) the initial purchase of flood insurance coverage for private property if—

“(i) the Administrator determines that the property is affected by flooding on Federal land that is a result of, or is exacerbated by, post-wildfire conditions, after consultation with an authorized employee of the Federal agency that has jurisdiction of the land on which the wildfire that caused the post-wildfire conditions occurred; and

“(ii) the flood insurance coverage was purchased not later than 60 days after the fire containment date, as determined by the appropriate Federal employee, relating to the wildfire that caused the post-wildfire conditions described in clause (i).”.

SEC. 100242. PERMISSIBLE LAND USE UNDER FEDERAL FLOOD INSURANCE PLAN.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by adding at the end the following:

“SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

“(a) IN GENERAL.—Notwithstanding any other provision of law, including the adequate land use and control measures developed pursuant to section 1361 and applicable to non-one- and two-family structures located within coastal areas, as identified by the Administrator, the following may be permitted:

“(1) Nonsupporting breakaway walls in the space below the lowest elevated floor of a building, if the space is used solely for a swimming pool between November 30 and June 1 of any year, in an area designated as Zone V on a flood insurance rate map.

“(2) Openings in walls in the space below the lowest elevated floor of a building, if the space is used solely for a swimming pool between November 30 and June 1 of any year, in an area designated as Zone A on a flood insurance rate map.

“(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to alter the terms and conditions of eligibility and insurability of coverage for a building under the standard flood insurance policy under the national flood insurance program.”.

SEC. 100243. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.

(a) AMENDMENTS.—Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) by redesignating paragraph (25) as paragraph (26);

(2) by redesignating the second paragraph designated as paragraph (24) (relating to tornado-safe shelters) as paragraph (25);

(3) in paragraph (24) (relating to homeownership among persons with low and moderate income), by striking “and” at the end;

(4) in paragraph (25), as so redesignated, by striking “and” at the end;

(5) in paragraph (26), as so redesignated, by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following new paragraphs:

“(27) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expenditures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—

“(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—

“(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;

“(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and

“(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph,

except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and

“(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and

“(28) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indian tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—

“(A) amounts used as provided under this paragraph shall be used only for activities designed to—

“(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

“(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

“(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

“(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;

“(v) encourage such owners and renters to maintain or acquire such coverage;

“(vi) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the ‘Administrator’) where such information is available; and

“(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

“(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term ‘non-Federal funds’ includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

“(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

“(D) each local government agency that uses amounts as provided under this paragraph shall submit a report to the Secretary and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.”.

(b) SUNSET.—Effective on the date that is 2 years after the date of enactment of this Act, section 105(a) of the Housing and Community

Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (25), as so redesignated by subsection (a) of this subsection, by adding “and” at the end;

(2) in paragraph (26), as so redesignated by subsection (a) of this subsection, by striking the semicolon at the end and inserting a period; and
(3) by striking paragraphs (27) and (28), as added by subsection (a) of this subsection.

SEC. 100244. TERMINATION OF FORCE-PLACED INSURANCE.

(a) IN GENERAL.—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) in paragraph (2), by striking “purchasing the insurance” and inserting “purchasing the insurance, including premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) **TERMINATION OF FORCE-PLACED INSURANCE.**—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower’s existing flood insurance coverage, the lender or servicer shall—

“(A) terminate any insurance purchased by the lender or servicer under paragraph (2); and

“(B) refund to the borrower all premiums paid by the borrower for any insurance purchased by the lender or servicer under paragraph (2) during any period during which the borrower’s flood insurance coverage and the insurance coverage purchased by the lender or servicer were each in effect, and any related fees charged to the borrower with respect to the insurance purchased by the lender or servicer during such period.

“(4) **SUFFICIENCY OF DEMONSTRATION.**—For purposes of confirming a borrower’s existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.”.

SEC. 100245. FEMA AUTHORITY ON TRANSFER OF POLICIES.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(d) **FEMA AUTHORITY ON TRANSFER OF POLICIES.**—Notwithstanding any other provision of this title, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.”.

SEC. 100246. REIMBURSEMENT OF CERTAIN EXPENSES.

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking subsection (f) and inserting the following:

“(f) **REIMBURSEMENT OF CERTAIN EXPENSES.**—When, incident to any appeal under subsection (b) or (c) of this section, the owner or lessee of real property or the community, as the case may be, incurs expense in connection with the services of surveyors, engineers, or similar services, but not including legal services, in the effecting of an appeal based on a scientific or technical error on the part of the Federal Emergency Management Agency, which is successful in whole or part, the Administrator shall reimburse such individual or community to an extent measured by the ratio of the successful portion of the appeal as compared to the entire appeal and applying such ratio to the reasonable value of all such services, but no reimbursement shall be made by the Administrator in respect to any fee or expense payment, the payment of which was agreed to be contingent upon the result of

the appeal. The amounts available for implementing this subsection shall not exceed \$250,000. The Administrator shall promulgate regulations to carry out this subsection.”.

SEC. 100247. FIO STUDY ON RISKS, HAZARDS, AND INSURANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director of the Federal Insurance Office shall conduct a study and submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report providing an assessment of the current state of the market for natural catastrophe insurance in the United States.

(b) **FACTORS.**—The study and report required under subsection (a) shall assess—

(1) the current condition of, as well as the outlook for, the availability and affordability of insurance for natural catastrophe perils in all regions of the United States;

(2) the current ability of States, communities, and individuals to mitigate their natural catastrophe risks, including the affordability and feasibility of such mitigation activities;

(3) the current state of catastrophic insurance and reinsurance markets and the current approaches in providing insurance protection to different sectors of the population of the United States;

(4) the current financial condition of State residual markets and catastrophe funds in high-risk regions, including the likelihood of insolvency following a natural catastrophe, the concentration of risks within such funds, the reliance on post-event assessments and State funding, and the adequacy of rates; and

(5) the current role of the Federal Government and State and local governments in providing incentives for feasible risk mitigation efforts and the cost of providing post-natural catastrophe aid in the absence of insurance.

(c) **ADDITIONAL FACTORS.**—The study and report required under subsection (a) shall also contain an assessment of current approaches to insuring natural catastrophe risks in the United States and such other information as the Director of the Federal Insurance Office determines necessary or appropriate.

(d) **CONSULTATION.**—In carrying out the study and report under subsection (a), the Director of the Federal Insurance Office shall consult with the National Academy of Sciences, State insurance regulators, consumer organizations, representatives of the insurance and reinsurance industry, policyholders, and other organizations and experts, as appropriate.

SEC. 100248. FLOOD PROTECTION IMPROVEMENTS CONSTRUCTED ON CERTAIN PROPERTIES.

(a) **DEFINITION.**—In this section, the term “covered hazard mitigation land” means land that—

(1) was acquired and deed restricted under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) during the period beginning on March 1, 2008, and ending on December 31, 2008;

(2) is located at—

(A) 809 East Main Cross Street, Findlay, Ohio, 45840;

(B) 801 East Main Cross Street, Findlay, Ohio, 45840;

(C) 725 East Main Cross Street, Findlay, Ohio, 45840; or

(D) 631 East Main Cross Street, Findlay, Ohio, 45840; and

(3) is located in a community that—

(A) is participating in the National Flood Insurance Program on the date on which a State, local, or tribal government submits an application requesting to construct a flood protection improvement under subsection (b); and

(B) certifies to the Administrator and the Chief of Engineers that the community will continue to participate in the National Flood Insurance Program.

(b) **AUTHORITY.**—Notwithstanding any other prohibition on construction on property acquired with funding from the Federal Emergency Management Agency for conversion to open space purposes, the Administrator shall allow the construction of a flood protection improvement by a State, local, or tribal government on covered hazard mitigation land if—

(1) the Administrator and the Chief of Engineers make a determination that—

(A) construction of the proposed flood protection improvement would more effectively mitigate against flooding risk than an open floodplain or other flood risk reduction measures;

(B) the proposed flood protection improvement complies with Federal, State, and local requirements, including mitigation of adverse impacts and implementation of floodplain management requirements, which shall include an evaluation of whether the construction, operation, and maintenance of the proposed flood protection improvement—

(i) would continue to meet best available industry standards and practices;

(ii) would be the most cost-effective measure to protect against the assessed flood risk; and

(iii) minimizes future costs to the Federal Government;

(C) the State, local, or tribal government seeking to construct the flood protection improvement has provided an adequate maintenance plan that documents the procedures the State, local, or tribal government will use to ensure that the stability, height, and overall integrity of the proposed flood protection improvement and the structure and systems of the proposed flood protection improvement are maintained, including—

(i) specifying the maintenance activities to be performed;

(ii) specifying the frequency with which maintenance activities will be performed;

(iii) specifying the person responsible for performing each maintenance activity (by name or title);

(iv) detailing the plan for financing the maintenance of the flood protection improvement; and

(v) documenting the ability of the State, local, or tribal government to finance the maintenance of the flood protection improvement; and

(2) before the commencement of construction, the State, local, or tribal government provides to the Administrator an amount—

(A) equal to the Federal share of all project costs previously provided by the Administrator under the applicable program for each deed restricted parcel of the covered hazard mitigation land, which the Administrator shall deposit in the National Flood Insurance Fund; and

(B) that does not include any Federal funds.

(c) **MAINTENANCE CERTIFICATION.**—

(1) IN GENERAL.—A State, local, or tribal government that constructs a flood protection improvement under subsection (b) shall submit to the Administrator and the Chief of Engineers an annual certification indicating whether the State, local, or tribal government is in compliance with the maintenance plan provided under subsection (b)(1)(C).

(2) **REVIEW.**—The Chief of Engineers shall review each certification submitted under paragraph (1) and determine whether the State, local, or tribal government has complied with the maintenance plan.

SEC. 100249. NO CAUSE OF ACTION.

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this subtitle or any amendment made by this subtitle.

Subtitle B—Alternative Loss Allocation

SEC. 100251. SHORT TITLE.

This subtitle may be cited as the “Consumer Option for an Alternative System to Allocate Losses Act of 2012” or the “COASTAL Act of 2012”.

SEC. 100252. ASSESSING AND MODELING NAMED STORMS OVER COASTAL STATES.

Subtitle C of title XII of the Omnibus Public Land Management Act of 2009 (33 U.S.C. 3601 et seq.) (also known as the "Integrated Coastal and Ocean Observation System Act of 2009") is amended by adding at the end the following:

"SEC. 12312. ASSESSING AND MODELING NAMED STORMS OVER COASTAL STATES.

"(a) DEFINITIONS.—In this section:

"(1) COASTAL FORMULA.—The term 'COASTAL Formula' has the meaning given the term in section 1337(a) of the National Flood Insurance Act of 1968.

"(2) COASTAL STATE.—The term 'coastal State' has the meaning given the term 'coastal state' in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

"(3) COASTAL WATERS.—The term 'coastal waters' has the meaning given the term in such section.

"(4) COVERED DATA.—The term 'covered data' means, with respect to a named storm identified by the Administrator under subsection (b)(2)(A), empirical data that are—

"(A) collected before, during, or after such storm; and

"(B) necessary to determine magnitude and timing of wind speeds, rainfall, the barometric pressure, river flows, the extent, height, and timing of storm surge, topographic and bathymetric data, and other measures required to accurately model and assess damage from such storm.

"(5) INDETERMINATE LOSS.—The term 'indeterminate loss' has the meaning given the term in section 1337(a) of the National Flood Insurance Act of 1968.

"(6) NAMED STORM.—The term 'named storm' means any organized weather system with a defined surface circulation and maximum winds of at least 39 miles per hour which the National Hurricane Center of the United States National Weather Service names as a tropical storm or a hurricane.

"(7) NAMED STORM EVENT MODEL.—The term 'Named Storm Event Model' means the official meteorological and oceanographic computerized model, developed by the Administrator under subsection (b)(1)(A), which utilizes covered data to replicate the magnitude, timing, and spatial variations of winds, rainfall, and storm surges associated with named storms that threaten any portion of a coastal State.

"(8) PARTICIPANT.—The term 'participant' means a Federal, State, or private entity that chooses to cooperate with the Administrator in carrying out the provisions of this section by collecting, contributing, and maintaining covered data.

"(9) POST-STORM ASSESSMENT.—The term 'post-storm assessment' means a scientific assessment produced and certified by the Administrator to determine the magnitude, timing, and spatial variations of winds, rainfall, and storm surges associated with a specific named storm to be used in the COASTAL Formula.

"(10) STATE.—The term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

"(b) NAMED STORM EVENT MODEL AND POST-STORM ASSESSMENT.—

"(1) ESTABLISHMENT OF NAMED STORM EVENT MODEL.—

"(A) IN GENERAL.—Not later than 540 days after the date of the enactment of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, the Administrator shall develop by regulation the Named Storm Event Model.

"(B) ACCURACY.—The Named Storm Event Model shall be designed to generate post-storm assessments, as provided in paragraph (2), that have a degree of accuracy of not less than 90 percent for every indeterminate loss for which a post-storm assessment is utilized.

"(2) POST-STORM ASSESSMENT.—

"(A) IDENTIFICATION OF NAMED STORMS THREATENING COASTAL STATES.—After the establishment of the COASTAL Formula, the Administrator shall, in consultation with the Secretary of Homeland Security, identify named storms that may reasonably constitute a threat to any portion of a coastal State.

"(B) POST-STORM ASSESSMENT REQUIRED.—Upon identification of a named storm under subparagraph (A), the Administrator shall develop a post-storm assessment for such named storm using the Named Storm Event Model and covered data collected for such named storm pursuant to the protocol established under subsection (c)(1).

"(C) SUBMITTAL OF POST-STORM ASSESSMENT.—Not later than 90 days after an identification of a named storm is made under subparagraph (A), the Administrator shall submit to the Secretary of Homeland Security the post-storm assessment developed for such storm under subparagraph (B).

"(3) ACCURACY.—The Administrator shall ensure, to the greatest extent practicable, that each post-storm assessment developed under paragraph (2) has a degree of accuracy of not less than 90 percent.

"(4) CERTIFICATION.—For each post-storm assessment carried out under paragraph (2), the Administrator shall—

"(A) certify the degree of accuracy for such assessment, including specific reference to any segments or geographic areas for which the assessment is less than 90 percent accurate; and

"(B) report such certification to the Secretary of Homeland Security for the purposes of use with indeterminate loss claims under section 1337 of the National Flood Insurance Act of 1968.

"(5) FINALITY OF DETERMINATIONS.—A certification of the degree of accuracy of a post-storm assessment under this subsection by the Administrator shall be final and shall not be subject to judicial review.

"(6) AVAILABILITY.—The Administrator shall make available to the public the Named Storm Event Model and any post-storm assessment developed under this subsection.

"(c) ESTABLISHMENT OF A PROTOCOL FOR POST-STORM ASSESSMENT.—

"(1) IN GENERAL.—Not later than 540 days after the date of the enactment of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, the Administrator shall establish a protocol, based on the plan submitted under subsection (d)(3), to collect and assemble all covered data required by the Administrator to produce post-storm assessments required by subsection (b), including assembling data collected by participants and stored in the database established under subsection (f) and from such other sources as the Administrator considers appropriate.

"(2) ACQUISITION OF SENSORS AND STRUCTURES.—If the Administrator is unable to use a public or private asset to obtain covered data as part of the protocol established under paragraph (1), the Administrator may acquire such sensors and structures for the placement of sensors as may be necessary to obtain such data.

"(3) USE OF FEDERAL ASSETS.—If the protocol requires placement of a sensor to develop assessments pursuant to subsection (b), the Administrator shall, to the extent practicable, use Federal assets for the placement of such sensors.

"(4) USE OF ACQUIRED STRUCTURES.—

"(A) IN GENERAL.—If the Administrator acquires a structure for the placement of a sensor for purposes of such protocol, the Administrator shall to the extent practical permit other public and private entities to place sensors on such structure to collect—

"(i) meteorological data;

"(ii) national security-related data;

"(iii) navigation-related data;

"(iv) hydrographic data; or

"(v) such other data as the Administrator considers appropriate.

"(B) RECEIPT OF CONSIDERATION.—The Administrator may receive consideration for the

placement of a sensor on a structure under subparagraph (A).

"(C) IN-KIND CONSIDERATION.—Consideration received under subparagraph (B) may be received in-kind.

"(D) USE OF CONSIDERATION.—To the extent practicable, consideration received under subparagraph (B) shall be used for the maintenance of sensors used to collect covered data.

"(5) COORDINATED DEPLOYMENTS AND DATA COLLECTION PRACTICES.—The Administrator shall, in consultation with the Office of the Federal Coordinator for Meteorology, coordinate the deployment of sensors as part of the protocol established under paragraph (1) and related data collection carried out by Federal, State, academic, and private entities who choose to cooperate with the Administrator in carrying out this subsection.

"(6) PRIORITY ACQUISITION AND DEPLOYMENT.—The Administrator shall give priority in the acquisition for and deployment of sensors under the protocol required by paragraph (1) to areas of coastal States that have the highest risk of being harmed by named storms.

"(d) ASSESSMENT OF SYSTEMS AND EFFORTS TO COLLECT COVERED DATA.—

"(1) IDENTIFICATION OF SYSTEMS AND EFFORTS TO COLLECT COVERED DATA.—Not later than 180 days after the date of the enactment of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, the Administrator shall, in consultation with the Office of the Federal Coordinator for Meteorology—

"(A) carry out a survey to identify all Federal and State efforts and systems that are capable of collecting covered data; and

"(B) consult with private and academic sector entities to identify domestic private and academic systems that are capable of collecting covered data.

"(2) IDENTIFICATION OF GAPS.—The Administrator shall, in consultation with the Office of the Federal Coordinator for Meteorology and individuals and entities consulted under subsection (e)(3), assess the systems identified under paragraph (1) and identify which systems meet the needs of the National Oceanic and Atmospheric Administration for the collection of covered data, including with respect to the accuracy requirement for post-storm assessment under subsection (b)(3).

"(3) PLAN.—Not later than 270 days after the date of the enactment of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, the Administrator shall, in consultation with the Office of the Federal Coordinator for Meteorology, submit to Congress a plan for the collection of covered data necessary to develop the Named Storm Event Model and post-storm assessment required by subsection (b) that addresses any gaps identified in paragraph (2).

"(e) COORDINATION OF COVERED DATA COLLECTION AND MAINTENANCE BY PARTICIPANTS.—

"(1) IN GENERAL.—The Administrator shall, in consultation with the Office of the Federal Coordinator for Meteorology, coordinate the collection and maintenance of covered data by participants under this section—

"(A) to streamline the process of collecting covered data in accordance with the protocol established under subsection (c)(1); and

"(B) to maintain transparency of such process and the database established under subsection (f).

"(2) SHARING INFORMATION.—The Administrator shall establish a process for sharing among participants information relevant to collecting and using covered data for—

"(A) academic research;

"(B) private sector use;

"(C) public outreach; and

"(D) such other purposes as the Administrator considers appropriate.

"(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Administrator shall consult with the following:

"(A) The Commanding General of the Corps of Engineers.

“(B) The Administrator of the Federal Emergency Management Agency.

“(C) The Commandant of the Coast Guard.

“(D) The Director of the United States Geological Survey.

“(E) The Office of the Federal Coordinator for Meteorology.

“(F) The Director of the National Science Foundation.

“(G) The Administrator of the National Aeronautics and Space Administration.

“(H) Such public, private, and academic sector entities as the Administrator considers appropriate for purposes of carrying out the provisions of this section.

“(f) ESTABLISHMENT OF COASTAL WIND AND WATER EVENT DATABASE.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, the Administrator shall establish a database for the collection and compilation of covered data—

“(A) to support the protocol established under subsection (c)(1); and

“(B) for the purposes listed in subsection (e)(2).

“(2) DESIGNATION.—The database established under paragraph (1) shall be known as the ‘Coastal Wind and Water Event Database’.

“(g) COMPTROLLER GENERAL STUDY.—Not later than 1 year after the date of the enactment of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, the Comptroller General of the United States shall—

“(1) complete an audit of Federal efforts to collect covered data for purposes of the Consumer Option for an Alternative System to Allocate Losses Act of 2012, which audit shall—

“(A) examine duplicated Federal efforts to collect covered data; and

“(B) determine the cost effectiveness of such efforts; and

“(2) submit to the Committee on Banking, Housing, and Urban Affairs and the Commerce, Science, and Transportation of the Senate and the Committee on Financial Services and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings of the Comptroller General with respect to the audit completed under paragraph (1).”.

SEC. 100253. ALTERNATIVE LOSS ALLOCATION SYSTEM FOR INDETERMINATE CLAIMS.

Part A of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4051 et seq.) is amended by adding at the end the following:

“SEC. 1337. ALTERNATIVE LOSS ALLOCATION SYSTEM FOR INDETERMINATE CLAIMS.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) COASTAL FORMULA.—The term ‘COASTAL Formula’ means the formula established under subsection (b).

“(3) COASTAL STATE.—The term ‘coastal State’ has the meaning given the term ‘coastal state’ in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

“(4) INDETERMINATE LOSS.—

“(A) IN GENERAL.—The term ‘indeterminate loss’ means, as determined by an insurance claims adjuster certified under the national flood insurance program and in consultation with an engineer as appropriate, a loss resulting from physical damage to, or loss of, property located in any coastal State arising from the combined perils of flood and wind associated with a named storm.

“(B) REQUIREMENTS.—An insurance claims adjuster certified under the national flood insurance program shall only determine that a loss is an indeterminate loss if the claims adjuster determines that—

“(i) no material remnant of physical buildings or man-made structures remain except building foundations for the specific property for which the claim is made; and

“(ii) there is insufficient or no tangible evidence created, yielded, or otherwise left behind of the specific property for which the claim is made as a result of the named storm.

“(5) NAMED STORM.—The term ‘named storm’ means any organized weather system with a defined surface circulation and maximum winds of not less than 39 miles per hour which the National Hurricane Center of the United States National Weather Service names as a tropical storm or a hurricane.

“(6) POST-STORM ASSESSMENT.—The term ‘post-storm assessment’ means the post-storm assessment developed under section 12312(b) of the Omnibus Public Land Management Act of 2009.

“(7) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

“(8) SECRETARY.—The term ‘Secretary’ means the Secretary of Homeland Security.

“(9) STANDARD INSURANCE POLICY.—The term ‘standard insurance policy’ means any insurance policy issued under the national flood insurance program that covers loss or damage to property resulting from water peril.

“(10) PROPERTY.—The term ‘property’ means real or personal property that is insured under a standard insurance policy for loss or damage to structure or contents.

“(11) UNDER SECRETARY.—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere, in the Under Secretary’s capacity as Administrator of the National Oceanic and Atmospheric Administration.

“(b) ESTABLISHMENT OF FLOOD LOSS ALLOCATION FORMULA FOR INDETERMINATE CLAIMS.—

“(1) IN GENERAL.—Not later than 180 days after the date on which the protocol is established under section 12312(c)(1) of the Omnibus Public Land Management Act of 2009, the Secretary, acting through the Administrator and in consultation with the Under Secretary, shall establish by rule a standard formula to determine and allocate wind losses and flood losses for claims involving indeterminate losses.

“(2) CONTENTS.—The standard formula established under paragraph (1) shall—

“(A) incorporate data available from the Coastal Wind and Water Event Database established under section 12312(f) of the Omnibus Public Land Management Act of 2009;

“(B) use relevant data provided on the National Flood Insurance Program Elevation Certificate for each indeterminate loss for which the formula is used;

“(C) consider any sufficient and credible evidence, approved by the Administrator, of the pre-event condition of a specific property, including the findings of any policyholder or insurance claims adjuster in connection with the indeterminate loss to that specific property;

“(D) include other measures, as the Administrator considers appropriate, required to determine and allocate by mathematical formula the property damage caused by flood or storm surge associated with a named storm; and

“(E) subject to paragraph (3), for each indeterminate loss, use the post-storm assessment to allocate water damage (flood or storm surge) associated with a named storm.

“(3) DEGREE OF ACCURACY REQUIRED.—The standard formula established under paragraph (1) shall specify that the Administrator may only use the post-storm assessment for purposes of the formula if the Under Secretary certifies that the post-storm assessment has a degree of accuracy of not less than 90 percent in connection with the specific indeterminate loss for which the assessment and formula are used.

“(c) AUTHORIZED USE OF POST-STORM ASSESSMENT AND COASTAL FORMULA.—

“(1) IN GENERAL.—Subject to paragraph (3), the Administrator may use the post-storm assessment and the COASTAL Formula to—

“(A) review flood loss payments for indeterminate losses, including as part of the quality assurance reinspection program of the Federal Emergency Management Agency for claims

under the national flood insurance program and any other process approved by the Administrator to review and validate payments under the national flood insurance program for indeterminate losses following a named storm; and

“(B) assist the national flood insurance program to—

“(i) properly cover qualified flood loss for claims for indeterminate losses; and

“(ii) avoid paying for any loss or damage to property caused by any peril (including wind), other than flood or storm surge, that is not covered under a standard policy under the national flood insurance program.

“(2) FEDERAL DISASTER DECLARATION.—Subject to paragraph (3), in order to expedite claims and reduce costs to the national flood insurance program, following any major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) relating to a named storm in a coastal State, the Administrator may use the COASTAL Formula to determine and pay for any flood loss covered under a standard insurance policy under the national flood insurance program, if the loss is an indeterminate loss.

“(3) NATIONAL ACADEMY OF SCIENCES EVALUATION.—

“(A) EVALUATION REQUIRED.—

“(i) EVALUATION.—Upon the issuance of the rule establishing the COASTAL Formula, and each time the Administrator modifies the COASTAL Formula, the National Academy of Sciences shall—

“(I) evaluate the expected financial impact on the national flood insurance program of the use of the COASTAL Formula as so established or modified; and

“(II) evaluate the validity of the scientific assumptions upon which the formula is based and determine whether the COASTAL formula can achieve a degree of accuracy of not less than 90 percent in allocating flood losses for indeterminate losses.

“(ii) REPORT.—The National Academy of Sciences shall submit a report containing the results of each evaluation under clause (i) to the Administrator, the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Financial Services and the Committee on Science, Space, and Technology of the House of Representatives.

“(B) EFFECTIVE DATE AND APPLICABILITY.—

“(i) EFFECTIVE DATE.—Paragraphs (1) and (2) of this subsection shall not take effect unless the report under subparagraph (A) relating to the establishment of the COASTAL Formula concludes that the use of the COASTAL Formula for purposes of paragraph (1) and (2) would not have an adverse financial impact on the national flood insurance program and that the COASTAL Formula is based on valid scientific assumptions that would allow a degree of accuracy of not less than 90 percent to be achieved in allocating flood losses for indeterminate losses.

“(ii) EFFECT OF MODIFICATIONS.—Unless the report under subparagraph (A) relating to a modification of the COASTAL Formula concludes that the use of the COASTAL Formula, as so modified, for purposes of paragraphs (1) and (2) would not have an adverse financial impact on the national flood insurance program and that the COASTAL Formula is based on valid scientific assumptions that would allow a degree of accuracy of not less than 90 percent to be achieved in allocating flood losses for indeterminate losses the Administrator may not use the COASTAL Formula, as so modified, for purposes of paragraphs (1) and (2).

“(C) FUNDING.—Notwithstanding section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), there shall be available to the Administrator from the National Flood Insurance Fund, of amounts not otherwise obligated, not more than \$750,000 to carry out this paragraph.

“(d) **DISCLOSURE OF COASTAL FORMULA.**—Not later than 30 days after the date on which a post-storm assessment is submitted to the Secretary under section 12312(b)(2)(C) of the Omnibus Public Land Management Act of 2009, for each indeterminate loss for which the COASTAL Formula is used pursuant to subsection (c)(2), the Administrator shall disclose to the policyholder that makes a claim relating to the indeterminate loss—

“(1) that the Administrator used the COASTAL Formula with respect to the indeterminate loss; and

“(2) a summary of the results of the use of the COASTAL Formula.

“(e) **CONSULTATION.**—In carrying out subsections (b) and (c), the Secretary shall consult with—

“(1) the Under Secretary for Oceans and Atmosphere;

“(2) the Director of the National Institute of Standards and Technology;

“(3) the Chief of Engineers of the Corps of Engineers;

“(4) the Director of the United States Geological Survey;

“(5) the Office of the Federal Coordinator for Meteorology;

“(6) State insurance regulators of coastal States; and

“(7) such public, private, and academic sector entities as the Secretary considers appropriate for purposes of carrying out such subsections.

“(f) **RECORDKEEPING.**—Each consideration and measure the Administrator determines necessary to carry out subsection (b) may be required, with advanced approval of the Administrator, to be provided for on the National Flood Insurance Program Elevation Certificate, or maintained otherwise on record if approved by the Administrator, for any property that qualifies for the COASTAL Formula under subsection (c).

“(g) **CIVIL PENALTY.**—

“(1) **IN GENERAL.**—If an insurance claims adjuster knowingly and willfully makes a false or inaccurate determination relating to an indeterminate loss, the Administrator may, after notice and opportunity for hearing, impose on the insurance claims adjuster a civil penalty of not more than \$1,000.

“(2) **DEPOSIT.**—Notwithstanding section 3302 of title 31, United States Code, or any other law relating to the crediting of money, the Administrator shall deposit in the National Flood Insurance Fund any amounts received under this subsection, which shall remain available until expended and be available to the Administrator for purposes authorized for the National Flood Insurance Fund without further appropriation.

“(h) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to require the Administrator to make any payment under the national flood insurance program, or an insurance company to make any payment, for an indeterminate loss based upon post-storm assessment or the COASTAL Formula.

“(i) **APPLICABILITY.**—Subsection (c) shall apply with respect to an indeterminate loss associated with a named storm that occurs after the date on which the Administrator issues the rule establishing the COASTAL Formula under subsection (b).

“(j) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to negate, set aside, or void any policy limit, including any loss limitation, set forth in a standard insurance policy.”

Subtitle C—HEARTH Act Amendment

SEC. 100261. HEARTH ACT TECHNICAL CORRECTIONS.

For purposes of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.)—

(1) the term “local government” includes an instrumentality of a unit of general purpose local government other than a public housing agency that is established pursuant to legisla-

tion and designated by the chief executive to act on behalf of the local government with regard to activities funded under such title IV and includes a combination of general purpose local governments, such as an association of governments, that is recognized by the Secretary of Housing and Urban Development;

(2) the term “State” includes any instrumentality of any of the several States designated by the Governor to act on behalf of the State and does not include the District of Columbia;

(3) for purposes of environmental review, the Secretary of Housing and Urban Development shall continue to permit assistance and projects to be treated as assistance for special projects that are subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 (42 U.S.C. 3547), and subject to the regulations issued by the Secretary of Housing and Urban Development to implement such section; and

(4) a metropolitan city and an urban county that each receive an allocation under such title IV and are located within a geographic area that is covered by a single continuum of care may jointly request the Secretary of Housing and Urban Development to permit the urban county or the metropolitan city, as agreed to by such county and city, to receive and administer their combined allocations under a single grant.

TITLE III—STUDENT LOAN INTEREST RATE EXTENSION

SEC. 100301. FEDERAL DIRECT STAFFORD LOAN INTEREST RATE EXTENSION.

Section 455(b)(7)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking “and before July 1, 2012,” and inserting “and before July 1, 2013.”; and

(2) in clause (v), by striking “and before July 1, 2012,” and inserting “and before July 1, 2013.”

SEC. 100302. ELIGIBILITY FOR, AND INTEREST CHARGES ON, FEDERAL DIRECT STAFFORD LOANS FOR NEW BORROWERS ON OR AFTER JULY 1, 2013.

(a) **IN GENERAL.**—Section 455 of the Higher Education Act of 1965 (20 U.S.C. 1087e) is amended by adding at the end the following:

“(q) **ELIGIBILITY FOR, AND INTEREST CHARGES ON, FEDERAL DIRECT STAFFORD LOANS FOR NEW BORROWERS ON OR AFTER JULY 1, 2013.**—

“(1) **IN GENERAL.**—Notwithstanding subsection (a) or any other provision of this title, any borrower who was a new borrower on or after July 1, 2013, shall not be eligible for a Federal Direct Stafford Loan if the period of time for which the borrower has received Federal Direct Stafford Loans, in the aggregate, exceeds the period of enrollment described in paragraph (3). Such borrower may still receive any Federal Direct Unsubsidized Stafford Loan for which such borrower is otherwise eligible.

“(2) **ACCRUAL OF INTEREST ON FEDERAL DIRECT STAFFORD LOANS.**—Notwithstanding subsection (f)(1)(A) or any other provision of this title and beginning on the date upon which a borrower who is enrolled in a program of education or training (including a course of study or program described in paragraph (3)(B) or (4)(B) of section 484(b)) for which borrowers are otherwise eligible to receive Federal Direct Stafford Loans, becomes ineligible for such loan as a result of paragraph (1), interest on all Federal Direct Stafford Loans that were disbursed to such borrower on or after July 1, 2013, shall accrue. Such interest shall be paid or capitalized in the same manner as interest on a Federal Direct Unsubsidized Stafford Loan is paid or capitalized under section 428H(e)(2).

“(3) **PERIOD OF ENROLLMENT.**—

“(A) **IN GENERAL.**—The aggregate period of enrollment referred to in paragraph (1) shall not exceed the lesser of—

“(i) a period equal to 150 percent of the published length of the educational program in which the student is enrolled; or

“(ii) in the case of a borrower who was previously enrolled in one or more other educational programs that began on or after July 1, 2013, and subject to subparagraph (B), a period of time equal to the difference between—

“(I) 150 percent of the published length of the longest educational program in which the borrower was, or is, enrolled; and

“(II) any periods of enrollment in which the borrower received a Federal Direct Stafford Loan.

“(B) **REGULATIONS.**—The Secretary shall specify in regulation—

“(i) how the aggregate period described in subparagraph (A) shall be calculated with respect to a borrower who was or is enrolled on less than a full-time basis; and

“(ii) how such aggregate period shall be calculated to include a course of study or program described in paragraph (3)(B) or (4)(B) of section 484(b), respectively.”

(b) **INAPPLICABILITY OF TITLE IV NEGOTIATED RULEMAKING REQUIREMENT AND MASTER CALNDAR EXCEPTION.**—Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendment made by subsection (a), or to any regulations promulgated under such amendment.

DIVISION G—SURFACE TRANSPORTATION EXTENSION

SEC. 110001. SHORT TITLE.

This division may be cited as the “Surface Transportation Extension Act of 2012, Part II”.

TITLE I—FEDERAL-AID HIGHWAYS

SEC. 111001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) **IN GENERAL.**—Section 111 of the Surface Transportation Extension Act of 2011, Part II (Public Law 112–30; 125 Stat. 343; 126 Stat. 272) is amended—

(1) by striking “the period beginning on October 1, 2011, and ending on June 30, 2012,” each place it appears and inserting “fiscal year 2012”;

(2) by striking “ $\frac{3}{4}$ of” each place it appears; and

(3) in subsection (a) by striking “June 30, 2012” and inserting “September 30, 2012”.

(b) **USE OF FUNDS.**—Section 111(c) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 343; 126 Stat. 272) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A) by striking “, except that during such period” and all that follows before the period at the end; and

(B) in subparagraph (B)(ii) by striking “\$479,250,000” and inserting “\$639,000,000”; and

(2) by striking paragraph (4).

(c) **EXTENSION OF AUTHORIZATIONS UNDER TITLE V OF SAFETEA-LU.**—Section 111(e)(2) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 346; 126 Stat. 272) is amended by striking “the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “fiscal year 2012.”

(d) **ADMINISTRATIVE EXPENSES.**—Section 112(a) of the Surface Transportation Extension Act of 2011, Part II (125 Stat. 346; 126 Stat. 272) is amended by striking “\$294,641,438 for the period beginning on October 1, 2011, and ending on June 30, 2012.” and inserting “\$392,855,250 for fiscal year 2012.”

TITLE II—EXTENSION OF HIGHWAY SAFETY PROGRAMS

SEC. 112001. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) **CHAPTER 4 HIGHWAY SAFETY PROGRAMS.**—Section 2001(a)(1) of SAFETEA-LU (119 Stat. 1519) is amended by striking “\$235,000,000 for each of fiscal years 2009 through 2011” and all that follows through the period at the end and inserting “and \$235,000,000 for each of fiscal years 2009 through 2012.”

(b) **HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.**—Section 2001(a)(2) of SAFETEA-LU (119 Stat. 1519) is amended by striking “and

\$81,183,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$108,244,000 for fiscal year 2012."

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2001(a)(3) of SAFETEA-LU (119 Stat. 1519) is amended by striking "\$25,000,000 for each of fiscal years 2006 through 2011" and all that follows through the period at the end and inserting "and \$25,000,000 for each of fiscal years 2006 through 2012."

(d) SAFETY BELT PERFORMANCE GRANTS.—Section 2001(a)(4) of SAFETEA-LU (119 Stat. 1519) is amended by striking "and \$36,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$48,500,000 for fiscal year 2012."

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA-LU (119 Stat. 1519) is amended by striking "for each of fiscal years 2006 through 2011" and all that follows through the period at the end and inserting "for each of fiscal years 2006 through 2012."

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—Section 2001(a)(6) of SAFETEA-LU (119 Stat. 1519) is amended by striking "\$139,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and \$139,000,000 for each of fiscal years 2009 through 2012."

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of SAFETEA-LU (119 Stat. 1520) is amended by striking "and \$3,087,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$4,116,000 for fiscal year 2012."

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—Section 2001(a)(8) of SAFETEA-LU (119 Stat. 1520) is amended by striking "for each of fiscal years 2006 through 2011" and all that follows through the period at the end and inserting "for each of fiscal years 2006 through 2012."

(i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of SAFETEA-LU (119 Stat. 1520) is amended by striking "\$7,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and \$7,000,000 for each of fiscal years 2009 through 2012."

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—Section 2001(a)(10) of SAFETEA-LU (119 Stat. 1520) is amended by striking "\$7,000,000 for each of fiscal years 2009 through 2011" and all that follows through the period at the end and inserting "and \$7,000,000 for each of fiscal years 2009 through 2012."

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of SAFETEA-LU (119 Stat. 1520) is amended by striking "\$25,328,000 for fiscal year 2011" and all that follows through the period at the end and inserting "and \$25,328,000 for each of fiscal years 2011 and 2012."

SEC. 112002. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION GRANTS.—Section 31104(a)(8) of title 49, United States Code, is amended to read as follows:

"(8) \$212,000,000 for fiscal year 2012."

(b) ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Section 31104(i)(1)(H) of title 49, United States Code, is amended to read as follows:

"(H) \$244,144,000 for fiscal year 2012."

(2) TECHNICAL CORRECTION.—Section 31104(i)(1)(F) of title 49, United States Code, is amended to read as follows:

"(F) \$239,828,000 for fiscal year 2010."

(c) GRANT PROGRAMS.—Section 4101(c) of SAFETEA-LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking "and \$22,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "and \$30,000,000 for fiscal year 2012.";

(2) in paragraph (2) by striking "2011 and \$24,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "2012.";

(3) in paragraph (3) by striking "2011 and \$3,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "2012.";

(4) in paragraph (4) by striking "2011 and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "2012.";

(5) in paragraph (5) by striking "2011 and \$2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "2012."

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking "and up to \$21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012."

(e) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking "and 2011 (and \$750,000 to the Federal Motor Carrier Safety Administration, and \$2,250,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012)" and inserting "2011, and 2012".

(f) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of SAFETEA-LU (49 U.S.C. 14710 note; 119 Stat. 1759) is amended by striking "June 30, 2012" and inserting "September 30, 2012".

SEC. 112003. ADDITIONAL PROGRAMS.

Section 7131(c) of SAFETEA-LU (119 Stat. 1910) is amended by striking "and \$870,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$1,160,000 for fiscal year 2012".

TITLE III—PUBLIC TRANSPORTATION PROGRAMS

SEC. 113001. ALLOCATION OF FUNDS FOR PLANNING PROGRAMS.

Section 5305(g) of title 49, United States Code, is amended by striking "2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012" and inserting "2012".

SEC. 113002. SPECIAL RULE FOR URBANIZED AREA FORMULA GRANTS.

Section 5307(b)(2) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting "SPECIAL RULE FOR FISCAL YEARS 2005 THROUGH 2012.—";

(2) in subparagraph (A) by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012,"; and

(3) in subparagraph (E)—
(A) by striking the subparagraph heading and inserting "MAXIMUM AMOUNTS IN FISCAL YEARS 2008 THROUGH 2012.—"; and

(B) in the matter preceding clause (i) by striking "2011 and during the period beginning on October 1, 2011, and ending on June 30, 2012" and inserting "2012".

SEC. 113003. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 5309(m) of title 49, United States Code, is amended—

(1) in paragraph (2)—
(A) by striking the paragraph heading and inserting "FISCAL YEARS 2006 THROUGH 2012.—";

(B) in the matter preceding subparagraph (A) by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012"; and

(C) in subparagraph (A)(i) by striking "2011 and \$150,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012";

(2) in paragraph (6)—
(A) in subparagraph (B) by striking "2011 and \$11,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012"; and

(B) in subparagraph (C) by striking "though 2011 and \$3,750,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "through 2012"; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) in the first sentence by striking "2011 and \$7,500,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012"; and

(II) in the second sentence by inserting "each fiscal year" before the colon;

(ii) in clause (i) by striking "for each fiscal year and \$1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(iii) in clause (ii) by striking "for each fiscal year and \$1,875,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(iv) in clause (iii) by striking "for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(v) in clause (iv) by striking "for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(vi) in clause (v) by striking "for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(vii) in clause (vi) by striking "for each fiscal year and \$750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(viii) in clause (vii) by striking "for each fiscal year and \$487,500 for the period beginning on October 1, 2011, and ending on June 30, 2012,"; and

(ix) in clause (viii) by striking "for each fiscal year and \$262,500 for the period beginning on October 1, 2011, and ending on June 30, 2012,";

(B) in subparagraph (B) by striking clause (vii) and inserting the following:

"(vii) \$13,500,000 for fiscal year 2012.";

(C) in subparagraph (C) by striking "and during the period beginning on October 1, 2011, and ending on June 30, 2012,";

(D) in subparagraph (D) by striking "and not less than \$26,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,"; and

(E) in subparagraph (E) by striking "and \$2,250,000 shall be available for the period beginning on October 1, 2011, and ending on June 30, 2012,".

SEC. 113004. APPORTIONMENT OF FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

Section 5311(c)(1)(G) of title 49, United States Code, is amended to read as follows:

"(G) \$15,000,000 for fiscal year 2012."

SEC. 113005. APPORTIONMENT BASED ON FIXED GUIDEWAY FACTORS.

Section 5337 of title 49, United States Code, is amended by striking subsection (g).

SEC. 113006. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA AND BUS GRANTS.—Section 5338(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking subparagraph (G) and inserting the following:

"(G) \$8,360,565,000 for fiscal year 2012.";

(2) in paragraph (2)—

(A) in subparagraph (A) by striking "\$113,500,000 for each of fiscal years 2009 through 2011, and \$85,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$113,500,000 for each of fiscal years 2009 through 2012";

(B) in subparagraph (B) by striking "\$4,160,365,000 for each of fiscal years 2009 through 2011, and \$3,120,273,750 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$4,160,365,000 for each of fiscal years 2009 through 2012";

(C) in subparagraph (C) by striking "\$51,500,000 for each of fiscal years 2009 through 2011, and \$38,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$51,500,000 for each of fiscal years 2009 through 2012";

(D) in subparagraph (D) by striking "\$1,666,500,000 for each of fiscal years 2009 through 2011, and \$1,249,875,000 for the period

beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$1,666,500,000 for each of fiscal years 2009 through 2012";

(E) in subparagraph (E) by striking "\$984,000,000 for each of fiscal years 2009 through 2011, and \$738,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$984,000,000 for each of fiscal years 2009 through 2012";

(F) in subparagraph (F) by striking "\$133,500,000 for each of fiscal years 2009 through 2011, and \$100,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$133,500,000 for each of fiscal years 2009 through 2012";

(G) in subparagraph (G) by striking "\$465,000,000 for each of fiscal years 2009 through 2011, and \$348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$465,000,000 for each of fiscal years 2009 through 2012";

(H) in subparagraph (H) by striking "\$164,500,000 for each of fiscal years 2009 through 2011, and \$123,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$164,500,000 for each of fiscal years 2009 through 2012";

(I) in subparagraph (I) by striking "\$92,500,000 for each of fiscal years 2009 through 2011, and \$69,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$92,500,000 for each of fiscal years 2009 through 2012";

(J) in subparagraph (J) by striking "\$26,900,000 for each of fiscal years 2009 through 2011, and \$20,175,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$26,900,000 for each of fiscal years 2009 through 2012";

(K) in subparagraph (K) by striking "for each of fiscal years 2006 through 2011 and \$2,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "for each of fiscal years 2006 through 2012";

(L) in subparagraph (L) by striking "for each of fiscal years 2006 through 2011 and \$18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "for each of fiscal years 2006 through 2012";

(M) in subparagraph (M) by striking "\$465,000,000 for each of fiscal years 2009 through 2011, and \$348,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$465,000,000 for each of fiscal years 2009 through 2012"; and

(N) in subparagraph (N) by striking "\$8,800,000 for each of fiscal years 2009 through 2011, and \$6,600,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "and \$8,800,000 for each of fiscal years 2009 through 2012".

(b) CAPITAL INVESTMENT GRANTS.—Section 5338(c)(7) of title 49, United States Code, is amended to read as follows:

"(7) \$1,955,000,000 for fiscal year 2012."

(c) RESEARCH AND UNIVERSITY RESEARCH CENTERS.—Section 5338(d) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking "through 2011, and \$33,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "through 2011, and \$44,000,000 for fiscal year 2012,"; and

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

"(3) ADDITIONAL AUTHORIZATIONS.—

"(A) RESEARCH.—Of amounts authorized to be appropriated under paragraph (1) for fiscal year 2012, the Secretary shall allocate for each of the activities and projects described in subparagraphs (A) through (F) of paragraph (1) an amount equal to 63 percent of the amount allocated for fiscal year 2009 under each such subparagraph.

"(B) UNIVERSITY CENTERS PROGRAM.—

"(i) FISCAL YEAR 2012.—Of the amounts allocated under paragraph (1)(C) for the university centers program under section 5506 for fiscal

year 2012, the Secretary shall allocate for each program described in clauses (i) through (iii) and (v) through (viii) of paragraph (2)(A) an amount equal to 63 percent of the amount allocated for fiscal year 2009 under each such clause.

"(ii) FUNDING.—If the Secretary determines that a project or activity described in paragraph (2) received sufficient funds in fiscal year 2011, or a previous fiscal year, to carry out the purpose for which the project or activity was authorized, the Secretary may not allocate any amounts under clause (i) for the project or activity for fiscal year 2012 or any subsequent fiscal year."

(d) ADMINISTRATION.—Section 5338(e)(7) of title 49, United States Code, is amended to read as follows:

"(7) \$98,713,000 for fiscal year 2012."

SEC. 113007. AMENDMENTS TO SAFETEA-LU.

(a) CONTRACTED PARATRANSIT PILOT.—Section 3009(i)(1) of SAFETEA-LU (119 Stat. 1572) is amended by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012."

(b) PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.—Section 3011 of SAFETEA-LU (49 U.S.C. 5309 note; 119 Stat. 1588) is amended—

(1) in subsection (c)(5) by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012" and inserting "2012"; and

(2) in the second sentence of subsection (d) by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012".

(c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of SAFETEA-LU (49 U.S.C. 5310 note; 119 Stat. 1593) is amended by striking "June 30, 2012" and inserting "September 30, 2012".

(d) OBLIGATION CEILING.—Section 3040(8) of SAFETEA-LU (119 Stat. 1639) is amended to read as follows:

"(8) \$10,458,278,000 for fiscal year 2012, of which not more than \$8,360,565,000 shall be from the Mass Transit Account."

(e) PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3043 of SAFETEA-LU (119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012"; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking "2011 and the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "2012".

(f) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—Section 3046 of SAFETEA-LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended—

(1) in subsection (b) by striking "fiscal year or period" and inserting "fiscal year"; and

(2) by striking subsection (c)(2) and inserting the following:

"(2) for fiscal year 2012, in amounts equal to 63 percent of the amounts allocated for fiscal year 2009 under each of paragraphs (2), (3), (5), and (8) through (25) of subsection (a)."

TITLE IV—EFFECTIVE DATE

SEC. 114001. EFFECTIVE DATE.

This division and the amendments made by this division shall take effect on July 1, 2012.

DIVISION H—BUDGETARY EFFECTS

SEC. 120001. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be recorded on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

Amend the title so as to read: "An Act to authorize funds for Federal-aid highways,

highway safety programs, and transit programs, and for other purposes."

And the Senate agree to the same.

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except secs. 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309–40312, 100112–100114, and 100116), and modifications committed to conference:

JOHN L. MICA,
DON YOUNG,
JOHN J. DUNCAN, JR.,
BILL SHUSTER,
SHELLEY MOORE CAPITO,
ERIC A. "RICK" CRAWFORD,
JAIME HERRERA BEUTLER,
LARRY BUCSHON,
RICHARD L. HANNA,
STEVE SOUTHERLAND, II,
JAMES LANKFORD,
REID J. RIBBLE,

From the Committee on Energy and Commerce, for consideration of sec. 142 and titles II and V of the House bill, and secs. 1113, 1201, 1202, subtitles B, C, D, and E of title I of Division C, secs. 32701–32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference:

FRED UPTON,
ED WHITFIELD,
HENRY A. WAXMAN,

From the Committee on Natural Resources, for consideration of secs. 123, 142, 204, and titles III and VI of the House bill, and sec. 1116, subtitles C, F, and G of title I of Division A, sec. 33009, titles VI and VII of Division C, sec. 40101, subtitles A and B of title I of Division F, and sec. 100301 of the Senate amendment, and modifications committed to conference:

DOC HASTINGS,
ROB BISHOP,

From the Committee on Science, Space, and Technology for consideration of secs. 121, 123, 136, and 137 of the House bill, and sec. 1534, subtitle F of title I of Division A, secs. 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and Division E of the Senate amendment, and modifications committed to conference:

RALPH M. HALL,
CHIP CRAVAACK,

From the Committee on Ways and Means, for consideration of secs. 141 and 142 of the House bill, and secs. 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301–40307, 40309–40314, 100112–100114, and 100116 of the Senate amendment, and modifications committed to conference:

DAVE CAMP,
PATRICK J. TIBERI,
Managers on the Part of the House.

BARBARA BOXER,
MAX BAUCUS,
JOHN D. ROCKEFELLER, IV,
RICHARD J. DURBIN, (With the exception of: Div. A, Title I, §1538 Asian Carp and Div. F, Title II, §100206—Residual Risk)

TIM JOHNSON,
CHARLES E. SCHUMER,
BILL NELSON,
ROBERT MENEZDEZ,
JAMES M. INHOFE,
DAVID VITTER,
RICHARD C. SHELBY,
KAY BAILEY HUTCHISON,

Managers on the Part of the Senate.

When said conference report was considered.

After debate, Pursuant to House Resolution 717, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mr. RAHALL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

85.9 TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS FY 2013

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to House Resolution 697 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. BUCSHON, Acting Chairman, assumed the chair; and after some time spent therein,

85.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. BLACKBURN:

At the end of the bill (before the short title), insert the following:

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

It was decided in the { Yeas 166 negative } Nays 254

85.11 [Roll No. 445]

AYES—166

- Adams
- Amash
- Amodei
- Bachmann
- Bartlett
- Barton (TX)
- Benishek
- Biggart
- Bilirakis
- Black
- Blackburn
- Bono Mack
- Boustany
- Brady (TX)
- Brooks
- Broun (GA)
- Buchanan
- Buerkle
- Burgess
- Burton (IN)
- Camp
- Campbell
- Canseco
- Cassidy
- Chabot
- Chaffetz
- Coble
- Coffman (CO)
- Conaway
- Cooper
- Crawford
- Cuellar
- Culberson
- Davis (KY)
- DesJarlais
- Donnelly (IN)
- Duffy
- Duncan (SC)
- Emerson
- Farenthold
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Flores
- Forbes
- Fortenberry
- Fox
- Franks (AZ)
- Gardner
- Garrett
- Gingrey (GA)
- Gohmert
- Goodlatte
- Gosar
- Gowdy
- Graves (MO)
- Griffin (AR)
- Griffith (VA)
- Guthrie
- Harper
- Harris
- Hartzler
- Hensarling
- Herger
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hunter
- Hurt
- Issa
- Jenkins
- Johnson (IL)
- Johnson (OH)
- Johnson, Sam
- Jones
- Jordan
- King (IA)
- Kingston
- Kline
- Labrador
- Lance
- Landry
- Lankford
- Latta
- Long
- Luetkemeyer
- Lummis
- Lungren, Daniel E.
- Lynch
- Mack
- Manzullo
- Marchant
- Marino
- Matheson
- McCarthy (CA)
- McCaul
- McClintock
- McCotter
- McHenry
- McIntyre
- Hurt
- Issa
- Jenkins
- Johnson (IL)
- Johnson (OH)
- Johnson, Sam
- Jones
- Jordan
- Kelly
- King (IA)
- King (NY)
- Kingston
- Kinzinger (IL)
- Kissell
- Kline
- Labrador
- Hurt
- Issa
- Jenkins
- Johnson (IL)
- Johnson (OH)
- Johnson, Sam
- Jones
- Jordan
- Kelly
- King (IA)
- King (NY)
- Kingston
- Kinzinger (IL)
- Kissell
- Kline
- Labrador

- McMorris
- Rodgers
- Mica
- Miller (FL)
- Miller (MI)
- Miller, Gary
- Mulvaney
- Myrick
- Neugebauer
- Nunes
- Nunnelee
- Olson
- Palazzo
- Paul
- Paulsen
- Pence
- Petri
- Pitts
- Poe (TX)
- Pompeo
- Price (GA)
- Quayle
- Ribble
- Rigell
- Roe (TN)
- Rogers (MI)
- Rohrabacher
- Rokita
- Roskam
- Ross (FL)
- Royce
- Ryan (WI)
- Scalise
- Schmidt
- Schweikert
- Scott (SC)
- Scott, Austin
- Sensenbrenner
- Sessions
- Shuster
- Smith (NE)
- Southerland
- Stearns
- Stivers
- Ellison
- Ellmers
- Engel
- Eshoo
- Farr
- Fattah
- Frank (MA)
- Frelinghuysen
- Fudge
- Gallely
- Garamendi
- Gerlach
- Gibbs
- Gibson
- Gonzalez
- Granger
- Green, Al
- Green, Gene
- Grijalva
- Grimm
- Gutierrez
- Hahn
- Hall
- Hanabusa
- Hanna
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Heck
- Heinrich
- Herrera Beutler
- Higgins
- Himes
- Hinchee
- Hinojosa
- Hirono
- Hochul
- Holden
- Carson (IN)
- Carter
- Castor (FL)
- Chandler
- Chu
- Cicilline
- Clarke (MI)
- Clarke (NY)
- Clay
- Cleaver
- Cohen
- Cole
- Connolly (VA)
- Conyers
- Costa
- Costello
- Courtney
- Cravaack
- Crenshaw
- Critz
- Crowley
- Cummings
- Davis (CA)
- Davis (IL)
- DeFazio
- DeGette
- DeLauro
- Denham
- Dent
- Deutch
- Diaz-Balart
- Dicks
- Dingell
- Doggett
- Dold
- Doyle
- Dreier
- Edwards
- McKeon
- McKinley
- McNerney
- Meehan
- Meeks
- Michaud
- Miller (NC)
- Miller, George
- Moore
- Moran
- Murphy (CT)
- Murphy (PA)
- Nadler
- Napolitano
- Noem
- Nugent
- Olver
- Owens
- Pallone
- Pascrell
- Pastor (AZ)
- Pearce
- Pelosi
- Perlmutter
- Peters
- Peterson
- Pingree (ME)
- Platts
- Polis
- Posey
- Price (NC)
- Quigley
- Rahall
- Rangel
- Reed
- Rehberg
- Reichert
- Renacci
- Reyes
- Richardson
- Richmond
- Rivera
- Roby
- Rogers (AL)
- Rogers (KY)
- Rooney
- Ros-Lehtinen
- Ross (AR)
- Rothman (NJ)
- Roybal-Allard
- Runyan
- Ruppersberger
- Rush
- Ryan (OH)
- Sanchez, Linda T.
- Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schiff
- Schilling
- Schock
- Schrader
- Schwartz
- Scott (VA)
- Scott, David
- Serrano
- Sewell
- Sherman
- Shimkus
- Shuler
- Simpson
- Sires
- Slaughter
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Speler
- Stark
- Sutton
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Tierney
- Tonko
- Towns
- Tsongas
- Turner (OH)
- Van Hollen
- Velázquez
- Visclosky
- Walz (MN)
- Wasserman
- Schultz
- Waters
- Watt
- Waxman
- Webster
- Welch
- Wilson (FL)
- Wolf
- Womack
- Woolsey
- Yarmuth
- Young (AK)

NOES—254

- Stutzman
- Sullivan
- Terry
- Thornberry
- Tiberi
- Tipton
- Turner (NY)
- Upton
- Walberg
- Walden
- Walsh (IL)
- West
- Westmoreland
- Whitfield
- Wilson (SC)
- Wittman
- Woodall
- Yoder
- Young (FL)
- Young (IN)
- McKeon
- McKinley
- McNerney
- Meehan
- Meeks
- Michaud
- Miller (NC)
- Miller, George
- Moore
- Moran
- Murphy (CT)
- Murphy (PA)
- Nadler
- Napolitano
- Noem
- Nugent
- Olver
- Owens
- Pallone
- Pascrell
- Pastor (AZ)
- Pearce
- Pelosi
- Perlmutter
- Peters
- Peterson
- Pingree (ME)
- Platts
- Polis
- Posey
- Price (NC)
- Quigley
- Rahall
- Rangel
- Reed
- Rehberg
- Reichert
- Renacci
- Reyes
- Richardson
- Richmond
- Rivera
- Roby
- Rogers (AL)
- Rogers (KY)
- Rooney
- Ros-Lehtinen
- Ross (AR)
- Rothman (NJ)
- Roybal-Allard
- Runyan
- Ruppersberger
- Rush
- Ryan (OH)
- Sanchez, Linda T.
- Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schiff
- Schilling
- Schock
- Schrader
- Schwartz
- Scott (VA)
- Scott, David
- Serrano
- Sewell
- Sherman
- Shimkus
- Shuler
- Simpson
- Sires
- Slaughter
- Smith (NJ)
- Smith (TX)

- Smith (WA)
- Speler
- Stark
- Sutton
- Thompson (CA)
- Thompson (MS)
- Thompson (PA)
- Tierney
- Tonko
- Towns

- Tsongas
- Turner (OH)
- Van Hollen
- Velázquez
- Visclosky
- Walz (MN)
- Wasserman
- Schultz
- Waters
- Watt

- Waxman
- Webster
- Welch
- Wilson (FL)
- Wolf
- Womack
- Woolsey
- Yarmuth
- Young (AK)

NOT VOTING—12

- Akin
- Cantor
- Carney
- Clyburn
- Duncan (TN)
- Filner
- Graves (GA)
- Jackson (IL)
- Johnson, E. B.
- Lamborn
- Lewis (CA)
- Neal

So the amendment was not agreed to.

85.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 13, submitted by Mr. MCCLINTOCK:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available under this Act may be used for the Third Street Light Rail Phase 2 Central Subway project in San Francisco, California.

It was decided in the { Yeas 235 affirmative } Nays 186

85.13 [Roll No. 446]

AYES—235

- Adams
- Aderholt
- Alexander
- Amash
- Amodei
- Austria
- Bachmann
- Bachus
- Barletta
- Barrow
- Bartlett
- Barton (TX)
- Bass (NH)
- Benishek
- Berg
- Biggart
- Bilbray
- Bilirakis
- Bishop (UT)
- Black
- Blackburn
- Bonner
- Bono Mack
- Boustany
- Brady (TX)
- Brooks
- Broun (GA)
- Buchanan
- Bucshon
- Buerkle
- Burgess
- Burton (IN)
- Camp
- Campbell
- Canseco
- Cantor
- Capito
- Cassidy
- Chabot
- Chaffetz
- Coble
- Coffman (CO)
- Cole
- Conaway
- Cravaack
- Crawford
- Crenshaw
- Culberson
- Davis (KY)
- Denham
- Dent
- DesJarlais
- Diaz-Balart
- Donnelly (IN)
- Dreier
- Duffy
- Duncan (SC)
- Ellmers
- Lance
- Landry
- Lankford
- Latham
- LaTourette
- Latta
- LoBiondo
- Long
- Lucas
- Luetkemeyer
- Lummis
- Lungren, Daniel E.
- Mack
- Manzullo
- Marchant
- Marino
- Matheson
- McCarthy (CA)
- McCaul
- McClintock
- McCotter
- McCotter
- McHenry
- McIntyre
- Emerson
- Farenthold
- Fincher
- Fitzpatrick
- Flake
- Fleischmann
- Fleming
- Flores
- Forbes
- Fortenberry
- Fox
- Franks (AZ)
- Frelinghuysen
- Gallely
- Gardner
- Garrett
- Gerlach
- Gibbs
- Gingrey (GA)
- Gohmert
- Goodlatte
- Gosar
- Gowdy
- Graves (GA)
- Graves (MO)
- Griffin (AR)
- Griffith (VA)
- Guinta
- Guthrie
- Hall
- Harper
- Harris
- Hartzler
- Hastings (WA)
- Hayworth
- Heck
- Hensarling
- Herger
- Herrera Beutler
- Huelskamp
- Huizenga (MI)
- Hultgren
- Hunter
- Hurt
- Issa
- Jenkins
- Johnson (IL)
- Johnson (OH)
- Johnson, Sam
- Jones
- Jordan
- Kelly
- King (IA)
- King (NY)
- Kingston
- Kinzinger (IL)
- Kissell
- Kline
- Labrador

Ribble Schock Tipton
Rigell Schweikert Turner (NY)
Rivera Scott (SC) Turner (OH)
Roby Scott, Austin Upton
Roe (TN) Sensenbrenner Walberg
Rogers (AL) Sessions Walden
Rogers (KY) Shimkus Walsh (IL)
Rogers (MI) Shuster Webster
Rohrabacher Simpson West
Rokita Smith (NE) Westmoreland
Rooney Smith (NJ) Whitfield
Ros-Lehtinen Smith (TX) Wilson (SC)
Roskam Southerland Wittman
Ross (FL) Stearns Wolf
Royce Stivers Womack
Runyan Stutzman Woodall
Ryan (WI) Terry Yoder
Scalise Thompson (PA) Young (AK)
Schilling Thornberry Young (FL)
Schmidt Tiberi Young (IN)

NOES—186

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

NOT VOTING—11

Akin Filner Lewis (CA)
Carney Jackson (IL) Neal
Clyburn Johnson, E. B. Sullivan
Duncan (TN) Lamborn

So the amendment was agreed to.

85.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. LANKFORD:

At the end of the bill before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used for the salary of any officer or employee of the Federal Highway Administration to implement, administer, or enforce the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) or Executive Order No. 13186 of January 10, 2001, with respect to, or to determine any action of the Administration to have a significant impact under section 102(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)) based on the effect of such action on, the cliff swallow or barn swallow (as listed in section 10.13(c)(1) of title 50, Code of Federal Regulations).

It was decided in the { Yeas 234 affirmative } Nays 191

85.15

[Roll No. 447]

AYES—234

Adams Gibbs Miller (MI)
Aderholt Gingrey (GA) Miller, Gary
Alexander Gohmert Mulvaney
Altmire Goodlatte Murphy (PA)
Amash Gosar Myrick
Amodei Gowdy Neugebauer
Austria Graves (GA) Noem
Bachmann Graves (MO) Nugent
Bachus Griffin (AR) Nunes
Barietta Griffith (VA) Nunnelee
Barrow Grimm Olson
Barton (TX) Guinta Palazzo
Benishek Guthrie Paul
Berg Hall Paulsen
Bilirakis Hanna Pearce
Harper Harris Pence
Harris Harris Peterson
Hartzler Hartzler Petri
Bonner Hastings (WA) Pitts
Bono Mack Hayworth Platts
Boren Heck Poe (TX)
Boustany Hensarling Pompeo
Brady (TX) Herger Posey
Brooks Herrera Beutler Price (GA)
Broun (GA) Holden Quayle
Buchanan Huelskamp Reed
Bucshon Huizenga (MI) Rehberg
Buerkle Hultgren Renacci
Burgess Hunter Ribble
Burton (IN) Hurt Rigell
Issa Issa Rivera
Jenkins Jenkins Roby
Johnson (OH) Johnson (OH) Roe (TN)
Johnson, Sam Jones Rogers (AL)
Jordan Jones Rogers (KY)
Kelly Kelly Rogers (MI)
King (IA) King (IA) Rohrabacher
King (NY) King (NY) Rokita
Kingston King (NY) Rooney
Kinzinger (IL) Kinzinger (IL) Ros-Lehtinen
Kissell Kissell Ross (AR)
Kline Kline Ross (FL)
Labrador Royce
Lance Lance Runyan
Landry Landry Ryan (WI)
Lankford Lankford Scalise
Latham Latham Schilling
LaTourette LaTourette Schmidt
Latta Latta Schock
Long Long Schweikert
Lucas Lucas Scott (SC)
Luetkemeyer Luetkemeyer Scott, Austin
Lummis Lummis Sensenbrenner
Lungren, Daniel Lungren, Daniel Sessions
Duffy E. Shimkus
Duncan (SC) Mack Shuler
Duncan (TN) Manzullo Shuster
Ellmers Marchant Simpson
Emerson Marino Smith (NE)
Farenthold Matheson Smith (TX)
Fincher McCarthy (CA) Southerland
Flake McCaul Stearns
Fleischmann McClintock Stivers
Fleming McCotter Stutzman
Flores McHenry Sullivan
Forbes McIntyre Terry
Fortenberry McKeon Thompson (PA)
Foxy McKinley Thornberry
Franks (AZ) McMorris Tiberi
Frelinghuysen Rodgers Tipton
Gallegly Meehan Turner (NY)
Gardner Mica Turner (OH)
Garrett Miller (FL) Upton

Walberg Westmoreland Yoder
Walden Wilson (SC) Young (AK)
Walsh (IL) Wittman Young (FL)
Webster Wolf Young (IN)
West Womack

NOES—191

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

NOT VOTING—7

Akin Jackson (IL) Lewis (CA)
Clyburn Johnson, E. B.
Filner Lamborn

So the amendment was agreed to.

85.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 9, submitted by Mr. DENHAM:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority.

It was decided in the affirmative { Yeas 239
Nays 185

85.17

(Roll No. 448)

AYES—239

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

NOES—185

Ackerman	Bishop (GA)	Capps
Altmire	Bishop (NY)	Capuano
Andrews	Blumenauer	Cardoza
Baca	Bonamici	Carnahan
Baldwin	Boren	Carney
Barber	Boswell	Carson (IN)
Bass (CA)	Brady (IA)	Castor (FL)
Becerra	Braley (IA)	Chandler
Berkley	Brown (FL)	Chu
Berman	Butterfield	Cicilline

Clarke (MI)	Honda	Quigley
Clarke (NY)	Hoyer	Rahall
Clay	Israel	Rangel
Cleaver	Jackson Lee	Reed
Cohen	(TX)	Reyes
Connolly (VA)	Johnson (GA)	Richardson
Conyers	Kaptur	Richmond
Cooper	Keating	Ross (AR)
Costa	Kildee	Rothman (NJ)
Costello	Kind	Roybal-Allard
Courtney	Kissell	Ruppersberger
Critz	Kucinich	Rush
Crowley	Langevin	Ryan (OH)
Cuellar	Larsen (WA)	Sánchez, Linda
Cummings	Larson (CT)	T.
Davis (CA)	Lee (CA)	Sanchez, Loretta
Davis (IL)	Levin	Sarbanes
DeFazio	Lewis (GA)	Schakowsky
DeGette	Lipinski	Schiff
DeLauro	Loeb	Schrader
Deutch	Lofgren, Zoe	Schwartz
Dicks	Lowe	Scott (VA)
Dingell	Lynch	Scott, David
Doggett	Maloney	Serrano
Donnelly (IN)	Markey	Sewell
Doyle	Matsui	Sherman
Edwards	McCarthy (NY)	Shuler
Ellison	McCollum	Sires
Engel	McDermott	Slaughter
Eshoo	McGovern	Smith (WA)
Farr	McNerney	Speier
Fattah	Meeks	Stark
Frank (MA)	Michaud	Sutton
Fudge	Miller (NC)	Thompson (CA)
Garamendi	Miller, George	Thompson (MS)
Gonzalez	Moore	Tierney
Green, Al	Moran	Tonko
Green, Gene	Murphy (CT)	Towns
Grijalva	Nadler	Tsongas
Grimm	Napolitano	Van Hollen
Gutierrez	Neal	Velázquez
Hahn	Oliver	Visclosky
Hanabusa	Owens	Walz (MN)
Hastings (FL)	Pallone	Wasserman
Heinrich	Pascrell	Schultz
Higgins	Pastor (AZ)	Waters
Himes	Pelosi	Watt
Hinchey	Perlmutter	Waxman
Hinojosa	Peters	Welch
Hirono	Peterson	Wilson (FL)
Hochul	Pingree (ME)	Woolsey
Holden	Polis	Yarmuth
Holt	Price (NC)	

NOT VOTING—8

Akin	Fitzpatrick	Lamborn
Clyburn	Jackson (IL)	Lewis (CA)
Filner	Johnson, E. B.	

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. BISHOP of Utah, assumed the Chair. When Mr. THORNBERRY, Acting Chairman, reported that the Committee, having had under consideration said bill, had directed him to report the same back to the House with sundry amendments adopted by the Committee, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Pursuant to House Resolution 697, the previous question was ordered on the amendments and the bill.

The following sundry further amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 3, line 3, strike "not to exceed".
Page 3, line 11, after "Secretary" insert "(except for the Office of Small and Disadvantaged Business Utilization)".

Page 35, line 16, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

Page 35, line 21, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

Page 35, line 22, after the dollar amount, insert "(reduced by \$10,000,000) (increased by \$10,000,000)".

Page 59, line 7, after the dollar amount, insert "(reduced by \$10,000)".

Page 65, line 11, after the dollar amount, insert "(reduced by \$1,940,000)".

Page 71, line 19, after the dollar amount insert "(reduced by \$2,000,000)".

Page 72, line 20, after the dollar amount insert "(reduced by \$2,000,000)".

Page 88, line 23, after the dollar amount insert "(increased by \$2,000,000)".

Page 94, line 19, after each of the first and second dollar amounts, insert "(increased by \$5,000,000)".

Page 95, line 4, after the dollar amount, insert "(increased by \$5,000,000)".

Page 110, line 9, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$10,000)".

Page 150, line 9, after the dollar amount, insert "(increased by \$1,940,000)".

At the end of the bill (before the short title), insert the following:

SEC. 419. None of the funds made available by this Act may be used by the Secretary of Transportation to research or implement a distance-based fee system, commonly referred to as Vehicle Miles Traveled, that would levy a fee on a vehicle user based on the distance traveled.

At the end of the bill (before the short title), insert the following:

SEC. 420. None of the funds made available by this Act may be used in furtherance of the implementation of the European Union greenhouse gas emissions trading scheme for aviation activities established by European Union Directive 2008/101/EC.

At the end of the bill before the short title, insert the following:

SEC. 421. None of the funds made available in this Act may be used for the international highway technology scanning program, a program within the international highway transportation outreach program under section 506 of title 23, United States Code.

At the end of the bill (before the short title), insert the following:

SEC. 422. None of the funds made available in this Act may be used for any new grant under the livable communities program of the Department of Transportation or the sustainable communities program of the Department of Housing and Urban Development or to implement any transfer of funds for any such new grant.

At the end of the bill (before the short title), add the following new section:

SEC. 423. None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

At the end of the bill (before the short title), insert the following:

SEC. 424. None of the funds made available in this Act may be used to establish, issue, implement, administer, or enforce any prohibition or restriction on the establishment or effectiveness of any occupancy preference for veterans in supportive housing for the elderly that (1) is provided assistance by the Department of Housing and Urban Development, and (2)(A) is or would be located on property of the Department of Veterans Affairs, or (B) is subject to an enhanced use lease with the Department of Veterans Affairs.

At the end of the bill (before the short title), insert the following:

SEC. 425. None of the funds made available in this Act shall be used to promulgate, issue, establish, implement, administer, finalize, or enforce the proposed rule issued by the Secretary of Housing and Urban Development and published in the Federal Register on September 16, 2011 (76 F.R. 70921; relating to Implementation of the Fair Housing Act's Discriminatory Effects Standard).

At the end of the bill before the short title, insert the following:

SEC. 426. None of the funds made available in this Act may be used by the Secretary of Transportation to make any transfer under the last proviso under the heading "Department of Transportation—Office of the Secretary—Payments to Air Carriers".

At the end of the bill (before the short title), insert the following:

SEC. 427. None of the funds made available by this Act may be used to design, construct, or operate a fixed guideway project located in Cincinnati, Ohio.

At the end of the bill, before the short title, insert the following:

SEC. 428. None of the funds made available under this Act may be used to implement any rule or regulation that expressly prohibits an owner or landlord of housing from using a criminal conviction to deny housing to an applicant for such housing.

At the end of the bill, before the short title, insert the following:

SEC. 429. None of the funds made available by this Act may be used to promulgate or implement any regulations that would mandate global positioning system (GPS) tracking, electronic on-board recording devices, or event data recorders in passenger or commercial motor vehicles.

At the end of the bill, before the short title, insert the following:

SEC. 430. None of the funds made available under this Act may be used for the Third Street Light Rail Phase 2 Central Subway project in San Francisco, California.

At the end of the bill before the short title, insert the following:

SEC. 431. None of the funds made available by this Act may be used for the salary of any officer or employee of the Federal Highway Administration to implement, administer, or enforce the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) or Executive Order No. 13186 of January 10, 2001, with respect to, or to determine any action of the Administration to have a significant impact under section 102(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)) based on the effect of such action on, the cliff swallow or barn swallow (as listed in section 10.13(c)(1) of title 50, Code of Federal Regulations).

At the end of the bill, before the short title, insert the following:

SEC. 432. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. BARBER moved to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment:

Page 71, line 19, after the dollar amount, insert "(reduced by \$34,000,000)".

Page 72, line 8, after the dollar amount, insert "(reduced by \$34,000,000)".

Page 74, line 6, after the dollar amount, insert "(reduced by \$13,000,000)".

Page 74, line 9, after the dollar amount, insert "(reduced by \$7,000,000)".

Page 74, line 12, after the first dollar amount, insert "(reduced by \$26,000,000)".

Page 74, line 16, after the dollar amount, insert "(reduced by \$1,000,000)".

Page 74, line 19, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 74, line 23, after the dollar amount, insert "(reduced by \$100,000)".

Page 75, line 7, after the dollar amount, insert "(increased by \$75,000,000)".

Page 82, line 6, after the dollar amount, insert "(increased by \$75,000,000)".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. BISHOP of Utah, announced that the yeas had it.

Mr. BARBER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 188 negative Nays 233

85.18

[Roll No. 449]

AYES—188

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

NOES—233

- Adams Bachus Biggert
Aderholt Barletta Bilbray
Alexander Bartlett Bilirakis
Amash Barton (TX) Bishop (UT)
Amodoi Bass (NH) Black
Austria Benishek Blackburn
Bachmann Berg Bonner

- Bono Mack Hanna Petri
Boustany Harper Pitts
Brady (TX) Harris Platts
Brooks Hartzler Poe (TX)
Broun (GA) Hastings (WA) Pompeo
Buchanan Hayworth Posey
Bucshon Heck Price (GA)
Buerkle Hensarling Quayle
Burgess Herger Reed
Burton (IN) Herrera Beutler Rehberg
Calvert Huelskamp Reichert
Camp Huizenga (MI) Renacci
Campbell Hultgren Ribble
Canseco Hunter Rigell
Cantor Hurt Rivera
Capito Issa Roby
Carter Jenkins Roe (TN)
Cassidy Johnson (IL) Rogers (AL)
Chabot Johnson (OH) Rogers (KY)
Chaffetz Johnson, Sam Rogers (MI)
Coble Jordan Rohrabacher
Coffman (CO) Kelly Rokita
Cole King (NY) Rooney
Conaway Kingston Ros-Lehtinen
Cravaack Kinzinger (IL) Roskam
Crawford Kline Ross (FL)
Crenshaw Labrador Royce
Culberson Lance Runyan
Davis (KY) Landry Ryan (WI)
Denham Lankford Scallie
Dent Latham Schilling
DesJarlais LaTourrette Schmidt
Diaz-Balart Latta Schweikert
Dold GoBiondo Scott (SC)
Dreier Long Scott, Austin
Duffy Lucas Sensenbrenner
Duncan (SC) Luetkemeyer Sessions
Duncan (TN) Lummis Shimkus
Emerson Lungren, Daniel Shuster
E. Mack Simpson
Farenthold Manullo Smith (NE)
Fincher Marchant Smith (NJ)
Fitzpatrick Flake Smith (TX)
Flake Marino Southerland
Fleischmann McCarthy (CA) Stearns
Fleming McCaul Stivers
Flores McClintock Stutzman
Forbes McCotter Sullivan
Fortenberry McHenry Terry
Foxy McKeon Thompson (PA)
Franks (AZ) McKinley Thornberry
Frelinghuysen McMorris Tiberi
Gallegly Rodgers Tipton
Gardner Meehan Turner (NY)
Garrett Mica Turner (OH)
Gerlach Miller (FL) Upton
Gibbs Miller (MI) Walberg
Gibson Miller, Gary Walden
Gingrey (GA) Mulvaney Webster
Gohmert Murphy (PA) West
Goodlatte Myrick Westmoreland
Gosar Neugebauer Whitfield
Gowdy Noem Wilson (SC)
Granger Nugent Wittman
Graves (GA) Nunes Wolf
Graves (MO) Nunnelee Womack
Griffin (AR) Olson Woodall
Griffith (VA) Palazzo Yoder
Grimm Paul Young (AK)
Guinta Paulsen Young (FL)
Guthrie Pearce
Hall Pence

NOT VOTING—11

- Akin Jackson (IL) Pelosi
Castor (FL) Johnson, E. B. Schock
Clyburn Lamborn Young (IN)
Filner Lewis (CA)

So the motion to recommit with instructions was not agreed to.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BISHOP of Utah, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 261 affirmative Nays 163

85.19

[Roll No. 450]

YEAS—261

- Ackerman Altmire Austria
Aderholt Amodoi Baca
Alexander Andrews Bachus

Barber
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Berkley
 Biggert
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boswell
 Brady (TX)
 Braley (IA)
 Buchson
 Buerkle
 Burton (IN)
 Calvert
 Camp
 Canseco
 Cantor
 Capito
 Cardoza
 Carnahan
 Carney
 Carter
 Cassidy
 Castor (FL)
 Chandler
 Clarke (MI)
 Clay
 Cleaver
 Coble
 Coffman (CO)
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Costa
 Cravaack
 Crawford
 Crenshaw
 Critz
 Cuellar
 Culberson
 Davis (CA)
 Davis (KY)
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Dreier
 Duffy
 Duncan (TN)
 Ellmers
 Farenthold
 Fitzpatrick
 Fleischmann
 Forbes
 Fortenberry
 Foxx
 Frelinghuysen
 Gallegly
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gonzalez
 Goodlatte
 Granger
 Graves (GA)

Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Himes
 Hinojosa
 Hochul
 Holden
 Hoyer
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Israel
 Jackson Lee
 (TX)
 Jenkins
 Johnson (OH)
 Johnson, Sam
 Jones
 Kaptur
 Keating
 Kelly
 Kildee
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Lance
 Landry
 Lankford
 Larsen (WA)
 Latham
 LaTourette
 Levin
 Lipinski
 LoBiondo
 Loebsack
 Long
 Lucas
 Luetkemeyer
 Lujan
 Lungren, Daniel
 E.
 Lynch
 Maloney
 Manzullo
 Marino
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McCotter
 McDermott
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Michaud
 Miller (MI)
 Miller, Gary
 Miller, George
 Moran
 Murphy (PA)
 Myrick

NAYS—163

Adams
 Amash
 Bachmann
 Baldwin
 Bass (CA)
 Becerra
 Berman
 Bishop (NY)
 Blumenauer
 Bonamici
 Boustany
 Brady (PA)
 Brooks

Broun (GA)
 Brown (FL)
 Buchanan
 Burgess
 Butterfield
 Campbell
 Capps
 Capuano
 Carson (IN)
 Chabot
 Chaffetz
 Chu
 Cicilline

Duncan (SC)
 Edwards
 Ellison
 Emerson
 Engel
 Eshoo
 Farr
 Fattah
 Fincher
 Flake
 Fleming
 Flores
 Frank (MA)
 Franks (AZ)
 Fudge
 Garamendi
 Gardner
 Gohmert
 Gosar
 Gowdy
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hastings (FL)
 Heinrich
 Higgins
 Hinchey
 Hirono
 Holt
 Honda
 Huelskamp
 Johnson (GA)
 Johnson (IL)
 Jordan
 Kind
 Kucinich
 Labrador
 Langevin
 Larson (CT)
 Latta
 Lee (CA)

NOT VOTING—8
 Akin
 Clyburn
 Filner

So the bill was passed.
 A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.
Ordered, That the Clerk request the concurrence of the Senate in said bill.

85.20 CONFERENCE REPORT TO H.R.
 4348—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BISHOP of Utah, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to said conference report to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The question being put,
 Will the House agree to said conference report?

The vote was taken by electronic device.

It was decided in the { Yeas 373
 affirmative } Nays 52

85.21 [Roll No. 451]
 YEAS—373

Ackerman
 Aderholt
 Alexander
 Altmire
 Amodei
 Andrews
 Austria
 Baca
 Bachus
 Baldwin
 Barber
 Barletta

Barrow
 Bartlett
 Barton (TX)
 Bass (CA)
 Bass (NH)
 Becerra
 Benishek
 Berg
 Berkley
 Berman
 Biggert
 Bilbray

Bilirakis
 Bishop (GA)
 Bishop (NY)
 Bishop (UT)
 Blackburn
 Blumenauer
 Bonamici
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany

Brady (PA)
 Brady (TX)
 Braley (IA)
 Brown (FL)
 Buchanan
 Bucshon
 Buerkle
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Canseco
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chaffetz
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Coble
 Coffman (CO)
 Cohen
 Cole
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent
 DesJarlais
 Deutch
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffy
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Frank (MA)
 Frelinghuysen

Fudge
 Gallegly
 Garamendi
 Gardner
 Gerlach
 Gibbs
 Gibson
 Gonzalez
 Granger
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)

Griffith (VA)
 Grijalva
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Honda
 Hoyer
 Hultgren
 Hunter
 Israel
 Issa
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Kucinich
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 LoBiondo
 Loebsack
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lungren, Daniel
 E.
 Lynch
 Maloney
 Manzullo
 Marchant
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McCollum
 McCotter
 McDermott
 McGovern
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNerney
 Meehan
 Meeks
 Mica

Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Napolitano
 Neal
 Noem
 Nunes
 Nunnelee
 Olver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Pence
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Price (GA)
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sessions
 Sewell
 Sherman
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier

Stark	Towns	Waxman
Stearns	Tsongas	Webster
Stivers	Turner (NY)	Welch
Stutzman	Turner (OH)	West
Sullivan	Upton	Whitfield
Sutton	Van Hollen	Wilson (FL)
Terry	Velázquez	Wittman
Thompson (CA)	Visclosky	Wolf
Thompson (MS)	Walden	Womack
Thompson (PA)	Walz (MN)	Woolsey
Tiberi	Wasserman	Yarmuth
Tierney	Schultz	Young (AK)
Tipton	Waters	Young (FL)
Tonko	Watt	Young (IN)

NAYS—52

Adams	Gosar	Paul
Amash	Gowdy	Pompeo
Bachmann	Graves (GA)	Posey
Black	Harris	Quayle
Brooks	Huelskamp	Ross (FL)
Broun (GA)	Huizenga (MI)	Schweikert
Burgess	Hurt	Scott (SC)
Campbell	Jenkins	Scott, Austin
Chabot	Jordan	Sensenbrenner
Conaway	Labrador	Thornberry
Duncan (SC)	Lummis	Walberg
Flake	Mack	Walsh (IL)
Foxx	McClintock	Westmoreland
Franks (AZ)	McHenry	Wilson (SC)
Garrett	Mulvaney	Woodall
Gingrey (GA)	Neugebauer	Yoder
Gohmert	Nugent	
Goodlatte	Olson	

NOT VOTING—7

Akin	Jackson (IL)	Lewis (CA)
Clyburn	Johnson, E. B.	
Filner	Lamborn	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶85.22 HIGHWAY TRUST FUND EXTENSION

On motion of Mr. SHUSTER, by unanimous consent, the Committee on Transportation and Infrastructure, the Committee on Ways and Means, the Committee on Natural Resources, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on Education and the Workforce were discharged from further consideration of the bill (H.R. 6064) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶85.23 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 1335. An Act to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

The message also announced that the Senate agrees to the report of the com-

mittee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) "An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes."

¶85.24 ERIC H. HOLDER, JR. CIVIL ACTION CERTIFICATION

The SPEAKER pro tempore, Mr. FLEISCHMANN, announced that, pursuant to House Resolution 711, the Speaker has certified to the United States Attorney for the District of Columbia the refusal of Eric H. Holder, Jr., to produce certain papers before the Committee on Oversight and Government Reform.

¶85.25 RECESS—3:34 P.M.

The SPEAKER pro tempore, Mr. FLEISCHMANN, pursuant to clause 12(a) of rule I, declared the House in recess at 3 o'clock and 34 minutes p.m., subject to the call of the Chair.

¶85.26 AFTER RECESS—4:05 P.M.

The SPEAKER pro tempore, Mr. FLEISCHMANN, called the House to order.

¶85.27 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 51. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

¶85.28 MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶85.29 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. FLEISCHMANN, laid before the House the following privileged concurrent resolution of the Senate (S. Con. Res. 51):

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 29, 2012, through Friday, July 6, 2012, on a motion offered pursuant to this concurrent resolution by its majority leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶85.30 MESSAGE FROM THE PRESIDENT—SENEGAL-GSP

The SPEAKER pro tempore, Mr. FLEISCHMANN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with section 502(f)(1)(B) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(1)(B)), I am notifying the Congress of my intent to add the Republic of Senegal (Senegal) to the list of least-developed beneficiary developing countries under the Generalized System of Preferences program. After considering the criteria set forth in section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to Senegal.

BARACK OBAMA.

THE WHITE HOUSE, June 29, 2012.

By unanimous consent, the message was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112-120).

¶85.31 MESSAGE FROM THE PRESIDENT—GIBRALTAR-TURKS AND CAICOS ISLANDS-GSP

The SPEAKER pro tempore, Mr. FLEISCHMANN, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a "high income" country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appro-

appropriate to terminate Gibraltar's designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Gibraltar's eligibility for trade benefits under the GSP program will end on January 1, 2014.

In addition, pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Turks and Caicos Islands' designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Turks and Caicos Islands' eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.

THE WHITE HOUSE, June 29, 2012.

By unanimous consent, the message was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112-121).

185.32 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1335. An Act to amend title 49, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

185.33 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 11, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 5883. An Act to make a technical correction in Public Law 112-108.

H.R. 5890. An Act to correct a technical error in Public Law 112-122.

185.34 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLYBURN, for today.

And then,

185.35 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. FLEISCHMANN, by unanimous consent, and pursuant to Senate Concurrent Resolution 51, One Hundred Twelfth Congress, at 4 o'clock and 12 minutes p.m., declared the House adjourned until 2 p.m. on Monday, July 9, 2012.

185.36 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. Third Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (Rept. 112-559). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. Semi-An-

nual Report of the Activity of the House Permanent Select Committee on Intelligence for the 112th Congress (Rept. 112-560). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. Activity Report of the Committee on Energy and Commerce (Rept. 112-561). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. Third Semi-annual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through May 31, 2012 (Rept. 112-562). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 5892. A bill to improve hydropower, and for other purposes (Rept. 112-563). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Concurrent Resolution 127. Resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived (Rept. 112-564). Referred to the House Calendar.

Mr. BACHUS: Committee on Financial Services. H.R. 1588. A bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes; with an amendment (Rept. 112-565). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 3128. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to adjust the date on which consolidated assets are determined for purposes of exempting certain instruments of smaller institutions from capital deductions (Rept. 112-566). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREIER: Committee on Rules. Survey of Activities for the House Committee on Rules For The Third Quarter of the 112th Congress (Rept. 112-567). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. Third Semiannual Activities of the Committee on Oversight and Government Reform for the 112th Congress (Rept. 112-568). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. Report on the Activities of the Committee on Education and the Workforce (Rept. 112-569). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Kentucky: Committee on Appropriations. Committee on Appropriations House of Representatives Semiannual Report of Committee Activities 112th Congress (Rept. 112-570). Referred to the Committee of the Whole House on the state of the Union.

Mr. DANIEL E. LUNGREN of California: Committee on House Administration. Third Semiannual Report on the Activities of the Committee on House Administration During the 112th Congress (Rept. 112-571). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 112th Congress (Rept. 112-572). Referred to the Committee of the Whole House on the state of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (Rept. 112-573). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. Third Semiannual Report on Activities During the 112th Congress (Rept. 112-574). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKEON: Committee on Armed Services. Third Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress (Rept. 112-575). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 4367. A bill to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine (Rept. 112-576). Referred to the Committee of the Whole House on the state of the Union.

185.37 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referral to the Committee on Ways and Means extended for a period ending not later than September 14, 2012.

185.38 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself and Mr. JONES):

H.R. 6059. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself, Mrs. LUMMIS, Mr. PEARCE, Mr. GOSAR, Mr. CHAFFETZ, Mr. TIPTON, Mr. LUJÁN, Mr. MATHESON, Mr. GARDNER, Ms. DEGETTE, Mr. PERLMUTTER, Mr. COFFMAN of Colorado, and Mr. POLIS):

H.R. 6060. A bill to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; to the Committee on Natural Resources.

By Mr. BECERRA (for himself, Mr. LEVIN, Mr. STARK, Ms. PINGREE of Maine, Mr. BLUMENAUER, Mr. GRIMALVA, Mr. DAVIS of Illinois, Mr. RANGEL, Mr. CROWLEY, Mr. MICHAUD, Mr. WELCH, Mr. McDERMOTT, Mr. THOMPSON of California, Mr. DOGGETT, Mr. KIND, Mr. LEWIS of Georgia, and Ms. DELAURO):

H.R. 6061. A bill to amend the Social Security Act to ensure the continuation of services under the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program; to the Committee on Ways and Means.

By Mr. MARINO (for himself, Mr. SMITH of Texas, Mr. CONYERS, Mr. COBLE, Mr. SCOTT of Virginia, Mr. GALLEGLY, Mr. PIERLUISI, Mr. KING of Iowa, and Ms. WASSERMAN SCHULTZ):

H.R. 6062. A bill to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Ms. WASSERMAN SCHULTZ, Mr. COBLE, Mr. BERMAN, Mr. GALLEGLY, Ms. JACKSON LEE of Texas, Mr. DANIEL E. LUNGREN of California, Mr. COHEN, Mr. CHABOT, Mr. PIERLUISI, Mr. CHAFFETZ, Mr. MARINO, Mr. GOWDY, Mrs. ADAMS, Ms. BUERKLE, Ms. NORTON, Mr. GRIMM, Mr. RANGEL, Mr. MEEHAN, Mr. MARKEY, Mr. TOWNS, Ms. SLAUGHTER, Mr. MORAN, Mrs. MALONEY, Mr. BOSWELL, Mr. MCGOVERN, Mr. SHERMAN, Mr. CLAY, Mr. HONDA, Ms. RICHARDSON, Ms. BASS of California, and Mr. FORBES):

H.R. 6063. A bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

By Mr. MICA:

H.R. 6064. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Energy and Commerce, Science, Space, and Technology, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned, considered and passed.

By Mr. COLE (for himself, Mr. BOREN, and Mr. LONG):

H.R. 6065. A bill to make improvements to the Children's Gasoline Burn Prevention Act; to the Committee on Energy and Commerce.

By Ms. HAYWORTH (for herself, Mr. DOLD, and Mr. KING of New York):

H.R. 6066. A bill to amend the Internal Revenue Code of 1986 to extend the parity between the exclusion from income for employer-provided mass transit and parking benefits; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. MCKEON, Mr. CHABOT, Mr. MACK, Mr. BURTON of Indiana, Mr. RIVERA, Mr. DIAZ-BALART, Mr. MCCAUL, Mrs. SCHMIDT, Mr. DUNCAN of South Carolina, Mr. TURNER of New York, and Mr. BILIRAKIS):

H.R. 6067. A bill to enhance the security of the Western Hemisphere and bolster regional capacity and cooperation to counter current and emerging threats, to promote cooperation in the Western Hemisphere to prevent the proliferation of nuclear, chemical, and biological weapons, to secure universal adherence to agreements regarding nuclear nonproliferation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. WITTMAN, Mr. SCOTT of Virginia, Mr. HARRIS, Mr. HOYER, Mr. BARTLETT, Mr. CUMMINGS, Mr. RUPPERSBERGER, Mr. SARBANES, Ms. EDWARDS, Mr. WOLF, Mr. MORAN, Mr. CONNOLLY of Virginia, Mr. RIGELL, Mr. PLATTS, Mr. HINCHEY, and Ms. NORTON):

H.R. 6068. A bill to provide for continued conservation efforts in the Chesapeake Bay watershed; to the Committee on Agriculture.

By Mr. BARLETTA:

H.R. 6069. A bill to provide protection for certain Federal employees with respect to implementation of the June 15, 2012, memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to the United States as children; to the Committee on Homeland Security.

By Mr. BARLETTA (for himself, Mr. SCHWEIKERT, Mr. MURPHY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. BURTON of Indiana, Mr. PLATTS, Mr. ROSS of Florida, Mr. LANCE, Mr. KELLY, and Mr. MARINO):

H.R. 6070. A bill to require the Comptroller General of the United States to conduct a study to determine the impact on the United States of the policy announced by the Secretary of Homeland Security on June 15, 2012, concerning the exercise of prosecutorial discretion with respect to individuals who came to the United States illegally as children, and for other purposes; to the Committee on the Judiciary.

By Mr. BARROW:

H.R. 6071. A bill to make supplemental appropriations for medical and prosthetic research of the Department of Veterans Affairs for fiscal year 2012; to the Committee on Appropriations.

By Ms. BERKLEY:

H.R. 6072. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. BILIRAKIS (for himself, Mr. MILLER of Florida, Mr. NUGENT, Mr. YOUNG of Florida, Mr. MACK, Mr. ROSS of Florida, and Ms. CASTOR of Florida):

H.R. 6073. A bill to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS:

H.R. 6074. A bill to amend the Internal Revenue Code of 1986 to deny the refundable portion of the child tax credit to individuals who are not authorized to be employed in the United States and to terminate the use of certifying acceptance agents to facilitate the application process for ITINs; to the Committee on Ways and Means.

By Ms. BUERKLE (for herself, Mrs. BLACKBURN, Mr. BROUN of Georgia, Mrs. HARTZLER, Mr. KELLY, Mr. ROE of Tennessee, and Mr. WESTMORELAND):

H.R. 6075. A bill to permit the chief executive of a State to create an exemption from certain requirements of Federal environmental laws for producers of agricultural commodities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas:

H.R. 6076. A bill to amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 2, as determined by the Bureau of the Census; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 6077. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. PETERS (for himself, Ms. HAHN, Mr. SCHRADER, Mr. CICILLINE, and Mr. OWENS):

H.R. 6078. A bill to amend the Small Business Act to provide for higher goals for pro-

urement contracts awarded to small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. QUAYLE:

H.J. Res. 114. A joint resolution proposing an amendment to the Constitution of the United States relative to construing provisions of law as having been enacted pursuant to the power of Congress to lay and collect taxes; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Ms. BASS of California, Mr. BISHOP of Georgia, Ms. BORDALLO, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. FATTAH, Ms. FUDGE, Mr. GRIMALVA, Mr. CUMMINGS, Ms. EDWARDS, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Ms. MOORE, Ms. NORTON, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, Mr. WATT, Ms. WILSON of Florida, Ms. SEWELL, and Mr. MEKES):

H. Con. Res. 130. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 103rd anniversary; to the Committee on the Judiciary.

By Ms. JACKSON LEE of Texas:

H. Res. 718. A resolution raising a question of the privileges of the House.

By Mr. DREIER (for himself, Mr. MEKES, and Mr. PAULSEN):

H. Res. 719. A resolution expressing the sense of the House of Representatives that the United States should initiate negotiations to enter into a free trade agreement with Tunisia; to the Committee on Ways and Means.

By Mr. LOEBSACK (for himself and Mr. SCHILLING):

H. Res. 720. A resolution recognizing the 150th anniversary of the Rock Island Arsenal and the men and women who currently and have previously worked on Arsenal Island; to the Committee on Armed Services.

By Mr. CLARKE of Michigan (for himself and Mr. SCOTT of South Carolina):

H. Res. 721. A resolution expressing the sense of the House of Representatives that bolstering literacy among African-American and Hispanic men is an urgent national priority; to the Committee on Education and the Workforce.

By Ms. CASTOR of Florida:

H. Res. 722. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. ROHRBACHER:

H. Res. 723. A resolution expressing the sense of the House of Representatives regarding the classification of Dr. Shakil Afridi as a refugee of special humanitarian concern to the United States; to the Committee on the Judiciary.

185.39 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

- H.R. 21: Mr. TURNER of Ohio.
- H.R. 178: Mr. HIMES.
- H.R. 181: Mr. HIMES and Mr. LANGEVIN.
- H.R. 192: Mr. POLIS.

- H.R. 273: Mr. CANSECO and Mr. COSTA.
H.R. 361: Mr. WOMACK.
H.R. 371: Mr. TURNER of Ohio.
H.R. 420: Mr. DINGELL.
H.R. 657: Mr. SCALISE.
H.R. 718: Ms. ROYBAL-ALLARD.
H.R. 831: Ms. LEE of California and Mr. HEINRICH.
H.R. 854: Mr. LUJÁN.
H.R. 941: Mr. BISHOP of Georgia.
H.R. 942: Mr. TONKO and Mr. ROSS of Arkansas.
H.R. 998: Mr. PERLMUTTER.
H.R. 1063: Mr. NUNES.
H.R. 1195: Mr. LONG.
H.R. 1236: Mrs. BACHMANN.
H.R. 1259: Mr. LOBIONDO, Mr. ROGERS of Alabama, and Mr. BURGESS.
H.R. 1265: Mr. GIBBS.
H.R. 1370: Mr. LANDRY.
H.R. 1381: Mr. ELLISON and Mr. CICILLINE.
H.R. 1464: Mr. RIVERA and Ms. SCHWARTZ.
H.R. 1475: Mr. RIVERA.
H.R. 1489: Mr. REYES.
H.R. 1543: Mr. TONKO.
H.R. 1546: Mr. BARTLETT.
H.R. 1639: Mr. JOHNSON of Georgia.
H.R. 1653: Mr. WALBERG and Mr. COBLE.
H.R. 1704: Mr. TURNER of New York.
H.R. 1775: Mr. CRENSHAW, Mrs. BLACK, Mr. AMODEI, Ms. BERKLEY, Mr. RENACCI, Mrs. NOEM, Mr. BILIRAKIS, Mr. THOMPSON of Pennsylvania, Mr. JONES, Mr. COLE, and Mr. ROE of Tennessee.
H.R. 1867: Mr. LANCE.
H.R. 1878: Ms. ROYBAL-ALLARD and Ms. RICHARDSON.
H.R. 1897: Mr. FRELINGHUYSEN.
H.R. 1936: Mr. DAVID SCOTT of Georgia.
H.R. 1971: Mr. LOEBSSACK.
H.R. 2033: Ms. ZOE LOFGREN of California.
H.R. 2040: Mr. THOMPSON of Pennsylvania and Mr. SCALISE.
H.R. 2104: Mr. BERG.
H.R. 2139: Mr. ELLISON, Mrs. ADAMS, Mr. FATTAH, and Mr. BERG.
H.R. 2140: Ms. ROYBAL-ALLARD.
H.R. 2305: Mr. JONES.
H.R. 2382: Mr. HIMES.
H.R. 2479: Mr. BERG.
H.R. 2497: Mr. BROUN of Georgia.
H.R. 2554: Mr. SCHIFF.
H.R. 2563: Mr. CONNOLLY of Virginia.
H.R. 2569: Mr. ADERHOLT.
H.R. 2672: Mr. SCHRADER.
H.R. 2794: Mr. BLUMENAUER.
H.R. 2874: Mr. SCALISE.
H.R. 2978: Mr. KING of Iowa, Mr. JORDAN, and Mr. HUIZENGA of Michigan.
H.R. 2985: Mr. BLUMENAUER, Mr. LOBIONDO, and Ms. NORTON.
H.R. 2989: Mr. VAN HOLLEN and Mr. SESSIONS.
H.R. 2992: Mr. JONES.
H.R. 3053: Mr. MCDERMOTT.
H.R. 3057: Mr. RYAN of Ohio.
H.R. 3165: Mr. CLAY.
H.R. 3187: Mr. FINCHER, Mr. BOSWELL, Mr. GARDNER, Mr. NUGENT, Mrs. MYRICK, Mr. COLE, and Mr. GRIFFITH of Virginia.
H.R. 3337: Mrs. BLACK and Mr. COHEN.
H.R. 3405: Mr. BACA.
H.R. 3423: Mr. THOMPSON of Pennsylvania and Mr. DREIER.
H.R. 3458: Mr. ROGERS of Kentucky.
H.R. 3461: Mr. JOHNSON of Ohio, Mr. SHERMAN, Mr. GRAVES of Missouri, and Mr. DONNELLY of Indiana.
H.R. 3489: Mr. FRELINGHUYSEN.
H.R. 3586: Mrs. ELLMERS.
H.R. 3627: Mr. SCALISE.
H.R. 3709: Mr. SMITH of Washington.
H.R. 3798: Mr. DICKS, Mr. CLAY, and Mr. MARKEY.
H.R. 3803: Mr. WALSH of Illinois, Mr. BARTON of Texas, and Mr. ROHRBACHER.
H.R. 3861: Mrs. MILLER of Michigan.
H.R. 3875: Mr. HOLT and Mr. LIPINSKI.
H.R. 4057: Mr. CALVERT.
H.R. 4103: Mr. BLUMENAUER.
H.R. 4104: Mr. COOPER, Mr. RICHMOND, Mr. FATTAH, and Ms. BROWN of Florida.
H.R. 4154: Mr. MORAN and Mr. FILNER.
H.R. 4169: Mr. BISHOP of Georgia.
H.R. 4190: Mr. FARR and Mrs. MALONEY.
H.R. 4215: Mr. LOEBSSACK.
H.R. 4243: Mr. MCKEON.
H.R. 4259: Mr. STARK.
H.R. 4277: Mr. WELCH.
H.R. 4350: Mr. MICHAUD and Ms. SCHKOWSKY.
H.R. 4367: Mr. REHBERG, Mr. BILIRAKIS, Mr. CRAVAACK, Mr. KING of New York, Mr. CUELLAR, and Mr. PALAZZO.
H.R. 4373: Mr. PLATTS.
H.R. 4385: Mr. GUINTA, Mr. CASSIDY, Mr. MILLER of Florida, Mrs. HARTZLER, and Mr. AUSTIN SCOTT of Georgia.
H.R. 4402: Mr. STIVERS.
H.R. 4454: Mr. AUSTIN SCOTT of Georgia.
H.R. 5542: Ms. KAPTUR, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. SARBANES, Ms. MCCOLLUM, and Mr. PETERS.
H.R. 5647: Mr. TIERNEY, Ms. VELÁZQUEZ, and Mr. COHEN.
H.R. 5684: Mr. COHEN, Mr. DEFazio, Mr. SCHRADER, and Mr. CONNOLLY of Virginia.
H.R. 5749: Mr. MCGOVERN.
H.R. 5796: Ms. PINGREE of Maine.
H.R. 5806: Mr. BILIRAKIS.
H.R. 5839: Mr. YODER.
H.R. 5840: Mr. KING of New York, Mr. QUIGLEY, Mr. KIND, and Ms. SLAUGHTER.
H.R. 5850: Ms. SCHAKOWSKY.
H.R. 5865: Mr. WOLF.
H.R. 5872: Mr. FORBES and Mr. SCALISE.
H.R. 5893: Mr. SCHOCK.
H.R. 5910: Mr. STIVERS, Mr. POLIS, Mr. MANZULLO, and Mr. HIMES.
H.R. 5931: Mr. ROSS of Arkansas.
H.R. 5954: Mr. MURPHY of Pennsylvania, Mr. HOLDEN, Mr. MEEHAN, Ms. SCHWARTZ, Mr. THOMPSON of Pennsylvania, Mr. KELLY, Mr. DOYLE, Mr. CRITZ, Mr. SHUSTER, Mr. BARLETTA, Mr. MARINO, Mr. DENT, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. FITZPATRICK, Mr. PLATTS, and Mr. PITTS.
H.R. 5969: Mr. KELLY and Mr. BUCSHON.
H.R. 5970: Mr. KELLY and Mr. BUCSHON.
H.R. 5987: Mr. DICKS.
H.R. 5991: Mr. POLIS.
H.R. 6000: Mr. LONG, Mr. MILLER of Florida, Mr. WILSON of South Carolina, Mr. WALBERG, Mr. AUSTIN SCOTT of Georgia, Mr. PITTS, Mr. GOHMERT, Mr. MULVANEY, Mr. ROE of Tennessee, Mr. BISHOP of Utah, Mr. STUTZMAN, and Mr. FLEMING.
H.R. 6003: Ms. NORTON.
H.R. 6019: Mr. HONDA.
H.R. 6048: Mr. GRIFFIN of Arkansas, Mr. FLEMING, Mr. DAVIS of Kentucky, Mr. BOUTSTANY, Mr. JORDAN, Mr. TIPTON, Mr. FINCHER, and Mr. DESJARLAIS.
H.J. Res. 47: Mr. CAPUANO.
H.J. Res. 90: Mr. SARBANES.
H.J. Res. 103: Mr. SCALISE.
H.J. Res. 110: Mr. MCCOTTER and Mr. KING of Iowa.
H.J. Res. 111: Mr. KEATING, Ms. ESHOO, Mr. WELCH, Ms. NORTON, Mr. JACKSON of Illinois, Mr. FARR, and Ms. LEE of California.
H. Res. 216: Mr. CLAY.
H. Res. 298: Mr. FRELINGHUYSEN.
H. Res. 484: Mr. ROHRBACHER.
H. Res. 521: Mr. BLUMENAUER.
H. Res. 583: Mr. GARDNER.
H. Res. 618: Mr. BASS of New Hampshire and Mr. FORBES.
H. Res. 695: Mr. AUSTIN SCOTT of Georgia.
H. Res. 701: Mr. LONG.
H. Res. 702: Mr. LONG.
H. Res. 704: Mr. ELLISON and Mr. CRITZ.
H. Res. 705: Mr. GRIMM, Mr. TURNER of New York, Mr. GUTHRIE, Mr. LIPINSKI, and Mr. CONYERS.
H. Res. 709: Mr. CAPUANO.
H. Res. 716: Mr. WELCH, Mr. AKIN, Mr. HARPER, Mrs. MCMORRIS RODGERS, Mr. TURNER of New York, Mrs. ADAMS, Mr. MARKEY and Mr. TURNER of Ohio.